

# **FINAL AGENDA**

6-4-2013 Version # 1



**COMMUNITY ZONING APPEALS BOARD 14**  
**SOUTH DADE GOVERNMENT CENTER-ROOM #104 (OLD BUILDING)**  
**10710 SW 211 Street, Miami**  
**Wednesday, July 10, 2013 at 6:00 p.m.**

## **PREVIOUSLY DEFERRED**

A. 13-1-CZ14-1 A & J & B GROUP, LLC

10-183

30-56-39 N .



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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COMMUNITY ZONING APPEALS BOARD - AREA 14

MEETING OF WEDNESDAY DAY, JULY 10, 2013

SOUTH DADE GOVERNMENT CENTER – ROOM #104 (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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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

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 14**

**PH: Z10-183 (13-1-CZ14-1)**

**July 10, 2013**

Item No. A

<b>Recommendation Summary</b>	
<b>Commission District</b>	8
<b>Applicant</b>	A & J & B Group, LLC
<b>Summary of Request</b>	This application would permit an existing lake excavation.
<b>Location</b>	Lying north of SW 264 Street and approximately 1,008.89' west of SW 167 Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	10 acres
<b>Existing Zoning</b>	AU
<b>Existing Land Use</b>	Single-family residence and lake excavation.
<b>2015-2025 CDMP Land Use Designation</b>	Agriculture (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. (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval with conditions.</b>

The application was deferred indefinitely with leave to amend from the January 9, 2013 meeting of Community Zoning Appeals Board (CZAB) #14. The applicant has submitted a revised letter of intent along with revised plans on which the analysis below is based.

**REQUEST:**

UNUSUAL USE to permit an existing lake excavation.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled, "Bass Residence & Old Florida Native Tree and Fishfarm Lake Plan" prepared by Develotec, Inc., dated stamped received 3/7/11, "Landscape Plan" prepared by Allan Ira Bass, Architect, dated stamped received 2/5/13, for a total of 2 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The submitted site plan depicts the 10-acre parcel consisting of a single-family residence and an existing approximately 2-acre, 20' deep lake excavation. The applicant's original letter of intent indicated that the existing lake was previously permitted under a Zoning Improvement Permit, No. 2008-037506 in March 2008. However, said permit was issued on the basis of the applicant developing a pond under Section 33.16(5) of the Code. Said section states that *reflecting ponds and water features with a maximum depth of six (6) feet of water so long as said amenities are completely lined with impervious material, a horizontal five-foot safety shelf is provided around the perimeter of the reflecting pond or water feature at an elevation where not more than eighteen (18) inches of water is provided on the shelf area and so long as backsloping or a perimeter berm is provided to prevent overland storm water runoff from entering the water body do not require a public hearing.* However, the applicant continued the excavation and developed the pond to the current depth of 20' beyond the scope of the permit.

The current depth and size requires review as a lake excavation. Further, staff notes that the memorandum from the Building and Neighborhood Compliance (BNC) Division of the Department of Regulatory and Economic Resources indicates that there is currently an open case for the subject property for Excavation Without a Permit under case #201001002348 and Failure to Comply With a Stop Work Order, case #201001002824.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	AU; single-family residence	Agriculture
<b>North</b>	AU; row crops	Agriculture
<b>South</b>	AU; row crops	Agriculture
<b>East</b>	AU; row crops	Agriculture
<b>West</b>	AU; park and natural forest community	Parks and Recreation

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is an existing single-family residence with an existing lake excavation project located on SW 264 Street west of SW 167 Avenue. The surrounding area is comprised of a park with a Natural Forest Community (NFC), row crops and farm residences.

**SUMMARY OF THE IMPACTS:**

Approval of this application will permit an existing lake excavation on a parcel containing a single-family residence. However, the approval of the requests may have a visual impact on the abutting properties as well as environmental impacts on the abutting NFC area located to the west.

**CDMP ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Agricultural** use. The CDMP interpretative text for the Agriculture land use category, states that *the principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture and farm residences.* Said interpretative text also states *that uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, and that other uses, including utility uses compatible with agriculture and the rural agricultural community may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area.*

The applicant now seeks approval to permit the existing lake excavation on the subject parcel in order to utilize the lake as a part of a fish farm and plant nursery on the subject property. The revised letter of intent indicates that the lake design, tree plantings, eco-friendly farmhouse and the maintenance of a commercial fish farm and plant nursery on the 10-acre subject parcel will have a positive impact on the County's economy. The applicant has proffered additional conditions for the approval of the existing lake excavation, including that the lake will be stocked with fish to maximize its potential as a part of a commercial fish farm operation and that the

commercial fish farm and plant nursery use be established and maintained on the property in accordance with applicable State and local government regulations. Staff therefore, opines that with these and other applicable conditions the existing lake excavation is ancillary and necessary to support the proposed fish farm and plant nursery which is an agricultural use. Based on the foregoing analysis, staff opines that the existing lake excavation is **consistent** with the CDMP Land Use Element interpretative text for areas designated Agriculture on the CDMP LUP map.

