



FINAL AGENDA

Community Zoning Appeals Board 10
 Kendall Village Center, Civic Pavilion, 8625 SW 124 Avenue, Miami, FL
 Tuesday, October 21, 2025 at 6:30 pm

PREVIOUSLY DEFERRED

A.	Z2023000051	Gregory M. Contreras	23-51	54-40-14	N
B.	Z2024000075	Alberto Angel Dominguez	24-75	54-40-16	N
C.	Z2024000126	Zarela Vela, et al	24-126	54-39-09	N

APPEALS

CURRENT

1.	Z2024000033	Alexis Rosa and Judith B. Rosa	24-33	54-40-16	N
2.	Z2024000086	Ramon Leandro Ceballos Jr.	24-86	54-40-10	N
3.	Z2024000269	Maria M. Davila	24-269	54-40-04	N
4.	Z2025000044	Ricardo Cruz	25-44	54-40-27	N
5.	Z2025000052	Frank Perez Verdecia	25-52	54-40-35	N
6.	Z2025000082	New Horizon Research Center, Inc.	25-82	54-40-18	N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10
MEETING OF OCTOBER 21, 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.

2. RAMON LEANDRO CEBALLOS JR Z2024000086

Area 10/District 10

The application is to allow an existing covered terrace addition to an existing single-family residence to be located closer to the rear and interior property lines than required by Code.

NON-USE VARIANCE to permit an existing covered terrace addition to an existing single-family residence to setback 6' (15' required for 50% of the lineal footage of the entire width of the house and 25' required for the balance) from the rear (south) property line and to setback 6' (7'-6" required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Proposed Site Plan and Elevations", as prepared by Jose E. Polanco, P.E., dated stamped received 1/22/2025 consisting of a total of 2 sheets. Plans may be modified at public hearing.

LOCATION: 7840 SW 22 Street, Miami-Dade County, Florida
SIZE OF PROPERTY: ±0.17 Acre

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

3. MARIA M. DAVILA Z2024000269

Area 10/District 06

The application is to allow single-family residence to be located closer to the front and side street property lines, and to cover a larger area on the lot than permitted by Code.

1) NON-USE VARIANCE to permit an existing single-family residence to setback a minimum of 17.4' (20' required) from the front (north) property line, and setback 2.05' (10' required) from the side street (east) property line.

2) NON-USE VARIANCE to permit the existing single-family residence with a lot coverage of 51.70% (50% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Public Hearing", as prepared by Arshad Vigar, sheet A-1 dated stamped received 3/14/2025, sheet SP-1 dated stamped received 5/12/25 and sheet A-2 dated stamped received 6/27/25 and consisting of a total of 3 sheets. Plans may be modified at public hearing.

LOCATION: 8900 SW 5 Terrace, Miami-Dade County, Florida
SIZE OF PROPERTY: 0.08 Acre

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

4. RICARDO CRUZ Z2025000044

Area 10/District 10

The application is to permit an existing detached guesthouse and a proposed detached gazebo structure located on the subject site to occupy a greater area of the rear yard than permitted by code.

NON-USE VARIANCE to permit an existing detached guesthouse and proposed detached gazebo with a rear yard lot coverage of 9.46% (5% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Zoning Hearing for Gazebo", as prepared by Vicente Franco P.E., consisting of 3 sheets dated stamped received 7/10/2025 and 3 sheets entitled "The Cruz Residence", as prepared by Paramount Consulting & Engineering, consisting of 3 sheets dated stamped received 9/4/25, for a total of 6 sheets. Plans may be modified at public hearing.

LOCATION: 8540 SW 58 Street, Miami-Dade County, Florida

SIZE OF PROPERTY: 0.76 Acre

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

5. FRANK PEREZ VERDECIA Z2025000052

Area 10/District 06

The application is to permit an existing single-family residence, and a proposed detached accessory gazebo structure to be located closer to the interior side property line than required by Code. Additionally, the application seeks to allow existing and proposed structures to cover a

greater area of the rear yard than permitted by Code.

(1) NON-USE VARIANCE to permit an existing single-family residence to setback a minimum of 14'-7" (15' required) from the interior side (north) property line.

(2) NON-USE VARIANCE to permit a proposed detached gazebo to setback a minimum of 13'-8" (20' required) from the interior side (north) property line.

(3) NON-USE VARIANCE to permit an existing guesthouse and proposed gazebo with a rear yard coverage of 9.1% (5% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Zoning Hearing for Proposed Detached Gazebo", as prepared by Jose R. Vasquez P.E., dated stamped received 7/7/2025 consisting of a total of 5 sheets, Plans may be modified at public hearing.

LOCATION: 7350 SW 75 Avenue, Miami-Dade County, Florida

SIZE OF PROPERTY: 1.21 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

6. NEW HORIZON RESEARCH CENTER, INC. Z2025000082

Area 10/District 10

The application seeks to permit a proposed medical observatory dormitory use on the subject site that is less in acreage than required by Code.

NON-USE VARIANCE to permit a medical observatory dormitory use on a site with an area of 2.53-net acres (3-net acres required).

A survey is on file and may be examined in the Department of Regulatory and Economic Resources, entitled MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY as prepared by Bello & Bello Land Surveying, dated stamped received May 5, 2025.

LOCATION: 11401 SW 40 Street, Miami-Dade County, Florida

SIZE OF PROPERTY: ±2.53-net Acre

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

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

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

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

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

PH: Z23-051

October 21, 2025

Item No. A

Recommendation Summary	
Commission District	6
Applicant	Gregory M Contreras
Summary of Requests	The applicant seeks to allow an existing detached storage shed structure, and a proposed canvas roof structure to be setback less than required from the property lines. Additionally, the applicant also seeks to allow an oversized recreational vehicle to be parked on the subject property, and for the same recreational vehicle to be parked closer to the side street property line than otherwise required by code.
Location	7320 SW 37 Street, Miami-Dade County, Florida
Property Size	0.19 Acres
Existing Zoning	RU-1, Single-Family Residential District
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	Low Density Residential, 2.5 to 6 du <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.

This item was deferred and could not be heard at the September 8, 2025, meeting of the Community Zoning Appeals Board (CZAB) 10 due to a lack of quorum.

The public hearing on this item has not been held.

REQUESTS:

- (1) NON-USE VARIANCE of the setback requirements to permit an existing shed to setback 1' (5' required) from the rear (south) property line.
- (2) NON-USE VARIANCE of the setback requirements to permit a proposed detached accessory structure to setback 0.75' (20' required) from the side street (west) property line and to setback 24.95' (75' required) from the front (north) property line.
- (3) NON-USE VARIANCE of the zoning regulations requiring a recreational vehicle (RV) on a single-family residence lot to not exceed 30' long and 10' high; to waive same and permit proposed recreational vehicle to be 38'-7" long and 12'-10" high.
- 4) NON-USE VARIANCE of the setback requirements to permit a recreational vehicle to setback 0.75' (15' required) from the side street (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Front Elevation Shed", as prepared by Unknown, consisting of 2 sheets dated stamped received 5/1/25, a plan entitled "Site Plan", as prepared by Unknown, consisting of 1 sheet dated stamped received on 5/1/25, a plan entitled "RV Site Plan", as prepared by Online Land surveyors, Inc, consisting of 1 sheet dated stamped received on 3/16/23, for a total of 4 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The submitted plans show an existing one (1)-story, 2,098 sq. ft. single-family residence on a 0.19-acre corner lot, with an existing detached storage shed located towards the rear of the subject property. This corner lot fronts along both SW 37 Street and SW 73 Court roadways. The plans also indicate a proposed canvas roof accessory structure that is intended as a covered parking space for the recreational vehicle that is to be situated closer to the side street (west) property line. The existing shed is situated 1' from the rear (south) property line where a minimum of 5' is otherwise required by code, whereas the proposed canvas roofed structure is setback 0.75' from the side street (west) property line where 20' is otherwise required by code. Staff notes that the recreational vehicle exceeds the maximum length and height than what is otherwise permitted by code and the applicant seeks a variance to permit same to be part of the property. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate an existing 6' high wood fence located along the rear, side street and interior side property lines of the subject property.

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

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence that is on a 8,500 sq. ft., RU-1, Single-Family Residential District, zoned corner lot, located at 7320 SW 37 Street, at the southwest corner of the intersection of SW 37 Street and SW 73 Court. The surrounding area is characterized by existing single-family residences, also developed under the RU-1, Single-Family Residential District regulations.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to legalize reduced setbacks for an existing detached storage shed, a proposed covered canvas roof accessory structure, and to allow a larger recreational vehicle than otherwise permitted by code. Staff opines that since the rear yard area is enclosed with a 6' high wood fence along the rear, side street and interior side property lines and the existing trees planted in the 30' landscape area located between the property line and SW 73 court, help mitigate the visual impact between other properties and the detached shed, accessory structure, and the recreational vehicle.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The ±0.19-acre subject property is located within the Urban Development Boundary (UDB) and the Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map designates the site as **Low Density Residential**. The CDMP Land Use Element interpretative text for Low Density Residential states that *the residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre, and is generally characterized by single family housing, e.g., single-family detached, cluster, and townhouses*. Staff opines that the approval of the requests for reduced setbacks sought in the application for an existing detached storage shed and proposed canvas roof accessory structure, as well as the request to allow a larger recreational vehicle to be located on the property, will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP. Since the applicant is not requesting to add additional dwelling units or change the single-family detached use on the property, staff opines that approval of the application with conditions would be **consistent** with the Low Density Residential Communities designation of the CDMP LUP map.

ZONING ANALYSIS:

When the requests to permit an existing storage shed structure to setback 1' (5' required) from the rear (south) property line (request #1), the request to permit a proposed accessory structure to setback 0.75' (20' required) from the side street (west) property line (request #2), the request to allow a recreational vehicle (RV) on a single-family residence lot to not exceed 30' long and 10' high; to waive same, to permit proposed recreational vehicle to be 38'-7" long and 12'-10" high. (request #3), and to permit a recreational vehicle to setback 0.75' (15' required) from the side street (west) property line (request #4) 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 these requests would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community.

The plans submitted in conjunction with this application depict the existing single-family residence on a corner lot, with an existing shed structure towards the rear of the property and a proposed accessory structure towards the side street of the subject property. When not in use, the recreational vehicle will be parked under the proposed covered canvas roof accessory structure which will serve as protection from the elements for the recreational vehicle. The detached shed encroaches into the rear setback area, whereas the covered roof structure will be located closer from the side street property line than is permitted under the zoning standards. The recreational

vehicle (RV) is longer in length and taller in height than what is otherwise permitted by code for such vehicles that are allowed on single-family residential lots. Additionally, when located under this designated parking space on the property, the RV would essentially be located closer to the street side property line than allowed by code. Staff supports the aforementioned requests and opines that approval with conditions of these non-use variances would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes from plans, survey map and photographs submitted by the applicants as well as the County's Geographic Information System (GIS) that any impact of the requests are adequately mitigated by the existing 6' high wood fence located along the rear, side street and interior side property lines of the subject property, staff also notes that there are existing trees planted in the 30' landscape area located between the property line and SW 73 court, which, staff opines, buffers any visual intrusion of the encroachments on the surrounding properties, especially to the parcels to the north and west of the subject property. Staff further opines that the proposed encroachment towards the street side by the accessory structure and recreational vehicle which will be parked underneath the structure are internal to the site that is enclosed from view from the outside by the wood fence and a 20' landscape buffer area, and although said structure and recreational vehicle will be situated quite close to the side street (west) property line, any significant visual impacts generated from the encroachments on the single-family residences to the west would be further mitigated by the SW 73 Ave Avenue right-of-way that separates the site from the properties located across from the street. The existing shed is also encroaching towards the rear property line but it's internal to the site that is enclosed from view from the outside by the wood fence. Staff recommends as a condition for approval that the said wood fence along the property lines be maintained as a visual buffer, and, if said fence is destroyed or removed, it must be replaced by an opaque fence at a maximum height of 6', or a fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6,' in accordance with Section 33-11(h) of the County Code.

Staff's research of the surrounding area found several similar approvals within the neighborhood for variances of the setback requirements for detached as well as attached accessory structures to single-family residences. For example, a property located to the north of the subject site, at 7345 SW 37 Street, was approved pursuant to Resolution #Z-167-93 to permit an existing porch addition to setback 20.25' (25' required) from the front (south) property line, and to permit an existing accessory building to setback 3.5' (10 required) from the rear (north) property line. Another residence located at 7358 SW 38 Street, was approved pursuant to Resolution #CZAB10-1-10, to permit an addition to a single-family residence to setback 21.6' (25' required) from the rear (north) property line and to be spaced varying from 3.9' to 5.2' (10' required) from an existing detached shed structure. Similarly, there are two other properties in close proximity to the subject site, located at 7550 SW 37 Street, and 7520 SW 39 Street, that, pursuant to Resolutions #5-ZAB-207-95 and #4-ZAB-124-92, were approved allowing an existing playroom to setback 4.2' (7.5' required) from the interior side (west) property line, setback 1.4' (5 required) from the rear (south) property line, and permitted a hobby room accessory building to setback varying from 0.4' to 0.7' (5' required) from the rear (south) property line, respectively. Additionally, staff research of the area found that there are many other properties in the near vicinity also have recreational vehicles that appear to be similar in size and are being parked closer to the property lines than what is otherwise permitted by code. Furthermore, staff opines that the architectural style and scale of the proposed accessory structure and the existing detached storage shed are designed and arranged in a manner that would not be detrimental to the neighborhood or create

adverse privacy impacts on the abutting properties, and that approval with conditions of the requested setbacks would be **compatible** with the surrounding residences and with the aesthetic character of the immediate vicinity. **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 "Front Elevation Shed", as prepared by Unknown, consisting of 2 sheets dated stamped received 5/1/25, a plan entitled "Site Plan", as prepared by Unknown, consisting of 1 sheet dated stamped received on 5/1/25, a plan entitled "RV Site Plan", as prepared by Online Land surveyors, Inc, consisting of 1 sheet dated stamped received on 3/16/23, for a total of 4 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the 6' high wood fence along the rear, side street and interior side property lines of the subject property be maintained as a visual buffer, and that if the wall is removed or destroyed, the applicant shall install a cbs wall, opaque fence or hedge that must be 3' high at the time of planting and that shall grow to and be maintained at a minimum height of 6' in accordance with Section 33-11(h) of the County Code.
5. 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.

6. That the applicant complies with all applicable conditions, requirements, recommendations, requests, and other provisions of the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources as indicated in the memorandum.

ES:JB:SS:PM

Eric Silva

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

ZONING RECOMMENDATION ADDENDUM

Gregory M Contreras
PH: Z23-051

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

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

Low Density Residential (Pg. I-31)	<p><i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>					
Sec. 33-49. - Table of minimum widths, area of lots, maximum lot coverage, and minimum building sizes	District	Families	Min. Width	Min. Lot Area (Sq. Ft.)	Max. Lot Coverage (% of Lot Area)	Min. Bldg. Size (Cu. Ft.)
	District	Families	Min. Width	Min. Lot Area (Sq. Ft.)	Max. Lot Coverage (% of Lot Area)	Min Bldg. Size (Cu Ft)

	RU-1	1	New sub.-75'	7,500	40%	8,500
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Sec. 33-50. - Table of setback lines in residential and estate districts.

District/Families	Front (Ft.)	Rear (Ft.)		Interior Side (Ft.)	Side Street (Ft.)
RU-1: One	15 for 50% of the lineal footage of the width of the house and 25 for balance; except 20 for attached garages	15 for 50% of the lineal footage of the width of the house and 25 for balance	—	10% lot width <u>min.—5' max.—7½'</u>	15
Acc. bldg.	75	5		same as RU-1 res.	equal to front setback requirements for principal structure on key lot, plus 5'; 20' where there is no key lot.
Canopy carport	5	5	—	2	5

Sec. 33-20. - Accessory structures and ancillary uses.

(f) *Recreational and camping equipment. Recreational and camping equipment in the form of travel and camping trailer, truck trailer and motor travel home, designed and used as temporary living quarters for recreation, camping or travel use may be parked in the open on sites containing a single-family or duplex residence, subject to the following conditions:*

(3) *The location for such parked equipment shall be in the rear yard or in the side yard to the rear of a line established by the front building line furthest from the street and set back to at least the rear building line wherever possible, but in no event in front of such front building line. Such equipment shall be setback from side property lines at least a distance equivalent to the required side setback for the principal building and shall be set back from the rear property line at least ten (10) feet.*

(8) *Such equipment shall not exceed the maximum length, width, height and weight permitted under applicable provisions of the motor vehicle laws of the State of Florida; provided, however, the maximum length shall not exceed thirty (30) feet and the maximum height shall not exceed ten (10) feet.*

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

CONTRERAS, GREGORY

7320 SW 37 ST
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2023000051

DATE

HEARING NUMBER

FOLIO: 30-4014-008-3200

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

June 11, 2025

NEIGHBORHOOD REGULATIONS:

Case No. 202306000403 was opened on 02/01/2023. Citation T111046 was issued on 02/01/2023 for "FAILURE TO REMOVE RECREATIONAL VEHICLE OR EQUIPMENT THAT EXCEEDS THIRTY (30) FEET IN LENGTH AND/OR TEN (10) FEET IN HEIGHT FROM PREMISES AS STATED IN 33-20(F)(8), TO WIT: - RECREATIONAL VEHICLE IS OVERSIZE, MUST MEET THE SETBACK REQUIREMENTS, REMOVE AND RELOCATE RV FROM PROPERTYPREVIOUS CASE WITH WARNING CASE@ 201906002535". Citation was paid on 06/10/2025. Assessment appealed filed. There are no outstanding fees.

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases in BSS.

VIOLATOR:

CONTRERAS, GREGORY


OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum

Date: May 5, 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: Z2023000051-2nd Review
Gregory Contreras
7320 SW 37th Street
Variance to setbacks to allow an existing shed to remain on the property
(RU-1)) (0.19 Acres)
14-54-40

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.

Potable Water Service and Wastewater Disposal

According to DERM records, the property is currently connected to the public water supply system and is served by an onsite sewage treatment and disposal system (OSTDS) as a means for the disposal of domestic liquid waste. Pursuant to the Code, the existing shed shall connect to public water and to the OSTDS to the extent that it will have plumbing connections for potable water and/or wastewater.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources; however, the site plan submitted with the subject application 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 Jennifer Snell at Jennifer.Snell@miamidade.gov for additional information or concerns regarding this review.

Conditions of Approval: None

Enforcement History

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

Concurrency Review Summary

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

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


cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: February 13, 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 - Gregory M. Contreras
Application No. Z2023000051 - Revision No. 1

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

Application Name: Gregory M. Contreras

Location: The proposed project is located on approximately 0.19 acres at 7320 SW 37th Street, with Folio No. 30-4014-008-3200, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is requesting a Non-Use Variance in order to allow the parking of a Recreational Vehicle (RV) within the property, (RV variance to code 33-20(F)(8)).

Water: The proposed development is located within the WASD's water service area. The subject property is currently connected to water. Connection to water is not proposed with this zoning application.

Sewer: The proposed development is located within the WASD's sewer service area. The subject property is currently on septic. Connection to sewer is not proposed with this zoning application.


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 Benita A. Ramirez at (786) 552-8121 or benita.ramirez@miamidade.gov

Memorandum



Date: May 15, 2025

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

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

Subject: Z2023000051
Name: George Contreras
Location: 7320 SW 37 Street
Section 14 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 **requires** platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications per Miami-Dade Chapter 33-133 and Chapter 28 and/or improvements required will be accomplished thru the recording of a plat.

This application 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: January 24, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

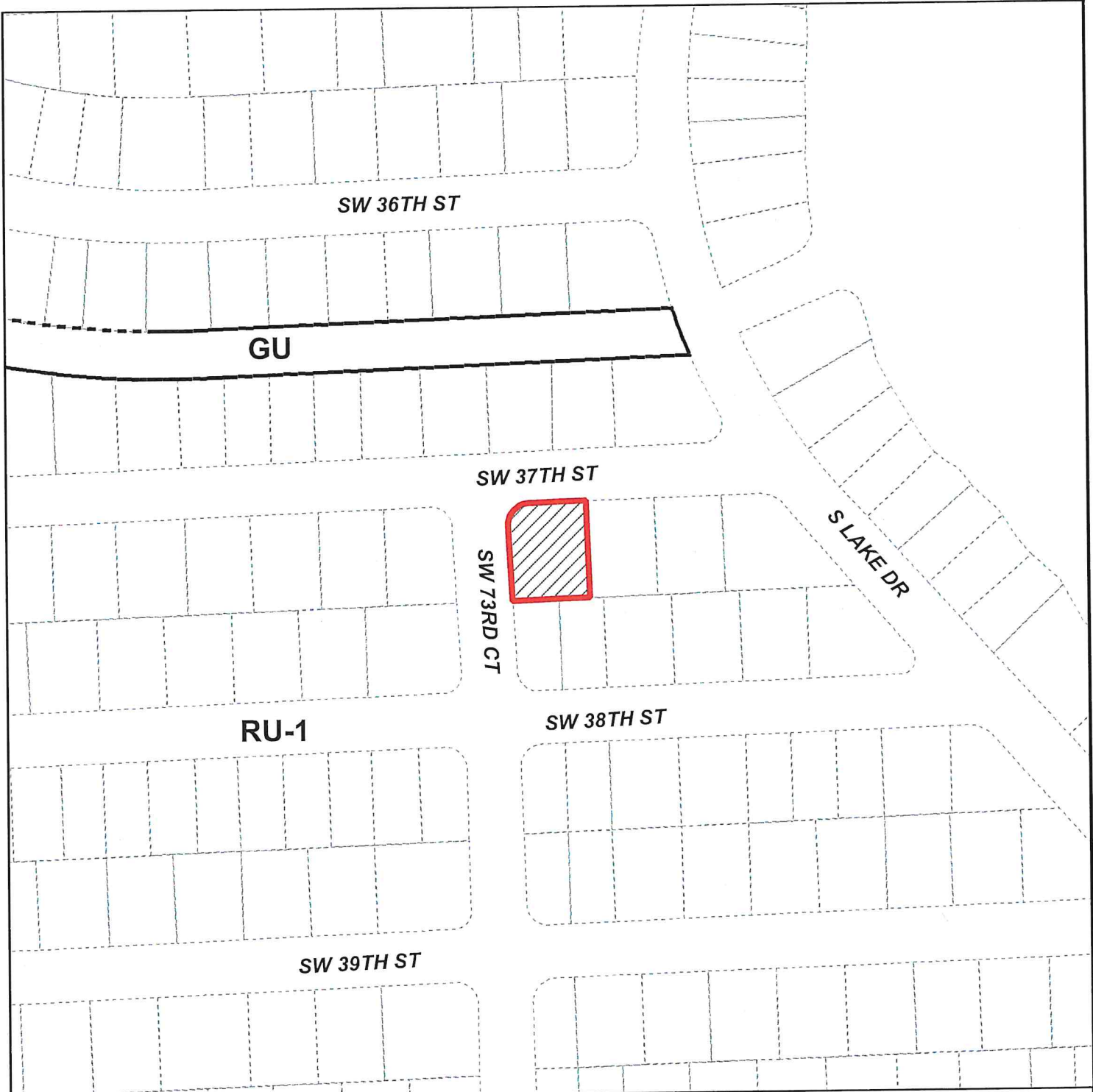
Subject: Z2023000051

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to "EnerGov" on 01/24/2025. Single family home.

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

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

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





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2023000051

Section: 14 Township: 54 Range: 40
 Applicant: Gregory M Contreras
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

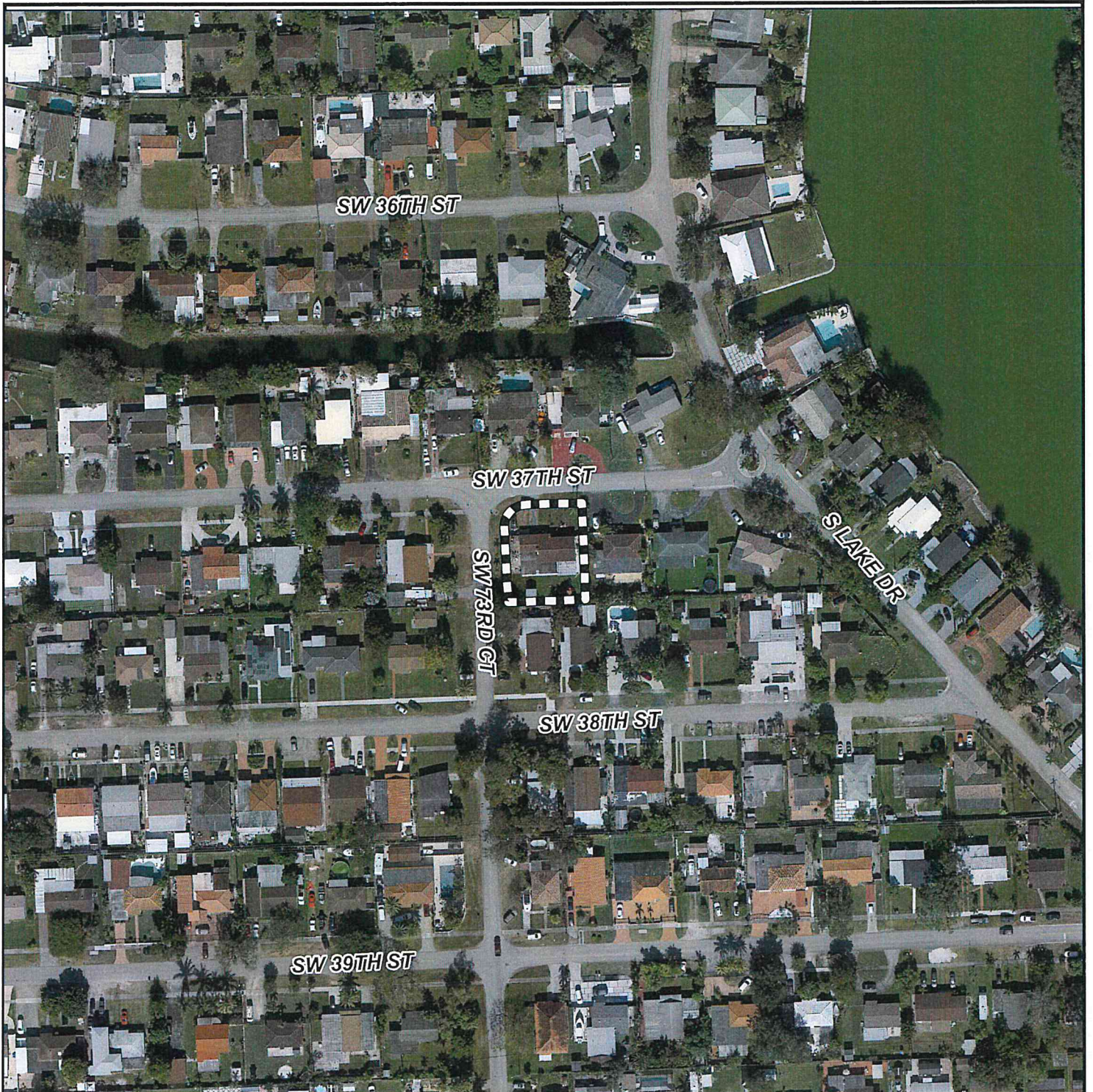
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Monday, March 27, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2023000051

Legend
 Subject Property

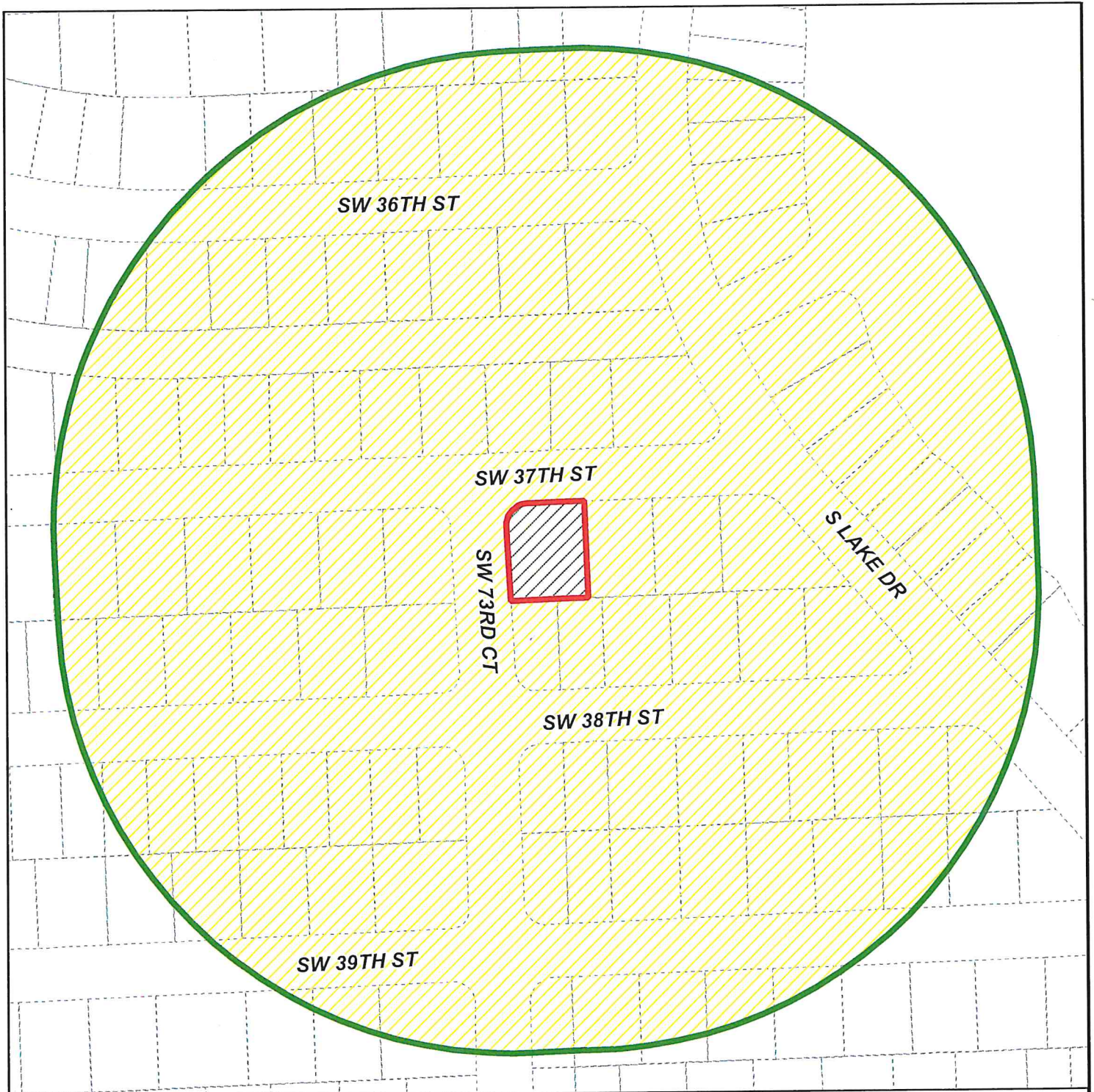


Section: 14 Township: 54 Range: 40
 Applicant: Gregory M Contreras
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Monday, March 27, 2023

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 14 Township: 54 Range: 40
 Applicant: Gregory M Contreras
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2023000051
 RADIUS: 500

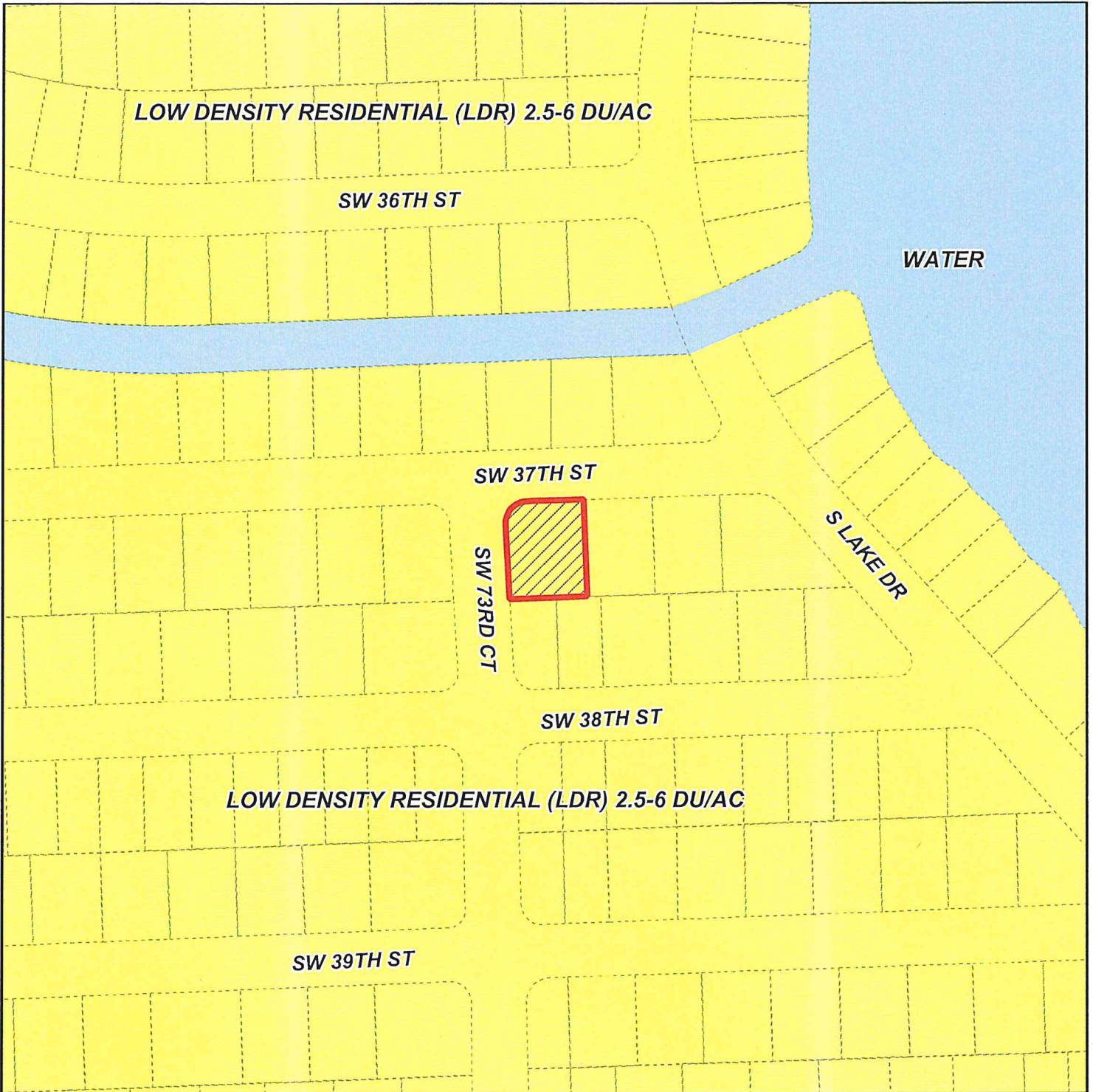
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, March 27, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2023000051

Section: 14 Township: 54 Range: 40
 Applicant: Gregory M Contreras
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

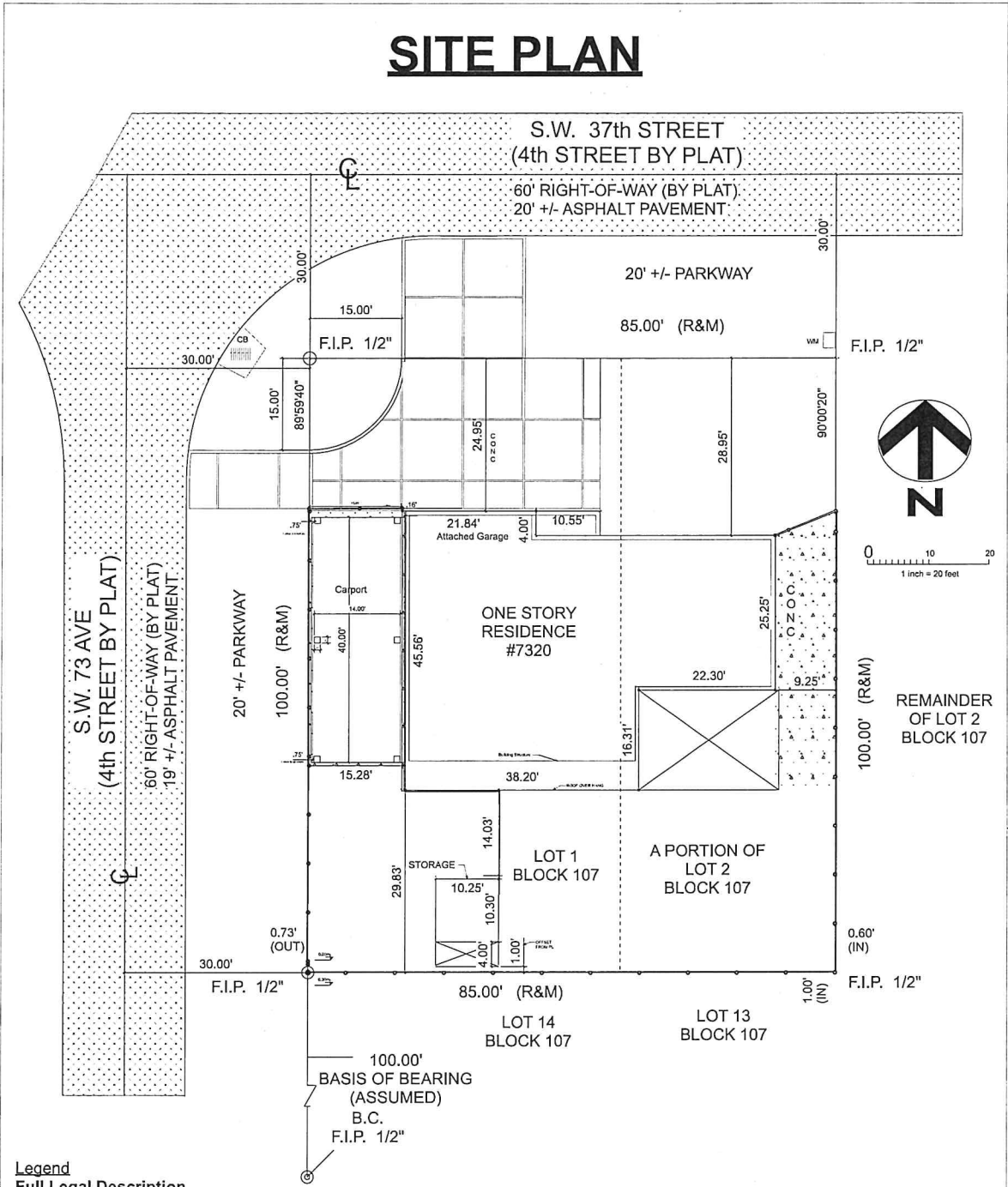
 Subject Property Case



SKETCH CREATED ON: Monday, March 27, 2023

REVISION	DATE	BY

SITE PLAN



Legend

Full Legal Description

-CENTRAL MIAMI PART 6 PB 17-8
 LOTS 1 & 2 LESS E15FT OF LOT 2
 BLK 107

LOT SIZE 85.000 X 100

Zoning Code

-RU-1-Single-family Residential District 7,500 ft²net

Existing Land Use

-10-Single-Family, Med.-Density (2-5 DU/Gross Acre)

Lot Size

-8,500 sqft.

Building area

-2098.17 sqft.

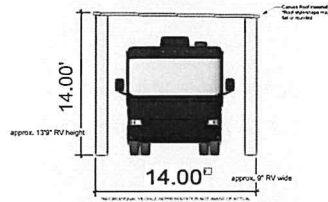
Lot coverage

-24.68%

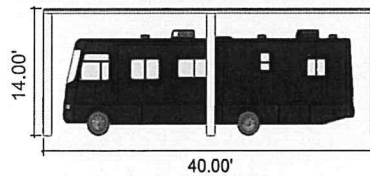
Callouts

- REAR PROPERTY SETBACK REDUCED TO 1.00'
- NW FENCE LINE/DOOR LINE TO SIT INFRONT OF HOUSE/STURTURE LINE BY NO GREATER THAN 9" TO ALLOW DOOR OPEN IN FRONT OF GARAGE.
- FENCE CHANGE FENCING MATERIAL WOOD TO METAL W/ CONCRETE FOOTER AND MOVE REAR LINE FROM POSITION TO PROPERTY LINE
- CARPORT ROOF MATERIAL - CANVAS

FRONT EVELATION



SIDE EVELATION



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO. 23-31
DATE: MAR 19 2023
BY: T355193

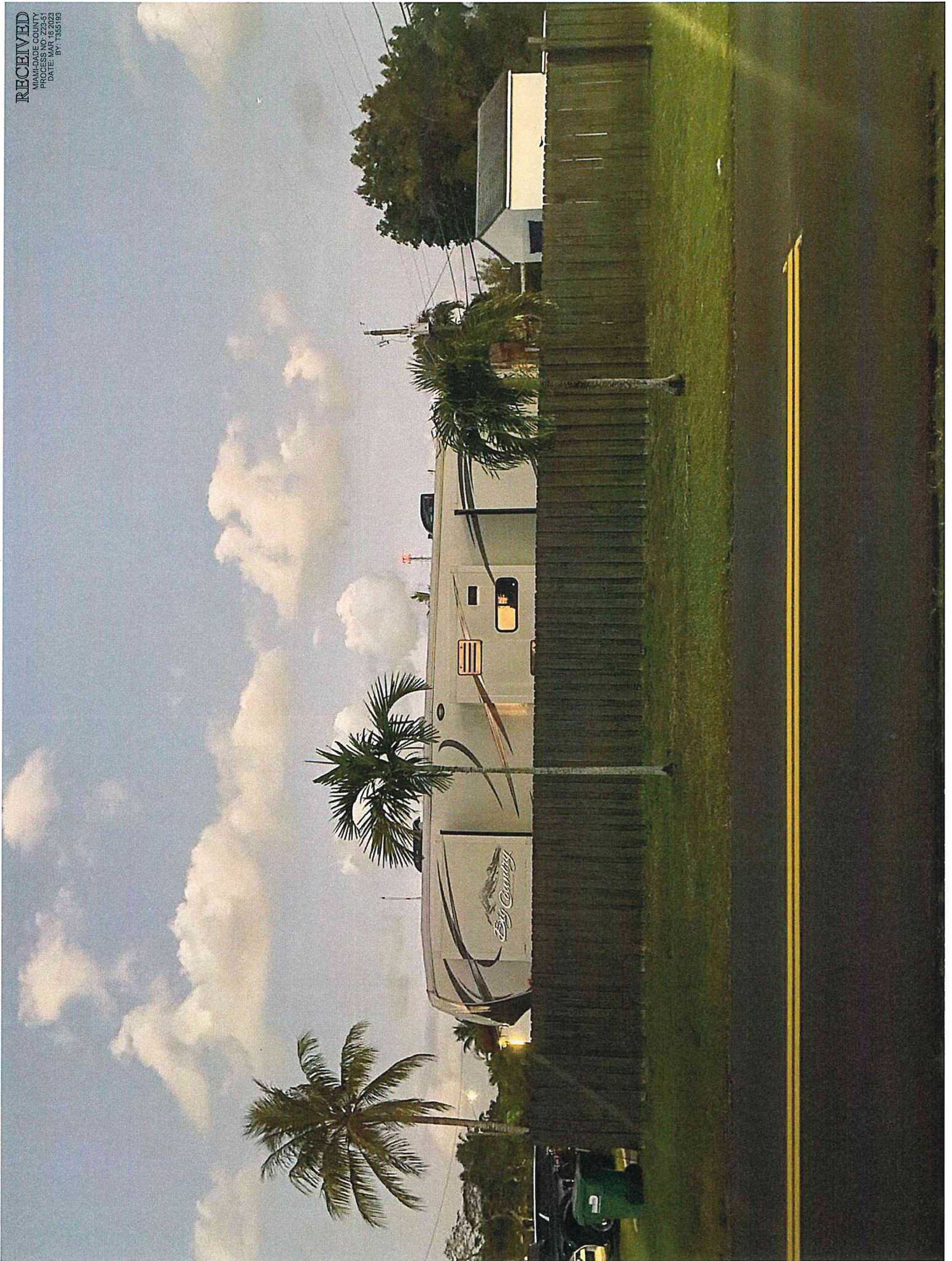




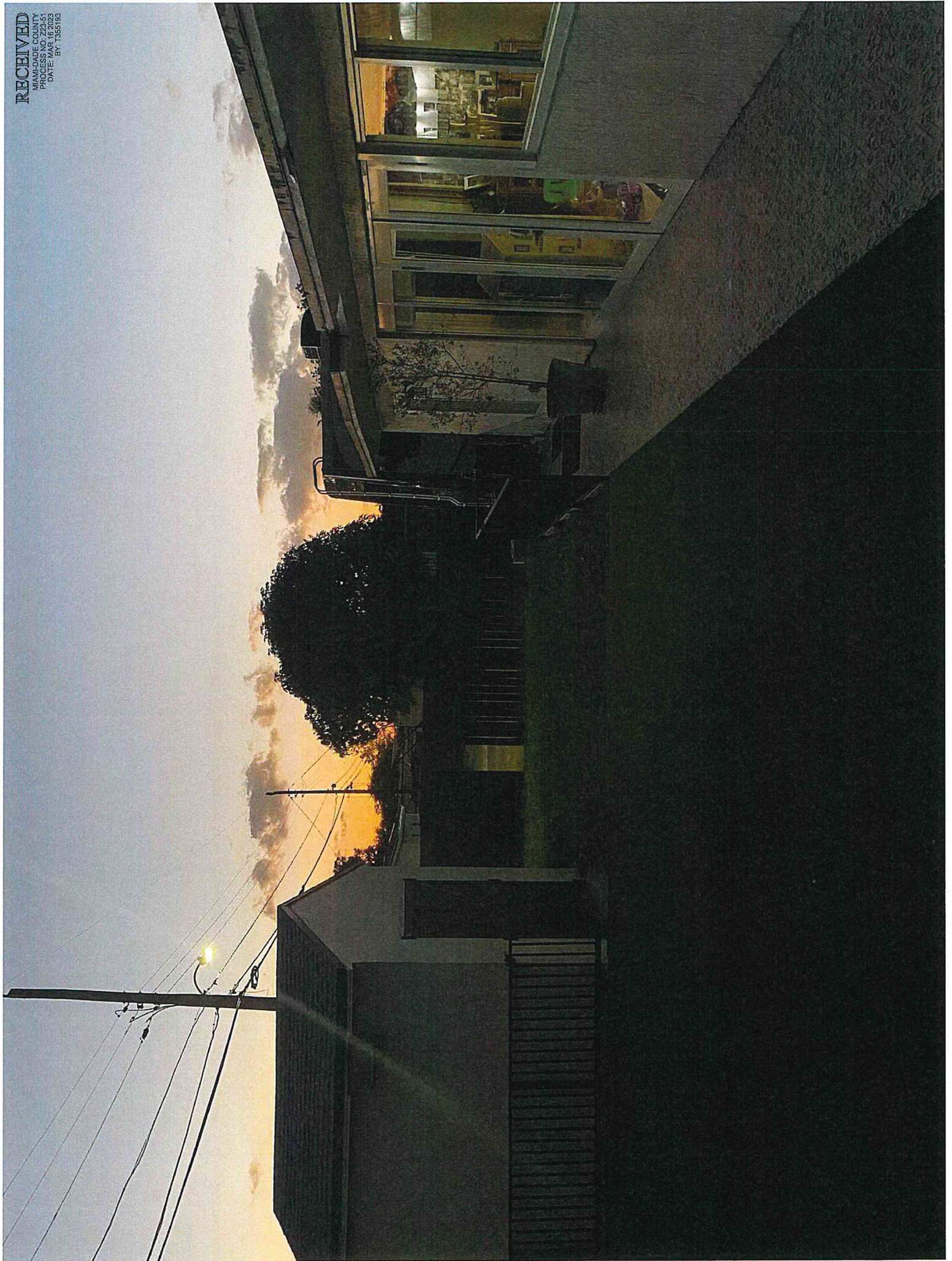
RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. 23-51
DATE: 11/15/2023
BY: 1365198



RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. 223-51
DATE: 04/11/2017
BY: 1365193



RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. 162551
DATE: 03/13/2015
BY: 1355193

