

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners

PH: Z22-303

January 24, 2024

Item No. 3C

Recommendation Summary	
Commission District	9
Applicant	Southern Villas Condos I, LLC.
Summary of Requests	The application is to permit rezoning from AU (5-gross acre lot) to RU-TH (up to 8.5 units per acre) which will allow the property to be developed with more residential units than currently permitted.
Location	Lying east of SW 112 Avenue and south of theoretical SW 181 Street, Miami-Dade County, Florida
Property Size	1.16 acres
Existing Zoning	AU, Agricultural District
Existing Land Use	Vacant
2030-2040 CDMP Land Use Designation	Low Density Residential, 2.5-6 Dua (see attached <i>Zoning Recommendation Addendum</i>)
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change (see attached <i>Zoning Recommendation Addendum</i>)
Recommendation	Approval, subject to the Board's acceptance of the proffered covenant.

BOARD OF COUNTY COMMISSIONERS' JURISDICTION:

This Board has jurisdiction over this application pursuant to Section 20-42(e), which states "If a Community Council, in its capacity as a Community Zoning Appeals Board, does not have sufficient elected or appointed members in office to constitute a quorum at the time an application for zoning action is ready to be noticed for public hearing before that Community Council, such application shall be noticed and scheduled for public hearing directly before the Board of County Commissioners on the next available zoning agenda."

PROCEDURAL HISTORY

This item would have been scheduled for the January 30, 2024, meeting of the Community Zoning Appeals Board 14 ("CZAB 14"), but CZAB 14 did not have enough members in office to constitute a quorum at the time this application was ready to be noticed for public hearing.

REQUESTS:

DISTRICT BOUNDARY CHANGE from AU, Agricultural District, to RU-TH, Townhouse District.

PROJECT DESCRIPTION:

The applicant seeks to rezone the 1.16-acre currently vacant subject parcel from AU, Agricultural District, to RU-TH, Townhouse District, in order to be able to build more units than currently allowed on the parcel. Staff notes that there were no plans submitted for this subject application.

However, a zoning covenant is being voluntarily proffered by the applicant which restricts the development of the subject property to the maximum density allowed under the CDMP.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	AU; vacant	Low Density Residential (2.5 to 6 du)
North	AU; single-family residence	Low Density Residential (2.5 to 6 du)
South	AU; single-family residence	Low-Medium Density Residential (6 to 13 du)
East	RU-TH; townhouses	Low Density Residential (2.5 to 6 du)
West	RU-1; single-family residences	Low Density Residential (2.5 to 6 du)

NEIGHBORHOOD COMPATIBILITY:

The 1.16-acre subject parcel is currently vacant and is located east of SW 112 Avenue and south of theoretical SW 181 Street. Staff notes that the abutting properties to the north and south are zoned AU with existing single-family residences, and the properties to the west are zoned RU-1 composed of single-family residences with a minimum of 7,500 sq. ft. lots. Additionally, the development abutting immediately to the east of the subject site is zoned RU-TH.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to rezone the property to RU-TH in order to develop the parcel with additional residential uses, which may bring more traffic into the area. However, staff notes from the Platting and Traffic Review section of the Department of Regulatory and Economic Resources (RER) in their memorandum that the application meets the traffic concurrency criteria because it lies within a Community Development Block Grant (CDBG) eligible area where traffic concurrency does not apply, but that the application will generate approximately 30 PM daily peak hour vehicle trips. Staff notes that the application may add to the population in the area and may bring additional noise into the neighborhood.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is located within the Urban Development Boundary (UDB) and the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property as **Low Density Residential**. *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 and a mixture of housing types, provided that the maximum gross density is not exceeded.* This would allow the applicant to develop the 1.16-acre parcel with a maximum of 6 residential units. Additionally, staff notes that the proposed CDMP Land Use Element Interpretative Text states developments using the workforce housing program allows applicants a 25% density increase for workforce housing. The applicant seeks a district boundary change from AU to RU-TH. Staff notes that the RU-TH

zoning district allows development at a maximum of 8.5 units per net acre and approval of the district boundary change to RU-TH would allow the applicant to develop the property with a maximum of 9 residential units. As a result, the applicant has voluntarily proffered a declaration of restrictions with the current zoning application, which restricts the development of the subject property to the maximum density allowed under the CDMP, which would be **consistent** with the maximum density threshold permitted in areas designated for **Low Density Residential** uses on the CDMP Land Use Plan (LUP) map.

The CDMP Land Use Element **Objective LU-4**, states that *Miami-Dade County shall, by the year 2030, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.* Staff notes that the property located immediately to the east of the subject site is zoned RU-TH, and that further to the southeast there is a large pocket of RU-TH parcels developed with townhomes, that do not adjoin the subject property, but are separated from the site by the RU-TH parcel. The approval of the application will continue the townhouse residential development trend that exists within the neighborhood and allow development of a townhouse residential project on the subject parcel that, in staff's opinion, will act as a reasonable transition between the properties zoned RU-1 to the west, the properties zoned AU located on the same block, abutting its north, south property lines and the existing RU-TH zoned district located to the east followed by the large RU-TH zoned district situated to the east on the other side of SW 110 Avenue. In addition, although no site plans were submitted for this application, at the time of permitting any future residential development of the property would have to comply with RU-TH zoning requirements.

Based on the foregoing analysis, staff opines that the proposed townhouse development will not have a significant visual impact on the surrounding properties and would be **compatible** with the area based on the recent development trend in the neighborhood. Therefore, subject to the Board's acceptance of the proffered covenant, staff opines that the rezoning of the subject property to RU-TH would be **consistent** with the CDMP Land Use Element interpretative text **Objective LU-4**, and the maximum numerical density threshold permitted for **Low Density Residential** on the CDMP Land Use Plan (LUP) map.

ZONING ANALYSIS:

The applicant seeks approval of a request for a zone change from AU, Agricultural District, to RU-TH, Townhouse District on the subject parcel. For the reasons stated above and below, staff opines that when the request to rezone the 1.16-acre parcel to RU-TH in order to develop the subject site with townhouse residential development is analyzed under Section 33-311, District Boundary Change, the approval of the request would be **compatible** with the surroundings when considering the necessity and reasonableness in relation to the present and future development of the area concerned. Section 33-311 of the Code states that the purpose of the Code is to provide a comprehensive plan and design to among other things, lessen congestion on the highways and promote health, safety, morals, convenience and general welfare, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses. Staff supports the district boundary change to RU-TH, and opines that the proposed development is **compatible** with the natural transitional of residential zoning trend of the development in the surrounding area.