### **ZONING ANALYSIS:**

When the applicant's request for an Unusual Use to permit the existing lake excavation is analyzed under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses and New Uses, staff is of the opinion that approval would be **consistent** with the Agricultural designation of the parcel on the CDMP Land Use Plan map. Staff notes that the surrounding properties are zoned AU, Agricultural District and a majority of said properties are currently engaged in the cultivation of row crops based on a review of the County's Geographical Information Systems (GIS) aerial photographs of the area. Said photographs also depict the existing NFC parcel located to the west of the subject parcel. The applicant's revised letter of intent indicates that the lake excavation will be utilized for the operation of a commercial fish farm and plant nursery. The revised plans submitted with the application indicate that there will be 68 more trees than the 194 trees required for a total of 262 trees on the 10-acre parcel. Additionally, said plans also indicate that the applicant has provided 950 native shrubs where only 900 is required for the parcel, and only 273 of which need to be native. Staff's inspection of the site also indicates that the majority of the landscaping indicated on the plans surrounding the lake excavation has already been installed. Therefore, staff opines that the existing lake excavation will not create a negative visual impact on the surrounding agricultural uses, or an environmental impact on the abutting NFC located to the west. As such, staff opines that approval of the existing lake excavation with the proffered conditions would be **compatible** with the surrounding agricultural uses in this area.

Staff notes that the approval of the existing lake excavation does not generate any new daily peak hour trips and 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. Additionally the memorandum from the Miami-Dade Fire Rescue Department (MDFRD) does not indicate that the lake excavation will have a negative impact on fire rescue services in the area. Further, the Department of Regulatory and Economic Resources' Division of Environmental Resource Management (DERM) memorandum indicates that approval will not result in a reduction in the LOS standards for potable water service, wastewater disposal, or stormwater management.

DERM indicated in its memorandum that since excess fill was generated by the lake excavation and was leaving the site at the time of the DERM inspection in 2011, it appeared that this excavation was a new commercial use within the area that is designated Agriculture on the CDMP LUP map. However, staff notes the applicant's stated intention is to stock the lake with fish as a part of a commercial fish farm operation and to obtain the necessary State and local government documentation to operate as a fish farm and plant nursery as indicated in the revised letter of intent. The applicant has also indicated in its letter of intent that the site will also operate as a plant nursery and the necessary licenses to operate as such will be obtained. Staff therefore, opines that the lake excavation is ancillary to an agricultural use on the subject property and for the reasons that were previously explained, is **compatible** to the surrounding agricultural uses, 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. However, staff recommends as a condition for approval that no further lake excavation be permitted on the property and that excavated material from the proposed ponds shall only be used to improve the property. **As such, staff recommends approval with conditions of the application under Section 33-311(A)(3) Standards For Special Exceptions, Unusual Uses and New Uses.**

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

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

**OTHER:** N/A

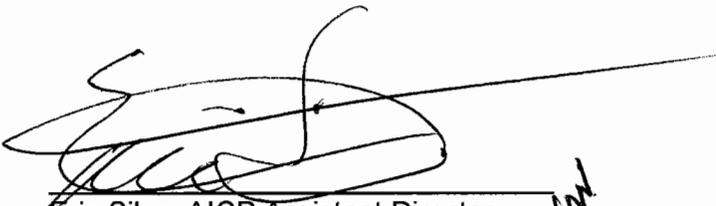
**RECOMMENDATION:** Approval with conditions.

**CONDITIONS FOR APPROVAL:**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a Certificate of Use; said plan to include, but not limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That an "as built" site plan prepared and sealed by a Florida-licensed surveyor or professional engineer or architect upon final completion of the lake excavation be submitted to the Director; said plans shall be substantially in accordance with that submitted for the hearing entitled 'Bass residence & Old Florida Native Tree & Fish Farm Lake Plan' prepared by Develotec, Inc., dated stamped received March 7, 2011, and Landscape Plan entitled 'Old Florida Native Tree & Fish Farm & Residence' as prepared by Allan Ira Bass, Architect, dated stamped received February 5, 2013, for a total of two sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department of Regulatory and Economic Resources for review and approval a landscape plan.
5. That if the plan is modified at the public hearing, the applicant is required to submit revised plans showing the changes and to apply for a Lake Excavation Permit for the additional excavation on the site.
6. That except for reflecting ponds and water features with a maximum depth of 6' as stated in Section 33-16(a)(5) of the Code, no additional lake excavation shall be permitted on the property.
7. That no additional excavated material shall be removed from the premises and all excavated material from the proposed ponds shall be used to improve the property described in the application.
8. That the applicant shall comply with all applicable conditions and requirements of the Department of Regulatory and Economic Resources' Division of Environmental Resources Management and Public works Department, and the Miami-Dade Fire Rescue Department as contained in their memoranda pertaining to this application.

9. That upon completion of the lake excavation, fish stocks shall be established in the lake in such a manner as to maximize the lake's potential for commercial fish farming, and to naturally attract waterfowl and other wildlife to the Property.
10. That in addition to the single-family residential use, a commercial fish farm and plant nursery agricultural use shall be established and maintained on the premises in accordance with applicable state and local government regulations.
11. That the applicant obtain a Certificate of Use for the commercial fish farm and plant nursery agricultural use and promptly renew the 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.
12. That any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.
13. That the required amount of landscaping shall remain and be maintained on the property at all times.

