

# FINAL AGENDA

5-22-2012 Version # 1



COMMUNITY ZONING APPEALS BOARD 14  
SOUTH DADE GOVERNMENT CENTER-ROOM 203 (OLD BUILDING)  
10710 SW 211 Street, Miami  
Tuesday, June 26, 2012 at 6:00 p.m.

## CURRENT

1. 12-6-CZ14-1 ESMIRNA INTERNATIONAL CHRISTIAN  
MINISTRIES, INC. 08-140 02-56-39 N



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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COMMUNITY ZONING APPEALS BOARD - AREA 14

MEETING OF TUESDAY, JUNE 26, 2012

SOUTH DADE GOVERNMENT CENTER – ROOM 203 (OLD BUILDING)

10710 SW 211 STREET, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:00 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

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1. ESMIRNA INTERNATIONAL CHRISTIAN MINISTRIES, INC. (12-6-CZ14-1/08-140) 02-56-39  
Area 14/District 08

- (1) SPECIAL EXCEPTION to permit a religious facility.
- (2) UNUSUAL USE to permit an after-school care facility.
- (3) NON-USE VARIANCE to permit a parcel of land with a lot frontage of 155.88' (200' required) and a lot area of 2.33 gross acres (5 gross acres required).
- (4) NON-USE VARIANCE to permit school structures and incidental uses to be spaced less than the required (250') from the front and interior sides property lines.
- (5) NON-USE VARIANCE to permit 2,182 sq. ft. of classroom area (2,520 sq. ft. required).

Plans are on file and may be examined in the Permitting, Environment and Regulatory Affairs Department or its successor department entitled "Proposed New Religious Facility Building for: Esmirna International Christian Ministry, Inc.", prepared by Diego Development, Inc., dated stamped received 5/21/12 and consisting 7 sheets. Plans may be modified at public hearing.

LOCATION: 18450 S.W. 134 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.33 Gross Acres

Department of Regulatory and  
Economic Resources  
Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

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

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

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

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

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**NOTICE**

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

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Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Regulatory and Economic Resources (RER), 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](http://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 Permitting, Environment and Regulatory Affairs Department  
Staff Report to Community Council No. 14**

**PH: Z08-140 (12-6-CZ14-1)**

**June 26, 2012**

Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	8
<b>Applicant</b>	Esmirna International Christian Ministries, Inc.
<b>Summary of Requests</b>	The applicant is seeking to establish religious and after-school care facilities on a substandard lot. Additionally the applicant is requesting to permit the school structures and incidental uses spaced less than required from the front and interior side property lines, less classroom space than required and drives within 25' of the right-of-way.
<b>Location</b>	18450 SW 134 Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	2.33 Acres
<b>Existing Zoning</b>	AU
<b>Existing Land Use</b>	Single-family residence
<b>2015-2025 CDMP Land Use Designation</b>	Estate Density Residential (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval with conditions</b>

**REQUESTS:**

- (1) SPECIAL EXCEPTION to permit a religious facility.
- (2) UNUSUAL USE to permit an after-school care facility.
- (3) NON-USE VARIANCE to permit a parcel of land with a lot frontage of 155.88' (200' required) and an area of 2.33 gross acres (5 gross acres required).
- (4) NON-USE VARIANCE to permit all proposed school structures and incidental uses to be spaced less than the required (250') from the front and interior sides property lines.
- (5) NON-USE VARIANCE to permit 2,182 sq. ft. of classroom area (2,520 sq. ft. required).

Plans are on file and may be examined in the Permitting, Environment and Regulatory Affairs Department or its successor Department entitled "Proposed New Religious Facility Building for: Esmirna International Christian Ministry, Inc.," as prepared by Diego Development, dated stamped received 05/21/12 consisting of 7 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:**

Existing 4,375.46 sq. ft. single-family residence with 48 proposed parking spaces for the proposed religious and after-school care uses.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	AU; single-family residence	Estate Density Residential (1 to 2.5 du)
<b>North</b>	AU; single-family residences and plant nurseries	Estate Density Residential (1 to 2.5 du)
<b>South</b>	AU; plant nursery	Estate Density Residential (1 to 2.5 du)
<b>East</b>	EU-M; charter school	Estate Density Residential (1 to 2.5 du)
<b>West</b>	AU; plant nursery	Estate Density Residential (1 to 2.5 du)

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is an internal lot located at 18450 SW 134 Avenue. The surrounding area is characterized by agricultural, residential and institutional uses.

**SUMMARY OF THE IMPACTS:**

Approval of this application will allow the applicant to establish two community serving uses – a religious facility and after-school care; however, staff notes that approval of this application could result in additional traffic in the surrounding area.

**CDMP ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Estate Density Residential** use. This category allows a range in density from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre. *This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized.* The property is currently improved with a single family residence, barn, wood deck and shed. The applicant seeks to establish religious and after-school care facilities in the existing single-family residence. The CDMP’s Land Use Element interpretative text for Residential Communities, states that *neighborhood and community services including **schools** and **houses of worship** are permitted only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the “neighborhood” reflects the intensity and design of developments, mix of land uses and their relationships.* Additionally, staff notes that the proposed uses are reflective of the surrounding area as there is a charter school located directly to the east of the subject property across SW 134 Avenue. The submitted site plans depict the existing single-family residence with a remodeled interior to accommodate the proposed religious and after-school care facilities. Staff opines that while the use will change from single-family residential to religious and educational the requested uses are **consistent** with the CDMP’s Land Use Element interpretative text for Residential Communities regarding neighborhood and community serving uses.