Staff's research of the area found similar approvals for RU-TH zoning in the surrounding area. A 1.25-acre tract of land located immediately to the south of the subject parcel was approved pursuant to Resolution #CZAB14-6-20 to permit a district boundary change from AU, Agricultural

District to RU-TH, Townhouse District. Furthermore, there is an existing large residential development to the east of SW 110 Avenue that is zoned RU-TH and consists of one (1)-story townhouses. As previously mentioned, although no site plans were submitted for this application, at the time of permitting any future residential development of the property would have to comply with RU-TH zoning requirements, which require the development to be compatible with the adjacent uses through the implementation of adequate buffering, site planning, and/or design features. Furthermore, the applicant has voluntarily proffered a declaration of restrictions with the current zoning application, which restricts the development of the subject property to the maximum density allowed under the CDMP. As such, staff opines that based on the Comprehensive Development Master Plan land use designation of Low Density Residential, and for the reasons explained in the Comprehensive Development Master Plan Analysis section, the request to rezone the subject parcel to RU-TH, subject to the proffered covenant, is **consistent** with the CDMP designation and would be **compatible** with the character of the surrounding neighborhood, when considering the necessity and reasonableness of the zone change in relation to the present and future development of the area.

Staff also notes that based on the memoranda submitted by other departments reviewing the application, approval of the application will not cause their facilities and services to operate below their adopted levels of service standards. Staff opines that approval of the request for rezoning will not have a significant impact on the surrounding roadways or transportation facilities based on the recommendations and/or information contained in memoranda from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER). Their memorandum indicates that the application will meet the traffic concurrency criteria for an Initial Development Order. Their memorandum, dated November 2, 2023, indicates that the application meets the traffic concurrency criteria because it lies within a Community Development Block Grant (CDBG)-eligible area where traffic concurrency does not apply and will generate approximately 30 PM daily peak hour vehicle trips. Further, the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources in their memorandum dated April 14, 2023, indicate that approval will not result in a reduction in the LOS standards for potable water service, wastewater disposal, or storm water management. In addition, the other departments reviewing the application, including the Miami-Dade Fire Rescue Department and the Water and Sewer Department, do not object to the application. Based on the aforementioned department memoranda, staff opines that the request for rezoning will not result in, among other things, excessive noise or cause undue or excessive burden on public facilities. Therefore, staff recommend approval under Section 33-311, District Boundary Change, subject to the Board's acceptance of the proffered covenant.

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

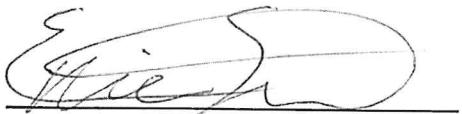
RECOMMENDATION:

Approval, subject to the Board's acceptance of the proffered covenant.

CONDITIONS FOR APPROVAL: None.

ES:JB:JR:SS:EA

Southern Villas Condos I, LLC.
Z22-303
Page | 5



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

ZONING RECOMMENDATION ADDENDUM

SOUTHERN VILLAS CONDOS I, LLC.
Z22-303

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	<i>No objection</i>
Platting and Traffic Review Section (RER)	<i>No objection</i>
Water and Sewer Department (WASD)	<i>No objection</i>
Fire Rescue Department	<i>No objection</i>
Building and Neighborhood Compliance	<i>No objection</i>

**Subject to conditions in their memorandum.*

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

Low-Density Residential (Pg. I-31)	<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>
Objective LU-4 (Pg. I-9)	<i>Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) <i>Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</i></p> <p class="list-item-l1">(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></p> <p class="list-item-l1">(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></p>
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	<ul style="list-style-type: none">(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i>
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Building and Neighborhood Compliance

ENFORCEMENT HISTORY

SOUTHERN VILLAS CONDOS I, LLC/DE N/A
BRASI, PATRIZIO MIAMI-DADE COUNTY, FLORIDA.

APPLICANT	ADDRESS
Pending	Z2022000303

DATE **HEARING NUMBER**

FOLIO: 30-5031-000-0320

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

January 26, 2023

NEIGHBORHOOD REGULATIONS OPEN:

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases in BSS.

VIOLATOR:

SOUTHERN VILLAS CONDOS I, LLC/DE BRASI, PATRIZIO

OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

MIAMI-DADE
COUNTY

Memorandum

Date: April 14, 2023

To: Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

From: Lisa M. Spadafina, RER Assistant Director 
Division of Environmental Resources Management

Subject: Z2022000303-3rd Review
Southern Villas Condos I LLC
SW 181st Terrace and SW 112nd Avenue
DBC from AU to RU-TH.
Proposed 22-unit apartment building
(AU) (1.16 Acres)
31-55-40

The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the above referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this zoning application is approved pursuant to section 24-43.1 of the Code. DERM does not object to this application provided that all the conditions contained herein are complied with.

Potable Water Supply and Wastewater Disposal

This revised request for a district boundary change from AU to RU-TH does not include a site plan or proposed development information. Pursuant to the Code, based on the development allowed under the requested district boundary change and an analysis of water and sewer infrastructure in the area, public water and public sanitary sewer lines abut the site. Therefore, any future development on the site shall connect to public water and sanitary sewers in accordance with Code requirements. To the extent that connection to the public sanitary sewer system is not approved due to a sanitary sewer moratorium, this memorandum shall not be interpreted as written approval from DERM to allow an alternative means of domestic wastewater disposal.

Prior approval of future development orders the property shall submit a properly executed covenant running with the land in favor of Miami-Dade County as required by section 24-43.4(2)(b) of the Code. The covenant provides that the property shall be required to connect to the applicable public infrastructure as a condition of any building permit for development on the subject property.

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.

Please note that some of the collection/transmission facilities, which includes sanitary sewer gravity sewer mains, sanitary sewer force mains and sanitary sewer pump stations, throughout the County do not have adequate capacity, as defined in the Consent Decree between Miami-Dade County, Florida Department of Environmental Protection, and the U.S. Environmental Protection Agency case 1:12-cv-

24400-FAM. Under the terms of this Consent Decree, this approval does not constitute an allocation or certification of adequate treatment and transmission system capacity. At the time of building permits, DERM will evaluate and may reserve sanitary sewer capacity, through the DERM sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins that have been determined not to have adequate capacity cannot be approved until adequate capacity becomes available.

