





# Official Zoning Agenda

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## COMMUNITY ZONING APPEALS BOARD

### COMMUNITY ZONING APPEALS BOARD - AREA 2

MEETING OF WEDNESDAY, JUNE 13, 2012

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

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Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "North Miami Mikvah, consisting of 4 sheets, with sheet A-2 last handwritten revision on 6/1/12 and plans entitled "North Miami Beach Mikvah" consisting of 2 sheets, for a total of 6 sheets, all dated stamped received 3/6/12. Plans may be modified at public hearing.

LOCATION: Lying east of NE 6 Avenue, approximately 207' south of NE 177 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 14,878 sq. ft.

Department of Regulatory and Economic Resources  
Recommendation:

Approval with conditions.

Protests: 1

Waivers: 0

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

**2. OFFER RAMIN (12-7-CZ2-2/12-033)**

**04-52-42  
Area 02/District 04**

- (1) NON-USE VARIANCE to permit an existing residence setback 20.58' (10' or 15' permitted) from the front (south) property line.
- (2) NON-USE VARIANCE to permit an existing storage building with wood trellis spaced a minimum of 7' (10' required) from the residence.
- (3) NON-USE VARIANCE to waive the street type parameters for a minor street (NE 181 Street).
- (4) NON-USE VARIANCE to waive the zoning regulations requiring parking in the form of a individual garage or carport located behind the build to line accessed through a driveway from the street; to permit parking in front of the build to line.
- (5) NON-USE VARIANCE to waive the zoning regulations requiring a minimum 4' high wall along the build to line.
- (6) NON-USE VARIANCE to permit a 4' high wood picket fence (3.5' maximum permitted) in front of the build to line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Offer Ramin Residence" dated stamped received 3/6/12 with sheets C-1 & L-1, last handwritten revision dated 5/22/12 and consisting of 5 sheets. Plans may be modified at public hearing.

LOCATION: 2529 NE 181 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 50' X 125'

Department of Regulatory and  
Economic Resources  
Recommendation:

Denial without prejudice.

Protests: \_\_\_\_\_ 0 \_\_\_\_\_

Waivers: \_\_\_\_\_ 0 \_\_\_\_\_

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

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**NOTICE**

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

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

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

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 2**

**PH: Z10-180 (12-6-CZ2-1)**

**July 18, 2012**

Item No. A

<b>Recommendation Summary</b>	
<b>Commission District</b>	4
<b>Applicant</b>	Naval, LLC
<b>Summary of Requests</b>	The applicant is seeking to approve additional signage for an individual tenant and a larger detached sign than permitted in the Ojus Urban Area District.
<b>Location</b>	2440 NE Miami Gardens Drive, Miami-Dade County, Florida.
<b>Property Size</b>	34,753 sq. ft.
<b>Existing Zoning</b>	OUAD, Ojus Urban Area District
<b>Existing Land Use</b>	Office/retail building
<b>2015-2025 CDMP Land Use Designation</b>	Community Urban Center (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(a) Use Variance (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Denial without prejudice</b>

This item was deferred from the June 13, 2012 meeting of Community Zoning Appeals Board (CZAB) 2 due to a lack of quorum.

**REQUESTS:**

- (1) USE VARIANCE to permit a multi-tenant directory detached sign with an area of 99 sq. ft. (one 6 sq. ft. detached sign per tenant, per street frontage permitted) and a height of 16' 6" (4' maximum permitted).
- (2) USE VARIANCE to permit each tenant with a 24 sq. ft. wall sign (one 12 sq. ft. wall sign per tenant per street frontage permitted).

Plans are on file and may be examined in the Permitting, Environment and Regulatory Affairs Department or its successor Department, with two (2) sheets entitled "Miami Gardens" as prepared by Halberstein Linkewer & Associates, Inc. and Engineering AGK, LLC, and one (1) sheet entitled "Internally Illuminated Pylon Sign" as prepared by unknown, all sheets dated stamped received 10/19/10, with sheet A-1 last handwritten revision dated 5/1/12, for a total of three (3) sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:**

The submitted site plan depicts the existing office building and the proposed signage fronting onto NE Miami Gardens Drive.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	Ojus Urban Area District; office/retail building	Community Urban Center
<b>North</b>	Ojus Urban Area District; single-family residences	Community Urban Center
<b>South</b>	Ojus Urban Area District; multi-family residences	Community Urban Center
<b>East</b>	Ojus Urban Area District; office building	Community Urban Center
<b>West</b>	Ojus Urban Area District; vacant land	Community Urban Center

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is an existing office/retail building located on the southeast corner of NE Miami Gardens Drive and NE 24 Court. The surrounding area is characterized by residential and office uses.

**SUMMARY OF THE IMPACTS:**

Approval of this application will allow the applicant to erect individual tenant signage and a detached directory sign that would be larger than allowed in the urban center district. Approval would allow the tenants and the office building more visibility along a six (6) lane roadway that is designated as a Boulevard on the OUAD street type plan. However, the approval could create visual clutter along the roadway that would have a negative visual impact on the surrounding residential and office uses.