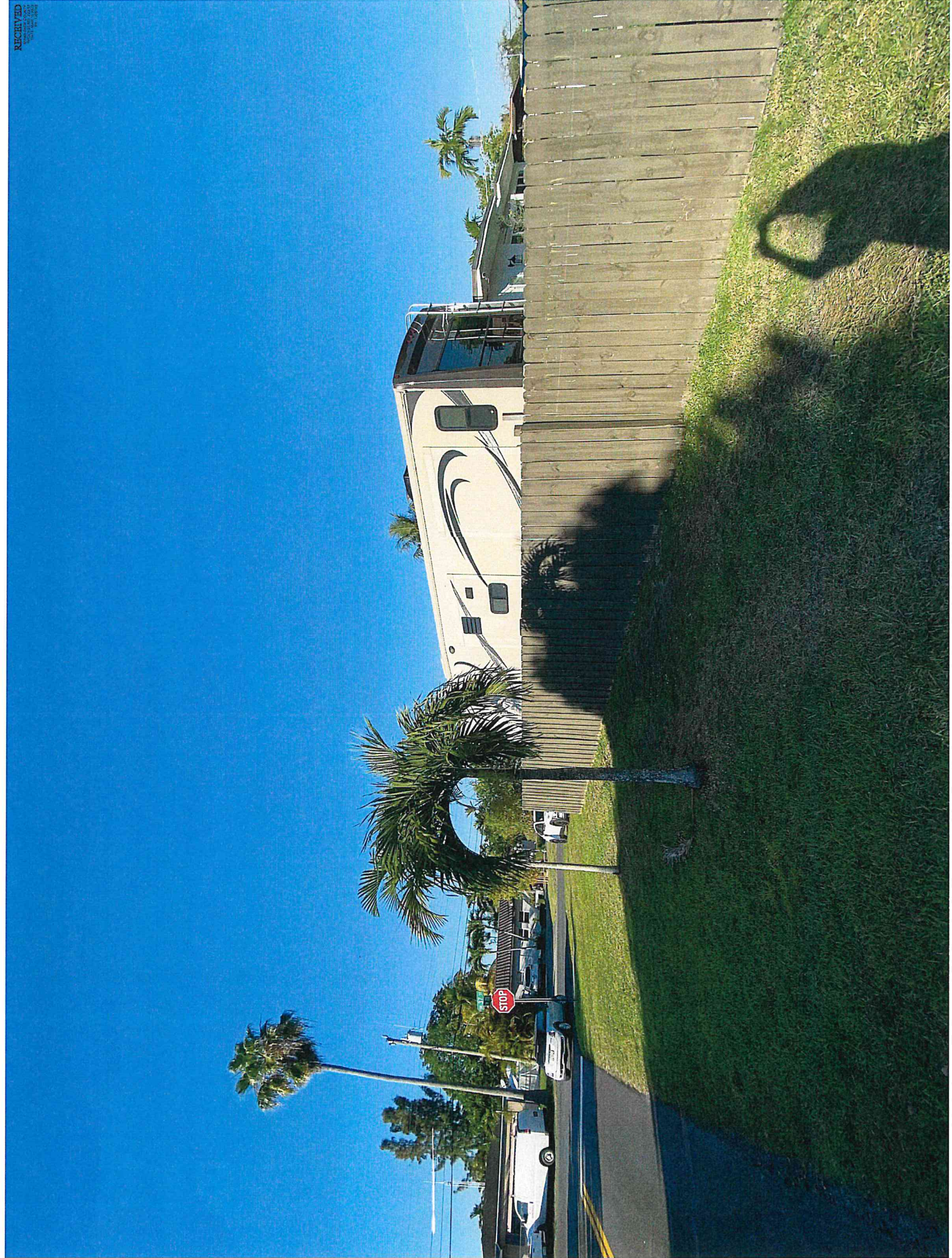


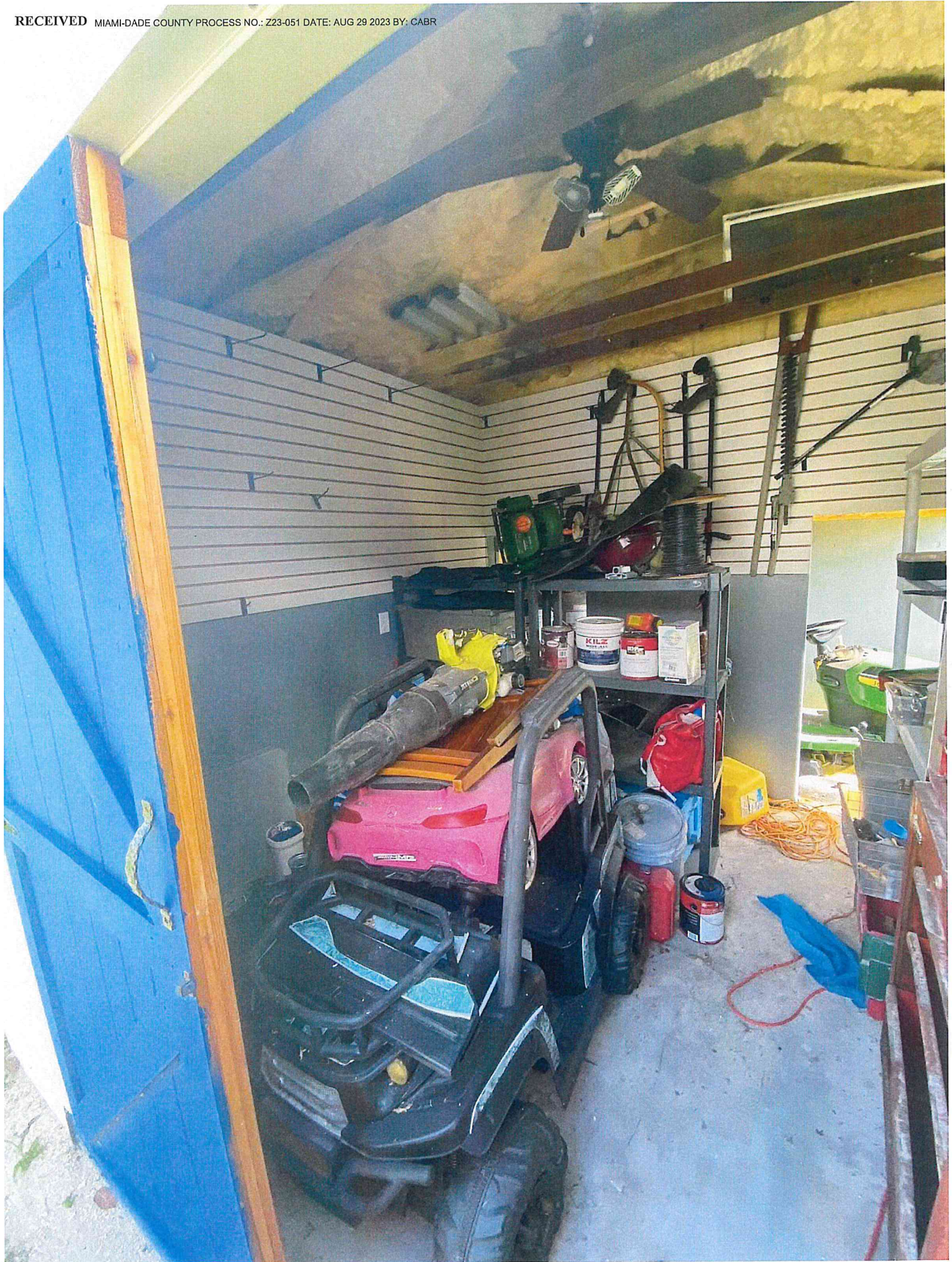


RECEIVED
PROPERTY SERVICES
08/01/2024



RECEIVED
MAY 14 2013
11:00 AM







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

PH: Z24-075

October 21, 2025

Item No. B

Recommendation Summary	
Commission District	10
Applicant	Alberto Angel Dominguez
Summary of Requests	The applicant seeks to permit a proposed covered terrace addition to an existing single-family residence to be located closer to rear and side street property lines, and to occupy more area on the lot than permitted by code.
Location	3580 SW 94 Avenue, Miami-Dade County, Florida.
Property Size	0.15 Acre
Existing Zoning	RU-2, Two-Family Residential District
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	Low-Medium Density Residential, 6 to 13 dua <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives, 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.

This item was deferred at the May 22, 2025, meeting of the Community Zoning Appeals Board (CZAB) 10 because the applicant was not present. Subsequently, this item was deferred from the June 24, 2025, meeting of the CZAB 10 in order to allow the applicant to work with staff to reduce the size of the proposed terrace addition, and the item was rescheduled and readvertised for consideration at the September 8, 2025, CZAB 10 meeting. The applicant provided new plans and the recommendation has been updated accordingly. This item was deferred and could not be heard at the September 8, 2025, meeting of the CZAB 10 due to a lack of quorum.

The public hearing on this item was held on June 24, 2025.

REQUESTS:

- (1) NON-USE VARIANCE to permit a proposed covered terrace addition to an existing single-family residence to setback 7' (15' required for 50% of the lineal width of the house and 25' for balance) from the rear (west) property line, and to setback 12' (15' required) from the side street (south) property line.
- (2) NON-USE VARIANCE to permit lot coverage of 48.13% (40% maximum permitted).

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "New Aluminum Terrace" as prepared by Jose E. Polanco, consisting of two (2) sheets, dated stamped received 07/31/2025. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The submitted plans show an existing one (1)-story, 2,614 sq. ft. single-family residence located on a corner lot that is zoned as RU-2, Two-Family Residential District. The applicant seeks to remove an existing terrace addition that is attached towards the rear of the principal residence, and intends to replace it with a proposed new covered terrace addition that would encroach 8’ into the rear (west) setback area and by 3’ into the side street (south) setback area. The applicant also seeks to permit an increase in the lot coverage area by the building footprint due to the addition of an extra 627.30 sq. ft. area, resulting in a total of 3,241.3 sq. ft. (48.13%).

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

NEIGHBORHOOD COMPATIBILITY:

The subject property is located in a corner lot in an established residential neighborhood that is zoned RU-2, Two-Family Residential District, however, staff notes that the property was developed under the RU-1, Single-Family Residential District zoning regulations. The surrounding area is also characterized by RU-2 zoned properties to the north, south, east, and west of the subject site, but which have also been developed under the RU-1 district regulations.

SUMMARY OF THE IMPACTS:

Approval of this application would permit the applicant to legalize reduced setbacks and an increased lot coverage on the property due to a covered terrace addition to the existing single-family residence. Staff opines that since the rear yard area is enclosed with a 6’ high metal fence along the rear, interior side and side street property lines, together with the existing landscaping on the property, any visual impact that the reduced setbacks may have on the surrounding property is minimal and would be sufficiently mitigated. Staff could not find permits for the existing terrace; however, the site plan shows that the existing terrace will be removed and replaced with a new covered terrace.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject site as **Low-Medium Density**. The Low-Medium Density Residential designation allows a range in density of 6 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre. Staff opines that the approval of

the requests for reduced setbacks (request #1) and lot coverage variance (request #2) sought in the application will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP. Since the applicant is not requesting to add additional dwelling units or change the single-family residential use, approval of the application with conditions would be **consistent** with the Land Use Element interpretative text under the Low-Medium Density Residential Communities designation on the CDMP LUP map.

ZONING ANALYSIS:

When the requests to allow a proposed new covered terrace addition to an existing single-family residence to setback 7' (15' required for 50% of the lineal width of the house and 25' for balance required) from the rear (west) property line, and to setback 12' (15' required) from the side street (south) property line (request #1); and to permit a lot coverage of 48.13% (40% maximum permitted) (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 subject property is located at 3580 SW 94 Avenue in an area zoned RU-2, Two-Family Residential District but developed under the RU-1, Single-Family Residential District standards. The Community Zoning Appeals Board requested on the meeting held on June 24, 2025 that the applicant reduces the request, since then the applicant has provided new plans. The original request was for 6' (15' required for 50% of the lineal width of the house and 25' for balance) from the rear (west) property line, and to setback 11' (15' required) from the side street (south) property line (request #1) and to permit lot coverage of 52% (40% maximum permitted) (request #2)

It is important to mention that there is an existing covered terrace that is attached to the principal structure towards its rear for which staff could not find any prior approvals or permits. Notwithstanding, staff notes that as per the site plans that were provided by the applicant, the aforementioned existing terrace addition will be removed and replaced with a proposed new covered terrace addition.

When analyzing request # 1, staff research found that the requested 7' (15' required for 50% of the lineal width of the house and 25' for balance) from the rear (west) property line needed to be reviewed under the public hearing process but the 12' (15' required) from the side street (south) property line could have been approved through the administrative variance process which allows for a 50% reduction of what the code allows. However, request # 2 seeks to permit a lot coverage of 48.13% where a maximum of 40% is otherwise permitted by code. Staff research found that the property was built with Severable Use Rights (SUR's) in 2020, as per section 33B-43 (g)(7). This section of the code [33B-43 (g)(7)] allows the applicant to develop a lot that does not meet the minimum RU-1 or RU-2 zoning district standards, as long as the lot has a minimum size of 6,000 square feet, minimum frontage of 60 feet and maximum lot coverage of 40 percent. When the property was originally developed it had a total lot coverage of 38.8%, the proposed 627.30 sq. ft. would add 9.33% for a total of 48.13% lot coverage. The proposed covered terrace addition is at the rear and part of the street side of the property which faces directly SW 36 Street. It is important to mention that the immediate properties to the north and west were also developed with severable use rights (SUR's). The property has a 6' height metal fence on all sides of the property and it also has landscaping which will help mitigate the visual impact from the surrounding area. Furthermore, staff research in the area found that there have been other approvals in the area which included setback reductions as well requests for increased lot

coverage pursuant to Resolutions #CZAB10-29-10, #CZAB10-9-03, #CZAB10-5-20 and #CZAB10-36-09.

The plans submitted in conjunction with this application depict the new proposed covered terrace addition encroaching into the setback areas and will utilize a larger space of the property that is currently permitted under the zoning standards. Staff opines that approval with conditions of this request would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff further opines that the encroachment of the proposed addition into the setbacks and lot coverage increase, is internal to the site. Staff notes from plans and photographs submitted by the applicant 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 perimeter metal fence located along the rear and side property lines of the subject property, which, staff opines, buffers any visual intrusion of the encroachments on the surrounding properties, especially to the parcel to the west of the subject property. Staff recommends as a condition for approval that the fencing along the rear and street side property lines be maintained as a visual buffer, and, if said fence is destroyed or removed, it must be replaced by an opaque fence at a maximum height of 6', or a fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6,' in accordance with Section 33-11(h) of the County Code. It is important to mention that the request for street side setback could have been obtained through the Administrative Adjustment Procedure pursuant to Section 33-36.1 of the County Code, such procedure allows a setback reduction of 50% and shall be accompanied by the signed consent of all contiguous property owners, including those located across the street(s) from the subject site. However, the requested 7' (15' required for 50% of the lineal width of the house and 25' for balance) from the rear (west) property line needed to be reviewed under the public hearing process because is more than 50% of what the code allows administratively.

As mentioned before, staff's research of the surrounding area found several similar approvals for variances for setback requirements and lot coverage increase for single-family residences and duplex residences within the neighborhood. For example, a property located at 3341 SW 94 Place was approved pursuant to Resolution # CZAB10-5-20 to setback 14.72' from the side street (south) property line, where 15' is required. Similarly, the property located at 9255-57 SW 37 Street was approved pursuant to Resolution #CZAB10-9-03 to allow a setback varying from 18.42' to 20.7' from the rear (north) property line (25' required) and lot coverage of 46% (30% permitted). Another property, 9645 SW 37 Street, was approved per resolution #CZAB10-36-09 to allow 16' setback (25' required) and 40.7% (30% permitted). Additionally, property 9440 SW 36 Street was approved per resolution #CZAB10-29-10 a setback of 17' from the rear (south) property line (25' required) and lot coverage of 36.5% (30% permitted). Staff therefore has no objections and opines that that the approval with conditions of request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Furthermore, staff opines that the architectural style and scale of the single-family residence is designed and arranged in a manner that would not be detrimental to the neighborhood or create adverse privacy impacts on the abutting properties, and that approval with conditions of the requested setbacks would be **compatible** with the surrounding residences and with the aesthetic character of the immediate vicinity. **Therefore, staff recommends approval with conditions of the request under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations Standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: Not applicable

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That 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 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 Aluminum Terrace" as prepared by Jose E. Polanco, consisting of three (3) sheets, dated stamped received 07/31/2025. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant maintains the existing fence along the rear and side street property lines and that if the fence is destroyed or removed, the applicant shall install a 6' high cbs wall, opaque fence, or chain link fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6,' in accordance with Section 33-11(h) of the County Code.
5. That the applicant obtains a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources.

ES:JB:SS:VM:PM

Eric Silva

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

ZONING RECOMMENDATION ADDENDUM

Alberto Angel Dominguez
PH: Z24-075

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
<i>Division of Environmental Resource Management (RER)</i>	<i>No objection</i>
<i>Miami-Dade Fire Rescue (MDFR)</i>	<i>No objection</i>
<i>Platting and Traffic Review Section (RER)</i>	<i>No objection</i>
<i>Water and Sewer Department (WASD)</i>	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

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

Low-Medium Density. <i>(Pg. I-31)</i>	<i>This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<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>
Sec. 33-36.1. - Administrative adjustment procedure.	<i>Zoning Districts – AU, GU, EU-1, EU-1C, EU-2, EU-S, EU-M, RU-1, RU-1Ma, RU-1Mb, RU-1Z, RU-2 Setback - Maximum reduction 50% (i.e., if minimum required setback is 10 feet, then setback could not be reduced below 5 feet administratively) Lot Coverage - maximum increase for a principal and/or accessory structure 15% (i.e., if maximum lot coverage in the district is 30%, then total lot coverage that could be approved administratively is 34.5 percent)</i>

Sec. 33-49. - Table of minimum widths, area of lots, maximum lot coverage, and minimum building sizes	District	Families	Min. Width	Min. Lot Area (Sq. Ft.)	Max. Lot Coverage (% of Lot Area)	Min. Bldg. Size (Cu. Ft.)
	District	Families	Min. Width	Min. Lot Area (Sq. Ft.)	Max. Lot Coverage (% of Lot Area)	Min Bldg. Size (Cu Ft)
	RU-1	1	New sub.- 75'	7,500	40%	8,500
RU-2	1	New sub.-75'	7,500	35%	8,500	
		Old sub.-None	3,750	30%	8,500	
	2 singles	New sub.-75'	7,500	30%	8,500 front res. 5,000 rear res.	
		Old sub.-50'	5,550	30%	8,500 front res. 3,000 rear res.	
	duplex	New sub.-75'	7,500	30%	8,500	
		Old sub.-50'	5,550	30%	8,500	

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

<p>Sec. 33B-45. - Development of severable use rights.</p>	<p><i>(g)Residential use of severable use rights. Except as provided in paragraph (g)(15) below and notwithstanding the provisions of any other code or regulation of Miami-Dade County or the applicable municipality, the developer of a parcel of land may develop, in addition to the number of dwelling units authorized in each zoning district, one dwelling unit for each severable use right, provided that the total development proposed does not exceed the following limitations:</i></p> <p><i>(7)In the RU-2 District:</i></p> <ul style="list-style-type: none"><i>a. Minimum lot size—Six thousand (6,000) square feet;</i><i>b. Minimum frontage—Sixty (60) feet;</i><i>c. Maximum coverage—Forty (40) percent.</i>
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Building and Neighborhood Compliance

ENFORCEMENT HISTORY

DOMINGUEZ, ALBERTO

3580 SW 94 AVE
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2024000075

DATE

HEARING NUMBER

FOLIO: 30-4016-043-0030

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

February 18, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases in BSS.

VIOLATOR:

DOMINGUEZ, ALBERTO


OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum

Date: April 11, 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: Z2024000075-2nd Review
Alberto Angel Dominguez
SW 94th Avenue and SW 36th Street
NUV for setback requirements for the legalization of the placement
of an 774 square feet aluminum terrace.
(RU-2) (0.152 acres)
16-54-40

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.

Wellfield Protection

The subject property is located within the Maximum Wellfield Protection Area for the Alexander Orr Wellfield. Since the subject land use is for a residential development, a covenant prohibiting hazardous materials and hazardous waste is not required; however, all development shall comply with the requirements of section 24-43 of the Code.

Conditions of Approval: None

Potable Water Service and Wastewater Disposal

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

Conditions of Approval: None

Water Control Review

Stormwater should be retained on site utilizing designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 25-year, 6-hour storm event per section 24-42.8(4)(c)(i)(3) of the Code.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Conditions of Approval: None

Tree Preservation Review

An aerial review of the subject property indicates the presence of tree resources; however, the site plan entitled "New Aluminum Terrace" prepared by Jose E. Polanco, 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 regarding any additional information or concerns with this review.

Conditions of Approval: None

DERM Enforcement History Review

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

Concurrency Review Summary

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

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


cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: February 12, 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 - Alberto Angel Dominguez
Application No. Z2024000075 - Revision No. 1

The Water and Sewer Department has reviewed the proposed development for the subject zoning application. **As per revised site plan (V2) submitted, the applicant has relocated the proposed open aluminum terrace in order to avoid the encroachment on the 10-foot utility easement along the southern boundary of the property.** WASD has no objection to this zoning application, based on the information provided. Additional requirements may be needed at the time of permitting. The information provided below is preliminary and it does not affect the Zoning process.

Application Name: Alberto Angel Dominguez

Location: The proposed project is located at 3580 SW 94th Avenue, with Folio No. 30-4016-043-0030, in unincorporated Miami-Dade County.

Proposed Development: The applicant is requesting a zoning hearing to permit a 687.50 sq. ft. open Aluminum Terrace on the existing single-family residence, without the required setbacks, as per site plan (V2) submitted.

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

Please note that per Plat Book 174, page 61, the subject property has a 10-foot Utility Easement within the southern and eastern boundary of the subject property. *Permanent structures, trees or palms are not allowed within said utility easement (only passive landscaping along the Utility Easement).* **The Applicant has submitted a revised site plan-V2, indicating that the proposed open aluminum terrace (including the roof) will not be encroaching on said 10-foot utility easement along the southern boundary of the subject property.**

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

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


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

Memorandum



Date: February 18, 2025

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

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

Subject: Z2024000075
Name: Alberto Angel Dominguez
Location: 3580 SW 94 Avenue
Section 16 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 3, Block 1, Plat Book 174, Page 61.

This application does not generate any additional trips.

Standard Conditions:

- A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."
- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

Memorandum



Date: January 22, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

Subject: Z2024000075

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to "EnerGov" on 1/22/2025. Single family home.

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

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

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

Memorandum



Date: July 18, 2024

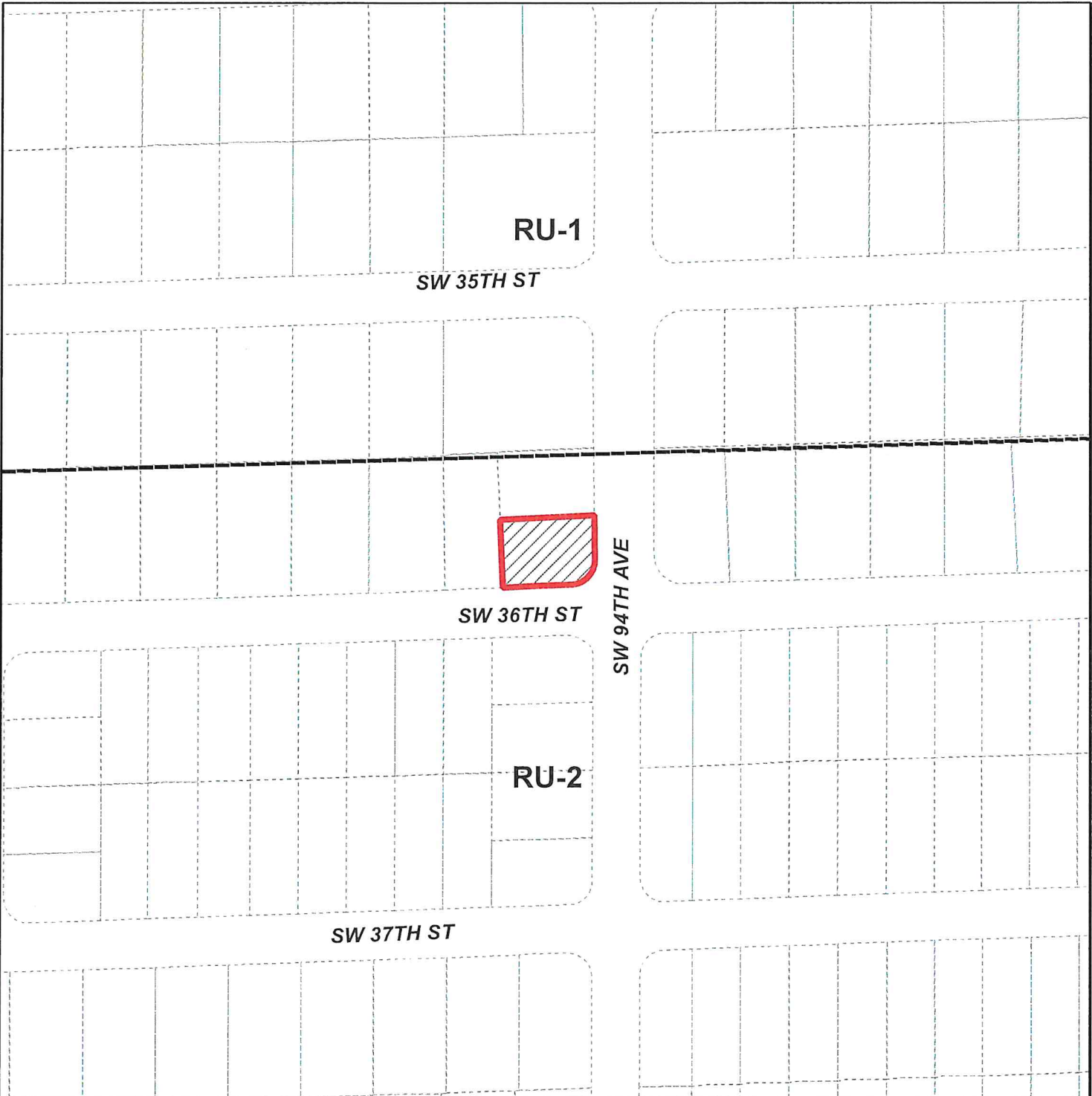
To: Eric Silva, Assistant Director for Development Services
Department of Regulatory and Economic Resources

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

Subject: Zoning Application Z2024-000075 Alberto Angel Dominguez

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

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





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2024000075



Section: 16 Township: 54 Range: 40
 Applicant: Alberto Dominguez
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

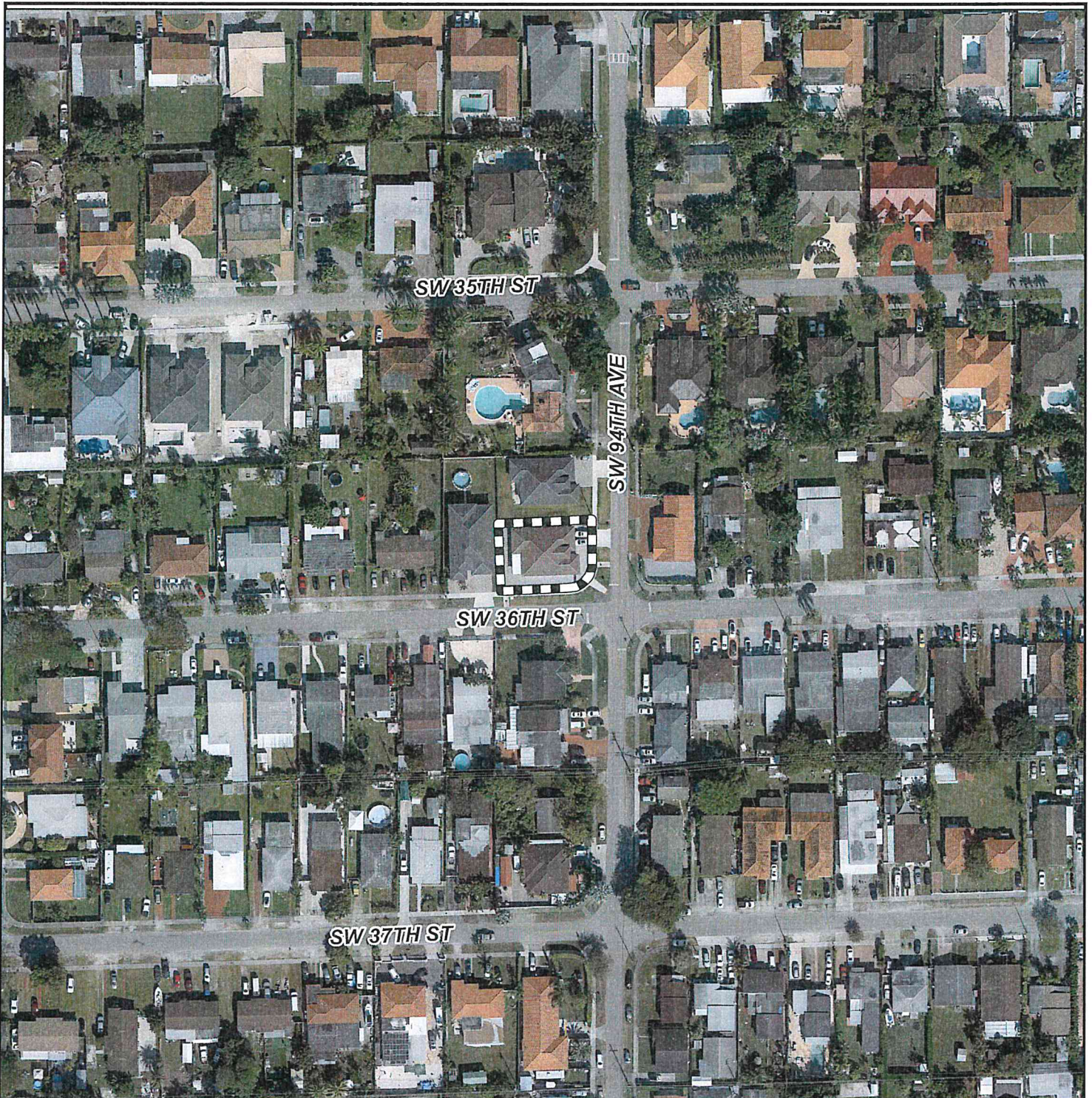
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Thursday, June 20, 2024

REVISION	DATE	BY
		16



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2024000075

Legend
 Subject Property

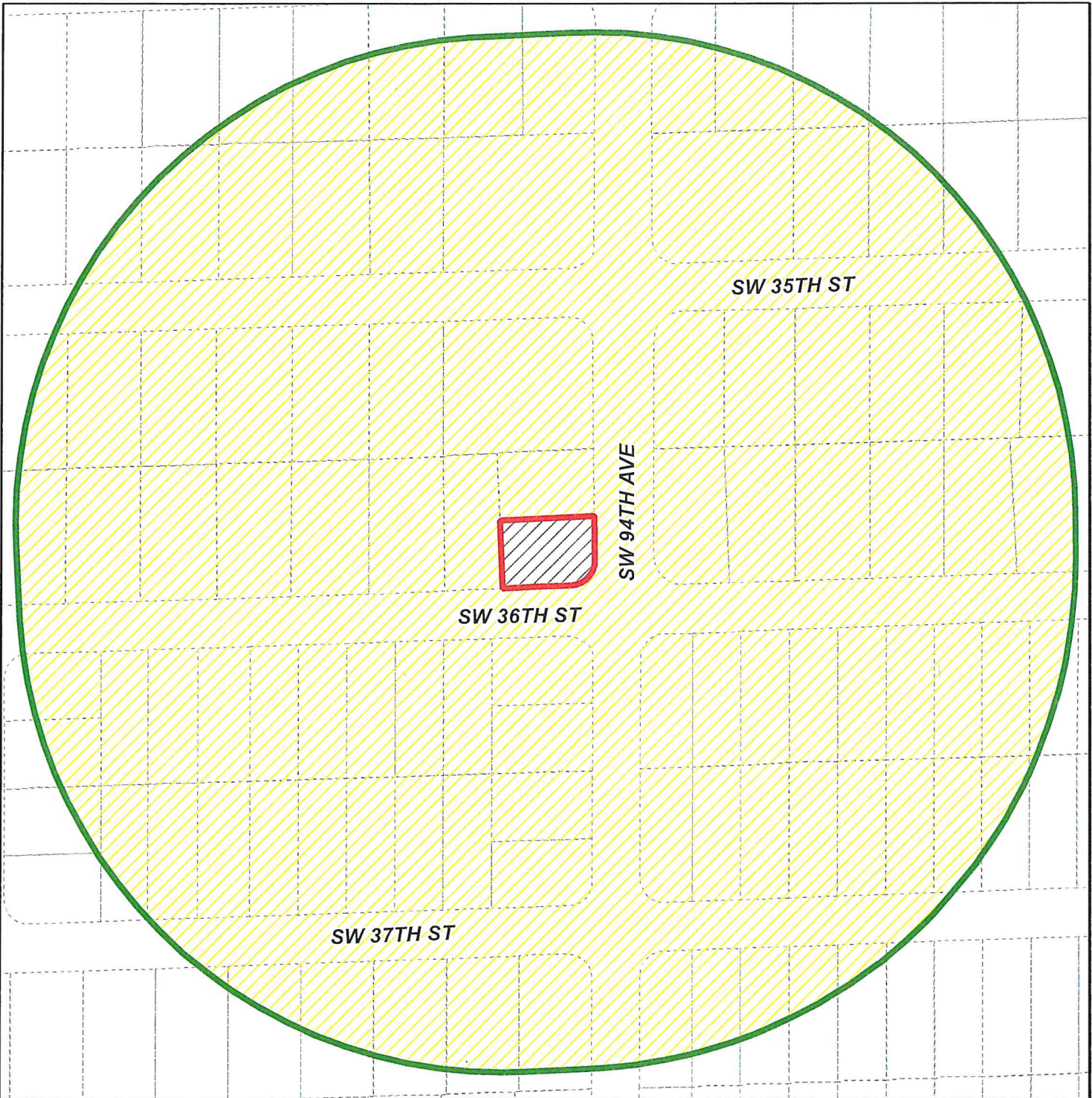


Section: 16 Township: 54 Range: 40
Applicant: Alberto Dominguez
Zoning Board: C10
Commission District: 10
Drafter ID: EDUARDO CESPEDES
Scale: NTS



SKETCH CREATED ON: Thursday, June 20, 2024

REVISION	DATE	BY
		17






MIAMI-DADE COUNTY
RADIUS MAP

Section: 16 Township: 54 Range: 40
 Applicant: Alberto Dominguez
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2024000075
 RADIUS: 500

Legend

-  Subject Property
-  Buffer
-  Property Boundaries



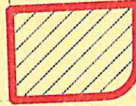
SKETCH CREATED ON: Thursday, June 20, 2024

REVISION	DATE	BY
		18

LOW DENSITY RESIDENTIAL (LDR) 2.5-6 DU/AC

SW 35TH ST

SW 94TH AVE



SW 36TH ST

LOW-MEDIUM DENSITY RESIDENTIAL (LMDR) 6-13 DU/AC

SW 37TH ST

MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2024000075

Section: 16 Township: 54 Range: 40
Applicant: Alberto Dominguez
Zoning Board: C10
Commission District: 10
Drafter ID: EDUARDO CESPEDES
Scale: NTS

Legend



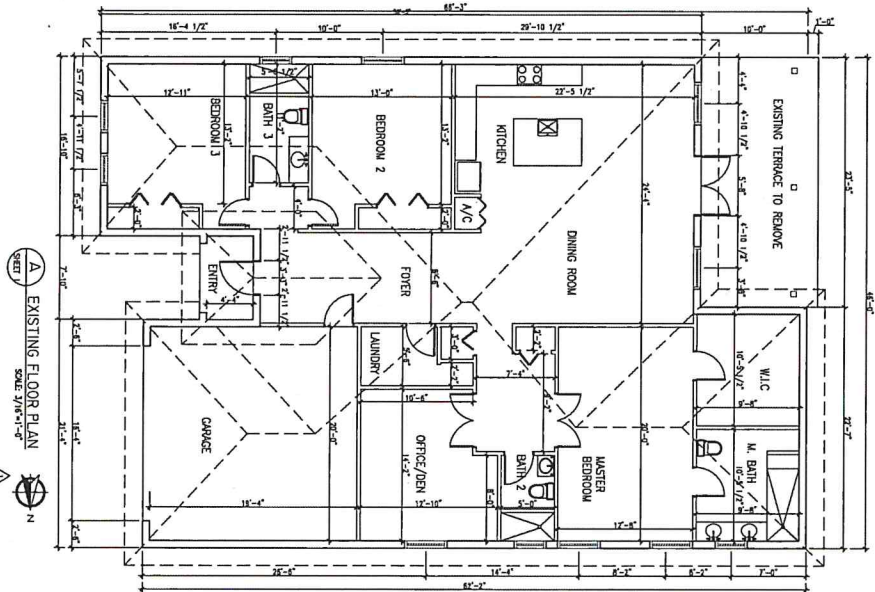
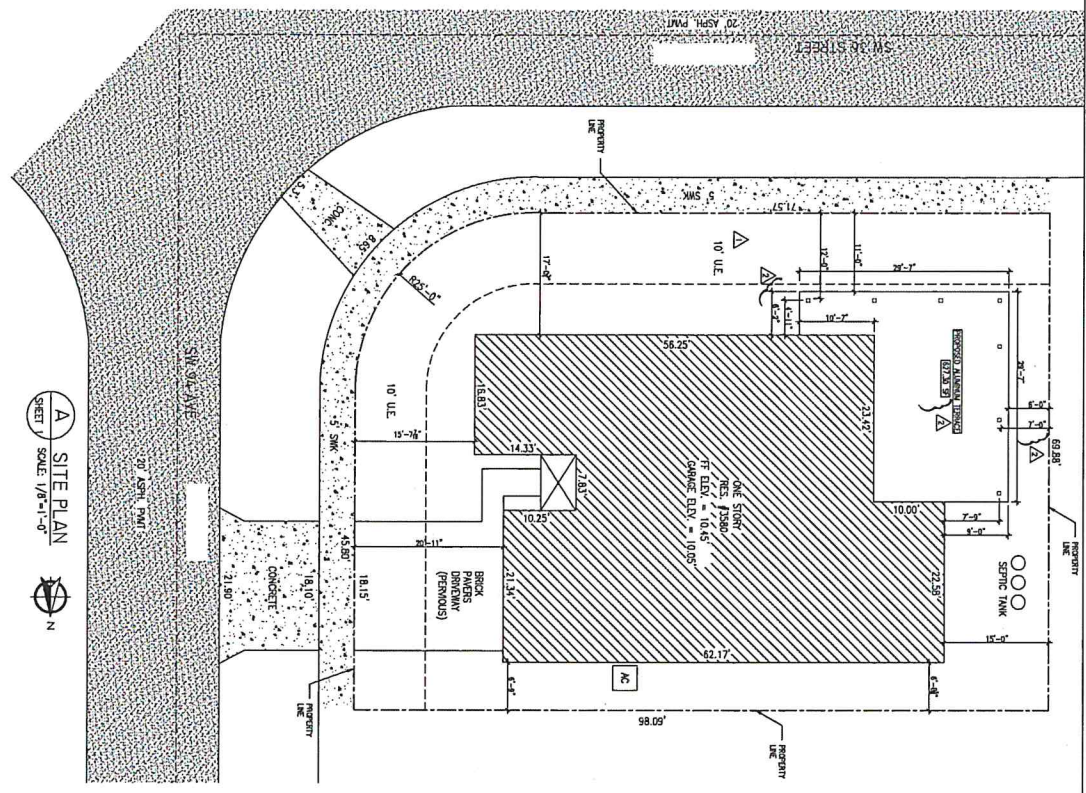
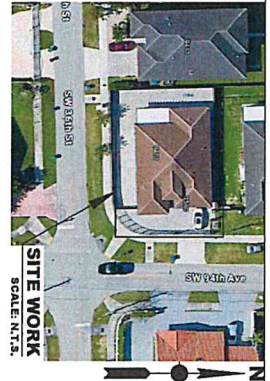
Subject Property Case



SKETCH CREATED ON: Thursday, June 20, 2024

REVISION	DATE	BY
		19

RESIDENCE
 3580 SW 94 AVE, MIAMI FL 33165
 INDEX OF DRAWINGS
 SHEET 1 DESCRIPTION
 SHEET 2 SITE PLAN
 SHEET 3 FLOOR PLAN & ELEVATION



LOT COVERAGE CALCULATION
 ZONING DISTRICT: R-1-3

DESCRIPTION	AREA (SQ FT)	AREA (SQ FT)
TOTAL SQUARE FOOT AREA OF DRIVE LOST (A)	4,721.5	100.00 X
EXISTING IMPERVIOUS SQUARE FOOTAGE	2,410.5	38.8 X
PROPOSED IMPERVIOUS SQUARE FOOTAGE	6,720.5	133 X
TOTAL IMPERVIOUS SQUARE FOOTAGE	9,131.0	172 X
TOTAL DRIVE AREA	2,410.5	38.8 X

SCOPE OF WORK

THE SCOPE OF WORK CONSISTS OF THE FOLLOWING:

- DEMOLITION OF EXISTING TERRACE
- CONSTRUCTION OF NEW ALUMINUM TERRACE
- CONSTRUCTION OF NEW BRICK FACADE
- CONSTRUCTION OF NEW ROOF
- CONSTRUCTION OF NEW INTERIORS
- CONSTRUCTION OF NEW EXTERIORS
- CONSTRUCTION OF NEW DRIVE
- CONSTRUCTION OF NEW LANDSCAPE

ZONING LEGEND

R-1-3 (RESIDENTIAL SINGLE-FAMILY)

MAXIMUM LOT AREA: 10,000 SQ. FT.

MAXIMUM LOT WIDTH: 100 FT.

MAXIMUM LOT DEPTH: 100 FT.

MAXIMUM LOT COVERAGE: 30%

MAXIMUM BUILDING FOOTPRINT COVERAGE: 20%

MAXIMUM BUILDING HEIGHT: 35 FT.

MAXIMUM BUILDING SETBACKS: 5 FT. (FRONT), 5 FT. (SIDE), 10 FT. (REAR)

LEGAL DESCRIPTION

LOT 10, BLOCK 10, SUBDIVISION 10, PHASE 10, CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA

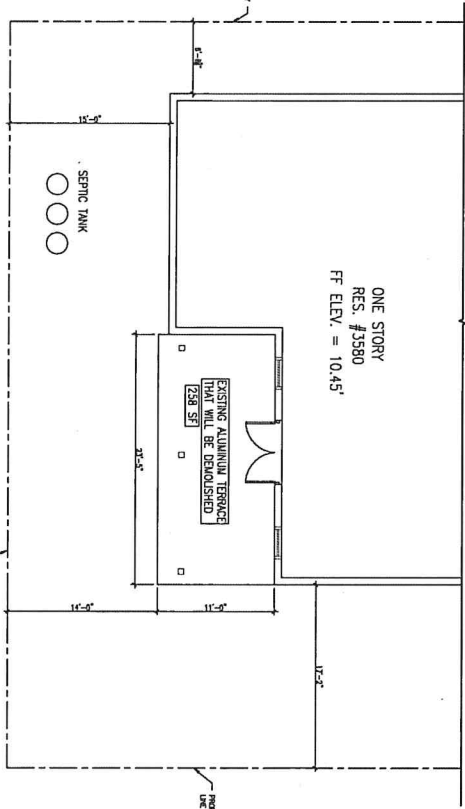
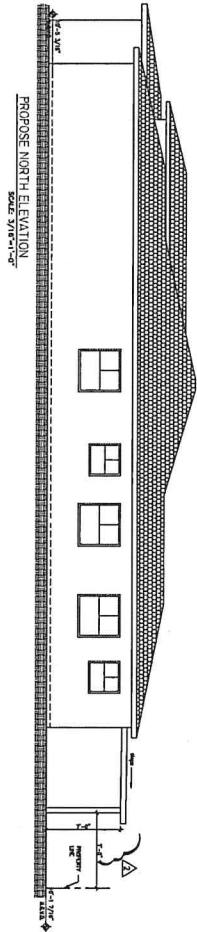
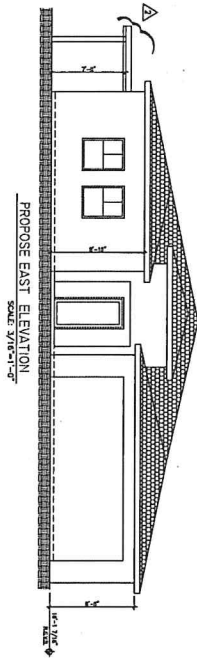
SHEET 1
 SCALE: 1/8"=1'-0"
 NORTH

NEW ALUMINUM TERRACE
 3580 SW 94 AVE,
 MIAMI FL 33165

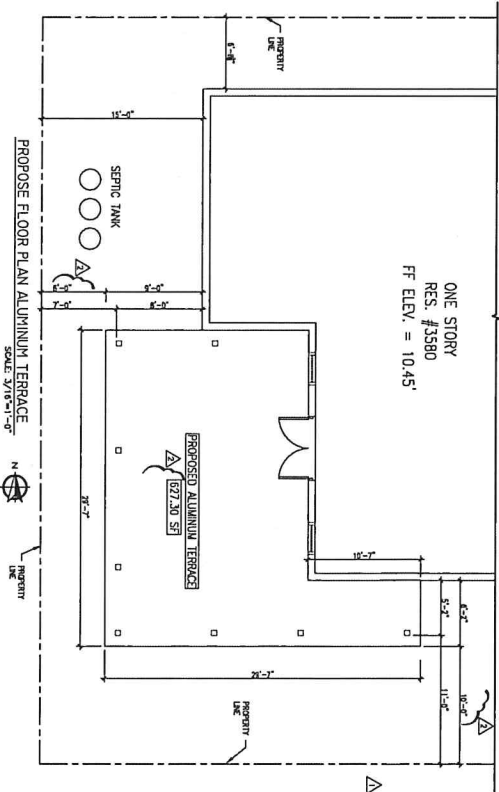
PROJECT NAME: NEW ALUMINUM TERRACE
PROJECT LOCATION: 3580 SW 94 AVE, MIAMI FL 33165

DATE: 07/27/25
SCALE: 1/8"=1'-0"
PROJECT NO.: 24-075

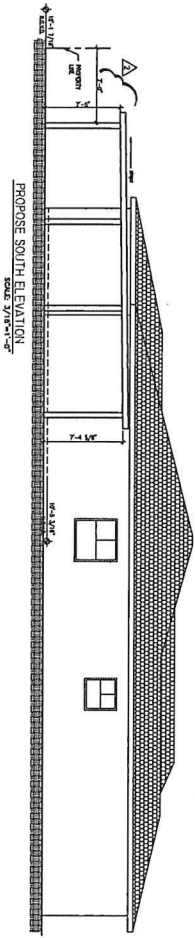
DESIGNER: J.P. [Signature]
DATE: 07/27/25
PROJECT NO.: 24-075



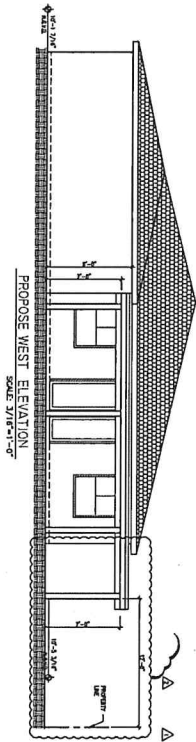
EXISTING FLOOR PLAN ALUMINUM TERRACE
(WILL BE DEMOLISHED)
SCALE: 3/16\"/>



PROPOSED FLOOR PLAN ALUMINUM TERRACE
SCALE: 3/16\"/>



PROPOSED SOUTH ELEVATION
SCALE: 3/16\"/>



PROPOSED WEST ELEVATION
SCALE: 3/16\"/>

J.P. & ASSOCIATES
 PROFESSIONAL ENGINEERS
 1100 S.W. 15th Avenue
 Miami, Florida 33135
 (305) 371-1111
 www.jpandassociates.com

NEW ALUMINUM TERRACE
 3580 SW 94 AVE,
 MIAMI FL 33165

PROJECT NAME:	
PROJECT ADDRESS:	

DATE:	11/02/2024
SCALE:	3/16\"/>
PROJECT NO.:	0713125
REVISION:	J.P.
DATE:	J.P.
SCALE:	

SHEET 2

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-075 ABERTO DOMINGUEZ
DATE: JUN 18 2024
BY: ISA

3580 SW 94 AVE, MIAMI, FL 33165



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

PH: Z24-126

October 21, 2025

Item No. C

Recommendation Summary	
Commission District	11
Applicant	Zarela Vela
Summary of Requests	The applicant seeks to permit an existing covered terrace addition to a single-family residence to be located closer to the rear and interior property lines than required by code, and to permit the existing residence to be located closer to the interior sides property lines than required by code.
Location	14834 SW 24 Street, Miami-Dade County, Florida.
Property Size	0.13 Acres
Existing Zoning	RU-1M(b), Modified Single-Family Residential District, 6,000 sq. ft.
Existing Land Use	Single-Family Residence
2030-2040 CDMP Land Use Designation	Low Density Residential, 2.5 to 6 dua (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions.

