



FINAL AGENDA

Community Zoning Appeals Board 2
Highland Oaks Park, 20300 NE 24 Avenue, Miami, FL
Monday, May 5, 2025 at 7:00 pm

PREVIOUSLY DEFERRED

APPEALS

CURRENT

1.	Z2023000425	Erez Avital	23-425	51-42-33	N
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Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 2

MEETING OF MAY 5, 2025

HIGHLAND OAKS PARK

20300 NE 24 AVENUE, MIAMI, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

- I. Selection of Chair and Vice-Chair
 - II. Sunset Review
-

1. EREZ AVITAL Z2023000425

Area 2 /District 4

The application is to permit an existing detached pergola and half-court basketball court be located closer to the property lines than required by Code.

- (1) NON-USE VARIANCE to permit an existing detached pergola to setback 4' (20' required) from the side street (west) property line.
- (2) NON-USE VARIANCE to permit an existing half-court basketball court to setback 5' (20' required) from the side street (west) property line and 3' (5' required) from the rear (north) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, 1 sheet entitled "Proposed Pergola for Mr. Erez Avital", as prepared by TSUR CONSULTING, INC., dated stamped received 3/11/2025 and 1 sheet entitled "Proposed Pergola for: Mr. Erez Avital" as prepared by LIMA ARCHITECTS, consisting of a total of 2 sheets. Plans may be modified at public hearing.

LOCATION: 2403 NE 202 Street, Miami-Dade County, Florida
SIZE OF PROPERTY: 0.28 Acre

Department of Regulatory and
Economic Resources
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 Regulatory and Economic Resources (RER), or its successor Department, within 14 days after RER has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (RER's posting will be made on a bulletin board located in the office of RER.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Zoning Appeals Board 2**

PH: Z23-425

May 5, 2025

Item No.1

Recommendation Summary	
Commission District	4
Applicant	Erez Avital
Summary of Requests	The seeks to allow an existing detached pergola structure and a basketball half-court located on the subject property to setback less than required from the rear and side street property lines.
Location	2403 NE 202 Street, Miami-Dade County, Florida
Property Size	0.28 Acres
Existing Zoning	RU-1, Single-Family Residential District
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	Low Density Residential, 2.5 to 6 dua <i>(see attached 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(A)(4)(b), Non-Use Variance Standards From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUESTS:

- (1) NON-USE VARIANCE to permit an existing detached pergola to setback a minimum of 3.9' (20' required) from the side street (west) property line.
- (2) NON-USE VARIANCE to permit an existing basketball half-court to setback 5' (20' required) from the side street (west) property line and to setback 3' (5' required) from the rear (north) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Proposed Pergola for Mr. Erez Avital", as prepared by Tsur Consulting, Inc. consisting of 1 site plan sheet, and Sheet A-01 as prepared by Lima Architects, both dated stamped received 3/11/2025, for a total of 2 sheets. Plans may be modified at public hearing.

PROJECT HISTORY AND DESCRIPTION:

On October 27, 1960, pursuant to Resolution #Z-1-60, the subject property was part of a larger tract of land that was approved for a district boundary change from AU, Agriculture District, to RU-1, Single-Family Residential District.

The submitted plans show an existing one (1)-story, 2,858 sq. ft. single-family residence on a corner lot, with an existing detached pergola and a basketball half-court located towards the rear of the 0.28-acre subject property that fronts along both NE 24 Avenue and NE 202 Street roadways. The detached pergola structure is situated 3.9' from the side street (west/ NE 24

Avenue) property line where a minimum of 20' is otherwise required by code, whereas the basketball half-court encroaches a minimal 2' into the rear and by 15' into the side street setback areas. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate an existing 6' high wood fence located along the rear, side street and interior side property lines of the subject property.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
North	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
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 residences	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence that is on a 12,512 sq. ft., RU-1, Single-Family Residential District, zoned corner lot, located at 2403 NE 202 Street, at the southwest corner of the intersection of NE 24 Avenue and NE 202 Street. The surrounding area is characterized by existing single-family residences, also developed under the RU-1, Single-Family Residential District regulations.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to legalize reduced setbacks for an existing basketball half-court and a detached pergola that are located towards the rear of their principal residence building. Staff opines that since the rear yard area is enclosed with a 6' high wood fence along the rear, side street and interior side property lines, together with the additional separation provided by the NE 24 Avenue right-of-way, any visual impact that the basketball half-court and gazebo may have on the surrounding properties is minimal and would be sufficiently mitigated.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan The ±0.28-acre subject property is located within the Urban Development Boundary (UDB) and the Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map designates the site as **Low Density Residential**. The CDMP Land Use Element interpretative text for Low Density Residential states that *the residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre, and is generally characterized by single family housing, e.g., single-family detached, cluster, and townhouses*. Staff opines that the approval of the requests for reduced setbacks sought in the

application for an existing pergola and basketball half-court located on the property will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP. Since the applicants are not requesting to add additional dwelling units or change the single-family detached use on the property, staff opines that approval of the application with conditions would be **consistent** with the Low Density Residential Communities designation of the CDMP LUP map.

ZONING ANALYSIS:

When the requests to permit an existing detached pergola structure to setback a minimum of 3.9' (20' required) from the side street (west) property line (request #1), and the request to permit an existing basketball half-court to setback 5' (20' required) from the side street (west) property line and to setback 3' (5' required) from the rear (north) property line (request #2), are analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff opines that the approval with conditions of this request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community.

The plans submitted in conjunction with this application depict the existing single-family residence on a corner lot, with an existing detached pergola structure and a basketball half-court located towards the rear of the subject property. The detached pergola structure encroaches into the side street setback area, whereas the basketball half-court is located closer from both the rear and side street property lines than is permitted under the zoning standards. Staff supports the requests and opines that approval with conditions of these non-use variances would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes from plans, survey map and photographs submitted by the applicants as well as the County's Geographic Information System (GIS) that any impact of the requests are adequately mitigated by the existing 6' high wood fence located along the rear, side street and interior side property lines of the subject property, which, staff opines, buffers any visual intrusion of the encroachments on the surrounding properties, especially to the parcels to the north and west of the subject property. Staff further opines that the existing encroachment towards the rear by the pergola is minimal in nature and internal to the site that is enclosed from view from the outside by the wood fence, and although said structure and basketball half-court are both situated quite close to the side street (west) property line, any significant visual impacts generated from the encroachments on the single-family residences to the west would be further mitigated by the NE 24 Avenue right-of-way that separates the site from the properties located across from the street. Staff recommends as a condition for approval that the said wood fence along the property lines be maintained as a visual buffer, and, if said fence is destroyed or removed, it must be replaced by an opaque fence at a maximum height of 6', or a fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6,' in accordance with Section 33-11(h) of the County Code.

Staff's research of the surrounding area did not find any similar approvals within the neighborhood for variances of the setback requirements for detached accessory structures. Notwithstanding, staff notes that based on memoranda from the departments reviewing this application, any impacts from the reduced setbacks will not cause their facilities and services to operate below their adopted levels of service standards. The memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) indicates that the application does not generate any new additional daily peak hour trips, and the Division of

Environmental Resources Management of the Department of Regulatory and Economic Resources memorandum indicates that approval will not result in a reduction in the LOS standards for potable water supply, wastewater disposal, or flood protection. Additionally, the memorandum from Miami-Dade Water and Sewer Department indicates that they do not have objections, and that the County's Fire Rescue Department in their memorandum indicates that approval of this application would not create a fire or become a hazard on the subject site. Furthermore, staff opines that the architectural style and scale of the pergola and the basketball half-court are designed and arranged in a manner that would not be detrimental to the neighborhood or create adverse privacy impacts on the abutting properties, and that approval with conditions of the requested setbacks would be **compatible** with the surrounding residences and with the aesthetic character of the immediate vicinity. **Based on the foregoing analysis, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) From Other Than Airport Regulations Standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing, entitled "Proposed Pergola for Mr. Erez Avital", as prepared by Tsur Consulting, Inc. consisting of 1 site plan sheet, and Sheet A-01 as prepared by Lima Architects, both dated stamped received 3/11/2025, for a total of 2 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants obtain a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources within 90 days of the expiration of the final appeal period of this application, unless a time extension is granted by the Director of the Department.
5. That the 6' high wood fence along the rear, side street and interior side property lines of the subject property be maintained as a visual buffer, and that if the wall is removed or destroyed, the applicant shall install a cbs wall, opaque fence or hedge that must be 3' high at the time of

planting and that shall grow to and be maintained at a minimum height of 6' in accordance with Section 33-11(h) of the County Code.

6. That the applicant comply with all applicable conditions, requirements, recommendations, requests, and other provisions of the Water and Sewer Department (WASD) as indicated in their memorandum dated March 6, 2025.

