FINAL AGENDA

12-20-2011 Version # 1

COMMUNITY ZONING APPEALS BOARD 15
SOUTH DADE GOVERNMENT CENTER-ROOM 203 (OLD BUILDING)
10710 SW 211 Street, Miami
Wednesday, January 25, 2012 at 7:00 p.m.

PREVIOUSLY DEFERRED

A.	11-11-CZ15-1	BASE DEVELOPMENT CORP	11-58	12-57-39
B.	11-12-CZ15-1	FLORIDA TOWER PARTNERS, LLC	11-13	25-56-39

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 15

MEETING OF WEDNESDAY, JANUARY 25, 2012

SOUTH DADE GOVERNMENT CENTER – ROOM 203 (OLD BUILDING)

10710 SW 211 STREET, MIAMI, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

I. ELECTION OF CHAIR AND VICE-CHAIR

II. APPLICATIONS:

A. BASE DEVELOPMENT CORP (11-11-CZ15-1/11-058)

12-57-39
Area 15/District 09

(1) UNUSUAL USE to permit a shooting range.

(2) NON-USE-VARIANCE of landscape regulations to permit 0 lot trees (203 lot trees required).

(3) NON-USE-VARIANCE to permit 0 street trees (19 trees required).

(4) NON-USE-VARIANCE to waive the landscape regulations requiring a 5' wide dissimilar land use buffer along the south and west property lines.

(5) NON-USE-VARIANCE of Zoning regulations requiring Half Section Line rights-of-way to be 70' wide: to waive same and to permit 0 feet of zoned right-of-way (35' required) for the south side of SW 304th Street.

Plans are on file and may be examined in the Department of Permitting, Environment and Regulatory Affairs entitled "Sport Shooting Range" as prepared by Branching Out, Inc., consisting of 2 sheets and dated stamped received 8/26/11. Plans may be modified at public hearing

LOCATION: Southwest Corner of SW 304 Street and SW 117 Avenue,
Miami-Dade County, Florida.

SIZE OF PROPERTY: 21.45 Acres

Department of Sustainability, Planning and Economic Enhancement Recommendation: Denial without prejudice of requests #1 through #4. Approval of request #5.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from 12-14-11

B. FLORIDA TOWER PARTNERS, LLC (11-12-CZ15-1/11-013)

25-56-39
Area 15/District 08

(1) SPECIAL EXCEPTION to permit a proposed 150' high wireless support service facility and ancillary equipment.

(2) NON-USE VARIANCE to permit the proposed antenna to setback 67'-4" (165' required) from the rear (north) property line.

(3) NON-USE VARIANCE to permit a parcel of land with a lot area of 3.87 gross acres (5 acres minimum required).

(4) NON-USE VARIANCE to permit (0) lot trees (34 lot trees required).

Plans are on file and may be examined in the Department of Permitting, Environment and Regulatory Affairs entitled "Miami SW 122nd FL 1511" consisting of 6 sheets dated stamped received 1/19/11 as prepared by Atwell. Plans may be modified at public hearing.

LOCATION: Northeast corner of SW 122nd Avenue and SW 264 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 3.87 Acres

Department of Sustainability, Planning and Economic Enhancement Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from 12-14-11

NOTICE

****

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

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Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Sustainability, Planning and Economic Enhancement (DSPEE) within 14 days after the DSPEE 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. (The DSPEE's posting will be made on a bulletin board located in the office of the DSPEE). 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 Sustainability, Planning and Economic Enhancement
Staff Report to Community Council No. 15

PH: Z11-058 (11-11-CZ15-1) **January 25, 2012**
Item No. A

Recommendation Summary	
Commission District	9
Applicant	Base Development Corp.
Summary of Requests	The applicant is seeking to permit a shooting range with less lot area and street trees as well as to waive the dissimilar land use buffer and the right-of-way dedication.
Location	Southwest corner of SW 304 Street and SW 117 Avenue, Miami-Dade County, Florida.
Property Size	21.45 acres
Existing Zoning	AU
Existing Land Use	Vacant
2015-2025 CDMP Land Use Designation	Agriculture *(see attached Zoning Recommendation Addendum)* Outside the Urban development Boundary (UDB)
Comprehensive Plan Consistency	Inconsistent with the LUP map, interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(3), Standards For Special Exceptions, **Unusual Uses** and New Uses Section 33-311(A)(4)(b), **Non-Use Variance standards** *(see attached Zoning Recommendation Addendum)*
Recommendation	**Denial without Prejudice of Requests #1 through #4. Approval of Request #5.**

This item was deferred from the December 14, 2011 meeting of Community Zoning Appeals Board (CZAB) #15), due to a lack of quorum. Previously, the item was deferred from the November 22, 2011 meeting of this Board to allow the applicant to meet with staff.

REQUESTS:

(1) UNUSUAL USE to permit a shooting range.

(2) NON-USE-VARIANCE of landscape regulations to permit 0 lot trees (203 lot trees required).

(3) NON-USE-VARIANCE to permit 0 street trees (19 trees required).

(4) NON-USE-VARIANCE to waive the landscape regulations requiring a 5' wide dissimilar land use buffer along the south and west property lines.

(5) NON-USE-VARIANCE of zoning and subdivision regulations requiring Half Section line rights-of-way to be 70' wide: to waive same and to permit 0 feet of zoned right-of-way (35' required) for the south side of SW 304 Street.

Plans are on file and may be examined in the Department Sustainability, Planning and Economic Enhancement entitled "Sport Shooting Range" as prepared by Branching Out, Inc. consisting of two (2) sheets and dated stamped received 8/26/11. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The plans submitted depict the proposed shooting range comprised of two (2), five (5) position shooting areas within the range.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	AU; vacant land	Agriculture
North	AU; vacant land	Agriculture
South	AU; vacant land, row crops	Agriculture
East	AU: row crops	Agriculture
West	AU; Homestead Air Force Base	Institutions Utilities and Communications

NEIGHBORHOOD COMPATIBILITY:

The 21.45 acre subject property is surrounded by vacant or cultivated, agriculturally zoned properties on three (3) sides, and the Homestead Air Reserve base (HARB) located to the west.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to provide the community, law enforcement officers and the Air Force personnel with additional recreational and training shooting range space. However, the location of the range in this area will further deplete available agricultural land in this area of the County.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

Approval of this application would allow the applicant to develop a shooting range (request #1) on the subject property. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the subject property for **Agricultural** use. The proposed shooting range in staff's opinion is not an agricultural use and is not ancillary to or directly supportive of agriculture, nor is it necessary to support the rural residential community of the agricultural area. In addition, the CDMP indicates *that certain uses are not authorized under any LUP map category, including many uses listed as "unusual uses" in the zoning code, may be authorized if consistent with the objectives and policies of the Plan and provided the applied for use is compatible with the area and would not have an unfavorable effect on the area.*

When evaluating compatibility however, **Policy LU-4A,** of the CDMP requires that among other things, the County consider safety, if applicable. The submitted site plans indicate that the two (2) shooting areas within the range are oriented away from the HARB runways located to the west of the site and that the HARB does not object to the application. However, the subject property is surrounded on the three (3) other sides by properties that are currently engaged in agricultural cultivation. The applicant's plans show an existing 15 foot high berm to buffer adjacent properties.

Staff notes that the interpretative text of the CDMP states that ***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. Staff notes that the applicant has provided information to illustrate that the shooting range is in the public's interest. The applicant has provided letters of support from the police chiefs in the City of Homestead and Florida City. Both letters state that the facility will be an asset to the community and will provide a site for yearly mandatory firearms training and rifle training. The Mayors of the City of Homestead and Florida City also provided letters of support. In addition, the applicant conducted an analysis of gun ranges in Florida. The results of this analysis indicates that the closest 400 yard range is 157 miles away in Myakka City. The closest 500 yard range is 151 miles away in Okeechobee.

In 2007, staff reviewed a Parks, Recreation and Open Spaces Department application for improvements at the Trail Glades Shooting Range outside of the Urban Development Boundary (UDB). The Trail Glades site is designated Parks and Recreation on the LUP. This application was approved for a 100 yard rifle/pistol range and a 300 meter long distance big bore rifle range. The task force that planned the improvements were originally seeking a 600 meter big bore rifle range. This range was reduced to 300 meters due to wetlands impacts. Given the potential safety issues associated with a long range big bore rifle range in the urban area the most suitable sites for such a facility are located outside of the UDB. Although the applicant has demonstrated that the facility is in the public interest, the applicant has not demonstrated that the Agriculture area is the only suitable site for such a facility. In staff opinion a big bore shooting range could be located in areas designated for Parks and Recreation or Open Land outside the UDB. Therefore, staff opines that approval of the proposed shooting range on Agricultural designated land outside the UDB would be **inconsistent** with the interpretative text of the CDMP.

ZONING ANALYSIS:

When request #1, to permit a shooting range, is analyzed under Section 33-311(A)(3), Special Exceptions, **Unusual Uses** and New Uses, staff is of the opinion that the request should be denied when considering the necessity for and reasonableness of such applied for use in relation to the present and future development of the area concerned and the compatibility of the applied for exception and use with the area and its development. Staff notes that the proposed pistol/rifle range facility will not cause undue or excessive burden on public facilities, including water and sewer as indicated in the memoranda from the Public Works Department and from DERM. Additionally, the proposed facility will not tend to create a fire or other equally or greater dangerous hazards as indicated by the MDFRD in their memorandum. However, as previously mentioned, the proposed range facility is not an agricultural use, nor is it ancillary to and necessary to serve the rural agricultural community. **Therefore, staff recommends denial without prejudice of request #1 under Section 33-311(A)(3)**.

When requests #2 - #5 are analyzed under Section 33-311(A)(4)(b), Non-Use Variance (NUV) Standards, staff opines that approval of these requests will not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **incompatible** with same. Staff notes that the subject property is surrounded on three (3) sides by agricultural or vacant land. The review of the aerial photographs in the County's GIS System, indicates that these properties contain nurseries with trees planted in rows. As such, notwithstanding the assertion of the applicant in the letter of intent that the site contains very little soil, staff opines that the applicant should be able to provide the trees required by the Code, which would provide a visual buffer from the proposed berms located on the site, which are out of character with the surrounding area. Further, staff notes that the DERM memorandum does not indicate an

inability of the site or soil to accommodate additional trees, but shows that the applicant is required to obtain permits to remove any existing tree on the site. Additionally, staff opines that the approval of the applicant's request to waive the dissimilar land use buffer along the south and west property lines (request #4) would have a negative visual effect on the abutting properties. The submitted plans indicate that there is a 15' high berm at the end of the shooting area which will collect bullets along the south side of the southernmost range, which staff opines will have a negative visual effect due to the lack of landscaping and therefore adequate buffering should be provided.

When request #5 is similarly analyzed under Section 33-311(A)(4)(b), NUV Standards, staff opines that approval of this request will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with same. Staff notes that the proposed extension of the 304 Street along the north property line of the subject property would dead-end at the HARB property line. Further, staff notes that the Public Works and Solid Waste Department does not object to request #5 to waive the dedication for the south half of SW 304 Street which abuts the north property line of the subject property. As such, staff opines there is no likelihood of a continuation of the roadway through the HARB property and therefore, approval of this request would not be detrimental to the community. **Therefore, staff recommends denial without prejudice of requests #2 through #4 and approval with a condition of request #5, under Section 33-311(A)(4)(b), NUV Standards**

Based on the aforementioned, staff recommends denial without prejudice of requests #1 under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses, denial without prejudice of requests #2 through #4, and approval with a condition of request #5, under Section 33-311(A)(4)(b), Non-Use Variance Standards.

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

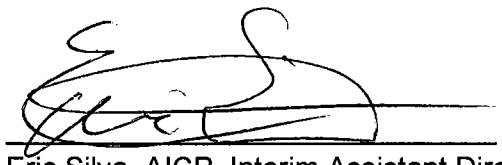
RECOMMENDATION:

Denial without Prejudice of Requests #1 through #4 and approval with a condition of Request #5.

CONDITION FOR APPROVAL: (For request #5 only)

1. That the applicant complies with all applicable conditions and requirements of the Department of Public Works and Waste Management.

ES:MW:GR:NN:AN:CH



Eric Silva, AICP, Interim Assistant Director
Zoning and Community Design
Miami-Dade County Department of
Sustainability, Planning and Economic Enhancement

ZONING RECOMMENDATION ADDENDUM
HISTORY
MOTION SLIPS*
DEPARTMENT MEMORANDA
DISCLOSURE OF INTEREST*
HEARING PLANS*
MAPS

*If applicable

ZONING RECOMMENDATION ADDENDUM

Base Development Corp.
PH: Z11-058

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Permitting, Environment and Regulatory Affairs	*No objection**
Public Works and Solid Waste	*No objection*
Parks, recreation and Open Space	*No objection*
MDT	*No objection*
Fire Rescue	*No objection*
Police	*No objection*
Homestead Air Reserve Base (HARB)	*No objection**
Schools	*No objection*
**Subject to conditions in their memorandum.*	

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

Agriculture (Page I-58)	*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 such as packing houses, and farm residences. 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.* *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 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.*
Other Land Uses Not Addressed (Page I-73)	*Certain uses are not authorized under any LUP map category, including many of the uses listed as "**unusual uses**" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this*

ZONING RECOMMENDATION ADDENDUM

Base Development Corp.
PH: Z11-058

	provision does not authorize such uses in Environmental Protection Areas designated in this Element.
Land Use Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*
Transportation Circulation Subelement - Objective TC-2 (Page II-13)	*Rights-of-way and corridors needed for existing and future transportation facilities will be designated and reserved.*
Transportation Circulation Subelement – Policy TC-2C (Page II-13)	*Except for those section, half-section and quarter-section line rights-of-way within the portion of the Northwest Wellfield Protection Area located west of the Homestead Extension of the Florida Turnpike, advance rights-of-way shall be reserved or acquired, where necessary, for future transportation improvements identified in the Traffic Circulation and Mass Transit Sub-Elements.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(3) Special Exception, Unusual and New Uses.	*Hear applications for and grant or deny special exceptions; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and **unusual use** which by the regulations are only permitted upon approval after public hearing; provide the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or planned and budgeted for construction, area accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area of and its development.*
Section 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.*

A. BASE DEVELOPMENT CORP
(Applicant)

11-11-CZ15-1 (11-058)
Area 15/District 09
Hearing Date: 1/25/12

Property Owner (if different from applicant) **Steven & Ethel Hurst.**

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:

Year	Applicant	Request	Board	Decision
No History				

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

A

APPLICANT'S NAME: **BASE DEVELOPMENT CORP**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
11-11-CZ15-1 (11-058)	December 14, 2011	CZAB15		11

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: January 25, 2012 ☐ 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: Deferred due to a lack of quorum.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCIL WOMAN		Patricia FORBES			X
VICE CHAIRMAN		Paul J. MORROW			X
COUNCIL WOMAN		Diane RICHARDSON			
COUNCIL WOMAN		Gale L. WIMBLEY			
CHAIR WOMAN		Marjorie MURILLO			
		VOTE:			

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **RONALD BERNSTEIN**

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

#1

APPLICANT'S NAME: **BASE DEVELOPMENT CORP**

REPRESENTATIVE: Lou Campelli

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
11-11-CZ15-1 (11-058)	November 22, 2011	CZAB15		11

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: December 14, 2011 ☐ 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

☐ Deferred by Board to allow applicant to meet with staff.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCIL WOMAN		Patricia FORBES	X		
VICE CHAIRMAN		Paul J. MORROW			X
COUNCIL WOMAN		Diane RICHARDSON	X		
COUNCIL WOMAN	M	Gale L. WIMBLEY	X		
CHAIR WOMAN	S	Marjorie MURILLO	X		
		VOTE:			

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **DENNIS KERBEL**

Memorandum

MIAMI-DADE COUNTY

Date: September 21, 2011

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

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

Subject: C-15 #Z2011000058-2nd Revision
Base Development Corp.
S.W. 304 Street and S.W. 117 Avenue
Unusual Use to Permit a Shooting Range and Use Variance to Permit Retail Sales in the AU Zone
(AU) (21.45 Acres)
12-57-39

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

Potable Water Service 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 existing and 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.

Inasmuch as the above-noted request did not comply with the noted Code Sections, DERM was not able to administratively approve this application. Accordingly, the applicant applied for variances before the Environmental Quality Control Board (EQCB). Based upon the evidence and available information the Board approved the applicant's petition.

Stormwater Management

A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. The applicant is advised to contact the DERM Water Control Section for further information regarding permitting procedures and requirements.

