



FINAL AGENDA

Community Zoning Appeals Board 10
Kendall Village Center, Civic Pavilion, 8625 SW 124 Avenue, Miami, FL
Tuesday, April 29, 2025 at 6:30 pm

PREVIOUSLY DEFERRED

APPEALS

CURRENT

- | | | | | | |
|----|-------------|-------------------------|--------|----------|---|
| 1. | Z2023000101 | Rainbow Investments LLC | 23-101 | 54-40-18 | N |
| 2. | Z2024000190 | Coral Way MC LLC | 24-190 | 54-40-15 | N |



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10
MEETING OF APRIL 29, 2025

KENDALL VILLAGE CENTER, CIVIC PAVILION
8625 SW 124 AVENUE, MIAMI, FLORIDA.

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 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.

property line.”

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "New Building Development For: M&C Dental Services" as prepared by Treb Arc, Inc., consisting of a Site Plan dated stamped received 12/19/2024 consisting on 1 sheet; Building Elevations and Floor Plans, dated stamped received 10/24/2024, consisting on 2 sheets; and Landscape Plans entitled "Commercial Development," prepared by LAS Landscaping Architectural Services, dated and stamped received 12/19/2024, consisting on 3 sheets, for a total of 6 sheets.”

From: "6. That the applicant install a 5' high wood fence along the interior side (north and south) property lines and the rear (east) property line. Said fence shall be installed prior to final zoning inspection for the proposed addition.”

To: "6. That the applicant install fences and/or walls consistent with the fences and/or walls in the plans prepared by TrebArc, Inc. entitled "New Building Development For: M&C Dental Services" as prepared by Treb Arc, Inc., consisting of a Site Plan dated stamped received 12/19/2024 consisting on 1 sheet; Building Elevations and Floor Plans, dated stamped received 10/24/2024, consisting on 2 sheets; and Landscape Plans entitled "Commercial Development," prepared by LAS Land-scaping Architectural Services, dated and stamped received 12/19/2024, consisting on 3 sheets, for a total of 6 sheets.”

(2) Modification of Condition #7 of Resolution No. Z-4-11, passed and adopted by the Board of County Commissioners, further modified by Resolution No. CZAB-10-13-14 passed and adopted by the Miami-Dade County Appeals Board (CZAB 10), reading as follows:

From: "7. That the use be restricted to an architect's office, abstract tile, accountants-bookkeeping, advertising, adjusters (insurance), aerial survey and photography, appraisers, attorneys, auditors, business analysts, building contractors, counseling, drafting and plan service, engineers, insurance and bonds, market research, mortgage broker, notary public, public relations, real estate, real estate management, secretarial service, stock broker exchange, tax consultants, travel agencies, zoning consultants.”

To: "7. That the use be restricted to an architect's office, abstract title, accountants-bookkeeping, advertising, adjusters (insurance), aerial survey and photography, appraisers, attorneys, auditors, business analysts, building contractors, counseling, dental office, drafting and plan service, engineers, insurance and bonds, market research, mortgage broker, notary public, public relations, real estate, real estate management, secretarial service, stock broker exchange, tax consultants, travel agencies, zoning consultants.”

(3) Modification of Paragraphs #1 and #2 of a Declaration of Restrictions recorded in Official Record Book 27747, Pages 3799-3803, and reading as follows:

From: "1. That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by G.J.R. Architects entitled "Proposed RU-5A Zoning for Rene Miguel Valdes," dated stamped received November 18, 2005, said plans being on file with the Miami-Dade County department of Planning and Zoning, and by reference made a part hereof ("Site Plan").”

To: "1. That the Property shall be developed substantially in accordance with the plans submitted for the hearing entitled "New Building Development For: M&C Dental Services" as prepared by Treb Arc, Inc., consisting of a Site Plan dated stamped received 12/19/2024 consisting on 1 sheet ("Site Plan"); Building Elevations and Floor Plans, dated stamped received 10/24/2024, consisting on 2 sheets; and Landscape Plans entitled "Commercial Development," prepared by LAS Landscaping Architectural Services, dated and stamped received 12/19/2024, consisting on 3 sheets, for a total of 6 sheets."

From: "2. Parking space #10 in the Site Plan shall have 5 feet of aisle end back-out, and all landscaping and fences shall comply with safe-distance triangle requirements."

To: "2. All landscaping and fences shall comply with safe-distance triangle requirements."

(4) Modification of Paragraph #3 of a Declaration of Restrictions recorded in Official Record Book 27747, Pages 3799-3803, as modified by a Modification of Declaration of Restrictions recorded in Official Record Book 29416, Pages 3535-3539, and reading as follows:

From: "3. The Property shall be used only as one of the permitted uses as described below:

- Abstract tile
- Accountants-bookkeeping
- Advertising
- Adjusters (insurance)
- Aerial survey and photography
- Appraisers
- Architects
- Attorneys
- Auditors
- Business analysts-counselors or brokers
- Building contractors, office only (no shop or storage)
- Counseling
- Drafting and plan service
- Engineers
- Insurance and bonds
- Market research
- Mortgage broker
- Notary public
- Public relations
- Real estate
- Real estate management
- Secretarial service
- Stock brokers exchange
- Tax consultants
- Travel agencies
- Zoning consultants, or
- Any uses allowed to the underlying RU-1 Zoning Regulations."

To: "3. The Property shall be used only as one of the permitted uses as described below:

- Abstract tile
- Accountants-bookkeeping
- Advertising

NOTICE

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

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court. Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Regulatory and Economic Resources (RER), or its successor Department, within 14 days after RER has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (RER's posting will be made on a bulletin board located in the office of RER.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

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

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Zoning Appeals Board 10**

PH: Z23-101

April 29, 2025

Item No.1

Recommendation Summary	
Commission District	10
Applicant	Rainbow Investments LLC
Summary of Requests	The applicant seeks to allow an existing attached front porte-cochere and a covered terrace addition to a single-family residence to setback less than required from the front and rear property lines. Additionally, the applicant also seeks to allow an existing detached gazebo structure to setback less than required from the interior side property line than otherwise required by Code.
Location	3055 SW 110 Avenue, Miami-Dade County, Florida
Property Size	0.36 Acres
Existing Zoning	EU-M, Estate Modified District
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	Estate Density Residential, 1 to 2.5 dua <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUESTS:

- (1) NON-USE VARIANCE to permit existing additions to a single-family residence to setback 23.45' (25' required) from the front (west) property line, and to setback 23.5' (25' required) from the rear (east) property line.
- (2) NON-USE VARIANCE to permit an existing detached gazebo structure to setback 6.3' (20' required) from the interior side (north) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Proposed Gazebo Legalization", as prepared by Charles C. Mitchell P.E., dated stamped received 7/18/2025 and consisting of a total of 2 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND HISTORY:

On September 20, 1979, Pursuant to Resolution #Z-229-79, the subject property was part of a larger tract of land that was approved for a district boundary change from EU-1, Single-Family One Acre Estate District, to EU-M, Estate Modified District.

The submitted plans show an existing two (2)-story, 5,280 sq. ft. single-family residence on an interior lot, with an existing detached gazebo structure located towards the rear, north-east corner of the 0.36-acre subject property that fronts along SW 110 Avenue. The detached gazebo structure encroaches a 13.7' into the interior side (north) setback area, whereas the existing single-family residence has a porte-cochere and covered terrace additions that result in the principal residence being situated approximately 23.5' from both the front (west) and rear (east) property lines where a minimum of 25' is otherwise required by Code. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate existing landscaping in the form of trees, hedges and a 6' high CBS wall located along the rear and interior side property lines of the subject property.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	EU-M; single-family residence	Estates Density Residential (1-2.5 du/ac)
North	EU-M; single-family residence	Estates Density Residential (1-2.5 du/ac)
South	EU-M; vacant lot	Estates Density Residential (1-2.5 du/ac)
East	EU-M; single-family residences	Estates Density Residential (1-2.5 du/ac)
West	EU-M; single-family residences	Estates Density Residential (1-2.5 du/ac)

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence that is on a 15,762 sq. ft., EU-M, Estate Modified District, zoned interior lot, located at 3055 SW 110 Avenue, and fronting along SW 110 Avenue. The surrounding area to the north, east and west is characterized by existing single-family residences, also developed under the EU-M, Estate Modified District regulations. A vacant lot is located to the south of the subject site.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicants to legalize reduced setbacks for the attached front porte-cochere and covered terrace additions to the principal residence, as well as for the existing detached gazebo located on the subject site. Staff opines that since the rear yard area is enclosed with a 6' high concrete block wall along the rear and interior side property lines, together with the existing landscaping on the property, any visual impact that the reduced setbacks for the principal residence and gazebo may have on the surrounding properties is minimal and would be sufficiently mitigated.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The ±0.36-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 **Estate Density Residential**. *This category allows a range in density from a minimum of 1 to a maximum of 2.5 dwelling units per gross acre and is*
 4/14/2025

characterized by Estate Density Residential. Staff opines that the approval of the requests for reduced setbacks sought in the application for the principal residence and an existing gazebo structure 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 Estate Density Residential Communities designation of the CDMP LUP map.

ZONING ANALYSIS:

When the request to permit existing additions to a single-family residence to setback 23.45' (25' required) from the front (west) property line and to setback 23.5' (25' required) from the rear (east) property line (request #1), and an existing detached gazebo structure to setback 6.3' (20' required) from the interior side (north) property line (request #2), are analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff opines that the approval with conditions of this request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community.

The plans submitted in conjunction with this application depict the existing single-family residence on an interior lot, with an existing detached gazebo structure located towards the rear of the subject property. The principal residence encroaches minimally into the front and rear setback areas, whereas the detached gazebo structure is located closer from 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 landscaping and shade trees, as well as an existing 6' high concrete block wall along both the rear and interior side property lines of the subject property, which, staff opines, buffers any visual intrusion of the encroachments on the surrounding properties, especially to the parcels to the north and east of the subject property.

Staff further opines that the existing encroachments by 1.5' into the front and rear setback areas by the porte-cochere and covered terrace additions to the single-family residence (request #1) are very minimal and internal to the site and would not create any significant impacts on surrounding area. Similarly, in regards to the requested variance of a reduced setback for the existing detached accessory gazebo structure located on the property (request #2), staff has no objections to the request and opines that although said gazebo is situated quite close to the interior side (north) property line, it is enclosed from view from the outside by the existing 6' high wall and would not have any significant visual impacts on the single-family residence to the north. Staff recommends as a condition for approval that the said concrete block wall along the 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.

Furthermore, staff notes that 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 meets the traffic concurrency criteria set for an initial development order. 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 don't have objections to the Non-Use Variance request to permit and legalize additions to residence and a detached gazebo to the front, rear and interior sides of the existing single-family residence, without the required setback. Staff also notes that the County's Fire Rescue Department in their memorandum has no objections to this application, and opines that approval of this requests would not create a fire or become a hazard on the subject site, nor provoke excessive overcrowding and concentration of people, when considering the necessity and reasonableness of the reduced setbacks in relation to the surrounding area.

Furthermore, staff opines that the architectural style and scale of the single-family residence and gazebo 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, Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Proposed Gazebo Legalization", as prepared by Charles C. Mitchell P.E., dated stamped received 7/18/2025 and consisting of a total of 2 sheets. Plans may be modified at public hearing.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants obtain a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources within 90 days of the expiration of the final appeal period of this application, unless a time extension is granted by the Director of the Department.

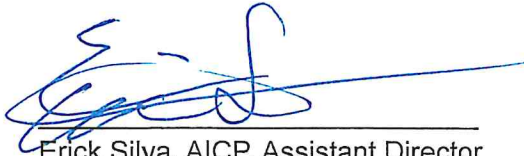
Rainbow Investments LLC

Z23-101

Page | 5

5. That the 6' high concrete block wall along both the rear and interior side property lines 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



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

ZONING RECOMMENDATION ADDENDUM

*Rainbow Investments LLC
(PH: Z23-101)*

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

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

<i>Estate Density Residential (Pg. I-31)</i>	<i>The residential densities allowed in this category shall range from a minimum of 1 to a maximum of 2.5 units per gross acre. This density category is generally characterized by single family housing.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<i>ARTICLE XX. EU-M, ESTATE MODIFIED DISTRICT</i>	<i>All applications for Estate Modified District shall comply with the following applicable development parameters as stated in 33-50</i>
<i>Sec. 33-50 setback parameters.</i>	<p><i>EU-M; Accessory Structure setback.</i></p> <p><i>Front setback:</i> <i>All accessory structures shall be set back a minimum of seventy-five (75) feet from the front property line.</i></p> <p><i>Interior Side Setback:</i> <i>All accessory structures shall be set back a minimum of twenty (20) feet from all side property lines.</i></p> <p><i>Rear setback.</i> <i>All accessory structures shall be set back a minimum of seven and half (7'6") from the rear property line.</i></p> <p><i>Side street setback.</i> <i>All Accessory structures shall be set back a minimum of thirty (30) feet from the side street property line.</i></p>
<i>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</i>	<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>

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

RAINBOW INVESTMENTS, LLC/BAGLEY, 3055 SW 110 AVE
SOFIA MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2023000101

DATE

HEARING NUMBER

FOLIO: 30-4018-074-0010

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

March 10, 2025

NEIGHBORHOOD REGULATIONS:

Case No. 202506000344 was opened on 02/04/2025 for multi family use. An Initial inspection was conducted on 02/10/2025 and business card was left at the front door to make contact with property owner.

BUILDING SUPPORT REGULATIONS:

Case No. 20210209344 was opened on 05/06/2021. A Notice of Violation was issued on 05/06/2021 for "*Failure to obtain required building permit(s) prior to commencing work on: Front fence with CBS post to include electrical (light fixtures) and motorized gates, Alterations to existing permitted fence with gates (metal panel extensions on top of CBS wall and south portion of CBS fence removed and replaced with picket and Detached structure on north east side (rear) of property without required permits. Failure to maintain a bldg or structure or devices in safe condition due to Improper pool barrier due to picket fence installed on south of property.*" Since compliance was not met the following citations were issued on 05/02/2023 for: Civil Violation Notice P042736 was issued for "**SECTION 105.1 OF THE FLORIDA BUILDING CODE: FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK** *Front fence with CBS post to include electrical (light fixtures) and motorized gates, Alterations to existing permitted fence with gates (metal panel extensions on top of CBS wall and south portion of CBS fence removed and replaced with picket.*", Civil Violation Notice P042737 was issued for "**SECTION 105.1 OF THE FLORIDA BUILDING CODE:**

FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK Detached structure on north east side (rear) of property.”, Civil Violation Notice P042738 was issued for *“FAILURE TO MAINTAIN A BUILDING OR STRUCTURE IN A SAFE CONDITION OR FAILURE TO MAINTAIN DEVICES OR SAFEGUARDS IN GOOD WORKING ORDER Improper pool barrier due to picket fence installed on south of property.”* Citations were paid on 10/16/2023, however the violations remained, and the penalties were assessed. A lien was recorded on 11/28/2023 under book 33983/page 2344. There is an active Compliance Consent Agreement on File. There are no outstanding fees.

Case No. 20240228831B was opened on 03/20/2024. A Notice of Violation was issued on 03/20/2024 for *“Failure to obtain required building permit(s) prior to commencing work on: Washer and dryer outside, under the terrace.”* Since compliance was not met, Civil Violation Notice P058649 was issued on 01/10/2025 for *“SECTION 105.1 OF THE FLORIDA BUILDING CODE: FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK on washer and dryer outside under the terrace to include plumbing and electrical.”*. There is an active Compliance Consent Agreement on File. There are no outstanding fees.

VIOLATOR:

RAINBOW INVESTMENTS, LLC/BAGLEY, SOFIA


OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum

Date: January 31, 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: Z2023000101-2nd Review
Rainbow Investments LLC
3055 SW 110th Avenue
NUV for setback requirements for the legalization of a gazebo,
covered terrace and front entrance.
(EU-M) (0.36 acres)
18-54-40

The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the above referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this zoning application is approved pursuant to section 24-43.1 of the Code 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 “Proposed Gazebo Legalization” prepared by Charles C. Mitchell, P.E., and dated as received by Miami-Dade County on June 18, 2024, 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 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 DERM has determined that the same meets all applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

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


cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: March 28, 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: **UPDATED** - Zoning Application Comments - Rainbow Investments LLC
Application No. Z2023000101

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: Rainbow Investments LLC

Location: The proposed project is located at 3055 SW 110th Avenue, with Folio No. 30-4018-074-0010, in unincorporated Miami-Dade County.

Proposed Development: The applicant is requesting a use variance to legalize an existing Gazebo, located on the northside of the property, without the required setbacks.

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

Please, note that there is a 10-foot Utility Easement within the property along the western boundary of the subject property and a 6-foot Utility Easement within the property along the eastern boundary of the subject property. The concrete pool deck and the portion of the concrete wall along the eastern boundary of the property, is encroaching on the 6-foot utility easement, as per survey submitted. At the present time, WASD does not have water/sewer facilities in said Utility Easement. Water and sewer infrastructure is located within the public Right-of-Way along SW 110th Avenue. ***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 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 being served by WASD.

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

Memorandum



Date: March 19, 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: Z2023000101
Name: Rainbow Investments, LLC
Location: 3055 SW 110 Avenue
Section 13 Township 54 South Range 40 East

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

This land **complies** with Chapter 28 of the Miami-Dade County Code, the property is platted as Lot 1, Block 1, Plat Book 128, Page 65.

This application does not generate any 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: May 10, 2023

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

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

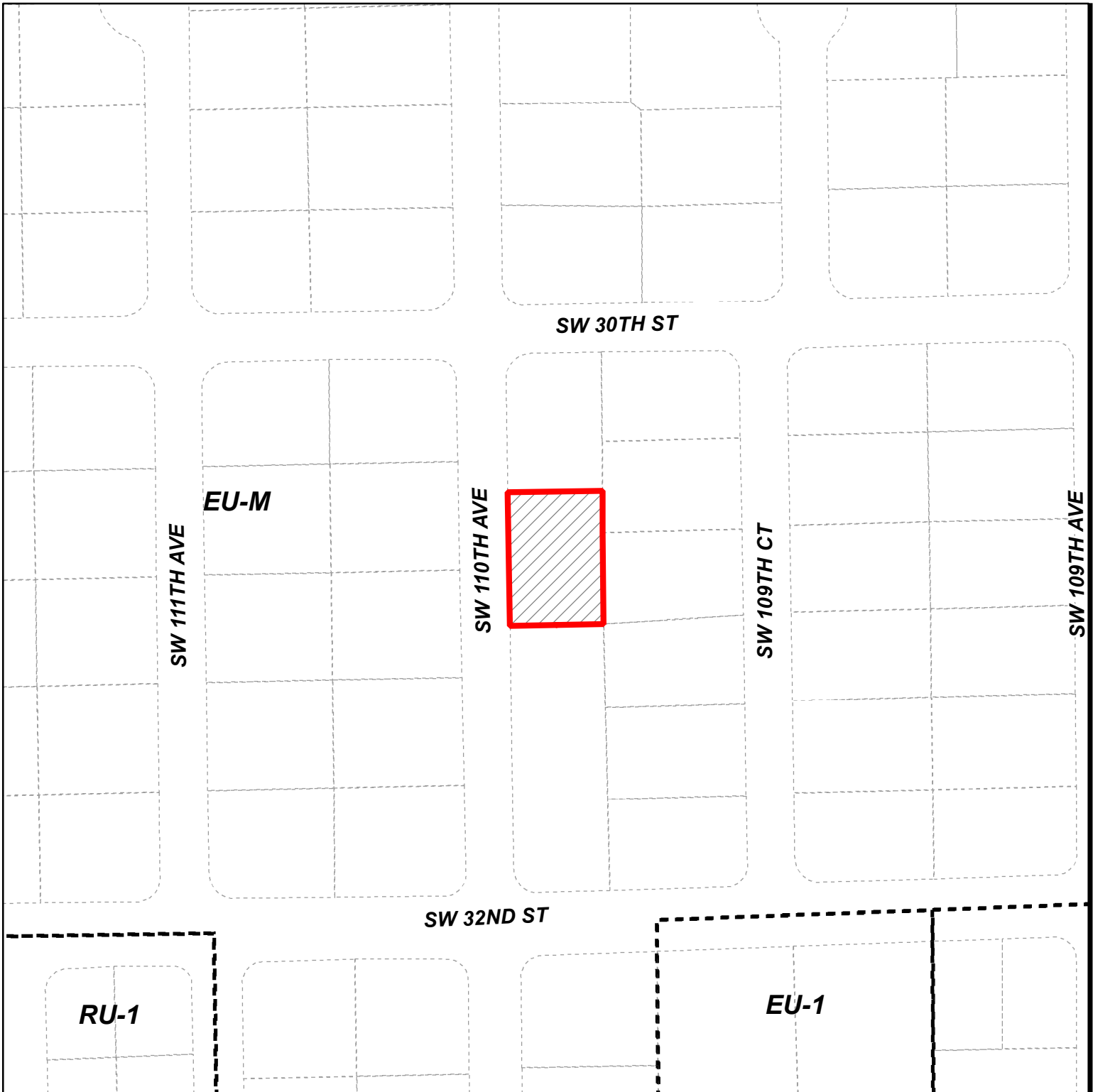
Subject: Z2023000101

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded in “EnerGov” on 05/03/2023.

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

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

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



MIAMI-DADE COUNTY

HEARING MAP



Process Number

Z2023000101



Section: 18 Township: 54 Range: 40
 Applicant: RAINBOW INVESTMENTS LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

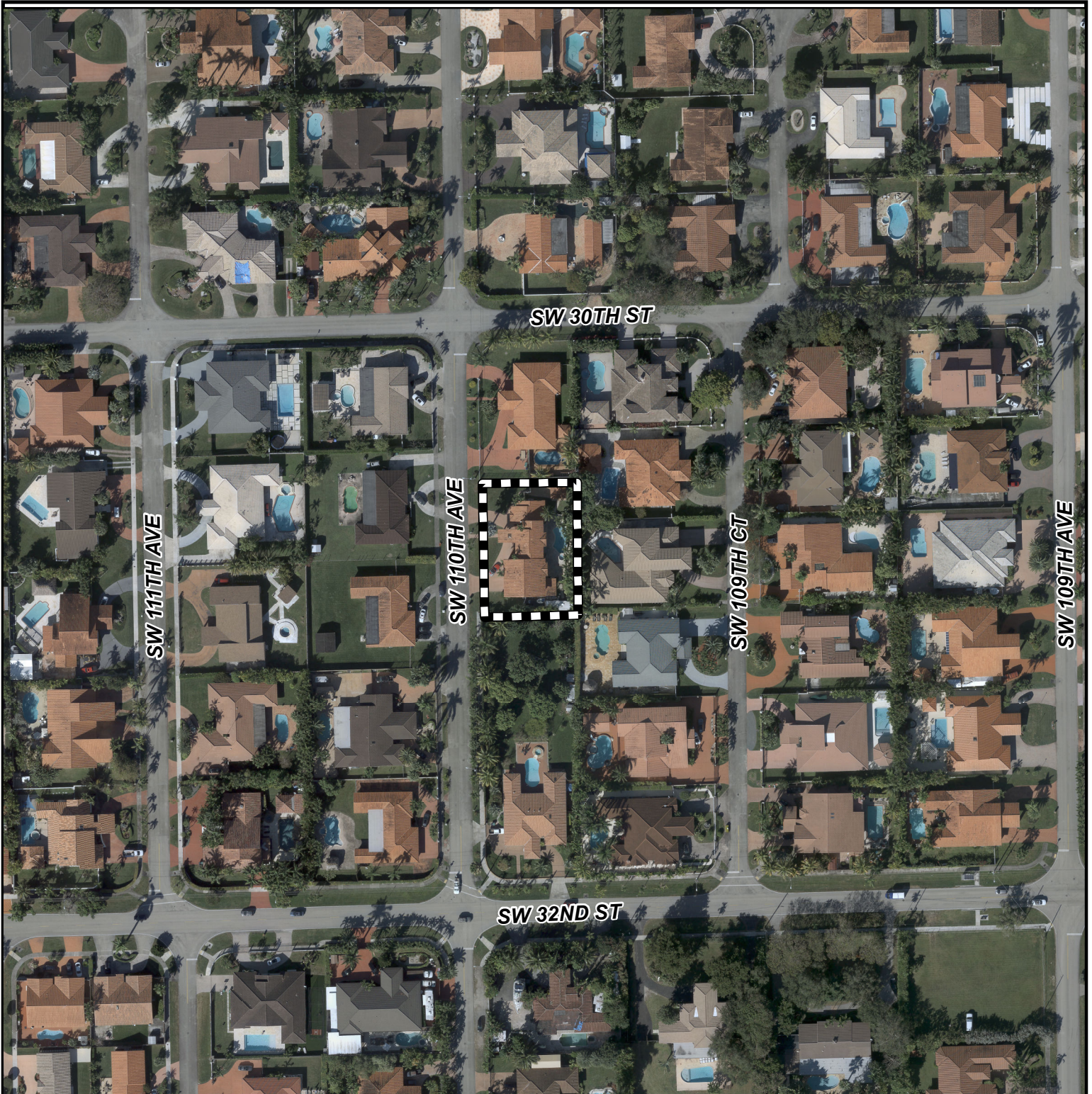
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Tuesday, May 9, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2023000101

Legend
 Subject Property

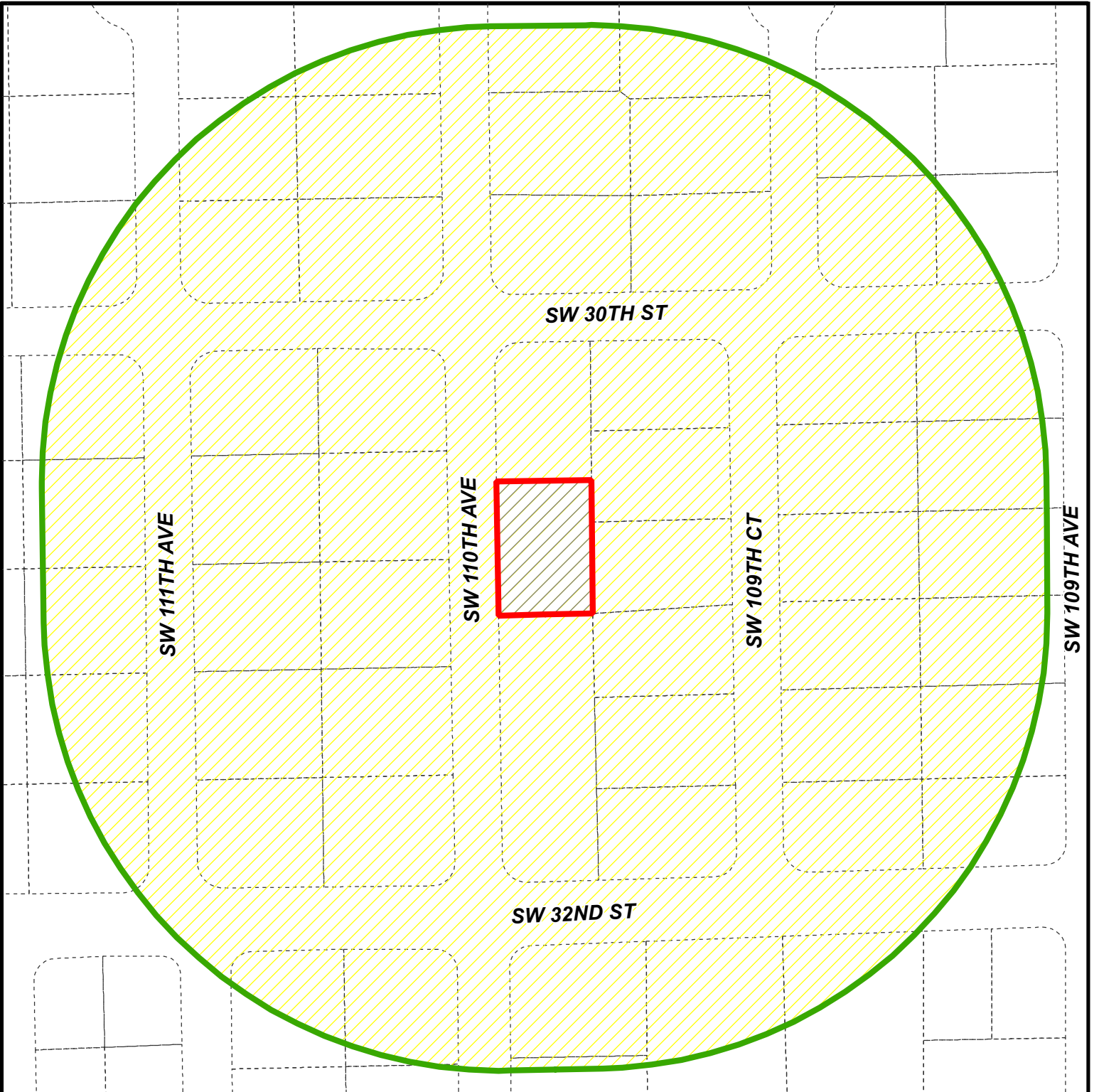


Section: 18 Township: 54 Range: 40
Applicant: RAINBOW INVESTMENTS LLC
Zoning Board: C10
Commission District: 10
Drafter ID: EDUARDO CESPEDES
Scale: NTS



SKETCH CREATED ON: Tuesday, May 9, 2023

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 18 Township: 54 Range: 40
 Applicant: RAINBOW INVESTMENTS LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2023000101
 RADIUS: 500

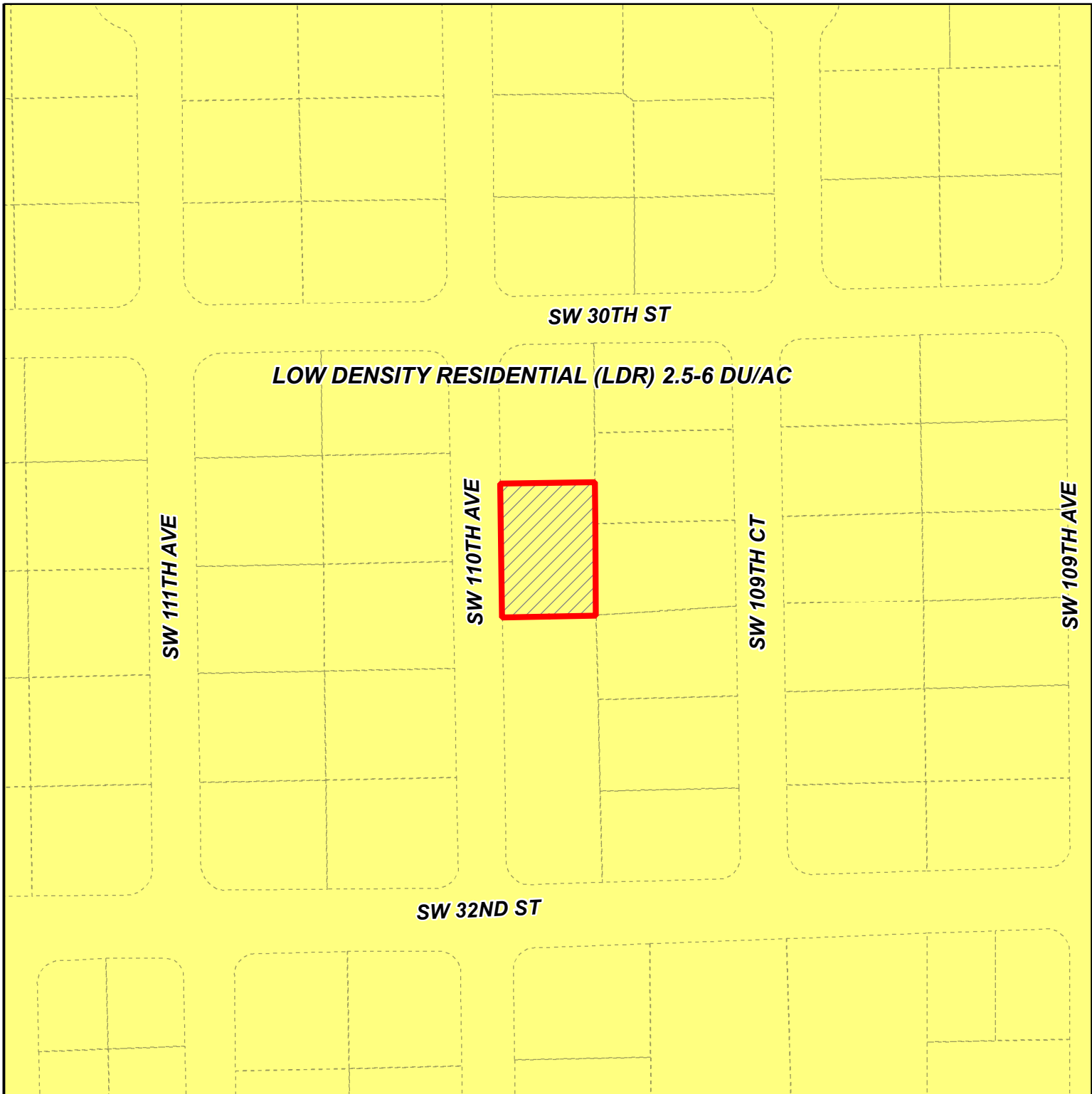
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Tuesday, May 9, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2023000101

Section: 18 Township: 54 Range: 40
 Applicant: RAINBOW INVESTMENTS LLC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, May 9, 2023

REVISION	DATE	BY

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z23-101
DATE: MAY 3 2023
BY: GONGOL

Disclosure of Interest*

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

CORPORATION NAME: RAINBOW INVESTMENT LLC

NAME AND ADDRESS	PERCENTAGE OF STOCK
Jacqueline Bagley	100%

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

TRUST/ESTATE NAME: _____

NAME AND ADDRESS	PERCENTAGE OF INTEREST

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	PERCENTAGE OF OWNERSHIP

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



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z23-101
DATE: MAY 3 2023
BY: GONGOL

Disclosure of Interest

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: _____

NAME AND ADDRESS	PERCENTAGE OF INTEREST
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

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

[Signature] Signature _____ Jacqueline Bagley Print Name

Sworn to and subscribed to before me on the 3 day of May, 2023

Affiant is personally known to me or has produced _____ as identification.

Notary: [Signature] Nancy Bryant

[Stamp/Seal] Notary Public State of Florida
Nancy Bryant
My Commission HH 320628
Expires 10/10/2026

Commission expires: _____

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

FORM REVISION 2019/3

**Miami-Dade County Regulatory and Economic Resources Department
Staff Report to Community Council No. 10**

PH: Z24-190

April 29, 2025
Item No. 2

Recommendation Summary	
Commission District	10
Applicant	Coral Way MC, LLC.
Summary of Requests	The applicant seeks to modify conditions of prior resolutions and covenant running with the land that limits the subject property to certain previously approved uses, in order to submit a new site plan for the development of the site as a dental office use.
Location	2425 SW 82 Avenue, Miami-Dade County, Florida
Property Size	±0.31 Acres
Existing Zoning	RU-1, Single-family Residential District, 7,500 sq. ft. net
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	"Low Density Residential" (2.5-6 DU/Ac) <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7) Generalized Modification Standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions, subject to the Board's acceptance of the proffered covenant.

REQUESTS:

(1) Modification of conditions #2 and #6 of Resolution No. Z-4-11, passed and adopted by the Board of County Commissioners, 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 "Proposed RU-5A Zoning for Rene Miguel Valdes," as prepared by G.J.R. Architects, consisting of 2 sheets, dated stamped received 11/18/05, except as herein modified to show a 5' high wood fence in lieu of a chain link fence along the interior side (north and south) property lines and rear (east) property line."

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "New Building Development For: M&C Dental Services" as prepared by Treb Arc, Inc., consisting of a Site Plan dated stamped received 12/19/2024 consisting on 1 sheet; Building Elevations and Floor Plans, dated stamped received 10/24/2024, consisting on 2 sheets; and Landscape Plans entitled "Commercial Development," prepared by LAS Landscaping Architectural Services, dated and stamped received 12/19/2024, consisting on 3 sheets, for a total of 6 sheets."