This item was deferred and could not be heard at the September 8, 2025, meeting of the Community Zoning Appeals Board (CZAB) 10 due to a lack of quorum.

The public hearing on this item has not been held.

REQUESTS:

- (1) NON-USE VARIANCE of the setback requirements to permit a covered terrace addition to the existing single-family residence to setback 4'-6" (15' for 50% of the lineal footage of the width of the house, 25' for balance required) from the rear (south) property line, and to setback a minimum of 0'-8" (6' required) from the interior side (west) property line.
- (2) NON-USE VARIANCE of the setback requirements to permit an existing single-family residence to setback 5.7' from the interior side (west) property line and setback 5.9' from the interior side (east) property line (6' required for both sides).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Construction Site Plan & Elevation", dated stamped received 07/14/2025, a boundary survey, all prepared by Rene Fernandez Jover dated 7/14/2025 consisting of 3 sheets and "Floor plan" as prepared by Jover Engineering LLC., dated stamped received 04/14/2025, consisting of 1 sheet, for a total of 4 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The submitted plans show an existing two (2)-story, 1,840 sq. ft. single-family residence on a 0.13-acre interior lot that fronts SW 24 Street, with an existing attached covered roof terrace located towards the rear of the subject property. The covered roof terrace is setback 4'-6" from the rear (south) property line and setback 0'-8" from the interior side property line. The plans also

indicate that the single-family residence is setback 5.7' from the interior side (west), and 5.9' from the interior side (east) property lines where a minimum of 6' setback is otherwise required by zoning regulations from both sides. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate existing landscaping in the form of trees and a 6' high metal fence located along the rear and both interior side property lines.

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

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence that is on a 6,000 sq. ft., RU-1M(b), Modified Single-Family Residential District, zoned interior lot, located at 14834 SW 24 Street. The surrounding area is characterized by existing single-family residences, also developed under the RU-1MB, Modified Single-Family Residential District regulations.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to legalize reduced setbacks for an existing attached covered roof terrace, as well as for the principal residence, which encroach into the rear and interior side property lines. Staff opines that since the rear yard area is enclosed with a 6' high metal fence along the rear and interior property lines, together with the existing landscaping on the property, any visual impact that the existing covered roof terrace and the existing single-family residence may have on the surrounding properties is minimal and would be sufficiently mitigated.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The ±0.13-acre subject property is located within the Urban Development Boundary (UDB) and the Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map designates the site as **Low Density Residential**. The CDMP Land Use Element interpretative text for Low Density Residential states that *the residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre, and is generally characterized by single family housing, e.g., single-family detached, cluster, and townhouses*. Staff opines that the approval of the requests for reduced setbacks sought in the application for the existing covered roof terrace addition and single-family residence will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP. Since the applicant is not requesting to add additional dwelling units or change the single-family detached use on the property, staff opines that approval of the application with conditions would be **consistent** with the Low-Density Residential Communities designation of the CDMP LUP map.

ZONING ANALYSIS:

When the requests to permit an existing attached covered roof terrace to setback 4'-6" (15' for 50% of the lineal footage of the width of the house, 25' for balance required) from the rear (south) property line, and to setback a minimum of 0'-8" (6' required) from the interior side (west) property line. (request #1), and to permit an existing single-family residence to setback 5.7' from the interior side (west) property line and to setback 5.9' from the interior side (east) property line (6' required for both sides) (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 attached covered roof terrace located towards the rear of the subject property. The attached covered roof terrace encroaches into the rear and interior side setback areas, whereas the single-family residence is located closer from both the east/west interior side property lines 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 palm trees, as well as an existing 6' high metal fence along 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 west, east and south of the subject property. Staff further opines that the existing encroachments of the attached covered roof terrace towards the rear and interior side property lines are internal to the site and any negative visual impacts generated from the encroachments by 4'-6" into the rear, and by 0'-8" into the interior side setback areas onto the properties located to the west and south of the subject site would be adequately mitigated by the aforementioned existing 6' high metal buffer wall as well as ample landscaping in the form of palm trees that exist along the perimeter of the property lines. Similarly, in regards to the requested variance to allow a reduced setback for the existing single-family residence (request #2), staff has no objections to the request and opines that although said encroachment as a stand-alone request could have been approved through the administrative variance process which allows a reduction for setbacks of up to 50% for what the code requires, the request is minimal and it is enclosed from view from the outside by the existing 6' high metal fence and would not have any significant visual impacts on the single-family residence to the east, west and south. Staff recommends as a condition for approval that the said fence along the property lines be maintained as a visual buffer, and, if said fence is destroyed or removed, it must be replaced by an opaque fence at a maximum height of 6', or a fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6' in accordance with Section 33-11(h) of the County Code.

Staff's research of the surrounding area found several similar approvals within the neighborhood for variances of the setback requirements for single-family residences and their accessory structures. For example, a property located at 2581 SW 148 Court was approved pursuant to Resolution #CZAB10-15-13 to permit a covered terrace addition to a single-family residence to setback 15' (15' for 50% of the lineal width of the house, and 25' required for the balance) from the rear (east) property line. Another property located at 2674 S.W. 152 Place was approved through Resolution #CZAB10-49-05 to permit a swimming pool to setback 3.75' (7.5' required) from the rear (west) property line, setback 5' (10' required) from the interior side (north) property line, and setback 73' (75 required) from the front (east) property line. Additionally, the property located at 15379 SW 22 Terrace was approved pursuant to Resolution #CZAB10-1-21 to permit

an existing canvas awning to setback a minimum of 4.47' (10' required) from the side street (east) property line, and for an existing detached shed to setback 2' (10' required) from the side street (east) property line and 33.41' (55' required) from the front (south) property line. Furthermore, staff opines that the architectural style and scale of the attached covered roof terrace and the single-family residence 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, "Construction Site Plan & Elevation", dated stamped received 07/14/2025, a boundary survey, all prepared by Rene Fernandez Jover dated 7/14/2025 consisting of 3 sheets and "Floor plan" as prepared by Jover Engineering LLC., dated stamped received 04/14/2025, consisting of 1 sheet, for a total of 4 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which confirm to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants obtain a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources within 90 days of the expiration of the final appeal period of this application, unless a time extension is granted by the Director of the Department.
5. That the 6' high metal fence along 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.
6. That the applicant complies with all applicable conditions, requirements, recommendations, requests, and other provisions of the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources as indicated in the memorandum.

ES:JB:SS:PM

Eric Silva

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

ZONING RECOMMENDATION ADDENDUM

Zarela Vela
PH: Z24-126

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

<p>Low Density Residential (Pg. I-31)</p>	<p><i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>
<p>Sec. 33-49. Table of minimum widths, area of lots, maximum lot coverage, and minimum building sizes.</p>	<p><i>For the districts enumerated in this section, the minimum width and area of lots, the maximum lot coverage, and minimum building sizes shall be as set forth in the following table:</i></p>

	<i>District</i>	<i>Families</i>	<i>Min. Width</i>	<i>Min. Lot Area (Sq. Ft.)</i>	<i>Max. Lot Coverage (% of Lot Area)</i>	<i>Min. Bldg. Size (Cu. Ft.)</i>
	District	Families	Min. Width	Min. Lot Area (Sq. Ft.)	Max. Lot Coverage (% of Lot Area)	Min Bldg. Size (Cu Ft)
	RU-1	1	New sub.- 75'	7,500	40%	8,500
			Old sub.- 50'	5,000	35%	8,500
	RU-1M(a)	1	50'	5,000	45%	8,500
	RU-1M(b)	1	60'	6,000	45%	8,500
Sec. 33-36.1. - Administrative adjustment procedure.	<p>Zoning Districts AU, GU, EU-1, EU-1C, EU-2, EU-S, EU-M, RU-1, RU-1Ma, RU-1Mb, RU-1Z, RU-2</p> <p>Setback - Maximum reduction 50% (i.e., if minimum required setback is 10feet, then setback could not be reduced below 5 feet administratively)</p> <p>Lot Coverage - maximum increase for aprincipal and/or accessory structure 15% (i.e., if maximum lot coverage in the district is 30%, then total lot coverage that could be approved administratively is 34.5percent)</p>					

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

LUIS VELA, JESUS VELA & JOSE
MONTALVAN, ZARELA VELA &

14834 SW 24 ST
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

PENDING

Z2024000126

DATE

HEARING NUMBER

FOLIO No: 30-4909-001-0220

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

May 16, 2025

NEIGHBORHOOD REGULATIONS:

Case No. 202503001195 was opened on 04/15/2025 for "*Unauthorized Use-Residential/Business*". This case is pending an initial inspection.

BUILDING SUPPORT REGULATIONS:

Case No. 20240228908B was opened on 03/22/2024. A Notice of Violation was issued on 03/22/2024 for "*Failure to obtain required building permit(s) prior to commencing work on: Attached structure on the SW side of the property.*" An extension was granted until 06/17/2025. **There are no outstanding fees.**

VIOLATOR:

LUIS VELA, JESUS VELA & JOSE MONTALVAN, ZARELA VELA


OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum

Date: January 29, 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: Z2024000126-2nd Review
Zarela Vela
14834 SW 24th Street
Requesting to legalize the aluminum roofed terrace on a single-family residence.
(RU-1MB) (0.1377 acres)
09-54-39

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 structure to be legalized is required to connect to public water and sanitary sewers to the extent that it has plumbing connections for potable water and/or wastewater.

Conditions of Approval: None

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.

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 "14834 Alterations" prepared by Rene Fernandez Jover, P.E., and dated as received by Miami-Dade County on January 02, 2025, was submitted with the subject application, and indicates that tree resources onsite will not be removed. Please note that a Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code.

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

Conditions of Approval: None

DERN 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: January 24, 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 - Zarela Vela
Application No. Z2024000126 (Revision No. 1)

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

Application Name: Zarela Vela

Location: The proposed project is located at 14834 SW 24th Street with Folio No. 30-4909-001-0220, in unincorporated Miami-Dade County.

Proposed Development: The applicant is seeking non-use variance setbacks in order to legalize an attached open Aluminum terrace located at the rear and west of the existing single-family residence.

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

Please note that the subject property has a 10-foot Utility easement within and along the northern boundary of the property. Permanent structures, trees or palms are not allowed within said utility easement (only passive landscaping along the Utility Easement).

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

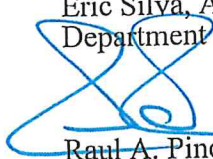
Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavaldd@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Suyapa Carbajal at (786) 552-8124 or suyapa.carbajal@miamidade.gov.

Memorandum



Date: May 8, 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: Z2024000126
Name: Zarela Vela
Location: 14834 SW 24 Street
Section 09 Township 54 South Range 39 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 14, Block 2, Plat Book 159, Page 46.

This application does not generate any additional trips.

Standard Conditions:

- A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."
- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

Memorandum



Date: January 08, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

Subject: Z202400126

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded in "EnerGov" on 01/02/2025. Single family home.

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

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

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

Memorandum



Date: July 19, 2024

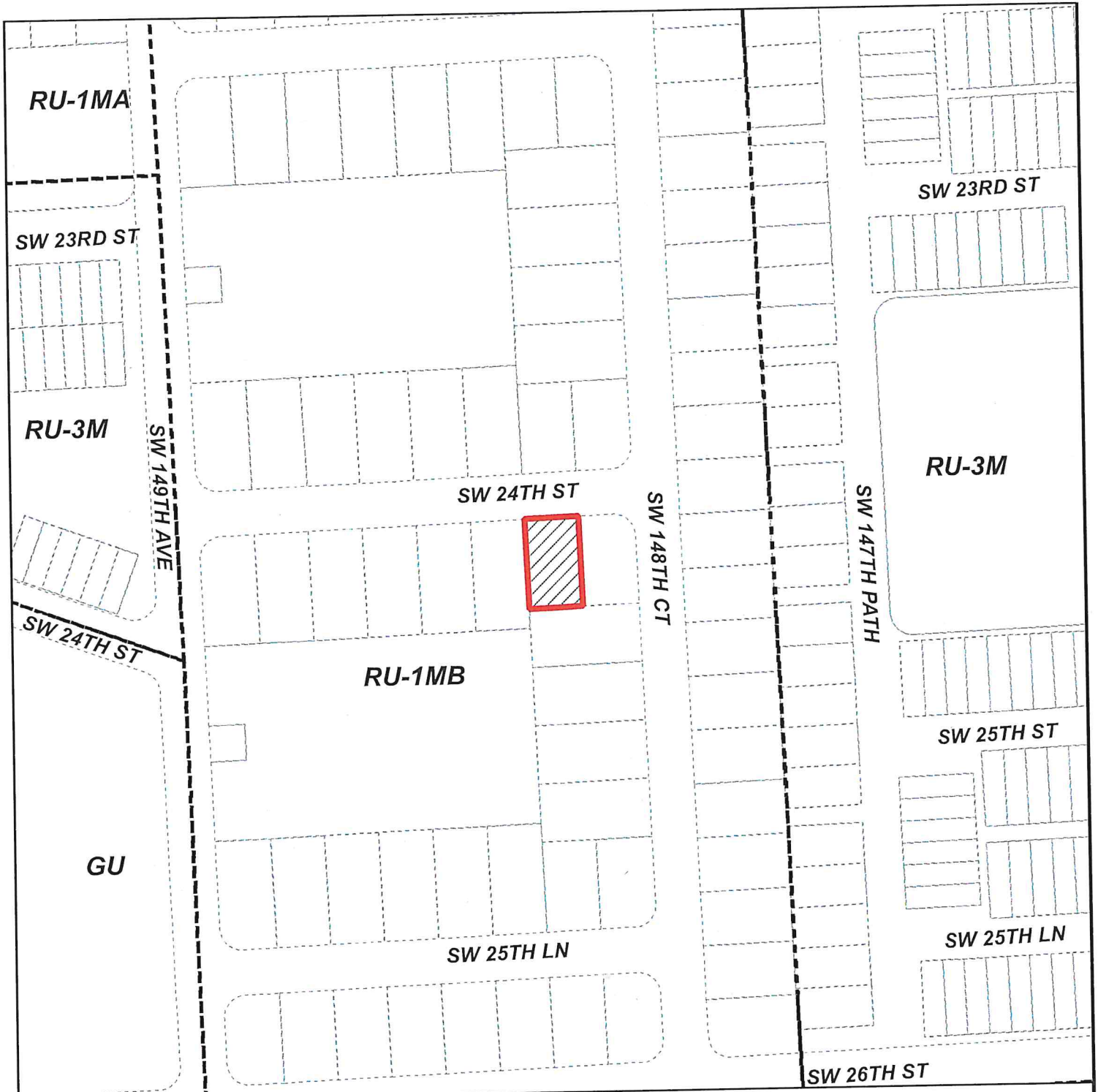
To: Eric Silva, Assistant Director for Development Services
Department of Regulatory and Economic Resources

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

Subject: Zoning Application Z2024-000126 Zarela Vela

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

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





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2024000126



Section: 09 Township: 54 Range: 39
 Applicant: Zarela Vela & Luis Vela, Jesus Vela & Jose Montalvan
 Zoning Board: C10
 Commission District: 11
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

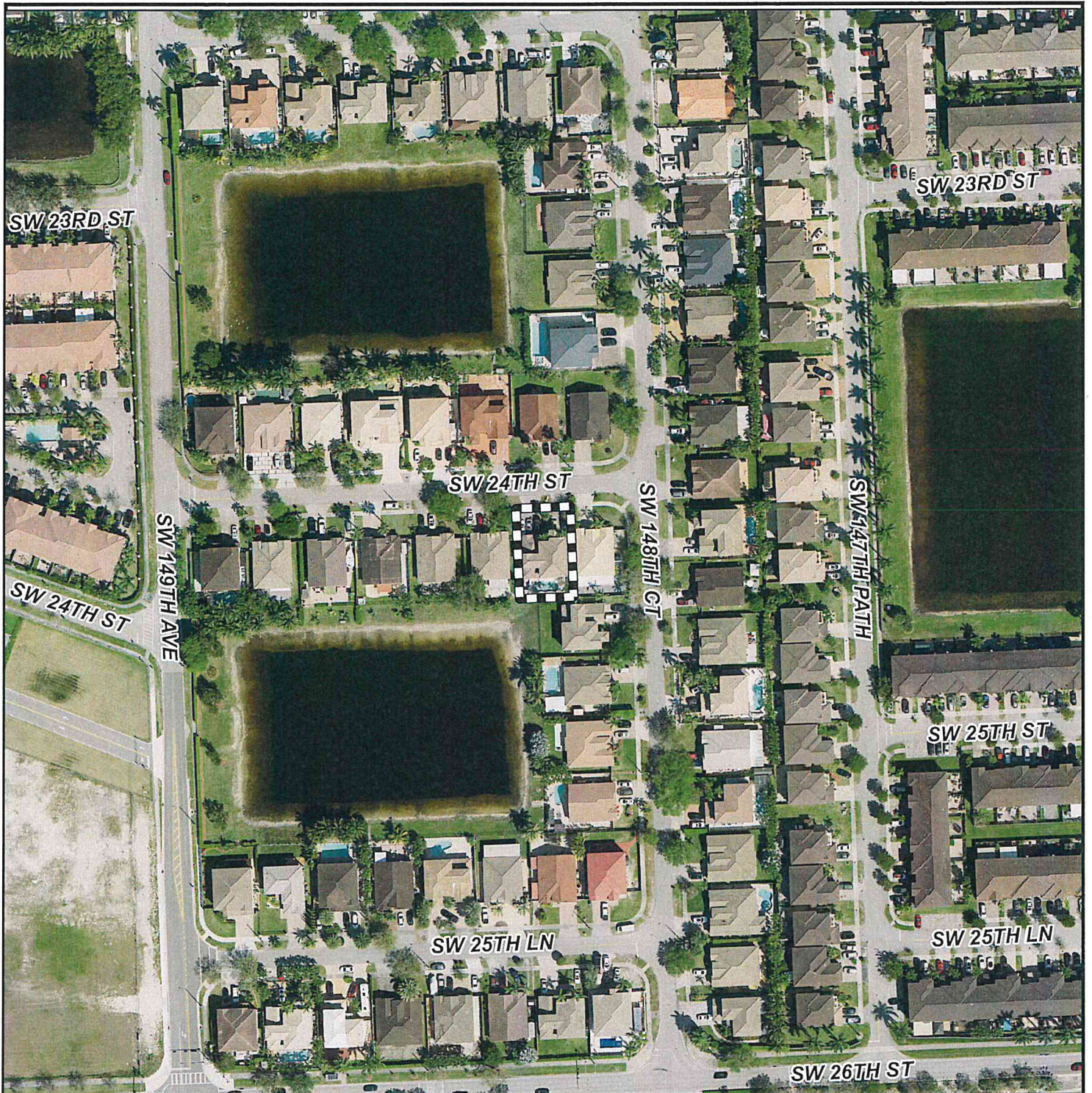
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Monday, July 1, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2024000126

Legend
 Subject Property

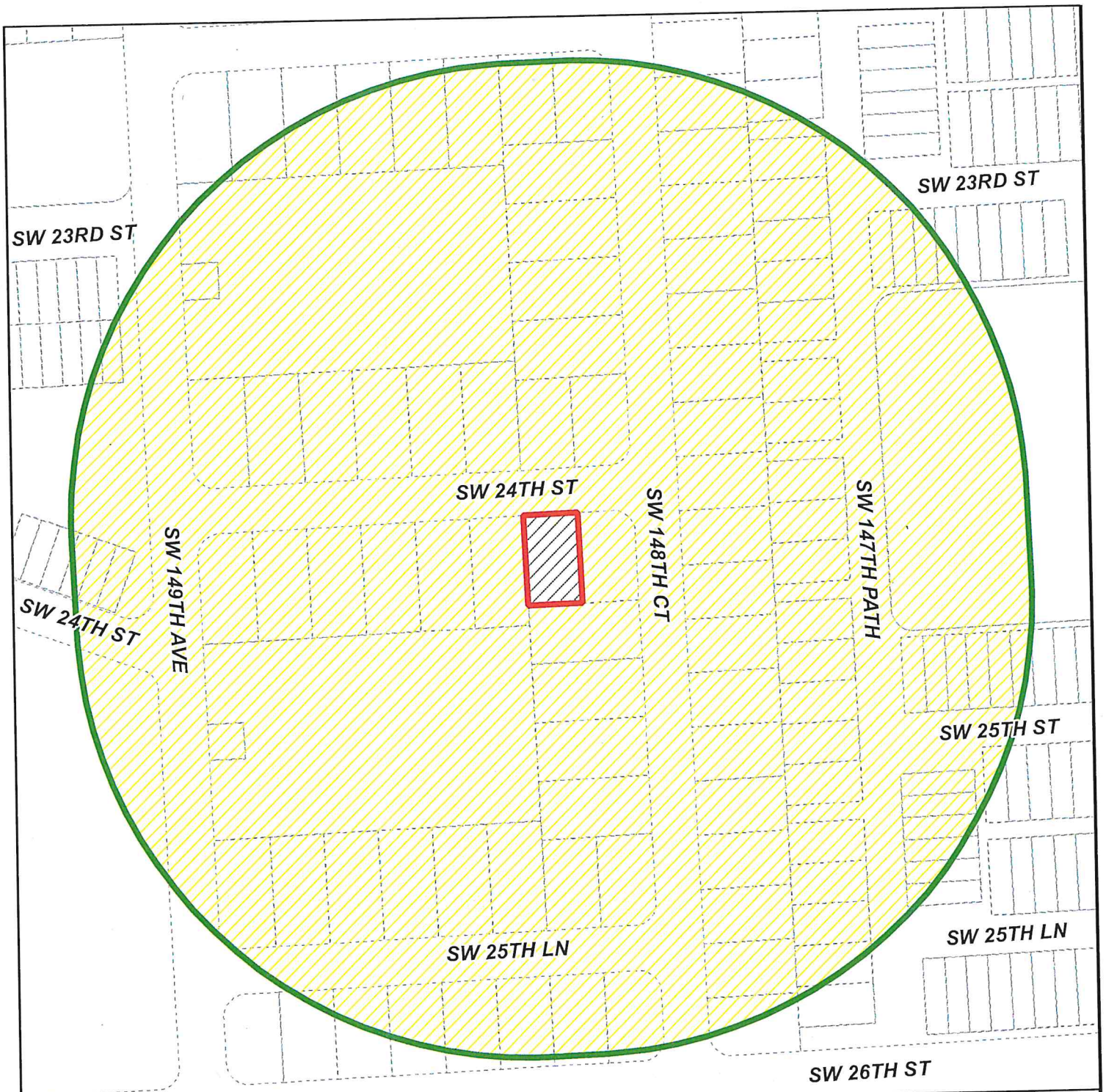


Section: 09 Township: 54 Range: 39
 Applicant: Zarela Vela & Luis Vela, Jesus Vela & Jose Montalvan
 Zoning Board: C10
 Commission District: 11
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Monday, July 1, 2024

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2024000126
 RADIUS: 500

Section: 09 Township: 54 Range: 39
 Applicant: Zarela Vela & Luis Vela, Jesus Vela & Jose Montalvan
 Zoning Board: C10
 Commission District: 11
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

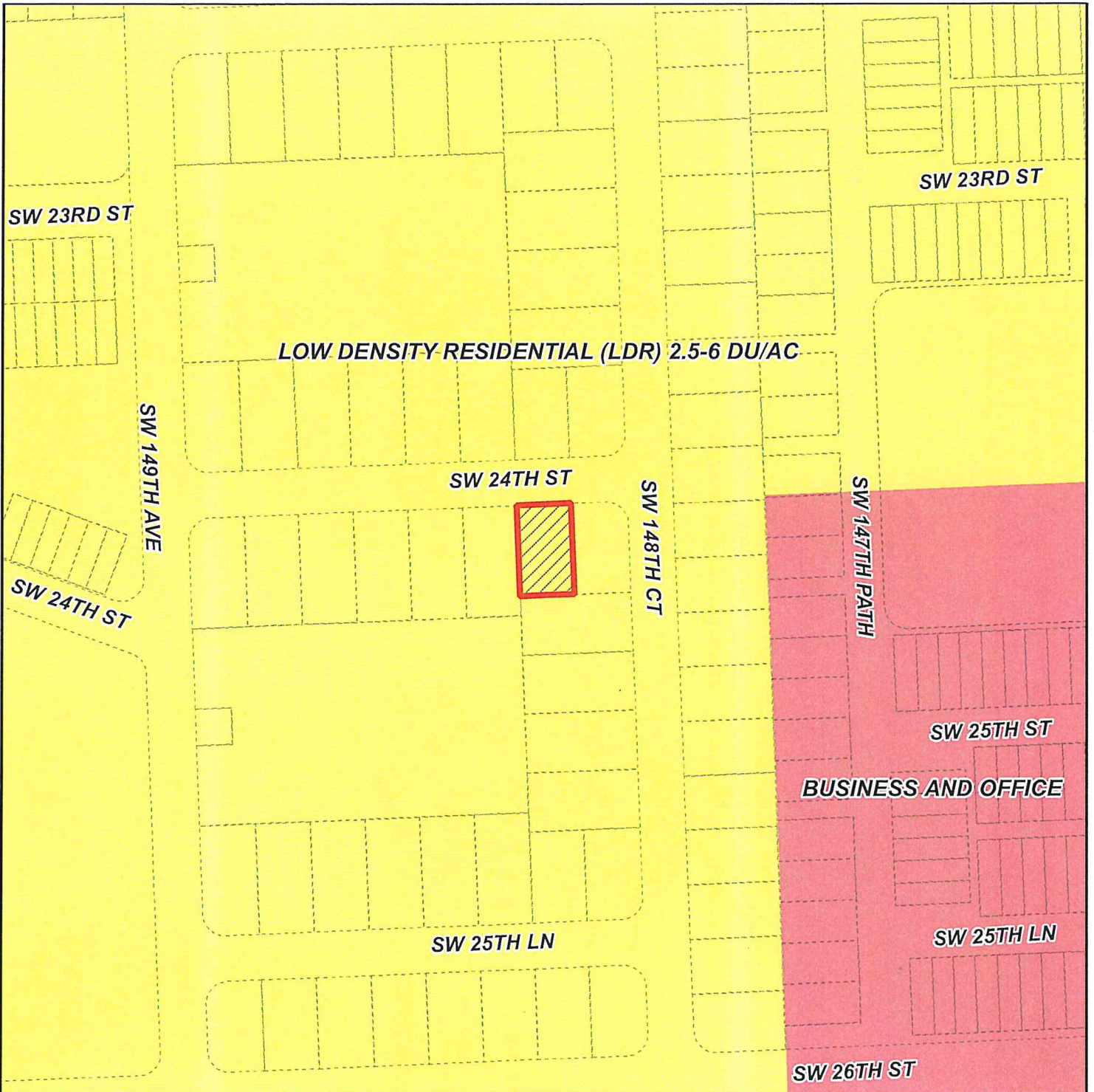
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, July 1, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2024000126

Section: 09 Township: 54 Range: 39
 Applicant: Zarela Vela & Luis Vela, Jesus Vela & Jose Montalvan
 Zoning Board: C10
 Commission District: 11
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

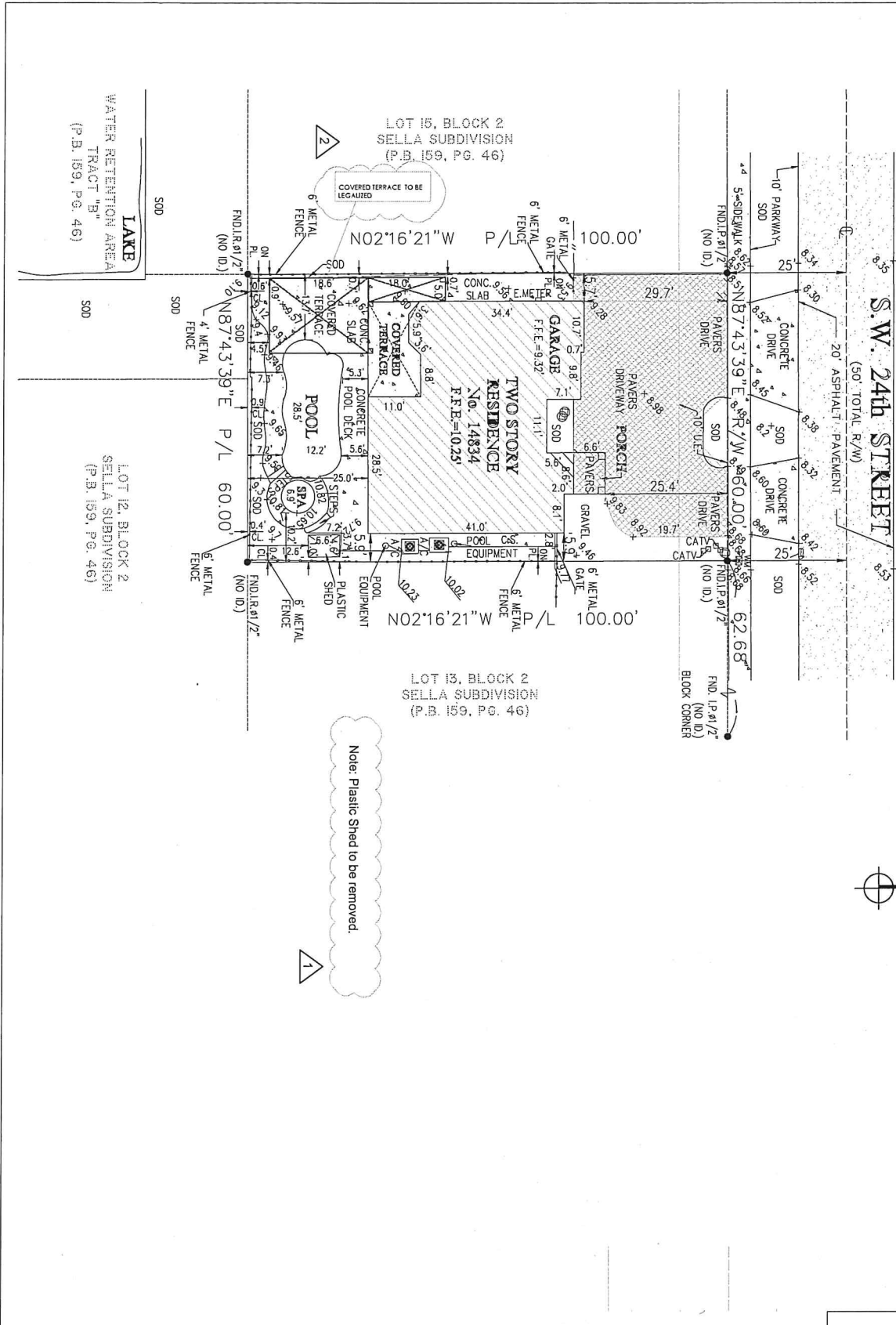
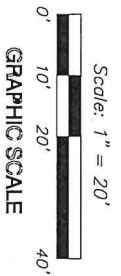
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 Subject Property Case

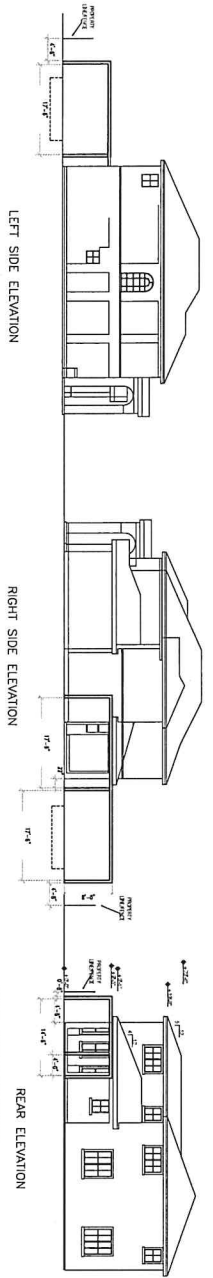


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REVISION	DATE	BY

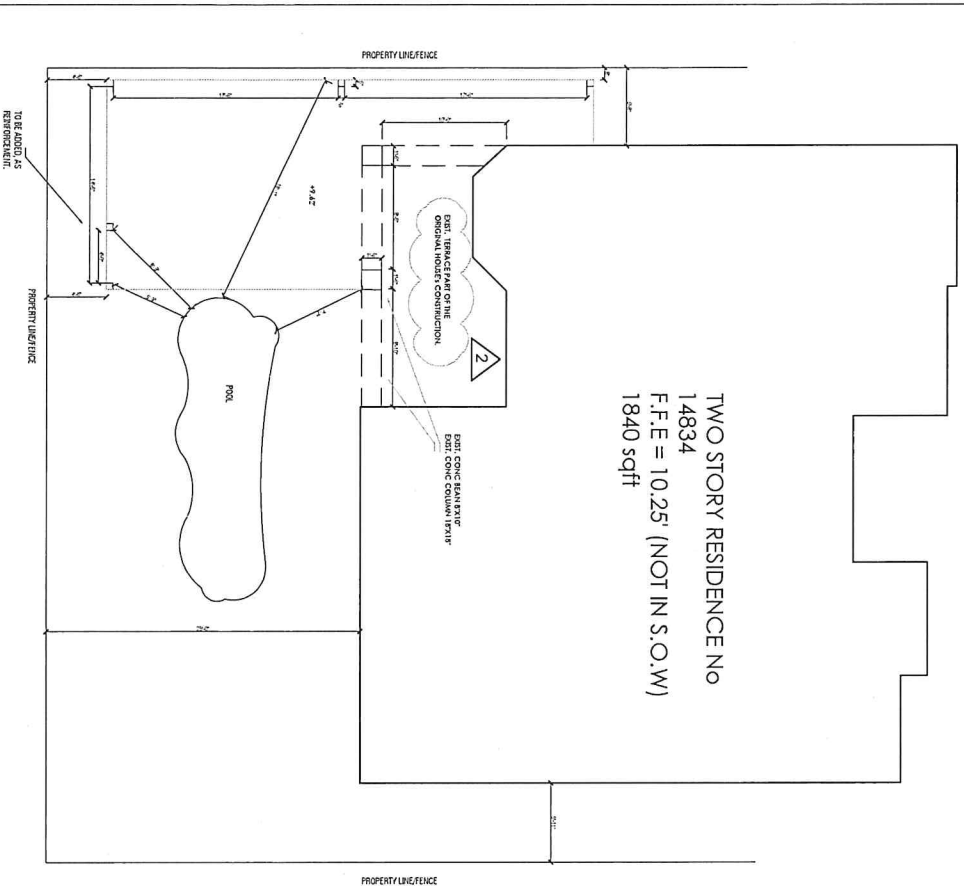


14834 alterations
14834 SW 24 ST MIAMI FL 33185
OWNERS: ZARELA VELA LUIS VELA JESUS VELA JOSE MONTALVAN
Sheet Title: SURVEY AS BUILT
Issue Date: Project No. REV 1 12/27/2024 REV 2 07/11/2025
Drawing No.: A-1
Professional of Record: ERNE FERNANDEZ, JCVON No. 16078 <small>THE STATE OF FLORIDA DEPARTMENT OF REVENUE DIVISION OF PROFESSIONAL REGULATION</small>



NOTE: FRONT ELEVATION
NO IMPACTED.

TWO STORY RESIDENCE NO
 14834
 F.F.E = 10.25' (NOT IN S.O.W)
 1840 sqft



ZONING INFORMATION		RUL-1M8 (ZONING CODE)	
ZONING	REQUIRED/ALLOWED	EXISTING	
NET LOT AREA	4,000 SF	6,000 SF	
LOT WIDTH	60 FEET MINIMUM	60 FEET	
LOT COVERAGE	40.1% (24,645.51 SQ FT)	20.1% (12,227.77 SQ FT)	
MAXIMUM HEIGHT	35 FT 3 STORES	32 FT 2 STORES	
SETBACKS			
FRONT	15'-0" MIN	5'-0"	
SIDE	6'-0" MIN	0'-0" (MAY BE ADJUSTED TO BE ADJUSTED)	
SIDE STREET	N/A	N/A	
REAR	15'-0" MIN	4'-0" (PROPOSED TO BE ADJUSTED)	



CONST DETAIL
 1/4" = 1'

Professional of Record: NENE FERNANDEZ, JOVEN
 P.E. No. 28417

Drawing No.:
A-3

Sheet Title:
**CONSTRUCTION
 SITE PLAN &
 ELEVATIONS.**

Issue Date: Project No.
 REV.1 12/27/2024
 REV.2 07/11/2025

OWNERS:
 ZARELA VELA
 LUIS VELA
 JESUS VELA
 JOSE MONTALVAN

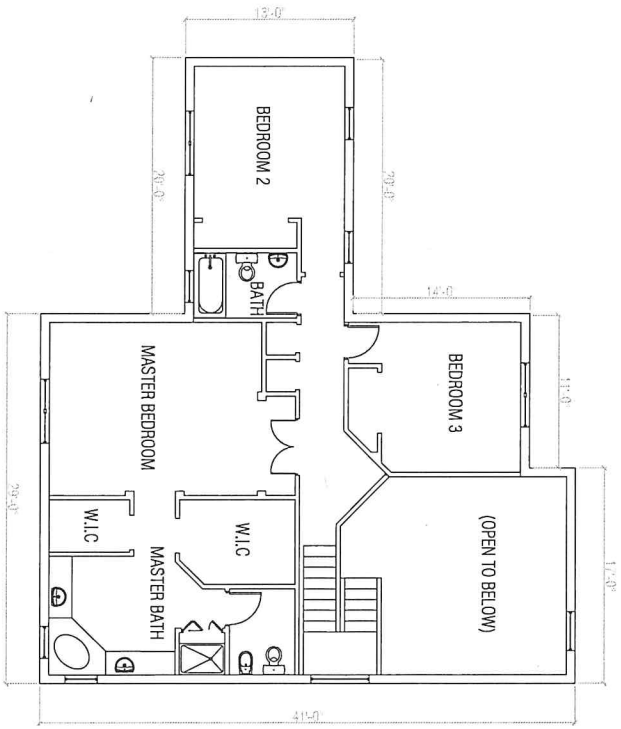
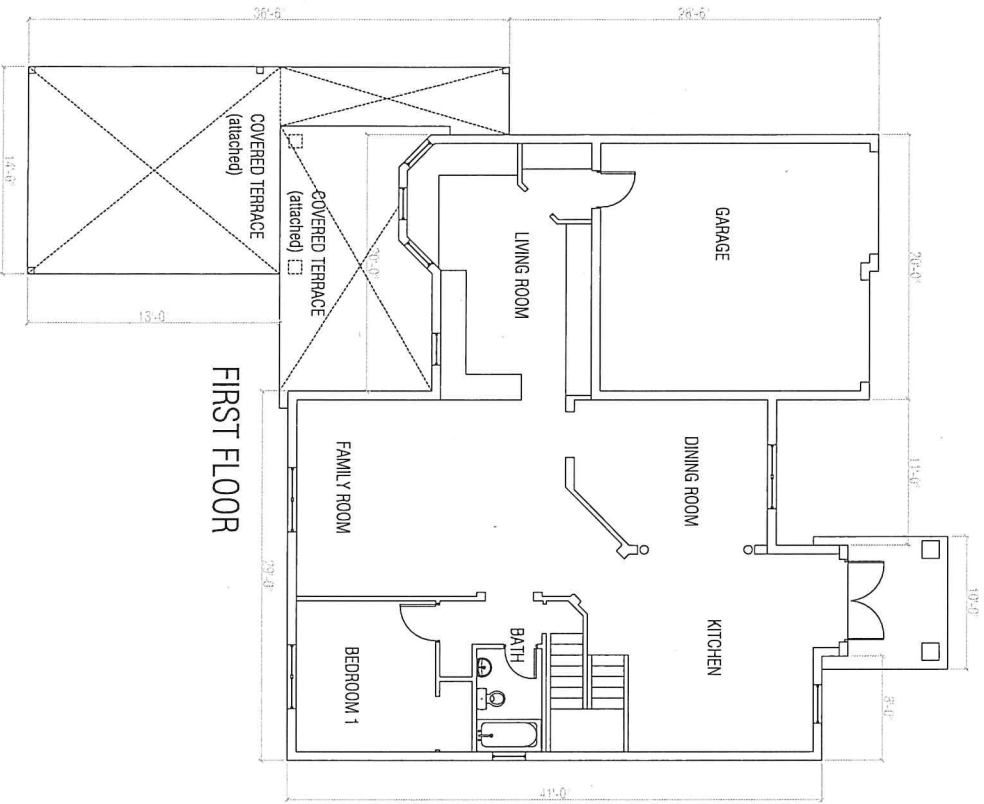
14834
 alterations
 14834 SW 24 ST MIAMI FL.
 33185

14834 alterations
 14834 SW 24 ST MIAMI FL.
 33185



CONST DETAIL

1/8" = 1'



14834 alterations
14834 SW 24 ST MIAMI FL 33185

OWNERS:
ZARELA VELA
LUIS VELA
JESUS VELA
JOSE MONTALVAN

Sheet Title:	FLOOR PLAN
Issue Date:	Project No.
REV 2 04/02/2025	

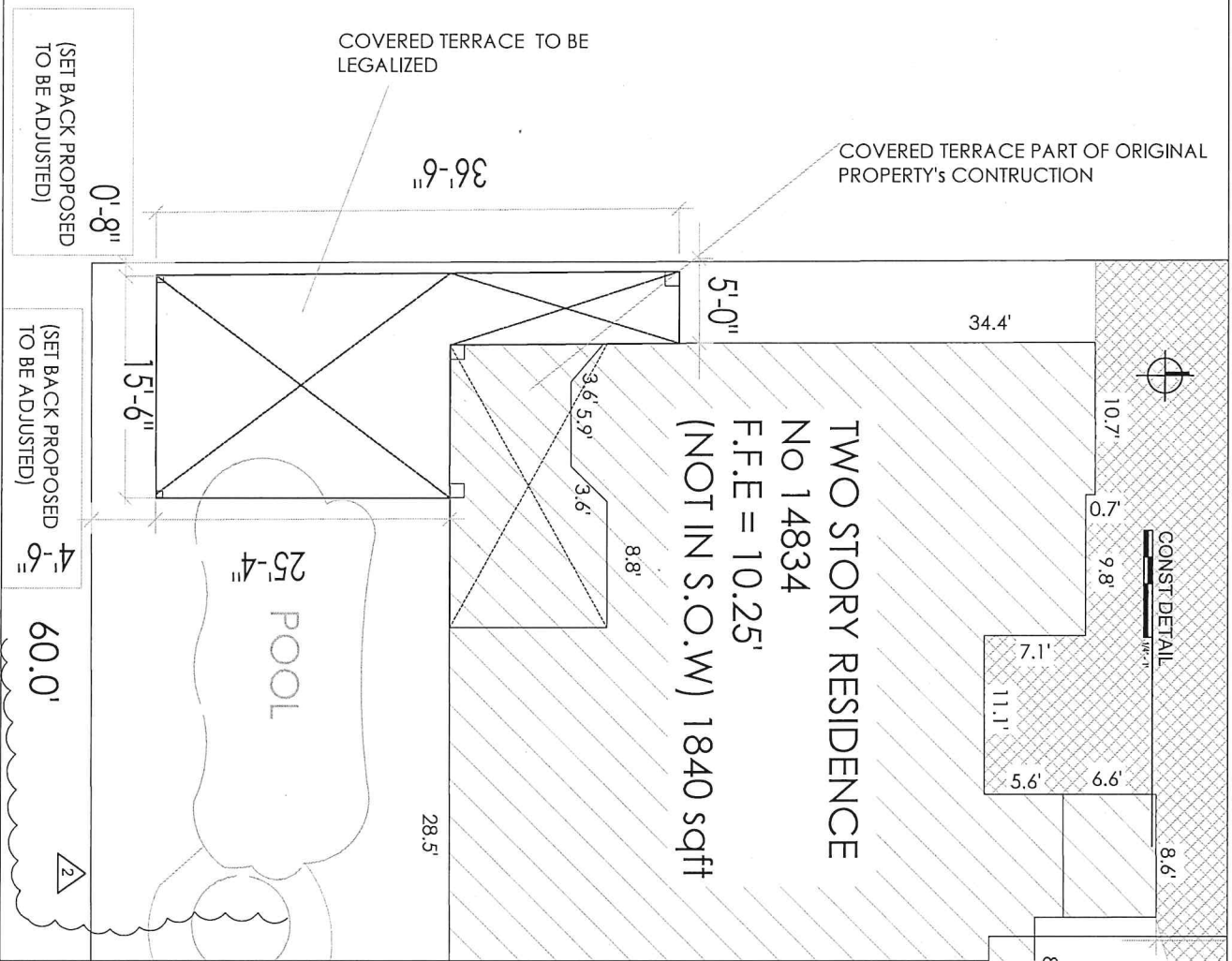
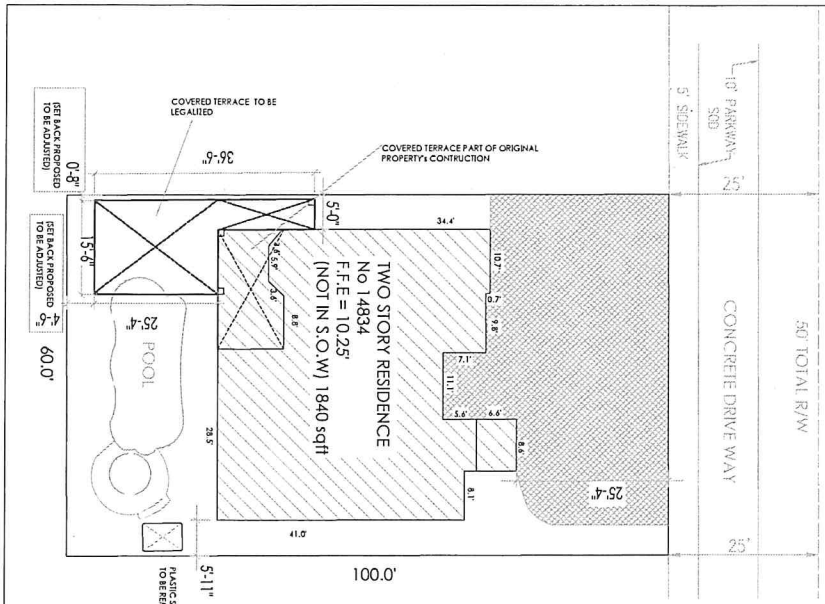
Drawing No.:	A-3
Professional Engineer Signature:	
Professional Engineer Stamp:	

Professional Engineer Signature: JOVEL
 Professional Engineer Stamp: JOVEL
 Joyel Engineering LLC
 9426 SW 5 LN
 MIAMI FL 33174 788 443 9161
 info@joyeleng.com

RU-1MB (ZONING CODE)

ZONING	REQUIRED/ALLOWED	EXISTING
NET LOT AREA	6000 SF	6000 SF
LOT WIDTH	60 FEET MINIMUM	60 FEET
LOT COVERAGE	40.1% (2,401 SF) MAX	20.1% (1,202 SF) MAXIMUM 7.8% (467 SF) COVERED TERRACE
MAXIMUM HEIGHT	35' (2) STORES	35' (2) STORES
SETBACKS		
FRONT	15'-0" MIN	25'-0"
SIDE	5'-0" MIN	5'-0" MIN
REAR	5'-0" MIN	5'-0" MIN
CONCRETE DRIVEWAY	N/A	5'-0" MIN
COVERED TERRACE	N/A	5'-0" MIN
REAR	15'-0" MIN	4'-0" PROPOSED TO BE ADJUSTED

C.L. SW 24 ST



14834 alterations
 14834 SW 24 ST MIAMI FL 33185

OWNERS:
 ZARELA VELA
 LUIS VELA
 JESUS VELA
 JOSE MONTALVAN

Sheet Title:
SITE PLAN

Issue Date: Project No.
 REV 1 12/27/2024
 REV 2 07/11/2025

Drawing No.:
A-2

Professional of Record: NENE FERNANDEZ-CORREA
 P.E. No. 25411

THIS DRAWING IS THE PROPERTY OF SONCOL ENGINEERING ARCHITECTURE CONSULTING, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z24-126

DATE: JUN 25 2024

BY: GONGOL



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MIAMI-DADE COUNTY

PROCESS NO.: Z24-126

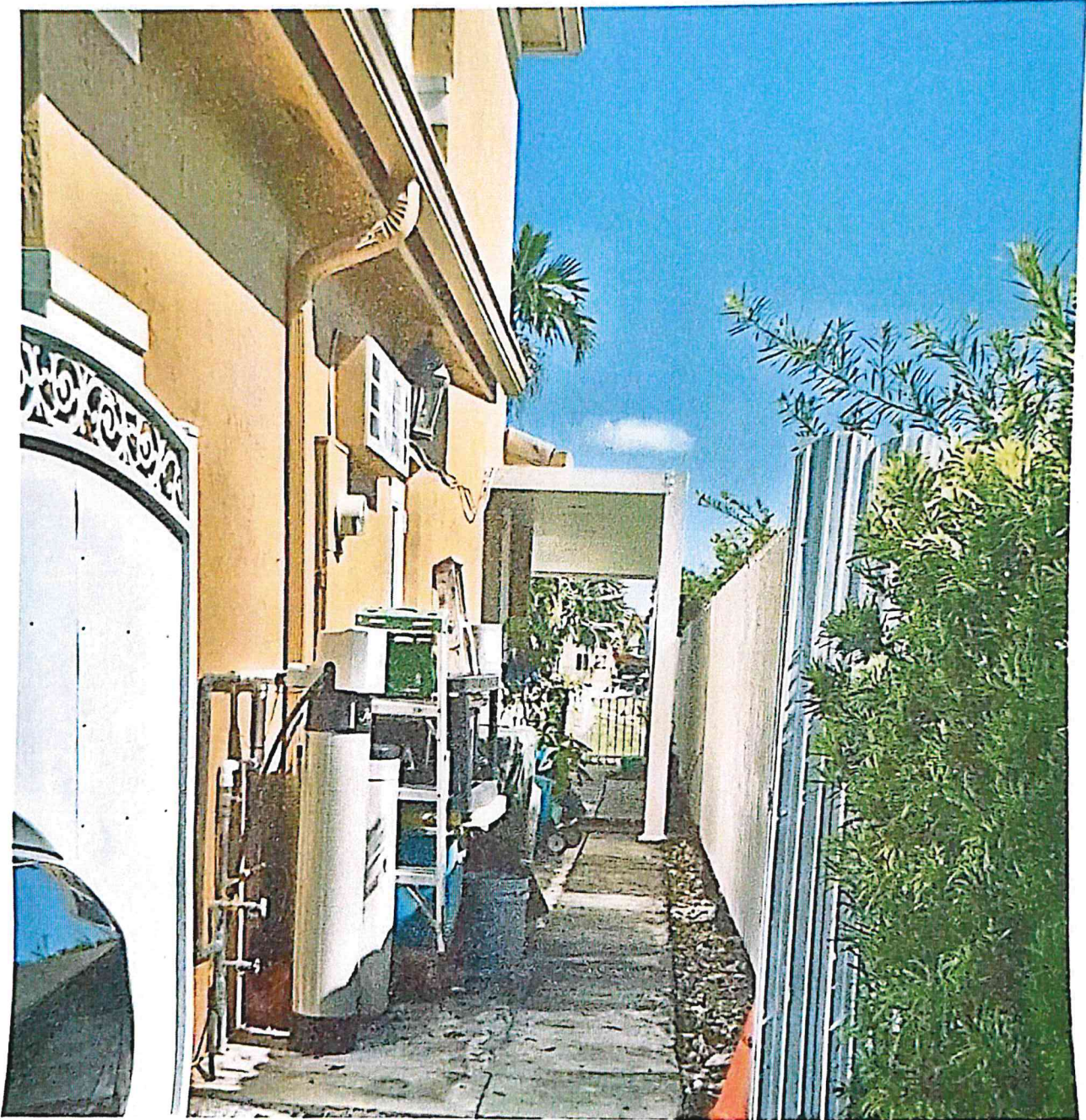
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DATE: JUN 25 2024

BY: GONGOL



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

PH: Z24-033

October 21, 2025

Item No.1

Recommendation Summary	
Commission District	10
Applicant	Alexis Rosa and Judith B. Rosa
Summary of Requests	The applicants seek to allow an existing covered terrace addition structure to a single-family residence to setback less than required from the rear property line.
Location	9531 SW 26 Drive, Miami-Dade County, Florida
Property Size	0.17 Acre
Existing Zoning	RU-1, Single-Family Residential District
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	Low Density Residential, 2.5 to 6 dua <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUEST:

NON-USE VARIANCE to permit an existing covered terrace addition to a single-family residence to setback 7' (15' required for 50% of the lineal footage of the entire width of the house and 25' required for the balance) from the rear (north) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Patio Addition Rosa Residence", as prepared by Edward Torres R.A. of Architecture/Master Planning Planning/Interiors, dated stamped received 7/3/2024 consisting of 3 sheets. Plans may be modified at public hearing.