A DERM Class VI Permit from the Water Control Section might be required for construction of this proposed project.

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 Section 11C of the Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

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

Pollution Remediation
DERM records do not indicate current contamination assessment/remediation issues on the property.

There are historical records of contamination assessment/remediation issues associated with use of this property as a solid waste site.

Wetlands
A site inspection performed on May 19, 2011 by DERM staff has revealed that 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 Wetlands Resources Section of DERM (305-372-6585) may be contacted for further information concerning the wetland permitting requirements.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
The subject property contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. The applicant submitted to this Office a letter dated August 24, 2011 with pictures depicting one strangler fig tree existing on the site, with a diameter at breast height less than 18 inches. Therefore, this tree is not considered as a specimen size tree (trunk diameter 18 inches or greater). However, please be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

Also the property contains prohibited trees as defined in Section 24-49.9 of the Code. Pursuant to Section 24-49.9 of the Code, all prohibited trees are exempt from permitting and must be removed from the site prior to development.

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

The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

Enforcement History
DERM has found one (1) closed enforcement cases for the referenced property address. The following is a summary of the one (1) closed enforcement cases associated with the subject folio:

BRADY (SW 1176)
A Notice of Violation (NOV) was issued on February 18th 1986 for the un-permitted filling of the lake belt. On October 24th 1986, a Final Notice Prior to Court Action was issued for failure to comply with the requirements of the NOV that was previously issued. The site was continually monitored and tested throughout the years 1987 - 1993. A closure plan was approved on April 30th 1993 and clean fill was used to close out the site on January 12th 1994. The enforcement case was subsequently closed due to compliance.

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

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

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

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

REVISION 2

PH# Z2011000058
CZAB - C15

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: BASE DEVELOPMENT CORP

This Department has no objections to this application.

This Department has no objections to the request to permit 0 feet of dedication for the south half of SW 304 Street.

The applicant must dedicate an additional 5 feet for the west half of SW 117 Avenue for a total of 40 feet (1/2 R/W) per Miami-Dade County Code.

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

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

Raul A Pino, P.L.S.
08-NOV-11

REVISION 2

Memorandum

Date: 28-SEP-11

To: Marc LaFerrier, Director
Department of Planning and Zoning

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2011000058

Fire Prevention Unit:

APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plan date stamped received August 26, 2011. Any changes to the vehicular circulation must be resubmitted for review and approval.
This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand

Development for the above Z2011000058
located at Southwest corner OF SW 304ST & SW 117AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2560 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: 1.80 alarms-annually.
The estimated average travel time is: 6:30 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

Current service impact calculated based on similar shooting ranges averages.

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

Memorandum

MIAMI-DADE COUNTY

Date: October 11, 2011

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2011000058: Sport Shooting Range
Revised Documents Stamped dated 8-26-2011

Application Name: Base Development, Inc.

Project Location: The site is located at the southwest corner of SW 304 Street and SW 117 Avenue, Miami-Dade County.

Proposed Development: The applicant is requesting and unusual use to permit a shooting range and a use variance for retail sales in the AU zoning district. A revised site plan (stamped dated 8-26-11) has been submitted.

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

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

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

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

DATE: 07-OCT-11

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

BASE DEVELOPMENT CORP	Southwest corner OF SW 304ST & SW 117AVE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2011000058

HEARING NUMBER

HISTORY:

DEPARTMENT OF PERMITTING, ENVIRONMENT & REGULATORY AFFAIRS

NEIGHBORHOOD REGULATIONS AND LEGAL SERVICES DIVISION

ENFORCEMENT HISTORY
11-058
ADDRESS: SOUTHWEST CORNER OF SW 304 ST & SW 117 AVE

FOLIO: 3079120000090

DATE: 10-7-11

NAME: BASE DEVELOPMENT CORP

OPEN CASES:
Neighborhood Regulations:
No open cases.

Building Code:
No open cases.

CLOSED CASES:
Neighborhood Regulations:
No closed cases.

Building Code:
No closed cases.

_____
Ricardo Roig, Division Director
Miami-Dade County Department of Permitting, Environment and Regulatory Affairs

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: BOELLARD, FRANCIE **Inspection Date**

Evaluator: CARL HARRISON 10/11/11

Process #:	**Applicant's Name**
Z2011000058	BASE DEVELOPMENT CORP

Locations: Southwest corner OF SW 304ST & SW 117AVE, MIAMI-DADE COUNTY, FLORIDA.

Size: 21.45 **Folio #:** 3079120000090

Request:

Use Variance to permit retail sale use in the AU zone, as would be permitted in the business zone.
Unusual Use to permit a shooting range

EXISTING ZONING

Subject Property AU,

EXISTING USE

SITE CHARACTERISTICS

STRUCTURES ON SITE:

NA

USE(S) OF PROPERTY:

AGRICULTURAL- VACANT LAND

FENCES/WALLS:

6' CHAIN LINK GATE FENCE WITH BARBED WIRE AT FRONT OF THE PROPERTY. UNABLE TO SEE IF ENTIRE PROPERTY HAS BEEN FENCED

LANDSCAPING:

NA

BUFFERING:

VACANT LAND & TREE FARMS

VIOLATIONS OBSERVED:

MISCELLANEOUS DEBRIS & TIRES

OTHER:

Process #	**Applicant's Name**
Z2011000058	BASE DEVELOPMENT CORP

SURROUNDING PROPERTY

ZONING INSPECTION REPORT

NORTH:
AGRICULTURAL PROPERTIES WITH TREE FARMS & VACANT LAND

SOUTH:
AGRICULTURAL PROPERTIES WITH TREE FARMS

EAST:
AGRICULTURAL PROPERTIES WITH TREE FARMS

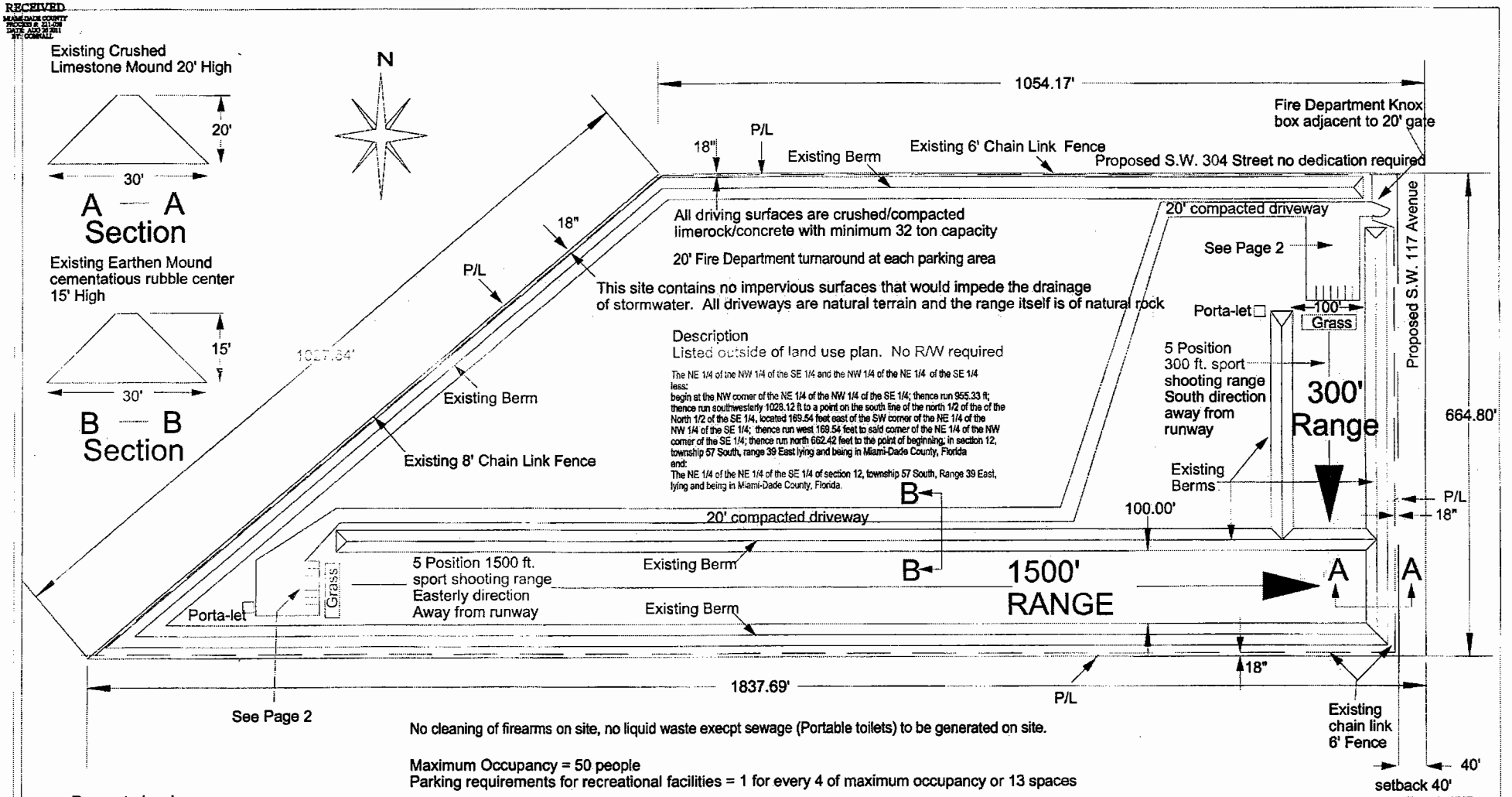
WEST:
VACANT LAND OWNED BY HOMESTEAD AIR BASE

SURROUNDING AREA
VACANT LAND ALL AROUND THE PROPERTY. PROPERTIES ARE EITHER UNDEVELOPED OR TREE FARMS.

NEIGHBORHOOD CHARACTERISTICS:
AGRICULTURAL USE & TREE FARMS

COMMENTS:

RECEIVED
MIAMI-DADE COUNTY
PROCESSED BY ZAB/CZAB
DATE AUG 26 2011
BY: CORNELL



No cleaning of firearms on site, no liquid waste execpt sewage (Portable toilets) to be generated on site.

Maximum Occupancy = 50 people
Parking requirements for recreational facilities = 1 for every 4 of maximum occupancy or 13 spaces

Requested variences:
1) Unusual use to allow sport shooting range, although zoned AU, the site is a former concrete landfill that will be rehabilitated as a sport shooting range
2) Request variance from landscaping requirements, the property is filled with concrete rubble with no soil and the intended use is incompatible with landscaping.
3) Request variance from dissimilar 5' buffer requirement since entire perimeter consists of a court ordered berm @ property line
4) Allow 24 hour use, adjacent Air Force & govermental agencies have requested use of the facility for training practices

Scale 100'

RECEIVED
Z 11-058
AUG 26 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

Sport Shooting Range S.W. 117 Ave & 304 St Folio #30-7912-000-0090	Steven Hurst P.E. 16278	Branching Out, Inc 23300 S.W. 192 Ave. Homestead, FL 33032 (305) 258-8101

RECEIVED
AUG 26 2011

22

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z11-058
DATE: AUG 26 2011
BY: CORNALL

LAND USE LEGEND

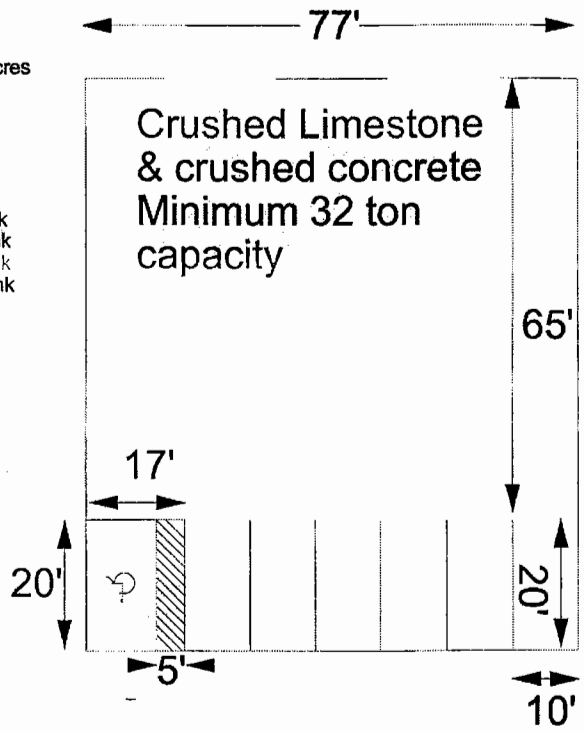
Zoning District	AU
Gross Land Area	22.45 acres
Gross Land Area	977,922 sq ft
Allowed Coverage (15%)	146,688 sq ft
Net coverage	0
Buildings	None
Fence north side	6 foot chain link
east side	6 foot chain link
south side	6 foot chain link
west side	8 foot chain link

LANDSCAPE LEGEND

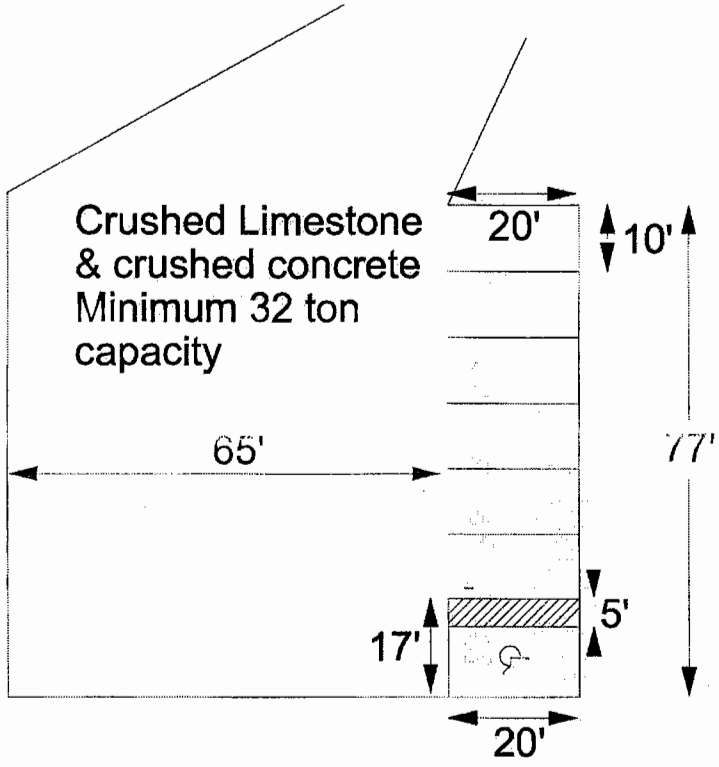
	required	provided
Lot Trees 9 per acre x 23 acres	207	0
Street Trees 117 ave. 664 ft/35ft =	19	0

PARKING LEGEND

	required	provided
Recreational 4 per every 12 of occupancy occupancy = 50	13	14
handicapped	1	2



Parking @ 300 yard Range

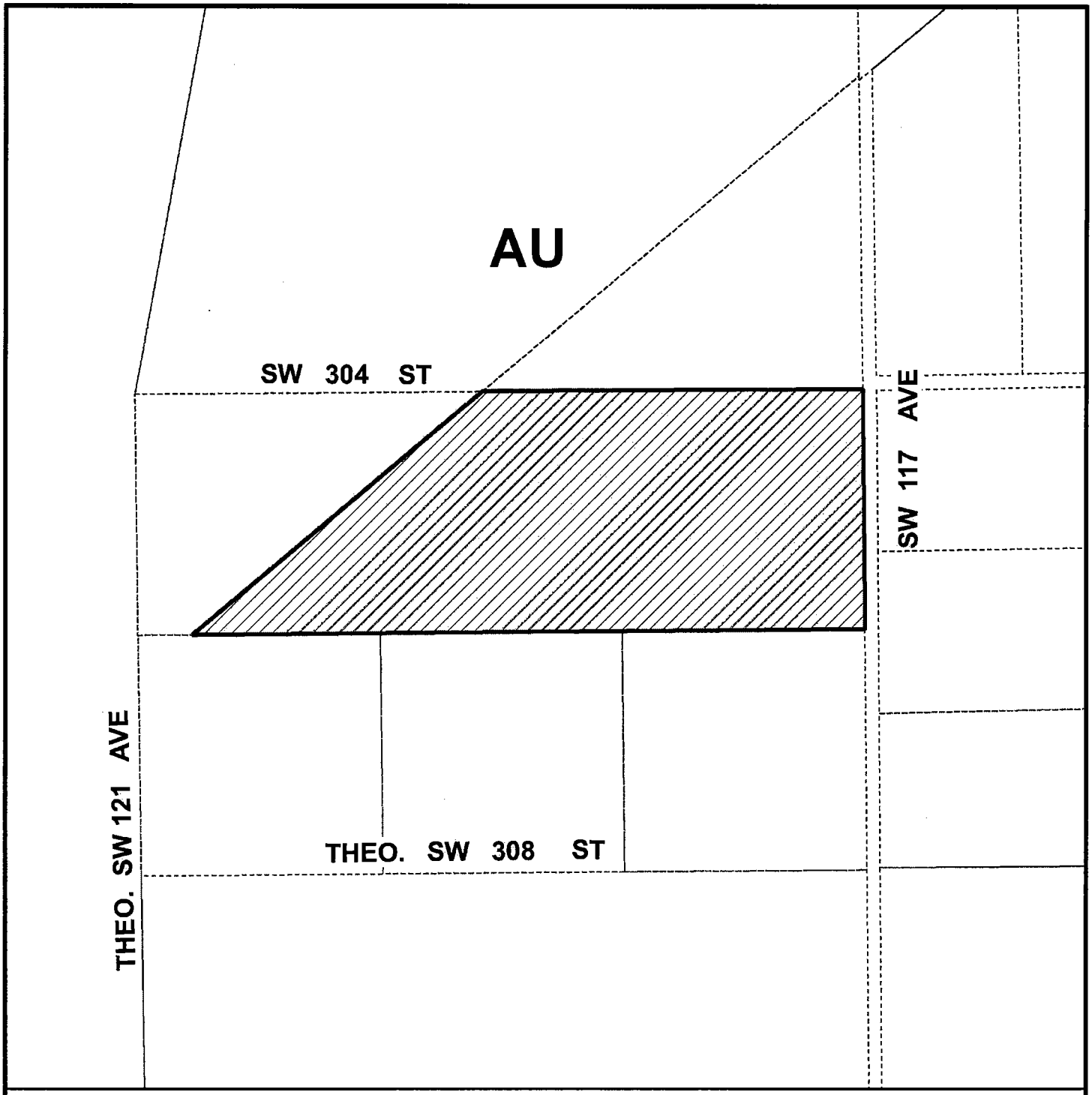


Parking @ 500 yard Range

RECEIVED
Z11-058
AUG 26 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED

Sport Shooting Range S.W. 117 Ave & 304 St Folio #30-7912-000-0090	Steven Hurst P.E. 16278	Branching Out, Inc 23300 S.W. 192 Ave. Homestead, FL 33032 (305) 258-8101	Page 2



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2011000058

Section: 12 Township: 57 Range: 39

Applicant: BASE DEVELOPMENT CORP
Zoning Board: C15
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, May 17, 2011

REVISION	DATE	BY
		23

MIAMI-DADE COUNTY

AERIAL YEAR 2009

Section: 12 Township: 57 Range: 39

Applicant: BASE DEVELOPMENT CORP
Zoning Board: C15
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS

Process Number

Z2011000058

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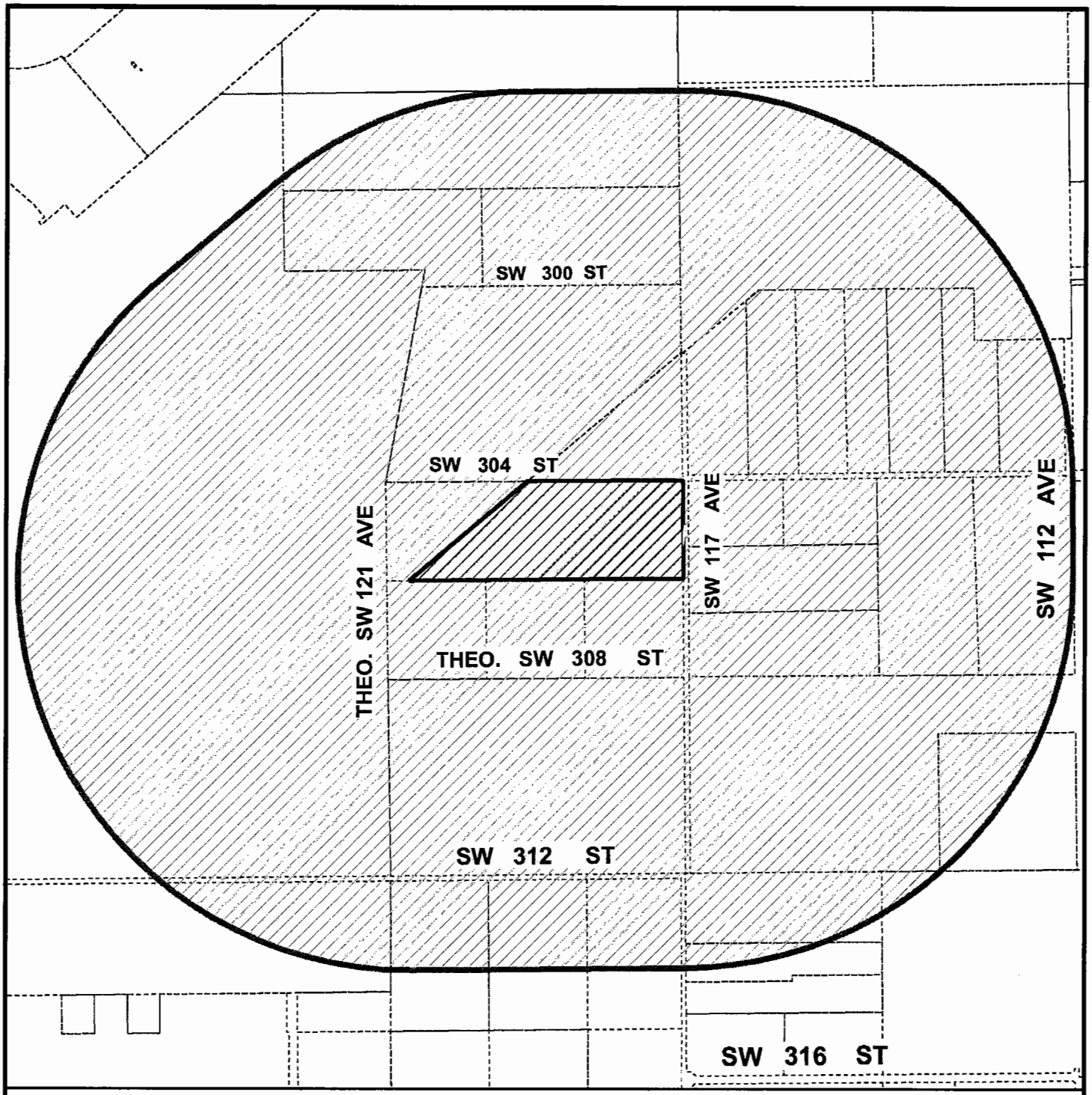
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, May 17, 2011

REVISION	DATE	BY
		ZY



MIAMI-DADE COUNTY

RADIUS MAP

Section: 12 Township: 57 Range: 39

Process Number

Z2011000058

RADIUS: 500

Applicant: BASE DEVELOPMENT CORP
Zoning Board: C15
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS

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Legend

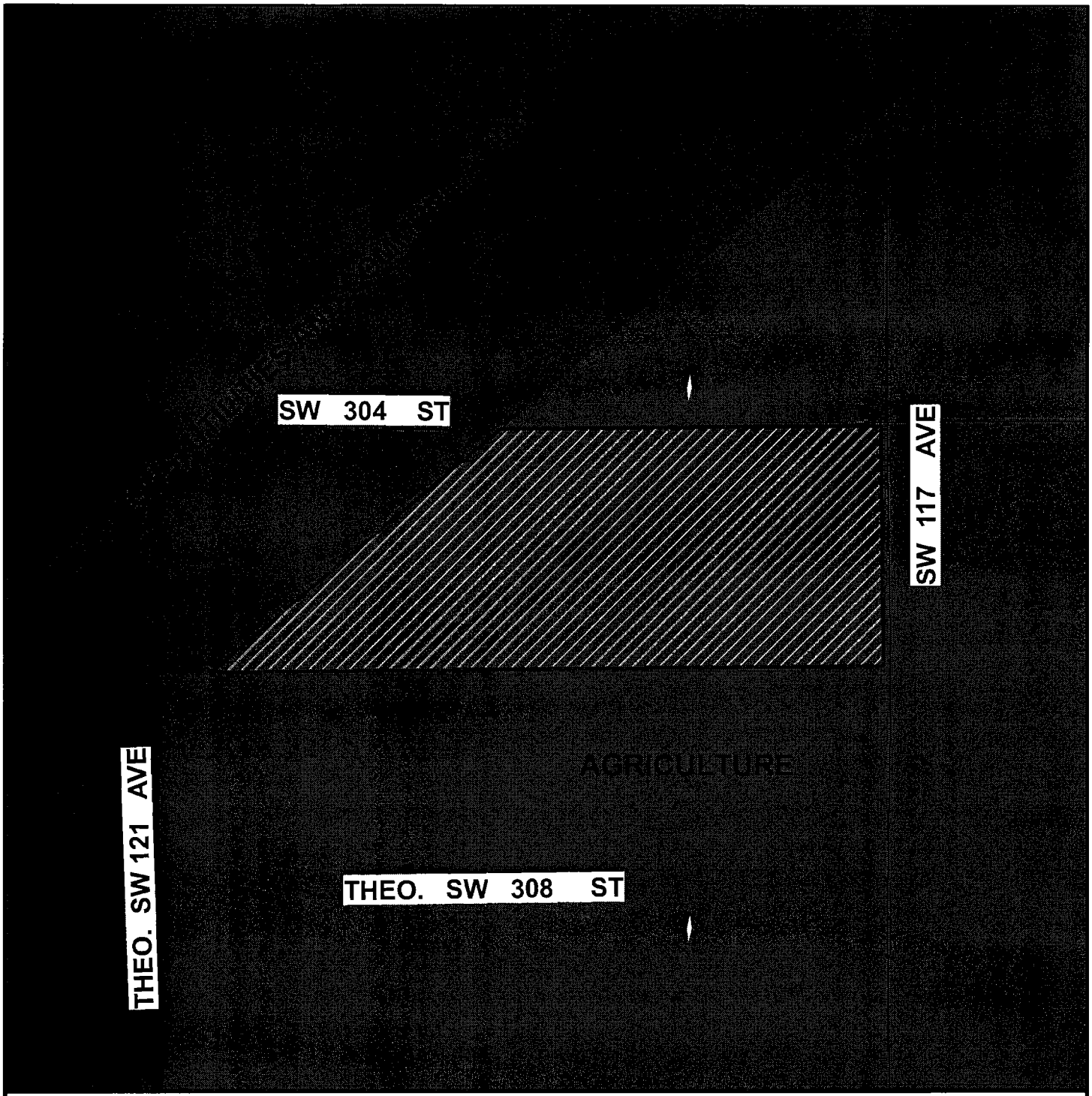
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, May 17, 2011

REVISION	DATE	BY
		25



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2011000058

Section: 12 Township: 57 Range: 39

Applicant: BASE DEVELOPMENT CORP
Zoning Board: C15
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
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Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, May 17, 2011

REVISION	DATE	BY

Miami-Dade County Department of Sustainability, Planning and Economic Enhancement
Staff Report to Community Council No. 15

PH: Z11-013 (11-12-CZ15-1) **January 25, 2012**
Item No. B

Recommendation Summary	
Commission District	8
Applicant	Florida Tower Partners, LLC
Summary of Requests	The applicant is seeking to permit a 150' high cell tower setback less than required from the property line and on a smaller parcel than allowed by the zoning regulations. Additionally, the applicant seeks to waive the requirement for lot trees.
Location	Northeast corner of SW 122 Avenue and SW 264 Street, Miami-Dade County, Florida.
Property Size	3.87 gross acres
Existing Zoning	AU
Existing Land Use	Vacant
2015-2025 CDMP Land Use Designation	Agriculture *(see attached Zoning Recommendation Addendum)* Outside the Urban Development Boundary (UDB).
Comprehensive Plan Consistency	Inconsistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(18), Special Exceptions, Unusual Uses and New uses, Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations *(see attached Zoning Recommendation Addendum)*
Recommendation	**Denial without prejudice.**

This item was deferred from the December 14, 2011 meeting of Community Zoning Appeals Board (CZAB) #15, due to a lack of quorum.

REQUESTS:

(1) SPECIAL EXCEPTION to permit a proposed 150' high wireless support antenna facility and ancillary equipment.

(2) NON-USE-VARIANCE to permit the proposed antenna to setback 67'-4" (165' required) from the interior side (north) property line.

(3) NON-USE-VARIANCE to permit a parcel of land with a lot area of 3.87 gross acres (5 acres min. required).

(4) NON-USE-VARIANCE to permit (0) lot trees (34 lot trees required).

Plans are on file and may be examined in the Department of Sustainability, Planning and Economic Enhancement entitled "Miami SW 122nd FL 1511" consisting of 6 sheets dated stamped received 1/19/11 as prepared by Atwell. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The site plan submitted by the applicant depicts a proposed 150' high monopole antenna structure on the substandard sized parcel with adequate landscaping and parking areas.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	AU; vacant	Agriculture
North	AU; row crops	Agriculture
South	AU; vacant	Agriculture
East	AU: row crops	Agriculture
West	RU-1; single-family residences	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is surrounded on three (3) sides by vacant parcels and parcels currently used for agricultural cultivation. However, the subject property is located east of and outside the Urban Development Boundary (UDB) and abuts an established single-family development located to the west.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to provide additional wireless coverage in this area of the County. However, approval of the 150' high antenna structure could have a negative visual impact on the surrounding areas.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is located at the northeast corner of SW 122 Avenue and SW 264 Street, and is designated as **Agriculture** on the Comprehensive Development Master Plan (CDMP) Adopted 2015-2025 Land Use Plan (LUP) map. Additionally, said property is immediately east of and outside the UDB, which runs north to south along SW 122 Avenue in this area of the County. 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.* The CDMP land Use Element 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.*

The applicant has submitted documentation in an attempt to explain why the proposed tower, would serve the needs of the rural agricultural community and the nearby urban areas within the UDB. Additionally, the applicant has provided staff with documentation which indicates that the proposed site addresses a specific coverage gap in this area of the County that could not be served if the proposed tower were located elsewhere. However, staff opines that the information provided by the applicant does not adequately explain the necessity or the public interest that would be served by the location of the facility on this site outside the UDB. Specifically, the information provided by the applicant in the Acquisition Analysis, did not provide staff with specific site information on sites within the UDB that were in the area of the search ring. As such, staff opines that approval of the proposed wireless tower use would be **inconsistent** with

the CDMP interpretative text pertaining to the Agricultural designation of the subject property on the CDMP LUP map.

ZONING ANALYSIS:

In accordance with Section 33-311(A)(18) (Wireless Supported Service Facilities, including Antenna Support Structures), the applicants are required to demonstrate that request #1, the Special Exception to permit a 150' high concealed antenna support structure and ancillary equipment, will comply with the general standards under this section. The applicant's letter of intent indicates that the proposed development will comply with all FAA and FCC lighting requirements and also indicates that the lighting has been designed in such a manner to ensure that all lighting will not spill over onto any adjoining parcels of land in violation of Section 33-4.1. The subject site has adequate ingress, egress, parking and loading areas such that servicing the facility will not block vehicular or pedestrian traffic on abutting streets. The antenna support structure is designed in such a manner that in the event of a structural failure, the pole will fall or bend on itself so that the structure will remain wholly contained within the property. Staff opines that the equipment and support facility compound is adequately buffered by a proposed 6' high wood fence and hedge around the lease area with a continuous row of trees to be planted 35' apart, around the front (west) and interior side (south) property lines, and as such, will have a minimal visual impact on the surrounding area.

Additionally, the applicant has submitted the necessary documentation that, after being analyzed by staff, shows that the proposal complies with the Health and Safety, Environmental standards under Section 33-311(A)(18). Further, the County's Information Technology Department (ITD) has reviewed the documents submitted and confirmed that they meet the technical standards to continue the process of permitting the site. Among other things, the applicants also submitted a NEPA Report which concluded that the Wireless Supported Service Facility does not require an Environmental Assessment to be provided to the Federal Communications Commission (FCC).

However, the applicant has indicated in their letter of intent that the purpose of the application is to address **a specifically identified coverage gap** and not signal interference problems. *Section 33-311(A)(18)(4)(b)* of the Code requires the applicant *to demonstrate that the proposed tower will cure signal interference problems, or a total lack of wireless coverage or capacity among all providers in the area intended to be served* by the proposed facility. As such, staff opines that the applicant has not provided the necessary documentation to demonstrate that there are signal interference problems, or there is a total lack of wireless coverage in this area and as such, the request must be denied by staff. Therefore, recommends denial without prejudice of request #1 under Section 33-311(A)(18).

When requests #2 though #4 are analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff is of the opinion that approval of these requests would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the appearance of the community. Staff opines that requests #2 through request #4 are germane to request #1, to establish the wireless tower and ancillary equipment facility. The applicant has not provided staff with the necessary documentation to satisfy the requirements of the Code. Further, in staff's opinion, the proposed 150' high wireless structure would be a visual anomaly in this area which is made up of agricultural properties and single family residences. As such, staff opines that the proposed wireless tower would be **incompatible** with the area. Therefore,

staff opines that approval of the requested Non-use Variances (requests #2 through #4) would not be otherwise compatible with the surrounding land uses and therefore would be detrimental to same. **Therefore, staff recommends denial without prejudice of requests #2 through #4 under Section 33-311(A)(4)(b) Non-Use Variances**.

Based on the aforementioned, staff opines that the applicant has not provided staff with all the necessary information to satisfy the necessity requirements for the Code and therefore does not meet the necessity requirement of the interpretative text of the CDMP. Therefore, staff opines that the proposed 150' wireless support antenna and ancillary equipment would be **inconsistent** with the interpretative text for Agricultural designation of the site on the LUP map of the CDMP. Additionally, staff opines that the proposed tower and ancillary facilities would be **incompatible** with the surrounding area. **Consequently, since requests #2 through #4 are germane to request #1, staff recommends denial without prejudice of the request #1 under Section 33-311(A)(18) (Wireless Supported Service Facilities, including Antenna Support Structures) and requests #2 through #4 under Section 33-311(A)(4)(b) Non-Use Variances.**

ACCESS, CIRCULATION AND PARKING: The submitted site plans indicate a two (2) way access drive from SW 122 Avenue for the proposed wireless tower and support facilities located to the rear of the subject property. Additionally, the plans indicate that the site will have adequate parking on site for the service vehicles.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

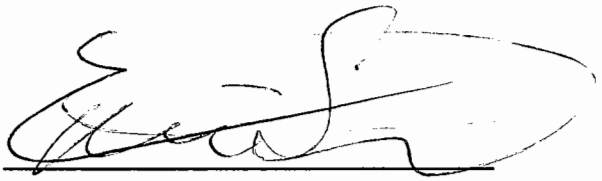
OTHER: Not applicable.

RECOMMENDATION:

Denial without prejudice.

CONDITIONS FOR APPROVAL: None

ES:MW:GR:NN:JC:AN:CH



Eric Silva, AICP, Interim Assistant Director
Zoning and Community Design
Miami-Dade County Department of
Sustainability, Planning and Economic Enhancement

NDN
6 MR

ZONING RECOMMENDATION ADDENDUM
HISTORY
MOTION SLIPS*
DEPARTMENT MEMORANDA
DISCLOSURE OF INTEREST*
HEARING PLANS*
MAPS

*If applicable

ZONING RECOMMENDATION ADDENDUM

Florida Tower Partners, LLC
PH: Z11-013

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Permitting, Environment and Regulatory Affairs	*No objection**
Public Works and Waste Management	*No objection*
Parks	*No objection*
Fire Rescue	*No objection*
Aviation	*No objection**
Information Technology	*No objection*
Schools	*No objection*
**Subject to conditions in their memorandum.*	

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

Agriculture (Pg. I-58)	*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.* *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.*
Objective LU-4 (Pg. I-11)	*Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.*

ZONING RECOMMENDATION ADDENDUM

Florida Tower Partners, LLC
PH: Z11-013

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(18) Wireless Supported Service Facilities, including Antenna Support Structures.	*This subsection provides for the establishment of criteria, after public hearing, to hear and grant applications to allow a Wireless Supported Service Facility, including Antenna Support Structures. In considering any application for approval hereunder, the Community Zoning Appeals Board shall consider the same subject to approval of a site plan or such other plans as necessary to demonstrate compliance with the standards herein.* *(a) Purpose. The purpose of this subsection is to create objective standards to regulate Wireless Supported Service Facilities, including Antenna Support Structures. Upon demonstration at public hearing that a zoning application for a Wireless Supported Service Facility, including Antenna Support Structures is in compliance with the standards herein and the underlying district regulations in section 33-36.2 and does not contravene the enumerated public interest standards established herein, the Wireless Supported Service Facility, including any Antenna Support Structure, shall be approved.* *1. General standards* *a. The approval of the Wireless Support Facility shall not cause the subject property to fail to comply with any portion of this code or the Comprehensive Development Master Plan.* *b. The proposed Antenna Support Structure and related equipment shall comply with the underlying zoning district standard lot coverage regulations.* *c. The proposed Antenna Support Structure shall not involve any outdoor lighting fixture that casts light on the adjoining parcel of land at an intensity greater than that permitted by Section 33-4.1 of this code, unless providing safety lighting as required by FCC or FAA regulations.* *d. A non-camouflaged Antenna Support Structure 100 feet in height or less, shall be setback from the property line of any existing residential dwelling and the property line of the nearest residentially zoned property located on a contiguous or adjacent parcel of land under different ownership a distance equal to 110 percent of the height of the Antenna Support Structure.* *A survey, site plan or line of sight analysis illustrating this condition shall be provided by the applicant.* *e. The proposed Wireless Supported Service Facility shall provide adequate parking and loading and provide ingress and egress so that vehicles servicing the facility will not block vehicular and pedestrian traffic on abutting streets.* *f. The applicant's proposed Antenna Support Structure associated with the proposed Wireless Supported Service Facility shall be designed in such a manner that in the event of a structural failure, the failed portion of the Antenna Support Structure shall be totally contained within the parent tract.*

ZONING RECOMMENDATION ADDENDUM

Florida Tower Partners, LLC
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g. Proposed fences have the "unfinished" side, if any, directed inward toward the center of the leased parcel proposed for installation of the Antenna Support Structure and related equipment.

h. Proposed fences will be constructed of durable materials and will not be comprised of chain link or other wire mesh, unless located in an AU or GU zoning districts.

2. Health and safety standards

a. The proposed Wireless Support Service Facility shall not block vehicular or pedestrian traffic on adjacent uses or properties.

b. The proposed Wireless Supported Service Facility shall be accessible to permit entry onto the property by fire, police and emergency services.

c. The proposed Wireless Supported Service Facility shall comply with any applicable Miami-Dade County aviation requirements.

d. Safe sight distance triangles are maintained pursuant to section 33-11 of this code.

3. Environmental standards

a. The proposed Antenna Support Structure and related equipment shall not result in the destruction of trees that have a diameter at breast height (as defined in Section 18A-3.(J) of this code) of greater than 10 inches, unless the trees are among those listed in Section 24-60(4)(f) of this code.

b. The proposed Wireless Supported Service Facility shall not be located in an officially designated natural forest community.

c. The proposed Wireless Supported Service Facility shall not be located in an officially designated wildlife preserve.

d. The applicant shall submit an environmental impact study prepared by a licensed environmental firm that the proposed Wireless Supported Service Facility will not affect endangered or threatened species or designated critical habitats as determined by the Endangered Species Act of 1974; and that the facility will not have a substantial deleterious impact on wildlife or protected plant species.

e. The applicant shall submit a historical analysis prepared by a professional cultural specialist that the proposed Wireless Supported Service Facility shall not affect districts, sites, buildings, structures or objects of American history, architecture, archeology, engineering or culture, that are listed in the National Register of Historic Places or applicable Miami-Dade County or State of Florida historic preservation regulations.

f. The proposed Wireless Supported Service Facility shall not be located on an Indian Religious site.

4. Necessity standards

a. The applicant shall establish that there are no available existing Wireless

Supported Service Facilities or buildings within the prospective provider's search area suitable for the installation of the provider's proposed Antennas due to one or more of the following circumstances:

(i) existing Wireless Supporting Service Facilities or buildings within the search area have insufficient structural capacity to support the proposed antennas and related equipment; or

(ii) existing Wireless Supported Service Facilities or buildings within the search area are not of sufficient height to resolve the lack of wireless service coverage or capacity in the area intended to be served by the proposed Wireless Supported Service Facility or to cure the signal interference problem in that area; or

(iii) the proposed Antenna would cause radio frequency interference or other signal interference problems with existing Wireless Supported Service Facilities or buildings, or the Antenna on the existing Wireless Supported Service Facilities or buildings may cause signal interference with the provider's proposed Wireless Supported Service Facility; or

(iv) the owner of an existing building or Wireless Supported Service Facility located within the provider's search area that has existing height and structural capacity and would otherwise resolve the lack of wireless service coverage, a deficiency in capacity or signal interference problems, has rejected the provider's reasonable attempts to locate its Wireless Supported Service Facility on its building or facility.

The applicant shall provide evidence of one or more criteria listed in 4(a)(i)--(iv) above with an affidavit from a radio frequency engineer, structural engineer, owner or authorized provider's representative acceptable to the Department, as applicable. For purposes of this section, search area shall mean the geographic area within which the provider can demonstrate that the Wireless Supported Service Facility must be located in order to resolve the lack of wireless service coverage, a deficiency in capacity or signal interference problems.

b. The applicant shall demonstrate that the proposed Wireless Supported Service Facility will cure:

i. signal interference problems; or

ii. a total lack of wireless service coverage or capacity among all providers in the area intended to be served by the proposed Wireless Supported Service Facility; and

iii. will allow its customers to make and maintain wireless calls on a reliable basis as defined by the provider's quality criteria; and

c. The applicant shall provide information to permit independent verification of factual data relied upon by the applicant to establish 4(b) above, including, but

not limited to the following:

i. the purpose for the proposed Wireless Supported Service Facility; and

ii. the following technical data for the proposed Wireless Supported Service Facility and for each existing, authorized, pending and proposed adjacent facility:

a. site name or other reference;

b. facility latitude and longitude;

c. site elevation;

d. for each antenna at each of the included facilities:

i. height of antenna radiation center;

ii. antenna type and manufacturer;

iii. maximum effective radiated output power, including the maximum total power radiated from all channels;

iv. azimuth of main antenna lobe; and

v. beam tilt and null-fill of each antenna.

iii. a complete up- and down-link power budget for the proposed Wireless Supported Service Facility, including any differences that may exist with the power budgets of the adjacent facilities, to ensure that all of the gain and loss factors used by the applicant are included in a verification analysis.

iv. complete descriptions of methodology, formulas, data presented in appropriate parameter data units (e.g., Erlangs, Watts, dBm, ft.), existing traffic studies and trend analyses if the proposed facility is intended to cure a lack of capacity, and any other information necessary for an independent engineer to verify statements concerning signal interference or lack of capacity or coverage; and

v. identification of any equipment that differs from industry standards.

d. The applicant shall reimburse the department for fees charged to the department for independent verification of factual data relied upon by the applicant, as required pursuant to paragraph 4c above.

5. Mitigation standards

a. A non-camouflaged Antenna Support Structure or equipment building shall be located so that it does not obscure, in whole or in part, an existing view to any historically designated landmark, natural area, or natural water body (i.e., river, lake, ocean) from any residentially zoned property under different ownership.

b. Existing landscaping, vegetation, trees, intervening buildings or permanent

	structures shall be utilized to the maximum extent possible to obscure the view of the non-camouflaged Antenna Support Structure from public right-of-way or residentially zoned property. *c. Any proposed Antenna Support Structure shall be designed to accommodate the collocation of at least two (2) Providers.* *d. All new non-camouflaged Antenna Support Structures approved at public hearing after adoption of this Ordinance, when exceeding 125 feet in height, must be structurally designed to accommodate at least three (3) Providers.* *e. To minimize visual impact in all cases, new or reconstructed Antenna Support Structures shall:* *(i) if non-camouflaged, utilize non-reflective galvanized finish or coloration to blend in with the natural environment unless Federal Aviation Administration painting or markings are otherwise required. The part of the Antenna Support Structure that is viewed against the sky and all Antennas attached thereto shall be a single color, either light gray or similar neutral color; the part of the Antenna Support Structure and all Antennas not viewed against the sky shall also be colored to blend with its surrounding background and harmonize with the color of existing structures or vegetation, as applicable; and* *(ii) be designed to preserve all vegetation to the maximum extent feasible to mitigate visual impact and create a buffer that harmonizes with the elements and characteristics of the existing parcel on which the Wireless Support Service Facility is located and adjacent properties; and* *(iii) shall be designed to be harmonious with the architectural elements of the surrounding structures, such as bulk, massing and scale of surrounding properties; or be designed to blend and be harmonious with the principal structure on the property on which the Antenna Support Structure is proposed to be constructed and installed.* *f. A camouflaged Antenna Support Structure shall be designed as an artificial tree or to serve a purpose other than supporting antennas (i.e., lighting of sports facilities, transmission of electrical and/or telephone lines, flag poles).* *g. To reduce the visual impact, an Antenna Support Structure readily observable from residentially zoned districts located within the immediate vicinity of the leased parcel shall be a camouflaged Antenna Support Structure, unless the provider can demonstrate that an Antenna Support Structure of a monopole type would be less visually obtrusive or would reduce proliferation of additional Antenna Support Structures within the immediate vicinity of the search area of the leased parcel and thus reduce the cumulative visual impact caused by future additional Antenna Support Structures in the immediate vicinity. In all cases, Antenna Support Structures of the guyed wire or self-supporting lattice type for the purposes of providing wireless telecommunications services only, shall be prohibited within the immediate vicinity of all existing residentially zoned districts and residential structures, except that the parent tract of the application property site may contain a residential structure.* *h. If a non-camouflaged Antenna Support Structure cannot be readily observed from residentially zoned property located within the immediate vicinity of the leased parcel, strongest support shall be given in the following order from most preferred to least preferred Antenna Support Structure type: existing Antenna Support Structures, existing buildings or structures, monopole, lattice or self-supporting or, guyed wire.*

ZONING RECOMMENDATION ADDENDUM

Florida Tower Partners, LLC
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	i. The architectural design, scale, mass, color, texture and building materials of any proposed equipment building structure shall be aesthetically harmonious with that of other existing or proposed structures or buildings on the parent and leased tracts and in the immediate vicinity. *j. The accessory wireless equipment building used in conjunction with the proposed Wireless Supported Service Facility shall be designed to mitigate visual impact and be comparable with the scale and character of the existing structures on the subject property and in the immediate vicinity, or blend into natural surrounding vegetation or buildings through the use of color, building materials, textures, fencing or landscaping to minimize visibility from or otherwise make the appearance of the accessory wireless equipment building the least visually obtrusive to adjacent uses and properties, as well as pedestrian and vehicular traffic.* *k. If an alternative site exists, or could be constructed, for the Antenna Support Structure, that would provide substantially lesser impact upon residentially zoned districts located within the immediate vicinity of the proposed site and that would provide for a substantially equivalent level of coverage, interference or capacity mitigation as what the applicant demonstrated is necessary pursuant to 33-311(A)(18)(4)(b), then the applicant shall locate the proposed facility on the alternative site.*
Section 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.*

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

#1

APPLICANT'S NAME: **FLORIDA TOWER PARTNERS, LLC**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
11-12-CZ15-1 (11-013)	December 14, 2011	CZAB15		11

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: January 25, 2012 ☐ 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: Deferred due to a lack of quorum.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCIL WOMAN		Patricia FORBES			X
VICE CHAIRMAN		Paul J. MORROW			X
COUNCIL WOMAN		Diane RICHARDSON			
COUNCIL WOMAN		Gale L. WIMBLEY			
CHAIR WOMAN		Marjorie MURILLO			
		VOTE:			

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **RONALD BERNSTEIN**

B. FLORIDA TOWER PARTNERS, LLC **11-12-CZ15-1 (11-013)**
(Applicant) **Area 15/District 08**
Hearing Date: 1/25/12

Property Owner (if different from applicant) **M & R TOWER, 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:

Year	Applicant	Request	Board	Decision
No History				

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

Memorandum

MIAMI-DADE COUNTY

Date: July 19, 2011

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

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

Subject: C-15 #Z2011000013
Florida Tower Partners, LLC
N.E. corner of S.W. 122nd Avenue and S.W. 264th Street
Unusual Use to Permit a Proposed Antenna Support Structure with Related Equipment
(AU) (3.87 Acres)
25-56-39

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

Potable Water Service

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

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

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

Stormwater Management

Site grading and development plans shall 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.

The proposed development order, if approved, will not result in the reduction of the LOS standards for flood protection set forth in the CDMP.

Be advised that this property is contiguous by the C-102 Canal; therefore a canal Right of Way(R/W) verification letter from by the South Florida Water Management District might be required.

Wetlands
A recent site inspection performed by DERM staff on February 8, 2011, revealed that the subject property does not contain wetlands as defined by Section 24-5 of the Code. Therefore, a DERM Class IV Wetland Permit will not be required.

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

Tree Preservation
An on site inspection performed by DERM staff on February 8, 2011 revealed that the property contains specimen-sized (trunk diameter 18 inches or greater) strangler fig trees along the north side of the property, which may be impacted by the proposed antenna. However, a letter submitted by the attorneys and representatives of the applicant, dated July 18, 2011, states that no existing trees on site will be directly or indirectly impacted by the proposed antenna.

Any type of construction, including driveways, septic tanks, fences, pipes, buildings, roads, polls etc., should be at least 12-14 feet from specimen and non specimen trees. Protective barriers should be placed during construction 10-12 feet from the trunk of the specimen sized trees, and 6-8 feet from the trunk of non specimen sized trees. If this distance is not maintained the root systems of the trees may be affected, thereby causing the effective destruction of the trees. In the event that the proposed construction causes the effective destruction of the trees on site, it would constitute a violation of Section 24-49 of the Code. Therefore, DERM recommends that appropriate actions be taken to not adversely impact tree resources on the referenced property.

Also, Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Section 24 of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

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

The applicant is advised to contact DERM staff for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History
DERM has found no open or closed enforcement record for the subject property.

Concurrency Review Summary
DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP

for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

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

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

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

Memorandum

MIAMI-DADE COUNTY

Date: February 10, 2011

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

From: José A. Ramos, R.A., Chief, Aviation Planning Division
Aviation Department

Subject: Florida Tower Partners, LLC (PH: 11-013)
MDAD DN-11-02-512

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed the applicant's request for an Unusual Use to permit a 156' Above Ground Level (AGL) antenna support structure with related equipment to be located at the northeast corner of SW 122 Avenue and SW 264 Street, Miami-Dade County, Florida.

Based on our cursory review of the project information provided to us, a proposed 156' AGL antenna support structure with related equipment at this location conforms to Miami-Dade County Airport Zoning Ordinance. **However, an FAA Airspace Determination is required to coordinate frequency activation and verify that no interference is caused to FAA facilities prior to beginning any transmission from the site. See the next paragraph for filing information.**

It is necessary to file with the FAA by using form 7460-1 'Notice of Proposed Construction Alteration for Determination of Known Hazards'. Furthermore, any construction cranes for this project reaching or exceeding 200 ft AMSL (Above Mean Sea Level) must be filed by the construction contractor using the same form. This form should be filed with a 45 day advance notice prior to raising the crane. The form is available through this office or through the FAA website: https://oeaaa.faa.gov. The developer may "e-file" online at https://oeaaa.faa.gov. Alternatively, this form may be mailed to: Federal Aviation Administration, Air Traffic Airspace Branch - ASW-520, 2601 Meacham Blvd, Ft. Worth, TX 76137-0520.

This determination is based, in part, on the description provided to us by you, which includes specific building locations and heights. Any changes in structure location/layouts or heights will void this determination. Any future construction or alteration, including an increase to heights requires separate notice to the FAA and MDAD.

Should you have any questions in obtaining and/or filling out FAA form 7460-1 or if I can be of any further assistance, please feel free to contact me at 305-876-8080.

JR/rb

C: S. Harman
File

REVISION 1

PH# Z2011000013
CZAB - C15

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: FLORIDA TOWER PARTNERS, LLC

This Department has no objections to this application.

The applicant must dedicate 35 feet for the east half of SW 122 Avenue for a total of 70 feet of Right-of-Way per County Code.

Street trees as shown on site plan must be placed at the property line after road dedication is provided.

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

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

Raul A Pino, P.L.S.
13-JUL-11

Memorandum

Date: 03-FEB-11

To: Marc LaFerrier, Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2011000013

Fire Prevention Unit:

No objection.

Service Impact/Demand

Development for the above Z2011000013
located at Northeast corner of sw. 122 ave and SW 264 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2491 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: 8:51 minutes

Existing services

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

Station 5 - Goulds/Princeton - 13150 SW 238 Street Rescue, BLS Engine

Planned Service Expansions:

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

Station 70 - Coconut Palm - SW 248 Street and 114 Pl.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 06-DEC-11

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

FLORIDA TOWER PARTNERS, LLC	Northeast corner of sw. 122 ave and SW 264 ST, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2011000013

HEARING NUMBER

HISTORY:

DEPARTMENT OF PERMITTING, ENVIRONMENT & REGULATORY AFFAIRS

NEIGHBORHOOD REGULATIONS AND LEGAL SERVICES DIVISION

ENFORCEMENT HISTORY
11-013
ADDRESS: NE CORNER OF SW 122 AVE & SW 264 ST

FOLIO: 3069250000141

DATE: 12-2-11

NAME: FLORIDA TOWER PARTNERS, LLC

OPEN CASES:
Neighborhood Regulations:
No open cases.

Building Code:
No open cases.

CLOSED CASES:
Neighborhood Regulations:
No closed cases.

Building Code:
No closed cases.

_____
Ricardo Roig, Division Director
Miami-Dade County Department of Permitting, Environment and Regulatory Affairs

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: BOELLARD, FRANCIE **Inspection Date**

Evaluator: CARL HARRISON 11/30/11

Process #:	**Applicant's Name**
Z2011000013	FLORIDA TOWER PARTNERS, LLC

Locations: Northeast corner of sw. 122 ave and SW 264 ST, MIAMI-DADE COUNTY, FLORIDA.

Size: 3.87 ACRES **Folio #:** 3069250000141

Request:

1 Unusual Use and Special Exception to permit a proposed 150' high wireless support antenna facility with related equipment structure.
2 Applicant is requesting to permit the proposed antenna to setback 67'-4" (165' required) from the (north) property line.
3 Applicant is requesting to permit a lot area of 3.87 acres (5 acres min. required).
4 Applicant is requesting to permit (0) lot tree (34 lot trees required).

Upon a demonstration that the applicable standards have been satisfied, approval of the requests shall be considered under Section 33-311(A)(4)(b) (Non-Use variance) or Section 33-311(A)(4)(c) (Alternative Non-Use Variance).

EXISTING ZONING

Subject Property AU,

EXISTING USE V

SITE CHARACTERISTICS

STRUCTURES ON SITE:

NONE

USE(S) OF PROPERTY:

APPEARS TO BE ABANDONDED FARM LAND OR AN OVERGROWN VACANT PARCEL

FENCES/WALLS:

NONE

LANDSCAPING:

NONE

BUFFERING:

NONE

VIOLATIONS OBSERVED:

OVERGROWTH OF THE PARCEL & OVERGROWTH GROWING OUT TO SW 122 AVENUE

OTHER:

ZONING INSPECTION REPORT

Process #	Applicant's Name
Z2011000013	FLORIDA TOWER PARTNERS, LLC

SURROUNDING PROPERTY

NORTH:
SOUTH FLORIDA WATER MGMT CANAL C102-1 & VACANT LAND ZONED AU

SOUTH:
VACANT LAND ZONED AU, BU1, BU1A & 212 ACRES OF HOMESTEAD AIR FORCE RESERVE PARK

EAST:
ACTIVELY FARMED AU LAND, TREE NURSERIES

WEST:
RESIDENTIAL HOMES

SURROUNDING AREA
AREA CONSISTS OF RESIDENTIAL, AU, BUSINESS DISTRICTS & BUSINESS DISTRICTS LIMITED, APARTMENT COMPLEXES

NEIGHBORHOOD CHARACTERISTICS:
NURSERIES, OFFICES, RESIDENTIAL PROPERTIES, UNDEVELOPED LAND ZONED AU, BU1A & BU1, TREE FARMS

COMMENTS:

FL1511-Miami SW 122nd- Homestead, FL

VIEW FACING EAST OF THE OVERALL PROPOSED TOWER LOCATION

VIEW OF THE CENTER OF PROPOSED TOWER LOCATION

Melissa Breen, May 26, 2010

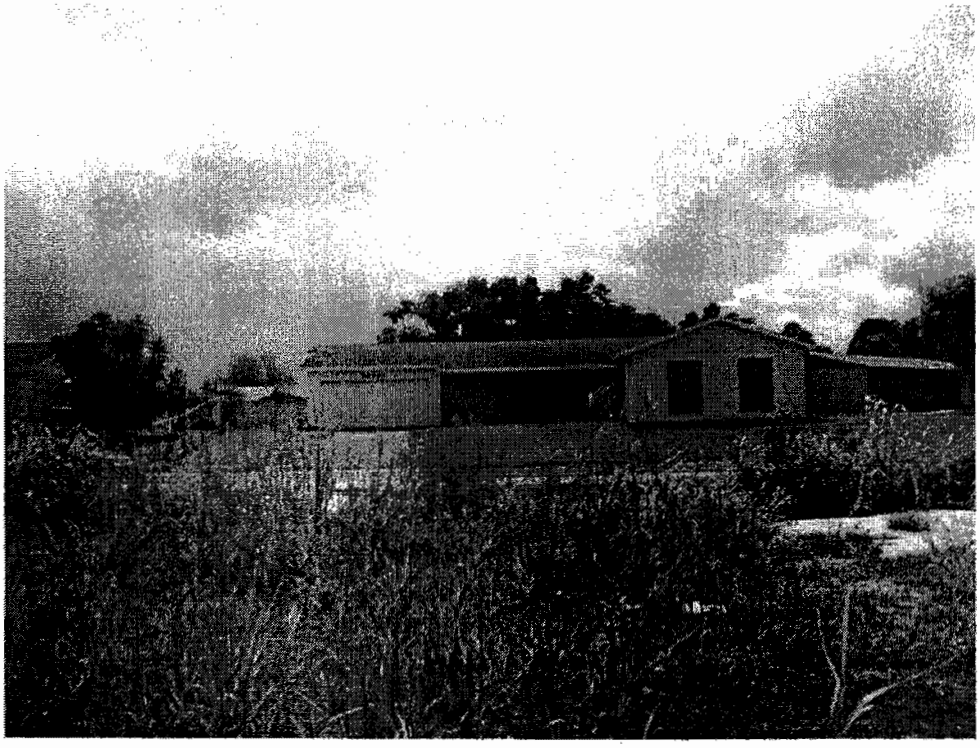
VIEW FROM THE PROPOSED TOWER LOCATION, FACING NORTH

VIEW FROM THE PROPOSED TOWER LOCATION, FACING EAST

Z-11-013

Melissa Breen, May 26, 2010

VIEW FACING SOUTH, FROM THE PROPOSED TOWER LOCATION



VIEW FACING WEST, FROM THE PROPOSED TOWER LOCATION

Z-11-013

PLANNING DEPT.

VIEW TOWARD THE SUBJECT SITE FROM SW 122nd, FACING EAST

VIEW OF THE NORTHERN PROPERTY BOUNDARY, FACING WEST

E-11-013

VIEW OF THE EASTERN SITE BOUNDARY, FACING SOUTH

VIEW OF THE SOUTHERN SITE BOUNDARY, FACING WEST

Z-11-013

VIEW OF THE WESTERN SITE BOUNDARY, FACING NORTH

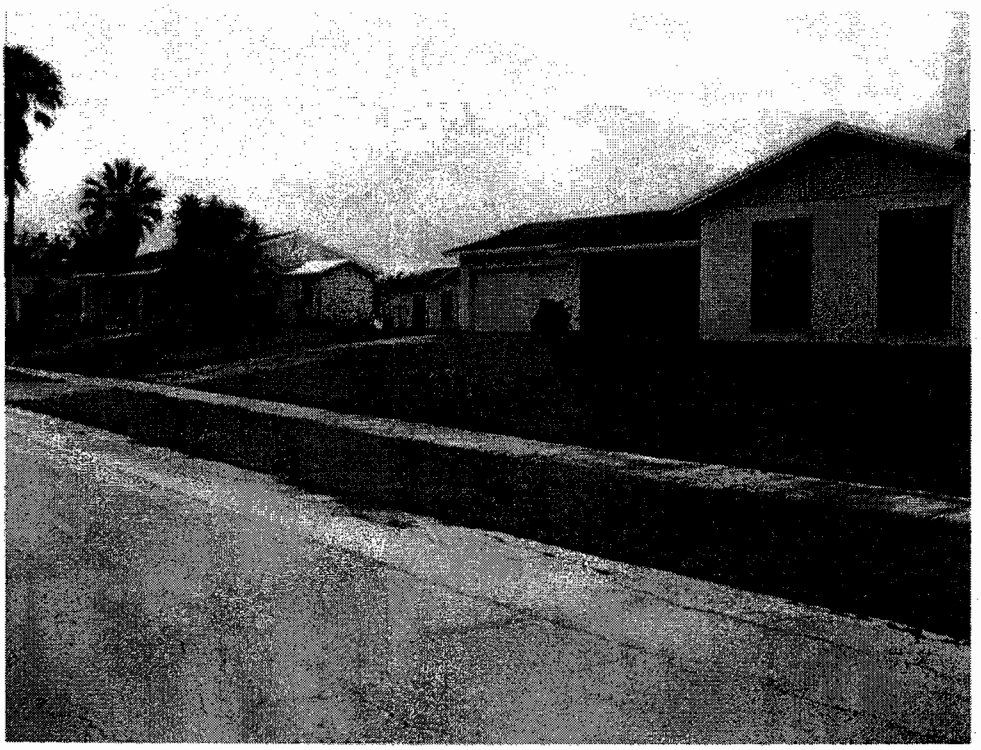
VIEW OF THE NORTHERN ADJACENT PROPERTY, FACING NORTH

Melissa Breen, May 26, 2010

VIEW OF METAL DEBRIS OBSERVED ON SITE

VIEW OF DEBRIS OBSERVED ON SITE

Z-11-013



VIEW OF WESTERN SURROUNDING PROPERTIES, BEYOND 122nd AVENUE, FACING SOUTHWEST

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent interest 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].

COMPANY NAME: M & R TOWER, LLC

NAME AND ADDRESS	Percentage of Stock
Marcelo Stolarczyk	50 %
Rafael Lopez	50 %

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: _____

NAME AND ADDRESS	Percentage of Stock

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: _____

NAME AND ADDRESS	Percentage of Stock
	2-11-05

BY _____

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

NAME OF PURCHASER: _____

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

_____ _____

_____ _____

_____ _____

Date of contract: _____

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

_____

_____

_____

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

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 4th day of January 2011.
Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

My commission expires _____

MERCEDES C. VAZQUEZ
MY COMMISSION # DD 783269
EXPIRES: March 12, 2012
Bonded Thru Budget Notary Services

*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.

2-11-013

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: Florida Tower Partners, LLC

NAME AND ADDRESS	Percentage of Stock
Tarpon Towers, LLC, 1001 3rd Ave West, Ste. 420 Bradenton, FL 34205	100%
(see attached)	

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: _____

NAME AND ADDRESS	Percentage of Interest

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percent of Ownership

E-11-013

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

NAME OF PURCHASER:_____

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

Date of contract:_____

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

_____

_____

_____

_____

_____

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

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 13th day of January, 2011. Affiant is personally known to me or has produced _____ as identification.

