



FINAL AGENDA

Community Zoning Appeals Board 14
Naranja Park, 14150 SW 264 Street, Miami, FL
Wednesday, October 29, 2025 at 6:30 pm

PREVIOUSLY DEFERRED

APPEALS

CURRENT

1.	Z2023000261	Maria T. Hernandez	23-261	56-39-01	N
2.	Z2024000163	AA Rivero Corp.	24-163	55-38-35	N
3.	Z2025000016	DCR South Estates, LLC	25-16	57-39-06	N
4.	Z2025000047	EP&K, Inc.	25-47	55-40-19	N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 14

MEETING OF OCTOBER 29, 2025

NARANJA PARK

14150 SW 264 STREET, 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.

SWEARING IN OF WITNESSES

1. MARIA T. HERNANDEZ Z2023000261

Area 14/District 09

The application seeks to allow an existing single-family residence to be located closer to the rear and interior side property lines, and for the residence to occupy more area on the lot than permitted by code.

(1) NON-USE VARIANCE to permit the existing single-family residence to setback a minimum of 4.37' (15' required for 50% of the lineal footage of the width of the house and 25' required for the balance) from the rear (south) property line and to setback a minimum of 0.64' (7.5' required) from the interior side (east) property line.

(2) NON-USE VARIANCE to permit a lot coverage of 45.72% (40% maximum permitted).

The plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Zoning Hearing Maria Hernandez" as prepared by Arshad Viqar, consisting of three (3) sheets, dated stamped received 06/23/2025. Plans may be modified at public hearing.

LOCATION: 11850 SW 190 Street, Miami-Dade County, Florida
SIZE OF PROPERTY: 0.18 net Acre

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

2. AA RIVERO CORPORATION Z2024000163

Area 14/District 09

The application seeks to permit a composting facility on the subject property, and to allow uses and storage of materials to be outside and not within an enclosed building. The application also seeks to allow less parking for the proposed facility, and to allow parking areas to be located closer than 25 feet from the right of way.

(1) Unusual Use to permit a composting facility.

(2) NON-USE VARIANCE to permit 9 parking spaces (15 parking spaces required).

(3) NON-USE VARIANCE to permit parking areas within 25' of the official rights-of-way (not permitted).

may be developed in accordance with EU-1 zoning regulations including the use of SUR's if the owner should desire."

3) MODIFICATION of Paragraph #2 of Declaration of Restrictions for Miami-Dade County recorded in Official Record Book 26248, Pages 2783-2788, only as it applies to the subject site, and reading as follows:

From: "2. Prior to final plat approval, owner shall purchase and submit to Miami-Dade County Severable Use Right (SURs) to develop the Property in accordance with the Site Plan."

To: "2. Prior to final plat approval, owner shall either: (1) purchase and submit to Miami-Dade County Severable Use Right (SURs) to develop the Property or (2) obtain approval of site plan under the Workforce Housing Development Program."

The purpose of requests #2 and #3 is to delete and modify paragraphs of a previously recorded covenant, only as applies to the subject property, which restricts the parcel to a previously approved site plan, in order to allow the applicant to be able to develop the site in the future utilizing SURs or the Workforce Housing Development Program.

LOCATION: Lying on the south side of SW 290 Street & approximately 305' west of 172 Avenue, Miami-Dade County, Florida

SIZE OF PROPERTY: ±7.67-gross (±6.77-net) Acres

Department of Regulatory and
Economic Resources
Recommendation:

**Denial without prejudice of request #1,
and approval with conditions of requests
#2 and #3.**

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

4. 11532 SW 136 TERRACE LLC. Z2025000047

Area 14/District 09

The application is to allow existing additions to a single-family residence to be located closer to the interior side property line than required by Code.

NON-USE VARIANCE to permit existing additions to a single-family residence to setback 3' (7.5' required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "EP & K INC LLC. 11532 SW 136 Ter Public Hearing to Legalize Existing Addition", as prepared by Arshad Viqar, P.E., 1 site plan sheet dated stamped received 08/13/25

and 2 sheets dated stamped received 07/17/25 for a total of 3 sheets, Plans may be modified at public hearing.

LOCATION: 11532 SW 136 Terrace, Miami-Dade County, Florida
SIZE OF PROPERTY: 0.19 Acre

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

NOTICE

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

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

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

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Zoning Appeals Board 14**

PH: Z23-261

October 29, 2025

Item No. 1

Recommendation Summary	
Commission District	9
Applicant	Maria T. Hernandez
Summary of Requests	The applicant seeks to allow an existing single-family residence to setback less than required from the rear and interior side property lines, and for the existing residence to have a greater lot coverage than allowed by Code.
Location	11850 SW 190 Street, Miami-Dade County, Florida.
Property Size	0.18-net acres
Existing Zoning	RU-1, Single-family Residential District
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	Low Density Residential (2.5-6 dua) (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives, and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions.

REQUEST

- (1) NON-USE VARIANCE to permit the existing single-family residence to setback a minimum of 4.37' (15' required for 50% of the lineal footage of the width of the house and 25' required for the balance) from the rear (south) property line and to setback a minimum of 0.64' (7.5' required) from the interior side (east) property line.
- (2) NON-USE VARIANCE to permit a lot coverage of 45.72% (40% maximum permitted).

The plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Zoning Hearing Maria Hernandez" as prepared by Arshad Viqar, consisting of three (3) sheets, dated stamped received 06/23/2025. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The applicant seeks to permit an existing single-family residence, which also has an ADU to setback less than required from the rear (south) and interior side (east) property lines, and for the existing residence to have a greater lot coverage than allowed by Code. The submitted plans show an existing one (1)-story, 3,632 sq. ft. single-family residence on an interior lot that fronts along SW 190 Street. Floor plans show that the residence is comprised of a porch, dining, living room, 2 kitchens (one for the main residence and the other one is part of the ADU), laundry room, 3 bedrooms, 4 bathrooms and closets, and an area designated for storage. The existing residence encroaches into the rear (south) and interior side (east) setback areas, and exceeds the maximum permissible lot coverage on the 0.18-acre subject property. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate an existing 6' high wood fence located along the rear, and a 6' high metal fence provided along both the interior side (east and west) property lines of the subject property.

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

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence, which also includes an ADU, that is on a 7,944 sq. ft., RU-1, Single-Family Residential District, zoned interior lot, located at located at 11850 SW 190 Street. The surrounding area is characterized by existing single-family residences, also developed under the RU-1, Single-Family Residential District regulations.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to legalize the reduced setbacks for the existing residence along with an increased lot coverage that is more than permitted by the zoning regulations. Staff opines that since the property is enclosed with an existing 6’ high wood fence located along the rear, and a 6’ high metal fence provided along both the interior side (east and west) property lines, any visual impact that the reduced setbacks and greater lot coverage may have on the surrounding properties is minimal and would be sufficiently mitigated.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The ±0.18-acre subject property is located within the Urban Development Boundary (UDB) and the Comprehensive Development Master Plan (CDMP) Adopted 2030-2040 Land Use Plan (LUP) map designates the site as **Low Density Residential**. The CDMP Land Use Element interpretative text for Low Density Residential states that *the residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre, and is generally characterized by single family housing, e.g., single-family detached, cluster, and townhouses*. Staff opines that the approval of the requests for a reduced setback from the rear (south) and interior side (east) property line (request #1) and the increased lot coverage (request #2) sought in the application will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP. Since the applicant is not requesting to add additional dwelling units to the site above than allowed or change the existing residence use, approval of the application with conditions would be **consistent** with the Land Use Element interpretative text and density threshold of the Low-Medium Density Residential CDMP LUP map designation.

It is important to mention that Accessory Dwelling Units are permitted per the criteria outlined in the Land use manual. The ADU must range between 400 to 800 square feet of habitable area and are authorized on single-family lots with a minimum area of 7,500 square feet that are located inside the Urban Development Boundary. The appearance of the structure(s) containing the

primary and accessory units shall maintain an appearance consistent with the character of the neighborhood. Accessory dwelling units provided in accordance with this section shall not be counted toward the LUP map residential density maximum which governs the subject property. Here the ADU is provided in accordance with those requirements.

ZONING ANALYSIS:

When the requests to permit the existing single-family residence to setback a minimum of 4.37' (15' for 50% of the lineal footage of the width of the house and 25' for balance) from the rear (south) property line and to setback a minimum of 0.64' (7.5' required) from the interior side (east) property line (request #1), and to permit a lot coverage of 45.72% (40% maximum permitted). (request #2), are analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff opines that the approval with conditions of this request would be compatible with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community.

The plans submitted in conjunction with this application depict the existing single-family residence on a interior lot, with an existing addition located towards the rear of the subject property. The single-family residence structure encroaches into the rear and interior side setback area, and the lot coverage exceeds the maximum permitted by code. Staff notes that the County Geographical Information System (GIS) shows that the overall existing single-family structure shows the addition since 2013. However, no permits were found. Staff supports the requests and opines that approval with conditions of these non-variances would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes from plans and photographs submitted by the applicants as well as the County's Geographic Information System (GIS) that any impact of the request is adequately mitigated by the existing 6' wooden fence along the interior (east) and rear (south) property lines, which staff opines, buffers any visual intrusion of the encroachments on the surrounding properties, especially to the parcels to south and east of the subject property.

Staff further opines that although the existing encroachments of the single-family residence towards the interior and rear property lines are intense, they are internal to the subject site, and any impact of the requests are adequately mitigated by the existing 6' high wood and metal fence located along the rear, and interior side property lines of the subject property, which, staff opines, buffers any visual intrusion of the encroachments on the surrounding properties, especially to the parcels to the south and east of the subject property. Staff recommends as a condition for approval that the said wood and metal fences along the property lines be maintained as a visual buffer, and, if said fence is destroyed or removed, it must be replaced by an opaque fence at a maximum height of 6', or a fence with a hedge 3' high at the time of planting, which shall grow to and be maintained at a minimum height of 6,' in accordance with Section 33-11(h) of the County Code. In regards to the requested variance to permit a lot coverage of 45.72% (40% maximum permitted (request #2) it is important to mention that the request could have been obtained through the Administrative Adjustment Procedure pursuant to Section 33-36.1 of the County Code. Such procedure allows an increase of 15% of what the maximum permitted lot coverage would be, which could allow the property up to 46% lot coverage, but the administrative variance procedure shall be accompanied by the signed consent of all contiguous property owners, including those located across the street(s) from the subject site. Here however because request number one requires a public hearing, request number two is also being submitted for a public hearing.

Staff's research of the surrounding area found similar approvals within the neighborhood for variance of the setback requirements for a single-family residence structure. For example, a property located at 11731 SW 188 Terrace was approved pursuant to Resolution #4-ZAB-470-88 for a non-use variance allowing an existing carport addition to setback 0' (7.5' required) from the interior side (west) property line and to setback 16'-8" (25' required) from the front (south) property line. Another property located at 11950 SW 191 Terrace was approved through Resolution #CZAB14-50-05 to permit a utility/storage structure to setback a minimum of 3'-5" (7'-6" required) from the interior side (west) property line, and to permit an addition to a single-family residence to setback 19.71' (25' required) from the rear (south) property line. Additionally, a property located at 19244 SW 121 Court was approved through Resolution #5-ZAB-411-94 for a non-use variance to permit a detached storage room to setback varying from 2.15' to 2.4' (5 required) from the interior side (north) property line. Finally, a property located at 11900 SW 191 terrace was approved through Resolution #CZAB14-3-05 to permit covered terrace addition to a single-family residence to setback 4'-6" (7'-6" required) from the interior side (west) property line. Furthermore, staff opines that the architectural style and scale of the single-family residence is designed and arranged in a manner that would not be detrimental to the neighborhood or create adverse privacy impacts on the abutting properties, and that approval with conditions of the requested setbacks would be compatible with the surrounding residences and with the aesthetic character of the immediate vicinity. **Based on the foregoing analysis, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) From Other Than Airport Regulations Standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Zoning Hearing Maria Hernandez" as prepared by Arshad Viqar, consisting of three (3) sheets, dated stamped received 06/23/2025. Except any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtains a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic.

5. That the 6' wooden along the rear (south) and interior side (east) property line and 6' high metal fence along the interior side (west) property line be maintained as a visual buffer, and that if removed or destroyed, the applicant shall install a similar concrete wall to be maintained at a minimum height of 6' in accordance with Section 33-11(h) of the County Code.
6. That the applicant obtains a Certificate of Use from and promptly renew the same annually with the Department of Regulatory and Economic Resources for the Accessory Dwelling Unit (ADU), upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

ES:JB:SS:PM



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

ZONING RECOMMENDATION ADDENDUM

Maria T. Hernandez
PH: Z23-261

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>Water and Sewer Department</i>	<i>No objection</i>
<i>Parks, Recreation and Open Space</i>	<i>No objection</i>
<i>Fire and Rescue Department</i>	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

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

Low Density Residential <i>(Pg. I-31)</i>	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
Accessory Dwelling Units. <i>(Pg. I-35)</i>	<i>Accessory dwelling units ranging from 400 to 800 square feet of habitable area are authorized on single-family lots with a minimum area of 7,500 square feet that are located inside the Urban Development Boundary. The appearance of the structure(s) containing the primary and accessory units shall maintain an appearance consistent with the character of the neighborhood. Accessory dwelling units provided in accordance with this section shall not be counted toward the LUP map residential density maximum which governs the subject property.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>						
Sec. 33-36.1. - Administrative adjustment procedure.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 50%;">Zoning Districts</td> <td>AU, GU, EU-1, EU-1C, EU-2, EU-S, EU-M, RU-1, RU-1Ma, RU-1Mb, RU-1Z, RU-2</td> </tr> <tr> <td>Setback - Maximum reduction</td> <td>50% (i.e., if minimum required setback is 10 feet, then setback could not be reduced below 5 feet administratively)</td> </tr> <tr> <td>Lot Coverage - maximum increase for a principal and/or accessory structure</td> <td>15% (i.e., if maximum lot coverage in the district is 30%, then total lot coverage that could be approved administratively is 34.5 percent)</td> </tr> </tbody> </table>	Zoning Districts	AU, GU, EU-1, EU-1C, EU-2, EU-S, EU-M, RU-1, RU-1Ma, RU-1Mb, RU-1Z, RU-2	Setback - Maximum reduction	50% (i.e., if minimum required setback is 10 feet, then setback could not be reduced below 5 feet administratively)	Lot Coverage - maximum increase for a principal and/or accessory structure	15% (i.e., if maximum lot coverage in the district is 30%, then total lot coverage that could be approved administratively is 34.5 percent)
Zoning Districts	AU, GU, EU-1, EU-1C, EU-2, EU-S, EU-M, RU-1, RU-1Ma, RU-1Mb, RU-1Z, RU-2						
Setback - Maximum reduction	50% (i.e., if minimum required setback is 10 feet, then setback could not be reduced below 5 feet administratively)						
Lot Coverage - maximum increase for a principal and/or accessory structure	15% (i.e., if maximum lot coverage in the district is 30%, then total lot coverage that could be approved administratively is 34.5 percent)						

ZONING RECOMMENDATION ADDENDUM

Maria T. Hernandez
PH: Z23-261

<p>Sec. 33-22. - Accessory units.</p>	<p><i>(1) Subject to the conditions, requirements, and procedures set forth in this section, one accessory unit per lot shall be permitted in the following zoning districts located inside of the Urban Development Boundary: AU, EU, and RU, as well as GU for properties that are trended to AU, EU, or RU.</i></p> <p><i>(2) General requirements.</i></p> <p><i>(a) Maximum number of accessory units. One accessory unit is allowed on a lot developed with a principal single-family dwelling.</i></p> <p><i>(f) Sale and rental. The accessory unit shall not be sold separately from the principal dwelling and shall only be rented for a fee in accordance with the following:</i></p> <p><i>(i) An ADU may be rented for a fee, provided that the rental period is not less than one month.</i></p> <p><i>(ii) A guesthouse shall not be rented for a fee separately from the principal dwelling, nor shall a property owner live in the guesthouse and rent the principal dwelling.</i></p> <p><i>(iii) Except as provided in Section 33-28, the accessory unit shall not be utilized as a vacation rental.</i></p> <p><i>(6) Certificate of use.</i></p> <p><i>(a) Notwithstanding anything in this chapter to the contrary, a certificate of use (CU) shall be required for each accessory unit.</i></p> <p><i>(b) A CU for an accessory unit may only be obtained by the property owner of the principal dwelling.</i></p> <p><i>(c) The CU shall specify the following:</i></p> <p><i>(i) Type of accessory unit (guesthouse or ADU);</i></p>
---	--

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

HERNANDEZ, MARIA

11850 SW 190 ST
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT	ADDRESS
Pending	Z2023000261

DATE	HEARING NUMBER
-------------	-----------------------

FOLIO: 30-6006-001-4014

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

May 5, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

Building Support Case 20220216256-B was opened 06/21/2022. A Notice of Violation was issued 06/24/2022 for "Failure to obtain required building permit(s) prior to commencing work on: Fence around the property. Windows and doors. Attached structures at South, North and East.". Since the violation was not corrected, the following citations were issued: P043942 "SECTION 105.1 OF THE FLORIDA BUILDING CODE: FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK on new aluminum fence.", P043943, "SECTION 105.1 OF THE FLORIDA BUILDING CODE: FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK on attached structures on the rear and both sides of the property. New windows and door.". A lien was recorded on 02/10/2024 under book 34087/page 3170. There is an active Consent Agreement which expired on 09/15/2025.

VIOLATOR:

HERNANDEZ, MARIA


OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum

Date: April 18, 2025

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

From: Lisa M. Spadafina, RER Assistant Director
Division of Environmental Resources Management 

Subject: Z2023000261-2nd Review
Maria T Hernandez
11850 SW 190th Street
NUV variance for setbacks and lot coverage. Legalizing additions to
single-family residence
(RU-1) (0.18 Acres)
06-56-40

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

Potable Water Supply and Wastewater Disposal

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

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources, however, the site plan entitled "Zoning Hearing", prepared by Arshad Viqar, P.E., and dated as received by Miami-Dade County on April 02, 2025, with the subject application and indicates that tree resources onsite will not be removed.

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

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

Conditions of Approval: None

Water Control

Stormwater runoff generated by a 25-year, 10-minute storm event shall be retained on site utilizing designed seepage or infiltration drainage system.

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

Enforcement History

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

Concurrency Review Summary

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

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

cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: July 15, 2025

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

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

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

Subject: Zoning Application Comments - Maria T. Hernandez
Application No. Z2023000261 (Revision No. 2)

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

Application Name: Maria T. Hernandez

Location: The proposed project is located on approximately 0.18 acres at 11850 SW 190th Street, with Folio No. 30-6006-001-4014, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is requesting a Non-Use Variance regarding setbacks and lot coverage in order to permit and legalize an Accessory Dwelling Unit (ADU) at the existing Single-Family Residence (SFR). The ADU has a square footage of 514 sq. ft. and the existing SFR has a total square footage (under A/C) of 2,915 sq. ft. (including the ADU square footage), as per Floor Plan submitted.

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

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

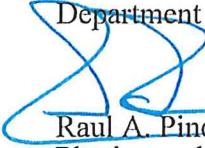
Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidadegov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidadegov, or Suyapa Carbajal at (786) 552-8124 or suyapa.carbajal@miamidadegov

Memorandum



Date: May 15, 2025

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

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

Subject: Z2023000261
Name: Maria T. Hernandez
Location: 10765 SW 52 Terrace
Section 06 Township 56 South Range 40 East

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

This land **complies** with Chapter 28 of the Miami-Dade County Code, the property is platted as Lot 5, Block 39, Plat Book 46, Page 83.

This application does not generate any additional trips.

Standard Conditions:

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

Memorandum



Date: June 25, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

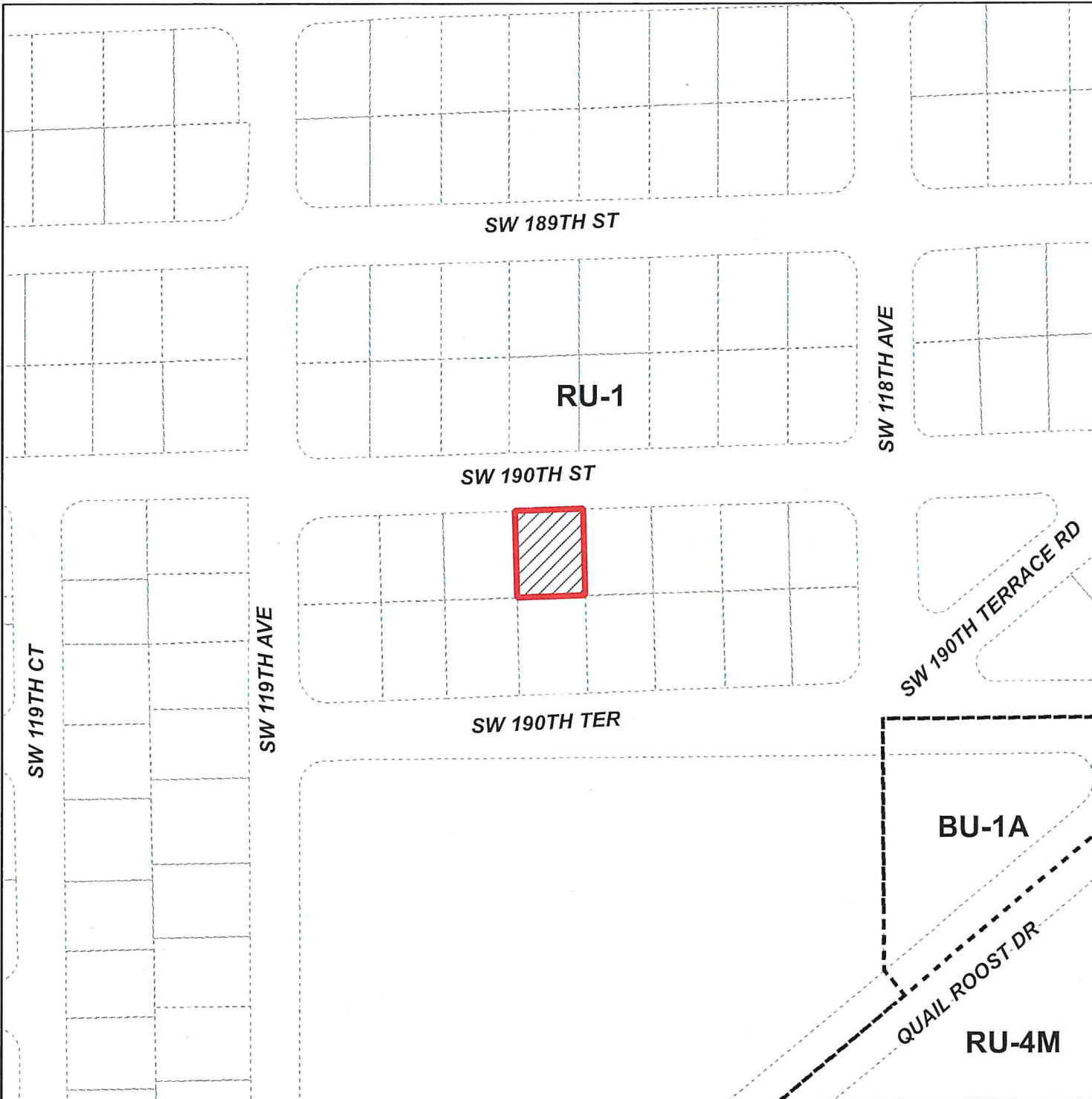
Subject: Z2023000261

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “EnerGov” on 06/23/2024. Single family home.