From: "6. That the applicant install a 5' high wood fence along the interior side (north and south) property lines and the rear (east) property line. Said fence shall be installed prior to final zoning inspection for the proposed addition."

To: "6. That the applicant installs a 6-foot high CBS wall along the interior (south) property line and the rear (east) property line, ensuring compliance with the buffer requirements between dissimilar land uses, as detailed in the Landscaping Plans."

(2) Modification of condition #7 of Resolution No. Z-4-11, passed and adopted by the Board of County Commissioners, further modified by Resolution No. CZAB-10-13-14 passed and adopted by the Miami-Dade County Appeals Board (CZAB 10), reading as follows:

From: "7. That the use be restricted to an architect's office, abstract tile, accountants-bookkeeping, advertising, adjusters (insurance), aerial survey and photography, appraisers, attorneys, auditors, business analysts, building contractors, counseling, drafting and plan service, engineers, insurance and bonds, market research, mortgage broker, notary public, public relations, real estate, real estate management, secretarial service, stock broker exchange, tax consultants, travel agencies, zoning consultants."

To: "7. That the use be restricted to an architect's office, abstract title, accountants-bookkeeping, advertising, adjusters (insurance), aerial survey and photography, appraisers, attorneys, auditors, business analysts, building contractors, counseling, dental office, drafting and plan service, engineers, insurance and bonds, market research, mortgage broker, notary public, public relations, real estate, real estate management, secretarial service, stock broker exchange, tax consultants, travel agencies, zoning consultants."

(3) Modification of paragraphs #1 and #2 of a Declaration of Restrictions recorded in Official Record Book 27747, Pages 3799-3803, and reading as follows:

From: "1. That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by G.J.R. Architects entitled "Proposed RU-5A Zoning for Rene Miguel Valdes," dated stamped received November 18, 2005, said plans being on file with the Miami-Dade County department of Planning and Zoning, and by reference made a part hereof ("Site Plan")."

To: "1. "That the Property shall be developed substantially in accordance with the plans submitted for the hearing entitled "New Building Development For: M&C Dental Services" as prepared by Treb Arc, Inc., consisting of a Site Plan dated stamped received 12/19/2024 consisting on 1 sheet ("Site Plan"); Building Elevations and Floor Plans, dated stamped received 10/24/2024, consisting on 2 sheets; and Landscape Plans entitled "Commercial Development," prepared by LAS Landscaping Architectural Services, dated and stamped received 12/19/2024, consisting on 3 sheets, for a total of 6 sheets."

From: "2. Parking space #10 in the Site Plan shall have 5 feet of aisle end back-out, and all landscaping and fences shall comply with safe-distance triangle requirements."

To: "2. All landscaping and fences shall comply with safe-distance triangle requirements."

- (4) Modification of paragraph #3 of a Declaration of Restrictions recorded in Official Record Book 27747, Pages 3799-3803, as modified by a Modification of Declaration of Restrictions recorded in Official Record Book 29416, Pages 3535-3539, and reading as follows:

From: "3. The Property shall be used only as one of the permitted uses as described below:

Abstract tile
Accountants-bookkeeping
Advertising
Adjusters (insurance)
Aerial survey and photography
Appraisers
Architects
Attorneys
Auditors
Business analysts-counselors or brokers
Building contractors, office only (no shop or storage)
Counseling
Drafting and plan service
Engineers
Insurance and bonds
Market research
Mortgage broker
Notary public
Public relations
Real estate
Real estate management
Secretarial service
Stock brokers exchange
Tax consultants
Travel agencies
Zoning consultants, or
Any uses allowed to the underlying RU-1 Zoning Regulations."

To: "3. The Property shall be used only as one of the permitted uses as described below:

Abstract tile
Accountants-bookkeeping
Advertising
Adjusters (insurance)
Aerial survey and photography
Appraisers
Architects
Attorneys
Auditors
Business analysts-counselors or brokers

Building contractors, office only (no shop or storage)
Counseling
Dental office
Drafting and plan service
Engineers
Insurance and bonds
Market research
Mortgage broker
Notary public
Public relations
Real estate
Real estate management
Secretarial service
Stock brokers exchange
Tax consultants
Travel agencies
Zoning consultants, or
Any uses allowed to the underlying RU-1 Zoning Regulations.”

The purpose of the aforementioned requests #1 through #4 is to allow the applicant to modify previously approved resolutions and prior recorded covenants running with the land in order to submit a revised site plan for the subject site and develop the property with a dental office use. The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at Public Hearing.

PROJECT HISTORY AND DESCRIPTION:

The ±0.31-acre subject property has been the subject of several zoning hearings pertaining to the approval of semi-professional office uses on the property. In October 2006, pursuant to Resolution No. CZAB10-62-06, the Community Zoning Appeals Board 10 (CZAB 10) denied with prejudice the application for a district boundary change from RU-1, Single-family Residential District to RU-5A, Semi-Professional Office District, including the alternative request for a use variance to allow RU-5A uses in the RU-1 zoning district. Later, in November 2006, the applicant had appealed the CZAB 10's decision to the Board of County Commissioners (BCC). The applicant had indicated to the board that the subject property fronts along SW 82 Avenue, a half section-line roadway, and is located just one lot south of SW 24 Street (Coral Way). Additionally, the applicant had noted that the subject property is impacted by the neighboring office uses located to the north and west, and by the adult congregate living facility to the south. The applicant maintained that the subject property was no longer appropriate for residential use. However, staff notes that, pursuant to Resolution No. Z-6-07, the BCC denied that appeal.

As a result of the BCC's decision, the applicant appealed the decision to the Eleventh Judicial Circuit Court. Upon review, the appellate court found that the Board's decision to deny this application was not fairly debatable, amounted to reverse spot zoning and did not comport with the essential requirements of the law, thereby resulting in a miscarriage of justice (Circuit Court Case No. 07-304-AP). The Circuit Court granted certiorari and quashed the BCC's decision to sustain the Community Zoning Appeals Board 10 decision to deny the application and remanded the case to the BCC with instructions to act in accordance with the court opinion. The County appealed the Circuit Court decision to the Third District Court of Appeals. The Third District Court of Appeals affirmed the Circuit Court's decision (Third DCA case No. 3D08-1064).

As a result of the Third District Court's decision, the County appealed the decision of both courts to the Florida Supreme Court, and the Florida Supreme Court denied the further review of this case (Florida Supreme Court case No. SC09-1255).

In June 2011, the application went before the Board of County Commissioners, which, in conformity with the Court orders, approved the application pursuant to Resolution No. Z-4-11 for a use variance to permit RU-5A uses in the RU-1 zoning district, along with the acceptance of a Declaration of Restrictions (ORB 27747, Pages 3799-3803) limiting the property to an architect's office use only. Staff notes that said resolution had however denied the alternate request for a district boundary zone change of the subject property from RU-1 to RU-5A. Subsequently, in November 2014, pursuant to Resolution No. CZAB-10-13-14, CZAB 10 approved with conditions the request to modify the resolution and Declaration of Restriction (Modified and amended ORB 29416, Pages 3535-3539) on the subject property to include enumerated ancillary RU-5A uses for the site.

The applicant now seeks to further modify the conditions of the previously approved resolutions, as well as modify the Declaration of Restrictions running with the land, in order to permit a dental office use and to submit revised plans showing a proposed dental office. The applicant intends to demolish the existing single-family residence currently located on the property so that the site can be re-developed as a dental office in compliance with the RU-5A requirements and through the implementation of adequate buffering, site planning, and design features. The standards being met under the proposed layout include, but are not limited to, building setbacks, landscaping, open space, buffers between dissimilar uses, as well as parking requirements. Staff notes that the proposed one (1)-story dental office building has a maximum height of 17 feet and maintains the single-family residential scale commonly found in the surrounding area. The site plan shows surplus parking spaces that meet the code minimums and are provided towards the rear of the proposed new building. The proposed floor plan for the interiors show treatment rooms, lab, office space and filing areas, restrooms, as well as the lobby, reception and waiting area, all provided on the single floor within the proposed structure. Submitted landscape plan depicts ample landscaping in the form of trees and shrubs provided along the perimeter of the subject parcel, while street trees with shrubs have been provided along SW 82 Avenue. Additionally, an amended and restated zoning covenant is being proffered by the applicant that, among other things, restricts the site to the submitted plans and provides the modified list of uses that can be allowed on the property and which includes said dental office.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; single-family residence	Low Density Residential (2.5-6 DU/Ac)
North	RU-2; office building	Low Density Residential (2.5-6 DU/Ac)
South	RU-2; adult congregate living facility	Low Density Residential (2.5-6 DU/Ac)
East	RU-1; single-family residence	Low Density Residential (2.5-6 DU/Ac)
West	RU-2; office building, single-family residence	Low Density Residential (2.5-6 DU/Ac)

NEIGHBORHOOD CHARACTER:

The subject property is a 13,606 sq. ft., RU-1, Single-Family Residential District zoned interior lot, located at 2425 SW 82 Avenue, and consists of an existing 1-story single-family residence. The property is located in an area characterized by single-family residences, semi-professional offices, and an adult congregate living facility, contributing to the overall mixed-use nature of the neighborhood. While the surrounding area maintains a residential character, the subject property benefits from its location along a well-traveled north/south section line roadway, SW 82 Avenue, which serves as a key thoroughfare. This roadway offers easy access to nearby commercial areas and other neighborhoods, making the property more visible and accessible, and potentially better suited for uses that require higher visibility and traffic flow, such as the proposed dental office.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to establish a dental office on the subject property, expanding the range of services available to the community beyond the previously approved uses. Staff notes that there are existing semi-professional office uses along SW 24 Street and SW 82 Avenue, including the block directly to the west of the subject property. While approval of this application may result in some increase in traffic, staff recognizes that the proposed development aligns with the existing character of the surrounding neighborhood. As indicated in the Platting and Traffic Review Memorandum, the proposed application is expected to generate approximately seven (7) vehicle trips during the PM peak hour, a level of impact unlikely to result in significant traffic congestion or negatively affect adjacent properties. The current permitted office use is based on a "small office use" that generates five (5) vehicular trips during the PM peak hour, while the proposed dental office is projected to generate seven (7) vehicle trips during the PM peak hour. The difference of two (2) vehicular trips is considered minimal by staff and is deemed acceptable, given the existing office use in the vicinity. Furthermore, the additional two (2) trips will be mitigated through the implementation of an additional condition requiring the installation of a one-way right-turn-only exit sign, as further detailed in the zoning analysis.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The ±0.31-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 this site as **Low Density Residential**. This category allows a range in density "from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre" and "is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses." It could also include "a mixture or housing types, provided that the maximum gross density is not exceeded." The property is currently zoned RU-1, Single-family Residential District.

Staff notes that the **CDMP Land Use Element** interpretative text, Residential Communities, under Office Uses, indicates that *office uses smaller than five acres in size may be approved in areas designated as Residential Communities where other office uses which are not inconsistent already lawfully exist on the same block face. In addition, office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of non-residential uses or activities in the vicinity. Such limited office*

uses may be approved on such sites in residential community areas only where the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map. Staff notes the site does not front on a Major Roadway and that a prior hearing on the subject property was denied without prejudice for a district boundary change from RU-1, Single-family Residential District to RU-5A, Semi-Professional Office District along with an alternative request for a use variance to allow RU-5A uses in the RU-1 zoning district. Subsequently, the applicant appealed the Board's decision to the Circuit Court, pursuant to Court Order No. 07-304-AP. **The County presented evidence and argued it was inconsistent with the CDMP, but the Circuit Court and the District Court nevertheless determined that the applicant was entitled to uses similar to those of neighboring properties. The application was remanded back to the Board, and the Board approved the use variance to allow an Architect's office, pursuant to Resolution Z-4-11.**

Later, in 2014, pursuant to **Resolution No. CZAB-10-13-14**, although CZAB 10 had approved modifications to the prior resolution and covenant to relax the restrictions imposed through the resolution and permitted additional office uses on the subject site, such uses **did not include a dental office**. Under the current application, the applicant seeks to further modify the previously approved resolutions, as well as the covenant running with the land, in order to permit a dental office and to submit revised plans showing said dental office on the subject property. **In staff's research of the area, staff notes that there is an adult congregate living facility to the south of the subject site and two additional properties north and west of the site that were approved for office uses.** Staff notes that the applicant has also proffered an amended and restated zoning covenant that restricts the site to the submitted plans, and seeks to include the dental office use as an allowed use on the subject property.

Policy LU-4A of the CDMP Land Use Element requires that when evaluating compatibility among proximate land uses, the County shall among other things consider such factors as *access, traffic and parking as applicable. Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools.* Based on memoranda from the departments reviewing this application, staff notes that the application will not create any significant impacts on the surrounding area. The CDMP interpretative text also states that *such office uses may be approved only if the scale and character of the prospective office use are compatible with the surrounding residential neighborhood and if the site has sufficient dimensions to permit adequate on-site parking and buffering of adjacent residences from the office.* Other factors that will be considered in determining compatibility include, but are not limited to traffic, noise, lighting, shadows, access, signage, landscaping, and hours of operation. Signage shall be restricted both in size, style, and location to preclude a commercial appearance. Landscaping and buffering of adjacent residences and rear properties will be required." Staff notes that the submitted plans indicate that the proposed dental office use would be compatible with the surrounding area given that the bulk and scale of the proposed structure is similar to the abutting residential developments; does not exceed 35' in height that is applicable to the RU-1 zoned properties; meets all zoning requirements such as building setbacks, building height, open space, lot coverage, as well as landscape and dissimilar use buffering requirements from the adjacent properties; and provides adequate access and parking for the proposed use.

As such, based on the foregoing and for the reasons further outlined in the zoning analysis below, **staff opines that subject to the Board's acceptance of the proffered declaration of restrictions, approval with conditions of the request to permit a dental office use** on the subject property would be generally **consistent** with **CDMP Land Use Element** interpretative text for properties designated Low Density Residential on the LUP map, and would be **compatible** with the surrounding area based on the criteria outlined in **Policy LU-4A**.

ZONING ANALYSIS:

The subject property, located at 2425 SW 82 Avenue, fronts along SW 82 Avenue, a half section-line roadway, and only one lot south from SW 24 Street (Coral Way), a major east-west arterial roadway. Staff notes that the application was originally approved pursuant to Resolution #Z-4-11 to permit RU-5A uses within the RU-1 zoning district. This approval was granted subject to a resolution and Declaration of Restrictions that limited the property's use to an architect's office only. Further, in 2014, pursuant to Resolution #CZAB-10-13-14, the original request was modified to allow for a broader range of other semi-professional office uses, including, but not limited to, architect's offices, abstract tile, accounting and bookkeeping, advertising, insurance adjusters, aerial survey and photography, appraisers, attorneys, auditors, business analysts, building contractors, counseling services, drafting and plan services, engineers, insurance and bonds, market research, mortgage brokers, notary public services, public relations, real estate services, real estate management, secretarial services, stock brokerage, tax consultants, travel agencies, and zoning consultants. Currently, the applicant is seeking to permit a dental office, a use allowed within the RU-5A zoning district, which was not previously included as a permitted use for this property. In order to achieve that, the applicant is requesting a modification of the existing restrictions to add this use and facilitate the development of the proposed dental office on the subject property.

When analyzing the requests to modify conditions #2 and #6 of Resolution No. Z-4-11, adopted by the Board of County Commissioners (request #1), the request to modify condition #7 of Resolution No. Z-4-11, as further modified by Resolution No. CZAB-10-13-14 passed by the Miami-Dade County Appeals Board (request #2), the request to modify paragraphs #1 and #2 of a Declaration of Restrictions recorded in Official Record Book 27747, Pages 3799-3803 (request #3), and the request to modify paragraph #3 of a Declaration of Restrictions recorded in Official Record Book 27747, Pages 3799-3803, as modified by a Modification of Declaration of Restrictions recorded in Official Record Book 29416, Pages 3535-3539 (request #4), under Section 33-311(A)(7) Generalized Modification Standards, staff supports the requests and opines that the requested modifications to include dental office as a permitted use on the subject property, and to modify a previous parking stall condition that no longer applies while reinstating the dissimilar use buffer requirements outlined in Chapter 18A of the Miami-Dade County Landscaping Ordinance, would not generate excessive noise, traffic, overcrowding, or nuisance. This conclusion is supported by the memoranda from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER, which states that the proposed application will generate only seven (7) vehicle trips during the PM peak hour, having a minimal impact on traffic. Furthermore, the traffic distribution analysis of these trips on adjacent roadways indicates that the additional trips will not exceed the acceptable level of service. Staff also notes that the previously approved office use for the subject parcel, although never constructed, was projected to generate approximately five (5) PM peak hour vehicle trips. The difference of two (2) trips is considered minimal. Turning movements into the residential neighborhood to the south will be restricted with a sign at the exit indicating one-way, right-turn-only traffic. Additionally, the memoranda from the Departments of Water & Sewer, the Division

of Environmental Resource Management (DERM), and the Miami-Dade Fire Rescue Department confirm that they do not object to the requests.

Staff supports the modifications to the prior resolutions and covenant which would allow the applicant a use of the land which would not be contrary to the public interest, would minimally alter the existing development fabric of the neighborhood, and would be complementary to and an appropriate transition similar to the other existing offices uses in the immediate vicinity that front along SW 82 Avenue, a well-travelled north/south roadway, as well as along SW 24 Street (Coral Way), which is a major east-west arterial roadway that is just one lot north of the subject site. The submitted site plan indicate that the proposed dental office use will meet all the zoning regulations regarding building setbacks, open space, building height, and lot coverage. Further, staff notes that the proposed building is designed with the same architectural scale as the surrounding community, and adequately buffered with a new 6' high Concrete Block Stucco (CBS) wall with landscaping to lessen any adverse impacts on the adjacent properties. As such, staff opines that the proposed office use would be compatible and provide a sensitive well-designed transition to the surrounding area given that the bulk and scale of the proposed structure is similar to the abutting developments; site is well buffered and incorporates appropriate amount of landscaping; and provides adequate access and parking for the proposed use. Additionally, for the reasons explained in the Comprehensive Development Master Plan Analysis section of this application, the requests for the modifications in order to permit a dental office use on the subject property, when considered with the proposed office building's placement, landscaped buffering, site layout including parking and access, would be **compatible** with the surrounding area, and pursuant to the proffered covenant, restricting the site to the submitted plans, would be **consistent** with low density residential designation of the site on the LUP map of the CDMP.