ES:MW:NN:AN:CH



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

## ZONING RECOMMENDATION ADDENDUM

A & J & B Group, LLC

PH: Z10-183

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS</b>	
<i>Division of Environmental Resources Management (RER)</i>	<i>No objection*</i>
<i>Public Works and Waste Management</i>	<i>No objection</i>
<i>Parks, Recreation and Open Spaces</i>	<i>No objection</i>
<i>Fire Rescue</i>	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

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

<p><b>Agriculture</b> (Pg. I-58)</p>	<p><i>The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved in 2003 by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture and farm residences. Uses ancillary to and directly supportive of agriculture are defined as those uses related to preserving, processing, packaging or selling of agricultural products from Florida, and farm supplies, as well as sales and service of farm machinery and implements, subject to the requirements of Chapter 24 of the County Code. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship; however, schools shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-2.A.</i></p> <p><i>In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Residential development that occurs in this area is allowed at a density of no more than one unit per five acres. Creation of new parcels smaller than five acres for residential use may be approved in the Agriculture area only if the immediate area surrounding the subject parcel on three or more contiguous sides is predominately and lawfully parcelized in a similar manner, and if a division of the subject parcel would not precipitate additional land division in the area. No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, packing houses for produce grown in Florida are not restricted to locating on an arterial roadway. Other uses including utility uses compatible with agriculture and with the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. Existing quarrying and ancillary uses in the Agriculture area may continue operation and be considered for approval of expansion.</i></p>
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### PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311(A)(3)(a)</b> <b>Special Exception, Unusual and New Uses.</b></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 <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</i></p>
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## ZONING RECOMMENDATION ADDENDUM

A & J & B Group, LLC

PH: Z10-183

	<p><i>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>
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MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 14  
MOTION SLIP

#1

APPLICANT'S NAME:     **A & J & B GROUP, LLC**    

REPRESENTATIVE:     Juan Mayol    

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
13-1-CZ14-1 (10-183)	January 9, 2013	CZAB14	13

**REC: Denial without prejudice.**

WITHDRAW:  APPLICATION       ITEM(S): \_\_\_\_\_

DEFER:       INDEFINITELY       TO: \_\_\_\_\_       W/LEAVE TO AMEND

DENY:       WITH PREJUDICE       WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT       ACCEPT REVISED PLANS

APPROVE:       PER REQUEST       PER DEPARTMENT       PER D.I.C.

WITH CONDITIONS

OTHER At applicant's request to meet with the Community and to amend the application.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	<b>M</b>	Wilbur B. Bell	X		
COUNCILWOMAN	<b>S</b>	Diane Coats-DAVIS	X		
COUNCILMAN		Nehemiah DAVIS	X		
VICECHAIRMAN		Patrice MICHEL			X
COUNCILMAN		Michael RODRIGUEZ			X
COUNCILMAN		Neal SPENCER			X
CHAIRMAN		Curtis LAWRENCE	X		
VOTE:			4	0	

EXHIBITS:  YES     NO

COUNTY ATTORNEY:     **CYNJI LEE**

**A. A & J & B GROUP, LLC**  
**(Applicant)**

**13-1-CZ14-1 (10-183)**  
**Area 14/District 08**  
**Hearing Date: 07/10/13**

Property Owner (if different from applicant) **A&J&B Group, LLC.**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
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:** April 15, 2013

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

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

**Subject:** C-14 #Z2010000183-3<sup>rd</sup> Revision  
A&J&B Group, LLC  
North of S.W. 264<sup>th</sup> Street and West of S.W. 167<sup>th</sup> Avenue  
Permit an Unusual Use Lake Excavation for a Commercial Fish  
Farm  
(AU) (10 Acres)  
30-56-39

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The subject request, an unusual use to permit a lake excavation for a commercial fish farm, has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and has determined the application may be scheduled for public hearing.

The Florida Right to Farm Act (section 823.14, F.S.) provides that a local government may not adopt any ordinance, regulation, rule or policy to limit an activity of a bona fide farm operation (with an agricultural land classification under s. 193.461, F.S.) if the activity is regulated through implemented Best Management Practices (BMPs) adopted by the Florida Department of Environmental Protection, the Florida Department of Agriculture and Consumer Services (FDACS), or a water management district.

The Division of Aquaculture of the FDACS has established the Aquaculture Best Management Practices Rule therefore the County ordinances enforced by DERM are not applicable to the proposed commercial fish farm. You are advised to contact the Division of Aquaculture at (850) 488-4033 for information regarding the proposed aquaculture facility and the required compliance with the referenced Aquaculture BMP's.

Please note any other activities including repair or maintenance of equipment, handling and/or storage of hazardous materials or hazardous wastes are not included in the Aquaculture BMPs and therefore are subject to review and approval as set forth in Chapter 24 of the Code.