**ZONING ANALYSIS:**

When analyzing requests #1 and #2, a Special Exception to permit a religious facility and Unusual Use to permit an after-school care facility, under Section 33-311(A)(3), Standards For **Special Exceptions, Unusual Uses** and New Uses, staff is of the opinion that, as proposed, the religious and after-school care facilities would be **compatible** with the surrounding area. Staff opines that the

proposed uses will not result in excessive traffic as evidenced by the memorandum from the Public Works and Waste Management Department which states that the application meets the traffic concurrency criteria for an Initial Development Order. The memorandum further indicates that the proposed uses will generate 59 PM daily peak hour vehicle trips that when distributed to the adjacent roadways, does not exceed the acceptable level of service for said roadways. The Environmental Division of the Permitting, Environment and Regulatory Affairs Department memorandum, indicates that approval will not result in a reduction in the LOS standards for potable water service, wastewater disposal, or stormwater management. Additionally the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the proposed facilities will have a negative impact on fire rescue services in the area. Based on the aforementioned department memoranda, staff opines that the requests will not result in, among other things, excessive noise or traffic, cause undue or excessive burden on public facilities, 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. Further, staff notes that approval of request #2 is contingent upon the non-use variances listed as requests #4 and #5. **As such, staff recommends approval with conditions of requests #1 and #2 under Section 33-311(A)(3) Standards For Special Exceptions, Unusual Uses and New Uses.**

When request #3 to permit a parcel of land with a lot frontage of 155.88' and an area of 2.31-acres, where 200' of frontage and 5 gross acres are required, is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance Standards, staff is of the opinion that approval of the request would be **compatible** with the surrounding area. Based on the records of the Miami-Dade County Property Appraiser and the Miami-Dade Geographical Informational Systems (GIS), staff found properties surrounding the subject parcel that are less than the required five (5) acres and less than the required 200' lot frontage. More specifically staff notes that the records indicate that the abutting property to the north is 4.08 acres. Additionally, according to the aforementioned records from the Property Appraiser and the GIS, the four (4) parcels located to the south of the subject property are all approximately 2.5 acres with lot frontages that average approximately 155'. As such staff opines that the requested non-use variance is not out of character with the abutting properties and those in the surrounding area and would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. **Therefore, staff recommends approval with conditions of request #3 under Section 33-311(A)(4)(b) (Non-Use Variance Standards).**

When requests #4 and #5 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance Standards, staff is of the opinion that approval of these requests would be **compatible** with the surrounding area and would maintain 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 appearance of the community. In staff's opinion, requests #4 and #5 are germane to the request #2, unusual use to permit an after-school care facility. Further, staff notes that the requested variance to permit school structures and incidental uses spaced less than the required 250' from the front and interior side property lines (request #4) is due to the requested school and after-school care use within the AU, Agricultural zoning district. Staff opines that said request is due to the physical constraints of the property and the location of the existing single-family residence to be utilized for the requested school use. Additionally, staff notes that the lot is approximately 155' wide which would make it difficult to space the school structures and incidental uses 250' from the interior side property lines. Staff opines that request #5 to permit 2,182 sq. ft. of classroom area where 2,520 sq. ft. is required, is minimal. Staff notes that the applicant's childcare checklist for the after-school care facility indicates that the facility will accommodate 72 children. Section 33-151.18(e) of the Code requires 35 sq. ft. of classroom area per child for after-school care facilities and the applicant is proposing to provide 30 sq. ft of classroom area for each child. Staff opines that the submitted plans depict classroom areas that are designed to adequately accommodate the

requested 72 children. **Therefore, staff recommends approval of requests #4 through #6 under Section 33-311(A)(4)(b) (Non-Use Variance Standards).**

**ACCESS, CIRCULATION AND PARKING:** The submitted site plan depicts an ingress point on the north and an egress point on the south of the subject property. There will be forty-six (46) parking spaces and two (2) handicap spaces for the proposed religious and after-school care facilities.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

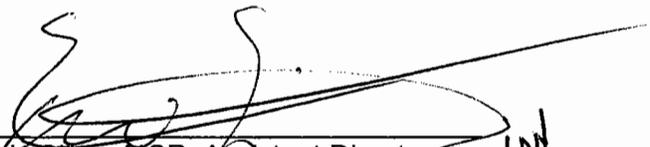
**RECOMMENDATION:**

**Approval with conditions.**

**CONDITIONS FOR APPROVAL:**

1. That a site plan be submitted to and meet with the approval of the Director of the Permitting, Environment and Regulatory Affairs or its successor Department 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 "Proposed New Religious Facility Building for: Esmirna International Christian Ministry, Inc.," as prepared by Diego Development, dated stamped received 05/21/12 consisting of 7 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Permitting, Environment and Regulatory Affairs Department or its successor Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the after-school care be limited to a maximum of seventy-two (72) children.
6. That the hours of operation for the after-school facility shall be between 1:30 PM – 6:00 PM, Monday – Friday.

ES:MW:GR:NN:CH:AN

  
Eric Silva, AICP, Assistant Director  
Zoning and Community Planning  
Miami-Dade County  
Sustainability, Planning and Economic Enhancement Department  
Permitting, Environment and Regulatory Affairs Department

# ZONING RECOMMENDATION ADDENDUM

*Esmirna International Christian Ministries, Inc.*  
08-140

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Permitting, <b>Environment</b> and Regulatory Affairs	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

<b>Estate Density Residential</b>	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Estate Density Residential</b>. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.</i>
<b>Residential Communities (Pg. 1-26)</b>	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including <b>schools</b>, parks, <b>houses of worship</b>, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.</i>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>33-311(A)(3) Special Exceptions, Unusual Uses and New Uses</b>	<i>The Board shall hear an application for and grant or deny <b>special exceptions</b>; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and <b>unusual uses</b> 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>
<b>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b>	<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>

**1. ESMIRA INTERNATIONAL CHRISTIAN MINISTRIES, INC.**  
**(Applicant)**

**12-6-CZ14-1 (08-140)**  
**Area 14/District 08**  
**Hearing Date: 06/26/12**

Property Owner (if different from applicant) **SAME**

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
No History				

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

# Memorandum



**Date:** February 17, 2012

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

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

**Subject:** C-14 #Z2008000140-8<sup>th</sup> Revision  
Esmirna International Christian Ministries, Inc.  
18450 S.W. 134 Avenue  
Unusual Use to Permit an After School Care Facility; Special  
Exception to Permit a Religious Facility; Request to Permit more  
Children than Permitted and Request to Lot Area, Frontage and  
Setback Requirements  
(AU) (2.4 Acres)  
02-56-39

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

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

#### Potable Water Service

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

Existing public water 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 PERA Environmental Services for this proposed development order.

