FINAL AGENDA

6-13-2014 Version # 2

COMMUNITY ZONING APPEALS BOARD 14

SOUTH DADE GOVERNMENT CENTER-ROOM #104 (OLD BUILDING)

10710 SW 211 Street, Miami

Wednesday, July 9, 2014 at 6:00 p.m.

CURRENT

1.	14-7-CZ14-1	HELEN MICHAEL AND PREFERERRED ENTERPRISES, INC.	14-3	32-56-39	N
2.	14-7-CZ14-2	GEORGE DE LA FE	14-10	15-55-38	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 14

MEETING OF WEDNESDAY, JULY 9, 2014

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 WITNESS

I. Commission on Ethics and County Attorney's briefing/updates to Board members on the Sunshine and Jennings Law.

1. HELEN MICHAEL AND PREFERRED ENTERPRISES INC. **32-56-39**
14-7-CZ14-1 (14-003) **Area 14/District 8**

(1) DISTRICT BOUNDARY CHANGE from AU to EU-M.

LOCATION: Lying north of SW 278 Street, between SW 159 Court and SW 162 Avenue, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 20 Acres

Department of Regulatory and Economic Resources Recommendation: Approval

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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2. GEORGE DE LA FE 14-7-CZ14-2 (14-010) **15-55-38**
Area 14/District 9

(1) NON-USE VARIANCE to permit an existing single family residence on a parcel of land with a lot area of 5 gross acres (40 gross acres required).

(2) NON-USE VARIANCE to permit the single family residence setback a minimum of 20.4 feet (25 feet required) from the rear (west) property line.

(3) NON-USE VARIANCE prohibiting structures over 2.5' high within the safe sight distance triangle within 10' of a driveway leading to a right-of-way; to permit existing metal picket gates with masonry columns within the safe site distance triangle along the front (east) and side street (south) property lines.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "George De La Fe" as prepared by Orlando M. Fortun dated stamped received 2/4/14 and consisting of 4 sheets. Plans may be modified at public hearing.

LOCATION: 19705 SW 136 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 5 Acres

Department of Regulatory and Economic Resources Recommendation: Indefinite Deferral

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

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

PH: Z14-003 (14-7-CZ14-1) **July 9, 2014**
Item No. 1

Recommendation Summary	
Commission District	8
Applicants	Helen Michael & Preferred Enterprises Inc
Summary of Requests	The applicants are seeking to allow a district boundary change from AU to EU-M.
Location	Located at the north east corner SW 162 Avenue & 278 Street, Miami-Dade County, Florida.
Property Size	20 acres
Existing Zoning	AU, Agricultural District
Existing Land Use	Vacant
2020-2030 CDMP Land Use Designation	Estate Density Residential, 1 to 2.5 dua, *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with the LUP map of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval.**

REQUEST:

DISTRICT BOUNDARY CHANGE from AU to EU-M.

PROJECT DESCRIPTION:

The applicants seek to rezone the 20-acre parcel from AU, Agricultural District to EU-M, Single Family Modified Estate District.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	AU; vacant land	Estate Density Residential (1 to 2.5 dua)
North	AU; vacant land	Estate Density Residential (1 to 2.5 dua)
South	EU-M: single-family residences	Estate Density Residential (1 to 2.5 dua)
East	AU; vacant land	Estate Density Residential (1 to 2.5 dua)
West	EU-M: single-family residences	Estate Density Residential (1 to 2.5 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of four vacant contiguous parcels located at the north east corner of SW 162 Avenue & SW 278 Street, Miami-Dade County, Florida. Staff notes that the abutting

properties to the south and west are also zoned EU-M, Single Family Modified Estate District and the properties to the north and east are vacant land and are zoned AU, Agricultural District.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicants to provide additional housing in this section of the County. However, the proposed rezoning could have an impact on traffic in the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as ***Estate Density Residential*** on the Adopted 2020-2030 Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *This density range is characterized by detached estate residences that typically occupy a small portion of the parcel and can be developed at a maximum of 2.5 dwelling units per acre.* Approval of the application would allow the applicants to develop the 20 acre parcel with a maximum of 50 residential units which is the maximum allowed under the density threshold of the LUP map. Further, **Objective LU-4**, of the CDMP Land Use Element states that *Miami-Dade County shall, by the year 2030, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.* The subject property abuts properties to the south and the west that are also zoned EU-M. As such, the rezoning of the subject property to EU-M would be **compatible** with the surrounding area and **consistent** with the Estate Density Residential designation of the parcel on the CDMP Land Use Plan map and the CDMP's Land Use Element the interpretative text, **Objective LU-4**.

ZONING ANALYSIS:

When the applicant's request to rezone the 20-acre parcel to EU-M, Single-Family Modified Estate District, is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of the application would not have an unfavorable impact on the environment, the natural resources, or the economy of the County. Staff notes that the approval of the applicant's request to rezone the property will be **consistent** with the Estate Density Residential designation of the parcel on the CDMP Land Use Plan map. Further, staff opines that approval of this request will not have a negative impact on the surrounding roadways or transportation facilities based on the recommendations and/or information contained in memoranda from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER). Additionally, staff notes that the memorandum from the Environmental Division of RER indicates that the proposed rezoning meets the Level of Service (LOS) standards for an initial development order and therefore will not have an unfavorable impact on the natural resources of Miami-Dade County.

Furthermore, staff is of the opinion that the proposed zone change to EU-M is **compatible** with the residential developmental trend as evidenced by similar approvals in the surrounding area. Specifically, the abutting properties to the south and west of the subject property were respectively rezoned from AU to EU-M, between 1957 and 2006, pursuant to several Resolutions #723, #3886, #Z-139-70, #CZAB14-36-99 and CZAB14-34-06.

Therefore, the proposed rezoning of the property to EU-M would be **compatible** with the surrounding area and the residential character of the community. **Therefore, staff recommends approval of the application under Section 33-311, District Boundary Change**.

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval.

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:CH:EJ

for

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

ZONING RECOMMENDATION ADDENDUM

Preferred Enterprises Inc/Helen Michael
PH: Z14-003

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks	No objection
Fire Rescue	No objection
Police	No comment
Public Works and Waste Management Department	No comment
Schools	No comment
*Subject to conditions in their memorandum.	

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

Estate Density Residential (Pg. I-31)	*The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Estate Density Residential use. 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.*
Land Use Objective 4 (Pg. I-11)	*Miami-Dade County shall, by the year 2030, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	(A) *The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.* *(F)* ***Section 33-311*** *provides that the Board shall take into consideration, among other factors the extent to which:* *(1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;* *(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;* *(3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;*

ZONING RECOMMENDATION ADDENDUM

Preferred Enterprises Inc/Helen Michael
PH: Z14-003

	(4) *The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;* (5) *The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.*

1. HELEN MICHAEL AND PREFERRED ENTERPRICES, INC.
(Applicant)

14-7-CZ14-1(14-03)
Area 14/District 08
Hearing Date: 07/09/14

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 ☑

If so, who are the interested parties?

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
None				

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

Memorandum

Date: June 4, 2014

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

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

Subject: C-14 #Z2014000003-1st Revision
Helen Michael and Preferred Enterprises, Inc., a Florida corp.
NW Corner of SW 159th Avenue and SW 278th Street
District Boundary Changes From AU to EUM
(AU) (0.00 Acres)
32-56-39

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

Potable Water Service
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 DERM for this proposed development order.

Wastewater Disposal
Public sanitary sewers are not located within feasible distance for connection to the subject property. Cnsequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded and the property is connected to public water. In accordance with the Code, the minimum lot size for a single family residence or duplex served by public water and a septic tank shall be 15,000 square feet (gross) or 20,000 square feet (gross), respectively.

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 any future development order approval. The applicant is advised to contact the DERM Water Control Section at (305) 372-6681 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.

Wetlands
The subject properties do not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetlands 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
There are no tree resources issues on the subject properties.

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: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE COUNTY

Date: March 27, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2014000003
Name: Preferred Enterprises Inc./Helen Michael
Location: Northeast Corner of SW 162 Avenue and SW 278 Street
Section 32 Township 56 South Range 39 East

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

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required 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 **47 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals 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
9212	Krome Ave. n/o SW 288 St.	C	C
9860	SW 157 Ave. s/o SW 272 St.	B	B
9932	SW 288 St. w/o US-1	D	D
9926	SW 280 St. e/o US-1	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.

(*)Traffic concurrency is based on the density of the property with its proposed use where the number of peak hour vehicle trips may fluctuate.

Memorandum

MIAMI-DADE COUNTY

Date: January 27, 2014

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

From: Paul Mauriello, Assistant Director, Waste Operations
Public Works and Waste Management Department

Subject: Helen Michael and Preferred Enterprises, Inc. (#14_003)

The Department's review of the above-referenced item is provided below. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal Management and Planning Division at 305-514-6661. **The PWWM has no objections to the proposed application.**

Application: ***Helen Michael and Preferred Enterprises, Inc.,*** seeks a district boundary change from Agricultural (AU) to Modified Estates District (EU-M).

Size: The subject property is approximately 20 acres.

Location: The subject property is located between SW 159 Avenue and SW 162 Avenue (Farmlife School Road) and between theoretical SW 276 Street and SW 278 Street in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 25, 2013, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the re-designation to Modified Estate District (EU-M) will likely result in development of "Residential Units." Per the Code, residential units located within the project shall, therefore, receive PWWM waste collection service, once the vacant lot is developed. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling

Centers are the services currently provided to residential units in the PWWM solid waste collection service area.

3. Recycling

The PWWM provides curbside recycling services to residential units located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained by calling the Department's Public Information & Outreach Division at 305-594-1500 or 305-514-6714.

Applicants are ***strongly*** advised to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store their recycling carts).

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
b. "T" shaped turnaround 60 feet long by 10 feet wide
c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection.

Memorandum

MIAMI-DADE COUNTY

Date: May 16, 2014

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

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

Subject: Z2014000003: HELEN MICHAEL & PREFERRED ENTERPRISES, INC.
Revised Plans Submitted Sated Stamped Received 5-15-2014

Application Name: HELEN MICHAEL & PREFERRED ENTERPRISES, INC.

Project Location: The site is located in that area lying north of SW 278 Street, between SW 159 Avenue & SW 162 Avenue, Miami-Dade County.

Proposed Development: The request is for approval of a district boundary change from AU to EUM.

Impact and demand: This application generates up to 52 single family units with an estimated population of 170 which generates a local park space need, based on 2.75 acres per 1,000 population, of approximately .46 acre.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in Park Benefit District 3 (PBD) which has a surplus capacity of 219.11 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park.

Table A - County Parks (local only)
Within a 3 Mile Radius of Application Area.

Park Facility	Classification	Acreage
Pine Island Lake Park	NEIGHBORHOOD PARK	18.0
Leisure Park	NEIGHBORHOOD PARK	1.9
Leisure Lakes Park	COMMUNITY PARK	8.7
Modello Wayside Park	NEIGHBORHOOD PARK	2.7
South Dade Park	COMMUNITY PARK	8.6
Palmland Park	NEIGHBORHOOD PARK	5.1
Naranja Lakes Park	NEIGHBORHOOD PARK	1.5
Modello Park	COMMUNITY PARK	10.0
Royal Colonial Park	COMMUNITY PARK	25.4
Naranja Park	COMMUNITY PARK	10.0

Recommendation: Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION**.

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

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

REVISION 2

Memorandum

Date: 09-JUN-14

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

From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2014000003

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated June 4, 2013.
APPROVAL
No objection to the site plan with a May 18, Zoning Department received date.

Service Impact/Demand

Development for the above Z2014000003
located at Lying north of sw 278 street, between SW 159 Avenue & SW 162 Avenue, Miami-Dade County, FL.
in Police Grid 4296 is proposed as the following:

52 dwelling units		N/A square feet	
residential		industrial	
N/A square feet		N/A square feet	
Office		institutional	
N/A square feet		N/A square feet	
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 14.6 alarms-annually.
The estimated average travel time is: 6:00 minutes

Existing services

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

Station 48 - Fontainebleau - 8225 NW 18 Terrace.
Rescue, ALS Engine, TRT Heavy Rescue, Battalion.

