

KITS

12-21-2010 Version #1



**COMMUNITY ZONING APPEALS BOARD 2
HIGHLAND OAKS PARK
20300 NE 24 Avenue, Miami
Wednesday, January 26, 2011 at 7:00 p.m.**

PREVIOUSLY DEFERRED

A. 10-5-CZ2-1	<u>T-MOBILE SOUTH LLC AND FLORIDA POWER AND LIGHT</u>	<u>09-43</u>	31-51-42
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CURRENT

1. 11-1-CZ2-1	<u>MONICA'S DAYCARE, LLC</u>	<u>09-88</u>	04-52-42 N
2. 11-1-CZ2-2	<u>MIAMI DADE PARK & RECREATION DEPARTMENT</u>	<u>10-100</u>	33-51-42 N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 2

MEETING OF WEDNESDAY, JANUARY 26, 2011

HIGHLAND OAKS PARK

20300 NE 24 AVENUE, MIAMI, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

A. T-MOBILE SOUTH LLC AND (10-5-CZ2-1/09-043)
FLORIDA POWER AND LIGHT

31-51-42
Area 2/District 1

- (1) UNUSUAL USE to permit a 100' high wireless supported service facility (cellular tower) and ancillary equipment.
- (2) MODIFICATION of Condition #2 of Resolution No. 3-ZAB-35-67, passed and adopted by Zoning Appeals Board and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Ives Substation Plot Plan,' dated November 3, 1966, and approved by H.V. Street, Chief Engineer."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'FPL Ives Substation,' as prepared by Mactec Engineering & Consulting, Inc., consisting of 3 sheets and dated stamped received 3/17/09."

The purpose of Request #2 is to permit the applicant to submit a revised site plan showing a Wireless Supported Service Facility located in a previously approved FPL Substation.

- (3) SPECIAL EXCEPTION to permit an 8' high chain link fence (6' permitted) with 3 strands of barbed wire.
- (4) Applicants are requesting to permit the Wireless Supported Service Facility setback 40' (111.11' required) from the interior side (north) property line and setback 67' (111.11' required) from the front (east) property line.

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

LOCATION: Lying west of N.E. 10 Avenue and north of N.E. 208 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.97 Acres

Department of Planning & Zoning
Recommendation:

Denial without prejudice.

Protests: 51

Waivers: 7

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from: 11/03/2010

1. MONICA'S DAYCARE, LLC (11-1-CZ2-1/09-088)

**04-52-42
Area 2/District 4**

- (1) UNUSUAL USE to permit a day care center.
- (2) Applicant is requesting to permit the day care center setback 18' 6½" (75' required) from the interior side (north) property line and setback 23' 10½" (75' required) from the interior side (south) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Monica's Daycare," as prepared by Vertex Architecture, consisting of 7 sheets: Sheet "A-1," dated stamped received 7/16/10 with last handwritten revision dated 10/13/10 and the remaining 6 sheets dated stamped received 12/18/09 with Sheet "A-2" last handwritten revision dated 1/27/10. Plans may be modified at public hearing.

LOCATION: 18820 N.E. 22 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 43,718 sq. ft.

Department of Planning & Zoning
Recommendation:

Approval With conditions of Phase I with a maximum of 40 children, subject to the Board's acceptance of the proffered Declaration of Restrictions as amended by all conditions that are approved by the board.

Protests: _____ 53 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

**2. MIAMI-DADE PARK & RECREATION (11-1-CZ2-1/09-088)
DEPARTMENT**

**33-51-42
Area 2/District 4**

Applicant is requesting to waive the zoning regulations requiring half-section lines rights-of-way to be 70' in width; to permit 0' of dedication (35' required) for the north half of N.E. 207th Street, between N.E. 23 Avenue & N.E. 24 Avenue, and to permit 0' of dedication for the entire 70' right-of-way of N.E. 207th Street, between N.E. 24th Avenue & N.E. 25th Avenue.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Highland Oaks Parks", as prepared by Scott A. Riggs, consisting of 2 sheets dated stamped received 12/17/10. Plans may be modified at public hearing.

LOCATION: 20459 N.E. 24 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 37.56 Acres

**A. T-MOBILE SOUTH LLC AND
FLORIDA POWER AND LIGHT**
(Applicant)

10-5-CZ2-1 (09-043)
Area 2/District 01
Hearing Date: 01/26/11

Property Owner (if different from applicant) **FLORIDA POWER AND LIGHT.**

Is there an option to purchase / lease the property predicated on the approval of the zoning request? Yes No

If so, who are the interested parties? T-MOBILE

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1967	Florida Power and Light Company	- Unusual Use (Electric Substation) P.U.P. conditions.	C03	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 2
MOTION SLIP**

APPLICANT'S NAME: **T-MOBILE SOUTH LLC AND FLORIDA POWER AND LIGHT**

A

REPRESENTATIVE: **Perry Adair**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
10-5-CZ2-1 (09-43)	November 3, 2010	CZAB2	10

REC: Denial without prejudice.

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: January 26, 2011 W/LEAVE TO AMEND
 DENY: WITH PREJUDICE WITHOUT PREJUDICE
 ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS
 APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.
 WITH CONDITIONS
 OTHER: Deferral at the request of the applicant to contact AT&T for tower relocation to
 another site.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Kenneth FRIEDMAN	X		
COUNCIL WOMAN	S	Adrienne F. PROMOFF	X		
VICE CHAIR WOMAN	M	Peggy A. STROKER	X		
COUNCIL WOMAN		Dawn UFFNER	X		
CHAIRWOMAN		Lonna COHEN	X		

VOTE: **4** **0**

EXHIBITS: YES NO

COUNTY ATTORNEY: **CRAIG COLLER**

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 2
MOTION SLIP

A

APPLICANT'S NAME: **T-MOBILE SOUTH LLC AND FLORIDA POWER AND LIGHT**

REPRESENTATIVE: Carlos Gimmenz

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
10-5-CZ2-1 (09-043)	October 6, 2010	CZAB2 10

REC: Denial without prejudice.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>Nov 3, 2010</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER:	Deferred due to a tied vote.	

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	M	Kenneth FRIEDMAN	X		
COUNCIL WOMAN		Adrienne F. PROMOFF			X
VICE CHAIR WOMAN		Peggy A. STROKER		X	
COUNCIL WOMAN	S	Dawn UFFNER	X		
CHAIRWOMAN		Lonna COHEN		X	
VOTE:			2	2	

EXHIBITS: YES NO

COUNTY ATTORNEY: **CRAIG COLLER**

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 2
MOTION SLIP

A

APPLICANT'S NAME: T-MOBILE SOUTH LLC AND FLORIDA POWER & LIGHT

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
10-5-CZ2-1 (09-043)	September 1, 2010	CZAB2 10

REC: Denial without prejudice.

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: Oct 6, 2010 W/LEAVE TO AMEND
 DENY: WITH PREJUDICE WITHOUT PREJUDICE
 ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS
 APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.
 WITH CONDITIONS
 OTHER: Deferred due to a lack of a quorum.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Kenneth FRIEDMAN			X
COUNCIL WOMAN		Adrienne F. PROMOFF			
VICE CHAIR WOMAN		Peggy A. STROKER			X
COUNCIL WOMAN		Dawn UFFNER			
CHAIRWOMAN		Lonna COHEN			

VOTE:

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EXHIBITS: YES NO

COUNTY ATTORNEY: CRAIG COLLER

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 2
MOTION SLIP

A

APPLICANT'S NAME: **T-MOBILE SOUTH LLC AND FLORIDA POWER & LIGHT**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
10-5-CZ2-1 (09-43)	June 1, 2010	CZAB2	10

REC: Denial without prejudice.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>September 1, 2010</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER:	Deferred at applicant's request to further make corrections to the legal description	
in the advertisement. The re-advertisement will be at applicant's expense.		

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	M	Kenneth FRIEDMAN	X		
COUNCIL WOMAN	S	Caryn MONTAGUE (C.A.)	X		
COUNCIL WOMAN		Adrienne F. PROMOFF	X		
VICE CHAIR WOMAN		Peggy A. STROKER	X		
COUNCIL WOMAN		Dawn UFFNER	X		
CHAIRWOMAN		Lonna COHEN			X
VOTE:			5	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: **CRAIG COLLER**

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 2
MOTION SLIP

#1

APPLICANT'S NAME: T-MOBILE SOUTH LLC AND FLORIDA POWER & LIGHT

REPRESENTATIVE: Carlos Gimenez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
10-5-CZ2-1 (09-43)	May 4, 2010	CZAB2	10

REC: Denial without prejudice.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: June 1, 2010 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.

WITH CONDITIONS

OTHER: Deferred due to a technical error in the advertising.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	S	Kenneth FRIEDMAN	X		
COUNCIL WOMAN		Caryn MONTAGUE (C.A.)	X		
COUNCIL WOMAN		Adrienne F. PROMOFF			X
VICE CHAIR WOMAN	M	Peggy A. STROKER	X		
COUNCIL WOMAN		Dawn UFFNER	X		
CHAIRWOMAN		Lonna COHEN	X		
VOTE:			5	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: CRAIG COLLER

6

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 2**

APPLICANTS: T-Mobile South, LLC & FPL

PH: Z09-043 (10-5-CZ2-1)

SECTION: 31-51-42

DATE: January 26, 2011

COMMISSION DISTRICT: 1

ITEM NO.: A

A. INTRODUCTION

o REQUESTS:

- (1) UNUSUAL USE to permit a 100' high wireless supported service facility (cellular tower) and ancillary equipment.
- (2) MODIFICATION of Condition #2 of Resolution #3ZAB-35-67 passed and adopted by Zoning Appeals Board #3 and reading as follows:

FROM: "2. That the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Ives Substation Plot Plan,' dated November 3, 1966, and approved by H.V. Street, Chief Engineer."

TO: "2. That the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'FPL Ives Substation,' as prepared by Mactec Engineering & Consulting, Inc., consisting of 3 sheets and dated stamped received 3/17/09."

The purpose of Request #2 is to permit the applicant to submit a revised site plan showing a Wireless Supported Service Facility located in a previously approved FPL Substation.

- (3) Special Exception to permit an 8' high chain link fence (6' permitted) with 3 strands of barbed wire (barbed wire not permitted).
- (4) Applicants are requesting to permit the Wireless Supported Service Facility setback 40' from the interior side (north) property line and setback 67' from the front (east) property line (111.11' required for both).

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

o SUMMARY OF REQUESTS:

The requests will allow the applicants to erect a 100' high monopole tower, to modify a previously approved plan in order to include the aforementioned 100' high monopole tower and to permit the proposed 100' high monopole tower setback less than required from the north and east property lines. Additionally, the applicant seeks to permit an 8' high barbed wire fence where it is not permitted by the Zoning Code.

- o **LOCATION:** Lying west of NE 10 Avenue and north of theoretical NE 208 Street, Miami-Dade County, Florida.

- o **SIZE:** 1.97 Acres

B. ZONING HEARINGS HISTORY:

In 1967, pursuant to Resolution #3-ZAB-35-67 the Zoning Appeals Board (ZAB) granted the approval for an electric substation on the subject property.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan currently designates the subject property as being within the Urban Development Boundary for **Parks and Recreation** use. The Land Use Plan map specifically illustrates parks and recreation areas of metropolitan significance, including State parks and the Biscayne and Everglades National Parks. Also illustrated are golf courses and other parks of approximately 40 acres and larger which are significant community features. Most neighborhood local parks smaller than 40 acres in size are not specifically shown on the Plan map; however, this omission should not be interpreted as meaning that these parks will be taken out of public use. Compatible parks are encouraged in all of the residential categories and may be allowed in all other categories of the LUP map. The siting and use of future parks and recreation areas shall be guided by the Park and Open Space, and Capital Improvement Elements, and by the goals, objectives and policies of the CDMP. Both governmentally and privately owned lands are included in areas designated for Parks and Recreation use. Most of the designated privately owned land either possesses outstanding environmental qualities and unique potential for public recreation, or is a golf course included within a large scale development. Unless otherwise restricted, the privately owned land designated as Parks and Recreation may be developed for a use or a density comparable to, and compatible with, surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP. Except as consistent with the provisions below, however, this allowance does not apply to land designated Parks and Recreation that was set aside for park recreation or open space use as a part of, or as a basis for approving the density or other aspect of, a residential development or other is otherwise subject to a restrictive covenant accepted by a public entity.

2. Neighborhood or community-serving institutional uses, **cell towers** and **utilities** including schools, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and cemeteries may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to Policy LU-4A. Co-location of communication and utility facilities are encouraged. Major utility and communication facilities should generally be guided away from residential areas; however, when considering such approvals, the County shall consider such factors as the type of function involved, the public need, existing land use patterns in the area and alternative locations for the facility. All approvals must be consistent with the goals, objectives and policies of the Comprehensive Development Master Plan.

3. **Policy LU-4A.** 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-4L; FPL substation

Parks and Recreation

Surrounding Properties:

NORTH: GU; vacant land

Parks and Recreation

SOUTH: RU-4L; single family residences

Low Medium Density Residential, 6-13 dua

WEST: RU-1; single family residences

Parks and Recreation

EAST: GU; FPL easement

Parks and Recreation

The subject site is located lying west of NE 10 Avenue and north of theoretical NE 208 Street. Single family residences, townhouses, an abandoned golf course and an FPL easement surround the subject property.

E. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses. The Board shall hear an application for and grant or deny **special exceptions**; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Section 33-311(A)(7) Generalized Modification Standards. 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; provided, that the appropriate Board finds after public hearing that 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.

Section 33-311(A)(4)(b) Non-Use Variances from other than Airport Regulations. 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.

Section 33-311(3)(a) Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development. For purposes of public hearing, a site plan shall be considered one (1) special exception, and upon approval of a site plan by the Community Zoning Appeals Board and/or the Board of County Commissioners, all non-use variances incorporated within and reflected upon the site plan shall be considered a part thereof, and official approval of the site plan shall constitute approval of all such non-use variances, unless otherwise so moved by the approving board.

(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.
- 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.

F. NEIGHBORHOOD SERVICES:

DERM	No objection
Public Works	No objection
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment
Aviation	No objection

G. ANALYSIS:

This item was deferred to January 26, 2011 in order to allow the applicant to meet with AT & T staff for the relocation of the proposed tower on AT & T property. The subject 1.97-acre parcel of land is located lying west corner of NE 10 Avenue and north of theoretical NE 208 Street and is developed with an existing FPL substation surrounded by townhouses, single family residences, vacant land and an FPL easement. As previously mentioned the subject site is designated **Parks and Recreation** use. The Land Use Plan map specifically illustrates parks and recreation areas of metropolitan significance, including State parks and the Biscayne and Everglades National Parks. Also illustrated are golf courses and other parks of approximately 40 acres and larger which are significant community features. However, neighborhood or community-serving institutional uses, such as **cell towers** and **utilities** may be approved where compatible **in all urban land use categories**, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. As such the existing FP&L plant is **consistent** with the LUP map and the interpretative text of the CDMP. However, staff opines that approval of the application which would permit the applicant to install a 100' tall cell tower (request #1), as well as to modify previously approved plans for the FP&L plant to allow the cell tower (request #2) setback closer than allowed to property lines (request #3), would be **incompatible** with the surrounding predominant residential developments to the east, south and west. As such, staff does not recommend approval of the proposed development and therefore recommends that the application be denied without prejudice.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application. The **Public Works Department** has **no objections** to this application and indicates that this application does not generate any additional daily peak hour vehicle trips. Additionally, the **Aviation Department** has **no objection** to this application and the **Miami-Dade Fire and Rescue Department** has indicated that the estimated average travel time to this location is **4:32** minutes.