#### Wastewater Disposal

The closest public sanitary sewer is located approximately 134 feet from the subject property. Based on the proposed request, the subject property is within feasible distance for connection to public sanitary sewers. Therefore, connection of any proposed development to the public sanitary sewer system shall be required in accordance with Code requirements.

Civil drawing for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section prior to approval of final development orders.

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

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

#### Stormwater Management

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

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

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

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

#### Pollution Control

The subject property is located within a designated brownfield area. The applicant is advised that there are economic incentives available for development within this area. For further information concerning these incentives, contact the Pollution Remediation Section at 305-372-6700.

#### Pollution Remediation

There are no records of current contamination assessment/remediation issues on the property or abutting the property. Additionally, there are no historical records of contamination assessment/remediation issues regarding non-permitted sites associated with this property or abutting the property.

#### 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 of provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24 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. 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 the Tree Program 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, Sustainability, Planning and Economic Enhancement

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: ESMIRNA INTERNATIONAL CHRISTIAN MINISTRIES, INC.

This Department has no objections to this application.

Miami Dade County Public Works Department Traffic Engineering Division has no objection to this application.

For further details and/or questions, contact Mr. Harvey L. Bernstein at 305-375-1874, or via e-mail at hlb@miamidade.gov or Mr. Ricardo Gavilan at 305-375-2030, or via e-mail at rlg@miamidade.gov.

Additional improvements may be required at time of platting.

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

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 59 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9818	SW 137 Ave. s/o SW 152 St.	C	C
9876	SW 184 St. w/o SW 117 Ave.	C	C
9820	SW 137 Ave. s/o SW 184 St.	C	C
9878	SW 184 St. w/o SW 137 Ave.	C	C

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



Raul A Pino, P.L.S.

14-FEB-11



# Memorandum

**Date:** 06-JUN-12  
**To:** , Director  
 Department of Regulatory and Economic Resources  
**From:** William W. Bryson, Fire Chief.  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2008000140

**Fire Prevention Unit:**

This memo supersedes MDFR memorandum dated January 31, 2012  
 APPROVAL  
 No objection to site plan date stamped received May 21, 2012.

**Service Impact/Demand**

Development for the above Z2008000140  
 located at 18450 SW 134 AVENUE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 2199 is proposed as the following:

<u>1</u>	dwelling units	<u>N/A</u>	square feet
residential		<u>industrial</u>	
<u>N/A</u>	square feet	<u>5,861</u>	square feet
Office		<u>institutional</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Retail		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: 3.93 alarms-annually.  
 The estimated average travel time is: 7:21 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
 Station 52 - South Miami Hgts - 12105 Quail Roost Drive  
 Rescue, ALS Tanker, Battalion 7.

**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 May 21, 2012.

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

DATE: 18-MAY-12  
REVISION 2

**BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT**

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

ESMIRNA INTERNATIONAL  
CHRISTIAN MINISTRIES, INC.

18450 SW 134 AVENUE, MIAMI-  
DADE COUNTY, FLORIDA.

\_\_\_\_\_  
**APPLICANT**

\_\_\_\_\_  
**ADDRESS**

Z2008000140

\_\_\_\_\_  
**HEARING NUMBER**

**HISTORY:**

THERE ARE NO CURRENT OPEN OR CLOSED NEIGHBORHOOD REGULATIONS OR  
BUILDING SUPPORT CASES.

ESMIRNA INTERNATIONAL CHRISTIAN MINISTRIES, INC

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

**REPORTER NAME:**

# Memorandum



**Date:** May 10, 2012

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

**From:** James Byers, Zoning Permitting Division Chief  
Department of Permitting, Environment and Regulatory Affairs

**Subject:** Z2008000140

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An inspection was conducted on May 9, 2012, at 18450 SW 134 avenue. This property is operating under Esmirna International Christian Ministries and provides after school care and bible studies. I checked our records and there is no Certificate of Use on file for a Church or Afterschool care program.

There were no other zoning violations or unauthorized uses observed.

If you have any questions or need further information, please let me know!  
Francie

Inspector **BOBONIS, EIMIR**

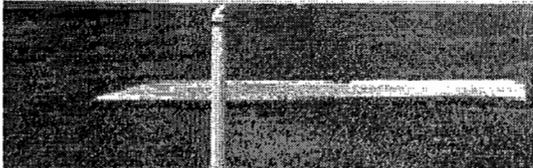
Evaluator **N/A**

Process Number: **Z2008000140** Applicant Name **ESMIRNA INTERNATIONAL CHRISTIAN MINISTRIES, INC.**



Date: 25-JUL-11

Comments: CONTAINERS AND STRUCTURE IN THE REAR OF PROPERTY



Date: 23-JUL-11

Comments: EAST (FRONT) OF PROPERTY



Date: 23-JUL-11

Comments: NORTH SIDE OF PROPERTY



Inspector **BOBONIS, EIMIR**

Evaluator **N/A**

Process Number: **Z2008000140** Applicant Name **ESMIRNA INTERNATIONAL CHRISTIAN MINISTRIES, INC.**



Date: 23-JUL-11

Comments: BUILDING AT PROPERTY



Date: 23-JUL-11

Comments: REAR OF PROPERTY



Date: 23-JUL-11

Comments: SOUTH SIDE OF PROPERTY

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

Child Care Check List for  
Day Nursery, Day Care Center, Kindergarten and Private School

