

FINAL AGENDA

1-27-2012 Version # 2



COMMUNITY ZONING APPEALS BOARD 15
SOUTH DADE GOVERNMENT CENTER-ROOM 203 (OLD BUILDING)
10710 SW 211 Street, Miami
Wednesday, February 22, 2012 at 7:00 p.m.

PREVIOUSLY DEFERRED

A. 11-11-CZ15-1 BASE DEVELOPMENT CORP 11-58 12-57-39

CURRENT

1. 12-2-CZ15-1 CHURCH OF CHRIST WRITTEN IN HEAVEN 11-84 13-56-39 N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 15

MEETING OF WEDNESDAY, FEBRUARY 22, 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

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Modular Unit and Bathroom Addition" as prepared by Charles Mitchell, P.E. and dated stamped received 7/19/11, consisting of four (4) sheets."

The purpose of the request #2 is to allow the applicant to submit new plans showing the addition of proposed modular building and bathroom addition to the site.

- (3) NON-USE VARIANCE to permit the existing religious facility setback 19'-8" (25' required) from the front (north) property line.
- (4) NON-USE VARIANCE to permit the proposed modular building to setback 25' from the rear (south) property line and setback 32'-9' from the interior side (west) property line (50' required) for both and spaced less than 75' from residences under different ownership to the south & west.
- (5) NON-USE-VARIANCE to permit proposed parking spaces within 25' of the official right-of-way and within 25' of property under different ownership to the rear (south) property line.
- (6) NON-USE VARIANCE to permit a 6' wide parking lot buffer (7' required) along the front (north) property line.
- (7) NON-USE VARIANCE to waive the required 5' wide dissimilar land use buffer including 6' high wall fence or hedge and trees along the rear (south) property line.

The aforementioned plans are on file and may be examined in the Sustainability, Planning and Economic Enhancement Department. Plans may be modified at public hearing.

LOCATION: 11760 SW 220 STREET, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 29,873 Sq. Ft.

Department of Permitting, Environment and Regulatory Affairs

Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

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

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 Permitting, Environment and Regulatory Affairs (PERA) within 14 days after PERA 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. (PERA's posting will be made on a bulletin board located in the office of PERA.) 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 Permitting, Environment and Regulatory Affairs Department
Staff Report to Community Council No. 15**

PH: Z11-058 (11-11-CZ15-1)

February 22, 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 January 25, 2012 meeting of Community Zoning Appeals Board (CZAB) #15), due to a tie vote. Previously, the item was deferred from the December 14, 2011 meeting of this Board due to a lack of quorum and prior to this from the November 22, 2011 meeting 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 of Permitting, Environment and Regulatory Affairs or its successor Department 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.

| <u>NEIGHBORHOOD CHARACTERISTICS</u> | | |
|--------------------------------------------|--------------------------------|-------------------------------------------|
| | 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 indicate 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 was 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's 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 Environmental Division of the Permitting Environment and Regulatory Affairs Department. 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 Environmental Division of the Permitting Environment and Regulatory Affairs Department's 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 Sustainability,
Planning and Economic Enhancement Department
Permitting, Environment and Regulatory Affairs Department

*NON
GMR*

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 | |
|----------------------------------------------------|----------------------|
| <i>Environmental Division (PERA)</i> | <i>No objection*</i> |
| <i>Public Works and Solid Waste</i> | <i>No objection</i> |
| <i>Parks, recreation and Open Space</i> | <i>No objection</i> |
| <i>MDT</i> | <i>No objection</i> |
| <i>Fire Rescue</i> | <i>No objection</i> |
| <i>Police</i> | <i>No objection</i> |
| <i>Homestead Air Reserve Base (HARB)</i> | <i>No objection*</i> |
| <i>Schools</i> | <i>No objection</i> |
| <i>*Subject to conditions in their memorandum.</i> | |

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

| | |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agriculture <i>(Page I-58)</i> | <p><i>The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved in 2003 by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture 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.</i></p> <p><i>In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Residential development that occurs in this area is allowed at a density of no more than one unit per five acres. Creation of new parcels smaller than five acres for residential use may be approved in the Agriculture area only if the immediate area surrounding the subject parcel on three or more contiguous sides is predominately and lawfully parcelized in a similar manner, and if a division of the subject parcel would not precipitate additional land division in the area. No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, packing houses for produce grown in Florida are not restricted to locating on an arterial roadway. Other uses compatible with agriculture and with the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. Existing quarrying and ancillary uses in the Agriculture area may continue operation and be considered for approval of expansion.</i></p> |
| Other Land Uses Not Addressed <i>(Page I-73)</i> | <p><i>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</i></p> |

ZONING RECOMMENDATION ADDENDUM

Base Development Corp.
PH: Z11-058

| | |
|----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <i>provision does not authorize such uses in Environmental Protection Areas designated in this Element.</i> |
| Land Use Policy LU-4A (Page I-11) | <i>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.</i> |
| Transportation Circulation Subelement - Objective TC-2 (Page II-13) | <i>Rights-of-way and corridors needed for existing and future transportation facilities will be designated and reserved.</i> |
| Transportation Circulation Subelement – Policy TC-2C (Page II-13) | <i>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.</i> |

PERTINENT ZONING REQUIREMENTS/STANDARDS

| | |
|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 33-311(A)(3) Special Exception, Unusual and New Uses. | <i>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.</i> |
| Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. | <i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i> |

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

A

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

REPRESENTATIVE: Steven Hurst

| HEARING NUMBER | HEARING DATE | RESOLUTION NUMBER |
|-----------------------|------------------|-------------------|
| 11-11-CZ15-1 (11-058) | January 25, 2012 | CZAB15 12 |

REC: Denial without prejudice.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: February 22, 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 tied vote.

| TITLE | M/S | NAME | YES | NO | ABSENT |
|---------------|-----|------------------|-----|----|--------|
| COUNCIL WOMAN | M | Patricia FORBES | X | | |
| VICE CHAIRMAN | | Paul J. MORROW | | | X |
| COUNCIL WOMAN | S | Diane RICHARDSON | X | | |
| COUNCIL WOMAN | | Gale L. WIMBLEY | | X | |
| CHAIR WOMAN | | Marjorie MURILLO | | X | |
| VOTE: | | | 2 | 2 | |

TIED VOTE

EXHIBITS: YES NO

COUNTY ATTORNEY: THOMAS ROBERTON

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.

| | | |
|----------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> WITHDRAW: | <input type="checkbox"/> APPLICATION | <input type="checkbox"/> ITEM(S): _____ |
| <input checked="" type="checkbox"/> DEFER: | <input type="checkbox"/> INDEFINITELY | <input checked="" type="checkbox"/> TO: <u>January 25, 2012</u> <input type="checkbox"/> W/LEAVE TO AMEND |
| <input type="checkbox"/> DENY: | <input type="checkbox"/> WITH PREJUDICE | <input type="checkbox"/> WITHOUT PREJUDICE |
| <input type="checkbox"/> ACCEPT PROFFERED COVENANT | <input type="checkbox"/> ACCEPT REVISED PLANS | |
| <input type="checkbox"/> APPROVE: | <input type="checkbox"/> PER REQUEST | <input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C. |
| | <input type="checkbox"/> WITH CONDITIONS | |
| <input checked="" type="checkbox"/> 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

A. BASE DEVELOPMENT CORP
(Applicant)

11-11-CZ15-1 (11-058)
Area 15/District 09
Hearing Date: 2/22/12

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:

| <u>Year</u> | <u>Applicant</u> | <u>Request</u> | <u>Board</u> | <u>Decision</u> |
|-------------|------------------|----------------|--------------|-----------------|
|-------------|------------------|----------------|--------------|-----------------|

No History

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

Memorandum

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.

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

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:

| | | | |
|---------------------------|----------------|--------------------------------------|-------------|
| <u>N/A</u> residential | dwelling units | <u>N/A</u> industrial | square feet |
| <u>N/A</u> Office | square feet | <u>N/A</u> institutional | square feet |
| <u>N/A</u> Retail | square feet | <u>N/A</u> nursing home/hospitals | square feet |

Based on this development information, estimated service impact is: 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



Date: October 11, 2011

To: Marc LaFerrier, Director
Department of Planning and Zoning

From: Maria I. Nardi, Chief *M.I.N.*
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 an 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 #: Z2011000058
Applicant's Name: 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 # Z2011000058
Applicant's Name 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.

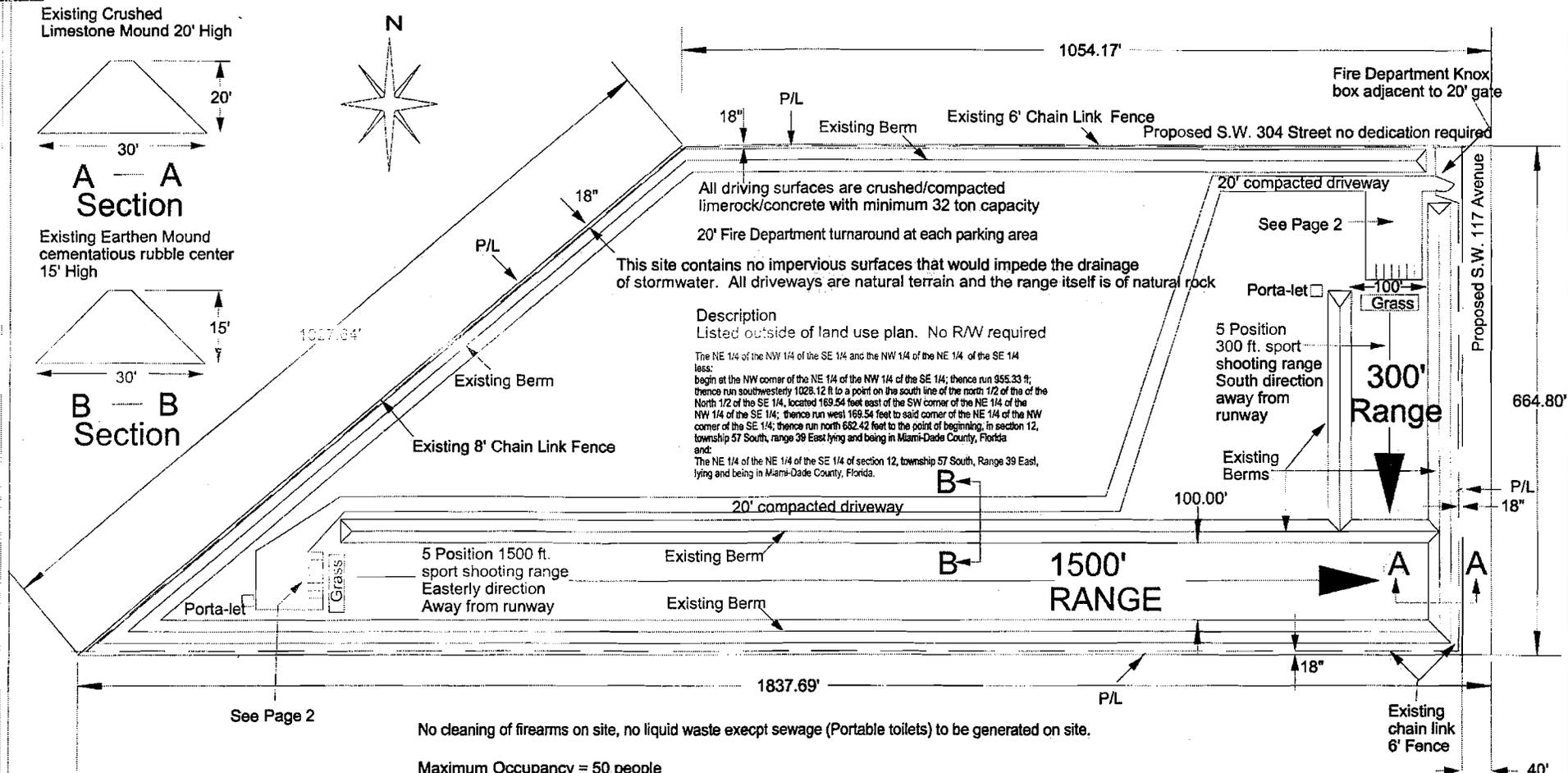
NEIGHBORHOOD CHARACTERISTICS:

AGRICULTURAL USE & TREE FARMS

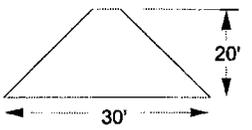
COMMENTS:

22

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MIAMI-DADE COUNTY
PLANNING & ZONING
DEPT. 200 26 2011

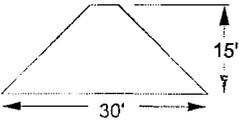


Existing Crushed Limestone Mound 20' High



A — A Section

Existing Earthen Mound cementitious rubble center 15' High



B — B Section

All driving surfaces are crushed/compacted limerock/concrete with minimum 32 ton capacity
20' Fire Department turnaround at each parking area

This site contains no impervious surfaces that would impede the drainage of stormwater. All driveways are natural terrain and the range itself is of natural rock

Description
Listed outside of land use plan. No R/W required

The NE 1/4 of the NW 1/4 of the SE 1/4 and the NW 1/4 of the NE 1/4 of the SE 1/4 less:
begin at the NW corner of the NE 1/4 of the NW 1/4 of the SE 1/4; then run 955.33 ft; then run southwesterly 1028.12 ft to a point on the south line of the north 1/2 of the North 1/2 of the SE 1/4, located 169.54 feet east of the SW corner of the NE 1/4 of the NW 1/4 of the SE 1/4; then run west 169.54 feet to said corner of the NE 1/4 of the NW 1/4 of the SE 1/4; then run north 682.42 feet to the point of beginning; in section 12, township 57 South, range 39 East lying and being in Miami-Dade County, Florida and:
The NE 1/4 of the NE 1/4 of the SE 1/4 of section 12, township 57 South, Range 39 East, lying and being in Miami-Dade County, Florida.

5 Position 1500 ft. sport shooting range
Easterly direction
Away from runway

5 Position 300 ft. sport shooting range
South direction
away from runway

No cleaning of firearms on site, no liquid waste except 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 variances:

- 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 & governmental agencies have requested use of the facility for training at all times

Scale 100'

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2-11-05B
AUG 26 2011

| | | |
|--------------------------------------------------------------------------|----------------------------|------------------------------------------------------------------------------------|
| 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 |
|--------------------------------------------------------------------------|----------------------------|------------------------------------------------------------------------------------|

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

RECEIVED
AUG 23 2011
MIAMI-DADE COUNTY PLANNING & ZONING DEPT.

LAND USE LEGEND

| | | |
|------------------------|---------------|-------------|
| Zoning District | AU | 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 |
| Fence east side | 6 foot chain link |
| Fence south side | 6 foot chain link |
| Fence west side | 8 foot chain link |

LANDSCAPE LEGEND

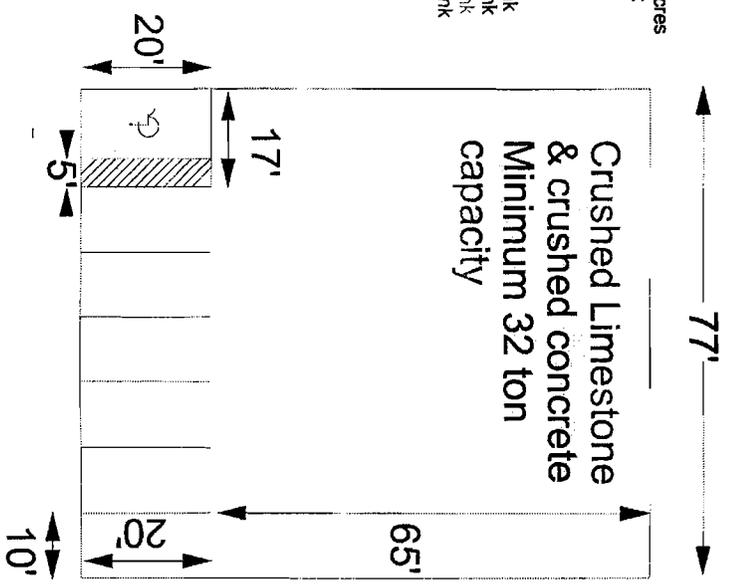
| | | |
|-----------------------|----------|----------|
| Lot Trees | required | provided |
| 9 per acre x 23 acres | 207 | 0 |

Street Trees
 117 ave.
 664 ft/35ft = 19 0

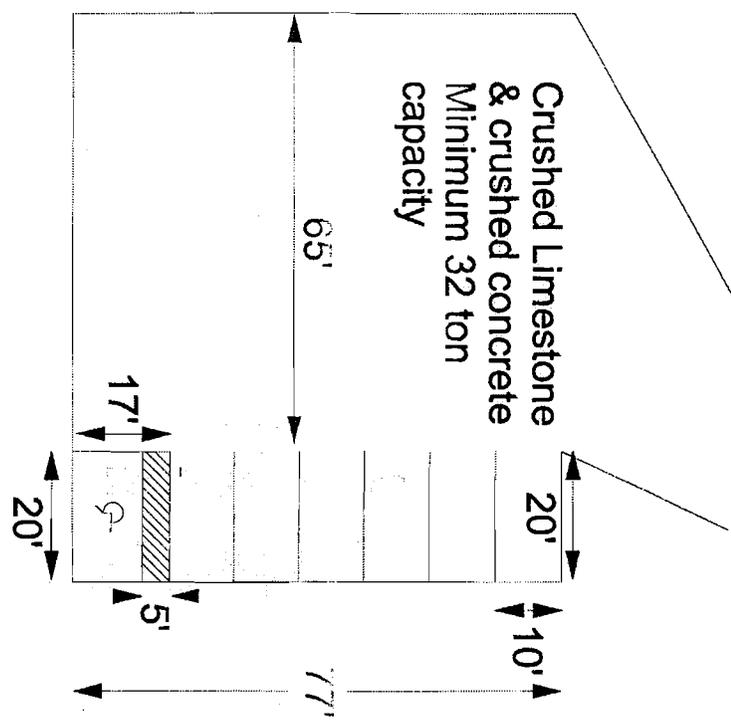
PARKING LEGEND

| | | |
|-----------------------------|----------|----------|
| Recreational | required | provided |
| 4 per every 12 of occupancy | 13 | 14 |
| handicapped | 1 | 2 |

Parking @ 300 yard Range



Parking @ 500 yard Range

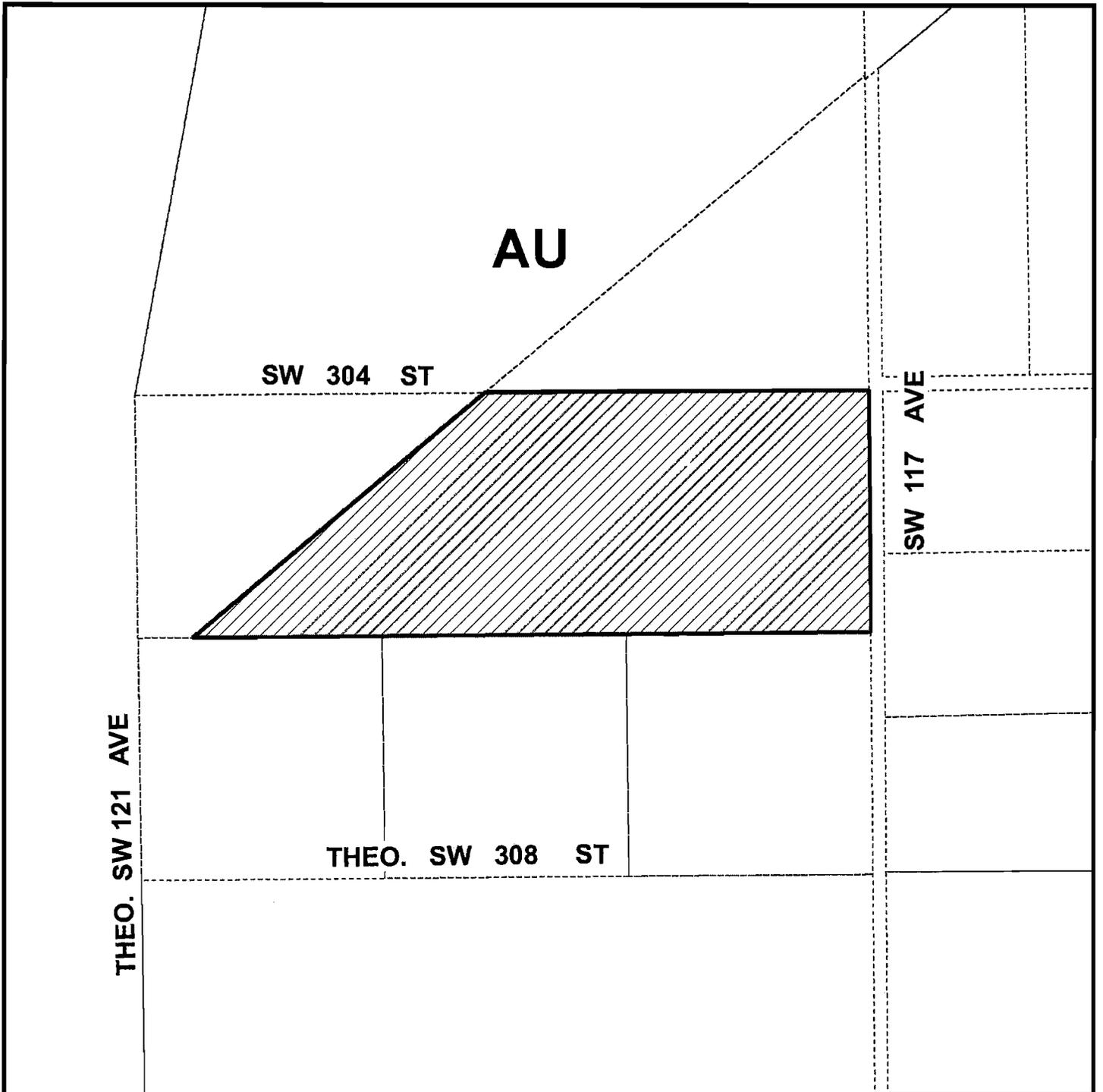


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 21-058
 AUG 26 2011

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 33092 (305) 258-8101 |
|--------------------------------------------------------------------------|----------------------------|-----------------------------------------------------------------------------------|

RECEIVED



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

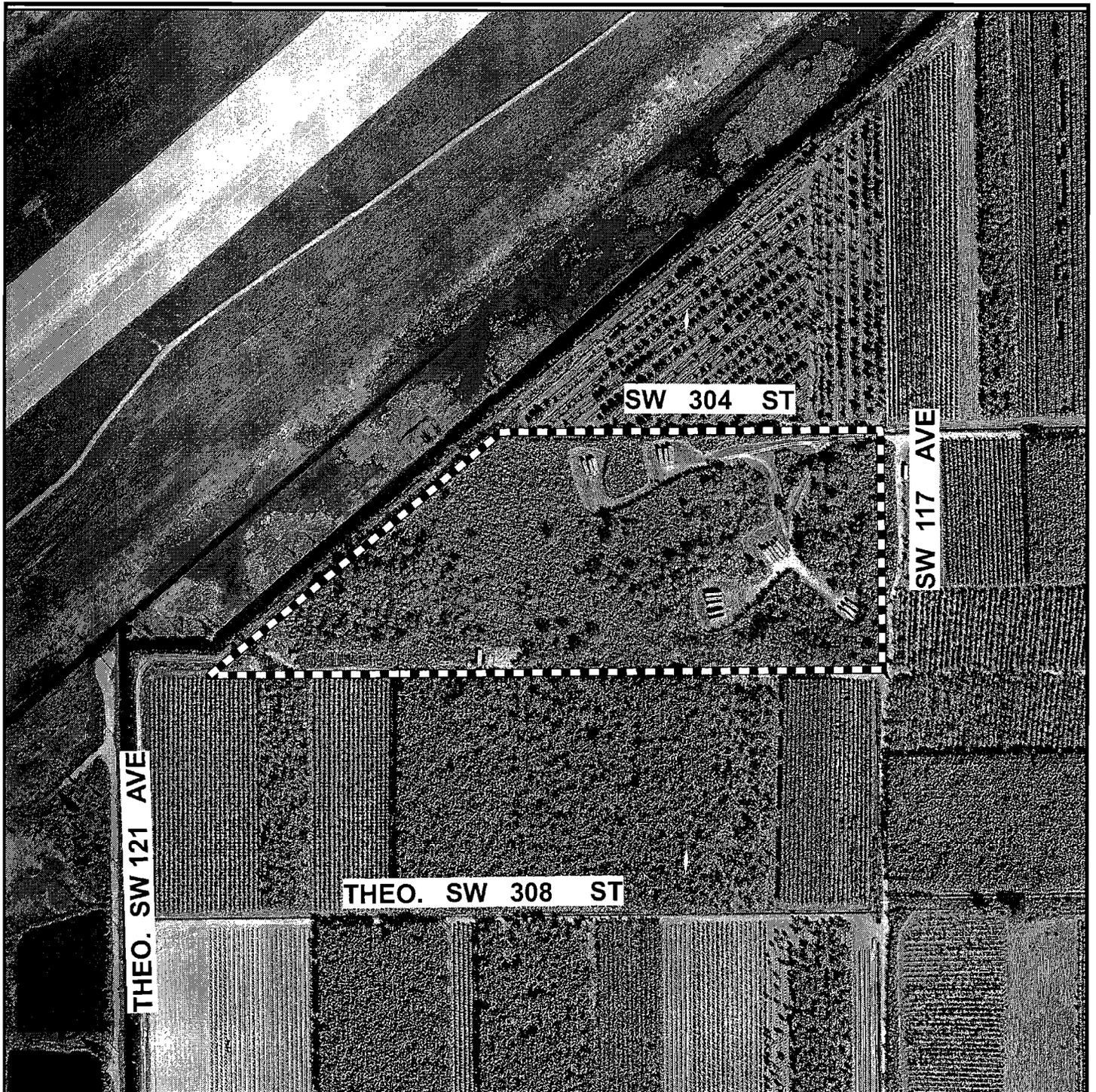
Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, May 17, 2011

| REVISION | DATE | BY |
|----------|------|----|
| | | 24 |



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



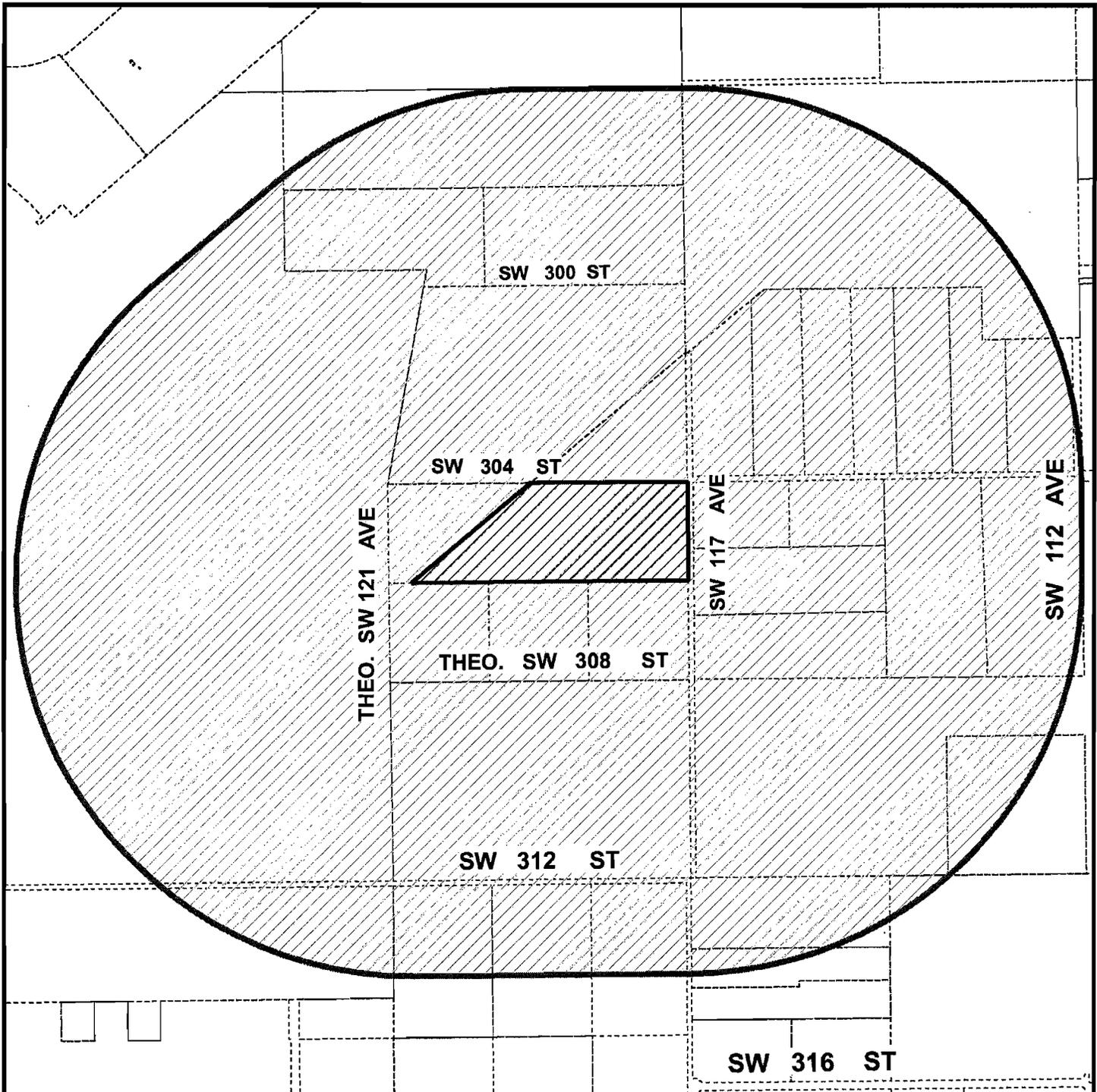
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 Subject Property