When request #1 is analyzed under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses, staff acknowledges that DERM, MDR, the Public Works and Aviation Departments, do not have any objections to this application. However, when considering the necessity for and reasonableness of such 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, staff opines that approval of the facility as indicated in the submitted plans, setback as close as 40' from the closest property line, is **incompatible** with the surrounding area, which is primarily made up of residential developments. In addition,

staff notes that said 100' high monopole would create a negative visual impact on the surrounding area since it cannot be adequately buffered due to the excessive height. In

addition, staff is of the opinion that since the surrounding area is developed with single family residences and townhouses which average from twenty five (25) to thirty five (35) feet in height, the proposed 100' high monopole would be out of character in this residential area. As such, staff is of the opinion that a 100' high monopole tower will be **incompatible** with the existing structures in this area and staff recommends denial without prejudice of request #1.

The applicant is also seeking approval under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses, to allow a proposed 8' high chain link fence with three (3) strands of barbed wire in this RU-4L, Limited Apartment House District, which, is not permitted (request #3). Staff notes, that memoranda from DERM, MDRF, the Public Works and Aviation Departments, as was the case with the request for the wireless tower, do not indicate that approval of this request will cause an undue burden on public facilities or tend to create a fire or other equally or greater dangerous hazards. However, staff is of the opinion that an 8' high chain link fence with three (3) strands of barbed wire is likely to create a potential dangerous hazard to the surrounding residential communities. As such, staff opines that approval of this request is **incompatible** with the surrounding single family and townhouse residential neighborhood and therefore recommends denial without prejudice of request #3.

Staff opines that request #2, which would allow the modification of Resolution #3ZAB-35-67 and request #4, to permit the Wireless Supported Service Facility setback 40' from the interior side (north) property line and setback 67' from the front (east) property line (111.11' required for both), are germane to request #1. When request #2 is analyzed under Section 33-311(A)(7), staff is of the opinion that approval of this request will allow the applicant to submit a new site plan incorporating the proposed 100' monopole tower with a previously approved electric substation. Similarly, when request #4 is analyzed under Section 33-311(A)(4)(b) Non-Use Variances, the applicant is seeking approval to allow said 100' monopole tower to be setback 40' from the interior side (north) property line and 67' from the front (east) property line where 111.11' is required from both property lines. As previously mentioned, staff is of the opinion that approval of the 100' high monopole tower is excessive and out of character with the surrounding area and that the fall factor of such 100' high tower which represents a 71.11' encroachment into adjacent property from the north and 44.11' encroachment into adjacent right-of-way of NE 10 Avenue are excessive. Staff is of the opinion that this is a safety concern and that there is not sufficient information to evaluate the fall factor of the proposed 100' high cell tower and how such structure would react to strong air currents and/or other types of weather conditions. As such staff recommends denial without prejudice of request #2 under Section 33-311(A)(7), Generalized Modification Standards and request # 4 under Section 33-311(A)(4)(b) NUV.

Staff notes that at the time of filing the applicants submitted documentation as described under Section 33-311(3)(a)(i) and (ii) of the Zoning Code. However, the applicants failed to submit documentation as described in Section 33-311(3)(c), (d) and (e) of the Zoning Code. More specifically, documentation was not submitted as described in section (c) requiring 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. In addition documentation was not submitted as described in section

(d) requiring 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 documentation was not submitted as described in section (e) requiring identification of any equipment that differs from industry standards. Accordingly the department was not given the necessary information to confirm the representation of the applicant to the department.

Staff acknowledges that the applicant has made an attempt to place the proposed antenna on an existing AT & T tower at 460 NE 215 Street as evidenced by a letter sent from AT & T to the Department of Planning and Zoning. The AT & T letter states that the AT & T tower would not be structurally sound to support any additional equipment. Staff also acknowledges that the proposed 100' high cell tower is within the boundaries of a previously approved electric sub-station and that said electric sub-station site contains transformers and electric poles which the applicants feel are compatible with the proposed cell tower. However, staff is of the opinion that said transformers and electric poles are not as tall as the proposed 100' high cell tower, which in staff's opinion, is incompatible with the height of the existing structures within the electric sub-station. In addition, staff is also of the opinion that the applicants could reduce the proposed 100' high cell tower in order to make it compatible with said existing structures within the electric sub-station and by reducing the height of said proposed 100' high cell tower, the fall factor of said tower will also be reduced resulting in a greater safety distance to the neighboring properties. In addition, staff opines that in order to diminish the negative visual impact of the proposed cell tower and existing electric substation the applicants could provide additional landscaping around the entire perimeter of the subject property in the form of trees and hedges.

Based on the aforementioned, staff opines that although the existing FPL facility is consistent with the interpretative text and the LUP map of the CDMP, staff opines that the plans for the proposed 100' high cell tower as submitted are **incompatible** with the surrounding area. Therefore, staff recommends denial without prejudice of this application.

H. RECOMMENDATION:

Denial without prejudice.

I. CONDITIONS: None

DATE INSPECTED: 04/03/09
DATE TYPED: 03/26/10
DATE REVISED: 03/30/10, 04/14/10, 04/23/10; 05/05/10; 06/03/10; 09/02/10; 10/21/10;
12/20/10
DATE FINALIZED: 12/20/10
MCL:GR:NN:CH:AA

For 

Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning *NDN*

Memorandum

Date: April 8, 2010

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management



Subject: C-02 #Z2009000043 – 1st Revision
T-Mobile South, LLC
Lying West of N.E. 10th Avenue and North of N.E. 208th Street
Modification of Condition No. 2 from Resolution 3-ZAB-35-67 and
Unusual Use to Permit a Wireless Communication Facility
(RU-3M) (1.99 Acres)
31-51-42

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and 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. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

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

Memorandum



Date: April 21, 2009
To: Franklin Gutierrez, Agenda Coordinator
Department of Planning & Zoning
From: José Ramos, R.A., Chief, Aviation Planning
Aviation Department
Subject: Zoning Hearing Application #09-043
T-MOBILE SOUTH LLC AND FPL
Determination Number DN-09-04-122

Received by
Zoning Agenda Coordinator
APR 24 2009

As requested by the Department of Planning and Zoning, the Miami-Dade Aviation Department (MDAD) has reviewed Zoning Hearing Application #09-043, T-Mobile South, LLC and FPL. The applicant is requesting an Unusual Use to permit the installation and maintenance of a Unipole Wireless telecommunications facility at an existing FPL Substation / Modification Resolution. The subject property is 1.99 Acres and is located at 1640 Ives Dairy Road, Miami-Dade County, Florida. Miami, FL 33179. Folio No. 3012310000021.

Based on our cursory review of the project information provided to us, an assumed telecommunications facility project height of 100 ft Above Ground Level (AGL) structure at the above referenced parcel conforms to Miami-Dade County Airport Zoning Ordinance. **However, an FAA Airspace Determination is required to coordinate frequency activation and verify that no interference is caused to FAA facilities prior to beginning any transmission from the site. See next paragraph for filing information.**

It is necessary to file with the FAA by using form 7460-1 'Notice of Proposed Construction Alteration for Determination of Known Hazards'. Furthermore, any construction cranes for this project reaching or exceeding 200 ft AMSL (Above Mean Sea Level) must be filed by the construction contractor using the same form. This form should be filed with a 45 day advance notice prior to raising the crane. The form is available through this office or through the FAA website: <https://oaaaa.faa.gov>. The developer may "e-file" online at <https://oaaaa.faa.gov>. Alternatively, this form may be mailed to: Federal Aviation Administration, Air Traffic Airspace Branch - ASW-520, 2601 Meacham Blvd, Ft. Worth, TX 76137-0520.

This determination is based, in part, on the description provided to us by you, which includes specific building locations and heights. Any changes in building locations/layouts or heights will void this determination. Any future construction or alteration, including an increase to heights requires separate notice to the FAA and the Miami-Dade Aviation Department.

Should you have any questions in obtaining and/or filling out FAA form 7460-1 or if I can be of any further assistance, please feel free to contact me at 305-876-8080.

JR/AH/cf

C: M. Fajardo
S. Harman
A. Herrera
Jesse Hernandez, Planning & Zoning
File

Received by
Zoning Agenda Coordinator
APR 24 2009
PLANNING AND ZONING
AGENDA OFFICE
APR 24 P 2:51

PH# Z2009000043
CZAB - C02

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:T-MOBILE SOUTH LLC

This Department has no objections to this application.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

07-APR-09

Memorandum



Date: 08-APR-10
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2009000043

Fire Prevention Unit:

Not applicable to MDR site requirements.

Service Impact/Demand

Development for the above Z2009000043
 located at lying west of NE 10 AVE & north of NE 208 Street
 in Police Grid 0048 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 5:16 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 63 - Highland Oaks - 1665 NE 205 Street.
 SLS engine, Hazmat, Rescue.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
 None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 23-APR-10
REVISION 1

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

**ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE**

T-MOBILE SOUTH LLC AND
FLORIDA POWER AND LIGHT

lying west of NE 10 AVE & north of
NE 208 Street

APPLICANT

ADDRESS

Z2009000043

HEARING NUMBER

HISTORY:

4/23/10 No active cases for BNC. NC - No cases.

Bldg - 2 cases for Expired Permits. Both cases closed as of 2006. Case#'s A2005004705 & 2006097322

**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

REPORTER NAME:

N/A

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: T-Mobile

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>T-Mobile is a publicly traded</u>	<u>_____</u>
<u>Company as a subsidiary</u>	<u>_____</u>
<u>of Deutch Telecom (DT)</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>

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

TRUST/ESTATE NAME _____

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

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

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209043
MAR 17 2009

PARTNERSHIP OR LIMITED PARTNERSHIP NAME _____
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<u>_____</u>	<u>_____</u>

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209043
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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: QA

If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: FPL

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>FPL IS A PUBLICLY TRADED COMPANY ON</u>	<u>_____</u>
<u>THE NY STOCK EXCHANGE UNDER</u>	<u>_____</u>
<u>SYMBOL FPL</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>

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

N/A

TRUST/ESTATE NAME _____

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

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

N/A

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<u>_____</u>	<u>_____</u>

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SEP 30 2009

ZONING HEARINGS SECTION
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BY JA

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209.043
SEP 30 2009

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY JA

If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

T. Mobil

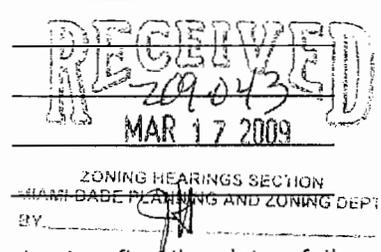
entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

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 any 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: [Signature] (Applicant)

Sworn to and subscribed before me this 17th day of March, 2009. Affiant is personally know to me or has produced _____ as identification.

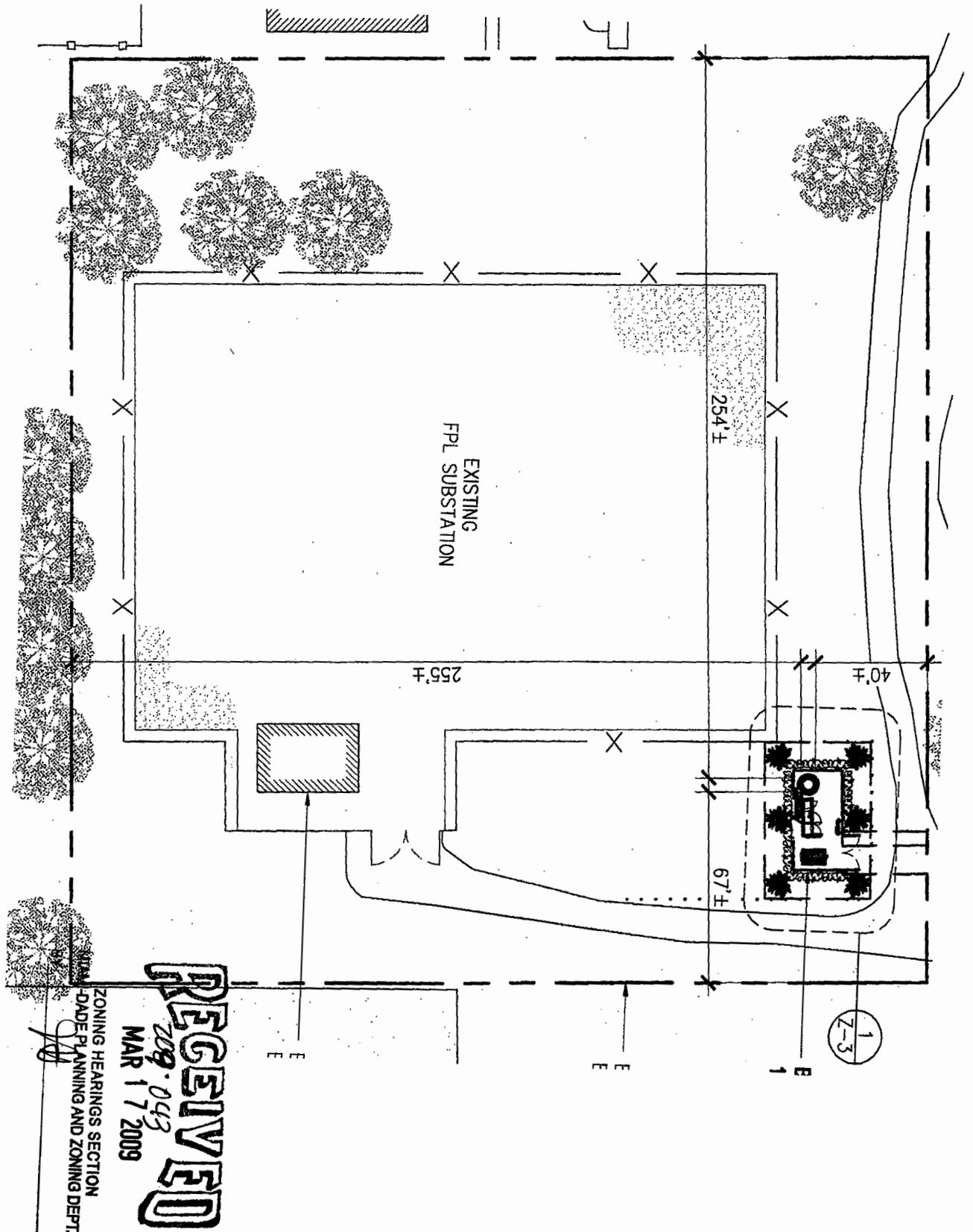
[Signature]
(Notary Public)

My commission expires: May 30, 2010



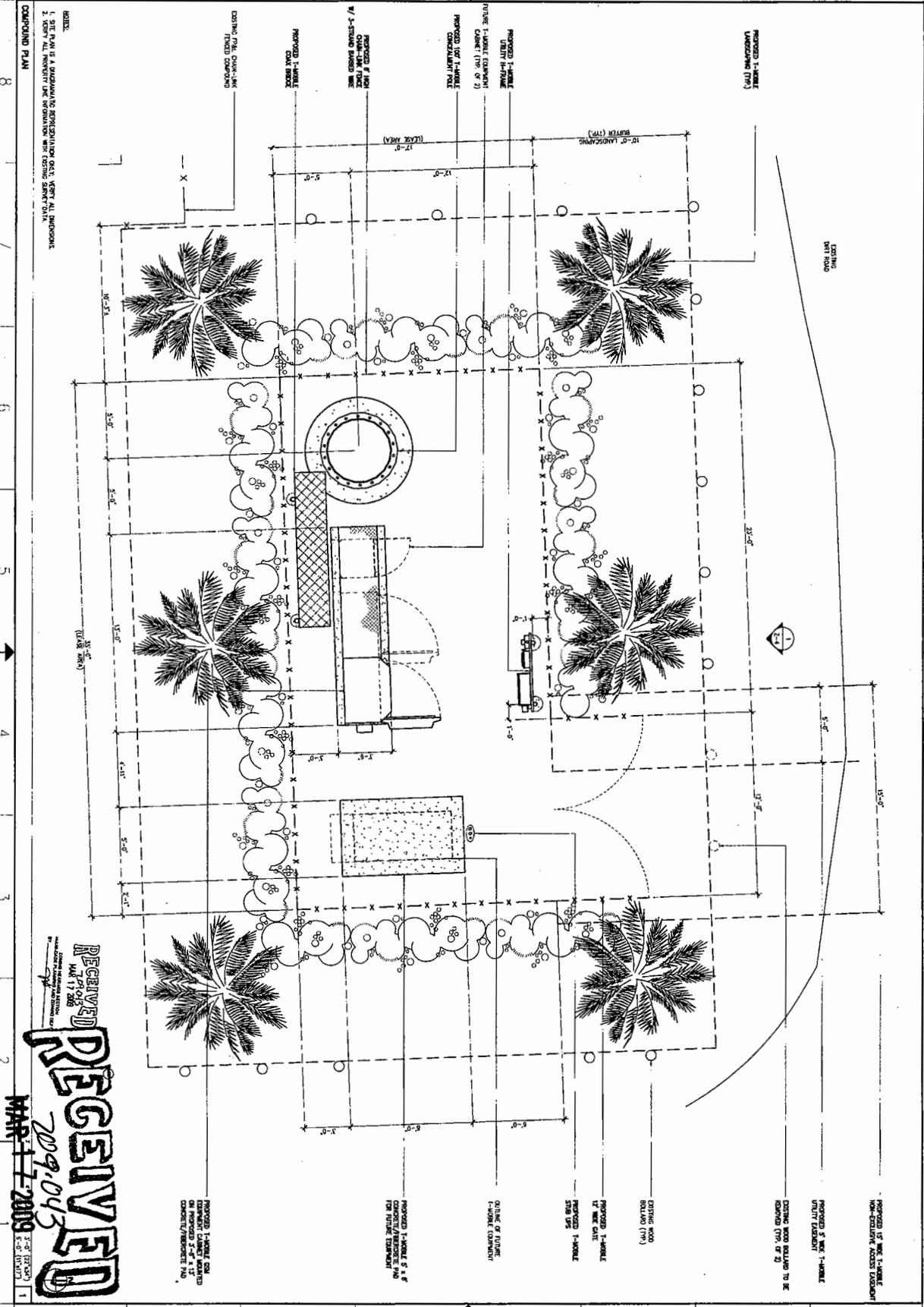
*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership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

ENLARGED SITE PLAN



ZONING HEARINGS SECTION
DADE PLANNING AND ZONING DEPT.