**CDMP ANALYSIS:**

In March 2007, pursuant to Resolution #Z-3-07, the subject parcel was a part of a larger tract of land that was rezoned to the **Ojus Urban Area District (OUAD)**.

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property as lying within the **OUAD**. 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. Emphasis in design and development of these centers and all of their individual components have been created to promote active pedestrian environments through high-quality design of public spaces as well as private buildings; human scaled appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. All of the parcels within the boundaries of the approved OUAD are regulated by plans and descriptive standards described in Ordinance #06-086, which is consistent with the Urban Center interpretative text. Among other things, said Ordinance requires buildings to be oriented to the street, parking lots to be predominately relegated to the rear or sides of buildings, primary building entrances to be placed close to the street and/or open space, and shade trees and weather protection to be available in order to create a pedestrian-friendly environment at street level.

The applicant seeks approval to permit each tenant with larger signage than allowed (request #1) and to permit a larger detached sign than allowed for an existing office building (request #2) that is located within the Center Sub-District and is designated MC, Mixed Use Corridor on the OUAD's land use plan. The MC designation permits office and retail uses such as the existing office and retail use under the regulating plan.

As such, the existing use within the area designated as MC in the OUAD is **compatible** with the office uses allowed and therefore **consistent** with the CDMP LUP map Urban Center designation and the Land Use Element interpretative text for Urban Centers.

**ZONING ANALYSIS:**

Staff notes that *Section 33-284.89 of the Standard Urban Center District Regulations provides that relief from the regulations governing signages, including minimum horizontal and vertical clearances and street trees shall be permitted only pursuant to the standards and requirements of Section 33-311(A)(4)(a) of the Zoning Code. A **use variance** as provided in Section 33-311(A)(4)(a) permits a use of land other than which is prescribed by the zoning regulations. The standard stipulates that the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions thereof will result in **unnecessary hardship**, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulations.*

Staff opines that approval of a detached sign that is approximately 4 times the maximum square footage and height permitted for the existing office/retail building (request #1) and larger individual tenant signage than permitted (request #2) would be overly intensive and would contribute to visual clutter along this section of NE Miami Gardens Drive. Staff notes that there is an existing detached sign with an area of 60 sq. ft. that is currently grandfathered; however the applicant is requesting to permit a detached sign with an area of 99 sq. ft. and a height of 16'-6". Further, staff notes that the OUAD regulations allow one 6 sq. ft. detached sign per tenant, per street frontage. Based on those calculations, that applicant would be allowed a multi-tenant detached sign with an area of 24 sq. ft. per street frontage. Staff is of the opinion that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions regarding these requests would result in an unnecessary hardship. Further, the subject property can be utilized for the existing office/retail building without the requested variances. Based on the foregoing analysis, staff opines that the approval of requests #1 and #2 would not meet the standards set forth in Section 33-311(A)(4)(a), which require that a zoning hardship be shown, and could set a precedent for similar requests for variances to the sign regulations in this area. **As such, staff recommends denial without prejudice of requests #1 and #2 under Section 33-311(A)(4)(a).**

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

**NEIGHBORHOOD SERVICES PROVIDER COMMENTS:** See attached.

**OTHER:** N/A

**RECOMMENDATION:** Denial without prejudice.

**CONDITIONS FOR APPROVAL:** None.

ES:MW:GR:NN:AN:CH

A handwritten signature in black ink, appearing to read 'Eric Silva', is written over a horizontal line. The signature is stylized and somewhat cursive.

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

# ZONING RECOMMENDATION ADDENDUM

Naval, LLC  
Z10-180

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
PERA (Environmental Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No comment
Schools	No objection
*Subject to conditions in their memorandum.	

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

<p><b>Urban Centers</b> (Pg. I-46-48)</p>	<p><i>Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and <b>Community Centers</b> which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.</i></p> <p><i>The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more 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.</i></p> <p><i>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 <b>Community Centers</b> shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.</i></p> <p><i>Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.</i></p> <p><i>Following are policies for development of Urban Centers designated on the Land Use Plan</i></p>
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# ZONING RECOMMENDATION ADDENDUM

Naval, LLC  
Z10-180

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

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

**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.

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

# ZONING RECOMMENDATION ADDENDUM

Naval, LLC  
Z10-180

## **PERTINENT ZONING REQUIREMENTS/STANDARDS**

<b>33-311(A)(4)(a) Use Variance.</b>	<i>The Board shall hear and grant applications for <b>use variances</b> from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in <b>unnecessary hardship</b>, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.</i>
<b>Section 33-284.89. Zoning relief from certain requirements</b>	<i>Relief from the following requirements of this article shall be permitted only pursuant to the standards and requirements of <b>Section 33-311(A)(4)(a)</b> of this code:</i>  <ol style="list-style-type: none"><li>1. <i>Minimum and maximum densities;</i></li><li>2. <i>Required liner buildings used to screen parking;</i></li><li>3. <i>Colonnade regulations, including minimum horizontal and vertical clearances;</i></li><li>4. <i>Provision of A streets;</i></li><li>5. <i>Requirements for street trees, greens, plazas, squares and medians;</i></li><li>6. <i>Maximum size of blocks;</i></li><li>7. <i>Curb requirement in the Core and Center sub-district; and</i></li><li>8. <b>Signage.</b></li></ol>