#### Water Supply and Wastewater Disposal

Public water and public sanitary sewer systems are not available in this general area; furthermore, since the site is located outside the Urban Development Boundary, neither public water nor public sanitary sewers can be extended to serve the site. Consequently, the proposed development would have to be served by an on-site drinking water supply well, as source of potable water, and by a septic tank and drainfield system as a means for the disposal of the domestic liquid waste.

#### Stormwater Management

DERM has no objection to the approval of this application.

### Wetlands

DERM has reviewed the revised site plan submitted with this zoning application entitled "Bass Residence-Old Florida Native Tree and Fish Farm Lake Plan", dated October 11, 2010 (revised January 31, 2011), Sheet C-01 and prepared by Develotec Inc, signed and sealed by Ricardo Herrera on February 25, 2011. The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a DERM Class IV Wetland Permit will not be required.

The calculated slopes and cross sections are provided on the revised site plans; also, the plans state that the maximum depth achieved to date is 20 feet and that no deeper excavation is proposed. Based on the aforementioned information DERM has no objections to this application. However, please be advised that the proposed lake excavation is within the agricultural designation of the Comprehensive Development Master Plan (CDMP). Excess fill is being generated and leaving the site. This appears to be a new commercial use within the Agricultural area. DERM recommends that Planning carefully evaluate appropriateness of this use under the CDMP.

### Natural Forest Communities

The subject property is located adjacent to a county designated Natural Forest Community (NFC). NFC's are upland natural areas (Pine Rockland and Hardwood Hammocks) that, meet one or more of the following criteria: the presence of endangered, threatened, rare or endemic species; low percentage of site covered by exotic plant species; high overall plant diversity; wildlife habitat values; and geological features. Due to the quality of these habitats, the County recommends maintaining these globally imperiled NFC areas as a natural preserve. Development on parcels containing or adjacent to NFC's must avoid adverse impacts to the preserve associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage and erosion. Also, in order to avoid damage to protected plants and substrate, the parking of heavy machinery, staging of construction materials and/or any other development related activities shall not be allowed inside or adjacent to the NFC property. A protective barrier approved by DERM through a NFC barrier permit shall be placed along the NFC prior to the commencement of any work, in order to protect the NFC from potential impacts and shall remain in place until DERM authorizes its removal.

Please be advised that in order to ensure that all future landscaping on the site is compatible with the adjacent NFC, DERM requests that all landscaping plans for the site be subject to DERM approval. In addition, pursuant to Section 24-49.9 of the Code, all exotic pest plant species listed in the CDMP, which are on the site, shall be removed prior to development. DERM recommends that no approvals be granted by the Building Department or the Planning and Zoning Department for work at this site unless it prohibits the planting of all controlled species as well as prohibited species in accordance with the Miami-Dade County Landscape Manual, the CDMP, and Chapters 24 and 33 of the Code.

### Tree Preservation

There are no tree resources issues on the subject property.

### 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

**PUBLIC WORKS DEPARTMENT COMMENTS**

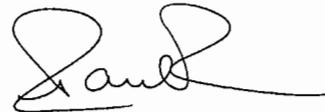
Applicant's Names: A & J & B GROUP, LLC

This Department has no objections to this application.

Lake slopes are to comply with Miami-Dade County Code requirements and the Public Works Manual of Miami-Dade County.

Additional improvements may be required at time of permitting.

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



Raul A Pino, P.L.S.

10-MAR-11

# Memorandum



**Date:** 07-MAR-13  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2010000183

**Fire Prevention Unit:**

This memo supersedes MDFR memorandum dated March 23, 2011.  
 APPROVAL  
 No objection via Case # Z2010000183.

**Service Impact/Demand**

Development for the above Z2010000183  
 located at Lying North OF S.W. 264 ST AND approx. 1,008.89' WEST OF S.W. 167 AVENUE, MIAMI-DADE  
 COUNTY, FLORIDA.  
 in Police Grid 2455 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: 7:00 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
 Station 6 - Modello - 15890 SW 288 Street.  
 Rescue, BLS tanker, Battalion 10.

**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.

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

A & J & B GROUP, LLC

Lying North OF S.W. 264 ST AND  
approx. 1,008.89' WEST OF S.W.  
167 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

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

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

Z2010000183

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

**HISTORY:**

NC: CASE #201001002348, WAS OPENED ON MARCH 26, 2010, FOR ILLEGAL EXCAVATING WITHOUT A PERMIT. CITATION #T007596, WAS ISSUED FOR NON-COMPLIANCE. THE CASE REMAIN OPEN PENDING RESEARCH FROM THE ZONING DEPARTMENT. PUBLIC HEARING #Z2010-183 IS ON FILE.

CASE #201001002824, WAS OPENED ON APRIL 12, 2010, FOR FAILURE TO COMPLY WITH A STOP WORK ORDER UNDER SECTION 33-38 OF THE MIAMI DADE COUNTY CODE. CITATION #T008231, WAS ISSUED ON MAY 6, 2010, FOR NON-COMPLIANCE TO THE CEASE WORK ORDER. THE CASE IS PENDING REVIEW FROM THE ZONING DEPARTMENT. PUBLIC HEARING #Z2010-183, IS ON FILE

NC: THERE ARE NO CURRENT CLOSED NEIGHBORHOOD COMPLIANCE CASES.