Conditions of Approval: A covenant running with the land in favor of Miami-Dade County as required by section 24-43.4(2)(b) of the Code is required prior to approval of building permits.

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 Chapter 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 for this proposed development order.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources. A survey entitled "Boundary Survey" prepared by Juan Martinez, P.S.M. was submitted in support of the subject application and indicates the removal/relocation of non-specimen (a tree with a trunk diameter at breast height less than 18 inches) tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources.

DERM has no objection to this application provided that the applicant obtains a Miami-Dade County Tree Removal Permit prior to the removal or relocation of the non-specimen trees on site. A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. The applicant is advised that a tree survey that includes a tree disposition table will be required during the tree removal permit application process. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code, including the specimen tree standards.

In accordance with section 24-49.9 of the Code, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. Please contact Jennifer Snell at Jennifer.Snell@miamidade.gov for additional information or concerns regarding this review.

Conditions of Approval: None

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property. There are no outstanding DERM liens or fines for the subject property.

Concurrency Review Summary

A concurrency review has been conducted for this application and DERM 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. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

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

cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE
COUNTY

Date: January 27, 2023

To: Nathan Kogon, Assistant Director
Development Services
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, CSM, LEED® Green Associate
Chief, Planning & Water Certification Section
Water and Sewer Department (WASD)

Subject: Zoning Application Comments - Southern Villas Condos I
Application No. Z2022000303



The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objections to this application. The information provided below is preliminary and it does not affect the Zoning process. *The applicant is advised to consult with their engineer and WASD's Plans Review staff to finalize points of connection and capacity approval.*

Application Name: Southern Villas Condos I

Location: The proposed project is located on approximately 1.16 acres at the northeast Corner of SW 181st Terrace and SW 112th Avenue, with Folio No. 30-5031-000-0320, in unincorporated Miami-Dade County.

Proposed Development: The applicant is seeking a district boundary change from AU (Agricultural Zoning District) to RU-4L (Limited Apartment House District) for the construction of 22 Apartment units (Low Density).

The estimated total water demand for the proposed project will be 2,970 gallons per day (gpd).

Water: The proposed development is located within the WASD's water service area. The water supply will be provided by the Alexander-Orr Water Treatment Plant (WTP). Currently, there is adequate treatment and water supply capacity at the WTP, consistent with Policy WS-2 A (1) of the CDMP.

There is an existing 12-inch water main, abutting the property along SW 112th Avenue, to where the developer may connect to provide service to the proposed project. Any public water main extension within the property shall be 8-inch minimum diameter. If two or more fire hydrants are to be connected to a public water main extension, then the water system shall be looped with (2) points of connections. *Final points of connections and capacity approval to connect to the water system will be provided at the time of the applicant requests connection to the water infrastructure.*

A Water Supply Certification (WSC) will be required for the proposed development. Said Certification will be issued at the time the applicant requests connection to the water system. The WSC letter shall remain active in accordance with terms and conditions specified in said certification. The WSC is required consistent with Policy CIE-5D and WS-2C in the County's

CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the Water Supply Certification Program please go to
<http://www.miamidade.gov/water/water-supply-certification.asp>

In addition, all future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 18-A, and 18-B of the Miami-Dade County Code, consistent with Policies WS-5E and WS-5F of the CDMP. Also, per Section 8A-381 (c) of the Miami-Dade County Code, effective January 1, 2009, all permit applications for new multifamily residential developments shall be required to include a sub-meter for each individual dwelling unit.

For more information about our Water Conservation Program, please go to
<http://www.miamidade.gov/conservation/home.asp>

For information concerning the Water-Use Efficiency Standards Manual please go to
<http://www.miamidade.gov/waterconservation/library/instructions/water-use-efficiency-standards-manual.pdf>

Sewer: The proposed development is located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the WWTP, consistent with Policy WS-2 A (2) of the CDMP.

There is an existing 8-inch sanitary gravity sewer system located along SW 112th Avenue to where the developer may connect to provide sewer service for the proposed project. *Final points of connections and capacity approval for connection to the sewer system will be provided at the time the applicant request connection to the sewer infrastructure.*

The sewage flow from the proposed development will be transmitted to Pump Station (P.S.) No. 715. The Moratorium Code status for said pump station is OK. Below is the existing and projected Nominal Average Pump Operating Time (NAPOT) for said pump station.

P.S. 715

Existing NAPOT: 4.07 hrs.

Proposed Development: 2,970 gpd

Proposed Projected NAPOT: 4.14 hrs.

Connection to the sanitary sewer system is subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2 A (2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the

COUNTY and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Any public water or sewer infrastructure must be within a public right-of-way, or within a utility easement.

In addition, below please find links to the WASD portal, which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>

Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavalid@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Benita Ramirez at (786) 552-8121 or benram@miamidade.gov.

Memorandum



Date: November 6, 2023

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

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

Subject: Z2022000303
Name: Southern Villas Condo I, LLC
Location: Northeast Corner of SW 181 Terrace and SW 112 Avenue
Section 31 Township 55 South Range 40 East

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

This land **requires** platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications per Miami-Dade Chapter 33-133 and Chapter 28 and/or improvements required will be accomplished thru the recording of a plat.

This application meets the traffic concurrency criteria because it lies within a Community Development Block Grant (CDBG)-eligible area where traffic concurrency does not apply. It will generate approximately **30** PM peak hour vehicle trips.

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Notes: PM =Post Meridiem

The PM peak hour refers to the highest hour of vehicle trips generated during the afternoon peak hours of 4-6 PM

Standard Conditions:

- During the platting and/or permitting process, applicant must submit paving, grading and pavement marking plans to the Department of Regulatory and Economic Resources Platting Section for review. The set of plans shall be signed and sealed by an engineer in compliance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways as well as County Standards. Additional improvements may be required once the detailed set of plans are submitted to this Section.
- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

Memorandum

MIAMI-DADE
COUNTY

Date: March 27, 2023

To: Nathan M. Kogon, Assistant Director
Regulatory and Economic Resources

From: Alejandro G Cuello, Principal Planner
Miami-Dade Fire Rescue Department

Subject: Z2022000303

The Miami-Dade Fire Rescue Department has **no objection** to request for zoning designation change uploaded to "EnerGov" on 3/23/2023.

MDFR's review of this zoning application is limited to assessing fire department access and does not effectuate an approval of the building design. The future building's design must be in compliance with the applicable requirements for the proposed use:

Florida State Statute Chapter 633 (Fire Prevention & Control)
Florida Administrative Code 69A
Florida Fire Prevention Code (NFPA 1 and NFPA 101 (2018 edition))
Applicable adopted NFPA Standards
County Code Chapter 14

For additional information, please contact acuello@miamidade.gov or call 305-775-3357.

Memorandum

MIAMI-DADE
COUNTY

Date: January 31, 2023

To: Nathan Kogon, Assistant Director
Development Services Division
Director, Regulatory and Economic Resources Department (RER)

From: Alejandro Zizold, Chief, Planning and Research
Planning and Design Excellence Division
Parks, Recreation and Open Spaces Department (PROS) *Alejandro Zizold*

Subject: Z2022000303 - Southern Villas Condos I, LLC

Applicant Name: Juan R. Martinez on behalf of Southern Villas Condos 1, LLC.

Project Location: The applicant site is located on ±1.25 acres located at NE Comer SW 181 Terrace and SW 112 Avenue, in unincorporated Miami-Dade County (Folio: 30-5031-000-0320).

Proposed Development: The applicant seeks a pre-application review for a rezoning of the property from AU to RU-4L and to develop 2 Multifamily residential buildings, one consists of a two-story structure with 16 units and a three-story structure with 6 units, project totals 22 residential units.

Current Park Benefit District Area Conditions: Existing County-owned Park and recreation facilities, both Areawide and Local, serving Park Benefit District 2 are shown on the attached map in Figure 1. County-owned local parks that are within three miles of the subject application are described below in Table A.

Table A – County Parks (Local) Within a 3 Mile Radius of Application Area

NAME	ADDRESS	CLASSIFICATION	ACRES	TYPE
Lincoln City Park #1	SW 220TH ST / SW 102ND AVE	Mini-Park	0.5	Local
Lincoln Estates Park	22210 SW 108TH AVE	Mini-Park	0.82	Local
Cutler Ridge Skate Park	SW 211TH ST / FLORIDA TPKE EXT	Single Purpose Park	3.6	Local
Domino Park	10202 SW 172ND ST	Single Purpose Park	0.15	Local
Eureka Park	18320 SW 119TH AVE	Community Park	4.42	Local
Serena Lakes Park	13965 SW 180TH ST	Neighborhood Park	5.14	Local
JL (Joe) & Enid W. Demps Park	11350 SW 216TH ST	Community Park	31.1	Local
Sharman Park	12370 SW 218TH ST	Community Park	6.71	Local
West Perrine Senior Center	17801 HOMESTEAD AVE	Single Purpose Park	2.59	Local
Quail Roost Park	11336 QUAIL ROOST DR	Neighborhood Park	2.47	Local
Walter A. White Park	10804 PERRY DR	Neighborhood Park	1.64	Local
Richmond Triangle Park	14355 GRAVES DR	Mini-Park	0.6	Local
Rockdale Park	9325 SW 146TH ST	Neighborhood Park	2.8	Local
Pine Forest Park	12875 SW 208TH ST	Neighborhood Park	6.62	Local
South Miami Heights Park	20800 SW 117TH AVE	Neighborhood Park	5.97	Local
Colonial Drive Park	10750 SW 156TH TER	Community Park	14.34	Local

Ferguson Park	10251 SW 146TH ST	Neighborhood Park	7.22	Local
Wilbur Bell Park	17121 SW 104TH AVE	Community Park	9.14	Local
Losner Park	11851 SW 188TH ST	Mini-Park	0.55	Local
Charles Burr Park	20200 SW 127TH AVE	Neighborhood Park	3.8	Local
Caribbean Park	11900 SW 200TH ST	Neighborhood Park	5.17	Local
Deerwood Bonita Lakes Park	14445 SW 122ND AVE	Community Park	11.03	Local
Fairwood Park	16651 SW 107TH AVE	Neighborhood Park	7.93	Local
Ben Shavis Park	10395 SW 179TH ST	Mini-Park	0.86	Local
Sgt. Joseph Delancy Park	14450 BOGGS DR	Community Park	10.46	Local
Black Creek Trail Connection	NB S DIXIE HWY N OF BLACK CREEK TRAIL	Mini-Park	0.02	Local

The proposed development is located within 1.5 mile from the South Dade Trail, which serves the local area as 20.9 miles of bicycle and pedestrian-only non-motorized transportation facility. South Dade Trail is part of the Miami Outer Loop which consists of 87 Miles continues loop around Miami Dade County. The applicant site within 1.5 miles from the County-owned facilities Larry and Penny Thompson Park and Zoo Miami.

Impact and Demand: The proposed development includes a total of 22 multifamily units. The proposed residential units would generate a residential population of 48 people resulting in an estimated impact of 0.13-acres of local parkland when analyzed using Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. The site is in Park Benefit District 2 (PBD2) which has a surplus of 347.12 acres of local parkland and therefore the project meets concurrency when analyzed in terms of 2.75 acres per 1,000 unincorporated areas residents within this Park Benefits District.

Recommendations: PROS offers the following recommendations:

- Consider providing a more detailed Letter of Intent, including the proposed development and its elements.
- Provide a detailed landscape plan that includes planting schedule (preferably native planting), tree-lined streets and pedestrian pathways to provide more shaded and walkable areas per the Great Streets Vision identified in the Miami-Dade County OSMP.
- PROS recommends that the applicant include recreational amenities for the development as space allows. Amenities include but are not limited to any passive/active recreation opportunities like pools, clubrooms, gym, shaded outdoor seating and walking amenities, playgrounds, and grills.
- Please include centralized bicycle parking area, and wayfinding signage in highly visible areas, encouraging non-motorized transportation for residents of the building to the South Dade Trail, Larry and Penny Thompson Park and Zoo Miami.

These recommendations are based on the following Recreation and Open Space policy and objectives in the Comprehensive Development Master Plan (CDMP):

Objective ROS-1

Provide a comprehensive system of public and private sites for recreation, including but limited to public spaces, natural preserve and cultural areas, greenways, trails, playgrounds, parkways, beaches and public access to beaches, open space, waterways, and other recreational facilities and programs serving the entire County; and local parks and recreation programs adequately meeting the needs of Miami-Dade County's unincorporated population.