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.

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

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

PREFERRED ENTERPRISES, INC. & HELEN MICHAEL	LYING NORTH OF SW 278 ST, BETWEEN SW 159 AVENUE & SW 162 AVENUE, MIAMI-DADE COUNTY, FL.
APPLICANT	**ADDRESS**
JUNE 11, 2014	Z2014000003
DATE	**HEARING NUMBER**

CURRENT ENFORCEMENT HISTORY:

FOLIO: 3069320000350, 3069320000351, AND 3069320000352

NC: THERE ARE NO CURRENT OPEN OR CLOSED NEIGHBRHOOD REGULATIONS CASES.

BLDG: THERE ARE NO CURRENT OPEN OR CLOSED BUILDING REGULATIONS CASES

VIOLATOR:

HELEN MICHAEL & PREFERRED ENTERPRISES, INC

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Preferred Enterprises, Inc., a Florida corporation and Helen Michael Individually

NAME AND ADDRESS	Percentage of Stock
Paul Michael on behalf of Preferred Enterprises and Helen Michael	100%
1849 Watermill Road	
Monticello, Fl. 32344	

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

TRUST/ESTATE NAME_____

NAME AND ADDRESS	Percentage of Stock

RECEIVED
JAN / 8 2014
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:_____

NAME AND ADDRESS	Percentage of Stock

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

stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: Land Baron II, LLC, a Florida limited liability company

NAME AND ADDRESS AND OFFICE (if applicable)	Percentage of Stock
Wayne Rosen	50%
Drew Rosen	50%
c/o Terri Sonn, Eq.	
2999 NE 191 Street, Suite 409	
Aventura, Fl. 33180	

Date of contract: December 11, 2013

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) Paul Michael in his capacity as President of Preferred Enterprises, Inc., a Florida corporation and Helen Michael Indidvdually

Sworn to and subscribed before me this 7 day of January, 2014. Affiant is personally know to me or has produced FL Drivers License as identification.

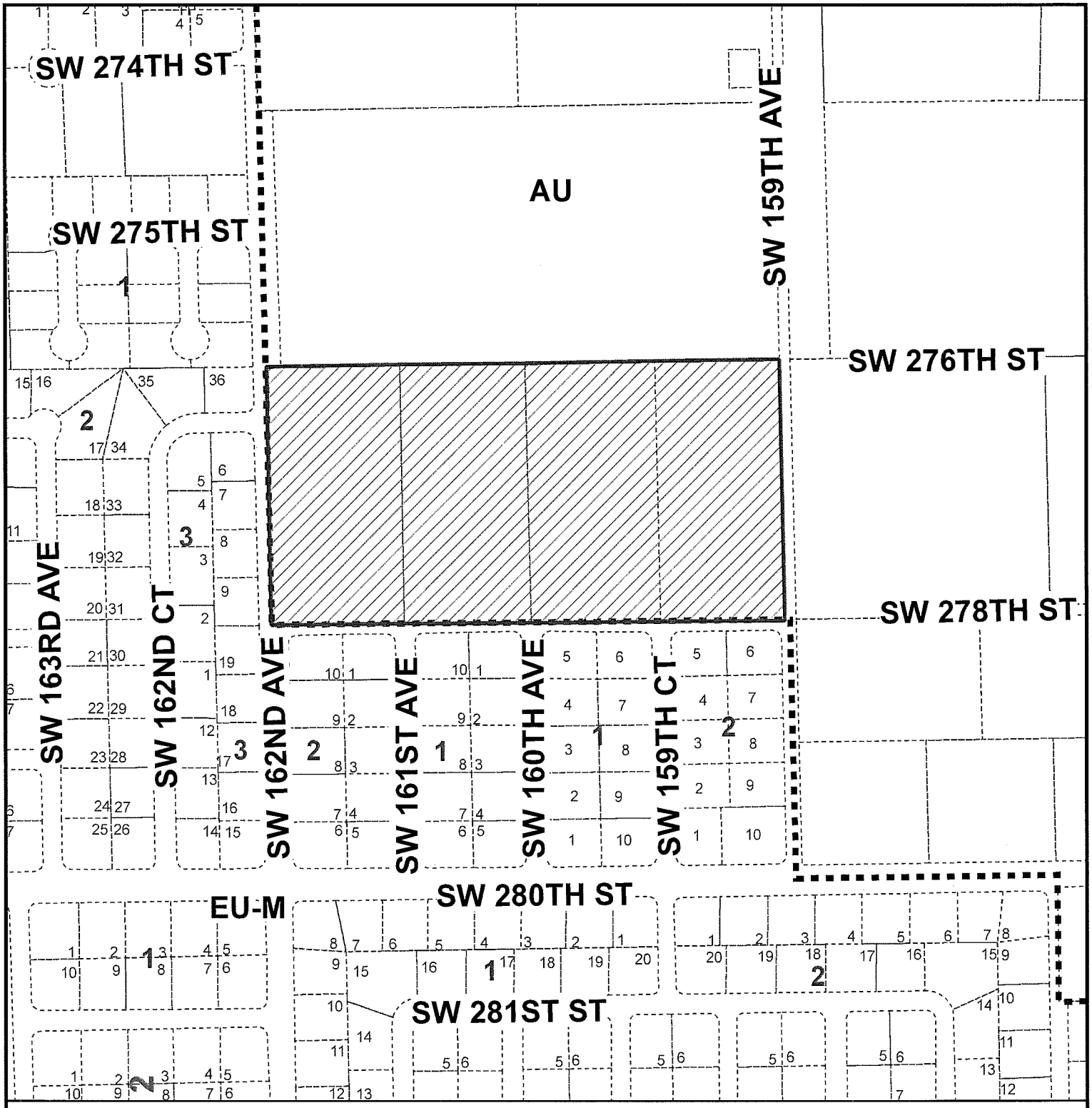
_____
(Notary Public)

My commission expires: May 23, 2014

Seal

JOSHUA DESHA
MY COMMISSION # DD 994542
EXPIRES: May 23, 2014
Bonded Thru Notary Public Underwriters

*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.



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2014000003

Section: 32 Township: 56 Range: 39
Applicant: PREFERRED ENTERPRISES INC /HELEN MICHAEL
Zoning Board: C14
Commission District: 8
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
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S

Legend

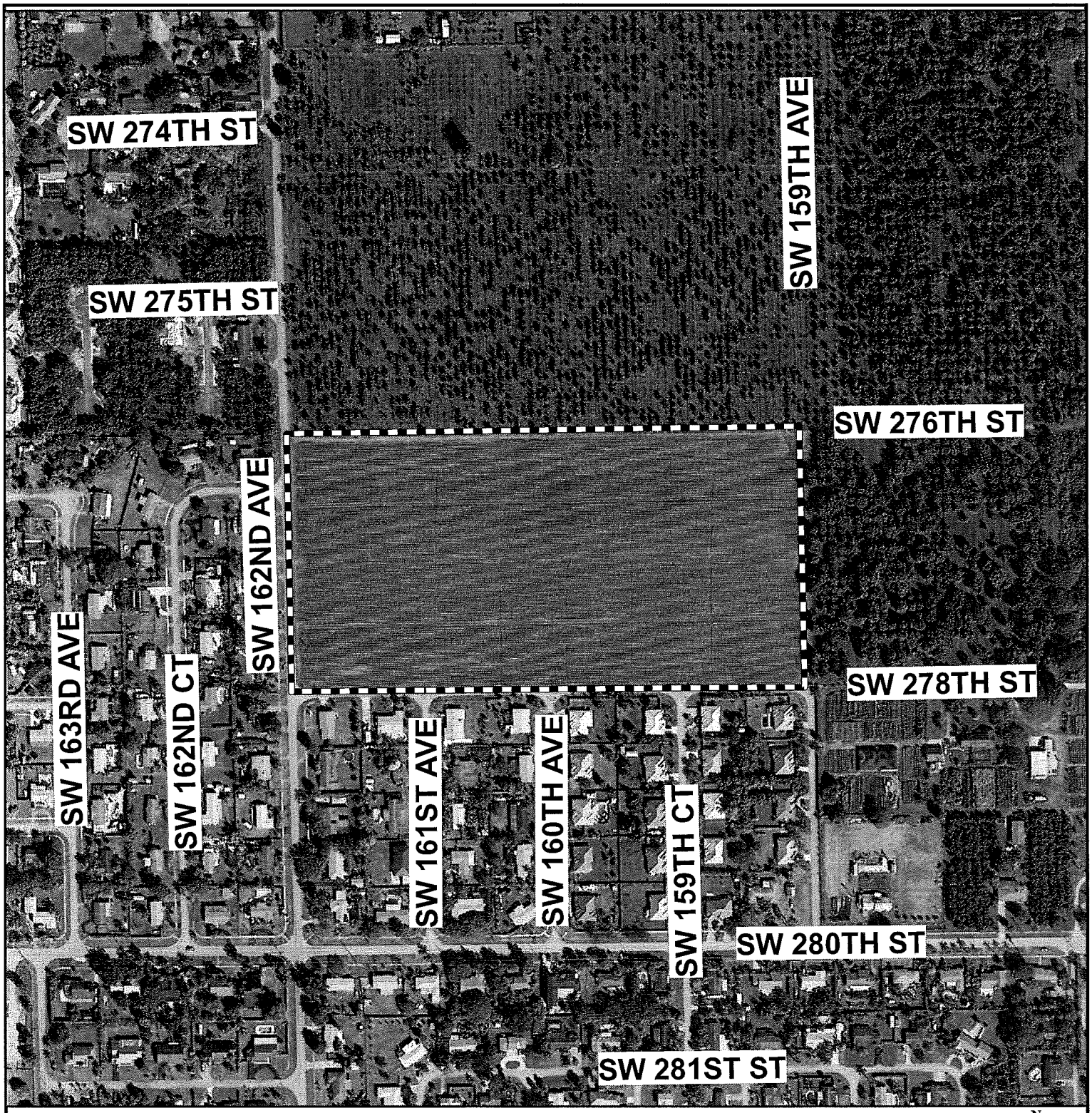
Subject Property Case

Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, January 27, 2014

REVISION	DATE	BY
		18



MIAMI-DADE COUNTY

AERIAL YEAR 2013

Process Number

Z2014000003

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Section: 32 Township: 56 Range: 39
Applicant: PREFERRED ENTERPRISES INC /HELEN MICHAEL
Zoning Board: C14
Commission District: 8
Drafter ID: JEFFER GURDIAN
Scale: NTS