Additionally, staffs research of the area identified similar approvals, including but not limited to, a medical office use located at 8040 SW 24 Street, which was approved by the CZAB 10 pursuant to Resolution #CZAB10-24-15. Another medical office located at 8020 SW 24 Street was approved by CZAB 10 pursuant to Resolution #2-ZAB-538-63, further modified by Resolution #CZAB10-58-99, which limited the use to one (1)-medical doctor only. Furthermore, the property to the north located at 2332 SW 82 Court was approved by the Metropolitan Dade County Zoning Appeals Board under Resolution #4-ZAB-60-89 to permit semi-professional office use and is currently being used as a dental office. In addition, as mentioned earlier, there are office uses to the north and west of the subject property, which were approved pursuant to Resolution #Z-192-90 allowing all RU-5A uses in the RU-2 zoning district, and Resolution #Z-112-91 that permitted all RU-5A uses in the RU-1 zoning district. Additionally, an adult congregate living facility is located south of the subject property. Based on this development trend in the area and such existing uses in the vicinity of the subject site, staff opines that approval of the requests that would allow a dental office use on the property would be compatible with the surrounding area, as the neighboring office uses have similar intensity to that proposed for the subject property. **As previously mentioned, to further mitigate potential impacts on the residential neighborhood to the south of the subject property, staff has incorporated a condition requiring a one-way right-turn-only exit sign. Staff recommends approval of the application with these conditions, contingent on the Board's acceptance of the proffered covenant under Section 33-311(A)(7) Generalized Modification Standards.**

ACCESS, CIRCULATION AND PARKING: The submitted site plans indicate access to the site along SW 82 Avenue. The plans depict a total of 13 parking spaces, where 9 are required for the proposed dental office use, therefore, the parking amounts comply with the code minimums.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

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

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 or its successor Department 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, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "New Building Development For: M&C Dental Services" as prepared by Treb Arc, Inc., consisting of a Site Plan dated stamped received 12/19/2024 consisting on 1 sheet; Building Elevations and Floor Plans, dated stamped received 10/24/2024, consisting on 2 sheets; and Landscape Plans entitled "Commercial Development," prepared by LAS Landscaping Architectural Services, dated and stamped received 12/19/2024, consisting on 3 sheets, for a total of 6 sheets.
3. That the conditions of Resolution #Z-4-11, as further modified by Resolution #CZAB-10-13-14, remain in full force and effect, except as herein modified.
4. That all other paragraphs of the Declaration of Restrictions, recorded in ORB 27747, Pages 3799-38031, as modified by a Modification of Declaration of Restrictions recorded in ORB 29416, Pages 3535-3539, remain in full force and effect, except as herein modified.
5. That the Owner shall install a sign at the exit indicating one-way, right-turn-only traffic.
6. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources or its successor Department 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, etc.
7. That the use be established and maintained in accordance with the approved plan.
8. That the applicant comply with all applicable conditions, requirements, recommendations, requests, and other provisions of the Division of Environmental Resource Management (DERM) as indicated in the attached memorandum.

ES:JB:SS:MA:EA

A handwritten signature in blue ink, appearing to be 'Eric Silva', written over a horizontal line.

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

ZONING RECOMMENDATION ADDENDUM

Coral Way MC, LLC.

PH: Z24-190

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
<i>Division of Environmental Resource Management (RER)</i>	<i>No objection*</i>
<i>Fire Rescue</i>	<i>No objection</i>
<i>Platting and Traffic Review Section (RER)</i>	<i>No objection</i>
<i>Neighborhood Compliance (BNC)</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

Low Density Residential <i>(Pg. I-31)</i>	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 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>
Residential Communities <i>(Pg. I-26)</i>	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.</i>
Policy LU-4A <i>(Page I-11)</i>	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>
Other Potential Uses in Residential Communities <i>(Page I-36)</i>	<i>The uses generally permitted in Residential Communities are listed under the residential, and gross residential density headings. The establishment of other new uses in residential areas is not allowed; however, under limited circumstances and conditions, some other land uses may be permitted to locate in Residential Communities. These special use situations are described below. No "other new use" in a residential area as described in this section shall be deemed consistent with the CDMP where the use or zoning district has, or would have, an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area.</i>
Commercial Uses (in Residential Communities) <i>(Pg. I-37)</i>	<i>Commercial uses are prohibited in areas designated as Residential Communities except as specifically provided in this chapter; ample sites for business and office uses are provided in the Business and Office, Industrial and Office, and Office/Residential Categories on the Land Use Plan map. However, under the following specific circumstances limited commercial uses may be authorized in areas designated as Residential communities.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Sec. 18A-6(H) Buffers between dissimilar land uses.</p>	<p><i>Buffers between dissimilar land uses. Where dissimilar land uses exist on adjacent properties, and where such areas will not be entirely visually screened by an intervening building or structure from abutting property, that portion of such area not so screened shall be provided with a buffer consisting of a six (6) foot wall or fence with a life expectancy of at least ten (10) years, or shrubs which normally grow to a minimum height of six (6) feet. Where chain link fencing is used, shrubs shall also be required. Shrubs used as a buffer shall be a minimum of thirty (30) inches in height at time of planting, and shall be planted at a maximum average spacing of thirty-six (36) inches on center, or a minimum of thirty-six (36) inches in height at time of planting and planted at a maximum average spacing of forty-eight (48) inches on center. Said buffer shall form a continuous screen between the dissimilar land uses within one (1) year after planting. Buffers screening dissimilar uses shall include trees planted at a maximum average spacing of thirty-five (35) feet on center within a minimum five (5) foot landscaped strip.</i></p>
<p>Sec. 33-223.6. - Uses permitted</p>	<p><i>No land, body of water or structure shall be used, or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved or structurally altered or maintained for any purpose in an RU-5A District which is designed, arranged, or intended to be used or occupied for any purpose, except for one or more of the following uses, and all other uses are hereby prohibited:</i></p> <ul style="list-style-type: none"> <i>(1) Abstract tile</i> <i>(2) Accountants—bookkeeping</i> <i>(3) Actuaries</i> <i>(3.1) Adult day care center, in accordance with the conditions set forth in <u>Section 33-223.1</u> of this Code.</i> <i>(4) Advertising (no shops)</i> <i>(5) Adjusters (insurance)</i> <i>(6) Aerial survey and photography</i> <i>(7) Appraisers—no sale or rental of any type of merchandise or equipment</i> <i>(8) Architects</i> <i>(8.1) Arts foundations as defined in <u>Section 33-1(9.1)</u>, subject to the following conditions:</i> <ul style="list-style-type: none"> <i>(a) That the main offices of the foundation, related lecture and seminar rooms, together with the art exhibition space, shall be the principal uses located on the premises, occupying in excess of 50% of the gross floor area. Related art exhibition space shall be ancillary to the principal uses.</i> <i>(b) That the art display areas shall be for the exhibition of artwork created by artists who are sponsored by the foundation, and all artwork displayed shall be of the visual arts only.</i> <i>(c) That all art exhibitions shall be conducted within the principal structure.</i> <i>(d) That there shall be a maximum of six art shows per year.</i> <i>(e) That off-street parking requirements for the art display area shall be calculated at one parking space for every 250 square feet, or fractional part thereof. Office and other use areas shall have off-street parking spaces provided for such areas as otherwise provided in this Code.</i> <i>(f) That the sale of art shall be prohibited.</i> <i>(9) Attorneys</i> <i>(10) Auditors</i> <i>(10A) Banks, excluding drive-thru banking facilities</i> <i>(11) Banks, including drive-thru banking facilities, upon approval after public hearing on:</i> <ul style="list-style-type: none"> <i>(a) Office complex sites of three (3) acres or more, or</i> <i>(b) On sites of one (1) acre or more located adjacent to a section line road.</i> <i>(12) Business analysts—counselors or brokers</i> <i>(13) Building contractors, office only (no shop or storage)</i> <i>(14) Chiropodists</i> <i>(15) Chiropractors</i> <i>(16) Consulates</i> <i>(17) Counseling, child guidance and family service</i> <i>(18) Court reporter, public stenographer</i> <i>(19) Credit reporting</i> <i>(19A) Day nursery, kindergarten and afterschool care licensed by the State of Florida Department of Health and Rehabilitative Services and established in accordance with the</i>

	<p>requirements of Article XA. (20) Dentist (21) Detective agencies and investigating service (22) Drafting and plan service (23) Engineers, professional (23.1) Group residential facility, in accordance with the group residential facility requirements of Section 33-208. (24) Insurance and bonds (25) Manufacturers agents (26) Market research (27) Medical doctors (27A) Medical Allied Training Facility that on a site of two net acres or more. a) That such uses shall be located on sites having frontage on a major access road, including major roadways (three or more lanes) and frontage roadways serving limited access highways and expressways; b) That no ingress/egress driveways be located other than from the major access road as indicated in (a) above; c) That the hours of operation be limited to 8:00 a.m. to 10:00 p.m. Monday through Friday; 9:00 a.m. to 4:00 p.m. on Saturdays; d) That the number of students be limited to no greater than 100 students per session; e) That a maximum of 2 sessions be conducted daily. (28) Model agencies (no school) (29) Mortgage broker (30) Notary public (31) Optician (32) Optometrist (33) Public libraries (34) Public relations (35) Real estate (36) Real estate management (37) Secretarial service (38) Shoppers information service (39) Social service bureau (40) Stock brokers exchange—investment service (41) Tax consultants (42) Telephone answering service (43) Theater ticket agencies (44) Travel agencies (45) Zoning consultants (46) Any use which is found by the Director to be a use similar to one (1) of the above numbered uses and, in his opinion, conforms to the intent of this section.</p>
<p>Section 33-311(A)(7) Generalized Modification Standards.</p>	<p>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.</p>

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

CORAL WAY MC, LLC

2425 SW 82 AVE
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

PENDING

Z2024000190

DATE

HEARING NUMBER

FOLIO No: 30-4015-005-0880

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

September 25, 2024

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases in BSS.

VIOLATOR:

CORAL WAY MC, LLC

OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum

MIAMI-DADE
COUNTY

Date: January 9, 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: Z2024000190-2nd Review
Gustavo Jose Ramos, Rita Nelani Ramos, Patty Hutchison
2425 SW 82nd Avenue
Modifying previous resolutions to allow new dental office
(RU-1) (0.31 acres)
15-54-40



The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the above referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this zoning application is approved pursuant to section 24-43.1 of the Code related to potable water supply and wastewater disposal.

Potable Water Supply and Wastewater Disposal

Pursuant to the Code and based on the site plan submitted in support this application, the proposed dental office is within feasible distance to connect to public water and public sanitary sewer. Therefore, 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.

Civil drawing for the sewer extension permit required for connection to the abutting force main will need to be approved by Miami-Dade Water and Sewer Department and the Water and Wastewater Division of DERM prior to approval of final development orders.

Under section 24-43.4(2)(b)(iii) of the Code, once a property or portion thereof is determined to be within feasible distance, the owner shall record, in the Public Records of Miami-Dade County and at the owner's expense, a covenant in a form acceptable to the Director acknowledging that the property shall be required to connect to the applicable public infrastructure as a condition of any building permit for development on the property or portion thereof. Please contact Glennys.Fernandez-Martinez@miamidade.gov or Ninfa.Rincon@miamidade.gov for information regarding this covenant.

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

Please note that some of the collection/transmission facilities, which includes sanitary sewer gravity sewer mains, sanitary sewer force mains and sanitary sewer pump stations, throughout the County do

not have adequate capacity, as defined in the Consent Decree between Miami-Dade County, Florida Department of Environmental Protection and the U.S. Environmental Protection Agency case 1:12-cv-24400-FAM. Under the terms of this Consent Decree, this approval does not constitute an allocation or certification of adequate treatment and transmission system capacity. At the time of building permits, DERM will evaluate and may reserve sanitary sewer capacity, through the DERM sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins that have been determined not to have adequate capacity cannot be approved until adequate capacity becomes available.

Conditions of Approval: That the property owner submit a covenant in accordance with the requirements of section 24-43.4(2)(b)(iii) of the Code.

Water Control Review

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

The proposed dumpster area shall not drain into the stormwater management system. Proposed dumpster slab shall be graded toward an adjacent green area through weep hole for pretreatment and disposal.

Conditions of Approval: None

Tree Preservation Review

An aerial review of the subject property indicates the presence of tree resources. A landscape plan entitled "Commercial Development" prepared by Paul A. Goulas, R.L.A., and dated as received by Miami-Dade County on December 19, 2024, was submitted in support of the subject application and indicates the removal/relocation of non-specimen (a tree with a trunk diameter at breast height less than 18 inches) tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. DERM has no objection to this application provided that the applicant obtains a Miami-Dade County Tree Removal Permit prior to the removal or relocation of the non-specimen trees on site.

A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. The applicant is advised that a tree survey that includes a tree disposition table will be required during the tree removal permit application process. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code, including the specimen tree standards.

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

Conditions of Approval: None

Enforcement History

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

Concurrency Review Summary

A concurrency review has been conducted for this application and DERM has determined that the same meets all applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

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


cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: January 10, 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 - Coral Way MC LLC
Application No. Z2024000190 (Revision No. 1) - (Pre-App. No. Z24P-146)

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. *The applicant is advised to consult with their engineer and WASD's Plans Review staff to finalize points of connection and capacity approval.*

Application Name: Coral Way MC LLC

Location: The proposed project is located at 2425 SW 82nd Avenue with Folio No. 30-4015-005-0880, in unincorporated Miami-Dade County.

Proposed Development: The applicants is seeking a modification of previous resolution plan and a modification of declaration or covenant, in order to build 2,355 square feet of a Dental Office. The existing single family of 1,222 square feet will be demolished.

The water demand associated with the Single-Family Residence use totals 210 gallons per day (gpd). The total water demand associated with a Dentist Office totals 471 gpd; therefore, the proposed use results in an increase of 261 gallons per day (gpd).

*Please note that the subject property has a 10-foot FPL Utility easement inside the property line 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 proposed development is located within the WASD's water service area. The water supply is provided by the Alexander-Orr Water Treatment System (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 currently being served by WASD. The developer may remain connected to the existing 8-inch water main (EU1247-1), abutting the property along SW 82nd Avenue for water service **if it meets WASD's current standards, and not requiring a new fire service.** If this property/project proposes a fire hydrant and /or fire line, then the developer may connect to the existing 12-inch water main (E2994-1) in SW 82nd Avenue approximately 72 feet north of the proposed project and extend a new 12-inch water main (half section) southerly along SW 82nd Avenue to the southwestern corner of the property, interconnecting to an existing 8-inch water main at that location, in order to provide service to the proposed project. *Final points of connection 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 required is 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 and 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. There is no sanitary sewer system abutting the proposed development. If the Division of Environmental Resources Management (DERM) requires connection to the sanitary sewer system, then 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.

If DERM requires connection to the sewer system, there is an existing 8-inch gravity sewer system (U401-1) located in SW 25th Street approximately 200 feet away to where the developer may connect and extend a new 8-inch gravity sewer system easterly in SW 25th Street to SW 82ND Avenue, then northerly in SW 82nd Avenue as required to provide sewer service to the property, provided that there is sufficient depth and that there are no obstacles that would preclude construction of the sewer system. **The developer is responsible for providing the minimum coverage on the proposed sewer main extension as specified in the WASD Design standard.**

In addition, there is an existing 8-inch gravity sewer on SW 24th Street, west of SW 82nd Avenue to where the developer may connect and extend a new 8-inch gravity sewer to the property, as required to connect the proposed development, provided that there is sufficient depth and that there are no obstacles that would preclude construction of the sewer system

Final points of connection and capacity approval to connect to the sewer system will be provided at the time the applicant requests connection to the sewer infrastructure.

If unity of Title does not apply, then any gravity sewer within the property shall be public and 8-inch minimum diameter.

If connection to the gravity sewer is possible, the sewage flow from the proposed development will be transmitted to Pump Station No. 755, Pump Station No. 536 or Pump Station No. 559. Said pump stations

are currently in OK Moratorium Code Status. Below is the existing and projected Nominal Average Pump Operating Time (NAPOT) for said pump stations.

P.S. 755

Existing NAPOT: 7.19 hrs.
Proposed Development: 261 gpd
Proposed Projected NAPOT: 7.19 hrs.

P.S. 536

Existing NAPOT: 6.16 hrs.
Proposed Development: 261 gpd
Proposed Projected NAPOT: 6.16 hrs.