School Name: Peace CDC After School  
MIAMI FL 33177  
School Address: 18450 SW 134 AVE Tax Folio # 30 -

1. Is this an expansion to an existing school  Yes  No If yes, indicated the number of students: \_\_\_\_\_ and age and grade ranges originally approved: \_\_\_\_\_  
NET 493.9K x 152.85 = 99,911.6 — 2.29 ac
2. Total size of site: 478.9K 152.85 = 103,775.97 43,560 sq. ft. = 2.38 acres
3. Number of children or students requested: 72 Ages: 5-14 yr old
4. Number of teachers: 4 Number of administrative & clerical personnel: 2
5. Number of classrooms: 2 Total square footage of classroom area: 1,693 Sq Ft
6. Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):  
2,150 Sq Ft
7. Amount of outdoor recreation/play area in square footage: 2,339 Sq Ft

NOTE: Location requirement for outdoor recreation/play areas must conform to §33-151.18(j)

8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility:  
2 PASSENGER CARS
9. Number of parking spaces provided for staff, visitors and transportation vehicles: parking spaces provided 49 parking spaces required by §33-124(L) 4
10. Indicate the number of auto stacking spaces: 6 provided 5 required.
11. Proposed height for the structure(s): 23'-6 1/2 See §33-151.18(g).
12. Size of identification sign: 4'-0" x 3'-0" = 12 sq. ft. See §33-151.18(c). Signage will require a separate permit. Contact the Permit Section at (786) 315-2100.
13. Days and hours of operation: M-F 1:30 PM - 6:00 PM
14. Does the subject facility share the site with other facilities?  Yes  No. (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to §33-151.16).
15. If the school will include residential uses, do such uses meet the standards provided in §33-151.17?  Yes  No (If yes, describe the residential uses and indicate same on the plans).

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

- a. Day Nursery/Kindergarten, preschool and after-school care

35 sq. ft. x 72 (number of children) = 2,520 sq. ft. of classroom area required.

- b. Elementary Grades 1-6

30 sq. ft. x      (number of children) =      sq. ft. of classroom area required.

- c. Junior High and Senior High Schools (Grades 7-12)

25 sq. ft. x      (number of children) =      sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 2,520 sq. ft.  
 TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 4,643 sq. ft.  
1,622

OUTDOOR RECREATION SPACE:

- a. Day nursery/kindergarten, preschool and after school care <sup>1,620</sup>  
 45 sq. ft. x 3672 (1/2 of children) = ~~1,620~~

- b. Grades 1-6 500 sq. ft. x      (first 30 children) =       
 300 sq. ft. x      (remaining children) =

- c. Grades 7-12 800 sq. ft. x      (first 30 children) =       
 300 sq. ft. x      (next 300 children) =       
 150 sq. ft. x      (remaining children) =

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 1,620  
 TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 2,342

TREES: See §33-151.18(g), and the Planning Division (12<sup>th</sup> Floor) for additional requirements.

- a. 28 trees are required per net acre. Trees required: 4.9 Trees provided: 85  
 b. Ten shrubs are required for each tree required. Shrubs required <sup>449</sup>      Shrubs provided 850  
 c. Grass area for organized sports/play area in square feet: 2,039 sq. ft.  
 d. Lawn area in square feet (exclusive of organized sports/play area): 19,936 sq. ft.

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

School Address: 18450 SW 134 AVE MIAMI FL Zip Code: 33177

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 30 day of OCTOBER at Miami-Dade County, Florida.

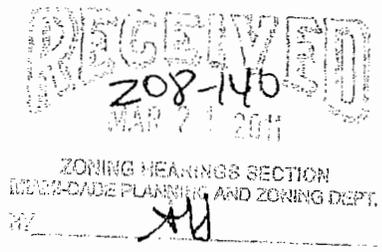
Signature

WITNESSES:

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I hereby certify that on this 30 day of OCTOBER, 2010, before me personally appeared HECTOR HERNANDEZ, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:





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

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

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

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

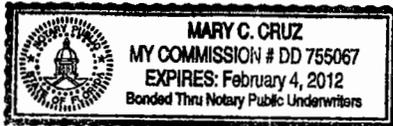
**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: \_\_\_\_\_  
(Applicant), REV. JOSE F. RODRIGUEZ

Sworn to and subscribed before me this 22nd day of July, 2008. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
(Notary Public)



My commission expires: \_\_\_\_\_

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

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JUL 23 2008

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEP.  
BY \_\_\_\_\_

20

**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: PHILANTHROPIC EDUCATIONAL AND CULTURAL EVOLVEMENT COMMUNITY DEVELOPMENT AND BETTERMENT OUTREACH, CORP, INC.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Rev. Jose F. Rodriguez, 18450 SW 134 Ave, Miami FL 33179</u>	<u>0</u>
<u>Lexaida Perez, 15430 SW 170 Ave, Miami FL 33187</u>	<u>0</u>
<u>Mary E. Cruz, 4430 SW 83 Ave, Miami FL 33155</u>	<u>0</u>
<u>Hector Hernandez, 8280 SW 144 St, Miami FL 33182</u>	<u>0</u>
_____	_____
_____	_____

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

TRUST/ESTATE NAME: \_\_\_\_\_

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

Signature: \_\_\_\_\_  
(Applicant)

Sworn to and subscribed before me this 30 day of MARCH, 2010. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