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2009-043
MAR 17 2009



- NOTES:
1. SEE PLAN 16 FOR GENERAL PRESENTATION DATA, VERIFY ALL DIMENSIONS.
 2. VERIFY ALL PROPERTY LINE INFORMATION WITH EXISTING SURVEY DATA.

COMPOUND PLAN

8 7 6 5 4 3 2 1

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MAR 17 2009

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MAR 17 2009

2009.04.3

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MAR 17 2009

Mobile
stick together

4102 SW 10th STREET
MIAMI, FL 33134

MACTEC
PRACTICE ENGINEERS & CONSULTANTS, INC.
1102 MARINCO PARKWAY
APOLLO BEACH, FL 33704
TEL: (781) 394-4448
FAX: (202) 262-1779

ESTRONG & ALDRONOVAN P. 5990
PROJECT NO.: 638-09-193 (200)

REV	DATE	DESCRIPTION
0	3/10/09	FOR REVIEW
1	3/19/09	PRELIMINARY

DRAWN BY: J. MOSSA
CHECKED BY: W. HARTY

SCALE: PROFESSIONAL ENGINEER
FOR THE STATE OF FLORIDA
DATE: 3/19/09
NAME: MARTIN H. SHAN
STATE: FLORIDA
LICENSE NO.: 22787
DATE: 02/28/11

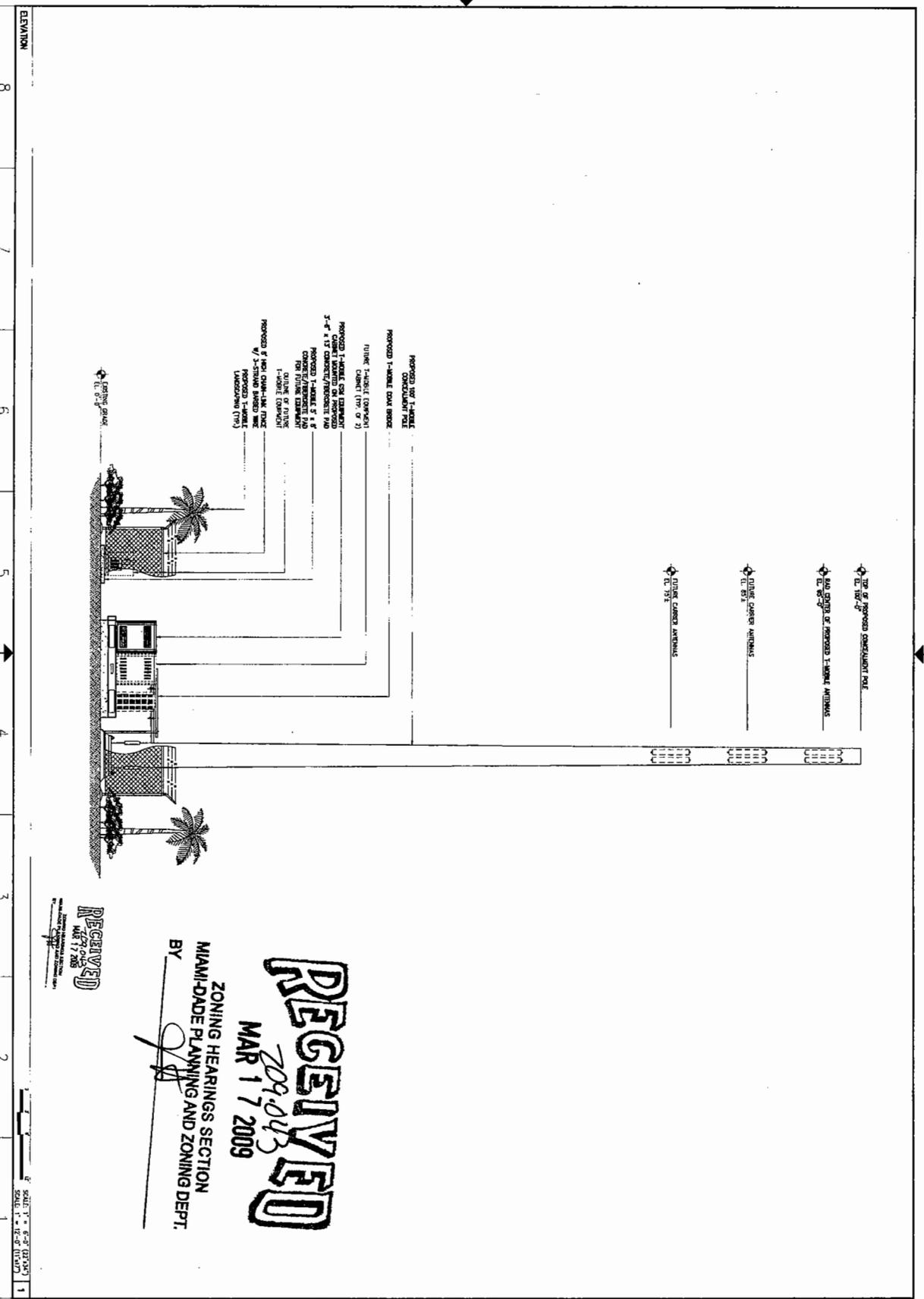
SITE INFORMATION:
MD1460F
FPL IVES
SUBSTATION
1640 IVES DAIRY ROAD
MIAMI, FL 33179

SHEET TITLE:
COMPOUND
PLAN

SHEET NUMBER:
Z-3

PLAT SCALE: 1" = 20'-0" (1" = 12'-0" @ 11"x17")

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: *[Signature]*



stick together
 8100 SW 10TH STREET
 MIAMI, FL 33174

MACTEC
 MACTEC ENGINEERING & CONSULTING, INC.
 CORPORATE OFFICE
 1103 LUCASVILLE AVENUE
 MIAMI, FL 33130
 LOCAL OFFICE
 5045 NW 10TH STREET
 MIAMI LAKES, FL 33014
 TEL: (305) 545-5588
 FAX: (305) 558-1199

CERTIFICATE OF AUTHORIZATION # 6650

PROJECT NO.: 0106-26-1093 (200)

REV	DATE	DESCRIPTION
0	3/10/09	FOR REVIEW
1	12/15/08	REVISIONS

DRAWN BY: J. ADRIAN
 CHECKED BY: N. ABERT

SEAL: PROFESSIONAL ENGINEER

SOURCE: (NOT VALID WITHOUT TOWNSHIP & WATER SEALS)
 DATE: 3/10/09
 NAME: MARTIN H. SHAH
 STATE: FLORIDA
 LICENSE NO.: 22787
 EXP. DATE: 02/28/11

SITE INFORMATION:
 MD1460F
 FPL IVES
 SUBSTATION
 1640 IVES DAIRY ROAD
 MIAMI, FL 33179

SHEET TITLE:
 ELEVATION

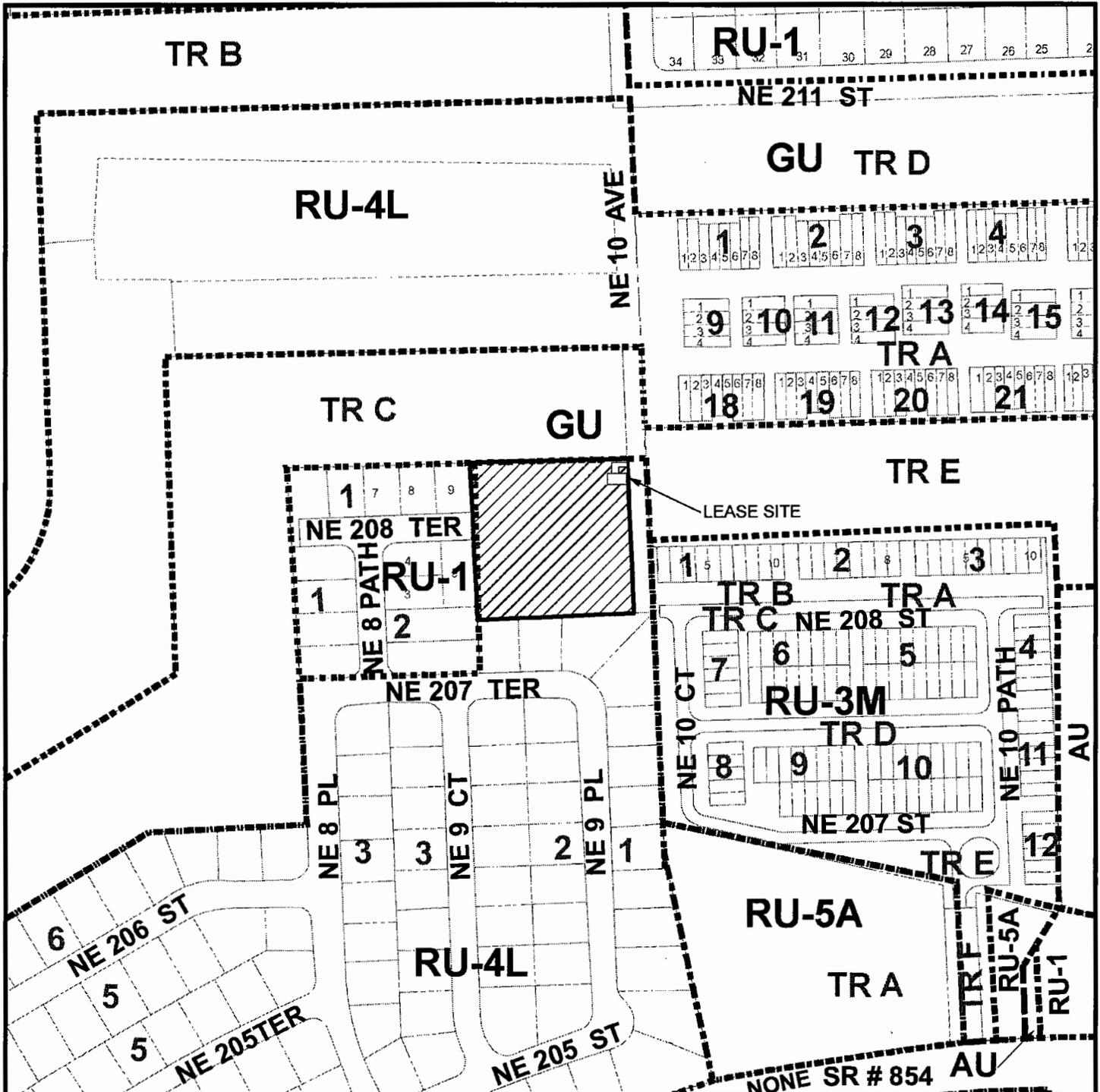
SHEET NUMBER:
 Z-4

PLAT SCALE: 1" = 20'-0" 1/4" = 5'-0"

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 2009.04.03
 MAR 17 2009
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY: [Signature]

RECEIVED
 4/29/09
 MAR 17 2009

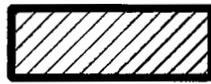
SCALE: 1" = 20'-0" (10:1)
 SCALE: 1/4" = 5'-0" (12:1)



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
09-043

Section: 31 Township: 51 Range: 42
 Applicant: T-MOBILE SOUTH LLC
 Zoning Board: C02
 Commission District: 01
 Drafter ID: KEELING
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



REVISION	DATE	BY
		27

SKETCH CREATED ON: 03/23/09



MIAMI-DADE COUNTY

AERIAL YEAR 2008

Section: 31 Township: 51 Range: 42

Applicant: T-MOBILE SOUTH LLC

Zoning Board: C02

Commission District: 01

Drafter ID: KEELING

Scale: NTS

----- Zoning

Process Number

09-043



SUBJECT PROPERTY



SKETCH CREATED ON: 03/23/09

REVISION	DATE	BY

1. MONICA'S DAYCARE, LLC
(Applicant)

11-1-CZ2-1 (09-088)
Area 2/District 04
Hearing Date: 01/26/11

Property Owner (if different from applicant) **BRONIA TCHABAN.**

Is there an option to purchase / lease the property predicated on the approval of the zoning request? Yes No

If so, who are the interested parties? None

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
--------------------	-------------------------	-----------------------	---------------------	------------------------

No History

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 2**

APPLICANT: Monica's Day Care LLC

PH: Z09-088 (11-1-CZ2-1)

SECTION: 04-52-42

DATE: January 26, 2011

COMMISSION DISTRICT: 4

ITEM NO.: 1

A. INTRODUCTION

o **SUMMARY OF REQUESTS:**

This application seeks to allow an unusual use to permit the establishment of a daycare center in two Phases; Phase I to allow a maximum of 40 children and Phase II, to allow a maximum of 90 children on the site. In addition, the applicant is requesting to allow said day care center to be setback closer to the interior sides (north and south) property lines than required by the Zoning Code.

o **REQUESTS:**

- (1) UNUSUAL USE to permit a day care center.
- (2) Applicant is requesting to permit the day care center setback 18' 6½" (75' required) from the interior side (north) property line and setback 23' 10½" (75' required) from the interior side (south) property line.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Monica's Daycare," as prepared by Vertex Architecture, consisting of 7 sheets: Sheet "A-1," dated stamped received 7/16/10 Sheet A-3.2 dated stamped received 10/23/09 and the remaining 5 sheets dated stamped received 12/18/09. Plans may be modified at public hearing.

o **LOCATION:** 18820 NE 22 Avenue, Miami-Dade County, Florida.

o **SIZE:** 43,718 Sq. Ft.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. *The Adopted 2015 and 2025 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 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line 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.*
2. **Other Land Uses Not Addressed.** *Certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the zoning code. Use not authorized in an LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval*

may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.

3. **Policy LU-4A.** *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.*
4. **Policy LU-4C.** *Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.*

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

EU-1; single-family residence

Low-Density Residential 2.5 to 6 dua

Surrounding Properties:

NORTH: EU-1; single-family residence

Low-Density Residential 2.5 to 6 dua

SOUTH: EU-1; single-family residence

Low-Density Residential 2.5 to 6 dua

EAST: EU-1; private school

Low-Density Residential 2.5 to 6 dua

WEST: EU-M; single-family residence

Low-Density Residential 2.5 to 6 dua

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses. *The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer,*

solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. 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.