BLDG: THERE ARE NO CURRENT OPEN OR CLOSED BUILDING SUPPORT CASES.

A & J & B GROUP, LLC

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

**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: A & J & B Group, LLC, a Florida limited liability company

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Adam Bass, Manager, 100 N.E. 15 <sup>th</sup> Street, #201 Homestead, FL 33030	100%

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

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
210-183	
JSA	

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

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

NAME AND ADDRESS (if applicable) Percentage of Interest

210-183  
J&B

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.

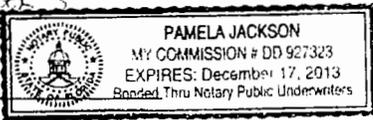
**A & J & B Group, LLC, a Florida limited liability company**

By: [Signature]  
Adám Bass, Manager

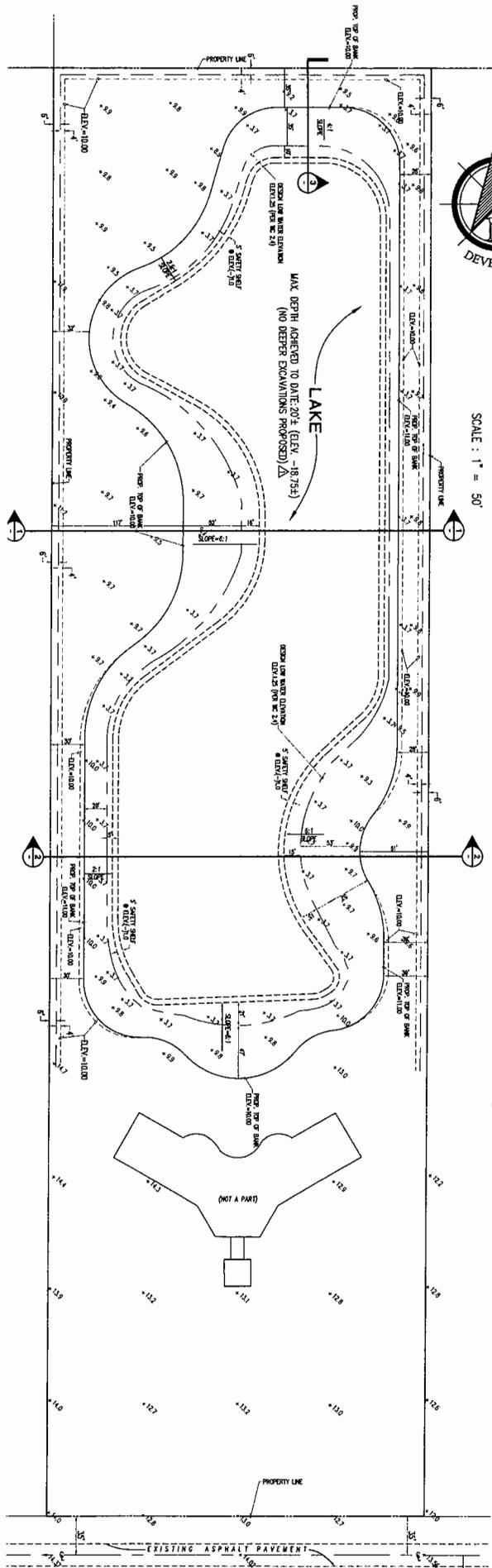
Sworn to and subscribed before me this 19 day of October, 2010. Affiant is personally known to me or has produced FLORIDA DRIVER LICENSE as identification.

[Signature]  
(Notary Public)

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



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



ENLARGED SITE

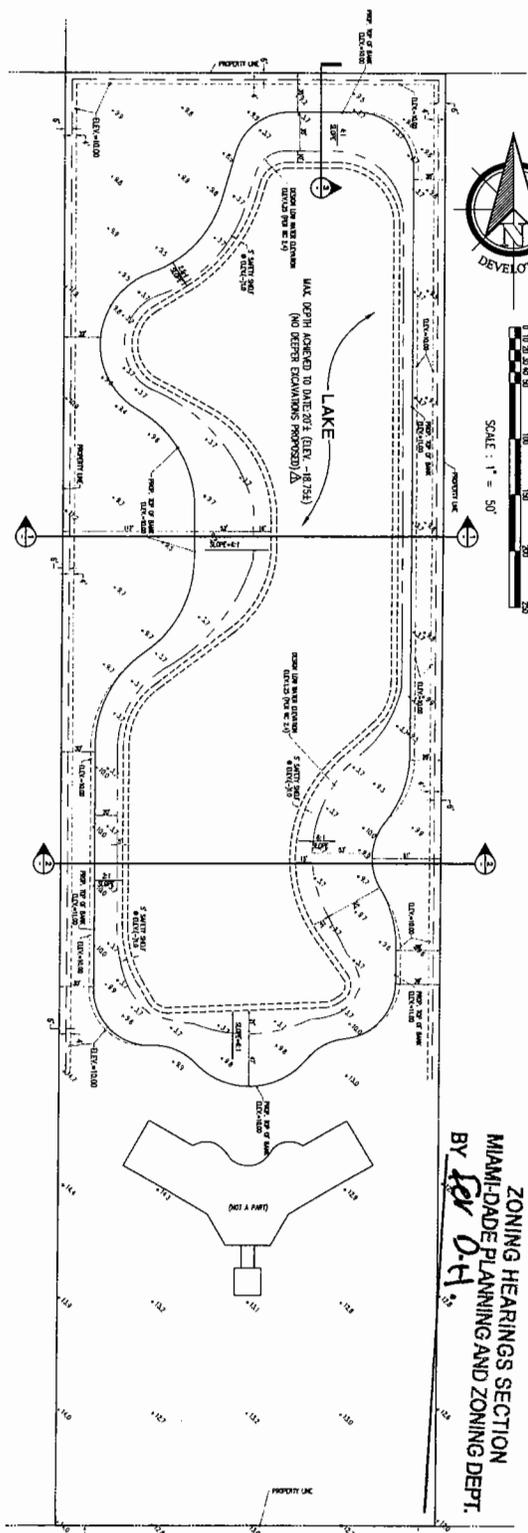
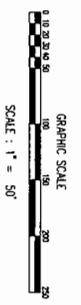
ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY CV 0.4