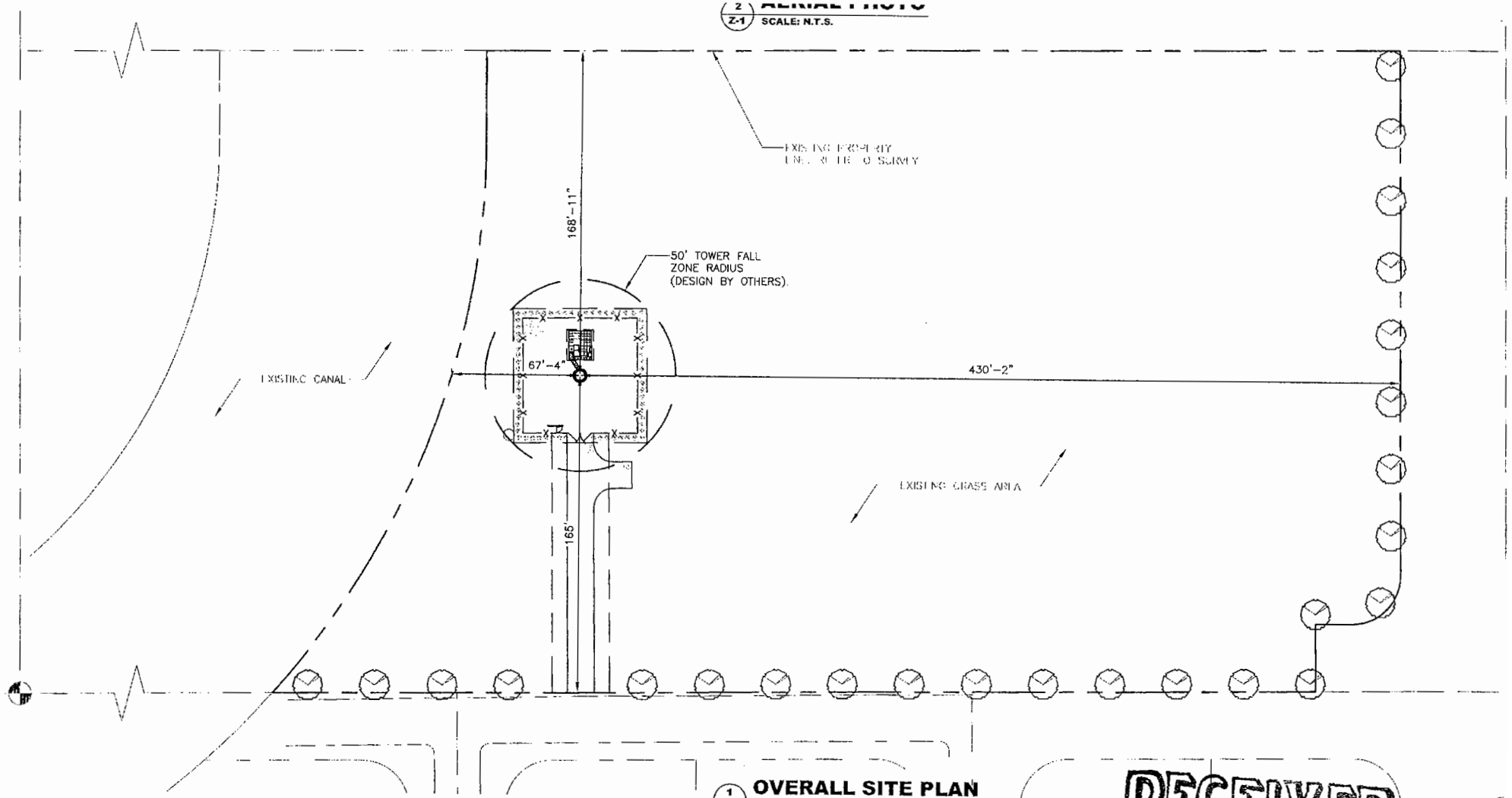
_____
(Notary Public)

My commission expires 8-11-12

CURTIS MILLER
MY COMMISSION # DD 813272
EXPIRES: August 11, 2012
Bonded Thru Budget Notary Services

8-11-013

*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.



2 / Z-1 SCALE: N.T.S.

1 / Z-1 **OVERALL SITE PLAN**
SCALE: 1"=60'
SCALE BASED ON 11"x17" ONLY

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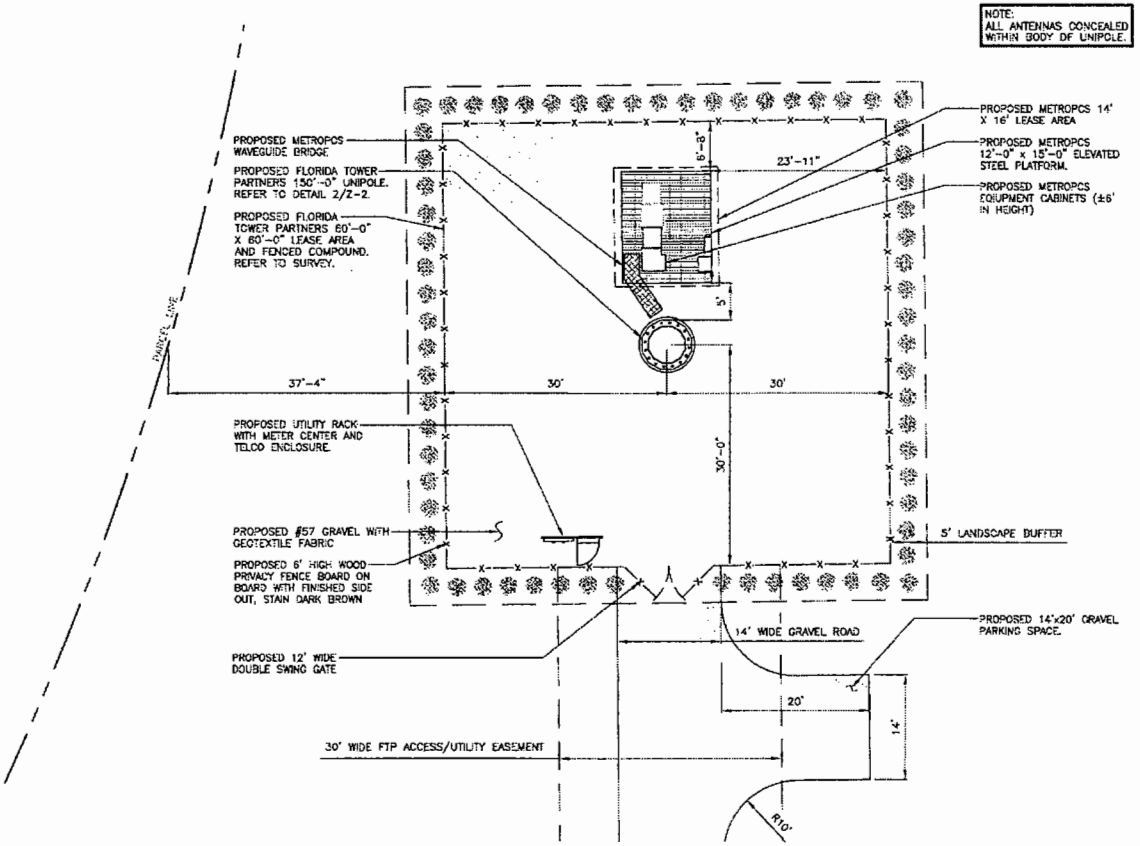
211-013
JAN 19 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ENLARGED SITE PLAN



1 Z-2 **ENLARGED SITE PLAN**
SCALE: 1"=10'
SCALE BASED ON 11"x17" ONLY

2 Z-2 **TOWER ELEVATION** N.T.S.

ATWELL
www.atwell-group.com
4610 EISENHOWER BOULEVARD
SUITE 200, TAMPA, FL 33634
PH: 813 888 9500
FAX: 813 884 4288
OFFICES IN NORTH AMERICA AND ASIA

Florida Tower Partners
1001 3rd AVENUE WEST
SUITE 420
BRADENTON, FL 34205
TEL: (941) 757-5010

SEAL

MATTHEW W. BUNN, PE
PROFESSIONAL ENGINEER LIC. # 56282
CERTIFICATE OF AUTHORIZATION # 28024

REVISIONS		
5		
4		
3	01/17/11	REVISED PER COMMENTS
2	6/10/10	REVISED PER COMMENTS
1	6/7/10	REVISED PER COMMENTS
0	5/25/10	ISSUED FOR REVIEW
NO.	DATE	DESCRIPTION
DRAWN BY: GR		CHECKED BY: CR
SCALE: AS NOTED		JOB NO: 10000847

MIAMI SW 122ND
FL 1511
SW 122ND AVE & SW 264TH ST
MIAMI, FL 33173

SHEET DESCRIPTION
ENLARGED SITE PLAN AND TOWER ELEVATION

SHEET NO.
Z-2

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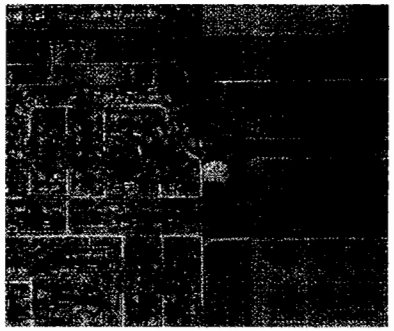
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

39

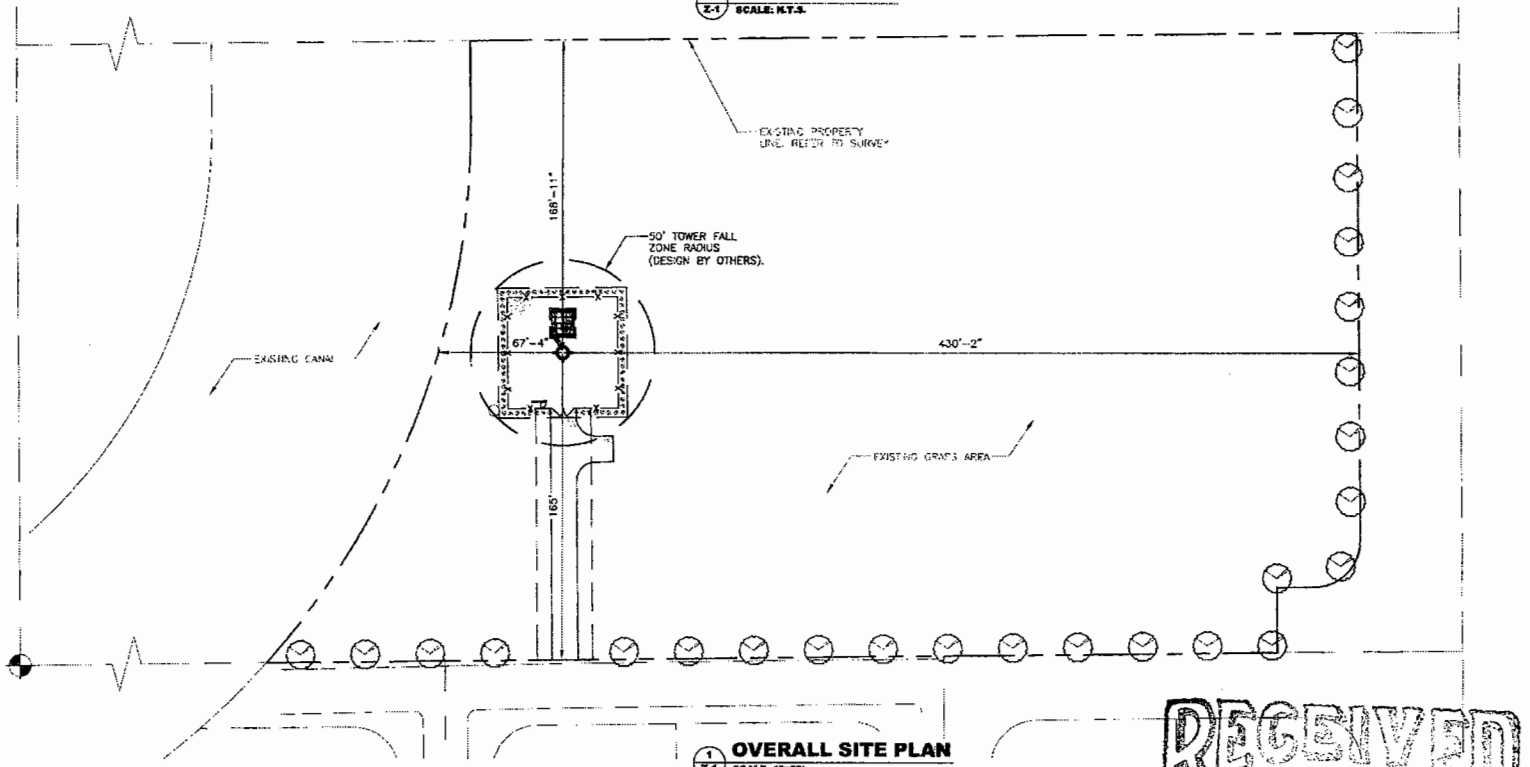
NOTES:

1. THE PROPERTY SHOWN HEREON FALLS WITHIN FLOOD ZONE "AE" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 1206350594L, DATED SEPTEMBER 11, 2009. NO FIELD MEASUREMENTS WERE USED IN THIS DETERMINATION.
2. DEVELOPED AREA:
   PROPOSED GRAVEL DRIVE = 4,050 S.F.
   PROPOSED 60' X 60' LEASE AREA = 3,600 S.F.
   PROPOSED 60' X 60' GRAVEL COMPOUND = 3,600 S.F.
3. REFER TO SURVEY FOR LEGAL DESCRIPTION OF LEASE AREA AND ALL EASEMENTS.
4. TOWER SHALL BE DESIGNED FOR FIVE (5) CARRIERS.
5. TOWER SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EIA/TIA 222-G-1 STANDARDS AS WELL AS ALL LOCAL BUILDING CODES.
6. PER FAA REQUIREMENTS, THE TOWER SHALL NOT BE ARTIFICIALLY LIGHTED.

DIRECTION	BUILDING SETBACK	TOWER SETBACK
NORTH	15'	67'-4"
SOUTH	15'	43'-2"
EAST	25'	168'-11"
WEST	50'	165'



2 Z-1 **AERIAL PHOTO**
SCALE: N.T.S.



1 Z-1 **OVERALL SITE PLAN**
SCALE: 1"=60'
SCALE BASED ON 11"x17" ONLY

RECEIVED
Z11-13
JAN 19 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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SUITE 200, TAMPA, FL 33634
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FAX: 813 884 4266
OFFICES IN NORTH AMERICA AND ASIA

Florida Tower Partners
1001 3rd AVENUE WEST
SUITE 420
BRADENTON, FL 34205
TEL: (941) 757-5010

SEAL

MATTHEW W. BUSH, PE
PROFESSIONAL ENGINEER LIC. # 68292
CORPORATE OF AUTHORIZATION # 26204

REVISIONS

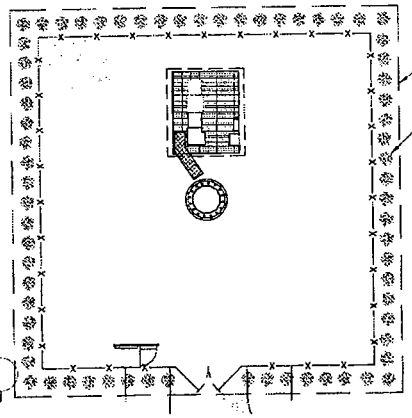
NO.	DATE	DESCRIPTION
5		
4		
3	01/17/11	REVISED PER COMMENTS
2	8/10/10	REVISED PER COMMENTS
1	6/7/10	REVISED PER COMMENTS
0	5/25/10	ISSUED FOR REVIEW