G. NEIGHBORHOOD SERVICES:

DERM	No objection
Public Works	No objection
Parks	No comment
MDT	No comment
Fire Rescue	No objection
Police	No comment
Schools	No comment

H. ANALYSIS:

Approval of this application would permit the applicant to establish a day care center on the subject property which is designated for Low Density Residential 2.5 to 6 du on the Land Use Plan (LUP) Map of the Comprehensive Development Master Plan (CDMP). The interpretative text of the CDMP indicates the neighborhood or community-serving institutional uses including schools may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to **Policy LU-4A**. Policy LU-4A states that such factors as noise, lighting, shades, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable shall be considered when evaluating compatibility. Staff is of the opinion that the approval of the proposed day care center as requested for Phase I and Phase II with a total of 90 children, could result in a detrimental increase in noise and traffic in the neighborhood. However, staff opines that Phase I requests a maximum of 40 children on the site would lesser the detrimental impact of noise and traffic in the neighborhood as compared to the requested 90 children and would be compatible with the existing school and religious facility across NE 22 Avenue and with the surrounding neighborhood. In addition staff notes that as depicted on the plans for Phase I, there is adequate parking for staff and stacking parking spaces for dropping off and picking up the children from the proposed day care center. However, staff opines that proposed Phase II, which will allow a maximum of 90 children on the site, would be excessive, would

result in a substantial increase in noise and traffic to the neighborhood and would be incompatible with the adjacent residences to the north, south and west of the subject property. Although, the applicant has submitted a Declaration of Restrictions, restricting the hours of operation, providing traffic control, and indicating the proposed development of the site, staff opines that Phase II of the proposed day care center with a maximum of 90 children would be too intensive for this site and would result in a negative impact in traffic to the surrounding community. As such, staff is of the opinion that Phase I of the proposed day care center which indicates a maximum of 40 children on the site is **consistent** with the objectives and Policies of the CDMP. However, staff opines that Phase II of the proposed day care center, which indicates a 125% increase of Phase I for a maximum of 90 children on the site would be **incompatible** with the surrounding residential area lying to the north, south and west of the subject property and **inconsistent** with the CDMP.

When analyzing request #1 under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses, and considering the necessity for and reasonableness of the day care center in relation to the present and future development of the area, staff is of the opinion that Phase I, which indicates a maximum of 40 children on the site would be **compatible** with the surrounding area. Staff notes that the existing house will be converted to accommodate the proposed daycare center and will provide the required classroom area, parking spaces, stacking spaces and outdoor recreation space for the proposed 40 children requested in Phase I. However, staff notes that for Phase II, the number of parking spaces remain the same as Phase I, which staff opines is inadequate for the proposed 90 children in Phase II. In addition, as previously mentioned, the subject property abuts single family residences to the north, south and west. Staff notes however that the plans submitted by the applicant do not show any type of buffering elements such as landscaping, solid fences or solid walls along the interior sides (north and south) and rear (west) property lines, which would diminish the negative visual and aural impact of the proposed day care center to the surrounding residences abutting the subject property. In addition, staff notes that in Phase I, the proposed day care center will provide service for 40 children within the existing structure, which would not create any additional negative visual impact to the surrounding area. However, in order to accommodate the additional 50 children on the site for a total of 90 children in Phase II, the applicant proposes to expand the existing structure by more than 50% in order to provide additional classrooms for the additional 50 children. Staff opines this would create a negative visual impact to the adjacent residential area.

Staff acknowledges that in 1998, pursuant to Resolution #CZAB2-10-98, an application for the property lying across NE 22 Avenue was approved granting an expansion to a religious facility and private school allowing a maximum of 670 students with grades kindergarten to the eighth grade along with some non-use variances of the private school requirements, setback requirements, landscaping requirements and outdoor play area requirements. However, staff is of the opinion that the character of the area lying east of NE 22 Avenue which is a major street and a half section line road has been developed with uses which are compatible with religious and school uses as opposed to the area lying on the west of NE 22 Avenue which has been developed with single family homes. Therefore, when considering the necessity for and reasonableness of the day care center use in relation to the present and future development of the area, staff is of the opinion that Phase I of the proposed use would be **compatible** with the residential character of the area and, is therefore **consistent** with the objectives of the CDMP. However, staff opines that Phase II of this project would be **incompatible** with the residential character of the properties lying west of NE 22 Avenue and therefore **inconsistent** with the objectives of the CDMP. As such, staff recommends that request #1 be approved, on a modified basis to allow a maximum of 40 children on the site as indicated for Phase I of this project. In addition staff recommends that buffering be

provided along the interior sides (north and south) and rear (west) property lines, either in the form of a 6' high wall or wood fence with shade trees 12' high at time of planting and spaced 30' on center.

When analysing requests #2 under Section 33-311(A)(4)(b), the Non-use Variance Standards (NUV), staff is of the opinion that this request would not maintain the stability and appearance of the community and that the non-use variance will not be compatible with the surrounding residential uses and would be detrimental to same. In addition, staff notes that this request is only applicable to Phase II of this project, when the proposed building exceeds a maximum of 50 persons at one time. Therefore, by staff recommending approval of Phase I only, this request is no longer needed. As such, staff recommends denial of request #2 under Section 33-311(A)(4)(b).

I. RECOMMENDATION:

Approval with conditions of Phase I with a maximum of 40 children, subject to the Board's acceptance of the proffered Declaration of Restrictions as amended by all conditions that are approved by the Board.

J. CONDITIONS:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Monica's Daycare," as prepared by Vertex Architecture, consisting of 7 sheets: Sheet "A-1," dated stamped received 7/16/10 Sheet A-3.2 dated stamped received 10/23/09 and the remaining 5 sheets dated stamped received 12/18/09. Except that Phase II is deleted from the plans at time of building permit.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use and Occupancy.
5. That the use be made to conform to the requirements and/or recommendations of the Miami-Dade County Fire Department, the Miami-Dade County Department of Public Health, and the State of Florida Department of Children and Families (Child Care Licensing Unit).
6. That the use be restricted to a maximum number of 40 children as shown in Phase I.
7. That the applicant obtain a Certificate of Use and Occupancy from, and promptly renew the same annually with, the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

8. That the applicant comply with all applicable conditions and requirements of the Department of Environmental Resources Management (DERM) as contained in their memorandum pertaining to this application.
9. That the applicant comply with all applicable conditions and requirements of the Public Works Department as contained in their memorandum pertaining to this application.
10. That the hours of operation shall be between 7:00 AM and 6:00 PM.
11. That the use may be conducted on the premises on weekdays only, Monday through Friday inclusive.
12. That buffering be provided along the interior sides (north and south) and rear (west) property lines, either in the form of a 6' high wall or wood fence with shade trees 15' high at time of planting and spaced 30' on center. Said buffering shall be installed prior to the issuance of the Certificate of Use for the day care center.

DATE INSPECTED: 01/05/10

DATE TYPED: 12/10/10

DATE REVISED: 12/14/10; 12/20/10; 01/19/11

DATE FINALIZED: 01/19/11

MLF;GMR;NN;NC;TA



Marc C. LaFerrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

Memorandum

Date: October 28, 2010
To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management



Subject: C-02 #Z2009000088-3rd Revision
Monica's Daycare, LLC
18820 N.E. 22nd Avenue
Unusual Use to Permit a Daycare
(EU-1) (1.083 Acres)
42-04-52

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Service

Public water can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with the Code requirements.

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

Wastewater Disposal

Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

DERM would not object to the interim use of a septic tank and drainfield system provided that the site is connected to the public water supply system and the proposed development meets the sewage loading requirements of Section 24-43.1(4) of the Code. Based upon the available information the proposal meets said requirements. Furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(4) (a) of the Code, 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 a septic tank.

Additionally the proposed development shall comply with the maximum sewage loading allowed by Section 24-43.1(4) (b) of the Code. The maximum sewage loading shall not exceed 1,500 gallons per day per acre (gpd/acre) for nonresidential properties served by a septic tank in conjunction with public water. The subject property contains 50793 square feet (sf) and the existing and proposed development would generate a wastewater flow of approximately 1440 gallons per day (gpd). This translates into a sewage loading rate of 1234 gpd/acre which complies with sewage loading requirements as defined in Section 24-43.1(4)(b) of the Code.

Stormwater Management

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

Site grading and development plans shall comply with the requirements of Section 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 by DERM for this proposed development order.

Wetlands

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

The landscape plan submitted with this zoning application entitled "Monica's Daycare-Landscape Plan/General Notes/Details", prepared by Vertex Architecture Inc, sheet L-1 and dated June 3, 2009 (revised November 6, 2009) and received on December 18, 2009, provides for the preservation of the specimen sized trees on site, however non specimen trees EX 40-44 and EX A will be removed or relocated within the subject property. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact DERM staff for additional information regarding tree permitting procedures and requirements prior to site development.

Also please be advised that the proposed structures, parking area or the concrete round about driveway may affect the existing trees root systems, thereby causing the effective destruction of the trees which constitutes a violation of Section 24-49 of the Code. Therefore, DERM recommends that appropriate actions be taken to not adversely impact trees resources existing on the referenced property.

Enforcement History

DERM has found no open or closed enforcement records for the subject property.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and 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. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MONICA'S DAYCARE, LLC

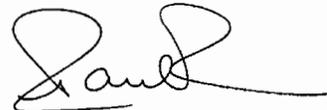
This Department has no objections to this application.

Miami Dade County Public Works Department Traffic Engineering Division has reviewed the Site Plans, revised 4/12/10, for the proposed facility located at 18820 N.E. 22nd Ave., and has no objection to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

Additional improvements may be required at time of permitting/platting.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

28-OCT-10

Child Care Check List for
Day Nursery, Day Care, Kindergarten, Private School

School Name: MONICA'S DAYCARE (PHASE 2)

School Address: 18820 N.E. 22 AVENUE Tax Folio # 30 - 2204-000-0320

1. Is this an expansion to an existing school? Yes No If yes, Indicate the number of students: 40 and age and grade ranges originally approved: 2-5
2. Total size of site: 103.40' x 458.00' = 47,357 + 43,560 sq. ft. = 1.087 acres
3. Number of children or students requested: 90 Ages: 2-5
4. Number of teachers: 4 number of administrative & clerical personnel 2
5. Number of classrooms: 6 Total square footage of classroom area: 3,225 SQ. FT.
6. Total square footage of non-classroom area (offices bathrooms kitchens, closets): 2,418 SQ. FT.
7. Amount of exterior recreation /play area in square footage: 23,293 SQ. FT.
8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility: N/A
9. Number of parking spaces provided for staff, visitors, and transportation vehicles: 7 parking spaces provided 6 parking spaces required by Section 33-124 (L)
10. Indicate the number of auto stacking spaces: 5 provided 5 required 19'-9" TOP OF RIDGE
11. Proposed height for the structure(s): 10'-0" (T.O.) See Section 33-151.18(g)
12. Size of identification sign: 3'-0" x 2'-0" = 6.00 sq. ft. See Section 33-151.18 (c). Signage will require a separate permit. Contact the Permit Section at 786-315-2100.
13. Days and hours of operation: MONDAY-FRIDAY 7:00AM TO 6:00PM SAT. & SUN BY APPOINTMENT
14. Does the subject facility share the site with other facilities? Yes No (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to Section 33-151.16.)
15. If the school will include residential uses, do such uses meet the standards provided in Section 33-151.17? Yes No (If yes, describe the residential uses and indicate same on the plans.) N/A

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DEC 18 2009

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

- a. Day Nursery / kindergarten, preschool and after school care

35 sq. ft. x 90 (number of children) = 3,150 sq. ft. of classroom area required.

- b. Elementary Grades 1 - 6

30 sq. ft. x _____ (number of children) = _____ sq. ft. of classroom area required.

- c. Junior High and Senior High School (Grades 7-12)

25 sq. ft. x _____ (number of children) = _____ sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 3,150

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 3,222

OUTDOOR RECREATION SPACE:

- a. Day nursery/ kindergarten, preschool and after school care

45 sq. ft. x 45 (1/2 of children) = 2,025

- b. Grades 1 - 6 500 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (remaining children) = _____

- c. Grades 7 - 12 800 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (next 300 children) = _____

150 sq. ft. x _____ (remaining children) = _____

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 2,025

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 23,243

TREES: See Section 33-151.18(h), and the Planning Division for additional requirements (12th floor).

- a. 28 trees are required per net acre. Trees required: 16 Trees provided: 45

- b. Ten shrubs are required for each tree required. Shrubs required: 190 Shrubs provided: 526

- c. Grass area for organized sports/ play area in square feet: N/A

- d. Lawn area in square feet (exclusive of organized sports/ play area): 5,701

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

School Address: 18820 NE 22 AVE MIAMI, FL Zip Code: 33180

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 15 day of DECEMBER at Miami-Dade County, Florida.

X Bronis Tchaba
Signature

WITNESSES:

[Signature]

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 15th day of DECEMBER, _____, before me personally appeared Bronis Tchaba, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: 04/05/2011



Emilia Fernandez
COMMISSION # DD660044
EXPIRES: APR. 05, 2011
WWW.AARONNOTARY.COM

Emilia Fernandez

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

Child Care Check List for
Day Nursery, Day Care, Kindergarten, Private School

School Name: MONICA'S DAYCARE (PHASE 1)

School Address: 18820 NE 22 AVENUE Tax Folio # 30 - 2204-000-0320

1. Is this an expansion to an existing school? Yes No If yes, indicate the number of students: _____ and age and grade ranges originally approved: _____
2. Total size of site: 103.40' x 458.00' = 47,357 + 43,560 sq. ft. = 1.087 acres
3. Number of children or students requested: 40 Ages: 2 - 5
4. Number of teachers: 4 number of administrative & clerical personnel 2
5. Number of classrooms: 6 Total square footage of classroom area: 1,408 SQ. FT.
6. Total square footage of non-classroom area (offices bathrooms kitchens, closets):
578 SQ. FT.
7. Amount of exterior recreation /play area in square footage: 26,892 SQ. FT.
8. Number & type of vehicle(s) that will be used in conjunction with the operation of the facility:
N/A
9. Number of parking spaces provided for staff, visitors, and transportation vehicles:
7 parking spaces provided 6 parking spaces required by Section 33-124 (L)
10. Indicate the number of auto stacking spaces: 5 provided 5 required
11. Proposed height for the structure(s): 8'-5" (T.B.) 13'-2" (TOP OF RISEE) EXISTING
See Section 33-151.18(g)
12. Size of identification sign: 3'-0" x 2'-0" = 6.00 sq. ft. See Section 33-151.18 (c).
Signage will require a separate permit. Contact the Permit Section at 786-315-2100.
13. Days and hours of operation: MONDAY - FRIDAY 7:00AM - 6:00 PM SAT & SUN. BY APPOINTMENT
14. Does the subject facility share the site with other facilities? Yes No (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to Section 33-151.16.)
15. If the school will include residential uses, do such uses meet the standards provided in Section 33-151.17? Yes No (If yes, describe the residential uses and indicate same on the plans.)
N/A

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DEC 18 2009

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: _____

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM SPACE: Calculated by grade levels.

- a. Day Nursery / kindergarten, preschool and after school care

35 sq. ft. x 40 (number of children) = 1400 sq. ft. of classroom area required.

- b. Elementary Grades 1 - 6

30 sq. ft. x _____ (number of children) = _____ sq. ft. of classroom area required.

- c. Junior High and Senior High School (Grades 7-12)

25 sq. ft. x _____ (number of children) = _____ sq. ft. of classroom area required.