**RECEIVED**  
 210-1193  
 MAR 07 2011

S.W. 264th STREET

S.W. 169th A1

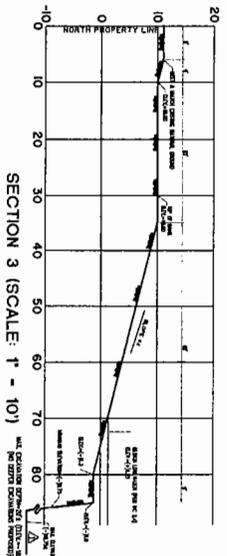
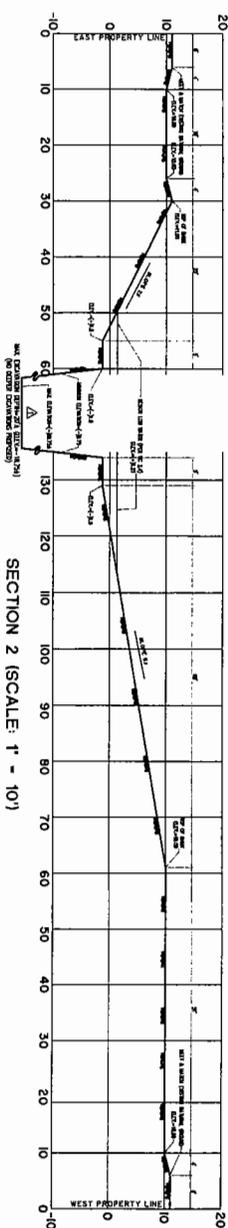
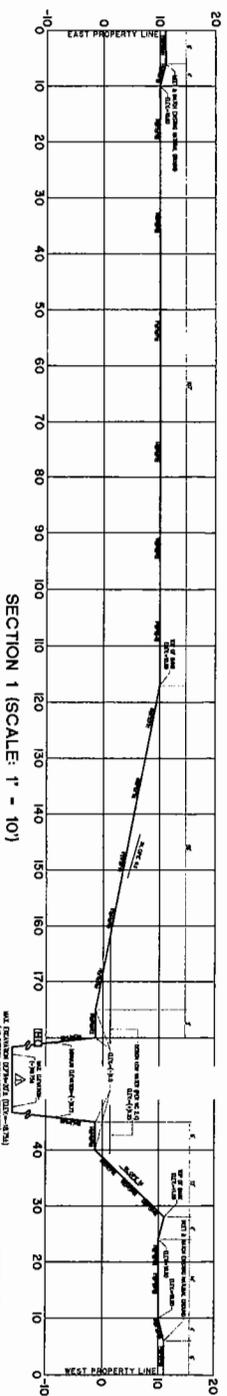
RECEIVED  
 MIDDLE FLORIDA  
 DISTRICT OFFICE  
 DATE: MAR 07 2011  
 BY: [Signature]



ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY *SP 041*

**RECEIVED**  
 MAR 07 2011

S.W. 199th AVE  
 S.W. 264th STREET  
 S.W. 172nd AVENUE  
 S.W. 187th AVENUE



**LEGEND**

- EXISTING PAVEMENT
- EXISTING ELEVATION

**LOCATION SKETCH**  
 THE SE 1/4 OF SECTION 30,  
 TOWNSHIP 36 SOUTH, RANGE 30 EAST,  
 THE TOWN/COUNTY, FLORIDA.  
 SCALE: 1" = 600'

**RECEIVED**  
 MAR 07 2011

**THIS PROJECT**

NO.	REVISION	DESCRIPTION
1	REVISED	FOR FINAL SUBMITTAL
2	REVISED	FOR FINAL SUBMITTAL

**DEVELOTEC, INC.**  
 Consulting Engineers - Land Planners  
 6494 Coral Way, Miami, FL 33155  
 Tel: 305.663.9650 • Fax: 305.663.9640