  
 \_\_\_\_\_  
 Notary Public  
 My commission expires \_\_\_\_\_

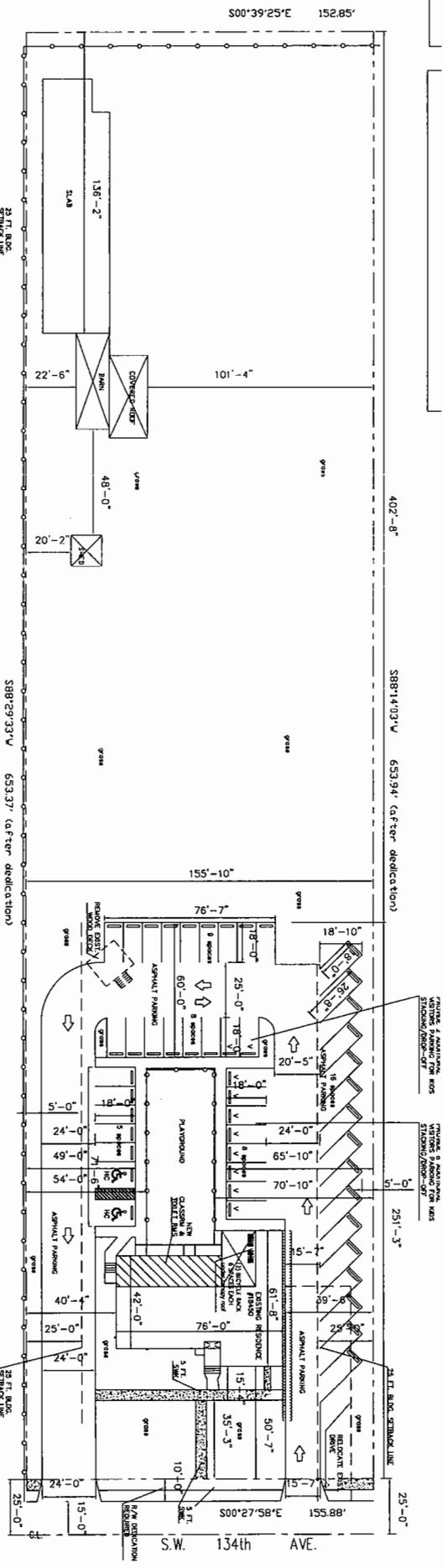


\*Disclosure shall not be required for: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership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

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 MAY 21 2012

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

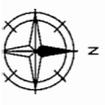
**ENLARGED SITE PLAN**



NOTE: AT THIS TIME THERE ARE NO RESIDENCE WITHIN 75'-0" OF BUILDING.

NEW SITE PLAN FOR PHASE-1 & 2

1" = 30.0'