SKETCH CREATED ON: Tuesday, May 17, 2011

| REVISION | DATE | BY |
|----------|------|----|
| | | 25 |



MIAMI-DADE COUNTY
RADIUS MAP

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

RADIUS: 500



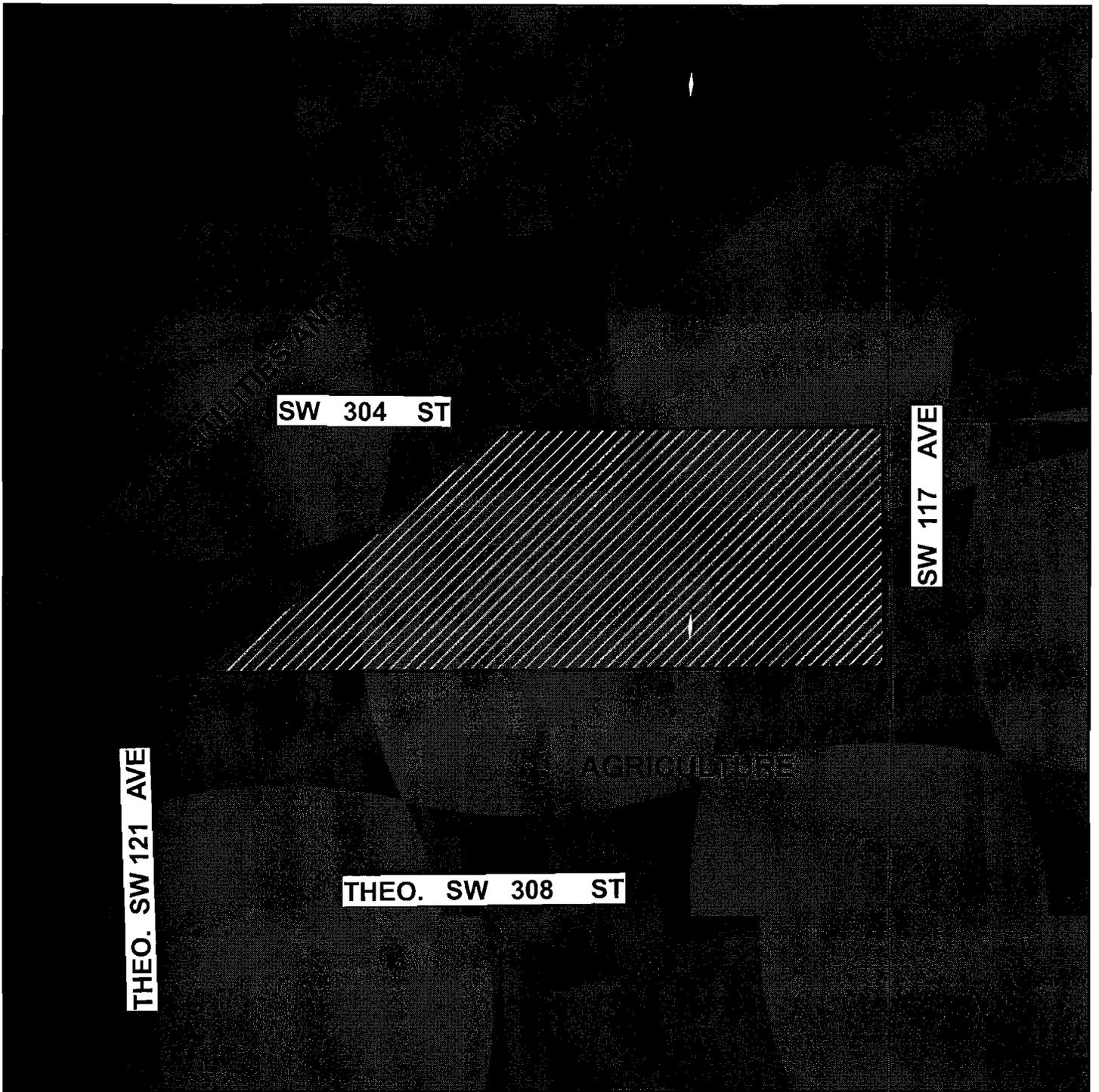
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Tuesday, May 17, 2011

| REVISION | DATE | BY |
|----------|------|----|
| | | 26 |



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



Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, May 17, 2011

| REVISION | DATE | BY |
|----------|------|----|
| | | |

**Miami-Dade County Permitting, Environment and Regulatory Affairs Department
Staff Report to Community Council No. 15**

PH: Z11-084 (12-2-CZ15-1)

February 22, 2012

Item No. 1

| Recommendation Summary | |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Commission District | 9 |
| Applicant | Church of Christ Written in Heaven |
| Summary of Requests | The applicant is seeking approval to expand the existing religious facility use onto additional property; to allow said facility with reduced setbacks from the property lines; and to allow parking within 25' of the right-of-way lines. The applicant also seeks to modify a condition of a prior resolution in order to submit revised plans that demonstrate the proposed expansion. Additionally, the applicant seeks to waive the requirement for a dissimilar land use buffer along the rear property line. |
| Location | 11760 SW 220 Street, Miami-Dade County, Florida. |
| Property Size | 29,873 sq. ft. |
| Existing Zoning | RU-1 |
| Existing Land Use | Church |
| 2015-2025 CDMP Land Use Designation | Low Density Residential, 2.5 - 6 du/a (see attached Zoning Recommendation Addendum) |
| Comprehensive Plan Consistency | Consistent with the LUP map, interpretative text and policies of the CDMP |
| Applicable Zoning Code Section(s) | Section 33-311(A)(7) Generalized Modification Standards, Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses, Section 33-311(A)(4)(b), Non-Use Variance standards (see attached Zoning Recommendation Addendum) |
| Recommendation | Approval with conditions. |

REQUESTS:

- (1) SPECIAL EXCEPTION to permit the expansion of the existing religious facility onto adjacent property to the west and east.
- (2) MODIFICATION of Condition #2 of Resolution 4-ZAB-446-79, passed and adopted on the 14th day of November 1979, reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Addition" as prepared by Thomas J. Kelly, Regular Engineer and dated received 7/27/78."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Modular Unit and Bathroom Addition" as prepared by Charles Mitchell, P.E. and dated stamped received 7/19/11, consisting of four (4) sheets."

The purpose of request #2 is to allow the applicant to submit new plans showing the addition of a proposed modular building and bathroom addition to the previously approved religious facility.

- (3) NON-USE VARIANCE to permit the existing religious facility setback 19'-8" (25' required) from the front (north) property line.
- (4) NON-USE VARIANCE to permit the proposed modular building to setback 25' from the rear (south) property line and setback 32'-9" from the interior side (west) property line (50' required for both) and spaced less than the required 75' from residences under different ownership to the south and west.
- (5) NON-USE VARIANCE to permit proposed parking spaces within 25' of the official right-of-way and within 25' of property under different ownership to the rear (south) property line
- (6) NON USE VARIANCE to permit a 6' wide parking lot buffer (7' required) along the front (north) property line.
- (7) NON USE VARIANCE to waive the required 5' wide dissimilar land use buffer including a 6' high wall, fence or hedge and trees along the rear (south) property line..

The aforementioned plans are on file and may be examined in the Permitting, Environment and Regulatory Affairs Department or its successor Department. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The plans submitted depict the existing 2,901 sq. ft. religious facility and the proposed 240 sq. ft. additions along with the proposed 846 sq. ft. modular building. The plans also indicate the parking areas on the subject property and two (2) ingress/egress drives from SW 220 Street.

| <u>NEIGHBORHOOD CHARACTERISTICS</u> | | |
|--------------------------------------------|--------------------------------|---------------------------------------------------------------|
| | Zoning and Existing Use | Land Use Designation |
| Subject Property | RU-1; church, | Low Density Residential (2.5 to 6 dua) |
| North | GCUCD; elementary school | Low Density Residential (2.5 to 6 dua) Community Urban Center |
| South | RU-1; single-family residences | Low Density Residential (2.5 to 6 dua) |
| East | RU-1: single-family residence | Low Density Residential (2.5 to 6 dua) |
| West | RU-1; single-family residence | Low Density Residential (2.5 to 6 dua) |

NEIGHBORHOOD COMPATIBILITY:

The submitted plans depict the existing 2,901 sq. ft. church building with the proposed 240 sq. ft. additions and the proposed 846 sq. ft. modular structure on the 0.68 of an acre subject property. The surrounding properties to the east, west and south contain single-family residences which are similar in scale to the existing religious facility and the proposed additions.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to continue to provide the community with religious services. However, the increased encroachments of the public assemblage uses into the setback area could have negative visual and noise impacts on the surrounding residential uses. Additionally, the lack of adequate landscaping and the location of the parking areas in close proximity to the right-of-way could have a negative visual impact on the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Low Density Residential** use. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.*

Additionally, the CDMP Land Use Element Interpretative text under *Residential Communities* also permits *neighborhood and community services such as **houses of worship**, only when **consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood***. The criteria to evaluate compatibility among proximate land uses is outlined in the CDMP Land Use Element, **Policy LU-4A**, among which are *access, traffic, parking, height, bulk scale of architectural elements, buffering, and landscaping as applicable*. Further, CDMP Land Use Element, **Policy LU-4D** states that *uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements*.

Staff notes that the existing church was approved on a portion of this site in July 1960, pursuant to Resolution #B.A-7.60. In 1979, the church use was expanded onto additional land pursuant to Resolution #4-ZAB-446-79. Further, staff notes that the portion of SW 117 Court lying to the east of the subject property was approved for a road closing petition in September 1979 and the church use was expanded onto this property. The applicant now seeks to expand the church use onto property located to the east and west and the approval of variances to the setbacks for the public assemblage use and parking regulations within the RU-1, Single-family Residential zoning district, which result from the expansion of the religious facility use.

Staff opines that the architectural scale of the existing church which has legally existed at this location since 1960, as well as the proposed expansion, is similar in scale to the surrounding residential uses located to the south of SW 220 Street. The variances being requested in this application pertain to the lack of adequate buffering in some areas, and to the setback and

spacing of the existing and proposed public assemblage uses from the property line and from the abutting residences to the south and west. Staff opines that these variances are not more intensive than what currently exists or when the church was previously approved. As such, staff opines that the existing church and the proposed expansion are **compatible** with the area and therefore **consistent** with the CDMP Land Use Element interpretative text for the **Residential Communities**, CDMP Land Use Element **Policy LU-4D** and the CDMP Land Use Plan map designation for the entire subject property.

ZONING ANALYSIS:

When request #1, to expand the existing religious facility onto additional property located to the east and west is reviewed under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses, staff opines that the approval of this request would be **compatible** with the surrounding residential uses located to the east, south and west. Staff opines that based on memoranda from the Environmental Division of the Permitting, Environment and Regulatory Affairs (PERA) Department, Miami-Dade Fire Rescue Department (MDFRD) and the Public Works and Waste Management Department, the approval of the applied for exception would not generate or result in excessive noise or traffic. Further, staff opines that the proposed expansion would not cause undue or excessive burden on public facilities, tend to create a fire or other equally or greater dangerous hazards, when considering the necessity for and reasonableness of such applied for exception in relation to the present and future development of the area concerned. Staff notes that the church has been at this location since July 1960 and that plans submitted for the proposed expansion indicate that the existing church and the proposed modular building are similar in architectural scale to the surrounding residences. **Therefore, staff recommends approval with conditions of request #1, under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses.**

When request #2, to allow the modification of a condition of a prior resolution pertaining to the site plan, is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff opines that approval would be **compatible** with the surrounding area. As previously mentioned, the proposed plans depict the 240 sq. ft. expansion of the existing church building and the proposed 846 sq. ft. modular building onto recently acquired property to the west. Said plans also depict the expansion of the parking areas onto the additional property to the east, which the applicants obtained as a result of a Road Closing petition in 1979. The existing church and the proposed additions do not exceed the maximum lot coverage allowed by the RU-1 zoning regulations. As such, staff opines that the proposed expansion does not result in an over intensive development of the subject property. Further, staff opines that the proposed development is similar in scale to the surrounding residential developments and compatible with same. Additionally, as previously mentioned, staff opines that approval of this application would not generate excessive noise or traffic, create other hazards to the surrounding area or be incompatible with same, when considering the necessity for and reasonableness of the modifications in relation to the present and future development of the area concerned. **Therefore, staff recommends approval with conditions of request #2, under the Generalized Modification Standards, Section 33-311(A)(7).**

When requests #3 through #7 are analyzed under the Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval of these requests will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with same. Requests #3 and #4 pertain to the physical setback encroachments of the existing church building, the proposed additions and the proposed modular building as well

as to the setback and spacing of the public assemblage use from the abutting residential property lines and buildings. Staff notes that the religious facility was approved in 1960, pursuant to Resolution #B.A-7.60, to allow the building of public assemblage to setback 5' from the interior side (west) property line, where 50' was required and to setback 23' from an adjacent residential building where 75' was required. The subject property was also approved for similar encroachments of the public assemblage use pursuant to Resolution #5 ZAB-446-79. The applicant now seeks to modify a condition of the aforementioned 1979 resolution in order to submit revised plans showing additions to the existing church building encroaching into the front (north) setback area as well as additional property and a modular building to be used as a classroom for the religious facility (request #2). The submitted plans indicate that the proposed modular building which will be closer than required to the interior side (west) and rear (south) property lines and to the abutting residences. As such, staff opines that the approval of requests #3 and #4 would not set a precedent for the encroachment of buildings for public assemblage in this area. Further, staff opines that the proposed redevelopment of this religious facility to include an expansion of the uses onto additional property is similar in scale and character of the surrounding residential uses.

Staff opines that the aforementioned requests #3 and #4 are germane to the applicant's requests to expand the religious facility (request #1) and to modify the site plan for the existing facility from a prior approval (request #2). As previously noted staff opines that the proposed redevelopment of the site is not overly intensive and would not have a negative visual impact on the surrounding area. Additionally, staff opines that the approval of the requests herein would not create any additional noise impacts on the abutting residential uses than what has existed since the initial approval of the church in 1960.

Similarly, when requests #5 through #7 are similarly analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval of these requests pertaining to parking and the landscaping on the site would not be out of character with the surrounding area and would be **compatible** with same. Further, the applicant has provided adequate buffering along the front (north) property line which staff opines will mitigate any negative visual impact from the parking areas within 25' of the right-of-way. The plans also indicate adequate buffering along the interior sides (east and west) property lines in the form of a continuous hedge and trees. Although the applicant does not have the required buffering along the entire rear (south) property line, staff opines that the more intensive uses are sufficiently spaced from the residences located to the south and as such, approval of this request (request #7, would not have a negative visual effect on said properties. **Therefore, staff recommends approval with conditions of requests #3 through #7 under Section 33-311(A)(4)(b), Non-Use Variance Standards.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate that the subject property has two (2) ingress and egress drives from SW 220 Street and 30 parking spaces which allows the applicant to meet the parking requirements for the religious facility.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That all the conditions of Resolution #4-ZAB-445-79, remain in full force and effect except as herein modified.
2. That the applicant comply with all applicable conditions and requirements of the Department of Public Works and Waste Management.

CD:MW:ES:GR:NN:JC:CH



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

NDW
GMR

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

*If applicable

ZONING RECOMMENDATION ADDENDUM

Church of Christ Written in Heaven
Z11-084

| NEIGHBORHOOD SERVICES PROVIDER COMMENTS | |
|----------------------------------------------------|----------------------|
| <i>Environmental Division (PERA)</i> | <i>No objection*</i> |
| <i>Public Works and Solid Waste</i> | <i>No objection</i> |
| <i>Parks, recreation and Open Space</i> | <i>No objection</i> |
| <i>MDT</i> | <i>No objection</i> |
| <i>Fire Rescue</i> | <i>No objection</i> |
| <i>Police</i> | <i>No objection</i> |
| <i>Schools</i> | <i>No objection</i> |
| <i>*Subject to conditions in their memorandum.</i> | |

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

| | |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Low Density <i>(Pg. I-31)</i> | <i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i> |
| Residential Communities <i>(Pg. I-26)</i> | <i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.</i> |
| Land Use Policy LU-4A <i>(Page I-11)</i> | <i>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.</i> |
| Land use Policy LU-4D <i>Pg. I-11</i> | <i>Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements.</i> |

PERTINENT ZONING REQUIREMENTS/STANDARDS

| | |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 33-311(A)(3) | Special Exception, Unusual and New Uses. <i>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; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or 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.</i> |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

ZONING RECOMMENDATION ADDENDUM

Church of Christ Written in Heaven
Z11-084

| | |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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. |
| Section 33-311(A)(7) Generalized Modification Standards. | The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing. |

1. CHURCH OF CHRIST WRITTEN IN HEAVEN
(Applicant)

12-2-CZ15-1 (11-084)
Area 15/District 09
Hearing Date: 02/22/12

Property Owner (if different from applicant) **Church of Christ Written.**

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

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

| <u>Year</u> | <u>Applicant</u> | <u>Request</u> | <u>Board</u> | <u>Decision</u> |
|--------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------------|
| 1960 | Church of Christ | - Non-Use Variance of setback requirements. | BA | Approved |
| 1979 | Church of Christ | - Special Exception to permit expansion of existing non-conforming church. - Non-Use Variance of setback requirement. | ZAB | Approved with conditions |

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

Memorandum

Date: August 5, 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 #Z2011000084
A Church of Christ Written in Heaven Goulds, FL, Inc.
11760 S.W. 220 Street
Modification of a Previous Resolution to Permit an Addition of a New
Modular Building to the Side and to Permit the Proposed Modular to
Setback from Property Lines
(RU-1) (.6882 Acres)
13-56-39

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 and Wastewater Disposal

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

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

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

Stormwater Management

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

Site grading and development plans shall comply with the requirements 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.

Wetlands

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

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

Tree Preservation

According to the site plan submitted with this zoning application, the proposal to permit an addition and modular unit will not impact tree resources. Therefore, the Tree Program has no objection to this zoning application, 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 the Code.

Enforcement History

DERM has found no open or closed enforcement records 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.

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: CHURCH OF CHRIST WRITTEN IN HEAVEN

This Department has no objections to this application.

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.

Additional improvements may be required at time of platting/permitting.

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



Raul A Pino, P.L.S.

29-SEP-11

Memorandum



Date: 28-JUL-11
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Karls Paul-Noel, Interim Director
 Miami-Dade Fire Rescue Department
Subject: Z2011000084

Fire Prevention Unit:

APPROVAL
No objection to site plan date stamped July 19, 2011.

Service Impact/Demand

Development for the above Z2011000084
located at 11760 SW 220 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2321 is proposed as the following:

| | | | |
|---------------------------|----------------|--------------------------------------|-------------|
| <u>N/A</u> residential | dwelling units | <u>N/A</u> industrial | square feet |
| <u>N/A</u> Office | square feet | <u>1,086</u> institutional | square feet |
| <u>N/A</u> Retail | square feet | <u>N/A</u> nursing home/hospitals | square feet |

Based on this development information, estimated service impact is: 0.72 alarms-annually.
The estimated average travel time is: 6:12 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 34 - Cutler Ridge - 10850 SW 211 Street
Rescue, BLS 50' Sqrt, 100' Platform, Squad

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None.

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped July 19, 2011.

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

Memorandum



Date: August 16, 2011

To: Marc LaFerrier, Director
Department of Planning and Zoning

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

Subject: Z2011000084: CHURCH OF CHRIST WRITTEN IN HEAVEN

Application Name: CHURCH OF CHRIST WRITTEN IN HEAVEN

Project Location: The site is located at 11760 SW 220 ST, Miami-Dade County.

Proposed Development: The applicant is requesting approval of a special exception for the proposed expansion of the existing facility.

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: 02-DEC-11

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

CHURCH OF CHRIST WRITTEN IN
HEAVEN

11760 SW 220 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2011000084

HEARING NUMBER

HISTORY:

DEPARTMENT OF PERMITTING, ENVIRONMENT & REGULATORY AFFAIRS

NEIGHBORHOOD REGULATIONS AND LEGAL SERVICES DIVISION

ENFORCEMENT HISTORY

11-084

ADDRESS: 11760 SW 220 ST

FOLIO: 3069130000120

DATE: 12-2-11

NAME: CHURCH OF CHRIST WRITTEN IN HEAVEN

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 #: Z2011000084
Applicant's Name: CHURCH OF CHRIST WRITTEN IN HEAVEN

Locations: 11760 SW 220 ST, MIAMI-DADE COUNTY, FLORIDA.

Size: 125'x238.99'

Folio #: 3069130000120

Request:

- 1 Modification of a previous Resolution to permit an addition of a new modular building to the side.
- 2 Applicant is requesting to permit the proposed modular building to setback 63'-11" (75' required) from the front (N) property line.

EXISTING ZONING

Subject Property RU-1,

EXISTING USE CHURCH

SITE CHARACTERISTICS

STRUCTURES ON SITE:

CHURCH

USE(S) OF PROPERTY:

CHURCH

FENCES/WALLS:

5' IRON FENCE AROUND THE FRONT OF THE PROPERTY. CHAIN LINK FENCE IN THE REAR, WEST SIDE & EAST SIDE OF THE PROPERTY

LANDSCAPING:

APPROXIMATELY 70 TO 100 SHRUBS. 2 TREES. 3' HEDGES PLANTED AROUND THE FRONT OF THE BUILDING ALONG THE WALL OF THE CHURCH

BUFFERING:

NONE

VIOLATIONS OBSERVED:

NO CU ON FILE FOR THE CHURCH. RESTRIPING & RESEALING PARKING LOT WITHOUT A ZIP. DETACHED SIGN WITH A PROCESS # FROM 1998 C1999010730, NO PERMIT FOR IT.

OTHER:

Process # Z2011000084
Applicant's Name CHURCH OF CHRIST WRITTEN IN HEAVEN

SURROUNDING PROPERTY

ZONING INSPECTION REPORT

NORTH:

MIDDLE & ELEMENTARY PUBLIC SCHOOLS, GOULDS COMMUNITY URBAN CENTER

SOUTH:

RESIDENTIAL PROPERTIES RU1, RU2, BUSINESS DISTRICT LIBERAL & LIMITED. IU, APARTMENTS

EAST:

RESIDENTIAL PROPERTIES RU1, RU2, RU3

WEST:

BU1, IU1, RU1 PROPERTIES

SURROUNDING AREA

PUBLIC MIDDLE & ELEMENTARY SCHOOLS, RESIDENTIAL PROPERTIES INCLUDING RU1, RU2 AND RU3. LIGHT INDUSTRIAL TOWARD THE US1 AREA. GCUC STARTS ON THE NORTH SIDE OF SW 220 ST

NEIGHBORHOOD CHARACTERISTICS:

LIGHT INDUSTRIAL, PUBLIC SCHOOLS, APARTMENT COMPLEXES, RESIDENTIAL PROPERTIES, CHURCHES & BUSINESS DISTRICTS, RESTAURANTS.