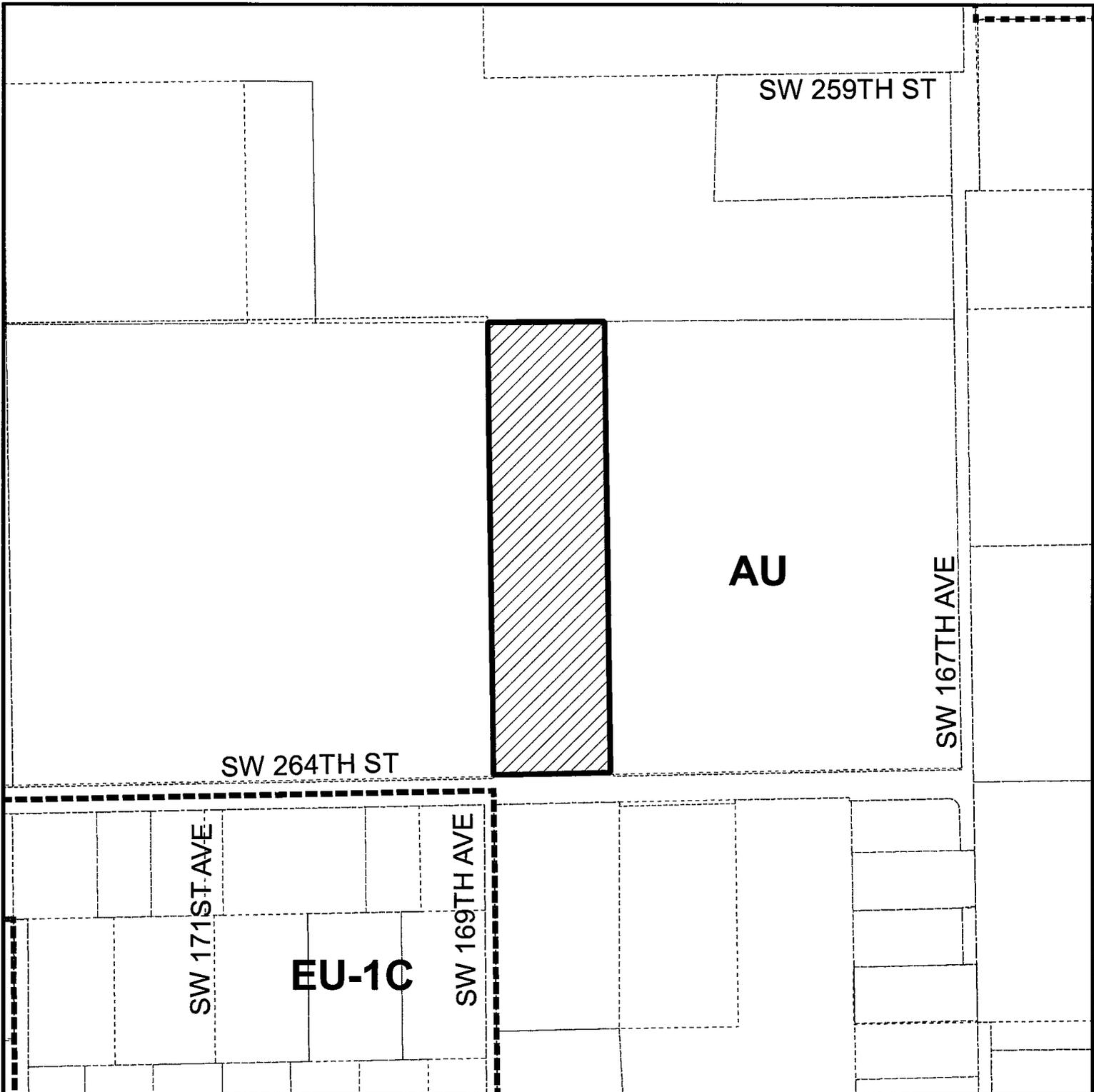
**DEVELOTEC**

1 of 1  
 C-01

**BASS RESIDENCE & OLD FLORIDA NATIVE TREE & FISH FARM LAKE PLAN**

19





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

Process Number  
**Z2010000183**



Section: 30 Township: 56 Range: 39  
 Applicant: A&J&B GROUP, LLC  
 Zoning Board: C14  
 Commission District: 8  
 Drafter ID: KEELING  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, October 25, 2010

REVISION	DATE	BY
		21



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2009**

Process Number  
**Z2010000183**



Section: 30 Township: 56 Range: 39  
 Applicant: A&J&B GROUP, LLC  
 Zoning Board: C14  
 Commission District: 8  
 Drafter ID: KEELING  
 Scale: NTS