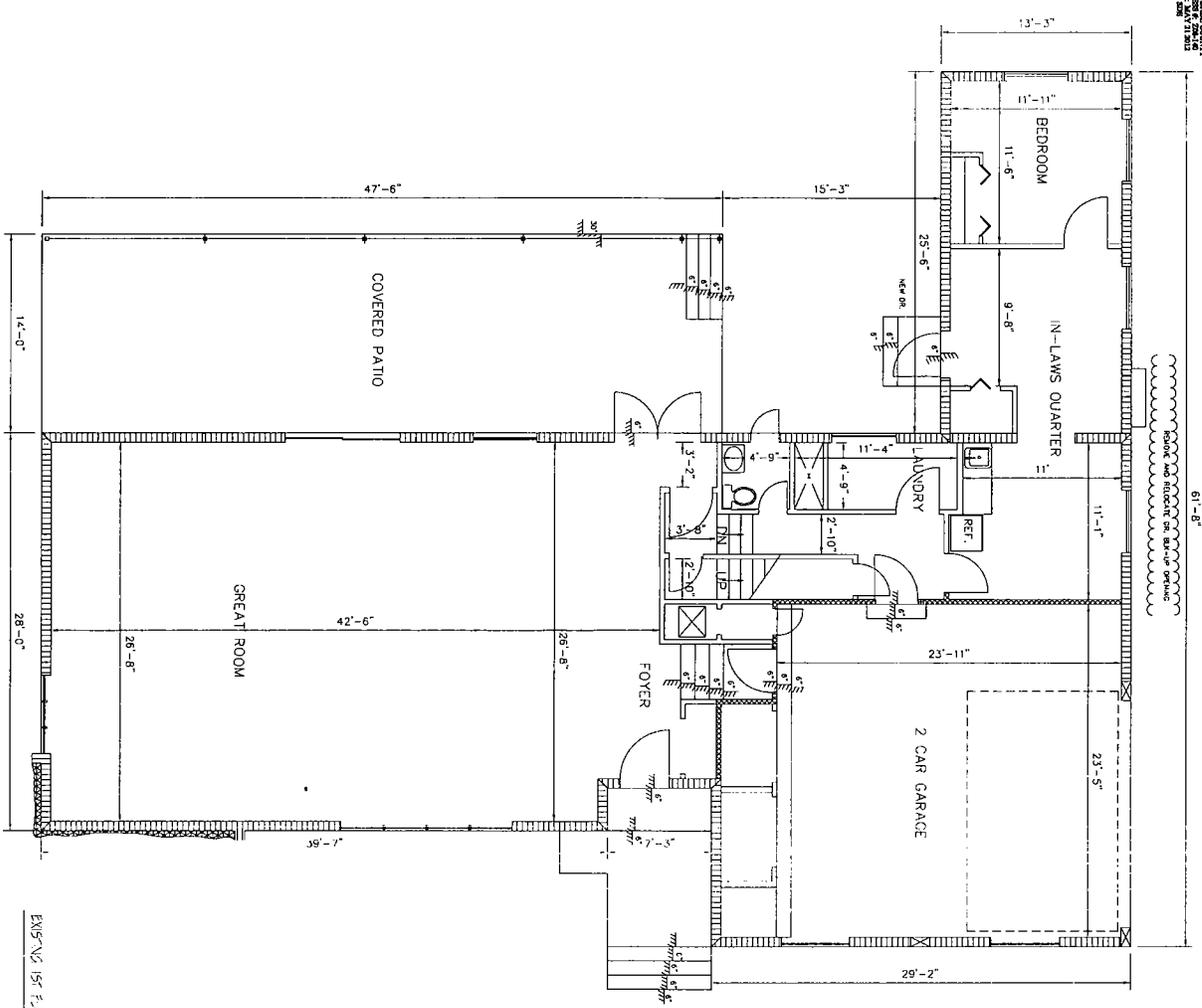


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 MAY 21 2012

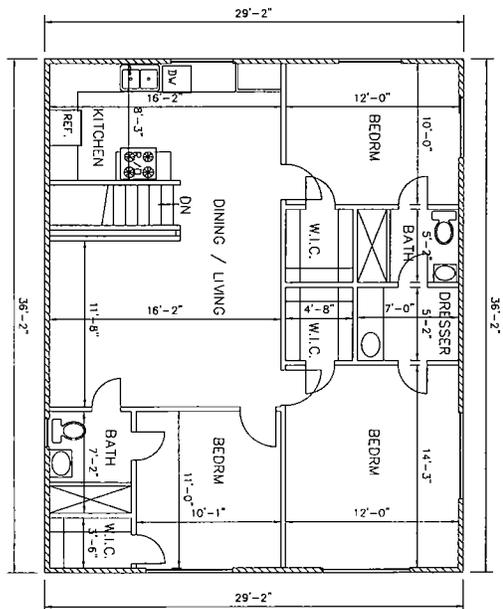




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 PLANNING AND ZONING DEPT.  
 MAY 2 11 2012



EXIST'NG 1ST FLOOR PLAN  
 1/4" = 1'-0"



EXIST'NG 2ND FLOOR PLAN  
 1/4" = 1'-0"



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 MAY 2 11 2012  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY *[Signature]*

PHASE - 1

RECEIVED  
 MAY 2 11 2012

Scale: Date: 05-26-05 DBP No.: 2705 Sheet No.: <b>A-1</b>	PROPOSED NEW RELIGIOUS BUILDING FOR: ESMIRNA INTERNATIONAL CHRISTIAN MINISTRY, INC. 18450 SW 134 AVE MIAMI, FLA. Off: (786) 859-2788	MIGUEL O. FERNANDEZ RA # 0009333	DIEGO DEVELOPMENT INC. AA # 26001893 14741 SW 144 TERR. MIAMI, FLA CELL: 305-281-0713 OFF/FAX: 305-256-1170	REVISIONS 10-06-09--12-09-09 05-10-12 DR - AK
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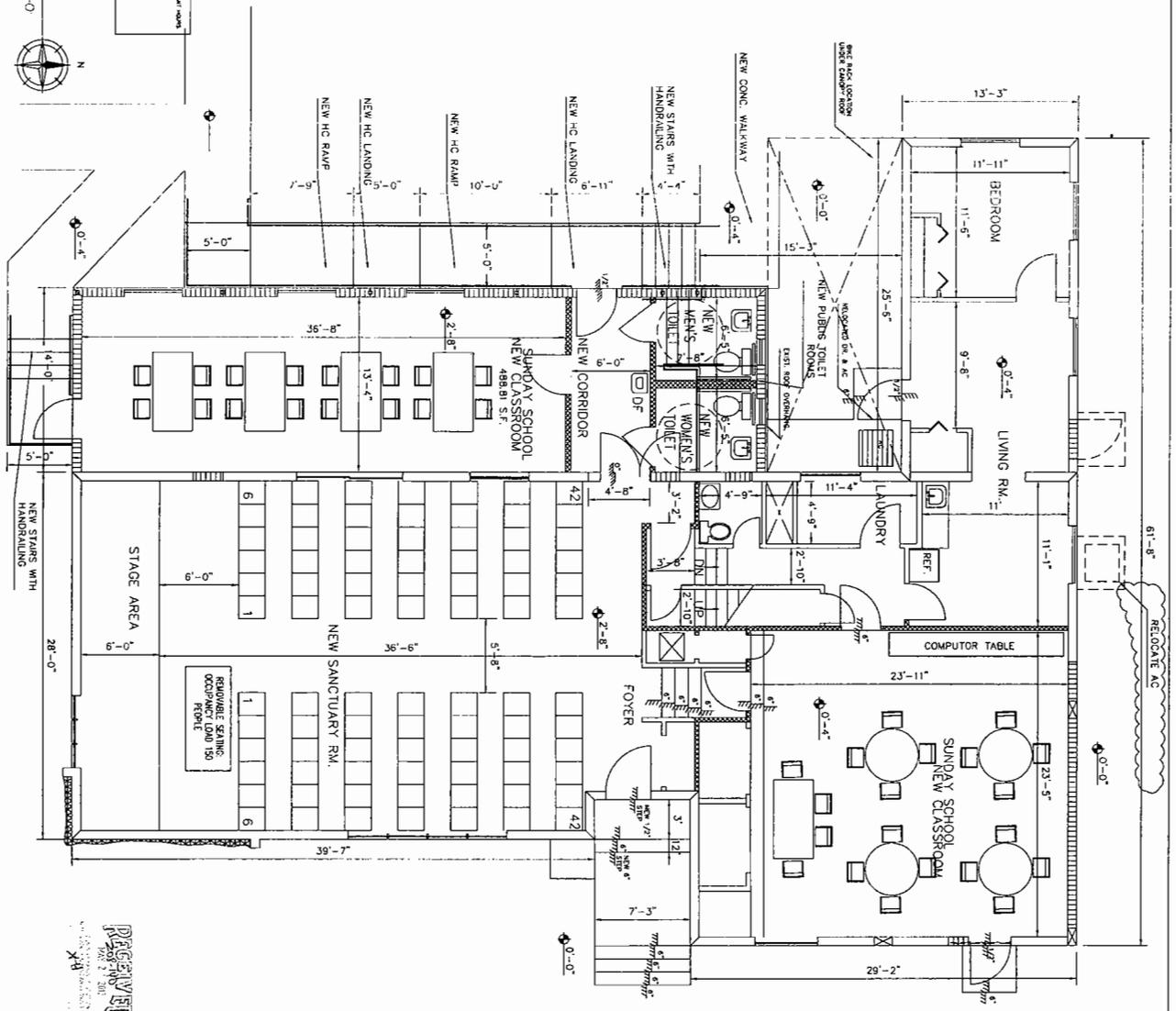
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 ARCHITECTURAL DEPARTMENT  
 MAY 21 2012