Or

P.S. 559

Existing NAPOT: 5.53 hrs.
Proposed Development: 282 gpd
Proposed Projected NAPOT: 5.53 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>

Zoning Application No. Z2024000190 - Revision # 1
Coral Way MC LLC
January 10, 2025
Page 4


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

Memorandum



Date: November 20, 2024

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

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

Subject: Z2024000190
Name: Coral Way MC LLC
Location: 2460 SW 82 Avenue
Section 15 Township 54 South Range 40 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 4, Block 8, Plat Book 46, Page 21.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate approximately **7 PM** peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of this new trip **does not** exceed the acceptable level of service of the following roadways:

STA.#	LOCATION	LOS PRESENT	LOS W/PROJECT
9122	SW 24 Street west of SR 826	C	C
F-0078	Bird Road east of SW 7800 Block	C	C

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: December 30, 2024

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

Subject: Z2024000190

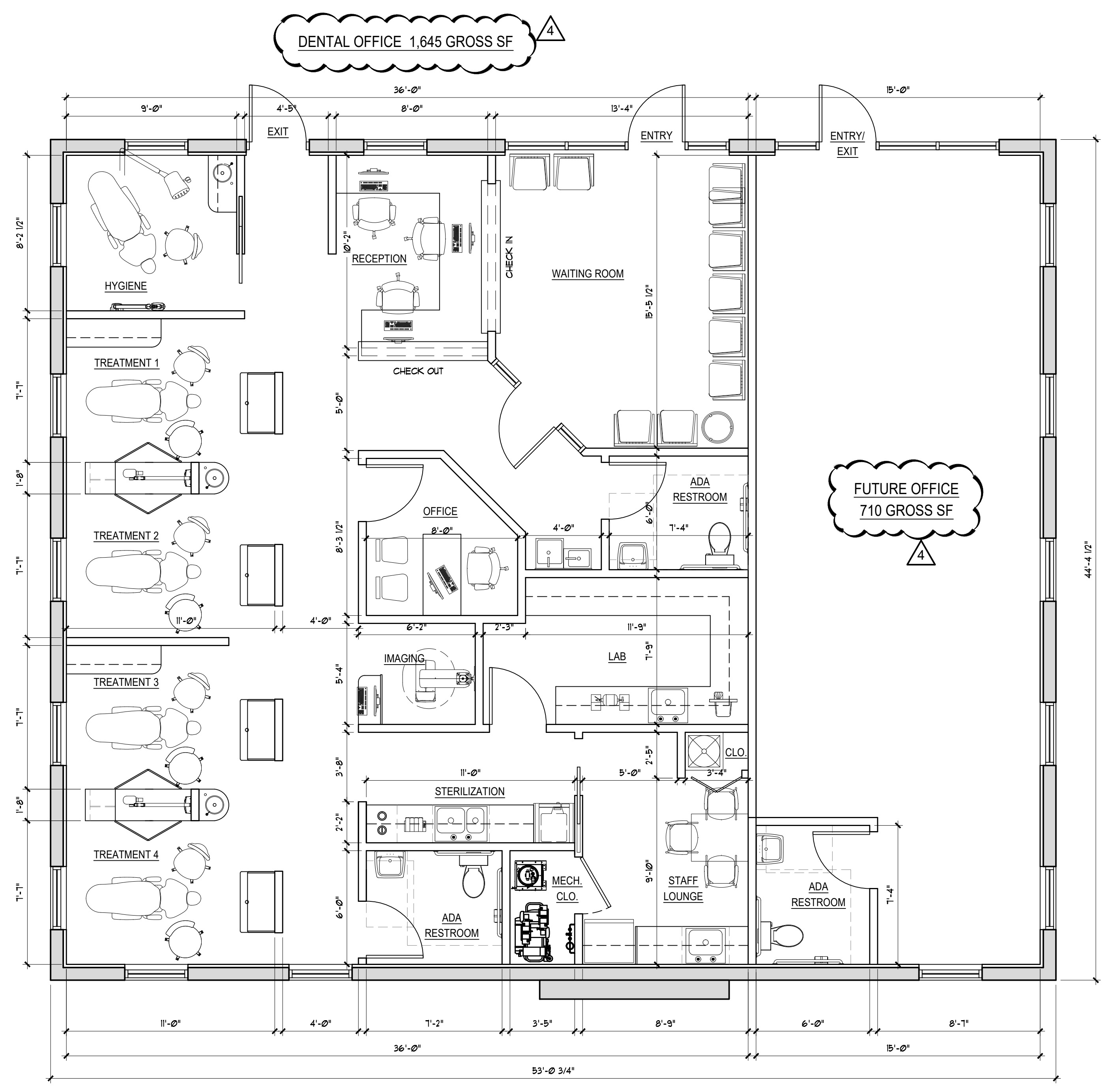
The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded in “EnerGov” on 12/19/24.

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

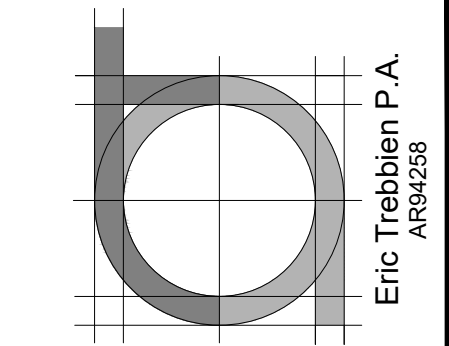
Florida State Statute Chapter 633 (Fire Prevention & Control)
Florida Administrative Code 69A
Florida Fire Prevention Code (NFPA 1 and NFPA 101 (2018 edition))
Applicable adopted NFPA Standards
County Code Chapter 14

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

THE PROFESSIONAL SERVICES OF THE DESIGNER (AND/OR ARCHITECT) ARE FURNISHED FOR AND ARE PERFORMED IN THE INTEREST OF THE PROJECT OWNER. NO CONTRACTUAL OBLIGATION IS ASSUMED BY THE DESIGNER AND/OR ARCHITECT FOR THE EXISTING BUILDING STRUCTURE, SITE CONDITIONS, EXISTING CONSTRUCTION ELEMENTS, OR ANY OTHER DOCUMENTS, DRAWINGS, OR OTHER INFORMATION AND SPECIFICATIONS. THE DESIGNER AND/OR ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION, DATA, OR SPECIFICATIONS PROVIDED BY THE PROJECT OWNER OR ANY OTHER PARTY. THE DESIGNER AND/OR ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION, DATA, OR SPECIFICATIONS PROVIDED BY THE PROJECT OWNER OR ANY OTHER PARTY. THE DESIGNER AND/OR ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION, DATA, OR SPECIFICATIONS PROVIDED BY THE PROJECT OWNER OR ANY OTHER PARTY.



4 building depth reduced by 2'-0"
PROPOSED BUILDING PLAN
 SCALE: 1/4" = 1'-0"



Treb Arc, Inc
 Architecture, Planning, Design
 7501 NW 4th Street #212e
 Plantation, FL 33317
 954.530.1765

PROJECT NAME:
**New Building Development for:
 M&C Dental Services
 Dr. Ryan Coro, DDS
 2425 S.W. 82nd Avenue
 Miami, FL 33155**

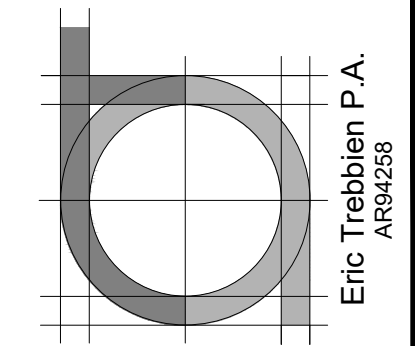
SHEET TITLE:
**Proposed Building Floor
 Plan**

4 As Per Zoning Comments
 DATE: 10/18/2024
 REVISIONS:

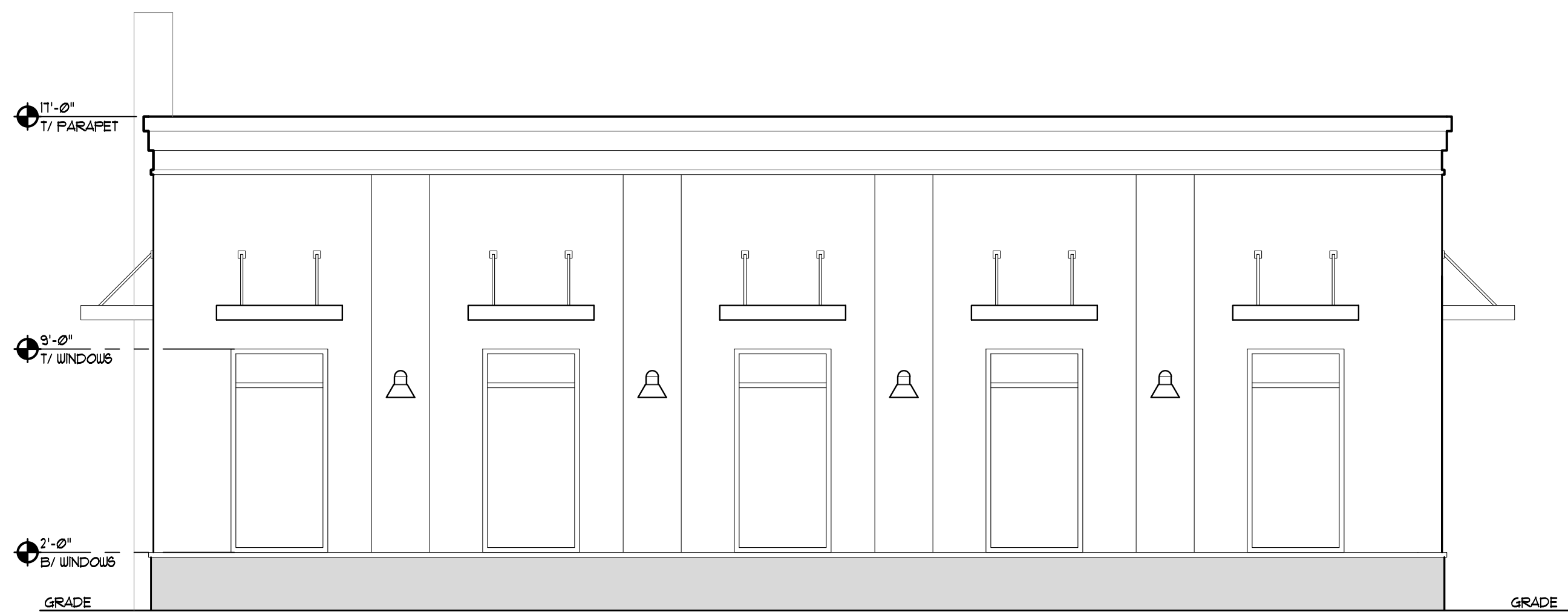
RELEASED FOR:	PERMIT
DATE:	06/26/2024
PROJECT NO:	24180
PROJECT MGR:	CEL

A-1

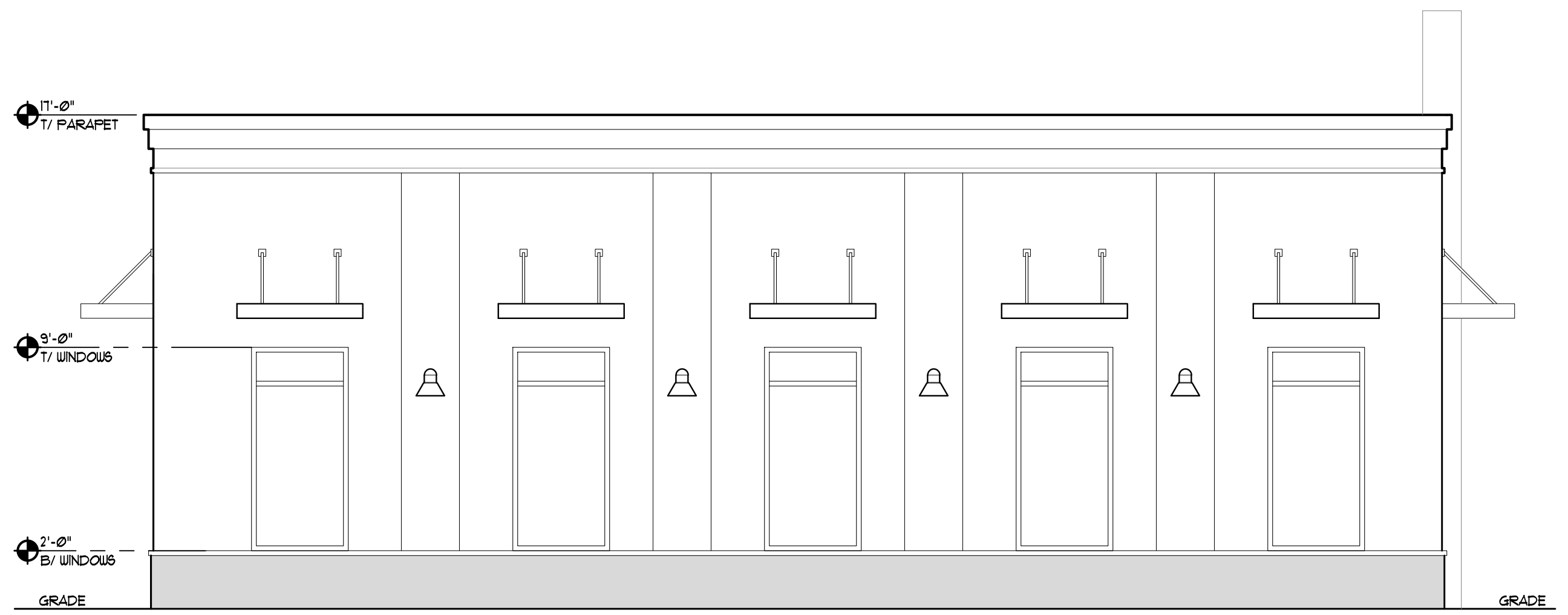
THE PROFESSIONAL SERVICES OF THE DESIGNER (AND/OR ARCHITECT) ARE FURNISHED FOR AND ARE PERFORMED IN THE INTEREST OF THE PROJECT OWNER. NO CONTRACTUAL OBLIGATION IS ASSUMED BY THE DESIGNER AND/OR ARCHITECT FOR THE EXISTING BUILDING STRUCTURE, SITE CONDITIONS, EXISTING CONSTRUCTION ELEMENTS, OR ANY OTHER DOCUMENTS, DRAWINGS, OR OTHER INFORMATION. THE DESIGNER AND/OR ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY THE PROJECT OWNER OR ANY OTHER PARTY. THE DESIGNER AND/OR ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY THE PROJECT OWNER OR ANY OTHER PARTY. THE DESIGNER AND/OR ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY THE PROJECT OWNER OR ANY OTHER PARTY.



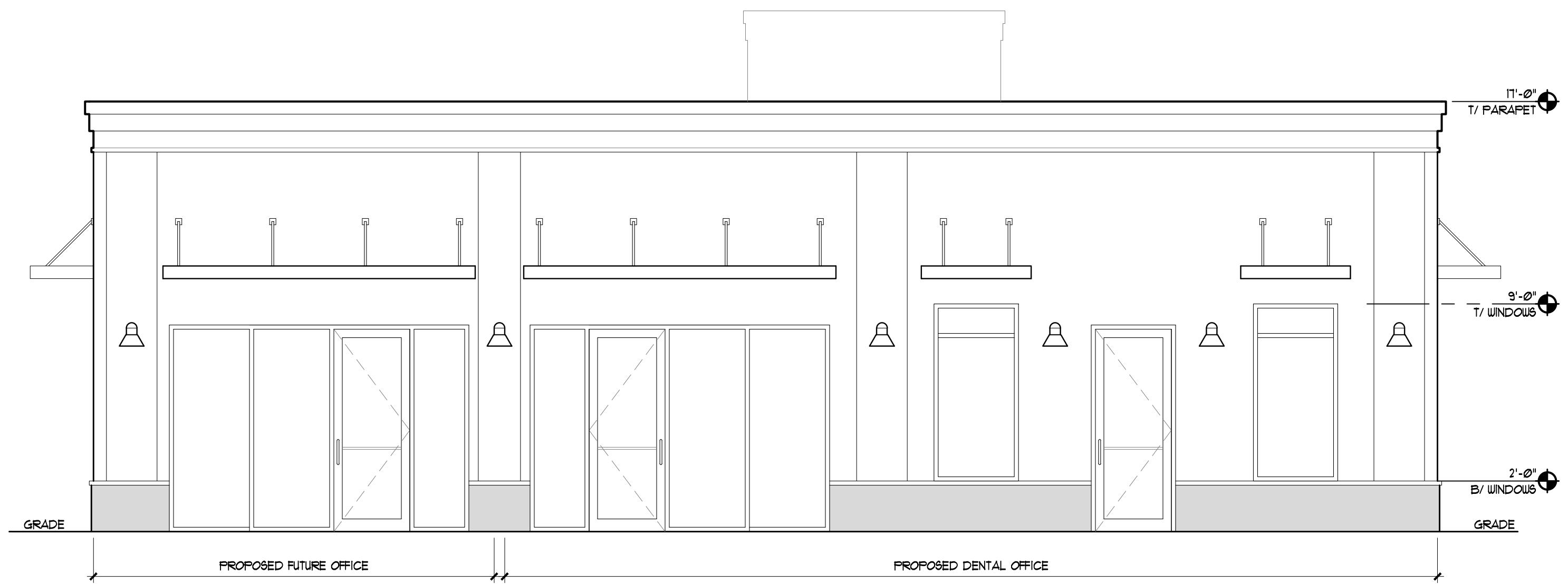
Treb Arc, Inc
 Architecture, Planning, Design
 7501 NW 4th Street #212e
 Plantation, FL 33317
 954.530.1765



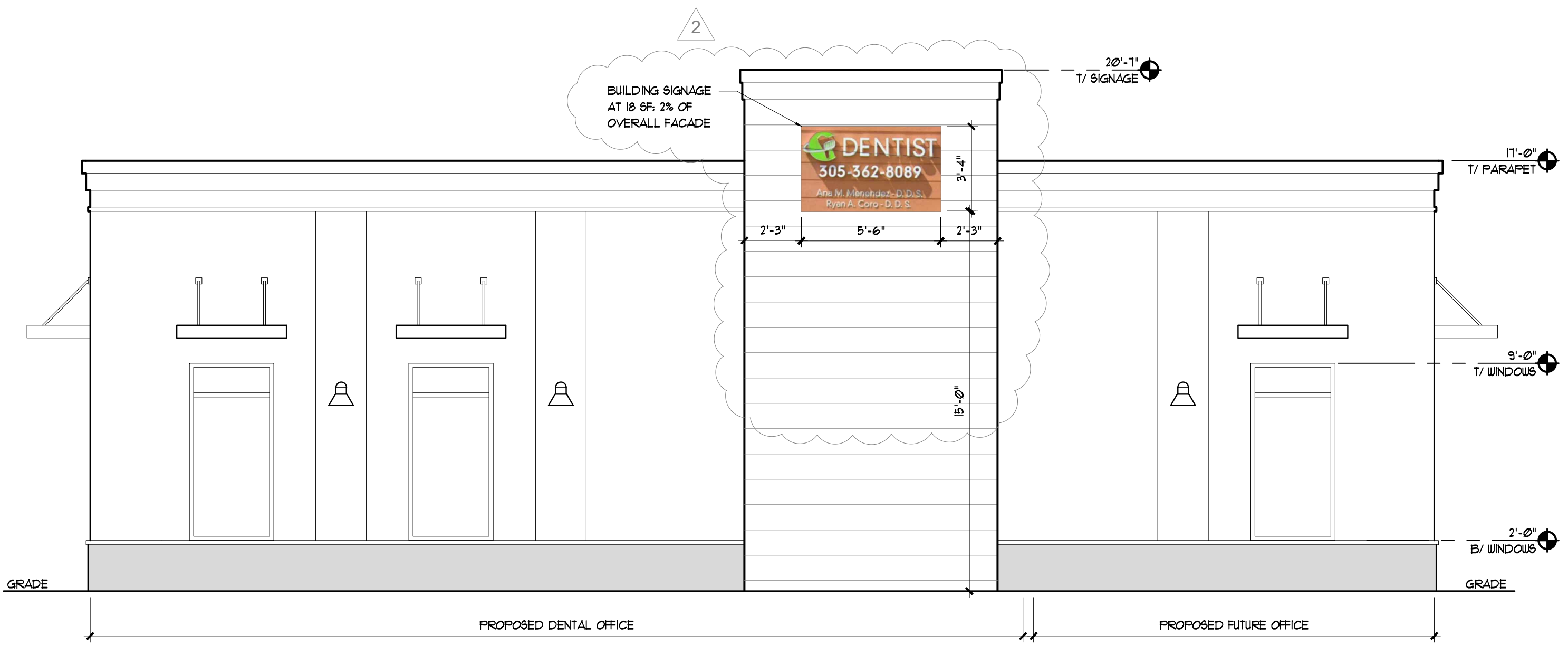
4 building depth reduced by 2'-0"
SOUTH / SIDE ELEVATION
 SCALE: 1/4" = 1'-0"
 3
 A-2



4 building depth reduced by 2'-0"
NORTH / SIDE ELEVATION
 SCALE: 1/4" = 1'-0"
 4
 A-2



1
EAST / ENTRY ELEVATION
 SCALE: 1/4" = 1'-0"
 A-2



2
WEST / ROADSIDE ELEVATION
 SCALE: 1/4" = 1'-0"
 A-2

SHEET TITLE:
Proposed Building Elevations

PROJECT NAME:
**New Building Development for:
 M&C Dental Services
 Dr. Ryan Coro, DDS
 2425 S.W. 82nd Avenue
 Miami, FL 33155**

4 As Per Zoning Comments
 DATE: 10/18/2024

2 As Per Zoning Comments
 DATE: 08/15/2024

REVISIONS:

RELEASED FOR: PERMIT
 DATE: 06/26/2024
 PROJECT NO: 24180
 PROJECT MGR: CEL

A-2

LANDSCAPE LEGEND			
CHAPTER 18A - ORDINANCE 98-13			
OFFICE DISTRICT			
ZONING DISTRICT:	OFFICE (RU-5A)		
NET LAND	13,606 S.F. (0.31 AC)		
LANDSCAPE OPEN SPACE	REQUIRED	PROVIDED	
	3,402 S.F.	4,137 S.F.	
LAWN AREA (30% MAX)	1,020 S.F.	940 S.F.	
	REQ.	PROV.	
TOTAL REQUIRED LOT TREES PER NET LAND (28/ACRE)	9	9	
STREET TREES (1 TREE/35' ALONG ROW, 98 LF/35 = 3 TREES)	3	3	
PARKING LOT TREES (10 SF OF LS AREA/SPACE, 1 TREE/80 SF OF LS AREA)	2	2	
BUFFER TREE REQUIREMENTS (1 TREE/35', 299 LF/35 = 9 TREES)	9	9	
TOTAL NUMBER OF TREES	23	23	
BUFFER SHRUB REQUIREMENTS (1-30" HT SHRUB PER 36" O.C.)	100	100	
SHRUBS (10 SHRUBS FOR EACH TREE REQUIRED)	230	230	
NATIVE REQUIREMENTS (30% OF REQUIRED TREES & SHRUBS)	7 TREES	21 TREES	
	99 SHRUBS	332 SHRUBS	
DROUGHT TOLERANT REQUIREMENTS (50% OF REQUIRED TREES & SHRUBS)	12 TREES	23 TREES	
	165 SHRUBS	332 SHRUBS	
MAXIMUM PALMS ALLOWED (30% MAX.)	7 PALMS	2 PALMS	

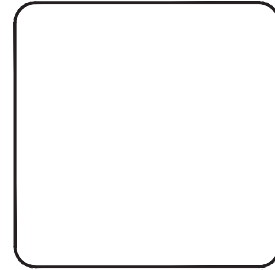
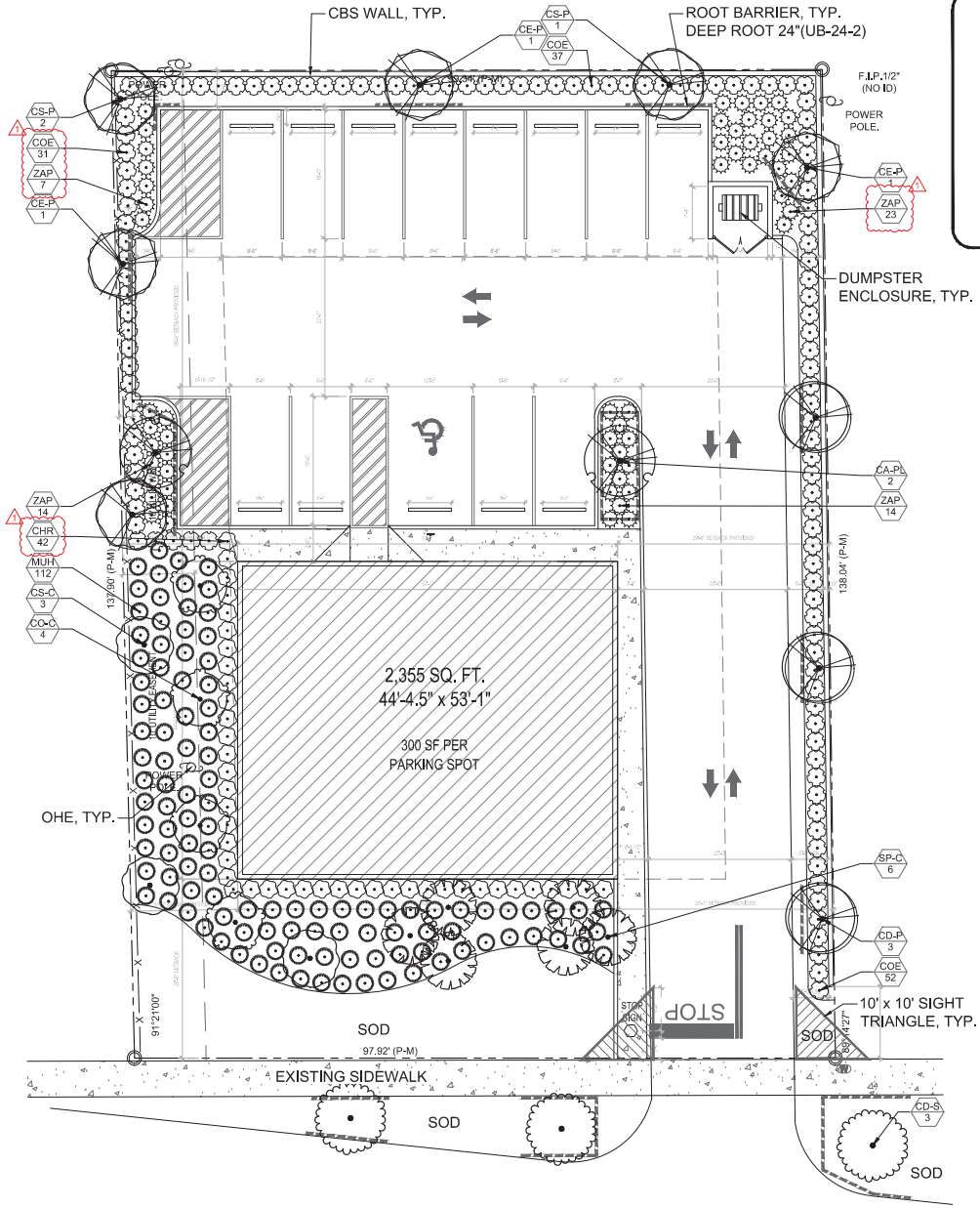
NOTES:
 LANDSCAPING WILL BE SUPPORTED BY A FULLY-AUTOMATIC IRRIGATION SYSTEM.
 ANY DYING OR DEAD LANDSCAPING WILL BE REPLACED BY THE OWNER WITH THE SAME OR SIMILAR SPECIES WITHIN 60 DAYS OF PROBLEM IDENTIFICATION.

Landscape Notes:

- Alternative plant species for required landscape may be permitted subject to review and approval by Miami-Dade Planning Department prior to installation.
- All prohibited exotic or invasive species shall be removed from the entire site prior to the issuance of a Certificate of Occupancy.
- All required landscaping shall be installed prior to the issuance of a Certificate of Occupancy.
- No Cypress Mulch is to be used on site. Eucalyptus or Melaleuca Mulch is to be used in a 3" consistent layer in all planting beds.
- Enhanced landscaping beyond minimum requirements will conform to all applicable sections of the Miami-Dade Landscape Manual.
- This plan has been designed to meet the tree planting requirements contained within the FPL document entitled 'Plant the Right Tree in the Right Place' and Miami-Dade Landscape Manual.
- For existing or proposed utilities, no tree shall be planted where it could, at mature height conflict with overhead power lines.
- Tree species shall be selected as to minimize conflicts with existing or proposed utilities.
- See engineer's plans for all underground & overhead utilities and field locate all prior to installation; contact Landscape Designer/Owner regarding any conflicts.
- All site drainage by others.
- Landscape adjacent to vehicular traffic to be maintained to preserve sight line visibility.

Plant Schedule:

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NATIVE	DROUGHT TOLERANCE
PARKING LOT TREES							
	CA-PL	2	Cassia surattensis	Glossy Shower Tree	FG, 12' HT, 5" SPR, 4.5" CT, 2.5" DBH, STD	No	High
PERIMETER BUFFER TREES							
	CD-P	3	Coccoloba diversifolia	Pigeon Plum	FG, 12' HT, 5" SPR, 4.5" CT, 2.5" DBH, STD	Yes	High
	CE-P	3	Conocarpus erectus f. sericeus	Silver Buttonwood	FG, 12' HT, 5" SPR, 4.5" CT, 2.5" DBH, STD	Yes	High
	CS-P	3	Cordia sebestena	Orange Geiger Tree	FG, 12' HT, 5" SPR, 4.5" CT, 2.5" DBH, STD	Yes	High
CODE TREES							
	CS-C	3	Conocarpus erectus 'Sericeus'	Silver Buttonwood	FG, 12' HT, 5" SPR, 4.5" CT, 2.5" DBH, STD	Yes	High
	CO-C	4	Cordia sebestena	Orange Geiger Tree	FG, 12' HT, 5" SPR, 4.5" CT, 2.5" DBH, STD	Yes	High
	SP-C	6	Sabal palmetto	Sabal Palm	FG, 8'-12'-CT, MYY C, SP	Yes	High
STREET TREES							
	CD-S	3	Coccoloba diversifolia	Pigeon Plum	FG, 12' HT, 2" DBH MIN, STD, SP	Yes	High
SHRUBS							
	CHR	42	Chrysobalanus icaco 'Redtip'	Red Tip Coccoloba	3G, 30" HT x 30" SPR, F, 36" OC	Yes	High
	COE	120	Conocarpus erectus	Green Buttonwood	3G, 30" HT x 30" SPR, F, 36" OC	Yes	High
	MUH	112	Muhlenbergia capillaris	Pink Muhly Grass	3G, 18" OA, F.	Yes	High
	ZAP	58	Zamia pumila	Coontie	3G, 18" OA, F.	Yes	High



Project Team:
 Landscape Architect:
Las LANDSCAPE ARCHITECTURAL SERVICES, LLC
 1708 SE 1st Street
 Fort St. Louis, FL 34983
 (772) 838-1557 | lbranson@las-fl.com

Owner / Applicant:
 Ryan Coon, DDS
 408 NE 4th Avenue
 Indian, FL 33135
 (781) 271-0097

Commercial Development Landscape Plan
 2425 SW 82nd Avenue, Miami, FL 33155

Revisions			
Date	Int.	Description	
08.22.24	DC	Initial Submittal	
12.16.24	DC	Revised per Site Plan	

PAUL A. GOULAS
 STATE OF FLORIDA
 LANDSCAPE ARCHITECT
 PAUL GOULAS, RLA
 FLORIDA REG. # LA6686907

Drawn By: DC
 Checked By: BW
 Municipal Project:
 Scale:

SCALE: 1" = 5'
 0 4 8 16

L-01

Digitally signed by Paul A. Goulas
 Date: 2024.12.16 17:59:37 -0500
 Adobe Acrobat version: 2024.005.20320



LANDSCAPE SPECIFICATIONS

PART 1 - GENERAL CONDITIONS

- 1.01 SPECIFICATION
 - A. The Landscape Contractor includes the supplying and planting of all trees, shrubs, vines, and ground cover together with all necessary labor, equipment, tools and materials needed for the successful completion, execution and maintenance of the Landscape Plans.
- 1.02 AGENCY STANDARDS
 - A. Grades and standards of plants materials to be used shall be those to name, size, condition and graded Florida #1 or better as stated in Grades and Standards of Florida Plant Materials published by the State of Florida Department of Agriculture, Tallahassee, Florida.
- 1.03 SITE EXAMINATION
 - A. The Landscape Contractor shall personally examine the site and fully acquaint himself with all of the existing conditions of the site and the no encumbrances or obstructions in the way as to the character or extent of the work to be performed, and additionally to inquire and ascertain firsthand with all care and attention to be taken or to be given or to be given. No additional compensation will be granted because of any unusual difficulties which may be encountered in the execution or maintenance of any portion of the work.
- 1.04 ERRORS AND OMISSIONS
 - A. The Client is a part of the drawings and is furnished as a convenience. The plan list indicates the name, size and quantities of specific plant materials to be used for and is located on the drawings. The Landscape Contractor is responsible for his/her own quantity, quality, and any discrepancy between drawings and plan list shall be considered as correct on the drawings.
 - B. The Landscape Contractor shall not take advantage of errors or omissions in the specifications or contract drawings. Full attention to be given if such errors are discovered. Upon the discovery of any discrepancies or omissions from the drawings or documents, or in any way that the Landscape Contractor be in doubt as to their meaning, the Landscape Architect shall be notified and will determine the actions necessary to such errors.
 - C. If plants and specifications are found to disagree after the contract is awarded, the Landscape Architect shall be the judge as to which was intended.

- 1.05 EXECUTION OF THE WORK
 - A. The Landscape Contractor shall have his labor crew controlled and directed by a Foreman well versed in plant materials, planting methods, reading blueprints, and coordination between job and owner in order to execute the work correctly and in a timely manner.
 - B. The Landscape Contractor shall provide a competent English-speaking Foreman on the project at all times, who shall be fully authorized as the Contractor agent on the site. The Foreman shall be capable of reading and thoroughly understanding the Plans, Specifications and other Contract Documents. The Superintendent is deemed responsible by the Landscape Architect. The Superintendent shall be immediately notified.
 - C. The Landscape Contractor shall be available for any meetings with the Owner and/or Landscape Architect during implementation of the job. Any additional work charges required as a result of failure to communicate with the Owner or Landscape Architect during implementation shall be the responsibility of the Landscape Contractor.
- 1.06 PROTECTION OF PUBLIC AND PROPERTY
 - A. The Landscape Contractor shall protect the public and work against injury from any cause and shall provide any minimum necessary adequate for the protection of the public. He will be held responsible for any damage or injury to property and/or persons which may occur as a result of his fault or negligence in the execution of his work. No charge to the Owner for any damage to property.
- 1.07 CHANGES AND EXTRAS
 - A. The Contractor shall not start work on any changes or "extras" in the project until a written agreement setting forth the adjusted prices has been executed by the Owner and the Contractor. Any work performed on any changes or "extras" shall be subject to a written agreement or may not be compensated for by the Owner at the discretion.
- 1.08 GUARANTEE
 - A. The Landscape Contractor shall furnish a written guarantee warranting all materials, workmanship and plant materials, except sod, for a period of ONE (1) YEAR from the time of completion and acceptance by the Landscape Architect and Owner. Shall be guaranteed to the satisfaction of the Landscape Architect and Owner. All plant material shall be alive and in satisfactory condition and condition and condition of the plant material at the time of acceptance of plant material shall be considered as minimum condition and immediate replacement will be made at the Contractor's expense. All plant material shall be of the quality and grade as of the originally specified material. During the guarantee period shall be the Landscape Contractor's responsibility to immediately replace any plant material that is found to be dead or damaged by the Landscape Architect. The guarantee will not include cost of plant material in damaged by lightning, hurricane force winds, or any other natural or man-made causes.
- 1.09 AT THE END OF THE GUARANTEE PERIOD, ANY PLANT MATERIAL UNDER THE GUARANTEE THAT IS DEAD OR NOT IN SATISFACTORY CONDITION, AS DETERMINED BY THE LANDSCAPE ARCHITECT, SHALL BE REPLACED. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FULL REPLACEMENT OF ALL PLANT MATERIAL. THE REPLACEMENT AND SHIP AND SUBSEQUENT REPLACEMENT (S) SHALL OCCUR WITH THE OWNER, SHOULD THE REPLACEMENT BE UP TO HIS RESPONSIBILITY.

- 1.09 CARE AND MAINTENANCE
 - A. The Landscape Contractor shall be responsible for the care and maintenance of all plant materials and irrigation when applicable and all accessories by the Owner or Landscape Architect.
 - B. The Owner agrees to execute the instructions for such care and maintenance.
- 1.10 SAFETY
 - A. It shall be the responsibility of the Landscape Contractor to protect all persons from injury and to avoid property damage. Adequate warning devices shall be placed and maintained during the progress of the work.
 - B. It shall be the contractor's responsibility to conform to all local, state, and federal safety laws and codes including the Federal Occupational Safety and Health Act (OSHA).
- 1.11 CONTRACTOR QUALIFICATION
 - A. The Owner may require the applicant contractor to be a responsible entity by furnishing any one of the following documentary data:
 1. A federal statement of assets and liabilities of the company current to date.
 2. A listing of not less than (3) completed projects of similar scope and nature.
 3. Personnel man and address of plant materials.
 4. The number of regular employees of the organization and length of time the organization has been in business under the present name.
- 1.12 INSURANCE AND BONDING
 - A. The contractor (s) shall submit proof of insurance for this job for the time period that the work is done. The minimum amount of insurance shall be \$200,000.00 per person and \$200,000.00 per aggregate or as required by owner and agreed to in the contract. The successful bidder shall be required to have the coverage in effect before beginning work on the site.
- 1.13 PERMITS AND CERTIFICATES
 - A. All contractors shall secure and pay for all permits and certificates required for their field of work.

- PART 2 - MATERIALS
- 2.01 PLANT MATERIALS
 - A. Complete list of plants is shown on the drawings, including a schedule of quantities, sizes, and such other requirements deemed appropriate. If the client discrepancy occur, the specifications on the drawings shall govern.
 - B. Substitutions: Substitutions of plant materials or changes in size or spacing of materials will be permitted ONLY upon written authorization by the Owner or the Landscape Architect. If plant material is of different size or spacing than that of the schedule of quantities from the appropriate agency must be obtained by the Contractor prior to issuance of any change order. If material of similar size is to be used, the quality of material shall be increased, at no additional cost to the Owner, to meet the intent of the drawings.
 - C. All plant materials shall have a habit of growth that is normal for the species and shall be healthy, vigorous and readily or readily available to the public. The minimum size of plants shall be the minimum size available before planting with watering in normal position. Any necessary watering shall be done at the time of planting.
 - D. All plant materials shall be nursery grown, unless otherwise stated. Plants of 1" or better and shall comply with all required inspectors, grading standards, and plant regulations as set forth by the Florida Department of Agriculture and Food Security, Division of Nursery Plants, most current edition and Grades and Standards for Nursery Plants, most current edition.
 - E. Plants that do not have the normal balance of height and spread typical for the respective plant shall not be accepted.
 - F. The Landscape Contractor shall install each plant to display its best side. Adjustments may be required if plants are not installed properly and/or approved by the Landscape Architect or an additional cost to owner.

- 2.02 INSPECTION
 - A. The Landscape Architect and Owner may inspect trees and shrubs at places of growth or at site before planting, for conformance with requirements for species, variety, size and quality. The Landscape Architect and Owner retain the right to further inspect trees and shrubs for size and condition of barks and root systems, insects, diseases and stem defects, and to reject unsatisfactory or defective material at any time during progress of work. Rejected plant materials shall be immediately removed from the site.
- 2.03 PROTECTION OF PLANT MATERIALS
 - A. Barked and burlapped plants (B & B) shall be dug with firm natural burlap of each of sufficient diameter and length to completely enclose and protect the trunk necessary for all removal of the plant. Barks shall be firmly wrapped with burlap over materials and bound with cord, rope, or wire mesh. All burlap shall be cut.
 - B. Plants with broken, damaged or insufficient rootballs will be rejected.
 - C. All plant material shall be protected from possible break injury by burlap or branches. All plants transported by open trucks shall be adequately covered to prevent windburn, drying or damage to plants.
 - D. Plants which cannot be planted immediately on delivery to the site shall be covered with moist soil, mulch or other protection from the drying of wind and sun. All plants shall be watered as necessary by the Landscape Contractor until planted.
- 2.04 STORAGE
 - A. All plant materials shall be stored on the site in designated areas, specified by the Landscape Architect or Owner's agent.
 - B. No plant material shall be stored longer than seven(7) hours unless approved by the Landscape Architect and/or owner.
 - C. The Landscape Architect reserves the right to reject any plant materials not in conformance with those specifications.
 - D. All rejected material shall be immediately removed from the site and replaced with acceptable material at no cost to the Owner.

- 2.05 INSPECTION DURING FINISHING
 - A. Trees received by truck or crane shall be thoroughly protected from chain marks, grinding or bark damage by means of burlap, wood batten or other approved methods. Burlaps shall NOT be attached to the tree with nails.
 - B. Foliage shall be protected with burlap or other approved methods.
 - C. The finished level of soil around any setting shall be one (1") inch above the surface of walks, paving and wood borders to allow for settling.
 - D. The finished level of soil around any setting shall be one (1") inch above the surface of walks, paving and wood borders to allow for settling.
 - E. In the opinion of the Landscape Architect, if grading is necessary after setting, clean yellow sand or fine gravel shall be applied over the entire surface and thoroughly watered in.
- 2.06 PLANTING SOIL
 - A. Planting soil for all plantings shall consist of existing native soil and shall be free of debris, rocks, stumps, stumps, stumps or other foreign materials which might be injurious to planting operations or be detrimental to good growth.
 - B. Commercial fertilizer shall comply with the state fertilizer laws. Nitrogen shall not be less than 4% from organic source. Inorganic chemical nitrogen shall not be derived from the sodium form of nitrate. Fertilizers shall be delivered to the site in unopened original containers, each bearing the manufacturer's guarantee. Any fertilizer that becomes caked or otherwise damaged shall be replaced.
 - C. Thoroughly mixed 3 lbs. of commercial fertilizer to each cubic yard of planting soil.
- 2.07 FERTILIZER
 - A. Commercial fertilizer shall comply with the state fertilizer laws. Nitrogen shall not be less than 4% from organic source. Inorganic chemical nitrogen shall not be derived from the sodium form of nitrate. Fertilizers shall be delivered to the site in unopened original containers, each bearing the manufacturer's guarantee. Any fertilizer that becomes caked or otherwise damaged shall be replaced.
 - B. Thoroughly mixed 3 lbs. of commercial fertilizer to each cubic yard of planting soil.
- 2.08 MULCH
 - A. Large tree, wire baskets, grass bags, burlap and burlapped material shall have 1 bucket for each 12 inch of tree diameter (measured 3 feet from ground) or for each foot of height or spread of larger shrub material.
 - B. The Landscape Architect reserves the right to inspect and review the application of fertilizers.

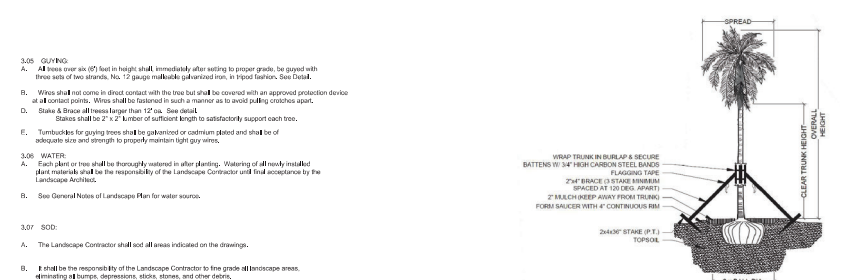
- 2.09 MULCH
 - A. Large tree, wire baskets, grass bags, burlap and burlapped material shall have 1 bucket for each 12 inch of tree diameter (measured 3 feet from ground) or for each foot of height or spread of larger shrub material.
 - B. The Landscape Architect reserves the right to inspect and review the application of fertilizers.
- 2.10 MULCH
 - A. Large tree, wire baskets, grass bags, burlap and burlapped material shall have 1 bucket for each 12 inch of tree diameter (measured 3 feet from ground) or for each foot of height or spread of larger shrub material.
 - B. The Landscape Architect reserves the right to inspect and review the application of fertilizers.

- PART 3 - EXECUTION
- 3.01 DIGGING
 - A. The Landscape Contractor shall exercise care in digging and other work so as not to damage existing work, including overhead wires, underground pipes and cables and the pipes and hydrants and other utilities. Should such work be encountered, the Contractor shall be notified by the Owner or the Contractor's representative. The Contractor shall be responsible and contractor will adjust the location of plants to clear such obstruction. The Contractor shall be notified for the immediate repair of any damage caused by this work.
- 3.02 GRADING
 - A. Grading for drainage, swales, etc. to within 6 inches of the finished grade to be provided by others.
 - B. It shall be the responsibility of the Landscape Contractor to provide the final grading during the course of landscape installation so as to bring soil and planting areas to their proper elevations in relation to walks, paving, stone structures, and other site conditions. The site grading plan must be checked prior to installation so as to insure that drainage and other conditions will NOT be modified.
- 3.03 PLANTING
 - A. Planting shall take place during favorable weather conditions.
 - B. The Contractor shall fully observe and ascertain the condition of all utilities and easements so proper precautions can be taken to avoid damage or accident on them.
 - C. Tree planting shall be located where it is shown on the plan. No planting shall be allowed until the proposed locations have been staked on the ground by the Contractor.
 - D. Excavation of holes shall be to the required depths as specified on the planting diagrams located in the planting plans. Plans shall be checked in outline on soil and shall have a profile which conforms to the above mentioned "Tree and Shrub Planting Diagrams".
 - E. A representative number of planting pits (a minimum of one in every 25 feet throughout the site area) shall be tested for proper drainage. See Landscape Plan for complete testing methods and requirements.
 - F. Planting pits shall be excavated to the following dimensions and filled with a mixture of 1/3 topsoil and 2/3 existing native soil:
 - 1. 1 gallon material (1 gal.) 12" x 12" x 12" min.
 - 2. 2 gallon material (2 gal.) 24" x 24" x 18" min.
 - 3. 4 gallon material (4 gal.) 36" x 36" x 24" min.
 - G. No digging or burlap or burlap shall be installed until the area has been deemed of existing soil or other plant materials, rough ground, weeds, debris, stones etc. and the ground has been brought to an even grade, with positive drainage away from buildings and towards drainage ditches and swales, and approved by Landscape Architect or owner's rep.
 - H. Each plant shall be placed in an individual hole as specified for trees, shrubs, and vines.
 - I. All plants shall be set to ultimate finished grade. No filling will be permitted around trunks or stems. All weeds, vines, stumps, etc., shall be removed from sides and top of the hole and removed from hole before filling.
 - J. All irrigation ribbon shall be removed from trees and shrubs before planting.
 - K. Excess excavation (fill from holes) shall be removed from the site, at no additional expense to owner.
 - L. All fill areas shall be backfilled with sand, thoroughly watered in during planting operations and with a shallow saucer depression laid at the soil line for future watering. Saucer areas shall be 2" deep and 24" inches deep with topsoil raised and left in a neat, clean manner.

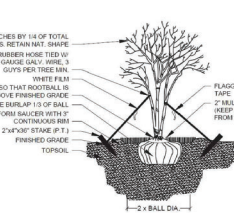
- 3.04 PREPARING
 - A. Remove dead and broken branches from all plant material. Prune to obtain typical growth habit of individual plants with a much height and spread as possible in a manner which will preserve the plant's natural balance.
 - B. Make all cuts with sharp instruments both with their or adjacent branch, in such a manner as to prevent formation of stubs. Cuts made in the bud zone of the growth will not be permitted.
 - C. Trees shall not be pulled or tipped.
 - D. Remove all trimmings from site.

- 3.05 GUYNING
 - A. All trees over six (6') feet in height shall immediately after setting to proper grade, be guyed with three sides of two strands, No. 12 galvanized multi-filament galvanized, in tripod fashion. See Detail.
 - B. Wires shall not come in direct contact with the tree but shall be covered with approved protection device at contact points. Wires shall be fastened to such a manner as to avoid cutting branches apart.
 - C. Slaws 4 inches diameter length 12" min. diameter shall be used for guyning.
 - D. Slaws shall be 2" x 2" lumber of sufficient length to satisfactorily support each set.
 - E. Tomatoes for guyning trees shall be galvanized or cadmium plated and shall be of adequate size and strength to properly maintain right angles.
- 3.06 WATER
 - A. Each plant or tree shall be thoroughly watered in after setting. Watering of all newly installed plant material shall be the responsibility of the Landscape Contractor and shall be provided exclusively by the Landscape Architect.
 - B. See General Notes of Landscape Plan for water sources.
- 3.07 SOIL
 - A. The Landscape Contractor shall soil all areas indicated on the drawings.
 - B. It shall be the responsibility of the Landscape Contractor to fine grade all landscape areas, eliminating all bumps, depressions, stumps, stones, and other debris.
 - C. The soil shall be firm, high moisture, having a compacted growth of grass with good root development. It shall contain no noxious weeds, or any other undesirable vegetation, fungus, insects, or disease. The soil amended in the soil shall be good clean water, free from stones and debris.
 - D. Before being set out and, the soil shall have been moved at least three times with a lawn mower, with the final mowing not more than seven days before the soil is set. The soil shall be covered with a 2" layer of topsoil.
 - E. 6-6-4 fertilizer with all these elements to be applied at the rate of 40 lbs. per 1,000 sq. ft. prior to laying out.
 - F. Soil and shall be laid with clean setting, staggered plants with a temper or mixed, even surface.
- 3.08 SEEDING
 - A. The Landscape Contractor shall remove all vegetation and rocks larger than 1" in diameter from areas to be seeded, scarify the area, then apply fertilizer at a rate of 500 lbs. per acre.
 - B. Application: Aggregate Grade Seeding: 2-200 lbs. per acre mixed with commercial humus (minimum seed - 30 lbs. per acre). All other seed mixtures shall be applied per the manufacturer's instructions.
 - C. If seed mixture after seeding with a minimum 500 pound rate, then apply straw mulch at the rate of 2,500 pounds per acre.
 - D. Apply fertilizer at the rate of 150 lbs. per acre 45-60 days after seeding.
- 3.09 CLEANING UP
 - A. The Contractor shall at all times take the premises free from accumulations of waste materials or rubbish caused by the employees of work. He shall leave all paved areas "broom clean" when completed with the work.
- 3.10 MAINTENANCE
 - A. Maintenance shall begin immediately after each plant is installed and shall continue until all planting has been accepted by the Owner or Landscape Architect. Maintenance shall include watering, weeding, removal of dead material, resetting plants to proper grades or upright positions, spraying, restoration of planting surface and any other necessary maintenance operations shall be repeated promptly.
 - B. Proper protection to lawn areas shall be provided and any damage resulting from planting operations shall be repaired promptly.
 - C. Replacement of plants during the maintenance period shall be the responsibility of the Contractor, excluding vandalism or damage to the plants or other causes of loss, unless otherwise specified.
 - D. In the event that weeds or other undesirable vegetation become prevalent, it shall be the Contractor's responsibility to remove them.
 - E. Trees or other plant material which fall or are blown over during the maintenance period will be replaced by the Contractor at no additional expense to the Owner, the only exception being hurricane force winds.
- 3.11 COMPLETION, INSPECTION AND ACCEPTANCE:
 - A. Completion of the work shall mean the full and exact compliance and conformity with the provisions expressed or implied in the Drawings and the Specifications, including the complete removal of all trash, debris, soil, and other waste created by the Landscape Contractor.
 - B. Inspection of work to determine conformance of contract, evidence of the possible replacement of plants, will be made by the Owner and/or Landscape Architect at the conclusion of all planting and at the request of the Landscape Contractor.
 - C. All plant material shall be alive and in good growing condition for each specified kind of plant at the time of acceptance. The rating of each plant according to Florida Grades and Standards shall be equal to or better than that called for in the plans and in those Specifications at the time of final inspection and acceptance.
 - D. After inspection, the Contractor shall be notified by the Owner of the acceptance of all plant material and workmanship, evidence of the possible replacement of plants subject to guarantee.

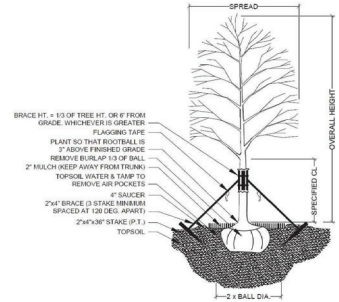
- 3.12 DRAINAGE TESTING/DRAINAGE CHANNEL REQUIREMENTS
 - PRIOR TO PLANTING ALL PLANTING PITS SELECTED FOR TESTING SHALL BE TESTED IN THE FOLLOWING MANNER:
 - A. DIG EACH PLANTING PIT TO THE MINIMUM SPECIFIED SIZE.
 - B. LAY PLANTING PIT WITH TWELVE INCHES (12") OF WATER. WITH THE WATER LEVEL DROPS FROM 12" TO MORE THAN FOUR INCHES (4") WITHIN THE FOUR (4) HOUR PERIOD, A DRAINAGE CHANNEL IS REQUIRED.
 - C. WHERE REQUIRED, THE DRAINAGE CHANNEL MUST EXTEND DOWN THROUGH THE NON POROUS SOIL AND INTO POROUS SOIL (SEE DETAIL).
 - D. ALL MATERIAL REMOVED FROM THE DRAINAGE CHANNEL SHALL BE DISCARDED.
 - E. WHEN BACKFILLING PLANTING PITS WITH PLANTING MIXTURE, CARE MUST BE TAKEN TO KEEP THE CONSISTENCY OF THE SOIL THE SAME THROUGHOUT THE PLANTING PIT AND DRAINAGE CHANNEL.
- 3.13 BRACING DETAIL
 - A. REMOVE DEAD AND BROKEN BRANCHES FROM ALL PLANT MATERIAL. PRUNE TO OBTAIN TYPICAL GROWTH HABIT OF INDIVIDUAL PLANTS WITH A MUCH HEIGHT AND SPREAD AS POSSIBLE IN A MANNER WHICH WILL PRESERVE THE PLANT'S NATURAL BALANCE.
 - B. MAKE ALL CUTS WITH SHARP INSTRUMENTS BOTH WITH THEIR OR ADJACENT BRANCH, IN SUCH A MANNER AS TO PREVENT FORMATION OF STUBS. CUTS MADE IN THE BUD ZONE OF THE GROWTH WILL NOT BE PERMITTED.
 - C. TREES SHALL NOT BE PULLED OR TIPPED.
 - D. REMOVE ALL TRIMMINGS FROM SITE.



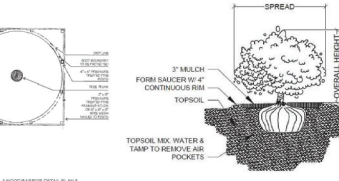
PALM PLANTING - ANGLE STAKE NOT TO SCALE



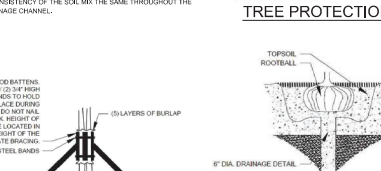
MULTI-TRUNK PLANTING & GUYING NOT TO SCALE



TREE PLANTING & STAKING NOT TO SCALE



SHRUB PLANTING NOT TO SCALE



TREE PROTECTION DETAIL NOT TO SCALE



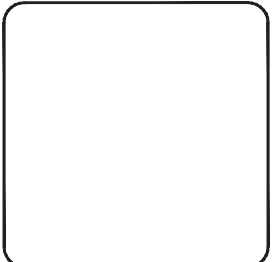
BRACING DETAIL NOT TO SCALE



DRAINAGE TESTING DETAIL NOT TO SCALE



GROUND COVER PLANTING DETAIL NOT TO SCALE



Project Team
Landscape Architect:
LAS LANDSCAPE ARCHITECTURAL SERVICES, L.L.C.
1708 SW 14th Avenue Street
Fort St. Lucie, FL 33483
(772) 884-1557 | info@lasfl.com
Owner/Architect:
Wynn Cos. DBS
488 14th Avenue
Fort St. Lucie, FL 33483
(888) 217-0967

Commercial Development
Landscape Details & Specifications
2425 SW 82nd Avenue, Miami, FL 33156

Revisions			
Date	Rev.	Description	
08.22.24	DC	Initial submittal	
12.16.24	DC	Revised per Site Plan	

PAUL GOULAS, RLA
FLORIDA REG. # LA669897

Drawn By: DC
Checked By: BW
Municipal Project
Scale:
NORTH
SCALE: N.T.S.
0 0 0
L-03

Disclosure of Interest*

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

CORPORATION NAME: N/A

NAME AND ADDRESS	PERCENTAGE OF STOCK

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: N/A

NAME AND ADDRESS	PERCENTAGE OF INTEREST

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

NAME AND ADDRESS	PERCENTAGE OF OWNERSHIP

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



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Disclosure of Interest

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

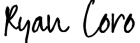
NAME OF PURCHASER: Coral Way MC LLC

	NAME AND ADDRESS	PERCENTAGE OF INTEREST
Ryan A. Coro	11272 NW 79 Lane, Doral, FL 33178	50 %
Ana M. Menendez	11272 NW 79 Lane, Doral, FL 33178	50 %

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

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

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

DocuSigned by:

 Ryan Coro, Authorized Member
 Signature Print Name

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


physical presence online notarization this 08/21/2024 day of _____, _____

Affiant identified by: personal knowledge satisfactory evidence _____ (type)

Diana Ramos
Commission # HH 386927
 Notary Public - State of Florida
 My Commission Expires Apr 16, 2027

Notary Stamp 2024/08/21 11:52:30 PST E10718689E71

(Affix Notary Seal above)


Signed on 2024/08/21 11:52:30 -8:00

Signature of Notary Public
Diana Ramos
 Typed, printed, or stamped name of Notary Public

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

FORM REVISION 2020/1



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Ownership Affidavit for Individual(s)

State of: Florida Zoning Application No.: _____

County of: Miami-Dade

Before me, the undersigned authority, personally appeared Gustavo Jose Ramos, hereinafter the Affiant, who being first duly sworn by me, on oath, deposes and says:

- Affiant is the fee owner of the property that is the subject of the proposed zoning action.
- The subject property is legally described as:
See attached.

3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning determination or zoning action granted at public hearing.

Affiant:

Signed by:
Gustavo Jose Ramos
Signature

Signature

Gustavo Jose Ramos

Print Name

Print Name

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

physical presence online notarization this _____ day of 08/19/2024

Affiant identified by: personal knowledge satisfactory evidence _____

(type)

Diana Ramos
Commission # HH 386927
 Notary Public - State of Florida
 My Commission Expires Apr 16, 2027

Notary Stamp 2024/08/19 08:21:51 PST DB4D4A21CED3

(Affix Notary Seal above)

Signed on 2024/08/19 08:21:51 -8:00

Signature of Notary Public
Diana Ramos

Typed, printed, or stamped name of Notary Public



Ownership Affidavit for Individual(s)

State of: Florida Zoning Application No.: _____

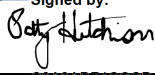
County of: Miami-Dade

Before me, the undersigned authority, personally appeared Patty Hutchison, hereinafter the Affiant, who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the fee owner of the property that is the subject of the proposed zoning action.
2. The subject property is legally described as:
See attached.

3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning determination or zoning action granted at public hearing.

Affiant:

Signed by:


C3A9AD74CCCD46C...

Signature

Signature

Rita Nelani Ramos

Print Name

Print Name

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

physical presence online notarization this _____ day of 08/19/2024

Affiant identified by: personal knowledge satisfactory evidence _____ (type)

Diana Ramos
Commission # HH 386927
 Notary Public - State of Florida
 My Commission Expires Apr 16, 2027

Notary Stamp 2024/08/19 08:21:51 PST DB4D4A21CED3

(Affix Notary Seal above)


Signed on 2024/08/19 08:21:51 -8:00

Signature of Notary Public
Diana Ramos

Typed, printed, or stamped name of Notary Public



13544C4E-A539-48D2-A058-88AD8AF483F4 --- 2024/08/19 08:17:15 -8:00

Ownership Affidavit for Individual(s)

State of: Florida Zoning Application No.: _____

County of: Miami-Dade

Before me, the undersigned authority, personally appeared Rita Nelani Ramos, hereinafter the Affiant, who being first duly sworn by me, on oath, deposes and says:

- Affiant is the fee owner of the property that is the subject of the proposed zoning action.
- The subject property is legally described as:
See attached.

3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning determination or zoning action granted at public hearing.

Affiant:

Signed by:
Rita Nelani Ramos
84023A18BB56490...
Signature

Signature

Rita Nelani Ramos

Print Name

Print Name

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

physical presence online notarization this 16 day of August 08/19/2024, 2024

Affiant identified by: personal knowledge satisfactory evidence _____ (type)

Diana Ramos
Commission # HH 386927
 Notary Public - State of Florida
 My Commission Expires Apr 16, 2027

Notary Stamp 2024/08/19 08:21:51 PST DB4DA21CED3

(Affix Notary Seal above)

[Signature]
 Signed on 2024/08/19 08:21:51 -8:00

Signature of Notary Public

Diana Ramos

Typed, printed, or stamped name of Notary Public



Exhibit A "Legal Description"

2425 SW 82 AVE

Folio Number: 30-4015-005-0880

Lot 4, in Block 8, of CORAL WAY HOMESITES and the 20 foot wide strip of land designated as "alley", lying between Lots 1, 2, 3, 4 and 12 of Block 8, accordingly to the plat thereof, as recorded in Plat Book 46, Page 21, of the Public Records of Miami-Dade County, Florida (a/k/a 2425 SW 82nd Avenue, Miami, Florida 33155 & per Resolution R-941-74)

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This covenant prepared by and should be returned to:

Mickey Marrero
Bercow Radell Fernandez Larkin & Tapanes
200 S Biscayne Blvd # 300
Miami, FL 33131

(Space reserved for Clerk)

AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owners hold fee simple title to that certain parcel of land located at 2425 SW 82 Avenue and identified by Miami-Dade County Folio No. 30-4015-005-0880 in unincorporated Miami-Dade County (the "County"), which is legally described in **Exhibit A** (the "Property"), attached hereto and incorporated herein; and

WHEREAS, the Miami-Dade Board of County Commissioners held a public hearing on July 6, 2011, wherein it adopted Resolution No. Z-4-11 (the "2011 Resolution") to approve, in relevant part, a Declaration of Restrictions (the "2011 Declaration") in favor of Miami-Dade County; and

WHEREAS, the 2011 Declaration, which placed certain restrictions and conditions on the development of the Property, was recorded in the Public Records of Miami-Dade County in Official Records Book 27747 at Page/s 3799-2803; and

WHEREAS, the Miami-Dade County Community Zoning Appeals Board #10 held a public hearing on October 30, 2014, wherein it adopted Resolution No. CZAB10-13-14 (the "2014 Resolution") to approve, in relevant part, a Modification of Declaration of Restrictions (the "2014 Modification") in favor of Miami-Dade County; and

WHEREAS, the 2014 Modification, which expanded the allowable uses on the Property, was recorded in the Public Records of Miami-Dade County in Official Records Book 29416, Page/s 3536-3539; and

WHEREAS, the Miami-Dade County Community Zoning Appeals Board #10 held a public hearing on April 29, 2025, wherein it adopted Resolution No. CZAB_____ (the "2025 Resolution") to approve, in relevant part, an Amended and Restated Declaration of

Restrictions (“Amended and Restated Declaration”) in favor of Miami-Dade County, which updated the controlling site plan and expanded the allowable uses on the Property; and

WHEREAS, the Amended and Restated Declaration supersedes the 2011 Declaration and 2014 Modification.

NOW, THEREFORE, BE IT RESOLVED, in order to assure the County that the representations made by the Owners during its consideration of the Application will be abided by, the Owners freely, voluntarily, and without duress, hereby make the following Amended and Restated Declaration covering and running with the Property:

- 1) Controlling Site Plan.** That the Property shall be developed substantially in accordance with the plans submitted for the hearing entitled “New Building Development For: M&C Dental Services” as prepared by Treb Arc, Inc., consisting of a Site Plan dated stamped received 12/19/2024 consisting on 1 sheet (“Site Plan”); Building Elevations and Floor Plans, dated stamped received 10/24/2024, consisting on 2 sheets; and Landscape Plans entitled “Commercial Development,” prepared by LAS Landscaping Architectural Services, dated and stamped received 12/19/2024, consisting on 3 sheets, for a total of 6 sheets.
- 2) Safe-Distance Triangle Requirements.** All landscaping and fences shall comply with safe-distance triangle requirements.
- 3) Use Restriction.** The Property shall be used only as one the permitted uses as described below:

- Abstract Title
- Accountants - bookkeeping
- Advertising
- Adjusters (insurance)
- Aerial survey and photography
- Appraisers
- Architects
- Attorneys
- Auditors
- Business analysts—counselors or brokers
- Building contractors, office only (no shop or storage)
- Counseling
- Dental Office
- Drafting and plan service

Engineers
Insurance and bonds
Market research
Mortgage broker
Notary public
Public relations
Real estate
Real estate management
Secretarial service
Stock brokers exchange
Tax consultants
Travel agencies
Zoning consultants, or
Any uses allowed to the underlying RU-1 zoning regulations.

- 4) Egress Signage. The Owner shall install a sign at the exit indicating one-way, right-turn-only traffic.
- 5) Except as hereby amended, all other restrictions in the Declarations shall remain in full force and effect.

Miscellaneous

- A. County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.
- B. Covenant Running with the Land. This Declaration on the part of the Owners shall constitute a covenant running with the land and shall be recorded, at Owners' expense, in the public records of the County and shall remain in full force and effect and be binding upon the undersigned Owners, and its heirs, successors, and assigns, until such time as the same is modified or released. The restrictions contained within this Declaration, while in effect, shall be for the benefit of, and constitute limitations upon, all present and future owners of the Property, and for the benefit of Miami-Dade County and the public welfare. The Owners,

its heirs, successors, and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the authority of the County.

- C. Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the then-owner(s) of the Property has been recorded agreeing to change this Declaration in whole, or in part, provided that the Declaration has first been modified or released by the County as provided in Paragraph 3(D), below.
- D. Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including jointers of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing, or the Director, as provided by the Miami-Dade County Code of Ordinances.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

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

- F. Authorization of Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.
- G. Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
- H. Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Amended and Restated Declaration.
- I. Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
- J. Recording. This Amended and Restated Declaration shall be recorded in the Public Records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Regulatory and Economic Resources Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form,

acknowledging that this Declaration is null and void and of no further effect.

- K. Acceptance of Declaration. Acceptance of this Amended and Restated Declaration does not obligate the County in any manner, nor does it entitle the Owners to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.
- L. Owners. The term Owners shall include the Owners, and any of its heirs, successors and assigns.

[EXECUTION PAGES FOLLOW]

IN WITNESS WHEREOF, the undersigned have caused this Covenant to be executed this _____ day of _____, 2025.

WITNESSES

Sign Name _____

Gustavo Jose Ramos

Print Name _____

Rita Nelani Ramos

Sign Name _____

Patty Hutchison

Print Name _____

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, by Gustavo Jose Ramos, Rita Nelani Ramos, and Patty Hutchison. He/She is personally known to me or has produced _____, as identification.

WITNESS my signature and official seal this ___ day of _____, 202___, in the County and State aforesaid.

Signature
Notary Public, State of _____

Print Name

My Commission Expires:

LAW OFFICES OF
JACQUELINE R. HERNANDEZ-VALDES, P.A.

2474 SW 27th TERRACE
COCONUT GROVE, FLORIDA 33133

TEL: (305) 860-6015
FAX: (305) 856-7993

OPINION OF TITLE

To: **Miami-Dade County,**

With the understanding that this opinion of title is furnished to **MIAMI-DADE COUNTY, FLORIDA**, as inducement for acceptance of Declaration of Restrictions, pursuant to Public Hearing No. Z2024000190, it is hereby certified that I have examined a complete Abstract of Title covering the period from the **BEGINNING** to the 25th day of March 2025, at the hour of 11:00 p.m. inclusive, and I know no reason why the title evidence is inaccurate or incomplete in connection with the following described real property.

Lot 4, Block 8, CORAL WAY HOMESITES, and the 20 foot wide strip of land designated as alley, lying between Lots 1, 2, 3, 4 and 12 of Block 8 according to the Plat thereof, recorded in Plat Book 46, Page 21, of the Public Records of Miami Dade County, Florida. (a/k/a 2425 SW 82nd Avenue, Miami, FL 33155 per Resolution R-941-741).

I am of the opinion that on the last-mentioned date, the fee simple title to the above-described real property was vested in:

Patty Hutchison JTRS, Gustavo Jose Ramos JTRS and Rita Nelani Ramos JTRS

Subject to the following encumbrances, liens and other exceptions:

1. **RECORDED MORTGAGES:**

NONE

RECORDED CONSTRUCTION LIEN, CONTRACT LIENS AND JUDGMENTS:

NONE

2. **GENERAL EXCEPTIONS**

a. All taxes for the year in which this opinion is rendered, unless noted below that such taxes have been paid.

- b. Rights of persons other than the above owners who are in possession.
- c. Fact that would be disclosed upon accurate survey.
- d. Any unrecorded labor, mechanic's or material men's liens.
- e. Zoning and other restrictions imposed by governmental authority.

3. SPECIAL EXCEPTIONS

- a. Any lien provided by County Ordinance or by Ch. 159, F.S., in favor of any city, town, village or port authority, for unpaid service charges for services by any water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality.
- b. Any lien provided by County Ordinance or by Chapter 159, F.S., in favor of any city, town, village or port authority, for unpaid service charges for services by any water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality.
- c. All matters contained on the Plat of Coral Way Homesites, as recorded in Plat Book 46, Page 21, Public Records of Miami-Dade County, Florida.
- d. Resolution Granting Petition to Close 25 foot Alley in Block 1, Coral Way Homesites recorded in O.R. Book 5262, Page 536, correction recorded in O.R. Book 5323, Page 199 Public Records of Miami-Dade County, Florida.
- e. Easement recorded in O.R. Book 8690, Page 670, Public Records of Miami-Dade County, Florida.
- f. Resolution Granting Petition to Close an Alley recorded in O.R. Book 8759, Page 1599, Public Records of Miami-Dade County, Florida.
- g. Covenant Running with the Land recorded in O.R. Book 14983, Page 3220, Public Records of Miami-Dade County, Florida.
- h. Covenant Running with the Land recorded in O.R. Book 24469, Page 4756, Public Records of Miami-Dade County, Florida.
- i. Notice of Appeal recorded in O.R. Book 26054, Page 3753, Public Records of Miami-Dade County, Florida.
- j. Declaration Of Restrictions recorded in O.R. Book 27747, Page 3799; along with Modification recorded in O.R. Book 29416, Page 3535, Public Records of Miami-Dade County, Florida.

I HEREBY CERTIFY that I have reviewed all of the aforementioned encumbrances and exceptions and that none of them hinder or affect the recording of a Declaration of Restrictions further modifying the Declaration of Restrictions

recorded in O.R. Book 27747, Page 3799; along with Modification recorded in O.R. Book 29416, Page 3535, Public Records of Miami-Dade County, Florida.

Therefore, it is my opinion that the following parties must join in the agreement in order to make the agreement a valid and binding covenant of the lands described herein.

NAME EXCEPTION	INTEREST	SPECIAL NUMBER
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**Rita Nelani Ramos
and Gustavo Jose Ramos
and Patty Hutchinson** Owner

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

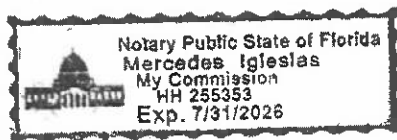
I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and am a member in good standing of the Florida Bar.

Respectfully submitted this 3rd of April A.D. 2025.

BY: 
Jacqueline Hernandez-Valdes, Esq.
Florida Bar 0053813
2474 Secoffee Terrace
Miami, FL 33133

State of Florida
County of Miami-Dade

The foregoing instrument was sworn to and subscribed before me by means of physical presence or online notarization, this 3rd day of April, 2025 by Jacqueline Hernandez-Valdes Esq. who is/are personally known or has/have produced a driver's license as identification.




Notary Public
Print Name: Mercedes Iglesias
My Commission Expire 7/31/2026