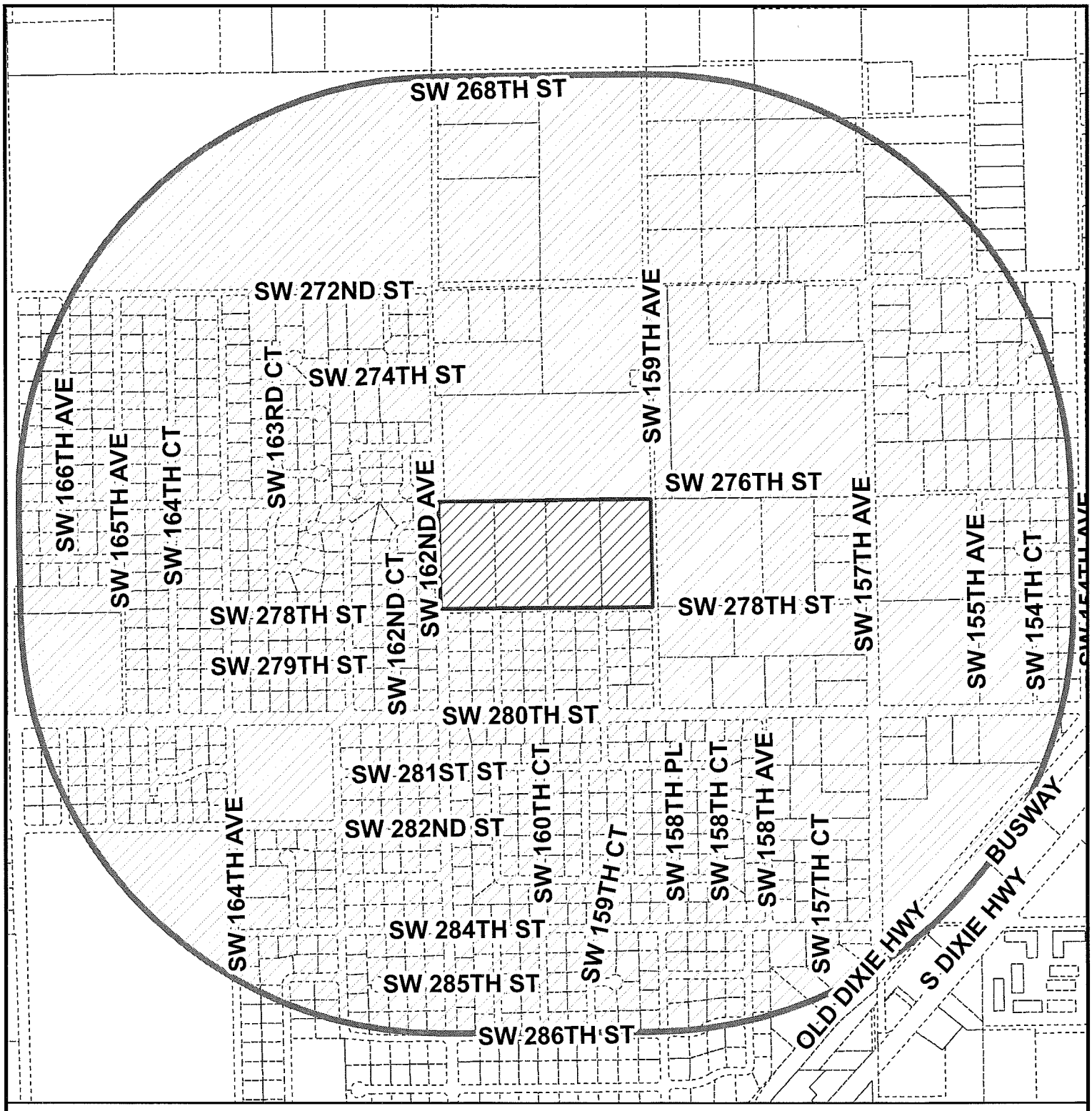
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, January 27, 2014

REVISION	DATE	BY
		19



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2014000003

RADIUS: 2640

Section: 32 Township: 56 Range: 39

Applicant: PREFERRED ENTERPRISES INC /HELEN MICHAEL

Zoning Board: C14

Commission District: 8

Drafter ID: JEFFER GURDIAN

Scale: NTS

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Legend

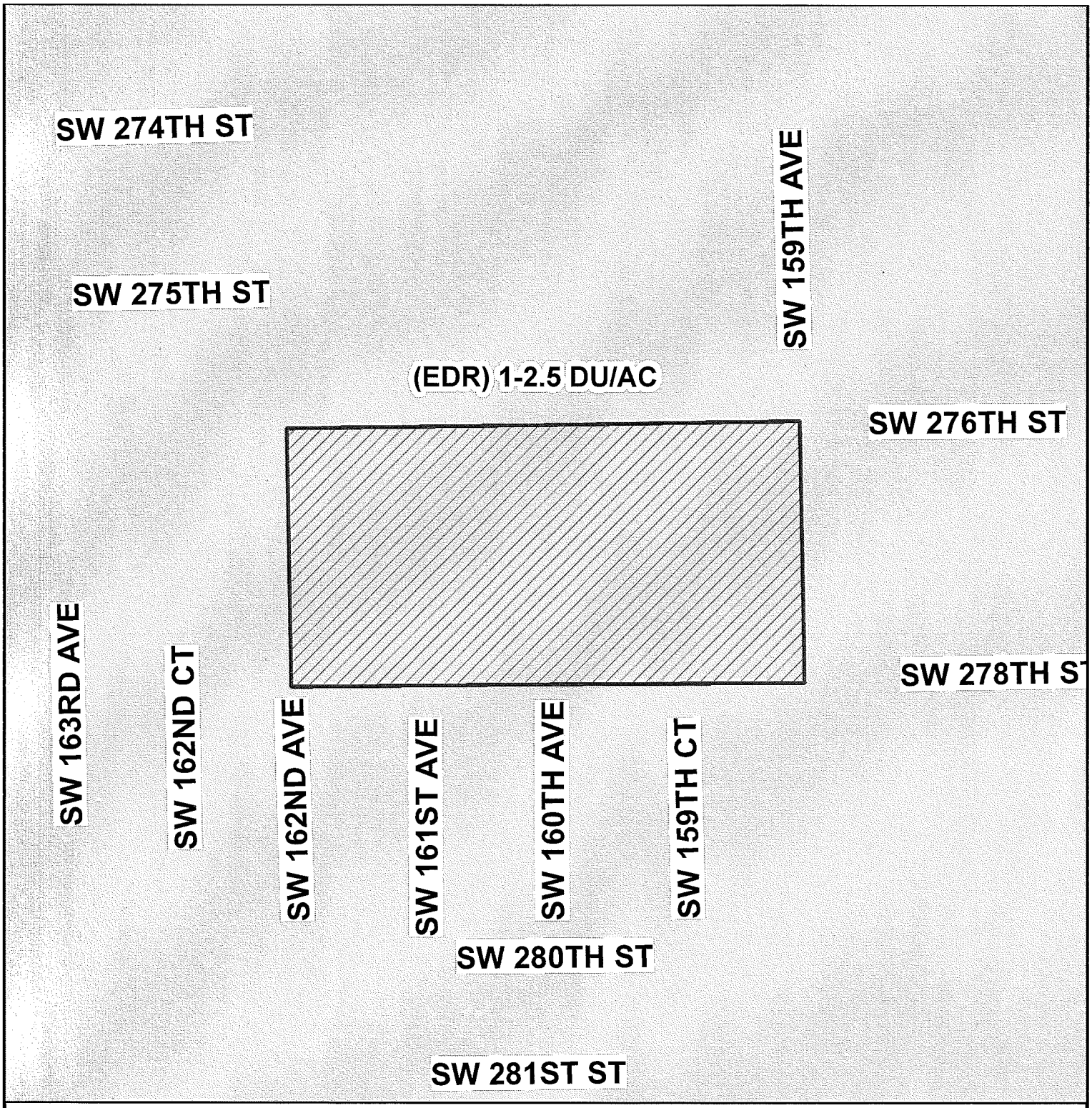
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, January 27, 2014

REVISION	DATE	BY
		20



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2014000003

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Section: 32 Township: 56 Range: 39
Applicant: PREFERRED ENTERPRISES INC /HELEN MICHAEL
Zoning Board: C14
Commission District: 8
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, January 27, 2014

REVISION	DATE	BY

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

PH: Z14-010 (14-7-CZ14-2) **July 9, 2014**
Item No. 2

Recommendation Summary	
Commission District	9
Applicant	George De La Fe
Summary of Requests	The applicant is seeking to permit an existing single-family residence on a substandard lot within a management area and to permit the residence to setback less than required from the property line.
Location	19705 SW 136 Street
Property Size	5 acres
Existing Zoning	GU; Interim District
Existing Land Use	Single-family residence
2020-2030 CDMP Land Use Designation	*Open Land, Subarea 4, East Everglades Residential Areas (see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Inconsistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations *Section 33B-25 Authorized Uses Management Area 1* *(see attached Zoning Recommendation Addendum)*
Recommendation	**Indefinite Deferral.**

REQUESTS:

1. NON-USE VARIANCE to permit an existing single family residence on a parcel of land with a lot area of 5 gross acres (40 gross acres required).

2. NON-USE VARIANCE to permit the single family residence to setback a minimum of 20.4' (25' required) from the rear (west) property line.

3. NON-USE VARIANCE prohibiting structures over 2.5' high within the safe sight distance triangle within 10' of a driveway leading to a right-of-way; to permit existing metal picket gates with masonry columns within the safe site distance triangle along the front (east) and side street (south) property lines.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "George De La Fe" as prepared by Orlando M. Fortun and dated stamped received 2-4-14 consisting of 4 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The applicant is seeking to maintain an existing 3,893.8 sq. ft. single-family residence on a five acre parcel in Management Area 1, known as the East Everglades.

NEIGHBORHOOD CHARATERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	GU; single-family residence	Open Land
North	GU; nursery, vacant land	Open Land
South	GU; single family residences, nursery and vacant land	Open Land
East	GU; single-family residence and nursery	Open Land Open Land
West	GU; nursery and vacant land	Open Land

NEIGHBORHOOD COMPATIBILITY:

The subject property is located at 19705 SW 136 Street. The area surrounding the subject property is primarily characterized by residences, and nurseries.

SUMMARY OF THE IMPACTS:

Approval of this application would permit the maintenance and continued use of an existing single-family residence on a substandard parcel within an area designated Management Area 1. However, approval of this application could increase development in an area which is subject to periodic flooding and would result in a potential health hazard.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is zoned GU, Interim District and is located outside the Urban Development Boundary. The subject property is approximately five (5) acres with a single-family residence and is designated as ***Open Land Subarea 4.*** *Uses which may be considered for approval in this area are agriculture production and raising of livestock and rural residences at a density of 1 dwelling unit per 40 acres, or 1 dwelling unit per 20 acres if ancillary to an established agricultural operation, or 1 dwelling unit per 5 acres, after such time as drainage facilities become available to protect this area from a one-in-ten-year flood event in keeping with the adopted East Everglades zoning overlay regulation (Section 33B, Code of Miami-Dade County) and compatible and necessary utility facilities. Uses that could compromise groundwater quality shall not occur in this area.* The applicant seeks to permit an existing single family residence along with two (2) ancillary variances on a parcel of land with a lot area of 5 gross acres (40 gross acres required).

The applicant seeks to permit an existing single family residence along with two (2) ancillary variances on a parcel of land with a lot area of 5 gross acres (40 gross acres required). Staff notes that the applicant has not applied for or provided information relevant to an application for the conditional uses under Section 33B; subsection 33B-25-Authorized Uses. Said section could permit single family detached dwelling units at a density no greater than one (1) unit per five (5) acres in that portion of Management Area 1, only if positive drainage flood control facilities are available to protect the area from a one-in-ten year flood event. However, staff has not received any documentation that the area has sufficient protection from a one-in-ten year flood event.

Secondly, staff notes that the 5 acre property is less than the 40 acres required to permit a single-family residence and less than the 20 acres required to permit a single-family residence that is ancillary to an established agricultural operation as defined in Section 33B-23(h). Furthermore, staff has not found any building permits for the single-family residence whatsoever, nor has the applicant given staff any building permits or any other documentation showing that the single-family residence was built prior to 1981. Therefore staff opines that the requests would be **inconsistent** with the CDMP Land Use Element interpretative text for the Open Land Subarea 4 designation on the LUP map.

ZONING ANALYSIS:

The applicant is seeking approval under the Non-Use Variance Standard, Section 33-311(A)(4)(b) to permit an existing single family residence on a parcel of land with a lot area of 5 gross acres (40 gross acres required) (Request #1), to permit the single family residence to setback a minimum of 20.4' (25' required) from the rear (west) property line (Request #2) and to permit existing metal picket gates with masonry columns within the safe site distance triangle along the front (east) and side street (south) property lines (Item #3).

Staff notes that the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER) indicated in its memorandum that the application was reviewed for compliance with the requirements of Chapter 24 and Chapter 33B of the Miami-Dade County Code and does not comply with same. DERM stated that based on this review, and specifically, pursuant to Section 24-43.1(3), the application cannot be approved at this present time and must be deferred until the application is found to be in compliance with the requirements as outlined in their memorandum. **Therefore, the Department recommends that this application be deferred indefinitely.**

ACCESS, CIRCULATION AND PARKING: NA

OTHER: Not applicable.