PROJECT HISTORY AND DESCRIPTION:

The submitted plans show an existing one (1)-story, 2,621 sq. ft. single-family residence located on an interior lot, that fronts along SW 26 Drive roadway. The applicants seek to allow the existing covered terrace addition to the principal residence to setback less than required from the rear property line. The covered terrace addition is situated 7' from the rear property line where 15' is otherwise required for 50% of the lineal footage of the entire width of the house and 25' required for the balance by the zoning regulations. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate an existing 6' high wood fence located along the rear and 4' high chain link fence on the interior side property lines of the subject property.

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

North	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
South	RU-1; single-family residences	Low Density Residential (2.5 to 6 dua)
East	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
West	RU-1; single-family residences	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence that is on a 7,500 sq. ft., RU-1, Single-Family Residential District, interior lot, located at 9531 SW 26 Drive. The surrounding area is characterized by existing single-family residences, also developed under the RU-1, Single-Family Residential District regulations.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to legalize reduced setbacks for an existing covered terrace addition located towards the rear of the principal residence building. Staff opines that since the rear yard area is enclosed with a 6’ high wood fence along the rear and 4’ chain link fence on the interior sides, together with the existing landscaping in form of hedges, any visual impact that the covered terrace addition may have on the surrounding properties is minimal and would be sufficiently mitigated.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The 0.17-acre subject property is located within the Urban Development Boundary (UDB) and the Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map designates the site as **Low Density Residential**. The CDMP Land Use Element interpretative text for Low Density Residential states that *the residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre, and is generally characterized by single family housing, e.g., single-family detached, cluster, and townhouses*. Staff opines that the approval of the requests for reduced setbacks sought in the application for an existing terrace addition 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 use on the property, staff opines that approval of the application with conditions would be **consistent** with the Low Density Residential Communities designation of the CDMP LUP map.

ZONING ANALYSIS:

When the request to permit an existing covered terrace addition to setback 7’ (15’ required for 50% of the lineal footage of the entire width of the house and 25’ required for the balance) from the rear (north) property line, is 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 covered terrace addition located towards the rear of the subject property. Staff supports the requests and opines that approval with conditions of the non-use variance would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes from plans, survey map and photographs submitted by the applicants as well as the County's Geographic Information System (GIS) that any impact of the requests are adequately mitigated by the existing 6' high wood fence located along the rear and 4' high chain link fence on the interior side property lines as well as the existing hedge along the 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 east and west of the subject property. Staff further opines that the existing encroachment towards the rear by the covered terrace addition is minimal in nature and internal to the site and that is enclosed from view from the outside by the wood fence, chain link fence and hedges. Any significant visual impact generated from the encroachments on the single-family residences will be minimal. Staff recommends as a condition for approval that the said wood fence along the rear property line be maintained as a visual buffer, and, if said fence is destroyed or removed, it must be replaced by an opaque fence at a maximum height of 6', or a fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6,' in accordance with Section 33-11(h) of the County Code.

Staff's research found Resolution No. CZAB10-17-23 for subject property which was for 2 Non-Use Variance requests: #1 to permit a covered terrace addition to a single-family residence to setback 4.8' (15' required for 50% of the lineal footage of the entire width of the house and 25' required for the balance) from the rear (north) property line and request #2 was to permit the existing detached shed to setback 1.6'(5' required) from the rear (north) property line and to setback 2' (7.5' required) from the interior side (west) property line. Both requests #1 and #2 were denied without prejudice. The applicant has now relocated the shed with permit 2024050684 and now meets the required setbacks. The applicant is also proposing a rear setback of 7' for the covered terrace addition which will also be less intensive from the previous request of 4.8'. In staffs further research of the surrounding area, a similar approval within the same neighborhood was found. For example, pursuant to Resolution No. 4-ZAB-579-70, adopted in December 1970, a property located at 9330 SW 26 Street, was approved for an attached garage addition with 6.1' setback (25' required) from the rear (south) property line. This example and the subject request are comparable in nature within the same neighborhood.

In addition, staff notes that based on memoranda from the departments reviewing this application, any impacts from the reduced setbacks will not cause their facilities and services to operate below their adopted levels standards of service. The memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) indicates that the application does not generate any new additional daily peak hour trips, and the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources memorandum indicates that approval will not result in a reduction in the LOS standards for potable water supply, wastewater disposal, or flood protection and that the County's Fire Rescue Department in their memorandum indicates that approval of this application would not create a fire or become a hazard on the subject site. Additionally, the memorandum from Miami-Dade Water and Sewer Department indicates that they do not have objections. Furthermore, staff opines that the architectural style and scale of the covered terrace addition is designed and arranged in a manner that would not be detrimental to the neighborhood or create adverse privacy impacts on the abutting properties, and that approval with conditions of the requested 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.

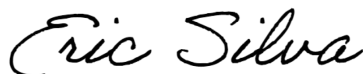
NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

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. Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Patio Addition Rosa Residence", as prepared by Edward Torres R.A. of Architecture/Master Planning Planning/Interiors, dated stamped received 7/3/2024 consisting of 3 sheets. Plans may be modified at public hearing. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants obtain a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources within 90 days of the expiration of the final appeal period of this application, unless a time extension is granted by the Director of the Department.
5. That the 6' high wood fence along the rear and 4' chain link fences on the interior sides property lines of the subject property be maintained as a visual buffer, and that if the wall is removed or destroyed, the applicant shall install a cbs wall, opaque fence or hedge that must be 3' high at the time of planting and that shall grow to and be maintained at a minimum height of 6' in accordance with Section 33-11(h) of the County Code and that only passive landscaping along the Utility Easement will be allowed per the WASD memorandum.

ES:JB:SS:EA:JH



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

ZONING RECOMMENDATION ADDENDUM
Alexis Rosa & Judith B. Rosa
 PH: Z24-033

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

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

Low Density Residential (Pg. I-31)	<i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

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

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

ALEXIS AND JUDITH B ROJAS

9531 SW 26 DR
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2024000033

DATE

HEARING NUMBER

FOLIO: 30-4016-018-1140

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

July 18, 2025

NEIGHBORHOOD REGULATIONS:

Case No. 202406002012 was opened on 05/16/2024. Warning Notice W429313 was issued on 05/21/2024 for "OVER-HEIGHT FENCE, BARBED WIRE, WALL, OR HEDGE, TO WIT: HEDGES OBSERVED ON THE PROPERTY EXCEED 7 FEET IN HEIGHT". A compliance inspection conducted on 06/05/2024 revealed that the violation was corrected. Case is closed.

Case No. 202406002066 was opened on 05/21/2024. Warning Notice W429315 was issued on 05/21/2024 for "ILLEGALLY STORING MORE THAN TWO BOATS OR WATER VESSELS AS STATED IN 33-20(E)(2), TO WIT: ONE BOAT AND ONE JET SKI OBSERVED STORED ON THE PROPERTY." A compliance inspection conducted on 06/07/2024 revealed that the violation was corrected. Case is closed.

BUILDING SUPPORT REGULATIONS:

Case No. 20210206440 was opened on 12/02/2020. A Notice of Violation was issued on 12/09/2020 for "Failure to obtain required building permit(s) prior to commencing work on: New gates on east and west side of property, Attached structure in the rear, new roof work and detached structure installed without required permits." Since compliance was not met, Civil Violation Notice P042757 was issued on 05/03/2023 for "SECTION 105.1 OF THE FLORIDA BUILDING CODE: FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK Attached structure in the rear." A lien was recorded on 01/16/2025 under book 34576/page 1807. There is an active Compliance Consent Agreement effective until 9/30/2025.

Case No. 20250238638B was opened on 05/13/2025. A Notice of Violation was issued on 05/28/2025 for "*Failure to obtain required building permit(s) prior to commencing work on: Rear window on existing attached structure converted into a door. AC condenser unit relocation.*" The case is pending a compliance inspection on or after August 26, 2025.

VIOLATOR:

ALEXIS AND JUDITH B ROJAS

OUTSTANDING LIENS AND FINES:

There are no outstanding lien or fines.

Memorandum



Date: August 28, 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 *Lisa Spadafina*

Subject: Z2024000033-2nd Review
Alexis Rosa and Judith Bosque Rosa
9531 SW 26th Drive
NUV of setbacks requirements for the legalization of terrace added
to a single-family residence
(RU-1) (0.17 acres)
16-56-40

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 does not indicate the presence of tree resources. Please note that a Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code.

In accordance with section 24-49.9 of the Code, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. Please contact Jackelyn Alberdi at Jackelyn.Alberdi@miamidadecounty.gov 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: August 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) *Maria Valdes*

Subject: REVISED-Zoning Application Comments - Terrace addition for Alexis Rosa
Application No. Z2024000033

The Water and Sewer Department has reviewed the proposed development for the subject zoning application. On March 15, 2022, an Indemnification and Hold Harmless Agreement was executed between the property owner and WASD, as there is an existing water and gravity sewer main located within the Owner's property in a dedicated easement and there was an existing shed and terrace within the owner's property, encroaching on a portion of the easement.

Please note that the shed was relocated outside the utility easement through Building Permit No. 2024050684, and final approval for the relocation of the shed was granted on June 24, 2025. WASD has no objections to this application.

Application Name: Terrace addition for Alexis Rosa

Location: The proposed project is located on approximately 0.17 acres at 9531 SW 26th Drive, with Folio No. 30-4016-018-1140, in unincorporated Miami-Dade County.

Proposed Development: The applicant intends to legalize the addition of a shed and a cover patio terrace (not under A/C) located at the rear of the existing single-family residence.

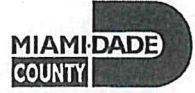
This project results in a no net increase for the water demand.

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 mavalad@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Benita A. Ramirez at (786) 552-8121 or benita.ramirez@miamidade.gov

Memorandum



Date: October 3, 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: Z2024000033
Name: Alerxis Rosa and Judith Bosque Rosa
Location: 9531 SW 56 Drive
Section 16 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 16, Block 5, Plat Book 68, Page 15.

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: July 11, 2024

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

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

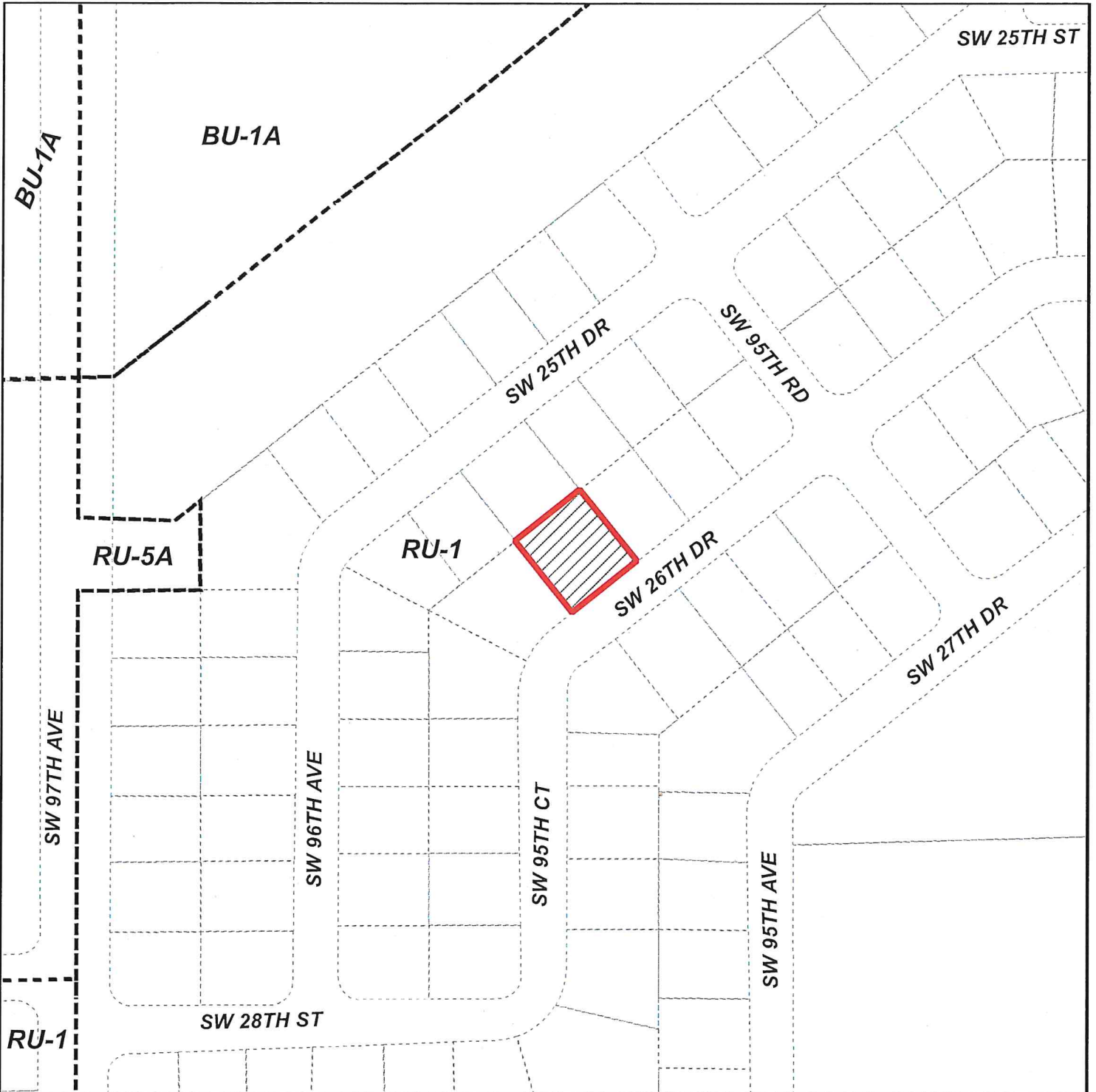
Subject: Z2024000033

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded in "EnerGov" on 07/30/2024.

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
Z2024000033



Section: 16 Township: 54 Range: 40
 Applicant: Florida Land Use Consultant
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

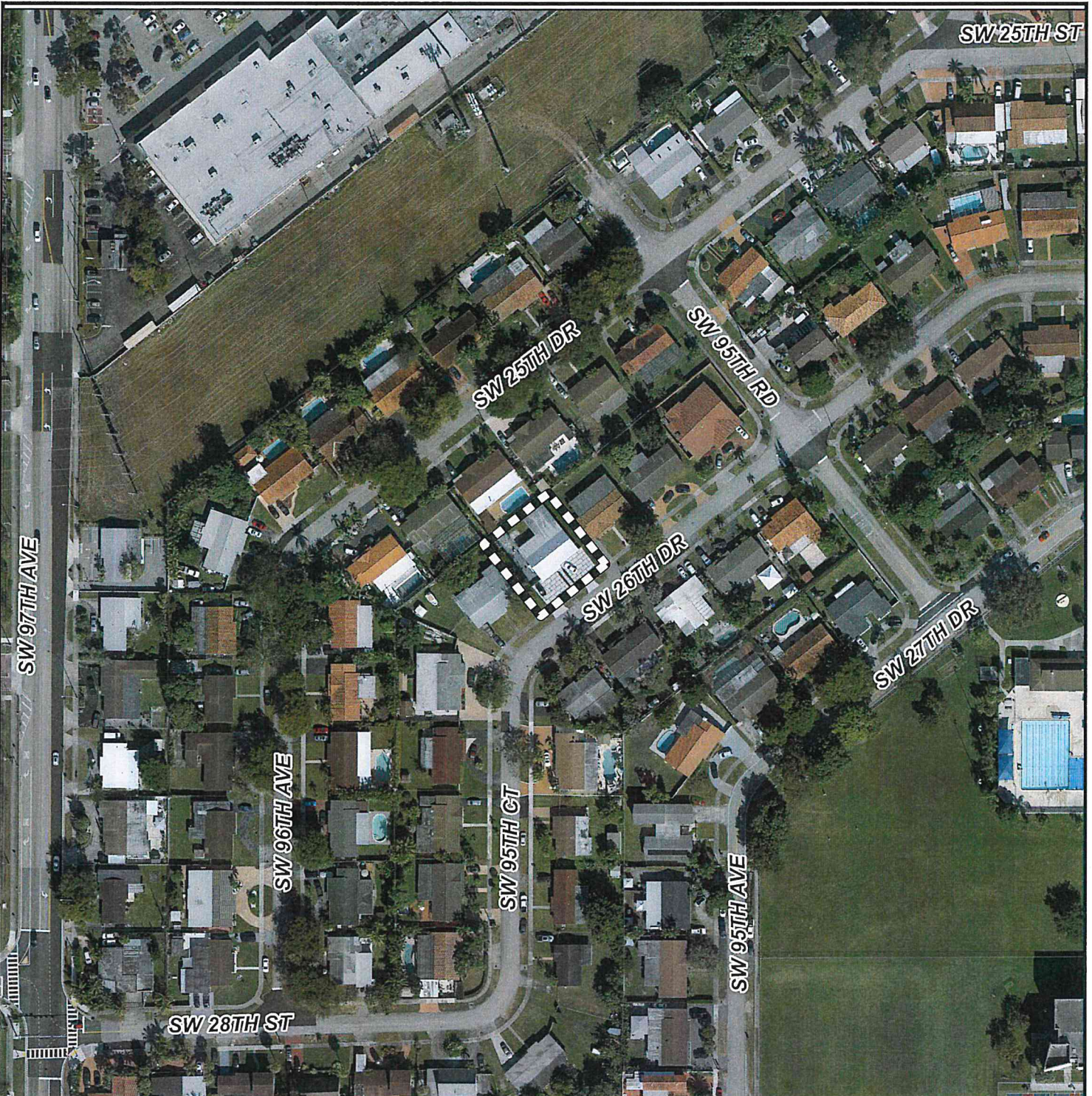
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-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Friday, July 5, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2024000033

Legend
 Subject Property

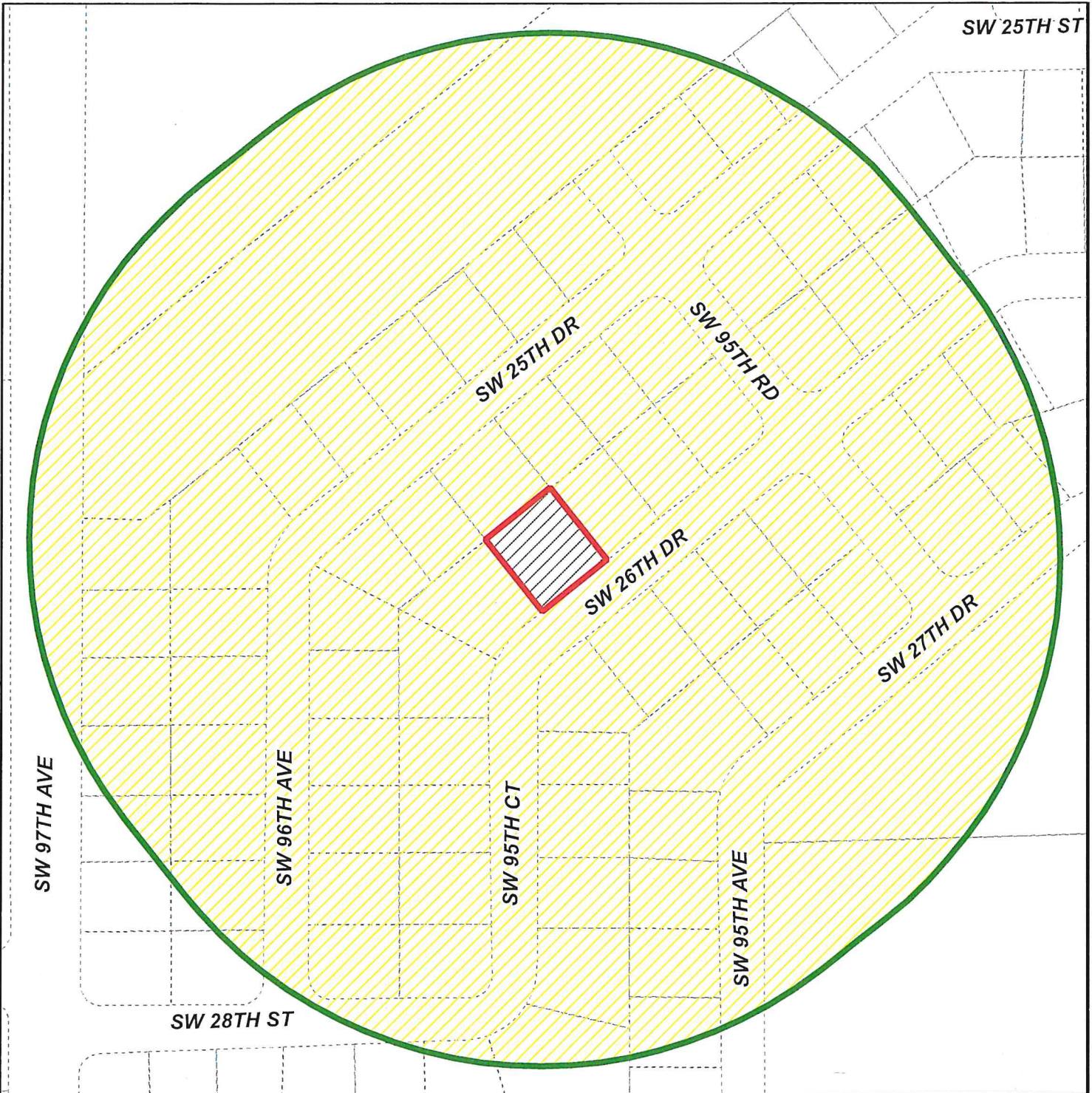


Section: 16 Township: 54 Range: 40
Applicant: Florida Land Use Consultant
Zoning Board: C10
Commission District: 10
Drafter ID: EDUARDO CESPEDES
Scale: NTS



SKETCH CREATED ON: Friday, July 5, 2024

REVISION	DATE	BY



**MIAMI-DADE COUNTY
RADIUS MAP**

Section: 16 Township: 54 Range: 40
 Applicant: Florida Land Use Consultant
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2024000033
 RADIUS: 500

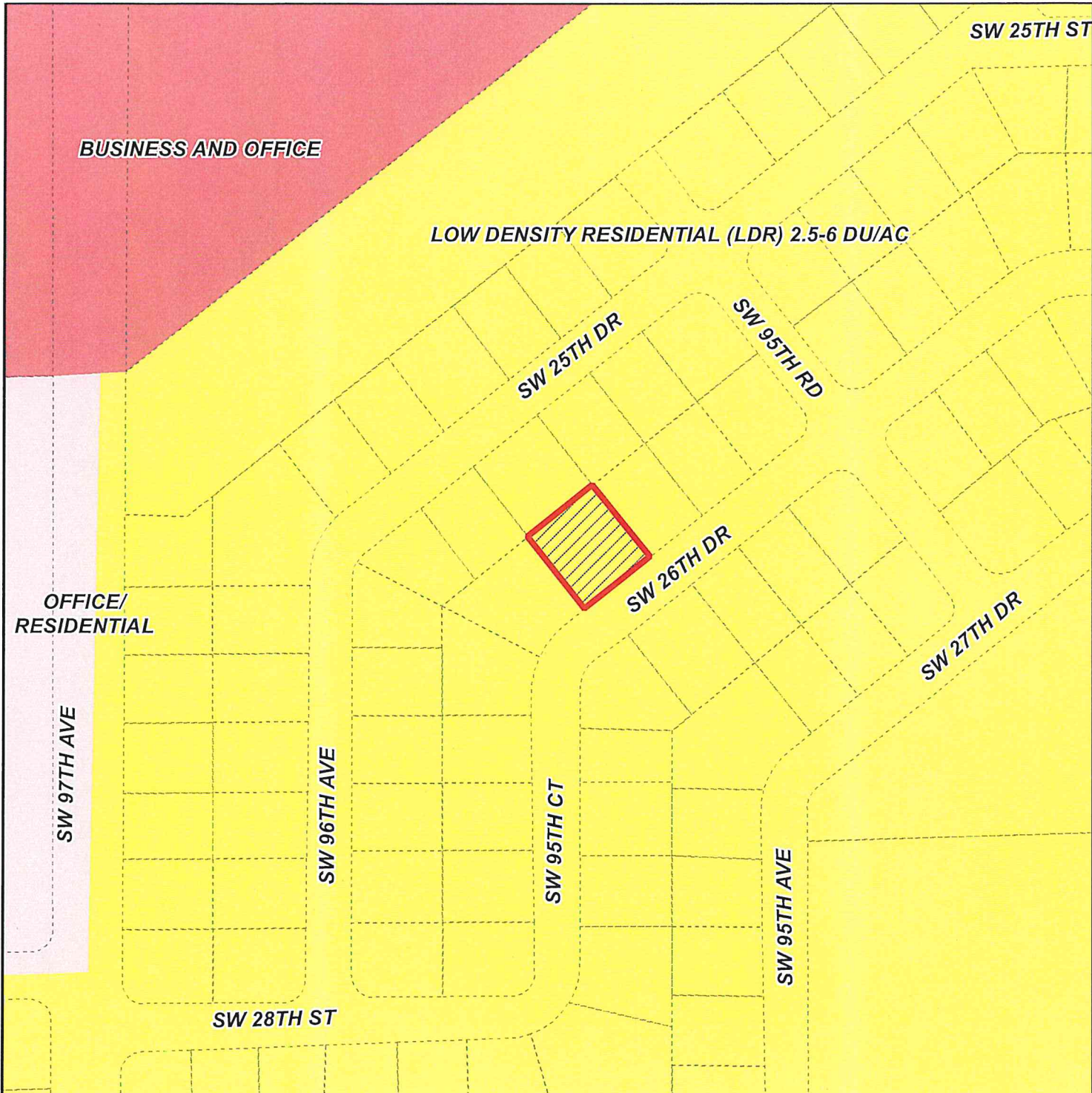
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-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Friday, July 5, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2024000033

Section: 16 Township: 54 Range: 40
 Applicant: Florida Land Use Consultant
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

 Subject Property Case

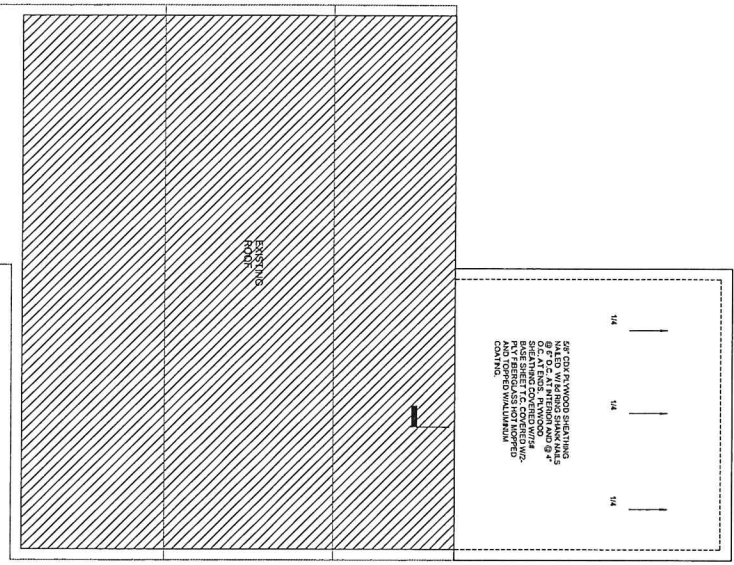


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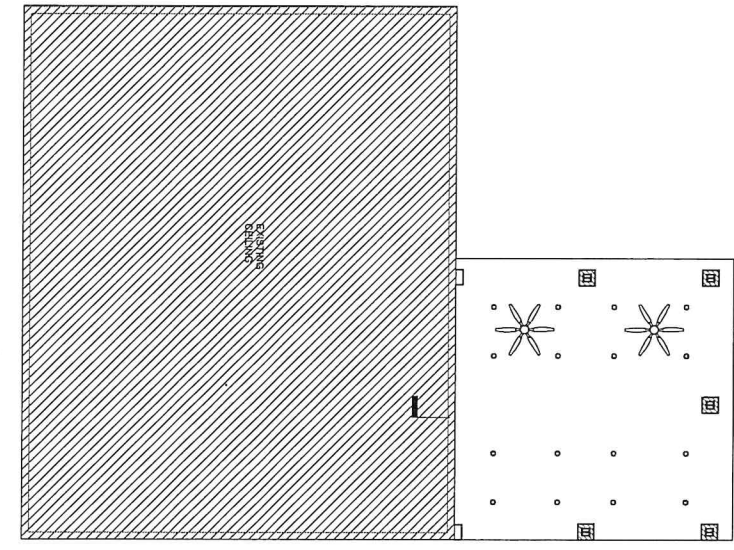
REVISION	DATE	BY

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS FROM TOOLS AND TAPES IN THE FIELD OF A COMPLETELY ACCURATE AND TO THE ATTENTION OF ARCHITECT DURING THE REMOVAL OF CONTRACT. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS FROM TOOLS AND TAPES IN THE FIELD OF A COMPLETELY ACCURATE AND TO THE ATTENTION OF ARCHITECT DURING THE REMOVAL OF CONTRACT. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS FROM TOOLS AND TAPES IN THE FIELD OF A COMPLETELY ACCURATE AND TO THE ATTENTION OF ARCHITECT DURING THE REMOVAL OF CONTRACT. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS FROM TOOLS AND TAPES IN THE FIELD OF A COMPLETELY ACCURATE AND TO THE ATTENTION OF ARCHITECT DURING THE REMOVAL OF CONTRACT.

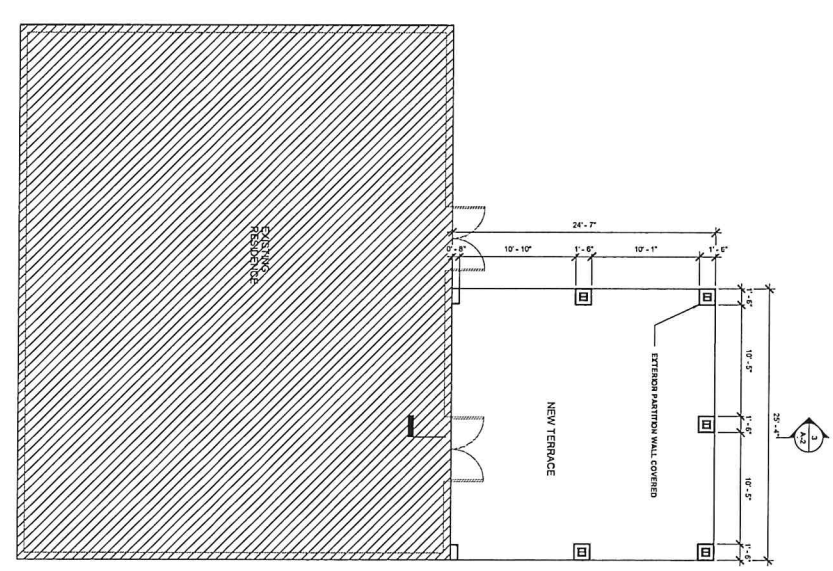
NOTE: ALL WORK TO BE DONE UNDER THE SUPERVISION OF THE ARCHITECT AND NO OTHER AVAILABLE CODES, ANY REVISIONS TO THE CONTRACT SHALL BE MADE BY THE ARCHITECT. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS FROM TOOLS AND TAPES IN THE FIELD OF A COMPLETELY ACCURATE AND TO THE ATTENTION OF ARCHITECT DURING THE REMOVAL OF CONTRACT.



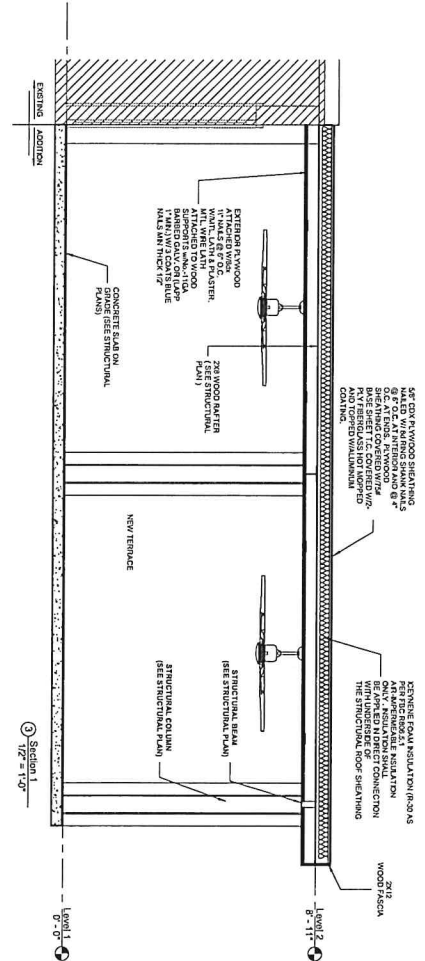
1 PROPOSED ROOF PLAN
SCALE: 3/8\"/>



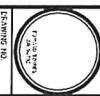
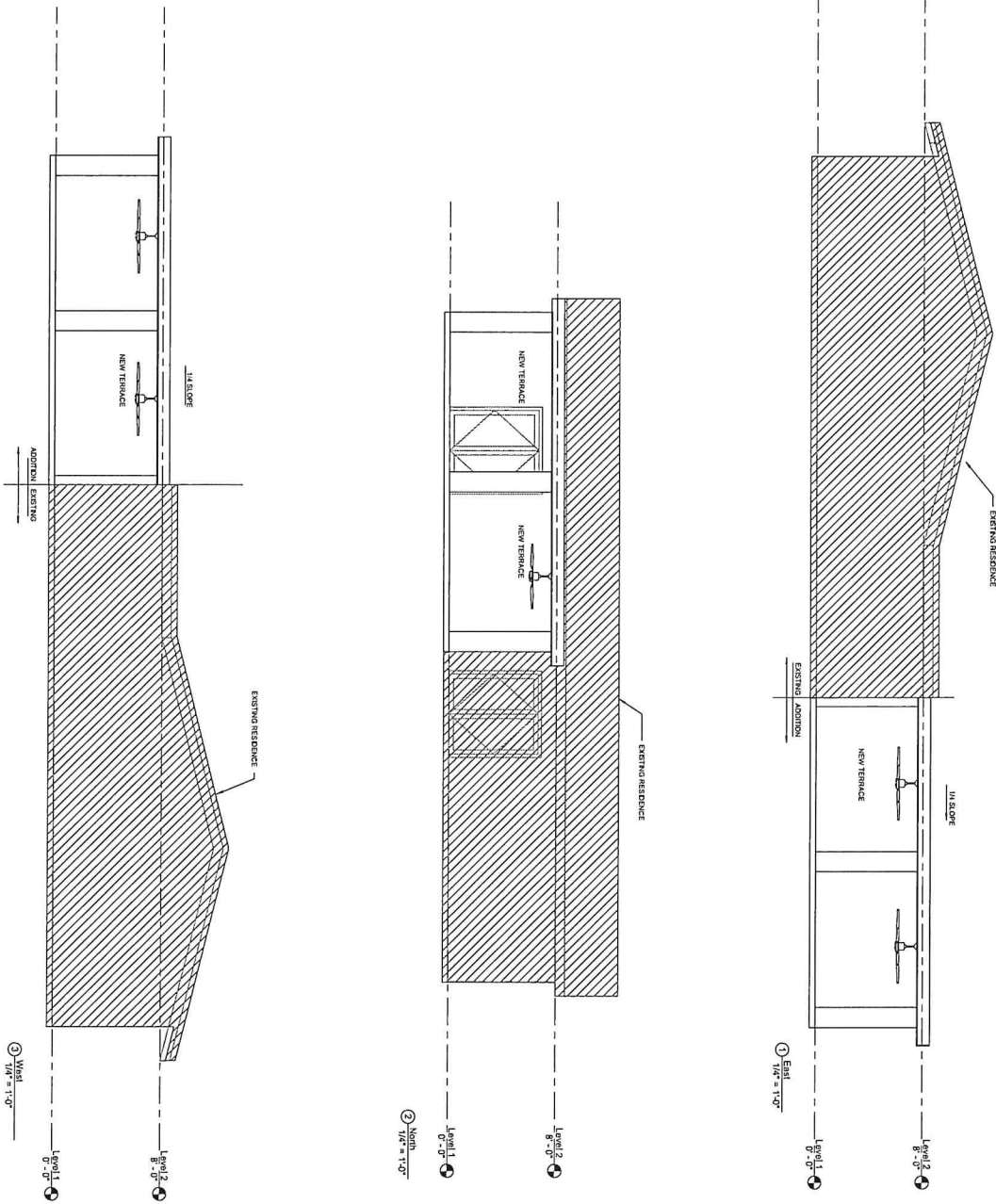
2 PROPOSED CEILING PLAN
SCALE: 3/8\"/>



3 PROPOSED FLOOR PLAN
SCALE: 3/8\"/>



Section 1
1/2\"/>

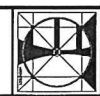


**FLOOR PLAN,
 ELEVATIONS,
 SITEPLAN, ZONING**

REV.	DATE	ISSUE FOR:

PATIO ADDITION
ROSA RESIDENCE
 9531 SW 26th DRIVE MIAMI FLORIDA

Edward Torres R.A. AR # 94792
 Architecture / Master Planning / Interiors
 5072 SW 164th AVENUE, MIRAMAR FLORIDA 33027
 Captiva97@aol.com 786 (954) 259-0290



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

PH: Z24-086

October 21, 2025

Item No. 2

Recommendation Summary	
Commission District	10
Applicant	Ramon Leandro Ceballos Jr.
Summary of Request	The applicant seeks to permit an existing terrace addition to a single-family residence to setback less than required from the rear and interior side property lines.
Location	7840 SW 22 Street, Miami-Dade County, Florida.
Property Size	±0.17 Acre
Existing Zoning	RU-1
Existing Land Use	Single-family residence district, 7,500 sq. ft. net
2030-2040 CDMP Land Use Designation	Low Density Residential, 2-5 to 6 dua <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUEST:

NON-USE VARIANCE to permit an existing single-family residence terrace addition to setback 6' (15' required for 50% of the lineal footage of the entire width of the house and 25' required for the balance) from the rear (south) property line and to setback 6' (7.50' required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Proposed Site Plan and Elevations", as prepared by Jose E. Polanco, P.E., dated stamped received 1/22/2025 consisting of a total of 2 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The ±0.17-acre subject property is located at 7840 SW 22 Street. The submitted plans depict an existing one (1)-story high, 2,423 sq. ft. single-family residence with an attached terrace and located on a corner lot. The applicant is seeking to permit the existing terrace addition with encroachment into the rear and interior side setback areas. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate an existing 6' high wood fence located along the south and west property lines of the subject property.

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

West	RU-1; single-family residence	Low Density Residential (2.5 to 6 du)
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NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence located on a corner lot at 7840 SW 22 Street, zoned RU-1, Single-Family Residential District. The surrounding area is primarily developed with single-family residences to the north, south, and west, also under RU-1 regulations, while office uses under the BU-1A District are located to the east of the property.

SUMMARY OF THE IMPACTS:

The approval of this application will permit the applicant to maintain the existing attached terrace addition with encroachments into the rear and interior side setback areas. However, due to the fact that the rear and interior side yard areas are completely enclosed with an existing 6' high wood fence, staff opines that any visual impact that the existing structure has on the surrounding residences is minimal and would be sufficiently mitigated.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The ±0.17-acre subject property is located within the Urban Development Boundary (UDB) and the Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map designates the site as **Low Density Residential**. The CDMP Land Use Element interpretative text for Low Density Residential states; *“residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre”,* and *“is generally characterized by single family housing, e.g., single-family detached, cluster, and townhouses.”* The approval of the request to setback the existing terrace addition less than required by Code from the property lines will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP. Since the applicants are not requesting additional dwelling units, staff opines that approval of the application would be **consistent** with the Land Use Element interpretative text under the **Low-Density Residential** Communities designation on CDMP LUP map.

ZONING ANALYSIS:

When the request to permit an existing single-family residence terrace addition to setback 6' (15' required for 50% of the lineal footage width of the house and 25' required for the balance) from the rear (south) property line and to setback 6' (7.50' required) from the interior side (west) property line, are analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff opines that the approval with conditions of this request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community.

The plans submitted in conjunction with this application depict the existing single-family residence on a corner lot, with an existing attached terrace structure located towards the rear of the subject property. The attached terrace is located closer from the rear and interior side property lines than is permitted under the zoning standards. Staff notes that the County Geographical Information System (GIS) shows that the attached terrace was built approximately in 2023. 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 6' high wood fence along the south and west property lines of the property, which staff opines, buffers any visual

intrusion of the encroachments on the surrounding properties, especially to the parcels to south and west of the subject property.

Staff further opines that the requested variance of a reduced setback for the existing attached terrace addition located toward the rear and interior side of the property, staff has no objections to the request and opines that although said existing single-family residence with attached terrace addition is situated closer to the rear (south) and interior side (west) property lines, it is enclosed from view from the outside by the existing 6' high wood fence and would not have any significant visual impacts on the single-family residences to the south and west. Staff recommends as a condition for approval that the said fences along the property lines be maintained as a visual buffer, and, if said fence is destroyed or removed, it must be replaced by an opaque fence at a maximum height of 6', or a fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6,' in accordance with Section 33-11(h) of the County Code.

Staff's research of the surrounding area found a less intensive approval within the neighborhood for variance of the setback requirements for a single-family residence structure. For example, a property located at 7955 SW 22 Street was approved pursuant to administrative variance #V1998000201 to have the existing single-family residence structure to setback 13.5' (15' for 50% of the lineal footage of the width of the house and 25' for the balance required) from rear (north) property line and to setback 7.43' (7.50' required) from interior side (east) property line for an addition to the single-family residence located on said property, respectively.

Based on memoranda from the departments reviewing this application, any impacts from the reduced setbacks will not cause their facilities and services to operate below their adopted levels of service standards. The memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) indicates that the application does not generate any new additional daily peak hour trips, and the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources memorandum indicates that approval will not result in a reduction in the LOS standards for potable water supply, wastewater disposal, or flood protection. Additionally, the memorandum from Miami-Dade Water and Sewer Department indicates that they do not have objections, and that the County's Fire Rescue Department in their memorandum indicates that approval of this application would not create a fire or become a hazard on the subject site. Furthermore, staff opines that the architectural style and scale of the attached terrace addition 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.

OTHER: Not applicable.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Proposed Site Plan and Elevations", as prepared by Jose E. Polanco, P.E., dated stamped received 1/22/2025 consisting of a total of 2 sheets. Except any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtains a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic.
5. That the 6' high wood fence along the rear (south) and interior side (west) property lines be maintained as a visual buffer, and that if removed or destroyed, the applicant shall install a similar concrete wall to be maintained at a minimum height of 6' in accordance with Section 33-11(h) of the County Code.

ES:JB:SS:EA:VM



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

ZONING RECOMMENDATION ADDENDUM

Ramon Leandro Ceballos Jr.
(PH: Z24-086)

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental Resource Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Water and Sewer Department	No objection
Miami-Dade County Office of Historic Preservation (OHP)	No objection
Fire and Rescue Department	No objection
*Subject to conditions in their memorandum.	