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

#1

APPLICANT'S NAME: NAVAL, LLC

REPRESENTATIVE: Melissa Tapanes

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
12-6-CZ2-1 (10-180)	June 13, 2012	CZAB2	12

**REC: Denial without prejudice.**

WITHDRAW:  APPLICATION       ITEM(S): \_\_\_\_\_

DEFER:       INDEFINITELY       TO: July 18, 2012       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 (only three members present).

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

VOTE: 

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EXHIBITS:  YES     NO

COUNTY ATTORNEY: DENNIS KERBEL

**A. NAVAL, LLC**  
**(Applicant)**

**12-6-CZ2-1 (10-180)**  
**Area 02/District 04**  
**Hearing Date: 07/18/12**

Property Owner (if different from applicant) **David Mendal.**

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1987	Art Papastavros	- Zone change from RU-2 to RU-5A.	BCC	Approved In Part
2007	Director of the Department of Planning & Zoning	- Zone change from AU, BU-1, BU-2, BU-3, GP, IU-1, IU-2, RU-1, RU-2, RU-3, RU-3M, RU-4, RU-4M & RU-5A to OJAD (Ojus Urban Area District).	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.

# Memorandum

**Date:** November 17, 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 #Z2010000180  
Naval, LLC  
2440 Miami Gardens Drive  
Use Variance to Permit Multiple Wall Signs and a Detached Sign with a  
Greater Size than Permitted  
(OUAD) (0.23 Acres)  
03-52-42

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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.

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: NAVAL, 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.

08-DEC-10

# Memorandum



**Date:** 21-JUL-11  
**To:** Marc LaFerrier, Director  
 Department of Planning and Zoning  
**From:** Karls Paul-Noel, Interim Director  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2010000180

**Fire Prevention Unit:**

Not applicable to MDRF site requirements.

**Service Impact/Demand**

Development for the above Z2010000180  
 located at 2440 ne MIAMI GARDENS DRIVE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 5196 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: 6:18 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
 Station 33 - Aventura - 2601 Point East Drive  
 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.

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DATE: 04-JUN-12  
REVISION 2

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

NAVAL, LLC

2440 ne MIAMI GARDENS DRIVE,  
MIAMI-DADE COUNTY, FLORIDA.

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APPLICANT

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ADDRESS

Z2010000180

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HEARING NUMBER

**HISTORY:**

ENFORCEMENT HISTORY; NC: No open cases. Prior case opened November 9, 2010 for graffiti and warning issued, case closed November 29, 2010. Another case was opened April 26, 2012 for sign on private property and warning issued, case closed May 11, 2012. BNC: No bss cases opened/closed.

Naval LLC

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

**REPORTER NAME:**

# Memorandum



**Date:** June 29, 2012

**To:** Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office  
Miami-Dade Sustainability, Planning and Economic Enhancement

**From:** James Byers, Zoning Permitting Division Chief  
Department of Permitting, Environment and Regulatory Affairs

**Subject:** Z2010000180

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Zoning Inspector: Frankie Rodriguez  
Inspection date: June 29, 2012  
Location: 2440 NE Miami Gardens Dr.

The subject property is improved with a one story office/retail building and parking lot. Landscape is maintained to code.

No unauthorized uses were observed and no Zoning Permit violations exist.

Inspector **RODRIGUEZ, FRANK**

Evaluator **CARL HARRISON**

Process Number: **Z2010000180** Applicant Name **NAVAL, LLC**



Date: 13-JUL-11

Comments: EAST VIEW OF FRONT PROPERTY LINE OF SUBJECT PROPERTY.



Date: 15-JUL-11

Comments: EAST VIEW OF SUBJECT PROPERTY.



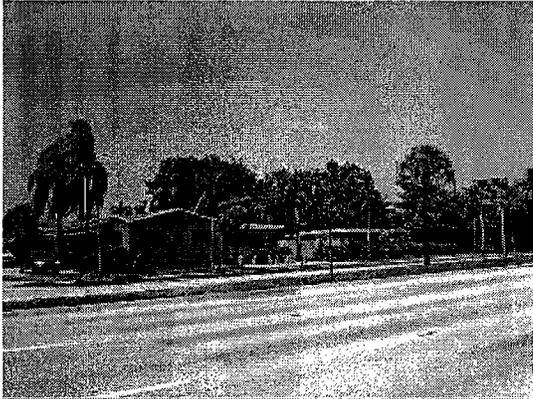
Date: 15-JUL-11

Comments: NORTH VIEW OF PROPERTY TO THE NORTH OF SUBJECT PROPERTY.