DRAWN BY: GR | CHECKED BY: CR
SCALE: AS NOTED | JOB NO: 10000847

MIAMI SW 122ND
FL 1511
SW 122ND AVE & SW 264TH ST
MIAMI, FL 33173

SHEET DESCRIPTION
OVERALL SITE PLAN

SHEET NO.
Z-1



ENLARGED LANDSCAPE PLAN

2 / L-1

SCALE: 1"=20'
SCALE BASED ON 11"x17" ONLY

GRAPHIC SCALE

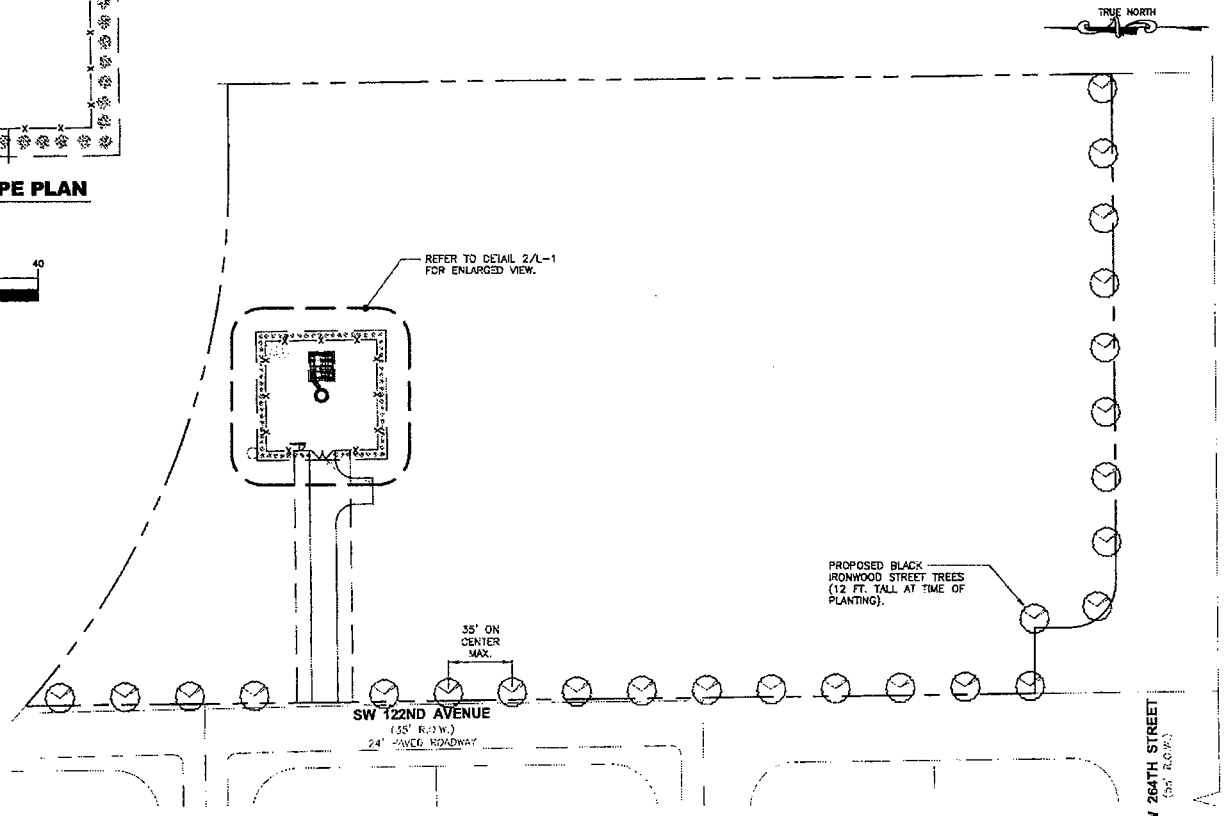
0 10 20 40

(IN FEET)

PLANT MATERIAL LIST				
SYMBOL	QTY	COMMON NAME	BOTANICAL NAME	SPECIFICATIONS
	60 EA	DWARF YAUPON HOLLY HEDGE	ILEX VOMITORIA 'NANA'	7 GAL., 3' HT, 3'--6" O.C., FL #1
	25 EA	BLACK IRONWOOD	KRUGIODENDRON FERREUM	12' HT, 2" CALIPER MIN., 35' O.C., FL #1

LANDSCAPE INSTALLATION NOTES:

1. ALL PLANT MATERIALS SHALL BE GRADE FLORIDA #1 OR BETTER AS GIVEN IN, GRADES AND STANDARDS FOR NURSERY PLANTS, FEBRUARY 1998 EDITION, PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.
2. IT IS THE LANDSCAPE CONTRACTORS RESPONSIBILITY TO INSURE THAT ALL PLANT BED AREAS HAVE PROPER DRAINAGE FOR OPTIMUM GROWTH OF LANDSCAPE MATERIAL BEFORE INSTALLATION BEGINS.
3. THE CONTRACTOR SHALL ENSURE THAT ALL PLANTING ISLANDS AND OTHER AREAS SHALL BE CLEAN OF TRASH, CONSTRUCTION DEBRIS OTHER WASTE MATERIALS TO A DEPTH OF 24" PRIOR TO LANDSCAPE INSTALLATION.
4. ALL PLANT BEDS AND TREE RINGS SHALL BE TREATED WITH A PRE-EMERGENT HERBICIDE AND THEN TOP-DRESSED WITH 3" DEEP PINE BARK MULCH. ALL NEW TREES SHALL HAVE A TREE RING WITH A MINIMUM 24" RADIUS. ALL NEW TREES AND PALMS SHALL BE STAKED.
5. TREES, SHRUBS AND GROUND COVER SHALL BE INSTALLED USING THE FOLLOWING PROCEDURE: PLANT PITS SHALL BE EXCAVATED TO TWICE THE DIAMETER OF THE PLANT ROOT BALL. AERATE EXISTING SOIL BEFORE BACKFILLING PIT. ADD AGRIFORM FERTILIZER TABLETS TO EACH PLANT PIT, AS PER THE SPECIFICATIONS.
6. TREE INSTALLATION: ALL REQUIRED TREES SHALL BE INSTALLED 1" - 2" ABOVE FINISH GRADE. TREES INSTALLED OR BURIED TOO DEEP SHALL BE RESET TO THIS STANDARD. REMOVE THE TOP 1/3 OF THE WIRE BASKETS ON ALL B & B STOCK.
7. THE CONTRACTOR MUST MAINTAIN THE LANDSCAPING FOR 1 YEAR FROM THE DATE OF CONSTRUCTION COMPLETE. THIS INCLUDES BUT IS NOT LIMITED TO WATERING AND INSURING THAT THE LANDSCAPING DOES NOT DIE. IF ANY OF THE LANDSCAPING DIES WITHIN THE 1 YEAR TIME FRAME, THE CONTRACTOR MUST REPLACE IT WITH EQUIVALENT LANDSCAPING. LOCAL JURISDICTION WATERING GUIDELINES SHALL BE FOLLOWED THOROUGHLY.



OVERALL LANDSCAPE PLAN

1 / L-1

SCALE: 1"=60'
SCALE BASED ON 11"x17" ONLY

GRAPHIC SCALE

0 30 60 120

(IN FEET)

ATWELL
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4610 EISENHOWER BOULEVARD
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Florida Tower Partners
1001 3rd AVENUE WEST
SUITE 420
BRADENTON, FL 34205
TEL: (941) 757-5010

SEAL

MATTHEW W. BUSH, PE
PROFESSIONAL ENGINEER LIC. # 80266
CERTIFICATE OF AUTHORIZATION # 28204

REVISIONS		
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4		
3	01/17/11	REVISED PER COMMENTS
2	6/10/10	REVISED PER COMMENTS
1	6/7/10	REVISED PER COMMENTS
0	5/25/10	ISSUED FOR REVIEW
NO.	DATE	DESCRIPTION
DRAWN BY: GR		CHECKED BY: CR
SCALE: AS NOTED		JOB NO: 10000647

MIAMI SW 122ND
FL 1511
SW 122ND AVE & SW 264TH ST
MIAMI, FL 33173

SHEET DESCRIPTION
LANDSCAPE PLAN & NOTES

SHEET NO.
L-1

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11-13
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ZONING HEARINGS SECTION
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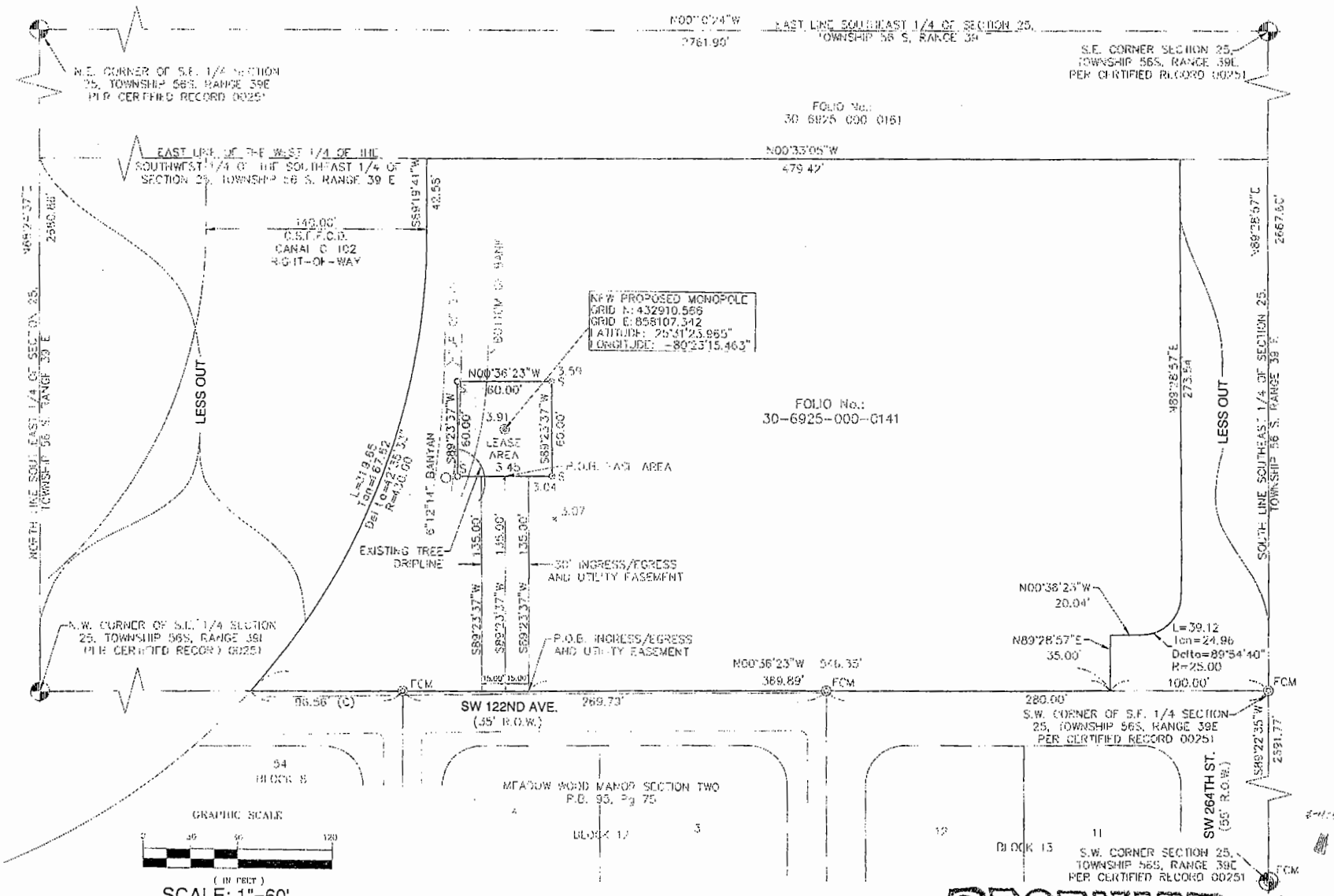
BY

41

SECTION 25, TOWNSHIP 56 SOUTH, RANGE 39 EAST



SCALE: 1"=60'
BASED ON 11"x17" SHEET SIZE

RECEIVED
211-13
JAN 19 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

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4670 EISENHOWER BOULEVARD
SUITE 200, TAMPA, FL 33634
PH: 813 888 9500
FAX: 813 804 4250
OFFICES IN NORTH AMERICA AND ASIA

Florida Tower Partners
1001 3rd AVENUE WEST
SUITE 420
BRADENTON, FL 34205
TEL: (941) 757-5010

CERTIFICATE OF AUTHORIZATION
LB #7106

REVISIONS		
5		
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0	9/6/10	ISSUED FOR REVIEW
NO.	DATE	DESCRIPTION
DRAWN BY: GR		CHECKED BY: JK
SCALE: AS NOTED		JOB NO: 10000847

HOMESTEAD
#FL 1511
SW 122ND AVE & SW 264TH ST
MIAMI, FL 33173

SHEET DESCRIPTION
LIMITED BOUNDARY SURVEY

SHEET NO.
LS-1

42

PARENT PARCEL LEGAL DESCRIPTION

(PER TITLE COMMITMENT, AS PROVIDED):

THE WEST ½ OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 25, TOWNSHIP 56 SOUTH, RANGE 39 EAST, DADE COUNTY, FLORIDA;

LESS:

BEGINNING AT THE NORTHWEST CORNER OF SAID WEST ½, RUN EAST 334.75 FEET, MORE OR LESS, THENCE RUN SOUTH 874.49 FEET, MORE OR LESS, THENCE RUN WEST 40.56 FEET, MORE OR LESS, THENCE BY CURVE TO THE RIGHT R/A 319.66 FEET, MORE OR LESS, TO THE WEST LINE OF SAID WEST ½, THENCE RUN NORTH 808 FEET TO THE POINT OF BEGINNING; TO INCLUDE AND AS DESCRIBED IN RESOLUTION NO. R-1178-07 THE FOLLOWING LEGAL: THE NORTH 25.00 FEET OF THE SOUTH 100.00 FEET OF THE WEST ½ OF THE WEST ½ OF THE SW ¼ OF THE SE ¼ OF SECTION 25, TOWNSHIP 56 SOUTH, RANGE 39 EAST, LESS THE WEST 33 FEET THEREOF, THE AREA BOUNDED BY THE SOUTH LINE OF THE NORTH 40 FEET OF THE SOUTH 100 FEET OF SAID W ½ OF THE W ½ OF THE SW ¼ OF THE SE ¼ OF SAID SECTION 25, BOUNDED BY THE LAST LINE OF THE WEST 35 FEET OF THE SE ¼ OF SAID SECTION 25, AND BOUNDED BY A 25.00' RADIUS ARC, CONCAVE TO THE NORTHEAST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES.

DESCRIPTION OF INGRESS-EGRESS AND UTILITY EASEMENT:

A PARCEL OF LAND LYING WITHIN SECTION 25, TOWNSHIP 56 SOUTH, RANGE 39 EAST, DADE COUNTY, FLORIDA AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 25; THENCE ALONG THE WEST LINE OF THE SE ¼ OF SAID SECTION 25, N00°36'23"W, A DISTANCE OF 469.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG SAID WEST LINE, N00°36'23"W, A DISTANCE OF 30.00 FEET; THENCE DEPARTING SAID WEST LINE, N89°23'37"E, A DISTANCE OF 135.00 FEET; THENCE S00°36'23"E, A DISTANCE OF 30.00 FEET; THENCE S89°23'37"W, A DISTANCE OF 135.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,050 SQUARE FEET OR 0.093 ACRES, MORE OR LESS.

DESCRIPTION OF LEASE AREA:

A PARCEL OF LAND LYING WITHIN SECTION 25, TOWNSHIP 56 SOUTH, RANGE 39 EAST, DADE COUNTY, FLORIDA AND BEING FURTHER DESCRIBED AS FOLLOWS:

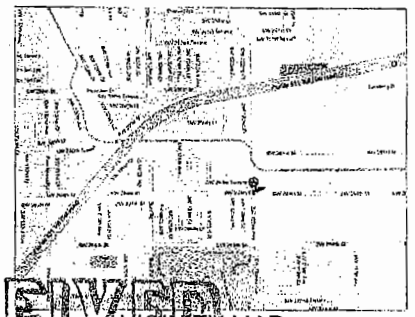
COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 25; THENCE ALONG THE WEST LINE OF THE SE ¼ OF SAID SECTION 25, N00°36'23"W, A DISTANCE OF 484.89 FEET; THENCE DEPARTING SAID WEST LINE, N89°23'37"E, A DISTANCE OF 1,05.00 FEET TO THE POINT OF BEGINNING; THENCE N00°36'23"W, A DISTANCE OF 60.00 FEET; THENCE N89°23'37"E, A DISTANCE OF 60.00 FEET; THENCE S00°36'23"E, A DISTANCE OF 60.00 FEET; THENCE S89°23'37"W, A DISTANCE OF 60.00 FEET; THENCE N00°36'23"W, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,600 SQUARE FEET OR 0.083 ACRES, MORE OR LESS.

NOTE:
REFER TO SHEET LS-1 FOR SITE DETAIL.

