



FINAL AGENDA

Community Zoning Appeals Board 12
Kendall Village Center, Civic Pavilion, 8625 SW 124 Avenue, Miami, FL
Thursday, February 27, 2025 at 6:30 pm

PREVIOUSLY DEFERRED

A. Z2024000128 West Gables Property, LLC 24-128 54-40-28 N

APPEALS

CURRENT

1. Z2024000011 Nickaley Trust Holdings, LLC and Curby Corp. 24-11 54-40-28 N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 12
MEETING OF FEBRUARY 27, 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.

DISTRICT BOUNDARY CHANGE from AU, Agricultural District, to RU-1, Single-Family Residential District.

LOCATION: 9330 SW 66 Street, Miami-Dade County, FL

SIZE OF PROPERTY: ±1.23-gross Acres

Department of Regulatory and
Economic Resources
Recommendation:

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

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 Council No. 12**

PH: Z24-128

February 27, 2025

Item No. A

Recommendation Summary	
Commission District	10
Applicant	West Gables Property, LLC
Summary of Requests	The applicant seeks to permit a group residential facility (180-bed nursing home) on the subject property. Additionally, the applicant seeks to allow a greater floor area for the proposed development than permitted, and to have less number of parking spaces than required by code.
Location	9025 SW 72 Street, Miami-Dade County, Florida
Property Size	2.50 Acres
Existing Zoning	RU-4M, Modified Apartment House District
Existing Land Use	Vacant Land
2030-2040 CDMP Land Use Designation	Office/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)(3), Standards For Special Exceptions, Unusual Uses and New Uses and Section 33-311(A)(4)(b) Non-Use Variance from other than airport regulations and <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

This item could not be heard at the January 30, 2025, meeting of the Community Zoning Appeals Board (CZAB) 12 due to a lack of quorum.

The public hearing on this item has not been held.

REQUESTS:

1. UNUSUAL USE to permit a group residential facility, to wit: a skilled nursing facility.
2. NON-USE VARIANCE to permit a Floor Area Ratio of 1.15 (0.85 maximum permitted).
3. NON-USE VARIANCE to permit 81 parking spaces (117 required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Marquis Health", as prepared by Kimley Horn, dated stamped received 11/5/2024, consisting of nine (9) sheets and plans dated stamped received 09/19/2024, consisting of four (4) sheets, together with plans entitled "Marquis Health", as prepared by GHA, 09/19/2024, consisting of one (1) sheet and plans dated stamped 06/15/2024, consisting of seven (7) sheets for a total of twenty-one (21) sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND HISTORY:

The subject property has previously been the subject of a series of zoning applications. In November 1973, pursuant to Resolution #Z-341-73 the subject property was part of multiple parcels which were rezoned from RU-4A, Hotel Apartment House District to RU-4M, Modified Apartment House District by the Board of County Commissioners (BCC). In November 1984, pursuant to Resolution #4-ZAB-471-84, the Metropolitan Dade County Zoning Appeals Board (MDCZAB) approved a special exception to permit the expansion of an existing non-conforming church to include a day nursery together with an unusual use to permit a day nursery. Additionally, the MDCZAB approved ancillary non-use variances which permitted a smaller outdoor recreation space than required, a larger sign than permitted, and variances of the required setbacks for the sign. Subsequently, in August 1988, pursuant to Resolution #4-ZAB-327-88, the Metropolitan Dade County Zoning Appeals Board approved the modification of condition #8 for the expansion of the hours of operation for the previously approved day nursery.

More recently, on March 26, 2024, pursuant to Resolution #CZAB12-5-24, the Miami-Dade County Community Zoning Appeals Board (CZAB) #12 had denied without prejudice the request for an unusual use to permit a group residential facility (to wit: a skilled nursing facility) on the subject site. The same resolution had also denied without prejudice three (3)-ancillary non-use variances that had sought to permit a floor area ratio (FAR) of 1.15 (0.85 maximum permitted), an open space of 29.5% (30% required), and 78 parking spaces (117 parking spaces required).

As part of this current zoning application, the applicant has submitted a new site plan for the development of a proposed 180-bed group residential (nursing) facility on the subject site, which features a design similar to the previous proposal, but one that meets the open space requirement and adds 3 more parking spaces to the original request for a reduced number of parking spaces. Specifically, the new site plan now provides for a total of 81 proposed parking spaces where 117 parking spaces are required, and has eliminated the non-use variance request for reduced open space that was included within the original application, and was denied in March 2024. The submitted plans indicate that the proposed 180-bed nursing facility will be housed within a single, five-story (5) structure. The parking areas for the proposed facility are dispersed throughout the property, and the landscaping plans depict ample landscaping in the form of trees and shrubs provided along the perimeter of the subject site, with the required street trees along SW 72 Street, as well as a landscaping buffer of shrubs and trees to be located along the property lines that abut the adjoining properties.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-4M; vacant land	Office/Residential
North	RU-4M, multi-family residential	Institutions, Utilities & Communications
South	RU-5A and AU; semi-professional offices and vacant (Miami-Dade County Water and Sewer Easement)	Office/Residential, Institutions, Utilities & Communications, Business & Office
East	RU-4M; multi-family residential	Office/Residential
West	RU-5A; semi-professional offices	Office/Residential

NEIGHBORHOOD COMPATIBILITY:

The group residential facility is being proposed on a 2.5-acre subject parcel that is located at 9025 SW 72 Street fronting along SW 72 Street, a major east/west section line roadway. The surrounding area is characterized by existing multi-family residential to the north and east, semi-professional offices to the west and south, and a small section of the Miami-Dade County Water and Sewer Easement to the south.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to provide the community with a 180-bed skilled nursing facility. Staff notes that based on the memorandum from the Platting and Traffic Review section of the Department of Regulation and Economic Resources (RER) the application will generate approximately 25 PM daily peak hour vehicle trips, which could create minimal traffic impacts in the surrounding area. Additionally, the application requests will impact water and sewer services. However, based on the memoranda from the departments reviewing the application, these impacts will not have a negative impact on the Levels of Service in the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The ±2.5-acre subject property is located inside the Urban Development Boundary (UDB) at 9025 SW 72 Street, and is designated as **Office/Residential** on the Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map. *“Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.”* As previously set forth in a Letter of Interpretation (LOI) dated April 2, 2021, (CL21-06) from the Planning Section of the Department of Regulatory and Economic Resources (RER) which was issued for the subject property, which confirmed that nursing homes are allowed in areas designated Office/Residential if compatible with the surrounding area. The April 2021 letter noted the abutting uses including a ±3.57-acre parcel to the north and east that is developed with a 129-unit multi-family residential development (Sunset Apartments) at **36 units to the acre**.

The CDMP Land use Element interpretative text for Residential Communities states that **“congregate residential uses and nursing homes”** may be permitted at suitable locations in Residential Communities in keeping with the following density allowance: *“ Each 2.5 occupants of a congregate residential facility shall be considered as the equivalent of one residential unit and that the maximum number of dwelling units shall not be more than allowed in the next higher residential category than that for which the site is designated”*. The applicant is seeking approval of a 180-bed skilled nursing facility on the 2.5-acre subject property which is well within the **maximum 225 beds** that would be permissible through the interpretative text of the CDMP. The

criteria to evaluate compatibility among proximate land uses is outlined in the CDMP Land Use Element, Policy LU-4A, among which are access, traffic, parking, height, bulk scale of architectural elements, buffering, and landscaping as applicable. Furthermore, the proposed facility complies with all the required setbacks, landscaping, lot coverage, and provides for adequate landscaping buffers along its property lines in the form of extensively planted shrubs and trees. Based on the aforementioned, and for the reasons further set forth in the zoning analysis below, staff opines that the development would satisfy the criteria for compatibility outlined in the CDMP Land Use Element, **Policy LU-4A**. As such, staff is of the opinion that the approval with conditions of the proposed 180-bed skilled nursing facility use is **consistent** with the CDMP Land Use Element interpretative text and with the CDMP Land Use Plan map **Office/Residential** designation for the subject property.

ZONING ANALYSIS:

The applicant seeks an Unusual Use to permit a group residential facility to wit: a skilled nursing facility (request #1) on the 2.5-acre subject parcel site. The proposed facility would allow the development of a 5-story high building on the subject site, which would be comprised of a skilled nursing facility that would contain 180 beds for the facility's residents, together with classroom space, a kitchen with dining hall, administrative, treatment and therapy office use spaces. When analyzing the aforementioned request under Section 33-311(A)(3), Special Exception, Unusual and New uses, staff opines that the approval of the request would be **compatible** with the surrounding community when considering the necessity and reasonableness of the request in relation to the present and future development of the area concerned. Section 33-311 of the County Code states that the purpose of the Code is to provide a comprehensive plan and design to among other things, lessen congestion on the highways and promote health, safety, morals, convenience and general welfare, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses. Staff opines that based on the foregoing analysis, and for the reasons explained in the Comprehensive Development Master Plan Analysis section, approval of the request to permit the hospice care use on the subject property is **consistent** with the CDMP designation of the parcel on the Land Use Plan map and **compatible** with the surrounding neighborhood.

The submitted plans depict a new 5-story building of approximately 108,909 sq.ft. to include office, lounge areas, kitchen, dining and therapy space on the ground floor with the proposed 180 single occupancy rooms dispersed throughout the 4 upper floors of which each upper floor contains a nurse's station, office, dining and lounge areas. As previously mentioned, the proposed facility is to be 5 stories in height with the height of the proposed building at 72'-8" to the top of the parapet and 78' to the top of the mechanical enclosure. Staff opines that the proposed height of the building is within the maximum permitted under the RU-4M zoning district of 9-stories and 100'. Additionally, staff opines that the proposed building is compatible with the surrounding multi-family residential building to the north and east. Submitted landscape plans depict sufficient landscape in the form of trees and shrubs provided along the property, and around the proposed building, with an extensively planted buffer of shrubs and trees along the property lines which in staff's opinion, provide ample buffers and will be sufficient to mitigate any visual impacts generated by the proposed group residential facility use on the surrounding properties. Staff notes that the proposed building is setback accordingly abutting the neighboring properties.

Staff notes that based on the memoranda submitted by other departments reviewing the application, approval with conditions of the group residential facility would not have an unfavorable effect on the economy of Miami-Dade County, would not tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or provoke a nuisance, and would not be incompatible with the area concerned. Staff notes that the Platting and Traffic

Review Section of the Department of Regulatory and Economic Resources (RER), does not object to the application and state in their memorandum dated October 10, 2024 that the application will generate approximately 25 PM peak hour vehicle trips, which does not exceed the acceptable Level of Service (LOS) on the surrounding roadways, and meets the traffic concurrency criteria for an Initial Development Order. Further, approval of the facility on the subject site will not have an unfavorable impact on the environment based upon the favorable recommendation subject to conditions as indicated in the memorandum issued by the Department's Division of Environmental Resources Management (DERM), dated October 11, 2024. The memorandum dated August 8, 2024 from the Traffic Engineering Division of the Department of Transportation of Public Works state that they have reviewed the subject application and have no objections and that any improvements within the right-of-way of SW 72 Avenue would require review and approval from the Florida Department of Transportation. Additionally, the other departments reviewing the application, including the Miami-Dade Fire Rescue Department and the Water and Sewer Department, do not object to the application. Staff, therefore, opines that approval of the application will not result in, among other things, excessive noise or cause undue or excessive burden on public facilities, would maintain 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 would not be detrimental to the surrounding area. **Therefore, staff recommends approval of request #1 with conditions under Section 33-311(A)(3) Standards for Special Exceptions, Unusual Uses and New Uses.**

When the requests to permit a Floor Area Ratio of 1.15 where 0.85 is the maximum permitted (request #2) and to permit 81 parking spaces where 117 are required (request #3) is analyzed under Section 33-311(A)(4)(b), staff supports the aforementioned requests and opines that the approval of the requests with conditions would be compatible with the neighborhood, would not visually impact the stability and appearance of the adjacent properties, would not generate excessive noise or traffic, tend to create fire or other equally dangerous hazard, provoke excessive overcrowding of people, or provoke a nuisance in the surrounding area. As previously noted, the applicant seeks to permit a proposed 5-story skilled nursing facility on the subject property. Approval of the application would allow the site to be developed with a structure that would have more floor area (request #2) than required by code. The subject property is located along SW 72 Street (Sunset Drive), which is a major east-west section line commercial roadway with a number of established semi-professional offices and multi-family residential uses. Staff opines that based on the submitted site plans, the use keeps within the existing character of the neighborhood and the proposed structure will not result in an intensification of the development of the site beyond the scale of the surrounding area and would not be out of character with same. Staff opines that the proposed use of a skilled nursing facility will have fewer visitors at any one time and would generate less traffic than other institutional uses. As such, staff opines that approval of requests #2 and #3 for a greater FAR and reduced parking, would maintain 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 that the requested non-use variances would be compatible with the surrounding properties and would not be detrimental to the area.* **Therefore, staff recommends approval with conditions of requests #2 and #3 under Section 33-311(A)(4)(b), Non-Use Variance from Other than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate a main ingress/egress point of direct vehicular access to the site along SW 72 Street (Sunset Drive). Parking and driveways are internal to the site and are located to the north and south of the proposed building.

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, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Marquis Health", as prepared by Kimley Horn, dated stamped received 11/5/2024, consisting of nine (9) sheets and plans dated stamped received 09/19/2024, consisting of four (4) sheets, together with plans entitled "Marquis Health", as prepared by GHA, 09/19/2024, consisting of one (1) sheet and plans dated stamped 06/15/2024, consisting of seven (7) sheets for a total of twenty-one (21) sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant complies with all applicable conditions and requirements in the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources dated October 10, 2024.
5. That the applicant complies with all applicable conditions and requirements in the memorandum from the Division of Environmental Review Management of the Department of Regulatory and Economic Resources dated October 11, 2024.
6. That the applicant complies with all applicable conditions and requirements in the memorandum from the Traffic Engineering Division of the Department of Transportation of Public Works dated August 8, 2024.

ES:JB:SS:EA



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

ZONING RECOMMENDATION ADDENDUM

West Gables Property, LLC
P.H. Z24-128

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

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

<p>Office/Residential (Pg. I-43)</p>	<p>The Adopted 2030 and 2040 Land Use Plan designates the subject property as being within the Urban Development Boundary for Office/Residential. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.</p>
<p>Congregate Living Facilities, Group Homes, Foster Homes, Nursing Homes, and Day Care Facilities. (Pg. I-34)</p>	<p>"Congregate residential uses" and nursing homes may be permitted at suitable locations in Residential Communities in keeping with the following density allowance: Each 2.5 occupants shall be considered to be one dwelling unit, and the maximum number of dwelling units allowed shall be no greater than the number allowed in the next higher residential density category than that for which the site is designated. For example, a ten-acre site located in an area designated for six dwelling units per gross acre may be permitted up to 13 units per gross acre or in this instance, up to 130 units. Assuming 2.5 occupants per unit, up to 325 persons could occupy the site. The intensity of use that may be approved for "daytime service uses" such as day care facilities shall be limited as necessary to be compatible with adjacent uses and to comply with water supply and sewage regulations contained in Chapter 24 of the Miami-Dade County Code. If located in Estate, Low or Low-Medium Density neighborhoods, congregare residential uses, and daytime service uses such as day care centers, should locate only in activity nodes, transition areas and section centers as indicated in the Guidelines for Urban Form, or on sites that are transitional to higher density or higher intensity land uses, to public uses or to other areas of high activity or accessibility.</p>


PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33— 207.3(5)</p>	<p><i>Floor area ratio. The floor area ratio shall not exceed the following:</i></p> <table border="1" data-bbox="509 300 797 911"> <thead> <tr> <th>Height of Building</th> <th>Floor Area Ratio</th> </tr> </thead> <tbody> <tr> <td>1-story</td> <td>0.30</td> </tr> <tr> <td>2-story</td> <td>0.50</td> </tr> <tr> <td>3-story</td> <td>0.75</td> </tr> <tr> <td>4-story</td> <td>0.80</td> </tr> <tr> <td>5-story</td> <td>0.85</td> </tr> <tr> <td>6-story</td> <td>0.90</td> </tr> <tr> <td>7-story</td> <td>0.95</td> </tr> <tr> <td>8-story</td> <td>1.00</td> </tr> <tr> <td>9-story</td> <td>1.05</td> </tr> </tbody> </table>	Height of Building	Floor Area Ratio	1-story	0.30	2-story	0.50	3-story	0.75	4-story	0.80	5-story	0.85	6-story	0.90	7-story	0.95	8-story	1.00	9-story	1.05
Height of Building	Floor Area Ratio																				
1-story	0.30																				
2-story	0.50																				
3-story	0.75																				
4-story	0.80																				
5-story	0.85																				
6-story	0.90																				
7-story	0.95																				
8-story	1.00																				
9-story	1.05																				
<p>Section 33-124(a)(g)</p>	<p><i>Sanitariums, convalescent homes, homes for the aged and similar institutions. At least one (1) parking space for each two (2) beds for patients contained in such buildings, plus one (1) parking space for each two (2) employees.</i></p>																				
<p>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</p>	<p><i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i></p>																				
<p>Section 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>																				

Memorandum

Date: October 11, 2024

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: Z2024000128-2nd Review
West Gables Property LLC
9025 SW 72nd Street
(i) Unusual Use and Non-Use Variance Zoning Hearing Application, or
(ii) (ii) in the alternative, a DBC from RU-4M to RU-4 and Rezoning and
NUV for setbacks requirements for the development of a state-of-the-
art skilled nursing home facility comprised of 180 beds
(RU-4M) (2.5 Acres)
28-54-40

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(5) 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 10-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.

Section 24-43(4)(b) of the Code provides sewage loading restrictions for properties located within the basic wellfield protection area of any public utility potable water supply well. According to this section of the Code, non-residential uses in the 10-day travel time contour of the Alexander Orr wellfield protection area, served by sanitary sewers and using public water supply and not having indigenous sandy substrata, the maximum sewage loading shall not exceed 850 gallons per day per acre.

In as much as the proposed use does not comply with the above-mentioned sewage loading restrictions the applicant applied for variances before the Environmental Quality Control Board (EQCB). Based upon the evidence and available information the EQCB granted a variance with conditions via EQCB Order No. 23-15, recorded in Miami-Dade County Official Records Book 33748, Page 2270, including a condition that the applicant submit a hazardous materials covenant.

Additionally, pursuant to section 24-43(5)(b) of the Code, hazardous materials shall not be used, generated, handled, discharged, disposed of, or stored on properties within the Basic Wellfield Protection Area of the Alexander Orr Wellfield. These regulations also establish allowable stormwater drainage disposal methods intended to protect water quality within the Basic Wellfield Protection Area of wellfield protection areas. This covenant is recorded in Miami-Dade County Official Records Book 33748, Page 2270.

Since the subject request is for a non-residential land use, the owner of the property has submitted a properly executed covenant in accordance with section 24-43(5) of the Code which provides that hazardous wastes shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Revised plan AS-101, digitally signed by Brain Herbert, FL AR0015474 on September 12, 2024, stamped received by Zoning on September 19, 2024 depict a propose natural gas generator with propane back up, which complies with the requirements of section 24-43 of the Code and the recorded covenant.

Conditions of approval: compliance with the conditions of EQCB Order 23-15 and the recorded covenant.

Potable Water Supply and Wastewater Disposal

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

All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

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

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

Water Control Review

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.

Applicant is advised that the site is located within the 10-day travel time contour of the Alexander Orr Wellfield Protection Area. Pursuant to section 24-43(4)(c) of the Code no exfiltration trenches are allowed.

Stormwater shall be retained on site utilizing dry retention only for full on-site retention of the stormwater runoff generated by a 5-year storm event.

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. Tree Permit #2314846 was issued on November 16, 2023, for the subject property. All approved work shall be performed in accordance with this permit. Section 24-49 of the Code provides for the preservation and protection of tree resources. If any additional trees subject to the tree preservation and protection provisions of the Code are to be removed/relocated and are not associated with Tree Permit #2314846, a new tree removal permit will be required.

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

In accordance with section 24-49.9 of the Code, all plants prohibited by Miami-Dade County shall be removed from all portions of the properties 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: August 6, 2024

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 - West Gables Property, LLC
Application No. Z2024000128 - (Previous App. No. Z22-217)

The Water and Sewer Department has reviewed the proposed development for the subject zoning application. The information provided below is preliminary and it does not affect the Zoning process. *The applicant is advised to consult with their engineer and WASD's Plans Review staff to finalize points of connection and capacity approval.*

Application Name: West Gables Property, LLC

Location: The proposed project is located on approximately 2.50 acres at 9025 SW 72nd Street, with Folio No. 30-4028-000-0080, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is seeking an Unusual Use approval for a group residential facility or a district boundary change from RU-4M (Modified Apartments House District) to RU-4 (High Density Apartment House District) in order to develop the subject property with a nursing home facility comprised of 180 beds. In addition, the Applicant is requesting a Non-Use Variance to comply with maximum Floor Area Ratio (FAR), minimum open space, setbacks, and parking requirements.

The estimated total water demand for the proposed project will be 22,500 gallons per day (gpd).

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

The existing property is connected to water. If a new connection is required, there is an existing 12-inch water main (EU1350-2) near to the southwest corner of the property to where the developer may connect and extend a new 12-inch water main easterly along SW 72nd Street to the subject site, as required to abut and provide water service to the proposed development.

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

A Water Supply Certification (WSC) will be required for the proposed development. Said Certification will be issued at the time the applicant requests connection to the water system. The WSC letter shall remain active in accordance with terms and conditions specified in said certification. The WSC is required consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

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

In addition, all future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 18-A, and 18-B of the Miami-Dade County Code, consistent with Policies WS-5E and WS-5F of the CDMP.