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA REQUIRED: 1400

TOTAL SQUARE FOOTAGE OF CLASSROOM AREA PROVIDED: 1401

OUTDOOR RECREATION SPACE:

- a. Day nursery/kindergarten, preschool and after school care

45 sq. ft. x 20 (1/2 of children) = 900

- b. Grades 1 - 6 500 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (remaining children) = _____

- c. Grades 7 - 12 800 sq. ft. x _____ (first 30 children) = _____

300 sq. ft. x _____ (next 300 children) = _____

150 sq. ft. x _____ (remaining children) = _____

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE REQUIRED: 900

TOTAL SQUARE FOOTAGE OF OUTDOOR RECREATION SPACE PROVIDED: 20,892

TREES: See Section 33-151.18(h), and the Planning Division for additional requirements (12th floor).

- a. 28 trees are required per net acre. Trees required: 13 Trees provided: 40

- b. Ten shrubs are required for each tree required. Shrubs required: 160 Shrubs provided: 528

- c. Grass area for organized sports/ play area in square feet: N/A

- d. Lawn area in square feet (exclusive of organized sports/ play area): 5,701

School Address: 18820 NE 22 AVE. MIAMI FL Zip Code: 33180

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 15 day of DECEMBER at Miami-Dade County, Florida.

X Bronia Tchaban

Signature

WITNESSES:

[Signature]

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I hereby certify that on this 15 day of DECEMBER, _____, before me personally appeared BRONIA TCHABAN, to me known to be the person described in and who executed the foregoing instrument and he/she acknowledged to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: 04/05/2011



Emilia Fernandez
COMMISSION #DD660044
EXPIRES: APR. 05, 2011
WWW.AARONNOTARY.COM

[Signature]

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DEC 18 2009

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

Memorandum



Date: 11-AUG-10
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2009000088

Fire Prevention Unit:

This memo supersedes MDRF memorandum dated January 25, 2010.
 APPROVAL
 No objection to site plan date stamped July 16, 2010.

Service Impact/Demand:

Development for the above Z2009000088
 located at 18820 N.E. 22 AVE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 0135 is proposed as the following:

<u>N/A</u>	dwelling units	<u>N/A</u>	square feet
<u>residential</u>		<u>industrial</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Office</u>		<u>institutional</u>	
<u>N/A</u>	square feet	<u>4,359</u>	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: 2.92 alarms-annually.
 The estimated average travel time is: 8:00 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 31 - N Miami Beach - 17050 NE 19 Avenue
 Rescue, ALS 50' Squrt

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
 None.

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped July 16, 2010.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department
 Planning Section at 786-331-4540.

DATE: 05-JAN-10
REVISION 3

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

**ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE**

MONICA'S DAYCARE, LLC

18820 N.E. 22 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2009000088

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; On 1/4/2010 NCO Ogando did enforcement history check for Z2009000088 and no violation found, cms 2010600007.

**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

REPORTER NAME:

NCO OGANDO

ZONING INSPECTION REPORT

inspector: DIAZ, ROBERT
Evaluator: ANTONIO ATALA

Inspection Dat
08/13/09

Process # **Applicant's Name**
Z2009000088 MONICA'S DAYCARE, LLC
Locations: 18820 N.E. 22 AVE, MIAMI-DADE COUNTY, FLORIDA.
Size: 103.4' X 458' **Folio #** 3022040000320

Request:
THE APPLICANT IS REQUESTING AN UNUSUAL USE TO PERMIT A DAYCARE CENTER.

EXISTING ZONING

Subject Property EU-1,

EXISTING USE RESIDENT

SITE CHARACTERISTICS

STRUCTURES ON SITE:

ONE STORY SFR WITH A REMOVABLE ACC SHED AND A PERMANENT SHED

USE(S) OF PROPERTY:

EU-1/RESIDENTIAL

FENCES/WALLS:

ALONG THE WEST PROP LINE THER EXISTS A 44" CHAIN LINK FENCE. ALONG THE NORTH PROP LINE, THER EXISTS A 5' CHAIN LINK FENCE. ALONG THE SOUTH PROP LINE THERE EXISTS A 4' CHAIN LINK FENCE.

LANDSCAPING:

MEETS THE MINIMUM STANDARD

BUFFERING:

BUFFERING IS PRESENT ALONG THE WEST,NORTH AND SOUTH PROP LINE. THE BUFFER IS BUSH MATERIAL.

VIOLATIONS OBSERVED:

NONE

OTHER:

Process # **Applicant's Name**
Z2009000088 MONICA'S DAYCARE, LLC

SURROUNDING PROPERTY

NORTH:

EU-1/ONE STORY SFR

SOUTH:

EU-1/ONE STORY SFR

EAST:

EU-1/RELIGIOUS USE/TEMPLE SINAI

WEST:

EU-M/ONE STORY SFR

SURROUNDING AREA

RESIDENTIAL/RELIGIOUS/AND PUBLIC PARK AREAS

NEIGHBORHOOD CHARACTERISTICS

PRIMARILY RESIDENTIAL WITH RELIGIOUS USE IN THE AREA

COMMENTS:

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____

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

TRUST/ESTATE NAME BRONIA TCHABAN

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u>BRONIA TCHABAN 18820 NE 22 AVE</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

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

NAME OF PURCHASER: _____

NAME, 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.

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

ZONING HEARINGS SECTION
COUNTY PLANNING AND ZONING DEPT.
BY _____

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

Signature: Bibiana Tchabou
(Applicant)

Sworn to and subscribed before me this 14th day of JULY, 2009. Affiant is personally known to me or has produced _____ as identification.

Bibiana
(Notary Public)

Bibiana Pena
Commission #DD582723
Expires: AUG. 08, 2010
www.AARONNOTARY.com

My commission expires: 8/8/2010

*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: Monica's Daycare

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>BRONIA TCHABAN 18820 NE 22 AVE</u>	<u>100%</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>
_____	_____
_____	_____
_____	_____
_____	_____

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

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 any 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: Bibiana Tenabalan
(Applicant)

Sworn to and subscribed before me this 14th day of July, 2009. Affiant is personally known to me or has produced _____ as identification.

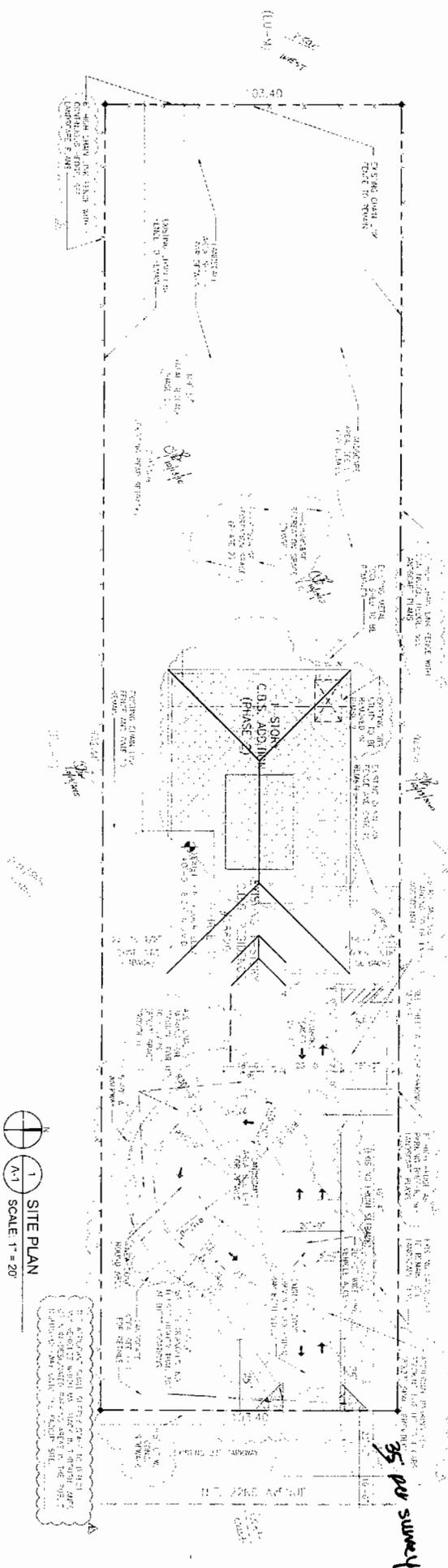
Bienchen
(Notary Public)



Bibiana Pena
Commission # DD582723
Expires: AUG. 08, 2010
www.AARONNOTARY.com

My commission expires: 8/8/2010

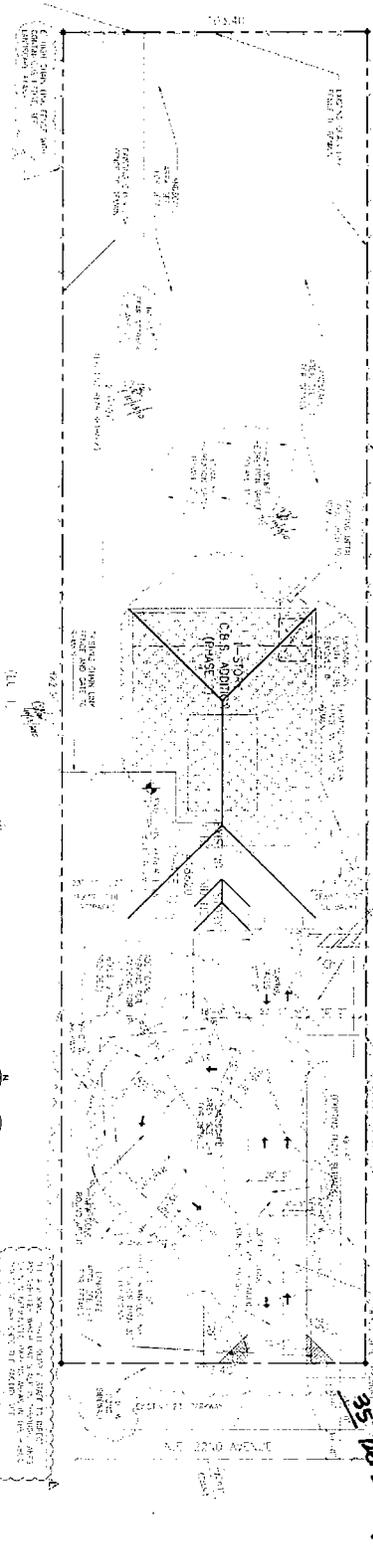
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1 SITE PLAN
SCALE 1" = 20'

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20q-088
JUL 16 2010

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AV



1 SITE PLAN
SCALE 1" = 20'

INDEX OF DRAWINGS

- A-1 SITE PLAN / GEN. NOTES / INDEX OF DWGS.
- A-2 FLOOR PLAN / SCHEDULES / TYP. WALL SECTION
- A-3 EXTERIOR ELEVATIONS
- A-4 EXTERIOR ELEVATIONS
- L-1 LANDSCAPE PLAN, NOTES, SCHEDULE

SITE DATA

OWNER	MONICA'S DAYCARE
PROJECT NO.	0911
DATE	08/11/09
DESIGNER	VERTEX 1 ARCHITECTURE
PROJECT ADDRESS	10230 SW 55th Street, Miami, FL 33156
PROJECT CONTACT	MONICA'S DAYCARE
PROJECT CONTACT ADDRESS	10230 SW 55th Street, Miami, FL 33156
PROJECT CONTACT PHONE	(305) 555-1234
PROJECT CONTACT EMAIL	monica@monicasdaycare.com
PROJECT CONTACT WEBSITE	www.monicasdaycare.com
PROJECT CONTACT FAX	(305) 555-1234
PROJECT CONTACT FOLDER	10230 SW 55th Street, Miami, FL 33156
PROJECT CONTACT LOCKER	10230 SW 55th Street, Miami, FL 33156
PROJECT CONTACT MAILING	10230 SW 55th Street, Miami, FL 33156
PROJECT CONTACT PHONE	(305) 555-1234
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PROJECT CONTACT MAILING	10230 SW 55th Street, Miami, FL 33156

GENERAL NOTES

1. THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE SITE AND NEIGHBORHOOD. THE ARCHITECT HAS OBSERVED THE EXISTING CONDITIONS AND HAS TAKEN INTO ACCOUNT THE SURROUNDING ENVIRONMENT AND THE NEEDS OF THE CLIENT. THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE SITE AND NEIGHBORHOOD. THE ARCHITECT HAS OBSERVED THE EXISTING CONDITIONS AND HAS TAKEN INTO ACCOUNT THE SURROUNDING ENVIRONMENT AND THE NEEDS OF THE CLIENT. THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE SITE AND NEIGHBORHOOD. THE ARCHITECT HAS OBSERVED THE EXISTING CONDITIONS AND HAS TAKEN INTO ACCOUNT THE SURROUNDING ENVIRONMENT AND THE NEEDS OF THE CLIENT.

SUBJECT NOTES

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SCOPE OF WORK

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COPE USED

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GRADING NOTES

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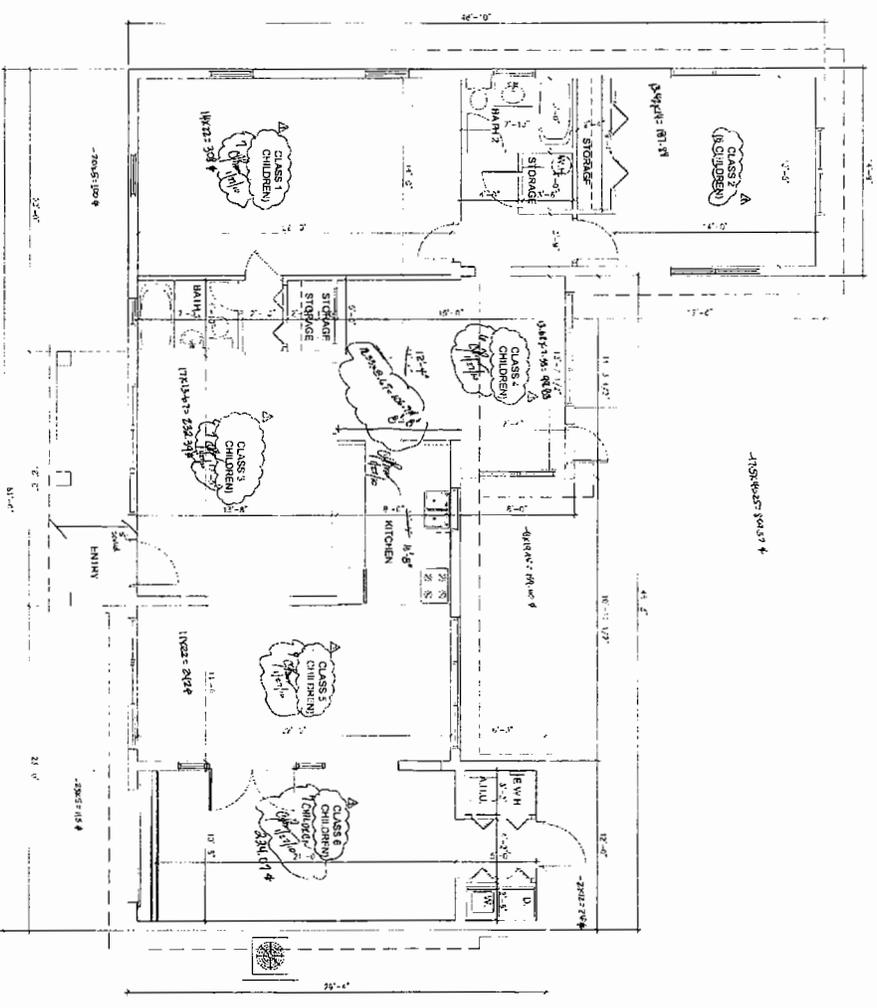
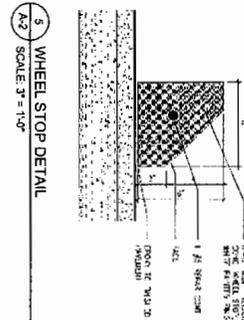
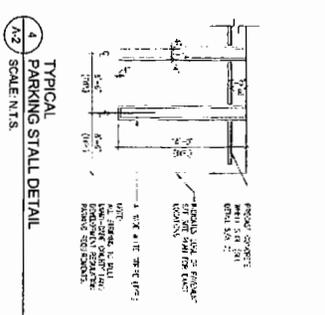
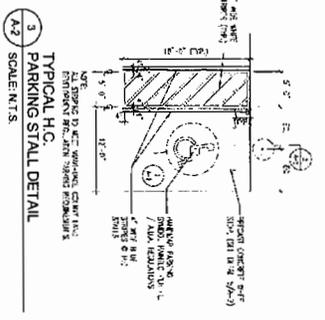
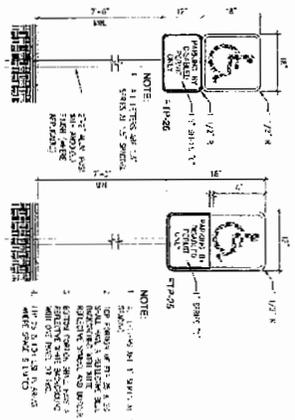
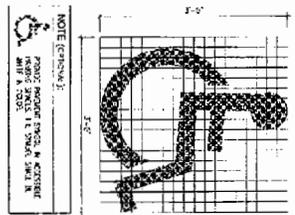
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2 LOCATION PLAN
SCALE 1" = 300'