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

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

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





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2023000261

Section: 01 Township: 56 Range: 39
 Applicant: Maria Hernandez
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

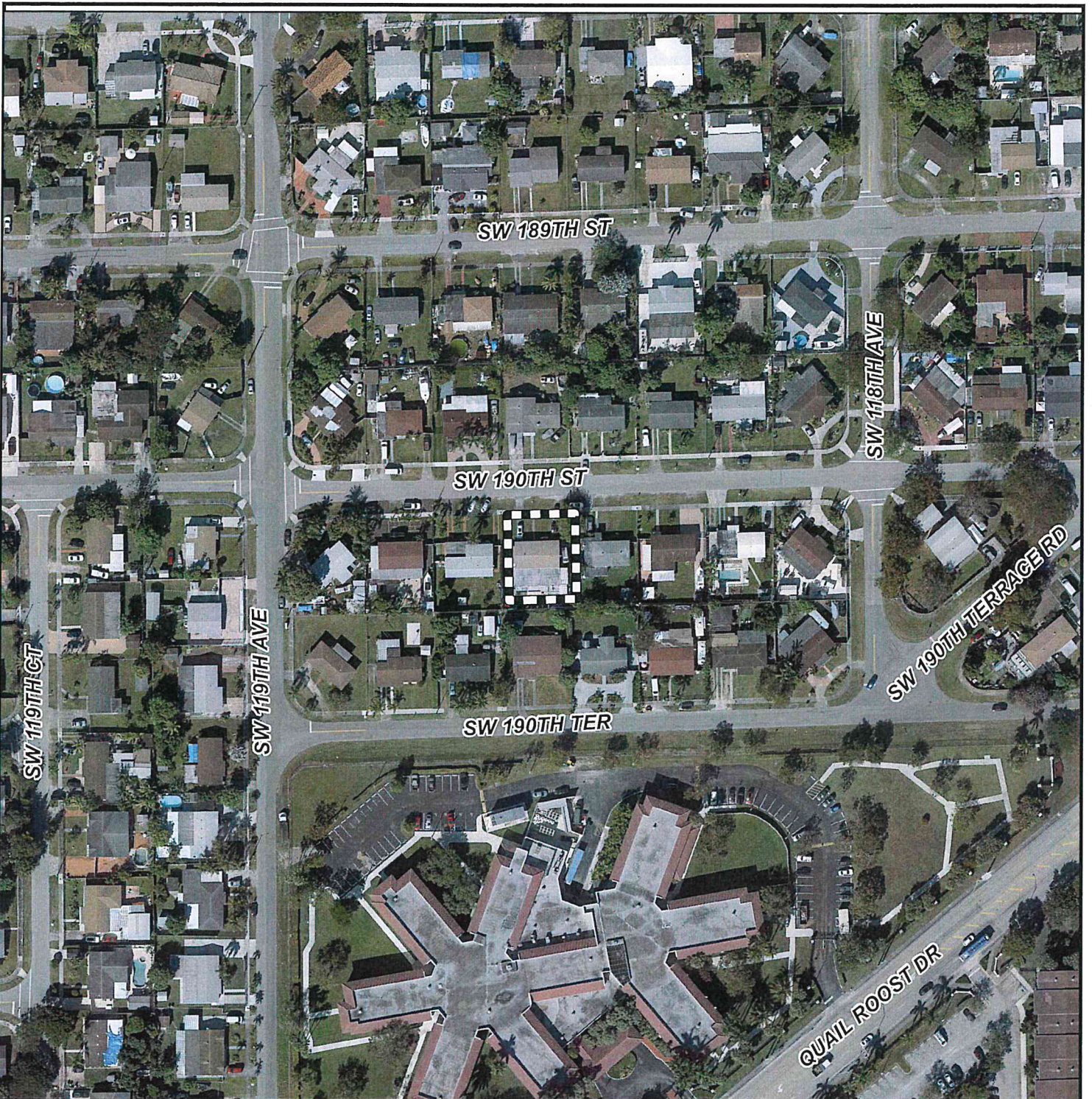
Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Thursday, July 27, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2023000261

Legend
 Subject Property

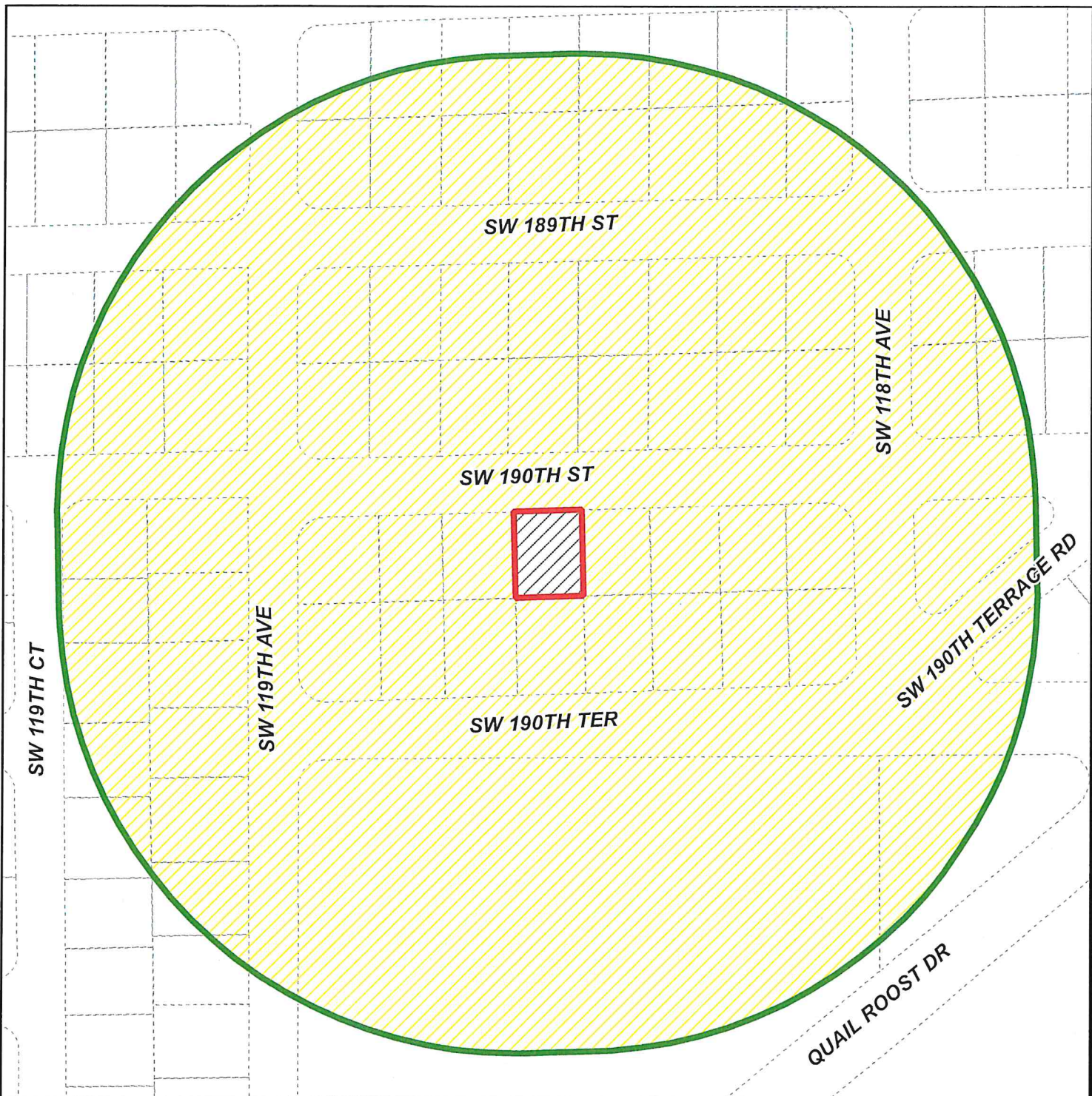


Section: 01 Township: 56 Range: 39
Applicant: Maria Hernandez
Zoning Board: C14
Commission District: 9
Drafter ID: EDUARDO CESPEDES
Scale: NTS



SKETCH CREATED ON: Thursday, July 27, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY
RADIUS MAP

Section: 01 Township: 56 Range: 39
 Applicant: Maria Hernandez
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2023000261
 RADIUS: 500

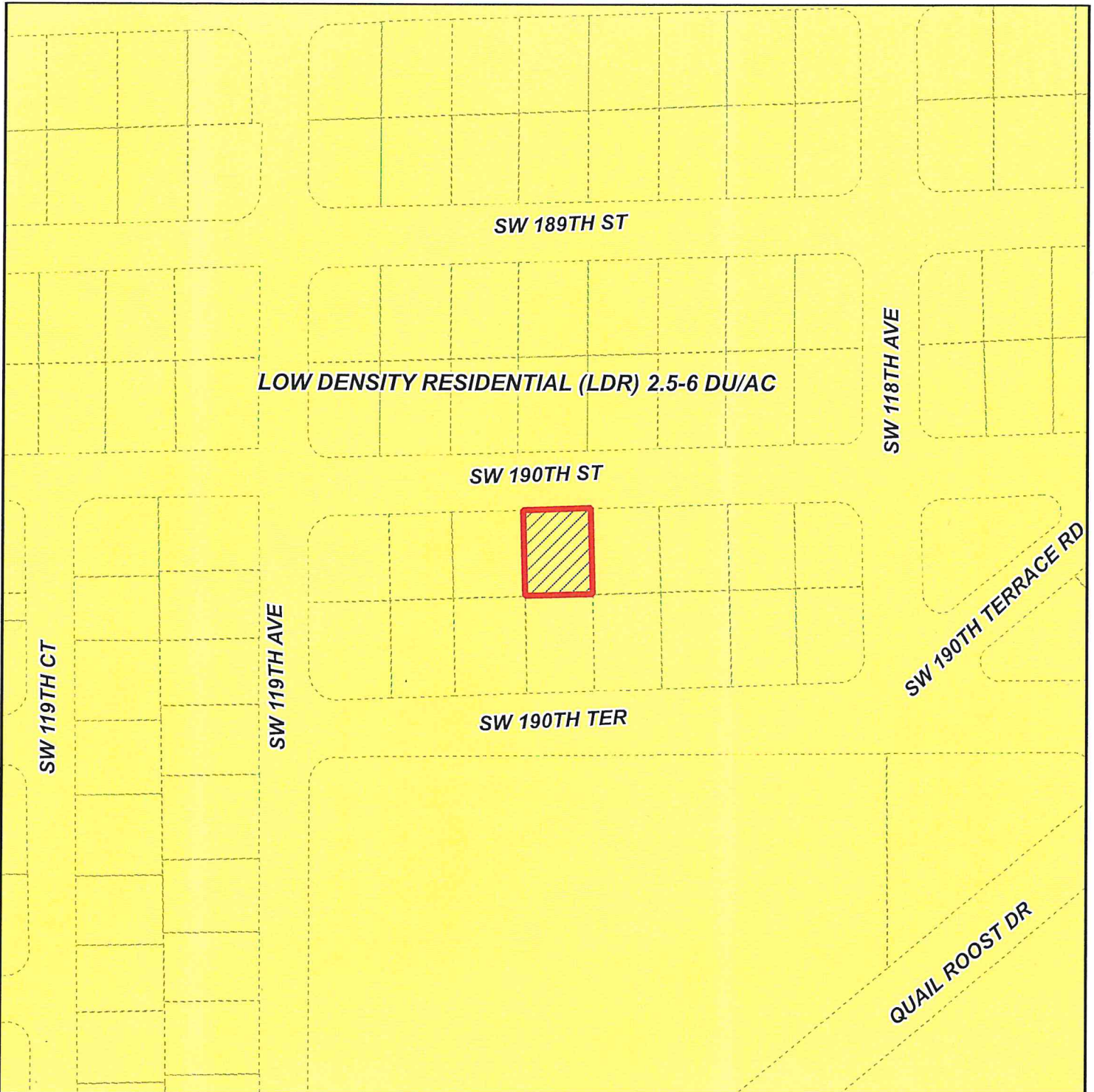
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Thursday, July 27, 2023

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2023000261

Section: 01 Township: 56 Range: 39
 Applicant: Maria Hernandez
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

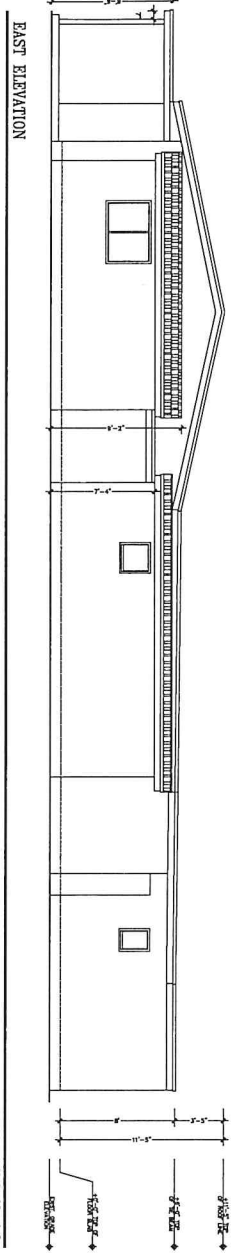
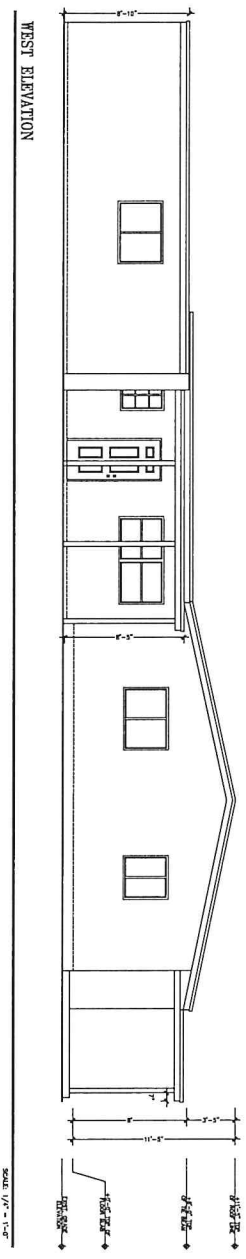
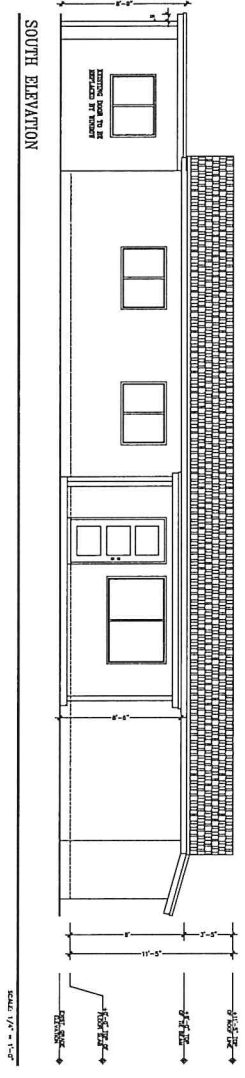
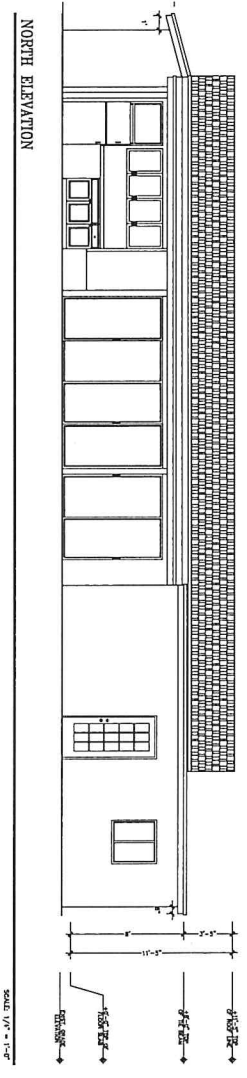
Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, July 27, 2023

REVISION	DATE	BY

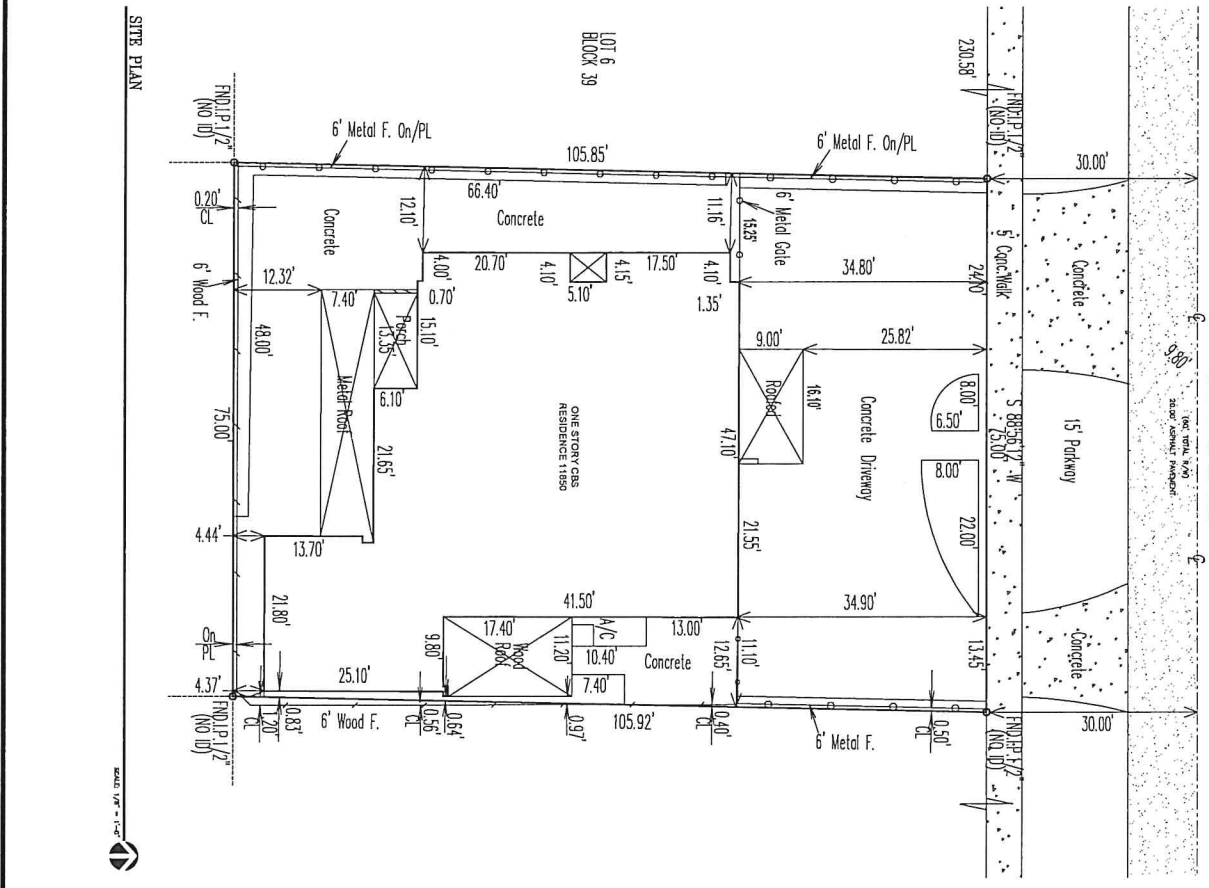


SHEET NO.
A-2

SEAL

REVISIONS	Project Id:	ZONING HEARING
DESCRIPTION	Owner:	MARIA HERNANDEZ
Date: 05-17-23	Address:	11850 SW 190 ST MIAMI, FL 33177-3941

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



SITE PLAN

LEGAL DESCRIPTION	
ADDRESS: 11850 SW 190 ST SUITE J-7 MIAMI, FL 33175-3411	
LOT: 6	BLOCK: 39
RECORDED IN PLAT BOOK 24 OF PLAT 21 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.	

ZONING, DIST., SUBDIVISION
 ZONING: RES-1
 DISTRICT: 11850 SW 190 ST SUITE J-7 MIAMI, FL 33175-3411
 SUBDIVISION: 11850 SW 190 ST SUITE J-7 MIAMI, FL 33175-3411

APPROVALS
 PREPARED BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]

NOTICE:
 IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT, THERE MAY BE OTHER APPLICABLE ORDINANCES, REGULATIONS, AND ORDINANCES OF THE CITY OF MIAMI, FLORIDA. THE PERMITTEE SHALL BE RESPONSIBLE FOR OBTAINING AND COMPLYING WITH ALL SUCH REQUIREMENTS.

SHEET NO.
SP-1

SEAL

ZONING HEARING
 MARIA HERNANDEZ
 11850 SW 190 ST MIAMI, FL 33177-3941

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

RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



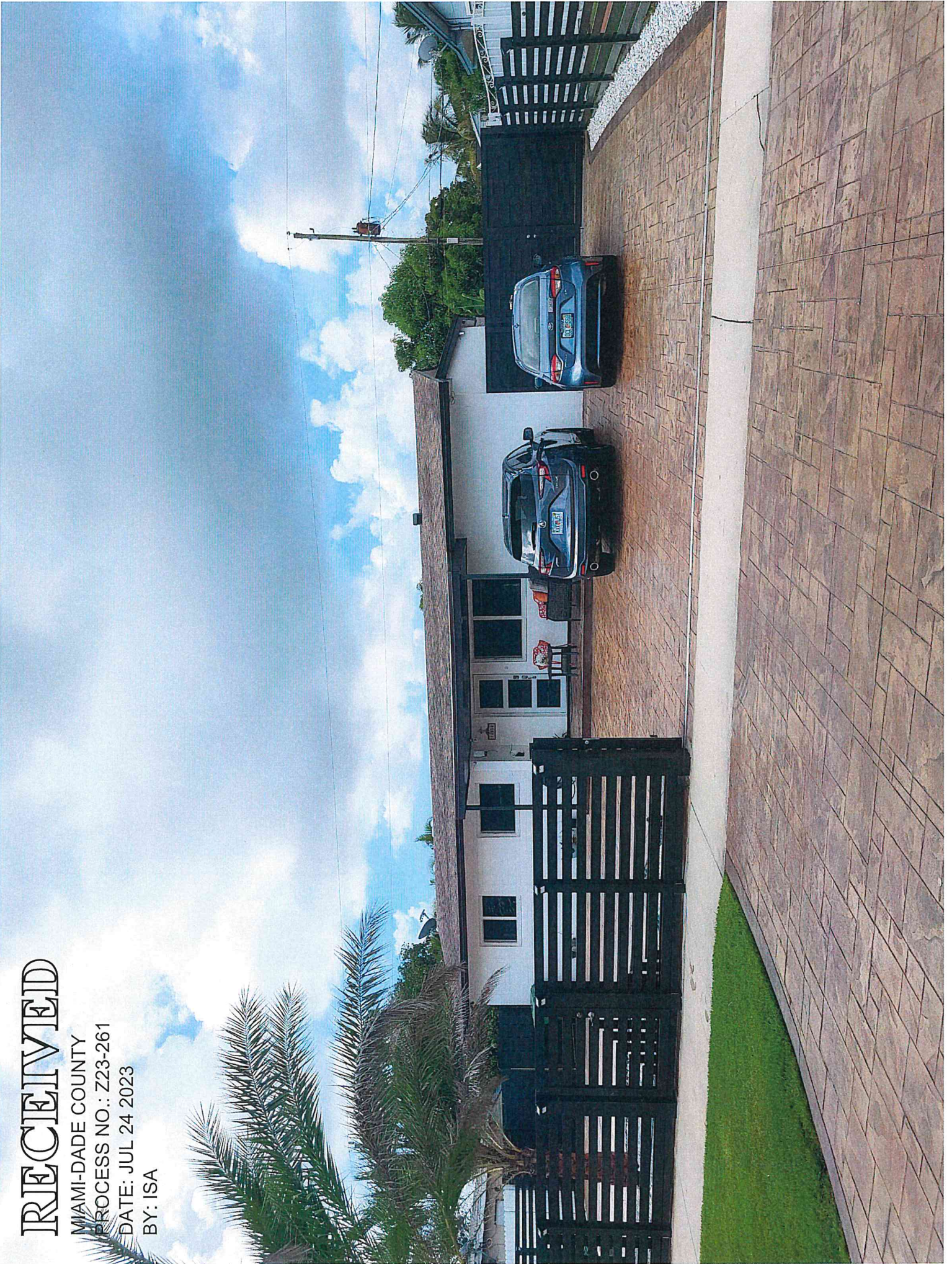
RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



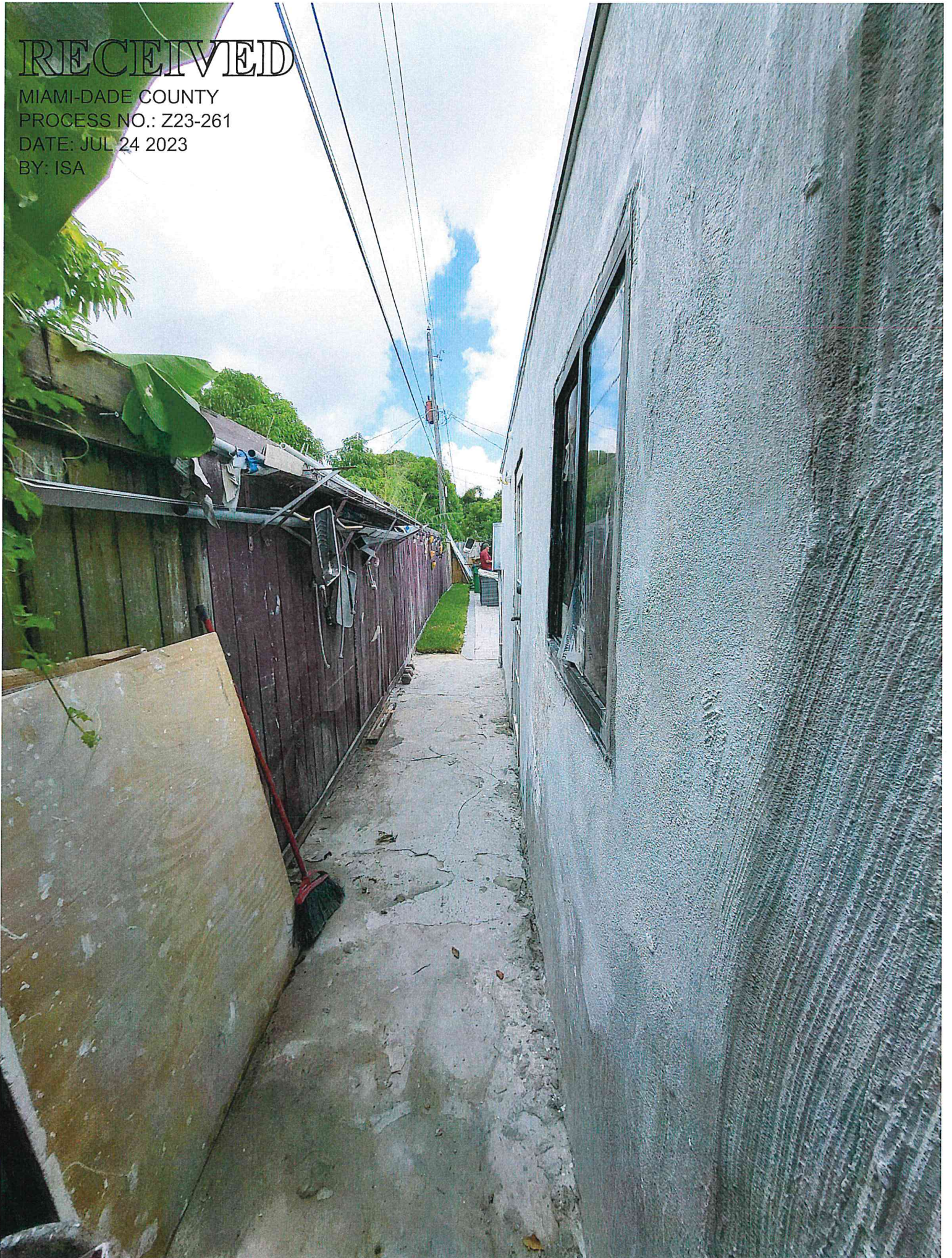
RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA





RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z23-264
DATE: JUL 24 2023
BY: ISA

RECEIVED

MIAMI DADE COUNTY
PROCESS NO.: Z23-28
DATE: JUL 24, 2023
BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA





RECEIVED

MIAMI-DADE COUNTY

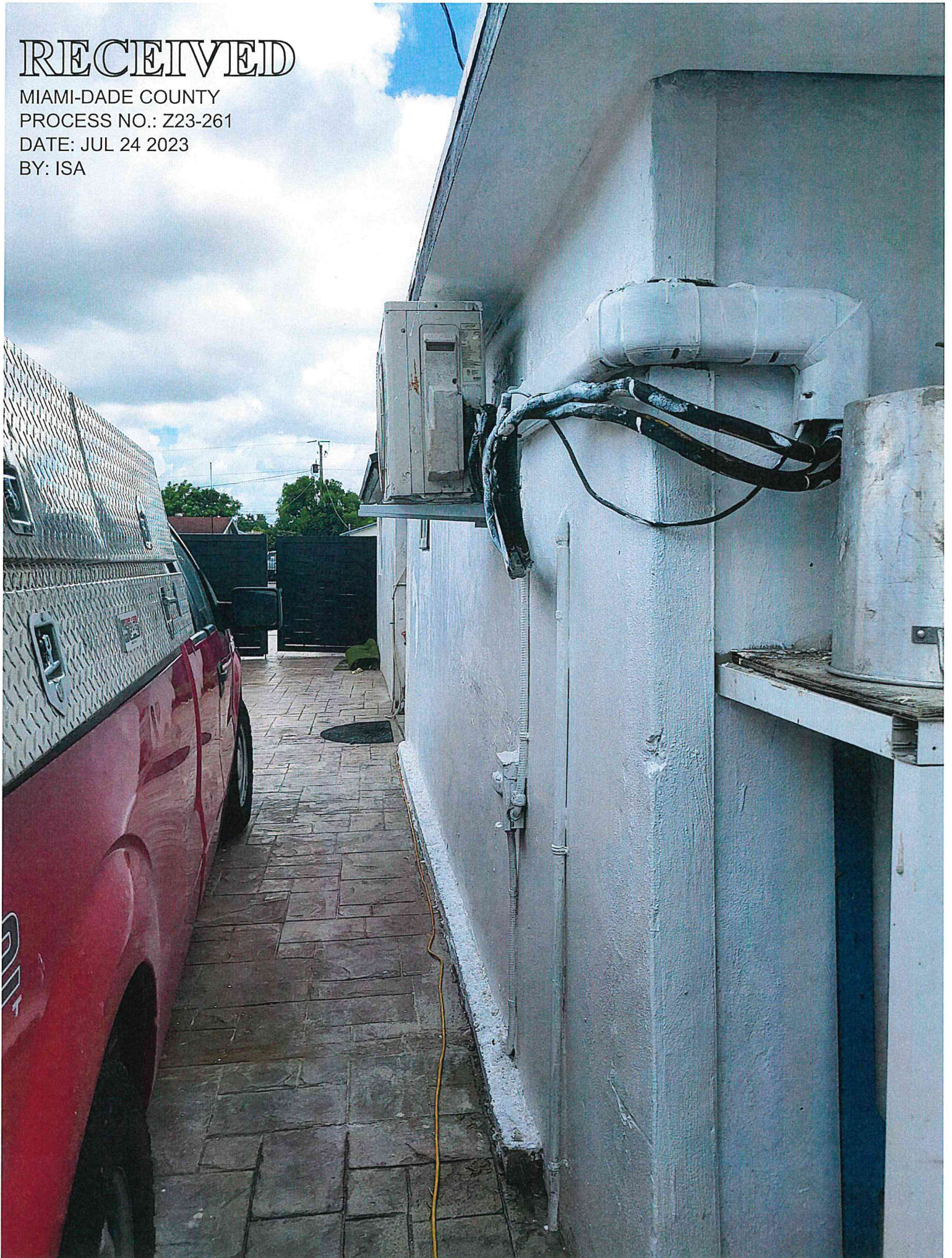
PROCESS NO.: 223-261

DATE: JUL 24 2023

BY: ISA

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z23-261
DATE: JUL 24 2023
BY: ISA



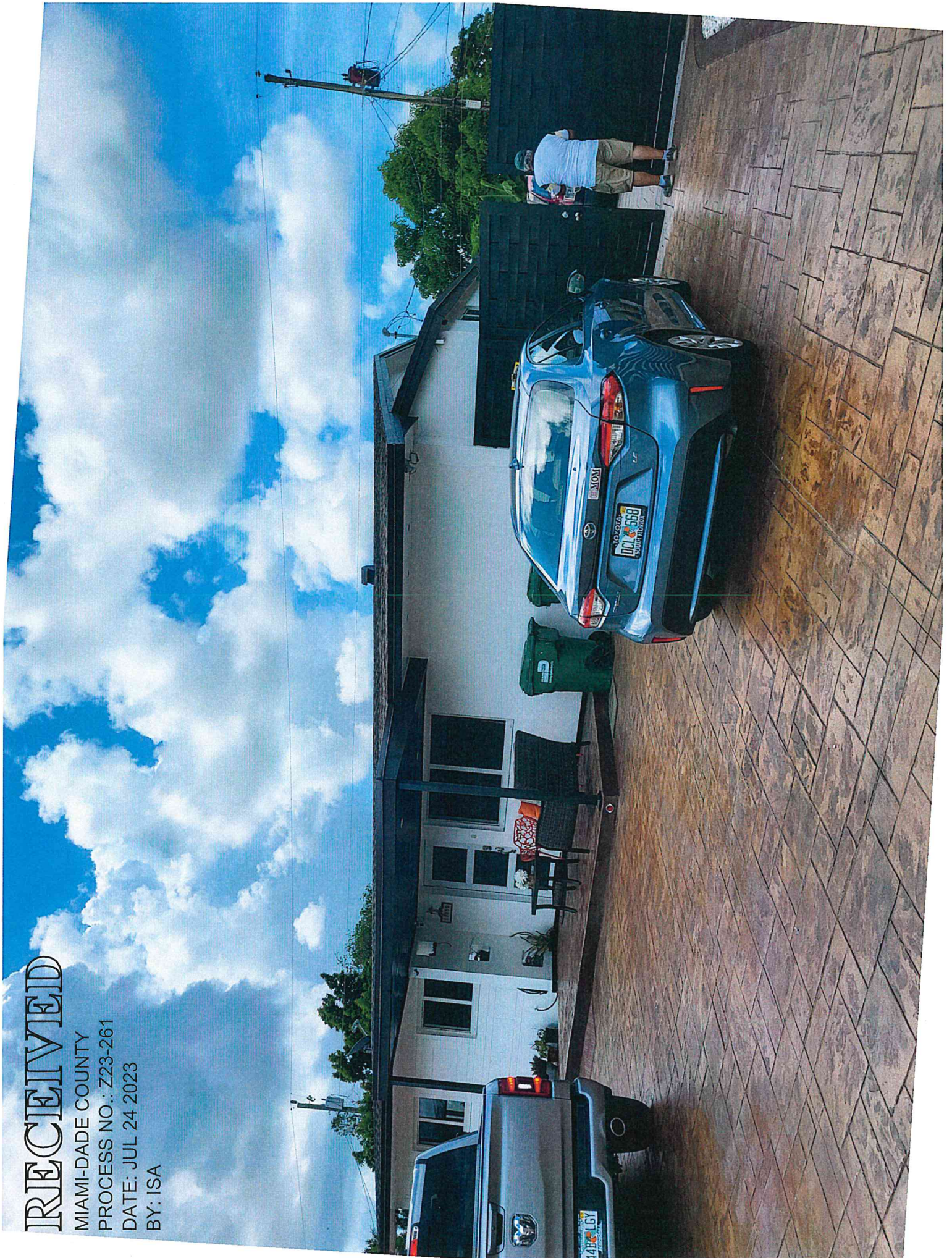
RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

BY: ISA



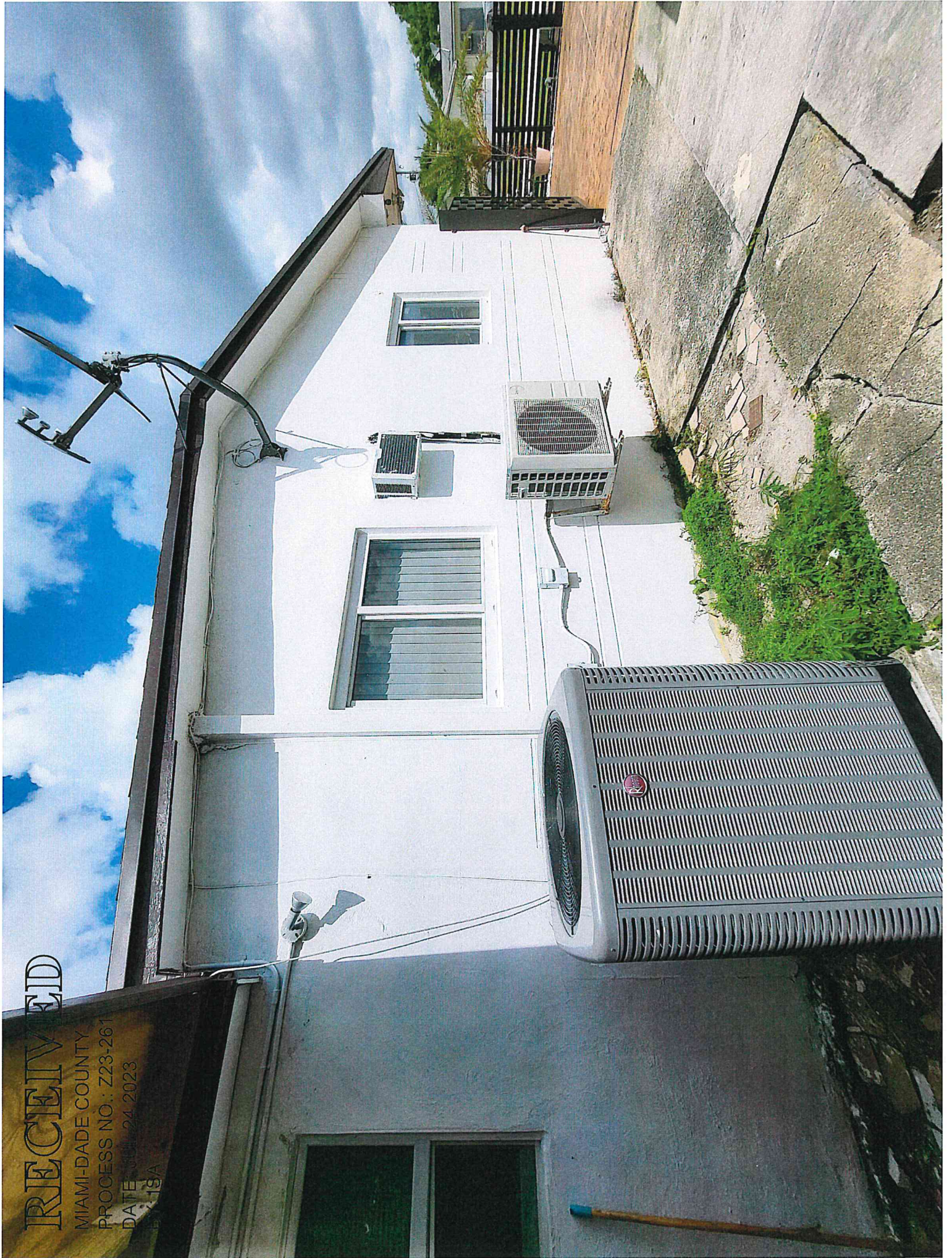
RECEIVED

MIAMI-DADE COUNTY

PROCESS NO.: Z23-261

DATE: JUL 24 2023

11:19A



**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Zoning Appeals Board 14**

PH: Z24-163

October 29, 2025

Item No. 2

Recommendation Summary	
Commission District	9
Applicant	AA Rivero Corporation
Summary of Requests	The applicant seeks to allow less parking for the proposed composting facility on the subject property, and to allow parking areas to be located closer than 25 feet from the abutting SW 176 Street roadway.
Location	Lying approximately 247 feet west of SW 187 Avenue and south of theoretical SW 176 Street, Miami-Dade County, Florida.
Property Size	±4.69 acres
Existing Zoning	GU, Interim District
Existing Land Use	Grove or orchard
2030-2040 CDMP Land Use Designation	Agriculture <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses and New Uses Section 33-311(A)(4)(b), Non-Use Variance standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions of requests #2 and #3, and withdrawal of requests #1 and #4.

REQUESTS:

- (1) Unusual Use to permit a composting facility. **(withdrawn, pursuant to recently adopted BCC Ordinance #25-105)**
- (2) NON-USE VARIANCE to permit 9 parking spaces (15 parking spaces required).
- (3) NON-USE VARIANCE to permit parking areas within 25' of the official rights-of-way (not permitted).
- (4) NON-USE VARIANCE to waive the zoning regulations requiring all uses and storage of material shall be carried on entirely within an enclosed building or confined and completely enclosed within masonry walls not less than 6' in height (not permitted). **(withdrawn, pursuant to recently adopted BCC Ordinance #25-105)**

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Landscape Plan", as prepared by Robayna and Associates Inc., dated stamped received 1/24/2025 consisting of 1 sheet and "Site Plan" dated stamped received 7/30/2025 consisting of 1 sheet, for a total of 2 sheets. Plans may be modified at the public hearing.

PROJECT DESCRIPTION:

The subject property is ±4.69 Acres in size, and is located approximately 247’ west of SW 187 Avenue, and immediately south of theoretical SW 176 Street, and is surrounded by agricultural uses. The current use on the site is a plantain grove.

The applicant intends to establish a composting facility on the subject site servicing the neighboring agricultural area by providing for the bulk sale of mulch and vegetative material compost to the surrounding nurseries. Staff notes that pursuant to **Ordinance #25-105**, which was recently adopted by the Board of County Commissioners (BCC) on October 9, 2025, a composting facility use (request #1) including outdoor storage of materials (request #4) on such sites located within the AU district do not require a public hearing anymore, and could be approvable through an administrative approval and certificate of use, pursuant to the terms and conditions of the adopted ordinance. Therefore, staff opines that requests #1 and #4 are no longer needed and can be withdrawn.

As such, under the current zoning application, the applicant seeks to allow less parking for the proposed composting facility (request #2), and to allow parking areas to be located closer than 25 feet from the abutting SW 176 Street roadway (request #3). The submitted plans depict the proposed composting area located towards the middle of the property with a significant distance from all property lines. Parking and office trailer area will be located at the front of the property; the rear of the property will remain with the existing operation of banana crops. The plans also depict a 15’ landscape buffer around the perimeter of the property on the east, west and south sides, and a 7’ landscape buffer at the north front property line. The facility will have one ingress/egress point of direct vehicle and pedestrian access along SW 176 Street, and regular car parking spaces internal to the site have been provided at the front of the property.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	GU; plantain grove	Agriculture
North	GU; agricultural use	Agriculture
South	GU; agricultural use	Agriculture
East	GU; plant nursery	Agriculture
West	GU; avocado groves	Agriculture

NEIGHBORHOOD COMPATIBILITY:

The subject parcel is lying approximately 247 feet west of SW 187 Avenue and south of theoretical SW 176 Street and consists of an existing banana crop as described on the site plan. The area surrounding the subject property is characterized by GU zoned properties to the north, south, west and east that are mostly vacant or have agricultural crops, plant nurseries or groves. Additionally, the subject property is located west of and outside the Urban Development Boundary (UDB).

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to allow less parking for a proposed composting facility, and to allow parking areas to be located closer than 25 feet from the abutting

SW 176 Street roadway. Based on memoranda from the departments reviewing this application, staff opines that approval of same will create no significant traffic or environmental impacts on the surrounding area. The Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) state in their memorandum that the application meets traffic concurrency criteria, does not exceed the acceptable Level of Service (LOS) on the neighboring roadways and will generate approximately 3 PM peak hour vehicle trips. Staff notes that the variances related to the parking regulations for the proposed composting facility on the subject site could have visual and aural impacts on the neighboring properties, but opines that such impacts have been appropriately mitigated with significant landscaped buffering in the form of trees and shrubs, and a proposed chain-link fence located along the perimeter of the subject property.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the ±4.69-acre subject property that is located outside the Urban Development Boundary (UDB), lying approximately 247 feet west of SW 187 Avenue and south of theoretical SW 176 Street, for **Agriculture** use. The CDMP interpretative text for the **Agriculture** land use category, states that *the principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture and farm residences. The subject property is designated "Agriculture" on the LUP map, which allows agriculture, uses ancillary to and directly supportive of agriculture and farm residences. The CDMP further provides that "uses that are directly supportive of agriculture but not ancillary to an on-site agricultural use may occur in this area where it can be demonstrated that the use is primarily addressing a need of the local agricultural industry" (CDMP P. I-70). A composting operation is allowed if it is deemed to be ancillary to or supportive of the agricultural industry in Miami-Dade County.* Staff notes that the applicant intends to add composting operations that would support the existing agricultural business in the area, and opines that the proposed use would be consistent with the CDMP because the materials to be processed by the composting facility will come from the agricultural area and the final product/ mulch and vegetative material compost will be sold back to the surrounding nurseries. Staff further notes that a composting facility on sites located within the agricultural district is a use that can now be approved administratively pursuant to the terms and conditions of Ordinance #25-105, as adopted by the BCC on October 9, 2025.

The proposed operation within the facility will receive yard trash, which would be chipped and accumulated. This chipped material will then be arranged into piles, not to exceed 15 feet in height, and the operator will either have static or aerated piles to produce compost that can then be used as a soil amendment. Staff opines that after reviewing the submitted documentation from the applicant and site plan, the proposed use is adequately landscaped and buffered to not have a significant visual impact on the surrounding properties, and would be **compatible** with the area that is outside the Urban development Boundary and is primarily comprised of agricultural vacant lands. Staff further opines that the proposed use would be **consistent** with the CDMP Land Use Element interpretative text for properties that are designated **Agriculture** on the CDMP LUP map, including those located outside the UDB. Furthermore, any visual or aural impacts from the requested non-use variances related to the required parking regulations for the proposed composting facility have been appropriately mitigated. As such, staff 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:

Staff opines withdrawal of the request #1, to permit a composting facility on the subject site, which was to be evaluated under Section 33-311(A)(3), Special Exception, Unusual and New Uses, as well as a withdrawal of the ancillary non-variance request #4 to waive the zoning regulations requiring all uses and storage of material shall be carried on entirely within an enclosed building or confined and completely enclosed within masonry walls, which was to be analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. Both these requests were originally needed as part of a public hearing in order to permit a composting facility use on the property, including allowing storage of materials to be outside and not within an enclosed building. However, staff notes that pursuant to Ordinance #25-105, which was recently adopted by the Board of County Commissioners (BCC) on October 9, 2025, a composting facility including outdoor storage of materials on such sites located within the AU district do not require a public hearing anymore, and could be approvable through an administrative approval and certificate of use, pursuant to the terms and conditions of the adopted ordinance. Therefore, staff opines that these requests are no longer needed and can be withdrawn. **As such, staff recommends withdrawal of request #1 under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses, as well as withdrawal of request #4 under Section 33-311(A)(4)(b), Non-Use Variances Standards From Other Than Airport Regulations.**

Notwithstanding, the applicant is requesting non-use variances from the parking requirements that are ancillary to the composting facility operations, and seeks to permit 9 parking spaces, where 15 parking spaces are otherwise required for the proposed facility (request #2), and to permit proposed parking areas within 25' of the abutting SW 176 Street right-of-way (not permitted) (request #3). When these requests are analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff opines that the approval of the requests with conditions would be **compatible** with the surrounding area and would not affect the appearance of the community.

Staff notes that the ±4.69-acre subject parcel is located west of and out-side the Urban Development Boundary (UDB), and is surrounded by agricultural zoned vacant land, with the nearest residential development located to the east, on the other side of SW 182 Avenue. The proposed composting facility is intended to receive yard trash, which will be first chipped and then accumulated on site. This chipped material would be arranged into piles, not to exceed 15 feet in height, and the operator will either have static or aerated piles to produce compost that can then be used as a soil amendment, this could be sold to existing agricultural business in the area. The site plan submitted depicts that the proposed composting facility will occupy a 2.34-acre footprint within the larger 4.69-acre property, with remainder of the area surrounding the plant to stay as banana crops. The plans further indicate significant landscaped buffering in the form of trees and shrubs being provided immediately around the entire property, which, staff opines, will be sufficient to mitigate any visual impact generated by the approval of the proposed requests on the surrounding area. Staff notes that the site plan is showing a 15 ft landscape buffer on the south, east and west property lines around the property and a 7ft landscape buffer at the front south property line. Staff further note that based on the landscape plans, the number of lot trees provided is 40, which is the required amount for the site. Similarly, staff notes that the site plan is showing a proposed chain-link fence on the property line, the fence at the front will have visual screening to comply with the parameters of section 33-11 of the building code. Staff opines that the requests will 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 re-requested non-use variances of the parking regulations would be **compatible** with the surrounding land uses and would not be detrimental to the area.

Furthermore, staff notes that the memorandum from the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER) indicates that, subject to the conditions noted within their memorandum, approval of the application will not result in a reduction in the LOS standards or impact concurrency for potable water service, wastewater disposal, or flood protection since the subject property is located outside the Urban Development Boundary. Further, staff opines that based on the memoranda submitted by other departments reviewing the application, including the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER), approval with conditions of this request 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. Additionally, the memorandum submitted by Water and Sewer and Miami-Dade Fire Rescue Departments also indicate no objection to the application. Based on the aforementioned department memoranda, staff opines that the request will not result in, among other things, excessive noise or cause undue or excessive burden on public facilities.

Based on the foregoing analysis, staff opines that all these ancillary variance requests are internal to a subject site and that approval with conditions of these requests 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*, will complement the existing and expanded agricultural use on the subject property, which fits the character of the neighborhood and, therefore, would be **compatible** with the surrounding land uses and would not be detrimental to the area. **Therefore, staff recommends approval with conditions of request #2 and #3, under Section 33-311(A)(4)(b), Non-Use Variance Standards.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate that proposed composting facility will have its one (1)-main ingress/egress point of direct vehicular and pedestrian access from SW 176 Street. Parking is provided as a surface parking lot located at the front closest to SW 176 Street. The subject site provides for a total of 9 parking spaces where 15 spaces are required, and as such do not comply with the code minimums.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval with conditions of requests #2 and #3, and withdrawal of requests #1 and #4.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited

to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Landscape Plan", as prepared by Robayna and Associates Inc., dated stamped received 1/24/25 consisting of 1 sheet and "Site Plan" dated stamped received 7/30/25 consisting of 1 sheet, for a total of 2 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants obtain a Certificate of Use from the Department of Regulatory and Economic Resources upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the applicant shall comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the Department of Regulatory and Economic Resources Platting and Traffic Review Section as may be contained in its memorandum.
6. That the applicant complies with all the applicable conditions, requirements, recommendations, requests and other provisions of the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources as contained in its memorandum.

ES:JB:SS:PM



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

ZONING RECOMMENDATION ADDENDUM

AA Rivero Corporation

PH: Z24-163

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

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

<p>Agriculture (Page. I-70)</p>	<p><i>The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture and farm residences. Uses ancillary to and directly supportive of agriculture are defined as those uses related to preserving, processing, packaging or selling of agricultural products from Florida (except that wineries may utilize imported products for winemaking), and farm supplies, as well as sale and service of farm machinery and implements, subject to the requirements of Chapter 24 of the County Code. Uses that are directly supportive of agriculture but not ancillary to an on-site agricultural use may occur in this area where it can be demonstrated that the use is primarily addressing a need of the local agricultural industry or that the use significantly furthers agritourism to the agricultural area. Uses necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship. However, schools shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-3A.</i></p> <p><i>In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Unless expressly permitted elsewhere in this section, no business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, agricultural processing facilities for produce grown in Florida and uses that promote ecotourism and agritourism consistent with Policy LU-1P are not restricted to locating on an existing arterial roadway. Other uses, including utility uses compatible with agriculture and with the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area. Existing quarrying and ancillary uses in the Agriculture area may continue operation and be considered for approval of expansion.</i></p> <p><i>The parking and storage of operable, non-disabled commercial motor vehicles may be considered for approval on properties ten acres or greater in the area east of the Urban Development Boundary, south of the theoretical extension of SW 236 Street, and north of SW 248 Street, as depicted on Figure 5.1, subject to the following requirements: (a) commercial vehicle storage facilities shall obtain an annual operating permit from the Division of Environmental Resources Management in the Department of Regulatory and Economic Resources and be subject to required quarterly groundwater quality monitoring; (b) all vehicles and equipment shall be stored or parked only on paved impervious surfaces with county-approved drainage systems; (c) truck washing, mechanical repair, or maintenance of any kind shall be prohibited; (d) the storage, handling, use, discharge and disposal of liquid wastes or hazardous wastes shall be prohibited; and (e) a vegetative buffer shall be provided along the perimeter of the property to provide visual screening.</i></p>
---	--

ZONING RECOMMENDATION ADDENDUM

AA Rivero Corporation

PH: Z24-163

	<p><i>Also included in the Agriculture area are enclaves of estate density residential use approved and grandfathered by zoning, ownership patterns and platting activities which predate this Plan. The grandfather provisions of the Miami-Dade County Zoning Code shall continue to apply in this area except that lots smaller than 15,000 square feet in area are not grandfathered hereby. Moreover, all existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning: (a) is found through a subsequent planning study, as provided in Policy LU-4E, to be inconsistent with the foregoing grandfather provisions or with the CDMP as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map". This paragraph does not, however, authorize the approval or expansion of any use inconsistent with this plan. To the contrary, it is the intent of this Plan to contain and prevent the expansion of inconsistent development in the Agriculture area. It is provided, however, that existing parcels that: a) have existing lawful zoning of IU-1 (Industry-Light) since November 29, 1988; and b) are bifurcated by the UDB; and c) have any portion of the parcel located within a designated urban center, may be developed with any of the industrial uses permitted in the IU-1 zoning district, as long as adequate buffering and drainage is provided to limit impacts to adjacent agriculturally-designated properties.</i></p>
<p>Uses and Zoning Not Specifically Depicted (Page. I-33)</p>	<p><i>Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the parcel exists, including all the provisions for density averaging and definition of gross density.</i></p>

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses and New Uses</p>	<p><i>(A) Except as otherwise provided by this chapter, the Community Zoning Appeals Boards ("CZABs") and Board of County Commissioners shall have the authority and duty to consider and act upon applications, as hereinafter set forth, after first considering the written recommendations thereon of the Director or Developmental Impact Committee, as applicable. Provided, however, no such action shall be taken until notice of time and place of the hearing has been provided in accordance with this article. The respective zoning 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. The respective zoning boards or any of their members may inspect the premises and area under consideration. The Community Zoning Appeals Boards shall have authority over the following zoning applications except where the Board of County Commissioners has direct jurisdiction.</i></p> <p><i>(3) Special exceptions (for all applications other than public charter schools and as provided in Section 33-314), unusual and new uses. Hear application for and grant or deny special exceptions, except for (i) public charter schools, (ii) self-service mini-warehouse storage facilities, and (iii) as otherwise provided in Section 33-314; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses, and unusual uses,</i></p>
---	--

ZONING RECOMMENDATION ADDENDUM

AA Rivero Corporation

PH: Z24-163

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.

(a) Hear application for and grant or deny unusual uses for Wireless Supported Service Facilities, which by the regulations are only permitted upon approval after public hearing; provided the applied for use, 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 use in relation to the present and future development of the area concerned and the compatibility of the applied for use with such area and its development, provided that:

i. The applicant shall demonstrate that the proposed Wireless Supported Service Facility will cure:

a. signal interference problems; or

b. the applicant's lack of wireless service coverage or capacity in the area intended to be served by the proposed Wireless Supported Service Facility

ii. The applicant shall provide information to permit independent verification of factual data relied upon by the applicant to establish 3(a)(i) above, including, but not limited to the following:

a. the purpose for the proposed Wireless Supported Service Facility; and

b. the following technical data for the proposed Wireless Supported Service Facility and for each existing, authorized, pending and proposed adjacent facility:

i. site name or other reference;

ii. facility latitude and longitude;

iii. site elevation;

iv. for each antenna at each of the included facilities:

1. height of antenna radiation center;

2. antenna type and manufacturer;

3. maximum effective radiated output power, including the maximum total power radiated from all channels;

4. azimuth of main antenna lobe; and

5. beam tilt and null-fill of each antenna.

c. a complete up- and down-link power budget for the proposed Wireless Supported Service Facility, including any differences that may exist with the power budgets of the adjacent facilities, to ensure that all of the gain and loss factors used by the applicant are included in a verification analysis.

d. complete descriptions of methodology, formulas, data presented in appropriate parameter data units (e.g., Erlangs, Watts, dBm, ft.), existing traffic studies and trend analyses if the proposed facility is intended to cure a lack of capacity, and any other information necessary for an independent engineer to verify statements concerning signal interference or lack of capacity or coverage; and

e. identification of any equipment that differs from industry standards.

ZONING RECOMMENDATION ADDENDUM

AA Rivero Corporation

PH: Z24-163

	<i>iii. that the applicant shall reimburse the department for fees charged to the department for independent verification of factual data relied upon by the applicant, as required pursuant to paragraph 3 a ii above.</i>
Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

AA RIVERO CORPORATION/RIVERO, ARIEL

N/A
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

PENDING

Z2024000163

DATE

HEARING NUMBER

FOLIO No: 30-5835-000-0037

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

April 16, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases in BSS.

VIOLATOR:

AA RIVERO CORPORATION/RIVERO, ARIEL

OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum

Date: July 31, 2025

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

From: Lisa M. Spadafina, RER Assistant Director
Division of Environmental Resources Management



Subject: Z2024000163-4th Review
AA Rivero Corporation
SW 187th Avenue and SW 176th Street
Proposing a composting facility that will maintain 51% of the property area as agricultural to continue growing plantains. NUV to allow 9 off street parking spaces instead of 15 and parking areas within 25 feet of the official right of way.
(GU) (4.07 acres)
35-55-38

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

Potable Water and Wastewater Disposal

Based on feasible distance requirements in the Code and the site plan submitted with this application, the property is not currently within feasible distance to connect to public water and public sanitary sewers. Consequently, the proposed development would have to be served by an on-site drinking water supply well as the source of potable water, and by an onsite sewage treatment and disposal system (OSTDS) as a means for the disposal of domestic liquid waste.

Section 24-43.1(4) states no County office, agent, employee, or Board shall approve, grant, or issue any building permit, certificate of use and occupancy, platting action or zoning action for any nonresidential land use served or to be served by any source of potable water supply and an onsite sewage treatment and disposal system (OSTDS) without the prior written approval of the Director. The same Code section further requires that the Director shall only issue written approval if it is demonstrated that the only liquid waste that shall be generated, disposed of, discharged, or stored on the property shall be domestic sewage discharged into an OSTDS that complies with section 24-42.7 of the Code.

Section 24-43.1(6) states no County or municipal officer, agent, employee, or Board shall approve, grant or issue any building permit, certificate of use and occupancy, municipal occupational license, platting action (final plat, waiver of plat or equivalent municipal platting action) or zoning action (district boundary change, unusual use, use variance or equivalent municipal zoning action) for any nonresidential land use served or to be served by any liquid waste storage, disposal or treatment method other than utility sanitary sewers or any source of potable water supply other than a utility water main without obtaining the prior written approval of the Director.

Further, section 24-43.1(6) of the Code provides that the Director shall issue written approval for a non-residential use using public water and OSTD if the only liquid to be generated, disposed of, discharged, or stored on the property is domestic sewage discharged into an OSTDS. A composting facility is a land use that generates liquid waste other than domestic and cannot be administratively approved by DERM.

Recognizing that composting facilities could be a beneficial use of material that would otherwise be landfilled, DERM sought a four-year extension of time from the above-noted Code requirements from the Environmental Quality Control Board (EQCB), to allow composting facilities on properties not served by public water and public sanitary sewers provided those facilities are not within any portion of a wellfield protection area. The EQCB approved a class extension of time, via EQCB Order No. 24-01, from the requirements of sections 24-43.1(4) and 24-43.1(6) of the Code to allow the Director of DERM to review, approve, allow permits, and issue operating permits to composting facilities that comply with the requirements stipulated in EQCB Order No. 24-01. This extension of time shall automatically expire on December 14, 2027. No approvals pursuant to section 24-43.1(4) and section 24-43.1(6), or other DERM approvals, including operating permits that require consistency with Chapter 24 of the Code, shall be issued based on this EQCB Order after December 14, 2027. Upon expiration of the extension of time, any composting facility that was able to obtain the Director's approval during this extension of time would need to comply with the applicable Code requirements at that time.

EQCB Order No. 24-01 is attached hereto as reference and recorded in the Public Records of Miami-Dade County in Miami-Dade County Official Records Book 34070, Pages 762-768.

According to the site plan submitted with this zoning application, the applicant proposes to install a 528-square-foot office trailer with a restroom to be served by OSTDS. Pursuant to EQCB Order No. 24-01: *"DERM review and approval are required prior to installing and operating an onsite domestic well and an onsite sewage treatment and disposal system. The onsite domestic well and onsite sewage treatment and disposal system shall be in conformance with the requirements of Chapter 24."* The applicant shall obtain DERM review and approval of applicable building permits for the office trailer, RER-Environmental Plan Review shall review and approve of applicable permits for the onsite domestic well and OSTDS in compliance with all conditions of EQCB Order No. 24-01 is required.

Additionally, EQCB Order No. 24-01 requires that prior to DERM approval of a zoning application the property owner must comply with specific requirements:

- Obtain DERM review and approval of a leachate control system prepared by a Florida licensed professional engineer that demonstrates control of leachate to ground and groundwater.
- Obtain DERM review and approval of stable surfaces (e.g. compacted limerock pad, etc.) designed to minimize or eliminate degradation and erosion for the compost storage and processing areas, including finished compost storage areas.
- Obtain DERM review and approval of a stormwater management system in accordance with applicable federal, State, and local regulations and guidance
- The owner shall submit a properly executed covenant to comply with specific conditions enumerated in the EQCB Order. Please email EQCB@miamidade.gov for information regarding this covenant.
- Obtain DERM approval of a groundwater monitoring plan.

Pursuant to EQCB Order No. 24-01, the owner of the property has submitted to DERM a properly executed covenant running with the land in favor of Miami-Dade County which provides that the owner will comply with the required plan approval enumerated in EQCB Order No. 24-01.

Pursuant to section 24-43.1(4)(a) of the Code, the owner of the property has submitted to DERM a properly executed covenant running with the land in favor of Miami-Dade County which provides that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into an OSTDS.

Pollution Regulation Review

The Environmental Permitting Section (EPS) of DERM has reviewed the subject submittal, which proposes the establishment of a yard trash composting facility, and notes that the applicant has obtained DERM approvals to comply with the pertinent conditions of EQCB Order No. 24-10.

As part of the submittal, the applicant provided a proposed Groundwater Monitoring Plan and a revised site plan dated July 30, 2025. The site plan illustrates stable surfaces designated for compost storage and processing. EPS issued preliminary approval of the Groundwater Monitoring Plan on July 30, 2025, and confirms that the revised site plan meets stability requirements for the proposed operational areas.

Be advised that the proposed yard trash composting facility must be operated in a manner that meets the operational and design requirements stipulated in the conditions of the EQCB Order 24-01. If the petitioner is unable to establish compliance with the conditions of the class extension of time granted by EQCB Board Order 24-01, the petitioner has the option to seek a site-specific variance of extension of time from the EQCB to comply with the requirements of sections 24-43.1(4) and (6) of the Code which apply to non-residential land uses not served by public water utilities or public sanitary sewer utilities. This provision is covered in condition #3 of EQCB Order 24-01. The petitioner is advised that the class extension of time provided by EQCB Board Order 24-01 expires on December 14, 2027. Upon expiration of said order, any composting facility that was able to obtain the Director's approval during the time-extension period granted by the order would need to comply with the Code requirements at that time.

Prior to operating the compost facility, the applicant shall obtain a Miami-Dade County Certificate of Use and the Resource Recovery and Management Facility (RRMF) permit for the handling, storage, and processing of solid waste, pursuant to Section 24-18 of the Code.

For any questions regarding these comments, please contact Gabriel Bristol-Sanchez (gabriel.bristol-sanchez@miamidade.gov) or Johnny Vega, P.E., (johnny.vega@miamidade.gov) of the EPS at (305) 372-6600.

Water Control Review

The proposed development is located outside the Urban Development Boundary (UDB) where flood protection is required. DERM has reviewed the submitted conceptual stormwater management master plan, stamped received by Miami Dade County on March 10, 2025, demonstrating the retention of the 100-year/3-day storm event on site and recommends approval.

Pursuant to section 24-48.1(1)(f) of the Code, a Class VI Permit shall be required for the construction of the proposed surface water management system.

The applicant is advised to contact the DERM Water Control Section (305)372-6681 for further information regarding permitting procedures and requirements.

Conditions of Approval: None

Pollution Remediation Review

DERM does not have records of current contamination issues on the subject site. However, based on the current/past agricultural use of the site, DERM review and approval of a Phase 1 and Phase 2 Environmental Site Assessment prepared in accordance with ASTM standards may be required at the site prior to site development and prior to the submittal of site development plans through the building department review process. DERM review and approval of said documents may be required.

Further, all construction plans (inclusive of drainage) and dewatering plans may require DERM review and approval from the Environmental Monitoring and Restoration Division (EMRD) of DERM as it relates to environmental contamination issues. Be advised that the EMRD review of this application does not constitute an approval of any site plans, drainage plans, or development plans that may be included as part of this application.

Please note that this information relates to future reviews and assessments: for property that is classified as agricultural by the Miami-Dade County Property Appraiser, under certain circumstances, certain DERM activities would be preempted to the Florida Department of Environmental Protection, and such matters would be reviewed on a case-by-case basis to ensure compliance with applicable state law.

Any contaminated portion of the site that is proposed to be sold, transferred or dedicated (including, but not limited to, for public right-of-way) to any public entity shall be identified on the tentative and final plat plans for this development. If any contaminated portion of the site is proposed to be sold, transferred or dedicated to the County, please note that all soil, groundwater or surface water contaminants, solid waste, and methane must be disclosed to the applicable County department at the earliest stage possible. The applicable County departments would include all departments that would receive or manage the proposed property, and for example, would include Department of Parks and Recreation and Open Spaces (PROS) for a park and Department of Transportation and Public Works (DTPW) for road right-of-way. Please note that the presence of any such contamination, solid waste, or methane or a delay by the applicant in disclosing such contamination or impacts to the applicable County departments could result in the county declining to accept the proposed dedication. This may in turn result in the need for the developer to reconfigure or change previously approved site plans, or make other changes to the proposed development, which may require approval after public hearing.

If an applicant elects to address soil contamination, groundwater contamination, solid waste, and methane via a No Further Action with Conditions, each individual property owner will be required to execute a restrictive covenant.

Please note that nothing stated herein may be interpreted to limit or restrict an engineer's or other professional's responsibility to prepare plans accurately and completely for proposed rights-of-way as well as any other projects or plans.

Please contact Thomas Kux, P.G. of the DERM Environmental Monitoring and Restoration Division at Thomas.kux@miamidade.gov or (305)372-6700 should you have any questions.

Conditions of Approval: Obtain Phase 1 and Phase 2 Environmental Site Assessment prior to applicable development orders.

Tree Preservation Review

An aerial review of the subject property indicates the presence of tree resources. A site plan entitled "Development of Soil Preparation Facility", prepared by O.E. Robayna, P.E., and dated as received by

Miami-Dade County on March 10, 2025, was submitted in support of the subject application and indicates the removal/relocation of non-specimen (a tree with a trunk diameter at breast height less than 18 inches) tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. DERM has no objection to this application provided that the applicant obtains a Miami-Dade County Tree Removal Permit prior to the removal or relocation of the non-specimen trees on site.

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

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

Conditions of Approval: None

Air Quality Management Review

According to the application, the applicant intends to establish a chipping and composting facility. As stated, the facility will receive yard trash which will be chipped, arranged in piles not to exceed 15 feet, and be aerated regularly to produce compost. Chipping operations, screening operations, and composting operations are all potential sources of air emissions for which a DERM Air Permit will be required.

Prior to construction and operating the facility, and as part of the DERM review and approval process, the applicant shall provide additional information to determine the extent of potential air emissions for DERM to determine if a Florida Department of Environmental Protection (FDEP) air permit will also be required in addition to the required DERM Air Permit.

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.

DERM Concurrency Review

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 31, 2025

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

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

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

Subject: Zoning Application Comments - AA Rivero Corp.
Application No. Z2024000163 (Revision # 3) - (Pre-App. No. Z24P-023)

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

Application Name: AA Rivero Corp.

Location: The proposed project is located on approximately 4.70 acres on the south side of SW 176th Street, approximately 260 feet west of SW 187th Avenue with Folio No. 30-5835-000-0037, **Outside the Urban Development Boundary (UDB)**, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is seeking approval to pave the way for a proposed composting facility, and to install a 528 square foot office trailer with a restroom. Also, the applicant is requesting A) A non-use variance to allow 9 off-street parking spaces where 15 are required; and B) A non-use variance to permit driveways and parking areas within 25 feet of the official right of way.

Recommendation: WASD has no objections to this application. There is no connection to public water and sewer infrastructure outside the UDB. Per CDMP policy, water and sewer infrastructure outside the UDB is not allowed unless found consistent with the goals and policies of the CDMP.

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

Memorandum



Date: September 2, 2025

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

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

Subject: Z2024000163
Name: AA Rivera Corporation
Location: Southeast Corner of SW 188 Avenue and SW 176 Street
Section 35 Township 55 South Range 38 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 **3 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
9208	SW 177 Avenue south of SW 184 Street	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 18, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

Subject: Z2024000163

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “EnerGov” on 3/10/2025.

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

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

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

Memorandum



Date: 12/10/2024

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

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

Subject: AA Rivero Review of Z2024000163

A handwritten signature in black ink, appearing to read "Aneisha Daniel".

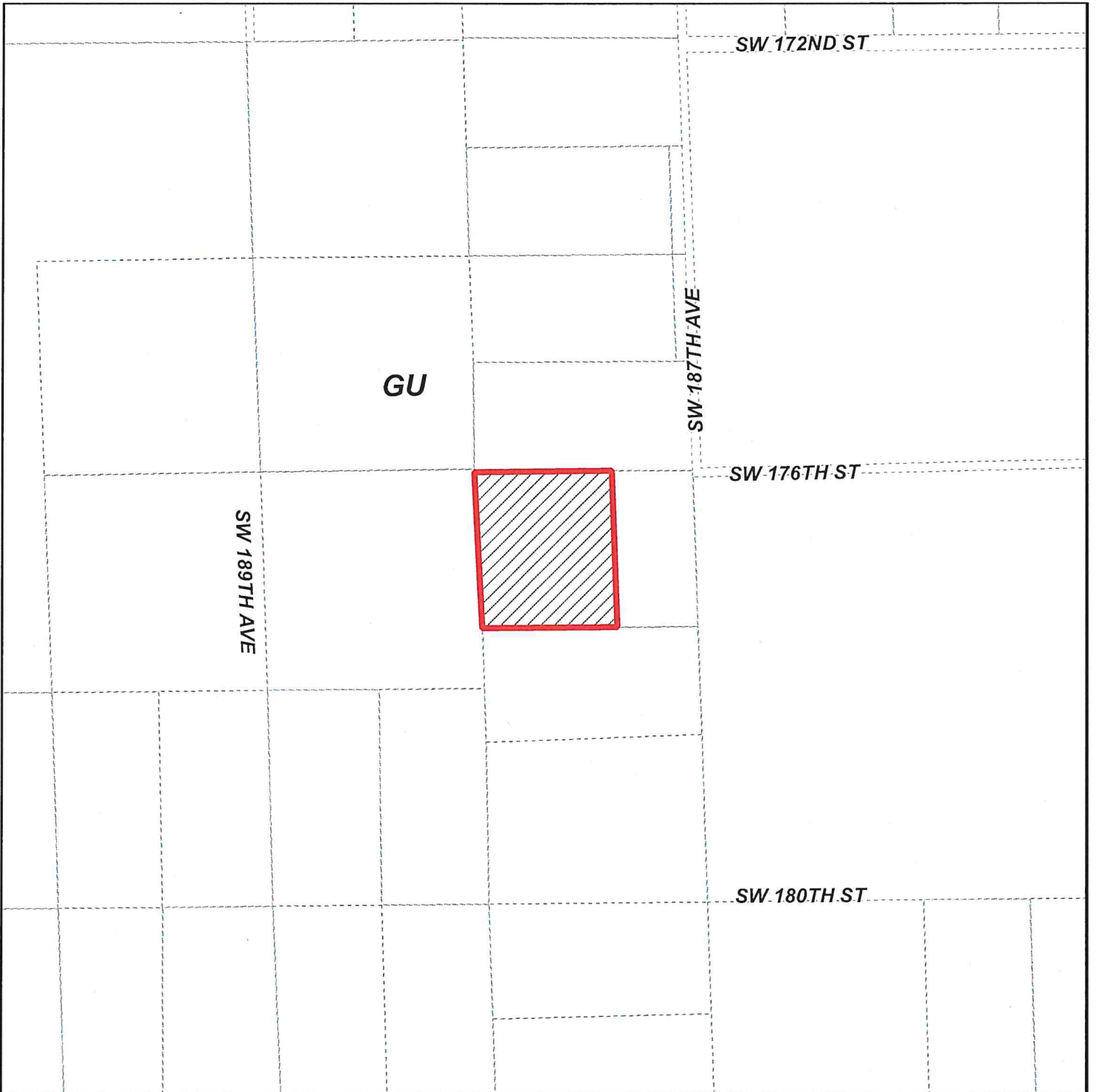
The Department of Solid Waste Management's review of the above-referenced item is provided below. Additional comments will be provided as needed. **DSWM has no objections to the proposed application.**

Application: The applicant, AA Rivero Corporation, is requesting approval of a Use Variance to allow a Composting Facility to operate on the site.

Size: The subject property is approximately 4.7 acres in size.

Location: The property is located at the SE corner of theoretical SW 188th Avenue and SW 176th Street in Unincorporated Miami-Dade County.

As mentioned in the Applicant's Letter of Intent, the Applicant understands that operating permits, not limited to the Resource Recovery and Management Facility (RRMF) permit, shall be acquired prior to a Certificate of Use (CU) being issued. The Department looks forward to providing feedback to the Applicant on issues related to these separate applications once they are received.





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2024000163

Section: 35 Township: 55 Range: 38
 Applicant: AA Rivero Corporation
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, August 20, 2024

REVISION	DATE	BY



SW 172ND ST

SW 189TH AVE


SW 187TH AVE

SW 176TH ST

SW 180TH ST

MIAMI-DADE COUNTY
AERIAL YEAR 2023

Process Number
Z2024000163

Legend
 Subject Property

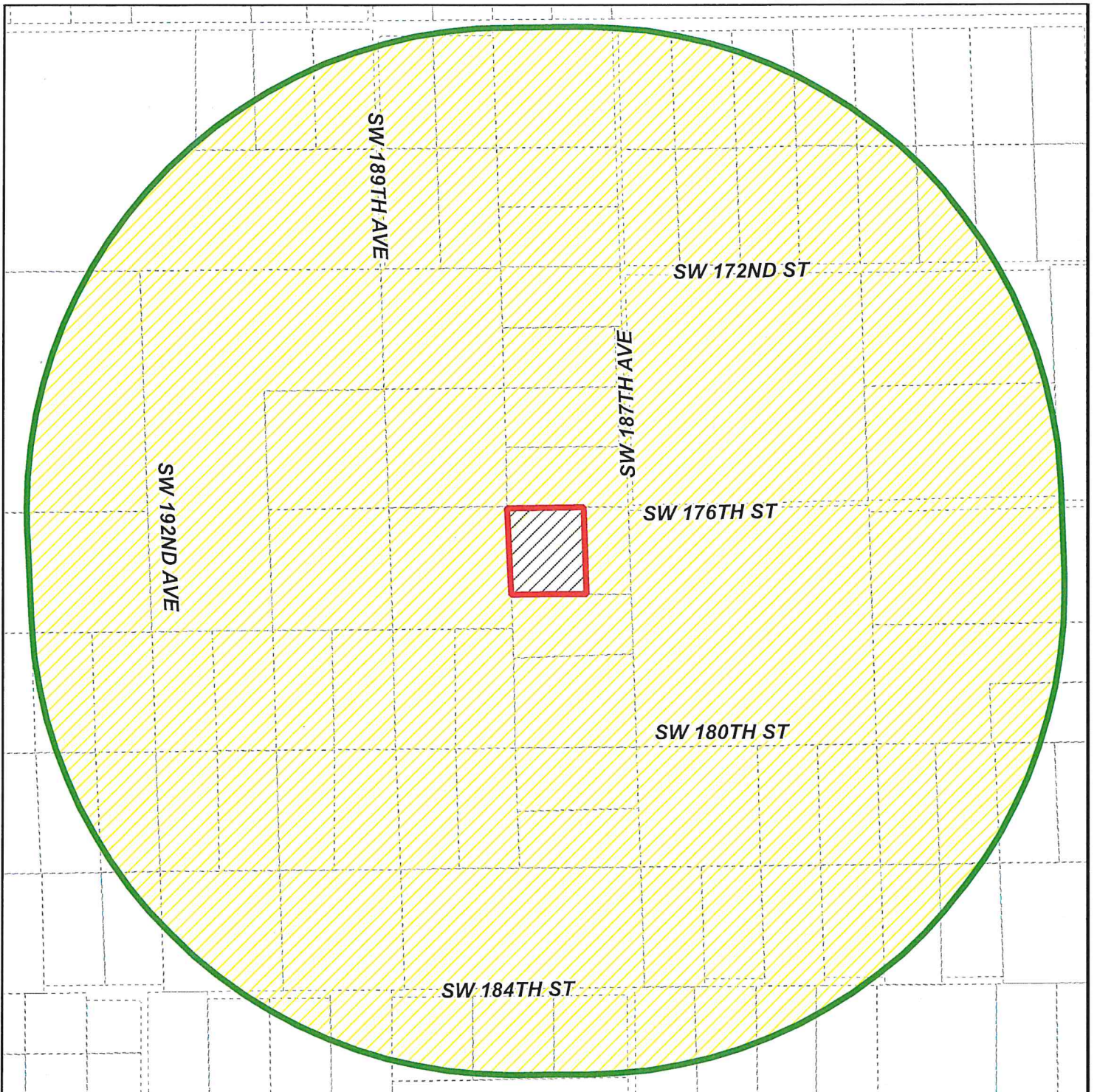


Section: 35 Township: 55 Range: 38
 Applicant: AA Rivero Corporation
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Tuesday, August 20, 2024

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 35 Township: 55 Range: 38
 Applicant: AA Rivero Corporation
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2024000163
 RADIUS: 2640

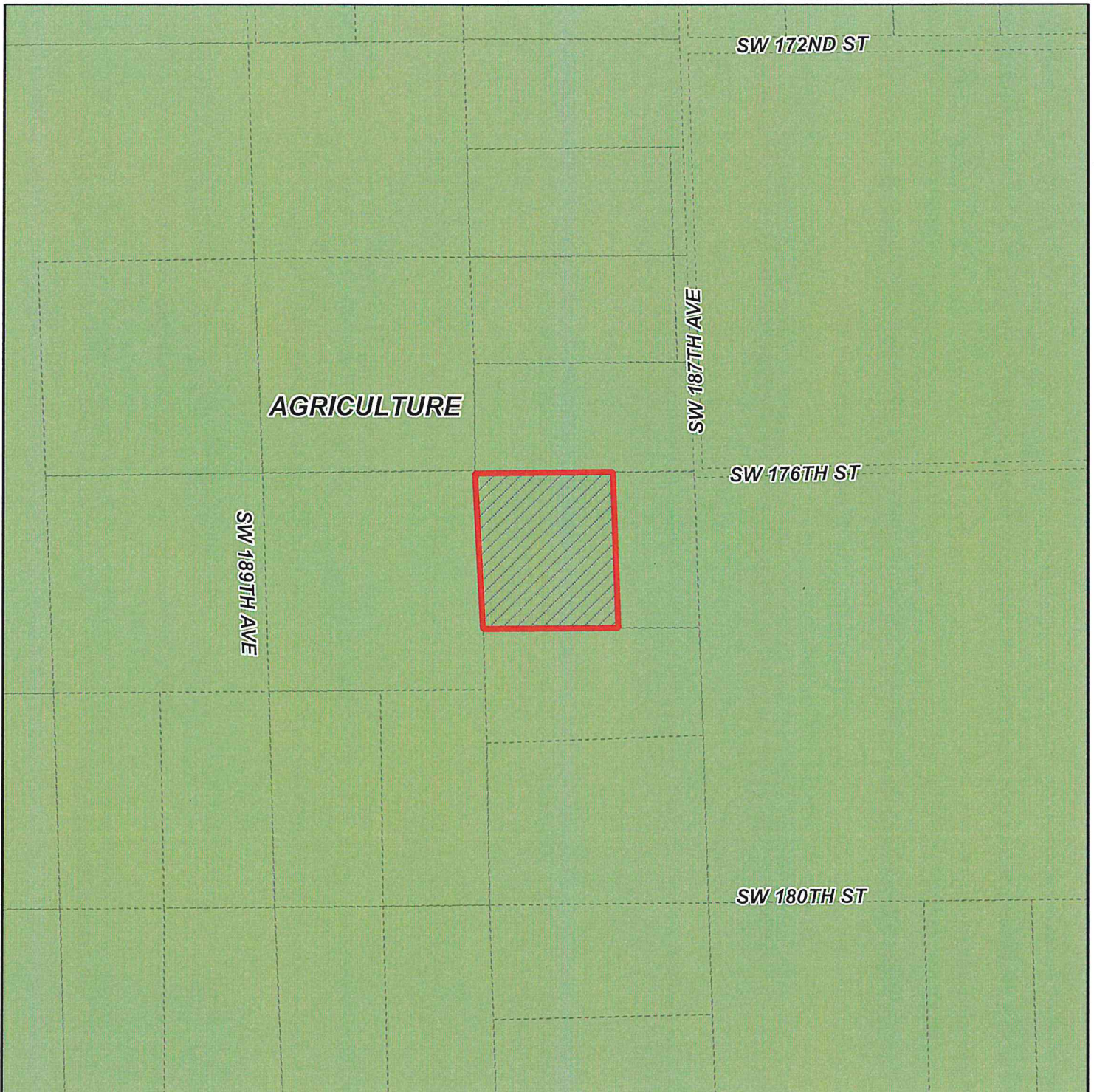
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Tuesday, August 20, 2024

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2024000163

Section: 35 Township: 55 Range: 38
 Applicant: AA Rivero Corporation
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, August 20, 2024

REVISION	DATE	BY

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: AA RIVERO CORPORATION

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Ariel Rivero, 22014 SW 128 Ave., Miami, Fl. 33170</u>	<u>100%</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </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>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

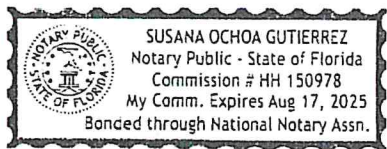
NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 5th day of Aug, 2024. Affiant is personally known to me or has produced FL Dr. Lic as identification.

(Notary Public)



My commission expires _____

*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.

Site Photos from AA Rivero Corporation



Figure 1 Existing Entrance



Figure 2 Along North Property Line

Robayna and Associates, Inc.
5723 NW 158 Street
Miami Lakes, FL 33014
T 305-823-9316 F 305-823-1569



Figure 3 Row Crops

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Zoning Appeals Board 14**

PH: Z25-016

October 29, 2025

Item No. 3

Recommendation Summary	
Commission District	8
Applicant	DCR South Estates, LLC.
Summary of Requests	The applicant seeks to rezone the subject property from EU-1 (minimum 1-acre gross lots) to EU-S (minimum 25,000 sq. ft. lots) which would allow the parcel to be developed with more residential units than currently permitted. Additionally, the applicant seeks to delete and modify conditions of a previously recorded covenant, only as applies to the subject property, in order to allow the future development of the subject site by utilizing Severable Use Right (SURs) or the Workforce Housing Development Program.
Location	Lying on the south side of SW 290 Street & approximately 305' west of 172 Avenue, Miami-Dade County, Florida.
Property Size	±7.67-gross (±6.77-net) Acres
Existing Zoning	EU-1, Single-family One-Acre Estate Residential District
Existing Land Use	Vacant land
2030-2040 CDMP Land Use Designation	Estate Density Residential; 1-2.5 du/ac <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311 District Boundary Change, Section 33-311(A)(7), Generalized Modification Standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Denial without prejudice of request #1, and approval with conditions of requests #2 and #3.

REQUESTS:

(1) DISTRICT BOUNDARY CHANGE from EU-1, One Acre Estates District, to EU-S, Estate Use Suburban District.

(2) DELETION of Paragraph #1 of Declaration of Restrictions for Miami-Dade County recorded in Official Record Book 26248, Pages 2783-2788, only as it applies to the subject site, and reading as follows:

“1. That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by Manuel G. Vera & Associates, dated 02-02-06, last revised 06-30-06 and dated stamped received May 25, 2007 (hereinafter referred to as the “Site Plan”), said plans being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement. Tract A of the Site Plan has been previously approved as a home for the aged and may continue to be operated as such; however, if said use is terminated, Tract A may be developed in accordance with EU-1 zoning regulations including the use of SUR’s if the owner should desire.”

(3) MODIFICATION of Paragraph #2 of Declaration of Restrictions for Miami-Dade County recorded in Official Record Book 26248, Pages 2783-2788, only as it applies to the subject site, and reading as follows:

FROM: “2. Prior to final plat approval, owner shall purchase and submit to Miami-Dade County Severable Use Right (SURs) to develop the Property in accordance with the Site Plan.”

TO: “2. Prior to final plat approval, owner shall either: (1) purchase and submit to Miami-Dade County Severable Use Right (SURs) to develop the Property or (2) obtain approval of site plan under the Workforce Housing Development Program.”

The purpose of requests #2 and #3 is to delete and modify paragraphs of a previously recorded covenant, only as applies to the subject property, which restricts the parcel to a previously approved site plan, in order to allow the applicant to be able to develop the site in the future utilizing SURs or the Workforce Housing Development Program.

PROJECT DESCRIPTION AND HISTORY:

In 1997, the subject property was part of a larger tract of land which, pursuant to Resolution #5-ZAB-201-97, was granted approval for an unusual use to permit a home for the aged. In connection with that approval, additional non-use variances were granted to permit a 13’ wide two-way driveway and to waive the required dedication along a right-of-way. Subsequently, in January 2008, pursuant to Resolution #Z-3-08, the subject property was part of a larger tract of land that was approved for a district boundary change from AU, Agricultural District to EU-1, Single-Family One Acre Estates District, together with a modification of conditions #2 and #9 of previous Resolution #5-ZAB-201-97 that had approved the home for the aged. As part of the 2008 approval, the owner executed a Declaration of Restrictions, recorded in Official Records Book 26248, Pages 2783–2788, which required the purchase and submission of Severable Use Rights (SURs) in order to develop the property in accordance with the approved site plan.

The subject property consists of a total area of ±7.67-gross (±6.77-net) acres and is currently vacant. Under the current zoning application, the applicant seeks to rezone the subject parcel from EU-1, Single-Family One Acre Estate District, to EU-S, Estate Use Suburban Residential District (request #1), which would allow the parcel to be developed with more residential units than currently permitted. Additionally, the applicant seeks to delete paragraph #1 and modify paragraph #2 of the aforementioned covenant ORB 26248, Pages 2783–2788, only as it applies to the subject property (requests #2 and #3). These requests are intended to release the parcel from the prior restriction requiring development of the site in accordance with the previously approved site plan, and to allow the applicant to be able to develop the site in the future utilizing SURs or the Workforce Housing Development Program. Staff notes that no site plans were submitted with the current application; however, the applicant has voluntarily proffered an amended and modified Declaration of Restrictions, which, among other provisions, provides that the property shall not be subdivided or developed into more than 11 lots.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	EU-1; vacant	Estate Density Residential (1 - 2.5 dua)
North	AU; single-family residences	Estate Density Residential (1 - 2.5 dua)
South	AU; single-family residences	Estate Density Residential

		(1 - 2.5 du)
East	EU-1; home for the aged facility	Estate Density Residential (1 - 2.5 du)
West	AU; agricultural uses	Estate Density Residential (1 - 2.5 du)

NEIGHBORHOOD COMPATIBILITY:

The ±7.67-gross (±6.77-net) acre subject property is vacant and is lying on the southeast corner of SW 174 Avenue & SW 290 Street. The surrounding area is characterized by properties to the north and south that are zoned AU and developed with single-family residences, while the property to the east is zoned EU-1 and developed with a home for the aged facility. To the west, the property is zoned AU and utilized for agricultural purposes.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to rezone the subject property in order to provide additional housing in this area. Staff notes that 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 17 PM peak hour vehicle trips. Staff notes that although the application request will add to the population in the area, impact water and sewer services, and may bring additional noise into the area, these impacts would be efficiently mitigated. Further, staff opines that approval of the application could create more intensive requests in the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the site for **Estate Density Residential**. *The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 units per gross acre.* This allows the applicant to develop the ±7.67-gross (±6.77-net) acre subject site with a total of 19 dwelling units as the maximum density allowed under the CDMP Estate Density Residential threshold on the LUP map. Under the existing EU-1 zoning district, which requires a minimum lot size of one (1) acre (43,560 square feet), including right-of-way, the site could be developed with up to seven (7) residential lots. The applicant is requesting a district boundary change from EU-1 to EU-S. Staff notes that the EU-S District allows a minimum lot size of 25,000 sq. ft., and approval of this request for rezoning would allow development of the parcel with up to 13 residential lots, consistent with the maximum density allowed under the CDMP. While no site plans were submitted with the application, the applicant has voluntarily proffered a covenant, which, among other things, restricts that in no event shall the property be subdivided or developed into more than eleven (11) lots.

Additionally, through the Workforce Housing Development Program, a density bonus of up to 25% may be available for projects that set aside units for workforce housing. Under this program, the ±7.67-gross-acre property could be developed with up to twenty-four (24) dwelling units. If property is rezoned to the EU-S zoning district, the minimum lot size can be reduced to 17,424 sq. ft. including right-of-way, thereby allowing up to 19 residential lots. Notwithstanding, and as mentioned previously, staff notes that the applicant has voluntarily proffered a modified and amended zoning declaration of restrictions in support of the current zoning application, that the maximum residential density on the subject property shall be no greater than eleven (11)

residential dwelling lots, which would be **consistent** with the maximum density threshold permitted in areas designated for **Estate Density Residential** uses on the CDMP Land Use Plan (LUP) map.

ZONING ANALYSIS:

When the request for a District Boundary Change to rezone the ±7.67-gross (±6.77-net) acre subject parcel from EU-1, One-Acre Estate Residential District, to EU-S, Estate Use Suburban District (request #1) is analyzed under Section 33-311 of the Code, staff opines that the approval of this request would be **incompatible** with the surrounding area and should be **denied**. Under the existing EU-1 zoning, the minimum lot depth is 200 feet, the minimum front setback is 50 feet, and maximum lot coverage is 15%. In contrast, EU-S allows a minimum lot depth of 135 feet, a front setback of 35 feet, and maximum lot coverage of 30%. This means that residences under EU-S could be placed closer to the front property line and have double the lot coverage compared to EU-1, which would be inconsistent with the established development pattern in the immediate neighborhood. Staff notes that surrounding properties are primarily zoned AU to the north, south, and west, with the adjoining parcel to the east zoned EU-1. There are pockets of EU-S zoned parcels further west, but these are separated from the subject site by AU and GU zoned parcels. None of the abutting lots with existing single-family residences are smaller than 54,450 sq. ft. The applicant proposes to limit the property to a maximum of 11 parcels through a recorded covenant and to develop in accordance with Workforce Housing standards. Staff notes that the aforementioned proposed maximum density of 11 residential lots can be achieved under the existing zoning district of EU-1, One-Acre Estate Residential District, and that the Workforce Housing provisions can provide additional flexibility in density, lot size, and design standards while meeting the affordability requirements. Accordingly, staff opines that the proposed subdivision and development can be accomplished without a zoning change on the property, while maintaining compatibility with the area and advancing County workforce housing objectives. Based on the foregoing, staff opines that a rezoning to EU-S, Estate Use Suburban District is unnecessary and would be **incompatible** with the existing neighborhood when considering the necessity and reasonableness of said request and could encourage similar requests in the future that introduce more intensive residential zoning districts in the area. Accordingly, staff does not recommend approval for request #1. **As such, staff recommends denial without prejudice of request #1, for a district boundary change from EU-1 to EU-S, under Section 33-311, District Boundary Change standards.**

However, staff notes that in order to effectuate the future development of the subject property, the applicant also seeks to modify a previously recorded Declaration of Restrictions recorded under Official Record Book 26248 Pages 2783-2788. When requests #2 and #3, to permit the deletion and modification of certain paragraphs of the covenant ORB 26248 currently running with the land, and only as it applies to the subject property, are analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that approval of these requests would be **compatible** with the surrounding area. Said covenant was adopted in 1997 through Zoning Resolution #5-ZAB-201-97. Through said covenant the applicant had tied the subject parcel to a site plan, and the covenant also required the purchase of Severable Use Rights (SURs) in order to develop the property in accordance with the approved site plan. The proposed deletion of the paragraph that restricts the parcel to a previous site plan, and the modification to utilize either Severable Use Rights (SURs) or the Workforce Housing Development Program, would allow the applicant to be able to develop the site in the future utilizing SURs or the Workforce Housing Development Program, provided the maximum density on the property shall not exceed 11 residential lots, in a manner consistent with the prior approval. Staff opines that the requests to modify said covenant would comply with the comments provided by other departments reviewing

the application, and approval of the application will not cause their facilities and services to operate below their adopted levels of service standards and would not generate excessive noise or traffic, tend to create a fire or equally dangerous hazard or provoke excessive overcrowding of people, or would not tend to provoke a nuisance and would be compatible with the surrounding area. Staff notes that under the existing EU-1 zoning district, the site may be developed with a total of seven single-family homes. However, under the Workforce Housing Program, the applicant may develop the site with single-family residences, duplexes, or triplexes, provided that the maximum density of 24 dwelling units, as permitted by the Comprehensive Development Master Plan (CDMP) with the applicable Workforce Housing density bonus, is not exceeded, and that the development is limited to 11 lots, as stipulated in the proffered covenant.

Staff notes that based on the memoranda submitted by other departments reviewing the application, approval of the requests #2 and #3 of the application will not cause their facilities and services to operate below their adopted levels of service standards. 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 indicates in their memorandum that the application will meet the traffic concurrency criteria for an Initial Development Order. Their memorandum indicates that the application will generate 17 PM peak hour vehicle trips, which does not exceed the acceptable Level of Service (LOS) on the surrounding roadways. Further, the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources in their memorandum indicates that the application meets all applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water service, wastewater disposal, and flood protection. 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 approval of the applicant's requests to modify the previously recorded Declaration of Restrictions will not unduly burden the abutting roadways, will not have an unfavorable impact on the environmental resources of the County, and will not result in, among other things, excessive noise or cause undue or excessive burden on public facilities. **Based on the aforementioned, staff recommends approval with conditions of requests #2 and #3, under Section 33-311(A)(7) Generalized Modification Standards.**

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Denial without prejudice of request #1, and approval with conditions of requests #2 and #3.

CONDITIONS FOR APPROVAL: For requests #2 and #3 only.

1. That all other restrictions in the declaration of restrictions recorded in Official Record Book 26248, Pages 2783-2788, only as it applies to the subject site, remain in full force and effect, except as herein amended.
2. That if the applicant decides to build the property using Workforce Housing Density, the maximum permitted density will be 24 dwelling units and 11 lots.

3. That if the proposed development is to be undertaken using the Workforce Housing program, the applicant shall either provide a monetary contribution to the Affordable Housing Trust Fund in accordance with Section 33-193.9 of the Code, or execute a Declaration of Restrictions pursuant to Section 33-193.13, along with the required Workforce Housing Agreement pursuant to Section 33-193.14, subject to the following conditions:
 - a. The Workforce Housing Agreement shall be a binding commitment that the restrictions of this article shall run with the land for the entire control period.
 - b. The Workforce Housing Agreement will bind the applicant, any assignee, mortgagee, or buyer, and all other parties that receive title to or an interest in the property.
 - c. The Workforce Housing Agreement shall be senior to all other liens or encumbrances on the property including all instruments that facilitate the securing of permanent financing, except that tax and assessment liens shall be superior to these covenants, and except as may be provided in Chapter 17, Article IX of this Code.
 - d. The Workforce Housing Agreement shall incorporate all terms and conditions regarding WHUs (Workforce Housing Units), including without limitation, the required shared equity agreement, eligibility standards, appropriate sale and rental price standards and affordability controls required of purchasers of WHUs pursuant to Chapter 17, Article VIII of this Code.
 - e. Where WHUs are to be provided as part of a rental development, the declaration and agreement required by this section and Section 33-193.13 may specify the total number of WHU rental units to be made available on the property and provide for an annual inventory of WHUs, instead of encumbering each individual WHU.
4. That the applicant complies with all the applicable conditions, recommendations, requests and other provisions of the Water & Sewer Department (WASD) as stated in their memorandum.

ES:JB:SS:EA:VM



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

ZONING RECOMMENDATION ADDENDUM

DCR South Estates, LLC.
PH: Z25-016

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 Department</i>	<i>No objection</i>
<i>Water & Sewer Department (WASD)</i>	<i>No objection*</i>
<i>Building and Neighborhood Compliance (BNC)</i>	<i>No objection</i>
<i>Miami-Dade County Public Schools</i>	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

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

Estate Density Residential (Pg. I-29)	<i>This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 units per gross acre.</i>
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>
Objective LU-4A (Pg. I-9)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>

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>
--	--

ZONING RECOMMENDATION ADDENDUM

DCR South Estates, LLC.
PH: Z25-016

	<p><i>(2) 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><i>(3) 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><i>(4) 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><i>(5) 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>
<p>Section 33-311(A)(7) Generalized Modification Standards.</p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that (a) the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i></p>

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

DCR SOUTH ESTATES, LLC

SW 172 AVE AND SW 290 ST
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

PENDING

Z2025000016

DATE

HEARING NUMBER

FOLIO: 30-7906-004-0015

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

July 17, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases.

BUILDING SUPPORT REGULATIONS OPEN:

There are no open cases.

OUTSTANDING LIENS AND FINES:

There are no outstanding Liens, fines, or fees.

Memorandum



Date: October 15, 2025

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

From: Christine Velazquez
Department of Regulatory and Economic Resources

Subject: Z2025000016-4th Review
DCR South Estates LLC
Modification of the Declaration of Restrictive covenant approved
under resolution Z-23-08; DBC from EU-1 to EU-S to allow the
applicant to develop under Workforce Housing.
SW 174th Avenue and SW 290th Street
(EU-1) (7.5 acres)
06-57-39

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

Potable Water Supply and Wastewater Disposal

Pursuant to section 24-43.4 of the Code and based on the proposed request, the subject property is within feasible distance for connection to a public water main. Therefore, the proposed development shall connect to the public water system in accordance with the Code requirements.

Based on the tentative plat previously submitted with this application stamped received by Miami Dade County on February 27, 2025, the proposed development is within feasible distance to connect to public sanitary sewer. Therefore, the proposed development shall connect to the public sanitary system in accordance with the Code requirements. Please note no revised site plans or tentative plat were submitted at this time of review.

Please note that this development will need to obtain water and sanitary sewer extension permits prior to DERM approval of future development orders. 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 RER to allow an alternative means of domestic wastewater disposal.

Be advised that the required water main extension permit is issued by the Florida Department of Health. Civil drawings for the water main extension will need to be approved by the Miami-Dade Water and Sewer Department (MDWASD) and the Environmental Permitting Section of RER.

Civil drawings for the required sewer main extension will need to be approved by MDWASD and the Environmental Permitting Section of RER prior to approval of final development orders.

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 the County for this proposed development order.

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.

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 the County 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 RER-Environmental Plan Review will evaluate and may reserve sanitary sewer capacity, through the sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins which have been determined not to have adequate capacity cannot be approved, until adequate capacity becomes available.

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

Conditions of Approval: None

Water Control Review

A Surface Water Management General Permit shall be required 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 RER Water Control Section at (305)372-6681 or dermwatercontrol@miamidade.gov for further information regarding permitting procedures and requirements.

Stormwater shall be retained on site utilizing designed seepage or infiltration drainage system.

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 Miami-Dade County's Comprehensive Development Master Plan (CDMP) subject to compliance with the conditions required for this proposed development order.

Pursuant to section 24-48.1(1)(f) of the Code, a Class VI Permit shall be required for the construction of the proposed surface water management system.

The applicant is advised to contact the RER-Water Control Section at (305)372-6681 for further information regarding permitting procedures and requirements.

Conditions of Approval: None

Tree Preservation Review

An aerial review of the subject property indicates the presence of tree resources. Additionally, Miami-Dade County Tree Permit #2214297 is associated with the subject property; however, the permit expired on September 23, 2024. The applicant is required to adhere to all conditions and requirements of this permit. Any additional tree(s) proposed for removal and/or relocation that are subject to the tree preservation and protection provisions of the Code, including tree removals and/or relocations that were approved under Tree Permit #2214297 but were not completed prior to permit expiration, will require a new Tree Removal/Relocation Permit. Section 24-49 of the Code provides for the preservation and protection of 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. The applicant is advised that a tree survey that includes a tree disposition table will be required during the tree removal permit application process. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code, including the specimen tree standards.

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

Conditions of Approval: None

Endangered Species Review

The application site is within the U.S. Fish & Wildlife consultation area for the endangered Florida bonneted bat (*Eumops floridanus*), and may utilize the subject property for foraging, nesting and roosting. The County's CDMP has policies and objectives for the protection of habitat critical to federal, state or County designated endangered, threatened, or rare species.

Please be advised that prior to any future development at the subject property, it is recommended that the applicant contact the United States Fish and Wildlife Service (USFWS) in the Vero Beach office at (352) 448-9151 and the RER-Natural Resources Section at (305)372-6694 with any questions regarding threatened and endangered species.

Conditions of Approval: None

Pollution Control Review

The County has records of current contamination issues on the subject site tracked under Molina Estates (HWR-1239). All construction plans (inclusive of drainage) and dewatering plans shall require DERM review and approval from the Environmental Monitoring and Restoration Division (EMRD) as it relates to environmental contamination issues. Be advised that the EMRD review of this application does not

constitute an approval of any site plans, drainage plans, or development plans that may be included as part of this application.

Any contaminated portion of the site that is proposed to be sold, transferred or dedicated (including, but not limited to, for public right-of-way) to any public entity shall be identified on the tentative and final plat plans for this development. If any contaminated portion of the site is proposed to be sold, transferred or dedicated to the County, please note that all soil, groundwater or surface water contaminants, solid waste, and methane must be disclosed to the applicable County department at the earliest stage possible. The applicable County departments would include all departments that would receive or manage the proposed property, and for example, would include Department of Parks and Recreation and Open Spaces (PROS) for a park and Department of Transportation and Public Works (DTPW) for road right-of-way. Please note that the presence of any such contamination, solid waste, or methane or a delay by the applicant in disclosing such contamination or impacts to the applicable County departments could result in the county declining to accept the proposed dedication. This may in turn result in the need for the developer to reconfigure or change previously approved site plans, or make other changes to the proposed development, which may require approval after public hearing.

If an applicant elects to address soil contamination, groundwater contamination, solid waste, and methane via a No Further Action with Conditions, each individual property owner will be required to execute a restrictive covenant.

Please note that nothing stated herein may be interpreted to limit or restrict an engineer's or other professional's responsibility to prepare plans accurately and completely for proposed rights-of-way as well as any other projects or plans.

Please contact Thomas Kux, P.G. of the Environmental Monitoring and Restoration Division at Thomas.kux@miamidade.gov or (305)372-6700 should you have any questions.

Conditions of Approval: None

DERM Enforcement History Review

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

Concurrency Review Summary

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: June 16, 2025

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

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

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

Subject: Zoning Application Comments - DCR South Estates
Application No. Z2025000016 - Revision No. 1

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

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

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

Application Name: DCR South Estates

Location: The proposed project is located on approximately 7.50 acres at the southeast corner of the intersection of SW 290th Street and SW 174th Avenue, with Folio No. 30-7906-004-0015, in unincorporated Miami-Dade County.

Proposed Development: The applicant is requesting a district boundary change from EU-1 (Estates, Single-Family, 1 acre or more in area) to EU-S (Single-Family Estate Suburban), and to modify a declaration of restrictive covenant for the property. A site plan was not submitted with this zoning application.

The estimated total water/sewer demand cannot be provided at this time, as a site plan for the proposed development was not provided with this Zoning Application.

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

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

On July 31, 2023, WASD Agreement No. 32192 was offered for the subject site; *however, said Agreement has expired.* The applicant will need to contact WASD's New Business Section in order to request a re-offer of said Agreement.

Since this property is connecting to WASD's water system for the first time, the developer is required to install a water main along one entire boundary of the property, as per WASD Rules & Regulations, Section 2.02(1) and 2.04(2)(d). Therefore, there is an existing 8-inch water main (E31055D02A-5) located in SW 172nd Avenue and SW 290th Street to where the developer may connect and extend the same 8-inch water main westerly along SW 290th Street to SW 174th Avenue, in order to abut and provide water service to the proposed lots. *Final points of connections and capacity approval to connect to the water system will be provided at the time the WASD Agreement No. 32192 is re-offered*

A Water Supply Certification (WSC) letter from WASD was issued on July 31, 2023, through WASD Agreement No. 32192, which is currently expired. Said WSC will be re-issued at the time WASD Agreement No. 32192 is re-offered. 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. There is no sanitary gravity sewer system in close proximity to the subject application. If the Division of Environmental Resources Management (DERM) requires connection to the sanitary sewer system, then the wastewater flows for the proposed development will be transmitted to the 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.

If DERM requires connection to the public sewer system, there is a WASD Agreement No. 31806 in the vicinity of the subject project that will bring a public pump station to the area. If the infrastructure for said agreement is conveyed by the time this project is ready for construction, the developer may connect to a future gravity sewer in SW 286th Street and SW 174th Avenue, and extend an 8-inch gravity sewer, at full depth southerly along SW 174th Avenue to SW 290th Street, thence at full depth easterly along SW 290th Street to the northeastern corner of the subject property, in order to abut and provide sewer service to the proposed lots, provided there is sufficient depth and that there are no obstacles that would preclude construction of the sewer system.

If connection to sewer is required by DERM, an addendum to the WASD Agreement No. 32192 will be required. *Final points of connections and capacity approval for connection to the sewer system will be provided at the time the addendum to the WASD agreement No. 32192 is requested.*

If the infrastructure with WASD Agreement No. 31806 is not conveyed by the time this project is ready for construction, the developer shall contact WASD to evaluate the sewer connection for the proposed development.

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

Note to the Developer:

1. The Developer of this project shall coordinate and cooperate on water and sewer interconnections, construction sequence, and schedule with other development projects that are in the vicinity either downstream or upstream with regard to obtaining approval and permits from WASD and other regulatory governmental agencies to avoid conflict with utility plans.
2. If a vicinity development has a water and/or sewer construction permit but has not started construction and another developer would like to take over the other development scope of water and/or sewer work, then the developers shall coordinate to withdraw the existing permit prior to the other developer submitting plans to WASD and other regulatory governmental agencies for review.

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>

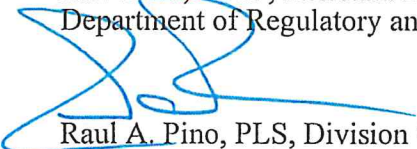
Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavalad@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Benita Ramirez at (786) 552-8121 or benita.ramirez@miamidade.gov.

Memorandum



Date: June 26, 2025

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

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

Subject: Z2025000016
Name: Stephanie Herbello on behalf of DCR South Estates, LLC
Location: Southeast Corner of SW 174 Avenue & SW 290 Street
Section 06 Township 57 South Range 39 East

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

This land 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. Traffic concurrency for this property has been approved under Tentative Plat T-23965, Molina Estates, reserving 9 PM Peak Hour trips for the proposed 8 single family unit development. This application for the request a modification of the Declaration of Restrictive Covenant will allow the property to be evaluated at its maximum allowed density. It will generate an additional **17 PM** peak hour vehicle trips.

STA.#	LOCATION	LOS PRESENT	LOS W/PROJECT
9864	SW 167 Avenue north of SW 288 Street	D	D
9932	SW 288 Street west of US 1/SR 5	C	C
9936	SW 296 Street west of US 1/ SR 5	C	C
F-0043	Krome Avenue south SW296 Street	C	C

(*) Traffic concurrency is based on the max density of the property with its proposed use where the number of peak hour vehicle trips may fluctuate.

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: June 12, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

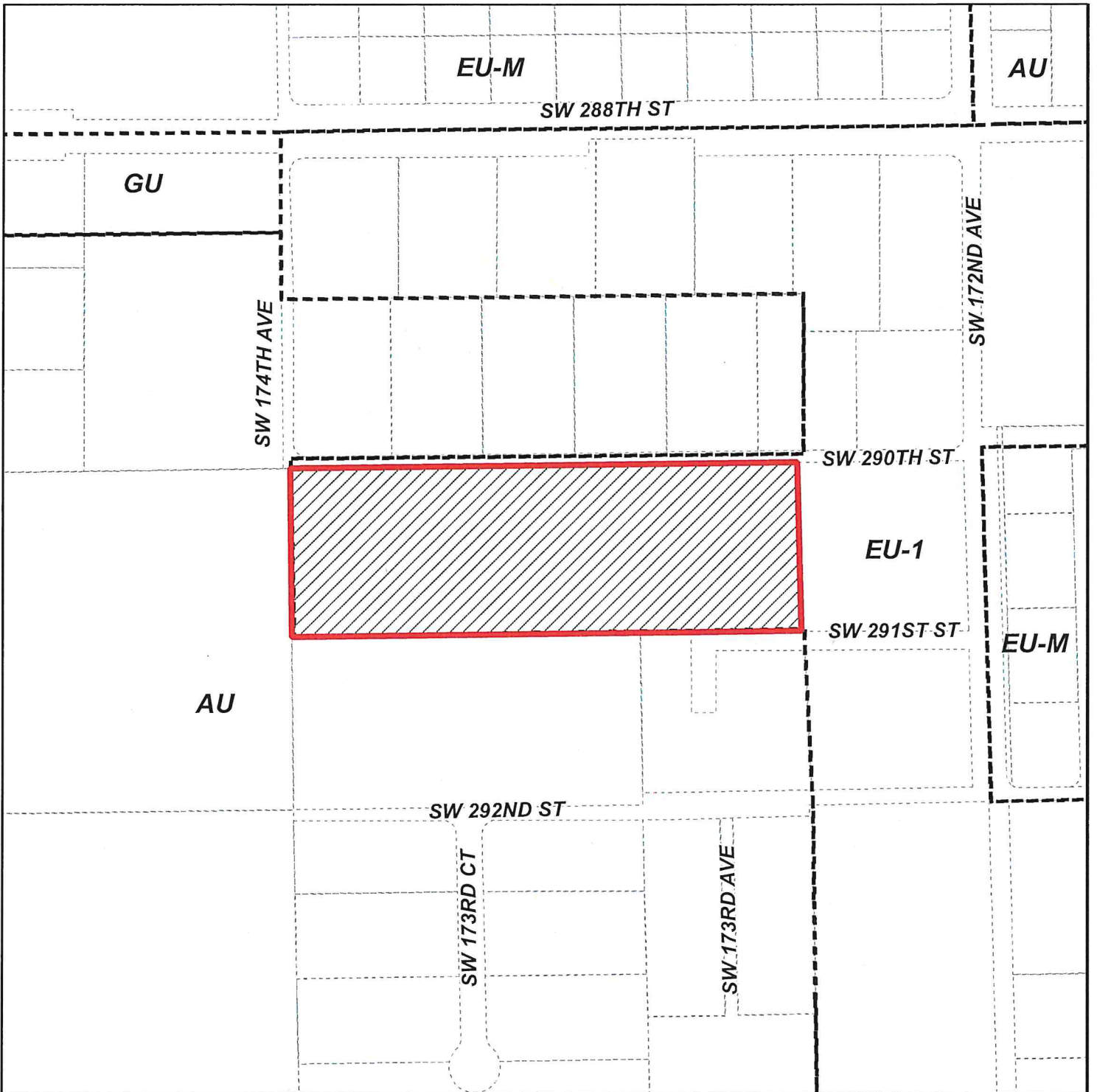
Subject: Z2025000016

The Miami-Dade Fire Rescue Department has **no objection** to request for rezoning and for modification of the Declaration of Restrictive Covenant for the Property uploaded to "EnerGov" on 6/10/2025. 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.





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2025000016



Section: 06 Township: 57 Range: 39
 Applicant: DCR South Estates, LLC
 Zoning Board: C14
 Commission District: 8
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, February 18, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2015

Process Number
Z2025000016

Legend



Subject Property

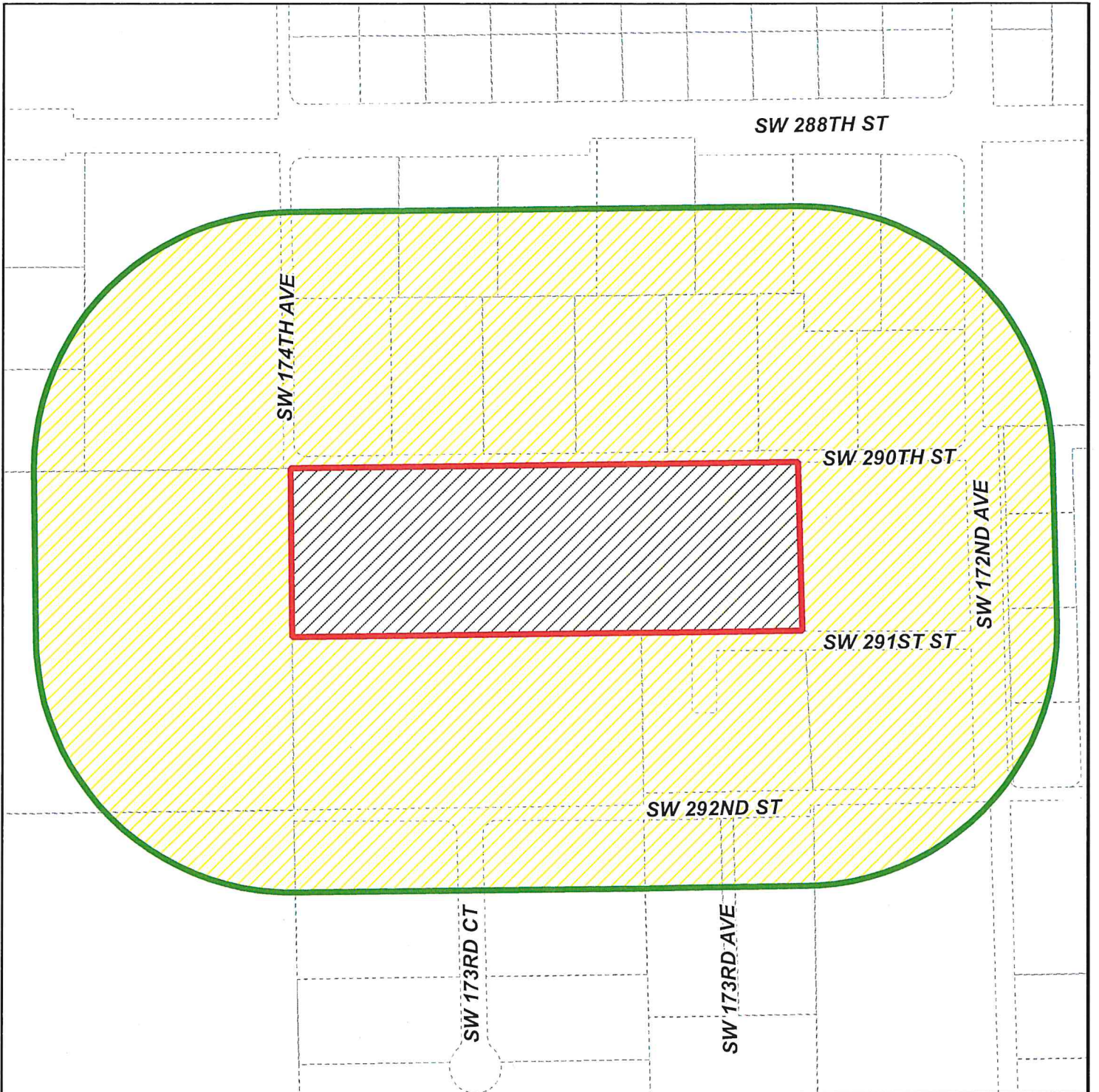


Section: 06 Township: 57 Range: 39
 Applicant: DCR South Estates, LLC
 Zoning Board: C14
 Commission District: 8
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Tuesday, February 18, 2025

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 06 Township: 57 Range: 39
 Applicant: DCR South Estates, LLC
 Zoning Board: C14
 Commission District: 8
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2025000016
 RADIUS: 500

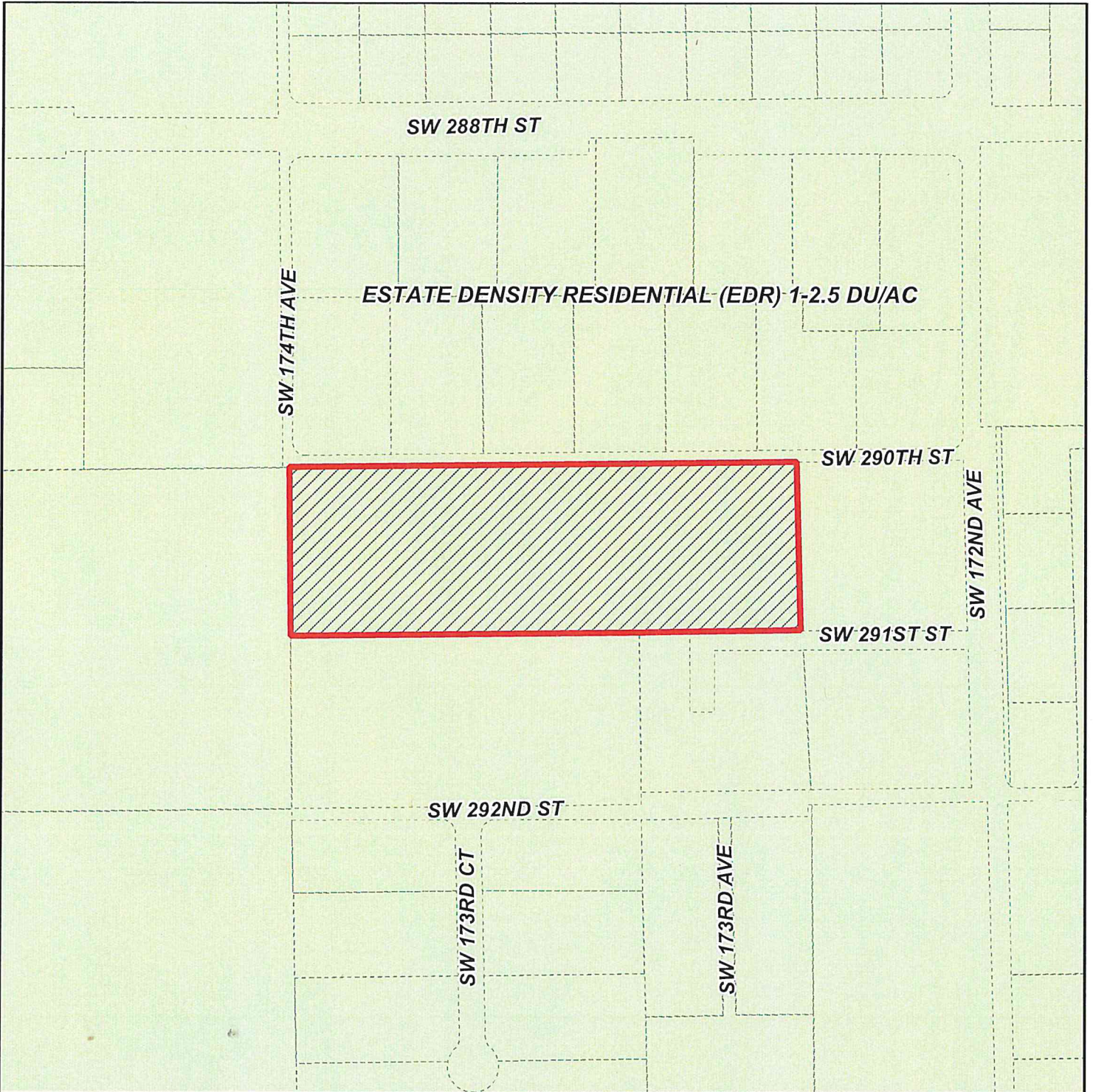
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Tuesday, February 18, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2025000016



Section: 06 Township: 57 Range: 39
 Applicant: DCR South Estates, LLC
 Zoning Board: C14
 Commission District: 8
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, February 18, 2025

REVISION	DATE	BY

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: DCR EXPONENTIAL LLC

NAME AND ADDRESS

Percentage of Stock

DCM INVEST ELX LLC - 200 SE 15th Road, #15H Miami, FL, 33129

50.00%

INVERP LLC - 250 Catalonia AVE Ste 803 Coral Gables, FL 33134

50.00%

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: _____

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 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: _____

NAME AND ADDRESS

Percent of Ownership

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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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 20 day of May, 2025. Affiant is personally known to me or has produced Dnr license. as identification.

(Notary Public)



Laura Pinzon
Comm.: HH 530586
Expires: May 23, 2028
Notary Public - State of Florida

My commission expires 05/23/28

*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.

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: DCM INVEST ELX LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Daniel Cremades Mendiola - 200 SE 15th Road, #15H Miami, Fl, 33129	100.00%
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

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: _____
(Applicant)

Sworn to and subscribed before me this 20 day of May, 2025. Affiant is personally known to me or has produced Daniel Cremades / Dhen as identification.
License.

(Notary Public)



Laura Pinzon
Comm.: HH 530586
Expires: May 23, 2028
Notary Public - State of Florida

My commission expires 05/23/28.

*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.

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: DCR SOUTH ESTATES LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>DCR EXPONENTIAL LLC - 250 Catalonia AVE Ste 803 Coral</u>	<u>100%</u>
<u>Gables, FL 33134</u>	
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </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>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

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: _____
(Applicant)

Sworn to and subscribed before me this 20 day of May, 2025. Affiant is personally known to me or has produced Driver license as identification.

(Notary Public)



Laura Pinzon
Comm.: HH 530586
Expires: May 23, 2028
Notary Public - State of Florida

My commission expires 05/23/28.

*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.

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: INVERP LLC

NAME AND ADDRESS

Percentage of Stock

Christian Camilo Ruiz - 601 SW 44th PI Miami, FI, 33134

50.00 %

Laura Marcela Pinzon - 601 SW 44th PI Miami, FI, 33134

50.00 %

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: _____

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 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: _____

NAME AND ADDRESS

Percent of Ownership

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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

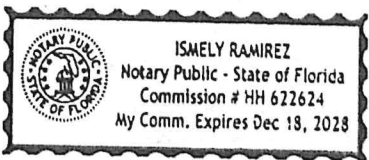
NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: *Christian Ruiz*
(Applicant)

Sworn to and subscribed before me this 28th day of May, 2025. Affiant is personally known to me or has produced FDL B243-017-56-200-0 as identification.