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

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

Sewer: The proposed development is located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. The SDWWTP is currently 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 subject property is connected to sewer. If a new connection is required, there is an existing 8-inch gravity sewer abutting the property along SW 72nd Street to where the developer may connect to provide sewer service to the proposed development. *Final points of connections and capacity approval for connection to the sewer system will be provided at the time the applicant request connection to the sewer infrastructure.*

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

The sewage flow from the proposed development will be transmitted to Pump Station (P.S.) No. 752 and P.S. No. 571. Both pump stations are currently in OK Moratorium Code Status. Below is the existing and projected Nominal Average Pump Operating Time (NAPOT) for both pump stations.

P.S. No. 752

Existing NAPOT: 5.41 hrs.
Proposed Development: 22,500 gpd
Proposed Projected NAPOT: 6.51 hrs.

P.S. No. 571

Existing NAPOT: 3.69 hrs.
Proposed Development: 22,500 gpd
Proposed Projected NAPOT: 3.77 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 Pedro P. Vera Carballes at (786) 552-8144 or pedro.veracarballes@miamidade.gov.

Memorandum



Date: October 10, 2024

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: Z2024000128
Name: West Gables Property LLC
Location: 9025 SW 72 Street
Section 28 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** meet the traffic concurrency criteria for an Initial Development Order. It will generate approximately **25 PM** peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of this new trip **does not** exceed the acceptable level of service of the following roadways:

STA.#	LOCATION	LOS PRESENT	LOS W/PROJECT
9702	SW 97 Avenue south of SW 56 Street	D	D
9264	SW 56 Street west of SW 87 Avenue	C	C
9658	SW 72 Street west of SW 87 Avenue	C	C

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

Notes: PM =Post 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: October 02, 2024

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

Subject: Z2024000128

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded in “EnerGov” on 09/19/2024.

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.

Memorandum



Date: August 8, 2024

Subject: Review of Z2024000128
Applicant Name: West Gables Property, LLC

PROJECT DESCRIPTION:

According to the Letter of Intent (LOI), the project proposes a skilled nursing home facility comprised of 180 beds within a 5-story building totaling approximately 124,779 square feet. The subject site was previously approved under Z2022000217. As such, Traffic Engineering Division (TED) has no objection to the subject application.

I. PROJECT LOCATION:

The property is located at 9025 SW 72 Street, Miami FL.

COMMENTS/RECOMMENDATION:

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 following conditions.

- Please note that SW 72 Street is a state-maintained road (SR 986). Any improvements within the right of way of SW 72 Avenue requires review and approval by the Florida Department of Transportation. Please note that driveway connections along SW 72 Avenue must meet FDOT access management requirements.

Please contact Anamersy Arce at Anamersy.Arce@miamidade.gov if you have any questions on the comments above.

Memorandum



Date: August 8, 2024

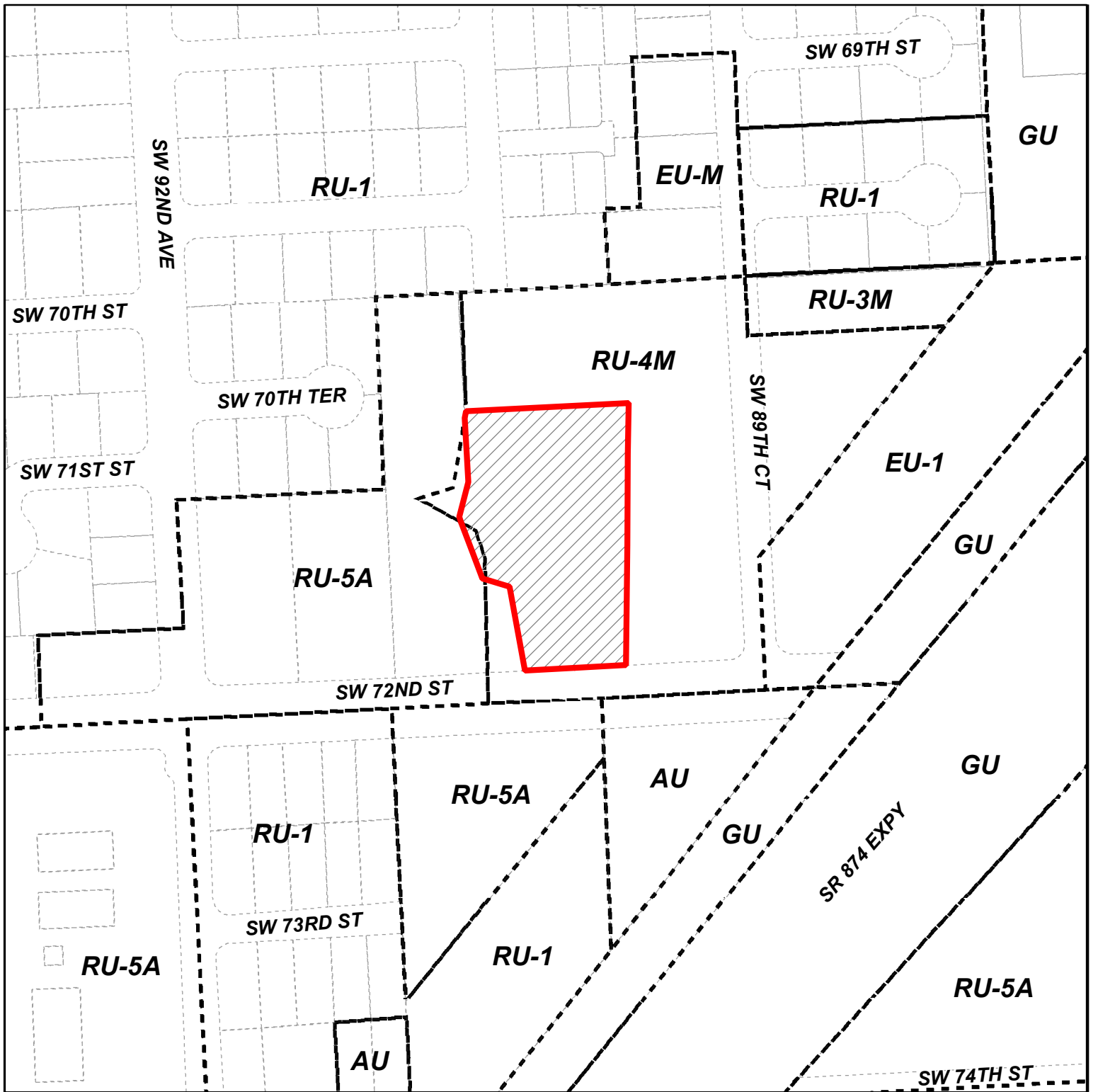
To: Eric Silva, Assistant Director for Development Services
Department of Regulatory and Economic Resources

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

Subject: Zoning Application Z2024-000128 West Gables Property, LLC

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
Z2024000128



Section: 28 Township: 54 Range: 40
 Applicant: West Gables Property LLC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

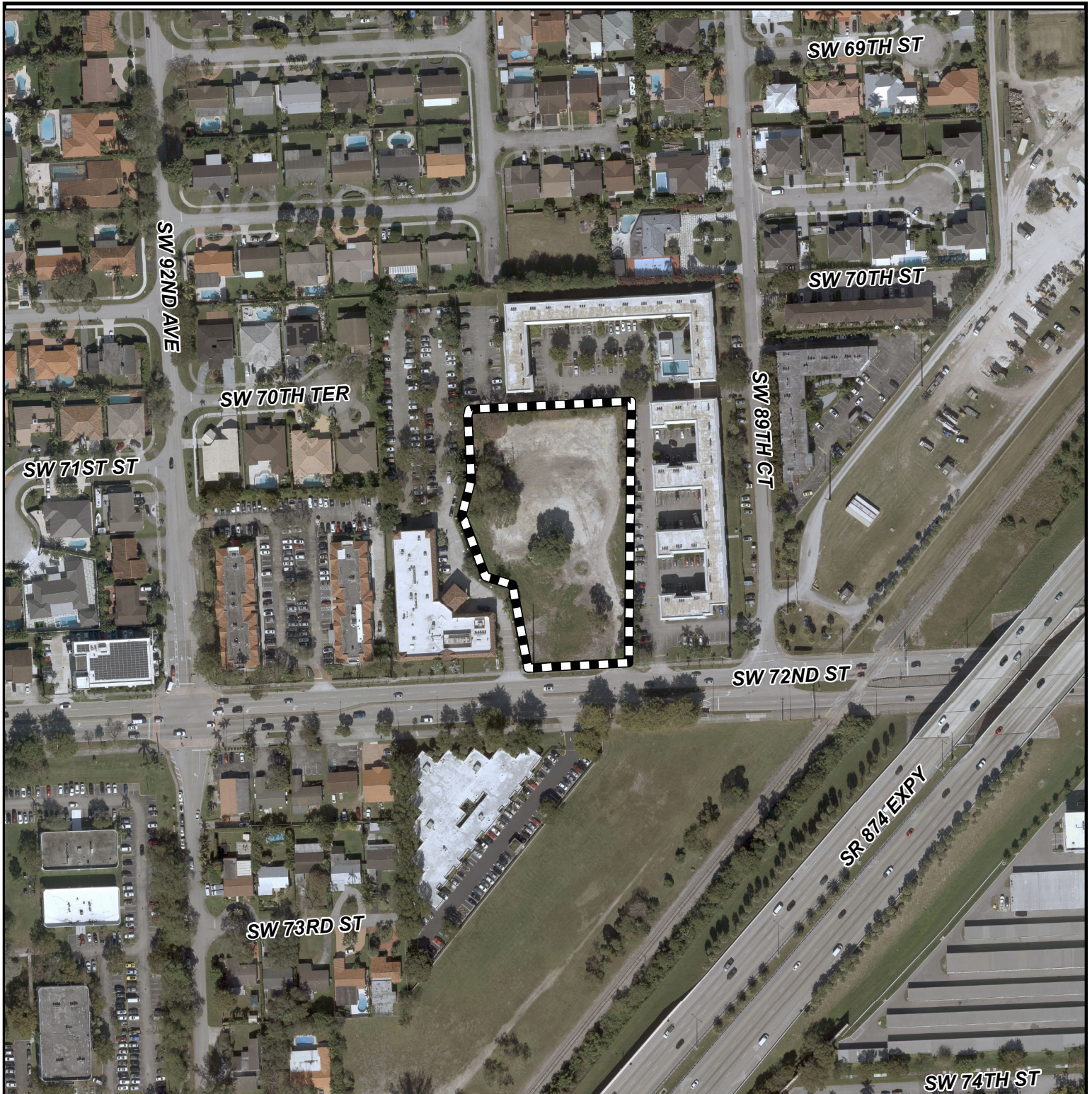
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Wednesday, July 17, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2023

Process Number
Z2024000128

Legend
 Subject Property

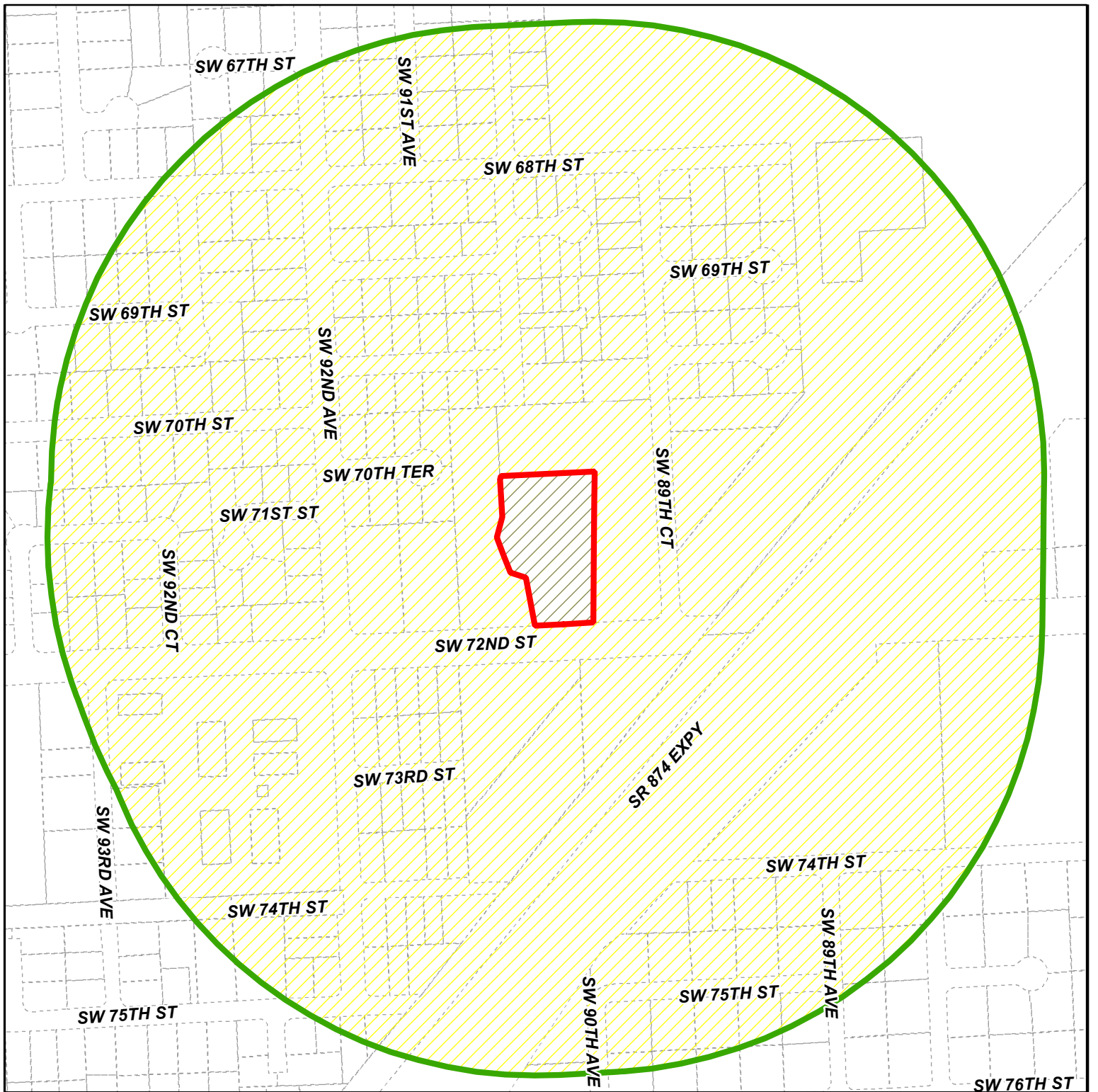


Section: 28 Township: 54 Range: 40
Applicant: West Gables Property LLC
Zoning Board: C12
Commission District: 10
Drafter ID: EDUARDO CESPEDES
Scale: NTS



SKETCH CREATED ON: Wednesday, July 17, 2024

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 28 Township: 54 Range: 40
 Applicant: West Gables Property LLC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2024000128
 RADIUS: 1240

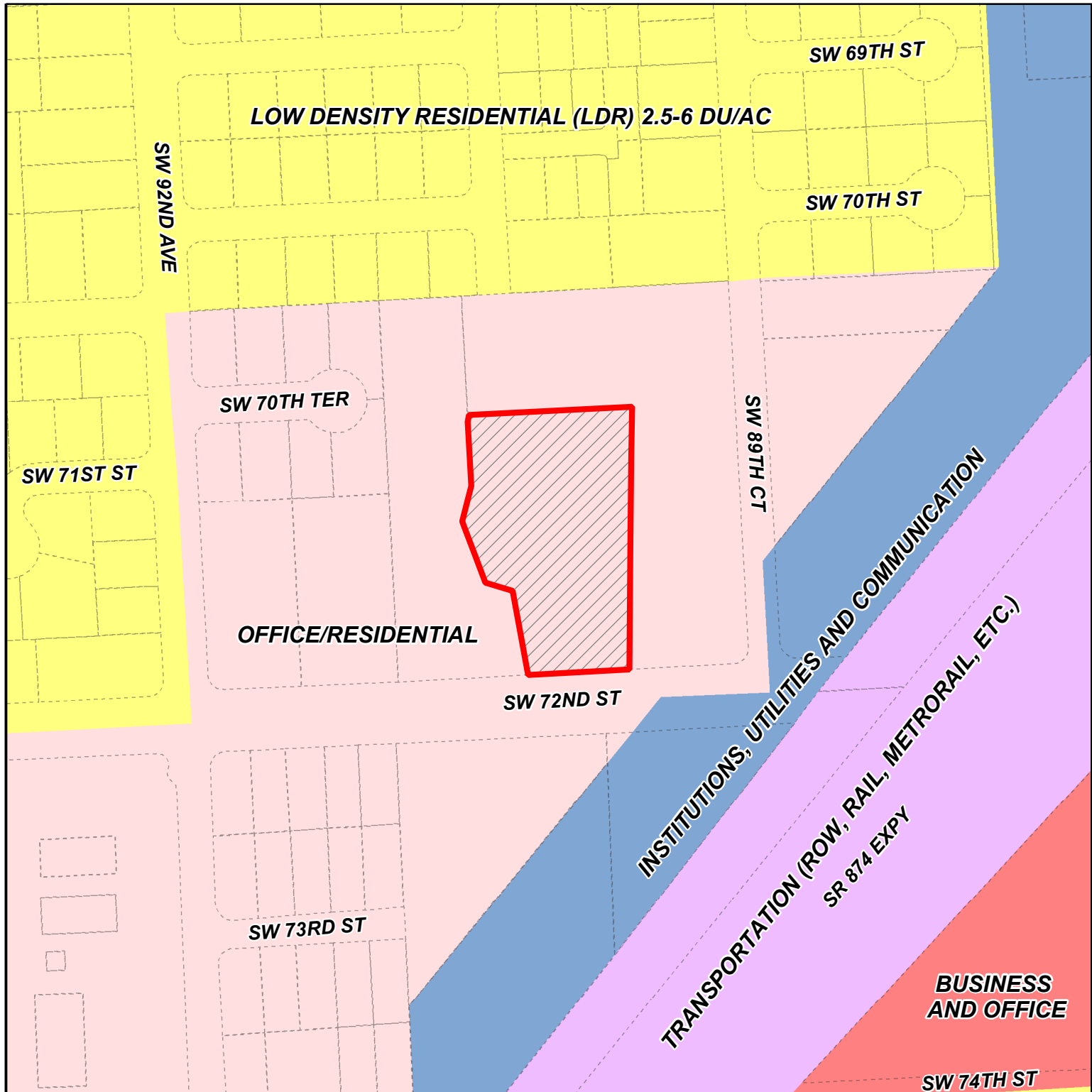
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-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Wednesday, July 17, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2024000128

Section: 28 Township: 54 Range: 40
 Applicant: West Gables Property LLC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, July 17, 2024

REVISION	DATE	BY

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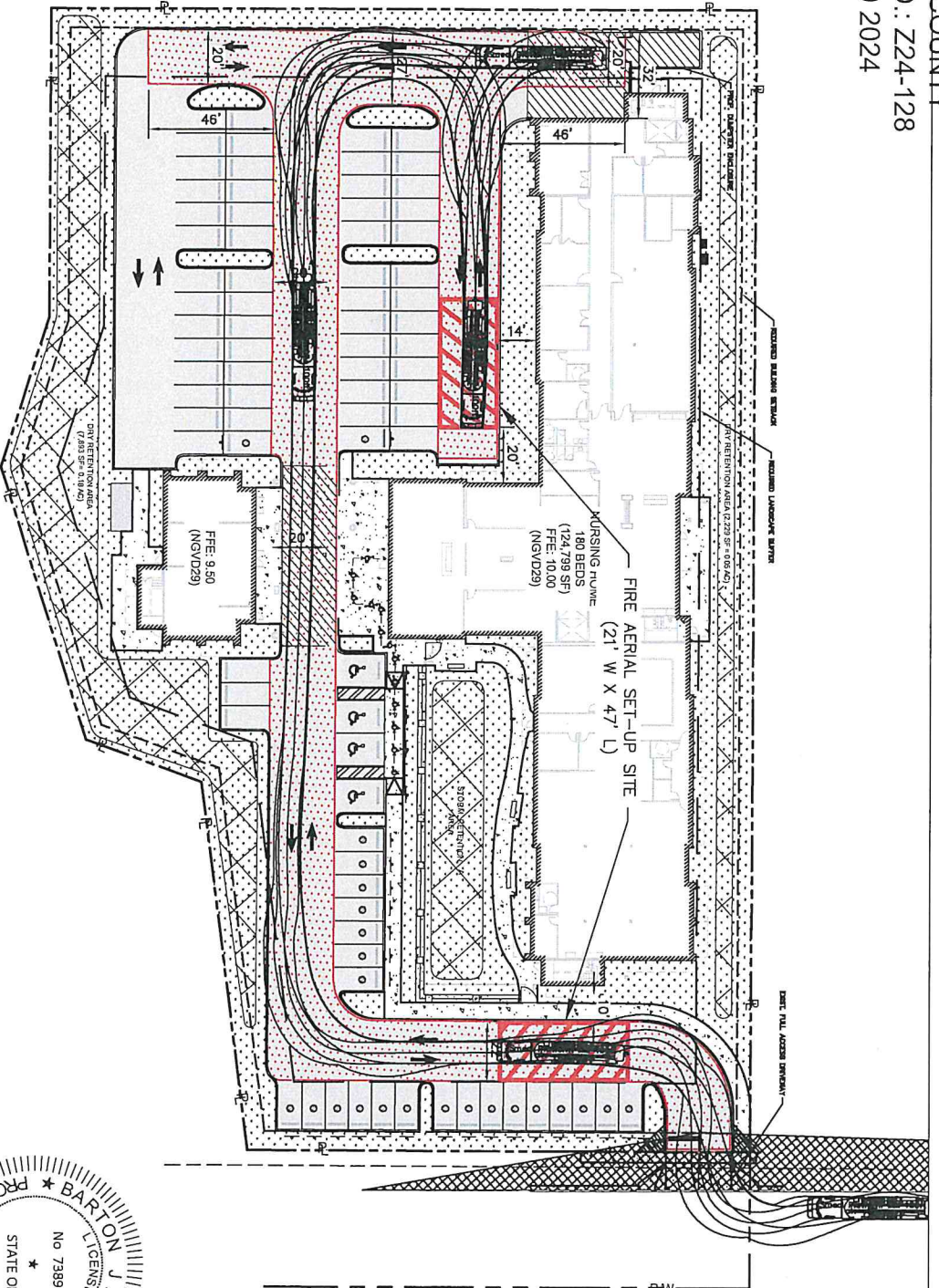
MIAMI-DADE COUNTY