COMMENTS:

DISCLOSURE OF INTEREST*

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

CORPORATION NAME CHURCH OF CHRIST WRITTEN IN HEAVEN GOWDS FL., INC.

| <u>NAME AND ADDRESS</u> | <u>Percentage of Stock</u> |
|--------------------------------|----------------------------|
| <u>CLARA Millner-James</u> | <u>100%</u> |
| <u>11760 S.W. 220th Street</u> | |
| <u>Gowlds, FL. 33170</u> | |
| _____ | _____ |
| _____ | _____ |

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

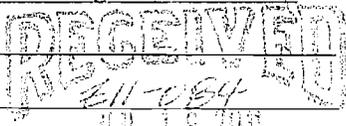
TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

| <u>NAME AND ADDRESS</u> | <u>Percentage of Ownership</u> |
|-------------------------|--------------------------------|
| _____ | |
| _____ | |
| _____ | |
| _____ | |


 RECEIVED
 211-084
 JUL 19 2011
 ZONING HEARING OFFICER
 MIAMI-DADE PLANNING AND ZONING DEPT.
 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 other similar

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

NAME OF PURCHASER: _____

| NAME, ADDRESS AND OFFICE (if applicable) | Percentage of Interest |
|------------------------------------------|------------------------|
| CLARA MITTNER-JAMES | 100% |
| 1760 S.W. 220th Street | |
| Goulds, FL 33170 | |

Date of contract: _____

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

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

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

Signature: CLARA MITTNER-JAMES
(Applicant)

Sworn to and subscribed before me this 31st day of May, 2011. Affiant is personally known to me or was produced _____ as identification.

Judith E. Adams
(Notary Public)

My commission expires: 2/15/13

NOTARY PUBLIC-STATE OF FLORIDA
 Judith E. Adams
 Commission # DD861546
 Expires: FEB. 15, 2013
 BONDED THRU ATLANTIC BONDING CO., INC.
 Seal

RECEIVED
 211-084
 JUL 19 2011
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT
 BY _____

*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.

DISCLOSURE OF INTEREST

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

CORPORATION NAME CHURCH OF CHRIST WRITTEN IN HEAVEN, INC.

NAME AND ADDRESS

Percentage of Stock

x

Bishop Willie Jones
500 E. State St.
Trenton, New Jersey 08609

100%

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

TRUST/ESTATE NAME _____

NAME AND ADDRESS

Percentage of Interest

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME _____

NAME AND ADDRESS

Percentage of Ownership

RECEIVED
2-11-04
JUL 19 2011

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

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 other similar

entities, further disclosure shall be made to identify natural persons having the 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 any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

X Signature: Bishop Willie Jones
(Applicant)

Sworn to and subscribed before me this 29th day of May, 2011. Affiant is personally known to me or has produced _____ as identification.

Juan [Signature]
(Notary Public)

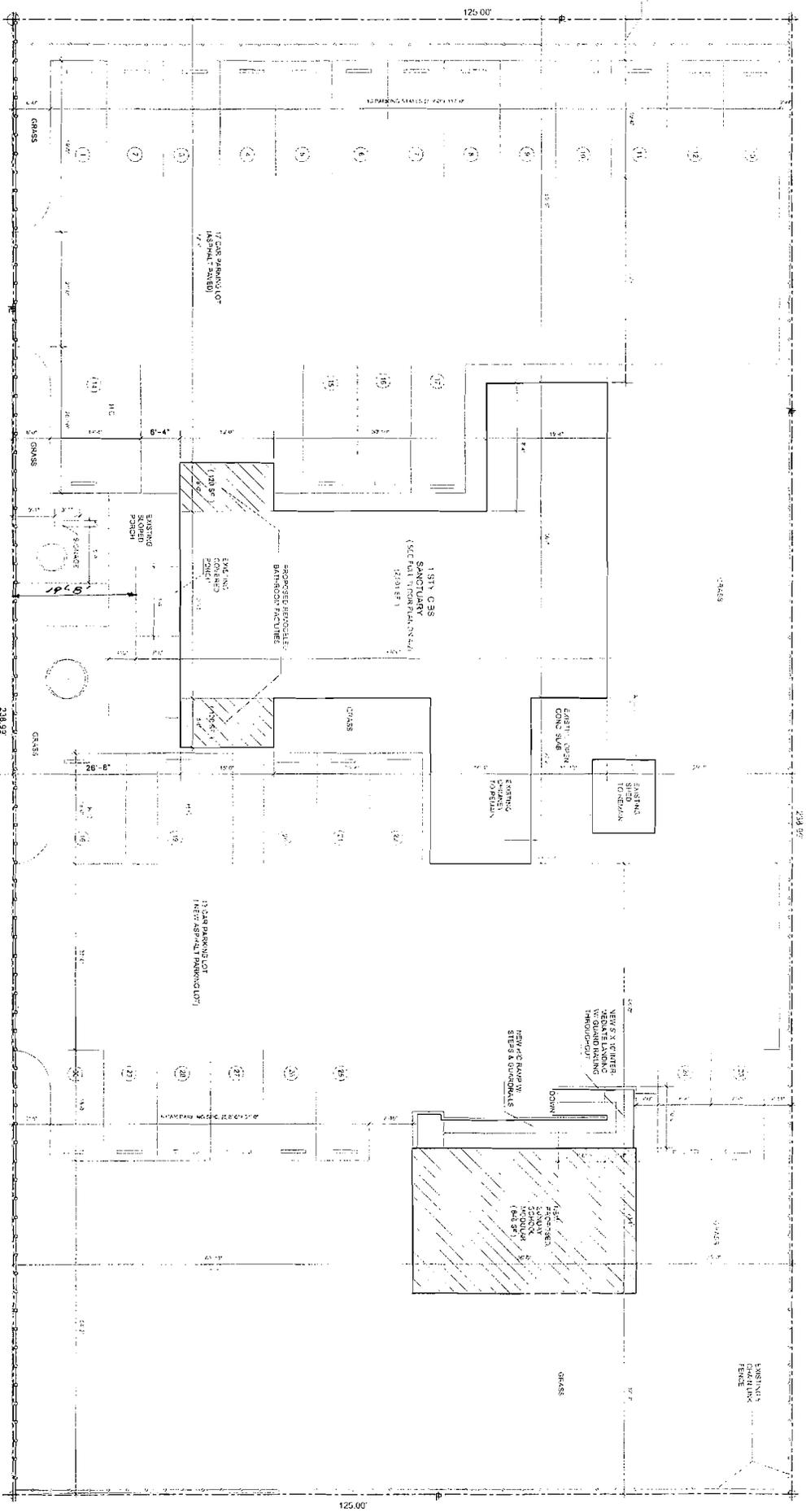
NOTARY PUBLIC STATE OF FLORIDA
Judith E. Adams
Commission # DD861546
Expires: FEB. 15, 2013
BONDED THRU ATLANTIC BONDING CO., INC.

RECEIVED
211-084
JUL 15 2011
ZONING NEARNESS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: _____

My commission expires: 2/15/13

Seal

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



RECEIVED
 JUL 19 2011
 21-004

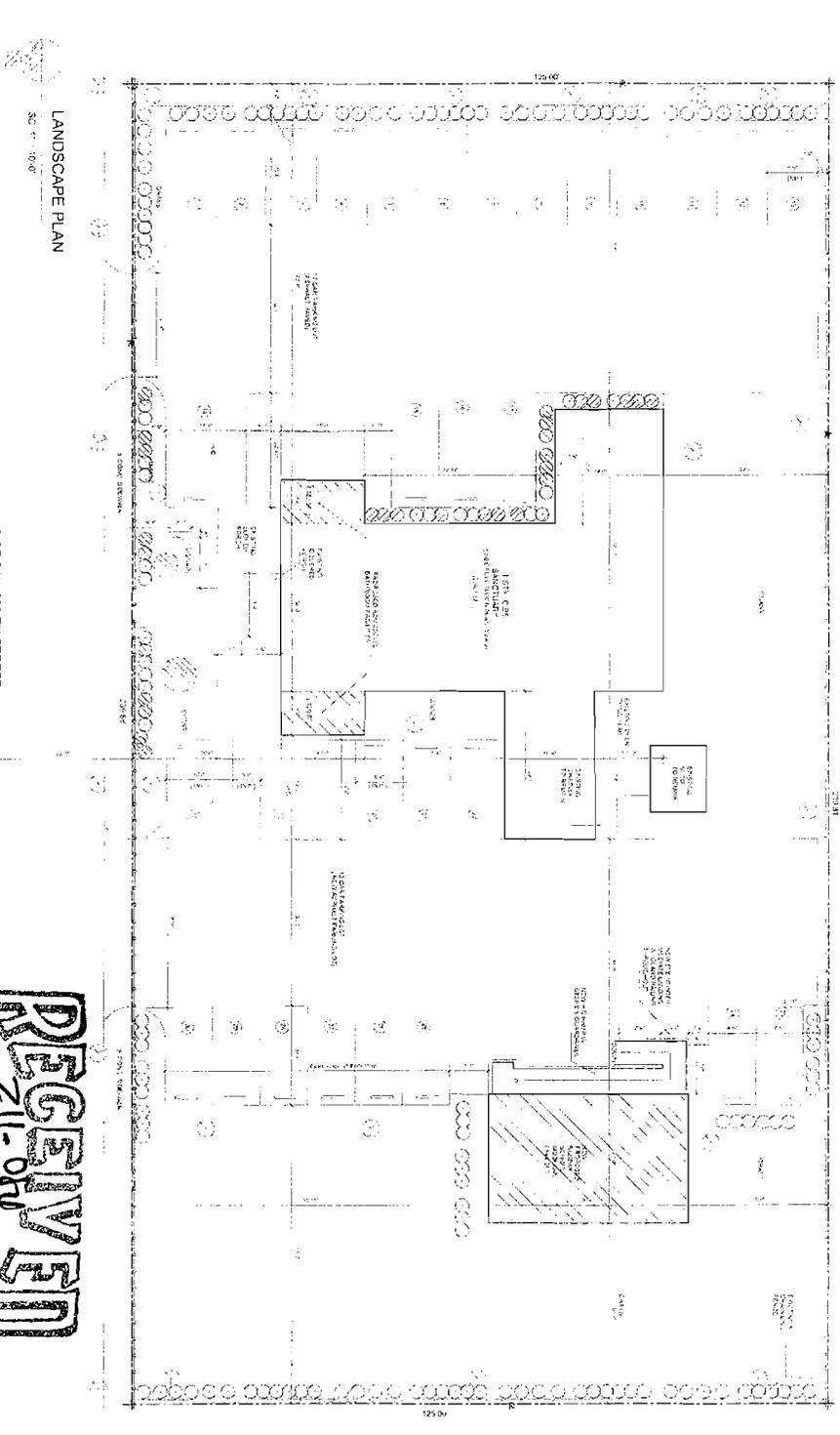
ENLARGED SITE PLAN

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY for D.H.

| ITEM | QUANTITY | UNIT | PRICE | TOTAL |
|--------------------|----------|-----------|---------|----------|
| GRASS | 100 | SQ YD | 1.50 | 150.00 |
| IRRIGATION | 100 | LINEAL FT | 1.00 | 100.00 |
| PAVING | 100 | SQ YD | 2.00 | 200.00 |
| LANDSCAPE PLANTING | 100 | PLANT | 1.00 | 100.00 |
| CONCRETE | 100 | CY | 100.00 | 10000.00 |
| STEEL | 100 | LB | 0.50 | 50.00 |
| WOOD | 100 | CU YD | 100.00 | 10000.00 |
| GLASS | 100 | SQ FT | 1.00 | 100.00 |
| MECHANICAL | 100 | HR | 100.00 | 10000.00 |
| ELECTRICAL | 100 | HR | 100.00 | 10000.00 |
| PLUMBING | 100 | HR | 100.00 | 10000.00 |
| PAINT | 100 | GA | 1.00 | 100.00 |
| LABOR | 100 | HR | 100.00 | 10000.00 |
| PERMITS | 1 | SET | 1000.00 | 1000.00 |
| DESIGN | 1 | SET | 1000.00 | 1000.00 |
| TOTAL | | | | 4107.00 |



| SQUARE FOOTAGE | |
|------------------------------------|------------------------|
| EXISTING SANCTUARY | 2,901 SF |
| PROPOSED ADDITIONS | 240 SF |
| EXISTING SHED | 120 SF |
| PROPOSED CLASS. ROOM (SUNDAY SCH.) | 846 SF |
| TOTAL | 4,107 SF (AREA) |



RECEIVED
 JUL 19 2011
 211-014

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY *for DH.*

DATE: 05-10-11
 DRAWN BY: H. WRIGHT
 SHEET NO: LS-1

PROPOSED: MODULAR UNIT AND BATH ROOM ADDITION
CHURCH OF CHRIST WRITTEN IN HEAVEN
 11760 SW. 220 TH ST., MIA., FL. 33170
CHARLES MITCHELL, P.E.
 924 NORTH FEDERAL HWY., PH. (305)336-5069; HOLLYWOOD, FLORIDA 33020

27

NO. DATE
REVISED

FOR INFORMATION ONLY
NOT FOR CONSTRUCTION
NOT FOR PERMIT
FOR PERMIT
DATE

CLASSROOM

CHOIR AREA

core elev
stair

stairway

PASTOR
STUDY

CLOS

TO LEFT
BY

FELLOWSHIP HALL

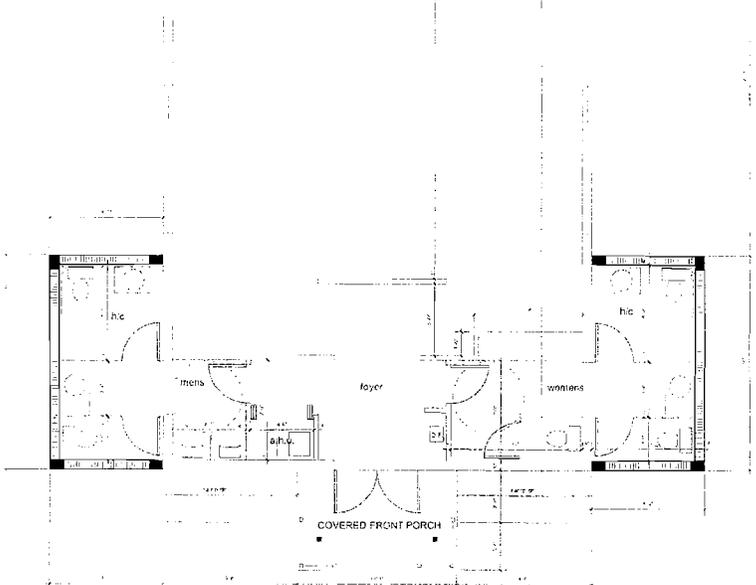
SANCTUARY

SQUARE FOOTAGE

EXISTING SANCTUARY 2,901 SF
 PROPOSED ADDITIONS 240 SF
 EXISTING SHED 120 SF

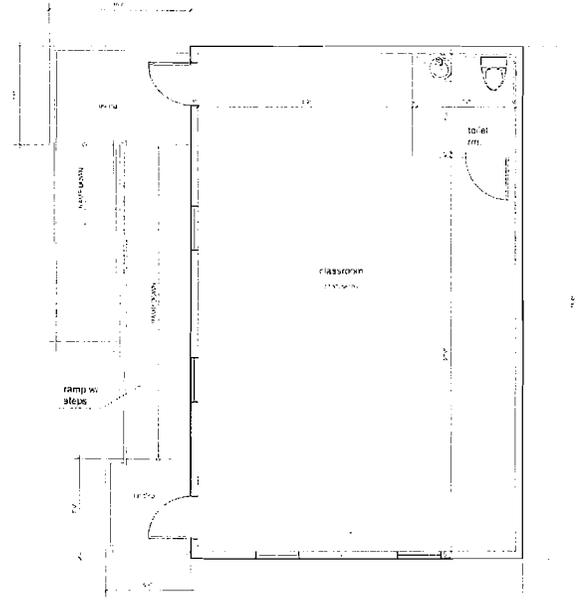
PROPOSED CLASS-
ROOM (SUNDAY SCH.) 846 SF

TOTAL 4,107 SF (AREA)



FLOOR PLAN (SANCTUARY)

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



FLOOR PLAN (MODULAR UNIT)

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

RECEIVED
 2 11 04 PM
 JUL 19 2011

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY for D.H.

PROPOSED: MODULAR UNIT AND BATH ROOM ADDITION
 CHURCH OF CHRIST WRITTEN IN HEAVEN
 11760 SW 220 TH ST., MIA., FL. 33170

CHARLES MITCHELL, P.E.