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

<p>Low Density Residential (Pg. I-31)</p>	<p>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.</p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</p>	<p>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.</p>																																																												
<p>Section 33-50 Table of setback lines in residential and estate districts.</p>	<p>The minimum setback distances and spacing requirements in residential and estate districts shall be as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 15%;">District/Families</th> <th style="width: 15%;">Front (Ft.)</th> <th style="width: 15%;">Rear (Ft.)</th> <th style="width: 15%;"></th> <th style="width: 15%;">Interior Side (Ft.)</th> <th style="width: 15%;">Side Street (Ft.)</th> </tr> </thead> <tbody> <tr> <td>RU-1: One</td> <td>15 for 50% of the lineal footage of the width of the house and 25 for balance; except 20 for attached garages</td> <td>15 for 50% of the lineal footage of the width of the house and 25 for balance</td> <td style="text-align: center;">—</td> <td>10% lot width min.—5' max.—7½'</td> <td>15</td> </tr> <tr> <td>Acc. bldg.</td> <td>75</td> <td>5</td> <td></td> <td>same as RU-1 res.</td> <td>equal to front setback requirements for principal structure on key lot, plus 5'; 20' where there is no key lot.</td> </tr> <tr> <td>Canopy carport</td> <td>5</td> <td>5</td> <td style="text-align: center;">—</td> <td>2</td> <td>5</td> </tr> <tr> <td>RU-2: One</td> <td></td> <td></td> <td></td> <td>- same as RU-1 res. -</td> <td></td> </tr> <tr> <td>Two singles: Front</td> <td></td> <td></td> <td></td> <td>- same as RU-1 res. -</td> <td></td> </tr> <tr> <td>Rear</td> <td></td> <td></td> <td></td> <td>- same as RU-1 acc. bldg. -</td> <td></td> </tr> <tr> <td>Duplex</td> <td></td> <td></td> <td></td> <td>- same as RU-1 res. -</td> <td></td> </tr> <tr> <td>Acc. bldg.</td> <td></td> <td></td> <td></td> <td>- same as RU-1 acc. bldg. -</td> <td></td> </tr> <tr> <td>Canopy carport</td> <td>5</td> <td>5</td> <td style="text-align: center;">—</td> <td>2</td> <td>5</td> </tr> </tbody> </table>	District/Families	Front (Ft.)	Rear (Ft.)		Interior Side (Ft.)	Side Street (Ft.)	RU-1: One	15 for 50% of the lineal footage of the width of the house and 25 for balance; except 20 for attached garages	15 for 50% of the lineal footage of the width of the house and 25 for balance	—	10% lot width min.—5' max.—7½'	15	Acc. bldg.	75	5		same as RU-1 res.	equal to front setback requirements for principal structure on key lot, plus 5'; 20' where there is no key lot.	Canopy carport	5	5	—	2	5	RU-2: One				- same as RU-1 res. -		Two singles: Front				- same as RU-1 res. -		Rear				- same as RU-1 acc. bldg. -		Duplex				- same as RU-1 res. -		Acc. bldg.				- same as RU-1 acc. bldg. -		Canopy carport	5	5	—	2	5
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Building and Neighborhood Compliance

ENFORCEMENT HISTORY

RAMON LEANDRO CEBALLOS JR. 7840 SW 22 ST
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2024000086

DATE

HEARING NUMBER

FOLIO: 30-4010-015-0550

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

October 3, 2025

NEIGHBORHOOD REGULATIONS:

Case No. 202406000232 was opened on 01/18/2024. Warning Notice **W419967** was issued on 01/18/2024 for "FAILURE TO OBTAIN A ZONING IMPROVEMENT PERMIT AS STATED IN 33-8.1, TO WIT: CANOPY INSTALL ON THE EAST SIDE OF THE BUILDING.". A compliance inspection conducted on 08/20/2024 revealed that the violation was corrected. **Case is closed.**

BUILDING SUPPORT REGULATIONS:

Case No. 20240226983B was opened on 01/13/2024. A Notice of Violation was issued on 01/13/2024 for "Failure to obtain required building permit(s) prior to commencing work on: Attached Terrace, Dura fence without permit". Since compliance was not met, Civil Violation Notice **P057799** was issued on 12/23/2024 for "SECTION 105.1 OF THE FLORIDA BUILDING CODE: FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK on attached terrace, windows, door and alteration of opening of door." There was active Compliance Consent Agreement valid through 09/29/2025. The CCA has expired. **There are outstanding fees.**

VIOLATOR:

RAMON LEANDRO CEBALLOS JR.

OUTSTANDING LIENS AND FINES:

There are outstanding fees under case 20240226983B. Please contact the Neighborhood Compliance Section at 786-315-2552 for details.

Memorandum

Date: October 3, 2025

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

From: Christine Velazquez
Division of Environmental Resources Management

Subject: Z2024000086-2nd Review
Ramon Leandro Ceballos Jr
7840 SW 22nd Street
Non-Use Variance for setback requirements for the legalization of
an aluminum terrace.
(RU-1) (0.172 Acres)
10-54-40

RER-Code Coordination and Public Hearings Section has reviewed the above referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this zoning application is approved pursuant to section 24-43.1 of the Code related to potable water supply and wastewater disposal.

Potable Water Supply and Wastewater Disposal

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

Conditions of Approval: None

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 / 1-day storm event.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources; however, the site plan entitled "Aluminum Terrace" prepared by Jose E. Polanco, P.E., and dated as received by Miami-Dade

County on June 20, 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 regarding any additional information or concerns with 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: February 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 & Sewer Department (WASD) 

Subject: Zoning Application Comments - Ramon Leandro Ceballos Jr.
Application No. Z2024000086 - Revision # 2

The Water and Sewer Department has reviewed the proposed development for the subject zoning application. **As per the revised site plan submitted, the applicant added a note indicating that sections of aluminum terrace and the concrete slab that are in conflict with the 6 feet utility easement in the southern boundary of the property that is housing a 2-inch water main, will be removed to eliminate the existing encroachment within the WASD 6 feet utility easement. In addition, the applicant also indicated on the revised site plan that the section of the aluminum terrace that is encroaching on the western boundary of the site within an existing 6 feet utility easement will be removed as well.**

WASD has no objection to this zoning application, based on the information provided. Additional requirements may be needed at the time of permitting. The information provided below is preliminary and it does not affect the Zoning process.

Application Name: Ramon Leandro Ceballos Jr.

Location: The proposed project is located on approximately 0.17 acres at 7840 SW 22nd Street, with Folio No. 30-4010-015-0550, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is requesting the following setbacks modifications: Rear setback from 15' to 6'-0" and west side setback from 7.5' to 6'-0", in order to legalize an attached open Aluminum terrace, located at the rear of the existing single-family residence.

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

Please note that there is a 12 feet utility easement centered (*6 feet within the property line*) along the southern and western boundary of the property. The WASD 12 feet utility easement centered (*6 feet within the property line*) along the southern boundary of the property line is housing a 2-inch water main (water as-built No. EU1260-1). *Permanent structures, trees or palms are not allowed within said utility easement (only passive landscaping along the Utility Easement).* **The revised site plan submitted for the subject application shows that the sections of the existing aluminum terrace and concrete slab that are encroaching on said utility easements will be removed.**

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

Sewer: The subject site 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 mavald@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Pedro P. Vera Carballes at (786) 552-8144 or pedro.veracarballes@miamidade.gov.

Memorandum



Date: February 25, 2025

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

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

Subject: Z2024000086
Name: Ramon Leandro Ceballos
Location: 7840 SW 22 Street
Section 10 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 20, Plat Book 60, Page 16.

This application does not generate any additional trips.

Standard Conditions:

- A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."
- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

Memorandum



Date: January 24, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

Subject: Z2024000086

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to "EnerGov" on 01/22/2025. Single family home

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

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

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

Memorandum



Date: July 18, 2024

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

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

Subject: Zoning Application Z2024-000086 Ramon Leandro Ceballos JR

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

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





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2024000086

Section: 10 Township: 54 Range: 40
 Applicant: Ramon Leandro Ceballos
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

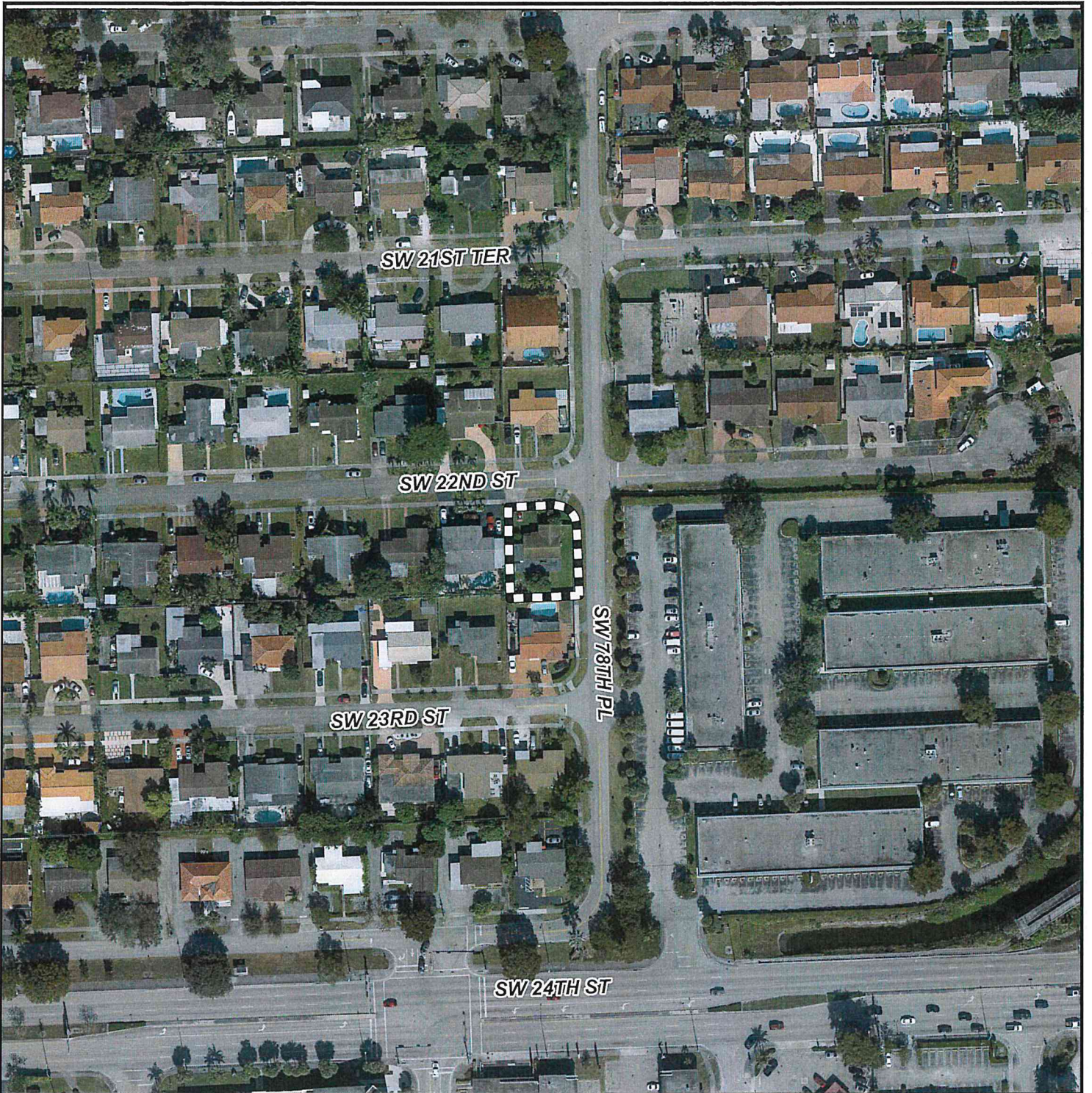
Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Friday, June 21, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2024000086

Legend



Subject Property

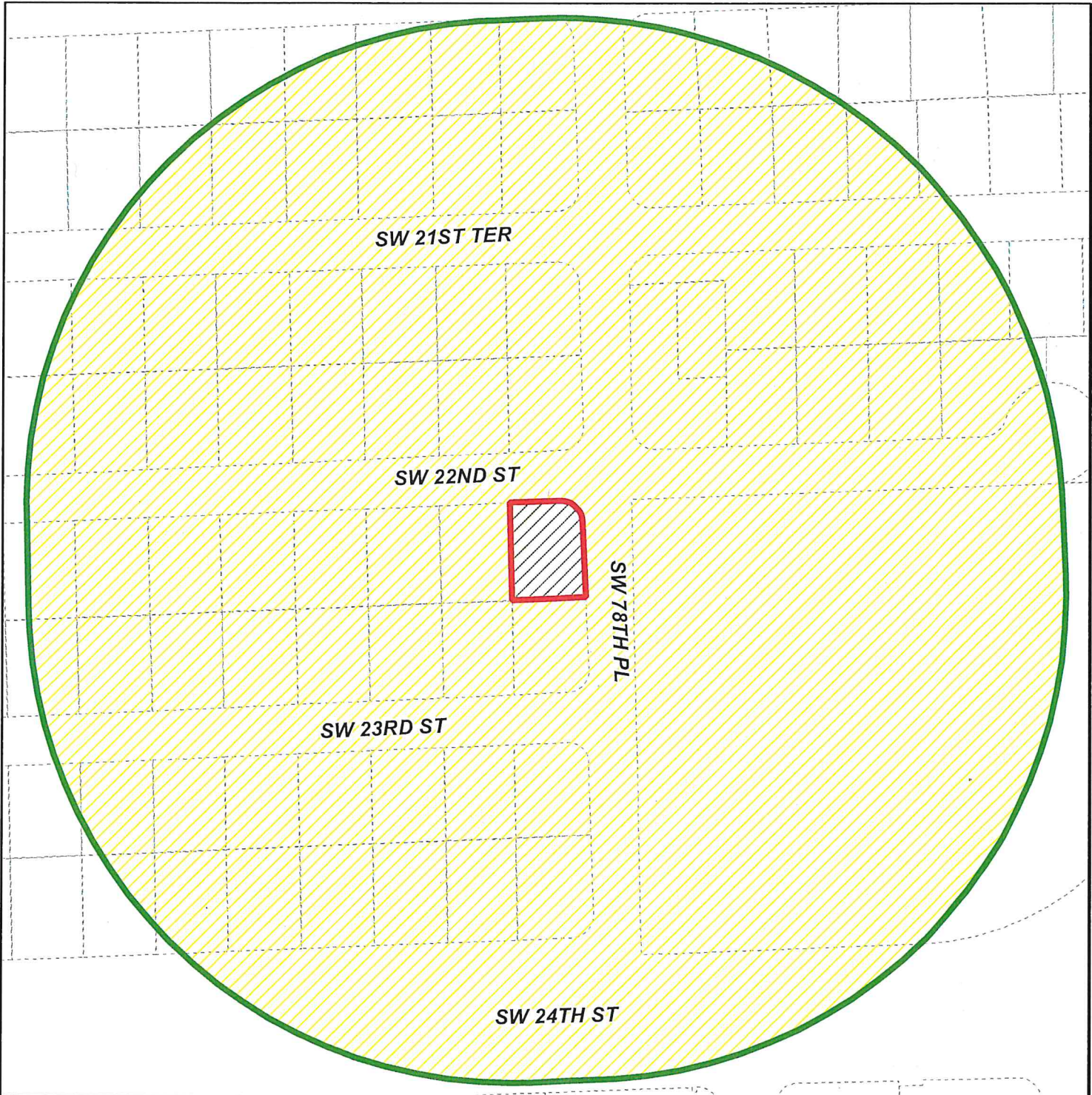


Section: 10 Township: 54 Range: 40
 Applicant: Ramon Leandro Ceballos
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Friday, June 21, 2024

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 10 Township: 54 Range: 40
 Applicant: Ramon Leandro Ceballos
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2024000086
 RADIUS: 500

Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Friday, June 21, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2024000086



Section: 10 Township: 54 Range: 40
 Applicant: Ramon Leandro Ceballos
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

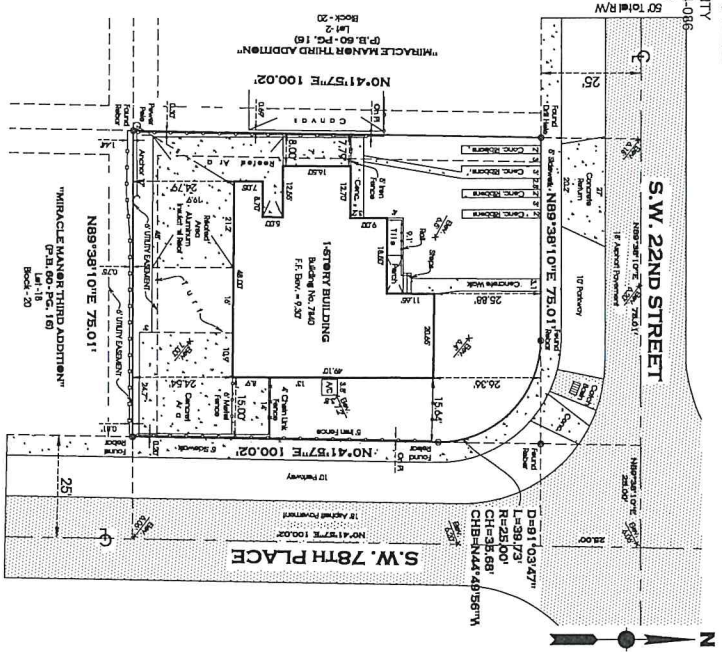
Legend

 Subject Property Case



SKETCH CREATED ON: Friday, June 21, 2024

REVISION	DATE	BY



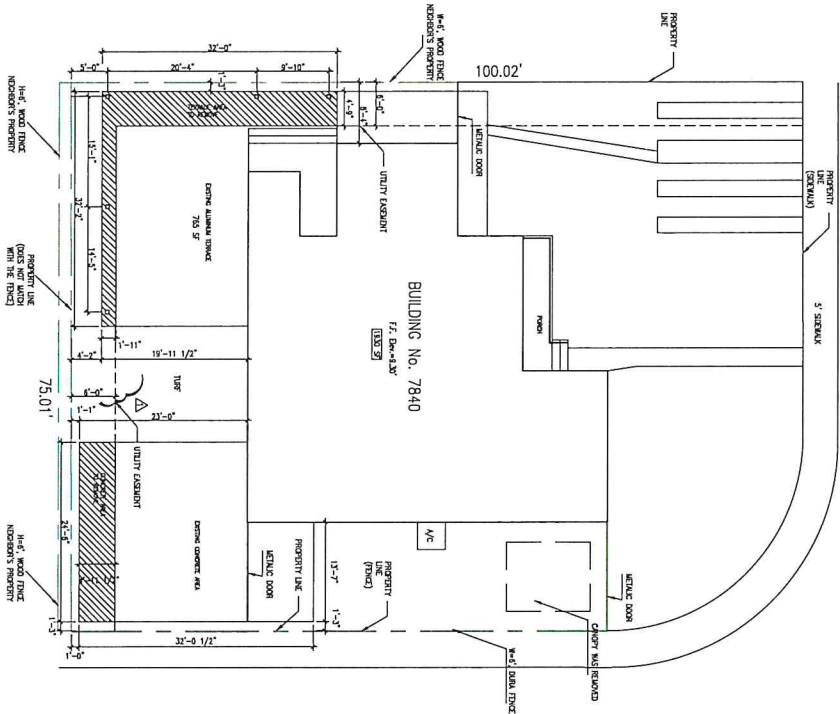
SITE PLAN (SURVEY)
 SCALE: N.T.S.

- GENERAL NOTES**
1. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE FLORIDA BUILDING CODE 2020 EDITION AND ALL REGULATORY LOCAL AND GOVERNMENTAL CODES.
 2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AND SHALL PROCEED WITH THE WORK. DISCREPANCIES ARE DISCOVERED BEFORE.
 3. CONTRACTOR TO ACQUIRE ALL REQUIRED PERMITS FOR THE CONSTRUCTION OF ALL WORK UNDER THE SUPERVISION OF THE ARCHITECT FOR DESIGN.
 4. ALL WORK DONE UNDER THE SUPERVISION OF THE ARCHITECT SHALL BE DONE IN A NEAT AND WORKMANLIKE MANNER AND IN ACCORDANCE WITH ALL CODES AND REGULATIONS.
 5. CONTRACTOR TO PROVIDE ALL SUPPLEMENTARY MATERIALS REQUIRED TO INSTALL, OPERATE AND MAINTAIN ALL BUILDING COMPONENTS.
 6. CONTRACTOR TO PROVIDE ALL EQUIPMENT AND UTILITIES TO BE REMOVED, REMOVALS SHALL BE COORDINATED WITH THE OWNER AND ALL BUILDING AUTHORITIES.
 7. CONTRACTOR SHALL PROVIDE THE ARCHITECT WITH REQUIRED AS BUILT WORK INCLUDING THE EQUAL, FIELD CHANGES AND/OR ADDITIONS TO THE ORIGINAL DRAWINGS.
 8. IF ANY CHANGES AND/OR DEVIATIONS ARE MADE TO THESE PLANS WITHOUT THE ARCHITECT'S WRITTEN CONSENT, THE ARCHITECT SHALL BE HELD RESPONSIBLE FOR SUCH CHANGES AND/OR DEVIATIONS.
 9. DURING THE COURSE OF CONSTRUCTION ANY DEVIATIONS ARE MADE AT SUCH CHANGES AND/OR DEVIATIONS SHALL BEAN FULL RESPONSIBILITY FOR 10. ALL SHOP DRAWINGS SHALL BE SUBMITTED TO THE ARCHITECT FOR DESIGN REVIEW AND APPROVAL.
 11. SUBSTITUTIONS MUST BE REVIEWED AND APPROVED BY THE ARCHITECT OR ENGINEERS.
 12. OPERATION OR SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL BUILDING AUTHORITIES.
 13. THE PROPERTY OF THE ARCHITECT AND SHALL NOT BE HELD ON ANY OTHER LOCATION EXCEPT WHERE THE ONE FOR WHICH THEY WERE REPRODUCED WITHOUT THE CONSENT OF THE ARCHITECT. THE PERIOD SO LONG WILL BE INCURRED TO ARCHITECT FOR HIS FULL COMMISSION.



SITE WORK
 SCALE: N.T.S.

EXISTING SITE PLAN
 SCALE: 1/8" = 1'



SETBACKS	REQUIRED	PROPOSED
FRONT	15 FT.	25 FT.
REAR	15 FT.	6 FT.
SIDE STREET	15 FT.	15 FT.
REAR	15 FT.	6 FT.

LOT COVERAGE CALCULATION

EXISTING IMPERVIOUS SQUARE FOOTAGE	PROPOSED IMPERVIOUS SQUARE FOOTAGE
EXISTING (ALL EXISTING ROOFS)	PROPOSED (ALL EXISTING ROOFS)
1,200 SQ. FT.	1,200 SQ. FT.
TOTAL EXISTING (SQ)	TOTAL PROPOSED (SQ)
1,200 SQ. FT.	1,200 SQ. FT.
TOTAL COVERAGE (PERCENTAGE AREA) (SQ)	TOTAL COVERAGE (PERCENTAGE AREA) (SQ)
100.00%	100.00%
TOTAL OPEN AREA	TOTAL OPEN AREA
4,088 SQ. FT.	4,088 SQ. FT.

SCOPE OF WORK
REVISIONS
DATE
DESCRIPTION
DATE
DESCRIPTION
DATE
DESCRIPTION
DATE
DESCRIPTION

EXISTING SITE PLAN AND GENERAL INFORMATION

7840 SW 22 ST
UNINCORPORATED COUNTY, FL

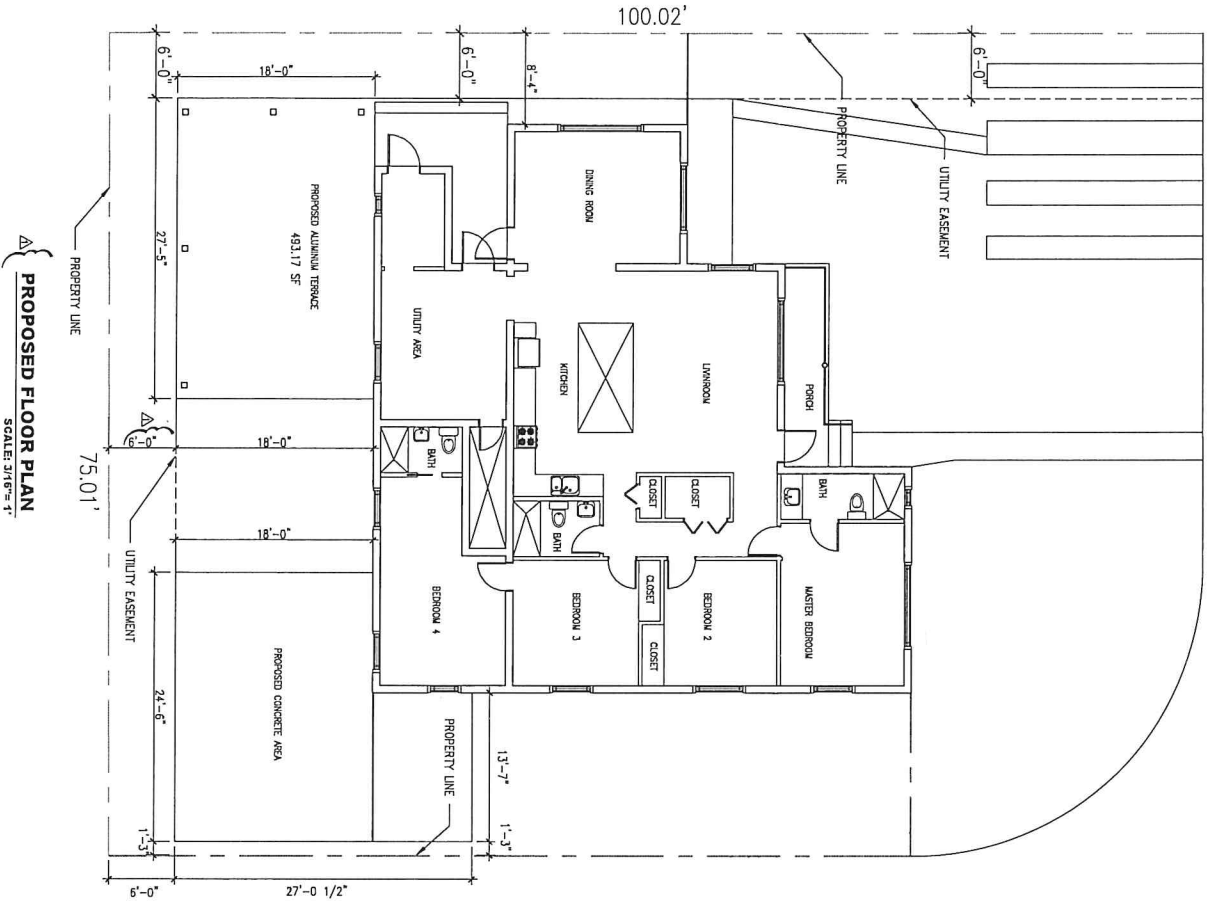
PROJECT NAME:
 PROJECT ADDRESS:

DATE:
 DRAWN BY:
 CHECKED BY:
 APPROVED BY:

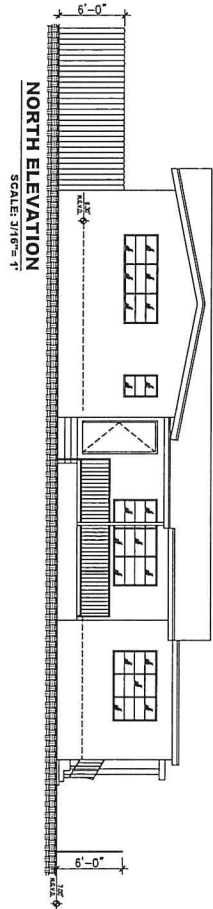
RESIDENCE
 7840 SW 22 ST
 MIAMI, FL 33155

DATE OF DRAWING:
 DRAWING NO.:
 SHEET 1
 PROJECT SITE PLAN & DETAILS

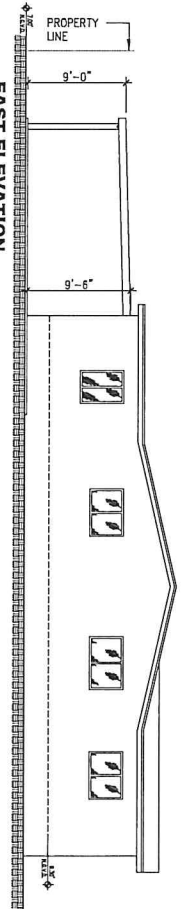
OWNER'S REPRESENTATIVE:
 NAME:
 ADDRESS:
 CITY:
 STATE:
 ZIP:



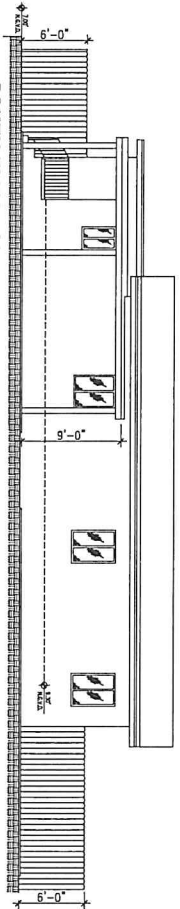
PROPOSED FLOOR PLAN
 SCALE: 3/16" = 1'



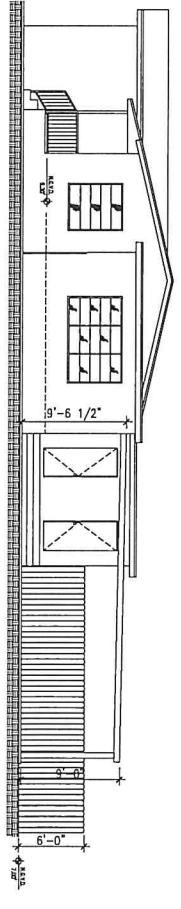
NORTH ELEVATION
 SCALE: 3/16" = 1'



EAST ELEVATION
 SCALE: 3/16" = 1'



SOUTH ELEVATION
 SCALE: 3/16" = 1'



WEST ELEVATION
 SCALE: 3/16" = 1'

<p>A-2</p>	<p>PROPOSED SITE PLAN AND ELEVATIONS</p> <p>7840 SW 22 ST UNINCORPORATED COUNTY, FL</p>	<p>PREPARED BY: JAMES R. KILPATRICK REGISTERED ARCHITECT No. 14000 3050 SW 22nd St. Miami, FL 33135 305-255-2222</p>	<p>DATE: 01/22/25</p> <p>PROJECT NAME:</p> <p>PROJECT ADDRESS:</p> <p>ARCHITECT:</p> <p>SCALE:</p> <p>CHECKED BY: J.P.</p> <p>DATE:</p> <p>PROJECT:</p> <p>CLIENT: G plus G Construction LLC</p>
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RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z24-086 RAMON CEBALLOS

DATE: JUN 20 2024

BY: ISA

7840 SW 22 ST, MIAMI, FL 33155

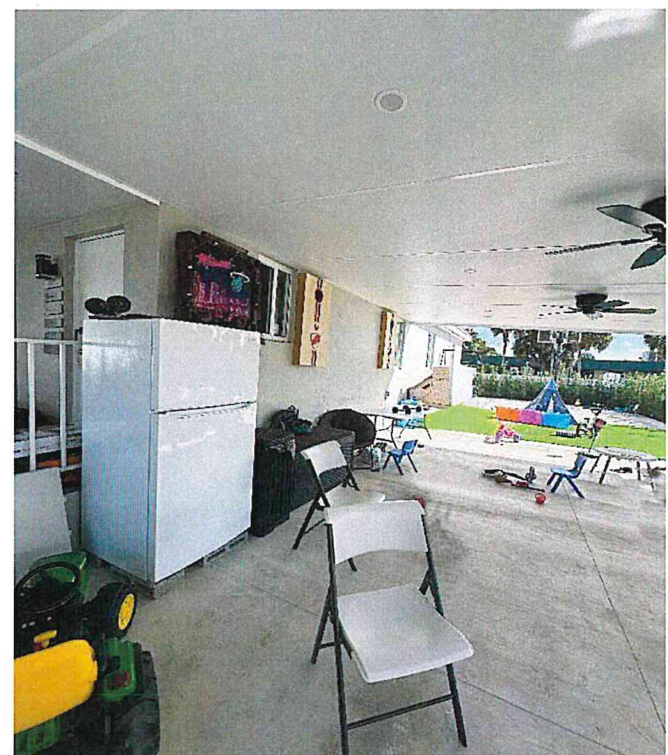


THE FRONT VIEW OF THE PROPERTY

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-086 RAMON CEBALLOS
DATE: JUN 20 2024
BY: ISA

7840 SW 22 ST, MIAMI, FL 33155



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

PH: Z24-269

October 21, 2025

Item No.3

Recommendation Summary	
Commission District	6
Applicant	Maria M. Davila
Summary of Requests	The applicant seeks to allow an existing single family-residence to setback less than required from the front and side street property lines and with a greater lot coverage than permitted by code.
Location	8900 SW 5 Terrace, Miami-Dade County, Florida
Property Size	0.08 Acre
Existing Zoning	RU-1Z, Zero Lot Line Development Single-Family Residence
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	Low-Medium Density Residential, 6-13 dua <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUESTS:

- 1) NON-USE VARIANCE to permit an existing single-family residence to setback a minimum of 17.4' (20' required) from the front (north) property line, and setback 2.05' (10' required) from the side street (east) property line.
- 2) NON-USE VARIANCE to permit the existing single-family residence with a lot coverage of 51.70% (50% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Public Hearing", as prepared by Arshad Viqar, sheet A-1 dated stamped received 3/14/2025, sheet SP-1 dated stamped received 5/12/25 and sheet A-2 dated stamped received 6/27/25 and consisting of a total of 3 sheets. Plans may be modified at public hearing.

PROJECT HISTORY AND DESCRIPTION:

The submitted plans show an existing one (1)-story, 1,301sq. ft. single-family residence on a corner lot, the 0.08-acre subject property that fronts along both SW 5 Terrace and SW 89 Avenue roadways. The applicant seeks to allow the existing single family-residence to setback a minimum of 17.4' from the front (north) property line and to setback 2.05' (10' required) from the side street (east) property line (request #1). The applicant also seeks to allow a lot coverage of 51.70% for the existing single -family residence, where a maximum of 50% is otherwise permitted by code (request #2). The submitted plans, photos, and the County's Geographical Information System

(GIS) aerial map indicate an existing 6' high wood fence located along the rear, side street and interior side property lines of the subject property.

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

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence situated on a 3,658-square-foot corner lot zoned Zero Lot Line Developments (ZLL), located at 8900 SW 5 Terrace. The surrounding area is developed with single family residences to the north, south, east, and west, all of which are also developed under the Zero Lot Line Developments (ZLL) zoning regulations.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to legalize existing single-family residence that encroach into the required front (north) and side street (east) setback areas and increases the lot coverage. Staff opines that since the rear (south), side street and interior side (east and west) are enclosed with a 6' high wood fences, and due to the existing landscaping on the property, any visual impact from the encroachments may have on the surrounding properties is minimal and would be sufficiently mitigated. In addition, staff opines that based on the memoranda submitted by the departments reviewing the application, approval of the requests will not create or perpetuate any significant impacts on County resources in the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The 0.08-acre subject property is located within the Urban Development Boundary (UDB) and the Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map designates the site as **Low-Medium Density Residential**. The CDMP Land Use Element interpretative text for Low-Medium Density Residential states that this density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 6 to a maximum of 13 dwelling units per gross acre. Staff opines that the approval of the requests for reduced setbacks and increased lot coverage sought in the application for the existing single-family residence 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 ZLL single-family use on the property, staff opines that approval of the application with conditions would be **consistent** with the Low-Medium Density Residential Communities designation of the CDMP LUP map.

ZONING ANALYSIS:

The applicant seeks to maintain the existing zero lot line single-family residence to setback a minimum of 17.4' (20' required) front the front (north) property line and 2.05' (10' required) from the side street (east) property line (request 1) and a greater lot coverage of 51.70% (maximum 50% permitted) (request 2). When analyzed under the Non-Use Variances from Other Than Airport Regulations, Section 33-311(A)(4)(b), staff finds that approval with conditions of these requests 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 zero lot line single-family residence on a corner. The existing single-family encroaches into the front (north) and side street (east) setback area property lines and the lot coverage is greater than is permitted under the zoning standards. Staff notes from plans and photographs submitted by the applicant as well as the County's Geographic Information System (GIS) that any impacts of the request are minimal and are adequately mitigated by the existing 6' high wood fence along the rear, side street and interior side fences on property lines together with the existing landscaping of the subject property, which, staff opines, buffers any visual intrusion of the encroachments on the surrounding properties. Staff further opines that the existing encroachments of the existing single-family residence towards the front and side street property lines will not have any negative visual impacts generated from the encroachments and would be adequately mitigated by the existing 6' high wood fence together with the landscaping along the rear (south) and side (east and west) property lines. Therefore, staff supports the requests and opines that approval with conditions of these non-use variances would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. As a condition of approval, staff recommend that the existing wood fence at the rear and along the side street and interior side property lines be maintained to ensure continued visual buffering. In the event that any portion of the fencing is destroyed or removed, it shall be replaced with an opaque fence not to exceed 6 feet in height, in accordance with Section 33-11(h) of the County Code.

Staff's research of the surrounding area did not find any similar approvals within the neighborhood for variances of the setback requirements. Notwithstanding, staff notes that, based on memoranda from the departments reviewing this application, any impacts from the reduced setbacks will not cause their facilities and services to operate below their adopted levels of service standards. The memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) indicates that the application does not generate any new additional daily peak hour trips, and the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources memorandum indicates that approval will not result in a reduction in the LOS standards for potable water supply, wastewater disposal, or flood protection. Additionally, the memorandum from Miami-Dade Water and Sewer Department indicates that they do not have objections, and that the County's Fire Rescue Department in their memorandum indicates that approval of this application would not create a fire or become a hazard on the subject site. Furthermore, staff opines that the architectural style and scale of the single family residence is designed and arranged in a manner that would not be

detrimental to the neighborhood or create adverse privacy impacts on the abutting properties, and that approval with conditions of the requested setbacks and lot coverage would be **compatible** with the surrounding residences and with the aesthetic character of the immediate vicinity. **Based on the foregoing analysis, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) From Other Than Airport Regulations Standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Public Hearing", as prepared by Arshad Viqar, sheet A-1 dated stamped received 3/14/2025, sheet SP-1 dated stamped received 5/12/25 and sheet A-2 dated stamped received 6/27/25 and consisting of a total of 3 sheets. Plans may be modified at public hearing. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants obtain a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources within 90 days of the expiration of the final appeal period of this application, unless a time extension is granted by the Director of the Department.
5. That the 6' high wood fence along the rear, side street and interior side property lines of the subject property be maintained as a visual buffer, and that if the wall is removed or destroyed, the applicant shall install a cbs wall, opaque fence or hedge that must be 3' high at the time of planting and that shall grow to and be maintained at a minimum height of 6' in accordance with Section 33-11(h) of the County Code.

Maria M. Davila

Z24-269

Page | 5

ES:JB:SS:VM:JH

Eric Silva

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

10/3/2025

ZONING RECOMMENDATION ADDENDUM

Maria M. Davila
PH:Z24-269

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

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

Low Density Residential (Pg. I-31)	<i>This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<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>
Sec. 33-284.40.40 setback parameters.	<p><i>All applications for Zero lot Line Developments (ZLL) shall comply with the following applicable development parameters as stated in 33-284.83 (c):</i></p> <p><i>Zero Lot Line Developments (ZLL) Principal Building setback.</i></p> <p><i>Front setback: 20' minimum distance from the front property line, for a minimum of fifty (50) percent of the width of the lot and shall be set back a minimum of ten (10) feet along the remaining width of the lot.</i></p> <p><i>Interior Side Setback: A minimum¹ interior side property line with a zero-setback and the dwelling unit setback on the other interior side property line shall be a minimum of 10' excluding the connecting elements such as fences, walls and trellis. It is provided, however, that units are not required to be placed on the zero-lot line property line when said units fall at the end of a sequential row of units and where said units cannot be placed on a separate zero lot line without attaching the unit to an adjacent unit. In that event a minimum spacing of ten (10) feet shall be provided from the residence on the</i></p>

adjacent zero lot line lot. Patios, pools, garden features and other similar elements shall be permitted within the ten-foot setback area; provided, however, no structure, with the exception of fences or walls shall be placed within easements required by Subsection (K).

Rear setback. The minimum rear spacing between dwelling units shall be thirty (30) feet between two (2) story units or between a one (1) story and a two (2) story unit. The minimum rear spacing between one (1) story units shall be twenty (20) feet.

Side street setback. The dwelling setback shall be a minimum of fifteen (15) feet from the side street property line.

Principal Building setback structures shall comply with the following minimum setback requirements.

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

MARIA M. DAVILA

8900 SW 5 TER
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

PENDING

Z2024000269

DATE

HEARING NUMBER

FOLIO: 30-4004-066-0200

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

July 17, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases.

BUILDING SUPPORT REGULATIONS OPEN:

Building Support Case: 20240224907-B opened on 10/18/2023. A Notice of Violation was issued on 10/18/2023 due to 105.1 violation(s) attached terrace to include electrical, Impact windows and doors. Notice of Violation was mailed on 10/19/2023 and recorded on 10/31/2023 by Clerk of Courts under Book: 33945, Page: 3744, Total Pages: 1. An extension was granted. The case remains open.

BUILDING SUPPORT REGULATIONS CLOSED:

There are no closed cases.


OUTSTANDING LIENS AND FINES:

There are no outstanding Liens or Fees.

Memorandum

Date: April 11, 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: Z2024000269-1st Review
Maria Davila
8900 SW 5th Terrace
NUV for setback and lot size requirements for the legalization of an
aluminum terrace.
(RU-TH) (0.08 acres)
04-54-40

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

According to DERM records, the property is currently connected to public water and sewer. Pursuant to the Code, the structure being legalized is required to connect to public water and sanitary sewers to the extent that it has plumbing connections for potable water and/or wastewater.

Conditions of Approval: None

Water Control Review

Stormwater shall be retained on site utilizing designed seepage or infiltration drainage system. Site grading shall not cause flooding of adjacent properties.

Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 25-year, 10-minute storm event per section 24-42.8(4)(b)(i) of the Code.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Conditions of Approval: None

Tree Preservation Review

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

on March 14, 2025, was submitted with the subject application and indicates that tree resources onsite will not be removed.

Please note that a Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code.

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

Conditions of Approval: None

DERM Enforcement History Review

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

Concurrency Review Summary

A concurrency review has been conducted for this application and 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: May 28, 2025

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

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

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

Subject: Zoning Application Comments - Maria M. Davila
Application No. Z2024000269 – Revision # 1

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

Application Name: Maria M. Davila

Location: The proposed project is located on approximately 0.08 acres at 8900 SW 5th Terrace, with Folio No. 30-4004-066-0200, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is requesting to legalize an Aluminum Terrace at the existing single-family residence without the required setbacks.

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

Please note that the subject property has a 7-foot Utility Easement within and along the northern boundary of the subject property and another 6-foot Utility Easement within and along the southern boundary of the property line (3 feet within the subject property). The concrete slab and wood fence located along the southern boundary of the property are encroaching on the 6-foot Utility Easement (3 feet within the subject property), as per site plan and survey submitted. At the present time, WASD does not have water/sewer facilities in said utility easements. Water and sewer infrastructure is located within the public Right-of-Way (R/W) along SW 5th Terrace and SW 89th Avenue. **Permanent structures, trees or palms are not allowed within said utility easement (only passive landscaping along the Utility Easement).**

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


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

Memorandum



Date: May 2, 2025

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

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

Subject: Z2024000269
Name: Maria M. Davila
Location: 1879 NW 62 Terrace
Section 04 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 42, Block 2, Plat Book 129, Page 20.

This application does not generate any vehicle 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



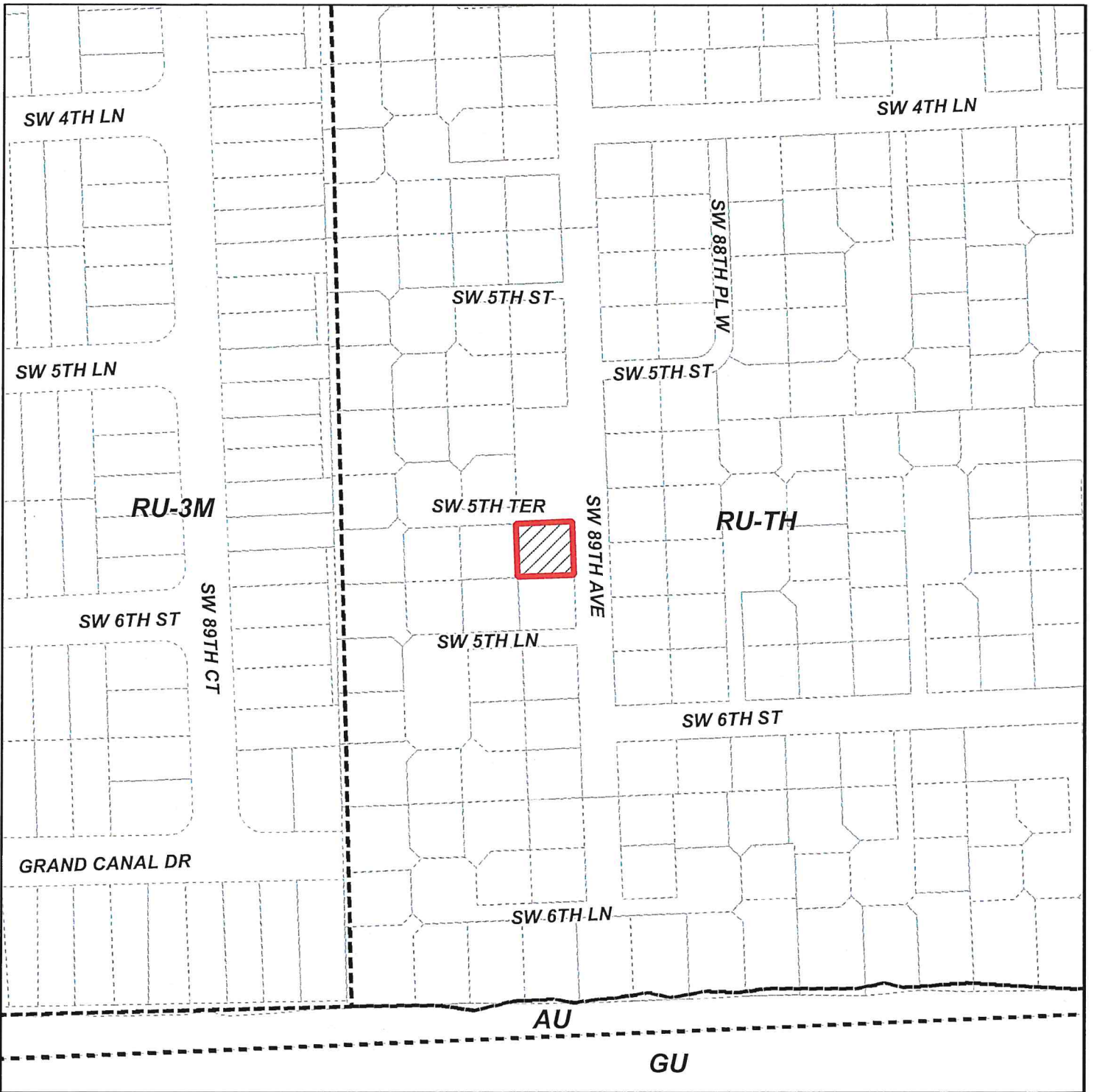
Date: May 15, 2025
To: Eric Silva, Assistant Director
Regulatory and Economic Resources
From: Alejandro G Cuello, Principal Planner
Miami-Dade Fire Rescue Department
Subject: Z2024000269

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “EnerGov” on 5/12/2025. Single family home.