RECOMMENDATION: Indefinite Deferral.

CONDITIONS: None

ES:MW:NN:CH:EJ

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

ZONING RECOMMENDATION ADDENDUM

George De La Fe
Z14-10

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

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

Open Land (Pg. I-63.1)	*The land designated as "Open Land" is not needed for urban uses between now and the year 2020 and has been set aside for uses other than urban development. It is not simply surplus undeveloped land, but rather it is land that is intended to serve one or more of the following functions: production such as agriculture, limestone extraction or other resource-based activity such as development of potable water supplies; rural residential development at a maximum density indicated for the specific Open Land subarea, but no greater than one unit per five acres; recreation; commercial vehicle storage as indicated for the specific Open Land Subarea; compatible utility and public facilities as indicated for the specific Open Land Subarea, and conservation, maintenance or enhancement of environmental character. Lower residential densities may be required in some areas for purposes of avoiding flood conditions or to avoid degradation of environmental systems or features. Because of the water supply-related or other environmental functions of those areas, they may also be considered for acquisition by federal, State, regional, County or private institutions that would manage these areas to optimize environmental functions, and for location of project features such as reservoirs, stormwater treatment areas, canals, and flow-ways constructed pursuant to the Comprehensive Everglades Restoration Plan.* *Also included in some Open Land areas are some existing year-round agricultural activities, and some enclaves of estate density residential use approved and grandfathered by zoning, ownership patterns and platting activities, which predate this Plan. The grandfather provisions of the Miami-Dade County Zoning Code shall continue to apply in Subareas 1, 2, 3 and 5, except that residential lots smaller than 15,000 square feet in area are not grandfathered hereby. Moreover, all existing lawful uses and zoning are deemed to be consistent with this Plan unless a use or zoning: (a) is found through a subsequent planning study, as provided in Policy LU-4E, to be inconsistent with the foregoing grandfather provisions or inconsistent with the CDMP as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map". This paragraph does not, however, authorize the expansion of any use inconsistent with the specific provisions for the applicable Open Land subarea. To the contrary, it is the intent of this plan to contain and prevent the expansion of such inconsistent development in Open Land areas.* *Because Open Land areas primarily consist of wetlands, all proposed uses will be reviewed on a case-by-case basis. No particular use, other than rural residential use at specified densities is definitively allowed. Following is an indication of the uses and residential densities that are likely to be permitted in each of five Open Land Subareas, subject to conformity with the pertinent goals, objectives, and policies of this Plan. The Land Use Plan map depicts the precise boundary of the entire Open Land area. The map titled "Open Land Subareas" (Figure 6) and the following text indicate the boundaries between Open Land Subareas.*

ZONING RECOMMENDATION ADDENDUM

George De La Fe
Z14-10

Open Land Subarea 4 (East Everglades Residential Areas) (Pg. I-63)	***Open Land Subarea 4 (East Everglades Residential Areas).*** *This subarea is bounded on the north, west and southwest by Everglades National Park, on the east by Levee 31N, and on the south by SW 168 Street. Uses which may be considered for approval in this area are agriculture production and raising of livestock1 and rural residences at a density of 1 dwelling unit per 40 acres, or 1 dwelling unit per 20 acres if ancillary to an established agricultural operation, or 1 dwelling unit per 5 acres, after such time as drainage facilities become available to protect this area from a one-in-ten-year flood event in keeping with the adopted East Everglades zoning overlay regulation (Section 33B, Code of Miami-Dade County) and compatible and necessary utility facilities. Uses that could compromise groundwater quality shall not occur in this area.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	*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.*
24-43.1(3) *Liquid waste disposal and potable water supply systems.*	*Notwithstanding any provision of this Code, no County or municipal officer, agent, employee or Board shall approve, grant or issue any building permit, certificate of use and occupancy (except for changes in ownership), municipal occupational license (except for changes in ownership), platting action (final plat, waiver of plat or equivalent municipal platting action) or zoning action (district boundary change, unusual use, use variance or equivalent municipal zoning action) for any residential land use served or to be served by a septic tank or any source of potable water supply until the County or municipal officer, agent, employee or Board affirmatively determines that the residential land use will comply with one (1) or more of the requirements as set forth in Sections 24-43.1(3)(a), (b), (c), (d), (e), and (f) and Section 24-43.2(1) of this Code, and, additionally, that the property is not within a feasible distance for a public water main or public sanitary sewers.*
33B-25 Management Area 1 Authorized Uses	*(A) Management Area 1:* *(1) Permitted uses:* *(a) Agricultural use, and* *(b) Agricultural support housing at a density of no greater than one (1) unit per forty (40) acres, or* *(c) Single-family detached dwelling units at a density of no greater than one (1) unit per forty (40) acres.* *(2) Conditional uses:* *(a) Single-family detached dwelling units at a density of no greater than one (1) unit per five (5) acres in that portion of Management Area 1 which had an established residential character as of January 14, 1981, provided that positive drainage flood control facilities are available to protect the area from a one-in-ten-year flood event. This area is defined as all of Sections 14, 21, 22, 23, 27, 28; the south one-half of Section 11 and the south one-half of the north one-half of Section 11; the east one-half of Section 15; the east one-half of Section 16; all land in Section 26 which lies*

ZONING RECOMMENDATION ADDENDUM

George De La Fe
Z14-10

	northerly and westerly of Levee L-31-N; the east one-half of the east one-half of Section 29; all within Township 55 South and Range 38 East. *(b) Residential dwelling units at a density of no greater than one (1) dwelling unit per twenty (20) acres, provided that:* *1. The dwelling unit is ancillary to an established agricultural operation involving less than forty (40) acres, and* *2. Occupancy of the dwelling is limited to the owner, operator or employees of the established agricultural operation, and* *3. The parcel was not in common ownership with any adjacent parcel of land on or after January 14, 1981.*

2. GEORGE DE LA FE
(Applicant)

14-7-CZ14-2(14-010)
Area 14/District 09
Hearing Date: 07/09/14

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 ☑

If so, who are the interested parties?

Disclosure of interest form attached? Yes ☐ No ☑

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
None				

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

Memorandum

Date: June 26, 2014

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

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

Subject: #Z2014000010-3rd Revision
George de La Fe
19705 SW 136th Street, Miami, FL 33167
Non-Use Variance to permit a residence in five (5) acres 40 acres required
(GU) (4.12 Acres)
15-55-38

The subject application has been reviewed by the Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code) and has determined that at the present time the same cannot be approved. Therefore, the application must be deferred until the application is found in compliance with all the requirements noted herein.

DEFERRED FOR COMPLIANCE WITH:

Stormwater Management
The property falls within Flood Zone AH with a Base Flood Elevation (BFE) of 8 ft NGVD. The County Flood Criteria (CFC) is 9.20 ft NGVD. Note that existing slab elevations, of 8.98 ft. and 9.58 ft, as shown on the provided survey and site plan, are not in compliance with Chapter 11C-3(m) of the Code. The minimum required elevation is 8 inches or 0.67 ft. above said CFC, equivalent to 9.87 ft NGVD. Therefore the existing slab elevations cannot be approved unless said floors are raised to the minimum required elevation.

Please submit revised plans to Planning & Zoning the lowest finished floor elevations will be raised to comply with the Code. For more information please contact the Environmental Plan Review Floodplain Program at 786-315-2800.

Wetlands
Be advised that the subject residence lies within the western part of the property; therefore this review and the following comments provided for this request do not include the eastern part of the site. Although the subject property is located within a designated wetland basin, a site inspection performed by staff on February 20, 2014 and a review of aerial photographs revealed that the location of the proposed residence within the site does not contain wetlands as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit will not be required.

The subject site is located in Management Area 1 as defined by the East Everglades Zoning Overlay Ordinance and within an "Area of Critical Environmental Concern" as defined by Chapter 33-B of the

Code. The requested non-use variance is for a residence, which is not a permitted use within this Area of Critical Environmental Concern on less than forty (40) acres.

In addition, Zoning Overlay Ordinance outlines that a density of no greater than one (1) unit per five (5) acres can be approved provided that positive drainage flood control facilities are available to protect the area from a one-in-ten year flood event. This flood control facility does not exist.

Be advised that as per Chapter 33-B of the Code, no more than a half acre of the subject property can be filled; however, according to aerials it appears that the fill limitations on the property may have been exceeded.

The intent of the land use restrictions under the Zoning Overlay Ordinance is to maintain a rural character and prevent cumulative adverse environmental impacts in an area that receives no flood protection. Approval of the subject application would set a precedent for allowing intensified residential development that is inconsistent with the language and intent of the Zoning Overlay Ordinance and allowing the proliferation of septic tanks on less than forty acres.

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 residence. It is the applicant's responsibility to contact these agencies.

APPROVED FOR COMPLIANCE WITH:

Potable Water Service 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 individual on-site drinking water supply wells as source of potable water, and by septic tank and drainfield systems as means for the disposal of the domestic liquid waste.

DERM has no objection to this type of low intensity development served by an individual water supply system, provided that groundwater quality in the area is such that drinking water standards can be met by the proposed on-site water supply well. A minimum separation distance of 100 feet is required between any well and all septic tank drainfields, all surface waters and any other source of contamination. Be advised that a stable is considered a source of contamination hence the minimum separation between this structure and the drinking water well shall apply.

Tree Preservation
According to the site plan submitted with this zoning application, the proposal to permit a residence will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

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.

In summary, this application cannot be approved at this time and therefore should not be scheduled for public hearing.

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

cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum

Date: April 18, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2014000010
Name: George de la Fe
Location: 19705 SW 136 Street
Section 15 Township 55 South Range 38 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The gross area of the referenced property is 5 acres; therefore, platting is not required.

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

Memorandum

MIAMI-DADE COUNTY

Date: February 20, 2014

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

From: Paul Mauriello, Assistant Director, Waste Operations
Public Works and Waste Management Department

Subject: George De La Fe (#14_010)

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

The property is located within the Department's waste collection service area and is serviced by route 7212. According to Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, the single family residence on the property meets the definition of a residential unit. The residential unit on the property will continue to receive PWWM waste collection and recycling services. The current waste collection fee of $439 will cover all associated costs.

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

Memorandum

MIAMI-DADE COUNTY

Date: February 27, 2014

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

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

Subject: Z2014000010: GEORGE DE LA FE

Application Name: GEORGE DE LA FE

Project Location: The site is located at 19705 SW 136 ST, Miami-Dade County.

Proposed Development: The request is for approval of a single family residence on 5 acres where 40 acres are required.

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

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

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

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum

Date: 25-FEB-14

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

From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2014000010

Fire Prevention Unit:

No objection to the site plan with a Zoning Department received date of February 4, 2014.