ROS-3B

The County shall improve and promote non-motorized access to existing park and recreation open spaces by implementing the North Miami-Dade Greenways Master Plan and South Miami-Dade Greenway Network Master Plan, as well as improved sidewalks and trails, to improve connectivity between parks and residences, schools, activity centers, and transportation nodes.

Objective ROS-8

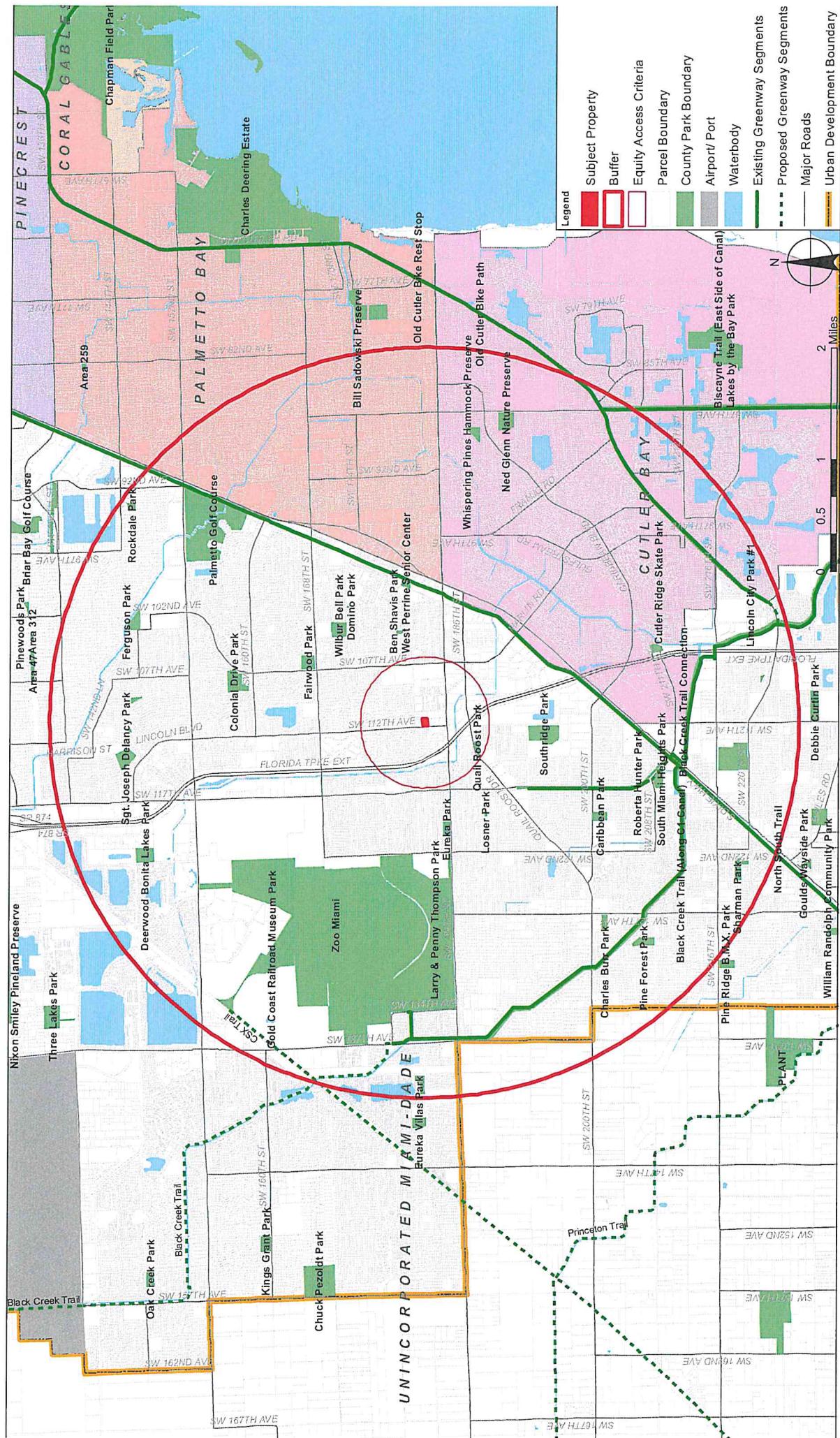
The Miami-Dade County Parks and Open Space System Master Plan (OSMP), through a 50-year planning horizon, shall guide the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities.