PROJECT NO.: Z24-128

DATE: SEP 19 2024

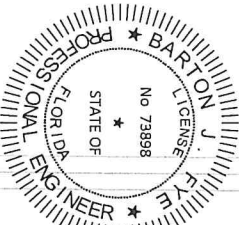
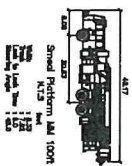
BY: EIDS

Plotted By: Nieves, Alexandra Sheet Set: Kha Layout: TP-2 September 09, 2024 04:20:39pm K:\MIB_Civil\143353000 West Gables Nursing Home\CIVIL\CADD\Exhibits\Fire\EX-2 Hammer Head Into Dumpster.dwg



LEGEND:

- RIGHT-OF-WAY LINE/ PROPERTY LINE
- - - CENTER LINE OF ROADWAY
- BUILDING OUTLINE
- FIRE VEGETATION (PERTAIN TO LANDSCAPE PLAN FOR DETAILS)



This item has been digitally signed and sealed by Barton J. Fye, P.E. on the date adjacent to the seal.
 Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.
 Date: 09/09/2024

Kimley-Horn
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 2 ALUMBERNA PARK, SUITE 500, CORAL GABLES, FL 33134
 PHONE: 305-473-2925
 WWW.KIMLEY-HORN.COM REGISTRY: 35108

MARQUIS HEALTH
 9025 SW 72nd STREET

FIRE TRUCK
 MANEUVERABILITY

SHEET NUMBER
 EX-2

Plotted By: Chover, Miana Sheet: SMI-MH010 Health Layout-L-100 TREE DISPOSITION PLAN October 29, 2024 03:53:07pm K:\mb_010\143353000_west_gables_nursing_home\landscape\CADD\PlanSheet\L-100_TREE_DISPOSITION_PLAN.dwg

This document, together with the concepts and design presented herein, is an instrument of service, is intended only for the specific purpose and client for which it was prepared. Review of and proper reliance on this document without written authorization and adoption by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

- TREE DISPOSITION GRAPHIC LEGEND**
- TREE TO BE RETAINED
 - TREE TO BE REMOVED
 - TREE TO BE RETAINED WITH PROTECTION
 - TREE TO BE RETAINED WITH PROTECTION AND ROOT BARRIER
 - TREE TO BE RETAINED WITH PROTECTION AND ROOT BARRIER AND FERTILIZER
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TREE DISPOSITION LIST

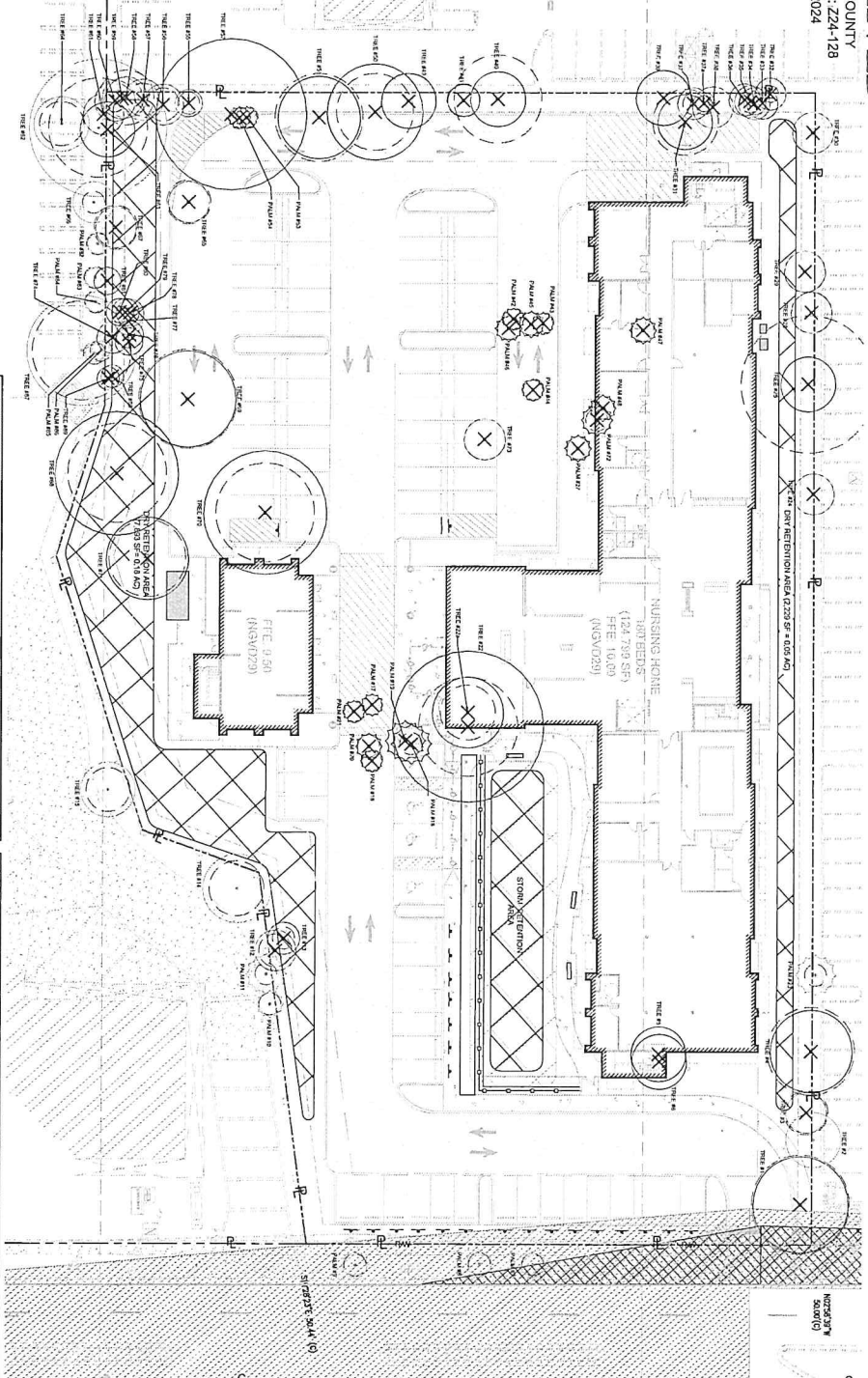
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SHEET NUMBER L-100	MARQUIS HEALTH PREPARED FOR TRYKO PARTNERS MIAMI-DADE COUNTY FL	TREE DISPOSITION PLAN	KHA PROJECT 143353000 DATE OCT. 2024 SCALE AS SHOWN DESIGNED BY MW DRAWN BY CF CHECKED BY MW	PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.	THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MATTHEW VINCENT WISEWICKO LA6667406 ON THE DATE ADJACENT TO THE SEAL.		Kimley»Horn © 2024 KIMLEY-HORN AND ASSOCIATES, INC. 2 ALHAMBRA PLAZA, SUITE 500, CORAL GABLES, FL 33134 PHONE: 305-673-2025 WWW.KIMLEY-HORN.COM REGISTRY NO. 696	P & Z Resubmission 2024-07-29 P & Z Resubmission 2024-09-04	No. _____ REVISIONS _____ DATE BY _____
			THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY MATTHEW VINCENT WISEWICKO LA6667406 ON DATE ADJACENT TO SEAL.	REVISIONS DATE BY					

MIAMI-DADE COUNTY TREE REMOVAL AND TREE TO REMAIN PRUNING SPECIFICATIONS

PROCESS NO.: 2224
DATE: NOV 5 2024
BY: GONGOL

TREE PROTECTION AND SUPPORT

- PART 1 - DEMONSTRATIONS**
- A. Natural Resources - Existing trees or plants.
 - B. Critical Root Zone - The minimum volume of roots necessary to allow for tree health and stability.
 - C. DBH - Diameter Breast High - Indicate the location on the trunk, approximately 4.5' above ground, to measure the diameter of a tree.
 - D. Owner's Representative - A representative, hired and paid for by the owner, that supervises the construction of the procedure shown on the tree disposition plan.
 - E. Tree Protection Zone (TPZ) - The area surrounding a tree defined by a specified distance, which excavation and other construction related activities should be avoided. The TPZ is variable and dependent on tree size and species.
 - F. Tree Protection Zone (TPZ) - The area surrounding a tree defined by a specified distance, which excavation and other construction related activities should be avoided. The TPZ is variable and dependent on tree size and species.
 - G. Contractor's Certified Arborist - An independent ISA Certified Arborist, hired and paid for by the contractor, that supervises the construction of the procedure shown on the tree disposition plans.

PART 2 - TREE BARRIER

- A. Tree Protector Barrier Material.
 - 1. 1.5" (1 1/2") foot tall metal T-Bar Posts and Post Caps.
 - 2. 2.0" (2") foot tall metal T-Bar Posts and Post Caps.
 - 3. The height (6) foot tall metal T-Bar Post and Post Caps shall be placed a maximum of six (6) feet intervals.

PART 3 - EXECUTION

- A. Hazards are determined by qualified certified arborist in an individual tree then those hazards can be mitigated according to the specifications given by the Qualified Certified Arborist.
 - 1. The tree disposition list. This item is to be coordinated by the Qualified Certified Arborist with the Owner's Representative.
 - 2. The Contractor's Certified Arborist shall be present during all pruning operations.
- B. Road Pruning - Refer to Arborist Report.
 - 1. Pruning shall be approved in the field by the Owner's Representative and the Contractor's Certified Arborist.
 - 2. All roots shall be cut by hand.
 - 3. The trench shall be backfilled minus debris and large rocks, as directed by the Contractor's Certified Arborist.
- C. Tree Protector Barrier
 - 1. See detail in this sheet.
 - 2. Tree Protector Barrier shall be placed by the Contractor around each tree to remain as directed by the Contractor's Certified Arborist.
- D. Tree Removals
 - 1. Contractor shall remove and discard all trees shown as "Remove" on the Tree Disposition Plan and the Tree Disposition List. Tree stump shall be ground below grade. Care shall be taken to ensure that the stump is not left in place.
 - 2. All critical root zones shall be compacted by equipment.
 - 3. Contractor shall remove and haul away from the job site all wood generated from tree removals, including stumps, the same day the removal happens. 4. Stump pits are not allowed.

PART 4 - PENALTIES

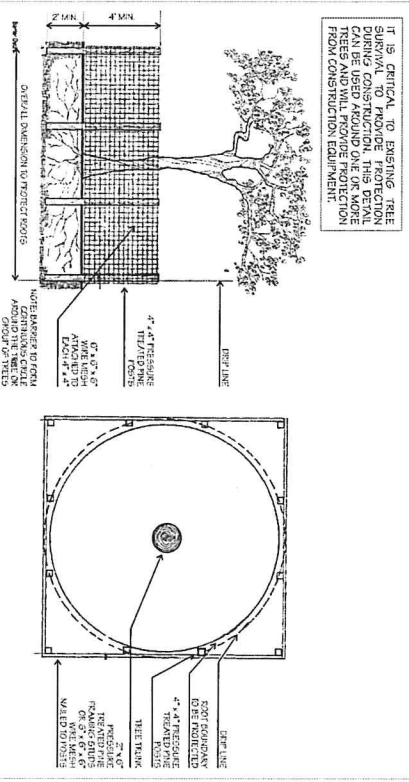
- A. Report of Damaged Trees To Remain
 - 1. In the event that any other natural resources should occur by accident or negligence during the construction period, shall be immediately inspected by Qualified Certified Arborist who shall determine the prescription of care at the Contractor's expense.

PART 5 - TREE PROTECTION

- A. Contractor shall determine the location of the Tree Protector Barrier around each tree to remain based on habitat analysis of each existing tree to remain that is adjacent to construction improvements such as utility installation, pavement addition and/or restoration, etc.
- B. Contractor shall maintain and repair the Tree Protector Barrier during site construction operations.
- C. Contractor shall not remove any trees shown as "Remove" on the Tree Disposition Plan without approval of Owner's Representative and Contractor's Certified Arborist's written directive.
- D. There shall be no change in grade within the critical root zone.
- E. Contractor shall clear by hand all vegetation, or any utility line in any critical root zone areas without the approval of the Contractor's Certified Arborist and Owner's Representative.
- F. Contractor shall not install conduit, conduits, or any utility line in any critical root zone areas without the approval of the Contractor's Certified Arborist and Owner's Representative.

PART 5 - IRRIGATION

- A. Contractor shall irrigate trees as specified by Landscape Architect and Qualified Certified Arborist.
- B. On a monthly basis an irrigation audit shall be conducted by an irrigation specialist (as review by Landscape Architect or Qualified Certified Arborist).



IT IS CRITICAL TO EXISTING TREE SURVIVAL TO PROVIDE PROTECTION FROM CONSTRUCTION EQUIPMENT. TREES AND WALS PROVIDE PROTECTION FROM CONSTRUCTION EQUIPMENT.

WIRE MESH BARRIER DETAIL

WOOD BARRIER DETAIL PLAN

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MARQUIS HEALTH
PREPARED FOR
TRYKO PARTNERS

MIAMI-DADE COUNTY FL

TREE DISPOSITION
NOTES & DETAILS

KHA PROJECT
143353000
DATE
OCT. 2024
SCALE AS SHOWN
DESIGNED BY MW
DRAWN BY CF
CHECKED BY MW

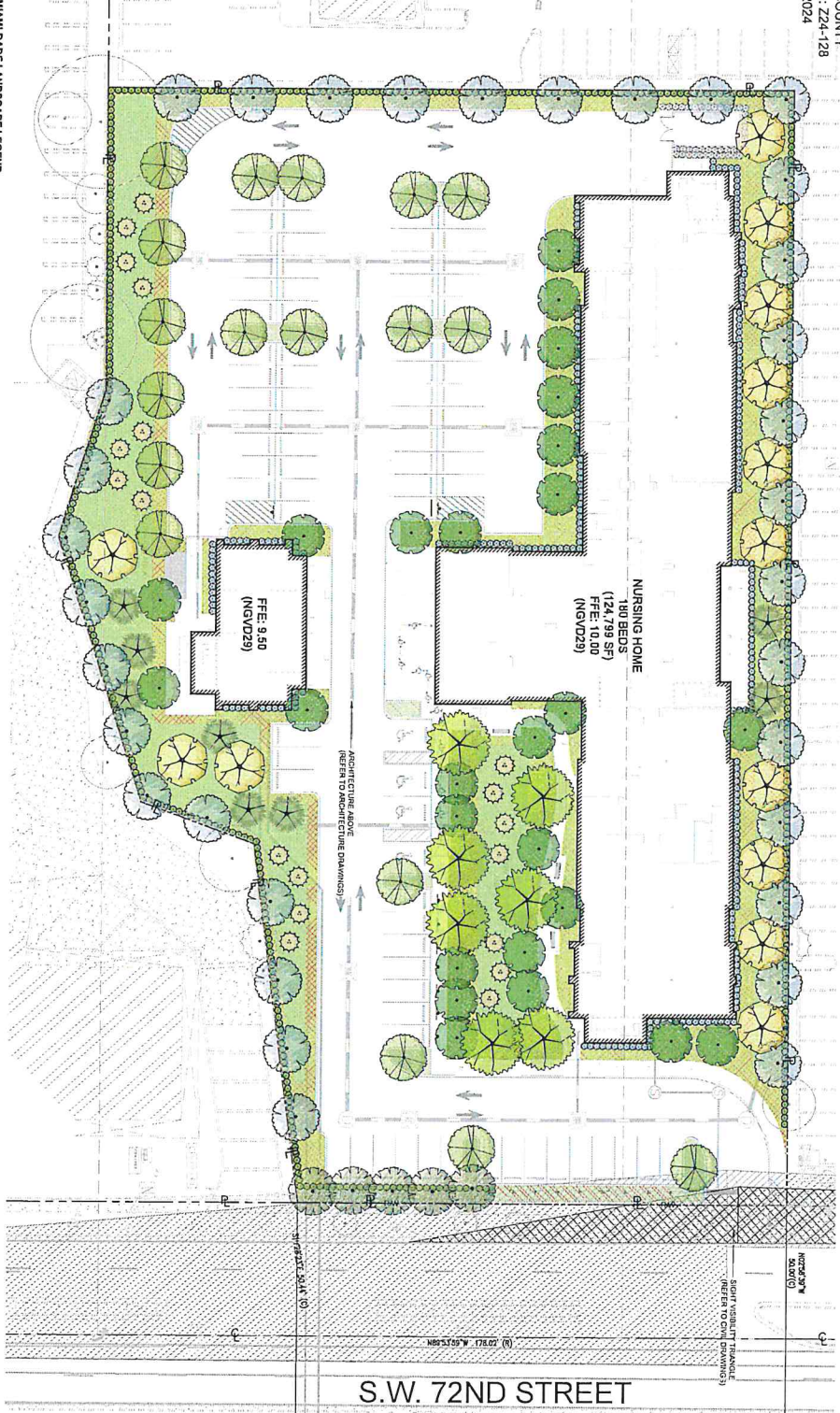
Kimley Horn

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2 ALHAMBRA PLAZA, SUITE 500, CORAL GABLES, FL 33134
PHONE: 305-873-2825
WWW.KIMLEY-HORN.COM REGISTRY NO. 696

No.	REVISIONS	DATE	BY
	P & Z Resubmission	2024-07-29	
	P & Z Resubmission	2024-09-04	

Plotfile By: Chever, Milano Sheet: Sati-Merquis Health Layout: L-200 LANDSCAPE PLAN October 29, 2024 03:54:07pm K:\vmb.dwg\143353000 west quibus nursing home\landscape\CAD\Plan\Sheet\L-200 LANDSCAPE PLAN.dwg

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MIAMI-DADE LANDSCAPE LEGEND

Symbol	Description	Quantity
(Tree symbol)	1.00' DBH	10
(Tree symbol)	2.00' DBH	5
(Tree symbol)	4.00' DBH	3
(Tree symbol)	6.00' DBH	2
(Tree symbol)	8.00' DBH	1
(Tree symbol)	10.00' DBH	1
(Tree symbol)	12.00' DBH	1
(Tree symbol)	14.00' DBH	1
(Tree symbol)	16.00' DBH	1
(Tree symbol)	18.00' DBH	1
(Tree symbol)	20.00' DBH	1
(Tree symbol)	22.00' DBH	1
(Tree symbol)	24.00' DBH	1
(Tree symbol)	26.00' DBH	1
(Tree symbol)	28.00' DBH	1
(Tree symbol)	30.00' DBH	1
(Tree symbol)	32.00' DBH	1
(Tree symbol)	34.00' DBH	1
(Tree symbol)	36.00' DBH	1
(Tree symbol)	38.00' DBH	1
(Tree symbol)	40.00' DBH	1
(Tree symbol)	42.00' DBH	1
(Tree symbol)	44.00' DBH	1
(Tree symbol)	46.00' DBH	1
(Tree symbol)	48.00' DBH	1
(Tree symbol)	50.00' DBH	1
(Tree symbol)	52.00' DBH	1
(Tree symbol)	54.00' DBH	1
(Tree symbol)	56.00' DBH	1
(Tree symbol)	58.00' DBH	1
(Tree symbol)	60.00' DBH	1
(Tree symbol)	62.00' DBH	1
(Tree symbol)	64.00' DBH	1
(Tree symbol)	66.00' DBH	1
(Tree symbol)	68.00' DBH	1
(Tree symbol)	70.00' DBH	1
(Tree symbol)	72.00' DBH	1
(Tree symbol)	74.00' DBH	1
(Tree symbol)	76.00' DBH	1
(Tree symbol)	78.00' DBH	1
(Tree symbol)	80.00' DBH	1
(Tree symbol)	82.00' DBH	1
(Tree symbol)	84.00' DBH	1
(Tree symbol)	86.00' DBH	1
(Tree symbol)	88.00' DBH	1
(Tree symbol)	90.00' DBH	1
(Tree symbol)	92.00' DBH	1
(Tree symbol)	94.00' DBH	1
(Tree symbol)	96.00' DBH	1
(Tree symbol)	98.00' DBH	1
(Tree symbol)	100.00' DBH	1

- GENERAL PLANTING NOTES:**
1. ALL PLANTING SPECIFICATIONS IN THE PLANT SCHEDULE SHALL BE OBSERVED. CONTRACTOR SHALL VERIFY THE SPECIFICATIONS AND MAKE ANY NECESSARY ADJUSTMENTS TO MEET THE MOST STRINGENT SPECIFICATION.
 2. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO FIELD ADJUST ALL PLANT MATERIAL.
 3. ALL QUANTITIES PROVIDED FOR CONFORMANCE ONLY. CONTRACTOR SHALL CONFIRM ALL QUANTITIES PER PLAN PRIOR TO BIDDING AND CONSTRUCTION.
 4. SOIL SHALL BE INSTALLED IN ALL AREAS NOT OTHERWISE COVERED BY BUILDING, PAVING, SIDEWALK, OR OTHER LANDSCAPING.