Service Impact/Demand

Development for the above Z2014000010
located at 19705 SW 136 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1972 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 14:06 minutes

Existing services

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

Station 36 - Hammocks - 10001 Hammock Blvd.
Rescue, ALS 60' Aerial

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

BUILDING AND NEIGHBORHOOD

COMPLIANCE DEPARTMENT

ENFORCEMENT HISTOTY

WILL BE DISTRIBUTED

AT A LATER DATE

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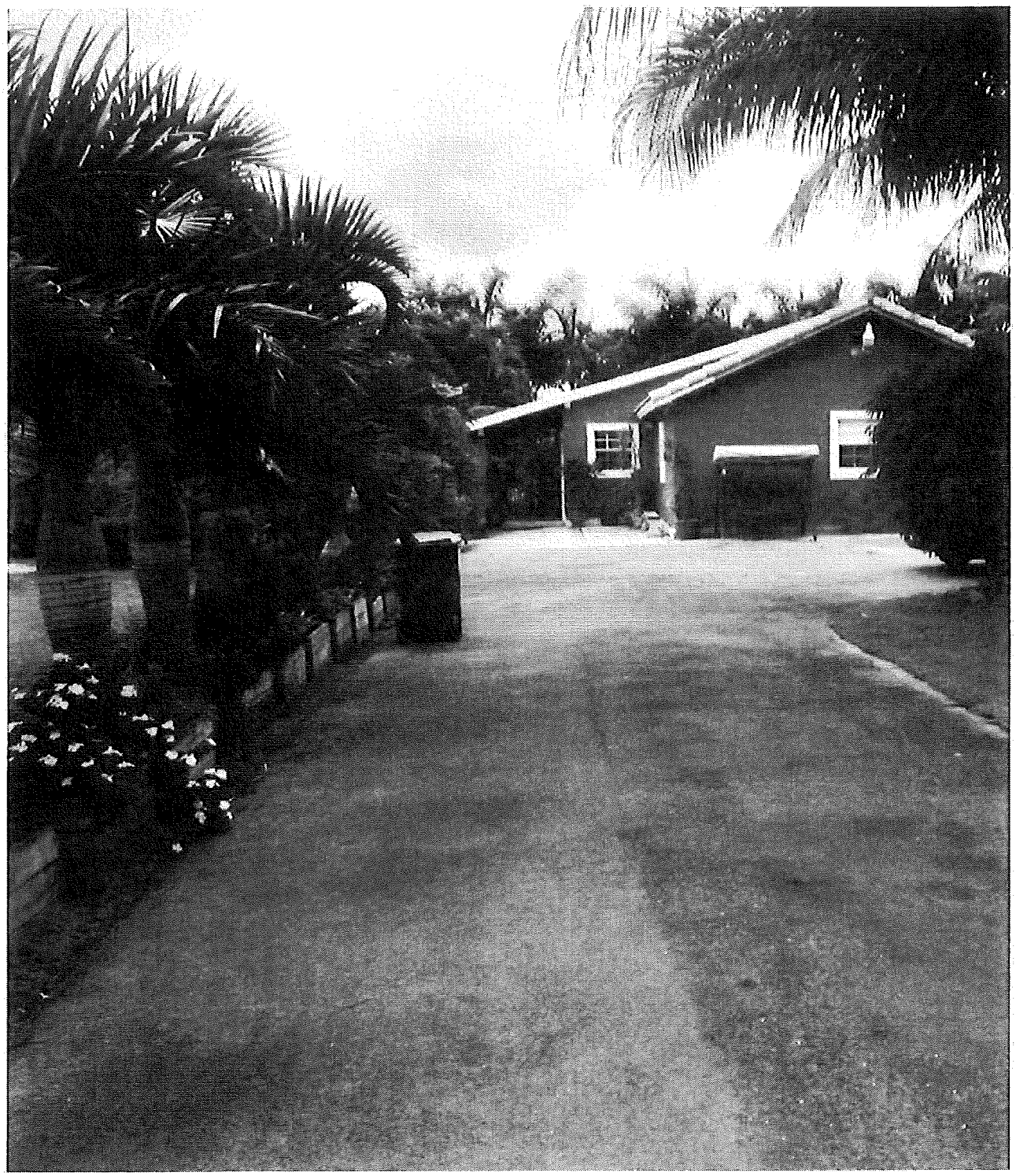

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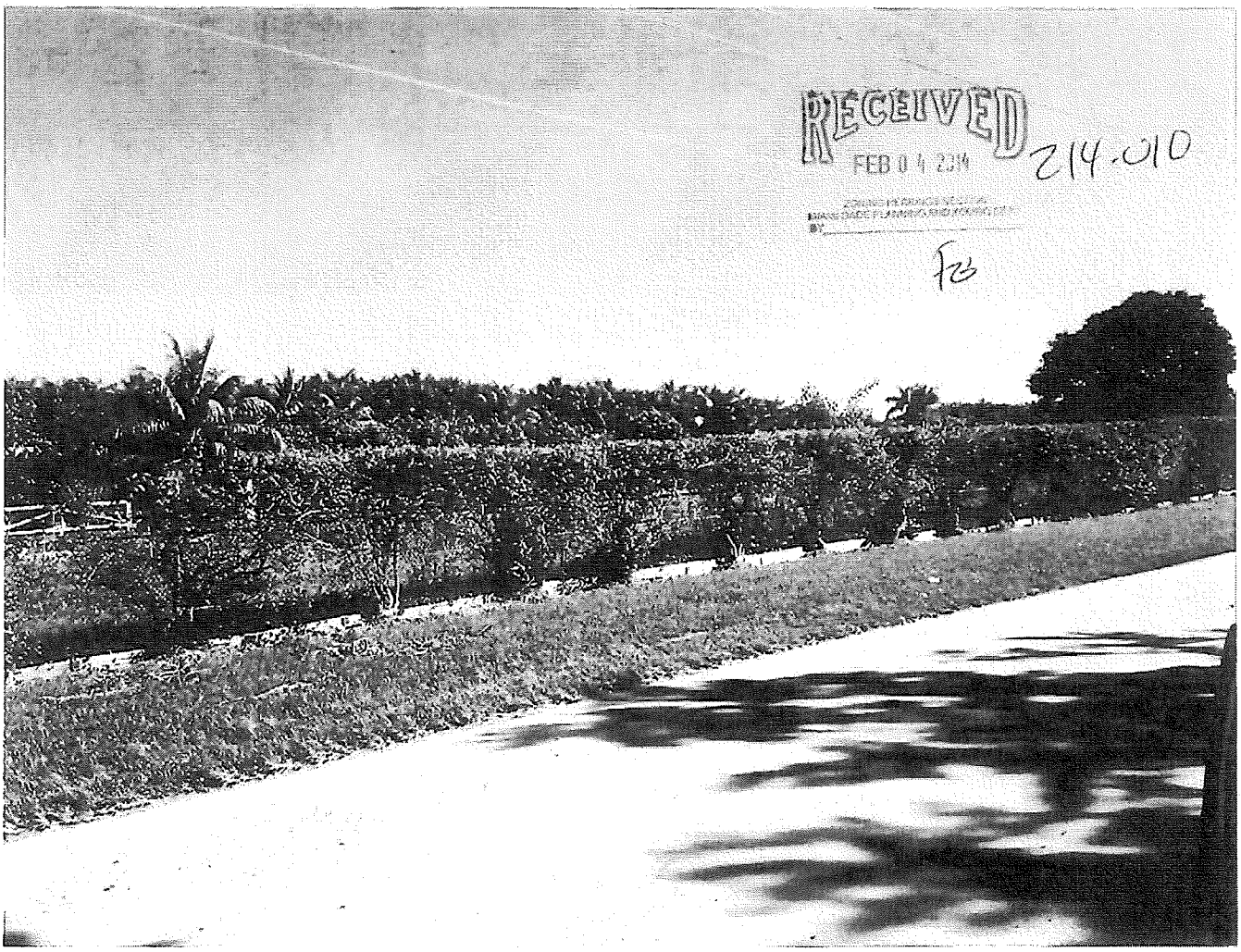
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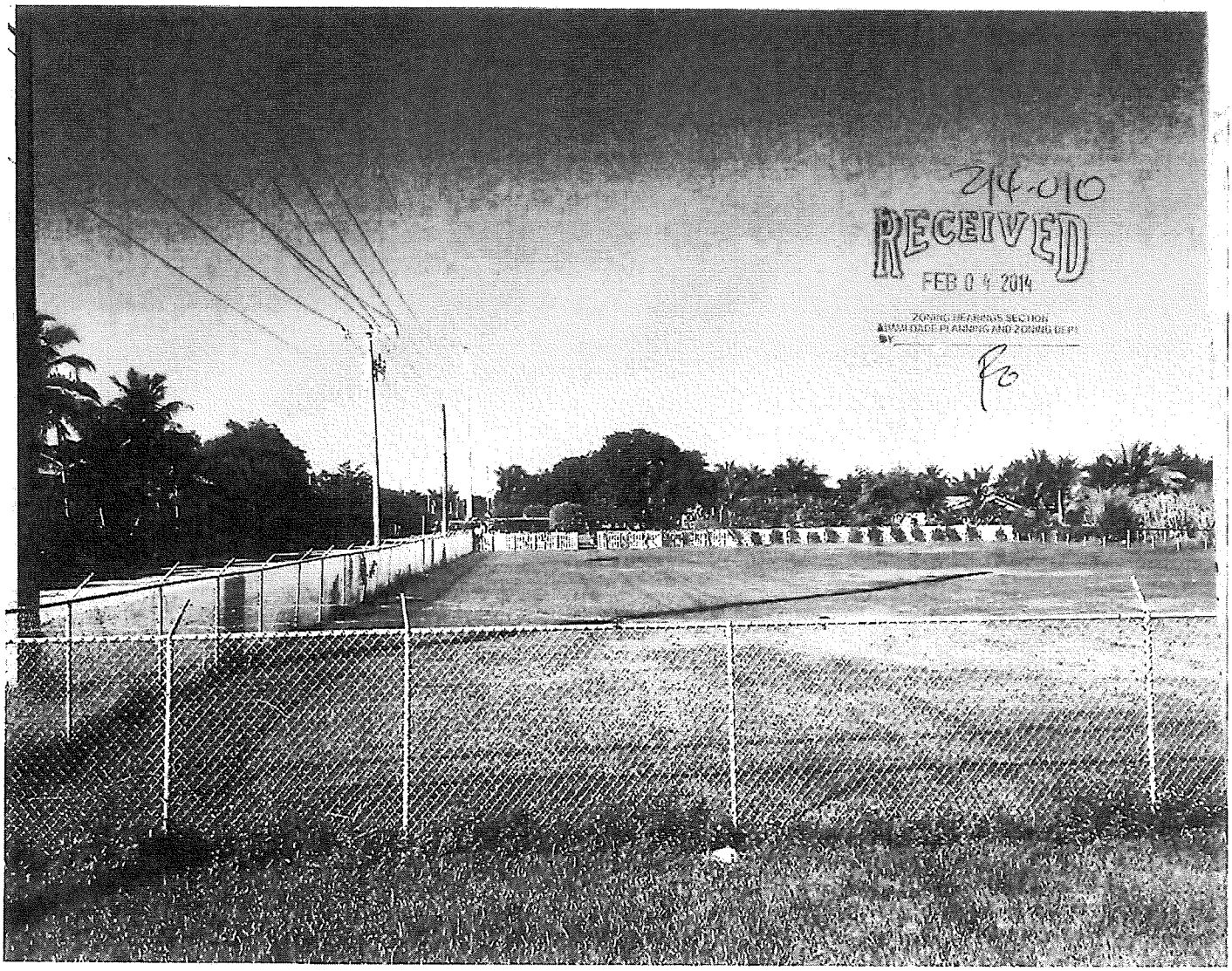
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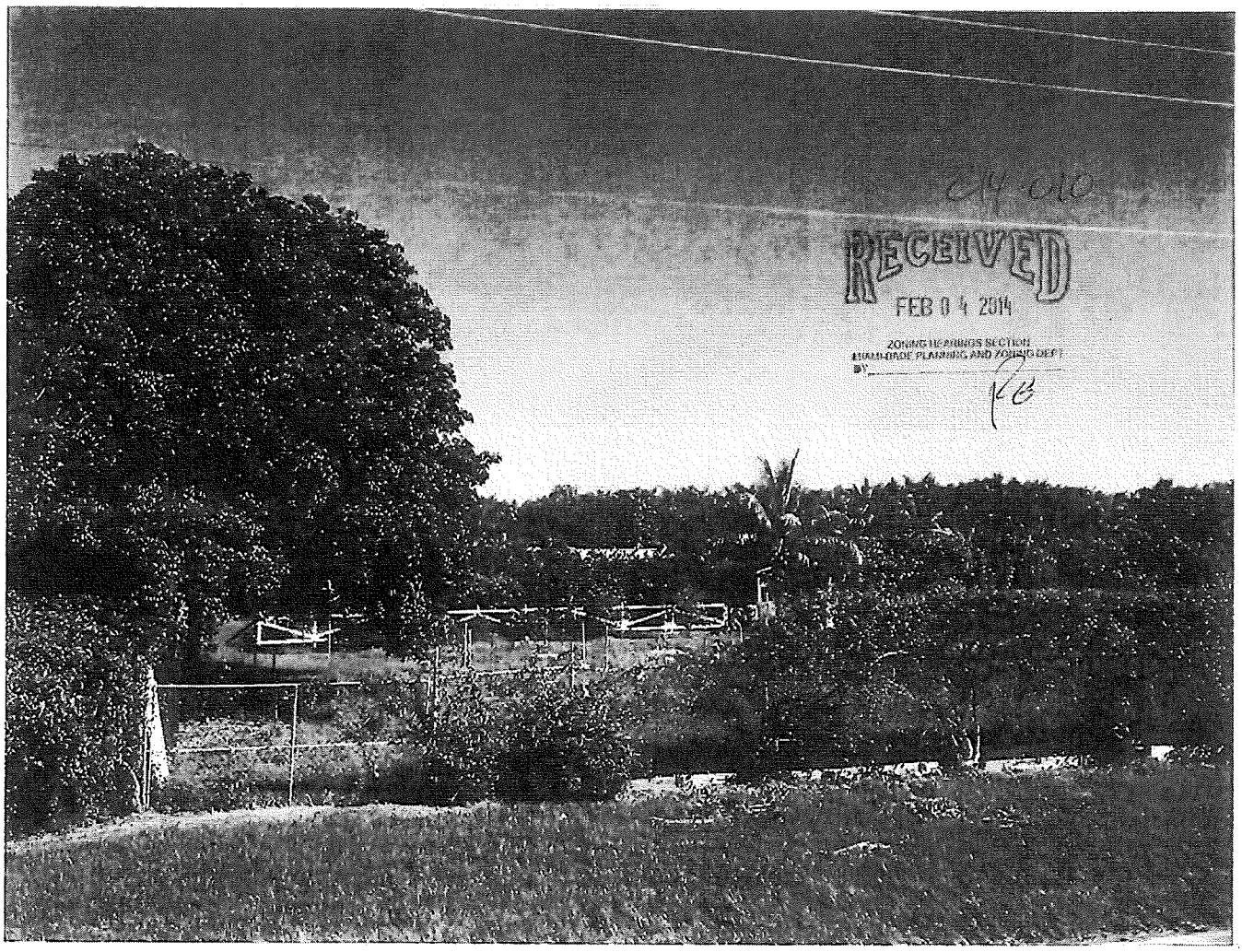
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MIAMI-DADE PLANNING AND ZONING DEPT