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

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

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





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2024000269

Section: 04 Township: 54 Range: 40
 Applicant: Maria M Davila
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

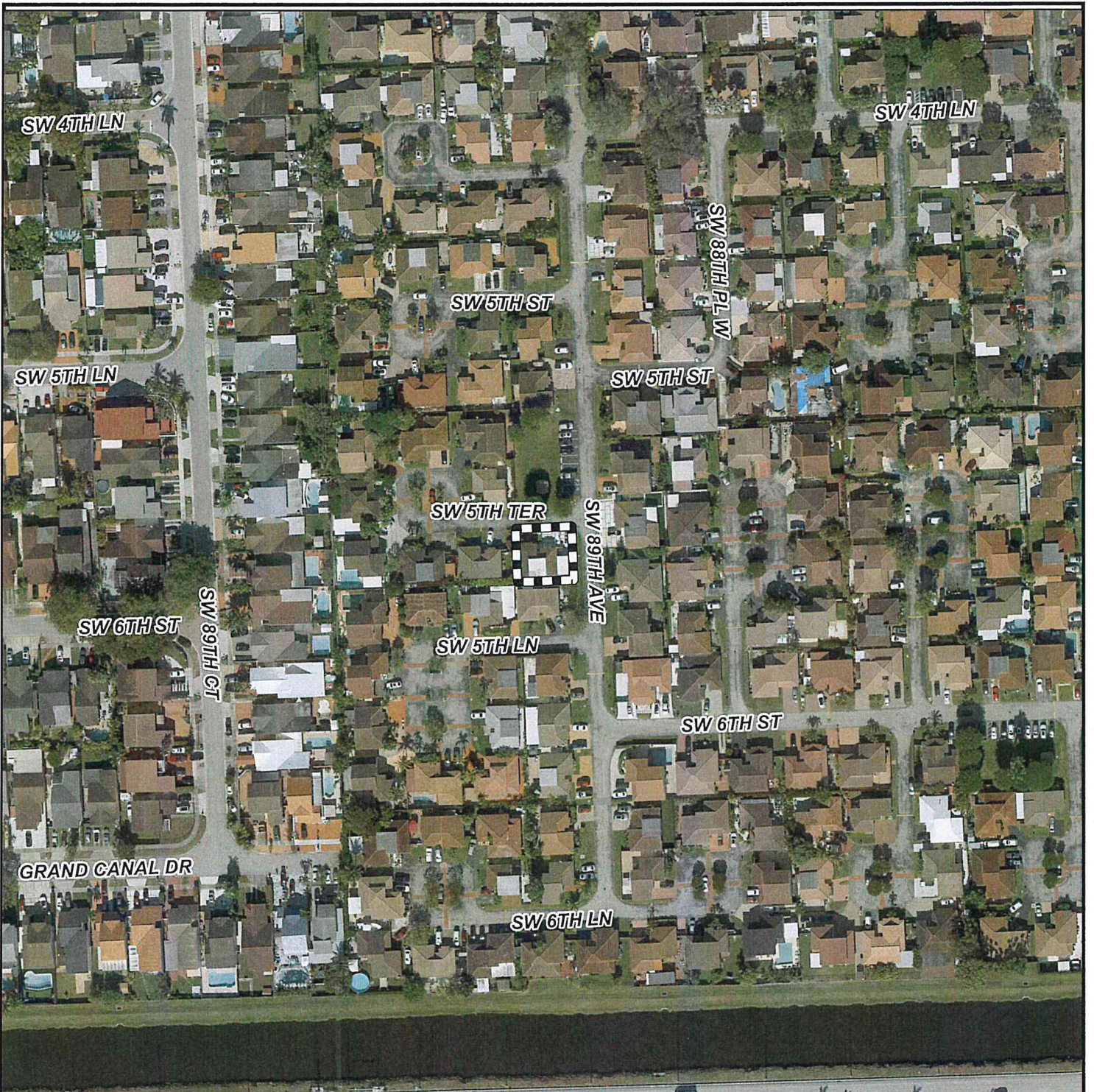
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Friday, March 21, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2024

Process Number
Z2024000269

Legend
 Subject Property

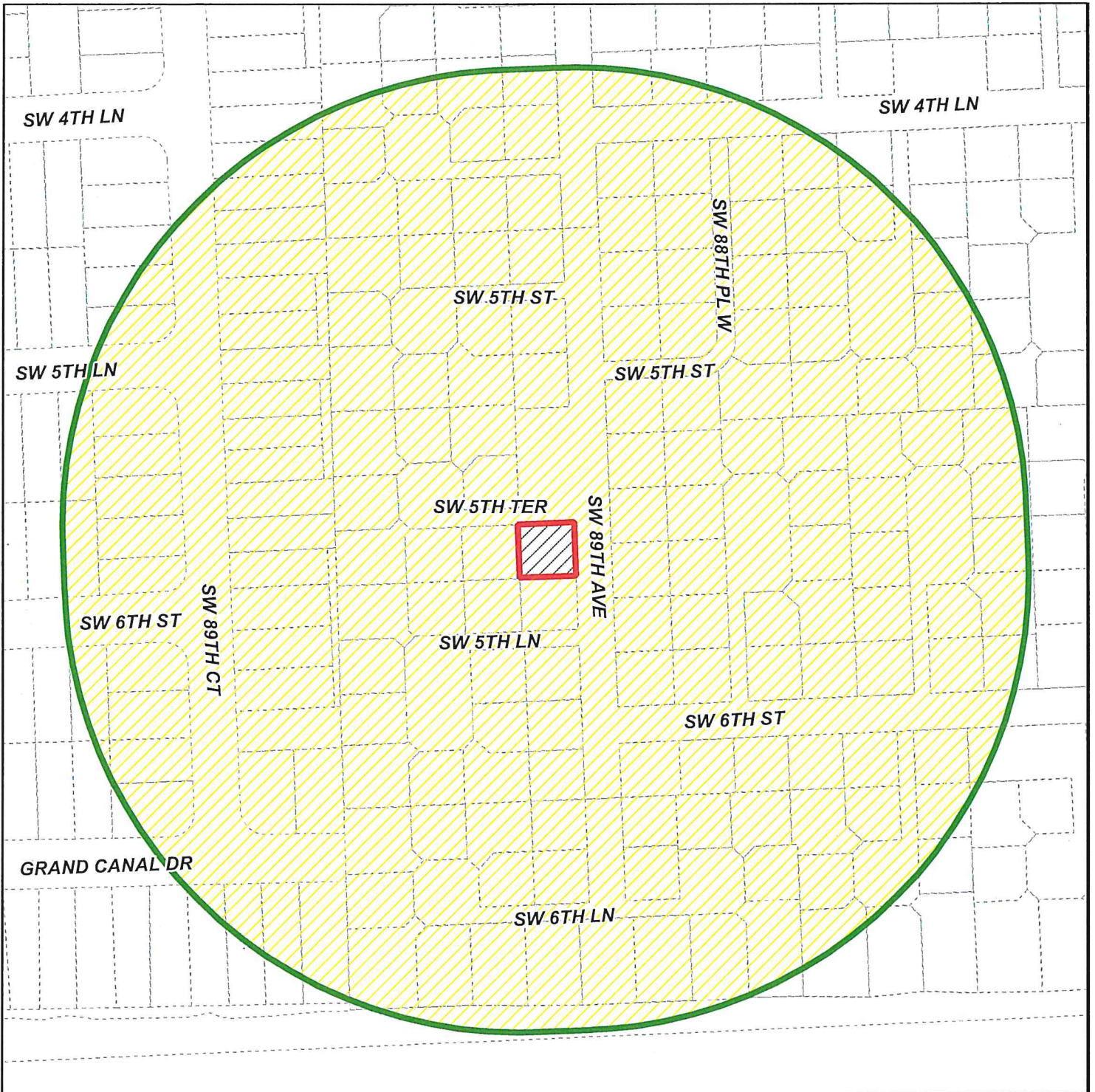


Section: 04 Township: 54 Range: 40
 Applicant: Maria M Davila
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Friday, March 21, 2025

REVISION	DATE	BY






**MIAMI-DADE COUNTY
RADIUS MAP**

Section: 04 Township: 54 Range: 40
 Applicant: Maria M Davila
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2024000269
 RADIUS: 500

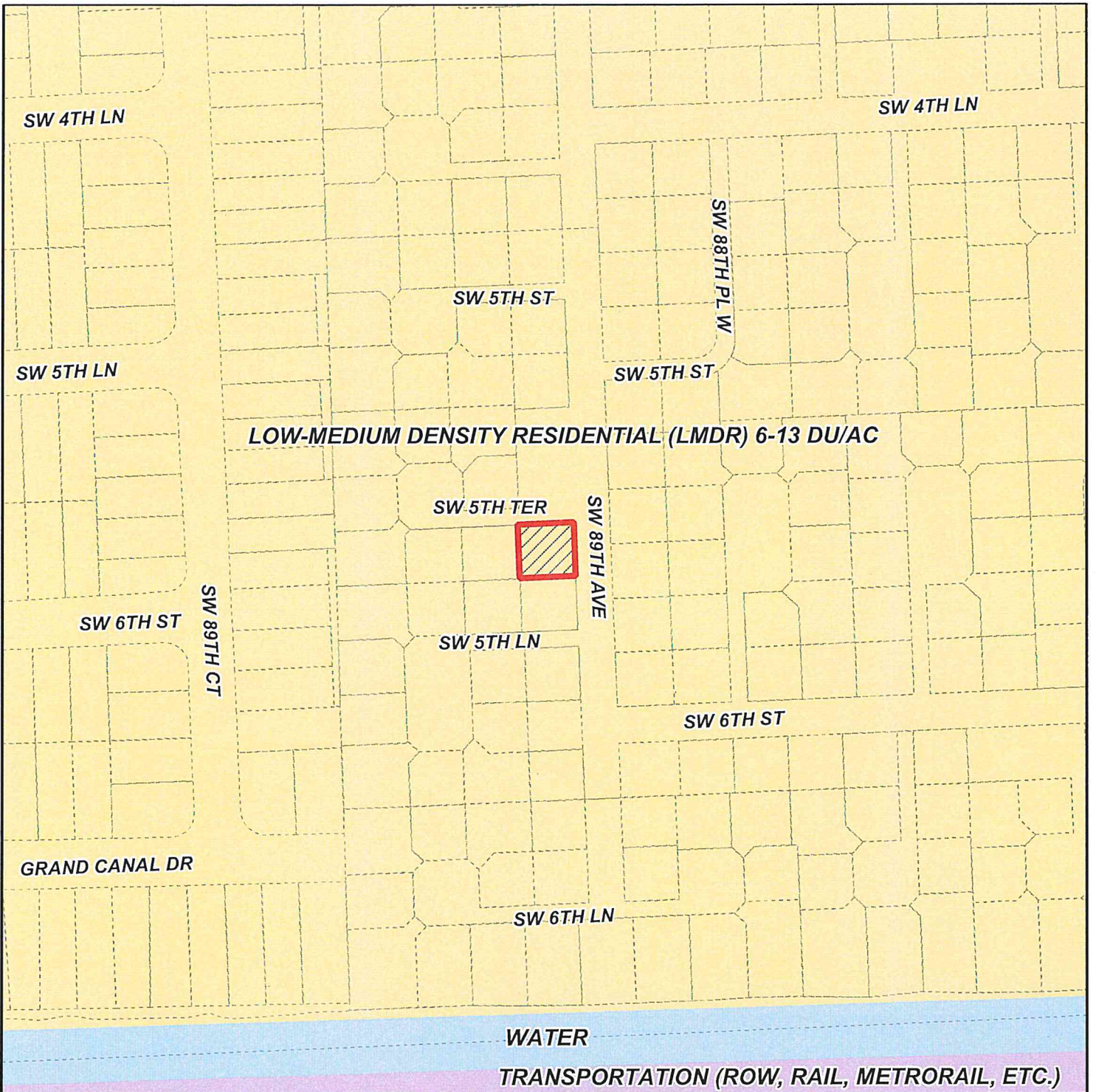
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Friday, March 21, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2024000269

Section: 04 Township: 54 Range: 40
 Applicant: Maria M Davila
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

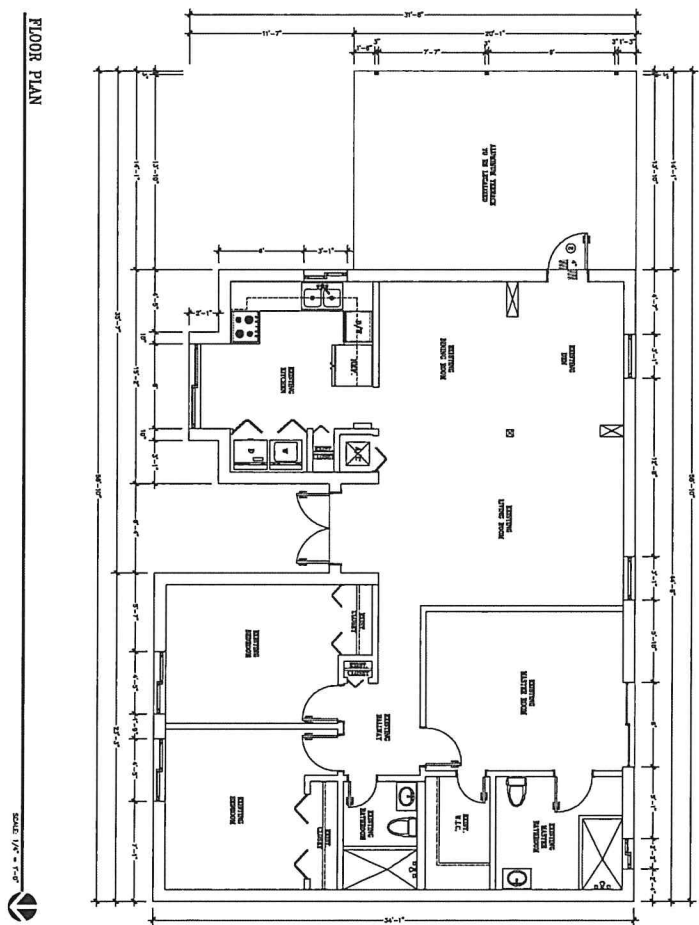
Legend

 Subject Property Case



SKETCH CREATED ON: Friday, March 21, 2025

REVISION	DATE	BY



SHEET NO.
A-1

SEAL
Arshad Vigar
Digitally signed
by Arshad Vigar
Date: 2024.12.11
18:21:35 -0500'

DESCRIPTION	02-15-24
REVISIONS	
Project No.	PUBLIC HEARING
Name	MARIA DAVILA
Address	8900 SW 5 TER MIAMI, FL 33174

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

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO. Z24-269
DATE TAKEN 14 2025
BY: GARR



RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. Z24-109
DATE RECEIVED MAY 14 2025
BY: CAIR



RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. Z24-269
DATE: 08/04/14 2025
BY: GWER



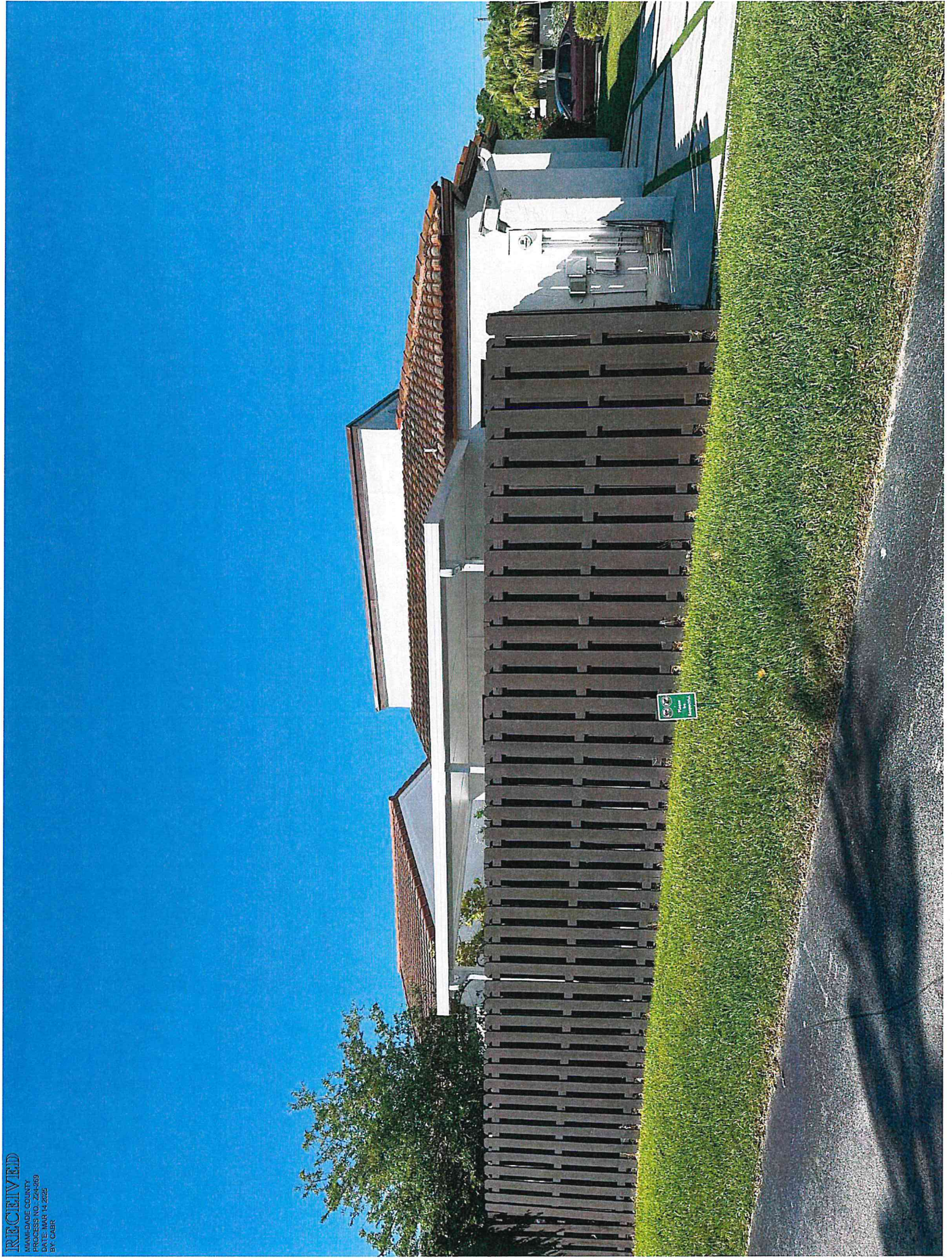
12

RECEIVED
HAWAII COUNTY
PROCESSING CENTER
DATE: MAR 14 2025
BY: CABR

SW 5th Terrace



RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. Z24-389
DATE RECEIVED MAY 14 2025
BY: CAHR

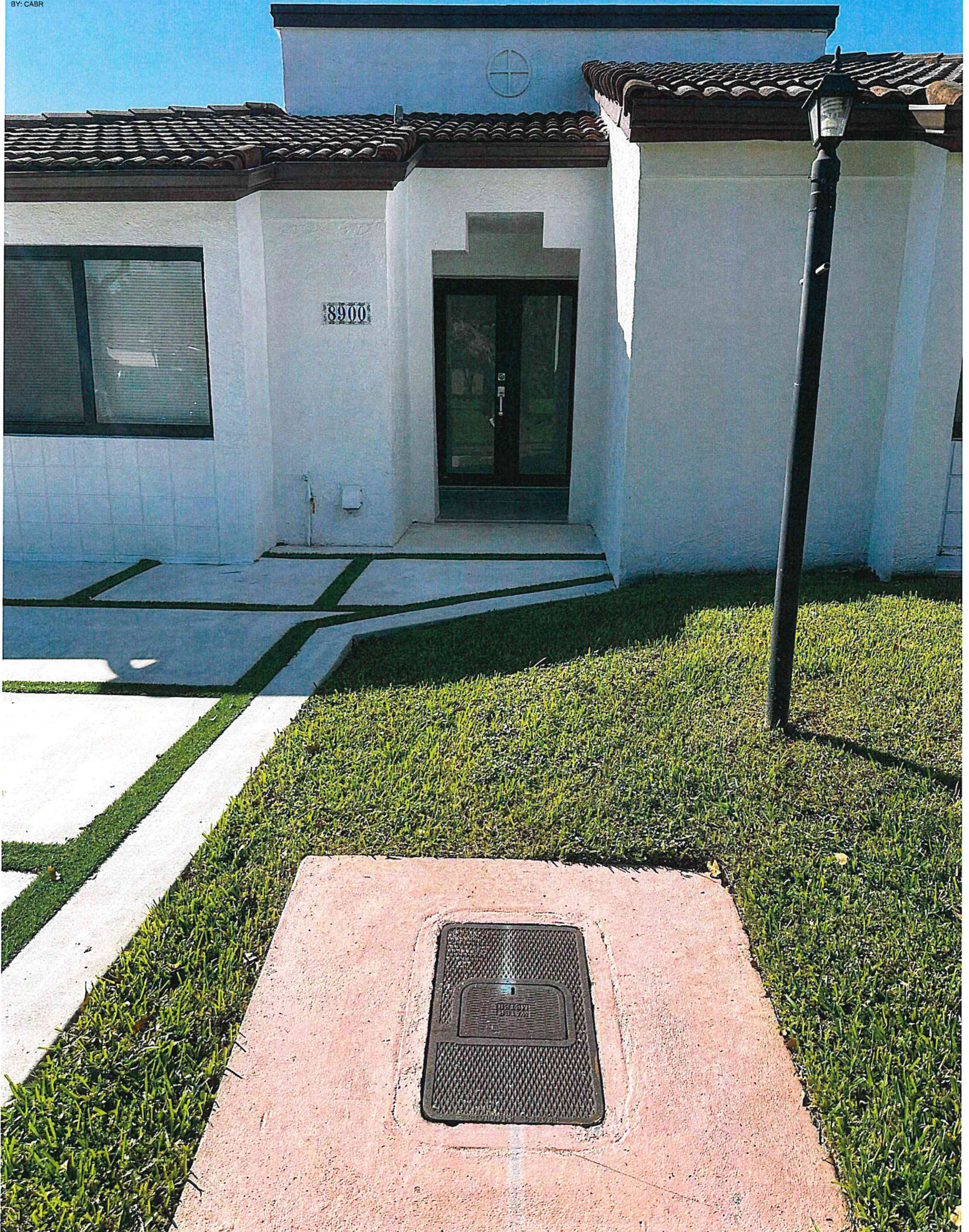




RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. 1224-269
DATE: 01/14/2025
BY: CAIR

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-269
DATE: MAR 14 2025
BY: CABR



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-289
DATE: MAR 14 2025
BY: CAGR



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: 224-269
DATE: MAR 14 2025
BY: CMBR



RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. 23A-269
DATE MARK 14 2025
BY GBR



RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. Z24-269
APPROVED BY: CAJ
DATE: 03/14/2025
BY: CAJ



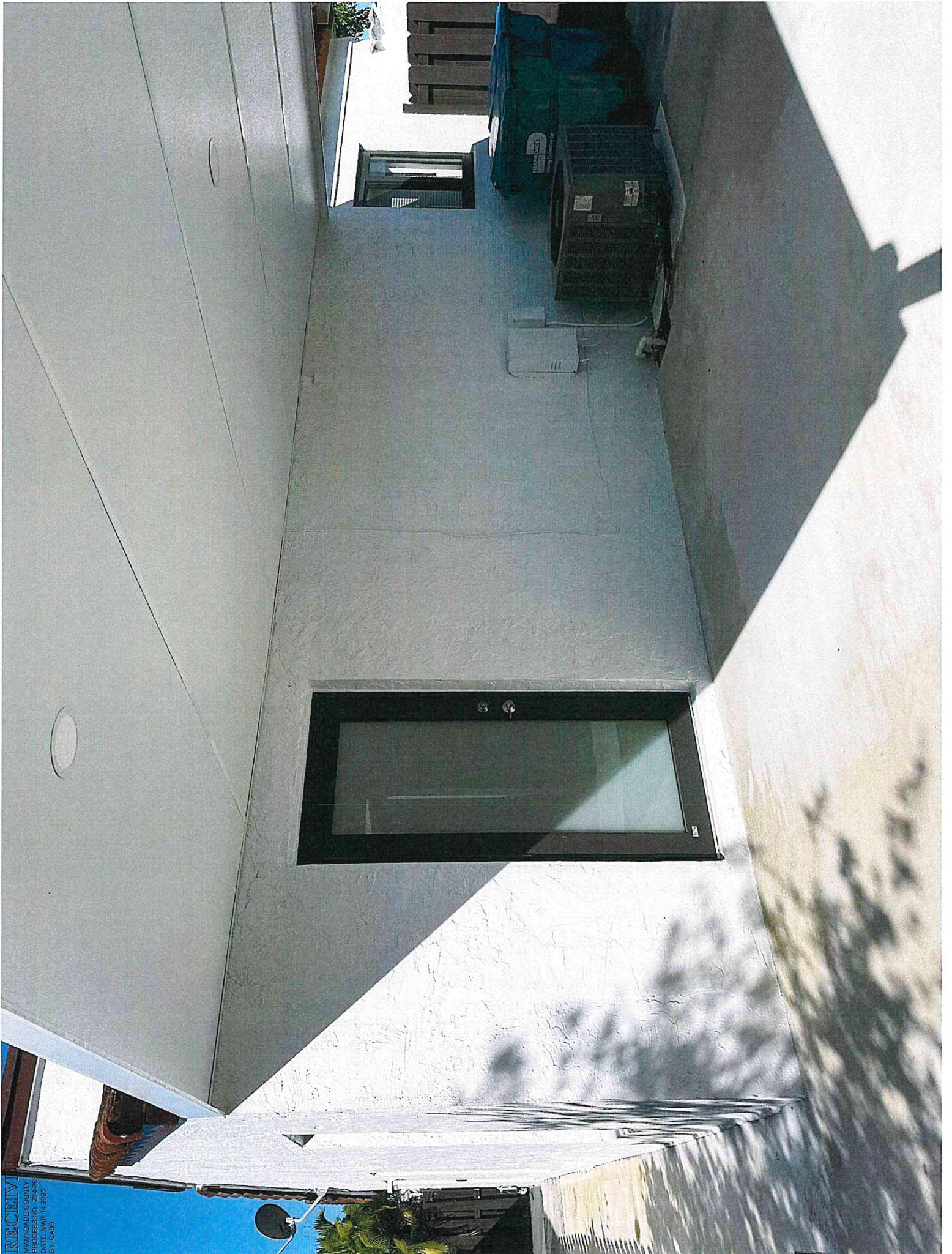
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MIAMI-DADE COUNTY
PROCESS NO. 23A-269
DATE RECEIVED MAY 14 2025
BY: CAUR



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-269
DATE: MAR 14 2025
BY: CABR

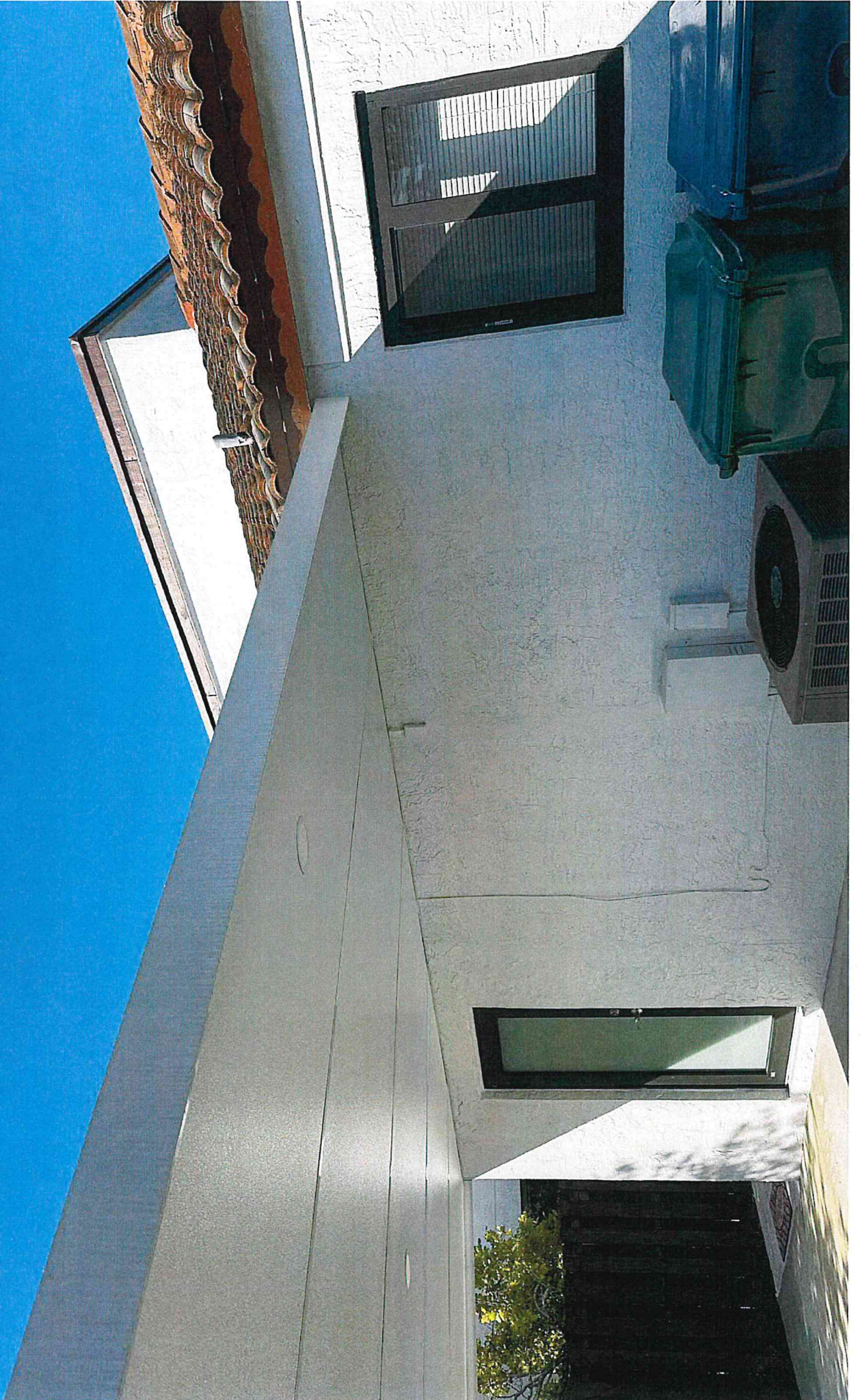




RECEIVED
HAWAII COUNTY
PROPERTY TAX
DATE: MAY 14, 2025
BY: CABR

RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. Z24-269
DATE TAKEN 14 2025
BY: GABR

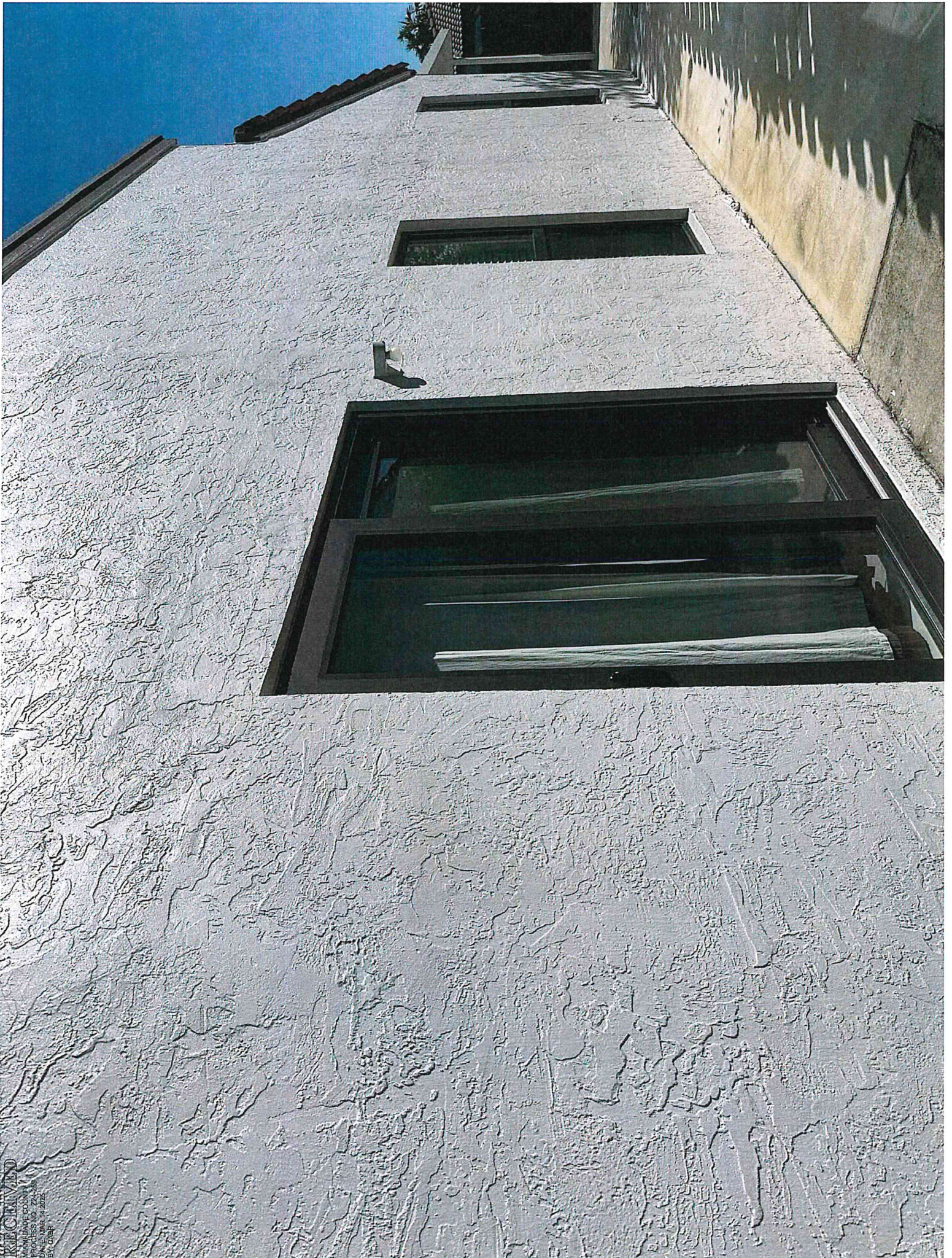




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MIAMI-DADE COUNTY
PROCESS NO. 224-09
DATE: 04/14/2025
BY: CAIR



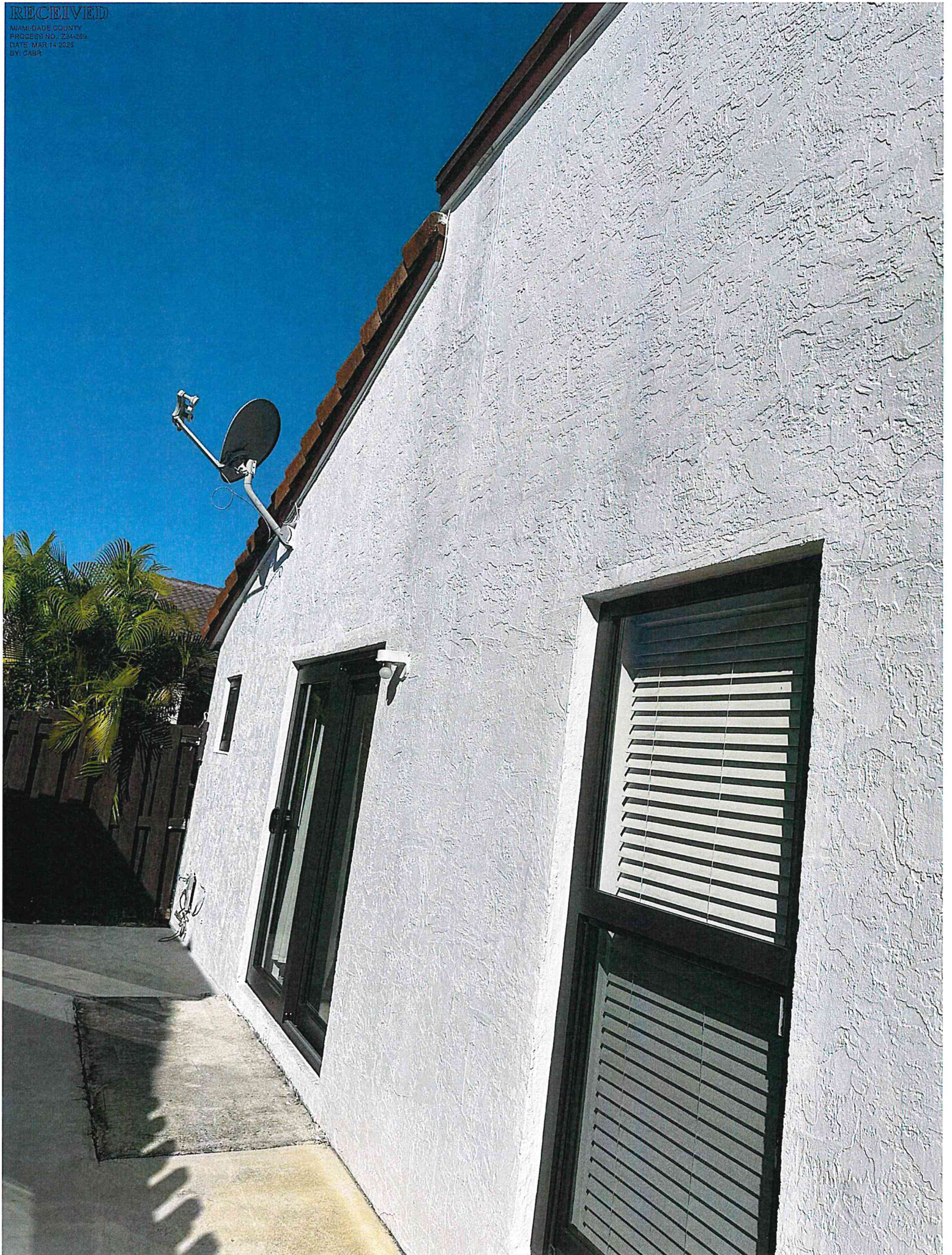
RECEIVED
HAVENDE COUNTY
PROCESS NO. 224-269
DATE MAR 14, 2023
BY: CABR



RECEIVED
MANASSAS COUNTY
PROCESS NO. 22-00000000
APR 10 2022

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO. Z24-259
DATE: MAR 14 2025
BY: CABR





RECEIVED
MIAMI-DADE COUNTY
PROGRESS NO. 227,408
DATE: MAR 19 2021
BY: JWH



RECEIVED
MIAMI-DADE COUNTY
PROCESS NO. 224466
DATE MAR 14 2025
BY: CBR

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

PH: Z25-044

October 21, 2025

Item No.4

Recommendation Summary	
Commission District	10
Applicant	Ricardo Cruz
Summary of Requests	The applicant seeks to permit a proposed detached gazebo and guest house to have more rear yard lot coverage than permitted by Code.
Location	8540 SW 58 Street, Miami-Dade County, Florida
Property Size	0.75 Acre
Existing Zoning	EU-1, Single-family One-Acre Estate Residential District
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	Estate Density Residential <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.

REQUEST:

NON-USE VARIANCE to permit the proposed detached gazebo and guest house to a single-family residence with a rear yard area coverage of 9.46% (5% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Zoning Hearing for Gazebo", as prepared by Vicente Franco P.E., consisting of 3 sheets dated stamped received 7/10/2025 and 3 sheets entitled "The Cruz Residence", as prepared by Paramount Consulting & Engineering, consisting of 3 sheets dated stamped received 9/4/25, for a total of 6 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The submitted plans show an existing one (1)-story, 3,787 sq. ft. single-family residence on an interior lot, with a proposed detached gazebo and guest house located towards the rear of the 0.75-acre subject property that fronts along SW 58 Street. The detached gazebo and guest house structures have a combined footprint of 1,809 sq. ft., resulting in a rear yard coverage of 9.46%, where a maximum of 5% is otherwise required by code. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate an existing 6' high metal fence located along the rear and interior side property lines of the subject property.

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

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence that is on a 33,105 sq. ft., EU-1, Single-family One-Acre Estate Residential District zoned interior lot, located at 8540 SW 58 Street. The surrounding area is characterized by existing single-family residences, also developed under the EU-1, Single-family One-Acre Estate Residential District.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to develop the EU-1 zone with a proposed detached gazebo and guest house that are located towards the rear of their principal residence building. Staff opines that since the rear yard area is enclosed with a 6' high metal fence along the rear and interior side property lines, together with the existing landscaping in form of trees and hedges, any visual impact that the proposed detached gazebo and guest house may have on the surrounding properties is minimal and would be sufficiently mitigated.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The 0.75-acre subject property is located within the Urban Development Boundary (UDB) and designated as **Estate Density Residential** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 units per gross acre.* The applicant seeks to permit a proposed detached gazebo and guest house which are to be placed towards the rear of the 0.75-acre subject, and although meet the required accessory use setbacks, would have an increase in the rear yard area coverage beyond what is permitted under the zoning regulations. Staff opines that approval of this request will not change the single-family residence use. Since the applicant is not requesting to add additional dwelling units or change the single-family detached use on the property, approval with standard conditions of the application would be **consistent** with the uses allowed under the Estate Density Residential land use category text and the density threshold of the CDMP Estate Density Residential Communities LUP Map designation.

ZONING ANALYSIS:

When the request to permit a proposed detached gazebo and guest house with an increased rear yard lot coverage 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 and 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 the proposed detached gazebo and guest house structures located towards the rear of the subject property. Staff supports the request and opines that approval with conditions of this non-use variance would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes from plans, survey map and photographs submitted by the applicants as well as the County's Geographic Information System (GIS) that any impact of the requests are adequately mitigated by the existing 6' high metal fence located along 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 south, east and west of the subject property. Staff further opines that the request is minimal in nature and internal to the site that is enclosed from view from the outside by the 6' high metal fence, Staff recommends as a condition for approval that the said 6' high metal fence along the property lines be maintained as a visual buffer, and, if said fence is destroyed or removed, it must be replaced by an opaque fence at a maximum height of 6', or a fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6,' in accordance with Section 33-11(h) of the County Code.

Staff's research of the surrounding area did find similar approvals within the neighborhood for variances of the lot area coverage requirements for detached accessory structures. North of subject property, Variance #1996000142 located at 8605 SW 58 Street, approved a 6% rear yard area coverage, Additionally, also north of subject property Variance #2023000125 located at 8620 SW 56 Street, also approved a guest house and summer kitchen with lesser setback and a rear yard lot coverage of 5.69%. Additionally, staff notes that based on memoranda from the departments reviewing this application, any impacts from the reduced setbacks will not cause their facilities and services to operate below their adopted levels of service standards. The memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) indicates that the application does not generate any new additional daily peak hour trips, and the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources memorandum indicates that approval will not result in a reduction in the LOS standards for potable water supply, wastewater disposal, or flood protection. Additionally, the memorandum from Miami-Dade Water and Sewer Department indicates that they do not have objections, and that the County's Fire Rescue Department in their memorandum indicates that approval of this application would not create a fire or become a hazard on the subject site. Furthermore, staff opines that the architectural style and scale of the proposed detached gazebo and guest house structures are designed and arranged in a manner that would not be detrimental to the neighborhood or create adverse privacy impacts on the abutting properties, and that approval with conditions of the requested rear yard coverage would be **compatible** with the surrounding residences and with the aesthetic character of the immediate vicinity. **Based on the foregoing analysis, staff recommends approval with conditions of the**

application under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) From Other Than Airport Regulations Standards.

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Zoning Hearing for Gazebo", as prepared by Vicente Franco P.E., consisting of 3 sheets dated stamped received 07/10/25. Plans may be modified at public hearing. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants obtain a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources within 90 days of the expiration of the final appeal period of this application, unless a time extension is granted by the Director of the Department.
5. That the 6' high metal fence along the rear and interior side property lines of the subject property be maintained as a visual buffer, and that if the wall is removed or destroyed, the applicant shall install a cbs wall, opaque fence or hedge that must be 3' high at the time of planting and that shall grow to and be maintained at a minimum height of 6' in accordance with Section 33-11(h) of the County Code.
6. That the applicant comply with all applicable conditions, requirements, recommendations, requests, and other provisions of the Office of Historic Preservation (OHP) as indicated in their memorandum.

Ricardo Cruz

Z25-044

Page | 5

ES:JB:SS:JH

Eric Silva

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

10/3/2025

ZONING RECOMMENDATION ADDENDUM

Ricardo Cruz
PH: Z25-044

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>
Office of Historic Preservation (OHP)	<i>No Objection*</i>
<i>*Subject to conditions in their memorandum.</i>	

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

Estate Density Residential (Pg. I-29)	<p><i>This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 units per gross acre.</i></p>
Urban Development Boundary (Pg. I-60)	<p><i>The Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2020 from areas where it should not occur. Development orders permitting urban development will generally be approved within the UDB at some time through the year 2020 provided that level-of-service standards for necessary public facilities will be met. Adequate countywide development capacity will be maintained within the UDB by increasing development densities or intensities inside the UDB, or by expanding the UDB, when the need for such change is determined to be necessary through the Plan review and amendment process.</i></p> <p><i>The CDMP seeks to facilitate the necessary service improvements within the UDB to accommodate the land uses indicated on the LUP map within the year 2020-time frame. Accordingly, public expenditures for urban service and infrastructure improvements shall be focused on the area within the UDB, and urban infrastructure is discouraged outside the UDB. In particular, the construction of new roads, or the extension, widening and paving of existing arterial or collector roadways to serve areas outside the UDB at public expense will be permitted only if such roadways are shown on the LUP map and in the Transportation Element. The entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SURs) in accordance with the provisions of Chapter 33-B, Code of Miami-Dade County. Accordingly, certain developments as specified in Chapter 33-B may be entitled to density or floor area bonuses as authorized in Chapter 33-B. If the existing SUR program is modified pursuant to Land Use Element Policy LU-9C or other transferrable development rights programs are established, all rights established by such programs shall be transferable to receiver sites inside the UDB as established in those programs. No new commercial agriculture use of property shall be established within the Urban Development Boundary, except on property designated Agriculture on the LUP map or zoned AU (Agricultural) or GU (Interim). All property within the UDB not designated Agriculture or zoned AU or GU shall not be permitted to be used for the establishment of any new commercial agricultural use. An additional exception is that land in utility easements or rights-of-way or airport or other large government – owned properties may be approved for new commercial agricultural uses where the use would be compatible with, and would have no unfavorable effect on, the surrounding area. Commercial agricultural uses include, without limitation, all uses of property associated with commercial horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; apiculture; pisciculture, when the property is used principally for the production of tropical fish; all forms of farm production; and all other such uses, except retail nurseries and retail greenhouses.</i></p>

	<p><i>Incidental agricultural use of property, such as non-profit community or rooftop gardening, specifically authorized by zoning which is otherwise consistent with the LUP map does not constitute commercial agriculture use within the meaning of this provision</i></p>
--	--

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-20(b)</p>	<p><i>Permanent. Accessory buildings, structures or uses shall not be closer than seventy-five (75) feet to the front property line except where it is desired to place them closer than seventy-five (75) feet to the front property line; each side line offset distance required for such lot shall be increased by the number of feet less than seventy-five (75) feet above referred to, provided such setback from the front property line is at least fifteen (15) feet greater than the setback for a principal building in the same block and said front line setback is not less than fifty (50) feet. No permit shall be issued for an accessory building for any use unless the principal building exists on front of lot, or unless a permit is obtained simultaneously for both buildings and construction progress concurrently.</i></p> <p><i>Accessory buildings shall not occupy a greater percent of the rear yard area than the following:</i></p> <table border="0"> <tr> <td><i>District</i></td> <td><i>Percent</i></td> <td></td> </tr> <tr> <td><i>EU-M</i></td> <td><i>20</i></td> <td></td> </tr> <tr> <td><i>RU-1, RU-1Z, RU-1M(a) & RU-1M(b)</i></td> <td></td> <td><i>30</i></td> </tr> <tr> <td><i>RU-2</i></td> <td><i>30</i></td> <td></td> </tr> <tr> <td><i>EU-1</i></td> <td><i>5</i></td> <td></td> </tr> <tr> <td><i>EU-2</i></td> <td><i>2</i></td> <td></td> </tr> <tr> <td><i>BU & IU</i></td> <td><i>30</i></td> <td></td> </tr> </table>	<i>District</i>	<i>Percent</i>		<i>EU-M</i>	<i>20</i>		<i>RU-1, RU-1Z, RU-1M(a) & RU-1M(b)</i>		<i>30</i>	<i>RU-2</i>	<i>30</i>		<i>EU-1</i>	<i>5</i>		<i>EU-2</i>	<i>2</i>		<i>BU & IU</i>	<i>30</i>	
<i>District</i>	<i>Percent</i>																					
<i>EU-M</i>	<i>20</i>																					
<i>RU-1, RU-1Z, RU-1M(a) & RU-1M(b)</i>		<i>30</i>																				
<i>RU-2</i>	<i>30</i>																					
<i>EU-1</i>	<i>5</i>																					
<i>EU-2</i>	<i>2</i>																					
<i>BU & IU</i>	<i>30</i>																					
<p>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>																					

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

RICARDO CRUZ AND YUNNIET GARCIA 8540 SW 58 ST
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2025000044

DATE

HEARING NUMBER

FOLIO: 30-4027-005-0710

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

July 30, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases in CMS

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases in BSS.

VIOLATOR:

RICARDO CRUZ AND YUNNIET GARCIA

OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum

Date: May 20, 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: Z2025000044-1st Review
Ricardo Cruz
8540 SW 58 St, Miami Fl 33143
NUV for lot coverage
(EU-1) (0.76 Acres)
27-54-40

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, wastewater disposal and wellfield protection. Based on the information provided, this zoning application is approved pursuant to sections 24-43.1 and 24-43 of the Code related to potable water supply and wastewater disposal, and wellfield protection respectively.