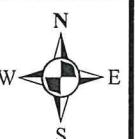
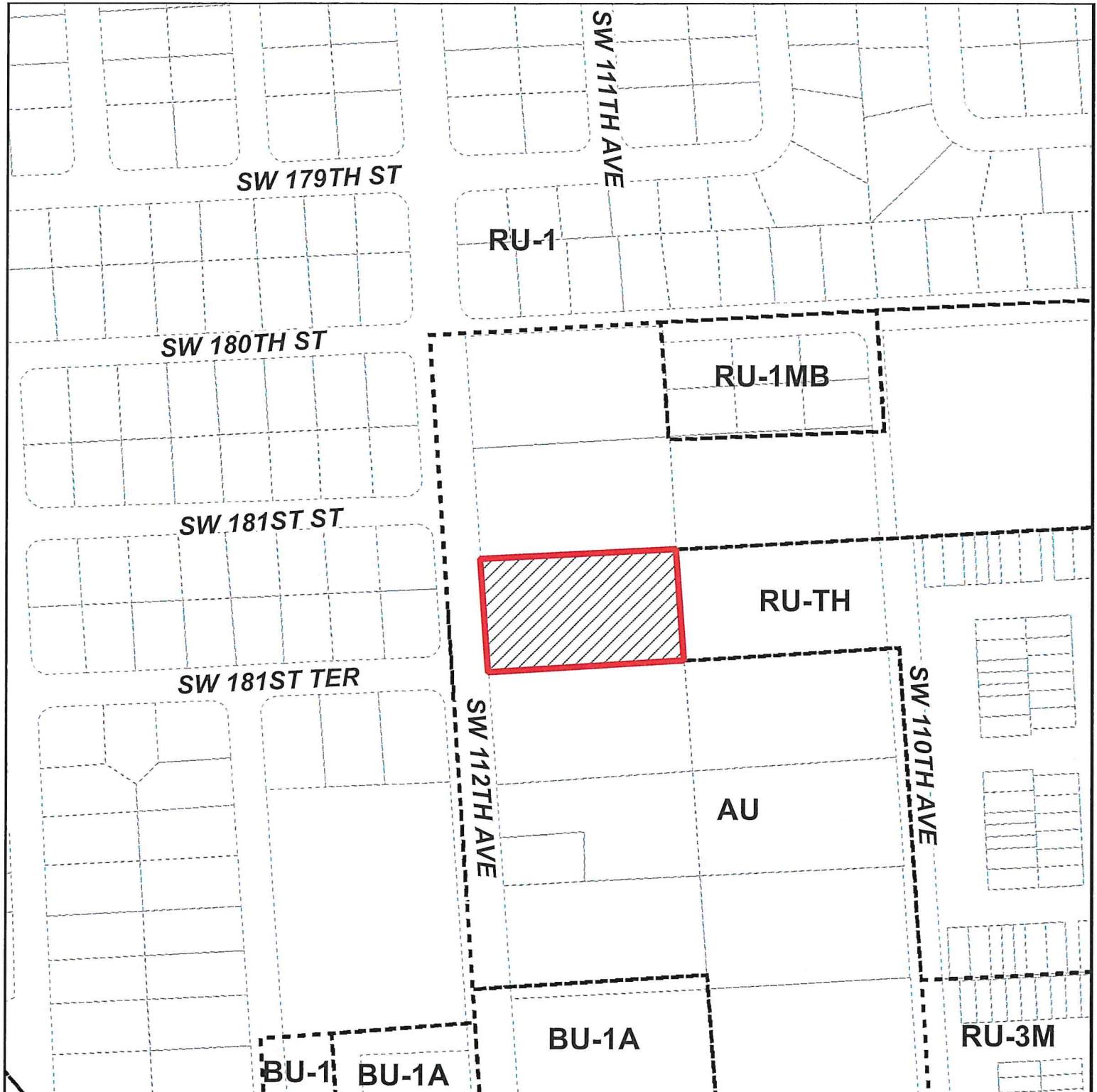
Based on our findings and recommendations described herein **PROS has no objections to this application**. Should you have any questions, or if you need any additional information or clarification on this review, please contact Irene Cambeyro Gonzalez, Park Planner 2, by email at irene.cambeyrogonzalez@miamidade.gov

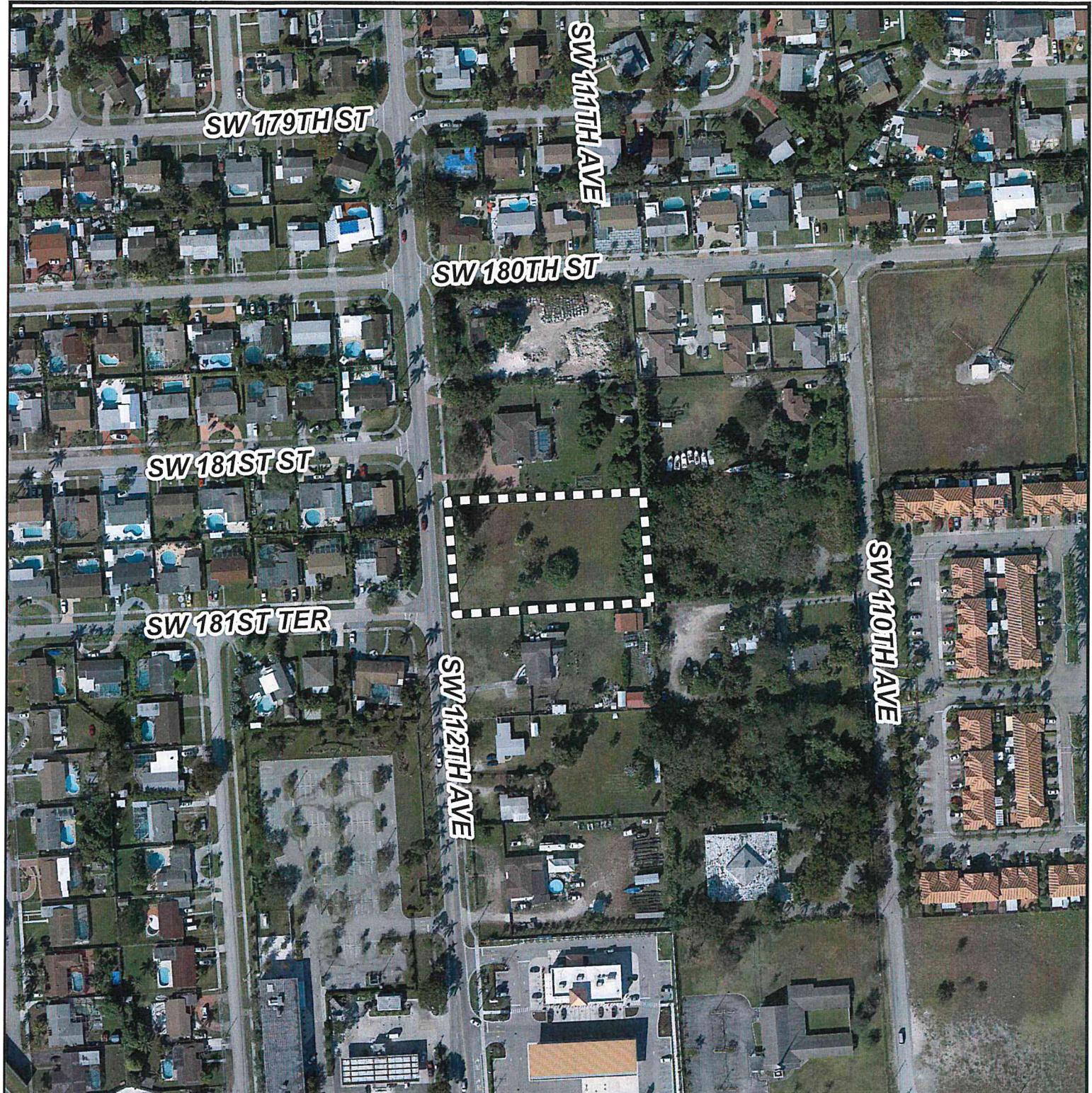
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Attachment

FIGURE 1: Z2022000303 - SOUTHERN VILLAS CONDOS I LLC
MIAMI-DADE COUNTY PARKS, RECREATION AND OPEN SPACES DEPARTMENT ANALYSIS