ES:JB:SS:PM:JH



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

ZONING RECOMMENDATION ADDENDUM

Erez Avital
PH: Z23-425

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

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

Low Density Residential (Pg. I-31)	<p><i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, 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></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<p><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></p>					
Sec. 33-49. - Table of minimum widths, area of lots, maximum lot coverage, and minimum building sizes	District	Families	Min. Width	Min. Lot Area (Sq. Ft.)	Max. Lot Coverage (% of Lot Area)	Min. Bldg. Size (Cu. Ft.)
	District	Families	Min. Width	Min. Lot Area (Sq. Ft.)	Max. Lot Coverage (% of Lot Area)	Min Bldg. Size (Cu Ft)

	RU-1	1	New sub.- 75'	7,500	40%	8,500
Sec. 33-50. - Table of setback lines in residential and estate districts.	<i>District/ Families</i>	<i>Front (Ft.)</i>	<i>Rear (Ft.)</i>	<i>Interior Side (Ft.)</i>	<i>Side Street (Ft.)</i>	
	RU-1: One	15 for 50% of the lineal footage of the width of the house and 25 for balance; except 20 for attached garages	15 for 50% of the lineal footage of the width of the house and 25 for balance	10% lot width min.—5' max.— 7½'	15	

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

AVITAL, EREZ

2403 NE 202 ST
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2023000425

DATE

HEARING NUMBER

FOLIO: 30-1233-026-0150

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

March 18, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

Building Support Case 20220216337 U opened on June 23rd 2022 for Structure A is a 3,495 sq. ft. 4-bedroom / 2-bath RESIDENTIAL - SINGLE FAMILY : 1 UNIT built in 1968, on which no action is required. Structure C is a 400 sq. ft. pergola erected in 2019 on the property without permit. Structure D is a 100 sq. ft. prefab shed installed in 2009 on the property without permit. Structure E is a 1200 sq. ft. concrete driveway and walkway that were observed in disarray with some cracks. Therefore, structure E needs to be repaired. Structure F is a 330 ft. wood fence to be used as a barrier for a rear pool that was observed deteriorated and being replaced without permit. Structure B is an 800 sq. ft. of 6-foot-deep concrete pool along with its deck built in 1975 that was observed with some deteriorations and of which the protective kiddy fence was removed in 2020. Therefore, structure B needs to be repaired and maintained with a safety pool barrier. A notice of violation was posted on August 30th 2022 and recorded on book 33575 order was issued on July 6/20/23 and recorded on book 33791 pages 3413-3417. There is an as of today's cost of \$1465.70. There is an active Internal Agreement valid through March 17, 2025.

Building Support Case 20200200869-B opened on October 7, 2019 for Failure to obtain required building permit(s) prior to commencing work on: SHED ON THE EAST SIDE AND STRUCTURE (PERGOLA) ON THE WEST SIDE OF PROPERTY ERECTED WITHOUT PERMITS. A notice of

violation was issued on October 7, 2019 and recorded on book 31656 page 3383. Civil violation notices P032366 and P032368 were issued due to noncompliance. A final notice of intent to lien was mailed on March 30, 2021 and a lien was recorded on book 32611 pages 1034-1035. There is an active Compliance Consent Agreement with the Lien Unit.

VIOLATOR:

AVITAL, EREZ

OUTSTANDING LIENS AND FINES:

There are no outstanding liens for fines.

Memorandum

Date: April 17, 2025

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: Z2023000425-2nd Review
Erez Avital
2403 NE 202nd Street
NUV. Proposing a pergola to serve an existing single-family residence
(RU-1) (0.27 Acres)
33-51-42

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 related to potable water service and wastewater disposal.

Potable Water Supply and Wastewater Disposal

According to DERM records, the subject property is currently connected to public water and sanitary sewers. Pursuant to the Code, the proposed pergola structure is required to connect to public water and sanitary sewers to the extent that they have plumbing connections for potable water and/or wastewater.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources, however, the site plan entitled “Proposed Pergola for Erez Avital” prepared by Octavio S. Lima, R.A., and dated as received by Miami-Dade County on December 12, 2023, with the subject application and indicates that tree resources onsite will not be removed. Please note that 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. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code.

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 Jackelyn Alberdi at Jackelyn.Alberdi@miamidade.gov regarding any additional information or concerns with this review.

Conditions of Approval: None

Memorandum



Date: March 6, 2025

To: Eric Silva, AICP, Assistant Director
Development Services Division
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 - Erez Avital
Application No. Z2023000425 - Revision # 1

A handwritten signature in blue ink, appearing to be "M. Valdes", written over the "From:" field of the memorandum.

The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objections to this Zoning Application, based on the information provided. Additional requirements may be needed at the time of permitting. The information provided below is preliminary and it does not affect the Zoning process.

Application Name: Erez Avital

Location: The proposed project is located on approximately 0.28 acres at 2403 NE 202nd Street, with Folio No. 30-1233-026-0150, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is seeking to legalize an existing pergola and a basketball court, located on the western boundary of the existing single-family residence.

Please note that there is a 6 feet Utility Easement along and inside the northern and eastern boundary of the subject property. The site plan for the subject application shows that a portion of the existing basketball court is encroaching on the 6 feet Utility Easement located along the northern boundary of the property. In addition, the site plan also shows that there is an existing concrete slab encroaching on the 6 feet Utility Easement located along the northern and eastern boundary of the property. At the present time, WASD does not have water/sewer facilities in said Utility Easement. Water and sewer infrastructure is located within the public Right-of-Way (R/W) along NE 24th Avenue and NE 202nd Street. **WASD has no objections to this application subject to the following condition that shall be included in the Zoning Resolution for this application:**

- If future water/sewer infrastructure is installed in the Utility Easement within the owner's property, the owner is made fully responsible for any damage to permanent structures located in said Utility Easement as a result of Miami-Dade Water and Sewer Department's forces installing water/sewer infrastructure, or performing maintenance or repairs to existing WASD infrastructure located within the utility easement and holds the County harmless of any damage resulting from any such installation, maintenance or repairs. In addition, no other structure should be built within the Utility Easement.

Water/Sewer: The subject site is located within the WASD's water and sewer service area. The subject property is currently connected to water and sewer.

Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Pedro P. Vera Carballes at (786) 552-8144 or pedro.veracarballe@miamidade.gov.

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: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: March 17, 2025

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

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

Subject: Z2023000425
Name: Erez Avital
Location: 2403 NE 202 Street
Section 23 Township 51 South Range 42 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 1, Block 5, Plat Book 84, Page 54.

This application does not generate any additional trips.

Standard Conditions:

- A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."
- 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



Date: February 14, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

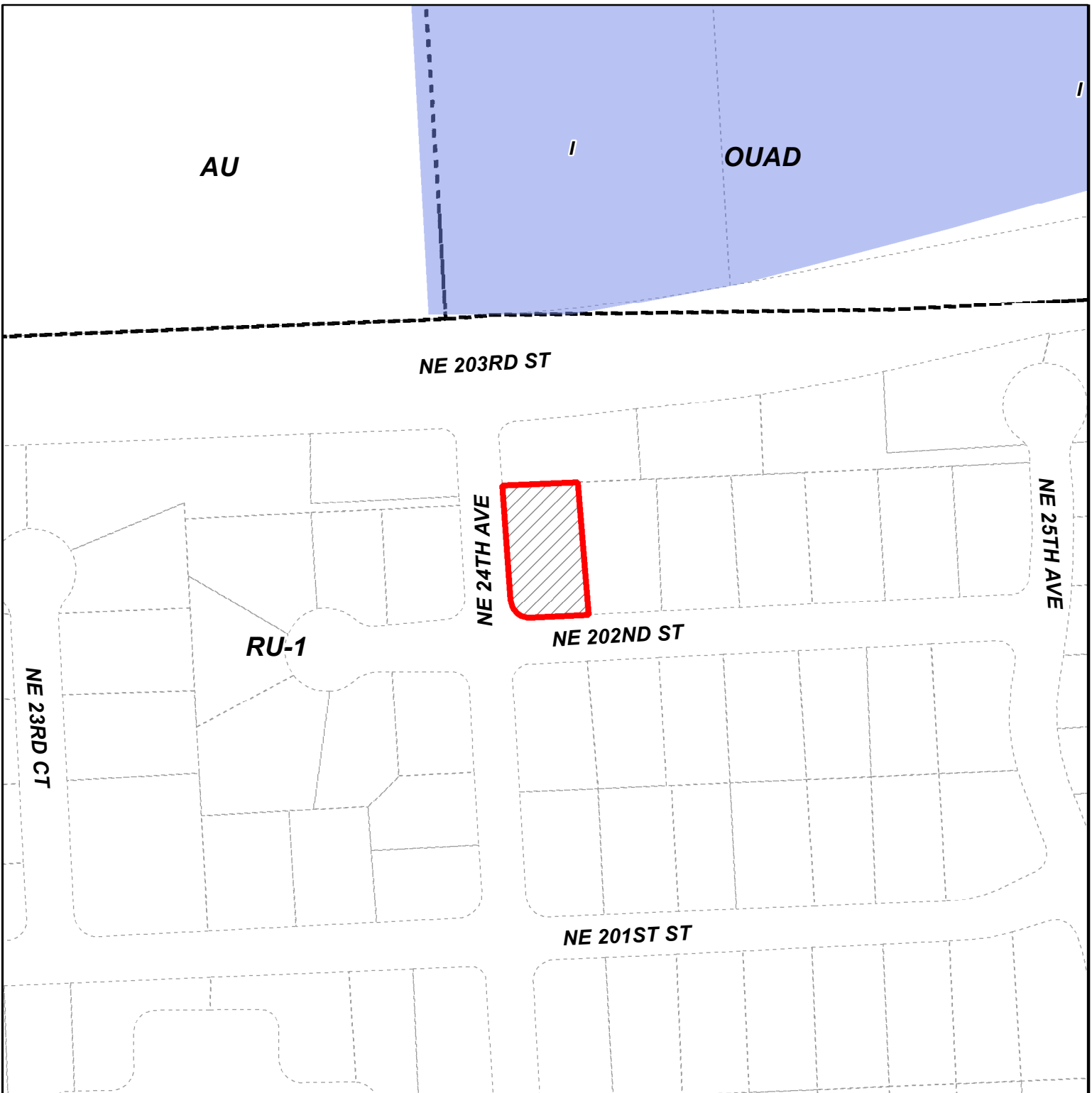
Subject: Z2023000425

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded in “EnerGov” on 02/13/2025. Single family home.

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.



MIAMI-DADE COUNTY

HEARING MAP



Section: 33 Township: 51 Range: 42
 Applicant: Erez Avital
 Zoning Board: C2
 Commission District: 4
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number

Z2023000425



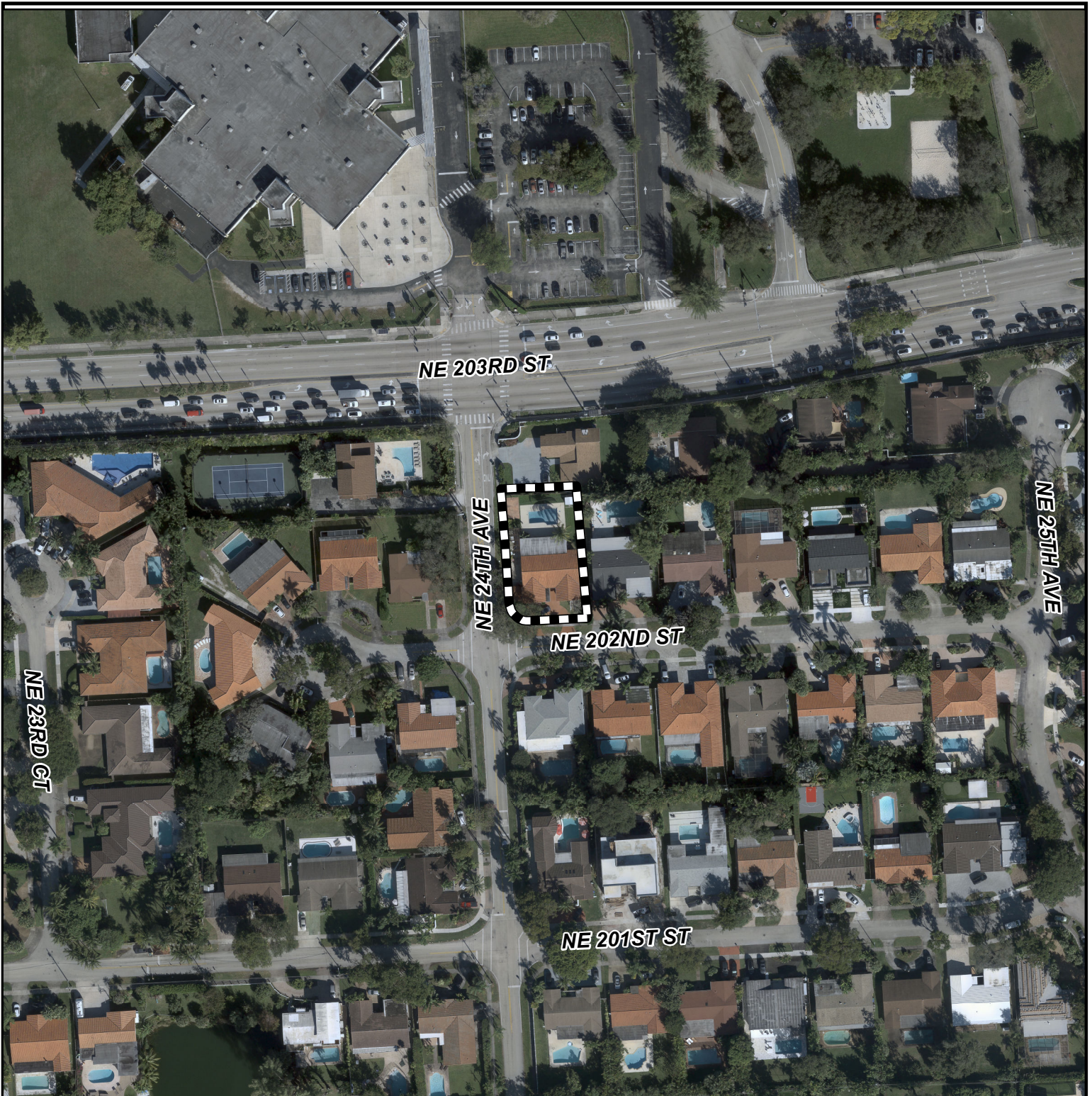
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Monday, December 18, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2023000425

Legend
 Subject Property

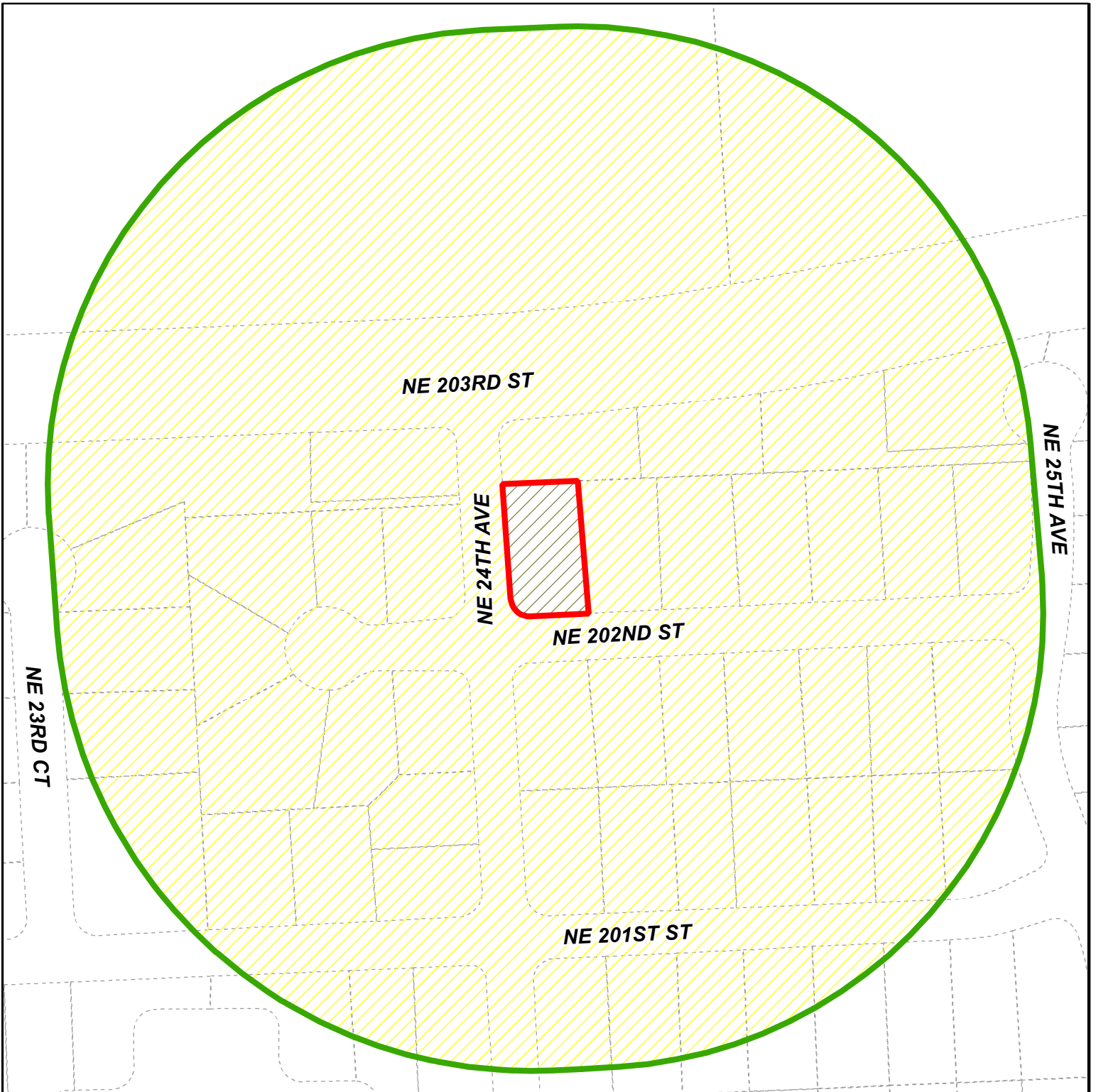


Section: 33 Township: 51 Range: 42
Applicant: Erez Avital
Zoning Board: C2
Commission District: 4
Drafter ID: EDUARDO CESPEDES
Scale: NTS



SKETCH CREATED ON: Monday, December 18, 2023

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 33 Township: 51 Range: 42
 Applicant: Erez Avital
 Zoning Board: C2
 Commission District: 4
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2023000425
 RADIUS: 500

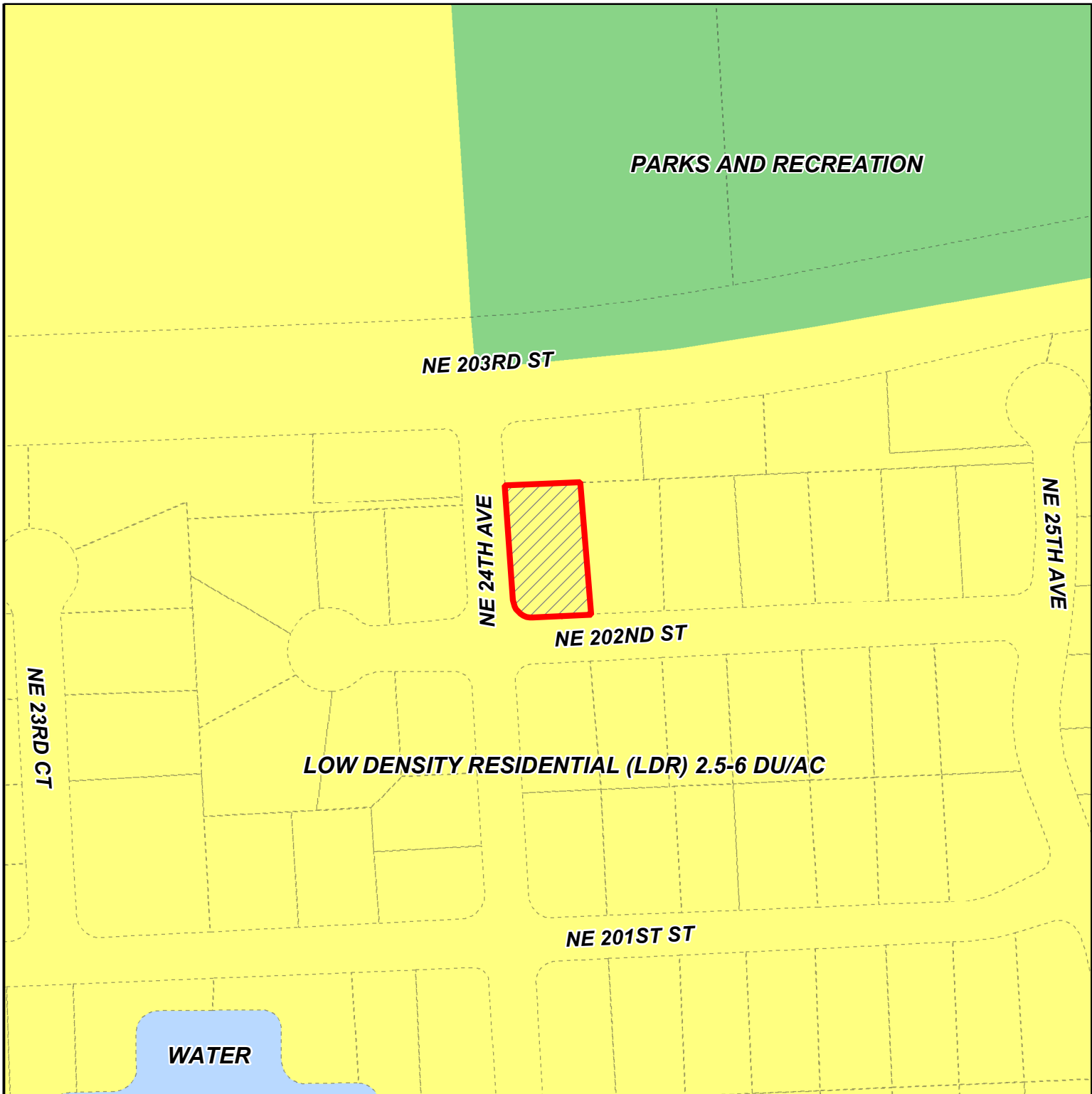
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, December 18, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY

CDMP MAP

Section: 33 Township: 51 Range: 42
 Applicant: Erez Avital
 Zoning Board: C2
 Commission District: 4
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2023000425



Legend

 Subject Property Case



SKETCH CREATED ON: Monday, December 18, 2023

REVISION	DATE	BY

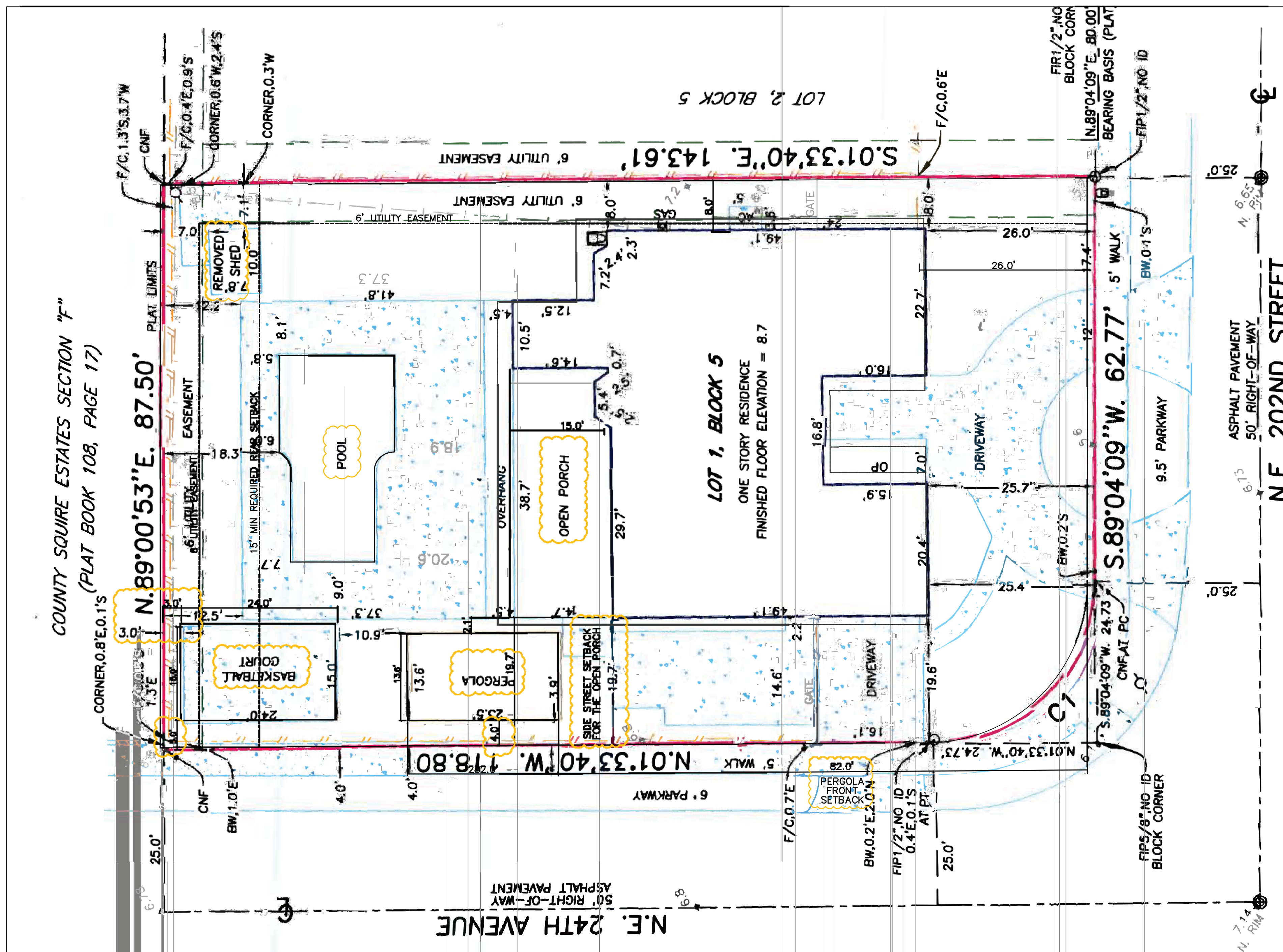
REVISIONS		
NO.	DESCRIPTION	DATE

CLIENT	
DATE	
DRWN BY	DK
SCALE	AS INDICATED
CHKD BY	
DATE	02/06/2025

PROJECT #:
18/24

PROPOSED PERGOLA FOR EREZ AVITAL

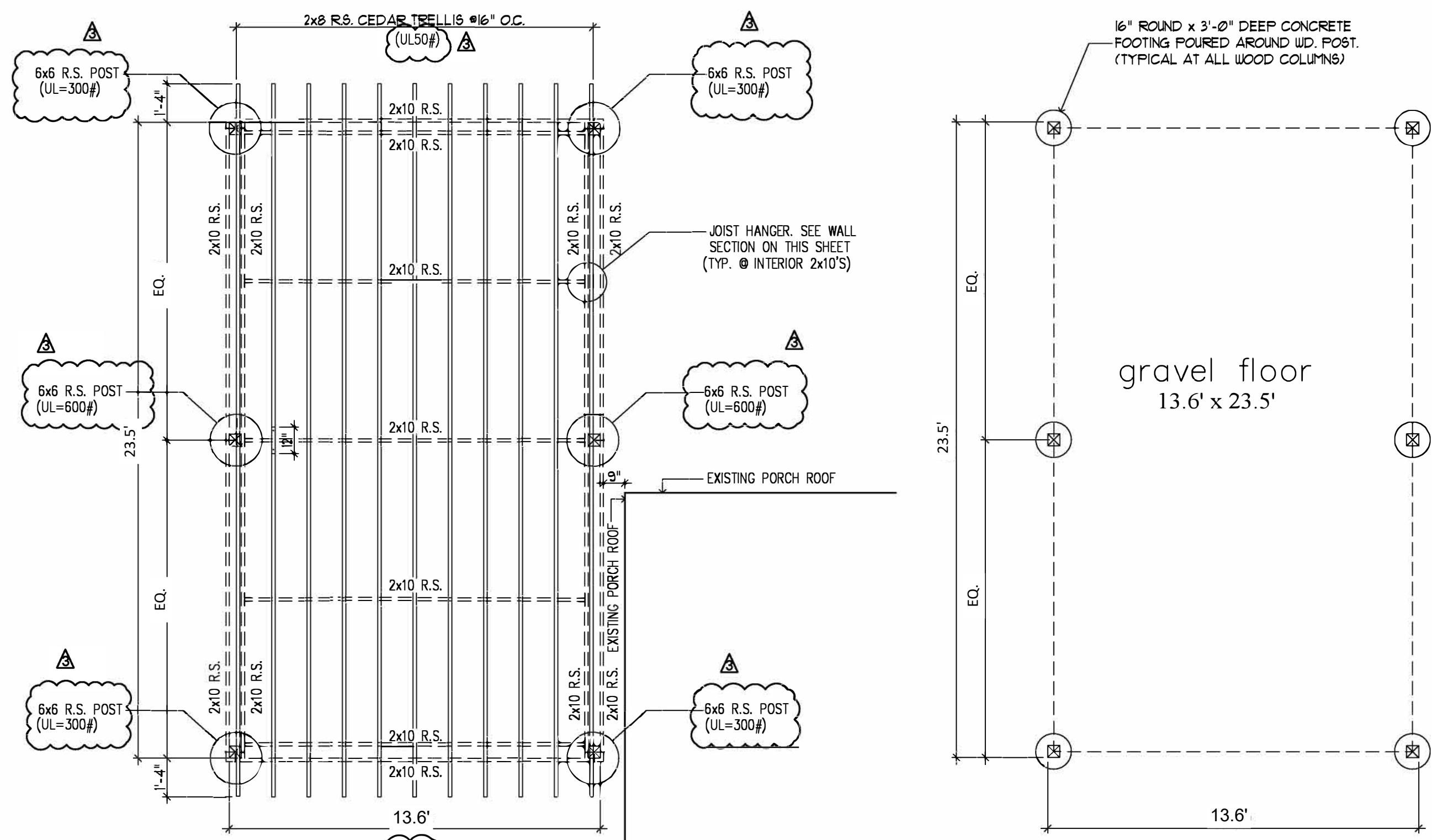
2403 NE 202nd STREET, MIAMI, FLORIDA 33180



SITE DESIGN DATA

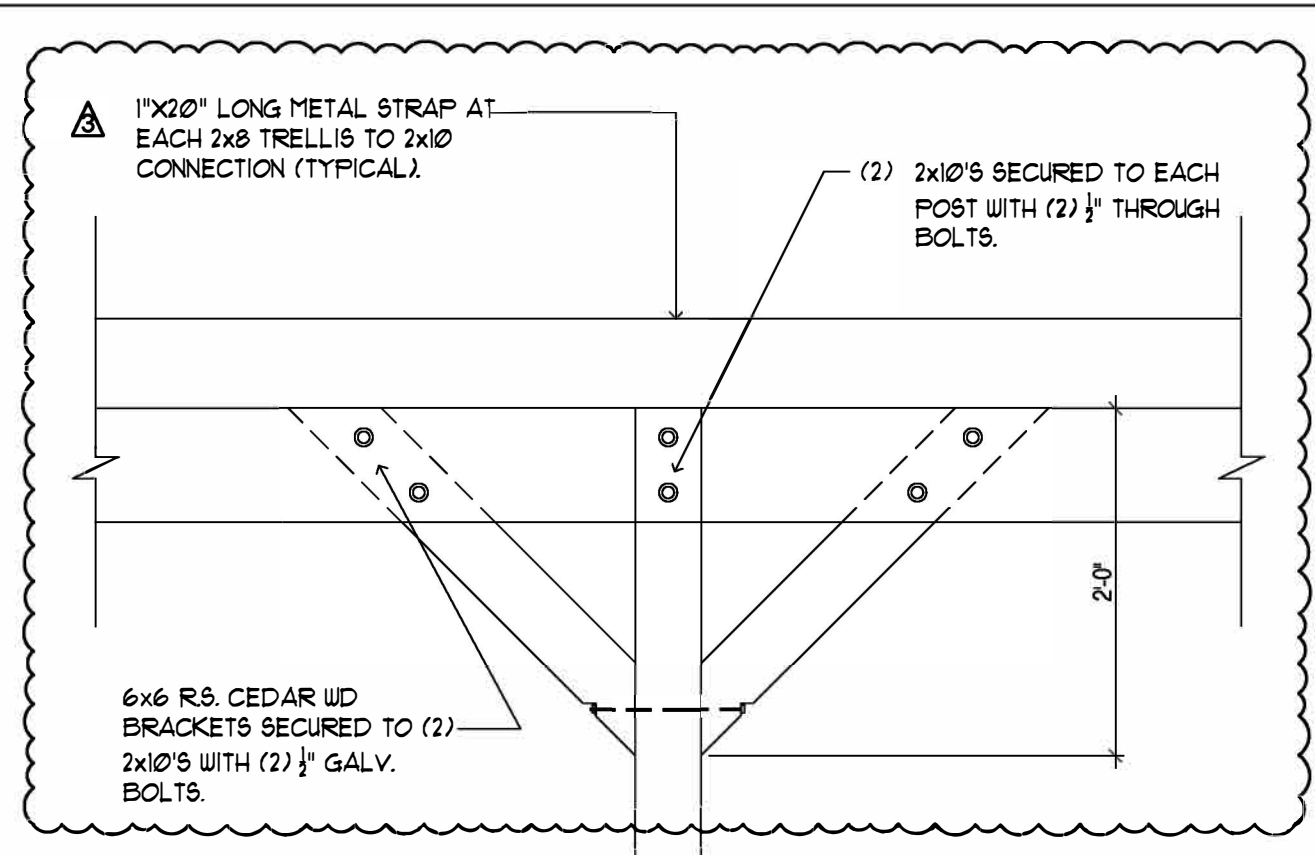
DESIGN CRITERIA		CODE
LAND USE CLASSIFICATION		RU-1
PLOT SIZE	[S.F.]	12,467.0
LOT COVERAGE PRINCIPLE BLDG	23% [S.F.]	2,858.0
MAXIMUM COVERAGE PERCENTAGE		23%
DENSITY	6du/ac	1.72
PLOT DIM. [WIDTH/DEPTH FRONT]	[S.F.]	SEE SURVEY
FLOOD ZONE : AE6	NAVD 88 [2]	7'
RISK CATEGORY	[S.F.]	II
BUILDING HEIGHT		35'
NUMBER OF STORIES		2
BUILDING SETBACKS	FT.	25.0'/25.7'
	FT.	7.5
	FT.	15.0'/54.0'
STRUCTURES (BUILDING & A/C PADS)	[5]	EXISTING
POOL & DECK (SEPARATE PERMIT)	[S.F.]	EXISTING
DRIVES	[S.F.]	EXISTING
TOTAL IMPERVIOUS AREA [IP]	[S.F.]	N.R.
TOTAL IMPERVIOUS AREA PERCENTAGE		N.R.
TOTAL PERVIOUS AREA [P]	[S.F.]	N.R.
TOTAL PERVIOUS AREA PERCENTAGE		N.R.

PREPARED BY: RAUL WAINER P.E.
 21011 NE 32nd AVE, AVENTURA, FLORIDA 33180

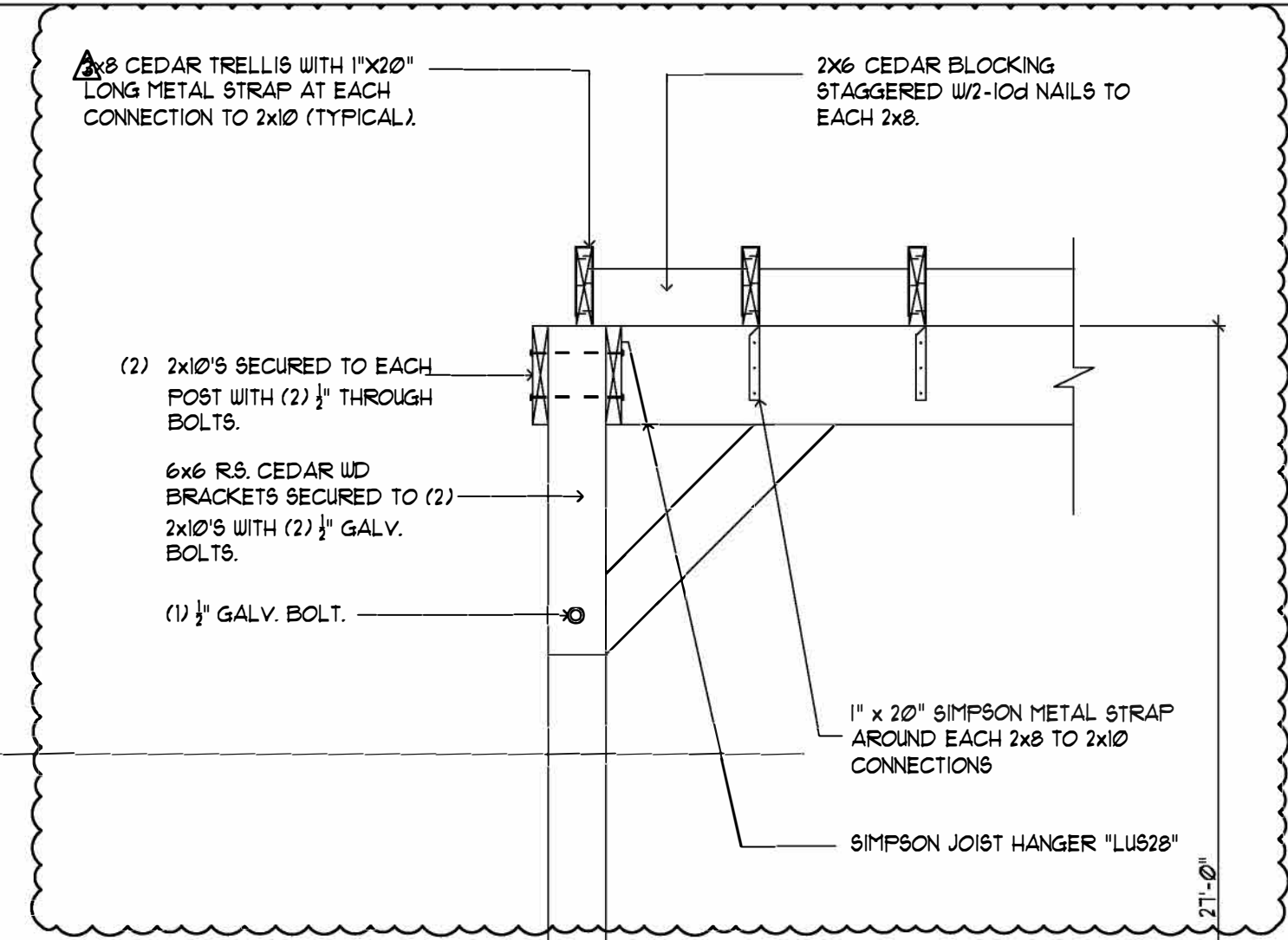


FRAMING PLAN
SCALE: 1/4" = 1'-0"

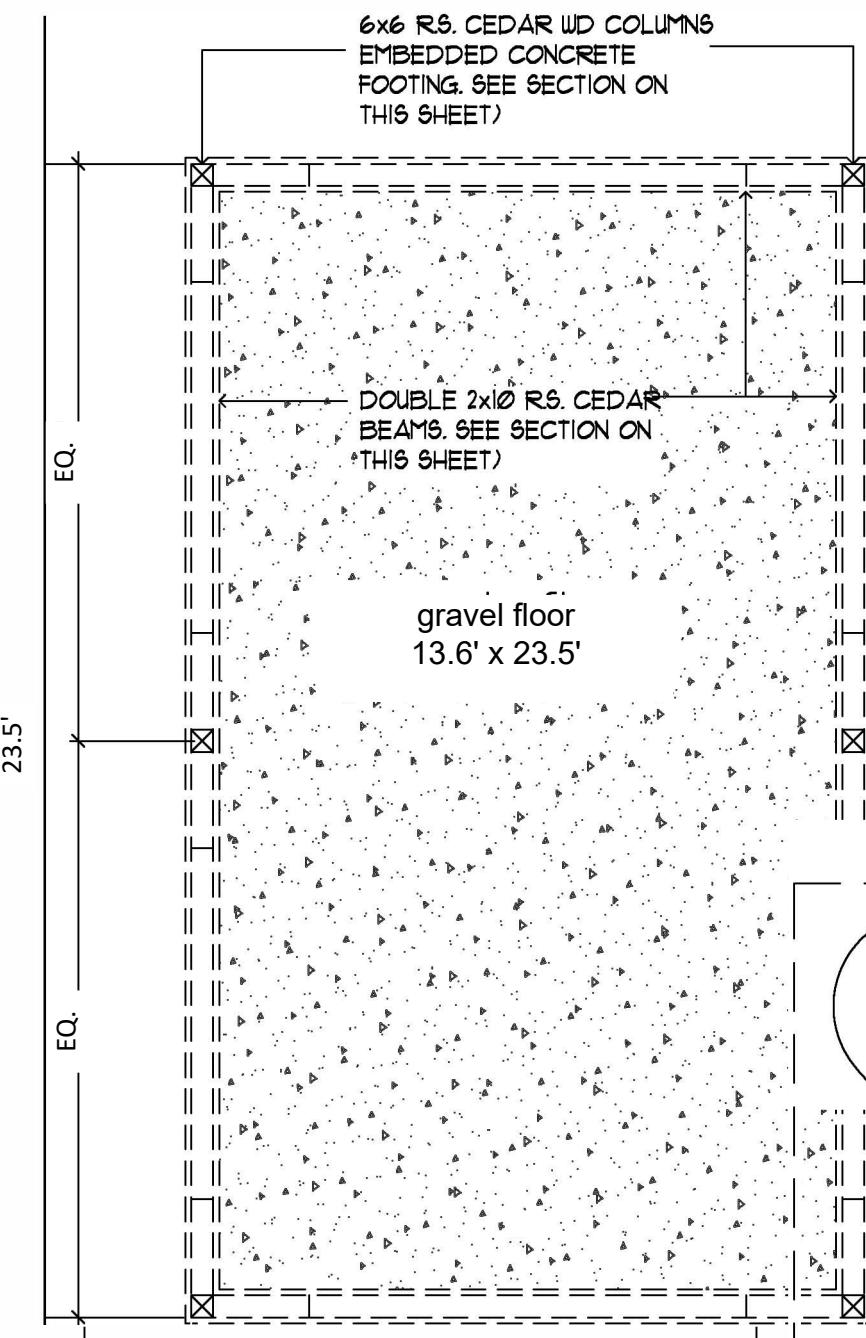
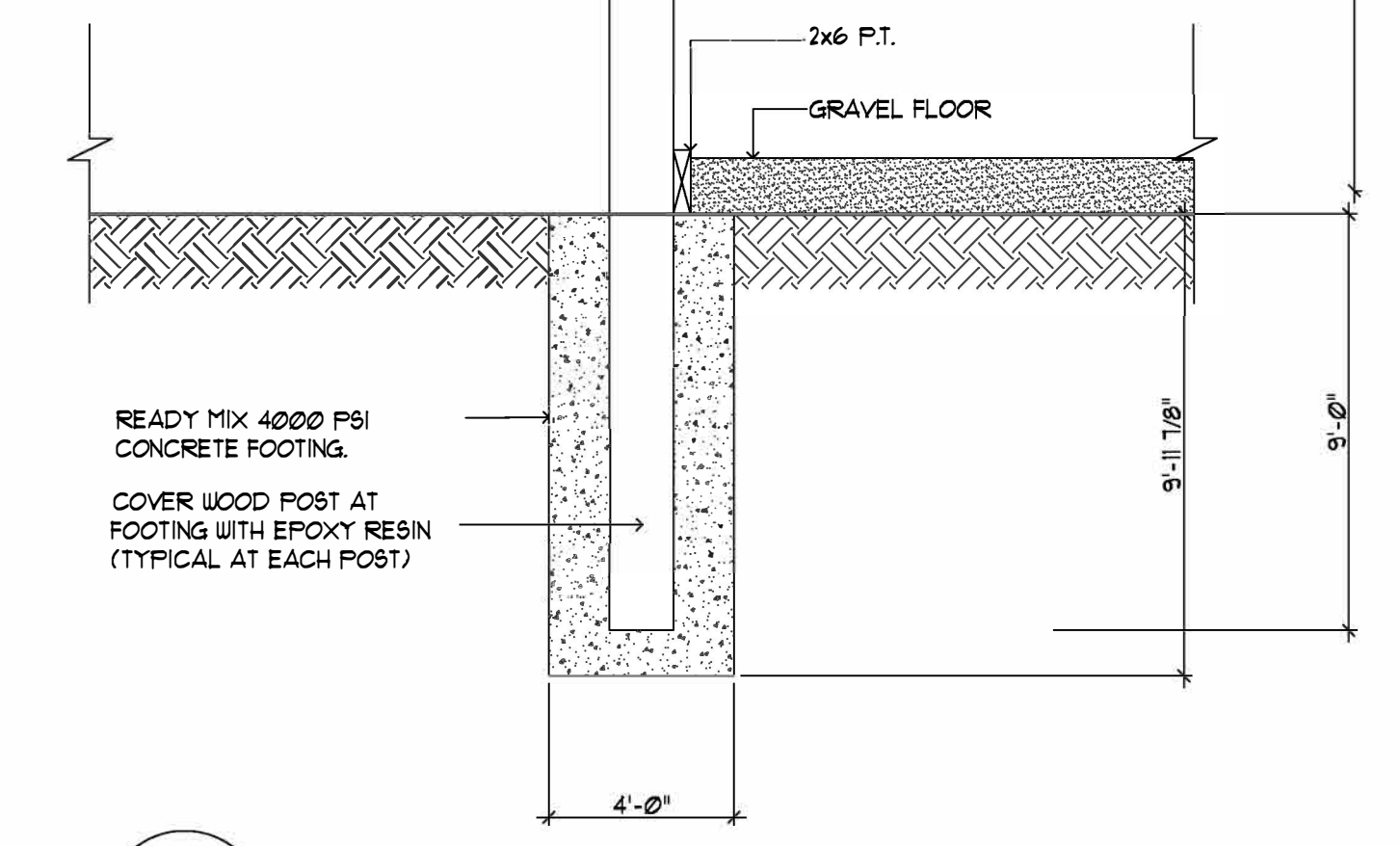
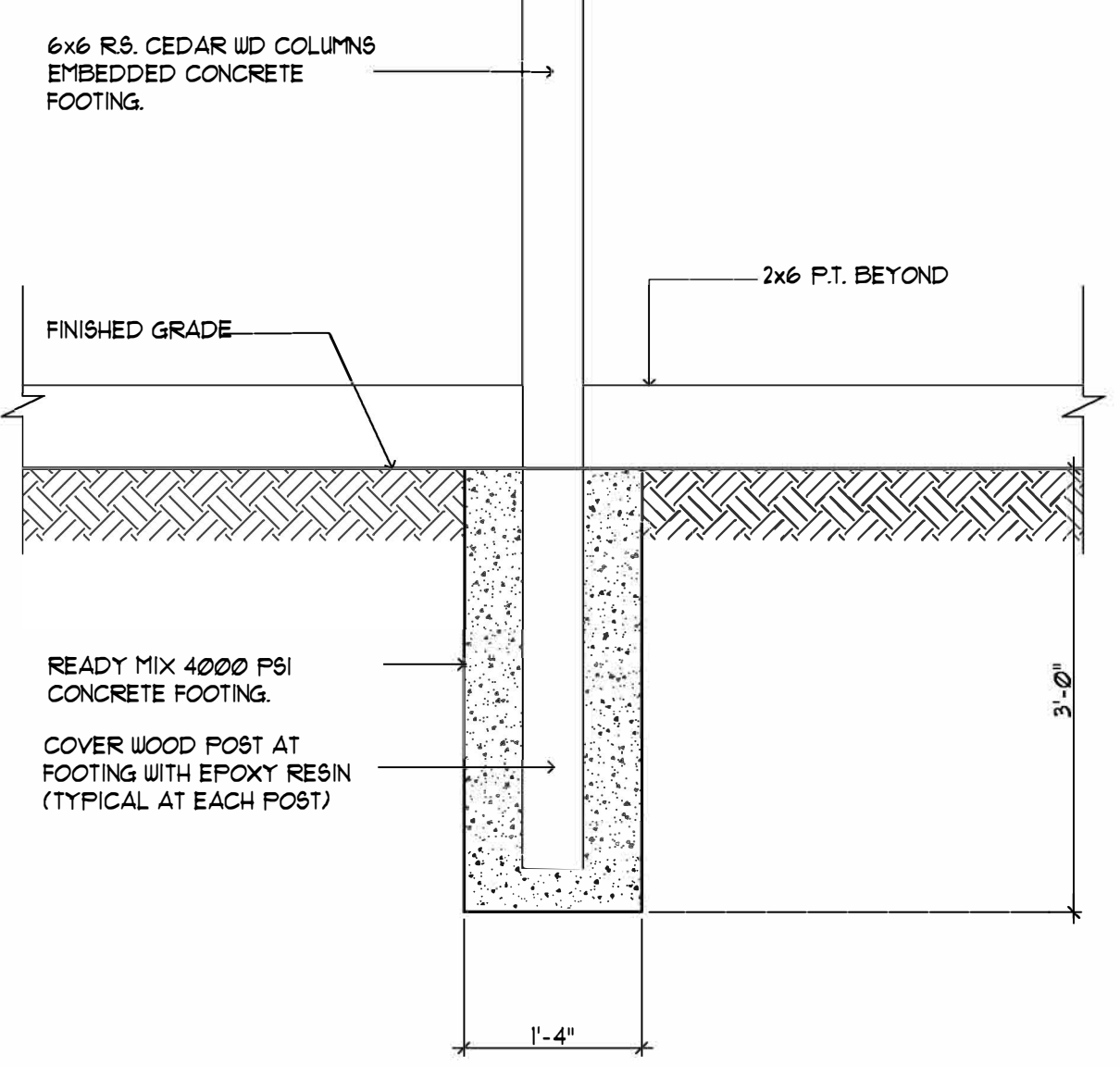
FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