Wellfield Protection

The subject property is located within the Basic Wellfield Protection Area for the Alexander Orr Wellfield. The site is situated within the 100-day travel time contour of the Alexander Orr Wellfield. Therefore, development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code.

Conditions of Approval: None

Potable Water Supply and Wastewater Disposal

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

Conditions of Approval: None

Water Control

Stormwater shall be retained on site utilizing designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 25-year, 10-minute storm event.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources; however, the site plan entitled "New Gazebo for: Ricardo Cruz Yunnet Garcia" prepared by Vicente Franco, P.E., and dated as received by Miami-Dade County on April 28, 2025, was submitted with the subject application and indicates that tree resources onsite will not be removed. Please note that a Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code.

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

Conditions of Approval: None

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: July 31, 2025

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

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

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

Subject: Zoning Application Comments - Ricardo Cruz and Yunniet Garcia
Application No. Z2025000044 - Revision No. 2

Maria Valdes

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

Application Name: Ricardo Cruz and Yunniet Garcia

Location: The proposed project is located on approximately 0.76 acres at 8540 SW 58th Street, with Folio No. 30-4027-005-0710, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is requesting a Use Variance to permit the construction of an open gazebo of 820 sq. ft. at the existing single-family residence of 3,277 sq. ft. (Living Area), as per Property Appraiser. In addition, the Applicant is proposing the construction of a swimming pool and a detached addition (Guest House) of 984 sq. ft. (under A/C), as per site plan submitted.

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

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

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

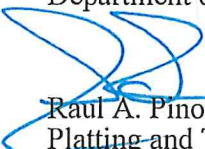
Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidadegov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidadegov, or Benita Ramirez at (786) 552-8121 or benita.ramirez@miamidadegov.

Memorandum



Date: June 11, 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: Z2025000044
Name: Ricardo Cruz
Location: 8540 SW 58 Street
Section 27 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 3, Block 5, Plat Book 40, Page 95.

This application does not generate any vehicle 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: July 11, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

Subject: Z2025000044

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “EnerGov” on 07/11/2025.

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

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

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

Memorandum



Date: October 3, 2025

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

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

Subject: Zoning Review Z2025-000044 Ricardo Cruz and Yunniet Garcia

The Miami-Dade County Office of Historic Preservation (OHP) has reviewed the subject application and offers the following comments:

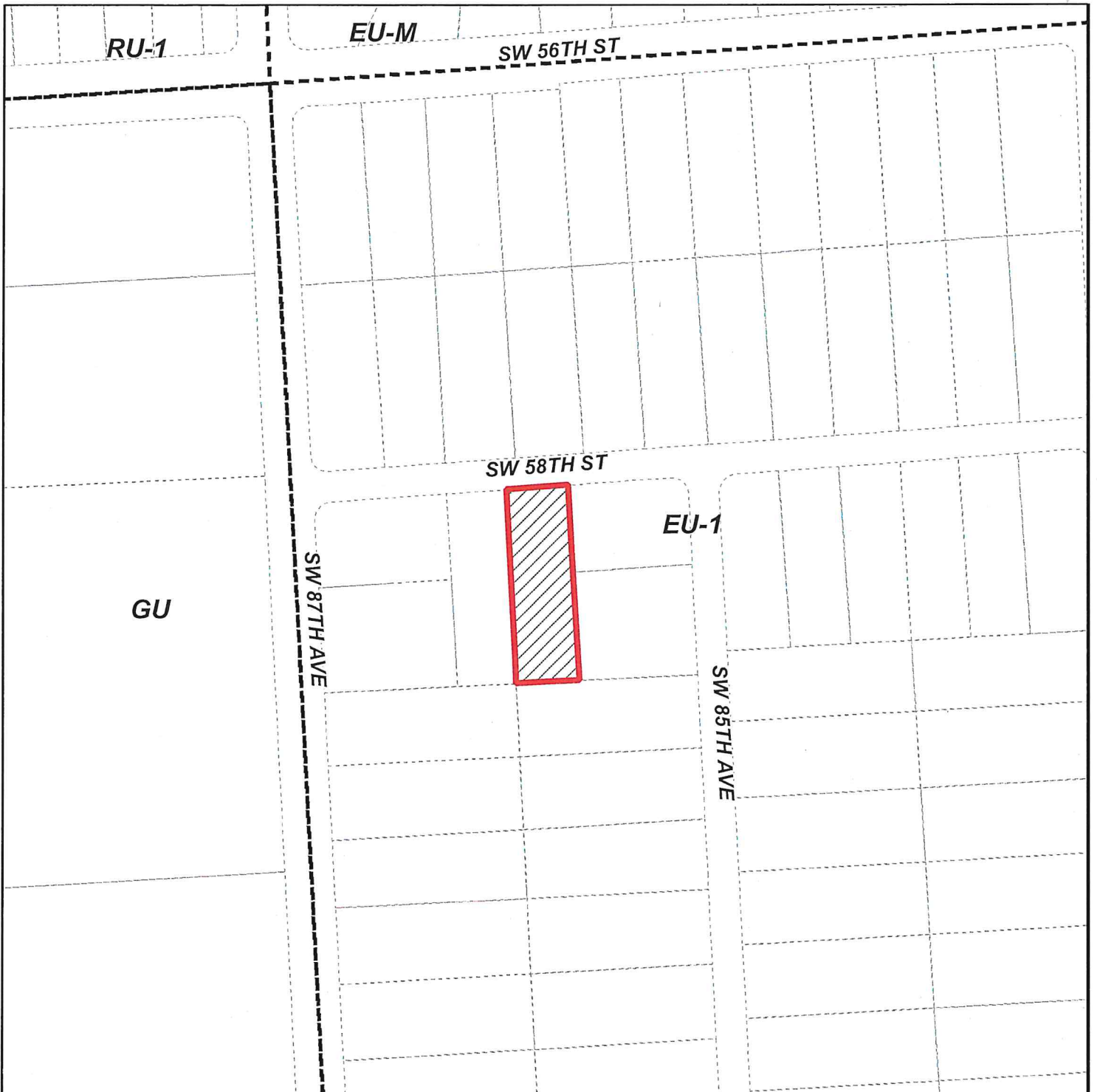
The Office of Historic Preservation (OHP) has identified structures dating from 1952, located on Folio No. 30-4027-005-0710, which meet the 50-year threshold for consideration as potentially eligible historic resources. In response to the applicant's request for a Use Variance to exceed the 5% rear lot coverage to construct a new gazebo, the OHP has reviewed the proposed scope of work. Based on this review, the OHP has determined that the proposed intervention constitutes a minor alteration that does not adversely impact the integrity or character-defining features of the potentially eligible historic resource.

Recommendation:

While the Office of Historic Preservation has no objections to the application, based on best practices, we recommend that the applicant should complete and submit the Florida Master Site File Historical Structure Form to document the primary structure.

Visit the Florida Division of Historical Resources Florida Master Site File website for instructions, forms, and FAQs. <https://dos.fl.gov/historical/preservation/master-site-file/>

For questions regarding historic resources, please contact Sarah Cody at (305) 375-4438 or via email at sarah.cody@miamidade.gov





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2025000044

Section: 27 Township: 54 Range: 40
 Applicant: Ricardo Cruz
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

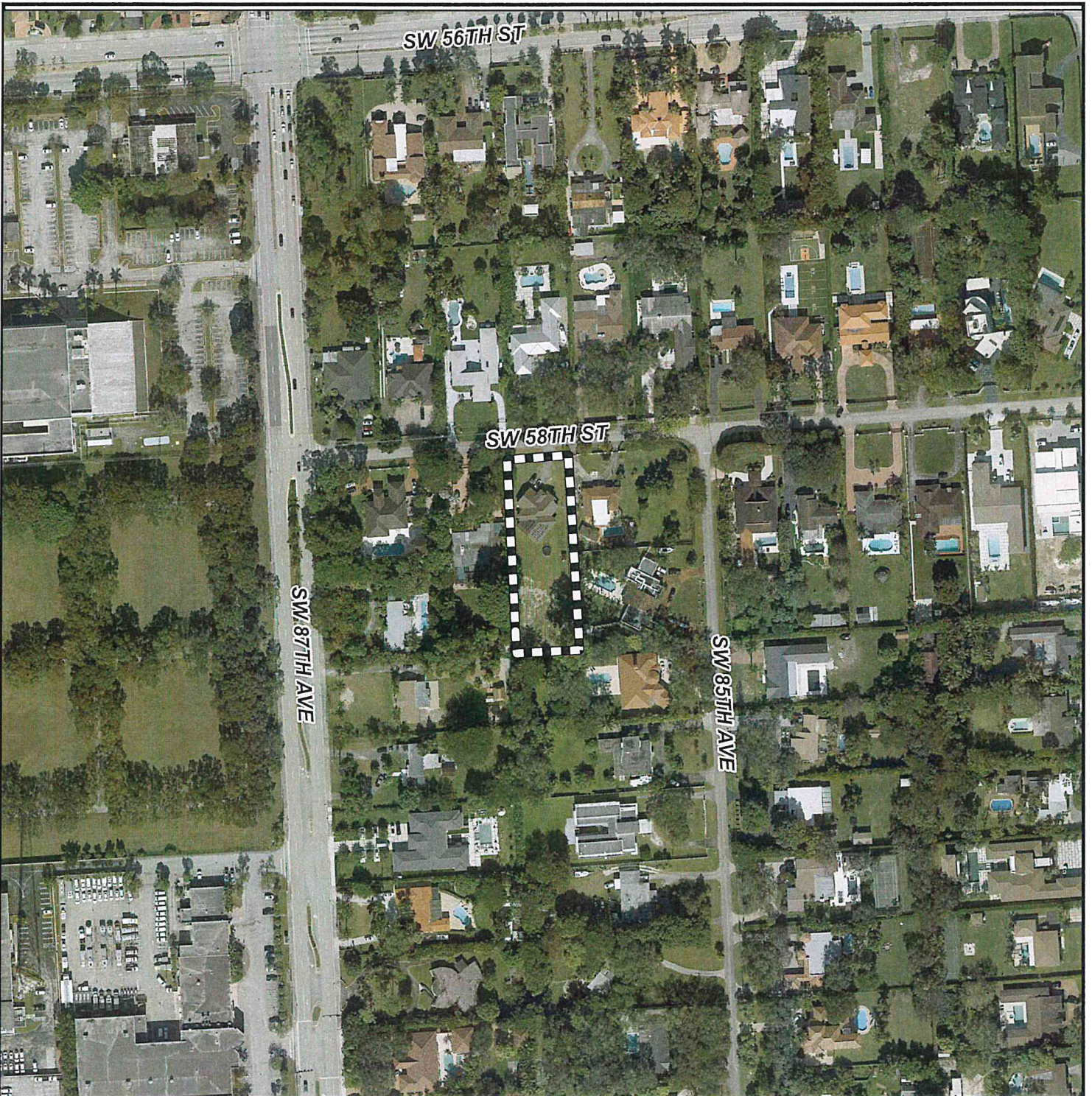
Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, May 5, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2024

Process Number
Z2025000044

Legend
 Subject Property



Section: 27 Township: 54 Range: 40
 Applicant: Ricardo Cruz
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Monday, May 5, 2025

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 27 Township: 54 Range: 40
 Applicant: Ricardo Cruz
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2025000044
 RADIUS: 500

Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, May 5, 2025

REVISION	DATE	BY

LOW DENSITY RESIDENTIAL (LDR) 2.5-6 DU/AC

SW 56TH ST

ESTATE DENSITY RESIDENTIAL (EDR) 1-2.5 DU/AC

SW 58TH ST

SW 87TH AVE

SW 85TH AVE

INSTITUTIONS, UTILITIES
AND COMMUNICATION

MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2025000044

Section: 27 Township: 54 Range: 40
Applicant: Ricardo Cruz
Zoning Board: C10
Commission District: 10
Drafter ID: EDUARDO CESPEDES
Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, May 5, 2025

REVISION	DATE	BY

RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z25-044 DATE: APR 28 2025 BY: ISA





RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z25-044 DATE: APR 28 2025 BY: ISA





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

PH: Z25-052

October 21, 2025

Item No.5

Recommendation Summary	
Commission District	6
Applicant	Frank Perez Verdecia
Summary of Requests	The applicant seeks to permit an existing single-family residence and a proposed detached gazebo with less interior side setbacks and more rear yard lot coverage than permitted by Code.
Location	7350 SW 75 Avenue, Miami-Dade County, Florida
Property Size	1.21 Acres
Existing Zoning	EU-1, Single-family One-Acre Estate Residential District
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	Estate Density Residential <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUESTS:

- (1) NON-USE VARIANCE to permit an existing single-family residence to setback a minimum of 14'-7" (15' required) from the interior side (north) property line.
- (2) NON-USE VARIANCE to permit a proposed detached gazebo to setback a minimum of 13'-8" (20' required) from the interior side (north) property line.
- (3) NON-USE VARIANCE to permit a proposed detached gazebo with a rear yard lot coverage of 9.1% (5% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Zoning Hearing for Proposed Detached Gazebo", as prepared by Jose R. Vasquez P.E., dated stamped received 7/7/2025 consisting of a total of 5 sheets, Plans may be modified at public hearing.

PROJECT HISTORY AND DESCRIPTION:

The submitted plans show an existing one (1)-story, 5,689 sq. ft. single-family residence on a corner lot, with the proposed detached gazebo located towards the rear of the 1.21-acres subject property that fronts along both SW 75 Avenue and SW 73 Street roadways. The applicant seeks to allow the existing single family residence to setback 14'-7" (15' required) from the interior side (north) property line. Additionally, the application seeks approval for a proposed detached gazebo with less interior side setbacks and more rear yard lot coverage than permitted by Code. Plans

show that the detached gazebo is setback 13'-8", where 20' is required from the interior side (north) property line, and has a rear yard coverage of 9.1%, maximum 5% is otherwise required by code. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate an existing 6' high metal fence located along the front, rear, side street and interior side property lines of the subject property.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	EU-1; single-family residence	Estate Density Residential (1 - 2.5 du)
North	EU-1; single-family residence	Estate Density Residential (1 - 2.5 du)
South	EU-1; single-family residence	Estate Density Residential (1 - 2.5 du)
East	EU-1; single-family residence	Estate Density Residential (1 - 2.5 du)
West	State Road (SR 826)	State Road (SR 826)

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence that is on 52,708 sq. ft., EU-1, Single-family One-Acre Estate Residential District zoned corner lot, located at 7350 SW 75 Avenue. The surrounding area is characterized by existing single-family residences, also developed under the EU-1, Single-family One-Acre Estate Residential District.

SUMMARY OF THE IMPACTS:

Approval of this application for reduced setbacks and more rear yard coverage than permitted will allow the existing single-family residence with a proposed detached gazebo which will be located towards the rear of their principal residence building. Staff opines that since the rear yard area is enclosed with a 6' high metal fence along the front, rear, side street and interior side property lines, together with the existing landscaping in form of trees and hedges, any visual impact that the proposed detached gazebo may have on the surrounding properties is minimal and would be sufficiently mitigated.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The 1.21-acres subject property is located within the Urban Development Boundary (UDB) and designated as **Estate Density Residential** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 units per gross acre.* The applicant seeks to permit a the existing single family residence and the proposed detached gazebo on the 1.21-acres subject property to be placed in the rear of the principal building with an increase in the rear yard area coverage beyond what is permitted under the zoning regulations. Staff opines that approval of this request will not change the single-family residence use. Since the applicant is not requesting

to add additional dwelling units or change the single-family detached use on the property, approval with standard conditions of the application would be **consistent** with the uses allowed under the Estate Density Residential land use category text and the density threshold of the CDMP Estate Density Residential Communities LUP Map designation.

ZONING ANALYSIS:

When the request to permit existing single family residence and a proposed detached gazebo with an increased rear yard lot coverage 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 and the request would be minimal and not be detrimental to the neighborhood and would not affect the appearance of the community.

The plans submitted in conjunction with this application depict the existing single-family residence on a corner lot, with the proposed detached gazebo located towards the rear of the subject property. Staff supports the request and opines that approval of the conditions of this non-use variance would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes from plans, survey map and photographs submitted by the applicants as well as the County's Geographic Information System (GIS) that any impact of the requests are adequately mitigated by the existing 6' high metal fence located along the front, rear, side street and interior side property lines of the subject property, which, staff opines, buffers any visual intrusion of the encroachments on the surrounding properties, especially to the parcels to the north, south, and east of the subject property. Staff further opines that the request is minimal in nature and internal to the site that is enclosed from view from the outside by the 6' high metal fence. Staff recommends as a condition for approval that the said 6' high metal fence along the property lines be maintained as a visual buffer, and, if said fence is destroyed or removed, it must be replaced by an opaque fence at a maximum height of 6', or a fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6,' in accordance with Section 33-11(h) of the County Code.

Staff's research of the surrounding area did not find any similar approvals within the neighborhood for variances of the rear yard coverage requirements for detached accessory structures. Notwithstanding, staff notes that based on memoranda from the departments reviewing this application, any impacts from the increase of the rear yard coverage will not cause their facilities and services to operate below their adopted levels of service standards. The memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) indicates that the application does not generate any new additional daily peak hour trips, and the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources memorandum indicates that approval will not result in a reduction in the LOS standards for potable water supply, wastewater disposal, or flood protection. Additionally, the memorandum from Miami-Dade Water and Sewer Department indicates that they do not have objections, and that the County's Fire Rescue Department in their memorandum indicates that approval of this application would not create a fire or become a hazard on the subject site. Furthermore, staff opines that the architectural style and scale of the existing single family residence and proposed detached 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 rear yard coverage would be **compatible** with

the surrounding residences and with the aesthetic character of the immediate vicinity. **Based on the foregoing analysis, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) From Other Than Airport Regulations Standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Zoning Hearing for Proposed Detached Gazebo", as prepared by Jose R. Vasquez P.E., dated stamped received 7/7/2025 consisting of a total of 5 sheets, Plans may be modified at public hearing. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants obtain a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources within 90 days of the expiration of the final appeal period of this application, unless a time extension is granted by the Director of the Department.
5. That the 6' high metal fence along the front, rear, side street and interior side property lines of the subject property be maintained as a visual buffer, and that if the wall is removed or destroyed, the applicant shall install a cbs wall, opaque fence or hedge that must be 3' high at the time of planting and that shall grow to and be maintained at a minimum height of 6' in accordance with Section 33-11(h) of the County Code.

Frank Perez Verdecia

Z25-052

Page | 5

ES:JB:PM:JH

Eric Silva

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

10/3/2025

ZONING RECOMMENDATION ADDENDUM

Frank Perez Verdecia
PH: Z25-052

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

Estate Density Residential (Pg. I-29)	<p><i>This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 units per gross acre.</i></p>
Urban Development Boundary (Pg. I-60)	<p><i>The Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2020 from areas where it should not occur. Development orders permitting urban development will generally be approved within the UDB at some time through the year 2020 provided that level-of-service standards for necessary public facilities will be met. Adequate countywide development capacity will be maintained within the UDB by increasing development densities or intensities inside the UDB, or by expanding the UDB, when the need for such change is determined to be necessary through the Plan review and amendment process.</i></p> <p><i>The CDMP seeks to facilitate the necessary service improvements within the UDB to accommodate the land uses indicated on the LUP map within the year 2020-time frame. Accordingly, public expenditures for urban service and infrastructure improvements shall be focused on the area within the UDB, and urban infrastructure is discouraged outside the UDB. In particular, the construction of new roads, or the extension, widening and paving of existing arterial or collector roadways to serve areas outside the UDB at public expense will be permitted only if such roadways are shown on the LUP map and in the Transportation Element. The entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SURs) in accordance with the provisions of Chapter 33-B, Code of Miami-Dade County. Accordingly, certain developments as specified in Chapter 33-B may be entitled to density or floor area bonuses as authorized in Chapter 33-B. If the existing SUR program is modified pursuant to Land Use Element Policy LU-9C or other transferrable development rights programs are established, all rights established by such programs shall be transferable to receiver sites inside the UDB as established in those programs.</i></p> <p><i>No new commercial agriculture use of property shall be established within the Urban Development Boundary, except on property designated Agriculture on the LUP map or zoned AU (Agricultural) or GU (Interim). All property within the UDB not designated Agriculture or zoned AU or GU shall not be permitted to be used for the establishment of any new commercial agricultural use. An additional exception is that land in utility easements or rights-of-way or airport or other large government – owned properties may be approved for new commercial agricultural uses where the use would be compatible with, and would have no unfavorable effect on, the surrounding area. Commercial agricultural uses include, without limitation, all uses of property associated with commercial horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; apiculture; pisciculture, when the property is used principally for the production of tropical fish; all forms of farm production; and all other such uses, except retail</i></p>

	nurseries and retail greenhouses. Incidental agricultural use of property, such as non-profit community or rooftop gardening, specifically authorized by zoning which is otherwise consistent with the LUP map does not constitute commercial agriculture use within the meaning of this provision.
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PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-20(b)	<p>Permanent. Accessory buildings, structures or uses shall not be closer than seventy-five (75) feet to the front property line except where it is desired to place them closer than seventy-five (75) feet to the front property line; each side line offset distance required for such lot shall be increased by the number of feet less than seventy-five (75) feet above referred to, provided such setback from the front property line is at least fifteen (15) feet greater than the setback for a principal building in the same block and said front line setback is not less than fifty (50) feet. No permit shall be issued for an accessory building for any use unless the principal building exists on front of lot, or unless a permit is obtained simultaneously for both buildings and construction progress concurrently. Accessory buildings shall not occupy a greater percent of the rear yard area than the following:</p> <table border="0"> <tr> <td>District</td> <td>Percent</td> </tr> <tr> <td>EU-M</td> <td>20</td> </tr> <tr> <td>RU-1, RU-1Z, RU-1M(a) & RU-1M(b)</td> <td>30</td> </tr> <tr> <td>RU-2</td> <td>30</td> </tr> <tr> <td>EU-1</td> <td>5</td> </tr> <tr> <td>EU-2</td> <td>2</td> </tr> <tr> <td>BU & IU</td> <td>30</td> </tr> </table>	District	Percent	EU-M	20	RU-1, RU-1Z, RU-1M(a) & RU-1M(b)	30	RU-2	30	EU-1	5	EU-2	2	BU & IU	30																																																																																																																																								
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<p>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</p>	<p>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.</p>

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

FRANK PEREZ VERDECIA

7350 SW 75 AVE
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

PENDING

Z2025000052

DATE

HEARING NUMBER

FOLIO: 30-4035-007-0080

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

July 17, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases.

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases

OUTSTANDING LIENS AND FINES:

There are no outstanding Liens, fines, or fees.

Memorandum

Date: October 3, 2025

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

From: Christine Velazquez, Division Chief
Department of Regulatory and Economic Resources

Subject: Z2025000052-2nd Review
Frank Verdecia
7350 SW 75th Avenue
Proposing a gazebo with outdoor kitchen within a single-family residence
(EU-1) (1.21 acres)
35-54-40

RER-Code Coordination and Public Hearings Section has reviewed the above referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service, wastewater disposal and wellfield protection. Based on the information provided, this zoning application is approved pursuant to sections 24-43.1 and 24-43(5) of the Code related to potable water service and wastewater disposal, and wellfield protection respectively.

Wellfield Protection

The subject property is located within two travel time contours of the Alexander Orr Wellfield Protection Area. The eastern portion of the property is located within the Average travel time contour, and the western portion is within the 210-day travel time contour of said Wellfield. Therefore, development on the subject property shall be in accordance with regulations established in section 24-43 of the Code.

Additionally, section 24-43(4) of the Code provides sewage loading restrictions for residential properties having a potable water supply well and served by on-site sewage treatment and disposal system (OSTDS), not having indigenous substrata, located within the basic wellfield protection area.

Further, pursuant to section 24.43(6)(b) of the Code, a property within two (2) or more travel time range having restrictions shall be governed by the total sewage loading for the property. The total sewage loading shall be derived by adding the sewage loading within each travel time range and dividing the resultant amount by the gross acreage for the property. However, a property within both restricted and unrestricted travel time ranges shall be governed in accordance with section 24-43(6)(b) herein except that portion of the property outside of the restricted travel time ranges shall be excluded from averaging the applicable restrictions as aforesaid.

According to the site plan submitted with this application and staff calculations, the property complies with the sewage loading for land use served by an onsite sewage treatment and disposal system and a potable water supply well within a wellfield protection area. Sewage loading will be re-evaluated by RER for any future development orders at the site.

Conditions of Approval: None

Potable Water Service and Wastewater Disposal

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

Conditions of Approval: None

Water Control Review

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

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Conditions of Approval: None

Tree Preservation Review

An aerial review of the subject property indicates the presence of tree resources; however, the site plan entitled "New Covered Terrace (Detached)" prepared by Jose Vasquez, P.E., and dated as received by Miami-Dade County on March 18, 2025, was submitted with the subject application and indicates that tree resources onsite will not be removed.

Please note that a Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code.

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

Conditions of Approval: None

DERM Enforcement History Review

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

Concurrency Review Summary

A concurrency review has been conducted for this application and it 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: July 25, 2025

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

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

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

Subject: Zoning Application Comments - Frank Perez & Mirta Carbonell
Application No. Z2025000052 (Revision No. 2)

A handwritten signature in black ink that reads "Maria Valdes". The signature is written in a cursive, flowing style.

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.

If Derm requires connection to the water system, at the time of development, the applicant is advised to consult with the project's engineer and WASD's Plans Review staff to finalize points of connection and capacity approval. A WASD Agreement and/or Verification form will be required.

Application Name: Frank Perez & Mirta Carbonell

Location: The proposed project is located at 7350 SW 75th Avenue, with Folio No. 30-4035-007-0080, in unincorporated Miami-Dade County.

Proposed Development: The applicant is proposing to build a new detached 950 Sq. Ft open Gazebo with open kitchen and dining area on the northwest portion of the existing 4,808 Sq. Ft single-family residence under A/C, as per site plan submitted.

This project results in a no-net increase for the water demand. The existing property is currently on well; therefore, if connection to the water is required by DERM, the water demand will be 310 gallons per day (gpd).

Water: The proposed development is located within the WASD's water service area. The subject site is currently on well. If Derm requires connection to the water system, then the water supply will be provided by the Alexander-Orr Water Treatment Plant (WTP). Currently, there is adequate treatment and water supply capacity at the WTP, consistent with Policy WS-2 A (1) of the CDMP.

If DERM requires connection to the public water system, then there is an existing 8-inch water main located at the intersection of SW 75th Avenue and SW 72nd Street, approximately 466 feet north of the northeast corner of the subject property to where the developer may connect and extend a new 8-inch water main southerly along SW 75th Avenue to the subject site to provide water service to the proposed project. Final points of connections and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.

If connection to the water system is required by DERM, 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, consistent with Policies WS-5E and WS-5F of the CDMP.

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

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

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

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

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

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

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

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

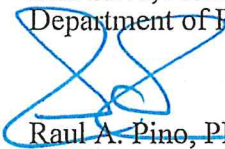
Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Benita Ramirez B. at (786) 552-8121 or benita.ramirez@miamidade.gov

Memorandum



Date: May 8, 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: Z2025000052
Name: Frank Perez Verdecia
Location: 7350 SW 75 Avenue
Section 35 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 requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedication per Miami-Dade Chapter 33-133 and Chapter 28 and/or improvements required will be accomplished thru the recording of the plat.

This application does not generate any vehicle 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: July 07, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

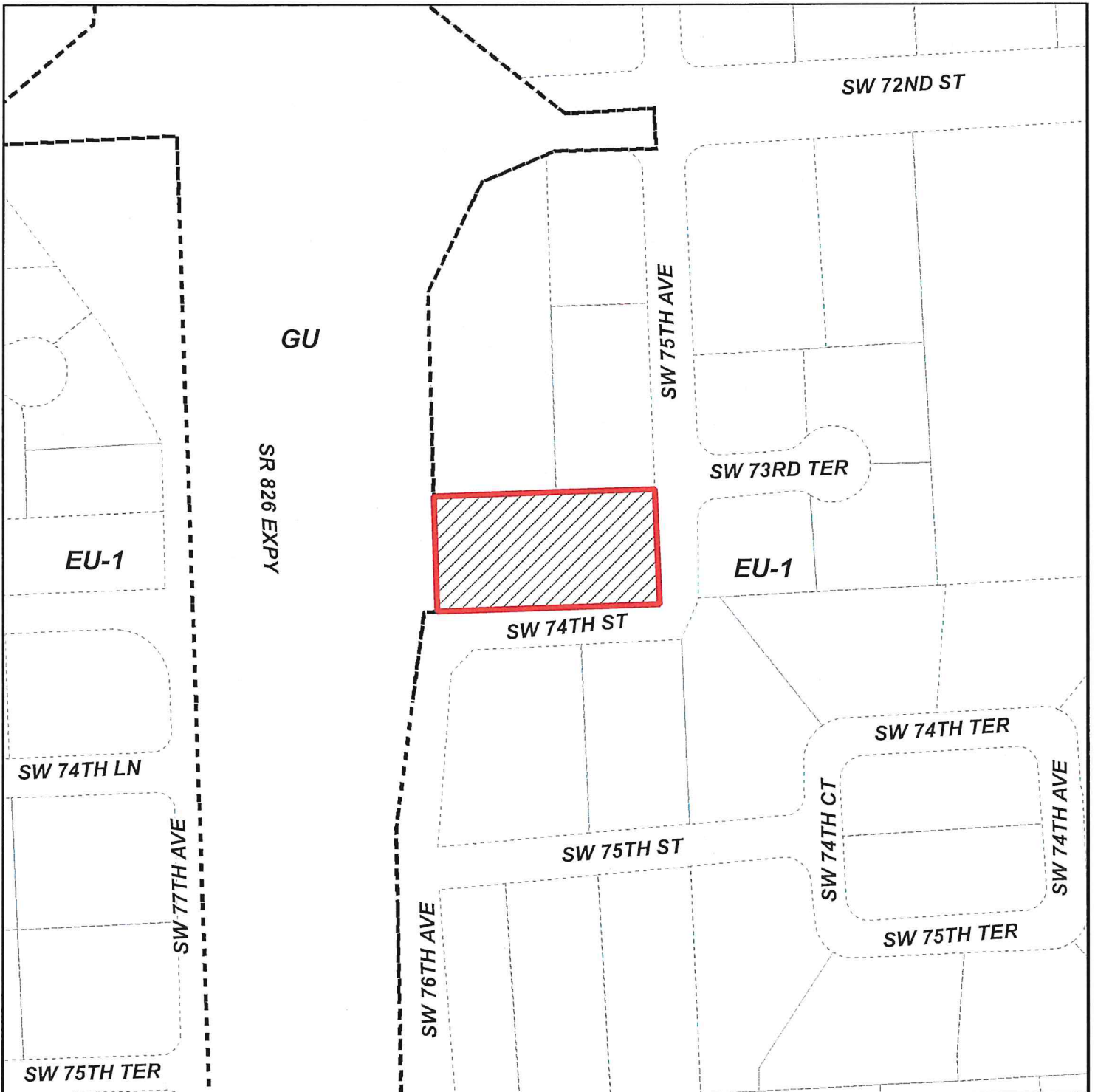
Subject: Z2025000052

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “EnerGov” on 07/07/2025.

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
Z2025000052

Section: 35 Township: 54 Range: 40
 Applicant: Frank Perez Verdecia & Mirta L. Carbonell
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



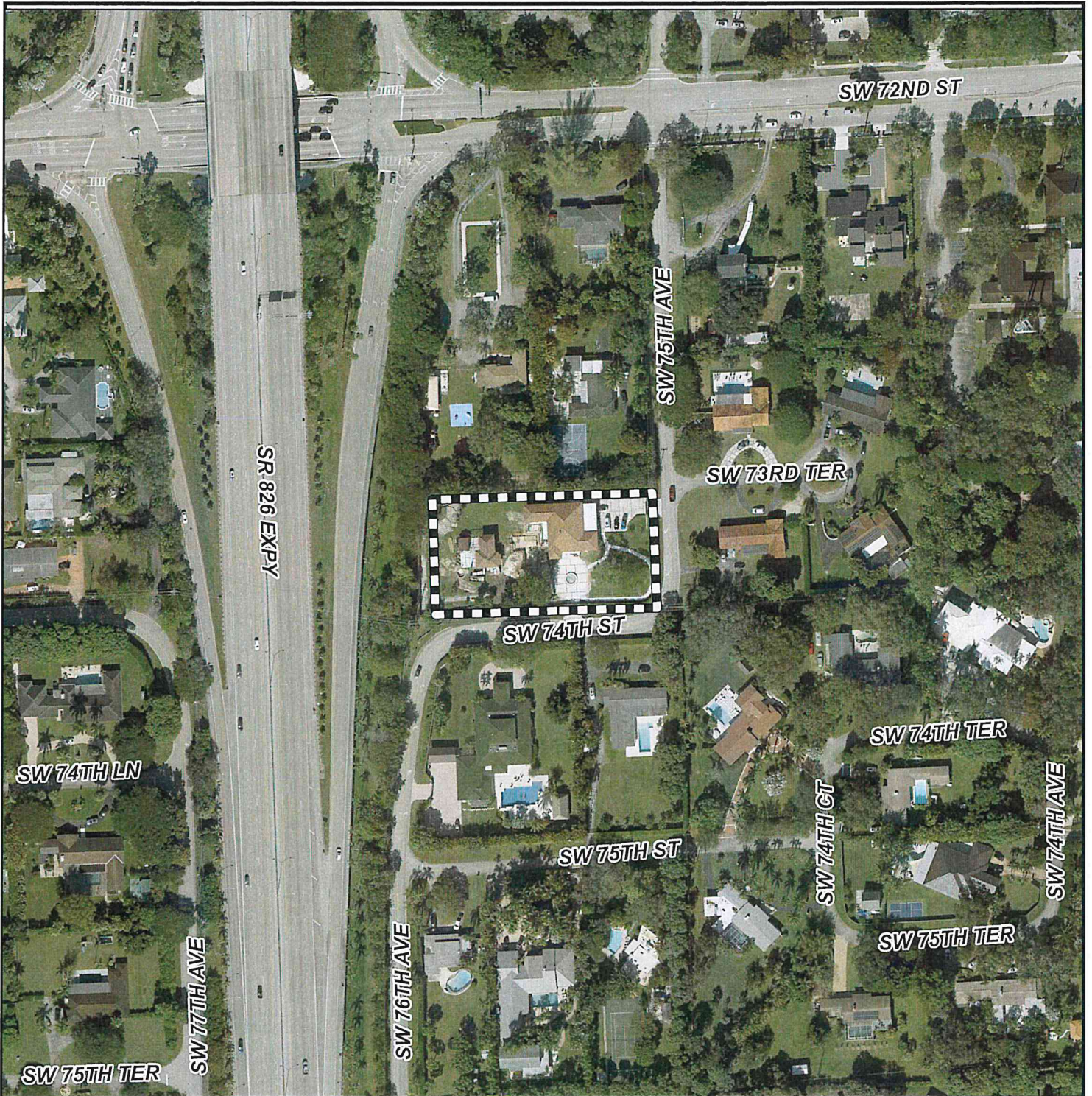
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-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Thursday, March 20, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2024

Process Number
Z2025000052

Legend
 Subject Property

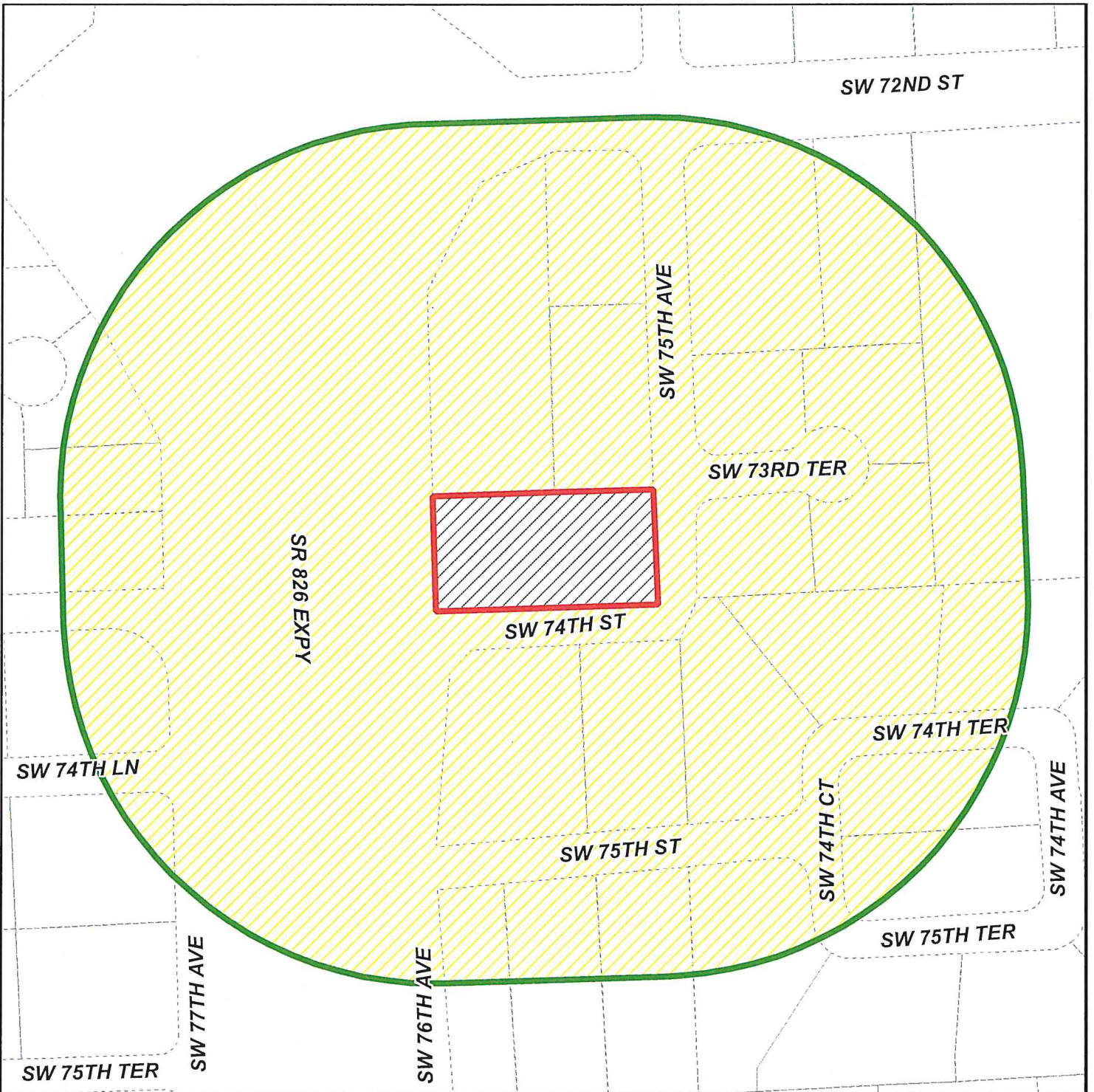


Section: 35 Township: 54 Range: 40
 Applicant: Frank Perez Verdecia & Mirta L. Carbonell
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Thursday, March 20, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY
RADIUS MAP


Process Number

Z2025000052

RADIUS: 500

Section: 35 Township: 54 Range: 40
 Applicant: Frank Perez Verdecia & Mirta L. Carbonell
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

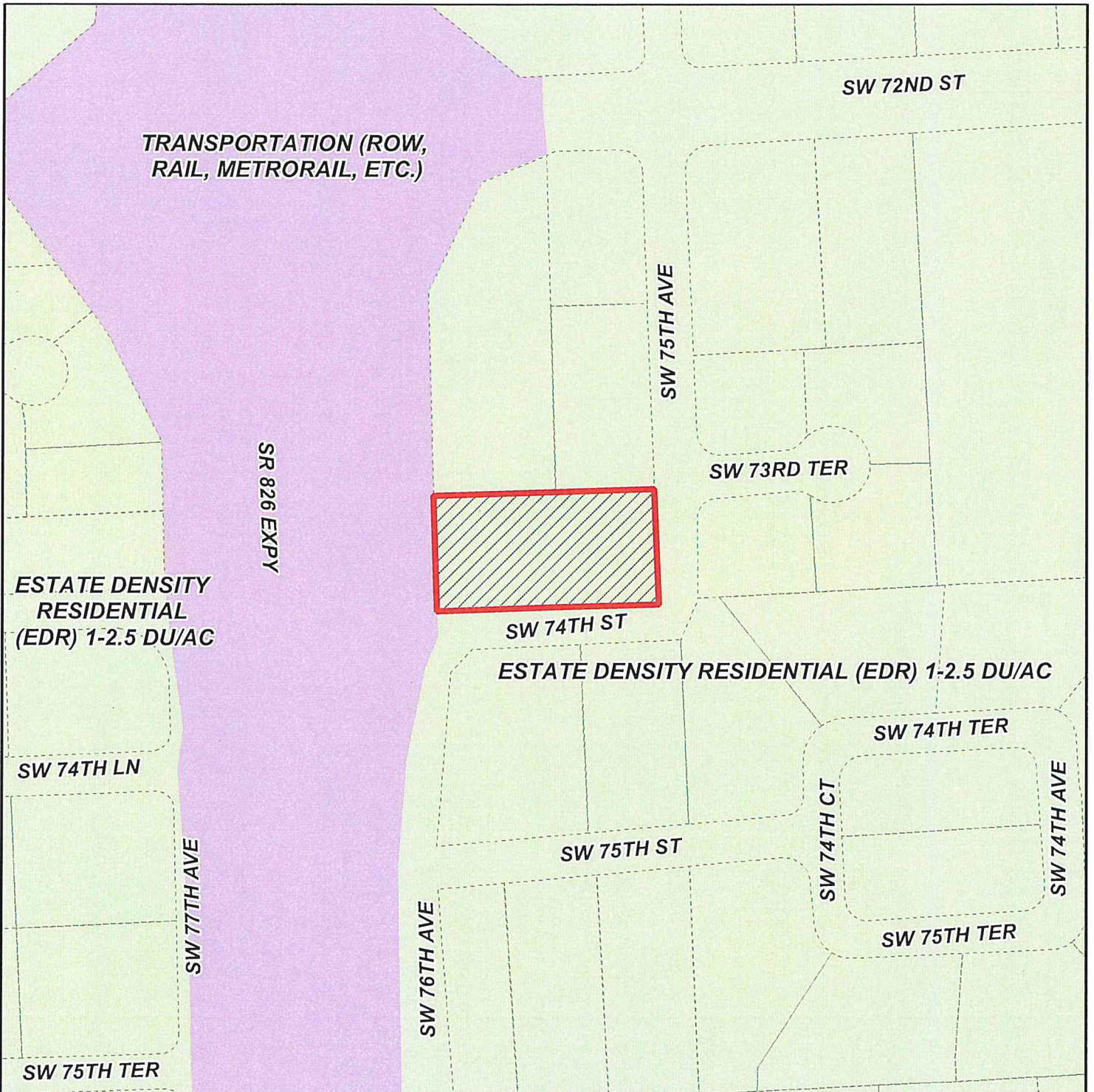
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Thursday, March 20, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2025000052



Section: 35 Township: 54 Range: 40
 Applicant: Frank Perez Verdecia & Mirta L. Carbonell
 Zoning Board: C10
 Commission District: 6
 Drafter ID: EDUARDO CESPEDES
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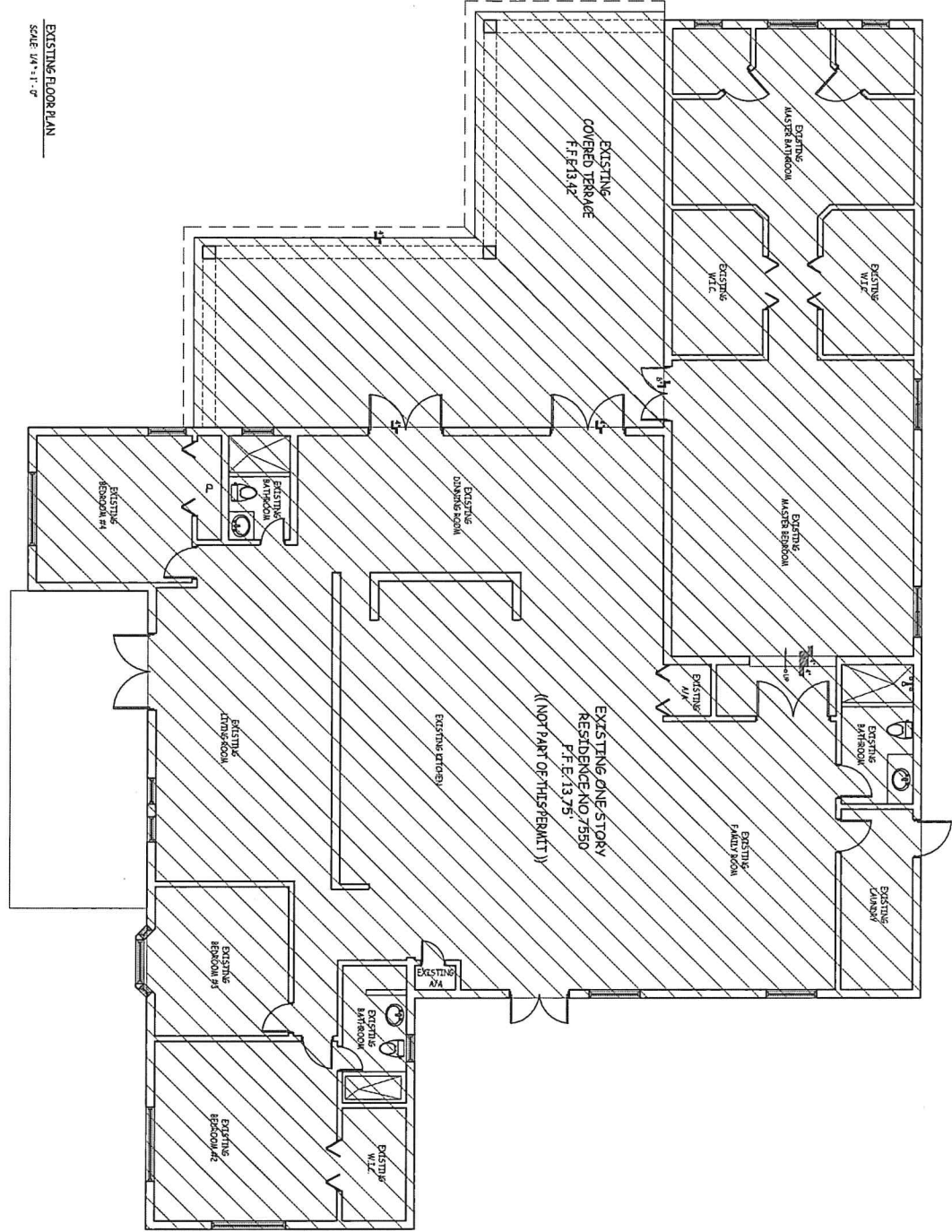
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 Subject Property Case



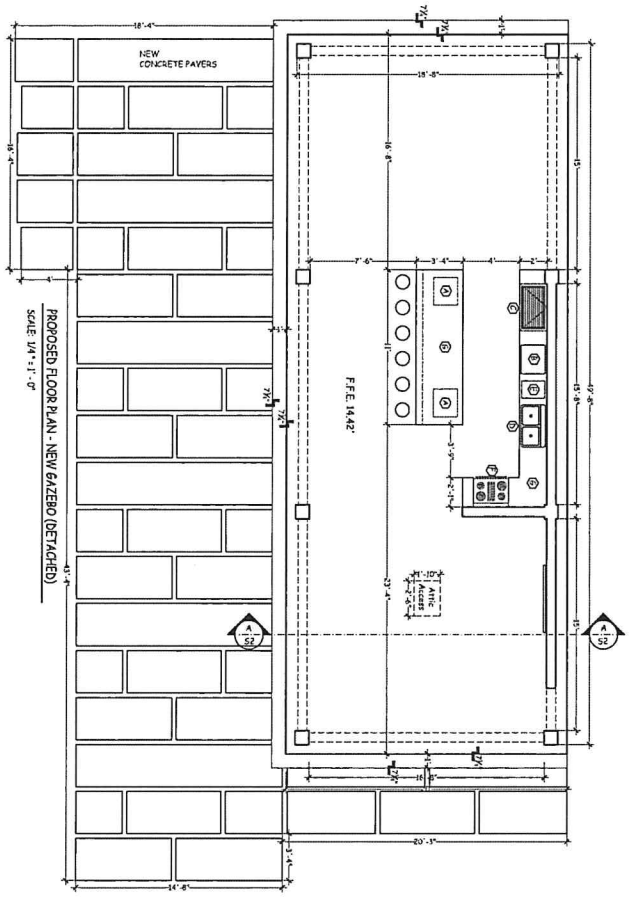
SKETCH CREATED ON: Thursday, March 20, 2025

REVISION	DATE	BY

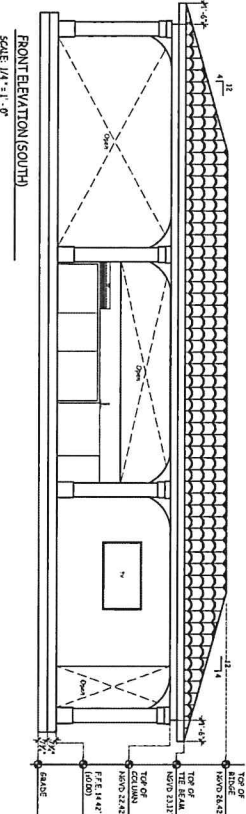


EXISTING FLOOR PLAN
SCALE: 1/4" = 1'-0"

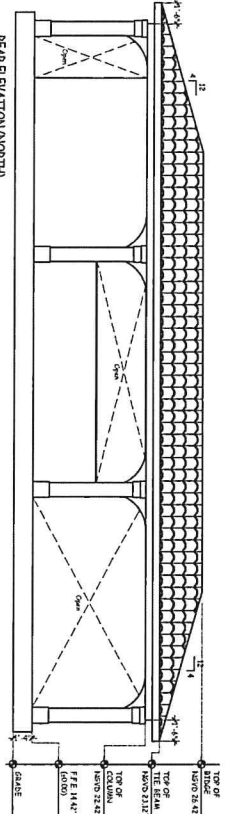
NUMBER OF RECORDS JOSE R. VASQUEZ, P. E. 7817 SW 81 ST MIAMI, FLORIDA 33143 305.441.1111		CONSULTANT: 154	
PROJECT OF RECORD FOR THE PROPOSED DETACHED GAZEBO AND PATIO 7550 SW 75 AVE. MIAMI, FL 33143 305.441.1111			
SHEET: 200 DINNER			
EXISTING FLOOR PLAN 7550 SW 75 AVE. MIAMI FL. 33143 ZONING HEARING FOR PROPOSED DETACHED GAZEBO 7550 SW 75 AVE. MIAMI FL. 33143 FRANK PEREZ VERDECIA & MIRTA CARBONELL 7550 SW 75 AVE. MIAMI FL. 33143			
REVISIONS:			
JOB NUMBER: FPV001			
SHEET NUMBER: A3			
DRAWN: JSE/BWT CHECKED: JSE/BWT DATE: 04/2025			



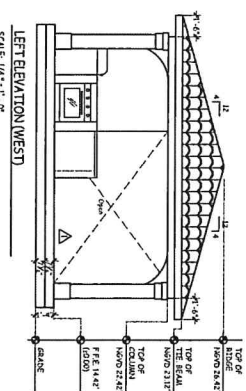
PROPOSED FLOOR PLAN - NEW GAZEBO (DETACHED)
SCALE: 1/4" = 1'-0"



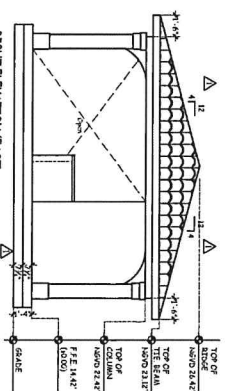
FRONT ELEVATION (SOUTH)
SCALE: 1/4" = 1'-0"



REAR ELEVATION (NORTH)
SCALE: 1/4" = 1'-0"



LEFT ELEVATION (WEST)
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION (EAST)
SCALE: 1/4" = 1'-0"

SCOPE OF WORK:	
1. Provide New Gazebos (Detached)	
2. Provide ALL EXISTING TO REMAIN AND NOT PART OF THIS DESIGN	
FLOOR PLAN NOTES:	
1. NEW FINISH	2. NEW SLIDE-IN RANGE
3. NEW REFRIGERATOR	4. 3/4" HIGH COUNTERTOP
5. NEW SINK	6. NEW DOUBLE SINK
7. NEW TRASH	
COVERING CODES:	
FAC 5007 EDITION RESIDENTIAL	
FAC 5007 EDITION EXISTING BUILDINGS	

AREA TABULATIONS:	
EXISTING AIR AREA	3,888 SQ. FT.
Existing One Story Residence	380 SQ. FT.
Existing Pool House	4,808 SQ. FT.
Living Area - A/C (Total)	100 SQ. FT.
Existing Shed	800 SQ. FT.
Existing Shed (Detached)	900 SQ. FT.
New Gazebos (Detached)	6,773 SQ. FT.
TOTAL	6,773 SQ. FT.