MIAMI-DADE COUNTY
AERIAL YEAR 2021

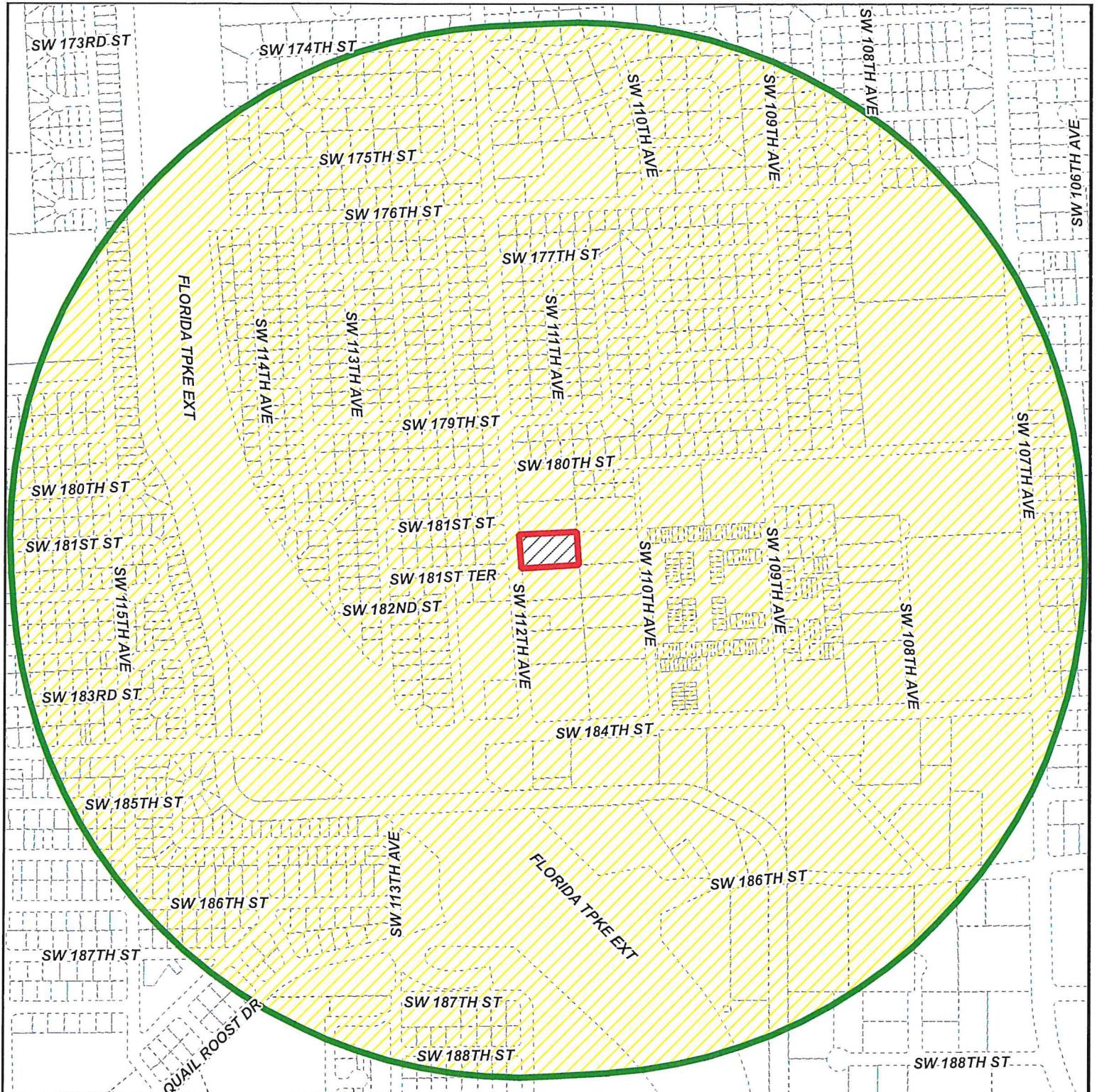
Process Number
Z2022000303

Section: 31 Township: 55 Range: 40
Applicant: Southern Villas Condos I, LLC.
Zoning Board: C14
Commission District: 9
Drafter ID: EDUARDO CESPEDES
Scale: NTS

Legend
 Subject Property



MIAMI-DADE
COUNTY



MIAMI-DADE COUNTY RADIUS MAP

Section: 31 Township: 55 Range: 40

Applicant: Southern Villas Condos I, LLC.