LEGEND

	EXISTING CONTOUR
	EXISTING PROPERTY BOUNDARY
	EXISTING CONCRETE CURB
P.O.C.	POINT OF COMMENCEMENT
I.R.	IRON ROD
C.B.S.M.	FOUND CONCRETE MONUMENT (UNREGULAR CONCRETE W/ 1/2 OPEN PIPE AND CAP "LB 3656)
(1)	FOUND IRON ROD (SIZE, TYPE AND ID AS NOTED)
I.R.S.	SET IRON ROD & CAP (5/8" LB#7106)
(F)	PER FIELD MEASURED
(P)	PER PLAT
(C)	CALCULATED
⌀	FND NAIL & DISK (SIZE, TYPE AND ID AS NOTED)
O.R.B.	OFFICIAL RECORDS BOOK
R.O.W.	RIGHT OF WAY
FIR	FOUND IRON ROD
FN&D	FOUND NAIL AND DISK
FCM	FOUND CAPPED IRON ROD
FP&D	FOUND PARKER/KALON NAIL AND DISK
N/C	NO CAP
L	ARC LENGTH
TAN	TANGENT LENGTH
R	RADIUS
P.O.B.	POINT OF BEGINNING



VICINITY MAP
NOT TO SCALE

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2013
JAN 19 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

SURVEYOR'S NOTES:

1. THE SURVEY SHOWN HEREON WAS PREPARED WITH THE BENEFIT OF LAWYERS TITLE INSURANCE CORPORATION COMMITMENT NO. 10011739 WITH AN EFFECTIVE DATE OF COMMITMENT OF APRIL 2, 2010 @ 8:00AM
SCHEDULE B - SECTION II
   1.) DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT. (NOT A SURVEY MATTER)
   2.) RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NONE EVIDENT BY FIELD SURVEY)
   3.) EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY PUBLIC RECORDS. (NONE EVIDENT BY FIELD SURVEY)
   4.) ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
   5.) ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, OR OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OR INSPECTION OF THE PREMISES. (NONE EVIDENT BY THIS SURVEY)
   6.) TAXES AND SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
   7.) TAXES FOR THE YEAR 2010 AND SUBSEQUENT YEARS, A LIEN NOT YET DUE AND PAYABLE. (NOT A SURVEY MATTER)
2. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED AS A PART OF THIS SURVEY, EXCEPT AS SHOWN.
3. OWNERSHIP OF THIS PROPERTY IS SUBJECT TO OPINION OF TITLE AND IS NOT EXPRESSED OR IMPLIED BY THIS SURVEY.
4. LAST DATE OF FIELD SURVEY 05/03/2010.
5. BEARINGS SHOWN HEREON ARE BASED ON THE MONUMENTED EAST LINE OF THE SOUTHEAST 1/4 SECTION 25, TOWNSHIP 56 SOUTH, RANGE 39 EAST
6. THIS SURVEY IS COPYRIGHTED AND WAS PREPARED EXPRESSLY FOR THE ENTITIES NAMED. NO OTHER PERSON OR ENTITY IS ENTITLED TO RELY UPON THIS SURVEY FOR ANY PURPOSE WHATSOEVER WITHOUT THE EXPRESSED WRITTEN CONSENT OF ATWELL, LLC.
7. ATTENTION IS DIRECTED TO THE FACT THAT THIS SURVEY MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE DUE TO REPRODUCTION. THIS SHOULD BE TAKEN INTO CONSIDERATION WHEN OBTAINING SCALED DATA.
8. BASED ON A GRAPHIC DETERMINATION SUBJECT PROPERTY IS LOCATED IN ZONE "AE" (HAVING A BASE FLOOD ELEVATION OF 8) PER F.I.R.M. COMMUNITY NO. 120635 0594 L WITH A LAST REVISION DATE OF SEPTEMBER 11, 2009.

Jeffrey L. Kohler, PSM
Florida Professional Surveyor and Mapper
Registration Number 6261

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

ATWELL
www.atwellgroup.com
4810 LEMON HARVEY BOULEVARD
SUITE 200, TAMPA, FL 33634
PH: 813 886 0500
FAX: 813 891 4288
OFFICES IN NORTH AMERICA AND ASIA

Florida Tower Partners
1001 3rd AVENUE WEST
SUITE 420
BRADENTON, FL 34205
TEL: (941) 757 5010

CERTIFICATE OF AUTHORIZATION
LB #7106

REVISIONS

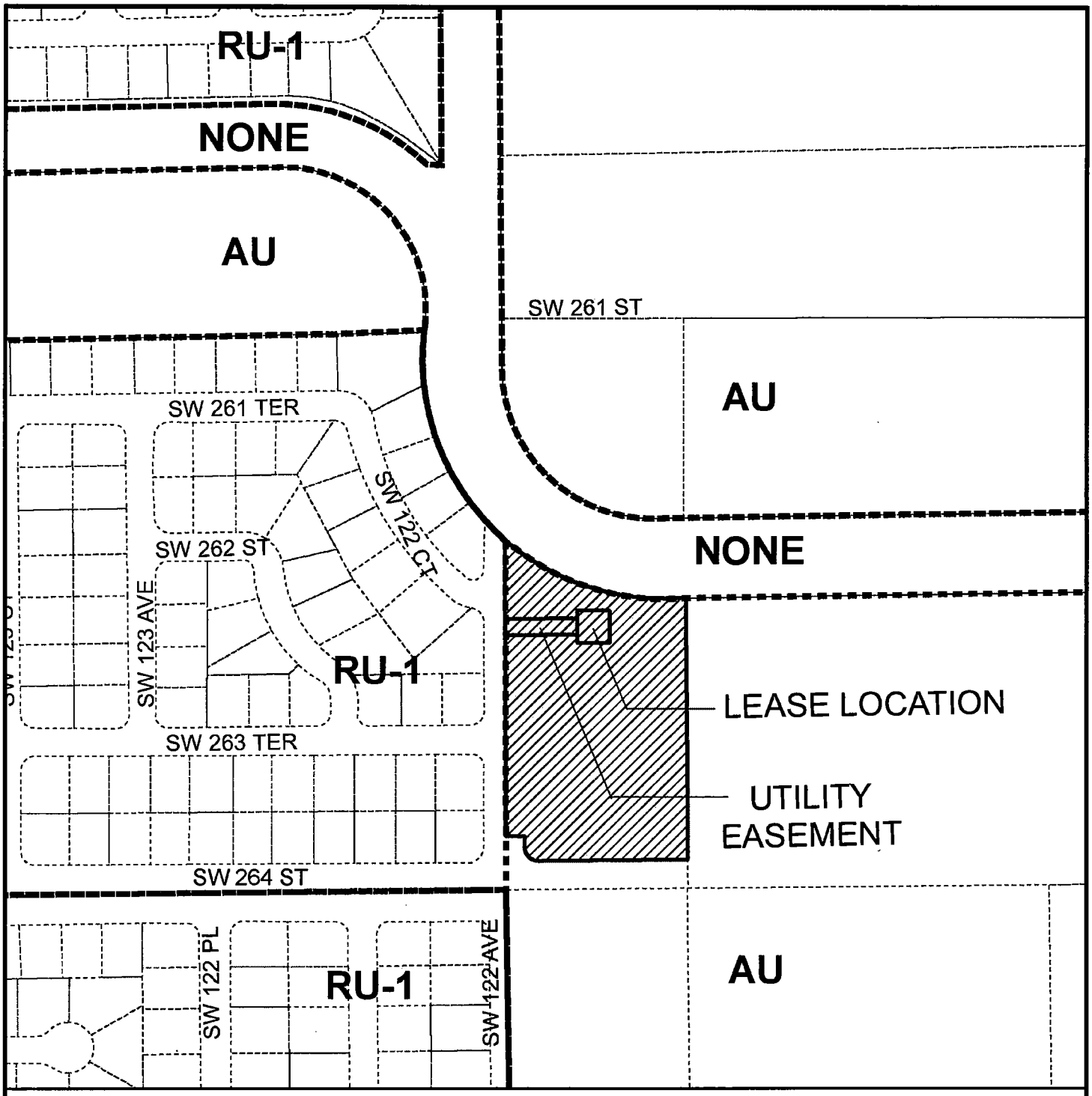
NO.	DATE	DESCRIPTION
5		
4		
3		
2		
1		
0	5/6/10	ISSUED FOR REVIEW

DRAWN BY: GR	CHECKED BY: JK
SCALE: AS NOTED	JOB NO: 10000847

HOMESTEAD
#FL 1511
SW 122ND AVE & SW 264TH ST
MIAMI, FL 33173

SHEET DESCRIPTION
LIMITED BOUNDARY SURVEY

SHEET NO.
LS-2



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2011000013

Legend
Zoning
Subject Property Case

N
W E
S

Section: 25 Township: 56 Range: 39
Applicant: FLORIDA TOWER PARTNERS, LLC
Zoning Board: C15
Commission District: 8
Drafter ID: ALFREDO FERNANDEZ-CUETO
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 27, 2011

REVISION	DATE	BY
		43

MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number
Z2011000013

Legend
Subject Property

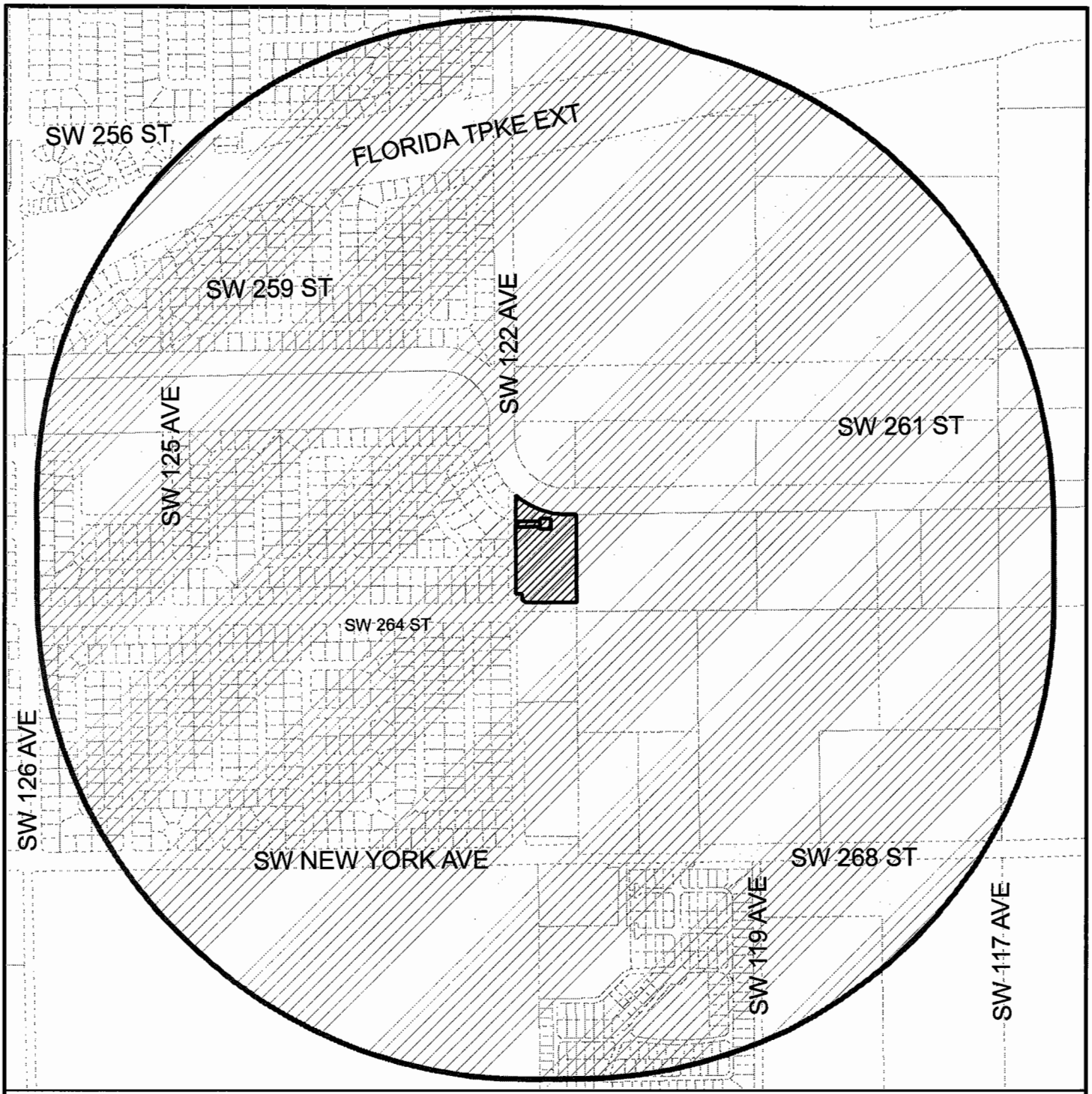
N
W E
S

Section: 25 Township: 56 Range: 39
Applicant: FLORIDA TOWER PARTNERS, LLC
Zoning Board: C15
Commission District: 8
Drafter ID: ALFREDO FERNANDEZ-CUETO
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 27, 2011

REVISION	DATE	BY
		44



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2011000013
RADIUS: 2640

Legend
- Buffer
- Subject Property
- Property Boundaries

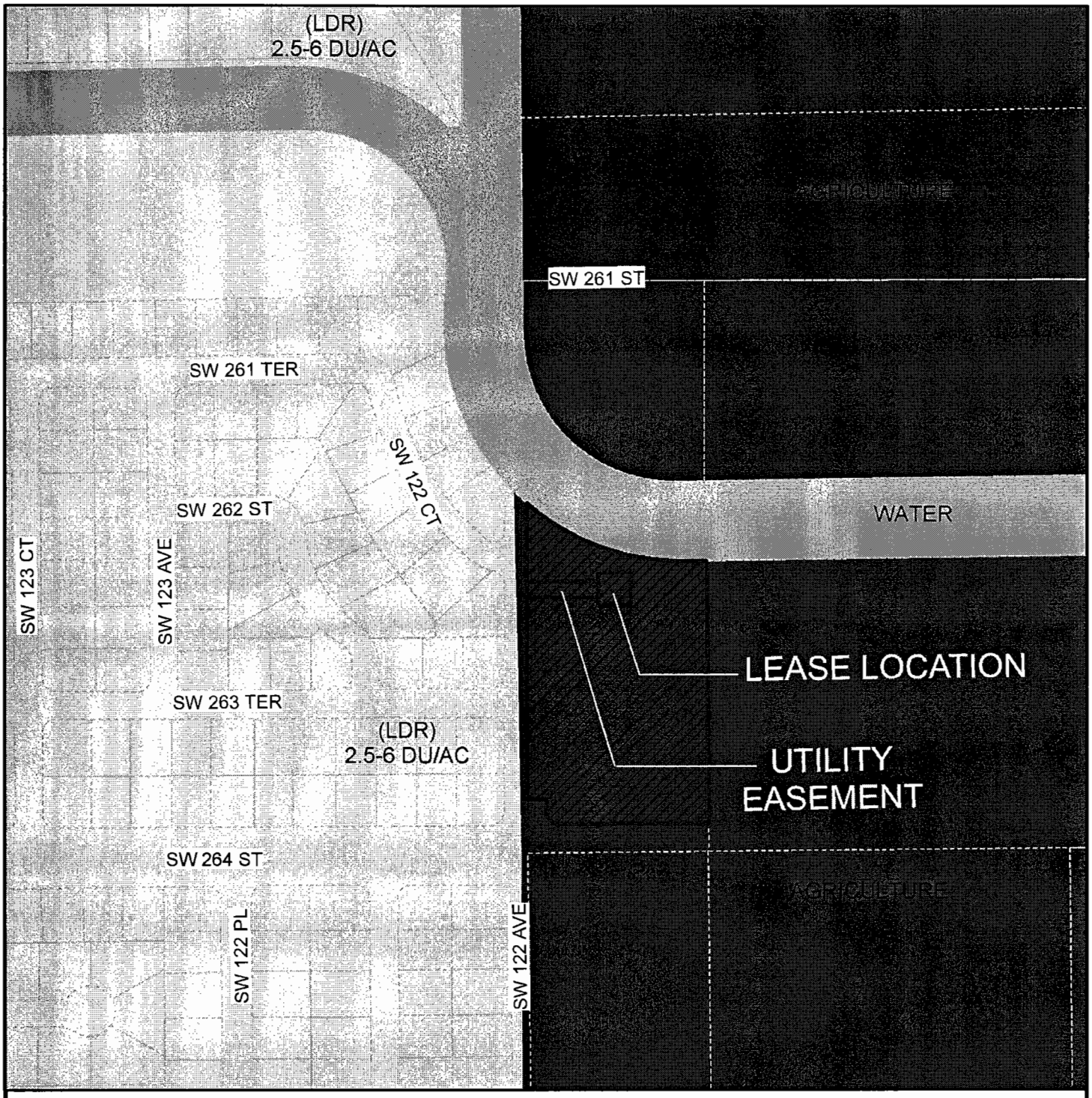
N
W E
S

Section: 25 Township: 56 Range: 39
Applicant: FLORIDA TOWER PARTNERS, LLC
Zoning Board: C15
Commission District: 8
Drafter ID: ALFREDO FERNANDEZ-CUETO
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 27, 2011

REVISION	DATE	BY
		45



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2011000013

Legend

N
W E
S

Subject Property Case

Section: 25 Township: 56 Range: 39
Applicant: FLORIDA TOWER PARTNERS, LLC
Zoning Board: C15
Commission District: 8
Drafter ID: ALFREDO FERNANDEZ-CUETO
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 27, 2011

REVISION	DATE	BY