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 MAY 21 2012

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

CHECK USE PAGE -1  
 NEW 1ST FLOOR PLAN

1/4" = 1'-0"



Scale: 1/4" = 1'-0"  
 Date: 05-26-06  
 DBS No.: 2705  
 Sheet No.: A-2

PROPOSED NEW RELIGIOUS BUILDING FOR:  
 ESMIRNA INTERNATIONAL CHRISTIAN MINISTRY, INC.  
 18450 SW 134 AVE MIAMI, FLA.  
 OFF: (786) 859-2788

MIGUEL O. FERNANDEZ  
 RA # 0009333

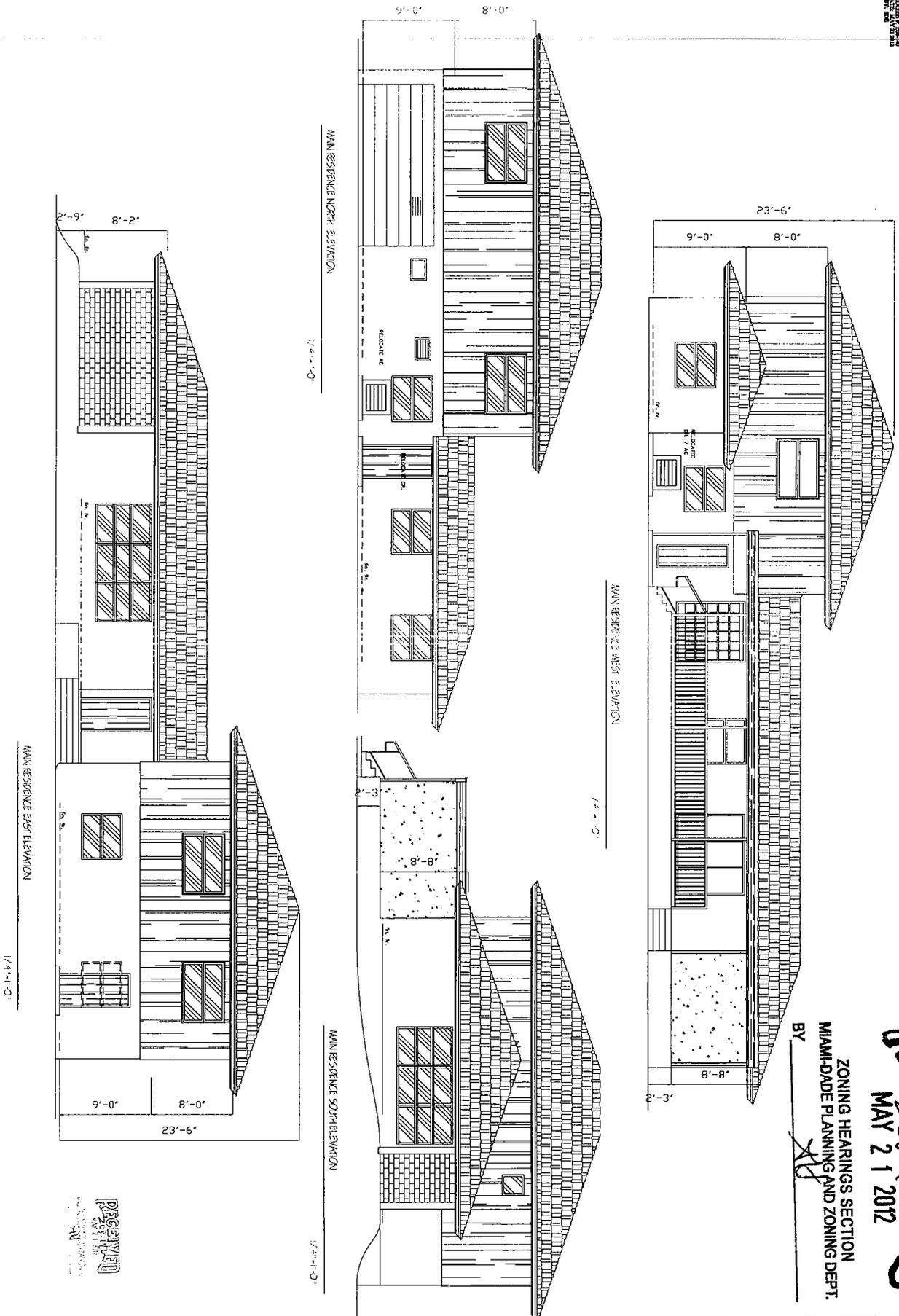
Diego Development Inc.  
 AA # 26001893  
 14741 SW 144 TERR. MIAMI, FLA  
 CELL: 305-281-0713 OFF/FAX: 305-256-1170