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY XV

<p>VERTEX 1 ARCHITECTURE Architecture with a Point 10230 SW 55th Street Suite 201 Miami, FL 33156 Phone: (305) 555-1234 Fax: (305) 555-1234 www.vertex1.com</p>	<p>Owner: Monica's Daycare 10230 SW 55th Street Miami, FL 33156 Phone: (305) 555-1234</p>	<p>Zoning: Change of Use Committed</p>	<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>08/11/09</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2</td> <td>08/11/09</td> <td>REVISIONS TO PERMIT</td> </tr> <tr> <td>3</td> <td>08/11/09</td> <td>REVISIONS TO PERMIT</td> </tr> <tr> <td>4</td> <td>08/11/09</td> <td>REVISIONS TO PERMIT</td> </tr> <tr> <td>5</td> <td>08/11/09</td> <td>REVISIONS TO PERMIT</td> </tr> </table>	NO.	DATE	DESCRIPTION	1	08/11/09	ISSUED FOR PERMIT	2	08/11/09	REVISIONS TO PERMIT	3	08/11/09	REVISIONS TO PERMIT	4	08/11/09	REVISIONS TO PERMIT	5	08/11/09	REVISIONS TO PERMIT
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<p>DATE: 08/11/09 BY: [Signature] CHECKED BY: CJB SCALE: 1" = 20'</p>	<p>DATE: 08/11/09 BY: [Signature] CHECKED BY: CJB SCALE: 1" = 300'</p>	<p>DATE: 08/11/09 BY: [Signature] CHECKED BY: CJB SCALE: 1" = 300'</p>	<p>DATE: 08/11/09 BY: [Signature] CHECKED BY: CJB SCALE: 1" = 300'</p>																		



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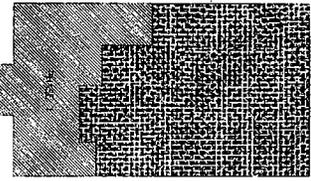
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY *[Signature]*

1400' x 100'
1401.078 Classroom Space

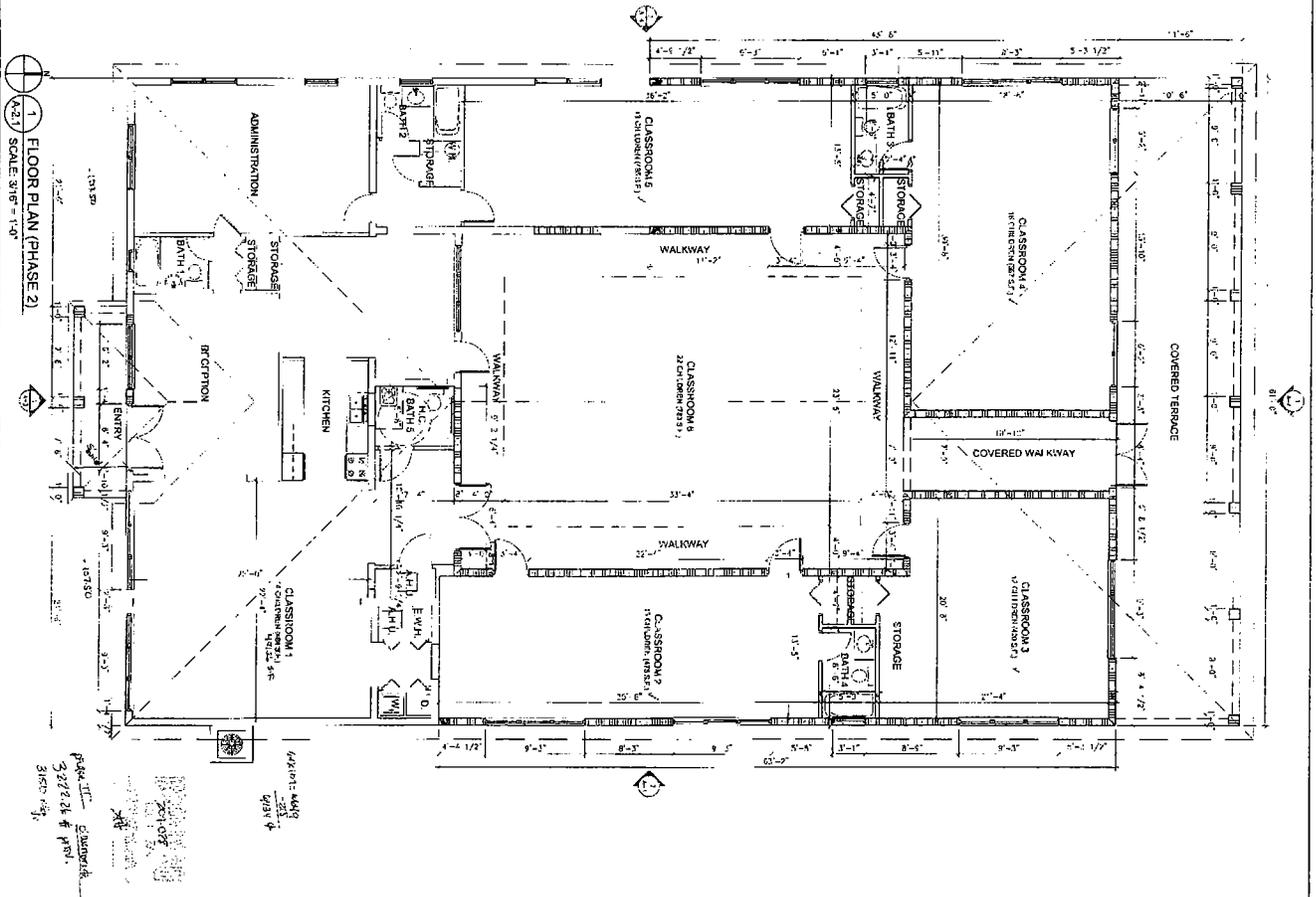
<p>DATE: 06.03.2009 DRAWN BY: B.P. CHECKED BY: C.A.B. PROJECT NO.: 0911</p>	<p>DATE: 06.03.2009 DRAWN BY: B.P. CHECKED BY: C.A.B. PROJECT NO.: 0911</p>	<p>DATE: 06.03.2009 DRAWN BY: B.P. CHECKED BY: C.A.B. PROJECT NO.: 0911</p>	<p>DATE: 06.03.2009 DRAWN BY: B.P. CHECKED BY: C.A.B. PROJECT NO.: 0911</p>																								
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<p>FLOOR PLAN (PHASE 1)</p>	<p>FLOOR PLAN (PHASE 1)</p>	<p>FLOOR PLAN (PHASE 1)</p>	<p>FLOOR PLAN (PHASE 1)</p>																								
<p>Zoning: Change of Use</p>	<p>Consultant:</p>	<p>Montica's Daycare 18800 N.E. 22nd Avenue Miami, FL 33180 (786) 417-7913</p>	<p>Architect: Vortex Architecture, Inc. 10250 SW 58th Street Miami, FL 33156 (305) 551-1111</p>																								

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ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
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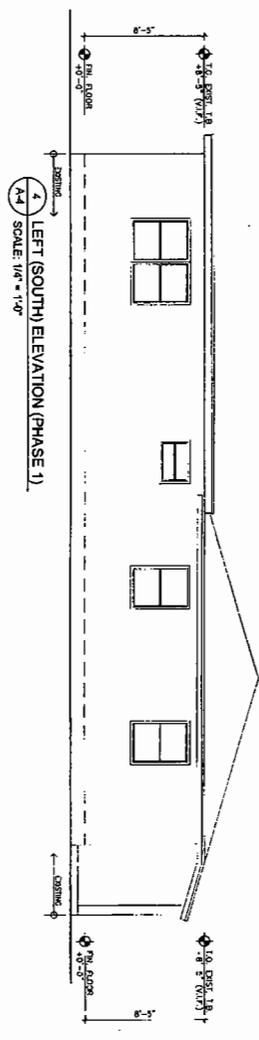
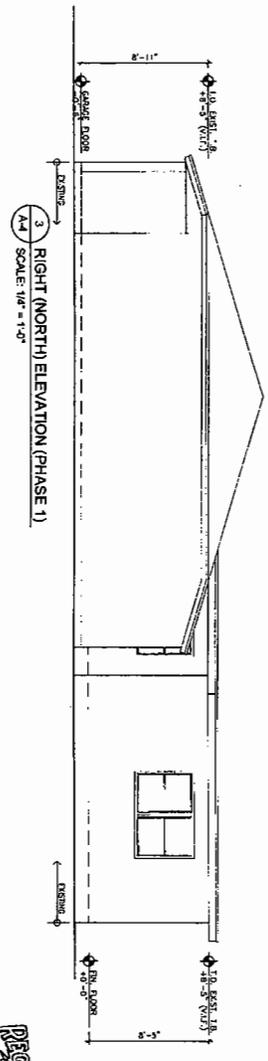
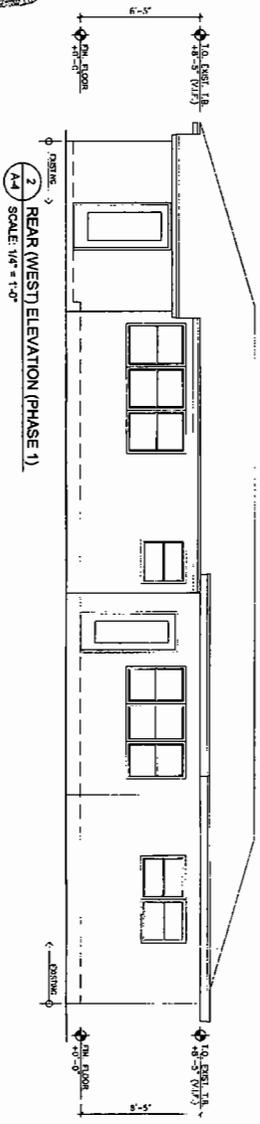
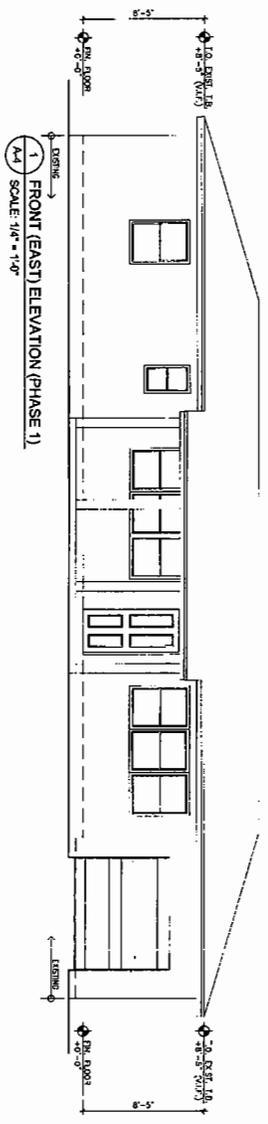


2 PHASE PLAN
 SCALE 1"=20'



1 FLOOR PLAN (PHASE 2)
 SCALE 1/8" = 1'-0"

<p>Architecture with a Point 4001 N. 17th Ave. Suite 101 Miami, FL 33132 Tel: 305.442.2222 Fax: 305.442.2222 www.pointarch.com</p>	<p>Verder Architects, Inc. 10220 SW 58th Street Suite C-101 Miami, FL 33156 Tel: 305.442.2222 Fax: 305.442.2222 www.verder.com</p>	<p>Montica's Daycare 1830 NE 22 Avenue Miami, FL 33178</p>	<p>DATE: Monday, November 16, 2009 BY: Brandon Johnson Miami, FL 33178 (786) 417-7972</p>	<p>Zoning: Change of Use Consultant:</p>	<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>10-16-09</td> <td>OWNER'S COMMENTS</td> </tr> </table>	NO.	DATE	DESCRIPTION	1	10-16-09	OWNER'S COMMENTS
					NO.	DATE	DESCRIPTION				
1	10-16-09	OWNER'S COMMENTS									
<p>FLOOR PLAN (PHASE 2)</p>											
<p>DATE: 09-03-2009 BY: B.R. PROJECT NO.: 0911 PROJECT NAME: Montica's Daycare</p>		<p>SCALE: 1/8" = 1'-0"</p>									



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209-088
DEC 18 2009

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY *[Signature]*

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209-088
DEC 18 2009

ARCHITECTURE

Architecture with a Point
Celia A. Smith, P.A., Architect
Alphonso Hernandez, P.A., Architect

Vortex Architecture, Inc.
1600 NE 22 Avenue
Miami, FL 33180
Tel: 305.576.2200
www.vortexarchitecture.com

MONICA'S DAYCARE
1600 NE 22 Avenue
Miami, FL 33180

Owner:
Monica's Daycare
Brooks Tolson
1600 NE 22 Avenue
Miami, FL 33180
(786) 417-7872

Consultant:
Zoning: Change of Use

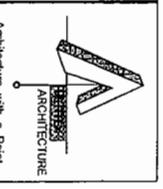
NO.	DATE	DESCRIPTION

DATE: 06.03.2009
DRAWN BY: B.J.
CHECKED BY: C.J.B.
PROJECT NO: 0911

A-3
SHEET

RECEIVED
 209-088
 DEC 18 2009

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY STF



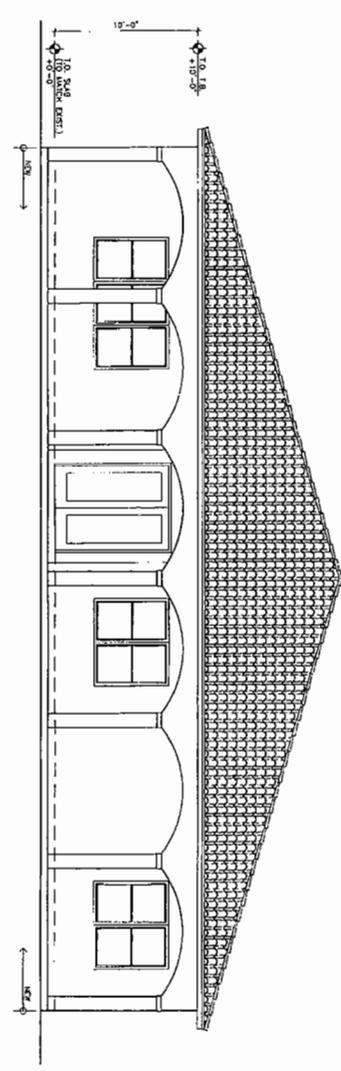
Architecture with a Point
 Creative Architecture
 10000 SW 56th Street
 Miami, FL 33156
 Tel: 305.477.2000
 Fax: 305.477.2001
 www.architecturewithapoint.com

Veritek Architecture, Inc.
 10000 SW 56th Street
 Miami, FL 33156
 Tel: 305.477.2000
 Fax: 305.477.2001
 www.veritekarchitecture.com