924 NORTH FEDERAL HWY., PH. (305)336-5069; HOLLYWOOD, FLORIDA 33020

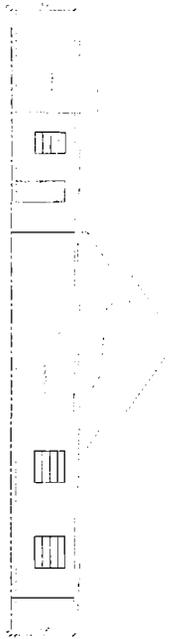
FLOOR PLAN
 AND SPECS

NOTED

DRAWN BY
 M. WRIGHT

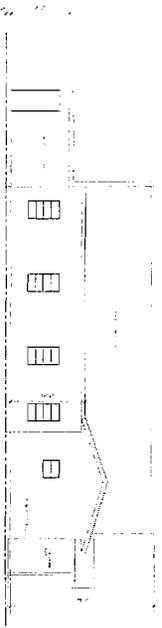
DATE
 05/18/11

Sheet Number
 A-2



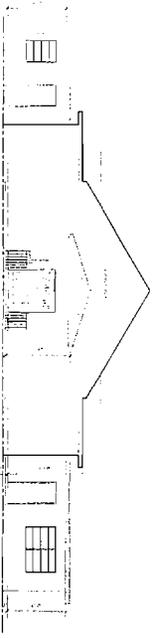
SOUTH ELEVATION

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



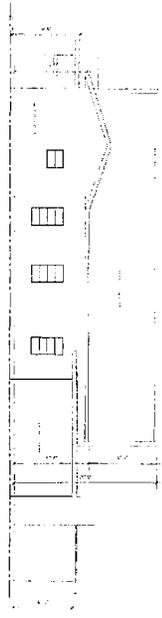
EAST ELEVATION

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



NORTH ELEVATION

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



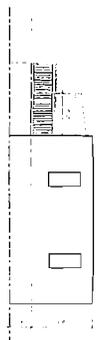
WEST ELEVATION

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



SOUTH ELEVATION

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



NORTH ELEVATION

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



EAST ELEVATION

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



WEST ELEVATION

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

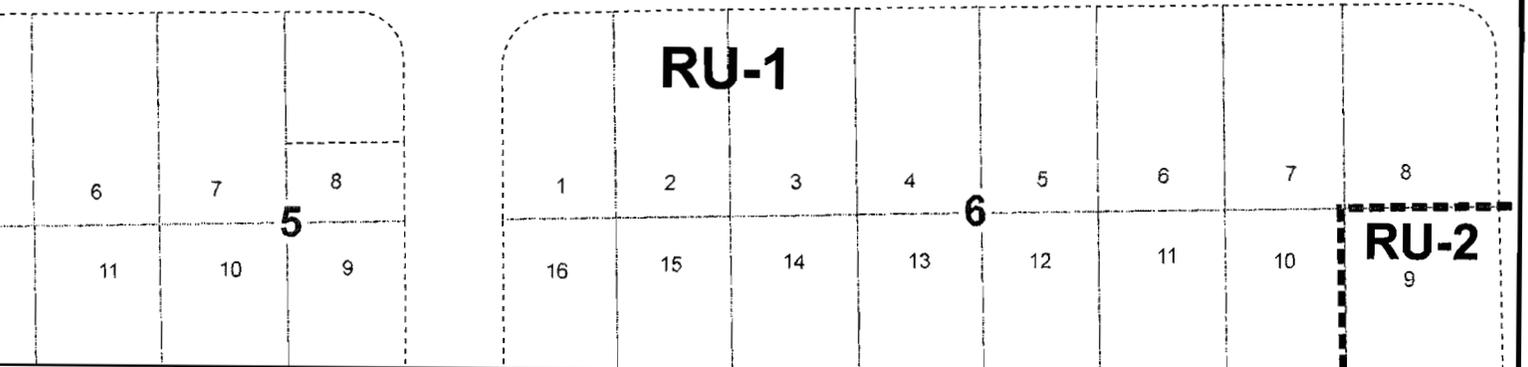
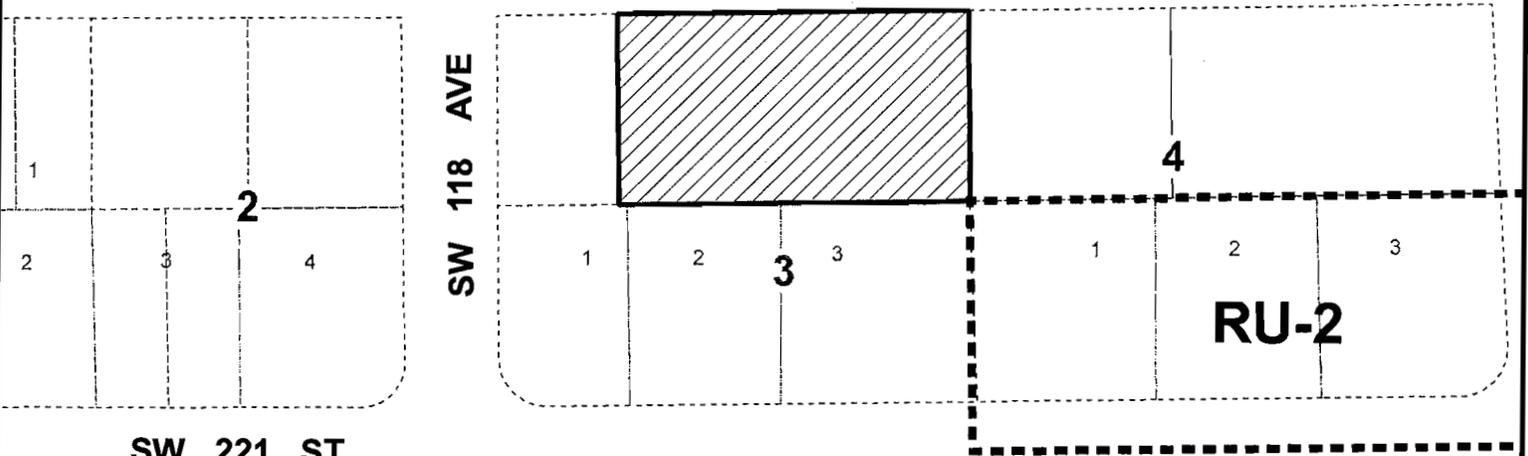
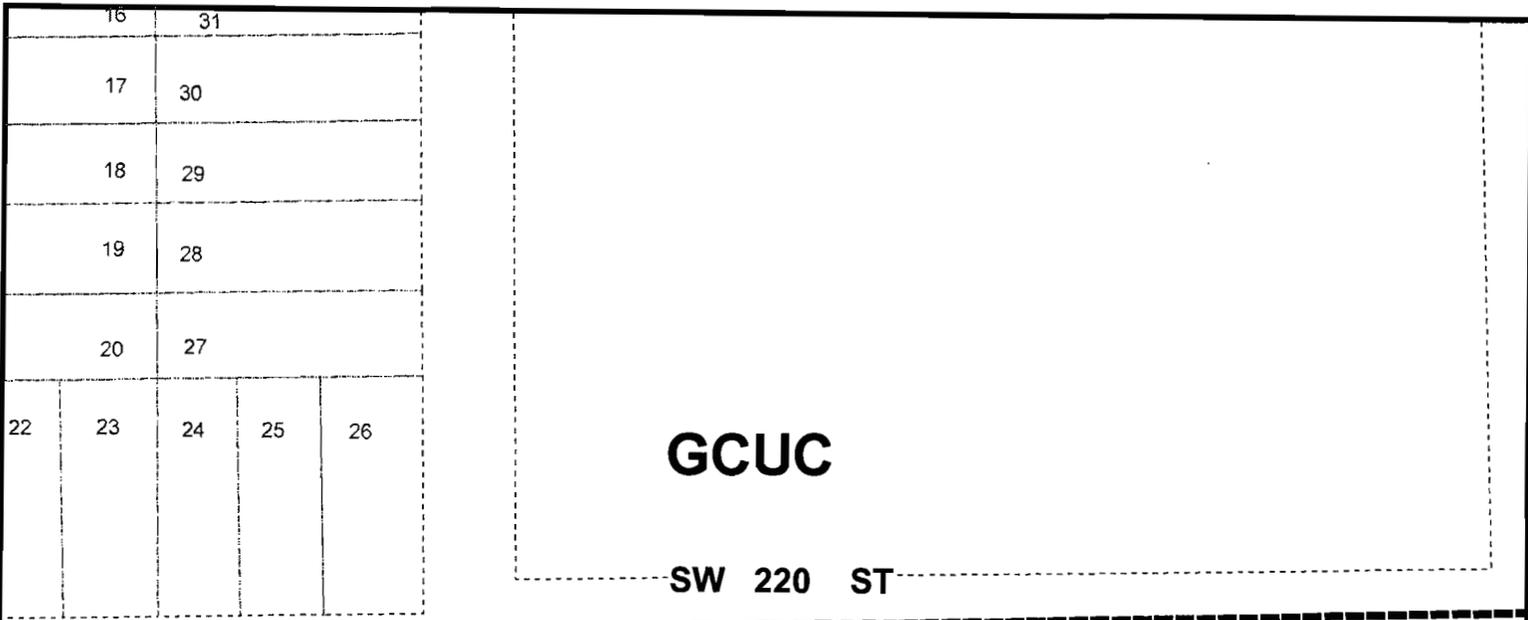
ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY for DH.

RECEIVED
 JUL 19 2011

RECEIVED
 JUL 19 2011

| | |
|-----------|---------------------------------------------------------------------|
| DATE | 03/06/11 |
| NOTED | |
| DESIGN BY | IZ WRIGHT |
| SCALE | |
| PROJECT | PROPOSED: MODULAR UNIT AND BATH ROOM ADDITION |
| CLIENT | CHURCH OF CHRIST WRITTEN IN HEAVEN |
| ADDRESS | 11760 SW. 220 TH ST., MIA., FL. 33170 |
| ARCHITECT | CHARLES MITCHELL, P.E. |
| PHONE | 924 NORTH FEDERAL HWY., PH. (305)336-5069; HOLLYWOOD, FLORIDA 33020 |

| | |
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MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2011000084



Section: 13 Township: 56 Range: 39
Applicant: CHURCH OF CHRIST WRITTEN
Zoning Board: C15
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

 Subject Property Case



| REVISION | DATE | BY |
|----------|------|----|
| | | 29 |



MIAMI-DADE COUNTY

Process Number

AERIAL YEAR 2009

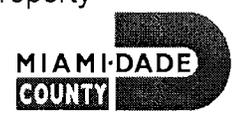
Z2011000084



Section: 13 Township: 56 Range: 39
 Applicant: CHURCH OF CHRIST WRITTEN
 Zoning Board: C15
 Commission District: 9
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

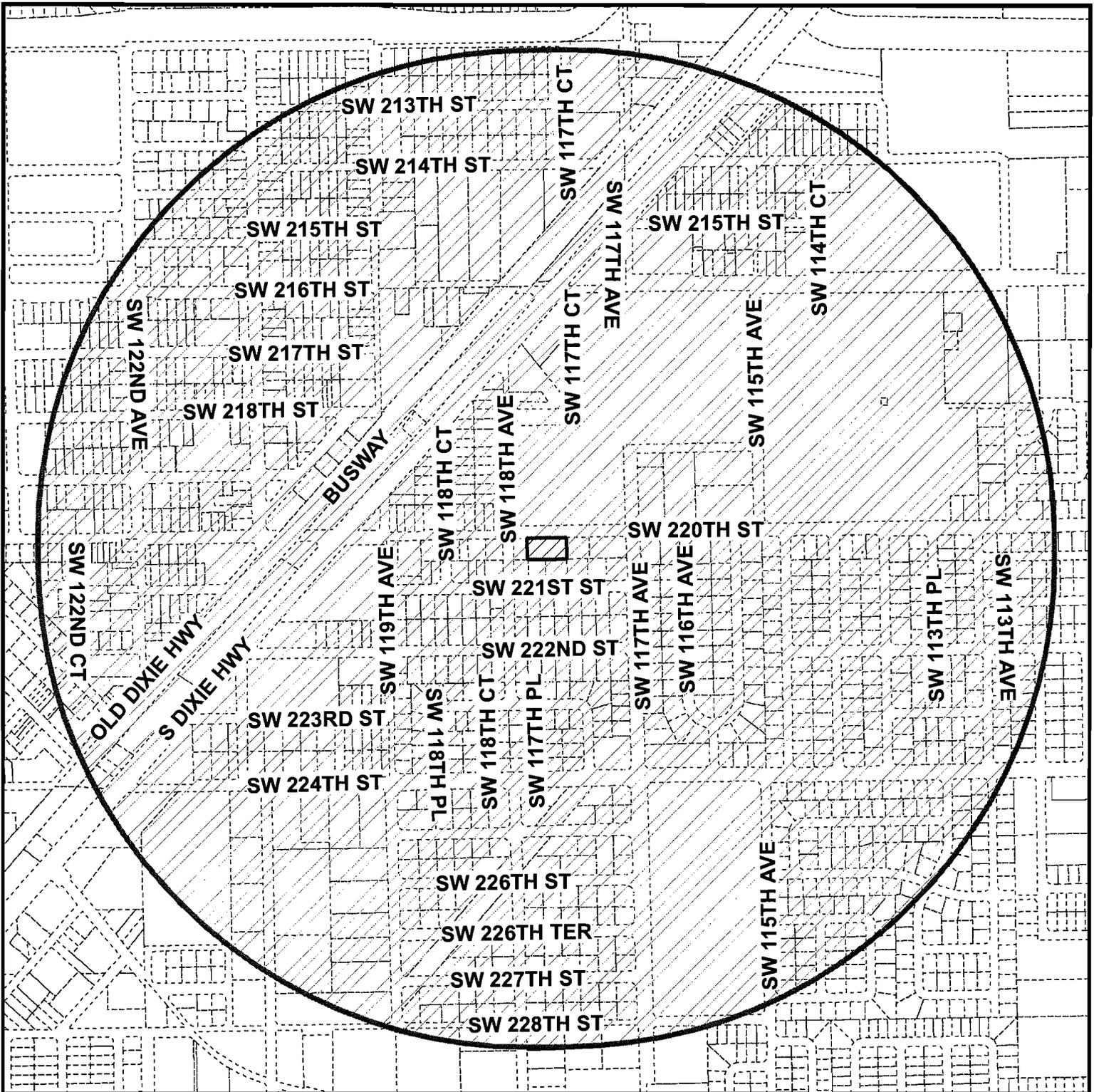
Legend

 Subject Property



SKETCH CREATED ON: Wednesday, July 27, 2011

| REVISION | DATE | BY |
|----------|------|----|
| | | 30 |



MIAMI-DADE COUNTY
RADIUS MAP

Section: 13 Township: 56 Range: 39
 Applicant: CHURCH OF CHRIST WRITTEN
 Zoning Board: C15
 Commission District: 9
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number

Z2011000084

RADIUS: 2640



Legend

-  Subject Property
-  Buffer



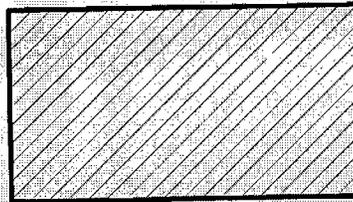
SKETCH CREATED ON: Wednesday, July 27, 2011

| REVISION | DATE | BY |
|----------|------|----|
| | | 31 |

**BUSINESS
AND
OFFICE**

(LDR) 2.5-6 DU/AC

SW 220 ST



SW 118 AVE

SW 221 ST

MIAMI-DADE COUNTY
CDMP MAP

Process Number

Z2011000084



Section: 13 Township: 56 Range: 39
Applicant: CHURCH OF CHRIST WRITTEN
Zoning Board: C15
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, July 27, 2011

| REVISION | DATE | BY |
|----------|------|----|
| | | |