Inspector **RODRIGUEZ, FRANK**

Evaluator **CARL HARRISON**

Process Number: **Z2010000180** Applicant Name **NAVAL, LLC**



Date: 15-JUL-11

Comments: NORTHEAST VIEW OF PROPERTY TO THE NORTH OF SUBJECT PROPERTY.



Date: 15-JUL-11

Comments: SOUTHEAST VIEW OF PROPERTY TO THE EAST OF SUBJECT PROPERTY.



Date: 15-JUL-11

Comments: SOUTHEAST VIEW OF REAR PROPERTY LINE OF SUBJECT PROPERTY.

Inspector **RODRIGUEZ, FRANK**

Evaluator **CARL HARRISON**

Process Number: **Z2010000180** Applicant Name **NAVAL, LLC**



Date: 15-JUL-11

Comments: SOUTHEAST VIEW OF SUBJECT PROPERTY.



Date: 15-JUL-11

Comments: SOUTHWEST VIEW OF SUBJECT PROPERTY.



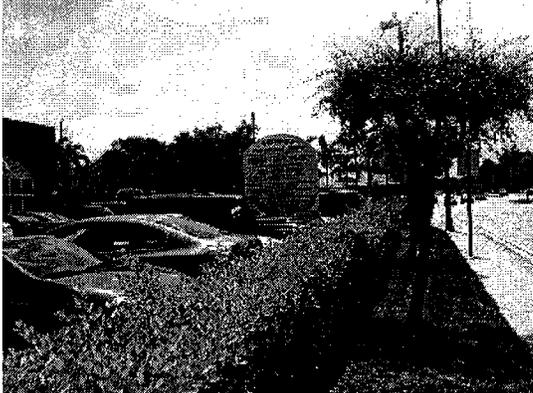
Date: 15-JUL-11

Comments: WEST VIEW OF PROPERTY TO THE WEST OF SUBJECT PROPERTY.

Inspector **RODRIGUEZ, FRANK**

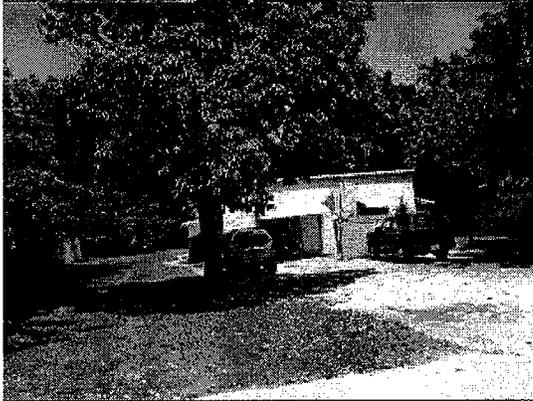
Evaluator **CARL HARRISON**

Process Number: **Z2010000180** Applicant Name **NAVAL, LLC**



Date: 15-JUL-11

Comments: WESTERN VIEW OF DETACHED SIGN ON SUBJECT PROPERTY.

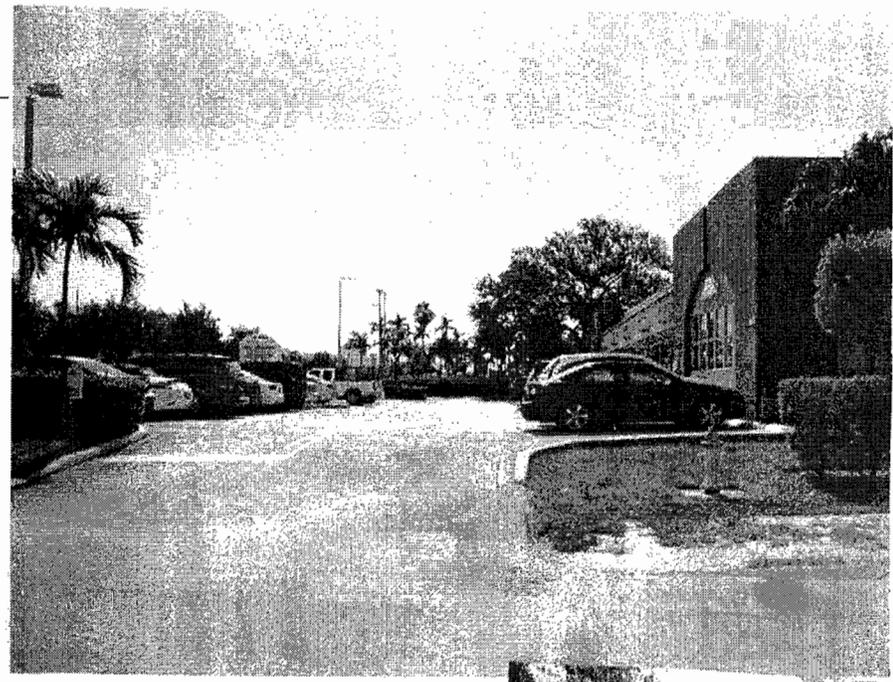


Date: 15-JUL-11

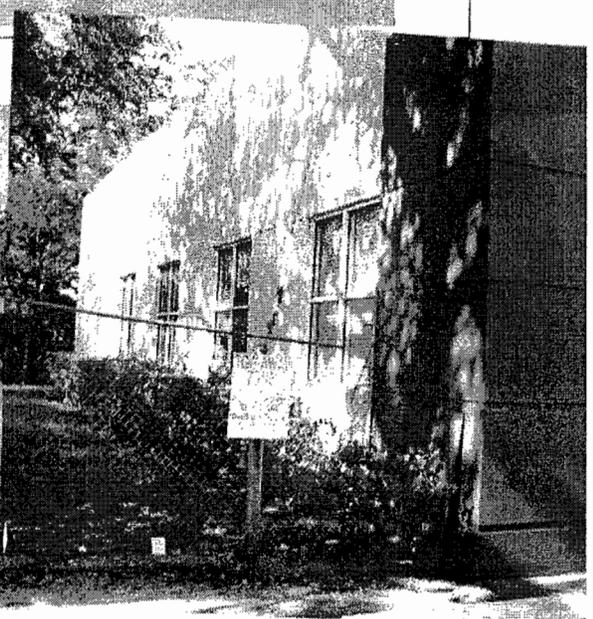
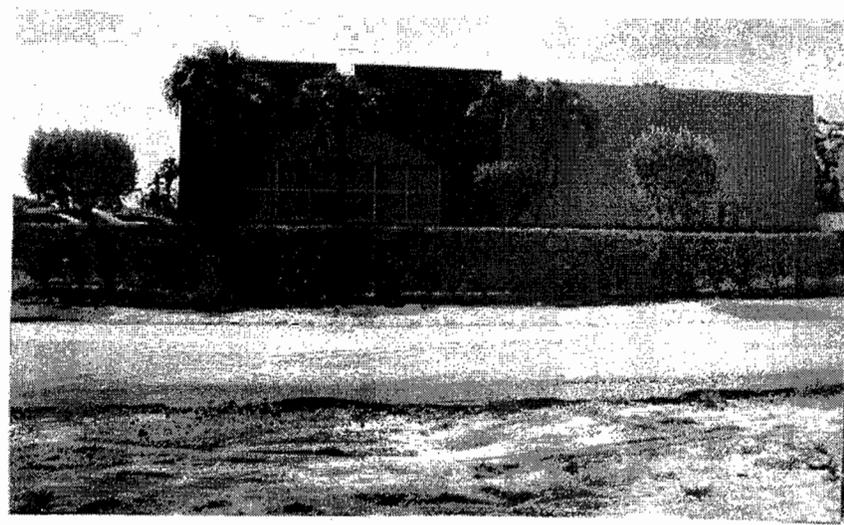
Comments: WESTERN VIEW OF PROPERTY TO THE SOUTH OF SUBJECT PROPERTY.

PHOTOGRAPHS  
FRONT ELEVATION

210-180  
OCT 19 2010  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: *JSA*