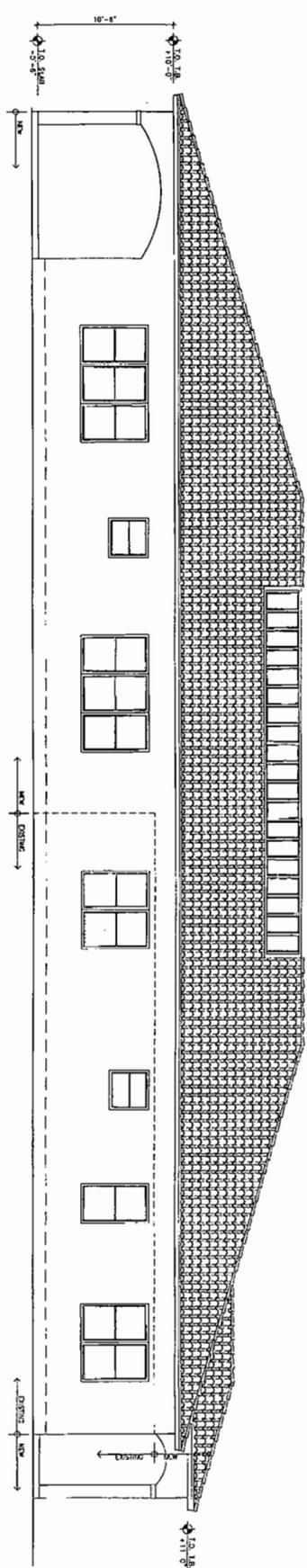
Monica's Daycare
 18820 NE 22 Avenue
 Miami, FL 33180

Owner:
 Monica's Daycare
 Brenda Tashkan
 18820 NE 22 AVE
 MIAMI, FL 33180
 (786) 477-2832

Zoning: Change of Use
 Consultant:



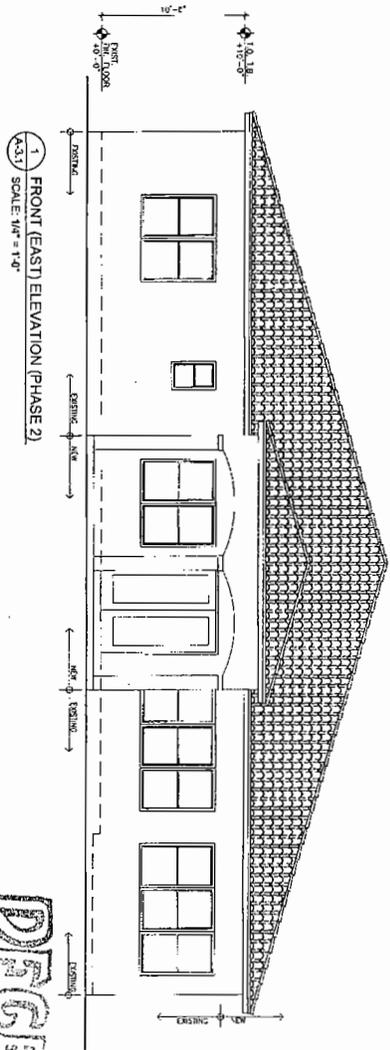
1 REAR (WEST) ELEVATION (PHASE 2)
 A-3.2 SCALE: 1/4" = 1'-0"



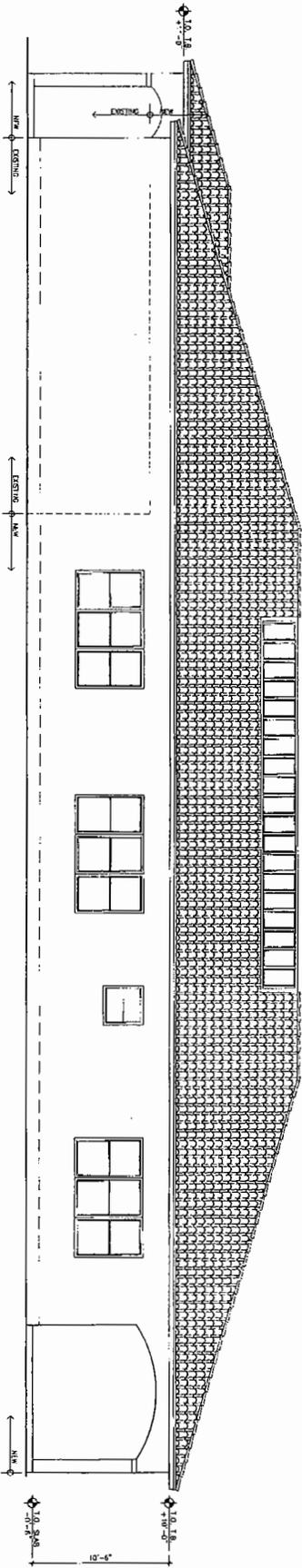
2 LEFT (SOUTH) ELEVATION (PHASE 2)
 A-3.2 SCALE: 1/4" = 1'-0"

RECEIVED
 209-133
 DEC 17 2009

SHEET TITLE	DATE	BY	REVISIONS
0911	06.03.2009	CJB	10-15-09 OWNER'S COMMENTS
0911	06.03.2009	CJB	
0911	06.03.2009	CJB	



1 FRONT (EAST) ELEVATION (PHASE 2)
SCALE: 1/4" = 1'-0"

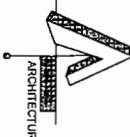


2 RIGHT (NORTH) ELEVATION (PHASE 2)
SCALE: 1/4" = 1'-0"

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY *[Signature]*

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209-088
DEC 18 2009

PREPARED BY
VERTEX ARCHITECTURE, INC.
10250 SW 55th Street
Miami, FL 33155
Tel: 305-412-2200
Fax: 305-412-2200
www.vertexarchitecture.com

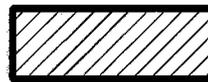
 <p>Architecture with a Point of View</p> <p>Charles J. Anderson Principal Robert J. Smith Principal</p> <p>Vertex Architecture, Inc. 10250 SW 55th Street Miami, FL 33155 Tel: 305-412-2200 Fax: 305-412-2200 www.vertexarchitecture.com</p>	<p>MONICA'S DAYCARE 18820 NE 22 AVE MIAMI, FL 33180</p> <p>Zoning: Change of Use</p> <p>CHARLETTA</p>	<p>DATE: 06.03.2009 PROJECT: C-15 SHEET: 0911</p>	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>10-15-09</td> <td>OWNER'S CONCEPTS</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	1	10-15-09	OWNER'S CONCEPTS	<p>EXTERIOR ELEVATIONS (PHASE 2)</p> <p>SHEET TITLE</p> <p>DATE: 06.03.2009 PROJECT: C-15 SHEET: 0911</p> <p>A-31</p>
NO.	DATE	DESCRIPTION								
1	10-15-09	OWNER'S CONCEPTS								



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
09-088

Section: 04 Township: 52 Range: 42
 Applicant: MONICA'S DAYCARE, LLC
 Zoning Board: C02
 Commission District: 04
 Drafter ID: KEELING
 Scale: NTS
 ----- Zoning



SUBJECT PROPERTY



SKETCH CREATED ON:06/05/09

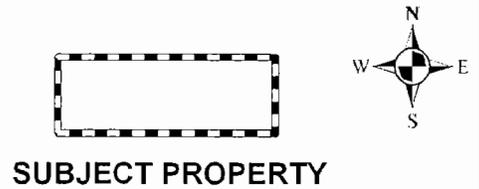
REVISION	DATE	BY
		34



MIAMI-DADE COUNTY
AERIAL YEAR 2008

Process Number
09-088

Section: 04 Township: 52 Range: 42
 Applicant: MONICA'S DAYCARE, LLC
 Zoning Board: C02
 Commission District: 04
 Drafter ID: KEELING
 Scale: NTS
 ----- Zoning



SKETCH CREATED ON: 06/05/09

REVISION	DATE	BY

2. MIAMI-DADE PARK & RECREATION
DEPARTMENT
(Applicant)

11-1-CZ2-2 (10-100)
Area 2/District 04
Hearing Date: 01/26/11

Property Owner (if different from applicant) **MIAMI-DADE PARKS & RECREATION**
DEPARTMENT.

Is there an option to purchase / lease the property predicated on the approval of the zoning request? Yes No

If so, who are the interested parties? None

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1964	S.A. Rizzo	- Zone change from AU & RU-1 to RU-1 & RU-4. - Unusual Use to permit a lake excavation.	ZAB	Approved in part.
1965	S.A. Rizzo	- Zone change from (AU & RU-1 to RU-1).	BCC	Approved on a modified basis.
2007	Director of The Department of Planning & Zoning	- Zone change from multiple Zoning to OJUS	BCC	Approved.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 2**

APPLICANT: Miami-Dade Park & Recreation
Department

PH: Z10-100 (11-1-CZ2-2)

SECTION: 33-51-42

DATE: January 26, 2011

COMMISSION DISTRICT: 4

ITEM NO.: 2

=====

A. INTRODUCTION

o **SUMMARY OF REQUEST:**

This application seeks to waive the zoning regulations pertaining to the required width for NE 207 Street, within Highland Oaks Park resulting in a request to permit 0' of dedication for the north half of NE 207 Street between NE 23 Avenue and NE 24 Avenue and 0' of dedication for the entire right-of-way width for NE 207 Street between NE 24 Avenue and NE 25 Avenue.

o **REQUEST:**

Applicant is requesting to waive the zoning regulations requiring half-section line rights-of-way to be 70' wide; to permit 0' dedication (35' required) for the north half of NE 207 Street, between NE 23 Avenue and NE 24 Avenue, and to permit 0' dedication for the entire 70' right-of-way for NE 207 Street, between NE 24 Avenue and NE 25 Avenue, all within Highland Oaks Park.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Highland Oaks Parks Sketch for Tract "C", as prepared by Scott A. Riggs, consisting of 2 sheets dated stamped received 12/17/10. Plans may be modified at public hearing.

o **LOCATION:** 20459 N.E. 24 Avenue, Miami-Dade County, Florida.

o **SIZE:** 37.56 Acres

B. ZONING HEARINGS HISTORY:

The subject property is a part of a tract of land that was rezoned from AU, Agricultural District, and RU-1, Single-Family Residential District, to RU-1, pursuant to Resolution #Z-10-65. However, in March 2007, the subject parcel was a part of a larger tract of land consisting of multiple zones that were rezoned by the Board to County Commissioners (BCC) to the OUAD (Ojus Urban Area District) pursuant to Resolution #Z-3-07.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **OUAD (Ojus Urban Area District)**.

Urban Centers

Diversified Urban Centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas that will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the Downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility. The locations of Urban Centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them. The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area-wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of both jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour. Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned Urban Centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall be, at a minimum, developed in accordance with the Community Center policies established below. Following are policies for Development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform with the guidelines provided below.

Streets and Public Spaces

Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways, and squares, parks and plazas defined by the buildings around them. The street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian access ways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edge landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixtures and bus shelters. Open spaces such as public squares and greens shall be established in Urban Centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenades shall be a minimum of 15 percent of gross development area. This public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject Urban Center to the extent that it would better serve the quality and functionality of the center.

TC-2D. The section line, half section-line, and quarter section-line road system should form a continuous network within developed areas, interrupted only when it would destroy the integrity of a neighborhood or development. The County shall not approve vacation of zoned rights-of-way unless it is determined that the right-of-way is not required for present or future public use, or unless the zoned right-of-way is within that portion of the Northwest Wellfield Protection Area located west of the Homestead Extension of the Florida Turnpike, and the CDMP Guidelines for Urban Form will be reflected.

Objective TC-6

Plan and develop a transportation system that preserves environmentally sensitive areas, conserves energy and natural resources and promotes community aesthetic values.

TC-6B. Land access interchanges shall not be placed or constructed in a manner that would provide access to environmental protection areas or other areas to be conserved in order to prevent undue pressure for development of such areas.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

SUBJECT PROPERTY:

OUAD; park

Community Urban Center

SURROUNDING PROPERTY:

NORTH: RU-1; single-family residences

Low Density Residential, 2.5 to 6 du

SOUTH: RU-1; single-family residences

Low Density Residential, 2.5 to 6 du

EAST: RU-1; single-family residences
 OUAD: religious facility

Low Density Residential, 2.5 to 6 du
 Community Urban Center

WEST: RU-1; single-family residences
 AU/OUAD; school, water utility plant

Low Density Residential, 2.5 to 6 du
 Community Urban Center

E. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(4)(b) Non-Use Variance Standard. 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.

F. NEIGHBORHOOD SERVICES:

DERM	No objection
Public Works	No objection
Parks	No comment
MDT	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment

G. ANALYSIS:

The subject property lies within the **Ojus Metropolitan Urban Center** as designated in the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Urban Centers are identified as hubs for future development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve and are intended to be moderate- to high-intensity design-unified areas that will

contain a concentration of different urban functions integrated both horizontally and vertically. Open spaces such as public squares and greens shall be established in Urban Centers to provide visual orientation and a focus of social activity. The Highland Oaks Park is an existing park, designated within the Ojus community urban center, open space plan. Approval of this application will allow the applicant to waive the zoning regulations requiring half-section line rights-of-way to be 70' wide, to permit 0' of dedication for the north half of NE 207 Street between NE 23 Avenue and NE 24 Avenue and 0' of dedication for the entire right-of-way width for NE 207 Street between NE 24 Avenue and NE 25 Avenue. The applicant's letter of intent states that approval of the application will allow the applicant to complete the restoration of the Oleta River, which runs through the right-of-way. **Objective TC-2D** of the Transportation Circulation Subelement of the interpretative text of the CDMP, allows for the interruption of the half section-line road system only when requiring such half-section road would destroy the integrity of a neighborhood or development. Further, **Objective TC-6** of said subelement of the interpretative text of the CDMP requires the County to plan and develop a transportation system that among other things, preserves environmentally sensitive areas and promotes community aesthetic values. As such, staff opines that the approval of this application would restrict vehicular access through the park which would maintain the integrity of the Highland Oaks Park and prevent undue pressure for development of the park area. Staff also notes that the Public Works Department does not object to this application. Although staff notes that there may be competing policies within the CDMP, staff opines that approval of the request to vacate these portions of NE 207 Street is **consistent** with the LUP map of the CDMP and policy **TC-2D** and **Objective TC-6** of the interpretative text of the CDMP.

When this application is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of this request would be **compatible** with the surrounding area, would not be detrimental to the neighborhood, nor would it affect the appearance of the community. This application is the result of the restoration of the Oleta River which runs through a portion of NE 207 Street, between NE 23 Avenue and NE 24 Avenue, abutting the Highland Oaks Park. Staff is of the opinion that the approval of the proposed road closing petition for NE 207 Street will not have a negative impact on the adjacent parcels lying to the south and west of the subject property which contain a public school and a water utility plant. Both of these abutting parcels are accessible through NE 203 Street, a section line road and NE 25 Avenue, respectively. Based on the aforementioned, staff opines that approval of the application which would allow the applicant to waive the dedication of the right-of-way for this portion of NE 207 Street, would not deny the surrounding properties access to rights-of-ways, allows them connectivity to the major east and west corridors in this section of the County and, as such, approval of the application would be **compatible** with the surrounding area. Additionally, as previously mentioned, approval of the application is **consistent** with policy **TC-6** and **Objective TC-6** of the interpretative text of the CDMP. As such, staff recommends approval of this application under the NUV standards, Section 33-311(A)(4)(b).

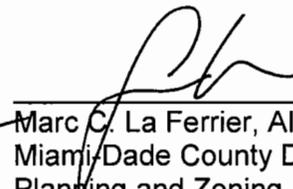
Based on all of the aforementioned, staff recommends approval of the request to permit 0' dedication for the north half of NE 207 Street between NE 23 Avenue and NE 24 Avenue and 0' dedication for the entire right-of-way width for NE 207 Street between NE 24 Avenue and NE 25 Avenue under Section 33-311(A)(4)(b) (NUV).

