Approved: _____ **Mayor**

Veto: _____

Override: _____

RESOLUTION NO. Z-42-07

WHEREAS, **DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING** applied for the following:

Applicant is requesting to permit a parcel of land with a lot frontage of 40′ (75′ required) and a lot area of 3,600 sq. ft. (7,500 sq. ft. required).

Upon a demonstration that the applicable standards have been satisfied, approval of the request may be considered under §33-311(A)(14) (Alternative Site Development Option for Single-Family or Duplex Dwelling Units) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

SUBJECT PROPERTY: Lot 5, Block 21, LIBERTY CITY, Plat book 7, Page 79.

LOCATION: Lying south of N.W. 69 Street and approximately 172′ east of N.W. 19 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Board that the request to permit a parcel of land with a lot frontage of 40′ and a lot area of 3,600 sq. ft. would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion to approve the application as a non-use variance and to deny the application as an alternative site development option and an alternative non-use variance was offered by Commissioner Dorrin D. Rolle, seconded by Commissioner Rebecca Sosa, and upon a poll of the members present the vote was as follows:

Jose "Pepe" Diaz	aye	Dennis C. Moss	aye
Audrey M. Edmonson	absent	Dorrin D. Rolle	aye
Carlos A. Gimmenez	aye	Natacha Seijas	absent
Sally A. Heyman	absent	Katy Sorenson	aye
Barbara J. Jordan	aye	Rebecca Sosa	aye
Joe A. Martinez	aye	Sen. Javier D. Souto	aye

Bruno A. Barreiro aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the application be and the same is hereby approved as a non-use variance, subject to the following conditions:

1. That all conditions of Ordinance No. 07-4 be adhered to, including the requirement that a covenant be submitted prior to the initial sale of the eligible home, which contains such language as is necessary to carry out the purposes of Article VII, Chapter 17, pertaining to The Infill Housing Initiative.

2. That the development of the site be limited to one single-family residence.

BE IT FURTHER RESOLVED that the application be and the same is hereby denied without prejudice as an alternative site development option and an alternative non-use variance.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 4th day of October, 2007, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 07-10-CC-4
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By: KAY SULLIVAN
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 12TH DAY OF OCTOBER, 2007.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Deputy Clerk's Name, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-42-07 adopted by said Board of County Commissioners at its meeting held on the 4th day of October, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 12th day of October, 2007.

Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL