



# FINAL AGENDA

**Community Zoning Appeals Board 8**  
 Dr. Martin Luther King, Jr. Center, Conference Rooms 1-4, 2525 NW 62 Street, Miami, FL  
 Wednesday, January 7, 2026 at 7:00 pm

**PREVIOUSLY DEFERRED**

A.	Z2023000072	Kerwin Hankerson	23-72	53-41-02	N
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**APPEALS**

**CURRENT**

- |    |             |  |        |          |   |
|----|-------------|--|--------|----------|---|
| 1. | Z2022000252 | Agustin Fernandez, Ayin Cepero and Swany Fernandez | 22-252 | 52-41-33 | N |
| 2. | Z2023000126 | Beatriz Eugenie Valencia Pabon & Diego Buendia     | 23-126 | 52-41-13 | N |
| 3. | Z2024000091 | The Arbour Townhouse Condominium Association, Inc. | 24-91  | 52-42-19 | N |
| 4. | Z2025000023 | Edwin Ambrocio Reyes                               | 25-23  | 53-41-15 | N |



# Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF JANUARY 7, 2026

MARTIN LUTHER KING, JR., CENTER, CONFERENCE ROOMS 1-4

2525 NW 62 STREET, MIAMI, FLORIDA.

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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





Department of Regulatory and  
Economic Resources  
Recommendation:

**Approval with conditions.**

Protests: \_\_\_\_\_ 0 \_\_\_\_\_

Waivers: \_\_\_\_\_ 0 \_\_\_\_\_

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED \_\_\_\_\_

**3. THE ARBOUR TOWNHOUSE CONDOMINIUM ASSOCIATION, INC. Z2024000091  
Area 08/District 02**

The applicant seeks to modify a condition of a prior resolution, only as it applies to the subject property, in order to submit a new site plan reflecting the existing covered terrace addition to one unit of an existing multi-family building. Additionally, the application is to allow the existing covered terrace addition to be located closer to the interior side property line than required by Code.

(1) MODIFICATION of Condition #3 of Resolution #4-ZAB-441-78, passed and adopted by Metropolitan Dade County Zoning Appeals Board, only as it applies to the subject site, and reading as follows:

From: "3. That all proposed enclosures and fences not exceed the 6 feet setback from all interior side property lines."

To: "3. That all proposed enclosures and fences do not exceed the 6 feet setback from all interior side property lines, except for Unit 9-D, which will not exceed a 4 feet setback from the interior side (north) property line."

The purpose of the request is to allow the applicant to modify a previously approved resolution, only as it applies to the subject site, in order to submit a revised site plan showing the existing covered terrace addition to one unit of an existing multi-family building.

(2) NON-USE VARIANCE to permit an existing covered terrace addition to one unit of an existing multi-family building to setback 4' (15' required, 6' previously approved) from the interior side (north) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Rosario Rodriguez", as prepared by Solver Structural Partnership, Inc., dated stamped received 8/28/2025 consisting of 9 sheets. Plans may be modified at public hearing.

**LOCATION:** 14216 NE 3 Court Unit:9-D, Miami-Dade County, Florida.

**SIZE OF PROPERTY:** ±0.29-gross (±0.24-net) Acre

Department of Regulatory and  
Economic Resources  
Recommendation:

**Approval with conditions.**

Protests: \_\_\_\_\_ 0 \_\_\_\_\_

Waivers: \_\_\_\_\_ 0 \_\_\_\_\_

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED \_\_\_\_\_

**4. EDWIN AMBROCIO REYES Z2025000023**

**Area 08/District 03**

The application seeks to modify the condition of a prior resolution in order to submit revised site plan that indicates a conversion from a single-family residence to a duplex. Additionally, the application seeks to allow the duplex to be located closer to the front and rear property lines, and for it to cover a larger area on the lot than permitted by Code.

1) MODIFICATION of Condition #2 of Resolution No. CZAB8-10-12, passed and adopted by the Community Zoning Appeals Board 8, and reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Habitat for Humanity, "as prepared by Thomas & Calzadilla, dated stamped received 3/12/12, consisting of 2 sheets."

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Zoning hearing for proposed DUPLEX addition, as prepared by AIP Design, Inc. dated stamped received 9/19/2025, for a total of 4 sheets."

The purpose of request #1 is to modify the condition of a previously approved resolution in order to submit revised site plan that indicates a conversion from a single-family residence to a duplex.

2) NON-USE VARIANCE to permit a duplex to setback 15' (25' required for 50% of the lineal footage of the entire width of the house and 15' required for the balance) from the front (south) and the rear (north) property lines.

3)NON-USE VARIANCE to permit the duplex residence with a lot coverage of 39.4% (30% maximum permitted).

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economics Resources. Plans may be modified at public hearing.

**LOCATION:** 1879 NW 62 Terrace, Miami-Dade County, Florida.

**SIZE OF PROPERTY:** 0.16 Acre

Department of Regulatory and  
Economic Resources  
Recommendation:

**Approval with conditions.**



Protests: \_\_\_\_\_ 0 \_\_\_\_\_

Waivers: \_\_\_\_\_ 0 \_\_\_\_\_

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED \_\_\_\_\_

**NOTICE**

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

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Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the [Department of 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](http://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 the Community Zoning Appeals Board 8**

**PH: Z23-072**

**January 7, 2026**

Item No. A

<b>Recommendation Summary</b>	
<b>Commission District</b>	2
<b>Applicant</b>	Kerwin Hankerson
<b>Summary of Requests</b>	The applicant seeks to permit an existing covered terrace addition to a single-family residence to setback less than required from the interior side and rear property lines. Additionally, the applicant seeks approval for an existing detached accessory shed structure that is located closer to the interior side property line than required by Code.
<b>Location</b>	1131 NW 89 Street, Miami-Dade County, Florida.
<b>Property Size</b>	±0.21 Acre
<b>Existing Zoning</b>	RU-1
<b>Existing Land Use</b>	Single-family residence district, 7,500 sq. ft. net
<b>2030-2040 CDMP Land Use Designation</b>	Low Density Residential, 2-5 to 6 dua <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance Standards <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval with conditions.</b>

This application was deferred from the December 15, 2025, meeting of Community Zoning Appeals Board (CZAB) #8 in order to allow the applicant to be present at the next meeting.

The public hearing on this item was not held.

**REQUESTS:**

- (1) NON-USE VARIANCE to permit an existing covered terrace addition to a single-family residence to setback a minimum of 20.2' (15' required for 50% of the lineal width of the house and 25' required for the balance) from the rear (north) property line, and to setback 2.9' (7.5' required) from the interior side (west) property line.
- (2) NON-USE VARIANCE to permit an existing detached shed to setback a minimum of 3.7' (7.5' required) from the interior (east) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Public hearing", as prepared by Arshad Viqar, dated stamped received 9/5/2025, consisting of 4 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:**

The submitted plans show an existing one (1)-story, 3,028 sq. ft. single-family residence with attached covered terrace on an interior lot, with an existing detached metal shed located towards

2 | Page

the rear of the 0.21-acre subject property that fronts along NW 89 Street. The applicant seeks to permit the principal residence with its covered terrace encroaching into the interior side (west) and rear (north) setback areas. The applicant is also seeking to permit the existing detached metal shed to setback less than required from the interior side (east) property line. The submitted plans, photos, and the County’s Geographical Information System (GIS) aerial map indicate an existing 6’ high metal fence located along both the interior side property lines, as well as a 4’ high chain-link fence buffered with shrubs located along the rear property line of the subject property.

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

**NEIGHBORHOOD COMPATIBILITY:**

The 0.21-acre subject property consists of an existing single-family residence that is located on a RU-1, Single-Family Residential District, on an interior lot, located at 1131 NW 89 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 the existing principal residence and detached shed that is located on the subject site. Staff opines that since the rear yard area is enclosed with a 6’ high metal fence along the interior side property lines, and a 4-foot-high chain link fence that is buffered with shrubs along the rear property line, any visual impact that the existing residence and shed may have on the surrounding properties is minimal and would be sufficiently mitigated.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The ±0.21-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; *“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 the existing residence and detached shed 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 applicant is 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 covered terrace addition to a single-family residence to setback a minimum of 20.2' (15' required for 50% of the lineal width of the house and 25' required for the balance) from the rear (north) property line, and to setback 2.9' (7.5' required) from the interior side (west) property line (request #1), and to permit an existing detached shed to setback a minimum of 3.7' (7.5' required) from the interior side (east) 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 an interior lot with an attached terrace addition towards its rear that encroaches into the rear and interior side (west) property lines. Staff notes that the County Geographical Information System (GIS) shows that the existing terrace addition to the principal residence was built around 2021. The plans also indicate an existing detached accessory metal shed structure located towards the rear of the subject property that encroaches into the interior side (east) property line than is permitted under the zoning standards. Staff supports the requests and opines that approval with conditions of these non-variances would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff further opines that any existing visual impact of these setback encroachments for requests #1 and #2 is mitigated by the existing 6' high metal fence along the side property lines and 4' high chain-link fence with landscape hedges with a total height of approximately 6' planted against it along the rear property line. Staff recommend as a condition for approval that the said fences along the rear and interior side property lines be maintained as a visual buffer, and, if either the fence is destroyed or removed, it must be replaced by a fence in accordance with Section 33-11(h) of the County Code.

Staff's research of the surrounding area found similar approvals within the neighborhood for variances of the setback requirements for single-family residences and their accessory structures. For example, a property located at 1071 NW Little River Drive was approved under Resolution #CZAB8-4-03 for a variance to permit a single-family residence setback 24.6' from the front (south) property line (25' required), permit a garage addition setback 12.5' (25' required) from the rear (north) property line, and to permit a family room addition to setback a minimum of 20' (25' required) from the rear (north) property line. Similarly, the property located at 8925 NW 9 Avenue was approved under Resolution #2-ZAB-406-62 for a variance to permit a bedroom addition to a single family residence to set back 15' (25' required) from rear (east) property line. Furthermore, staff opines that the architectural style and scale of the existing residence and the detached metal shed 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. **As such, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b), Non-Use Variances Standards From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

**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 "Public hearing", as prepared by Arshad Viqar, dated stamped received 9/5/2025, consisting of 4 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 applicant obtains a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources.
5. That the 6' high metal fence along both the interior side property lines and the 4' high chain-link fence buffered with hedges located along the rear property line be maintained as a visual buffer, and that if removed or destroyed, the applicant shall install a similar fence in accordance with Section 33-11(h) of the County Code.

ES:JB:SS:PM



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

## ZONING RECOMMENDATION ADDENDUM

Kerwin Hankerson

PH: Z23-072

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS</b>	
<i>Division of Environmental Resource Management (RER)</i>	<i>No objection</i>
<i>Platting and Traffic Review Section (RER)</i>	<i>No objection</i>
<i>Water and Sewer Department</i>	<i>No objection</i>
<i>Parks, Recreation and Open Space</i>	<i>No objection</i>
<i>Fire and Rescue Department</i>	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

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

<p><b>Low Density Residential</b> (Pg. I-29)</p>	<p><i>The Adopted 2030 and 2040 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

<p><b>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</b></p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> 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>
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**Section  
33-50**

The minimum setback distances and spacing requirements in residential and estate districts shall be as follows:

District/Families	Front (Ft.)	Rear (Ft.)		Interior Side (Ft.)	Side Street (Ft.)
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
Acc. bldg.	75	5		same as RU-1 res.	equal to front setback requirements for principal structure on key lot, plus 5'; 20' where there is no key lot.
Canopy carport	5	5	—	2	5
RU-2: One				- same as RU-1 res. -	
Two singles: Front				- same as RU-1 res. -	
Rear				- same as RU-1 acc. bldg. -	
Duplex				- same as RU-1 res. -	
Acc. bldg.				- same as RU-1 acc. bldg. -	
Canopy carport	5	5	—	2	5

*Building and Neighborhood Compliance*

**ENFORCEMENT HISTORY**

KERWIN HANKERSON

1131 NW 89 ST  
MIAMI-DADE COUNTY, FLORIDA.

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**APPLICANT**

**ADDRESS**

PENDING

Z2023000072

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**DATE**

**HEARING NUMBER**

**FOLIO No: 30-3102-014-0800**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

September 26, 2025

**NEIGHBORHOOD REGULATIONS:**

There are no open/closed cases

**BUILDING SUPPORT REGULATIONS:**

There are no open/closed cases

**VIOLATOR:**

Kerwin Hankerson

**OUTSTANDING LIENS AND FINES:**

There are no outstanding Liens, Fines, or Fees

# Memorandum

**Date:** October 7, 2025

**To:** Lourdes M. Gomez, AICP, Director  
Department of Regulatory and Economic Resources (RER)

**From:** Christine Velazquez, Division Chief  
Department of Regulatory and Economic Resources (RER)

**Subject:** Z2023000072-2<sup>nd</sup> Review  
Kerwin Hankerson  
1131 NW 89<sup>th</sup> Street  
Non- use variance for setbacks requirements to legalize additions to  
single-family residence  
(RU-1) (0.21 acres)  
02-54-31

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RER-Code Coordination and Public Hearings Section 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 supply and wastewater disposal.

#### Potable Water Supply and Wastewater Disposal

According to RER records, the property is currently connected to the public water supply system and is served by an onsite sewage treatment and disposal system (OSTDS) as a means for the disposal of domestic liquid waste. Furthermore, pursuant to section 24-43.4 of the Code and based on the information submitted with this application County staff has determined that public sewer lines are not located within feasible distance to the subject site. Pursuant to the Code, all structures being legalized are required to connect to public water and the OSTDS to the extent that they have plumbing connections for potable water and/or wastewater.

#### **Conditions of Approval: None**

#### Tree Preservation Review

While an aerial review of the subject property indicates the presence of tree resources, it does not appear that the requested setbacks and legalization of a structure will result in the removal of these tree resources. 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 for additional information or concerns regarding this review.

#### **Conditions of Approval: None**

DERM Enforcement History Review

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 RER 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:** September 25, 2025

**To:** Eric Silva, AICP, Assistant Director  
Development Services Division  
Department of Regulatory and Economic Resources (RER)

**Through:** James B. Ferguson, P.E.  
Assistant Director  
Water and Sewer Department (WASD)

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

**Subject:** Zoning Application Comments - Kerwin Hankerson  
Application No. Z2023000072 (Revision No. 2)

A handwritten signature in blue ink that reads "Maria Valdes".

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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: Kerwin Hankerson

Location: The proposed project is located at 1131 NW 89<sup>th</sup> Street with Folio No. 30-3102-014-0800, in unincorporated Miami-Dade County.

Proposed Development: The applicant is seeking the following non-use variance setbacks:

- 1) Rear setback for the main house of 24.3 feet where 25 feet is required,
- 2) Side setback for the main house of 2.9 feet where 7.5 feet is required
- 3) Tool shed side setback of 3.7 feet where 7.5 feet is required,

*Please note that the subject property has a 5-foot Utility easement within and along the northern boundary of the property. Permanent structures, trees or palms are not allowed within said utility easement (only passive landscaping along the Utility Easement).*

Water: The subject site is located within the WASD's water service area. The subject property is currently being served by WASD.

Sewer: The proposed development is located within the WASD's sewer service area. The existing property is currently on septic. There is no sanitary gravity sewer system in close proximity to the subject property at the present time.

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

# Memorandum



Date: June 13, 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: Z2023000072  
Name: Kerwin Hankerson  
Location: 1131 NW 89 Street  
Section 02 Township 53 South Range 41 East

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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 11, Block 4, Plat Book 53, Page 53.

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:** September 05, 2025

**To:** Eric Silva, Assistant Director  
Regulatory and Economic Resources

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

**Subject:** Z2023000072

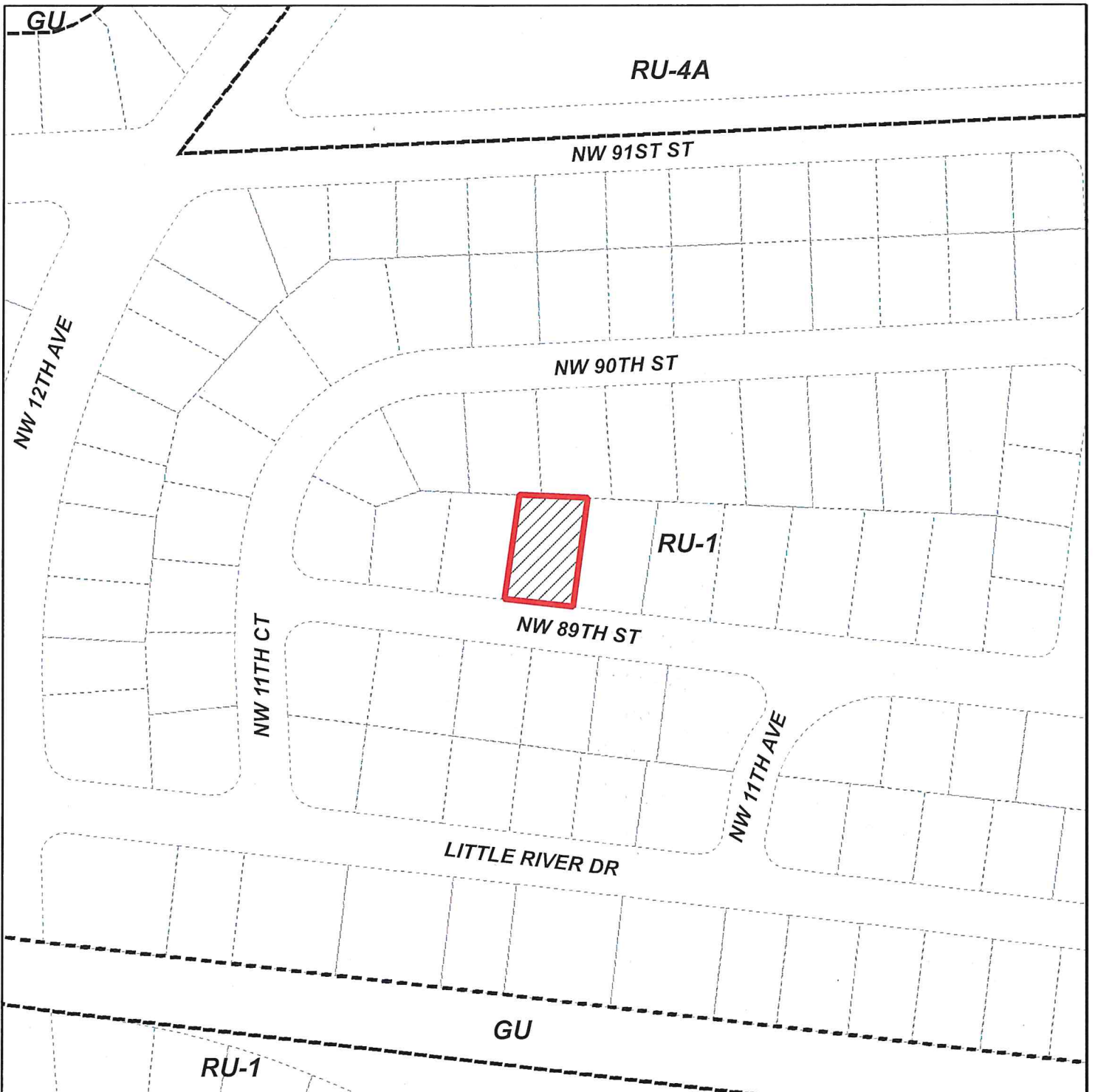
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The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “EnerGov” on 9/5/2025. Single family home.

MDFR’s review of this 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](mailto:acuello@miamidade.gov) or call 305-775-3357.





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2023000072**



Section: 02 Township: 53 Range: 41  
 Applicant: Kerwin Hankerson  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Monday, June 26, 2023

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2021**

Process Number  
**Z2023000072**

Legend  
 Subject Property



Section: 02 Township: 53 Range: 41  
 Applicant: Kerwin Hankerson  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Monday, June 26, 2023

REVISION	DATE	BY






**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 02 Township: 53 Range: 41  
 Applicant: Kerwin Hankerson  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

Process Number  
**Z2023000072**  
 RADIUS: 500

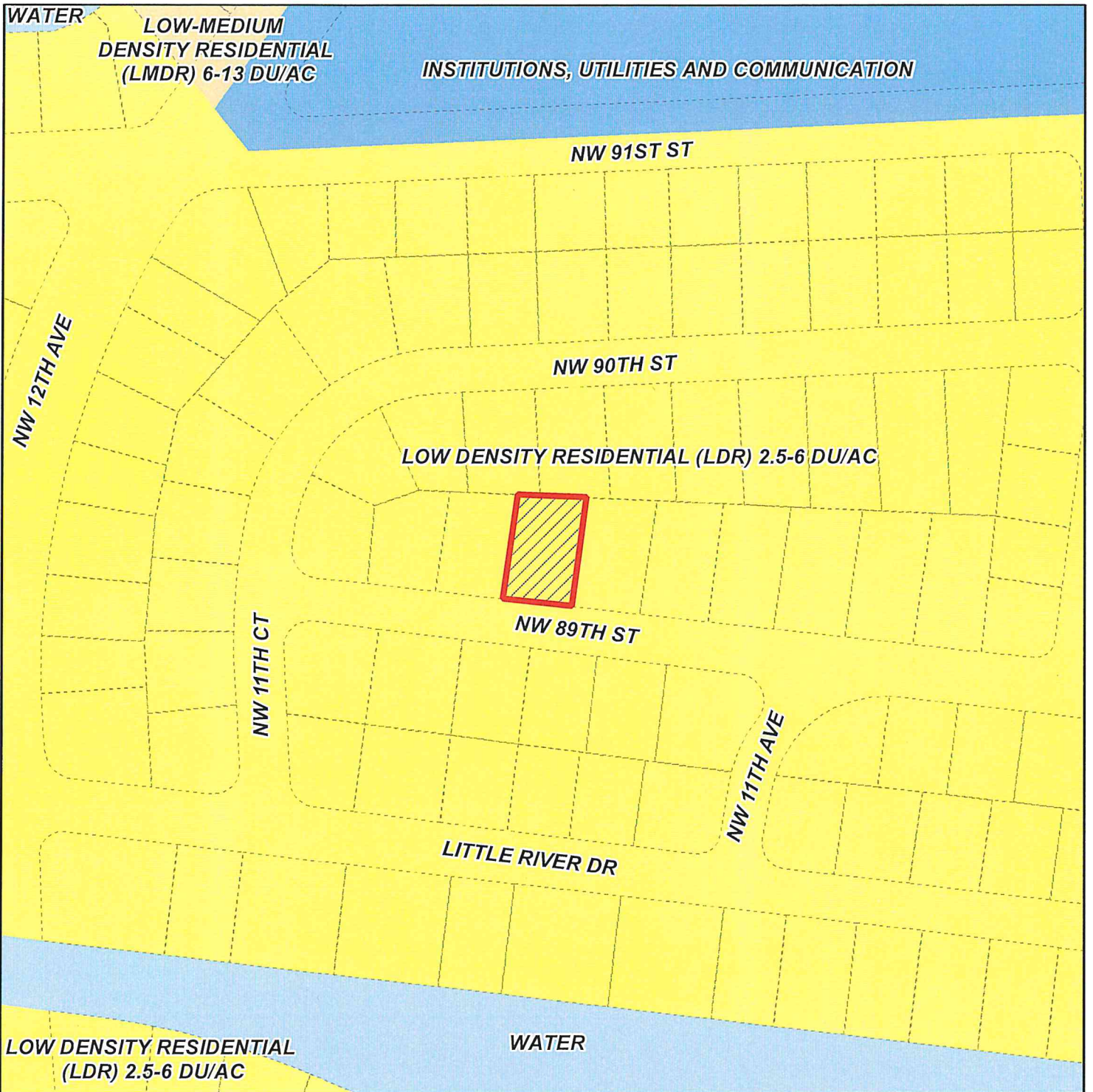
**Legend**

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, June 26, 2023

REVISION	DATE	BY





**MIAMI-DADE COUNTY**  
**CDMP MAP**

Section: 02 Township: 53 Range: 41  
 Applicant: Kerwin Hankerson  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

Process Number  
**Z2023000072**

**Legend**  
 Subject Property Case

SKETCH CREATED ON: Monday, June 26, 2023

REVISION	DATE	BY

MIAMI PERMITS.COM  
 Plans-Permits & Inspections/Crossing  
 Arshad Vigar Cert. Auth. #2797 PE #38863  
 11865 SW 26 ST Suite J-7 Miami, FL 33175  
 PH: 305-238-9000

PUBLIC HEARING  
 KERWIN HANKERSON  
 1131 NW 89TH STREET MIAMI, FLORIDA 33150

SEAL  
**Arshad Vigar**  
 Digitally signed  
 by Arshad Vigar  
 Date: 2025.09.04  
 15:25:02 -04'00'

SHEET NO.  
 SP-1

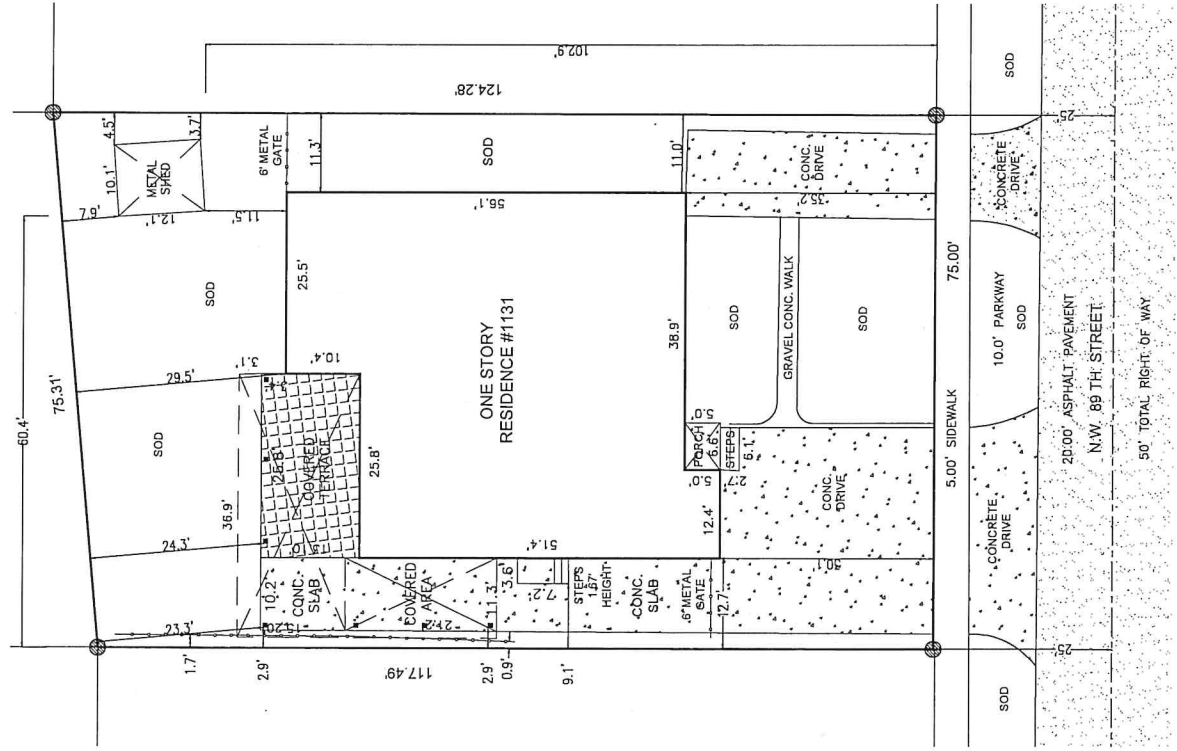
**LEGAL DESCRIPTION**  
 ADDRESS: 1131 NW 89 TH STREET MIAMI-DADE COUNTY, FLORIDA  
 LOT \_\_\_\_\_ BLOCK \_\_\_\_\_  
 PLAT \_\_\_\_\_  
 PLAT THROUGH AND RECORDED IN PLAT BOOK \_\_\_\_\_ AT THE  
 COUNTY OF MIAMI, FLORIDA. PUBLIC RECORDS OF MIAMI-DADE  
 COUNTY, FLORIDA.

HOUSE SETBACKS	
REQUIRED	PROPOSED
FRONT - 25.00'	30.00'
SIDE - 7.50'	11.00'
REAR - 15.00' (FROM SOD)	23.50'
LANDSCAPE AREA = 8,038.00 SQ. FT.	
NET LAND AREA = 8,047.00 SQ. FT.	
FRONT - 25.00'	
SIDE - 7.50'	
REAR - 15.00' (FROM SOD)	
LANDSCAPE AREA = 8,038.00 SQ. FT.	

METAL SETBACKS	
REQUIRED	PROPOSED
FRONT - 75.00'	102.90'
SIDE - 3.00'	3.00'
REAR - 3.00'	3.00'
TERACES ARE OPEN AND THEY WILL REMAIN OPEN.	

NOTICE:  
 IN ACCORDANCE WITH THE REQUIREMENTS OF THE PERMITS RULES, THERE MAY BE ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN THE MIAMI-DADE COUNTY RECORDS, SECTION 35.03 (10), FLORIDA STATUTES, EFFECTIVE 7/30/07.



SITE PLAN

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



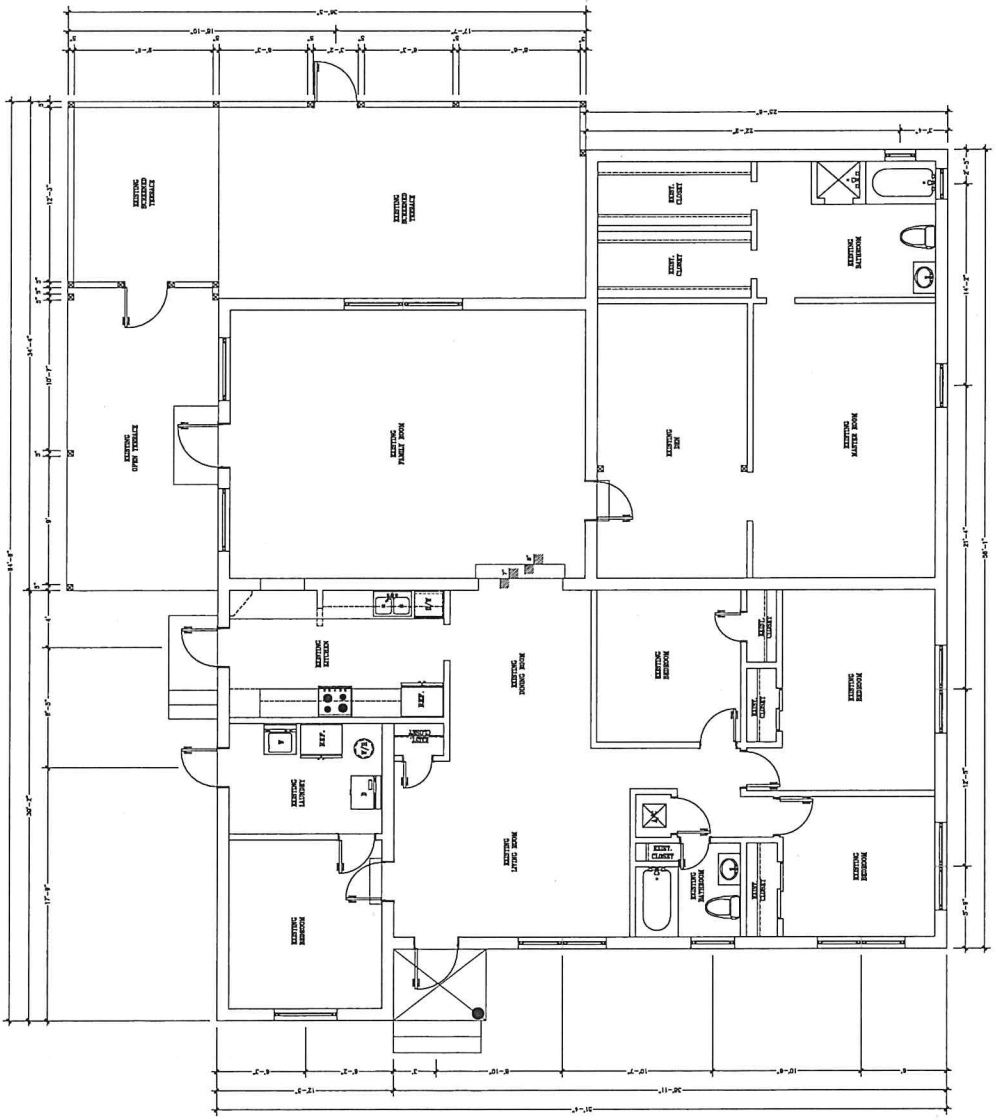


MAIAMI PERMITS.COM  
Plans-Permits & Inspections Processing  
E-File System  
11865 SW 26 ST Suite J-7 Miami, FL 33175  
Arshad Vigar Cert. Auth. #27947 PE #38863  
PH: 305-228-8900

PROJECT NO.	1131 NW 89th STREET, MIAMI, FLORIDA 33150
OWNER	KERWIN HANKERSON
DESCRIPTION	PUBLIC HEARING
DATE	07-06-24
REVISIONS	

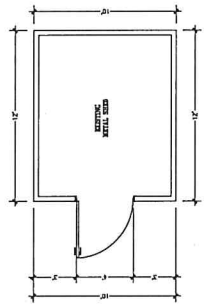
SEAL  
**Arshad Vigar**  
Digitally signed  
by Arshad Vigar  
Date: 2025.09.04  
15:26:23 -04'00'

SHEET NO.  
A-1



**WALL LEGEND**

[Symbol]	ORIGINAL 10" CONCRETE WALL
[Symbol]	ORIGINAL 5" PARTITION WALL



FLOOR PLAN - METAL SHED  
SCALE 1/4" = 1'-0"

FLOOR PLAN  
SCALE 1/4" = 1'-0"

RECEIVED

MIAMI-DADE COUNTY  
PROCESS NO. 1223-072  
DATE: JUL 11 2024  
BY: CABR



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO. Z23-072

DATE: JUL 11 2024

BY: CBR



# RECEIVED

MIAMI-DADE COUNTY  
PROCESS NO.: Z23-072  
DATE: JUL 11 2024  
BY: CABR



**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to the Community Zoning Appeals Board 8**

**PH: Z22-252**

**January 7, 2026**

Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	2
<b>Applicant</b>	Agustin Fernandez, Ayin Cepero and Swany Fernandez
<b>Summary of Requests</b>	The applicants seek to allow an existing single-family residence with a covered terrace addition to setback less than required from the interior side property line. Additionally, the applicants seek to allow 2 existing detached storage sheds on the property where only 1 is permitted by Code, and to allow one of the detached shed with an attached terrace to setback less than required from the rear and interior side property lines.
<b>Location</b>	10420 NW 35 Place, Miami-Dade County, Florida
<b>Property Size</b>	0.17 Acre
<b>Existing Zoning</b>	RU-1, Single-Family Residential District
<b>Existing Land Use</b>	Single-family residence
<b>2030-2040 CDMP Land Use Designation</b>	Low Density Residential, 2.5 to 6 dua <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with the LUP map, and the interpretative text and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance Standards From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval with conditions.</b>

**REQUESTS:**

- (1) NON-USE VARIANCE to permit an existing single-family residence with a covered terrace addition to setback a minimum of 4.3' (7.5' required) from the interior (north) property line.
- 2) NON-USE VARIANCE to permit two (2) existing detached storage shed structures on the subject property (maximum 1 accessory use structure permitted for a single-family residence).
- 3) NON-USE VARIANCE to permit an existing detached storage structure #2 with an attached terrace to setback a minimum of 4.2' (5' required) from the rear (west) property line, and to setback a minimum of 6.4' (7.5' required) from the interior side (south) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Public Hearing" as prepared by Arshad Viqar, dated stamped received 9/18/2025, and consisting of a total of 4 sheets. Plans may be modified at public hearing.

**PROJECT HISTORY AND DESCRIPTION:**

The submitted plans show an existing one (1)-story, 1,868 sq. ft. single-family residence with an existing covered terrace addition and located on a interior lot. The property also includes two (2)

detached accessory use structures located towards the rear of the 0.17-acre subject site, with the storage structure #2 also having an attached terrace. The single-family residence with its covered terrace addition is setback 4.3' from the interior side (north) property line where a minimum of 7.5' is otherwise required by code, and the detached storage structure #2 with an attached terrace addition encroaching by a minimal 0.8' into the rear and by 1.1' into the interior side setback areas. Additionally, the applicants also seek to legalize having 2 detached storage sheds on the property where only 1 is otherwise permitted by Code. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate an existing 6' high metal fence located along the rear and interior side property lines of the subject property.

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

**NEIGHBORHOOD COMPATIBILITY:**

The subject property consists of an existing single-family residence that is on a 7,490 sq. ft., RU-1, Single-Family Residential District, zoned interior lot and located at 10420 NW 35 Place. 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 the continued maintenance of 2-storage sheds on the property, and legalize reduced setbacks for the existing principal residence, as well as for one of the storage shed structures. Staff opines that since the rear yard area is enclosed with a 6' high metal fence along the rear and both the interior side property lines, any visual impacts that the single-family residence and the 2-detached storage sheds may have on the surrounding properties is minimal and would be sufficiently mitigated.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The 0.17-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 sought in the application legalizing 2-sheds, and for reduced setbacks for the existing residence and for one of the detached storage structures 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 single-family residence with a covered terrace addition to setback a minimum of 4.3' (7.5' required) from the interior side (north) property line (request #1), and the request to permit two (2) detached accessory structures (maximum 1 accessory use structure permitted for a single family residence) (request #2), and the existing detached storage structure #2 with an attached terrace to setback 4.2' (5' required) from the rear (west) and to setback a minimum of 6.4' (7.5' required) from the interior side (south) property lines (request #3), 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 with an attached covered terrace on an interior lot, and two detached accessory use structures located towards the rear of the subject property. The applicants seek approval for the 2 detached storage sheds where only 1 is otherwise permitted on the property by Code. Additionally, the existing single-family residence encroaches into the interior side setback area, whereas the detached storage structure #2 with an attached terrace is located closer to both the rear and interior side 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 metal fence located along the rear and both the 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, south and west of the subject property. Staff further opines that the existing encroachments by the single-family residence and detached shed #2 are minimal in nature and internal to the site that is enclosed from view from the outside by the metal fences, and any significant visual impacts generated from the reduced setbacks on the properties to the north, south and west would be further mitigated by the 6' high fence that separates the site from the adjacent properties. Staff recommends as a condition for approval that the said metal fence along the rear and both the interior side 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 find a similar approval within the neighborhood for variances of the setback requirements for detached accessory structures located at 10368 NW 35 Avenue, as stated in RESO# CZAB 8-9-00 which approved a Non-Use variance for setback requirements to permit an existing open porch addition to a single-family residence to setback 12' (25' required) from the front property line and a bedroom and metal roof addition to setback 6.1' (25' required) from the rear (west) property line and a Non-Use variance of setback requirements to permit a utility building to setback 4' (5' required) from the rear (west) property line. 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 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 no objections and would not create a fire or become a hazard on the subject site. Furthermore, staff opines that the architectural style and scale of the single-family residence and the two (2) detached accessory use structures 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, "Public Hearing" as prepared by Arshad Viqar, dated stamped received 9/18/2025, and consisting of a total of 4 sheets. Plans may be modified at public hearing. 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.
5. That the 6' high metal fence along the rear 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.

ES:JB:SS:JH



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

## ZONING RECOMMENDATION ADDENDUM

Agustin Fernandez, Ayin Cepero and Swany Fernandez  
PH: Z22-252

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
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

<p><b>Low Density Residential</b> (Pg. I-31)</p>	<p><i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Low Density Residential</b>. 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

<p><b>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b></p>	<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

<b>District</b>	<b>Families</b>	<b>Min. Width</b>	<b>Min. Lot Area (Sq. Ft.)</b>	<b>Max. Lot Coverage (% of Lot Area)</b>	<b>Min. Bldg. Size (Cu. Ft.)</b>
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.

<b>District/ Families</b>	<b>Front (Ft.)</b>	<b>Rear (Ft.)</b>	<b>Interior Side (Ft.)</b>	<b>Side Street (Ft.)</b>
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**

AGUSTIN FERNANDEZ, AYIN CEPERO  
AND SWANY FERNANDEZ 10420 NW 35 PL  
MIAMI-DADE COUNTY, FLORIDA.

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APPLICANT	ADDRESS
Pending	Z2022000252

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DATE	HEARING NUMBER
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**FOLIO: 30-2133-003-0510**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

September 15, 2025

**NEIGHBORHOOD REGULATIONS:**

There are no open/closed cases in CMS.

**BUILDING SUPPORT REGULATIONS:**

**Building Support Case 20210206483-B** was opened on December 4<sup>th</sup>, 2020 for failure to obtain required building permit(s) prior to commencing work on: additions and alterations, water heater and electric installed on porch with flat roof on north side, front attached addition to create extra living space with electrical, plumbing and mechanical. Attached 1/2 bathroom in addition at back of house, attached and detached timber terrace roofs and enclosure with electric and plumbing, existing bathroom tub replaced, and a/c units installed. Electric to building #2. Gate on side terrace with solid panels and picket fence. Notice of Violation recorded on December 15<sup>th</sup>, 2020, under Book 32236 and Page 3665; Total Pages: 1. Civil Violation P038444 P038445, P038446, P038447, P038448, and P038449 issued for non-compliance on the Notice of Violation. Final Notice of Intent to Lien/Demand for Payment Electronically Mailed on February 6<sup>th</sup>, 2023. Lien Recorded on March 28<sup>th</sup>, 2023 under Book 33638 and Page 4958; Total Pages: 2. Case referred to Unsafe Structures Unit. Case remains open, violation not corrected. A Compliance Consent Agreement was granted through 11/03/2025..

**Building Support Case 20240226220-U** was opened on December 7<sup>th</sup>, 2023 for **Structure A** - a 1.868 Sq Ft 1-story, single family, dwelling with addition to main dwelling, interior alterations, and attached additions built without permit. Structure A must have said addition and alterations legalized with engineers plans and the required permit, compliance will be verified with finalized Master permit for said work performed. An engineers letter stating that Structure A is safe to be occupied while said

repairs are made at its current occupancy is required. If structure B or C is demolished exterior walls of structure A must be repaired in accordance with Miami Dade County code for exterior walls; **Structure B** - a 400 Sq Ft attached opened terrace built without permit. Structure B must be legalized with the required permit, compliance will be verified with finalized permit for said work performed. If Structure B is demolished the adjoining exterior walls of structure A must be repaired in accordance with Miami Dade County code for exterior walls; **Structure C** - a 600 Sq Ft attached and detached timber terrace roofs and enclosure with electric and plumbing built without a permit. Structure C must be legalized with required permit, compliance will be verified with finalized permit for said work performed. If structure C is demolished the adjoining exterior walls of structure A must be repaired in accordance with Miami Dade County code for exterior walls; **Structure D** - a 200 SF detached shed structure with electrical connection built without a permit. Structure D must be demolished or legalized with required permit; compliance will be verified with finalized permit for said work performed. **Structure E** - 300 LF of 6ft high solid metal fence in rear of property and metal picket fence in the front of the property, built without permit. Structure E must be demolished or legalized with required permit; compliance will be verified with finalized permit for said work performed. If Structure A is demolished adjoining attached metal fence must be demolished. **Structure F** - 2,200 Sq Ft of concrete driveway and patio with deterioration which must be maintained. If structure A is demolished structure F must be demolished. Notice of Violation recorded on May 10<sup>th</sup>, 2024 under Book 34219 and Page 1637; Total Pages: 6. Case remains open, violation not corrected. There are no outstanding cost to date; additional costs may be incurred upon closure of the case

**VIOLATOR:**

AGUSTIN FERNANDEZ, AYIN CEPERO AND SWANY FERNANDEZ.

**OUTSTANDING LIENS AND FINES:**

There are no outstanding liens or fines.

# Memorandum

**Date:** December 19, 2025

**To:** Lourdes M. Gomez, AICP, Director  
Department of Regulatory and Economic Resources (RER)

**From:** Christine Velazquez, Division Chief  
Department of Regulatory and Economic Resources (RER)

**Subject:** Z2022000252-3<sup>rd</sup> Review  
Agustin Fernandez, Ayin Cepero and Swany Fernandez  
10420 NW 35<sup>th</sup> Place  
NUV for setbacks requirements. Legalizing several structures at  
single-family residence  
(RU-1) (0.172 acres)  
33-52-41

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Miami Dade County has performed an environmental review of 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 supply and wastewater disposal.

#### Potable Water Service and Wastewater Disposal

According to RER records, the property is currently connected to the public water supply system and is served by an onsite sewage treatment and disposal system (OSTDS) as a means for the disposal of domestic liquid waste. Furthermore, pursuant to section 24-43.4 of the Code and based on the information submitted with this application RER staff has determined that public sewer lines are not located within feasible distance to the subject site. Pursuant to the Code, all structures being legalized are required to connect to public water and the OSTDS to the extent that they have plumbing connections for potable water and/or wastewater.

#### **Conditions of Approval: None**

#### Water Control Review

Stormwater shall be retained on site utilizing designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff.

#### **Conditions of Approval: None**

#### Tree Preservation Review

An aerial review of the subject property indicates the presence of tree resources; however, the site plan entitled "Public Hearing" prepared by Arshad Viqar, P.E., and dated as received by Miami-Dade County on March 03, 2025, was submitted 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**

DERM Enforcement History Review

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 the County 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:** October 14, 2025

**To:** Eric Silva, AICP, Assistant Director  
Development Services Division  
Department of Regulatory and Economic Resources (RER)

**Through:** James B. Ferguson, P.E.  
Assistant Director  
Water and Sewer Department (WASD)

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

**Subject:** Zoning Application Comments: Agustin Fernandez, Ayin Cepero and Swany Fernandez - Application No. Z2022000252 (Revision No. 3)

---

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: Agustin Fernandez, Ayin Cepero and Swany Fernandez

Location: The proposed project is located at 10420 NW 35<sup>th</sup> Place with Folio No. 30-2133-003-0510, in unincorporated Miami-Dade County.

Proposed Development: Per letter of Intent dated September 21, 2022, the applicant is requesting a Non-Use Variance to legalize the existing structures at the above-mentioned single-family residence, without the required setbacks (Main house, a terrace, a storage and a second storage).

This project results in a no net increase for the water demand.

Water: The subject site is located within the WASD's water service area. The subject property is currently being served by WASD.

Sewer: The proposed development is located within the WASD's sewer service area. The subject property is currently on septic.


Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or [mavald@miamidade.gov](mailto:mavald@miamidade.gov), Alfredo B. Sanchez at (786) 552-8237 or [sanalf@miamidade.gov](mailto:sanalf@miamidade.gov), or Suyapa Carbajal at (786) 552-8124 or [suyapa.carbajal@miamidade.gov](mailto:suyapa.carbajal@miamidade.gov)

# Memorandum



**Date:** April 9, 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:** Z2022000252  
Name: Agustin Fernandez, Ayin Cepero and Swany Fernandez  
Location: 10420 NW 35 Place  
Section 33 Township 52 South Range 41 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 7, Block 20, Plat Book 45, Page 35.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned.

## 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



**Date:** October 01, 2025

**To:** Eric Silva, Assistant Director  
Regulatory and Economic Resources

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

**Subject:** Z2022000252

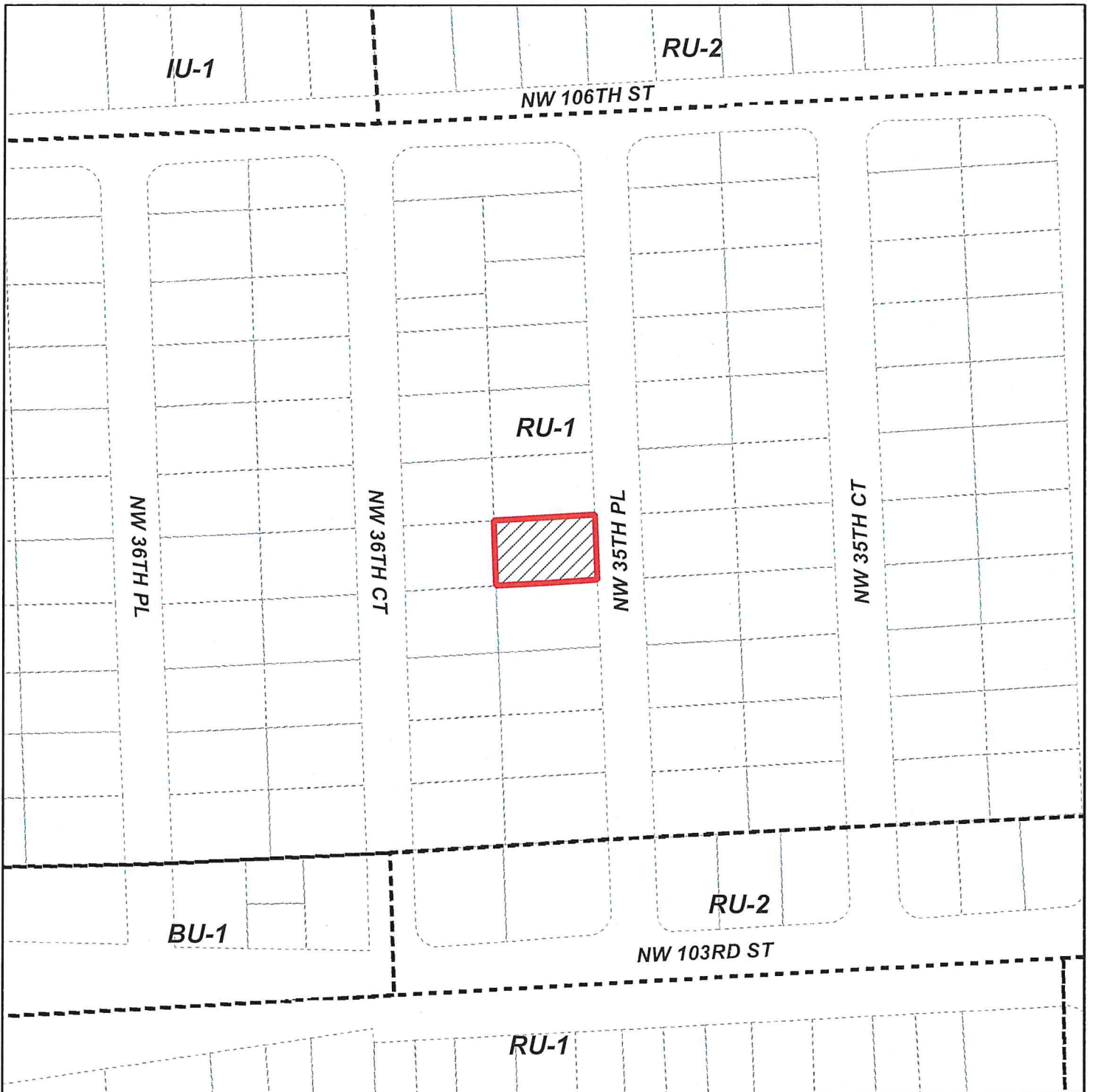
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The Miami-Dade Fire Rescue Department has **no objection** to site plan uploaded to "EnerGov" on 9/23/2025. Single family home.

MDFR's review of this 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](mailto:acuello@miamidade.gov) or call 305-775-3357.





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2022000252**



Section: 33 Township: 52 Range: 41  
 Applicant: Agustin Fernandez  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

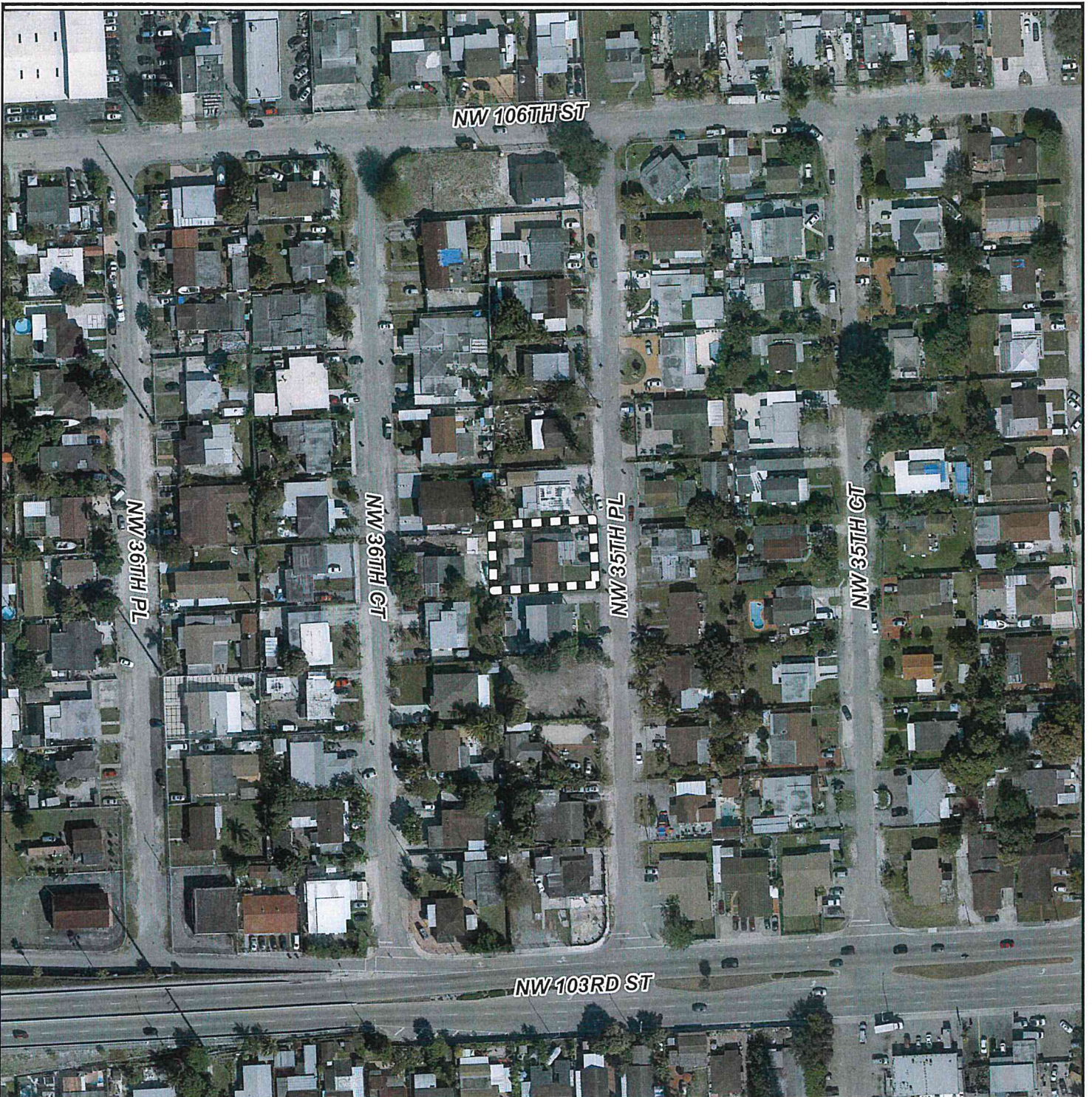
**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Friday, October 21, 2022

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2021**

Process Number  
**Z2022000252**

**Legend**  
 Subject Property

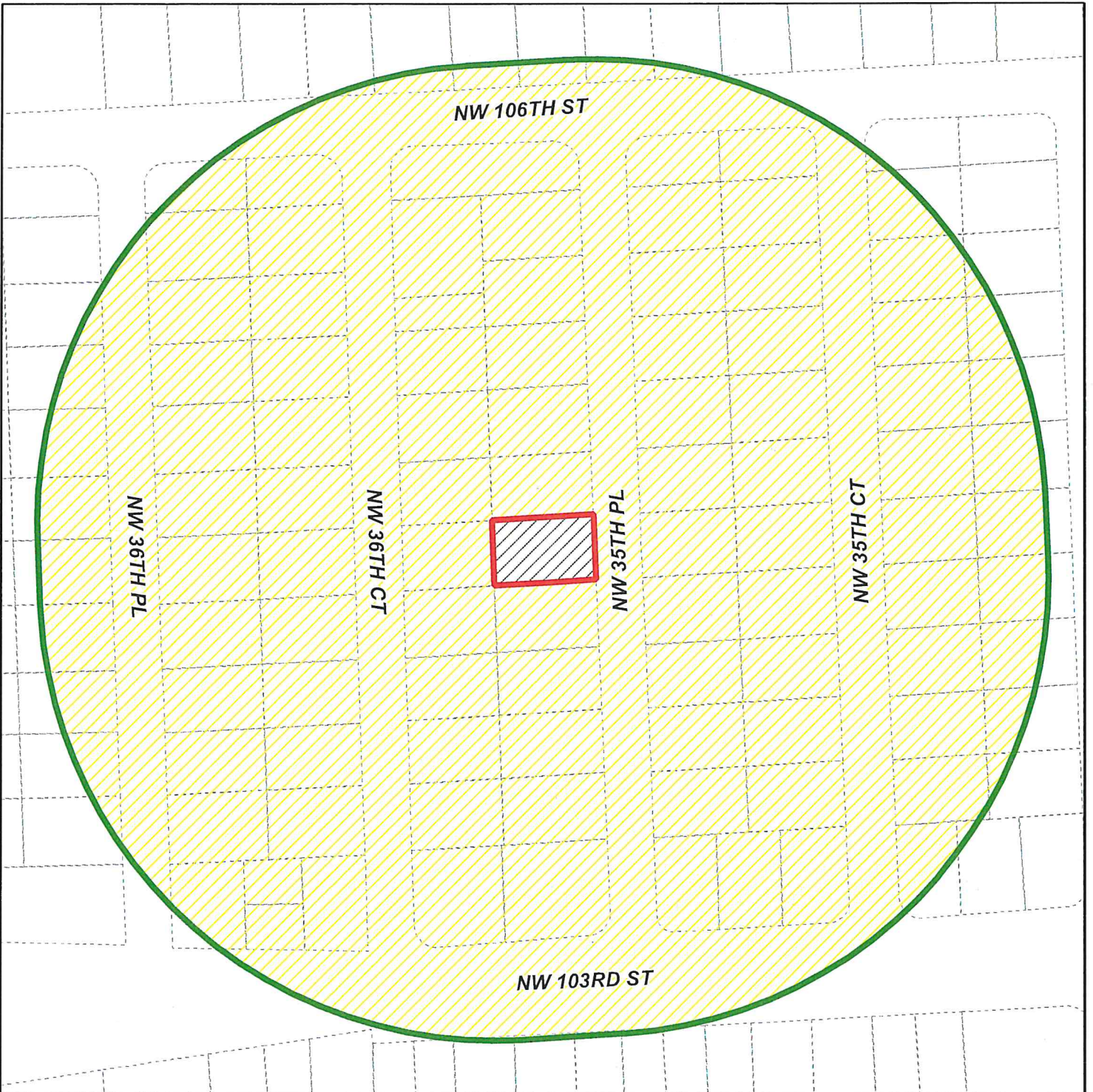


Section: 33 Township: 52 Range: 41  
 Applicant: Agustin Fernandez  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Friday, October 21, 2022

REVISION	DATE	BY






**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 33 Township: 52 Range: 41  
 Applicant: Agustin Fernandez  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

Process Number  
**Z2022000252**  
 RADIUS: 500

**Legend**

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Friday, October 21, 2022

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2022000252**

Section: 33 Township: 52 Range: 41  
 Applicant: Agustin Fernandez  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS



**Legend**

 Subject Property Case



SKETCH CREATED ON: Friday, October 21, 2022

REVISION	DATE	BY

MIAMI PERMITS.COM  
 Plans, Permits & Inspections Processing  
**P-File System**  
 11865 SW 26 ST Suite J7 Miami, FL 33175  
 Arshad Vigar Cert. Auth. #27947 PE #8863  
 PFI: 305-228-8900

PUBLIC HEARING  
 AGUSTIN FERNANDEZ  
 10420 NW 35 PL. MIAMI, FLORIDA 33147

**Arshad Vigar**  
 Digitally signed  
 by Arshad Vigar  
 Date: 2025.09.18  
 11:46:02 -04'00'

SHEET NO.  
 SP-1

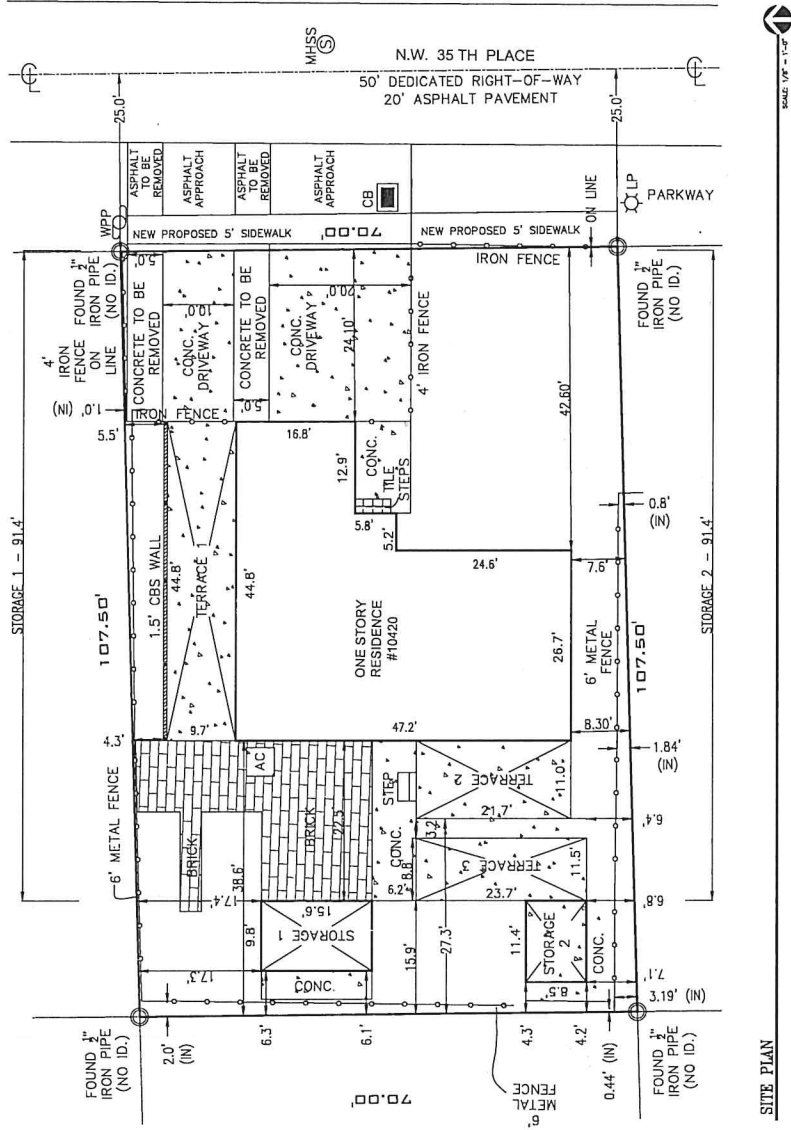
**LEGAL DESCRIPTION**  
 ADDRESS: 10420 NW 35 PL., MIAMI, FLORIDA 33147  
 LOT: 7 BLOCK: 25  
 CASE OR FILE NO. (AS APPLICABLE) ACCORDING TO THE PLAN AND RECORDS OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

FENCE & SIDEWALK	
REQUIRED	PROPOSED
FRONT	FRONT
25.00'	25.00'
SIDE	SIDE
33.00'	33.00'
REAR	REAR
23.00'	23.00'
TOTAL	TOTAL
81.00'	81.00'

STORAGE 1 & SIDEWALK	
REQUIRED	PROPOSED
FRONT	FRONT
75.00'	75.00'
SIDE	SIDE
12.25'	12.25'
SIDE	SIDE
26.00'	26.00'
REAR	REAR
8.00'	8.00'
BTM. BLDG.	BTM. BLDG.
10.00'	10.00'
TOTAL	TOTAL
131.25'	131.25'

**NOTICE:**  
 IN ACCORDANCE WITH THE REQUIREMENTS OF THE COUNTY, THESE PLANS MAY BE APPROVED FOR RECORDING AND CONSTRUCTION PERMITS BY THE COUNTY ENGINEER. THE COUNTY ENGINEER'S REVIEW IS LIMITED TO TECHNICAL ASPECTS OF THE PLANS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.



SITE PLAN

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

RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z22-252 DATE: SEP 18 2025 BY: ISA

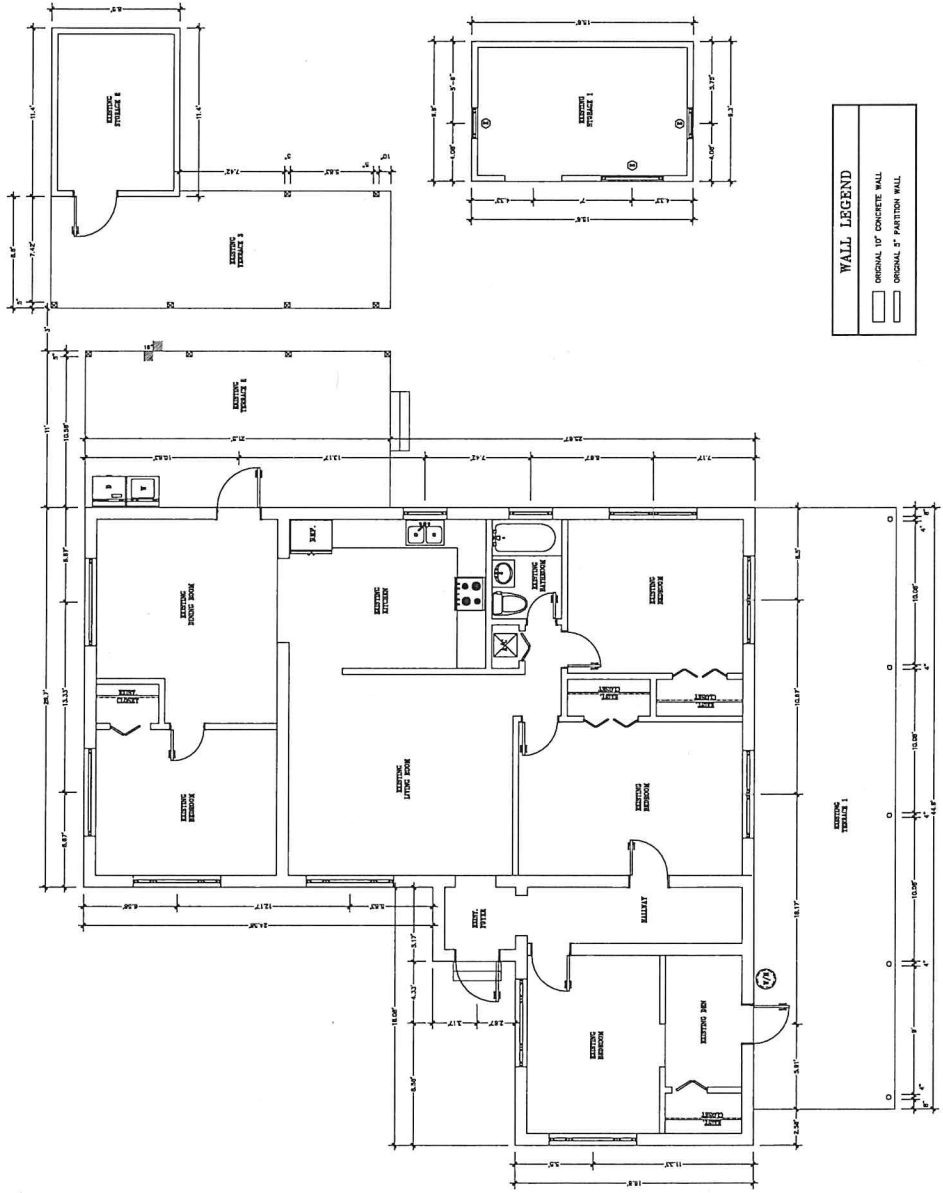
MIAMI PERMITS.COM  
Plans-Permits & Inspections Processing  
E-file System  
11865 SW 26 ST Suite J-7 Miami, FL 33175  
Arshad Viqar Cert. Auth. #2747 PE #38863  
P/I: 305-228-8900

PUBLIC HEARING  
AGUSTIN FERNANDEZ  
10420 NW 35 PL. MIAMI, FLORIDA 33147

NO.	DATE	DESCRIPTION
08-24-22		

SEAL  
**Arshad Viqar**  
Digitally signed  
by Arshad Viqar  
Date: 2025.09.18  
11:46:54 -04'00'

SHEET NO.  
A-1



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

RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z22-252 DATE: SEP 18 2025 BY: ISA

MIAMI PERMITS.COM  
Plans, Permits & Inspections Processing  
E-File System  
11865 SW 26 ST Suite J-7 Miami, FL 33175  
Arshad Viqar Cert. Auth. #27947 PE #38653  
PFI: 305-228-8900

10420 NW 35 PL. MIAMI, FLORIDA 33147

AGUSTIN FERNANDEZ

PUBLIC HEARING

Project Log

Revisions

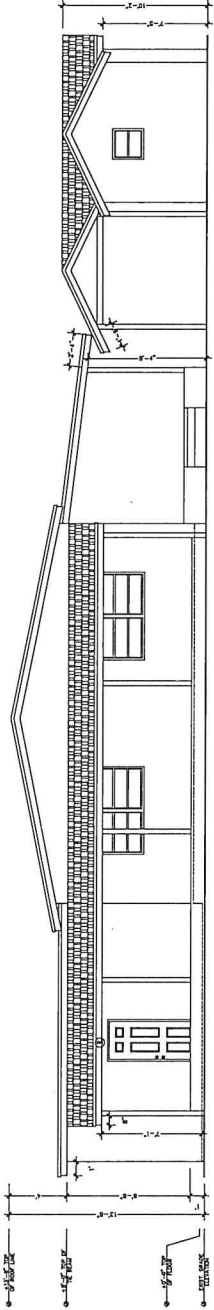
Description

Date

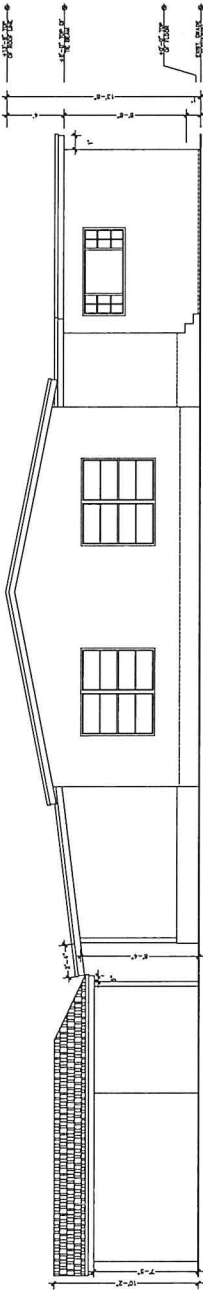
08-24-22

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**Arshad Viqar**  
Digitally signed  
by Arshad Viqar  
Date: 2025.09.18  
11:45:34 -04'00'

SHEET NO.  
A-2



SOUTH ELEVATION



NORTH ELEVATION



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MIAMI-DADE COUNTY  
PROCESS NO.: Z22-252  
DATE: OCT 18 2022  
BY: ISA



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MIAMI-DADE COUNTY  
PROCESS NO. Z22-252  
DATE: OCT 18 2022  
BY: ISA



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MIAMI-DADE COUNTY  
PROCESS NO: Z22-252  
DATE: OCT 18 2022  
BY: ISA



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BY: ISA



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MIAMI-DADE COUNTY  
PROCESS NO: Z22-252  
DATE: OCT 18 2022  
BY: ISA



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MIAMI-DADE COUNTY  
PROCESS NO. 722-252  
DATE: OCT 18 2022  
BY: ISA



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MIAMI-DADE COUNTY  
PROCESS NO: Z22-252  
DATE: OCT 18 2022  
BY: ISA



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PROCESS NO: Z22-252  
DATE: OCT 18 2022  
BY: ISA



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DATE: OCT 18 2022  
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PROCESS NO. Z22-252  
DATE: OCT 18 2022  
BY: ISA



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PROCESS NO: Z22-252  
DATE: OCT 18 2022  
BY: ISA



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MIAMI-DADE COUNTY  
PROCESS NO: Z22-257  
DATE: OCT 18 2022  
BY: USA



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MIAMI-DADE COUNTY  
PROCESS NO. Z22-252  
DATE: OCT 18 2022  
BY: ISA



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MIAMI-DADE COUNTY  
PROCESS NO: Z22-252  
DATE: OCT 18 2022  
BY: ISA



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MIAMI-DADE COUNTY  
PROCESS NO.: Z22-252  
DATE: OCT 18 2022  
BY: ISA



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MIAMI-DADE COUNTY  
PROCESS NO: Z22-252  
DATE: OCT 18 2022  
BY: ISA



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MIAMI-DADE COUNTY  
PROCESS NO.: 722-252  
DATE: OCT 18 2022  
BY: ISA



RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z22-252 DATE: MAR 3 2025



RECEIVED

MIAMI-DADE COUNTY PROCESS NO.: Z22-252 DATE: MAR 3 2025 BY: ISA



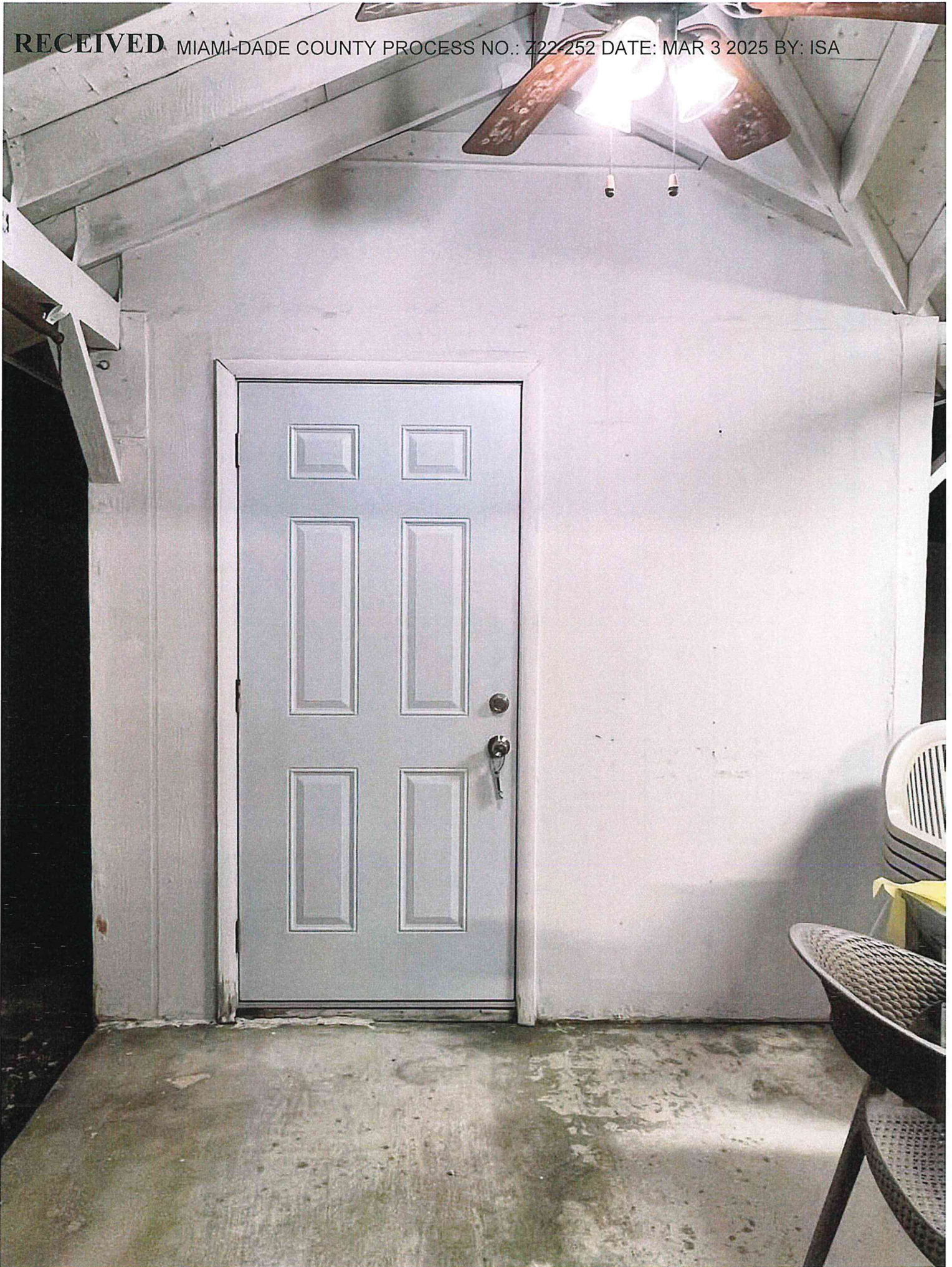
RECEIVED

CLATSOP COUNTY PROCESS NO.: Z22-252 DATE: MAR 3 2025 BY: ISA





RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z22-252 DATE: MAR 3 2025 BY: ISA



**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to the Community Zoning Appeals Board 8**

**PH: Z23-126**

**January 7, 2026**

**Item No. 2**

<b>Recommendation Summary</b>	
<b>Commission District</b>	2
<b>Applicant</b>	Beatriz Eugenie Valencia Pabon & Diego Buendia
<b>Summary of Requests</b>	The applicants seek to allow an existing single-family residence with additions to setback less than required from the interior side property line. Additionally, the applicant also seeks to permit an existing detached gazebo structure to setback less than required from the interior side property line than permitted by Code.
<b>Location</b>	112 NW 158 Street , Miami-Dade County, Florida.
<b>Property Size</b>	0.92 Acre
<b>Existing Zoning</b>	RU-1, Single-Family Residential District, 7,500 sq. ft.
<b>Existing Land Use</b>	Single-Family Residence
<b>2030-2040 CDMP Land Use Designation</b>	Low Density Residential, 2.5 to 6 dua (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval with conditions.</b>

**REQUESTS:**

- (1) NON-USE VARIANCE to permit an existing single-family residence to setback a minimum of 2.5' (7.5' required) from the interior side (west) property line.
- (2) NON-USE VARIANCE to permit an existing detached gazebo structure to setback a minimum of 6.7' (7.5' required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Public Hearing - Beatriz Valencia", as prepared by Arshad Viqar, consisting of 3 sheets dated stamped received 5/17/2023, and Sheet SP-1 dated stamped received 6/4/2025, for a total of 4 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:**

The submitted plans show an existing one (1)-story, 1,624 sq. ft. single-family residence on an interior lot, with an existing detached gazebo structure located towards the rear of the principal residence and on the side of the large 0.92-acre subject property that fronts along NW 158 Street. The existing single-family residence encroaches 5' into the interior side (west) setback area, whereas the existing detached gazebo structure encroaches a minimal 0.8' into the interior side (west) setback area. The submitted plans, photos, and the County's Geographical Information

System (GIS) aerial map indicate the existing 6' high wood and chain-link fences with heavy landscaping in the form of trees and hedges located along the property lines.

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

**NEIGHBORHOOD COMPATIBILITY:**

The subject property consists of an existing single-family residence that is on a 40,128 sq. ft., RU-1, Single-Family Residential District, zoned interior lot, located at 112 NW 158 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 single-family residence and a detached gazebo structure that is located on the subject property. Staff opines that since the rear yard area is enclosed with the existing 6' high wood and chain-link fences, along with landscaping in the form of hedges located along the property lines, any visual impact that the single-family residence and detached gazebo may have on the surrounding properties is minimal and would be sufficiently mitigated.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The 0.92-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 single-family residence and detached gazebo 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 single-family residence to setback a minimum of 2.5' (7.5' required) from the interior side (west) property line (request #1), and to permit an existing detached gazebo structure to setback a minimum of 6.7' (7.5' required) from the interior side (west) 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 an interior lot, with an existing detached gazebo structure located towards the rear of the principal residence and to the side of a large rear yard that includes an existing swimming pool. The single-family residence encroaches into the interior side setback area, whereas the detached terrace structure is located closer to the interior side property line than is permitted under the zoning standards. Staff supports the requests and opines that approval with conditions of these non-variances would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes from plans and photographs submitted by the applicants as well as the County's Geographic Information System (GIS) that any impact of the request is adequately mitigated by existing heavily landscaping and shade trees, as well as the existing 6' high wood and chain-link fences with hedges located along the interior side (west) property. Staff opines that the existing encroachments by the single-family residence and detached terrace structure are internal to the site, and would be adequately mitigated by the aforementioned existing combination of the existing 6' high wood and chain-link fences with hedges located along the interior side (west) property line as well as the existing heavy landscaping, 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 recommends as a condition for approval that the said existing 6' high wood and chain-link fences with hedges located along the interior side (west) property line of the subject site be maintained as a visual buffer, and, if either fence is destroyed or removed, it must be replaced by an opaque fence or CBS wall 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 similar approvals within the neighborhood for variances of the setback requirements for single-family residences and detached terrace 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 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 no objections. Furthermore, staff opines that the architectural style and scale of the single family residence and detached gazebo structure 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, "Public Hearing Beatriz Valencia", as prepared by Arshad Viqar, dated stamped received 2/5/2025 and 2 sheets dated stamped received 5/17/23 consisting of a total of 3 sheets. Plans may be modified at public hearing. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which confirm 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.
5. That the existing 6' high wood and chain-link fences with hedges located along the interior side (west) property line of the subject site, be maintained as a visual buffer, and that if the existing fences are removed or destroyed, the applicant shall install a cbs wall or opaque fence at 6' in height or chain-link 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.

ES:JB:SS:JH



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

**ZONING RECOMMENDATION ADDENDUM**

Beatriz Eugenie Valencia Pabon Diego Buendia  
 PH: Z23-126

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
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**

<p><b>Low Density Residential</b>  <b>(Pg. I-31)</b></p>	<p><i>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**

<p><b>33-311(A)(4)(b)</b>  <b>Non-Use Variances From Other Than Airport Regulations</b></p>	<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>
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<p><b>Sec. 33-49.</b> - Table of minimum widths, area of lots, maximum lot coverage, and minimum building sizes</p>	<p><b>District</b></p>	<p><b>Families</b></p>	<p><b>Min. Width</b></p>	<p><b>Min. Lot Area (Sq. Ft.)</b></p>	<p><b>Max. Lot Coverage (% of Lot Area)</b></p>	<p><b>Min. Bldg. Size (Cu. Ft.)</b></p>
	<p>District</p>	<p>Families</p>	<p>Min. Width</p>	<p>Min. Lot Area (Sq. Ft.)</p>	<p>Max. Lot Coverage (% of Lot Area)</p>	<p>Min Bldg. Size (Cu Ft)</p>
	<p>RU-1</p>	<p>1</p>	<p>New sub.-75'</p>	<p>7,500</p>	<p>40%</p>	<p>8,500</p>
<p><b>Sec. 33-50.</b> - Table of setback lines in residential and estate districts.</p>	<p><b>District/ Families</b></p>	<p><b>Front (Ft.)</b></p>		<p><b>Rear (Ft.)</b></p>	<p><b>Interior Side (Ft.)</b></p>	<p><b>Side Street (Ft.)</b></p>
	<p>RU-1: One</p>	<p>15 for 50% of the lineal footage of the width of the house and 25 for balance; except 20 for attached garages</p>		<p>15 for 50% of the lineal footage of the width of the house and 25 for balance</p>	<p>10% lot width min.—5' max.—7½'</p>	<p>15</p>

**Building and Neighborhood Compliance**

**ENFORCEMENT HISTORY**

DIEGO BUENDIA, BEATRIZ EUGENIE VALENCIA PAVON	112 NW 158 ST MIAMI-DADE COUNTY, FLORIDA.
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**APPLICANT**

**ADDRESS**

Pending

Z2023000126

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**DATE**

**HEARING NUMBER**

**FOLIO: 30-2218-002-1990**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

October 10, 2025

**NEIGHBORHOOD REGULATIONS:**

There are no open/closed cases in CMS.

**BUILDING SUPPORT REGULATIONS:**

**Building Support Case 20190199010-B** was opened on 06/14/2019. A Notice of Violation was issued on 06/14/2019 for "Failure to obtain required building permit(s) prior to commencing work on: open terrace at rear of house." Since the violation remained, Civil Violation Notice **P032970** was issued on 11/17/2020 for "SECTION 105.1 OF THE FLORIDA BUILDING CODE: FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK on open terrace at rear of property." Citation was paid on 12/02/2020. A Lien was recorded on 08/20/2024 under book 34368/page 3644. A settlement payment was made under process no. P2025048715. **There are no outstanding fees.**

**Building Support Case 20240225206-U** was opened on 10/31/2023 due to the following unsafe structures: Structure A is a 2,502 Sq. Ft 2-Bedroom / 1-Bath RESIDENTIAL - SINGLE FAMILY : 1 UNIT built in 1935 that observed modified later with a side enclosed carport, a rear terrace, a pool, a detached partially enclosed structure, and windows and doors replacement. All work done without permit. Therefore, structure A needs to be repaired. Structure B is a 650 sq. ft. west side attached carport that was enclosed in 2021 without permit . Structure C is a 876 sq. ft. of rear attached open terrace that was discovered being built without permit. The legalization of the rear attached terrace was unsuccessfully attempted under PROCESS NO. C2020012792. Structure D is a 1600 sq. ft. detached

partially enclosed terrace built in the rear of the property in 2020 without permit. Structure E is a 50 X 20 X 4 ft pool constructed in 2020 under current PERMIT NO. 2020005204 BLDG CAT 0055. Therefore, this permit needs to be finalized to legalized to put this structure in compliance. Structure F is a 500 sq. ft. slab on grade driveway, walkway, and apron that was observed with some deteriorations shown by cracks. Therefore, structure F needs to be repaired. Structure G is an 870 lf of multi material concrete, wrought iron, chain link, and wood fence that was observed with some deteriorations. Therefore, structure G needs to be repaired. Notice of violation issued on 03/04/2024. Notice of Violation recorded by the Clerk of Courts on 04/16/2024 under book 34180 Page: 2618 Total Pages: 7. USS Panel Hearing scheduled on 12/13/2024 and order was recorded on 12/19/2024 under book 34541/page 2618. Invoice Q2025051075 was paid on 09/02/2025. **There are no outstanding fees.**

**Case No. A2025002521X** was opened on 06/11/2025. A Notice of Violation was issued on 06/14/2025 for the expiration of permit no. 2024067653. Since compliance was not met, Civil Violation Notice **P074186** was issued on 09/20/2025 for "*FAILURE TO MAINTAIN A BUILDING OR STRUCTURE IN A SAFE CONDITION OR FAILURE TO MAINTAIN DEVICES OR SAFEGUARDS IN GOOD WORKING ORDER DUE TO FAILURE TO OBTAIN MANDATORY INSPECTIONS FOR THE SCOPE OF WORK UNDER PERMIT NUMBER 2024067653.*" Citation was voided on 09/26/2025. **Case is closed.**

**Case No. A2025003244X** was opened on 07/11/2025. A Notice of Violation was issued on 07/11/2025 for the expiration of permit no. 2024073945. Violation was corrected on 09/26/2025. **Case is closed.**

**VIOLATOR:**

DIEGO BUENDIA, BEATRIZ EUGENIE VALENCIA PAVON

**OUTSTANDING LIENS AND FINES:**

There are no outstanding liens or fines.

# Memorandum

**Date:** December 19, 2025

**To:** Lourdes M. Gomez, AICP, Director  
Department of Regulatory and Economic Resources (RER)

**From:** Christine Velazquez, Division Chief  
Department of Regulatory and Economic Resources (RER)

**Subject:** Z2023000126-3<sup>rd</sup> Review  
Beatriz Eugenie Valencia Pabon & Diego Buendia  
112 NW 158<sup>th</sup> Street  
NUV for setbacks requirements. Applicant seeks to legalize an  
open terrace at rear of house  
(RU-1) (0.92 acres)  
13-52-41

---

Miami Dade County has performed an environmental review of 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 supply and wastewater disposal.

#### Potable Water Supply and Wastewater Disposal

According to RER records, the property is currently connected to the public water supply system and is served by an onsite sewage treatment and disposal system (OSTDS) as a means for the disposal of domestic liquid waste. Furthermore, pursuant to section 24-43.4 of the Code and based on the information submitted with this application RER staff have determined that public sewer lines are not located within feasible distance to the subject site. Pursuant to the Code, the structure to be legalized is required to connect to public water and to the OSTDS to the extent that it will have plumbing connections for potable water and/or wastewater.

#### **Conditions of Approval: None**

#### Tree Preservation Review

While an aerial review of the subject property indicates the presence of tree resources, it does not appear that the request to legalize the existing structure and the variance for side setbacks will result in the removal of these tree resources. 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@miamidadecounty.gov](mailto:Jackelyn.Alberdi@miamidadecounty.gov) for additional information or concerns regarding this review.

**Conditions of Approval: None**

DERM Enforcement History Review

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 the County 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:** February 25, 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 - Beatriz Valencia  
Application No. Z2023000126 - Revision No. 2

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The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objection 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: Beatriz Valencia

Location: The proposed project is located on approximately 0.92 acres at 112 NW 158<sup>th</sup> Street, with Folio No. 30-2218-002-1990, in unincorporated Miami-Dade County.

Proposed Development: The applicant is requesting a Non-Use Variance to permit and legalize a Terrace without the required setbacks on the existing Single-Family Residence (SFR).

This project results in a no-net-increase to the water demand.

Water: The proposed development is located within the City of North Miami Beach's water service area. Please consult with the Utility Department of the City of North Miami Beach for any infrastructure that they may have in their service area. Also, a Water Supply Certification (WSC) is not required from WASD as the project is located entirely within the City of North Miami Beach's water service area and the water supply will be provided by the North Miami Beach Utility.

Water Conservation: 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.

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/conservation/library/WUE\\_standards\\_manual\\_final.pdf](http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf)

Sewer: The proposed development is located within the WASD's sewer service area. The existing property is currently on septic. There is no sanitary sewer system in close proximity to this project at the present time.


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

# Memorandum



Date: July 7, 2025

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: Z2023000126  
Name: Beatriz Eugenie Valencia Pabon  
Location: 112 NW 158 Street  
Section 18 Township 52 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 205, Plat Book 40, Page 41.

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:** Z2023000126

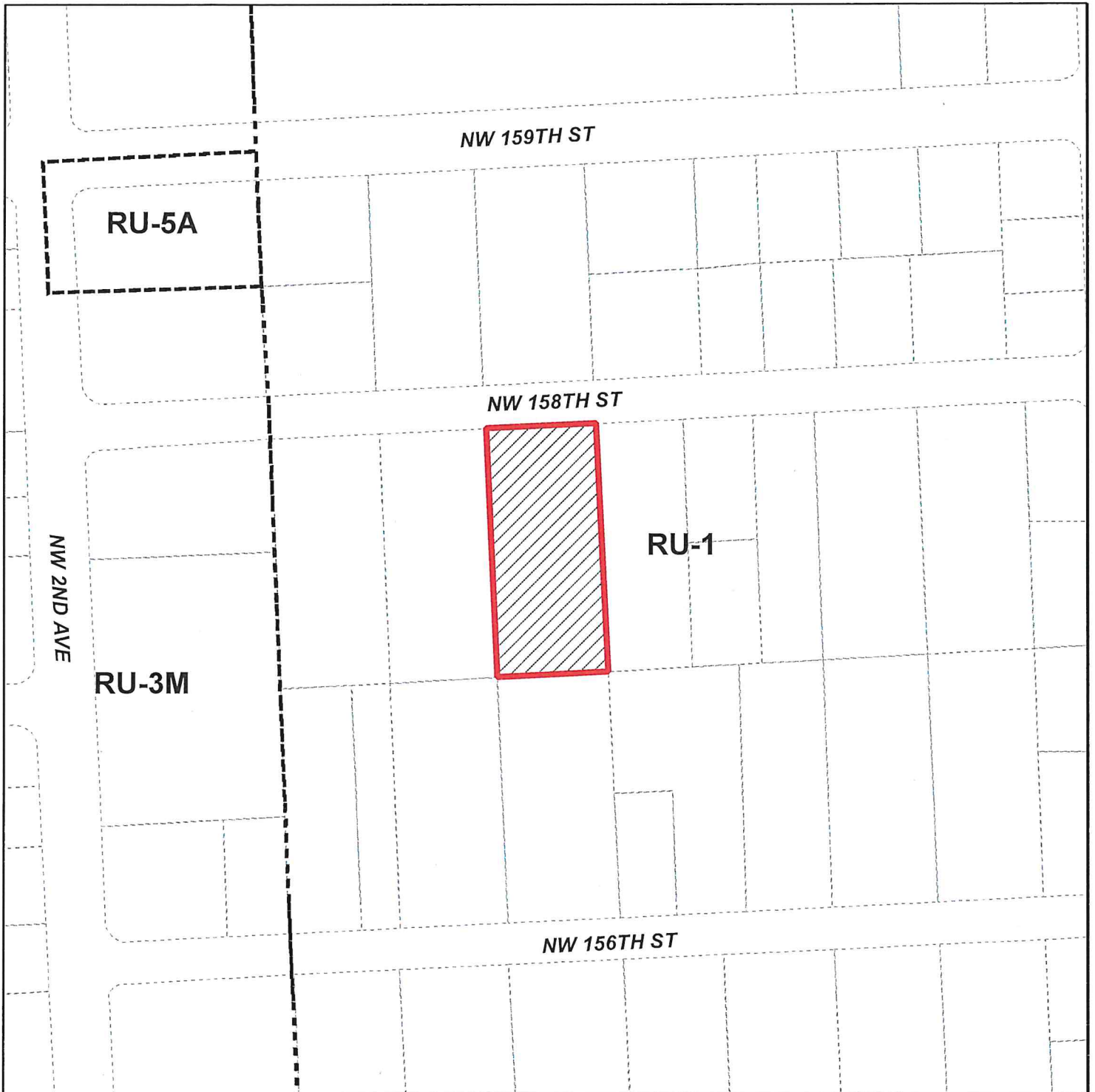
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The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded in “EnerGov” on 02/05/2025. Single family home.

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](mailto:acuello@miamidade.gov) or call 305-775-3357.





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2023000126**



Section: 13 Township: 52 Range: 41  
 Applicant: Beatriz Eugenie Valencia Pavon & Diego Buendia  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Friday, May 19, 2023

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2021**

Process Number  
**Z2023000126**

**Legend**  
 Subject Property



Section: 13 Township: 52 Range: 41  
 Applicant: Beatriz Eugenie Valencia Pavon & Diego Buendia  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Friday, May 19, 2023

REVISION	DATE	BY






**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Process Number  
**Z2023000126**  
 RADIUS: 500

Section: 13 Township: 52 Range: 41  
 Applicant: Beatriz Eugenie Valencia Pavon & Diego Buendia  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

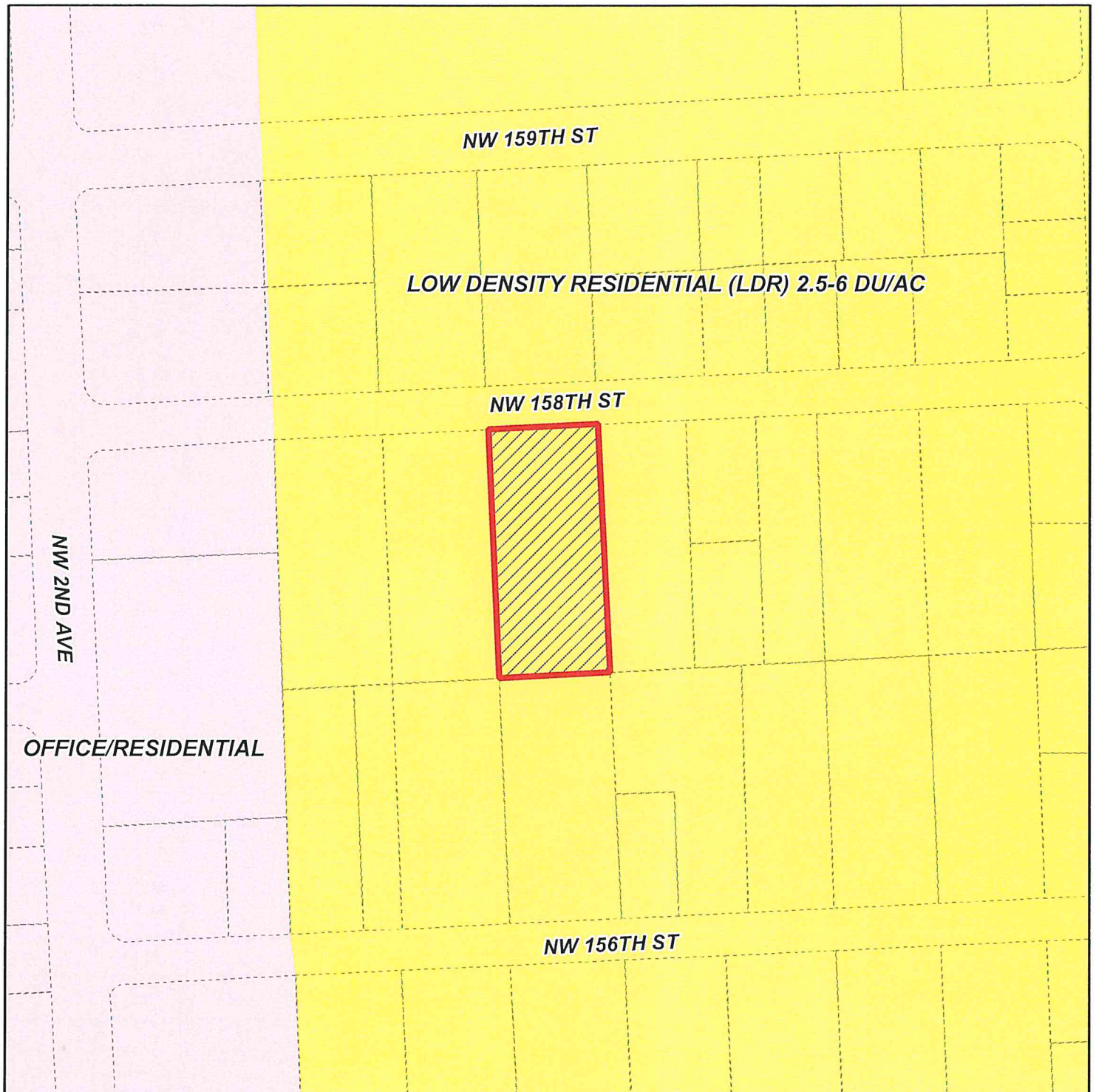
**Legend**

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Friday, May 19, 2023

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2023000126**



Section: 13 Township: 52 Range: 41  
 Applicant: Beatriz Eugenie Valencia Pavon & Diego Buendia  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

**Legend**

 Subject Property Case

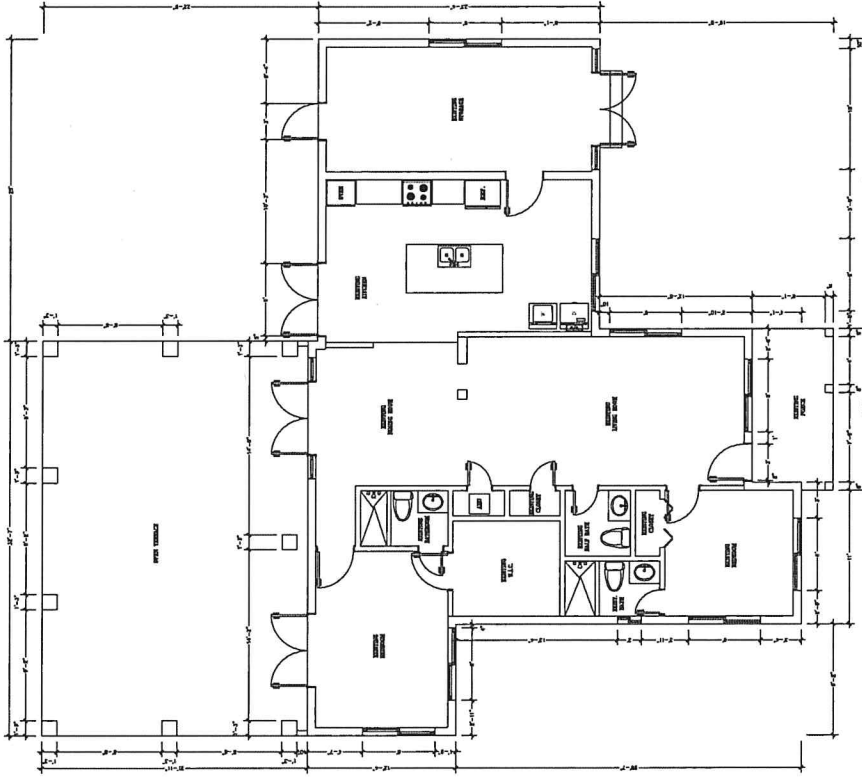


SKETCH CREATED ON: Friday, May 19, 2023

REVISION	DATE	BY

RECEIVED

MIAMI-DADE COUNTY  
PROCESS NO: Z23-126  
DATE: MAY 17 2023  
BY: GONGOL



**WALL LEGEND**

[Symbol]	12" CMU WALL
[Symbol]	8" CMU WALL
[Symbol]	4" CMU WALL
[Symbol]	1/2" REINFORCED CONCRETE COLUMN

FLOOR PLAN  
SCALE: 1/8" = 1'-0"

ARSHAD VIQAR  
11845 SW 25 Street,  
Miami, Florida 33115  
P.E. # 38863  
PH: 305-228-8000  
FX: 305-228-8481

112 NW 158 ST, MIAMI, FLORIDA, 33169  
PUBLIC HEARING  
BEATRIZ VALENCIA

Arshad Viqar  
c=US, st=Florida,  
l=Miami,  
o=Miami  
Permits,  
cn=Arshad  
Viqar,  
email=info@mia  
mipermits.com  
2023.04.17  
12:05:13 -04'00'  
2023.001.20143

REVISIONS

NO.	DESCRIPTION
02-18-23	Drawn By:
	Checked By:
	Approved By:
	A.V.
	SHEET NO.

A-1

THIS DRAWING AND DESIGN ARE THE PROPERTY OF ARSHAD VIQAR, P.E. AND SHALL NOT BE REPRODUCED WITHOUT HIS WRITTEN CONSENT.



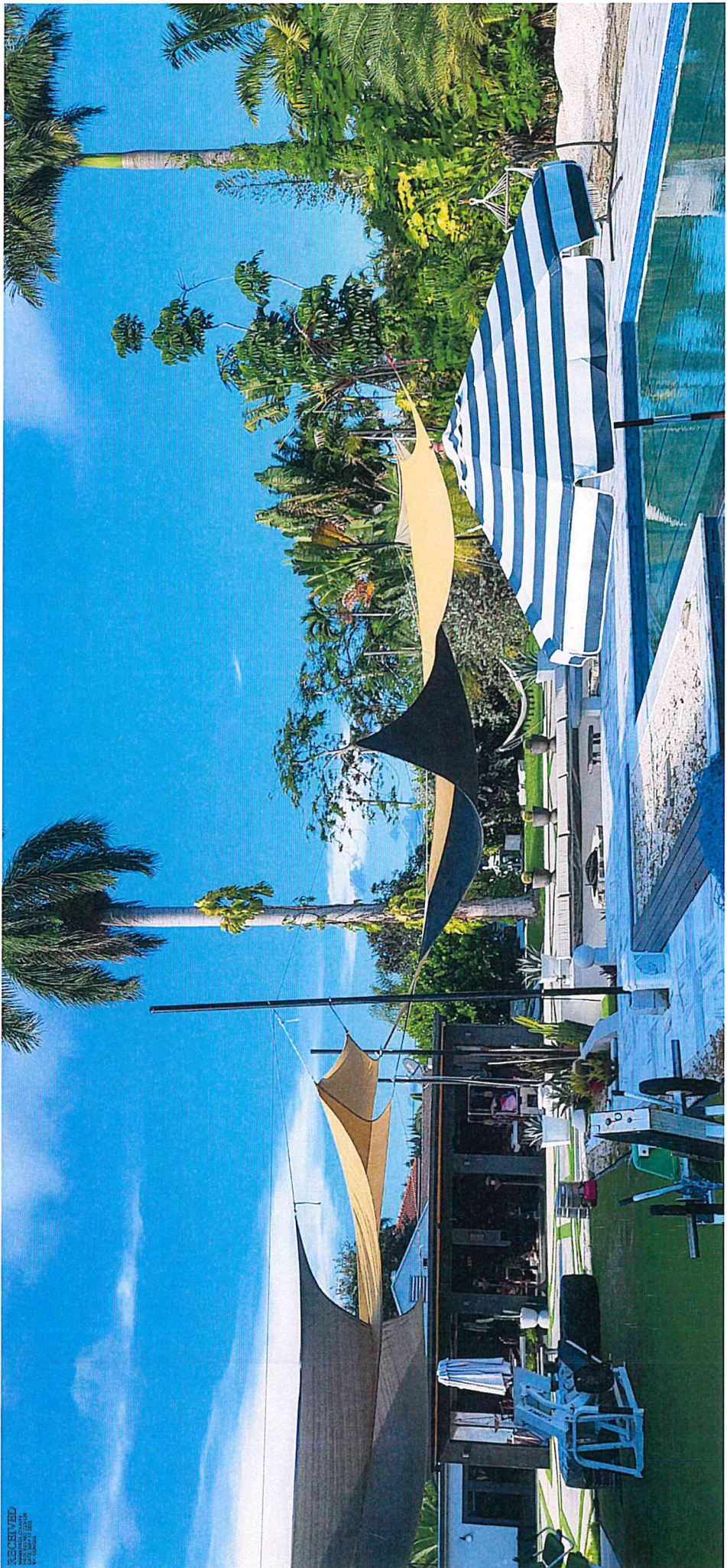




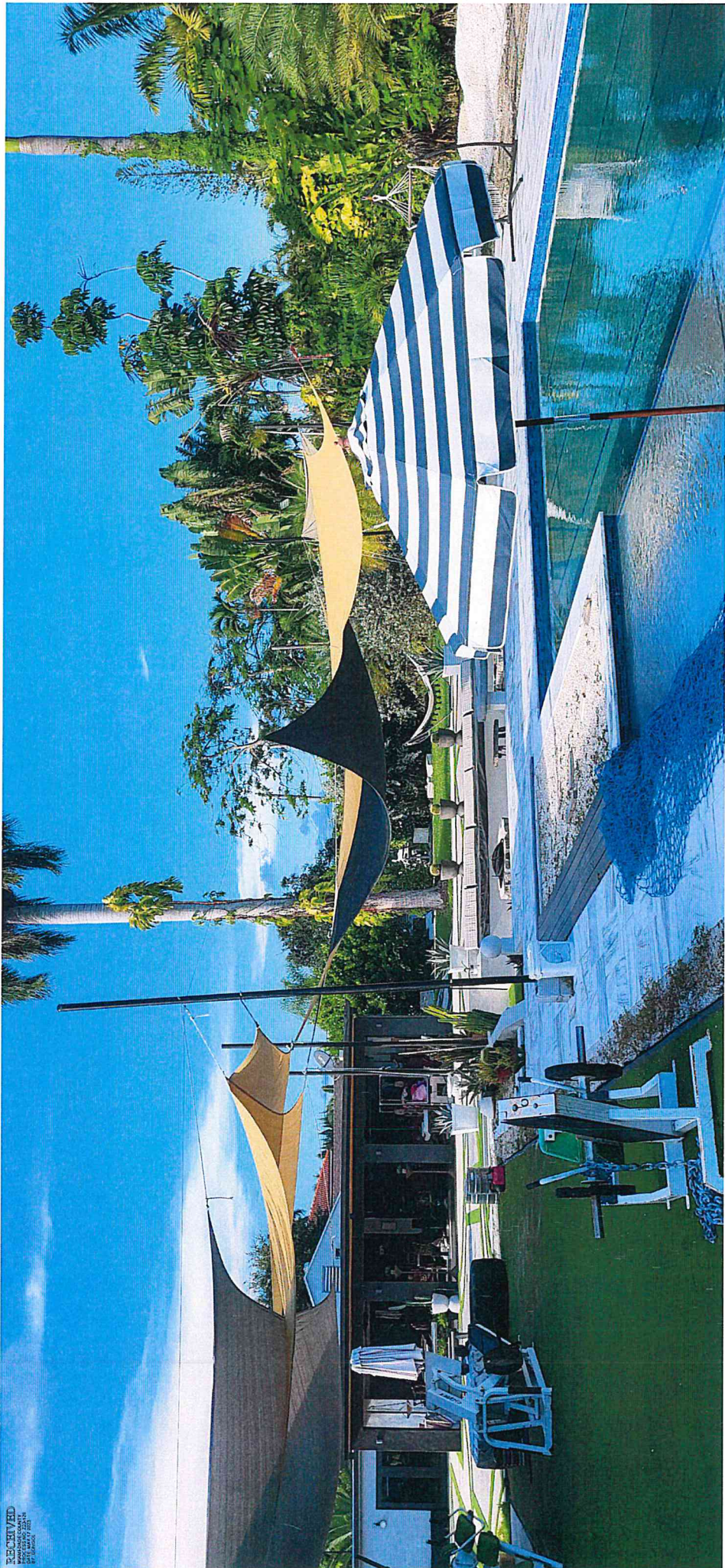




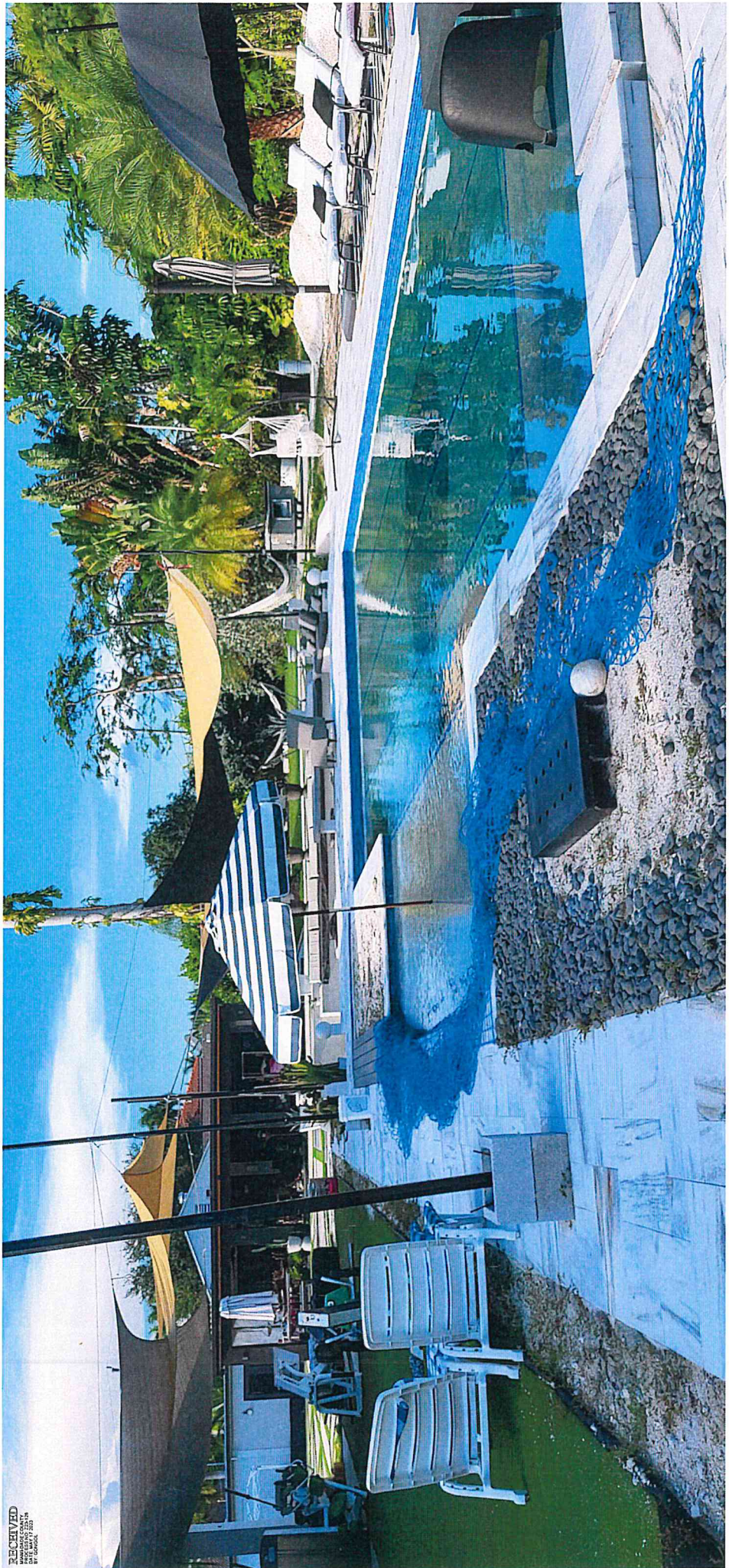
© 2017 VELD  
1000 AVENUE OF THE STARS  
SUITE 1000  
IRVING, TX 75039



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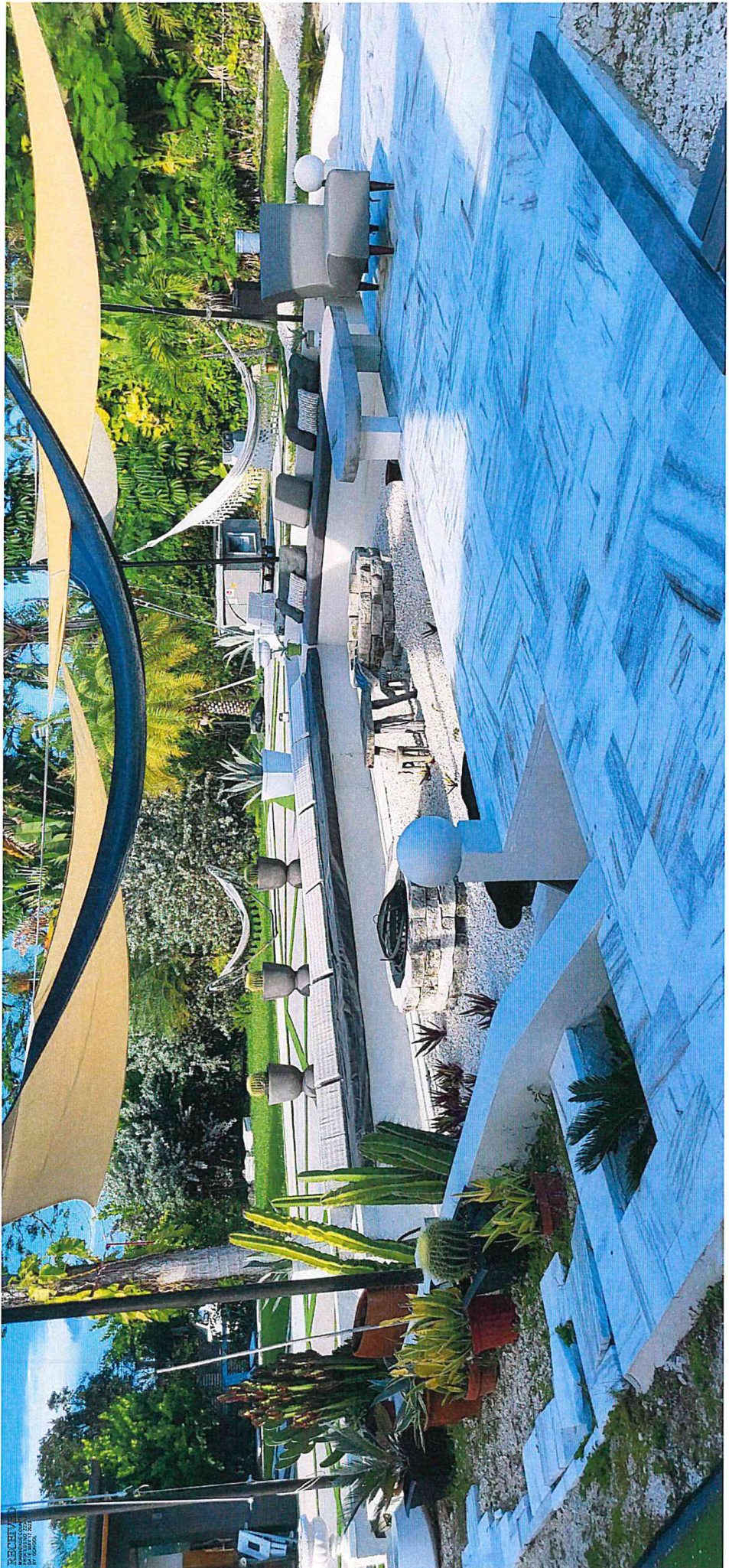


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HAWAIIAN ISLANDS  
MAY 15 2021



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DATE: [illegible]  
BY: [illegible]





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PARKWAY  
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MAY 10 2011  
MAY 10 2011



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COMMUNITY CENTER  
1000 N. W. 10th St.  
MIAMI, FL 33136  
813-525-1234



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FARM CREDIT BANK  
10000 W. 100TH ST.  
MOUND, MN 55337  
BY: [unclear]



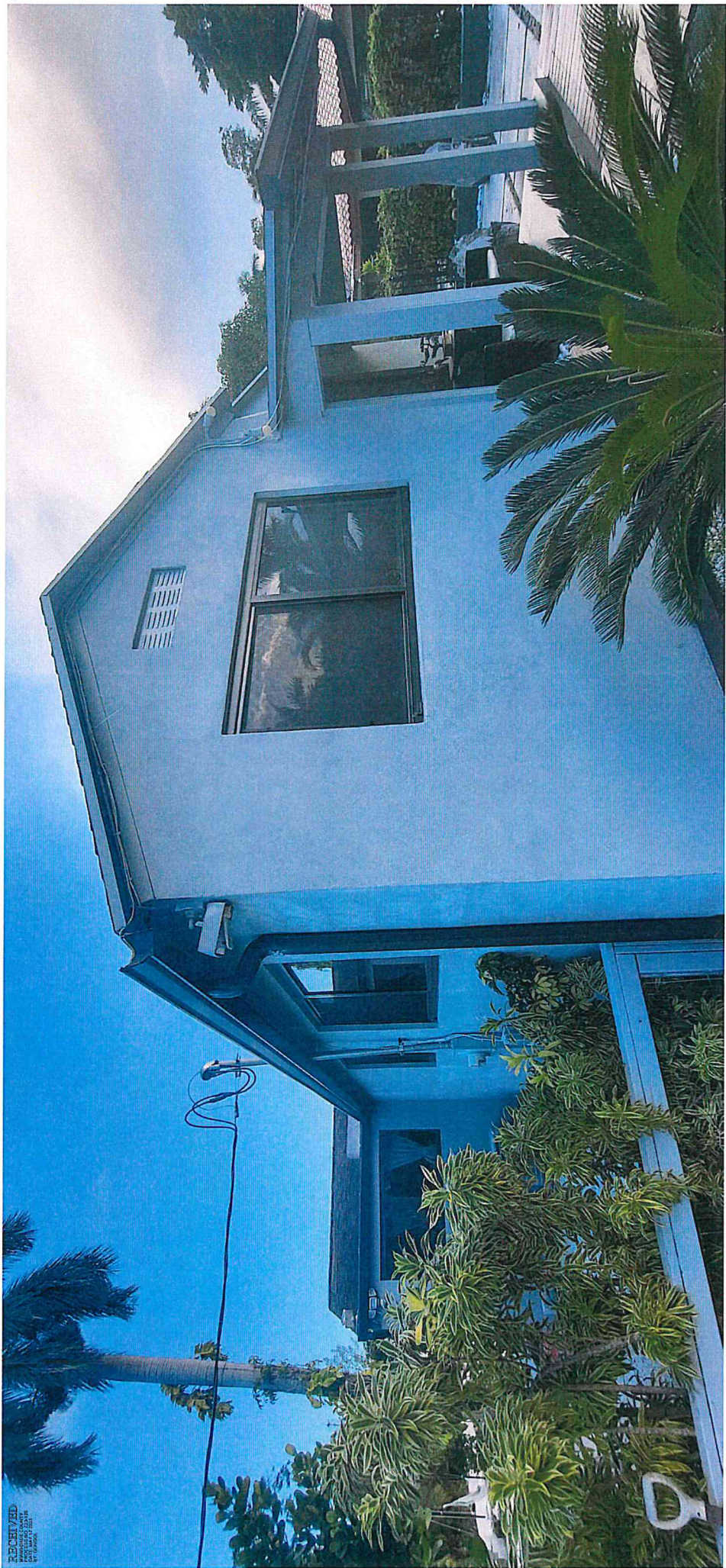
ALL RIGHTS RESERVED  
BY THE AUTHOR











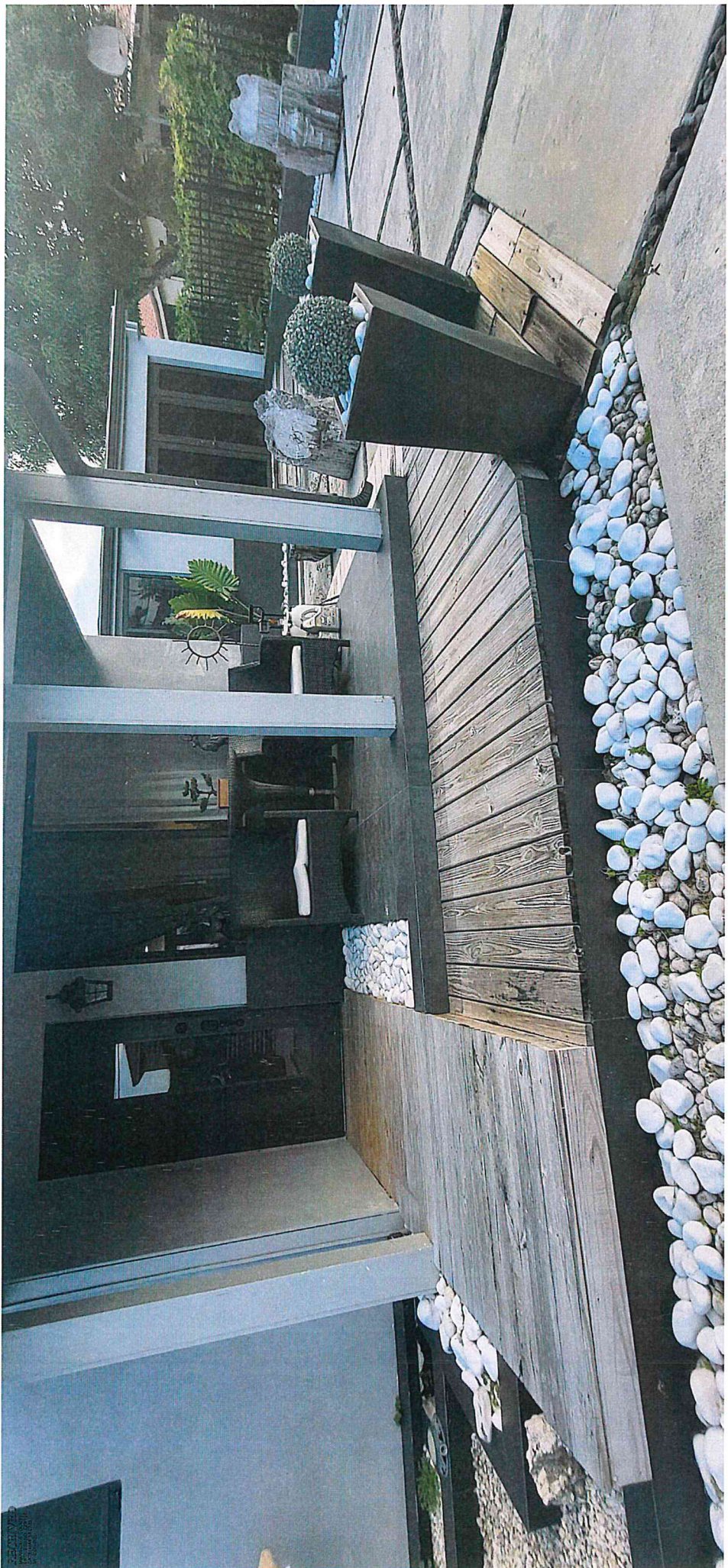
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10/10/2014



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10/15/2014  
10:58 AM  
BY GADSDON



BEAUTY BY  
KIMBERLY CANNON  
DESIGN & STYLING  
© 2023







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MIAMI-DADE COUNTY

PROCESS NO.: Z23-1126

DATE: FEB 5 2025

BY: B1DS

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to the Community Zoning Appeals Board 8**

PH: Z24-091

January 7, 2026

Item No. 3

<b>Recommendation Summary</b>	
<b>Commission District</b>	2
<b>Applicant</b>	The Arbour Townhouse Condominium Association, Inc.
<b>Summary of Requests</b>	The applicant seeks to modify the condition of a previously approved resolution, in order to submit a new site plan reflecting an existing covered terrace addition to one unit of an existing multi-family structure located on the subject site. Additionally, the applicant seeks to allow the covered terrace addition to setback less than required from the interior side property line than permitted by Code.
<b>Location</b>	14216 NE 3 Court Unit: 9-D, Miami-Dade County, Florida
<b>Property Size</b>	±0.29-gross (±0.24-net) Acre
<b>Existing Zoning</b>	RU-3M, Minimum Apartment House District
<b>Existing Land Use</b>	Multi-family residence unit
<b>2030-2040 CDMP Land Use Designation</b>	Low-Medium Density Residential, 6 to 13, dua (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(7), Generalized Modification Standards. Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval with conditions.</b>

**REQUESTS:**

- (1) MODIFICATION of Condition #3 of Resolution #4-ZAB-441-78, passed and adopted by Metropolitan Dade County Zoning Appeals Board, only as it applies to the subject site, and reading as follows:

From: "3. That all proposed enclosures and fences not exceed the 6 feet setback from all interior side property lines."

To: "3. That all proposed enclosures and fences do not exceed the 6 feet setback form all interior side property lines, except for Unit 9-D, which will not exceed a 4 feet setback from the interior side (north) property line."

The purpose of the request is to allow the applicant to modify a previously approved resolution, only as it applies to the subject site, in order to submit a revised site plan showing the existing covered terrace addition to one unit of an existing multi-family building.

- (2) NON-USE VARIANCE to permit an existing covered terrace addition to one unit of an existing multi-family building to setback 4' (15' required, 6' previously approved) from the interior side (north) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Rosario Rodriguez", as prepared by Solver Structural Partnership, Inc., dated stamped received 8/28/2025 consisting of 9 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND HISTORY:**

In December 1978, pursuant to Resolution #4-ZAB-441-78, the subject property was part of a multi-family development that was approved by the Metropolitan Dade County Zoning Appeals Board to allow enclosures and fences to setback less than required from certain property lines than permitted by code.

The applicant now seeks to modify condition #3 of the aforementioned Resolution, only as it applies to the subject property, in order to submit revised plans showing the modification to the previously approved site plan in the form of a covered terrace addition to one of the units of an existing multi-family building. The submitted plans depict the ±0.29-gross (±0.24-net)-acre subject property with an existing two (2)-story high multi-family residence, along with the existing covered terrace addition that is to be located towards the rear and side of the multi-family structure. Additionally, the plans show that the existing covered terrace addition results in an encroachment into the interior side setback area than is otherwise permitted by code. 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 (west) and interior side (north) property lines of the subject property.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	RU-3M, multi-family residences	Low-Medium Density Residential, 6-13 du/ac
<b>North</b>	RU-3M, multi-family residence	Low-Medium Density Residential, 6-13 du/ac
<b>South</b>	RU-3M, multi-family residence	Low-Medium Density Residential, 6-13 du/ac
<b>East</b>	RU-1, single-family residences	Low-Medium Density Residential, 6-13 du/ac
<b>West</b>	RU-3M, multi-family residences	Low-Medium Density Residential, 6-13 du/ac

**NEIGHBORHOOD COMPATIBILITY:**

The subject ±0.29-gross (±0.24-net)-acre property is located at 14216 NE 3 Court Unit:9-D and consists of an existing 2-story multi-family residence building. The property is surrounded by existing multi-family residence buildings to the north, south and west, whereas single-family residences are located to the east of the subject site.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow the applicant to legalize a reduced setback and maintenance of a covered terrace addition for a unit which is part of a multi-family residence structure that would provide a recreational area for one of the multi-family residential units. Staff opines that since the rear yard area is enclosed with a 6' high wood fence along the rear and interior side property lines, together with existing landscaping in form of tall hedges, any visual impact that the covered terrace addition may have on the surrounding properties is minimal and would be sufficiently mitigated.

### **COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The ±0.29-gross (±0.24-net)-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-Medium Density Residential**. The CDMP Land Use Element interpretative text for Low-Medium Density Residential states that the types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre. Staff opines that the approval of the requests to modify the condition of a previously approved resolution in order to submit revised plans that show an existing covered terrace addition to one unit of an existing multi-family building with a reduced setback sought in the application 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 additional dwelling units or changing the multi-family use on the property, staff opines that approval of the application with conditions would be **consistent** with the Low-Medium Density Residential designation of the CDMP LUP map.

### **ZONING ANALYSIS:**

When the request to modify condition #3 of Resolution #4-ZAB-441-78, in order to submit a new site plan showing an existing covered terrace addition to one of the units of an existing multi-family building (request #1) is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), 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 ±0.29-gross (±0.24-net)-acre subject property with an existing two (2)-story high multi-family residence, along with the existing covered terrace addition that is to be located towards the rear and side of the multi-family structure. Additionally, the plans show that the existing covered terrace addition encroaches into the interior side setback area. Staff notes that in December 1978, the subject property was included in a public hearing that approved setback variances for existing additions to the multi-family buildings within the development. However, the covered terrace was constructed after that hearing and does not comply with the approved condition requiring a 6' interior side setback for all proposed screen enclosures and fences. The applicant now intends to legalize an existing covered terrace addition to one unit of an existing multi-family structure which would require modification to the previously approved plans to indicate said changes to the existing structure. Staff supports the request and opines that the approval with conditions of the applicant's request to modify the previously approved plans will not generate excessive noise or traffic, create other hazards to the surrounding area or be incompatible with same, when considering the necessity for and reasonableness of the modifications in relation to the present and future development of the area concerned. Staff opines that the architectural style and scale of the multi-family residence unit with its existing addition are compatible with the surrounding multi-family residence structures and with the aesthetic character of the immediate vicinity, and as such, would not be out of character or detrimental to the neighborhood and will not have significant visual impact on the adjacent properties, and would be **compatible** with same.

Staff's research of the surrounding area did not find any similar approvals within the neighborhood for variances of the setback requirements for covered terrace additions to any other units of the existing multi-family development. Notwithstanding, staff notes that based on memoranda from the departments reviewing this application, any impacts from the reduced setback 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 they have no objections on the subject site. Therefore, staff opines that approval with conditions of the requested modification (request #1) would be compatible with the area concerned, when considering the necessity and reasonableness of the modifications or in relation to the present and future development of the area. **Based on the foregoing analysis, staff recommends approval with conditions of request #1, under Generalized Modification Standards, Section 33-311(A)(7).**

When request #2 to permit an existing covered terrace addition to one unit of an existing multi-family building to setback 4' (15' required, 6' previously approved) from the interior side (north) property line (request #2) is analyzed under the Non-Use Variance Standards, Section 33-311(A)(4)(b), staff opines that approval of this request would be **compatible** with the surrounding area, and would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff supports the request and opines that approval with conditions of this non-use variance 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 impacts generated from the request would be adequately mitigated by the existing 6' high wood fence located along the rear and interior side property lines of the subject property as well as existing landscaping in the form of tall hedges, which, staff opines, buffers any visual intrusion of the encroachment on the surrounding properties, especially to the parcel to the north of the subject property. Staff recommends as a condition for approval that the existing 6' high wood fence along the interior side property line be maintained as a visual buffer, and, if said wall 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.

Furthermore, staff opines that the architectural style and scale of the covered terrace addition is 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 setback 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 request #2, 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 COMMENTS:** See attached.

**OTHER:** Not applicable

**RECOMMENDATION:**

**Approval with conditions.**

**CONDITIONS FOR APPROVAL:**

1. That all other conditions of Resolution No. 4-ZAB-441-78 remain in full force and effect except as herein modified.
2. 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.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Rosario Rodriguez", as prepared by Solver Structural Partnership, Inc., dated stamped received 8/28/2025 consisting of 9 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.
4. That the existing 6' high wood fence along the rear (west) and interior side (north) property lines be maintained as a visual buffer, and, if said wall 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.
5. That the applicant complies with all applicable conditions, requirements, recommendations, requests, and other provisions of the Water and Sewer Department as indicated in the attached memorandum.

ES:JB:SS:VM

*Eric Silva*

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

## ZONING RECOMMENDATION ADDENDUM

The Arbour Townhouse Condominium Association, Inc.  
(PH: Z24-091)

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS</b>	
<i>RER-Code Coordination and Public Hearing Section</i>	<i>No objection</i>
<i>Fire Department</i>	<i>No objection</i>
<i>Platting and Traffic Review Section (RER)</i>	<i>No objection</i>
<i>Parks, Recreation and Open Spaces</i>	<i>No objection</i>
<i>Water and Sewer Department</i>	<i>No objection*</i>
<i>*Subject to conditions in their memorandum.</i>	

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

<p><b>Low-Medium Density Residential</b>  (Pg. I-29)</p>	<p><i>This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.</i></p>
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### PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311(A)(7) Generalized Modification Standards.</b></p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that (a) the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i></p>
<p><b>33-311(A)(4)(b) Non-use variances from other than airport regulations</b></p>	<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>

*Building and Neighborhood Compliance*

**ENFORCEMENT HISTORY**

RODRIGUEZ, ROSARIO

14216 NE 3 CT 9-D  
MIAMI-DADE COUNTY, FLORIDA.

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**APPLICANT**

**ADDRESS**

PENDING

Z2024000091

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**DATE**

**HEARING NUMBER**

**FOLIO No: 30-2219-058-0360**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

August 28, 2025

**NEIGHBORHOOD REGULATIONS:**

There are no open/closed cases in CMS.

**BUILDING SUPPORT REGULATIONS:**

There are no open/closed cases in BSS.

**VIOLATOR:**

RODRIGUEZ, ROSARIO

**OUTSTANDING LIENS AND FINES:**

There are no outstanding liens or fines.

# Memorandum



**Date:** September 18, 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

A handwritten signature in blue ink that reads "Lisa M. Spadafina".

**Subject:** Z2024000091-3<sup>rd</sup> Review  
Rosario Rodriguez  
14216 NE 3<sup>rd</sup> Court  
NUV for setbacks requirements to legalize a screened terrace in a townhome.  
(RU-3M) (0.027 acres)  
19-52-42

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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 sections 24-43. 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 structures to be legalized are 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 Review

An aerial review of the subject property indicates the presence of tree resources, however, the site plan entitled "Rosario Rodriguez" prepared by Denis K. Solano, P.E., and dated as received by Miami-Dade County on August 28, 2025, was submitted 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**

DERM Enforcement History Review

The subject property has no open and one (1) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information. 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:** September 17, 2025

**To:** Eric Silva, AICP, Assistant Director  
Development Services Division  
Department of Regulatory and Economic Resources (RER)

**Through:** James B. Ferguson, P.E.  
Assistant Director  
Water and Sewer Department (WASD)

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

**Subject:** Zoning Application Comments - Rosario Rodriguez  
Application No. Z2024000091 - Revision # 2

A handwritten signature in blue ink that reads "Maria Valdes".

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: Rosario Rodriguez

Location: The proposed project is located on approximately 0.25 acres at 14216 NE 3<sup>rd</sup> Court Unit 9-D, with Folio No. 30-2219-058-0360, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is requesting a modification of the previously approved plans in order to permit and legalize an existing covered terrace at the existing townhome.

This project results in a no-net-increase to the water demand.

**Please note that the subject property has a 6 feet Utility Easement within and along the western boundary of the property. Permanent structures, trees or palms are not allowed within said utility easement (only passive landscaping along the Utility Easement).**

Water: The proposed development is located within the City of North Miami's water service area. Please consult with the Utility Department of the City of North Miami for any infrastructure that they may have in their service area. Also, a Water Supply Certification (WSC) is not required from WASD as the project is located entirely within the City of North Miami's water service area and the water supply will be provided by the Utility of North Miami.

Water Conservation: 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.

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 City of North Miami's sewer service area. Please consult with the Utility Department of the City of North Miami for any infrastructure that they may have in their service area.

North Miami is a Volume Sewer Customer of WASD. WASD will be the Utility providing sewer services for treatment and disposal of the wastewater at the North District Wastewater Treatment Plant (NDWWTP). The NDWWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the NDWWTP, consistent with Policy WS-2 A (2) of the CDMP.

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.

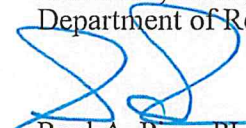
Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or [mavald@miamidade.gov](mailto:mavald@miamidade.gov), Alfredo B. Sanchez at (786) 552-8237 or [sanalf@miamidade.gov](mailto:sanalf@miamidade.gov), or Benita Ramirez at (786)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

# Memorandum



Date: October 16, 2025

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: Z2024000091  
Name: Rosario Rodriguez .  
Location: 14216 NE 3 Court  
Section 19 Township 52 South Range 42 East

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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 9, Block 1, Plat Book 90, Page 14.

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:** September 03, 2025

**To:** Eric Silva, Assistant Director  
Regulatory and Economic Resources

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

**Subject:** Z2024000091

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The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “EnerGov” on 8/28/2025. The proposed scope of work does not affect existing fire department access.

MDFR’s review of this 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@miamidadegov](mailto:acuello@miamidadegov) or call 305-775-3357.

# Memorandum



**Date:** December 22, 2025

**To:** Eric Silva, Assistant Director for Development Services  
Department of Regulatory and Economic Resources

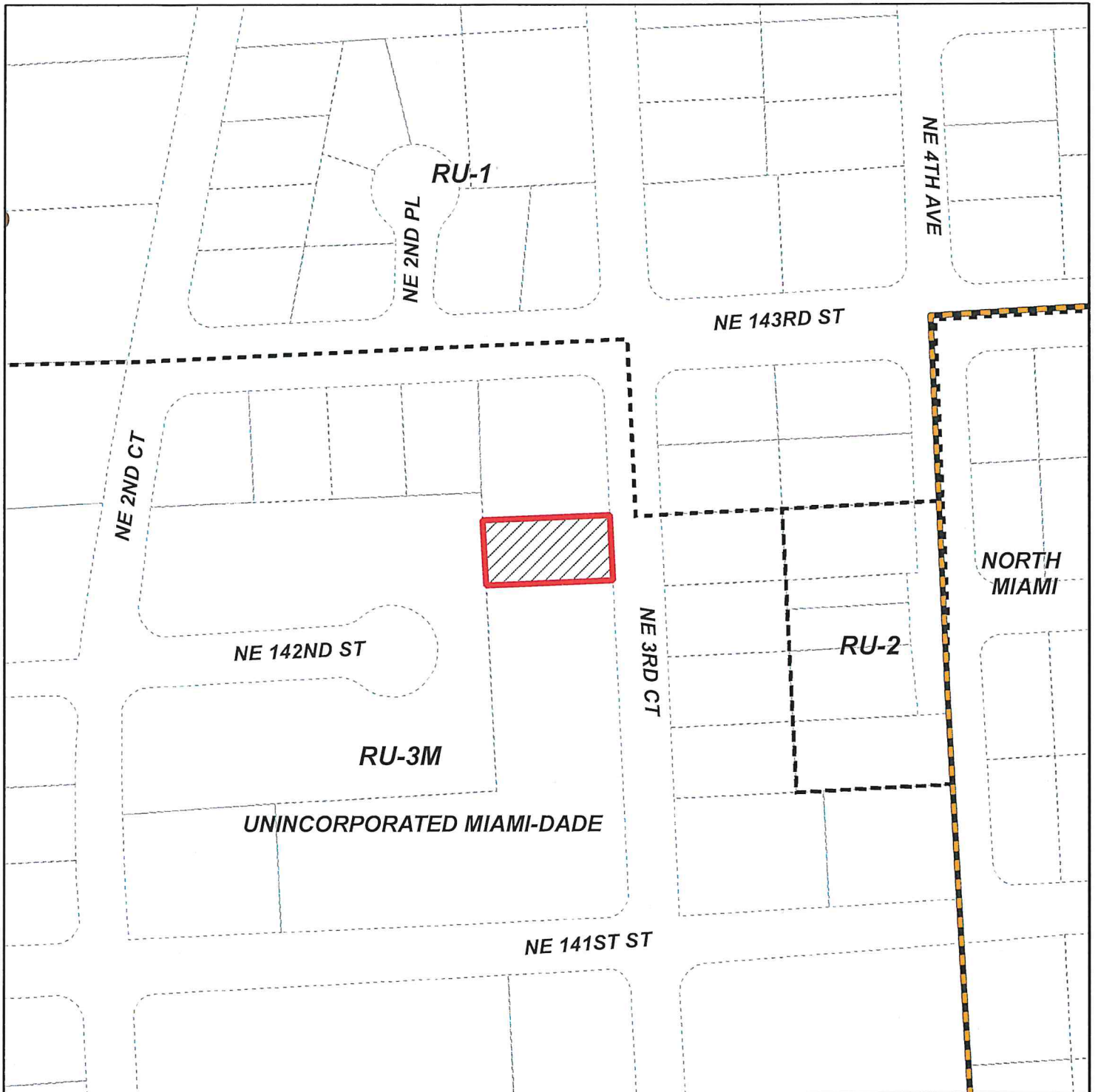
**From:** Sarah Cody, Historic Preservation Chief  
Department of Regulatory and Economic Resources

**Subject:** Zoning Application Z2024-000091 The Arbour Townhouse Condominium Association, Inc.

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The Miami-Dade County Office of Historic Preservation has reviewed the subject application and has no comments or objections.

For any questions, please contact Sarah Cody at (305) 375-4438 or via email at [sarah.cody@miamidade.gov](mailto:sarah.cody@miamidade.gov).





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2024000091**



Section: 19 Township: 52 Range: 42  
 Applicant: The Arbour Townhouse  
 Condominium Association, Inc.  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

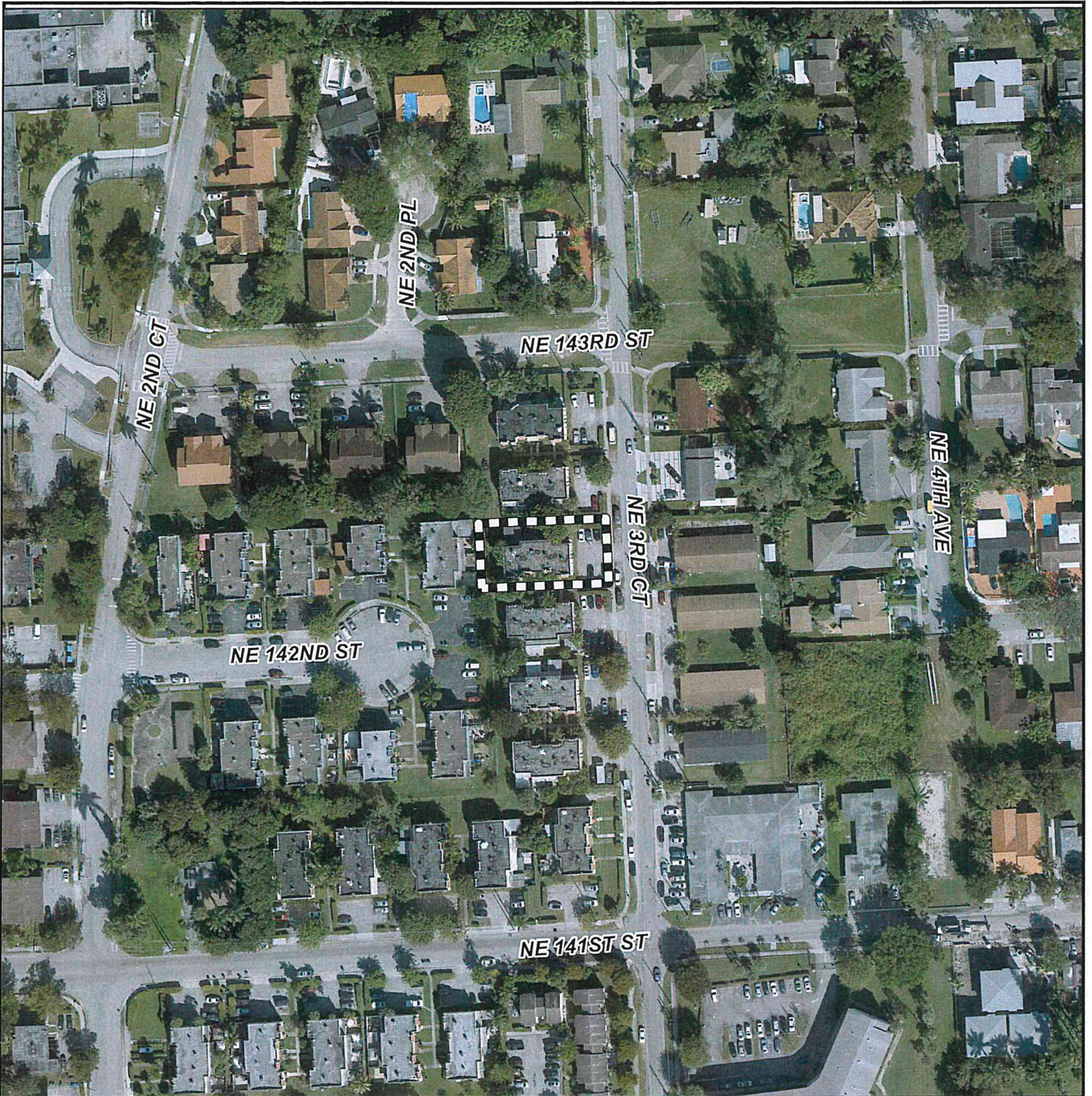
**Legend**

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Friday, August 16, 2024

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2023**

Process Number  
**Z2024000091**

Legend  
 Subject Property



Section: 19 Township: 52 Range: 42  
 Applicant: The Arbour Townhouse  
 Condominium Association, Inc.  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Friday, August 16, 2024

REVISION	DATE	BY






**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 19 Township: 52 Range: 42  
 Applicant: The Arbour Townhouse  
 Condominium Association, Inc.  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

Process Number  
**Z2024000091**  
 RADIUS: 500

**Legend**

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Friday, August 16, 2024

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2024000091**



Section: 19 Township: 52 Range: 42  
 Applicant: The Arbour Townhouse  
 Condominium Association, Inc.  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Friday, August 16, 2024

REVISION	DATE	BY

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO : 224-091

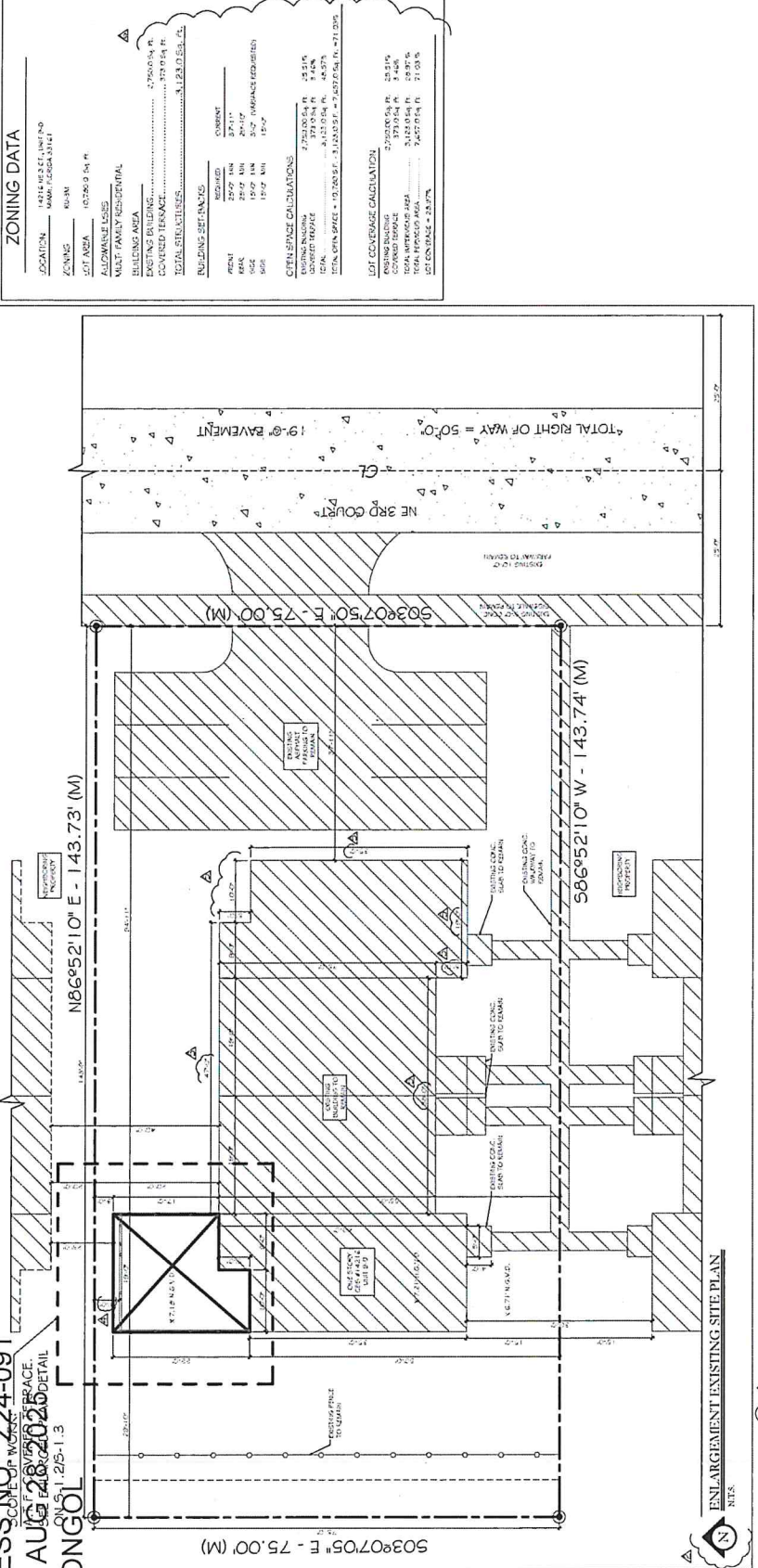
DATE: AUG 28 2025

BY: GONGOL

DATE: 08/28/2025

PROJECT: 14216 NE 3 COURT

BY: GONGOL



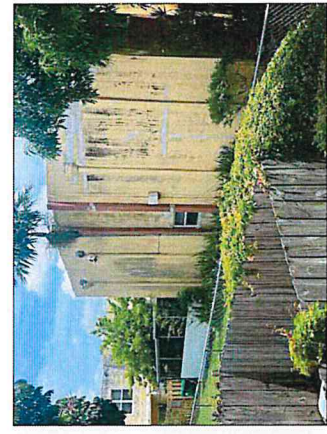
EXISTING CONDITIONS



PICTURE #1



PICTURE #2



PICTURE #3

**ZONING DATA**

LOCATION: 14216 NE 3 COURT, UNIT 9-D  
MAMI FL 33161

ZONING: R0-MH  
LOT AREA: 10,268.3 Sq. Ft.  
ALLOWABLE USES: MULT. FAMILY RESIDENTIAL  
BUILDING AREA: 2,790.0 Sq. Ft.  
EXISTING BUILDING: 373.0 Sq. Ft.  
COVERED TERRACE: 373.0 Sq. Ft.  
TOTAL STRUCTURES: 1,124.0 Sq. Ft.

**BUILDING SETBACKS**

REQUIRED	CURRENT
FRONT	3'-7 1/2"
REAR	2'-0"
SIDE	1'-0"
STREET	1'-0"

**CITY SPACE CALCULATIONS**

EXISTING	PROPOSED
2,790.0 Sq. Ft.	2,790.0 Sq. Ft.
373.0 Sq. Ft.	373.0 Sq. Ft.
373.0 Sq. Ft.	373.0 Sq. Ft.
1,124.0 Sq. Ft.	1,124.0 Sq. Ft.

**LOT COVERAGE CALCULATION**

EXISTING	PROPOSED
373.0 Sq. Ft.	373.0 Sq. Ft.
373.0 Sq. Ft.	373.0 Sq. Ft.
373.0 Sq. Ft.	373.0 Sq. Ft.
1,124.0 Sq. Ft.	1,124.0 Sq. Ft.

job name: ROSARIO RODRIGUEZ  
14216 NE 3 COURT UNIT 9-D  
MIAMI FL, 33161  
EXISTING SITE PLAN

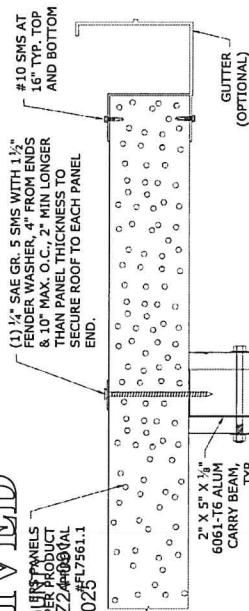
date: 08-07-2024  
drawn: L.G.B.  
checked: D.K.S.  
project no.: 2025-223  
14216 NE 3 Ct.

sheet no.  
S-1.1  
2 of 9

Digitally signed  
by Denis K Solano  
Date: 2025.08.14  
16:28:44 -0400  
P.E. 56902  
S.I. 2046  
C.O.A. 000009095

**RECEIVED**

MIAMI-DADE COUNTY PANELS  
 PROCESS NO.: Z244091CT  
 DATE: AUG 28 2025  
 BY: GONBOL



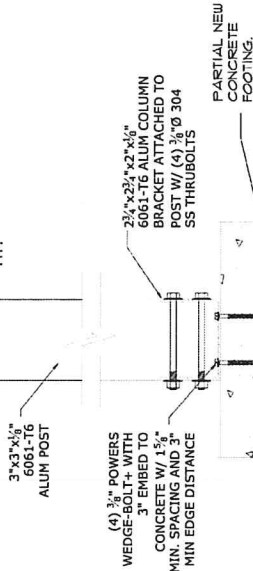
(1) 1 1/2" SAE GR. 5 SMS WITH 1 1/2" FENDER WASHER, 4" FROM ENDS & 10" MAX. O.C., 2" MIN LONGER THAN PANEL THICKNESS TO SECURE ROOF TO EACH PANEL END.

2" X 5" X 1/8" 6061-T6 ALUM CARRY BEAM, TYP

3" X 3" X 1/8" 6061-T6 ALUM POST

ATTACH BEAM TO POST WITH (2) 3/8" Ø 304 SS THRU-BOLTS WITH WASHERS EACH LEG, TYP.

GUTTER (OPTIONAL)

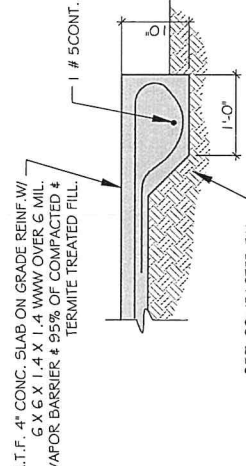


(4) 3/8" POWERS WEDGE-BOLT+ WITH 3" EMBED TO CONCRETE W/ 1 1/2" MIN. SPACING AND 3" MIN. EDGE DISTANCE

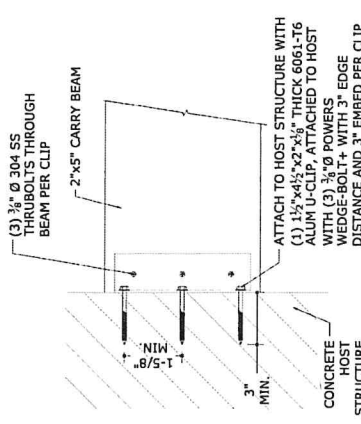
2 1/2" X 2 1/2" X 2" X 1/8" 6061-T6 ALUM COLUMN BRACKET ATTACHED TO POST W/ (4) 3/8" Ø 304 SS THRU-BOLTS

PARTIAL NEW CONCRETE FOOTING.

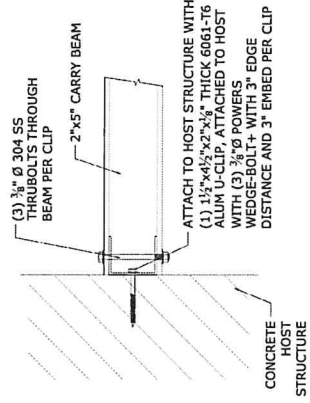
**A** PANEL, BEAM & POST ATTACHMENT  
 S-2.1 N.T.S.



TYPICAL THICKENED SLAB EDGE (TSE) DETAIL  
 N.T.S.

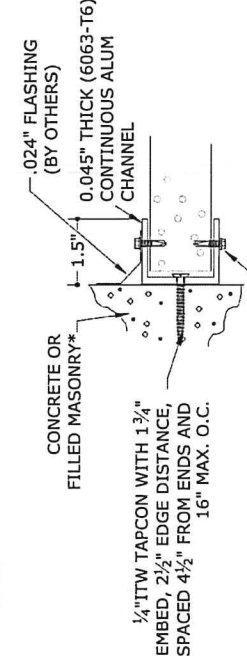


ELEVATION VIEW



PLAN VIEW

**B** BEAM TO POST STRUCTURE ATTACHMENT  
 S-2.1 N.T.S.



#8 SAE GR. 5 SMS AT 8" O.C. (TOP AND BOTTOM) AND 4" FROM ENDS HEAVY ADHESIVE CAULK TOP & BOTTOM CONTINUOUS

**C** PANEL TO POST STRUCTURE ATTACHMENT  
 S-2.1 N.T.S.

revisions:


CONSULTANTS:

Solver Structural Partnership, Inc.  
 300 N.W. 22nd Ave.  
 Ft. Lauderdale, FL 33309  
 Phone: (954) 543-6699  
 Fax: (954) 543-6692  
 E-Mail: info@solverstructural.com  
 DESIGN - INSPECTION - INVESTIGATION - REPORTS

job name: ROSARIO RODRIGUEZ  
 14216 NE 3 COURT UNIT 9-D  
 MIAMI FL, 33161  
 Title: TYP. DETAILS

date: 08-07-2024  
 issued: \_\_\_\_\_  
 drawn: I.G.B.  
 checked: D.K.S.  
 project no.: MISC-23  
 14216 NE 3 CL

sheet no. S-2.1  
 6 of 9

Denis K. Solano  
 P.E. 56902  
 S.L. 2046  
 C.O.A. 00000905

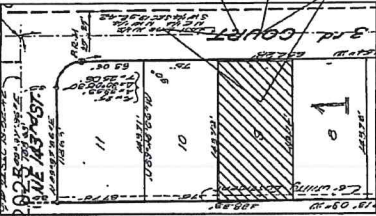
RECEIVED

MIAMI-DADE COUNTY

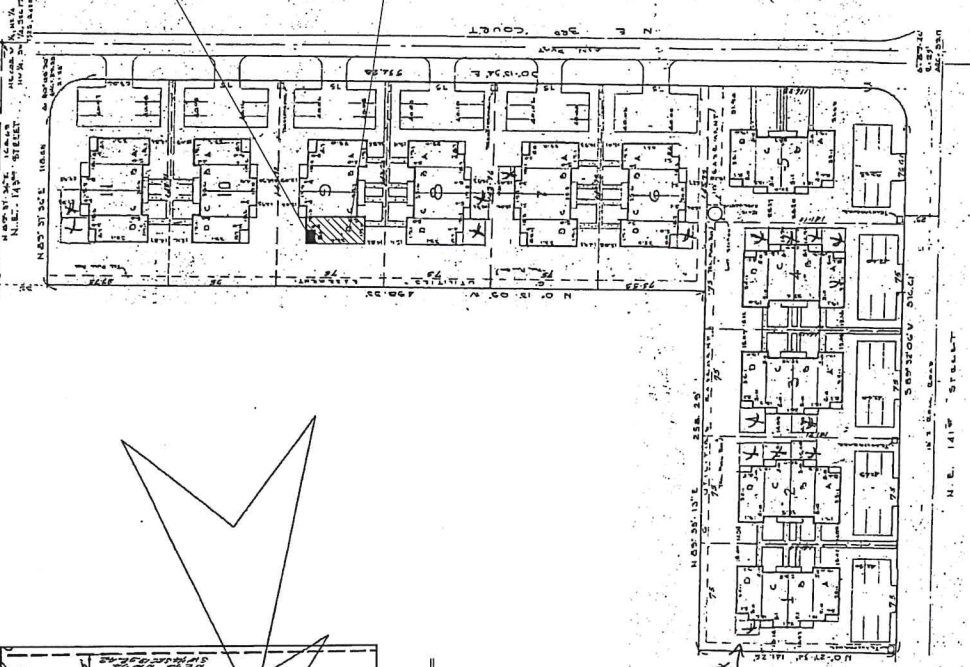
PROCESS NO.: Z24-091

DATE: AUG 28 2005

BY: GONGOL

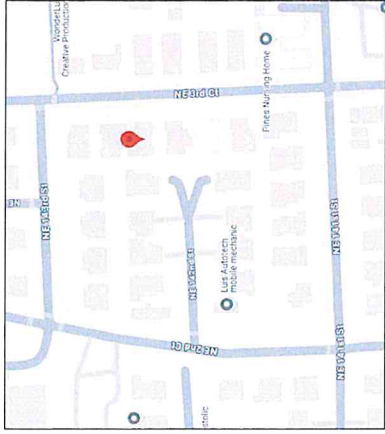


LOCATION SKETCH NTS



LOCATION OF NEW COVERED TERRACE TO BE LEGALIZED. SEE ENLARGED EXISTING SITE PLAN ON S-1.1

EXISTING ONE STORY CBS BLDG # 14216, APT. UNIT 9D.



LOCATION MAP NTS



ENLARGED LOCATION MAP NTS

Revisions:  
A BDC-08-28-24  
B BDC-10-22-24  
C BDC-01-29-25

CONSULTANTS:  
Solter Structural Partnership, Inc.  
DESIGN - INSPECTION - INVESTIGATION - REPORTS  
500 N.W. 22 ND AVE  
P.O. Box 3125  
Phone (305) 43-4599  
Fax (305) 64-4592

job name: ROSARIO RODRIGUEZ  
14216 NE 3 COURT UNIT 9-D  
MIAMI FL, 33161  
EXISTING SURVEY

date: 08-07-2024  
issued: [ ]  
drawn: L.G.B.  
checked: D.L.S.  
project no.: MSC-23  
14216 NE 3 Ct.

sheet no.  
S-0.1  
1 of 9

Denis K. Solano  
P.E. 56902  
S.I. 2046  
C.O.A. 00009095

THE ARBOUR TOWNHOUSE, A CONDOMINIUM (EXISTING SURVEY) NTS



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MIAMI-DADE COUNTY

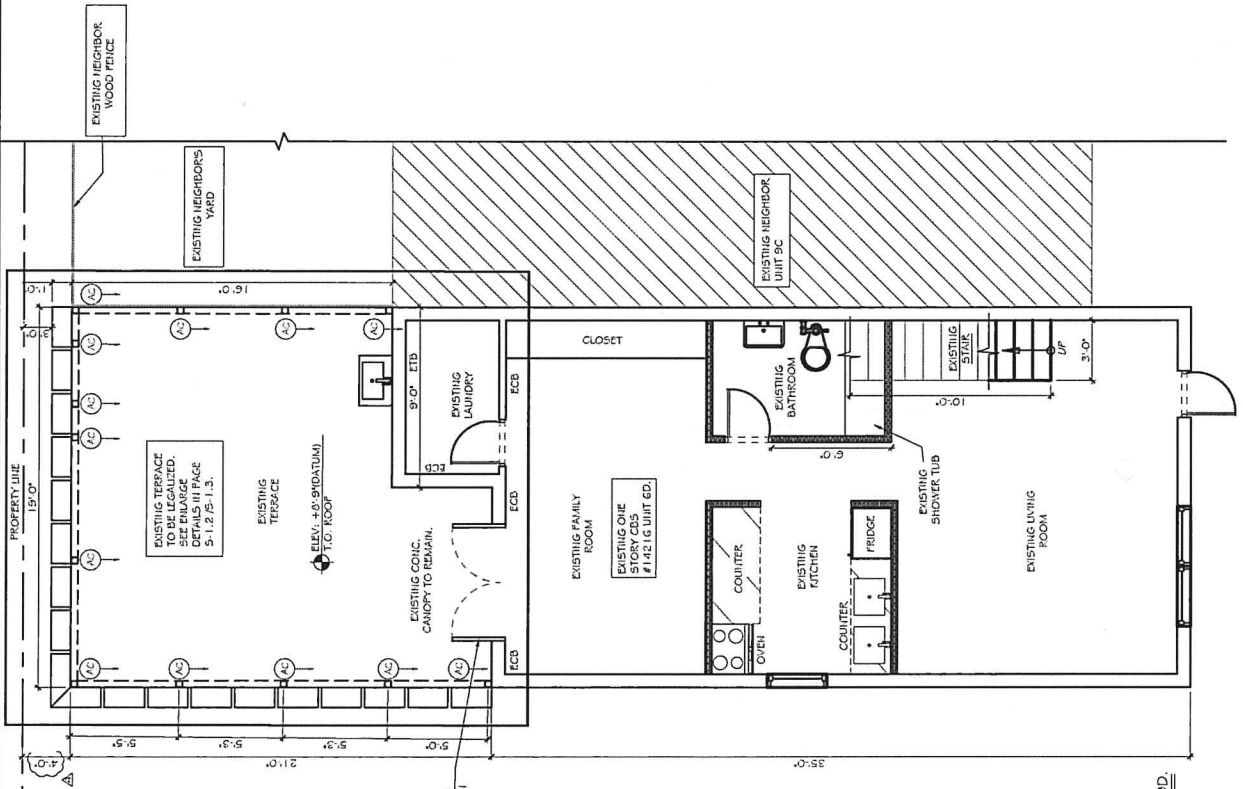
PROCESSION NO.: Z24-091

DATE: AUG 28 2025

BY: GONGOL

A.T.F. ALUM. COL. SIDING BELOW.

- ETB EXISTING CONC. BEAM / TIE BEAM TO REMAIN.
- A.T.F. 2"X30"X8' GGG-1-16 ALUM. CARRY BEAM.
- EXISTING 4" DIVISOR WALL TO REMAIN AFTER THE FACT.
- EXISTING WINDOW TO REMAIN.
- EXISTING DOOR TO REMAIN.
- EXISTING LAUNDRY TO REMAIN.



revisions:  
 A BCC-03-2 L-25

CONSULTANTS:  
 Solter Structural Partnership, Inc.  
 300 N.W. 22nd Ave. Ft. Lauderdale, FL 33309  
 Phone: (561) 532-9259  
 Email: info@solter.com  
 EARTH RETENTION - INVESTIGATION - REPORTS

job name: ROSARIO RODRIGUEZ  
 14216 NE 3 COURT UNIT 9-D  
 MIAMI FL, 33161  
 EXISTING FLOOR PLAN

date: 08.07.2024  
 issued: \_\_\_\_\_  
 drawn: I.G.B.  
 checked: D.K.S.  
 project no.: MISC-23  
 14216 NE 3 Ct.

sheet no.  
 S-1.1.A  
 3 of 9

Digitally signed by Denis K Solano  
 Date: 2025.08.14 16:30:30 -0400  
 P.E. 56902  
 S.I. 2046  
 C.O.A. 00000905

**RECEIVED**  
 MIAMI-DADE COUNTY  
 PROCESS NO.: Z24-091  
 DATE: AUG 28 2025  
 BY: GONBOL

revisions:  
 A. EDCO3.2.1.25

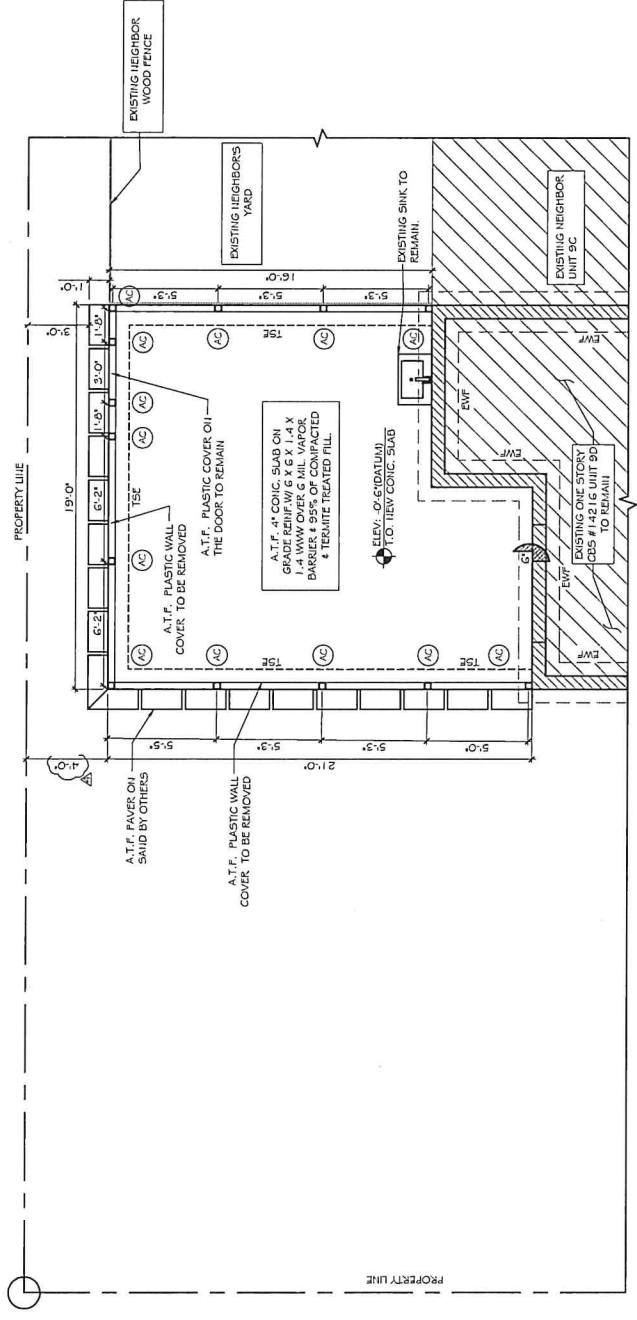
**CONSULTANTS:**  
 Solter Structural Partnership, Inc.  
 500 N.W. 22nd Ave. Phone (305) 434-6699  
 Suite 1000, Ft. Lauderdale, FL 33309  
 FLS 1983 1125 Fax (305) 644-8222  
 DESIGN - INSPECTION - INVESTIGATION - REPORTS

job name: **ROSARIO RODRIGUEZ**  
 14216 NE 3 COURT UNIT 9-D  
 MIAMI FL 33161  
 title: **FOUNDATION/GROUND FLOOR PLAN**

date: 06.07.2024  
 issued: \_\_\_\_\_  
 drawn: U.G.B.  
 checked: D.E.S.  
 project no.: MISC-23  
 14216 NE 3 Ct.

sheet no.  
**S-1.2**  
 4 of 9

**Denis K. Solano**  
 P.E. 56902  
 S.I. 2046  
 C.O.A. 00009095



**EXISTING/PROPOSED FOUNDATION/GROUND FRAMING PLAN**  
 SCALE: 1/4" = 1'-0"

- LEGEND**
- ⊕ A.T.F. 3"X3"X6" 6061 T6 ALUMIN. COL.
  - ⊗ A.T.F. THICKENED SLAB EDGE (TSE) SEE TYP. DETAIL ON S-2.1.
  - ▨ EXISTING 8" CAU WALL TO REMAIN.
  - EW F EXISTING WALL FOOTING TO REMAIN.
  - A.T.F. AFTER THE FACT.

RECEIVED

MIAMI-DADE COUNTY  
PROCESS NO.: Z24-091  
DATE: AUG 28 2025  
BY: GONSOLO

revisions:  
A.B.C.C.03.2.1.25

CONSULTANTS:  
Soler Structural Partnership, Inc.  
500 N.W. 22 ND AVE. Phone (305) 842-6699  
Miami, Florida 33125 Fax (305) 842-6622  
Email: info@solerstructural.com  
www.solerstructural.com  
DESIGN - INSPECTION - INVESTIGATION - REPORTS

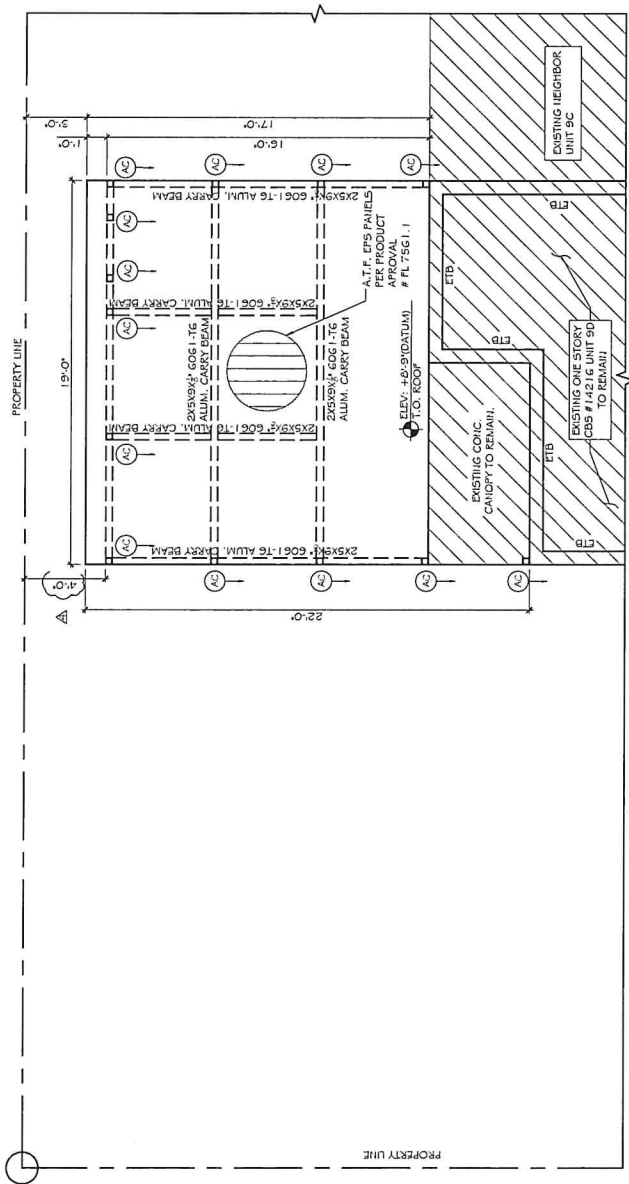


job name: ROSARIO RODRIGUEZ  
14216 NE 3 COURT UNIT 9-D  
MIAMI FL, 33161  
title: ROOF PLAN

date: 08-07-2024  
issued  
drawn: J.G.B.  
checked: D.K.S.  
project no.: MEC-23  
14216 NE 3 CT.

sheet no.  
S-1.3  
5 of 9

Denis K. Solano  
P.E. 56902  
S.I. 2046  
C.O.A. 00000905



EXISTING/PROPOSED ROOF FRAMING PLAN.  
SCALE: 1/4" = 1'-0"

- LEGEND
- AC: A.T.F. ALUM. COL. BEING BELOW.
- ETB: EXISTING CONIC. BEAM / TIE BEAM TO REMAIN.
- : A.T.F. 2X5X9 1/2" 6061-T6 ALUM. CARRY BEAM.
- A.T.F.: AFTER THE FACT.

RECEIVED

MIAMI-DADE COUNTY  
PROCESS NO.: Z24-091  
DATE: AUG 28 2025  
BY: GONGOL

requirements:  
A B C C 03 21 25

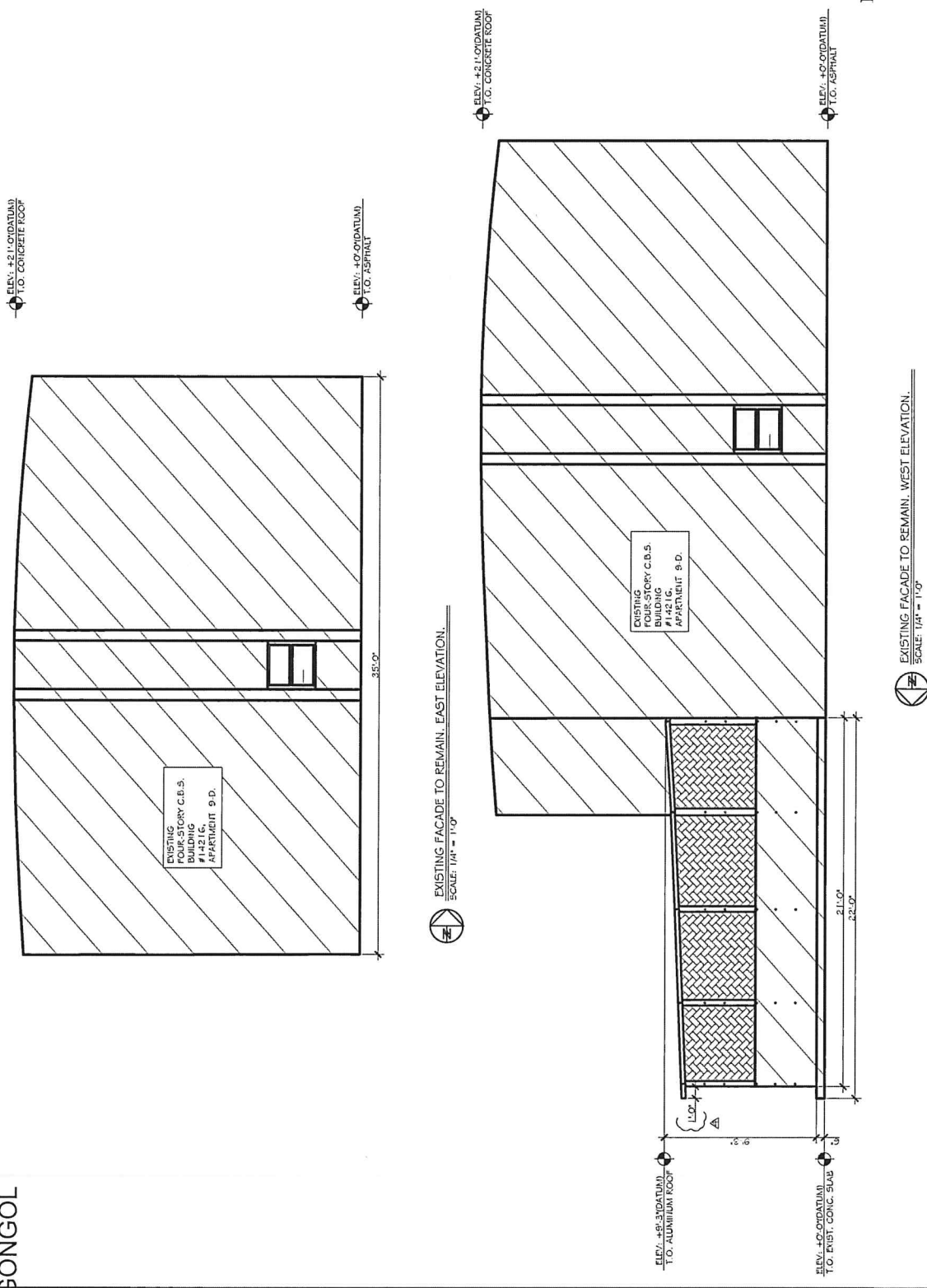
CONSULTANTS:  
SOLVER STRUCTURAL PARTNERSHIP, INC.  
300 N.W. 25th Ave. Miami, FL 33135  
Phone: (305) 582-2929  
Fax: (305) 582-2922  
E-mail: info@solverstructural.com  
DESIGN, CONSTRUCTION, INVESTIGATION, REPAIRS

job name: ROSARIO RODRIGUEZ  
14216 NE 3 COURT UNIT 9-D  
MIAMI FL, 33161  
ELEVATION PLAN EAST & WEST

date: 08-07-2024  
checked: D.K.S.  
drawn: L.G.B.  
project no.: 2025.08.14  
14216 NE 3 CT.

sheet no.  
S-3.1  
7 of 9

Digitally signed by  
Denis K Solano  
Date: 2025.08.14  
16:28:38  
+0600  
Denis K. Solano  
P.E. 56902  
S.I. 2046  
C.O.A. 00000095



EXISTING  
FOUR-STORY C.B.S.  
BUILDING  
#14216  
APARTMENT 9-D.

EXISTING  
FOUR-STORY C.B.S.  
BUILDING  
#14216  
APARTMENT 9-D.

ELEV. +21'-0" (T.O. CONCRETE ROOF)

ELEV. +21'-0" (T.O. ASPHALT)

ELEV. +21'-0" (T.O. CONCRETE ROOF)

ELEV. +21'-0" (T.O. ASPHALT)

EXISTING FACADE TO REMAIN, EAST ELEVATION.  
SCALE: 1/4" = 1'-0"

EXISTING FACADE TO REMAIN, WEST ELEVATION.  
SCALE: 1/4" = 1'-0"

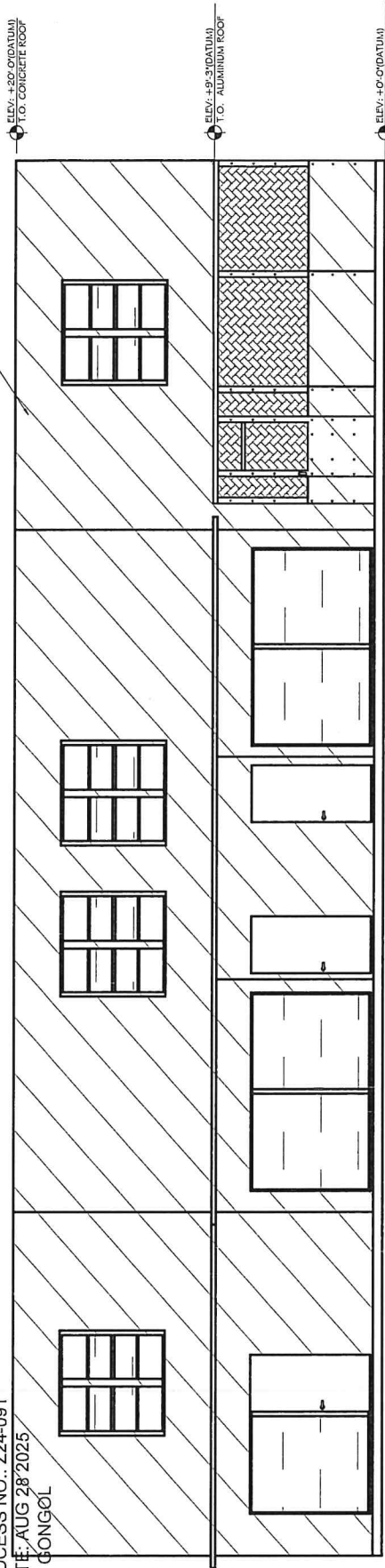
ELEV. +21'-0" (T.O. ALUMINUM ROOF)

ELEV. +21'-0" (T.O. EXIST. CONC. SLAB)

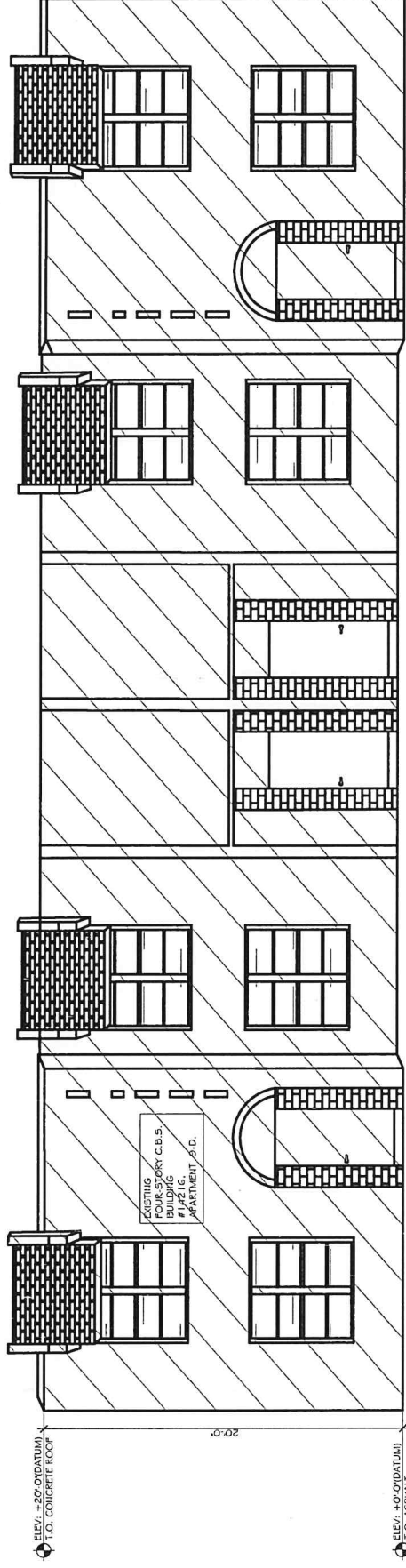
**RECEIVED**

MIAMI-DADE COUNTY  
PROCESS NO.: Z24-091  
DATE: AUG 28 2025  
BY: GONGØL

EXISTING FOUR-  
STORY C.B.S.  
BUILDING  
#1421G,  
APARTMENT 9-D.



EXISTING FACADE TO REMAIN. NORTH ELEVATION.  
SCALE: 1/4" = 1'-0"



EXISTING FACADE TO REMAIN. SOUTH ELEVATION.  
SCALE: 1/4" = 1'-0"

revisions:

CONSULTANTS:

Solver Structural Partnership, Inc.  
550 N. ZEE AVE. Phone (305) 643-6699  
Miami, Florida 33132 Fax (305) 643-6622  
Email: info@solvers.com  
www.solvers.com  
DESIGN - INSPECTION - INVESTIGATION - REPORTS



job name: ROSARIO RODRIGUEZ  
14216 NE 3 COURT UNIT 9-D  
MIAMI FL, 33161  
ELEVATION PLAN NORTH & SOUTH

date: 08.07.2024  
issued:  
drawn: L.G.B.  
checked: D.L.S.  
project no.: MISC-23  
14216 NE 3 Ct.

sheet no.  
5-3.2  
B of 9

Denis K. Solano  
P.E. 56902  
S.I. 2046  
C.O.A. 00009095



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MIAMI-DADE COUNTY

Disclosure of Interest\*

PROCESS NO. Z24-091

DATE: APR 3 2025

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]. BY: GONGOL

CORPORATION NAME: THE ARBOUR TOWNHOUSE CONDOMINIUM ASSOCIATION INC. P.O. BOX 610-155 NORTH MIAMI, FL 33261-0155

Table with 2 columns: NAME AND ADDRESS, PERCENTAGE OF STOCK. Rows include Title P WILLIAM P SCHNAP, Title Director ANGELA GONZALEZ, Title VP DIAN STEWART, Title Secretary DELANA BENN.

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:

Table with 2 columns: NAME AND ADDRESS, PERCENTAGE OF INTEREST. Multiple blank rows for entry.

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:

Table with 2 columns: NAME AND ADDRESS, PERCENTAGE OF OWNERSHIP. Multiple blank rows for entry.

\*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.



**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to the Community Zoning Appeals Board 8**

**PH: Z25-023**

**January 7, 2026**

Item No. 4

<b>Recommendation Summary</b>	
<b>Commission District</b>	3
<b>Applicant</b>	Edwin Ambrocio Reyes
<b>Summary of Requests</b>	The applicant seeks to modify the condition of a prior resolution in order to submit revised site plan that indicates a conversion from a single-family residence to a duplex. Additionally, the applicant seeks to allow the duplex to setback less than required from the front and rear property lines, and for it to have more lot coverage than permitted by Code.
<b>Location</b>	1879 NW 62 Terrace, Miami-Dade County, Florida.
<b>Property Size</b>	0.16 Acre
<b>Existing Zoning</b>	RU-2, Two-Family Residential District
<b>Existing Land Use</b>	Single-family residence
<b>2030-2040 CDMP Land Use Designation</b>	Low-Medium Density Residential, 6 to 13 dua <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with the LUP map, and the interpretative text and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance Standards From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval with conditions.</b>

**REQUESTS:**

- 1) MODIFICATION of Condition #2 of Resolution No. CZAB8-10-12, passed and adopted by the Community Zoning Appeals Board 8, and reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Habitat for Humanity, "as prepared by Thomas & Calzadilla, dated stamped received 3/12/12, consisting of 2 sheets."

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Zoning hearing for proposed DUPLEX addition, as prepared by AIP Design, Inc. dated stamped received 9/19/2025, for a total of 4 sheets."

The purpose of request #1 is to modify the condition of a previously approved resolution in order to submit revised site plan that indicates a conversion from a single-family residence to a duplex.

- 2) NON-USE VARIANCE to permit a duplex to setback 15' (25' required for 50% of the lineal footage of the entire width of the house and 15' required for the balance) from the front (south) and the rear (north) property lines.
- 3) NON-USE VARIANCE to permit the duplex residence with a lot coverage of 39.4% (30% maximum permitted).

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economics Resources. Plans may be modified at public hearing.

**PROJECT HISTORY AND DESCRIPTION:**

In June, 2012, pursuant to Resolution No. CZAB8-10-12, the subject property was approved by the by the Community Zoning Appeals Board 8 permitting a proposed single-family residence to setback 15' (25' required) from the rear (north) property line. Additionally, the aforementioned resolution had tied the subject site to the approved plans which depict the proposed single-family residence located towards the eastern portion of the lot whereas the western portion remained open/vacant.

Under the current zoning application, the applicant seeks to modify the site plan condition #2 of Resolution No. CZAB8-10-12 in order to submit revised site plan that indicates a conversion from a single-family residence to a duplex on the RU-2 zoned lot. Additionally, the applicant seeks to allow the duplex to setback less than required from the front and rear property lines, and for it to have more lot coverage than permitted by Code. The submitted plans show that the existing one (1)-story, 1,050 sq. ft. single-family residence shall continue to stay on the eastern portion of the subject site and the proposed attached addition on the western side of the 0.16-acre property which will create the proposed duplex addition. The proposed duplex addition would be setback 15' from the front (south) and from the rear (north) property lines whereas 25' is required for 50% of the lineal footage of the entire width of the house and 15' required for the balance. The proposed addition also results in a lot coverage of 39.4%, where 30% is otherwise the maximum lot coverage permitted by code. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate an existing 6' high CBS wall along the rear, and 6' high wood fence located along the interior side property lines of the subject property.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	RU-2; single-family residence	Low-Medium Density Residential (6 to 13 dua)
<b>North</b>	RU-2; single-family residences	Low-Medium Density Residential (6 to 13 dua)
<b>South</b>	RU-2; single-family residence, vacant lot	Low-Medium Density Residential (6 to 13 dua)
<b>East</b>	RU-2; single-family residence	Low-Medium Density Residential (6 to 13 dua)
<b>West</b>	RU-2; single-family residence	Low-Medium Density Residential (6 to 13 dua)

**NEIGHBORHOOD COMPATIBILITY:**

The subject property consists of an existing single-family residence on a 7,200 sq. ft. interior lot that is zoned RU-2, Two-Family Residential District, and located at 1879 NW 62 Terrace. The surrounding area is characterized by existing single-family residences, that are also zoned as RU-2, Two-Family Residential District.

**SUMMARY OF THE IMPACTS:**

Approval of this application will allow the applicant to modify the site plan condition of a previously approved resolution and allow the addition of a second unit to the existing single-family residence, and to permit the duplex with a reduced setback from the front and rear property lines and to cover more area on the lot than otherwise permitted by zoning regulations. Staff opines that since the rear yard area is enclosed with a 6' high CBS wall and a 6' wood fence is located along the interior side property lines, any visual impact that the duplex addition may have on the surrounding properties is minimal and would be sufficiently mitigated.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The 0.17-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-Medium Density Residential**. The CDMP Land Use Element interpretative text for Low-Medium Density Residential states that *the residential densities allowed in this category shall range from a minimum of 6 to a maximum of 13 dwelling units per gross acre, and is generally characterized by single family housing, e.g., single-family detached, cluster, and townhouses*. This allows the applicant to develop the 0.16-acre subject site with a total of 2 residential units as the maximum density allowed under the CDMP Low-Medium Density Residential threshold on the LUP map. The applicants are requesting to add an additional dwelling unit and change the single-family use on the property to a duplex. Staff opines that the approval of the requests sought in the application for the modification of a condition of a prior resolution, the reduced front and rear setbacks and the larger lot coverage for the proposed duplex addition will not add additional dwelling units to the RU-2 zoned subject site beyond what is allowed by the LUP map of the CDMP. As such, staff opines that approval of the application with conditions would be **consistent** with the Low-Medium Density Residential Communities designation of the CDMP LUP map.

**ZONING ANALYSIS:**

When the request to modify condition #2 of Resolution No. CZAB8-10-12, in order to submit revised site plan that indicates a conversion from a single-family residence to a duplex (request #1) is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), 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 that the existing single-family residence shall continue to stay on the eastern portion of the subject site, and the proposed addition would be attached to the existing building on the western side of the 0.16-acre property which will create a duplex addition. This would require modification to the previously approved plans to indicate said changes to the existing single-family building. Staff supports the request and opines that the approval with conditions of the applicant's request to modify the previously approved plans will not generate excessive noise or traffic, create other hazards to the surrounding area or be incompatible with same, when considering the necessity for and reasonableness of the modifications in relation to the present and future development of the area concerned. Staff opines that the architectural style and scale of the duplex residence would be **compatible** with the surrounding structures and with the aesthetic character of the immediate vicinity, and as such, would not be out of character or detrimental to the neighborhood and will

not have significant visual impact on the adjacent properties, and would be **compatible** with same.

Staff's research of the surrounding area did not find any similar approvals within the neighborhood for request to convert the single-family residences on the RU-2 zoned properties to duplexes. Notwithstanding, staff notes that based on memoranda from the departments reviewing this application, any impacts from the modification of condition #2 from a prior resolution, the front and rear reduced setback and larger lot coverage 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 would generate 1 additional daily peak hour trips, and 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 no objection. Therefore, staff opines that approval with conditions of the requested modification (request #1) would be compatible with the area concerned, when considering the necessity and reasonableness of the modifications or in relation to the present and future development of the area. **Based on the foregoing analysis, staff recommends approval with conditions of request #1, under Generalized Modification Standards, Section 33-311(A)(7).**

When the requests to permit a duplex to setback 15' (25' required for 50% of the lineal footage of the entire width of the house and 15' required for the balance) from the front (south) and the rear (north) property lines (request #2), and to permit the duplex residence with a lot coverage of 39.4% (30% maximum permitted) (request #3), are analyzed under the Non-Use Variance Standards, Section 33-311(A)(4)(b), staff opines that approval of these requests would be **compatible** with the surrounding area, and would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff supports the requests and opines that approval with conditions of this non-use variance 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 CBS wall located along the rear property line and the existing 6' high wood fence located along the interior side property lines of the subject property, which, staff opines, buffers any visual intrusion of the rear setback encroachment on the surrounding properties, especially to the parcels to the south of the subject property. Staff further opines that the greater lot coverage by the proposed duplex addition would be internal to the site that is enclosed from view from the outside by the CBS wall and wood fence any significant visual impacts generated from the duplex on the single-family residences to the north, east and west would be further mitigated by the NW 62 Terrace 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 interior 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 find similar approvals within the neighborhood for variances of the setbacks and lot coverage. The abutting property to the north, located at 1866 NW 63 Street, was approved under Resolution #CZAB8-20-10 for the single-family residence to setback of 15'-2" (25' required) from the rear (south) property line, and for a lot coverage of 35.8% (35% permitted). Also another property to the north of the subject site and located at 1862 NW 63

Street was approved under Resolution #CZAB8-15-11 to allow a parcel of land with a lot frontage of 40' (75' required) and with a lot area of 3,600 sq. ft. (7,500 sq. ft required). Additionally, non-use variance requests to permit a single-family residence to setback 15'-3" (25' required) from the rear (south) property line, and to have a lot coverage of 35.87% (35% permitted) were also approved under the same resolution. Furthermore, staff opines that the architectural style and scale of the proposed duplex is 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 and lot coverage 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 "Zoning hearing for proposed DUPLEX addition, as prepared by AIP Design, Inc. dated stamped received 9/19/2025, for a total of 4 sheets. Plans may be modified at public hearing. 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.
5. That the 6' high wood fence along the interior sides of the 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.

Edwin Ambrocio Reyes  
Z25-023  
Page | 6

ES:JB:SS:PM:JH

*Eric Silva*

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

## ZONING RECOMMENDATION ADDENDUM

Edwin Ambrocio Reyes  
 PH: Z25-023

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
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

<b>Low Medium Density Residential (Pg. I-31)</b>	<p><i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Low Medium Density Residential</b>. The residential densities allowed in this category shall range from a minimum of 6 to a maximum of 13 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 7.0 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

<b>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b>	<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>
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<p><b>Sec. 33-49.</b>                  - Table of minimum widths, area of lots, maximum lot coverage, and minimum building sizes</p>	<p><b>District</b></p>	<p><b>Families</b></p>	<p><b>Min. Width</b></p>	<p><b>Min. Lot Area (Sq. Ft.)</b></p>	<p><b>Max. Lot Coverage (% of Lot Area)</b></p>	<p><b>Min. Bldg. Size (Cu. Ft.)</b></p>
	<p>District</p>	<p>Families</p>	<p>Min. Width</p>	<p>Min. Lot Area (Sq. Ft.)</p>	<p>Max. Lot Coverage (% of Lot Area)</p>	<p>Min Bldg. Size (Cu Ft)</p>
	<p>RU-2</p>	<p>1</p>	<p>New sub.-75'</p>	<p>7,500</p>	<p>40%</p>	<p>8,500</p>
<p><b>Sec. 33-50.</b>                  - Table of setback lines in residential and estate districts.</p>	<p><b>District/ Families</b></p>	<p><b>Front (Ft.)</b></p>		<p><b>Rear (Ft.)</b></p>	<p><b>Interior Side (Ft.)</b></p>	<p><b>Side Street (Ft.)</b></p>
	<p>RU-2: One</p>	<p>15 for 50% of the lineal footage of the width of the house and 25 for balance; except 20 for attached garages</p>		<p>15 for 50% of the lineal footage of the width of the house and 25 for balance</p>	<p>10% lot width min.—5' max.—7½'</p>	<p>15</p>

***Building and Neighborhood Compliance***

**ENFORCEMENT HISTORY**

EDWIN AMBROCIO REYES & ANA MARIA RODRIGUEZ 1879 NW 62 TER  
MIAMI-DADE COUNTY, FLORIDA.

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**APPLICANT**

**ADDRESS**

PENDING

Z2025000023

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**DATE**

**HEARING NUMBER**

**FOLIO: 30-3115-005-3980**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

September 8, 2025

**NEIGHBORHOOD REGULATIONS:**

There are no open/closed cases in CMS.

**BUILDING SUPPORT REGULATIONS:**

There are no open/closed cases in BSS.

**VIOLATOR:**

EDWIN AMBROCIO REYES & ANA MARIA RODRIGUEZ

**OUTSTANDING LIENS AND FINES:**

There are no outstanding liens or fines.

# Memorandum

**Date:** March 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:** Z2025000023-1<sup>st</sup> Review  
Edwin Reyes  
1879 NW 62<sup>nd</sup> Terrace  
Non-Use Variance for setbacks and lot coverage requirements for a proposed addition to an existing single-family residence to develop a duplex.  
(RU-2) (0.165 acres)  
15-53-41

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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 supply and wastewater disposal.

#### Potable Water Supply and Wastewater Disposal

According to DERM records the existing single-family residence is connected to public water and sanitary sewers. Pursuant to the Code and based on the proposed site plan, the proposed development 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.

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 which have been determined not to have adequate capacity cannot be approved, until adequate capacity becomes available.

*Please be advised, DERM review and approval is required for any proposed public or private sanitary sewer system. Each parcel within the proposed development that is required to be served by public sanitary sewers shall connect directly to the public sanitary sewer system, without traversing other parcels. Private sanitary sewer collection and transmission systems are limited to one building per parcel connecting directly to a public sanitary sewer system and cannot traverse other parcels to connect to the public sanitary sewer system. If multiple buildings are proposed within a parcel, each building shall connect individually to a public sanitary sewer system without traversing other parcels.*

**Conditions of Approval: None**

Water Control Review

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

An aerial review of the subject property indicates the presence of tree resources; however, the landscape plan entitled "Proposed Attached Duplex" prepared by Ernesto Gonzalez-Chavez, L.E., and dated as received by Miami-Dade County on February 21, 2025, was submitted 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@miamidadegov](mailto:Jackelyn.Alberdi@miamidadegov) regarding any additional information or concerns with this review.

**Conditions of Approval: None**

DERM Enforcement History Review

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:** October 10, 2025

**To:** Eric Silva, AICP, Assistant Director  
Development Services Division  
Department of Regulatory and Economic Resources (RER)

**Through:** James B. Ferguson, P.E.  
Assistant Director  
Water and Sewer Department (WASD)

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

**Subject:** Zoning Application Comments - Edwin A. Reyes and Ana M. Rodriguez  
Application No. Z2025000023 (Revision No. 2)

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The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objection 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.

At the time of development, the applicant is advised to consult with the project's engineer and WASD's Plans Review staff to finalize points of connection and capacity approval. A WASD Agreement and/or a Verification Form will be required.

Application Name: Edwin A. Reyes and Ana M. Rodriguez

Location: The proposed project is located on approximately 0.17 acres at 1879 NW 62<sup>nd</sup> Terrace, with Folio No. 30-3115-005-3980, in unincorporated Miami-Dade County.

Proposed Development: The Applicant intends to convert the existing Single-Family Residence (SFR) of 1,050 sq. ft. (Living Area; per Property Appraiser) into a Duplex (2 Units), as per site plan submitted on August 19, 2025.

The water demand associated with the existing SFR totals 210 gallons per day (gpd). The total water demand associated with the new Duplex (2 units) totals 300 gpd. Therefore, the subject project results in an increase of 90 gpd for water demand.

Water: The proposed development is located within the WASD's water service area. The water supply will be provided by the Hialeah-Preston 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.

The subject property is connected to water. If a new connection is required, there is an existing 6-inch water main (E8435-22) along SW 62<sup>nd</sup> Terrace, abutting the southern boundary of the property to where the developer may connect to provide water service to the proposed development. Final points of connections and capacity approval to connect to the water system will be provided at the time 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.

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 Central District Wastewater Treatment Plant (CDWWTP) for treatment and disposal. The CDWWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the CDWWTP, consistent with Policy WS-2 A (2) of the CDMP.

The subject property is connected to sewer. If a new connection is required, there is an existing 8-inch gravity sewer system (ES149-13) along SW 62<sup>nd</sup> Terrace, abutting the southern boundary of the property to where the developer may connect to provide sewer service to the proposed development. *Final points of connection and capacity approval for connection to the sewer system will be provided at the time the applicant requests connection to the sewer infrastructure.*

The sewage flows from the proposed development will be transmitted to Pump Station (P.S.) No. 107 and P.S. No. 1. Both pump stations are currently in OK Moratorium Code Status. Below is the existing and projected Nominal Average Pump Operating Time (NAPOT) for both pump stations.

P.S. No. 107

Existing NAPOT: 3.85 hrs.

Proposed Development: 90 gpd

Proposed Projected NAPOT: 3.85 hrs.

P.S. No. 1

Existing NAPOT: 5.97 hrs.

Proposed Development: 90 gpd

Proposed Projected NAPOT: 5.97 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.

Below please find additional 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 [mavald@miamidade.gov](mailto:mavald@miamidade.gov), Alfredo B. Sanchez at (786) 552-8237 or [sanalf@miamidade.gov](mailto:sanalf@miamidade.gov), or Suyapa Carbajal at (786) 552-8124 or [suyapa.carbajal@miamidade.gov](mailto:suyapa.carbajal@miamidade.gov).

# Memorandum



Date: April 2, 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: Z2025000023  
Name: Edwin Ambrocio Reyes  
Location: 1879 NW 62 Terrace  
Section 15 Township 53 South Range 41 East

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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 Lots 32 and 33, Block 14, Plat Book 7, Page 79. A Unity of Title approved by the Platting and Traffic Review Section will be required, contact Claudia Luna at [Claudia.Luna@miamidade.gov](mailto:Claudia.Luna@miamidade.gov).

This application meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply. It will generate approximately an additional **1 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:

- 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:** October 01, 2025

**To:** Eric Silva, Assistant Director  
Regulatory and Economic Resources

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

**Subject:** Z2025000023

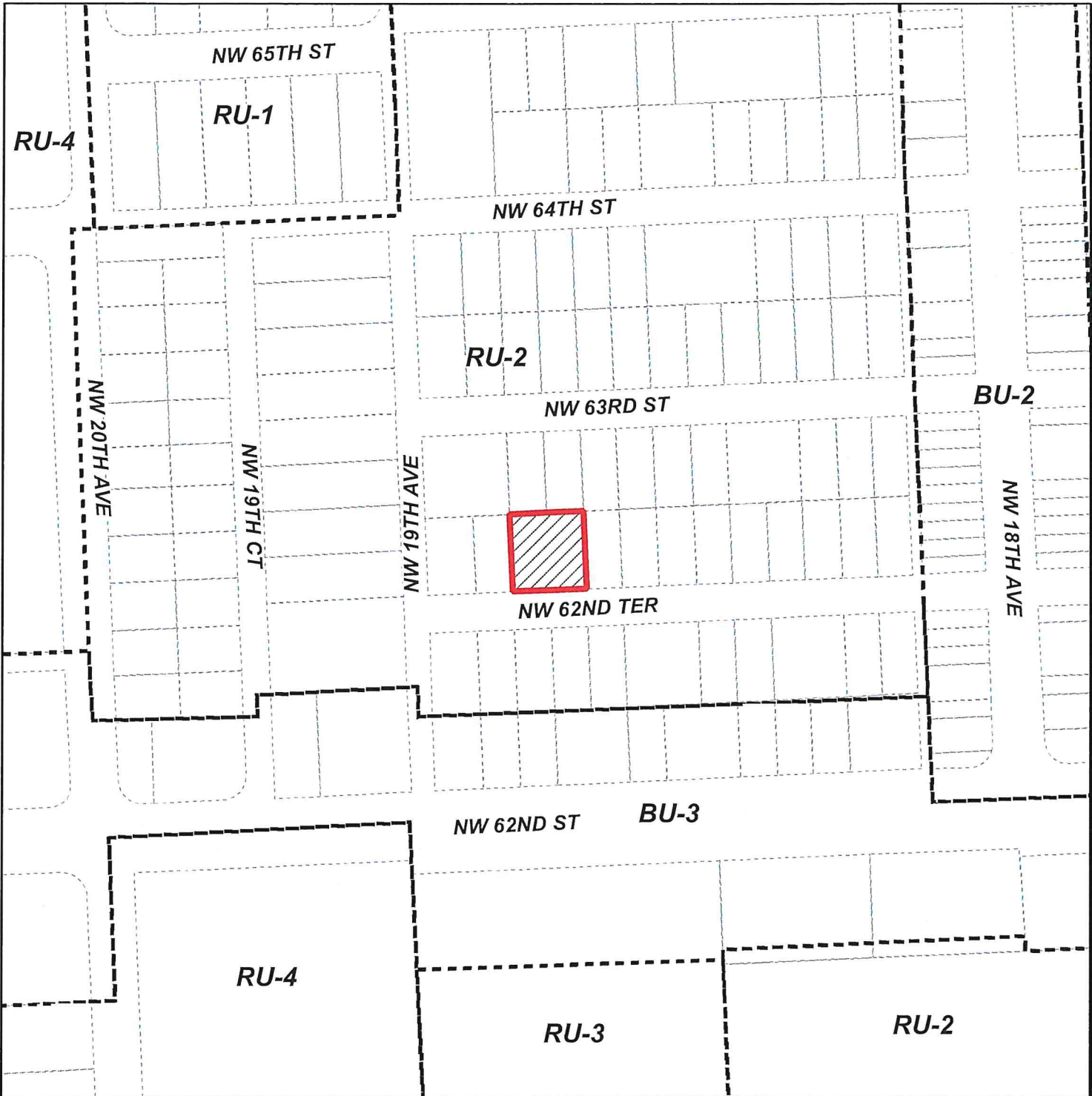
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The Miami-Dade Fire Rescue Department has **no objection** to site plan uploaded to "EnerGov" on 9/19/2025.

MDFR's review of this 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](mailto:acuello@miamidade.gov) or call 305-775-3357.



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2025000023**



Section: 15 Township: 53 Range: 41  
 Applicant: Edwin Ambrocio Reyes  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Tuesday, February 25, 2025

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2024**

Process Number  
**Z2025000023**

**Legend**  
 Subject Property

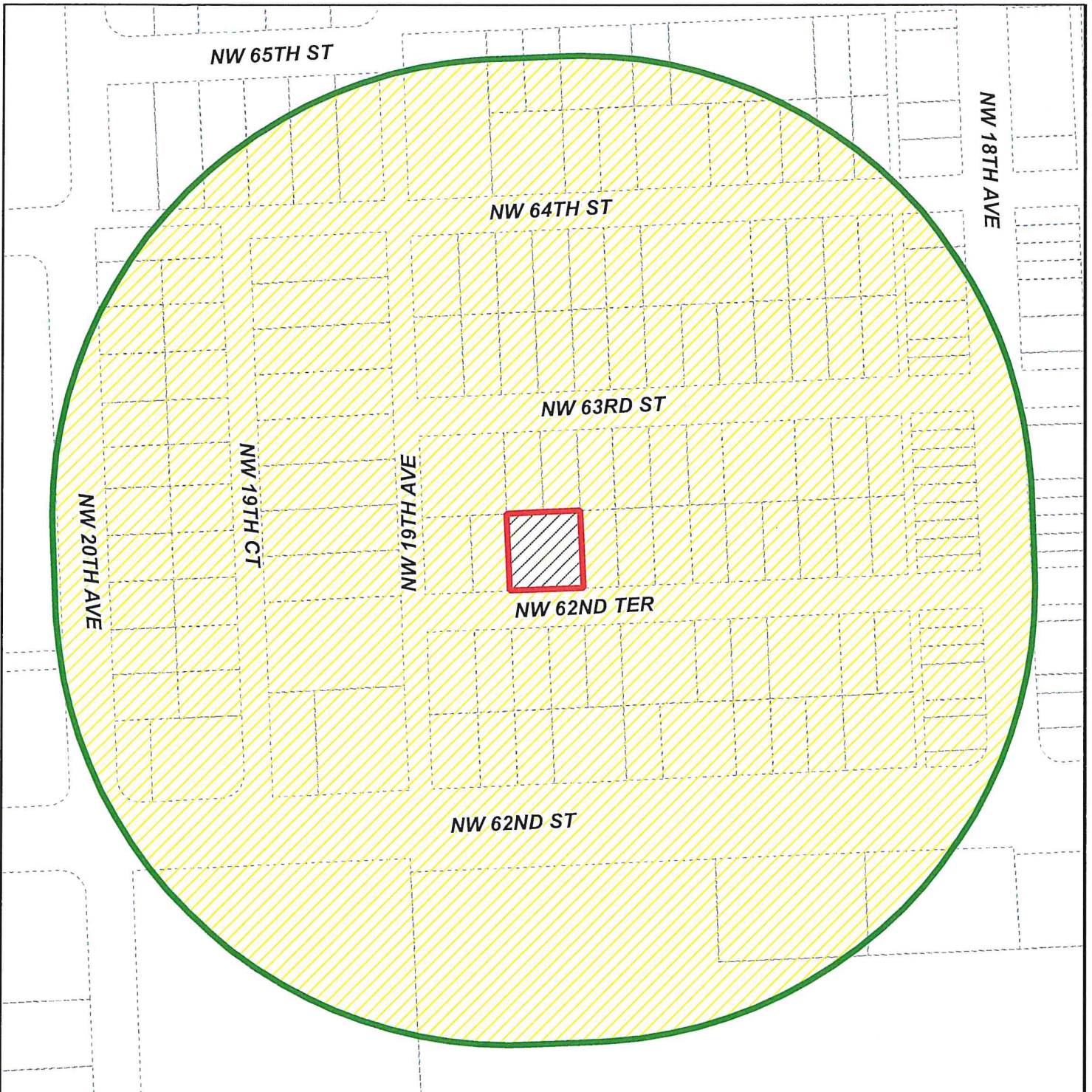


Section: 15 Township: 53 Range: 41  
 Applicant: Edwin Ambrocio Reyes  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Tuesday, February 25, 2025

REVISION	DATE	BY






**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 15 Township: 53 Range: 41  
 Applicant: Edwin Ambrocio Reyes  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

Process Number  
**Z2025000023**  
 RADIUS: 500

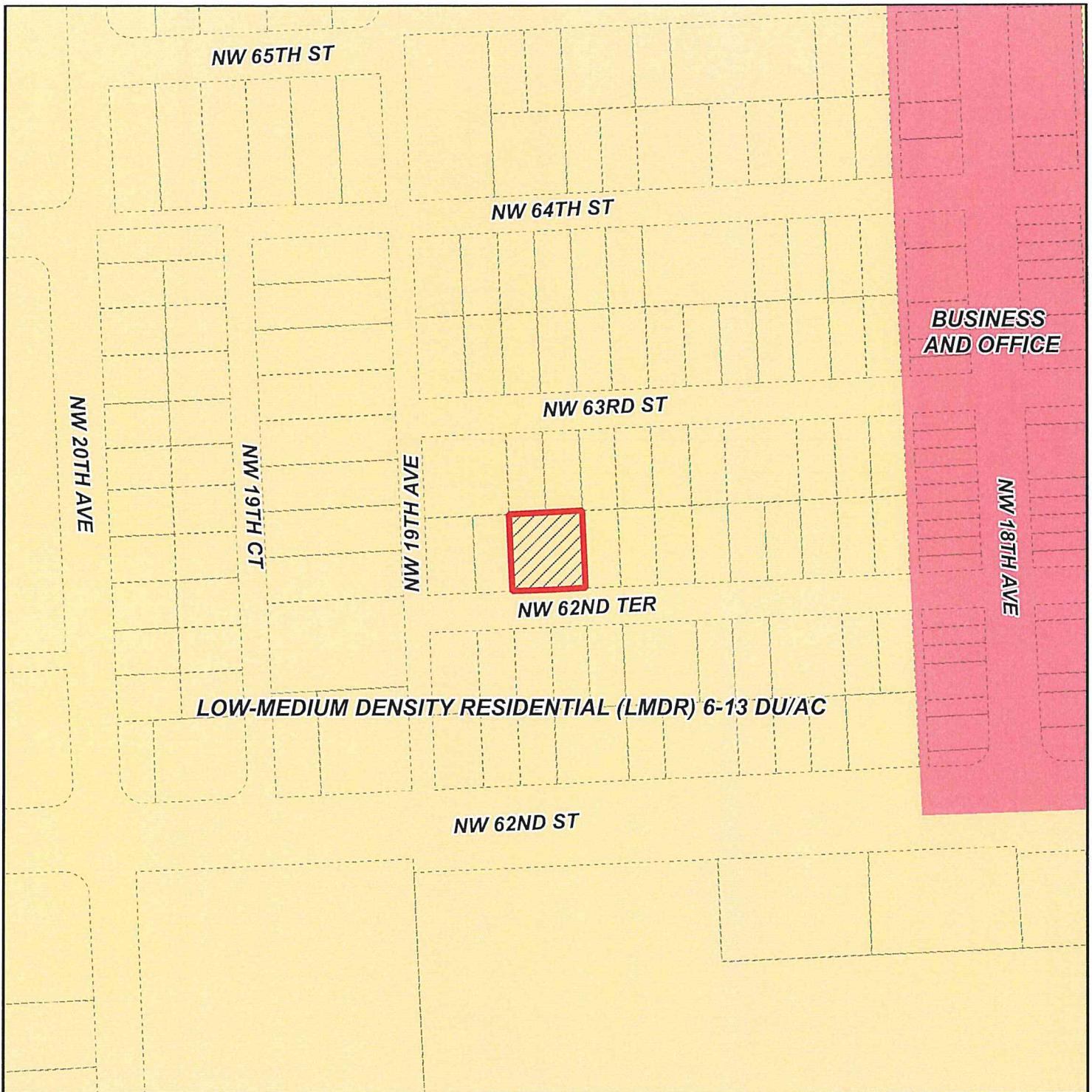
**Legend**

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Tuesday, February 25, 2025

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2025000023**



**Legend**

 Subject Property Case

Section: 15 Township: 53 Range: 41  
 Applicant: Edwin Ambrocio Reyes  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS



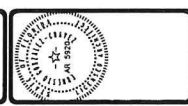
SKETCH CREATED ON: Tuesday, February 25, 2025

REVISION	DATE	BY




**AIP Design, Inc.**  
 Professional Construction Management, Planning and Interiors  
 3075 NW 11th St, Suite 202  
 Miami, FL 33136  
 Phone: (305) 571-1177  
 Fax: (305) 571-1178  
 Email: info@aipdesign.com

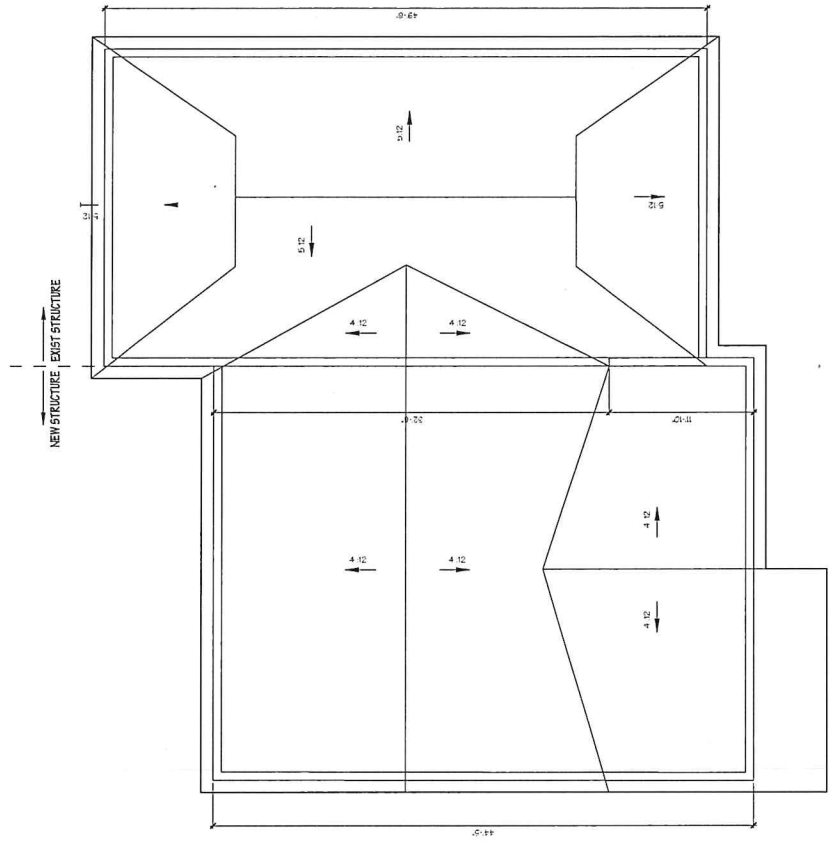
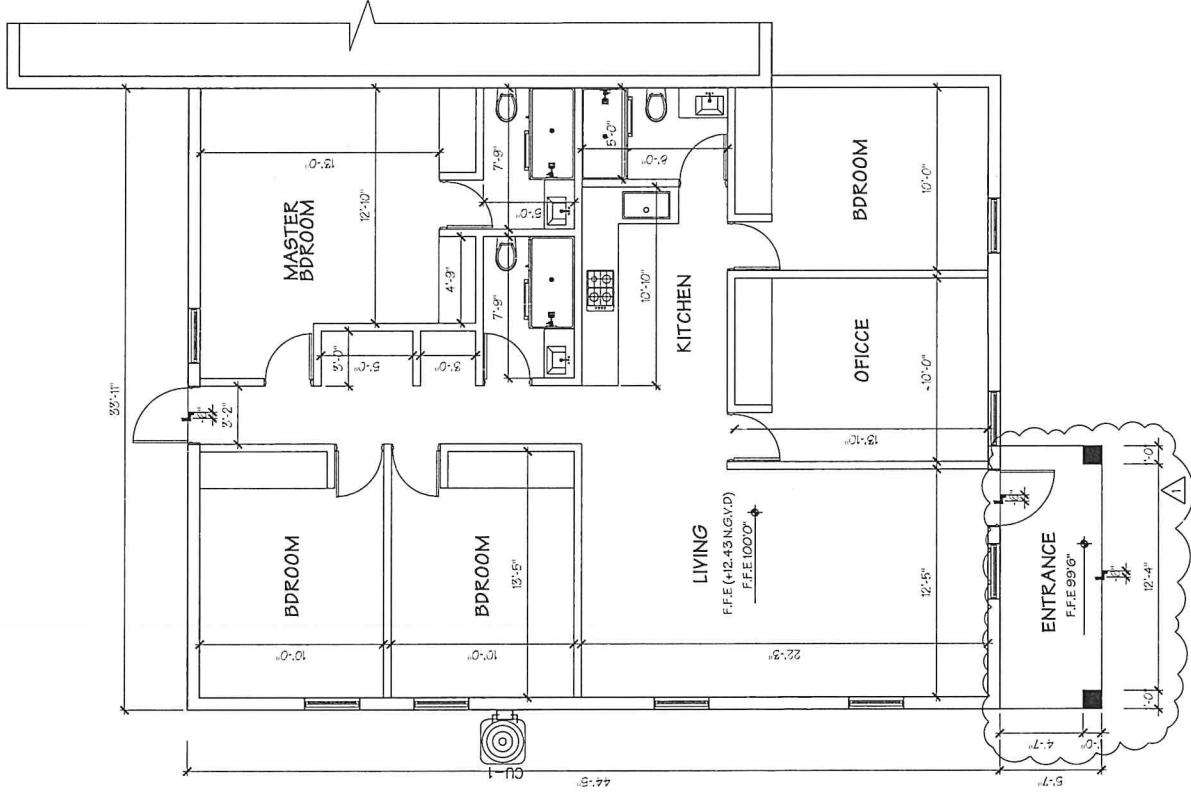
**PERMIT SET**  
 Issue Date:



REVISIONS	
No.	Date
1	09/12/2025

Zoning hearing for proposed DUPLEX addition  
 OWNER: ANA MARIA RODRIGUEZ  
 EPWIN AMBROCIO REYES  
 ADDRESS: 1879 NW 62 TER  
 MIAMI, FL 33147

Title:  
 RBD Number:  
 Drawn:  
 Checked:  
 Sheet No. **AO-01**



Zoning hearing for proposed DUPLEX addition

**AP Design, Inc.**  
 Architecture, Construction Management, Planning and Interiors  
 11450 SW 15th St, Suite 100  
 Miami, FL 33185  
 Phone: (305) 666-1177  
 Fax: (305) 666-1178  
 Website: www.apdesign.com

**PERMIT SET**  
 Issue Date: \_\_\_\_\_



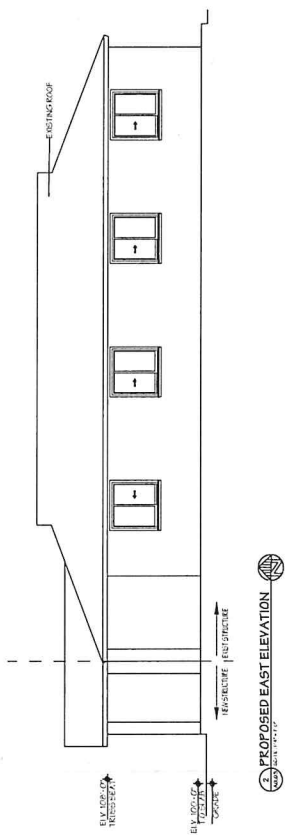
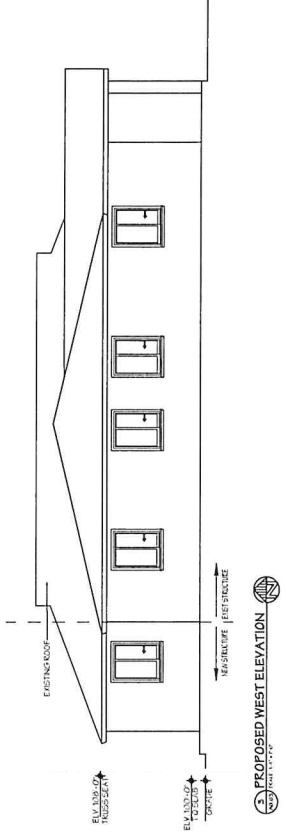
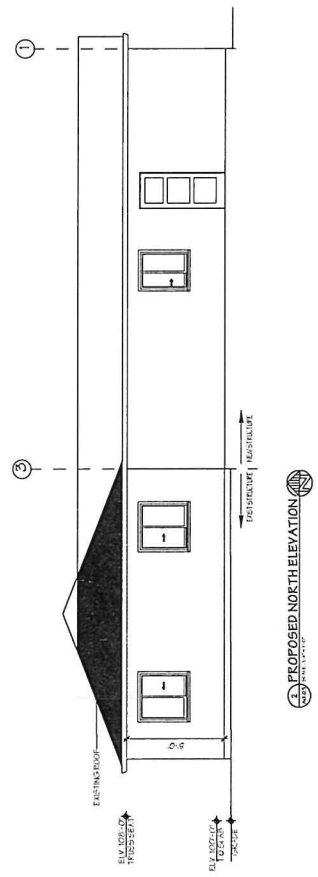
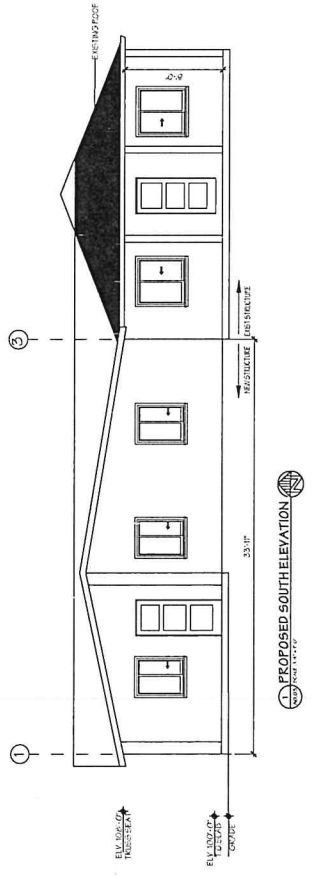
REVISIONS	
Mark	Date
1	09/12/2025

Zoning hearing for proposed DUPLEX addition  
 OWNER: ANA MARIA RODRIGUEZ  
 EPM: AMAROCIO REYES  
 ADDRESS: 1879 NW 62 TER  
 MIAMI, FL 33147

Title: \_\_\_\_\_

Job Number: \_\_\_\_\_  
 Drawn: \_\_\_\_\_  
 Checked: \_\_\_\_\_

Sheet No. **AO-02**



Zoning hearing for proposed DUPLEX addition

**AIP Design, Inc.**  
 1101 NW 13th St, Suite 100  
 Miami, FL 33136  
 Phone: (305) 571-1111  
 Fax: (305) 571-1112  
 Email: info@aipdesign.com

**PERMIT SET**  
 Issue Date: \_\_\_\_\_

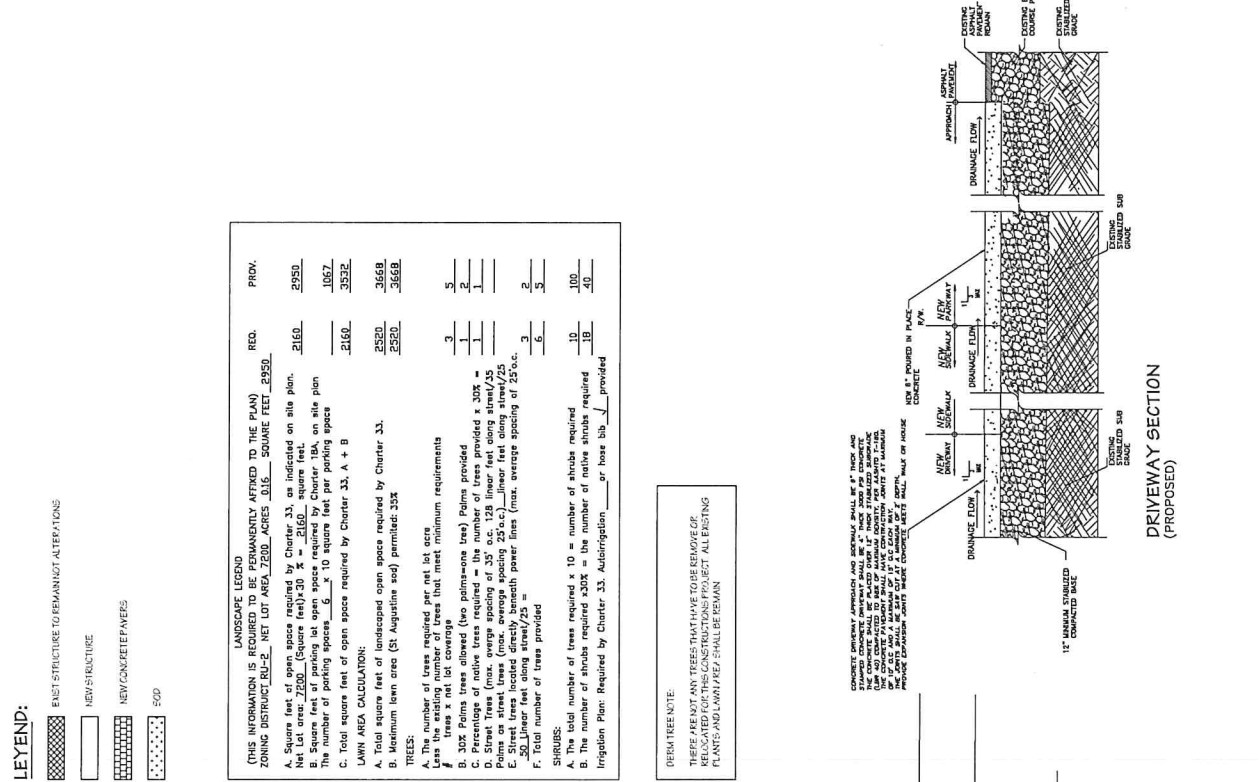


MARK	DATE	REVISIONS
1	04/20/2025	

Zoning hearing for proposed DUPLEX addition  
 OWNER: ANA MARIA RODRIGUEZ  
 EDWIN AMORCICIO REYES  
 ADDRESS: 1879 NW 62 TER  
 MIAMI, FL 33147

18 Number Drawn Checked

Sheet No. **LS-01**



**LEGEND:**

- EXIST. STRUCTURE TO REMAIN/NOT ALTERATIONS
- NEW STRUCTURE
- NEW CONCRETE PAVES
- SPD

**LANDSCAPE LEGEND**

(THIS INFORMATION IS REQUIRED TO BE PERMANENTLY AFFIXED TO THE PLAN)  
 ZONING DISTRICT: RD-5 NET LOT AREA: 7600 ACRES: .016 SQUARE FEET: 29390  
 A. Square feet of open space required by Charter 33, as indicated on site plan: 2160  
 Net Lot area: 7600 (Square feet) x 30 % = 2160 square feet.  
 B. Square feet of parking lot open space required by Charter 19A, on site plan: 1067  
 The number of parking spaces: 8 x 10 square feet per parking space  
 C. Total square feet of open space required by Charter 33, A + B: 3532

**LAWN AREA CALCULATION:**

A. Total square feet of landscaped open space required by Charter 33: 2550  
 B. Minimum lawn area (St. Augustine soil) permitted: 33%  
850

**TREES:**

A. The number of trees required per net lot acre: 3  
 B. The number of trees that meet minimum requirements: 5  
 C. 3 trees x net lot coverage: 1  
 D. 30% Palms allowed (two palms-one tree) Palms provided: 1  
 E. Percentage of native trees required = the number of trees provided x 30% = 1  
 F. Street trees (max. average spacing of 35' oc, 120' linear feet along street/25' oc, 120' linear feet along driveway/25' oc, 120' linear feet along sidewalk): 1  
 G. Street trees located directly beneath power lines (max. average spacing of 25' oc): 3  
 H. 50 Linear feet along street/25' = 2  
 I. Total number of trees provided: 6

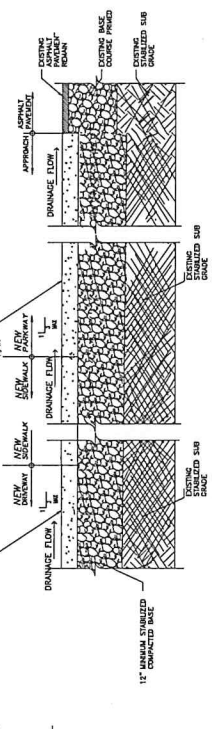
**SHRUBS:**

A. The total number of trees required x 10 = number of shrubs required: 10  
 B. The number of shrubs required x 30% = the number of native shrubs required: 10  
 C. 10 shrubs provided

Irrigation Plan Required by Charter 33. Subirrigation: \_\_\_\_\_ or hose bib: \_\_\_\_\_ provided

**OPEN TREE NOTE:**  
 THESE TREES AND TREES THAT HAVE TO BE REMOVED OR REPLACED FOR THIS CONSTRUCTION PROJECT ALL EXISTING PLANTS AND LANDSCAPE SHALL BE REMAIN

CONCRETE DRIVEWAY APPROACH AND DRIVEWAY SHALL BE 4" THICK AND 18" WIDE. CONCRETE DRIVEWAY SHALL BE 4" THICK AND 18" WIDE. CONCRETE DRIVEWAY SHALL BE 4" THICK AND 18" WIDE. CONCRETE DRIVEWAY SHALL BE 4" THICK AND 18" WIDE. CONCRETE DRIVEWAY SHALL BE 4" THICK AND 18" WIDE.



**DRIVEWAY SECTION (PROPOSED)**

N.W. 62 TERRACE  
 5.87 ASPHALT PAVEMENT  
 (40' TOTAL R/W)

**1 LANDSCAPING PLAN**  
 SCALE: 3/16" = 1'-0"