NO.	DATE	REVISIONS
1	11-21-11	
2	05/26/2006	REVISED PER PLAN/ARCH-05-10-12

27







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 2012-11-02  
 MAY 21 2012

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

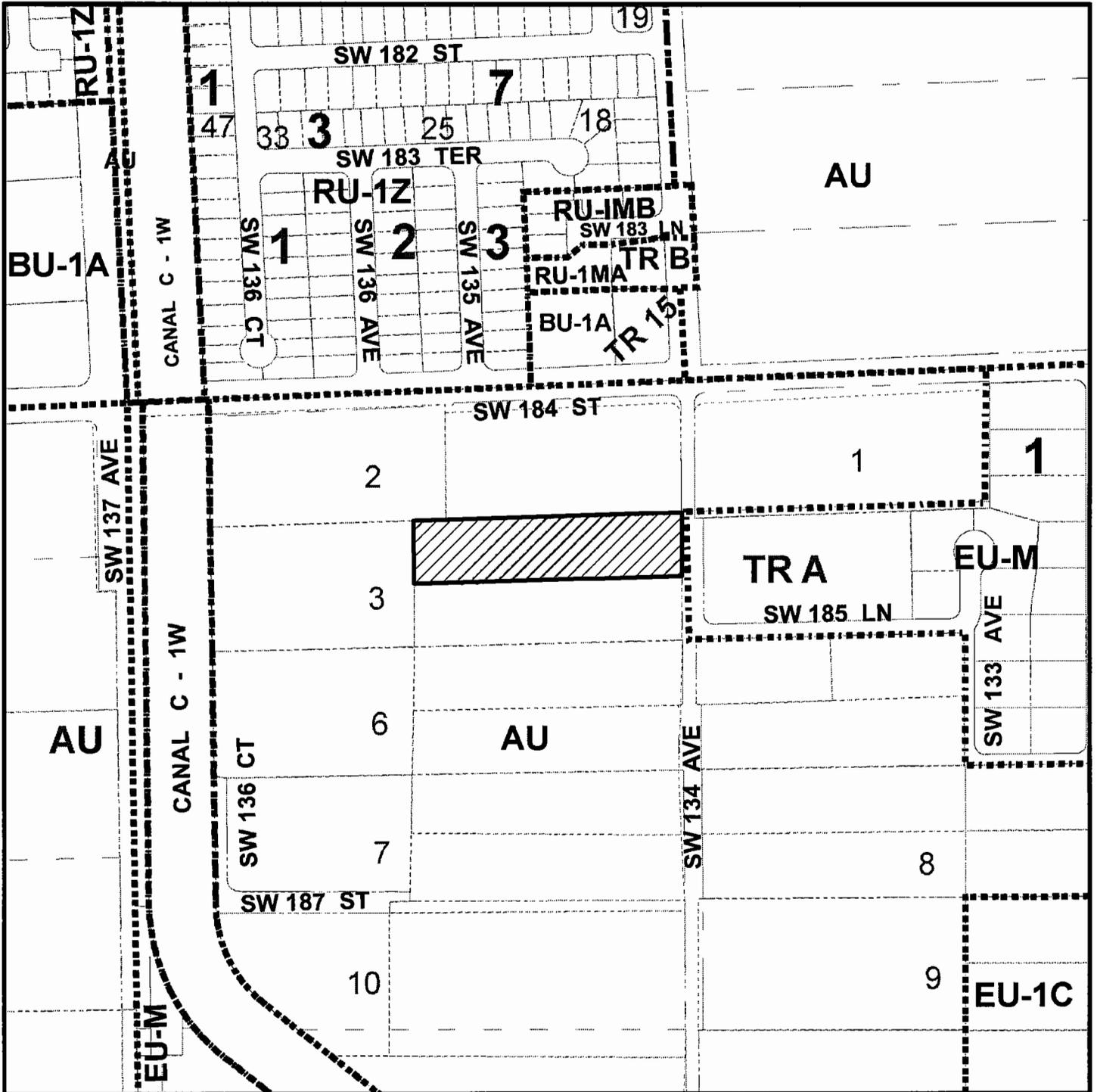
REVISIONS
11-21-11
RR/AC/NA/KM/KM-05-10-12

Scale: 1/4" = 1'-0"  
 Date: 05-28-05  
 Job No.: 2105  
 Sheet No.: A-4

PROPOSED NEW RELIGIOUS BUILDING FOR:  
 ESMIRNA INTERNATIONAL CHRISTIAN MINISTRY, INC.  
 18450 SW 134 AVE MIAMI, FLA.  
 Off: (786) 858-2788

MIGUEL O. FERNANDEZ  
 RA # 0009333

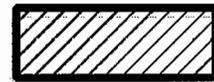
DIEGO DEVELOPMENT INC.  
 AA # 26001893  
 14741 SW 144 TERR. MIAMI, FLA  
 CELL: 305-281-0713 OFF/FAK: 305-256-1170



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**08-140**

Section: 02 Township:56 Range: 39  
 Applicant: ESMIRNA INT. CHRISTIAN MINISTRIES. INC.  
 Zoning Board: C14  
 Commission District: 08  
 Drafter ID: KEELING  
 Scale: NTS  
 ----- Zoning



**SUBJECT PROPERTY**



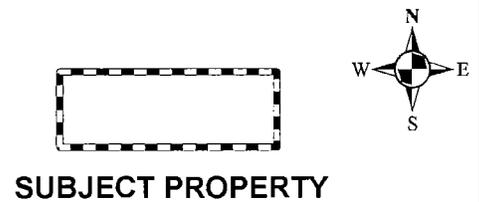
REVISION	DATE	BY
		31



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

Process Number  
**08-140**

Section: 02 Township: 56 Range: 39  
 Applicant: ESMIRNA INT. CHRISTIAN MINISTRIES. INC.  
 Zoning Board: C14  
 Commission District: 08  
 Drafter ID: KEELING  
 Scale: NTS  
 ----- Zoning



SKETCH CREATED ON: 07/25/08

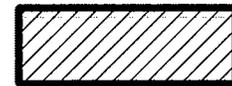
REVISION	DATE	BY
		32



**MIAMI-DADE COUNTY  
RADIUS MAP**

Section: 02 Township:56 Range: 39  
 Applicant: ESMIRNA INT. CHRISTIAN MINISTRIES.I NC.  
 Zoning Board: C14  
 Commission District: 08  
 Drafter ID: KEELING  
 Scale: NTS  
 ----- Zoning

Process Number  
**08-140**



**SUBJECT PROPERTY  
 AND  
 CONTIGUOUS IF APPLICABLE**

**RADIUS: 2640'**



REVISION	DATE	BY