Ismely Ramirez
(Notary Public)



My commission expires Dec 18, 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.: Z25-016
DATE: JUL 22 2025
BY: CABR

Folio No.: 30-7906-004-0015

JOINDER BY MORTGAGEE

The undersigned, Century Homebuilders Group, LLC, a Florida Limited Liability Company, as Lender under that certain MORTGAGE, ASSIGNMENT OF RENTS AND SECURITY AGREEMENT (the "Mortgage") dated October 15, 2024, and recorded in Official Records Book 34457, Page 3675, of the Public Records of Miami-Dade County, Florida, does hereby acknowledge that the terms of the Declaration, including but not limited to the Zoning Hearing and Feasible Distance Covenant, are and shall be binding upon the undersigned and its successors in title and interest.

IN WITNESS WHEREOF, these presents have been executed this 17 day of July, 2025.

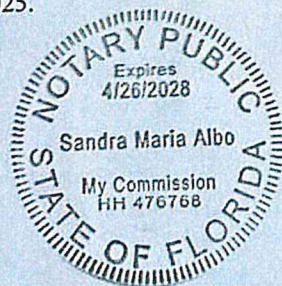
Century Homebuilders Group, LLC,
A Florida Limited Liability Company

By: [Signature]
Name: Tatiana Piro
Title: Manager
Address: 1805 Dince de Leon Blvd
Ste 100 Opaoka FL 33134

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

BEFORE ME, the undersigned authority, this day 17 of July, 2025 appeared Tatiana Piro by means of physical presence or online notarization, known by me to be the _____ of Century Homebuilders Group, LLC, a Florida Limited Liability Company, and he/she acknowledged to and before me that he/she executed the said instrument, acting in his/her said official capacity, for and as to the act and deed of said company and in its name, for the uses and purposes therein mentioned, and after being duly authorized and directed. He/She is: personally known to me, or produced _____ as identification.

WITNESS my hand and official Seal in the County and State aforesaid, on this, the 17 day of July, 2025.



[Signature]
Notary Public State of Florida
Print Name Sandra Maria Albo
Commission No.: HH 476768
My Commission Expires: 04/26/2028

OPINION OF TITLE

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z25-016
DATE: JUL 22 2025
BY: CABR

To: Miami-Dade County

With the understanding that this Opinion of Title is furnished to Miami-Dade County, as inducement for acceptance of a Right-of-Way Dedication, Declaration of Use, Unity of Title, Declaration of Restrictions, Development Agreement or in compliance with Chapter 28, and as an inducement for acceptance of a proposed final subdivision plat covering the real property, hereinafter described, it is hereby certified that I have examined Fidelity National Title Insurance Company (the "Title Company") Owner's Policy Number (the "Policy") completely covering the period from the beginning to October 23, 2024 at 9:42 AM, and title update covering the period from October 23, 2024, to June 11, 2025 at 11:00 p.m., inclusive of the following described property (the "Property"):

THE NORTH 1/2 OF TRACT A OF THE SECOND AMENDED PLAT OF A PORTION OF PORVENIR NO. 4, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE EAST 330 FEET THEREOF TOGETHER WITH THE NORTH 25 FEET OF THE EAST 330 FEET OF SAID TRACT A AND THE EXTERNAL AREA FORMED BY A 25 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST, SAID CURVE BEING TANGENT ON THE EAST, BY THE EAST LINE OF SAID TRACT A AND ON THE NORTH, BY THE SOUTH LINE OF THE NORTH 25 FEET OF SAID TRACT A.

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

DCR South Estates LLC, a Florida limited liability company [Daniel Cremades, as Manager of DCR EXPONENTIAL, LLC, a Florida limited liability company, the Managing Member of DCR South Estates LLC, a Florida limited liability company, is authorized to sign on behalf of the company]

Subject to the following encumbrances, liens and other exceptions:

1. **RECORDED MORTGAGES:**

Mortgage by DCR SOUTH ESTATES LLC, a Florida limited liability company, in favor of Century Homebuilders Group, LLC, October 15, 2024, in the original principal amount of \$2,600,000.00, recorded October 23, 2024 in Official Records Book 34457, Page 3675, of the Public Records of Miami-Dade County, Florida.

2. **RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGEMENTS:**

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z25-016
DATE: JUL 22 2025
BY: CABR

3. **GENERAL EXCEPTIONS:**

1. All taxes for the year in which this opinion is rendered, unless noted below that such taxes have been paid.
2. Rights of persons other than the above owners who are in possession.
3. Facts that would be disclosed upon accurate survey.
4. Any unrecorded labor, mechanics' or materialmens' liens.
5. Zoning and other restrictions imposed by governmental authority.
6. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.
7. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.

4. **SPECIAL EXCEPTIONS:**

1. Restrictions, dedications and easements set forth in Plat of Porvenir Unit Four, Second Partial Amended, recorded in Plat Book 43, Page 17, of the Public Records of Miami-Dade County, Florida.
2. Covenant Running with the Land recorded April 28, 1997 in Official Records Book 17617, Page 1599, of the Public Records of Miami-Dade County, Florida.
3. Order of the Environmental Quality Control Board granting variance subject to conditions recorded March 23, 1997 in Official Records Book 17650, Page 2681, of the Public Records of Miami-Dade County, Florida.
4. Covenant Running with the Land recorded January 18, 2000 in Official Records Book 18950, Page 1847, of the Public Records of Miami-Dade County, Florida.
5. Terms, conditions, restrictions, covenants, provisions and other matters set forth in the Declaration of Restrictions in Favor of the School Board of Miami-Dade County, Florida, recorded December 21, 2007, in Official Records Book 26121, Page 1230.
6. Terms, conditions, restrictions, covenants, provisions and other matters set forth in the Declaration of Restrictions for Miami-Dade County recorded March 5, 2008, in Official Records Book 26248, Page 2783.
7. Utilization of Severable Use Rights Bonus Development Receiver Site recorded November 14, 2022 in Official Records Book 33465, Page 626.

RECEIVED

8. Resolution No. R-142-23 and Memorandum related to the Molina Estates Street Lighting Special Taxing District recorded March 24, 2023 in Official Records Book 33636, Page 2394, which include provisions for Special Assessments.
9. Memorandum and Ordinance No. 23.-12 by the Board of County Commissioners Miami-Dade County, Florida creating the Molina Estates Street Lighting Special Taxing District recorded March 24, 2023 in Official Records Book 33636, Page 2401, which include provisions for special assessments.
10. Agreement for Water Facilities between Miami-Dade County and Century Homebuilders Group, LLC, recorded September 12, 2023 in Official Records Book 33875, Page 4575.
11. Rights of tenants occupying all or part of the insured land under unrecorded leases or rental agreements.

MIAMI-DADE COUNTY
 PROCESS NO.: Z25-016
 DATE: JUL 22 2025
 BY: CABR

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions.

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the agreement a valid and binding covenant on the lands described herein.

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
DCR South Estates, LLC	Fee Simple	
Century Homebuilders Group, LLC	Mortgagee	

The following is a description of the aforementioned abstract and its continuations:

<u>Number</u>	<u>Company Certifying</u>	<u>No. of Entries Period Covered</u>
Title Policy No. 2024-2751209- 233219518	Fidelity National Title Insurance Company	October 23, 2024 at 9:42 AM
Title update	Fidelity National Title Insurance Company	June 11, 2025, at 11:00 p.m

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

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO.: Z25-016
DATE: JUL 22 2025
BY: CABR

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

Respectfully submitted this 27 day of June, 2025.

Jorge M. Vigil, Esq.
Florida Bar No. 041394

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

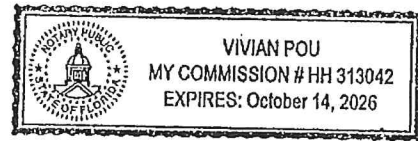
The foregoing instrument was acknowledged before me this 27 day of June, 2025, by means of [X] physical presence or [] online notarization, by JORGE M. VIGIL, who is personally known to me.

[Signature]
Notary Public

Print Name

My Commission Expires:

208-7





**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Zoning Appeals Board 14**

PH: Z25-047

October 29, 2025

Item No.4

Recommendation Summary	
Commission District	9
Applicant	11532 SW 136 TERRACE LLC.
Summary of Requests	The applicant seeks to allow existing additions to a single-family residence located on the subject property to setback less than required from the interior side (west) property line.
Location	11532 SW 136 Terrace, Miami-Dade County, Florida
Property Size	0.19 Acre
Existing Zoning	RU-1, Single-Family Residential District
Existing Land Use	Single-family residence
2030-2040 CDMP Land Use Designation	Low Density Residential, 2.5 to 6 du <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUESTS:

NON-USE VARIANCE to permit existing additions to a single-family residence to setback 3' (7.5' required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "EP & K INC LLC. 11532 SW 136 Ter Public Hearing to Legalize Existing Addition", as prepared by Arshad Viqar, P.E., 1 site plan sheet dated stamped received 08/13/25 and 2 sheets dated stamped received 07/17/25 for a total of 3 sheets. Plans may be modified at public hearing.

PROJECT HISTORY AND DESCRIPTION:

The applicant seeks to allow an existing single-family residence to setback less than required from the interior side (west) property line. The submitted plans show an existing one (1)-story, 1,766 sq. ft. single-family residence located on the 0.19-acre interior lot, that fronts along SW 136 Terrace. Plans further indicate existing additions to the single-family residence encroaching by 4.5' into the interior side (west) setback area. The submitted plans, photos, and the County's Geographical Information System (GIS) aerial map indicate that an existing 6' high wood fence is located all along the rear property line, whereas a 6' high metal fence and a 6' high chain link fence have been provided along both the interior side (east and west) property lines respectively.

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

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of an existing single-family residence that is on a 8,400 sq. ft., RU-1, Single-Family Residential District zoned interior lot, located at 11532 SW 136 Terrace. The surrounding area is characterized by existing single-family residences, also developed under the RU-1, Single-Family Residential District regulations.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to legalize the reduced setback for the principal residence from the interior side (west) property line due to existing additions. Staff opines that since the rear yard area is enclosed with existing 6' high wood, metal and chain link fences that are located all along the rear, and interior side (east and west) property lines of the subject property, together with the existing landscaping, any visual impact that the reduced setback may have on the surrounding properties is minimal and would be sufficiently mitigated.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

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

ZONING ANALYSIS:

When the request to permit existing additions to a single-family residence to setback 3' (7.5' required) from the interior side (west) property line, is analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff opines that the approval with conditions of this request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community.

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

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

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

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

RECOMMENDATION: Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "EP & K INC LLC. 11532 SW 136 Ter Public Hearing to Legalize Existing Addition", as prepared by Arshad Vigar, P.E., 1 site plan sheet dated stamped received 08/13/25 and 2 sheets dated stamped received 07/17/25 for a total of 3 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants obtain a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources within 90 days of the expiration of the final appeal period of this application, unless a time extension is granted by the Director of the Department.
5. That the 6' high wood, metal and chain link fence that is located along the rear, side street and interior side property lines of the subject property be maintained as a visual buffer, and that if the wall is removed or destroyed, the applicant shall install a cbs wall, opaque fence or hedge that must be 3' high at the time of planting and that shall grow to and be maintained at a minimum height of 6' in accordance with Section 33-11(h) of the County Code.

ES:JB:SS:VM:JH



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

10/16/2025

ZONING RECOMMENDATION ADDENDUM

11532 SW 136 TERRACE LLC.
PH: Z25-047

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

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

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

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>
--	--

Sec. 33-49. - Table of minimum widths, area of lots, maximum lot coverage, and minimum building sizes	District	Families	Min. Width	Min. Lot Area (Sq. Ft.)	Max. Lot Coverage (% of Lot Area)	Min. Bldg. Size (Cu. Ft.)
	District	Families	Min. Width	Min. Lot Area (Sq. Ft.)	Max. Lot Coverage (% of Lot Area)	Min Bldg. Size (Cu Ft)
	RU-1	1	New sub.-75'	7,500	40%	8,500

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

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

EP & K INC/PELZMAN, ERIC

11532 SW 136 TER
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

PENDING

Z2025000047

DATE

HEARING NUMBER

FOLIO No: 30-5019-002-1160

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

June 5, 2025

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

Case No. 20240229278B was opened on 04/09/2024. A Notice of Violation was issued on 04/16/2024 for "Failure to obtain required building permit(s) prior to commencing work on: Interior remodeling to include plumbing for the bathrooms, drywall repair with partitions and wall removed (layout changed), new AC condenser to include mechanical and electrical, and shed in the setbacks." Case was closed on 08/06/2024 due to change of ownership.

Case No. 20240232161B was opened on 08/05/2024. A Notice of Violation was issued on 08/05/2024 for "Failure to obtain required building permit(s) prior to commencing work on: interior remodeling to include plumbing for the bathrooms, drywall repair with partitions and wall removed (layout changed), new AC condenser to include mechanical and electrical, and shed in the setbacks." Since compliance was not met, the following citations were issued on 04/23/2025: P067357 "SECTION 105.1 OF THE FLORIDA BUILDING CODE: FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK Interior remodeling to include plumbing for the bathrooms and electrical, impact windows, and new a/c condenser", P067358 "SECTION 105.1 OF THE FLORIDA BUILDING CODE: FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK Shed at rear." And P067359 "SECTION 105.1 OF THE FLORIDA BUILDING CODE: FAILURE OF OWNER-BUILDER OR CONTRACTOR TO OBTAIN A PERMIT PRIOR TO COMMENCING WORK Interior remodeling to include plumbing for the bathrooms and electrical, impact windows, and new a/c condenser." All citations are on appeal.

VIOLATOR:

EP & K INC/PELZMAN, ERIC


OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

Memorandum

Date: May 20, 2025

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

From: Lisa M. Spadafina, RER Assistant Director
Division of Environmental Resources Management 

Subject: Z2025000047-1st Review
EP&K, Inc. LLC
11532 SW 136 Ter, Miami FI 33176
NUV for setbacks requirements to legalize additions to single-family residence
(RU-1) (0.19 Acres)
19-55-40

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

Potable Water Supply and Wastewater Disposal

According to DERM records, the property is currently connected to the public water supply system and is served by an onsite sewage treatment and disposal system (OSTDS) as a means for the disposal of domestic liquid waste. Furthermore, pursuant to section 24-43.4 of the Code and based on the information submitted with this application, DERM has determined that public sewer lines are not currently located within feasible distance to the subject site. Pursuant to the Code, the proposed addition to the existing single-family residence shall connect to public water and to the OSTDS.

Conditions of Approval: None

Water Control

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

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

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

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources; however, the site plan entitled "11532 SW 136 TER" prepared by Arshad Viqar, P.E., and dated as received by Miami-Dade County on April 28, 2025, was submitted with the subject application and indicates that tree resources onsite will not be removed. Please note that a Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code.

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

Conditions of Approval: None

Enforcement History

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

Concurrency Review Summary

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: August 22, 2025

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

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

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

Subject: Zoning Application Comments - EP&K Project
Application No. Z2025000047 (Revision No. 3)

A handwritten signature in cursive script that reads "Maria Valdes".

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

Application Name: EP&K Project

Location: The proposed project is located on approximately 0.19 acres at 11532 SW 136th Terrace, with Folio No. 30-5019-002-1160, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is requesting a Non-Use Variance to permit and legalize an addition on the west side of the existing single-family residence, without the required setbacks.

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

Easement/Hold Harmless Agreement: Please note that the subject property has a 12-foot Utility Easement along the southern boundary of the property (6-feet within the property) that is housing a 2-inch water main. The survey plan submitted with this application shows an existing metal shed over a concrete slab located on the south side of the property that is partially encroaching on said utility easement, and must be removed or relocated. Per Site Plan V4 stamped received on 08/13/2025, the above mentioned shed over a concrete slab encroaching on the utility easement has been removed.

In addition, the site plan submitted with this application shows an existing chain link fence along the property line within the above-mentioned utility easement. **As such, a Hold Harmless Agreement will be required from WASD.**

Therefore, the following Zoning Condition shall be included in the Zoning Resolution for this application:

A Hold Harmless Agreement from WASD will be required prior to the issuance of a Fence and/or Building Permit.

Please note that on 08/05/2025, WASD Agreement No. 33377 was requested for the subject project and a WASD INDEMNIFICATION AND HOLD HARMLESS AGREEMENT is pending to be finalized. As such, WASD does not have an objection to the proposed Zoning application. The previous comments have been addressed.

Water: The subject site is located within the WASD's water service area. The subject property is currently connected to a 2-inch water main within the site. Through WASD Agreement No. 33377, a flow and pressure test has been requested to determine if the property can stay connected to the 2-inch water main. If the test fails, an 8-inch water main extension will be required.

Sewer: The subject site is located within the WASD's sewer service area. The subject property is currently on septic. There is no gravity sewer in the vicinity of the site.

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

Memorandum



Date: July 16, 2025

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

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

Subject: Z2025000047
Name: EP&K, Inc. LLC
Location: 11532 SW 136 Terrace
Section 19 Township 55 South Range 40 East

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

This land **complies** with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 4, Block 70, Plat Book 60, Page 21.

This application does not generate any vehicle trips.

Standard Conditions:

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

Memorandum



Date: July 24, 2025

To: Eric Silva, Assistant Director
Regulatory and Economic Resources

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

Subject: Z2025000047

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded to “EnerGov” on 7/17/2025. Single Family home.

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

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

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

Memorandum



Date: May 12th, 2025

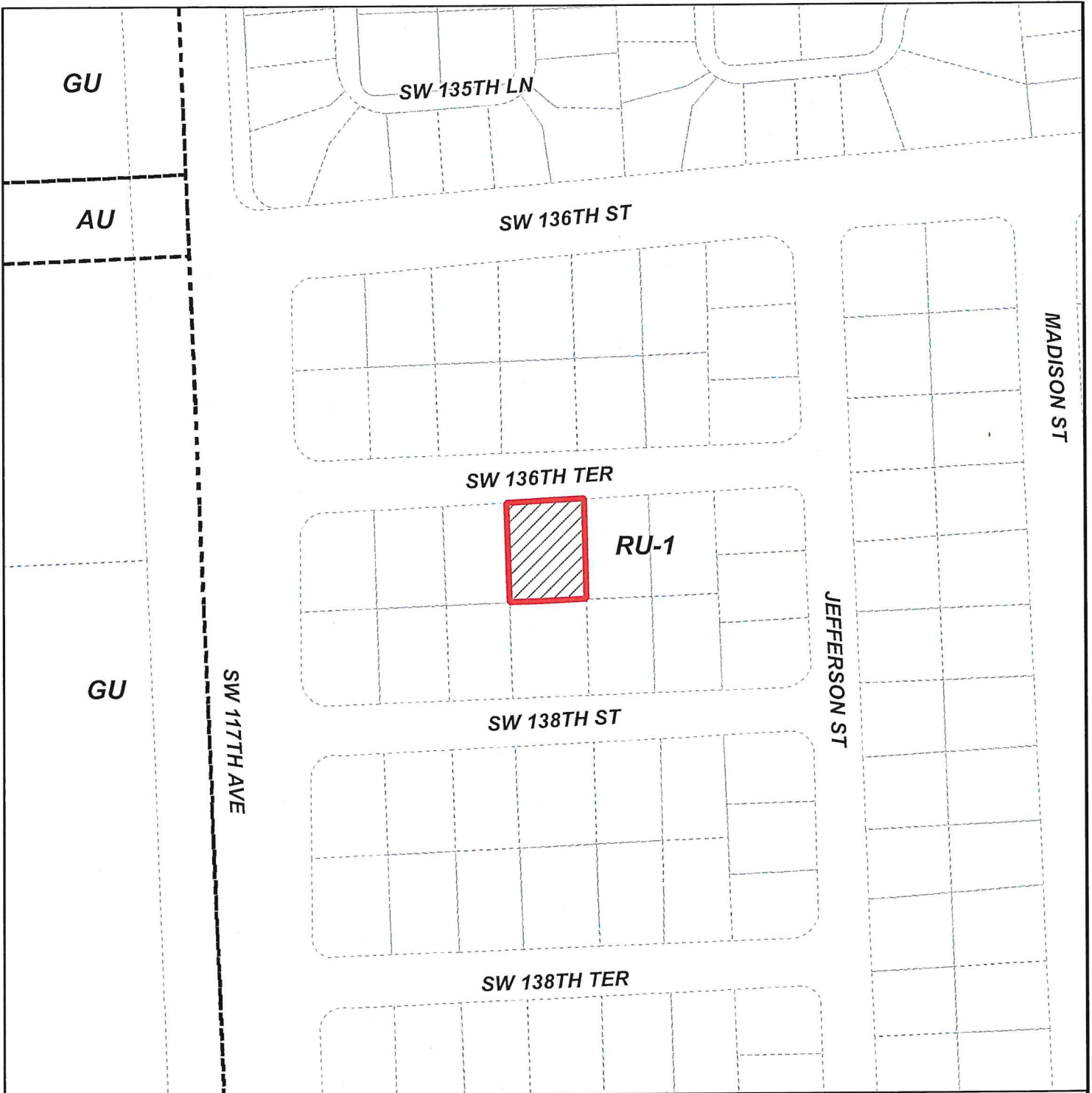
To: Eric Silva, Assistant Director for Development Services
Department of Regulatory and Economic Resources

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

Subject: Zoning Review Z2025 – 000047 EP&K, Inc. 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
Z2025000047

Section: 19 Township: 55 Range: 40
 Applicant: EP&K, Inc
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



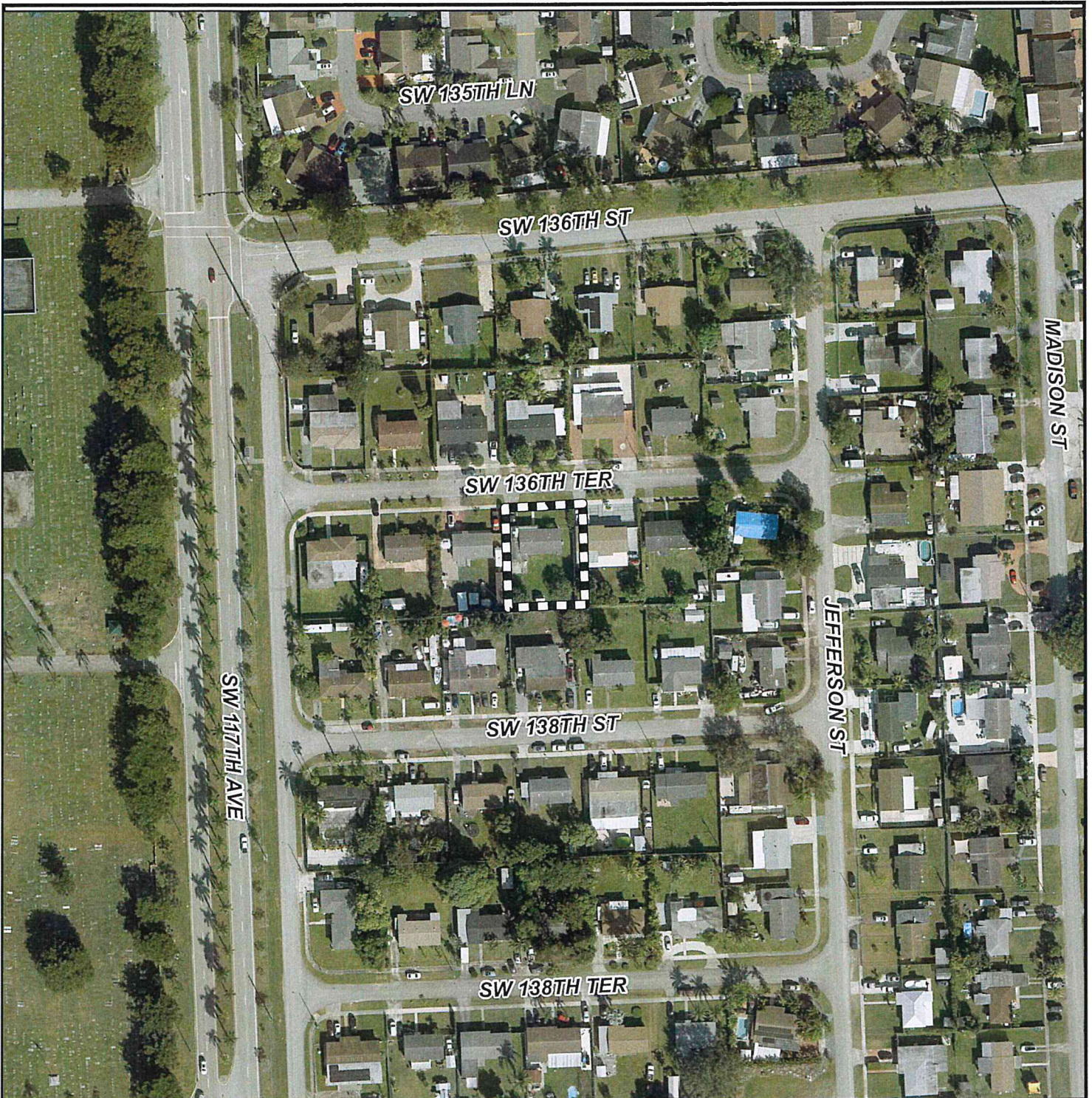
Legend

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Monday, May 5, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2024

Process Number
Z2025000047

Legend
 Subject Property

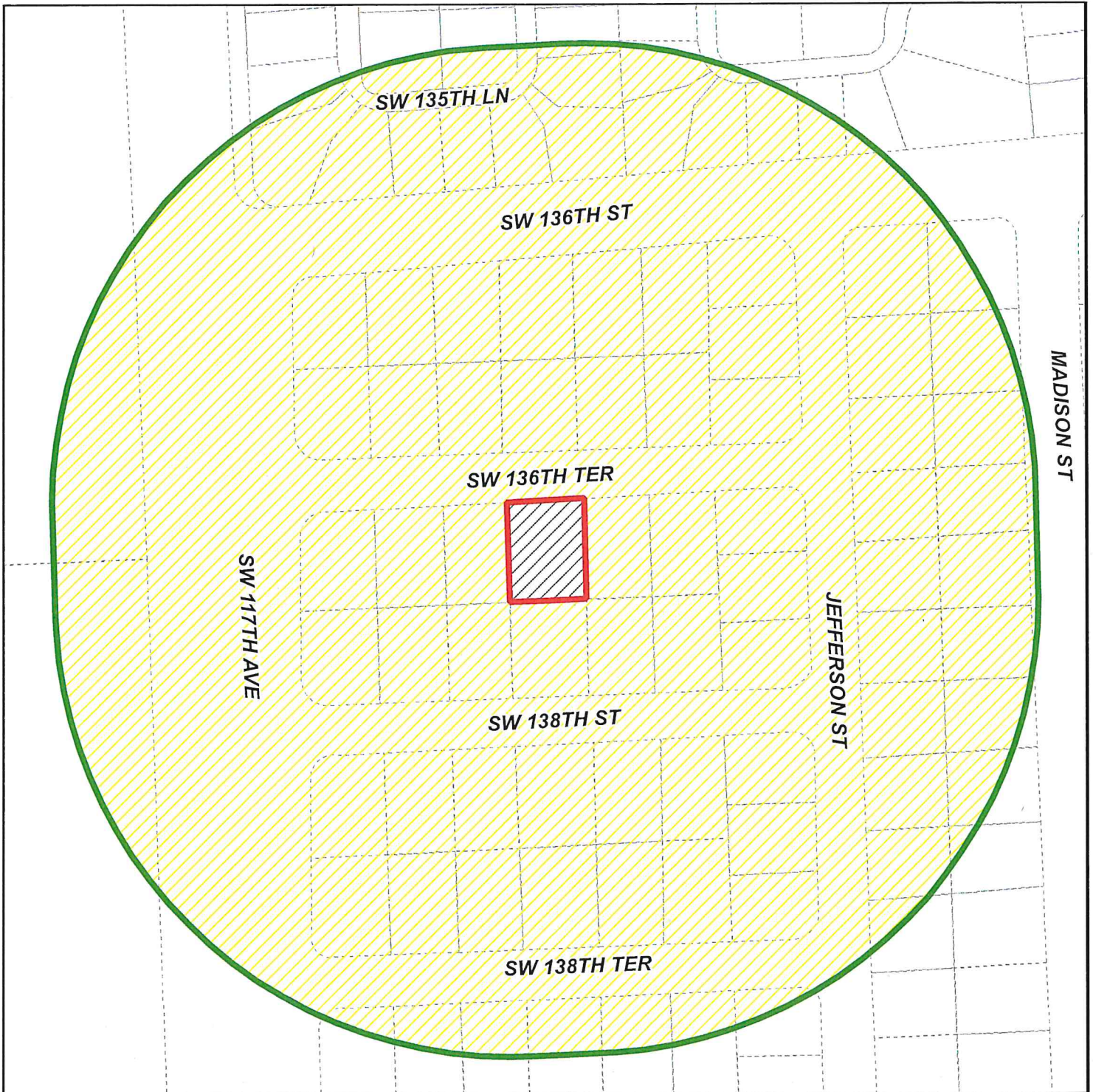


Section: 19 Township: 55 Range: 40
 Applicant: EP&K, Inc
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Monday, May 5, 2025

REVISION	DATE	BY






MIAMI-DADE COUNTY
RADIUS MAP

Section: 19 Township: 55 Range: 40
 Applicant: EP&K, Inc
 Zoning Board: C14
 Commission District: 9
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Process Number
Z2025000047
 RADIUS: 500

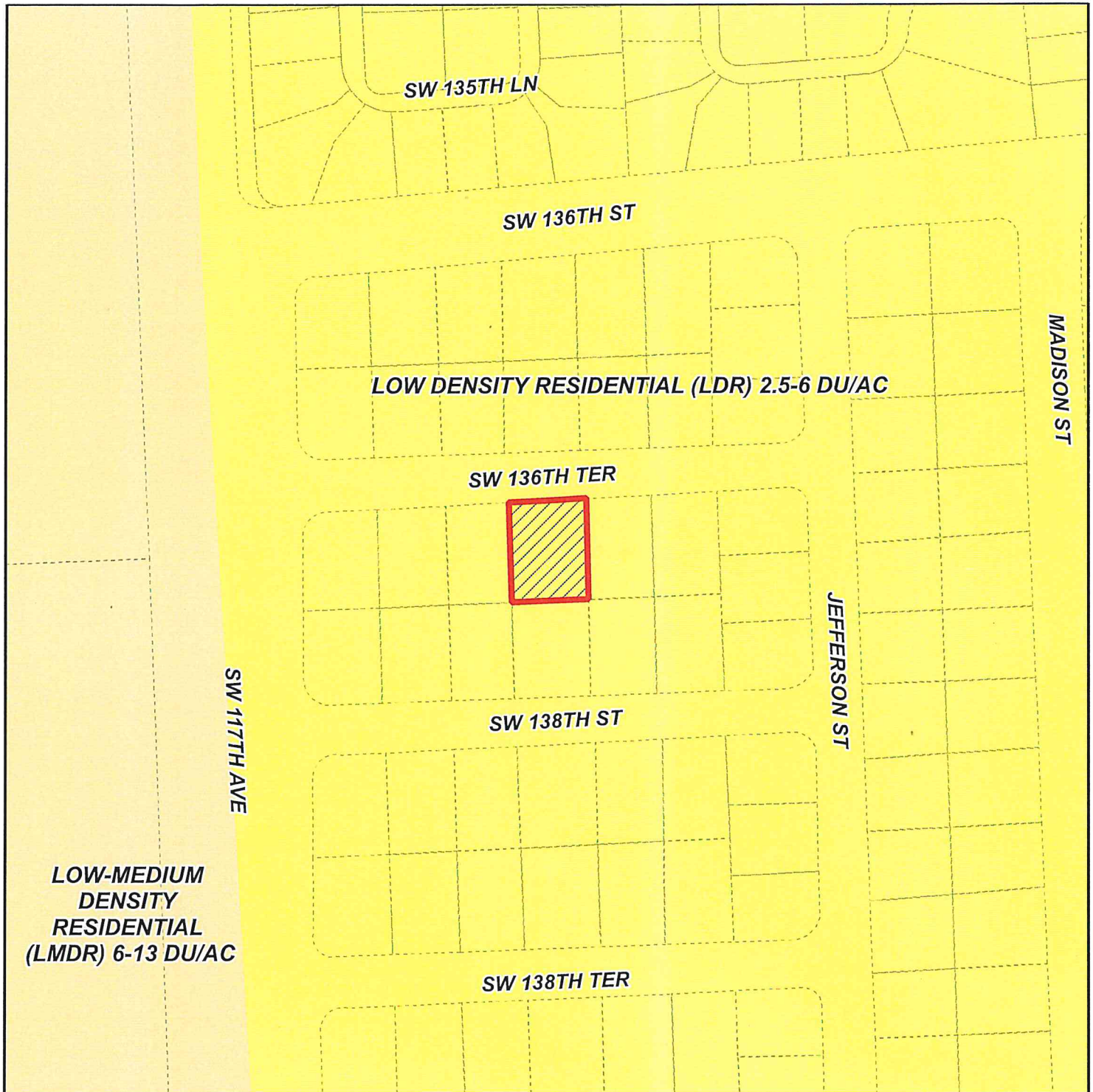
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, May 5, 2025

REVISION	DATE	BY



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2025000047

Section: 19 Township: 55 Range: 40

Applicant: EP&K, Inc

Zoning Board: C14

Commission District: 9

Drafter ID: EDUARDO CESPEDES

Scale: NTS

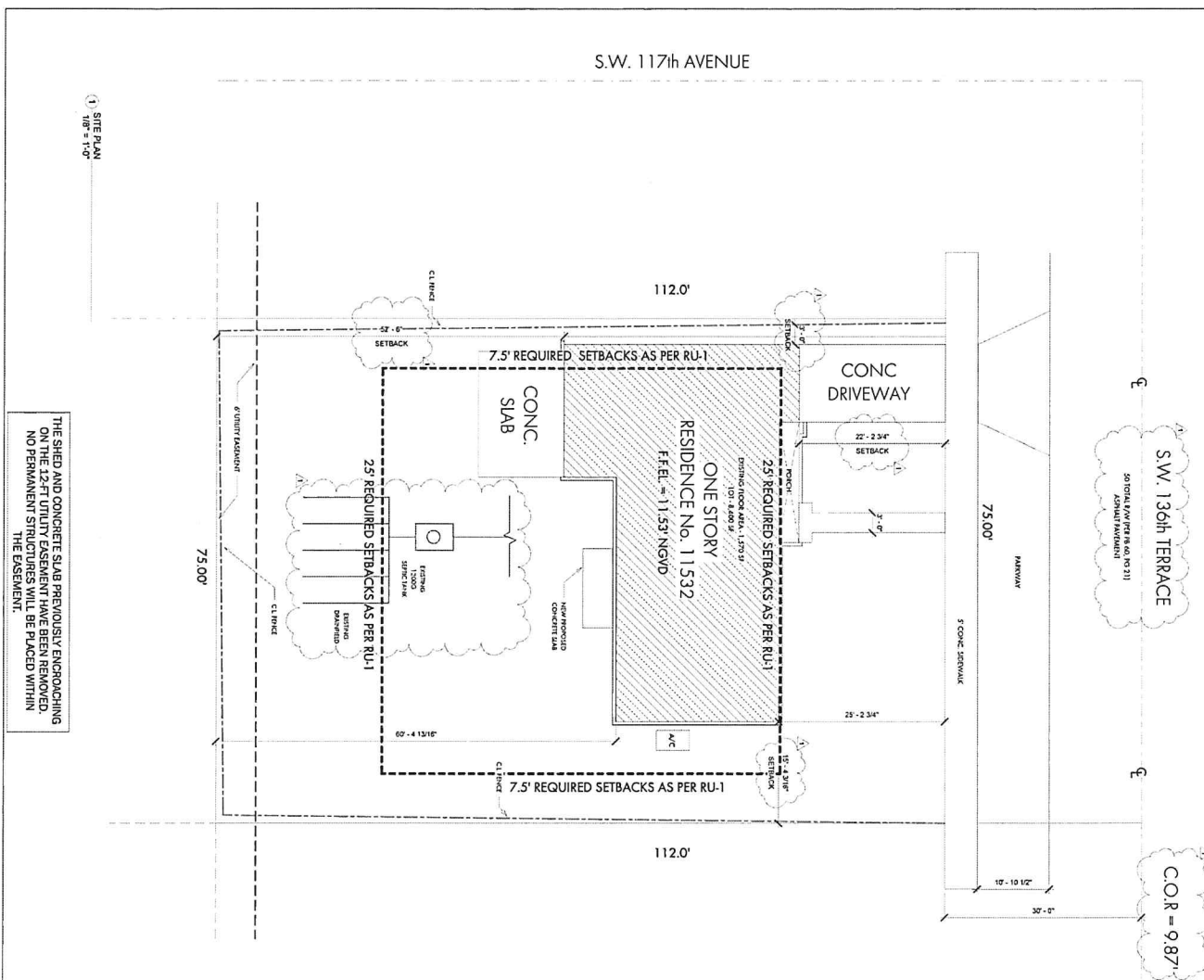
Legend

 Subject Property Case



SKETCH CREATED ON: Monday, May 5, 2025

REVISION	DATE	BY



THE SHED AND CONCRETE SLAB PREVIOUSLY ENGINEERING ON THE 12' TILT-UP EASEMENT HAVE BEEN REMOVED. NO PERMANENT STRUCTURES WILL BE PLACED WITHIN THE EASEMENT.

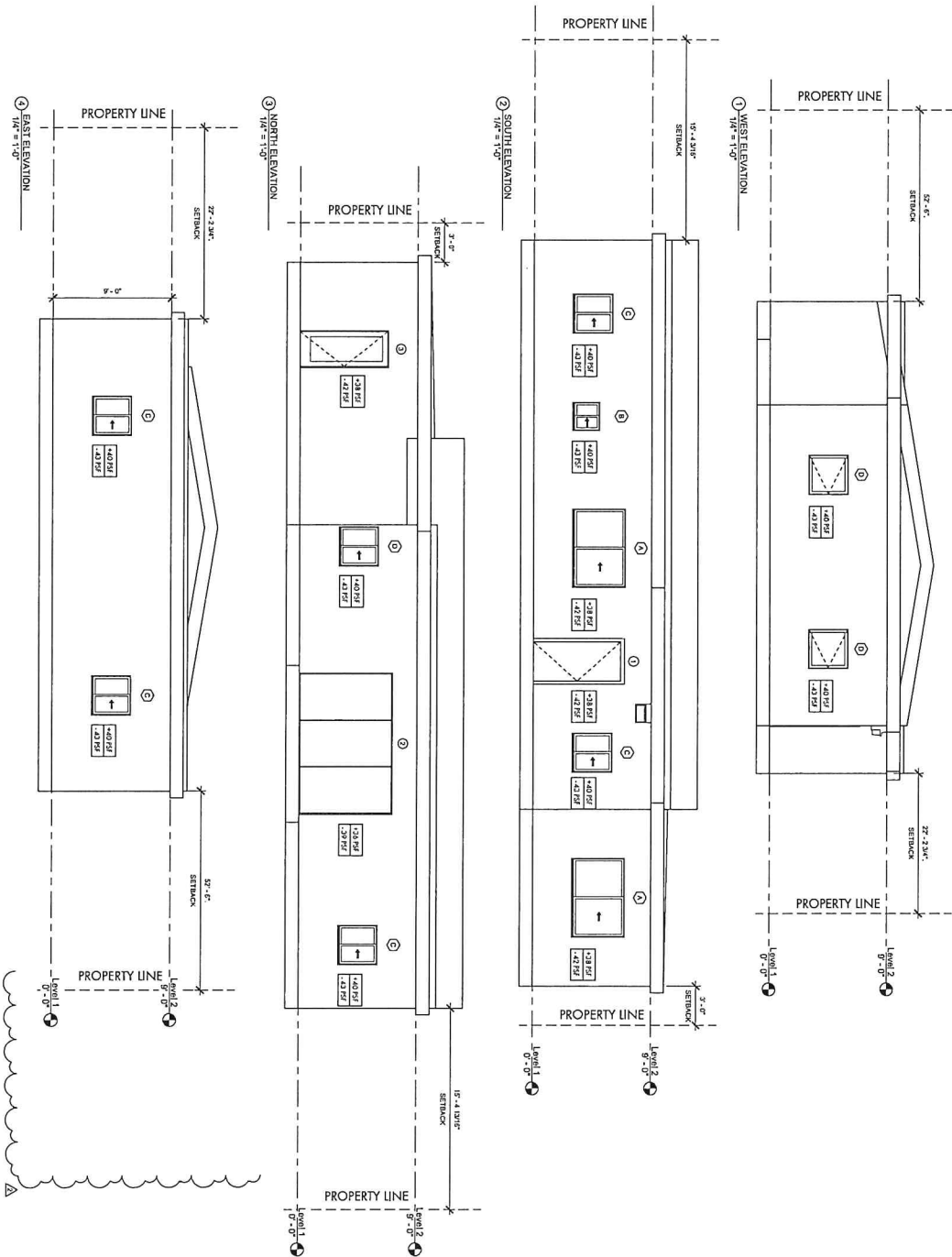
SIDE DATA	
LEGAL DESCRIPTION	19 55 40 REPEAT OF PORTIONS OF RICHMOND HEIGHTS PB 60-21 LOT 4 BLK 70 LOT SIZE 75,000 X 112
PROPERTY ADDRESS	11532 SW 136TH TERRACE MIAMI, FL 33176
SCOPE OF WORK	-INTERIOR & EXTERIOR RENOVATION -COMPLY WITH VIOLATION CASE 20240229278.
APPLICABLE CODE	THE CODE IN EFFECT FOR THESE PLANS IS THE F.B.C 2023 8TH EDITION
PROJECT INFORMATION	EXISTING FLOOR AREA..... 1,570 SF AREA UNDER ROOF..... 1,756.72 SF NEW LOT..... 8,400 SF
SETBACK	REQUIRED PROVIDE
FRONT.....	25' 22.23'
REAR.....	25' 62.5'
SIDE.....	7.5' 15.35' / 3'
COVERAGE	8400 SF NET LOT SIZE
ALLOWED	EXISTING
35% (2,940 SF)	18% (1,570 SF)
RESIDENTIAL, RU-1	

Date	Rev:	By:
08/01/24	07 24	AC
	08 24	AC
Drawn by		
AC		
SP-01		
Scale		
1/8" = 1'-0"		

SITE PLAN

EP&K INC LLC
11532 SW 136 TER
 PUBLIC HEARING TO LEGALIZE
 EXISTING ADDITION

CONSULTING ENGINEER:
ARSHAD VIQAR, P.E.
 LIC. No. #38853
 12260 SW 8th ST
 SUITE 224,
 MIAMI FL 33184



Scale 1/4" = 1'-0"	A-03	Rev:	By:
		08.24	2C
		08.01/24	AC

PROPOSED FLOOR PLAN

EP&K INC LLC
11532 SW 136 TER
 PUBLIC HEARING TO LEGALIZE
 EXISTING ADDITION

CONSULTING ENGINEER:
ARSHAD VIQAR, P.E.
 LIC. No. #38853
 12260 SW 8th ST
 SUITE 224,
 MIAMI FL 33184

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: 11532 SW 136 Terrace LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>ERIC PELZMAN</u>	<u>100 %</u>
<u>3456 S Ocean Blvd #101</u>	
<u>Palm Beach FL 33480</u>	

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>

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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

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

Date of contract: _____

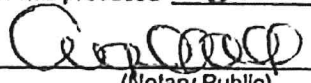
If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

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.

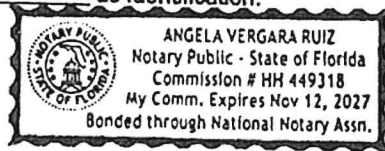
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: X  _____
(Applicant)

Sworn to and subscribed before me this 8 day of September, 2025. Affiant is personally known to me or has produced DL as identification.


(Notary Public)

My commission expires NOV 12/2027

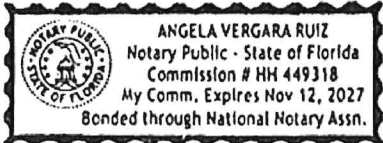


*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership 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.

(Space reserved for Clerk)

Sworn to and subscribed before me on the 8 day of September, 2025.

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



ANGELA VERGARA RUIZ
Notary Public Signature

Angela Vergara Ruiz
Print Name

State of FL

My Commission Expires: NOV 12-2027

(Space reserved for Clerk)

OWNERSHIP AFFIDAVIT FOR CORPORATION

STATE OF FLORIDA Public Hearing No. _____

COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared ERIC PELZMAN 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 11532 SW 136 Terrace LLC Corporation, with the following address: 3456 S OCEAN BLVD #101 Palm Beach, FL 33480

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

3. The subject property is legally described as: 19 95 40 REPLAT OF PORTIONS OF RICHMOND HEIGHTS PB 60-21 LOT 4 BKL 70 LOT SIZE 75.000 X 112

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 _____
Print Name Anton [unclear]

X _____
Affiant's signature
Print Name ERIC PELZMAN

Signature _____
Print Name _____

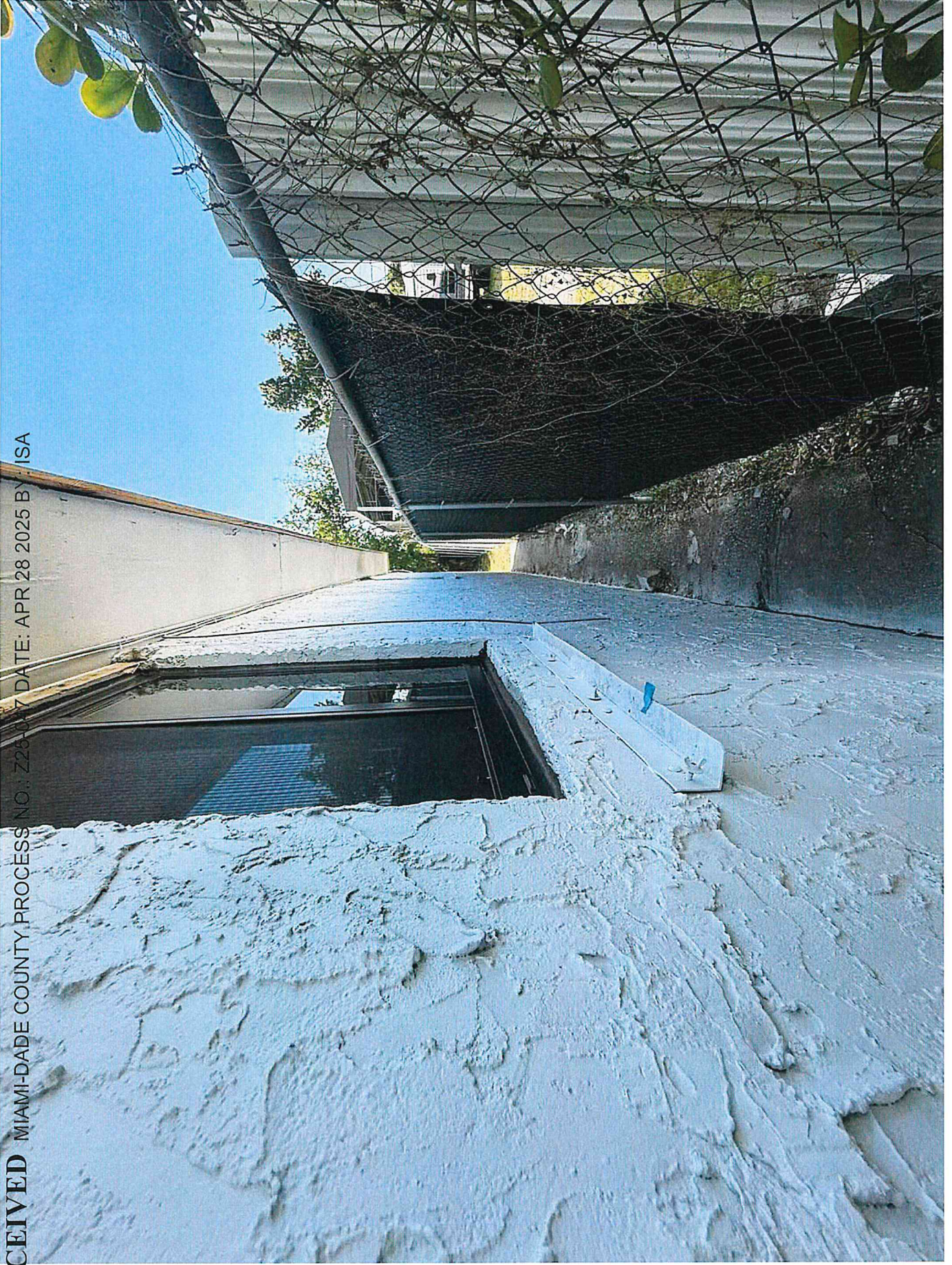
RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z25-047 DATE: APR 28 2025 BY: ISA



RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z25-047 DATE: APR 28 2025 BY: ISA



RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z26-017 DATE: APR 28 2025 BY: ISA



RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z25-047 DATE: APR 28 2025 BY: ISA



RECEIVED MIAMI-DADE COUNTY PROCESS NO.: Z25-047 DATE: APR 28 2025 BY: ISA



RECEIVED MIAMI-DADE COUNTY PROCESS NO: 22-117 DATE: APR 28 2025 BY: ISA