H. **RECOMMENDATION:**

Approval.

I. **CONDITIONS:** None.

DATE TYPED: 12/03/10
DATE REVISED: 12/06/10, 12/28/10, 01/05/11
DATE FINALIZED: 01/05/11
MCL:GR:NN:NC:CH

For  _____ *NDW*
Marc C. La Ferrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

Memorandum

Date: December 7, 2010

To: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management



Subject: C-02 #Z2010000100-1st Revision
Miami-Dade Park and Recreation Department
20459 N.E. 24th Avenue
To Waive the Dedication of a Half Section Right-of-Way
(OUAD) (37 Acres)
33-51-42

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

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

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

The applicant is advised that any work that is proposed in, upon, or contiguous (in the easement, right of way, reservation area, etc.) to Oleta River to the north of NE 207th Street will require a DERM Class III permit and any work south of NE 207th Street will require a DERM Class I Permit.

Site grading and development plans shall comply with the requirements of Section 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 by DERM for this proposed development order.

Wetlands

Although the subject property is not located within a designated wetland basin, portions of the property contain jurisdictional wetlands as defined by the Code. Therefore, a DERM Class IV Wetland Permit will be required before any work can be done in wetlands. This application is to waive the dedication of a half section right of way (a portion of NE 207th Street between NE 24th Avenue to NE 25th Court) this proposal will not impact wetlands on site. Therefore, the Wetland Resources Section of DERM has no objection to this application. The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

The proposal to waive the dedication of a half section right of way (a portion of NE 207th Street from NE 24th Avenue to NE 25th Court) will not impact tree resources. Therefore, the Tree Program has no objection to this zoning application, however please be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

DERM has found no open or closed enforcement records for the subject property.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and 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. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

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

REVISION 1
PH# Z2010000100
CZAB - C02

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MIAMI DADE PARK & RECREATION DEPARTMENT

This Department has no objections to this application.

A road closing petition is required to successfully close the right-of-way for NE 207 Street. The applicant must contact the Right-of-Way Division at 305-375-4654 for details.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

20-OCT-10



Memorandum

Date: 29-DEC-10
To: Marc LaFerrier, Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2010000100

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated November 30, 2010.
 APPROVAL
 No objection to site plan date stamped December 17, 2010.

Service Impact/Demand

Development for the above Z2010000100
 located at Highland Oaks Park, 20459 N.E. 24 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 0052 is proposed as the following:

<u>N/A</u>	dwelling units	<u>N/A</u>	square feet
<u>residential</u>		<u>industrial</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Office</u>		<u>institutional</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 5:24 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 8 - Aventura - 2900 Aventura Blvd.
 Rescue, BLS Engine, 100' Platform, Battalion.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
 None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department
 Planning Section at 786-331-4540.

11

DATE: 29-NOV-10
REVISION 1

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

**ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE**

MIAMI DADE PARK & RECREATION
DEPARTMENT

Highland Oaks Park, 20459 N.E. 24
AVENUE, MIAMI-DADE COUNTY,
FLORIDA.

APPLICANT

ADDRESS

Z2010000100

HEARING NUMBER

HISTORY:

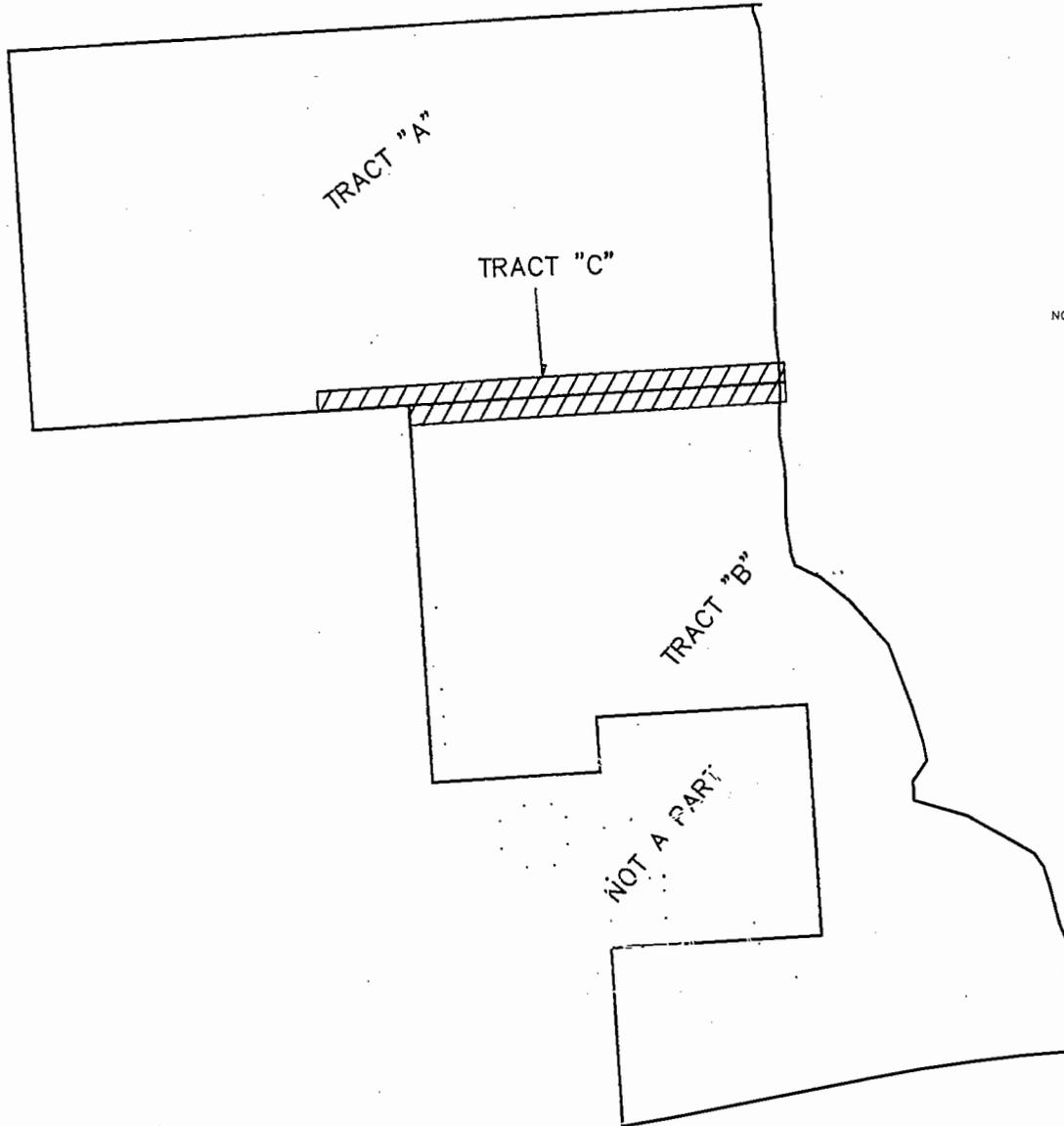
ENFORCEMENT HISTORY: NC: No violation. BNC: No violation.

**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

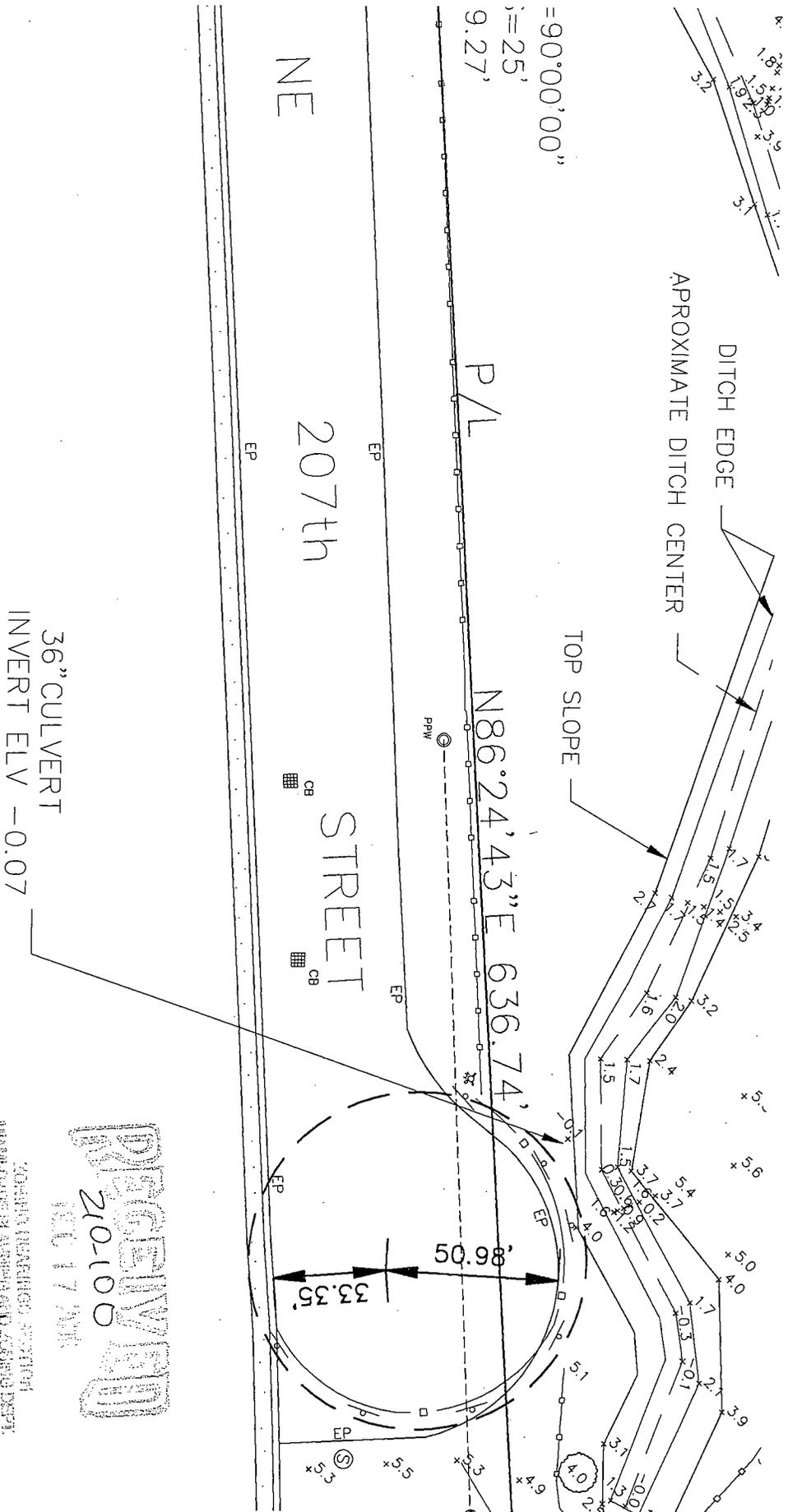
REPORTER NAME:

HIGHLAND OAKS PARK

RECEIVED
210-100
DEC 17 2010
ZONING HEARINGS STATION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: AH



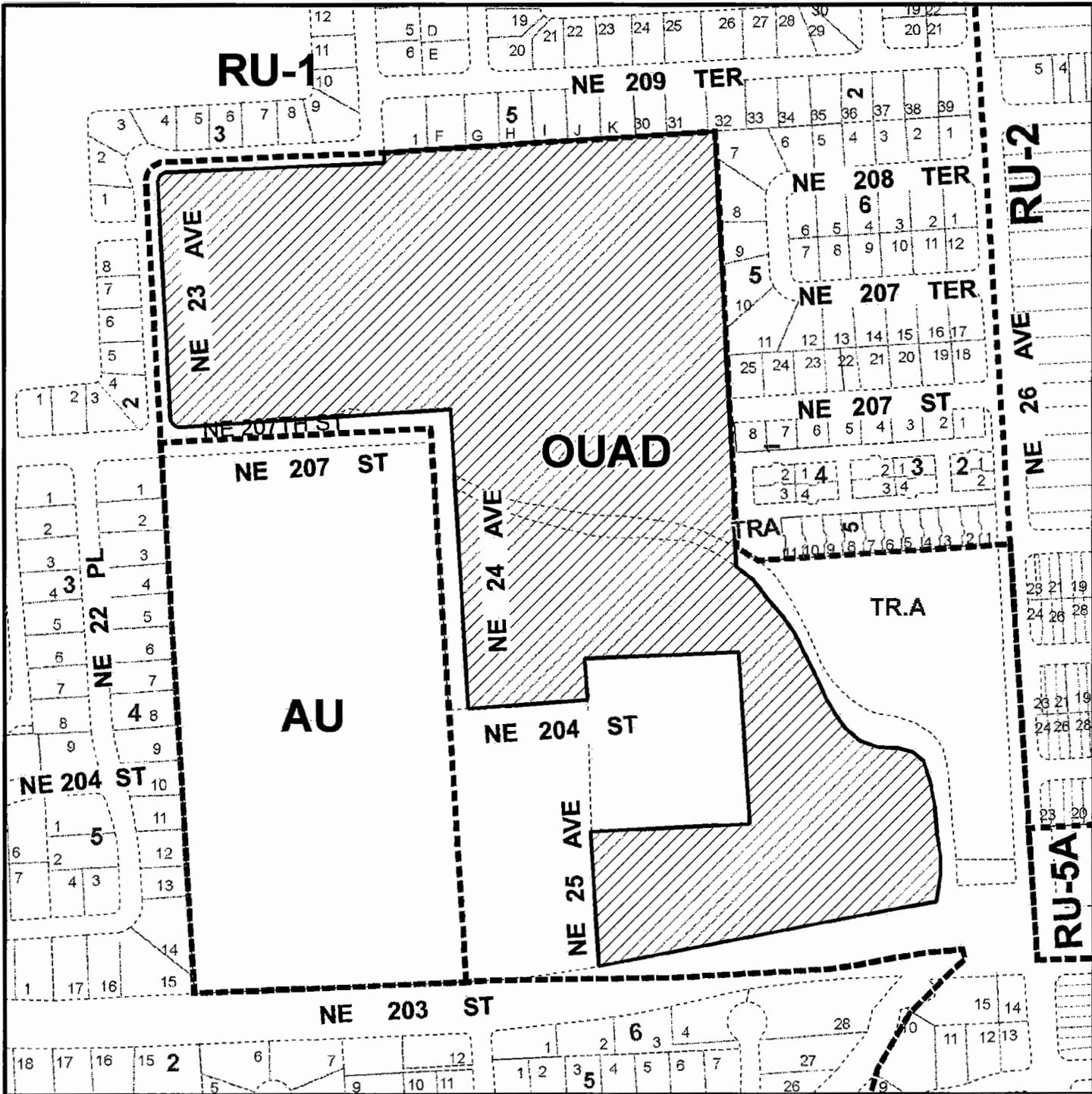
SCOTT A. RIGGS, PSM
Florida License # 6160
140 West Flagler Street, Suite # 805
Miami, Florida 33130 (305) 375-2657
Date: 12-17-2010



JOHN ARNOLD, PROJECT MANAGER
 CIVIL ENGINEER AND DESIGNER
 BY: *[Signature]*

PROJECT
 210-100
 12-17-10

SCOTT A. RIGGS, PSM
 Florida License # 6160
 140 West Flagler Street, Suite # 805
 Miami, Florida 33130 (305) 375-2657
 Date: 12-17-2010



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2010000100



Section: 33 Township: 51 Range: 42
 Applicant: MIAMI DADE PARK & RECREATION DEPARTMENT
 Zoning Board: C2
 Commission District: 4
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend
 Subject Property Case



SKETCH CREATED ON: Wednesday, December 22, 2010

REVISION	DATE	BY
		15



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2010000100

Section: 33 Township: 51 Range: 42

Applicant: MIAMI DADE PARK & RECREATION DEPARTMENT

Zoning Board: C2

Commission District: 4

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Scale: NTS

Legend

 Subject Property



SKETCH CREATED ON: Wednesday, December 22, 2010

REVISION	DATE	BY