1.0 SECTION 1
A-03 SCALE: 3/4" = 1'-0"

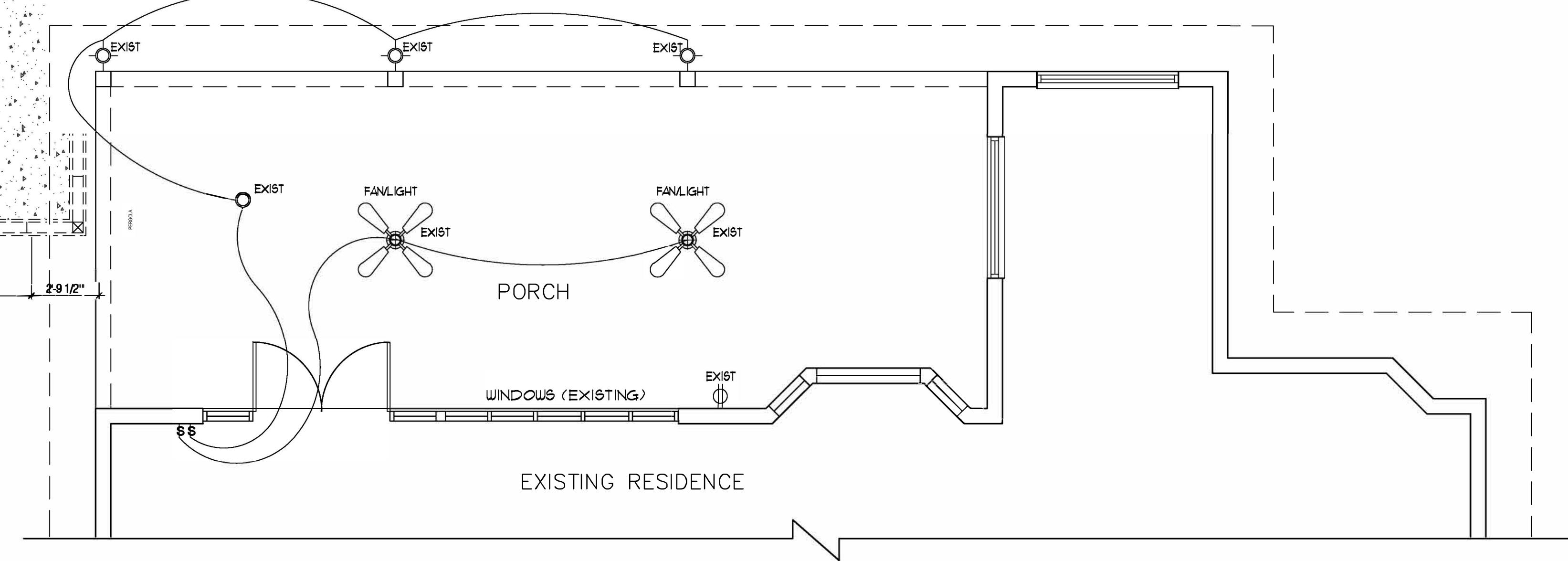


1.0 SECTION 2
A-03 SCALE: 3/4" = 1'-0"

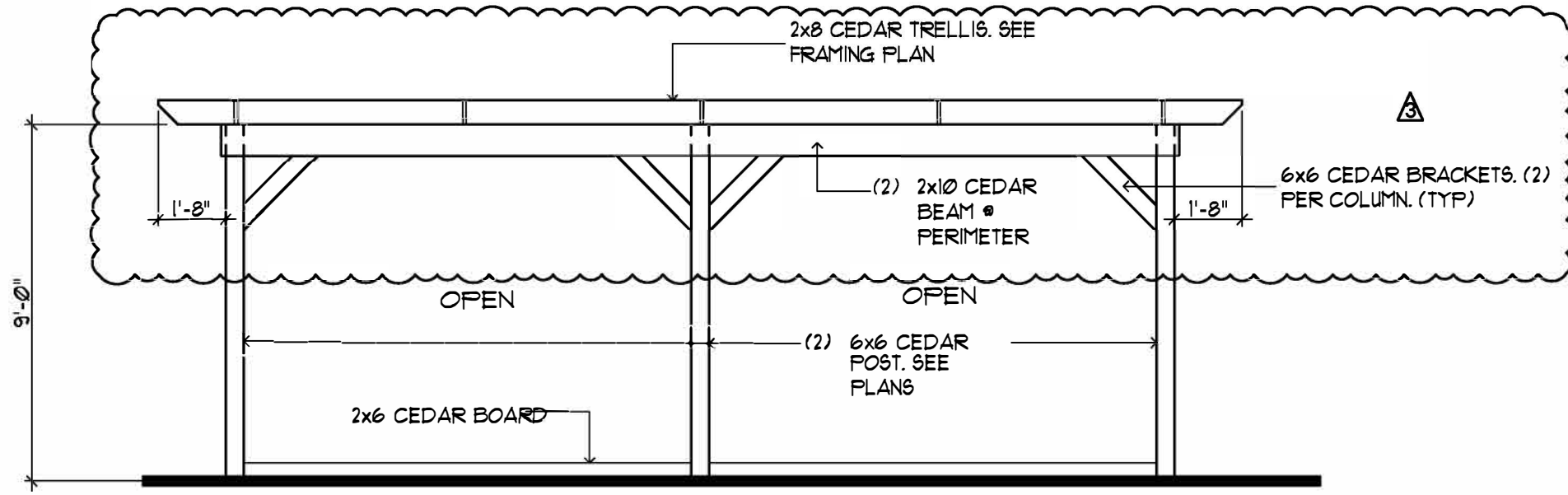


CODE: 2017 FLORIDA BUILDING CODE, 6TH EDITION
OCCUPANCY: R3
TYPE OF CONSTRUCTION: TYPE V, UNPROTECTED

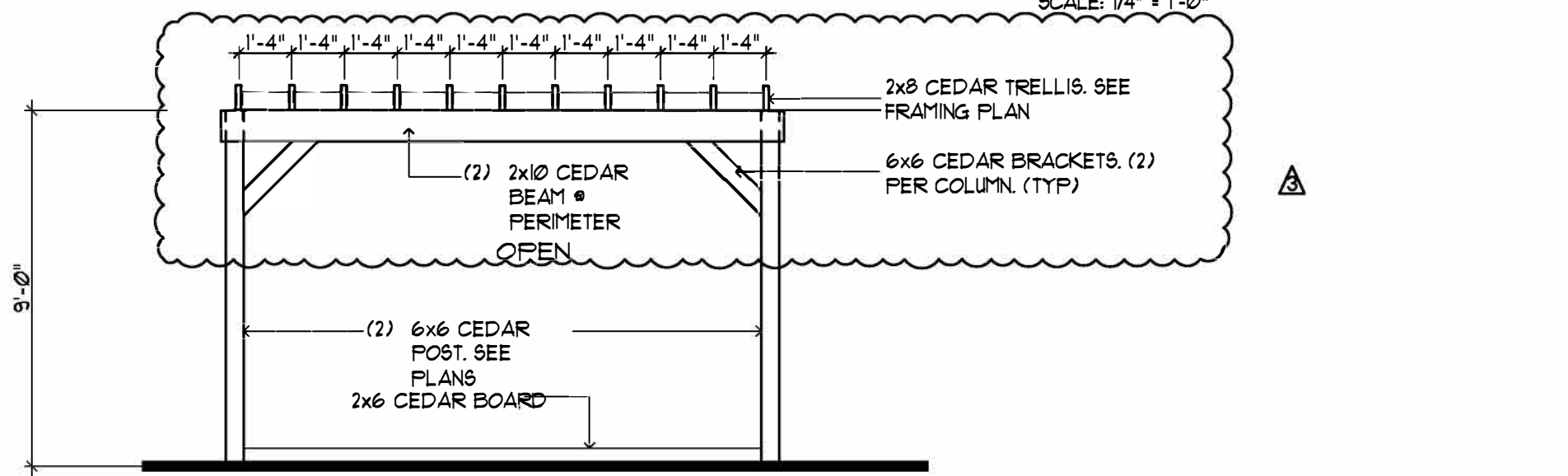
WIND DESIGN NOTE:
ASCE-1-10
120 MPH (3 SEC. GUST)
IMPORTANCE FACTOR = 1
WIND EXPOSURE = 'B' (ENCLOSED)
INTERNAL PRESSURE COEFF = +/- 0.18
COMPONENTS AND CLADDING PRESSURES - SEE ELEV.



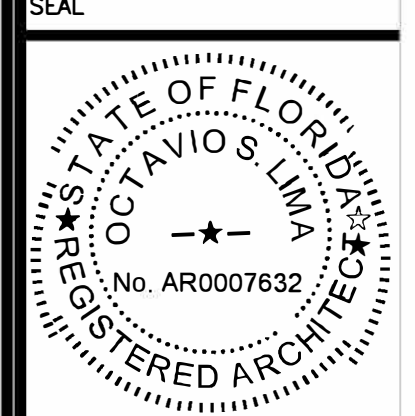
SCALE: 1/4" = 1'-0"



NORTH & SOUTH ELEVATIONS
SCALE: 1/4" = 1'-0"



EAST & WEST ELEVATIONS
SCALE: 1/4" = 1'-0"



This item has been digitally signed and sealed by Octavio Lima, RA on the date adjacent to the seal. Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Octavio S. Lima Architect
FL License # AR-000-7632

REVISIONS
ISSUED FOR PERMIT 11-17-2020
RESUBMITTED, DIGITALLY SIGNED 05-27-2021 WITH CERTIFICATION
PERMIT REVISIONS 08-05-2021
PERMIT REVISIONS 11-22-2022

DATE: MARCH 2022
DRAWN BY: LWK
CHECKED: D. LIMA

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z23-425
DATE: DEC 12 2023
BY: ISA



RECEIVED

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