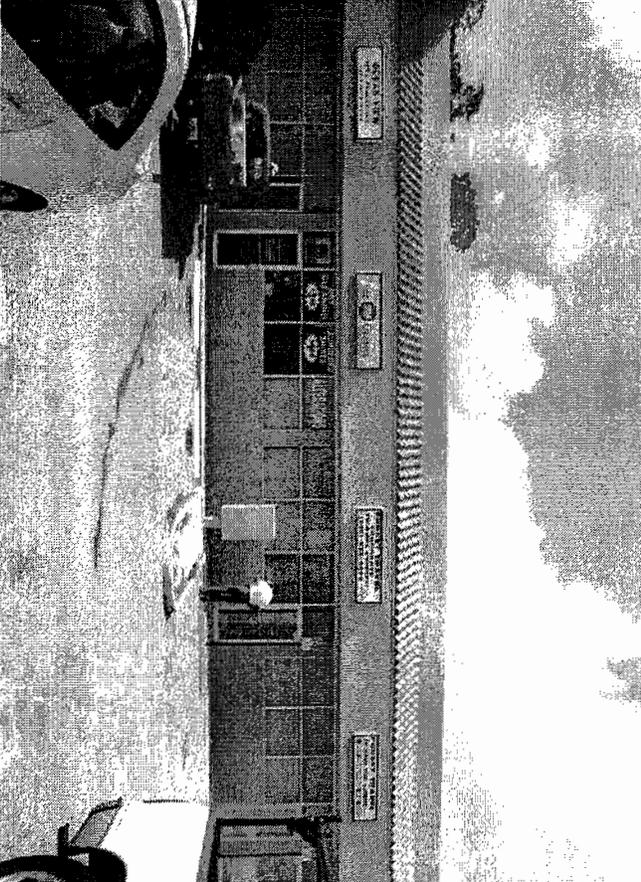
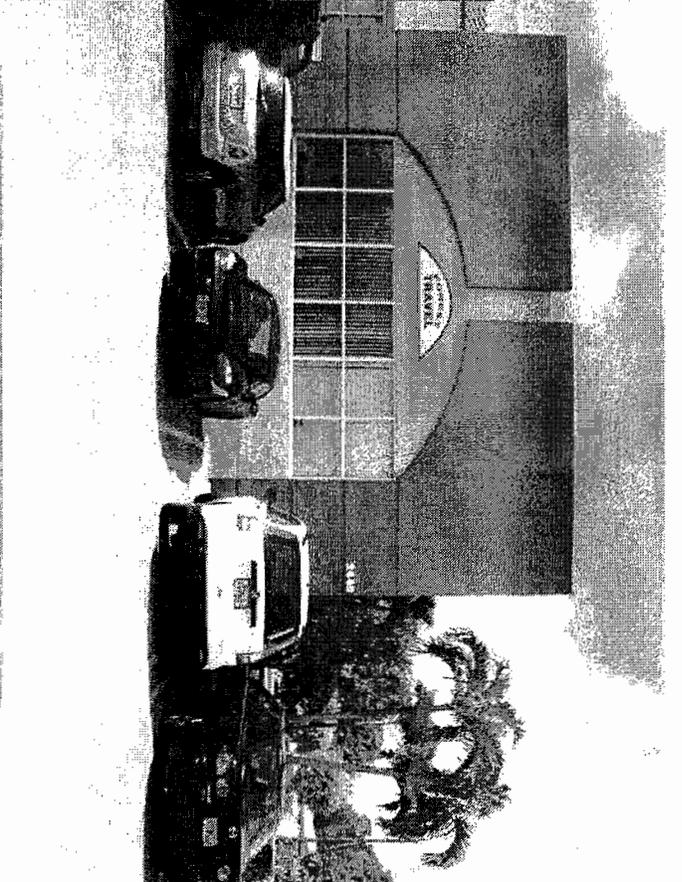
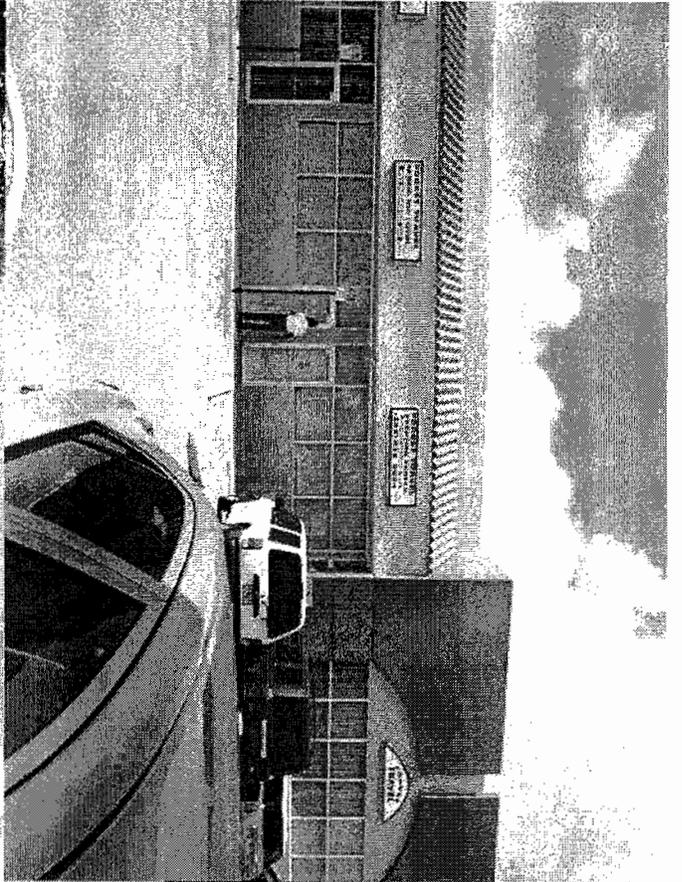


SIDE ELEVATION



REAR ELEVATION





**RECEIVED**  
210-180  
OCT 19 2010

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

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].