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FEB 0 6 2014

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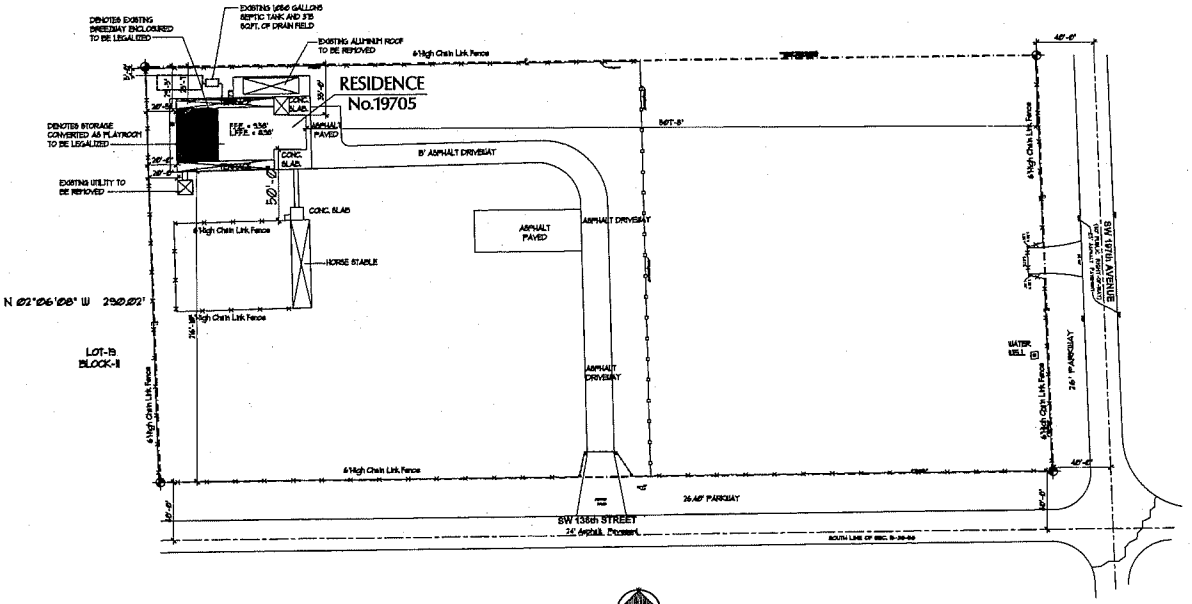
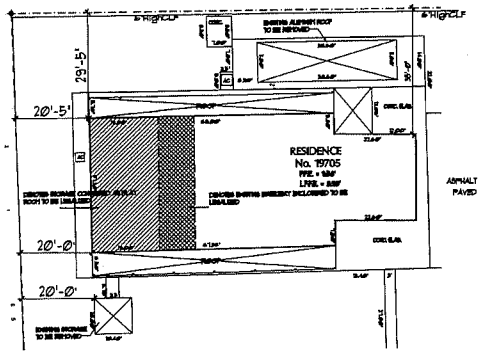


SITE PLAN
SCALE: 1" = 40'

LEGAL DESCRIPTION:

THE SOUTH 1/2 OF THE SE 1/4 OF THE SE 1/4 IN SECTION 19, TOWNSHIP 56 SOUTH, RANGE 38 EAST, LESS THE SOUTH 40 FEET FOR ROAD PURPOSES, LYING AND BEING THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA



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

SCOPE OF WORK

THE SCOPE OF WORK CONSIST IN OBTAINING PERMITS FOR CASE NUMBER : 2012000231361 WORKING WITH-OUT PERMITS.

1-) REAR ADDITION BUILT UNDER PERMIT 7800125820 AS STORAGE CONVERTED AS PLAYROOM TO BE LEGALIZED.
2-) STORAGE SHED TO BE REMOVED.
3-) EXISTING ALUMINUM STRUCTURES AND AWNING TO BE DEMOLISHED.
4-) EXISTING BARN UNDER PERMIT NUMBER: 8908080570.

WORKS PERFORMED:

a-) STRUCTURAL WORK.
b-) ELECTRICAL WORKS.
c-) PLUMBING WORKS.
d-) MECHANICAL WORKS.

ZONING LEGEND

ZONING: GU
HEIGHT (TO RIDGE OF ROOF): 21'-8"
NET LAND AREA: 179,467.2 SQFT. = 4.12 ACRES

	MAX. ALLOWED:	EXISTING:
LOT COVERAGE (EVERYTHING UNDER ROOF):	26,320 SQFT. x 15 %	4,686.8 SQFT. = 2.6 %
EXISTING RESIDENCE:		2,682.14 SQFT.
STORAGE CONVERTED TO BE LEGALIZED :		638.34 SQFT.
BREEZEWAY ENCLOSURE TO BE LEGALIZED:		333.85 SQFT.
TERRACE:		843 SQFT.
EXISTING STABLE:		783 SQFT.

RESIDENCE SETBACKS:	MINIMUM REQUIRED:	EXISTING:
FRONT	30'	30'-0"
SIDE NORTH	15'	25'-1"
SIDE SOUTH	15'	28'-10"
REAR	25'	36'-0" (APPLIED FOR VARIANCE)

IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT, THERE MAY BE ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY, SECTION 163.35 (10), FLORIDA STATUTES, EFFECTIVE 1/1/81

APPLICANT:

WILL COMPLY WITH THE ORDINANCE 90-58 (SECTION 11-1) OF THE MIAMI-DADE COUNTY CODE: NOTICE OF ROCK MINING OPERATIONS WHERE BLASTING IS PERMITTED- PRIOR TO STARTING CONSTRUCTION.

A SEPARATE PERMIT WILL BE REQUIRED FOR ALL DRIVEWAY APPROACHES ONTO PUBLIC RIGHT OF WAY. CONTACT PUBLIC WORKS DEPT.

THE HEIGHT OF FENCES, WALL AND HEDGES SHALL NOT EXCEED 2.5 FEET IN HEIGHT WITHIN 10 FEET OF THE EDGE OF ANY DRIVEWAY HEADING TO A RIGHT OF WAY.

THE HEIGHT OF FENCES IS BEING MEASURED FROM GRADE = ELEVATION OF PUBLIC SIDEWALK OF CROWN OF ROAD.

FLOOD LEGEND

FOLIO No. 30-5036-006-1010
FLOOD ZONE- "X"

ADDRESS: 19105 SW 136 ST., FLORIDA 33187

THE SOUTH 1/2 OF THE SE 1/4 OF THE SE 1/4 IN SECTION 19, TOWNSHIP 56 SOUTH, RANGE 38 EAST, LESS THE SOUTH 40 FEET FOR ROAD PURPOSES, LYING AND BEING THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

HIGHEST CROWN OF THE ROAD ELEV.: 8.04' FT. N.G.V.D. HIGHEST CROWN OF THE ROAD ELEVATION WAS TAKEN FROM THE ATTACHED SURVEY CERTIFIED SURVEY, OR A CERTIFIED SURVEY PREPARED BY: ARMANDO GARCIA P.L.S. LIC. No.: 3829

	LOWEST FLOOR ELEVATION	GARAGE / STORAGE FLOOR ELEVATION	ADJACENT GRADE ELEVATION
PLAYROOM	8.58' N.G.V.D.	N/A	7.17' N.G.V.D.

ALL ELECTRICAL, MECHANICAL AND PLUMBING WILL BE PLACED AT OR ABOVE THE BASE FLOOD ELEVATION (B.F.E.)

ALL AREAS BELOW B.F.E. SHALL BE PROVIDED WITH A MINIMUM OF TWO (2) OPENINGS HAVING A TOTAL NET AREA OF NO LESS THAN ONE SQUARE INCH OF OPENING EVERY SQUARE FOOT OF ENCLOSED AREA SUBJECT TO FLOODING. THE BOTTOM OF THE OPENING WILL BE NO HIGHER THAN ONE (1) FOOT ABOVE GRADE AND LOCATED ON DIFFERENT SIDES OF THE ENCLOSED AREA. OPENINGS WILL BE EQUIPPED WITH SCREENS OR LOUVERS. FLOOD RESISTANT MATERIALS WILL BE USED BELOW B.F.E.

ALTERNATIVELY, SEE A CERTIFICATION BY N/A P.E. ON THE PLAN NOTES INDICATING THAT THE DESIGN WILL ALLOWED FOR THE AUTOMATIC EQUALIZATION OF HYDROSTATIC FLOOD FORCES ON EXTERIOR WALLS

WHERE NECESSARY INTERCEPTOR SWALES WILL BE CONSTRUCTED ON-SITE WITH NO ENCROACHMENT OVER ADJACENT PROPERTIES

8'-0" = 8.65' N.G.V.D.