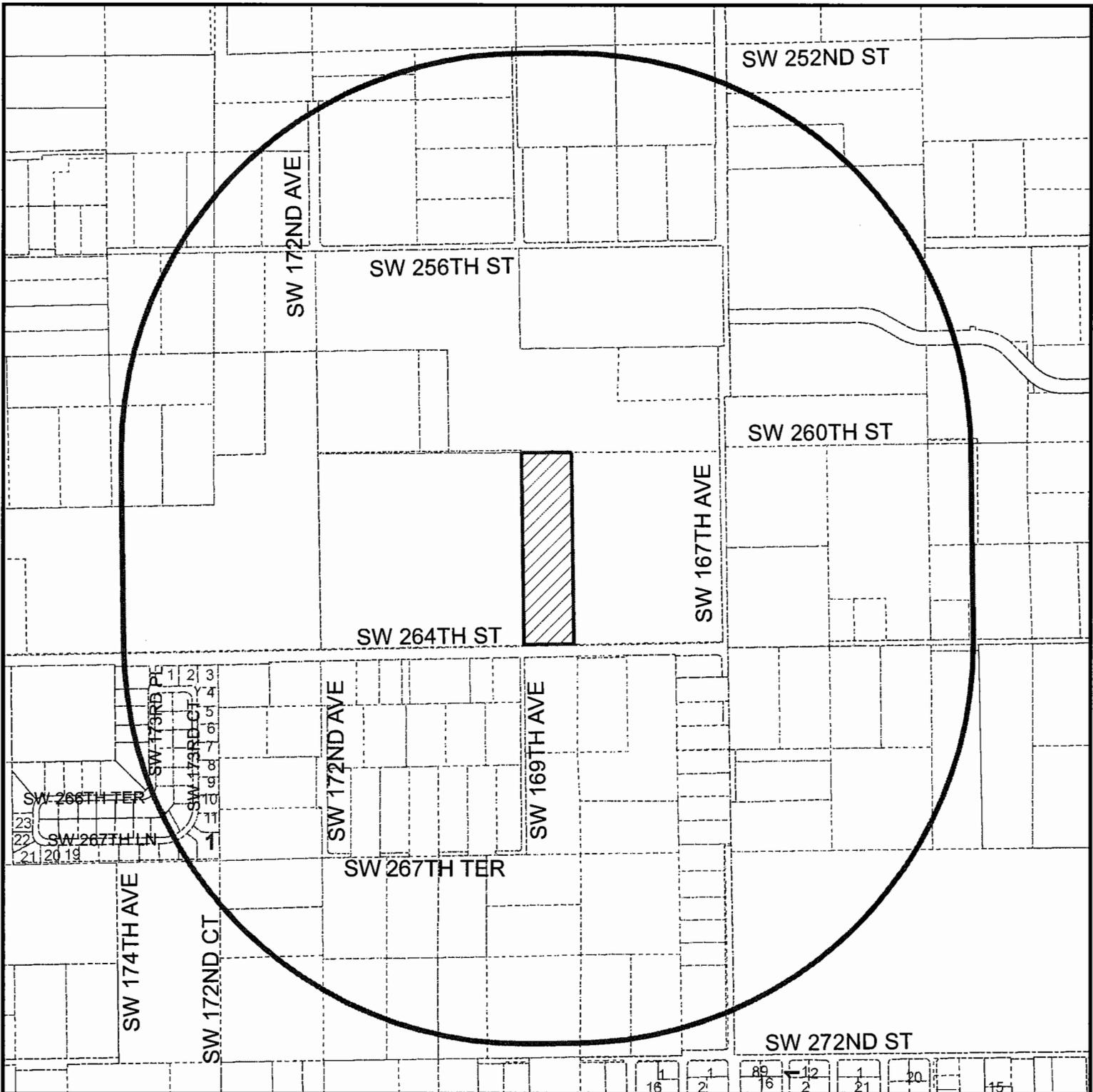
**Legend**

 Subject Property



SKETCH CREATED ON: Monday, October 25, 2010

REVISION	DATE	BY
		22



**MIAMI-DADE COUNTY  
RADIUS MAP**

Section: 30 Township: 56 Range: 39  
 Applicant: A&J&B GROUP, LLC  
 Zoning Board: C14  
 Commission District: 8  
 Drafter ID: KEELING  
 Scale: NTS

Process Number  
**Z2010000183**  
 RADIUS: 2640

**Legend**

-  Subject Property
-  Buffer
-  Property Boundaries

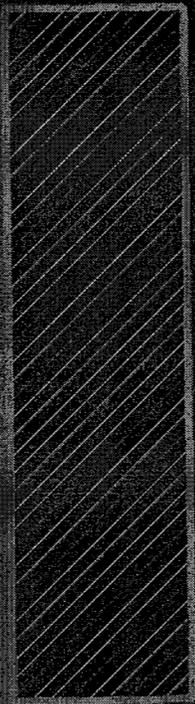


SKETCH CREATED ON: Monday, October 25, 2010

REVISION	DATE	BY
		23

PARKS AND RECREATION

AGRICULTURE



SW 171ST AVE

SW 169TH AVE

SW 167TH AVE

SW 264TH ST

**MIAMI-DADE COUNTY**  
CDMP MAP

Process Number  
**Z2010000183**



Section: 30 Township: 56 Range: 39  
Applicant: A&J&B GROUP, LLC  
Zoning Board: C14  
Commission District: 8  
Drafter ID: KEELING  
Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Monday, October 25, 2010

REVISION	DATE	BY