Zoning Board: C14

Commission District: 9

Drafter ID: EDUARDO CESPEDES

Scale: NTS

Process Number

Z2022000303

RADIUS: 2640

Legend

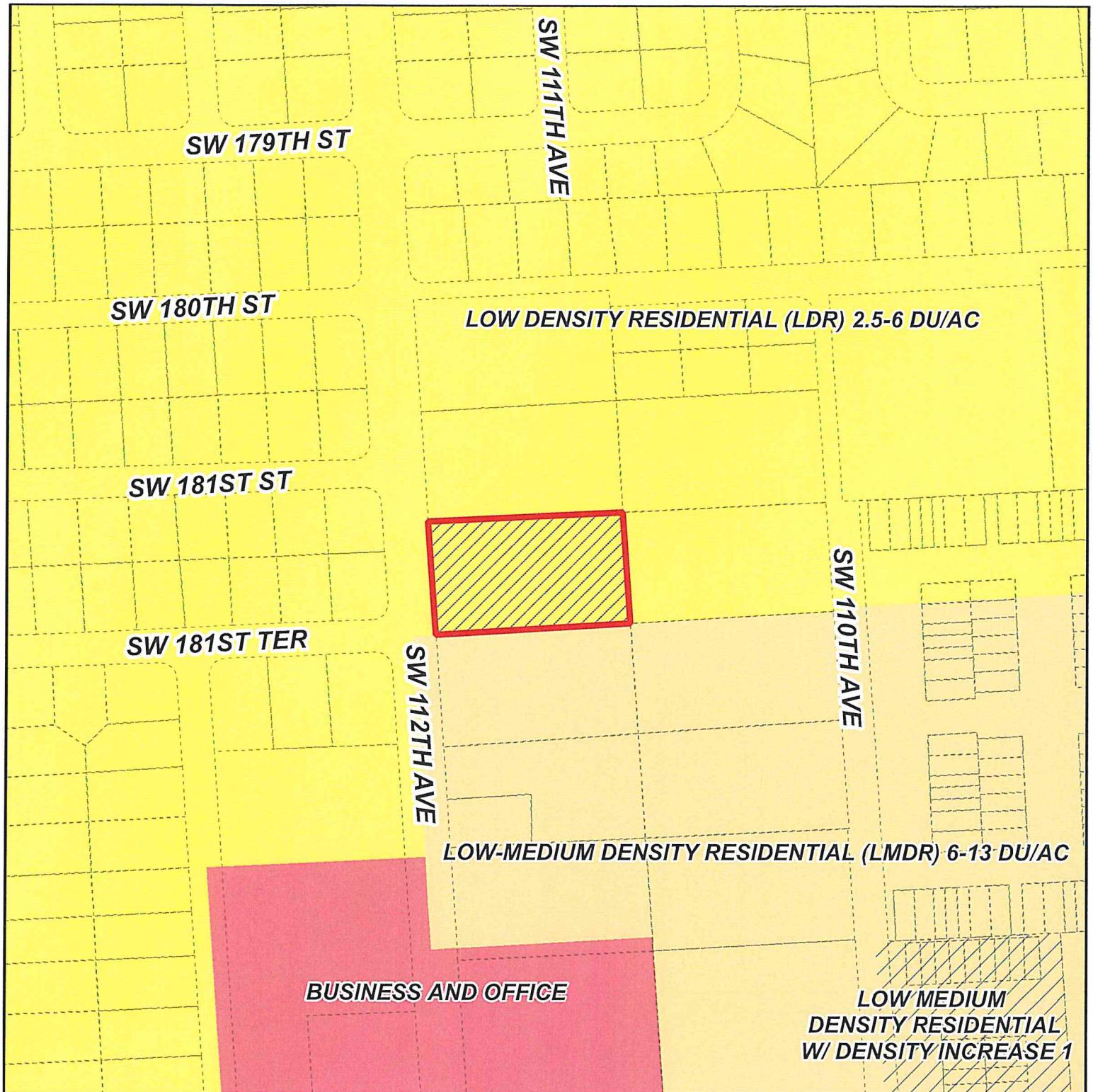


Subject Property

uffer

Property Boundaries

The logo for Miami-Dade County, featuring the word "MIAMI-DADE" in white on a blue background, and "COUNTY" in white on a green background, all contained within a stylized blue 'D' shape.



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2022000303



Legend

Subject Property Case

Section: 31 Township: 55 Range: 40

Applicant: Southern Villas Condos I, LLC.

Zoning Board: C14

Commission District: 9

Drafter ID: EDUARDO CESPEDES

Scale: NTS



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MIAMI-DADE COUNTY
PROCESS NO: Z22-303
DATE: JAN 9 2023
BY: CABR

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: SOUTHERN VILLAS CONDOS II LLC

NAME AND ADDRESS	PERCENTAGE OF STOCK
<u>PATRIZIO DE BRAB</u>	<u>100%</u>
<u>138 SW 25TH RD</u>	
<u>Miami FL 33129</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: _____

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
_____	_____
_____	_____
_____	_____

**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.*

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PROCESS NO: Z22-303
DATE: JAN 9 2023
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Disclosure of Interest

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 AND ADDRESS	PERCENTAGE OF INTEREST

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 or zoning determination, 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.

P. A. Br Signature

Signature

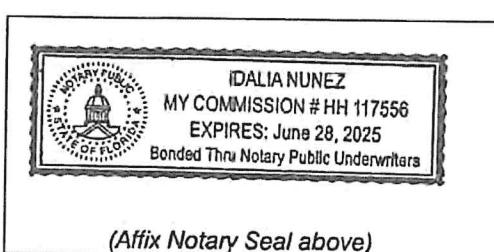
Patrizio De Bressi

Print Name

The foregoing instrument was acknowledged before me by means of (how the individual appeared check one):

physical presence online notarization this 15 day of DECEMBER 2022

Affiant identified by: personal knowledge satisfactory evidence **DEPARTMENT LICENSE**



Signature of Notary Public

ITALIA WINE

Typed, printed, or stamped name of Notary Public

This form is available online at www.miamidade.gov/zoning/forms.aspx

FORM REVISION 2009-11

RECEIVED

This instrument was prepared by:
Efraim R. Gutierrez, Esq.
Bauer Gutierrez & Borbon, PLLC
814 Ponce de Leon Blvd, Ste. 210
Coral Gables, FL 33134

MIAMI-DADE COUNTY
PROCESS NO.: Z22-303
DATE: OCT 16 2023
BY: CABR

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner, Southern Villas Condos I, LLC, a Florida limited liability company, holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the County that the representations made by the owner during consideration of Public Hearing No. Z2022000303 will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) The maximum number of dwelling units on the Property will not exceed the maximum density allowed under the Miami-Dade County Comprehensive Development Master Plan.

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MIAMI-DADE COUNTY

PROCESS NO : Z22-303

DATE: OCT 16 2023

BY: CABR

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the, then, owner(s) of the property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, or the Director as provided by the Miami-Dade County Code of Ordinances. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with applicable procedures.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

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MIAMI-DADE COUNTY

PROCESS NO: Z22-303

DATE: OCT 16 2023

BY: CABR

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Regulatory and Economic Resources Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

Owner. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

Declaration of Restrictions
Page 2

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MIAMI-DADE COUNTY
PROCESS NO.: Z22-303
DATE: OCT 16 2023
BY: CABR

OWNER:

SOUTHERN VILLAS CONDOS I, LLC, a
Florida limited liability company

By: 

Patrizio De Brasi, Manager

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 22nd day of September, 2023 by Patrizio De Brasi as Manager of Southern Villas Condos I, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or has produced Florida Driver License as identification.





Notary Public

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MIAMI-DADE COUNTY

PROCESS NO.: Z22-303

DATE: OCT 16 2023

BY: CABR

Exhibit A

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z22-303

DATE: OCT 16 2023

BY: CABR

PROPERTY ADDRESS:

Vacant Lot, Miami, Florida 33157
Folio No. 30-5031-000-0320

LEGAL DESCRIPTION

The North 1/2 of the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 31, Township 55 South, Range 40 East, Miami-Dade County, Florida.

32