THE SITE WILL BE GRADED IN A MANNER TO PREVENT THE FLOODING OF ADJACENT PROPERTIES

14-010

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

REVISIONS	BY

JOB NUMBER 13-0961.2

ORLANDO M. GARCIA
CONSULTING ENGINEERING, P.A.
CERTIFICATE OF AUTHORIZATION NO. 29,229
P.E. 22,229
7234 SW 39th TERRACE MIAMI, FLORIDA 33155
TEL.: (305) 262-2128 FAX: (305) 261-1844

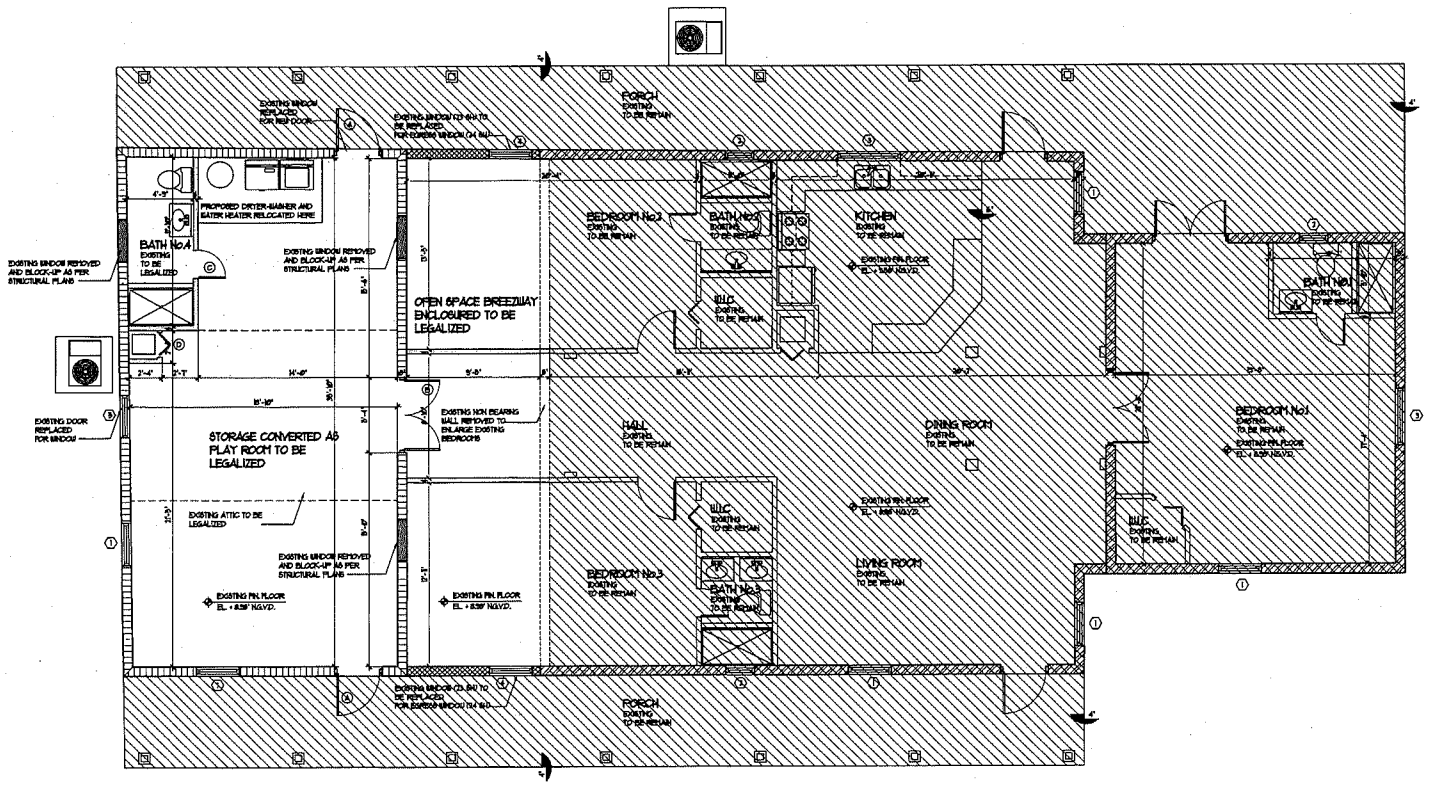
STORAGE CONVERTED AS PLAYROOM, BREEZEWAY ENCLOSURE TO BE LEGALIZED FOR:

Mr. GEORGE DE LA FE

LOCATED AT:
19105 SW 136 ST., MIAMI, FLORIDA 33187

DRAWN : R.M.G./A.L.M.
CHECKED : O.M.G.
DATE : NOV '13
SCALE : SHOWN
JOB NO.: 13-0961.2

SHEET
A-1
OF 10 SHEETS



EXISTING FLOOR PLAN

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

NORTH

WINDOW SCHEDULE						
MARK	DESCRIPTION	ROUGH OPENING W	ROUGH OPENING H	MATERIAL	AREA	REMARKS
1	23 SH	3'-1"	3'-3"	ALUM / GLASS	10 SQFT.	EXISTING
2	½ 33 SH	2'-3"	3'-3"	ALUM / GLASS	6 SQFT.	EXISTING
3	34 SH	4'-6"	4'-3"	ALUM / GLASS	19 SQFT.	EXISTING
4	34 SH	3'-1"	4'-3"	ALUM / GLASS	13 SQFT.	N- 1,3,4
5	23 SH	3'-1"	3'-3"	ALUM / GLASS	10 SQFT.	N- 1,3
NOTES: 1. SH (SINGLE HUNG) 2. SAFETY GLASS CATEGORY CLASS 2 3. IMPACT RESISTANCE 4. EGRESS TYPE					ALL GLASS SHALL BE TINTED U = 1.0 SHGC = .64	

DOOR SCHEDULE							
MARK	DESCRIPTION	SIZE W	SIZE H	SIZE T	MATERIAL DOOR	MATERIAL FRAME	REMARKS
A	FRENCH DOOR	5'-0"	6'-8"	1 ¾"	MTL	METAL	N-1
B	PAIR FRENCH DOOR	5'-0"	6'-8"	1 ¾"	MD/ GLASS	WOOD	N-3
C	WOOD DOOR	2'-8"	6'-8"	1 ⅜"	WOOD	WOOD	
D	BI-FOLD	2'-6"	6'-8"	1"	WOOD	WOOD	N-4
NOTES: 1. OPEN TO OUTSIDE 2. IMPACT RESISTANCE 3. SAFETY GLASS CATEGORY CLASS 2 4. FULL LOUVERED						ALL GLASS SHALL BE TINTED U = 1.0 SHGC = .64	

ROOM FINISH SCHEDULE						
ROOM	FLOOR	WALLS	CEILING	HEIGHT	BASE	REMARKS
BATH No.4	TILE	DRYWALL/TILE	DRYWALL	8'-0"	TILE	N-1
PLAYROOM	WOOD	DRYWALL	DRYWALL	8'-0"	WOOD	N-1
BEDROOM No.2	WOOD	DRYWALL	DRYWALL	8'-0"	WOOD	
BEDROOM No.3	WOOD	DRYWALL	DRYWALL	8'-0"	WOOD	
NOTES: 1. USE PERVIOUS MATERIAL						

TABULATION AREA	
TERRACE	843 SQFT.
EXISTING RESIDENCE	2,882.14 SQFT.
STORAGE CONVERTED AS PLAY ROOM	638.51 SQFT.
BREEZEWAY ENCLOSURED	333.48 SQFT.
TOTAL A/C AREA	3,854.13 SQFT.
TOTAL AREA +	3,853.8 SQFT.

WALL LEGEND

- DENOTES EXISTING 8" MASONRY WALL TO REMAIN
- DENOTES EXISTING 2" X 6" WOOD EXTERIOR WALL
- DENOTES 4" EXISTING WALL PARTITION TO REMAIN
- DENOTES 4" NEW WALL PARTITION TO BE LEGALIZED
- DENOTES NEW 2" X 6" WOOD EXTERIOR WALL TO BE LEGALIZED
- DENOTES BLOCK UP 8" MASONRY WALL TO BE LEGALIZED

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REVISIONS	BY

JOB NUMBER B-0943

architecture intl. firm, inc.
CONSULTING ENGINEERS, P.A.
CERTIFICATE OF AUTHORIZATION
PE. 22374 EB. 0000852
7204 S.W. 39th TERRACE MIAMI, FLORIDA 33155
TEL.: (305) 262-4329 FAX: (305) 262-3241

STORAGE CONVERTED AS PLAYROOM, BREEZEWAY ENCLOSURE TO BE LEGALIZED FOR:

Mr. GEORGE DE LA FE

LOCATED AT:
19125 SW 136 ST., MIAMI, FLORIDA, 33187

DRAWN : RMG.	
CHECKED : OYP.	
DATE : NOV '13	
SCALE : SHOWN	
JOB NO. B-0943	
SHEET	A-2
OF 4 SHEETS	

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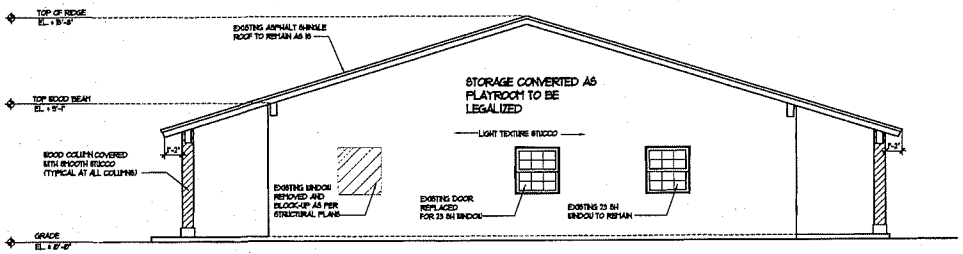
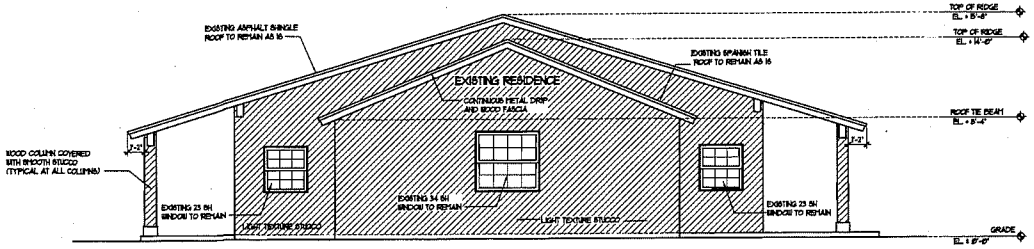


WEST ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"

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BY: PD

REVISIONS	BY

JOB NUMBER
13-4961.2

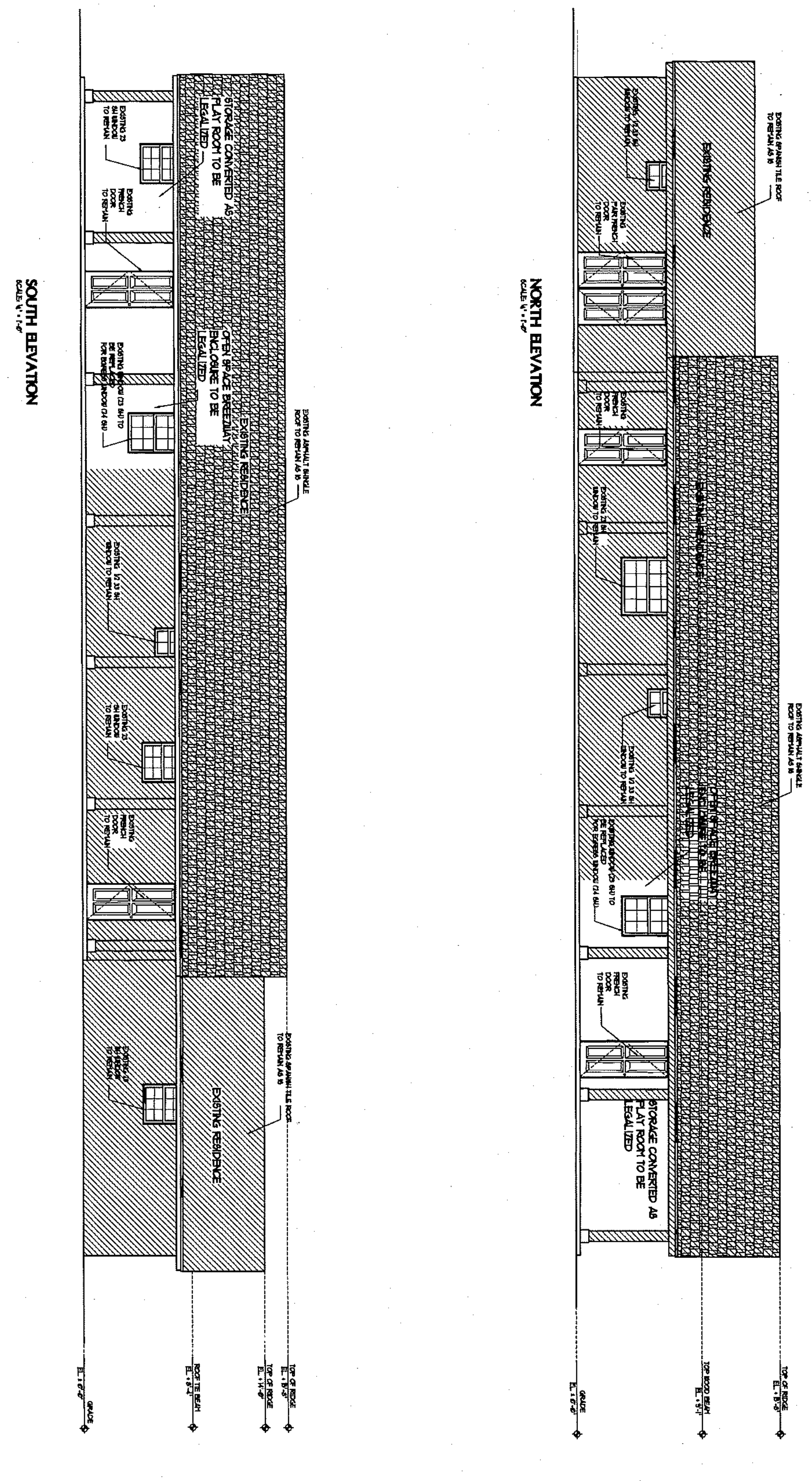
@planning m. tenpenny
CONSULTING ENGINEERING, P.A.
CERTIFICATE OF AUTHORIZATION
P.E. 22249
P.E. 0055092
7200 S.W. 99th TERRACE MIAMI, FLORIDA 33156
TEL.: (305) 383-4229 FAX: (305) 383-3441

STORAGE CONVERTED AS PLAYROOM, BREEZEWAY ENCLOSURE TO BE LEGALIZED FOR:

Mr.GEORGE DE LA FE

LOCATED AT:
19765 SW 136 ST., MIAMI, FLORIDA, 33187

DRAWN : RFLG.
CHECKED : OMT.
DATE : NOV '13
SCALE : SHOWN
JOB NO.: 13-4961.2
SHEET
A-3
OF 4 SHEETS



STORAGE CONVERTED AS PLAYROOM , BREEZWAY ENCLOSURE TO BE LEGALIZED FOR:

Mr.GEORGE DE LA FE

LOCATED AT:
13105 SW 136 ST., MIAMI, FLORIDA , 33167

orlando m. fortun
CONSULTING ENGINEERS, P.A.
CIVIL / STRUCTURAL

JOB NUMBER
13-016L2

REVISIONS | BY

DRAWN : R.Y.G.
CHECKED : O.M.F.
DATE : NOV '13
SCALE : SHOWN
JOB NO. 13-016L2

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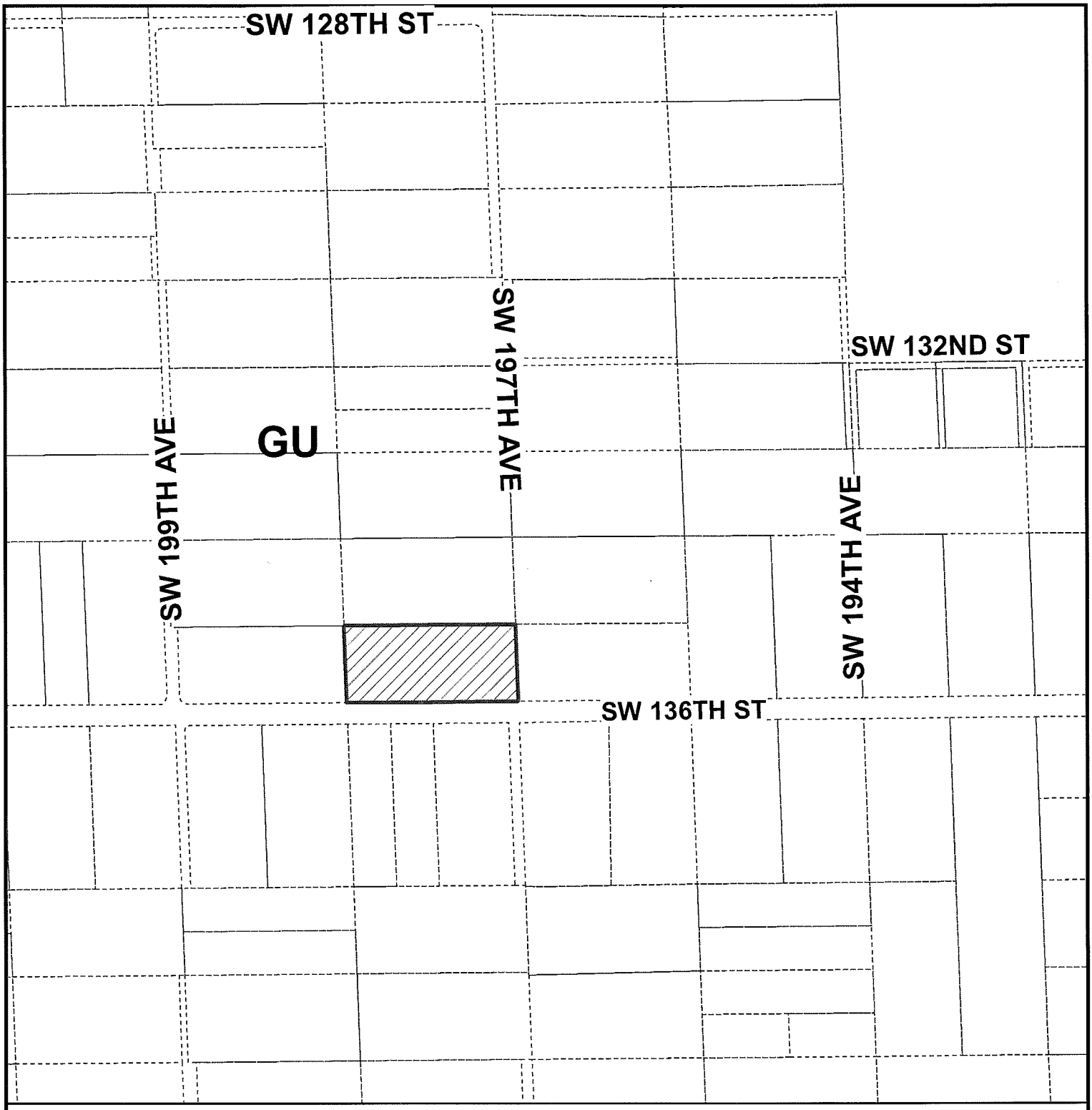

MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2014000010

Section: 14/15 Township: 55 Range: 38
Applicant: GEORGE DE LA FE
Zoning Board: C14
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
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Legend

Subject Property Case

Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, February 11, 2014

REVISION	DATE	BY
		30

MIAMI-DADE COUNTY

AERIAL YEAR 2013

Process Number

Z2014000010

N
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Section: 14/15 Township: 55 Range: 38
Applicant: GEORGE DE LA FE
Zoning Board: C14
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS

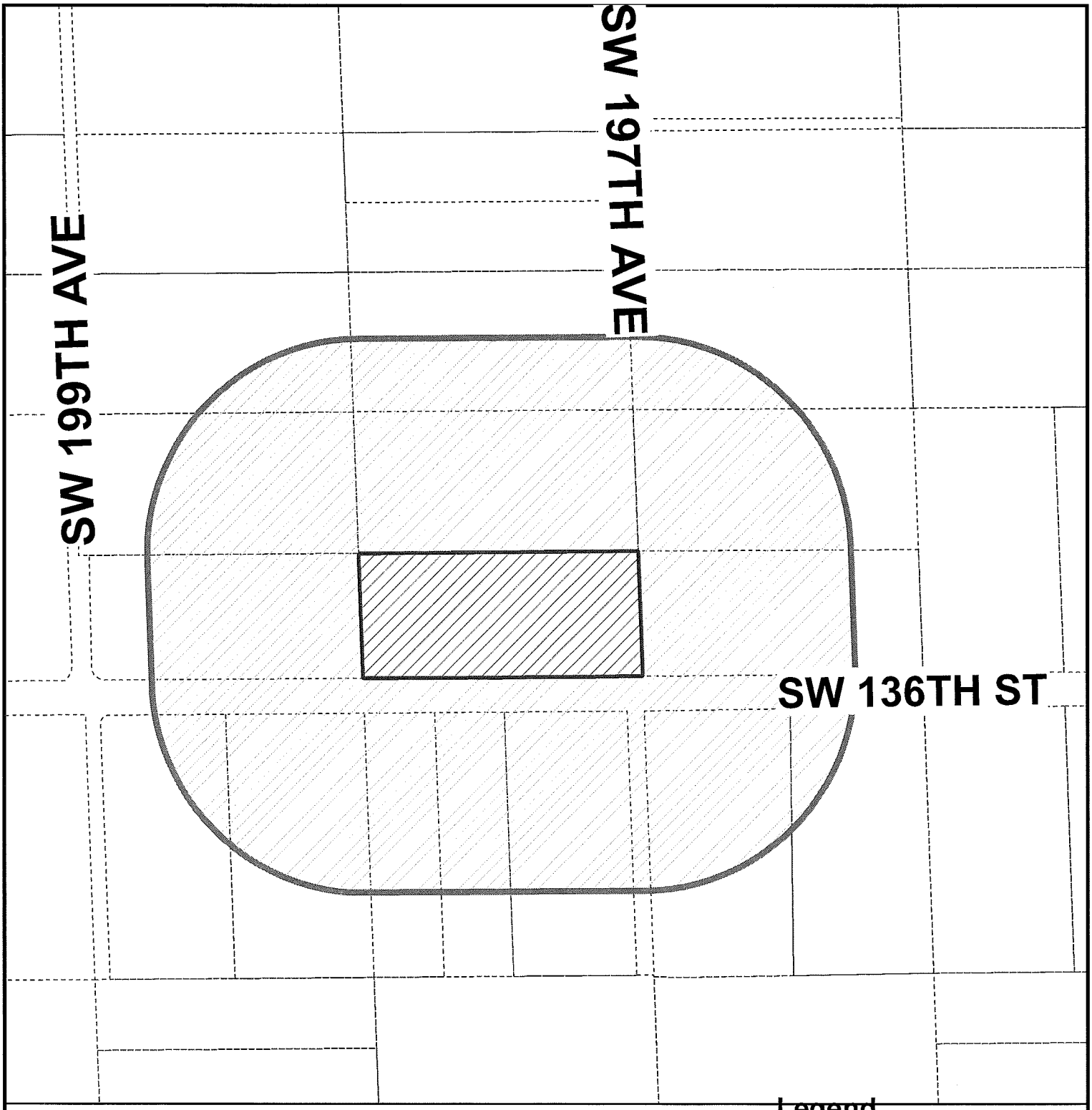
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, February 11, 2014

REVISION	DATE	BY
		31



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2014000010

RADIUS: 500

Section: 14/15 Township: 55 Range: 38
Applicant: GEORGE DE LA FE
Zoning Board: C14
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

- MDC STL Index Poly
- Subject Property
- Contiguous Properties
- Buffer
- Property Boundaries

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, February 11, 2014

REVISION	DATE	BY
		32

MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2014000010

Section: 14/15 Township: 55 Range: 38
Applicant: GEORGE DE LA FE
Zoning Board: C14
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, February 11, 2014

REVISION	DATE	BY