CONCEPT PLANT SCHEDULE

Symbol	Plant Name	Quantity
(Tree symbol)	1.00' DBH	10
(Tree symbol)	2.00' DBH	5
(Tree symbol)	4.00' DBH	3
(Tree symbol)	6.00' DBH	2
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			<p>SCALE AS SHOWN</p>			<p>P & Z Resubmission</p>	<p>2024-09-04</p>
<p>MARQUIS HEALTH PREPARED FOR TRYKO PARTNERS</p>	<p>LANDSCAPE PLAN</p>	<p>MIAMI-DADE COUNTY</p>	<p>SHEET NUMBER L-200</p>	<p>DATE</p>	<p>BY</p>	<p>REVISIONS</p>	<p>DATE</p>

GENERAL LANDSCAPE SPECIFICATIONS AND NOTES

- A. SCOPE OF WORK**
1. THE WORK CONSISTS OF FURNISHING ALL LABOR, MATERIALS, EQUIPMENT, TOOLS, AND SUPPLIES NECESSARY TO COMPLETE THE WORK AND TO MAINTAIN THE WORK AREA IN ACCORDANCE WITH THE SPECIFICATIONS AND THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI AND THE MIAMI-DADE COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING.
 2. WORK SHALL INCLUDE THE INSTALLATION AND MAINTENANCE OF ALL CONTRACT PLANTING AND ALL CONTRACT STRUCTURES AND OTHER HARDWARE.
 3. PROTECTION OF EXISTING STRUCTURES AND UTILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
 4. ALL EXISTING UTILITIES AND PIPES SHALL BE PROTECTED AND MAINTAINED. ANY DAMAGE TO EXISTING UTILITIES OR PIPES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
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- F. WATER**
1. WATER NECESSARY FOR PLANTING AND MAINTENANCE SHALL BE OF SATISFACTORY QUALITY TO SUSTAIN AN AVERAGE PLANT GROWTH AND SHALL NOT CONTAIN EXCESSIVE SALTS OR OTHER SUBSTANCES WHICH WOULD BE DETRIMENTAL TO THE GROWTH OF PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI AND THE MIAMI-DADE COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING.
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- G. PLANTING PROCESSES**
1. EXISTING UTILITIES AND PIPES SHALL BE PROTECTED AND MAINTAINED. ANY DAMAGE TO EXISTING UTILITIES OR PIPES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI AND THE MIAMI-DADE COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING.
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- P. LANDSCAPE**
1. THE LANDSCAPE SHALL BE MAINTAINED AND PROTECTED AT ALL TIMES. ANY DAMAGE TO THE LANDSCAPE SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI AND THE MIAMI-DADE COUNTY DEPARTMENT OF PUBLIC WORKS AND ENGINEERING.
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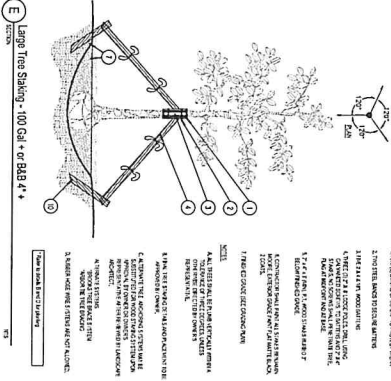
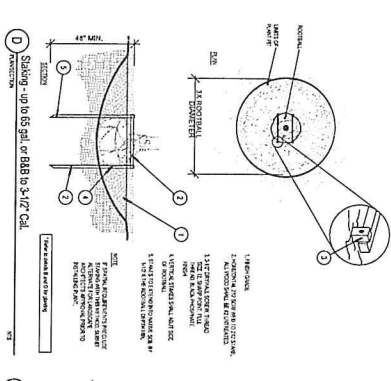
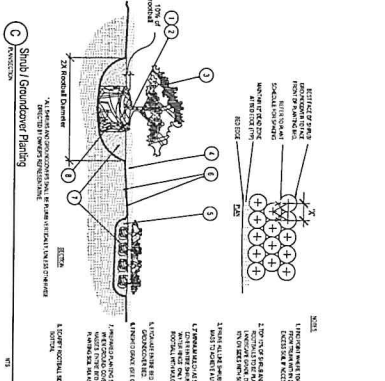
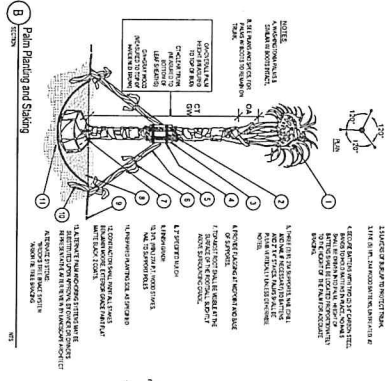
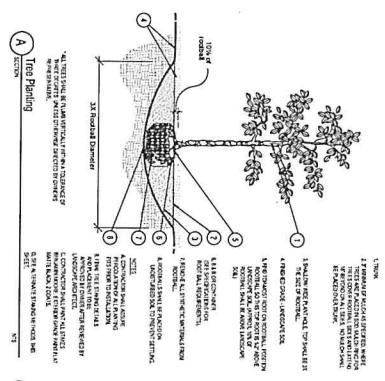
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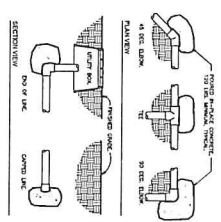
SHEET NUMBER L-250	MARQUIS HEALTH PREPARED FOR TRYKO PARTNERS	LANDSCAPE SPECIFICATIONS & NOTES	KHA PROJECT 143333000 DATE OCT. 2024 SCALE AS SHOWN DESIGNED BY DRAWN BY CHECKED BY	Kimley Horn 2 ALHAMBRA PLAZA, SUITE 500, CORAL GABLES, FL 33134 PHONE: 305-473-2022 WWW.KIMLEY-HORN.COM	P & Z Resubmission P & Z Resubmission 10/29/2024 10/29/2024
			MIAAMI-DADE COUNTY FL	No.	REVISIONS

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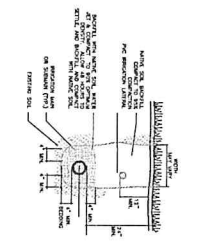


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<p>KHA PROJECT 143353000 DATE OCT. 2024 SCALE AS SHOWN DESIGNED BY MW DRAWN BY CF CHECKED BY MW</p>		<p>MIAMI-DADE COUNTY FL</p>	<p>SHEET NUMBER L-291</p>																

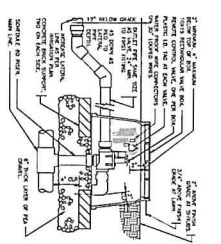
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of any portion or reference to this document without written authorization and adoption by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



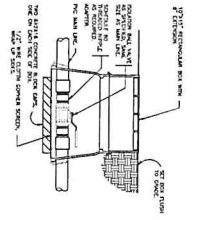
1 THRUST BLOCKING
 1/4" = 1'-0"



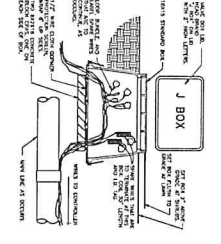
2 TRENCHING DETAIL
 1/4" = 1'-0"



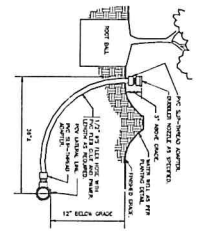
3 ELECTRIC REMOTE CONTROL VALVE
 1/4" = 1'-0"



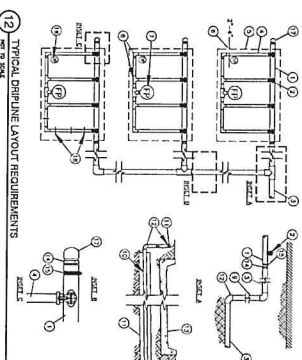
4 BRASS BALL ISOLATION VALVE
 1/4" = 1'-0"



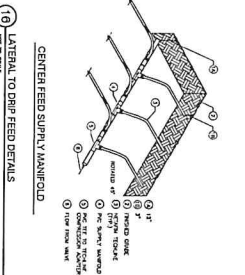
5 WIRE BUNDLE JUNCTION BOX
 1/4" = 1'-0"



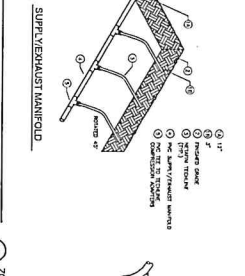
6 BUBBLE ON FLEX HOSE RISERS
 1/4" = 1'-0"



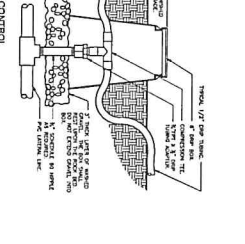
7 TYPICAL DRIP LINE LAYOUT REQUIREMENTS
 1/4" = 1'-0"



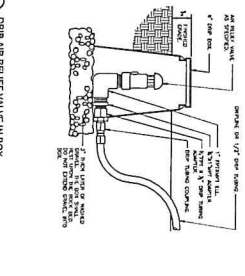
8 CENTER FEED SUPPLY MANIFOLD
 1/4" = 1'-0"



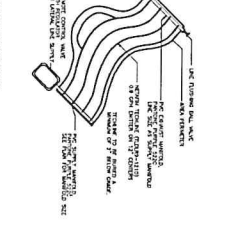
9 SUPPLY/EXHAUST MANIFOLD
 1/4" = 1'-0"



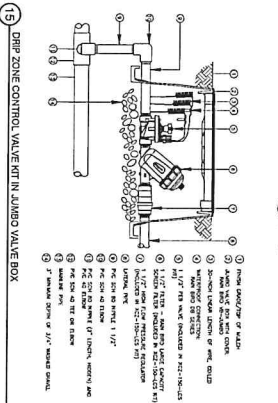
10 ZONE CONTROL
 1/4" = 1'-0"



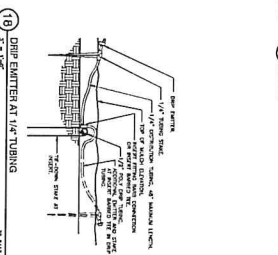
11 DRIP AIR RELIEF VALVE IN BOX
 1/4" = 1'-0"



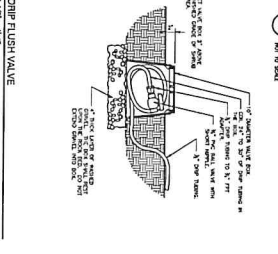
12 IRREGULAR AREAS
 1/4" = 1'-0"



13 DRIP ZONE CONTROL VALVE WITH IN-LINE VALVE BOX
 1/4" = 1'-0"

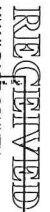


**14 DRIP AIR EMITTERS AT 1/4\"/>
 1/4" = 1'-0"**



15 DRIP FLUSH VALVE
 1/4" = 1'-0"

SHEET NUMBER IR-350	MARQUIS HEALTH PREPARED FOR TRYKO PARTNERS	MIAMI-DADE COUNTY FL	THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY MATTHEW VINCENT MCKENNA/LA6667406 ON DATE ADJACENT TO SEAL.	PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.	THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MATTHEW VINCENT MCKENNA/LA6667406 ON THE DATE ADJACENT TO THE SEAL.
			KHA PROJECT 14,135,3000 DATE OCT. 2024 SCALE AS SHOWN DESIGNED BY MW DRAWN BY CF CHECKED BY MW	10/29/2024 No. LA6667406 STATE FL	Kimley-Horn © 2024 KIMLEY-HORN AND ASSOCIATES, INC. 2 ALHAMBRA PLAZA, SUITE 500, CORAL GABLES, FL 33134 PHONE: 305-873-2925 WWW.KIMLEY-HORN.COM RECOVERY NO. 695



This document, together with the concepts and design presented herein, is an instrument of service, it is intended only for the specific purpose and client for which it was prepared. Review of and approval by the client is required. This document is not to be used for any other purpose without the written authorization and approval by Kimley-Horn and Associates, Inc. For the protection of Kimley-Horn and Associates, Inc., the client agrees to indemnify and hold Kimley-Horn and Associates, Inc. harmless from and against all claims, damages, losses, and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by Kimley-Horn and Associates, Inc. in connection with the performance of its professional services under this contract, whether or not such claims, damages, losses, and expenses are caused in whole or in part by the negligence of Kimley-Horn and Associates, Inc. This agreement shall survive the termination or expiration of this contract.

229 AUTOMATIC CONTROL VALVE

The automatic remote control valves shall be as specified on the plans, or approved equal.

- A. Globe valves for 3/4" through 2 1/2" shall be of brass or bronze construction, with wedge gate, operating from hand-wheel opening handle, for a maximum working pressure of 150 PSI.
- B. Gate valves for 2" and larger from body, brass or bronze remote control valves, with wedge gate, operating from hand-wheel opening handle, for a maximum working pressure of 150 PSI. Valves shall be equipped with a square operating stem.

211 VALVE BOXES

- A. For gate valves, use ADETECT #10-010 box with 10-010-010 locking lid, as per the drawings.
- B. For control valves, use 3/4" through 2" the dip valve assemblies, use ADETECT #10-014 box with 10-014-010 locking lid, or sized as per the drawings.
- C. For control valve valves, use ADETECT #10-010 box with 10-010-010 locking lid, as per the drawings.

212 BRONZE WRENCH

- A. Working end of wrench shall be of bronze construction, with a square opening for the valve stem.
- B. Contractor shall perform an annual or period to ensure adequate protection against damage and prevent flying bolts.

213 MISCELLANEOUS MATERIALS

- A. Damaged Bolts: Cleaned and re-used bolts, graded from 1" minimum to 3/4" maximum.
- B. Manufacture Unthreaded Pipe: The standard, unthreaded pipe, ranging from 1/2" to 24" nominal diameter, shall be of steel, with a minimum yield strength of 35,000 psi. The pipe shall be of standard wall thickness, with a maximum of 10% variation in wall thickness. The pipe shall be of standard wall thickness, with a maximum of 10% variation in wall thickness. The pipe shall be of standard wall thickness, with a maximum of 10% variation in wall thickness.
- C. For control valve valves, use ADETECT #10-010 box with 10-010-010 locking lid, as per the drawings.

214 HYDRAULIC CONTROL SYSTEM

- A. Independent Station Controller: Furnish a self-contained, stand-alone controller, as specified on the plans. Each station shall be capable of operating from zone (Z) remote or 24-hour manual in one (1) minute increments. The controller shall be capable of operating from zone (Z) remote or 24-hour manual in one (1) minute increments.
- B. The controller shall be capable of operating from zone (Z) remote or 24-hour manual in one (1) minute increments.
- C. The controller shall be capable of operating from zone (Z) remote or 24-hour manual in one (1) minute increments.
- D. The controller shall be capable of operating from zone (Z) remote or 24-hour manual in one (1) minute increments.

PART II, SECTION

310 INSPECTION

The Contractor shall ensure the areas and conditions under which inspection requires systems to be installed and tested. The Contractor shall ensure the areas and conditions under which inspection requires systems to be installed and tested. The Contractor shall ensure the areas and conditions under which inspection requires systems to be installed and tested.

302 PREPARATION

The Contractor shall provide adequate protection for existing utilities and structures. The Contractor shall provide adequate protection for existing utilities and structures. The Contractor shall provide adequate protection for existing utilities and structures.

310 TRENCHING AND BACKFILLING

- A. Excavation: The Contractor shall excavate to the bottom of each run of pipe, trench, utility, and other structures. The Contractor shall excavate to the bottom of each run of pipe, trench, utility, and other structures. The Contractor shall excavate to the bottom of each run of pipe, trench, utility, and other structures.
- B. Backfilling: The Contractor shall backfill the excavation with approved material. The Contractor shall backfill the excavation with approved material. The Contractor shall backfill the excavation with approved material.

304 INSTALLATION OF PIPING

- A. Pipe and Joints: The Contractor shall install pipe and joints in accordance with the drawings. The Contractor shall install pipe and joints in accordance with the drawings. The Contractor shall install pipe and joints in accordance with the drawings.
- B. Pipe and Joints: The Contractor shall install pipe and joints in accordance with the drawings. The Contractor shall install pipe and joints in accordance with the drawings. The Contractor shall install pipe and joints in accordance with the drawings.

305 IDENTIFICATION PROCEDURES

- A. Identification: The Contractor shall identify all pipes, valves, and other components. The Contractor shall identify all pipes, valves, and other components. The Contractor shall identify all pipes, valves, and other components.
- B. Identification: The Contractor shall identify all pipes, valves, and other components. The Contractor shall identify all pipes, valves, and other components. The Contractor shall identify all pipes, valves, and other components.
- C. Identification: The Contractor shall identify all pipes, valves, and other components. The Contractor shall identify all pipes, valves, and other components. The Contractor shall identify all pipes, valves, and other components.

307 CONDUIT AND SLEEVES

The Contractor shall provide and install all conduits and sleeves. The Contractor shall provide and install all conduits and sleeves. The Contractor shall provide and install all conduits and sleeves.

309 CONTROLS

- A. Control: The Contractor shall provide and install all control equipment. The Contractor shall provide and install all control equipment. The Contractor shall provide and install all control equipment.
- B. Control: The Contractor shall provide and install all control equipment. The Contractor shall provide and install all control equipment. The Contractor shall provide and install all control equipment.

310 CONTROL WIRE

- A. Control Wire: The Contractor shall provide and install all control wire. The Contractor shall provide and install all control wire. The Contractor shall provide and install all control wire.
- B. Control Wire: The Contractor shall provide and install all control wire. The Contractor shall provide and install all control wire. The Contractor shall provide and install all control wire.

310 SPINNIER HEADS

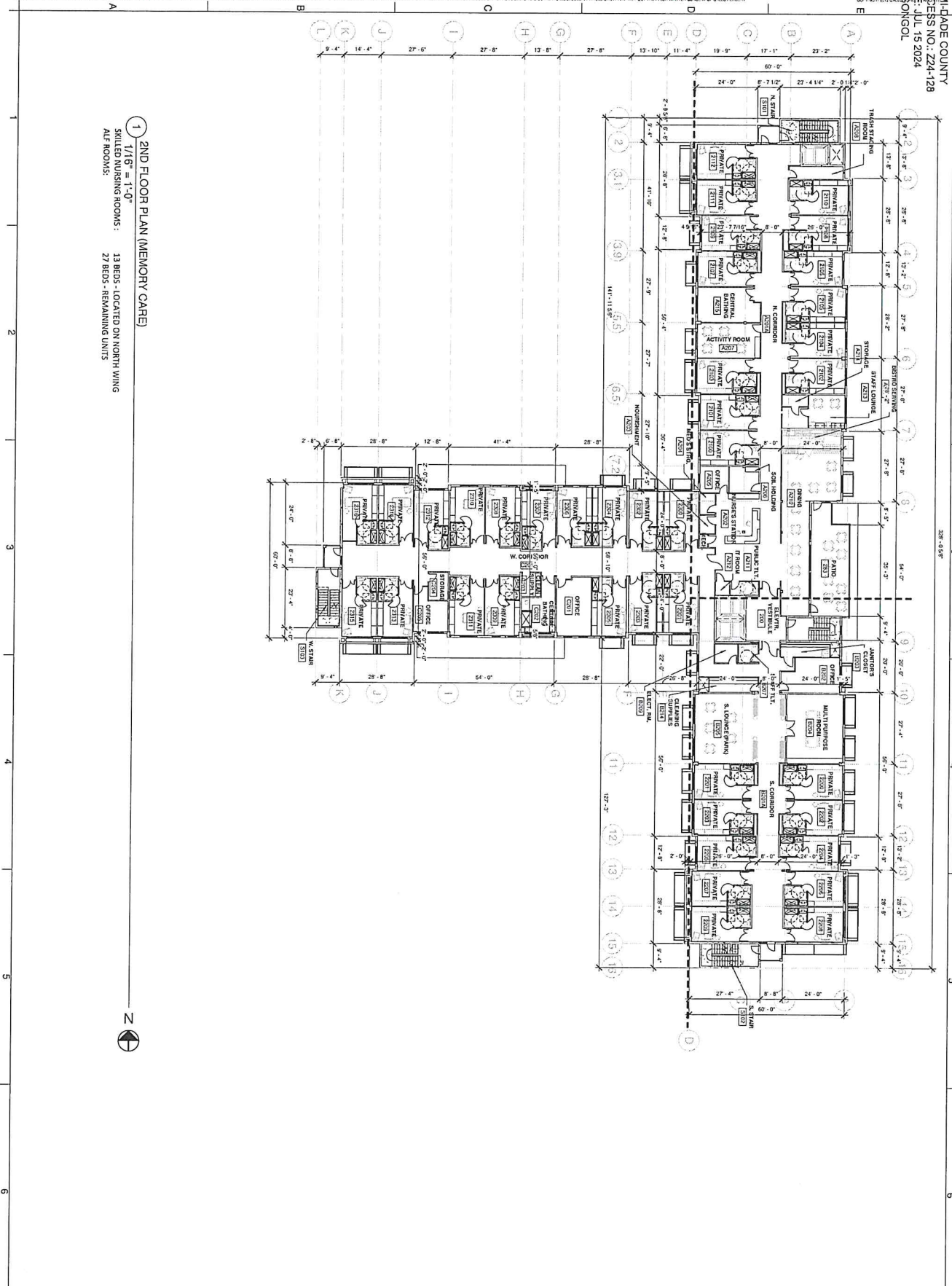
- A. Spinner Head: The Contractor shall provide and install all spinner heads. The Contractor shall provide and install all spinner heads. The Contractor shall provide and install all spinner heads.
- B. Spinner Head: The Contractor shall provide and install all spinner heads. The Contractor shall provide and install all spinner heads. The Contractor shall provide and install all spinner heads.

311 CONTROL

- A. Control: The Contractor shall provide and install all control equipment. The Contractor shall provide and install all control equipment. The Contractor shall provide and install all control equipment.
- B. Control: The Contractor shall provide and install all control equipment. The Contractor shall provide and install all control equipment. The Contractor shall provide and install all control equipment.