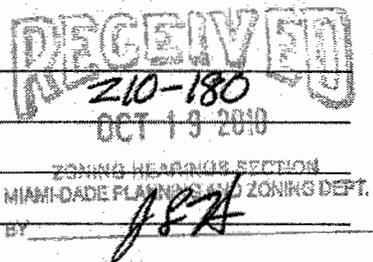
CORPORATION NAME: Naval, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>David Mendal</u>	<u>100%</u>
<u>Naval LLC</u>	
<u>2440 NE Miami Gardens Dr #100</u>	
<u>North Miami, FL 33180</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>
_____	_____
_____	_____
_____	_____
_____	_____



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>
_____	_____
_____	_____
_____	_____
_____	_____

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

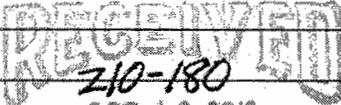
entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

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.

  
 210-180  
 OCT 19 2010  
 ZONING HEARINGS SECTION  
 MAM, DATE PLANNING AND ZONING DEPT.  
 BY *JPH*

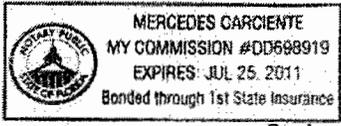
**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: *[Handwritten Signature]*  
(Applicant)

Sworn to and subscribed before me this 15 day of June, 20 10. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

*[Handwritten Signature]*  
(Notary Public)



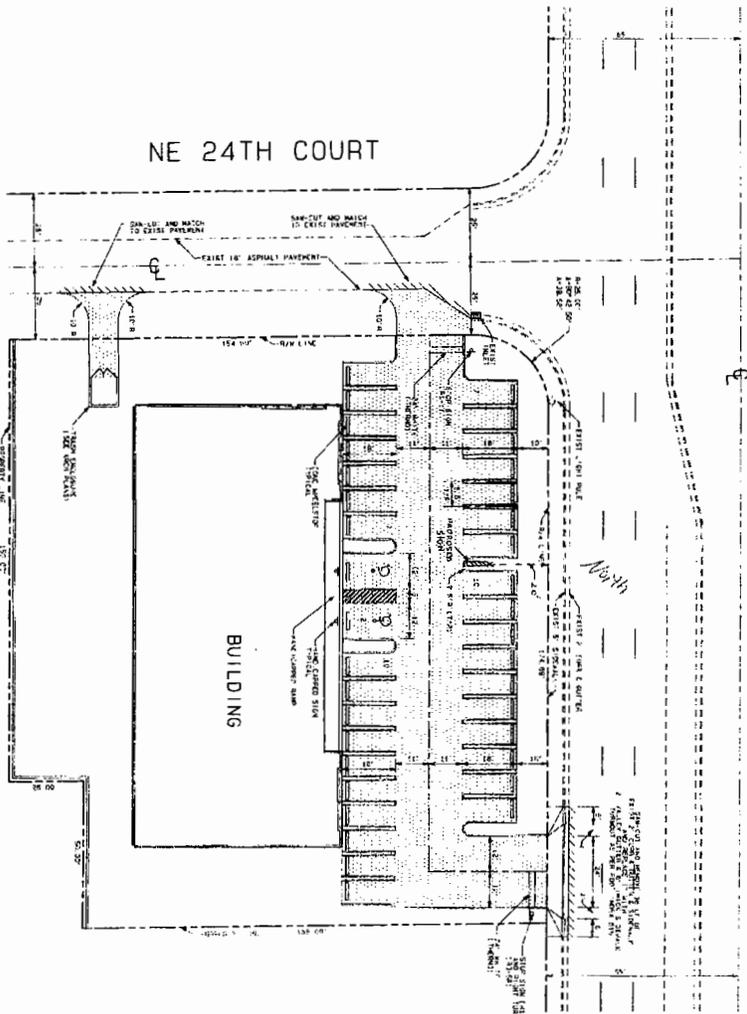
My commission expires: Jul 25 2011

\*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.



MIAMI GARDENS DRIVE (SR 860)

NE 24TH COURT



**RECEIVED**  
 OCT 19 2010

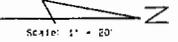
ZONING HEARINGS SECTION  
 MIAMI-GADE PLANNING AND ZONING DEPT.  
 BY *[Signature]*

**LEGEND:**

- EXISTING
- PROPOSED
- PAVEMENT
- PAVEMENT MARKING TRACES
- PAVEMENT
- REFERENCE LINE
- SOFT-PAVEMENT LINE
- PROPERTY LINE
- ZONE 5 OR 10A
- RECESSION MARK
- RECESSION MARK
- OR PARKING SPACE
- INCHER VERTICALITY

**GENERAL NOTES:**

1. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
2. CONCRETE SHALL BE 4000 PSI COMPRESSIVE STRENGTH.
3. REINFORCING SHALL BE #4 BARS AT 18" ON CENTER.
4. ALL FINISHES SHALL BE TO FACE UNLESS NOTED OTHERWISE.
5. THE FINISH FLOOR SHALL BE 1" ABOVE FINISH GRADE UNLESS NOTED OTHERWISE.
6. THE FINISH GRADE SHALL BE 1" ABOVE FINISH GRADE UNLESS NOTED OTHERWISE.
7. FOR SITE PLAN SYMBOLS SEE SHEET C-2.
8. THE FINISH GRADE SHALL BE 1" ABOVE FINISH GRADE UNLESS NOTED OTHERWISE.
9. THE FINISH GRADE SHALL BE 1" ABOVE FINISH GRADE UNLESS NOTED OTHERWISE.
10. THE FINISH GRADE SHALL BE 1" ABOVE FINISH GRADE UNLESS NOTED OTHERWISE.
11. REVISIONS TO BE MADE FOR PERMISSIVE PLAN.