COLUMN LEGEND:	
<input type="checkbox"/>	1" X 1" COLUMN SEE STRUCTURAL PLANS
<input type="checkbox"/>	5" X 5" COLUMN SEE STRUCTURAL PLANS
<input type="checkbox"/>	5" X 5" COLUMN SEE STRUCTURAL PLANS

ENGINEER OF RECORD: JOSE R. VASQUEZ, P.E. 7815 N.W. 12th St. Miami, FL 33154 305.441.1234		CONSULTANT: 154	
PROJECT: NEW GAZEBO PROPOSED FLOOR PLAN - ELEVATIONS 7350 SW 15 AVE, MIAMI FL, 33143		SHEET: 2/31 OWNER	
ZONING HEARING FOR PROPOSED DETACHED GAZEBO 7350 SW 15 AVE, MIAMI FL, 33143		DATE: 6/23/2025	
DESIGNER: FRANK PEREZ VERDECIA & MIRTA CARBONELL 7350 SW 15 AVE, MIAMI FL, 33143		DATE: 6/23/2025	
REVISIONS:		DATE: 6/23/2025	
JOB NUMBERS: FPV/001		SCALE: 1/4" = 1'-0"	
SHEET NUMBER: A1		DATE: 6/23/2025	
CONTRACT NUMBER: 60-2520		DATE: 6/23/2025	





RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z25-062 DATE: MAR 18 2025 BY: CABR

Wed 11:39:48

Camera 01



RECEIVED MIAMI-DADE COUNTY PROCESS NO. 225-062 DATE MAR 18 2025 BY: CABR

5 Wed 12:35:18

Camera 01



12:34:44

WINDHOLE COUNTY PROCESS NO. 77-0087 DATE: 01/25/2025 BY: CABR

Camera 01



RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z25-052 DATE: MAR 18 2025 BY: CABR

11:38:59



Camera 01

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

PH: Z25-082

October 21, 2025

Item No. 6

Recommendation Summary	
Commission District	10
Applicant	New Horizon Research Center, Inc.
Summary of Request	The applicant seeks to permit a medical observation dormitory use on a site with less than the minimum required net acreage.
Location	11401 SW 40 Street, Miami-Dade County, Florida
Property Size	±2.53-net acres
Existing Zoning	BRCUAD (Bird Road Corridor Urban Area District)
Existing Land Use	Office building
2030-2040 CDMP Land Use Designation	Community Urban Center <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	Section 33-311(A)(4)(b), Non-Use Variance Standards, <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUEST:

NON-USE VARIANCE to permit a medical observation dormitory use on a site with an area of 2.53-net acres (3-net acres required).

A survey is on file and may be examined in the Department of Regulatory and Economic Resources, entitled MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY as prepared by Bello & Bello Land Surveying, dated stamped received May 5, 2025.

PROJECT DESCRIPTION AND HISTORY:

The ±2.53-acre property located at 11401 SW 40 Street is an existing office building with a zoning history dating back to 1947. In 1947, pursuant to Resolution #2704, the Board of County Commissioners established an EU-1B Protective Zone along Coral Way and Bird Road between SW 97 Avenue and SW 147 Avenue. In 1978, pursuant to Resolution #4-ZAB-148-78, the Metropolitan Zoning Appeals Board approved a variance for a detached sign of about 180 square feet. In 1983, pursuant to Resolution #4-ZAB-205-83, the Board approved a variance allowing two detached signs of 200 square feet each and a third sign of 122 square feet. In 1986, pursuant to Resolution #4-ZAB-39-86, those approvals were modified to allow the replacement of the prior signs with a new 840-square-foot sign and variances for setback requirements.

More recently in 2014, pursuant to Ordinance #13-58, the subject parcel was a part of a larger tract of land that was rezoned to the Bird Road Corridor Urban Area District (BRCUAD). All of the parcels within the boundaries of the approved BRCUAD are regulated by plans and standards described in Ordinance #13-58, which are consistent with the Urban Center interpretative text. Additionally, said Ordinance designated the subject property as MC, Mixed-Use Corridor and located within the Core Sub-District of the BRCUAD.

The property is currently developed with a ±62,500-square-foot, four (4) story office building. The applicant, an existing tenant currently leasing ±3,752 square feet for out-patient medical research services, intends to expand by leasing an additional ±1,986 square feet to establish a medical observation dormitory use. The submitted letter of intent describes the use as a research center having overnight stay for individuals being observed by nurses and staff for some period between, but not limited to, 7 to 14 days. The proposed use as described in the submitted letter of intent is equivalent to a medical observation dormitory. The request involves a non-use variance to permit such use on a ±2.53-net acres site, where a minimum of three (3) net acres is required. The submitted plans reflect continued use of the existing office building, with ±5,738 square feet allocated to the medical observation dormitory, which will provide ten (10) overnight monitoring beds. Parking will remain within the existing surface lot, which provides 185 spaces, and the site maintains direct frontage along SW 40 Street, a designated major roadway, with access to public transit via an adjacent bus stop. Existing landscaping along the property frontage and interior parking lot islands is to remain.

Approval of this request would allow the internal expansion of the existing outpatient medical research office to include a medical observation dormitory with overnight beds. While the MC Land Use designation for the subject property does not expressly list medical observation dormitories as a permitted use, Section 33-284.83(11) provides that General Retail/Personal Service Establishments are permitted in the MC subdistrict and are intended to also include uses allowed in the BU-1, BU-1A, and BU-2 districts. Under Section 33-247(26.1), BU-1A uses include medical observation dormitories; therefore, a medical drug research studies center is permitted on the premises, subject to compliance with the conditions and limitations in Section 33-247(26.1) (d). Among other requirements, this section establishes a minimum site area of three (3) net acres. Since the subject site contains approximately 2.53 net acres, the applicant seeks a variance from this minimum lot size requirement.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	BRCUAD; MC, office building	Community Urban Center
North	BRCUAD; MC; shopping centers/plaza	Community Urban Center
South	RU-1; single-family residence	Low Density Residential (2.5 - 6 dua)
East	BRCUAD; MC, office building, shopping centers/plazas	Community Urban Center
West	BRCUAD; MC, restaurant	Community Urban Center

NEIGHBORHOOD COMPATIBILITY:

The ±2.53-net acre subject parcel is located at 11401 SW 40 Street within the Bird Road Corridor Urban Area District (BRCUAD). The surrounding area is characterized by commercial uses fronting Bird Road, including shopping centers and offices to the north, east and west. To the south the property fronts a single-family residential neighborhood which is separated by SW 40 Street also known as Bird Road which is a major roadway. The subject property is currently developed with a four (4) story office building and an associated surface parking lot.

SUMMARY OF THE IMPACTS:

The subject site contains approximately ± 2.53 net acres, and the proposed medical observation dormitory would occupy less than 2,000 square feet within the existing building. The surrounding area is generally characterized by a mix of commercial uses along Bird Road and residential neighborhoods to the south. Staff opines that the requested non-use variance would not significantly affect the character of adjacent properties, as the existing building and site improvements will remain unchanged, and the proposed use is compatible with the commercial corridor. Additionally, based on memoranda from the reviewing departments, staff concludes that approval of this request is not expected to create any new impacts on the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map designates the subject property as **Business and Office** and the property is also within the Bird Road mixed use corridor identified in the Bird Road Corridor Charrette Area Plan. The Bird Road Corridor Urban Area District implements the urban center and mixed-use corridor policies and interpretative text of the County's Comprehensive Development Master Plan (CDMP). The CDMP defines urban centers as the *hubs for future urban development intensification in Miami-Dade County, with a mix of uses that are characterized by physical cohesiveness, direct accessibility by mass transit service, and high-quality urban design*. Emphasis in design and development of these centers and all of their individual components has been created to promote active pedestrian environments through high-quality design of public spaces as well as private buildings; human scaled appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Staff notes that approval of the application would allow the expansion of an existing office use to include a medical observation dormitory with ten (10) overnight monitoring beds, which is consistent with the policies of the CDMP.

All parcels within the approved boundaries of the BRCUAD are regulated by the standards and regulating plans adopted under Ordinance #13-58, which are consistent with the CDMP Land Use Element interpretative text for Urban Centers. The subject property is located within the Core Sub-District and is designated MC, Mixed-Use Corridor on the BRCUAD regulating plans. The MC designation permits a variety of uses, including commercial, office, residential, and institutional.

The applicant seeks approval of a non-use variance to permit the establishment of a medical observation dormitory within an existing four (4) story office building on a parcel containing ± 2.53 -net acre, where Section 33-247(26.1)(d) of the County Code requires a minimum of three (3) net acres. The proposed use is permitted under the zoning, and the deviation relates solely to minimum site area. Importantly, the applicant is not proposing any exterior modifications to the existing office building, nor any expansion of the site's established office character. Accordingly, approval of the application would be **consistent** with the Land Use Element interpretative text for properties designated **Community Urban Center** on the CDMP LUP map.

ZONING ANALYSIS:

As part of this application, the applicant seeks to expand the existing $\pm 3,752$ square feet of outpatient medical research services into the adjacent $\pm 1,986$ square feet of office space to establish a medical observation dormitory with 10 beds for overnight monitoring. When evaluated under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff supports the request and, as

further detailed in the CDMP analysis above and further discussion below, opines that approval with conditions would be compatible with the surrounding area and consistent with the basic intent and purpose of the Urban Center District.

The subject site is an existing four-story building with a gross area of 62,500 square feet, of which ±3,752 square feet is currently allocated to outpatient medical research services. While the MC, Mixed-Use Corridor designation allows office, institutional, and mixed-use development, the medical observation dormitory is not explicitly listed as a permitted use under the MC Land Use designation. However, pursuant to Section 33-284.83(11), General Retail/Personal Service Establishments are permitted in the MC subdistrict and are also intended to include uses allowed in BU-1, BU-1A, and BU-2 districts. Under Section 33-247(26.1), uses permitted in BU-1A include medical observation dormitories; therefore, a medical drug research studies center is permitted on the premises, subject to the conditions and limitations of Section 33-247(26.1)(d), which, among other requirements, mandates a minimum site area of three (3) net acres for such facilities. The applicant proposes to establish the medical observation dormitory on a parcel that does not meet this minimum lot size requirement, falling short by approximately 0.47 acres.

Staff acknowledges that the aforementioned request is associated with an existing developed site and office building, and in order to adaptively reuse the structure for the intended medical observation dormitory use, it is required that the site comply with current zoning standards, resulting in the request for a non-use variance from the minimum lot size. In addition, staff notes that although the subject parcel is smaller than the current requirement for this use type, the parcel is not out of character with the surrounding properties that are comprised of commercial and mixed-use parcels of similar or smaller dimensions along Bird Road. Staff further opines that the reduced lot area is internal to the site and will not result in any significant visual impacts on adjacent properties, maintaining the basic intent and purpose of zoning and other land use regulations with respect to neighborhood character. Plans submitted with the application indicate that the site will continue to be developed with the existing four-story office building, with the proposed dormitory use limited to interior modifications only. Additionally, the submitted site plan shows that existing landscaping, parking, and circulation systems will remain unchanged.

Although staff research did not indicate any similar approvals of variances within the immediate area, staff notes from the County's Geographic Information System (GIS) and aerial images from the Miami-Dade County Property Appraiser, that the surrounding corridor is characterized by a variety of commercial and institutional parcels that vary in size and intensity. In terms of scale and intensity this property is not out of character with the surrounding commercial uses in the area. Staff further notes that the other departments reviewing the application, including the Platting and Traffic Review Section, the Division of Environmental Resources Management, Miami-Dade Fire Rescue Department, and the Water and Sewer Department, do not object to the application as outlined in their respective memoranda. Based on this analysis, staff concludes that approval of the application would not deviate from the character of the immediate vicinity, would be compatible with current development in the area, and aligns with the Community Urban Center designation on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). **Therefore, staff recommends approval with conditions under Section 33-311(A)(4)(b), Non-Use Variance (NUV) Standards from Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate that there would be one (1)-ingress/egress point of direct vehicular access along SW 114 Avenue and one (1)-ingress/egress point of direct vehicular access along SW 40 Street. Parking is provided with the

parking lot, and the parking amount is in accordance with the office use approved in 1986, which provides 185 spaces.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, signs, etc.
2. That the medical observatory use be limited to 10 beds for overnight monitoring.
3. That no emergency medical services will be provided on-site.
4. That the proposed dormitory use be limited to interior modifications only.
5. That the applicants comply with all applicable conditions, requirements, recommendations, requests, and other provisions of the Miami-Dade County Department of Transportation and Public Works (DTPW) Traffic Engineering Division as indicated in the attached memorandum.
6. That the applicants comply with all applicable conditions, requirements, recommendations, requests, and other provisions of the Miami-Dade County Water and Sewer Department (WASD) as indicated in the attached memorandum.

ES:JB:SS:EA:MA



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

ZONING RECOMMENDATION ADDENDUM

New Horizon Research Center, Inc.
PH: Z25-082

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	<i>No objection</i>
Platting and Traffic Review Section (RER)	<i>No objection</i>
Transportation and Public Works (DTPW)	<i>No objection*</i>
Water and Sewer Department (WASD)	<i>No objection*</i>
Fire Rescue Department	<i>No objection</i>
Building and Neighborhood Compliance	<i>No objection</i>
Police Department	<i>No objection</i>
Housing and Community Development (HCD)	<i>No objection</i>
Department of Solid Waste Management (DSWM)	<i>No objection</i>
Office of Historic Preservation (OHP)	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

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

Business and Office	<p><i>This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Light industrial uses are also permitted in the Business and Office category within an approved Employment Center. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant Policies LU-9O and LU-9P, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.</i></p>
Urban Centers (Pg. I-46-48)	<p><i>Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.</i></p> <p><i>The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more</i></p>

ZONING RECOMMENDATION ADDENDUM

New Horizon Research Center, Inc.

PH: Z25-082

efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.

*The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the **Community Centers** shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.*

Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.

Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.

Uses and Activities. *Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while **Community-scale Urban Centers** will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.*

Buildings. *Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.*

ZONING RECOMMENDATION ADDENDUM

New Horizon Research Center, Inc.
PH: Z25-082

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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>33-247(26.1) Uses permitted</p>	<p>(26.1) Medical observation dormitory as defined in <u>Section 33-1(69.05)</u> subject to the following conditions:</p> <p>(a) That such uses on sites of ten (10) net acres or more shall be approved only after public hearing;</p> <p>(b) That such uses shall be located on sites having frontage on a major access road, including major roadways (three (3) or more lanes) and frontage roadways serving limited access highways and expressways;</p> <p>(c) Minimum five (5) foot high masonry wall be provided along all perimeter property lines abutting residentially zoned property, penetrated only at points approved by the Directors of the Planning and Zoning Department and the Public Works Department for ingress and egress;</p> <p>(d) That the facility is located on a site consisting of at least three (3) or more net acres;</p> <p>(e) That research conducted at the property shall be limited to testing of normal healthy volunteers and of clinically stable representatives of the diseased states for which medications being tested are ultimately intended;</p> <p>(f) That protocols that require treating of mentally ill subjects, including persons with any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities, shall not be performed at the research facility;</p> <p>(g) That such use shall be located no less than twenty-five hundred (2,500) feet from any other such establishments. For the purposes of this subsection, the distance shall be measured by following a straight line from the front door of the proposed place of business to the nearest property line of the existing place of business. For the purpose of establishing the distance between such establishments, the operator shall furnish a certified sketch of survey from a registered engineer or surveyor. Such sketch shall indicate the distance between the proposed place of business and any existing establishment within 2,500 feet. Each sketch shall indicate all such distances and routes. In case of dispute, the measurement scaled by the director shall govern;</p> <p>(h) That the operator obtains an annually renewable certificate of use and occupancy for such use on the property.</p>
<p>Sec. 33-284.83(B)(7) and (11) Uses</p>	<p>7. Health Care Services: A facility that provides out-patient health care services to the local community. These facilities shall include: clinics; doctor's office; dentist's offices; federally qualified health centers; urgent care facilities; diagnostic centers including sleep centers; and similar uses. These facilities shall not provide in-patient care.</p> <p>11. General Retail/Personal Service Establishments: Establishments that provide goods and services geared toward an individual consumer. This group shall include businesses such as: banks; beauty parlors; adult day care; bakeries; bookstores; apparel stores; grocery stores; pharmacies; tailor shops; health clubs; gift shops; indoor pet care centers/boarding and indoor kennels (soundproofed and air-conditioned building required); vehicle retail showrooms; and similar uses. This group shall also include schools offering instruction in dance, music, martial arts and similar activities, but this group shall not include colleges/universities. Except as otherwise authorized in this article, uses enumerated in the BU-3 zoning district shall only be permitted in the MCS and MCI categories and shall be subject to the public hearing and spacing requirements set forth in Section 33-255 of this chapter. Dispensing facilities for low-THC or medical cannabis, in accordance with the requirements of article IXA of this chapter, shall also be allowed in areas designated MC, MCS, MCI, and ID.</p>
<p>33-311(A)(4)(b) Non-Use Variances From Other</p>	<p>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</p>

ZONING RECOMMENDATION ADDENDUM

New Horizon Research Center, Inc.
PH: Z25-082

<i>Than Airport Regulations</i>	<i>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>
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Building and Neighborhood Compliance

ENFORCEMENT HISTORY

NEW HORIZON RESEARCH CENTER 11401 SW 40 ST
EXPANSION MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

PENDING

Z2025000082

DATE

HEARING NUMBER

FOLIO No: 30-4018-025-0020

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

May 27, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases in BSS.

VIOLATOR:

NEW HORIZON RESEARCH CENTER EXPANSION


OUTSTANDING LIENS AND FINES:

There are no outstanding Liens, Fines, or Fees

Memorandum

Date: May 29, 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: Z2025000082-1st Review
New Horizon Research Center, Inc.
11401 NW 40 St, Miami Dade County, Florida
NUV of site size requirements for a medical observation dormitory
(UC-MC) (2.5 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 supply and wastewater disposal.

Potable Water Supply and Wastewater Disposal

According to DERM records the existing building is connected to public water and sanitary sewers. Pursuant to the Code and based on the proposed site plan, the proposed development shall connect to public water and sanitary sewers in accordance with Code requirements. To the extent that connection to the public sanitary sewer system is not approved due to a sanitary sewer moratorium, this memorandum shall not be interpreted as written approval from DERM to allow an alternative means of domestic wastewater disposal.

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

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

Conditions of Approval: None

Water Control

Be advised that any development/ redevelopment involving 2 acres or more of impervious area shall require a DERM Surface Water Management General Permit for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. The applicant is advised to contact the DERM Water Control Section (305-372-6681) for further information regarding permitting procedures and requirements.

Stormwater shall be retained on site utilizing designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 25-year, 3-day storm event.

For development/redevelopment involving less than 2 acres, the following comments shall apply.

Stormwater shall be retained on site utilizing designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 25-year, 6-hour storm event.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources; however, the site plan entitled "New Horizon Research Center Expansion" prepared by Joaquin Montesino, P.E., and dated as received by Miami-Dade County on May 05, 2025, was submitted with the subject application and indicates that tree resources onsite will not be removed. Please note that a Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code.

In accordance with section 24-49.9 of the Code, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. Please contact Jackelyn Alberdi at Jackelyn.Alberdi@miamidadegov regarding any additional information or concerns with 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: May 30, 2025

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

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

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

Subject: Zoning Application Comments - New Horizon Research Center Expansion
Application No. Z2025000082 - (Pre-App. No. Z24P-279)

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

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

Application Name: New Horizon Research Center Expansion

Location: The proposed project is located at 11401 NW 40th Street with Folio 30-4018-025-0020, in unincorporated Miami-Dade County, within the Bird Road Corridor Urban Area District (BRCUAD).

Proposed Development: The applicant is proposing to establish a medical observatory use with 10 beds for overnight monitoring, on approximately 3,752 square feet of lease space within an existing office building and a new attached addition building of 1,986 square feet. The use consists of research and testing for pharmaceutical and pharmaceutical device companies involving overnight stay for witting individuals being observed by nurses and staff for some period between, but not limited, to 7 to 14 days. The use is a combination of healthcare, professional office and accommodation uses. **A site plan was not submitted with this application.**

The estimated total water demand for the proposed project will be 2,500 gallons per day (gpd).

Please note: Based on the Plat Book No. 105-85, the property has a 6 feet Utility Easement within and along the eastern boundary of the property and another 30 ingress, egress feet utility easement within 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. If a new connection is necessary, there is a 12-inch water main (E8771-1) along SW 114th Avenue and along SW 40th Street (E8097-3), to where the developer may connect to where the developer may connect to provide service to the proposed project.

Any public water main extension within the property shall be 12-inch minimum diameter. If two or more fire hydrants are to be connected to a public water main extension, then the water system shall be looped with (2) points of connection. *Final points of connections and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.*

Please note that there is water main within the property, either in existing dedicated Right-of-Way (R/W) or easements, that if in conflict with future development will need to be removed and relocated. In addition, no trees or palms should be planted within five (5) feet of any WASD facility. Easements associated with mains to be removed and relocated shall be closed and vacated before starting construction in the easement(s) areas. In case of R/W to be closed and vacated within the property, mains shall be removed and relocated, if needed, before closing/vacating them. Fire hydrants associated with mains to be removed and relocated shall be relocated as per Fire Department recommendations. Cutting and plugging of existing water mains shall be done by a licensed contractor under WASD supervision. Services to existing customers cannot be interrupted.

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. The wastewater flows for the proposed development are transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. The SDWWTP is operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the SDWWTP, consistent with Policy WS-2 A (2) of the CDMP.

The existing building is being served by WASD. If an additional connection is needed, there is an existing 8-inch sanitary sewer system (ES258-11,12) partially abutting SW 114th Avenue to where the developer may connect to provide service to the proposed project. Final points of connection and capacity approval to connect to the sewer system will be provided at the time of the applicant requests connection to the sewer infrastructure.

Please note that there are sewer mains within the property, either in existing dedicated R/W or easements, that if in conflict with the proposed development will need to be removed and relocated. In addition, no trees or palms should be planted within five (5) feet of any WASD facility. Easements associated with mains to be removed and relocated shall be closed and vacated before starting construction in the easement(s) areas. In case of R/W to be closed and vacated within the property, mains shall be removed and relocated, if needed, before closing/vacating them. Services to existing customers cannot be interrupted.

The sewage flow from the proposed development will be transmitted to Pump Station (PS) No. 666 and (PS) No. 1. Said Pump Stations are in OK Moratorium Code Status. Below is the existing and projected Nominal Average Pump Operating Time (NAPOT) for both pump stations.

P.S. 666

Existing NAPOT: 8.53 hrs.

Proposed Development: 2,500 gpd

Proposed Projected NAPOT: 8.57 hrs.

P.S. 1

Existing NAPOT: 6.12 hrs.

Proposed Development: 2,500 gpd

Proposed Projected NAPOT: 6.12 hrs.

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

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2 A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

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

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

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

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

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

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

Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidade.gov, 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: June 26, 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: Z2025000082
Name: New Horizon Research Center, Inc.
Location: 11401 NW 40 Street
Section 18 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 Tract B and C, Plat Book 105, Page 85.

This application meets the traffic concurrency criteria because it lies within an Urban Center where traffic concurrency does not apply. The proposed expansion to the existing use will generate approximately an additional **8 PM** peak hour vehicle trips.

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

Notes: PM =Post Meridien

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: May 19, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

Subject: Z2025000082

The Miami-Dade Fire Rescue Department has **no objection** to request for non-use variance uploaded to “EnerGov” on 5/1/2025. The proposed scope of request does not affect existing fire department access.

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

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

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

Memorandum



Date: Wednesday, July 23, 2025

Subject: Review Type: Z2025000082
Applicant Name: New Horizon Research Center Expansion

Miami-Dade County Department of Transportation and Public Works (DTPW) Traffic Engineering Division has reviewed the subject application and has no objections to this application, subject to the conditions in Section I:

PROJECT LOCATION:

The property is located at 11401 SW 40th Street, Miami, Florida.

COMMENTS/RECOMMENDATION:

I. CONDITIONS:

- This development is approved for a medical observatory use with 10 beds for overnight monitoring. In the case that the land use information is modified, a new site plan/traffic study must be submitted for review. Please note that no modifications to the site layout, building envelope, or intensity of use are permitted.
- All property development adjacent to a State Road must be reviewed by the Florida Department of Transportation (FDOT) for compliance with the Florida Administrative Code (FAC). Improvements within the FDOT Right-of-Way (R/W) must meet current FDOT Design Standards and may involve a property dedication to meet current FDOT Standards. No below or above-ground encroachments are allowed into the FDOT R/W. Access/driveway spacing must meet the criteria in FAC 14-96, and a pre-application meeting with the FDOT is required for driveway categories C, D, E, F, and G. Also, per FAC 14-86.003, a Drainage permit is required for all properties adjacent to a State Road, even if there is no proposed access/driveway connection. Please contact the FDOT District 6 Permits Office for FDOT permitting requirements/guidance: d6permitshelp@dot.state.fl.us , (305) 470-5367.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Anamersy Arce at anamersy.arce@miamidade.gov.

Miami-Dade Sheriff's Office
Memorandum



Date: June 10, 2025

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

From: Rosie Cordero-Stutz, Sheriff
Miami-Dade Sheriff's Office *RCS*

Subject: Review – Zoning Application – Case: No. Z2025000082
New Horizon Research Center, Inc.

APPLICATION:

The applicant, New Horizon Research Center, Inc., is requesting to establish a medical observatory with 10 beds for overnight monitoring. The use will consist of research and testing for pharmaceutical and pharmaceutical device companies. The 2.5-acre property is located at 11401 SW 40 Street in incorporated, Miami-Dade County, Florida.

CURRENT POLICE SERVICES:

The proposed development will be serviced by our Midwest District located at 9101 NW 25 Street, Miami, Florida. At the time of this project request, the district has received six zoning applications aimed at expanding residential, commercial, and educational development.

APPLICATION REVIEW:

A review of the application and supporting documents was conducted to assess potential impacts on Miami-Dade Sheriff's Office resources due to proposed zoning modifications. This application is requesting to establish a medical observatory with 10 beds for overnight monitoring. The use will consist of research and testing for pharmaceutical and pharmaceutical device companies.

An analysis of current police staffing levels, population growth, and calls-for-service data was completed. Existing staffing is expected to handle any minor increase in service demands. Should the need for police services rise beyond projected levels, additional sworn personnel, support staff, and equipment may be necessary. At this time, our Agency has no further comments regarding the proposed zoning modifications.

Should you require any further assistance, please contact Chief Gina Beato-Dominguez, of our Planning & Special Projects Office, at 305-471-2167 or via e-mail at gbd@mdso.com.

RCS/jhb

Memorandum



Date: 06/25/2025

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

From: Aneisha Daniel, PhD, Director 
Department of Solid Waste Management

Subject: New Horizon Research Center (Z2025-000082)

The Department of Solid Waste Management's (DSWM) review of the above-referenced item is provided below. Additional comments will be provided as needed. **The DSWM has no objections to the proposed application.**

Application: New Horizon Research Center is requesting a zoning hearing for a non-use variance to allow a medical observatory on a 2.5 parcel, where a minimum site size of 3 acres is required pursuant to Sec. 33-247(26.1)(d). The Applicant also intends to lease the neighboring $\pm 1,986$ square feet of office space to establish a medical observatory use (the "Use") with 10 beds for overnight monitoring.

Size: The subject property is approximately ± 2.5 acres in size. The applicant intends to lease the neighboring $\pm 1,986$ square feet.

Location: The property is located at 11401 SW 40 Street, in unincorporated Miami-Dade County.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida), a Class III landfill, and three regional transfer facilities. The Department of Solid Waste Management (DSWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities, private waste haulers, and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 20, 2024, which is valid for through September 30, 2025, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Regulatory and Economic Resources Department, is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed. There is no solid waste disposal facility within 2.5 miles, or a transfer facility within 1.5 miles, or a collection facility within $\frac{1}{4}$ mile of the subject property.

2. Garbage and Trash Collection Services

Should the referenced request be approved, and the anticipated development subsequently constructed, it would meet the definition of both "residential unit" and "commercial establishment" as described in Chapter 15 of the Code of Miami-Dade County.

The single-family homes and townhomes planned for development on the property will receive DSWM waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the DSWM solid waste collection service area. Any attached residential units developed as a part of this project may require alternative collection service (such as deletion of the recycling service and provision of dumpster garbage service), depending on the final configuration and layout of the units.

"Every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." The landlord or property owner is required to arrange for waste and recycling collection services. While the DSWM can provide waste collection services, multi-family and commercial establishments most typically work with a permitted private hauler to provide both waste and recycling in one contract.

3. Recycling

The DSWM provides curbside recycling services to **residential units** located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained on the Department's website at <http://www.miamidade.gov/solidwaste/recycling.asp>.

Applicants are **required** to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store their recycling carts).

Section 15-2.3a of the Code requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

- | | |
|----------------------------------|--|
| 1) High-grade office paper | 6) Steel (cans, scrap) |
| 2) Mixed paper | 7) Other metals/scrap production materials |
| 3) Corrugated cardboard | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles |
| 5) Aluminum (cans, scrap) | 10) Wood |

Section 15-2.3b of the Code states that the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 of the Code shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

4. Waste Storage/Setout Requirements

Section 15-4 of the Code requires that plans for storage and collection of recycling and solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of recycling and solid waste collection and storage facilities.

5. Site Circulation Requirements

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49-foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. There should be no "dead-end" alleyways developed. A sufficient waste set-out zone should be preserved between the edge of the pavement and any possible obstructions (such as parked cars, fencing, etc.) that would interrupt or preclude waste and recyclables collection.

Memorandum



Date: May 15th, 2025

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

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

Subject: Zoning Review Z2025 – 000082 New Horizon Research Center, Inc.

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

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

Memorandum



Date: May 22, 2025

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

From: Amina N. Newsome, HCD Division Director
Housing & Community Development (HCD)

Subject: Zoning Application Comments
Application No.: Z2025000082
Applicant: New Horizon Research Center, Inc.
Location: 11401 SW 40 ST
Folio No(s): 30-4018-025-0020

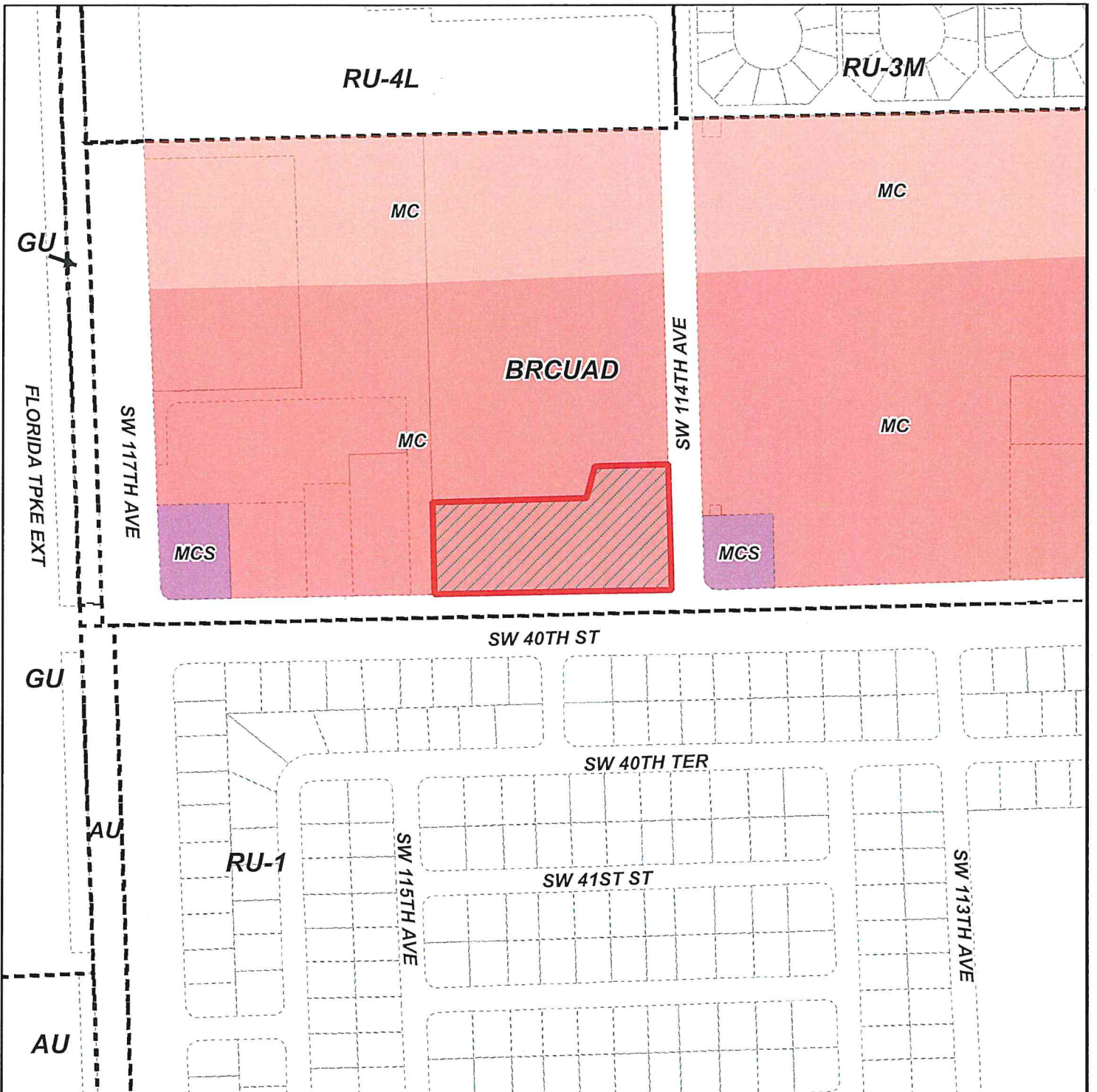
Housing and Community Development (HCD) has reviewed the proposed development for the subject zoning application.

This property is not part of the Infill Housing Program.

For assistance with HCD programs, please contact the following:

- Workforce Housing Agreements/Rental Regulatory Agreements/Compliance: Phyllis Tynes - (786) 469-4167 or Phyllis.TynesSaunders@miamidade.gov
- Contribution-in-lieu fee requests and Acknowledgment of Payment: Shawn Topps - (786) 469-2209 or Shawn.Topps@miamidade.gov
- Impact fee waiver requests: Leyani Sosa/Mayra Diaz - (786) 469-2185 or Leyani.Sosa@miamidade.gov or Mayra.Diaz2@miamidade.gov
- Infill Housing Reviews: Oscar Barco - (786) 469-4226 Oscar.Barco@miamidade.gov
- Workforce/Affordable Housing zoning reviews: Jamila Llewelyn - (786) 469-4124 or Jamila.Llewelyn@miamidade.gov

Cc: Maria Elena Cedeno, Principal Planner, RER
Susan Furney, Development Services Intake Manager, RER





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2025000082

Section: 18 Township: 54 Range: 40
 Applicant: Holland & Knight LLP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, May 13, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2024

Process Number
Z2025000082

Legend
 Subject Property

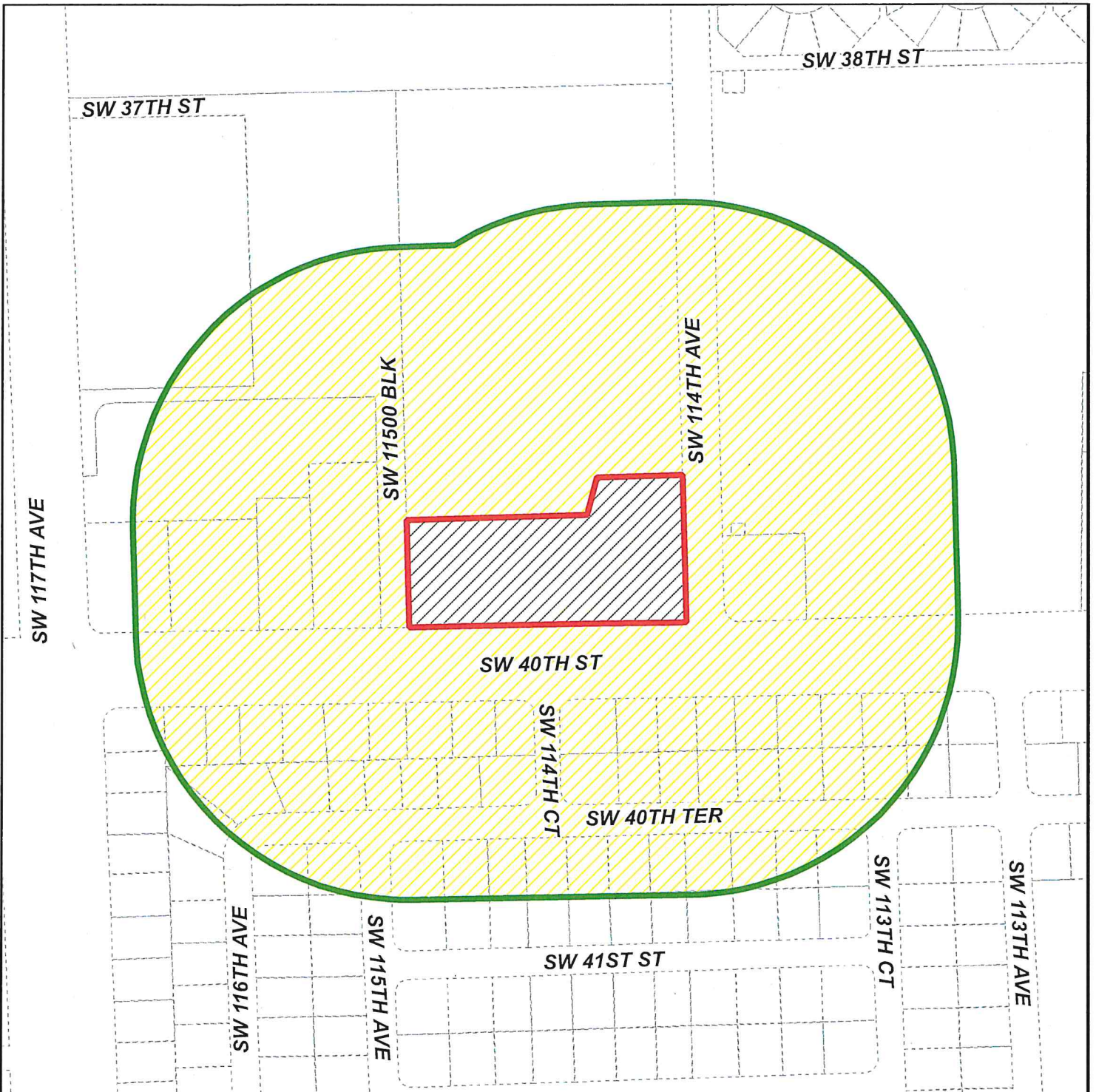


Section: 18 Township: 54 Range: 40
 Applicant: Holland & Knight LLP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Tuesday, May 13, 2025

REVISION	DATE	BY






**MIAMI-DADE COUNTY
RADIUS MAP**

Section: 18 Township: 54 Range: 40
 Applicant: Holland & Knight LLP
 Zoning Board: C10
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2025000082
 RADIUS: 500

Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Tuesday, May 13, 2025

REVISION	DATE	BY

LOW-MEDIUM DENSITY RESIDENTIAL (LMDR) 6-13 DU/AC

BUSINESS AND OFFICE

LOW DENSITY RESIDENTIAL (LDR) 2.5-6 DU/AC

TRANSPORTATION (ROW, RAIL, METRO RAIL, ETC.)
FLORIDA TPKE EXT

SW 117TH AVE

SW 114TH AVE

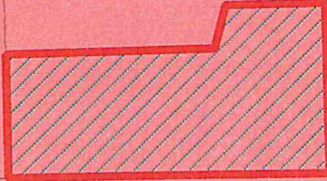
SW 40TH ST

SW 40TH TER

SW 41ST ST

SW 115TH AVE

SW 113TH AVE



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2025000082

Section: 18 Township: 54 Range: 40
Applicant: Holland & Knight LLP
Zoning Board: C10
Commission District: 10
Drafter ID: EDUARDO CESPEDES
Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, May 13, 2025

REVISION	DATE	BY

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z25-082
DATE: MAY 5 2025
BY: GONGOL



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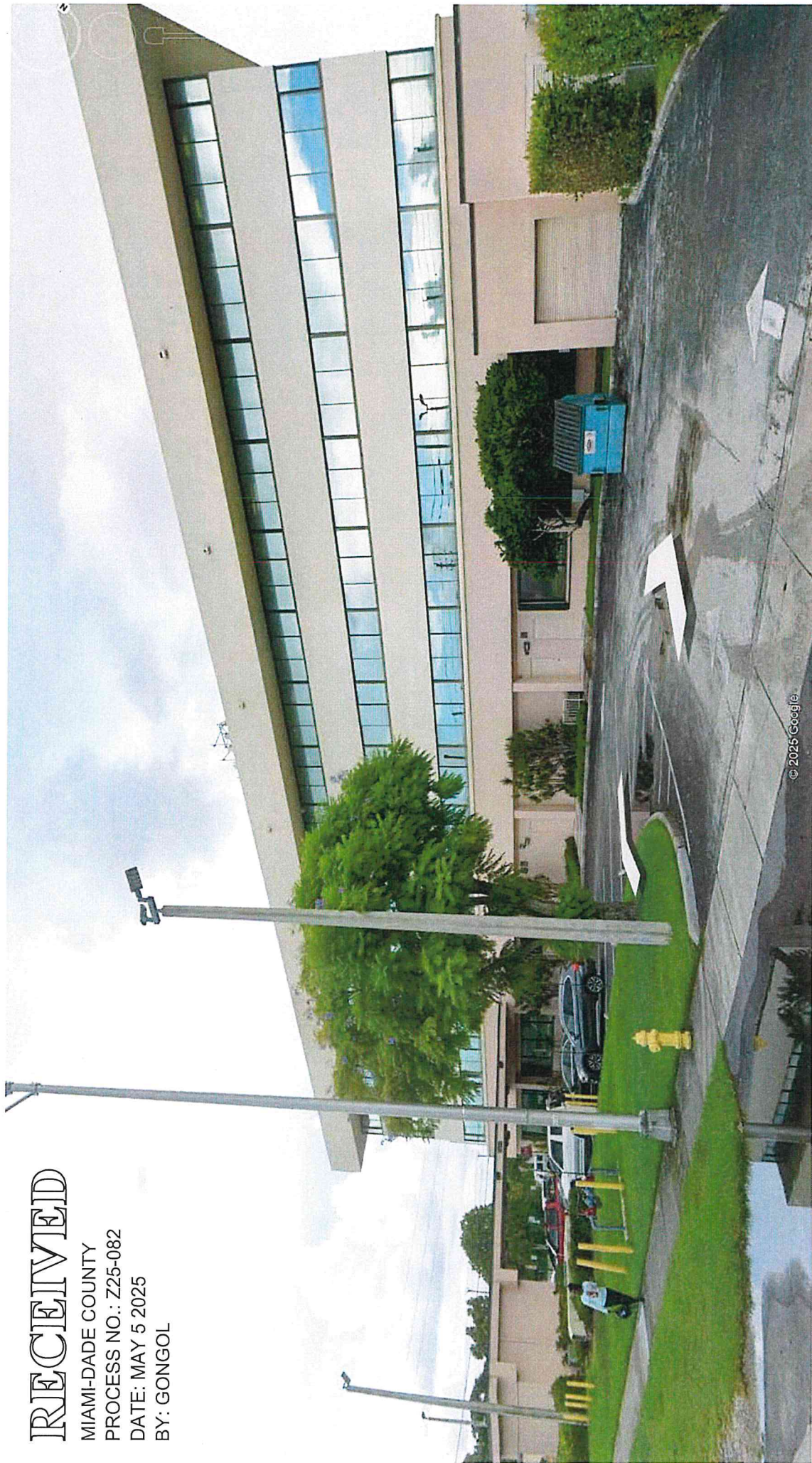
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MIAMI-DADE COUNTY
PROCESS NO.: Z25-082
DATE: MAY 5 2025
BY: GONGOL



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MIAMI-DADE COUNTY
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