<p>THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY MATTHEW VINCENT MOVENSKI L4667406 ON DATE ADJACENT TO SEAL</p>	<p>PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON AN ELECTRONIC COPIES.</p>	<p>THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MATTHEW VINCENT MOVENSKI L4667406 ON THE DATE ADJACENT TO THE SEAL.</p>	
<p>KHA PROJECT 14.13.03.000 DATE OCT. 2024 SCALE AS SHOWN DESIGNED BY CF DRAWN BY MW CHECKED BY MW</p>		<p>Kimley»Horn © 2024 KIMLEY-HORN AND ASSOCIATES, INC. 2 ALHAMBRA PLAZA, SUITE 500, CORAL GABLES, FL 33134 WWW.KIMLEY-HORN.COM REGISTRY NO. 695</p>	<p>SHEET NUMBER IR-352</p>
<p>MARQUIS HEALTH PREPARED FOR TRYKO PARTNERS MIAMI-DADE COUNTY</p>	<p>IRRIGATION SPECIFICATIONS</p>	<p>P & Z Resubmission P & Z Resubmission</p>	<p>10/21/2024 10/24/2024</p>

CONTRACTOR(S) SHALL VERIFY EXISTING CONDITIONS AND CORRELATE DIMENSIONS PRIOR TO PROVIDING THE WORK DETAILED IN THESE DRAWINGS, AND SHALL PROMPTLY NOTIFY THE DESIGNER OF ANY DISCREPANCIES. THE LOCATION OF THE FLOOR FINISH SHALL BE UNDER THE GRIDLINE UNLESS OTHERWISE NOTED. THE LOCATION OF THE FLOOR FINISH SHALL BE UNDER THE GRIDLINE UNLESS OTHERWISE NOTED.



1 2ND FLOOR PLAN (MEMORY CARE)
 1/16" = 1'-0"
 SKILLED NURSING ROOMS: 13 BEDS - LOCATED ON NORTH WING
 A/F ROOMS: 27 BEDS - REMAINING UNITS

MARQUIS HEALTH
 TRIVIO PARTNERS
 8025 SW 72ND BL, MIAMI, FL 33171

GHA
 ARCHITECTS & DEVELOPMENT CONSULTANTS

PROJECT: MARQUIS HEALTH TRIVIO PARTNERS
 8025 SW 72ND BL, MIAMI, FL 33171

DATE: 05-31-24
 DRAWN BY: 82-23
 CHECKED BY: 82-23

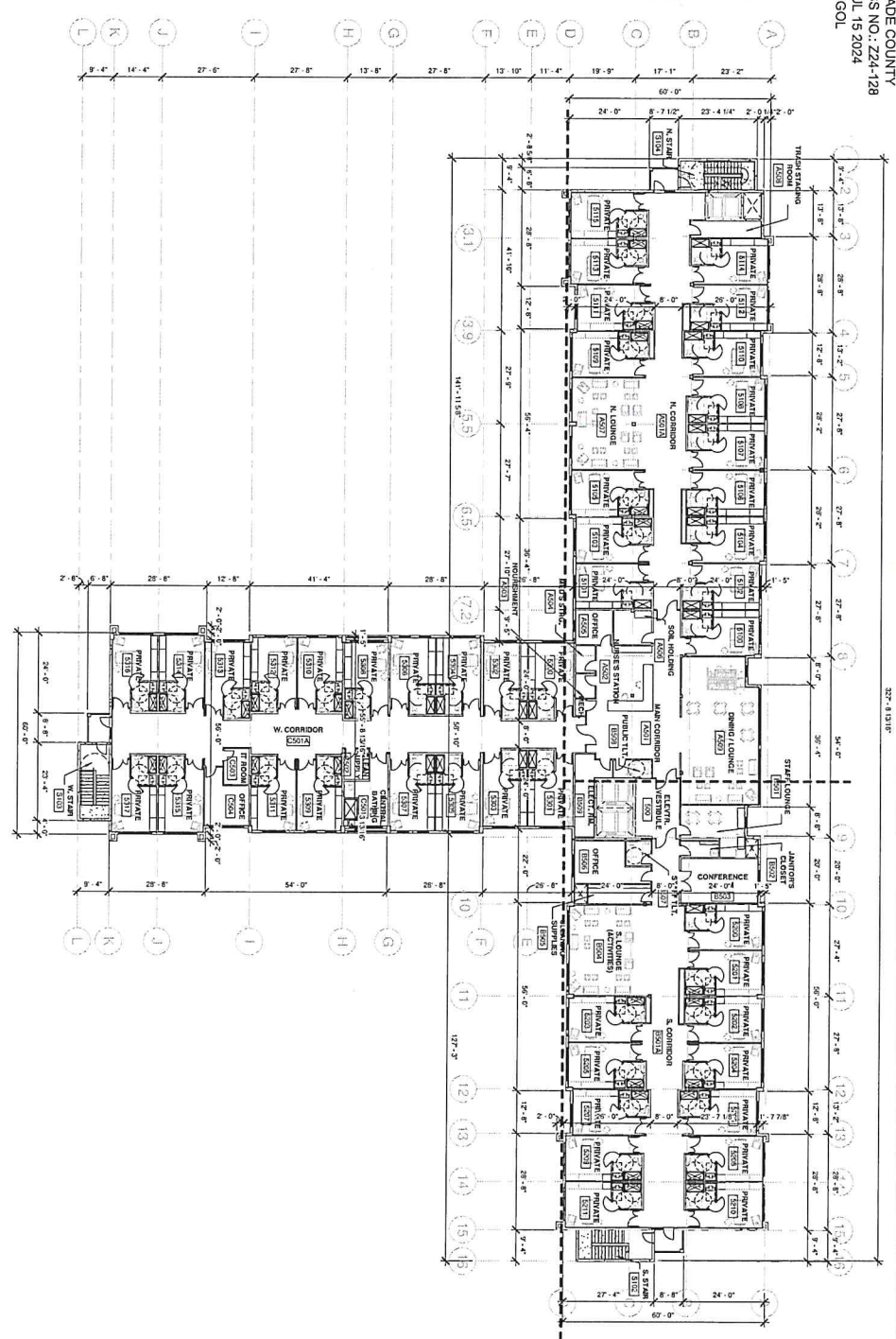
2ND FLOOR PLAN - OVERALL

DESIGN NUMBER: A-102

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-128
DATE: JUL 15 2024
BY: GONGSOL

CONTRACTOR(S) SHALL VERIFY EXISTING CONDITIONS AND CORRELATE DIMENSIONS PRIOR TO PROVIDING THE WORK DETAILED IN THESE DRAWINGS, AND SHALL PROMPTLY NOTIFY THE DESIGNER OF ANY DISCREPANCIES.
THIS IS A PORTION OF THE PLAN FOR RFP #15-24-0001. THESE ARE THE DESIGNER'S ORIGINAL DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION AND SHALL NOT BE HELD RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS.



1 5TH FLOOR PLAN (SUBCUT)
1/16" = 1'-0"
5TH FLOOR
ALL ROOMS: 46 BEDS - ENTIRE FLOOR

1 2 3 4 5 6

REVISIONS

No.	Description	Date

DESIGNED BY: RAZ
SUBMITTAL
DATE: 05-31-24
CHECKED BY: [Signature]
DATE: 02-23

PROJECT: 5TH FLOOR PLAN-OVERALL

SCALE: 1/16" = 1'-0"

PROJECT NO.: A-105

PROJECT: MARQUIS HEALTH TRINCO PARTNERS
8225 SW 72ND ST, MIAMI, FL 33173

ARCHITECT: GHA ARCHITECTS & DEVELOPMENT CONSULTANTS
1000 BROADWAY, SUITE 2000, MIAMI, FL 33130

DATE: 05-31-24

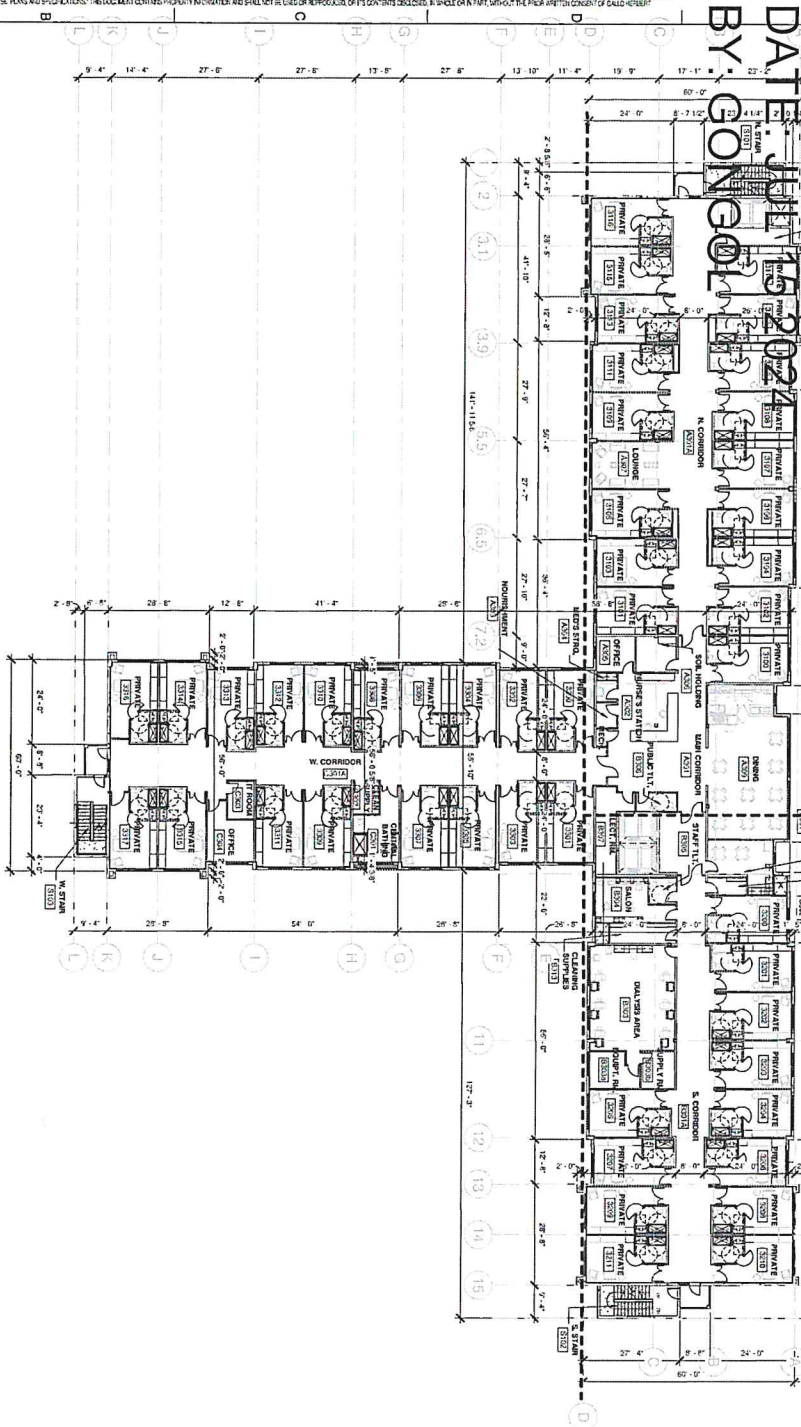
PROJECT NO.: A-105

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO. Z24-128

DATE: 11/15/2024
BY: CONGOLO



① 3RD FLOOR PLAN (LONG TERM CARE)
1/16" = 1'-0"
3RD FLOOR
SKILLED NURSING ROOMS: 47 BEDS - ENTIRE FLOOR



2 3 4 5 6

GHA
ARCHITECTS & DEVELOPMENT CONSULTANTS

15250
D WILKINSON BLVD. FT. LAUDERDALE, FL 33309
Digitally signed by Brian Heidert
Date: 2024.09.23 13:47:10 -04'00'
Brian Heidert
2024.09.23 13:47:10 -04'00'

MARQUIS HEALTH
TIMKO PARTNERS
2025 SW 72ND ST. MIAMI, FL 33179

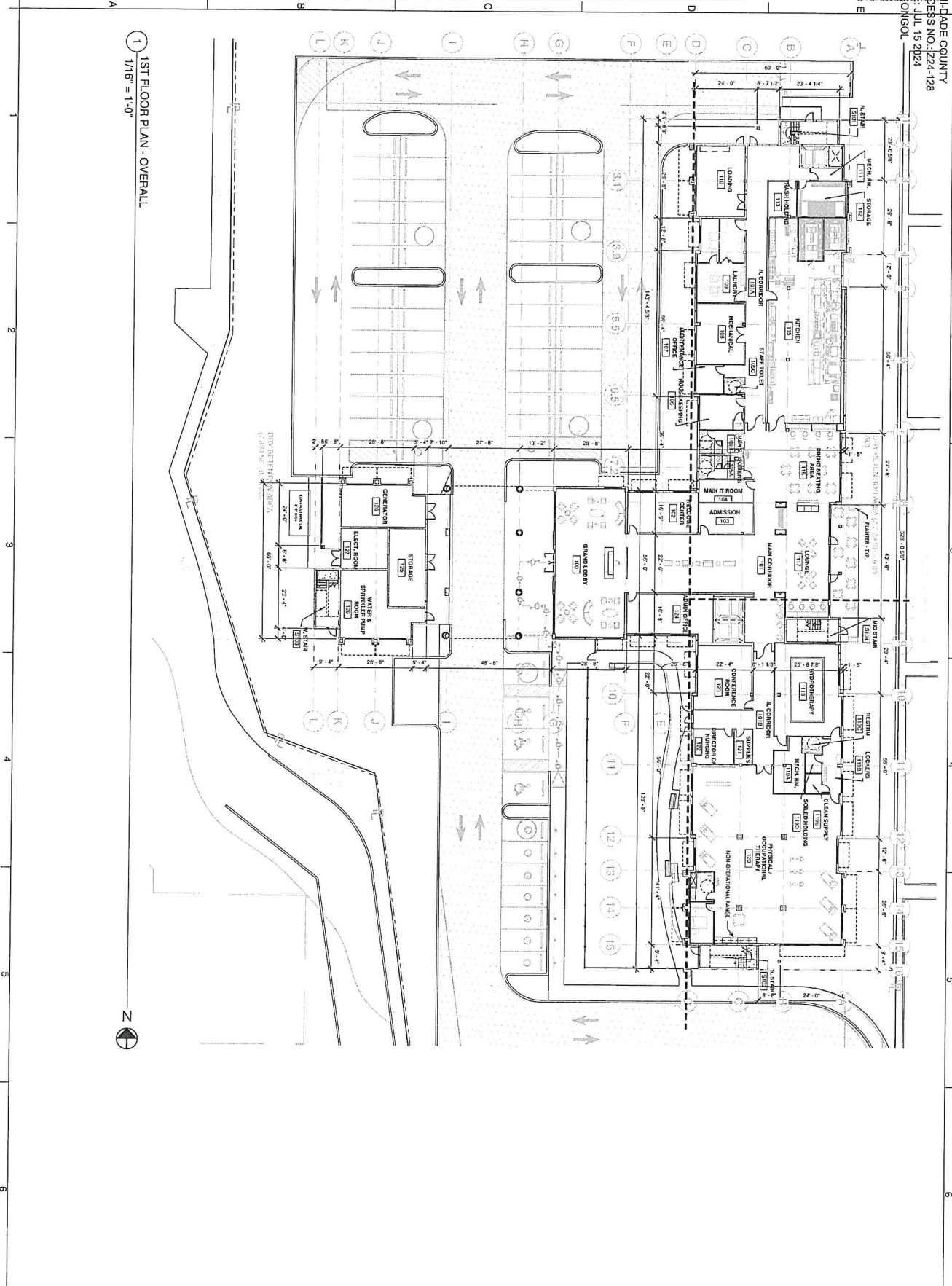
REVISIONS

NO.	DESCRIPTION	DATE

PREPARED BY: P&Z
SUBMITTED: 09-23-24
DATE: 09-23-24
DESIGNED BY: L.S.
DATE: 08-23
PROJECT: 3RD FLOOR PLAN - OVERALL

A-103

CONTRACTOR(S) SHALL VERIFY EXISTING CONDITIONS AND CORRELATE DIMENSIONS PRIOR TO PROVIDING THE WORK DETAILED IN THESE DRAWINGS, AND SHALL PROMPTLY NOTIFY THE DESIGNER OF ANY DISCREPANCIES. THIS AGREEMENT OF THE USER FOR ANY PERSON OR ENTITY ACTING UNDER THE EFFECT OF A LICENSED ARCHITECT TO ALTER THESE PLANS AND SPECIFICATIONS; THE DOCUMENT CONTAINS PROPERTY INFORMATION AND SHALL NOT BE USED OR REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.



1 1ST FLOOR PLAN - OVERALL
 1/16" = 1'-0"

MARQUIS HEALTH
 TRINCO PARTNERS
 8025 SW 72nd St, Miami, FL 33173

GHA
 ARCHITECTS & DEVELOPMENT CONSULTANTS

WILLIAM J. DALTON, ARCHITECT

NO.	DESCRIPTION	DATE

REVISIONS

NO. DESCRIPTION DATE

1 P&Z SUBMITTAL 05-31-24

2 02-23

DESIGNED BY: ANTONIO J. J. L. S. (1001)

CHECKED BY: ANTONIO J. J. L. S. (1001)

DATE: 05-31-24

PROJECT: 1224-128

1ST FLOOR PLAN - OVERALL

A-101

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z24-128

DATE: JUL 15 2024

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: West Gables Property LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
See attached	

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

TRUST/ESTATE NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>

Subject Property
Legal Description
(continued)

MIAMI-DADE COUNTY
PROCESS NO.: Z24-128
DATE: JUL 15 2024
BY: GONGOI

Address or
Location of
Property

For location, use description such as NE corner of, etc.:
9025 SW 72 Street, Miami-Dade County

Size of Property

In acres: 2.5

Date Property
Acquired/Leased

acquired leased: July 2021 (month and year)
Lease term (years):

Contiguous
Property

Is contiguous property owned by the subject property owner(s)? no yes
If yes, provide complete legal description of said contiguous property.

Option to
Purchase

Is there an option to purchase or lease the subject property or property contiguous thereto?
no yes (If yes, identify intended purchaser or lessee and complete 'Disclosure of Interest'
form.)

Present Zoning

RU-4M

Application
Requests

- District Boundary(zone) Changes [Zone(s) requested]: Alternative request: RU-4M to RU-4
- Unusual Use: Group Residential Facility (nursing home) - Section 33-13(e)(i)(26)
- Use Variance: from maximum FAR and minimum parking requirements - Section 33-311(A)(4)(b).
- Non-Use Variance: Alternative request: from minimum open space, setbacks and minimum parking requirements - Section 33-311(A)(4)b
- Alternative Site Development Option:
- Special Exception:
- Modification of Previous Resolution/Plan [provide resolution number(s)]:
- Modification of Declaration or Covenant [provide recording book(s) and page]:

RECEIVED

MIAMI-DADE COUNTY

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

PROCESS NO: 224-128
DATE FILED: 15 2024
BY: JONGOL

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

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

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

Signature: [Handwritten Signature]
(Applicant)

Sworn to and subscribed before me this 10 day of May, 2024. Affiant is personally known to me or has produced _____ as identification.

[Handwritten Signature]
(Notary Public)

My commission expires 10-21-2028

ELIZABETH DUERR
 Commission # 2379190
 Notary Public, State of New Jersey
 My Commission Expires
 October 21, 2028

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

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z24-128

DATE: JUL 15 2024

BY: GONGOL

(Space reserved for Clerk)

OWNERSHIP AFFIDAVIT FOR LIMITED LIABILITY COMPANY

STATE OF New Jersey

Public Hearing No. _____

COUNTY OF Ocean

Before me, the undersigned authority, personally appeared Yitzchok Rokowsky and _____, hereinafter the Affiant(s), who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the ~~president, vice-president or CEO~~ of the West Gables Property LLC ~~Corporation~~, with the following address: 9025 SW 72 Street, Miami, FL

2. The ~~Corporation~~ ^{Company} owns the property, which is the subject of the proposed hearing.

3. The subject property is legally described as: See attached.

4. Affiant is legally authorized to file this application for public hearing.

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

Witnesses:

[Signature]
Signature

Elizabeth Owen
Print Name

[Signature]
Signature

Jonathan Rhoades
Print Name

[Signature]
Affiant's signature

yitzchok Rokowsky
Print Name

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z24-128

DATE: JUL 15 2024

(Space reserved for Clerk)

BY: GONGOL

Sworn to and subscribed before me on the 10 day of May, 2024.

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



Notary Public Signature

Elizabeth Swann

Print Name

State of New Jersey

My Commission Expires: 10-21-28

RECEIVED

Zoning Hearing Application

MIAMI-DADE COUNTY

PROCESS NO.: Z24-128

DATE: JUL 15 2024

Acknowledgement by Applicant

1. RER Platting and Traffic Review Section, RER Division of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Platting and Traffic conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.
5. Any covenant to be proffered must be submitted to the Department on County forms, at least 1 month prior to the hearing date. The covenant will be reviewed, and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Department must carry a cover letter indicating subject matter, application number and hearing date.

x [Signature]
 (Applicant's Signature)

Yitzhak Rokowsky
 (Print Name of Applicant)

Commission expires: _____

Sworn to and subscribed to before me on the
10 day of May, 2024

Affiant is personally known to me or has produced _____

[Signature] as identification
 Notary Public

Print Name: Elizabeth Duerr

ELIZABETH DUERR
 Commission # 2379190
 Notary Public, State of New Jersey
 My Commission Expires
 October 21, 2028



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-128
DATE: JUL 15 2024
BY: GONGOL

(Space reserved for Clerk)

OWNERSHIP AFFIDAVIT FOR LIMITED LIABILITY COMPANY

STATE OF New Jersey Public Hearing No. _____

COUNTY OF Ocean

Before me, the undersigned authority, personally appeared Yitzchok Rokowsky and _____, hereinafter the Affiant(s), who being first duly sworn by me, on

oath, deposes and says: Manager Company

1. Affiant is the ~~president, vice-president or CEO~~ of the West Gables Property LLC ~~Corporation~~, with the following address: 9025 SW 72 Street, Miami, FL

2. The ~~Corporation~~ Company owns the property, which is the subject of the proposed hearing.

3. The subject property is legally described as: _____
See attached.

4. Affiant is legally authorized to file this application for public hearing.

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

Witnesses:

[Signature]
Signature

Elizabeth Owen
Print Name

[Signature]
Signature

Jonathan Rhoades
Print Name

X [Signature]
Affiant's signature

yitzchok Rokowsky
Print Name

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z24-128


DATE: JUL 15 2024

(Space reserved for Clerk)

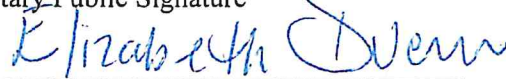
BY: GONGOL

Sworn to and subscribed before me on the 10 day of May, 2024.

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



Notary Public Signature



Print Name

State of New Jersey

My Commission Expires: 10-21-28

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MIAMI-DADE COUNTY

PROCESS NO.: Z24-128

DATE: JUL 15 2024

BY: GONGOL

Legal Description of the Property

A portion of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 54 South, Range 40 East, situate, lying and being in Dade County, Florida, more particularly described as follows:

COMMENCE at the SW Corner of the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 54 South, Range 40 East; thence run S89°53'59"E along the South Line of said Section 28 for a distance of 213.63 feet for the POINT OF BEGINNING; thence run N07°29'44"W for a distance of 186.59 feet to a point; thence run N70°00'24"W for a distance of 45.35 feet to a point; thence run N17°40'00"W for a distance of 105.00 feet to a point; thence run N17°37'35"E for a distance of 57.71 feet to a point; thence run North parallel to the West Line of the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 28 for a distance 113.45 feet to a point; thence run S89°53'33"E for a distance of 259.36 feet to a point; thence run South for a distance of 468.83 feet to a point on the South Line of said Section 28; thence run N89°53'59"W for a distance of 178.02 feet to the Point of Beginning.

Containing a Gross Area of 108,909 Square Feet or 2.50 Acres, more or less, by calculations.

RECEIVED

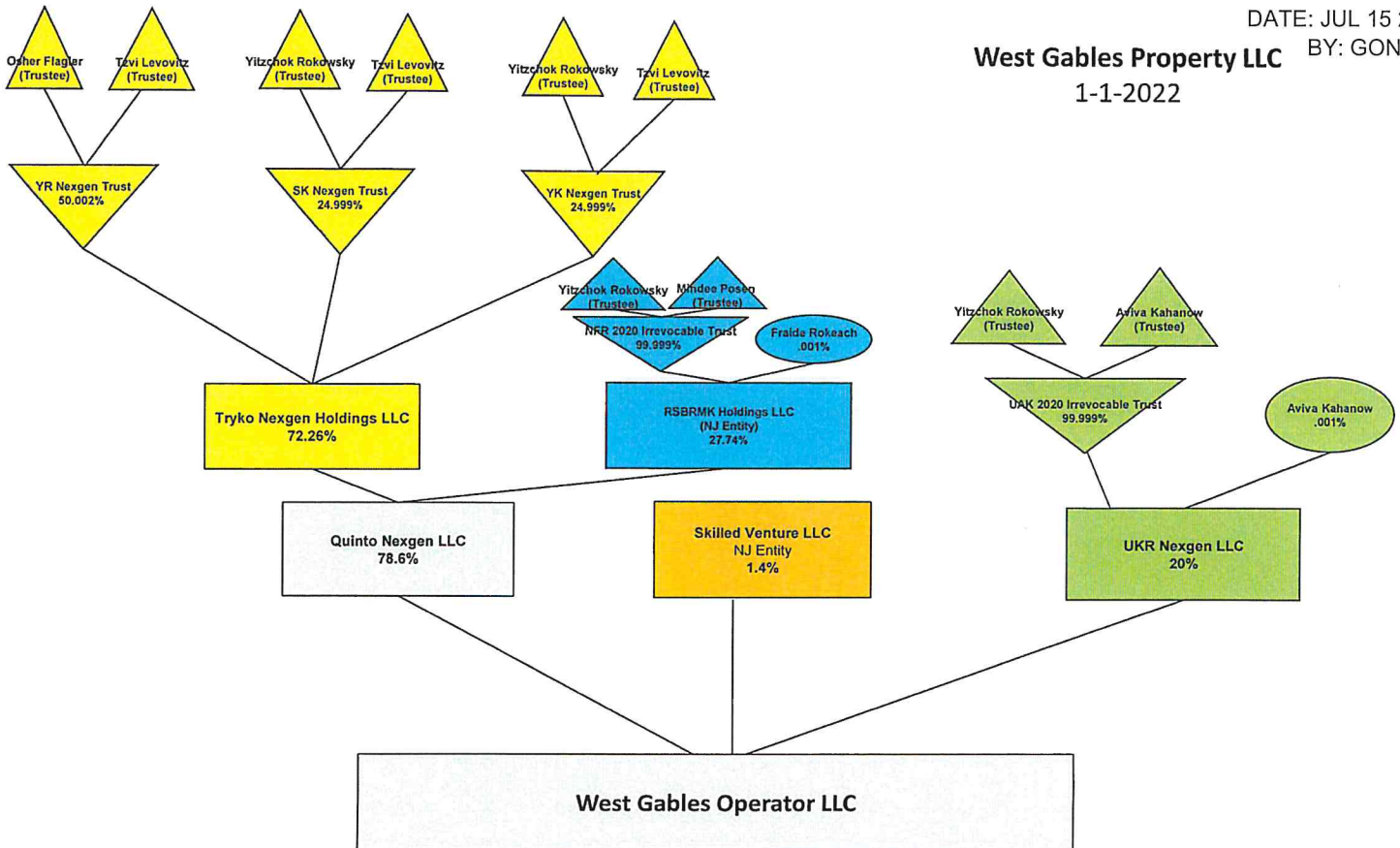
MIAMI-DADE COUNTY

PROCESS NO.: Z24-128

DATE: JUL 15 2024

West Gables Property LLC BY: GONGOL

1-1-2022



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MIAMI-DADE COUNTY
PROCESS NO.: Z24-128
DATE: JUL 15 2024
BY: GONGOL



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MIAMI-DADE COUNTY

PROCESS NO.: Z24-128

DATE: JUL 15 2024

BY: GONGOL



**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Zoning Appeals Board No. 12**

PH: Z24-011

February 27, 2025

Item No.1

Recommendation Summary	
Commission District	10
Applicants	Nickaley Trust Holdings, LLC. & Curby, Corp.
Summary of Requests	The applicant seeks to allow a district boundary change from AU (minimum 5-gross acre lot) to RU-1 (minimum 7,500 sq. ft. lot) which could allow the property to be developed with more residential units than currently allowed.
Location	9330 SW 66 Street, Miami-Dade County, Florida.
Property Size	±1.23-gross (±1.14-net) acres
Existing Zoning	AU, Agricultural District
Existing Land Use	Duplex
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, District Boundary Change <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval, subject to the Board's acceptance of the proffered covenant.

REQUEST:

DISTRICT BOUNDARY CHANGE from AU, Agricultural District to RU-1, Single-Family Residential District.

PROJECT DESCRIPTION:

The applicant seeks to rezone the ±1.23-gross (±1.14-net) acres subject property from AU, Agricultural District, to RU-1, Single-Family Residential District, which could allow the property to be developed with more residential units than currently allowed. Staff notes that there were no plans submitted for this subject application. However, a zoning covenant is being voluntarily proffered by the applicant that, among other things, restricts the development on the subject property to a maximum of two (2) single-family residential units.

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

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

NEIGHBORHOOD COMPATIBILITY:

The ±1.23-gross (±1.14-net) acres which is currently occupied by a duplex is located at 9330 SW 66 Street. Staff notes that the subject property is surrounded by properties that are residential in nature with EU-M zoned properties to the North, AU and RU-1 to the South, RU-1 to the east and EU-1 to the West, all of them developed with single family-residences.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to rezone the subject property to RU-1, Single Family Residential District, in order to provide additional housing in this area, which could have traffic impacts as well as impacts on other County services. Based on memoranda from the departments reviewing this application, the additional impacts will be minimal and will not cause their facilities and services to operate below their adopted levels of service standards. The Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) state in their memorandum that the application meets the traffic concurrency criteria, does not exceed the acceptable Level of Service (LOS) on the neighboring roadways and will generate approximately 2 PM peak hour vehicle trips. Staff notes that the application requests will add to the population in the area, impact water and sewer services, and may bring additional noise into the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The ±1.23-gross 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 Low-Density Residential category allows a range in density “from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre” and “is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses”. It could also include “a mixture or housing types, provided that the maximum gross density is not exceeded.” The Low-Density Residential category allows development of the 1.23-gross acre subject site with a maximum of **seven (7) residential units**. The applicants seek a district boundary change on the subject site from AU to RU-1 (Single-Family Residential District) that would allow the development of the ±1.14-net acre subject parcel with up to six (6) residential units which is **consistent** with the maximum density threshold allowed under the CDMP. However, staff notes that the applicant has voluntarily proffered a Zoning Declaration of Restrictions which, among other things, restricts the development on the subject property to a maximum of two (2) single-family residential units. Therefore, staff opines that approval of the rezoning of the subject property to RU-1 would be **consistent** with the density threshold of **Low-Density Residential** designation on the CDMP LUP map.

Additionally, staff opines that the rezoning would be consistent with CDMP policies that require the County to give priority to infill development and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development, where urban services and facilities have the capacities to accommodate additional demand. Furthermore, the CDMP Land Use Element **Objective LU-4**, states that *Miami-Dade County shall, by the year 2030, reduce the number of land uses, which are inconsistent with the uses*

designated on the LUP map and interpretive text, or with the character of the surrounding community. Therefore, subject to the Board's acceptance of the proffered covenant, staff opines that the rezoning of the subject property to RU-1 would be **compatible** with the surrounding area and **consistent** with the uses allowed under the **Low-Density Residential** Land use category text and the density threshold of CDMP Low Density Residential Communities LUP map designation. Staff further opines that approval of the application will not create any significant impacts which will disrupt or degrade the safety and tranquility of the neighboring properties and would be **compatible** with the surrounding area based on the Zoning Analysis below.

ZONING ANALYSIS:

The applicant seeks approval of a request for a district boundary change from AU, Agricultural District, to RU-1, Single-Family Residential District. For the reasons stated above and below, staff opines that when the request to rezone the ±1.23-gross (±1.14-net) acres acre parcel to RU-1 is analyzed under Section 33-311, District Boundary Change, the approval of the application would not have an unfavorable impact on the environment, the natural resources, or the economy of the County and would be **compatible** with the surroundings when considering the necessity and reasonableness in relation to the present and future development of the area concerned. Section 33-311 of the Code states that the purpose of the Code is to provide a comprehensive plan and design to, among other things, lessen congestion on the highways and promote convenience and general welfare, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses. Staff supports the district boundary change and opines that the request for a zone change on the subject property to RU-1 would be **consistent** with the aforementioned CDMP designation of the parcel on the CDMP Land Use Plan map, and would be **compatible** with the natural transition of residential zoning trend of development in the surrounding area.

Staff notes that the subject property is located at 9330 SW 66 Street. Based on the submitted Survey the subject parcel is comprised of one parcel which is ±1.23-gross (±1.14-net) acres of land area and consist of one single-family residence. Staff opines that the RU-1 zoning district on the subject parcel will create a harmonious transition between the single-family residences that are located to the north, south, and east of the subject site, and would not alter the residential development trend within the surrounding community. Under the requested RU-1 zoning district regulations, the site could be developed with up to six (6) single-family residences. However, staff notes that the applicant has voluntarily proffered a Zoning Declaration of Restrictions, which limits that the residential density on the subject property to a maximum of two (2) single-family residential units. In addition, staff's research of the surrounding area found several similar approvals for rezoning applications. For example, in 1970, the Board of Commissioners approved a rezoning from AU to RU-1, pursuant to Resolution #Z-3-71, to allow the parcel located immediately to the east of the subject site that is currently built with 4 single-family detached residences. Also, in 1993, the parcel immediately to the south was approved for a rezoning from AU to RU-1 which allowed the parcel to be developed with 2 single-family residences. Based on the foregoing, staff opines that the proposed rezoning and allowable densities for residential development on the subject site would be **compatible** with the development trend within the surrounding area and with the County's policies to appropriately increasing residential densities and intensities of development within the UDB, and the rezoned property will act as a reasonable transition between the existing single-family detached residences located to the north, south and west of the subject site.

It is important to mention, that the applicant has not submitted a site plan that is part of this application. Based on the configuration and layout of the proposed number of dwelling units that

would be developed on the subject site, if any variances from the zoning code are needed on those future properties, the applicant may need to come back before this Board to seek those variances.

Staff notes that based on the memoranda submitted by other departments reviewing the application, approval of the request will not cause their facilities and services to operate below their adopted levels of service standards. Further, staff opines that approval of this request will not have a negative impact on the surrounding roadways or transportation facilities based on the recommendations and/or information contained in the memoranda from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER). Their memorandum also indicates that the proposed development will meet the traffic concurrency criteria for an Initial Development Order. Said memorandum indicates that the proposed development will generate 2 PM daily peak hour vehicle trips, which does not exceed the acceptable Level of Service (LOS) on the surrounding roadways as specified in the memorandum, dated March 26, 2024. Additionally, staff notes that the memorandum from the Environmental Division of RER indicates that the proposed rezoning meets the Level of Service (LOS) standards for an initial development order and therefore will not have an unfavorable impact on the natural resources of Miami-Dade County. In addition, the other departments reviewing the application, including the Miami-Dade Fire Rescue Department and the Water and Sewer Department, do not object to the application. Based on the aforementioned department memoranda, staff opines that the request for rezoning will not result in, among other things, excessive noise or cause undue or excessive burden on public facilities. As such, staff opines that approval of the request to rezone the subject parcel to RU-1, would be **compatible** with the character of the surrounding neighborhood, when considering the necessity and reasonableness of the rezoning in relation to the present and future development of the area. **Staff, therefore, recommends approval of this application under Section 33-311, District Boundary Change, subject to the Board's acceptance of the proffered covenant.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: Not applicable.

RECOMMENDATION:

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

CONDITIONS FOR APPROVAL: None.

ES:JB:SS:EA:PM



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

ZONING RECOMMENDATION ADDENDUM

Nickaley Trust Holdings, LLC & Curby Corp
PH: Z24-011

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

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

Low Density (Pg. I-31)	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 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>
Objective LU-4 (Pg. I-8)	<i>Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) Section 33-311 <i>provides that the Board shall take into consideration, among other factors the extent to which:</i></p> <p style="padding-left: 40px;">(1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i></p>
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ZONING RECOMMENDATION ADDENDUM

Nickaley Trust Holdings, LLC & Curby Corp.
PH: Z24-011

	<p>(2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i></p> <p>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></p> <p>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></p> <p>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></p>
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Building and Neighborhood Compliance

ENFORCEMENT HISTORY

CURBY CORP/CURBELO, ROBERT

9330 SW 66 ST
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2024000011

DATE

HEARING NUMBER

FOLIO: 30-4028-004-0620

REVIEW DTE OF CURRENT ENFORCEMENT HISTORY:

March 22, 2024

NEIGHBORHOOD REGULATIONS OPEN:

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases in BSS.

VIOLATOR:

CURBY CORP/CURBELO, ROBERT

OUTSTANDING LIENS AND FINES:


There are no outstanding lien or fines.

Memorandum

MIAMI-DADE
COUNTY

Date: February 13, 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: Z2024000011-2nd Review
Nickaley Trust Holdings LLC and Curby Corp
9330 SW 66th Street
DBC from AU to RU-1 to split parcel to develop maximum of two (2)
single family residential homes.
(AU) (1.25 acres)
38-54-40

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 sections 24-43.1 and 24-43(5) of the Code related to potable water service and wastewater disposal and wellfield protection area, respectively.

Wellfield Protection

The subject property is located within the basic Wellfield Protection Area of the Alexander Orr Wellfield. The site is situated within the 100-day travel time contour of said Wellfield. Since the subject request is for residential development, a covenant prohibiting hazardous materials 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

According to DERM records, the subject property is currently connected to public water, connection of the proposed development to the public water supply system shall be required in accordance with Code requirements.

Existing public water 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.

Conditions of Approval: None

Wastewater Disposal

This request for a district boundary change from AU to RU-1 does not include a site plan. The Proposed Declaration of Restrictions states that the property shall be developed with a maximum of two (2) single family residential homes, and that no residential structure on the Property shall exceed 5,000 square feet in total floor area.

Pursuant to the Code, based on the development proposed in the Declaration of Restrictions for the requested district boundary change and an analysis of water and sewer infrastructure in the area, the proposed residential development is within feasible distance to connect to public water and public sanitary sewer. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas. To the extent that connection to the public sanitary sewer system is not approved due to a sanitary sewer moratorium, this memorandum shall not be interpreted as written approval from DERM to allow an alternative means of domestic wastewater disposal.

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

In accordance with section 24-43.4(2)(b)(iii) of the Code the property has submitted a covenant running with the land in favor of Miami-Dade County acknowledging that the property shall be required to connect to the applicable public infrastructure as a condition of any building permit for development on the property or portion thereof. Said covenant is recorded under Miami-Dade County Official Records Book 34511, Page 4711.

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

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

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

Conditions of Approval: None

Tree Preservation Review

An aerial review of the subject property indicates the presence of tree resources, including specimen trees (a tree with a trunk diameter of 18 inches or greater). Section 24-49 of the Code provides for the preservation and protection of specimen tree resources. 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, including the specimen tree standards.

The applicant has not provided any information about the specimen trees on the site. DERM cannot determine that this project complies with the requirements of sections 24-49.2 and 24-49.4 of the Code, specifically the specimen tree standards. Please note that the Code generally requires the preservation of specimen trees and the standards in the Code for removal/relocation of specimen trees are stricter than for removal of non-specimen trees.

The subject application, which requests a district boundary change from AU to RU-1 could result in tree removal/relocation activity to trees. DERM recommends approval of this application with a condition that requires the preservation of the specimen trees whenever reasonably possible, unless a tree removal permit is obtained which authorizes the removal of specimen trees as per the specimen tree standards of section 24.49.2(II)(1) of the Code. **Any DERM recommendation or approval of the district boundary change shall not be interpreted as approval for the removal or relocation of any tree resources on site.**

The applicant is advised to contact the Tree and Forest Resources Section at (305) 372-6574 for additional information regarding tree permitting procedures and requirements.

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

Conditions of Approval: None

Water Control Review

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

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

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

The proposed development is located within the 100 days travel time contour of the Alexander Orr Wellfield Protection Area. Pursuant to section 24-43(5)(c)(iv) of the Code baffles must be installed at the exfiltration trenches and no weep hole is allowed inside the drainage structures.

Conditions of Approval: None

DERM Enforcement History Review

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

Concurrency Review Summary

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: March 20, 2024

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)

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

Subject: Zoning Application Comments - 9330 SW 66 Street
Application No. Z2024000011- (Pre-App. No. Z22P-209)

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

Application Name: 9330 SW 66 Street

Location: The proposed project is located at 9330 SW 66th Street with Folio No. 30-4028-004-0620, in unincorporated Miami-Dade County.

Proposed Development: The applicant is seeking approval for a district boundary change from AU (Agriculture) to RU-1 (Single-Family Residential) to subdivide the parcel into two lots, in order to allow the construction of two (2) single family residences. Per applicant representative Mr. Ben Fernandez email dated March 5, 2024, each of the proposed single-family residence will have approximately 6,000 square feet. The existing residence will be demolished.

The estimated total water/sewer flows for the proposed project will be 1,020 gallons per day (gpd).

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

The subject property is connected to water. There is an existing 8-inch water main (E8280-1) abutting the property along SW 66th Street to where the developer may connect to provide water service for the proposed development. *Final points of connections and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.*

A Water Supply Certification (WSC) will be required for the proposed development. Said Certification will be issued at the time the applicant requests a WASD Developer Agreement. The WSC letter shall remain active in accordance with terms and conditions specified in said certification. The WSC is required consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

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

In addition, all future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 18-A, and 18-B of the Miami-Dade County Code, consistent with Policies WS-5E and WS-5F of the CDMP.

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

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

Sewer: The proposed development is located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. The SDWWTP is currently 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 facility is currently septic. If DERM requires connection to the sewer system for the two lots, there is an existing 8-inch gravity sewer system (ES24119D00A-2 Manhole No. 2), located approximately 1,700 feet away from the site in SW 70th Street and SW 94th Avenue to where the developer may connect and extend a new 8-inch gravity sewer **at Full Depth** northerly along SW 94th Avenue to SW 66th Street, thence easterly as required to provide service to the proposed single family residences, provided that there is sufficient depth and that there are no obstacles that would preclude construction of the sewer system. The developer is responsible for providing the minimum coverage on the proposed sewer main extension as specified in the WASD Design standard. *Final points of connection and capacity approval to connect to the sewer system will be provided at the time the applicant requests connection to the sewer infrastructure.*

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

The sewage flow from the proposed development will be transmitted to Pump Station (PS) No. 1038, (PS) No. 536 and (PS) No.559. All pump stations are currently in OK Moratorium Code Status. Below is the existing and projected Nominal Average Pump Operating Time (NAPOT) for said pump stations.

P.S. 1038

Existing NAPOT: 0.98 hrs.
Proposed Development: 1,020 gpd
Proposed Projected NAPOT: 1.03 hrs.

P.S. 536

Existing NAPOT: 7.16 hrs.
Proposed Development: 1,020 gpd
Proposed Projected NAPOT: 7.16 hrs.

P.S. 559

Existing NAPOT: 5.85 hrs.
Proposed Development: 1,020 gpd
Proposed Projected NAPOT: 5.85 hrs.

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

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

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

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

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

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

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

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

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

Memorandum



Date: March 26, 2024

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: Z2024000011
Name: Nickaley Trust Holdings LLC and Curby Corp.
Location: 9330 SW 66 Street
Section 28 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** meet the traffic concurrency criteria for an Initial Development Order. It will generate approximately **2 PM** peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of this new trip **does not** exceed the acceptable level of service of the following roadways:

STA.#	LOCATION	LOS PRESENT	LOS W/PROJECT
9264	SW 56 Street west of SW 87 Avenue	C	C

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

Notes: PM =Post Meridiem

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

Standard Conditions:

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

Memorandum



Date: March 07, 2024

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

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

Subject: Z2024000011

The Miami-Dade Fire Rescue Department has **no objection** to request for zoning designation change uploaded to “EnerGov” on 2/29/2024. Any future site plans will need separate approval.

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.

Concurrency Management

From: Concurrency Management
Sent: Friday, April 26, 2024 8:41 AM
To: Ben J. Fernandez; Betty Llerena
Cc: Simon, Nathaly; Garcia, Jeannette C.; Stillings, Noel (RER); Connally, Ronald (RER); CASTILLO, DENISE; Concurrency Management
Subject: Nickaley Trust Holdings, LLC and Curby Corp. Z2024000011 (PH30240301002750) No Impact
Attachments: Nickaley Trust Holdings, LLC and Curby Corp. Z2024000011 (PH30240301002750) No Impact.pdf

**RE: PUBLIC SCHOOL CONCURRENCY – NO IMPACT
NICKALEY TRUST HOLDINGS, LLC AND CURBY CORP. - Z2024000011
LOCATED AT 9330 SW 66 ST
PH3024030100275 - FOLIO NO.: 3040280040620**

Dear Applicant,

Pursuant to State Statutes and the Interlocal Agreement for Public School Facility Planning, the above-referenced application was reviewed for compliance with Public School Concurrency. Accordingly, the School District's Preliminary Concurrency Analysis (Schools Planning Level Review) revealed the applicable Level of Service (LOS) standards of 100% Florida Inventory of School Housing (FISH) have not been impacted by the proposed development, which contains 2 units.

Therefore, the application has complied with the requirements of this Schools Planning Level Review for the next six (6) years. In the future a new Public School Concurrency Determination must be conducted prior to Miami-Dade County issuing a development order.

Should you have any questions, please feel free to contact me at 305-995-7285

Ivan M. Rodriguez, Director
Facilities Planning
1450 NE 2 Ave., Suite 523
Miami, Florida 33132
305.995.4501



Concurrency Management System (CMS)

Miami-Dade County Public Schools

Miami-Dade County Public Schools

Concurrency Management System

Preliminary Concurrency Analysis

MDCPS Application Number:	<u>PH3024030100275</u>	Local Government (LG):	<u>Miami-Dade</u>
Date Application Received:	<u>3/1/2024 10:14:47 AM</u>	LG Application Number:	<u>Z2024000011</u>
Type of Application:	<u>Public Hearing</u>	Sub Type:	<u>Zoning</u>

Applicant's Name: **Nickaley Trust Holdings, LLC and Curby Corp.**
 Address/Location: **9330 SW 66 ST**
 Master Folio Number: **3040280040620**
 Additional Folio Number(s):

PROPOSED # OF UNITS **2**
 SINGLE-FAMILY DETACHED UNITS: **2**
 SINGLE-FAMILY ATTACHED UNITS: **0**
 MULTIFAMILY UNITS: **0**

CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
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ADJACENT SERVICE AREA SCHOOLS

*An Impact reduction of **33.18%** included for charter and magnet schools (Schools of Choice).

MCPS has **NOT** conducted a preliminary public school concurrency review of this application.

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7285 / concurrency@dadeschools.net

Memorandum



Date: March 27, 2024

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

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

Subject: Zoning Application Z2024-000011 Nickaley Trust Holdings, LLC & Curby Corp.

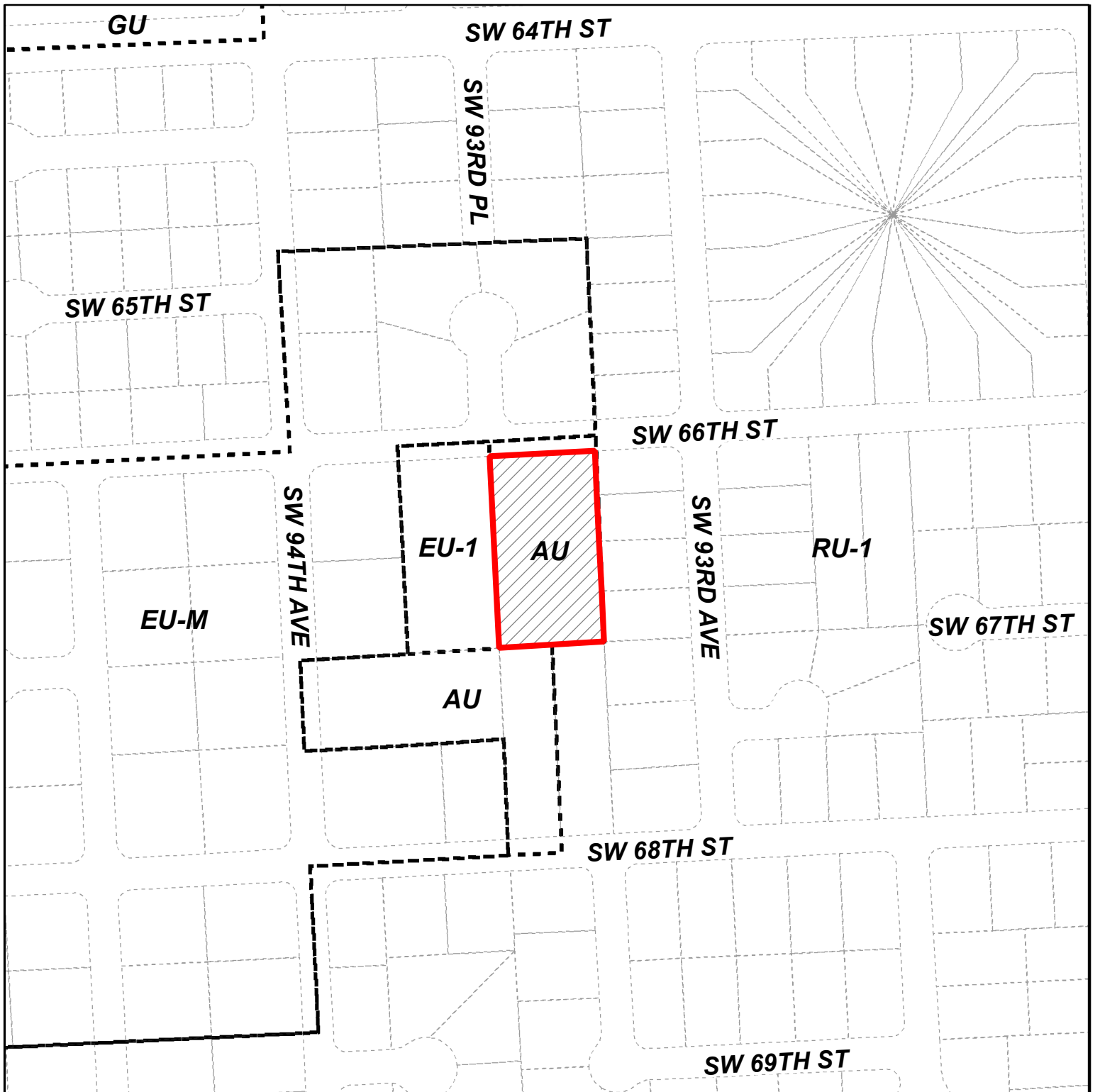
The Miami-Dade County Office of Historic Preservation (OHP) has reviewed the subject application and offers the following comments:

Per CDMP Policy LU-6A, Miami-Dade County shall continue to identify, seek appropriate designation, and protect properties of historic, architectural, cultural and archaeological significance.

The OHP has identified one 1952 structure associated with folio 30-4028-004-0620 that meets the 50-year or older benchmark for historic resource eligibility. If slated to be demolished now or in the future, the applicant shall complete and submit a Florida Master Site File Historical Structure Form for each structure prior to demolition of the historic structure within the application area.

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 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
Z2024000011



Section: 28 Township: 54 Range: 40
 Applicant: Nickaley Trust Holdings, LLC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

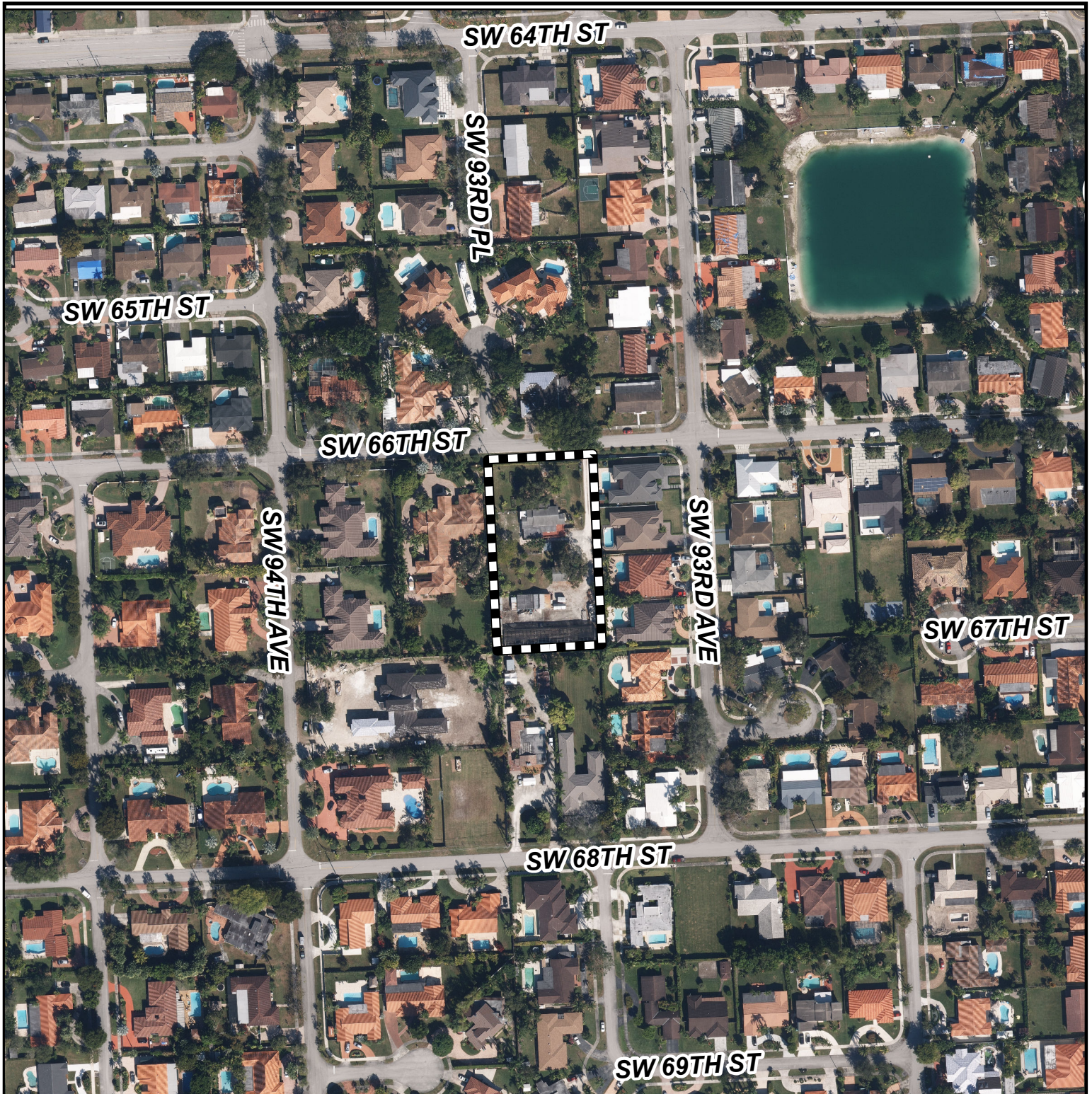
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Monday, March 4, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2024000011

Legend
 Subject Property

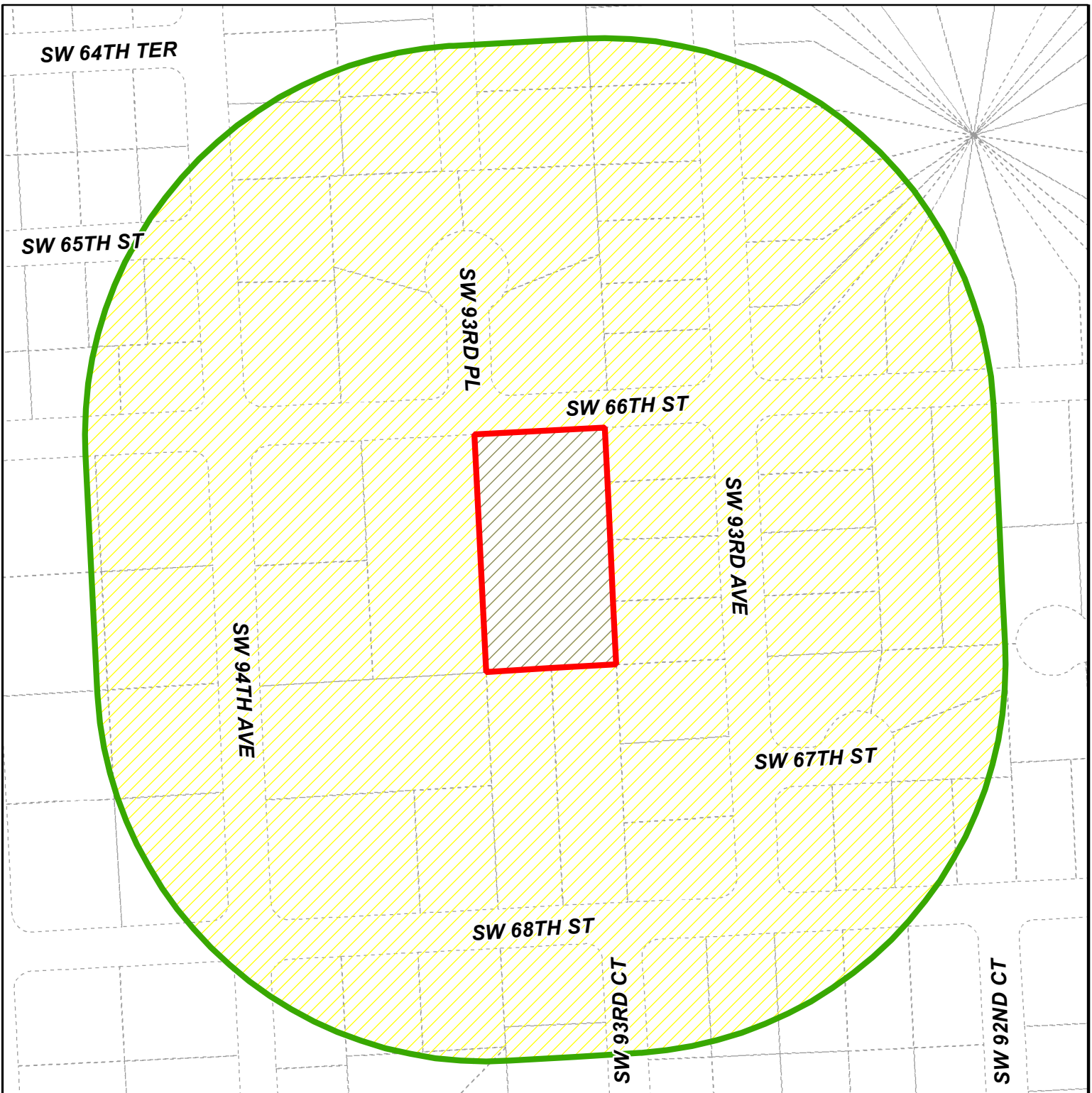


Section: 28 Township: 54 Range: 40
 Applicant: Nickaley Trust Holdings, LLC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Monday, March 4, 2024

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 28 Township: 54 Range: 40
 Applicant: Nickaley Trust Holdings, LLC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2024000011
 RADIUS: 500

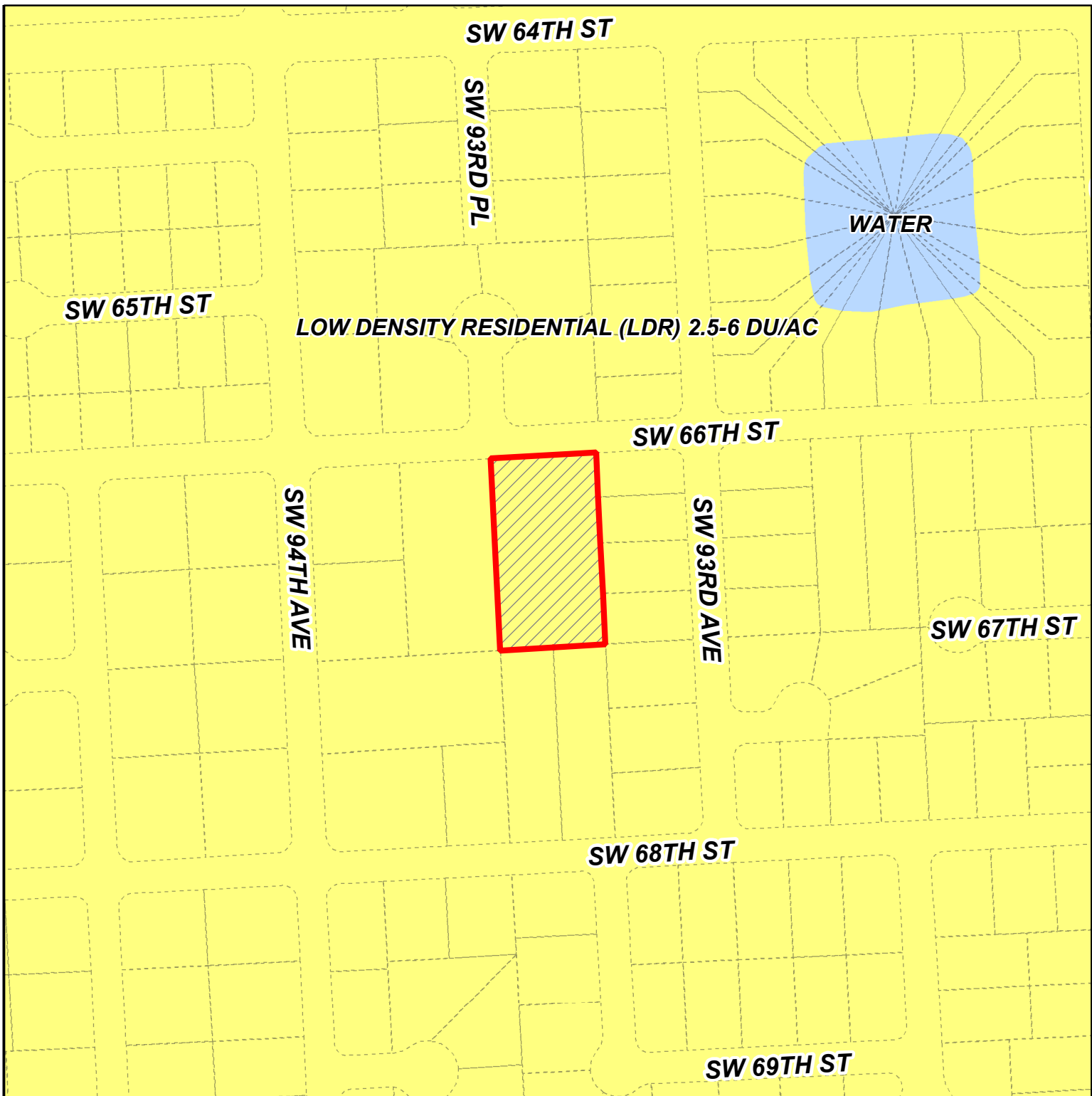
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Tuesday, March 26, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2024000011



Section: 28 Township: 54 Range: 40
 Applicant: Nickaley Trust Holdings, LLC
 Zoning Board: C12
 Commission District: 10
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, March 4, 2024

REVISION	DATE	BY

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MIAMI-DADE COUNTY

Disclosure of Interest*

PROCESS NO. 224-011

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

DATE: MAY 29 2024

BY: ISA

CORPORATION NAME: Nickaley Trust Holdings, LLC, 7601 SW 99 Avenue, Miami, FL 33173

NAME AND ADDRESS	PERCENTAGE OF STOCK
Carlos Alonso, 9505 SW 66 ST, Miami, FL 33173	50%
Eliette Alonso, 9505 SW 66 ST, Miami, FL 33173	50%

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

TRUST/ESTATE NAME: N/A

NAME AND ADDRESS	PERCENTAGE OF INTEREST

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

NAME AND ADDRESS	PERCENTAGE OF OWNERSHIP

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

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Disclosure of Interest

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

PROCESS NO. 224-011
DATE: MAY 29, 2024
BY: DA


NAME OF PURCHASER: N/A

NAME AND ADDRESS	PERCENTAGE OF INTEREST

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

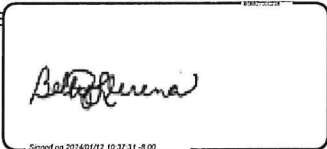
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing or zoning determination, a supplemental disclosure of interest is required.

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

DocuSigned by:

 Signature CECEBA702AB24F5... Carlos Alonso Print Name

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

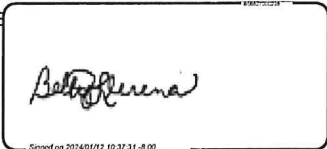
physical presence online notarization this 12th day of January, 2024

Affiant identified by: personal knowledge  (type)

Betty Llerena
 Commission # HH 221018
 Notary Public - State of Florida
 My Commission Expires Mar 05, 2026

Notary Stamp 2024/01/12 11:37:31 PST 85832700C238

(Affix Notary Seal above)


 Signature of Notary Public
Betty Llerena
 Typed, printed, or stamped name of Notary Public

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

FORM REVISION 2020/1



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Zoning Hearing Application

Miami-Dade County Department of Regulatory and Economic Resources
Development Services Division

Expedite

Pre-Application No.: Z2023P00209

Pre-Application Meeting Date: 09/14/2023

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MIAMI-DADE COUNTY
PROCESS NO.: Z24-011
DATE: FEB 29 2024
BY: ISA
Date Stamp Received

Applicant Information

NAME OF APPLICANT (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

Nickaley Trust Holdings LLC and Curby Corp

PROPERTY FOLIO(S): 30-4028-004-0620

APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER, E-MAIL:

Mailing Address: c/o 200 South Biscayne Boulevard, Suite 300

City: Miami State: FL Zip: 33131 Phone no.: 305-374-5300

Fax no.: 305-377-6222 E-mail: c/o bfernandez@brzoninglaw.com

OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of all owners):

Nickaley Trust Holdings LLC and Curby Corp

Mailing Address: c/o 200 South Biscayne Boulevard, Suite 300

City: Miami State: FL Zip: 33131 Phone no.: 305-374-5300

Fax no.: 305-377-6222 E-mail: c/o bfernandez@brzoninglaw.com

CONTACT PERSON/APPLICANT'S REPRESENTATIVE INFORMATION:

Name: Ben Fernandez Company: Bercow Radell Fernandez Larkin and Tapanes PLLC

Mailing Address: 200 South Biscayne Boulevard, Suite 300

City: Miami State: FL Zip: 33131 Phone no.: 305-377-6235

Fax no.: 305-377-6222 E-mail: bfernandez@brzoninglaw.com

Subject Property Legal Description

Provide complete legal description, i.e., lot, block, subdivision name, plat book and page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly identify each legal description. If lengthy, legal description is required to be submitted in Microsoft Word via email or other digital media.

See Exhibit A.



Zoning Hearing Application

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Subject Property Legal Description (continued)

MIAMI-DADE COUNTY PROCESS NO.: Z24-011 DATE: FEB 29 2024 BY: ISA

Address or Location of Property

For location, use description such as NE corner of, etc.: 9330 SW 66 Street

Size of Property

In acres: 1.25

Date Property Acquired/Leased

acquired leased: May 2023 (month and year)

Lease term (years):

Contiguous Property

Is contiguous property owned by the subject property owner(s)? no yes If yes, provide complete legal description of said contiguous property.

Option to Purchase

Is there an option to purchase or lease the subject property or property contiguous thereto? no yes (If yes, identify intended purchaser or lessee and complete 'Disclosure of Interest' form.)

Present Zoning

AU (Agricultural)

Application Requests

- District Boundary(zone) Changes [Zone(s) requested]: RU-1
Unusual Use:
Use Variance:
Non-Use Variance:
Alternative Site Development Option:
Special Exception:
Modification of Previous Resolution/Plan [provide resolution number(s)]:
Modification of Declaration or Covenant [provide recording book(s) and page]:



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Zoning Hearing Application

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Development Proposed

If applicable:

MIAMI-DADE COUNTY

Area of building(s) for non-residential uses: _____ PROCESS NO. 2024-011

DATE: FEB 29 2024

Proposed residential units **OR** for application without a site plan, units permitted by the _____ BY: ISA
requested zoning district _____ (total number of units).

Residential unit type(s):

Single-Family Detached _____ Single-Family Attached _____

Multi-Family _____

Recent Public Hearing

Has a public hearing been held on this property within the last one and one-half years? no yes .

If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

Notice of Violation

Is this application a result of a violation notice? no yes . If yes, provide name to whom the violation notice was served and describe the violation:

(Pursuant to Section 8CC-7(d) no zoning action may be approved for any named violator with (i) unpaid civil penalties; (ii) unpaid administrative costs of hearing; (iii) unpaid County investigative, enforcement, testing, or monitoring costs; or (iv) unpaid liens, any or all of which are owed to Miami-Dade County pursuant to the provisions of the Code of Miami-Dade County, Florida.)

Describe Structures on the property

2 one-story buildings and 1 storage unit

Existing Use

Is there an existing use on the property? no yes . If yes, what use and when was it established?

0802 MULTIFAMILY 2-9 UNITS : 2 LIVING UNITS

Comprehensive Development Master Plan (CDMP) amendment

Please indicate whether this property was subject to a recent Comprehensive Development Master Plan amendment. If so, please indicate the ordinance number:

Peak hour trip generation

Indicate the estimated peak-hour vehicle trips to be generated by the proposed application:



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MIAMI-DADE COUNTY
PROCESS NO.: Z24-011

Acknowledgement by Applicant

1. RER Platting and Traffic Review Section, RER Division of Environmental Resources Management (DERM) and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Platting and Traffic conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.
5. Any covenant to be proffered must be submitted to the Department on County forms, at least 1 month prior to the hearing date. The covenant will be reviewed, and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Department must carry a cover letter indicating subject matter, application number and hearing date.

DATE: FEB 29 2024
BY: ISA

DocuSigned by:

CECEDA702AB24F5...

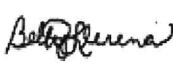
(Applicant's Signature)

Carlos Alonso, Manager of Nickaley Trust Holdings LLC

(Print Name of Applicant)

Sworn to and subscribed before me on the
12th day of January, 2024

Affiant is personally known to me or has produced _____


_____ as identification
Public

Print Name: Betty Llerena

Commission expires: March 5, 2026



9C666759-2532-4408-85C4-0CD1040182C0 --- 2024/01/12 10:25:09 -8:00



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: 724-011

Acknowledgement by Applicant

1. RER Platting and Traffic Review Section, RER Division of Environmental Resources Management (DERM) and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Platting and Traffic conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.
5. Any covenant to be proffered must be submitted to the Department on County forms, at least 1 month prior to the hearing date. The covenant will be reviewed, and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Department must carry a cover letter indicating subject matter, application number and hearing date.

DATE: FEB 29 2024
BY: ISA

DocuSigned by:
robert curbelo
871269701C75403...
(Applicant's Signature)

Roberto Curbelo, Manager of Curby Corp.
(Print Name of Applicant)

Sworn to and subscribed to before me on the
12th day of January, 2024

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

Notary Public

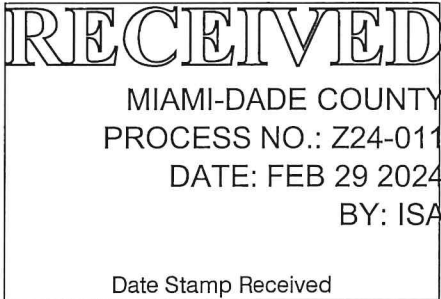
Print Name: Betty Llerena

Commission expires: March 5, 2026



9C666759-2532-4408-85C4-0CD1040182C0 --- 2024/01/12 10:25:09 -6:00





Applicant's Affidavit

Zoning Application No.: _____

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and advertised.

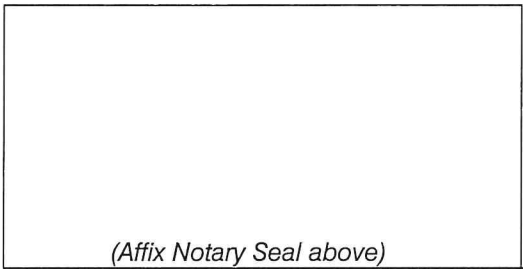
OWNER OR TENANT AFFIDAVIT

(I)(WE), N/A, being first duly sworn, depose and say that (I am)(we are) the owner tenant of the property which is the subject matter of the proposed zoning action.

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

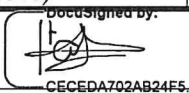
physical presence online notarization this _____ day of _____,

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



Signature of Notary Public

Typed, printed, or stamped name of Notary Public



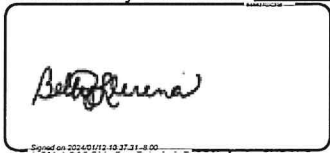
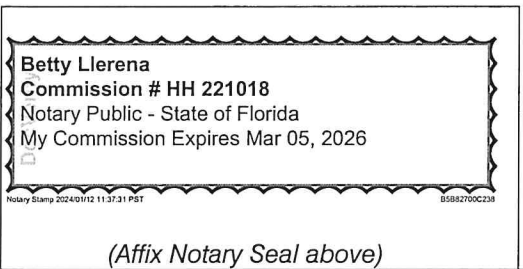
CORPORATION AFFIDAVIT

(I)(WE), Carlos Alonso, being first duly sworn, depose and say that (I am)(we are) the President Vice-President Secretary Asst. Secretary of Nickaley Trust Holdings, LLC corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the owner tenant of the property which is the subject matter of the proposed zoning action.

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

physical presence online notarization this 12th day of January, 2024

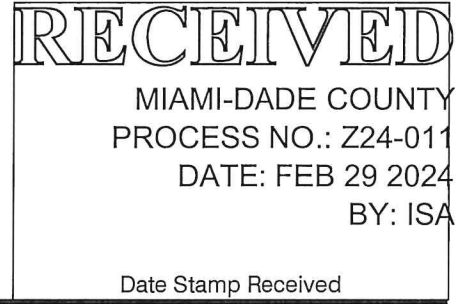
Affiant identified by: personal knowledge satisfactory evidence _____ (type)



Typed, printed, or stamped name of Notary Public

9C666759-2532-4408-85C4-0CD1040182C0 -- 2024/01/12 10:25:09 -8:00





Applicant's Affidavit

Zoning Application No.: _____

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and advertised.

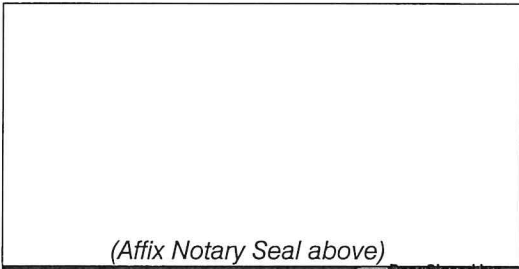
OWNER OR TENANT AFFIDAVIT

(I)(WE), N/A, being first duly sworn, depose and say that (I am)(we are) the owner tenant of the property which is the subject matter of the proposed zoning action.

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

physical presence online notarization this _____ day of _____, _____

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



Signature of Notary Public

Typed, printed, or stamped name of Notary Public

DocuSigned by:

CORPORATION AFFIDAVIT

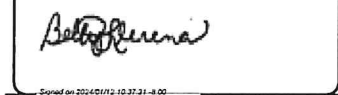
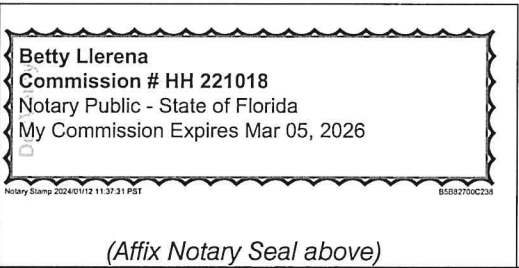
(I)(WE), Robert Curbelo *robert curbelo* 871269701C75403, being first duly sworn, depose and say that (I am)(we

are) the President Vice-President Secretary Asst. Secretary of Curby Corp. corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the owner tenant of the property which is the subject matter of the proposed zoning action.

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

physical presence online notarization this 12th day of January, 2024

Affiant identified by: personal knowledge s _____ (type)



Signature of Notary Public

Betty Llerena

Typed, printed, or stamped name of Notary Public

9C666759-2532-4408-85C4-0CD1040182C0 --- 2024/01/12 10:25:09 -8:00



RECEIVED
MIAMI-DADE COUNTY
PROCESS NO.: Z24-011
DATE: FEB 29 2024
BY: ISA
Date Stamp Received

Applicant's Affidavit

Zoning Application No.: _____

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and advertised.

PARTNERSHIP AFFIDAVIT

(I)(WE), N/A, being first duly sworn, depose and say that (I am)(we are) partners of the _____ partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the owner tenant of the property which is the subject matter of the proposed zoning action.

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

physical presence online notarization this _____ day of _____, _____

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

(Affix Notary Seal above)

Signature of Notary Public

Typed, printed, or stamped name of Notary Public

ATTORNEY AFFIDAVIT

I, Ben Fernandez, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property which is the subject matter of the proposed zoning action.

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

physical presence online notarization this 12th day of January, 2024

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

Betty Llerena
Commission # HH 221018
Notary Public - State of Florida
My Commission Expires Mar 05, 2026
Notary Stamp 2024/01/12 11:37:31 PST

(Affix Notary Seal above)

Signature of Notary Public

Signature of Notary Public

Betty Llerena

Typed, printed, or stamped name of Notary Public

9C666759-2532-4408-85C4-0CD1040182C0 --- 2024/01/12 10:25:09 -8:00



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-011

Ownership Affidavit for Corporation

State of: Florida Zoning Application No.: _____ DATE: FEB 29 2024

County of: Miami-Dade BY: ISA

Before me, the undersigned authority, personally appeared Carlos Alonso, hereinafter the Affiant(s), who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the president, vice-president or executive officer of the Corporation hereinafter named _____
Nickaley Trust Holdings, LLC, with the following address:

7601 SW 99 Avenue, Miami, FL 33173

2. The Corporation owns the property which is the subject of the proposed zoning action.

3. The subject property is legally described as:

See Exhibit A.

4. Affiant is legally authorized to file this application.

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

Affiant:

DocuSigned by:



CECEDA702AB24F5...

Signature

Signature

Carlos Alonso

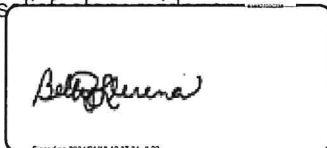
Print Name

Print Name

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

physical presence online notarization this 12th day of January, 2024

Affiant identified by: personal knowledge satisfied with _____ (type)



Signature of Notary Public

Betty Llerena

Typed, printed, or stamped name of Notary Public

9C666759-2532-4408-85C4-0CD1040182C0 --- 2024/01/12 10:25:03 -8:00



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z24-011

Ownership Affidavit for Corporation

State of: Florida Zoning Application No.: _____ DATE: FEB 29 2024
County of: Miami-Dade BY: ISA

Before me, the undersigned authority, personally appeared Robert Curbelo, hereinafter the Affiant(s), who being first duly sworn by me, on oath, deposes and says:

- Affiant is the president, vice-president or executive officer of the Corporation hereinafter named Curby Corp., with the following address:
15439 SW 80 Street, #105, Miami, FL 33193
- The Corporation owns the property which is the subject of the proposed zoning action.
- The subject property is legally described as:
See Exhibit A.
- Affiant is legally authorized to file this application.
- Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning determination or zoning action granted at public hearing.

Affiant:

DocuSigned by:
robert curbelo
871269701C75403...

Signature

Signature

Print Name

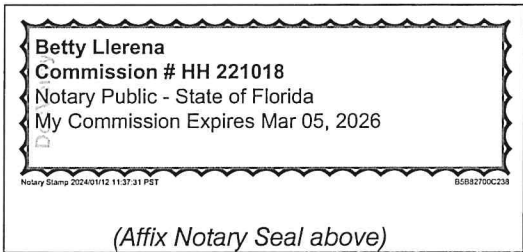
Robert Curbelo

Print Name

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

physical presence online notarization this 12th day of January, 2024

Affiant identified by: personal knowledge _____



Betty Llerena (type)
Signed on 2024/01/12 10:37:31 -8:00

Signature of Notary Public

Betty Llerena

Typed, printed, or stamped name of Notary Public

9C666759-2532-4408-85C4-0CD1040182C0 --- 2024/01/12 10:25:09 -8:00



RECEIVED

MIAMI-DADE COUNTY

Disclosure of Interest*

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

PROCESS NO. 224-011
DATE FILED FEB 29 2024
BY: ISA

CORPORATION NAME: Nickaley Trust Holdings, LLC, 7601 SW 99 Avenue, Miami, FL 33173

Table with 2 columns: NAME AND ADDRESS, PERCENTAGE OF STOCK. Row 1: Carlos Alonso 50%, 9505 SW 66 St., Miami, FL, 33173.

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

TRUST/ESTATE NAME: N/A

Table with 2 columns: NAME AND ADDRESS, PERCENTAGE OF INTEREST. No data rows.

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

Table with 2 columns: NAME AND ADDRESS, PERCENTAGE OF OWNERSHIP. No data rows.

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



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RECEIVED

MIAMI-DADE COUNTY

Disclosure of Interest

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

PROCESS NO. 22-011
DATE: FEB 29 2024
BY: SA


NAME OF PURCHASER: N/A

NAME AND ADDRESS	PERCENTAGE OF INTEREST

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

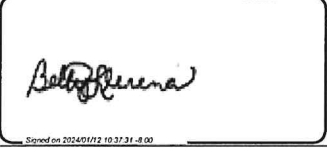
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing or zoning determination, a supplemental disclosure of interest is required.

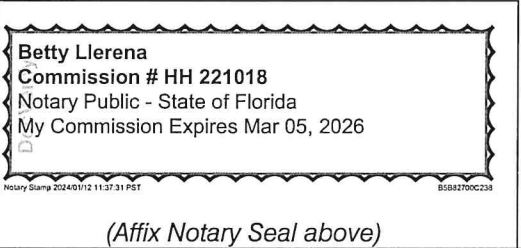
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

DocuSigned by:

 CECEDA702AB24F5...
 Signature Carlos Alonso Print Name

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

physical presence online notarization this 12th day of January, 2024

Affiant identified by: personal knowledge signature
 (type)



Signature of Notary Public
Betty Llerena
 Typed, printed, or stamped name of Notary Public

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

FORM REVISION 2020/1

Department of Regulatory and Economic Resources • Development Services Division
www.miamidade.gov/zoning

111 NW 1st Street, 11th Floor Miami, Florida 33128
T 305-375-2640



9C666759-2532-4408-85C4-0CD1040182C0 --- 2024/01/12 10:25:09 -8:00



RECEIVED

MIAMI-DADE COUNTY

Disclosure of Interest*

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

PROCESS NO. 724-011
DATE FEB 29 2024
BY: ISA

CORPORATION NAME: Curby Corp., 15439 SW 80 Street, # 105, Miami, FL 33193

Table with 2 columns: NAME AND ADDRESS, PERCENTAGE OF STOCK. Row 1: Robert Curbelo, 15439 SW 80 Street, # 105, Miami, FL 33193, 100%

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

TRUST/ESTATE NAME: N/A

Table with 2 columns: NAME AND ADDRESS, PERCENTAGE OF INTEREST. No data rows.

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

Table with 2 columns: NAME AND ADDRESS, PERCENTAGE OF OWNERSHIP. No data rows.

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



9C666759-2532-4408-85C4-0CD1040182C0 ... 2024/01/12 10:25:09 -8:00



RECEIVED

MIAMI-DADE COUNTY

Disclosure of Interest

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

PROCESS NO. 724-011
DATE FEB 29 2024
BY 10A

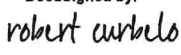
NAME OF PURCHASER: N/A

NAME AND ADDRESS	PERCENTAGE OF INTEREST

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

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

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

DocuSigned by:

 871269701C75403...

 Signature Robert Curbelo _____
 Print Name

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

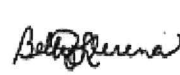
physical presence online notarization this 12th day of January, 2024

Affiant identified by: personal knowledge _____ (type)

Betty Llerena
 Commission # HH 221018
 Notary Public - State of Florida
 My Commission Expires Mar 05, 2026

Notary Stamp 2024/01/12 11:37:31 PST 85882700C238

(Affix Notary Seal above)



 Signature of Notary Public
Betty Llerena

 Typed, printed, or stamped name of Notary Public

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

FORM REVISION 2020/1



9C666759-2532-4408-85C4-0CD1040182C0 --- 2024/01/12 10:25:09 -8:00

This instrument was prepared by:
Ben Fernandez, Esq.
Bercow Radell Fernandez Larkin + Tapanes, PLLC
200 South Biscayne Boulevard, Suite 300
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner, **Curby Corp. and Nickaley Trust Holdings LLC**, hold the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit A, attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the **County** that the representations made by the Owner during consideration of **Public Hearing No. Z2024000011** will be abided by, the Owner freely, voluntarily, and without duress makes the following Declaration of Restrictions covering and running with the Property:

1. That the foregoing recitals are incorporated as if fully set forth herein.
2. The Property shall be developed with a maximum of two (2) single family residential homes.
3. No residential structure on the Property shall exceed 5,000 square feet in total floor area, unless approval is first obtained from the Environmental Quality Control Board.

Declaration of Restrictions

MISCELLANEOUS

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

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

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

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

Declaration of Restrictions

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

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

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

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

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

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

Declaration of Restrictions

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

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

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

[Execution Pages Follow]

Declaration of Restrictions

**ACKNOWLEDGEMENT
CORPORATION**

Signed, witnessed, executed and acknowledged on _____, 2025.

*IN WITNESS WHEREOF, **Curby Corp***, has caused these presents to be signed in its name by its proper officials.

Witnesses:

Signature

Print Name

Signature

Curby Corp

Address:
15439 SW 80 Street, Suite 105
Miami, FL 33193

By: Roberto Curbelo, Manager
[*Note: All others require attachment of
original corporate resolution of
authorization]

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

The foregoing instrument was acknowledged before me by means of physical presence or online notarization by Roberto Curbelo, the Manager of **Curby Corp**, on behalf of the corporation. He is personally known to me or has produced _____, as identification.

Witness my signature and official seal on _____, 2025,
in the County and State aforesaid.

Notary Name: _____
Notary Public-State of Florida
My Commission Expires: _____

Declaration of Restrictions

**ACKNOWLEDGEMENT
LIMITED LIABILITY COMPANY**

Signed, witnessed, executed and acknowledged on _____, 2025.

IN WITNESS WHEREOF, **Nickaley Trust Holdings LLC**, has caused these presents to be signed in its name by its proper officials.

Witnesses:

Signature

Print Name

Signature

Nickaley Trust Holdings LLC

Address:
7601 SW 99 Avenue
Miami, FL 33173

By: Carlos Alonso, Manager
[*Note: All others require attachment of
original corporate resolution of
authorization]

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

The foregoing instrument was acknowledged before me by means of physical presence or online notarization by Carlos Alonso, the Manager of **Nickaley Trust Holdings LLC**, on behalf of the LLC. He is personally known to me or has produced _____, as identification.

Witness my signature and official seal on _____,
2025, in the County and State aforesaid.

Notary Name: _____
Notary Public-State of Florida
My Commission Expires: _____

Declaration of Restrictions

Exhibit A

The North One-Half (1/2) of the West One-Half (1/2) of Tract 86 of DADE COUNTY DEVELOPMENT COMPANY SUBDIVISION, Section 28, Township 54 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 3, at Page 169 of the Public Records of Miami-Dade County, Florida.