SITE AND PAVING PLAN



ENGINEERING AGK, LLC  
 DON ARPIN M.S.P.E.  
 Structural Only #28585  
 4920 N. Dixie Hwy,  
 Ft. Lauderdale, FL 33334  
 Tel. 954-572-8345  
 CoA #26073

MIAMI GARDENS PLAZA  
 OFFICE BUILDING  
 MIAMI GARDENS DRIVE AND NE 24TH COURT  
 MIAMI, FLORIDA

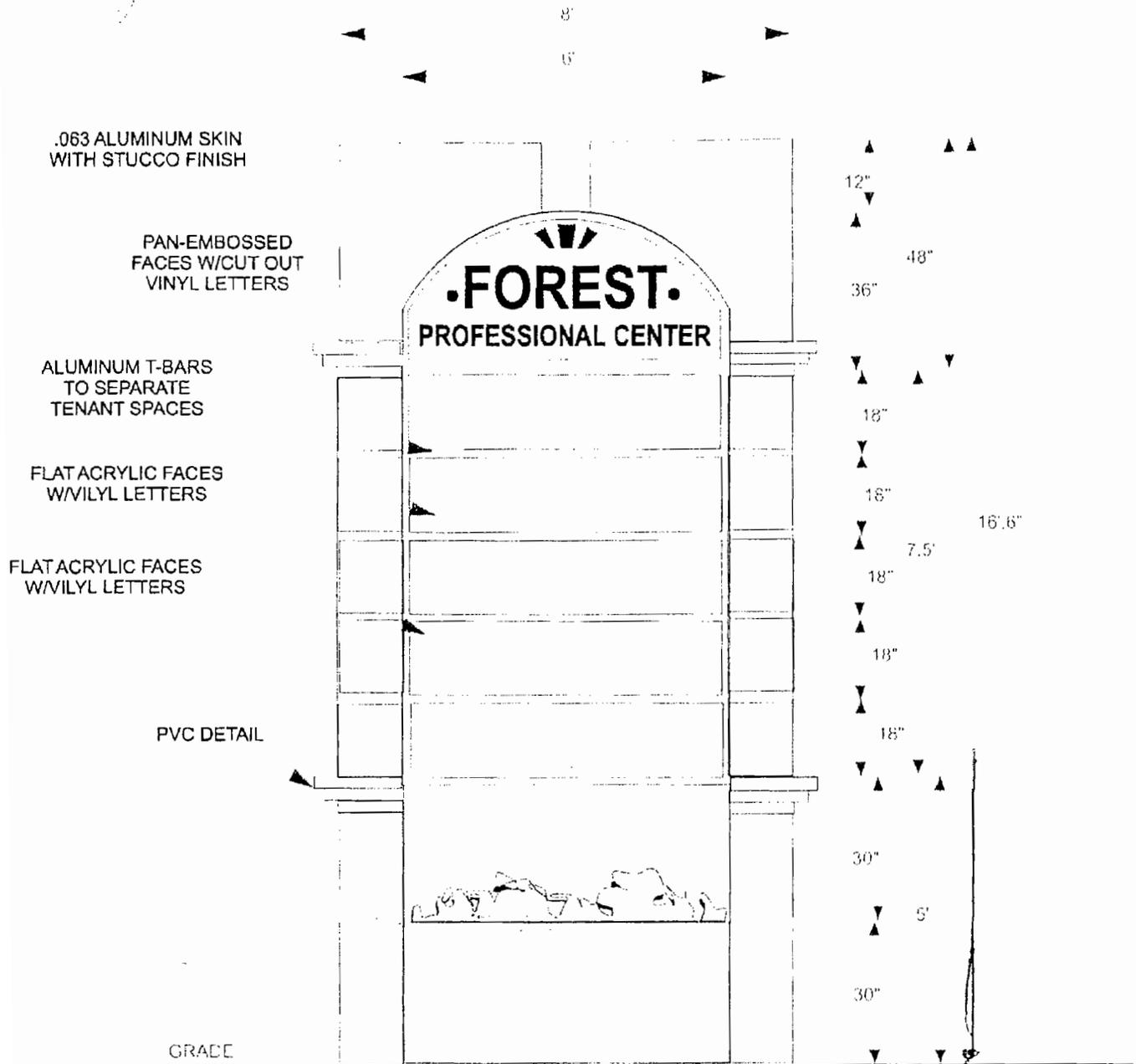


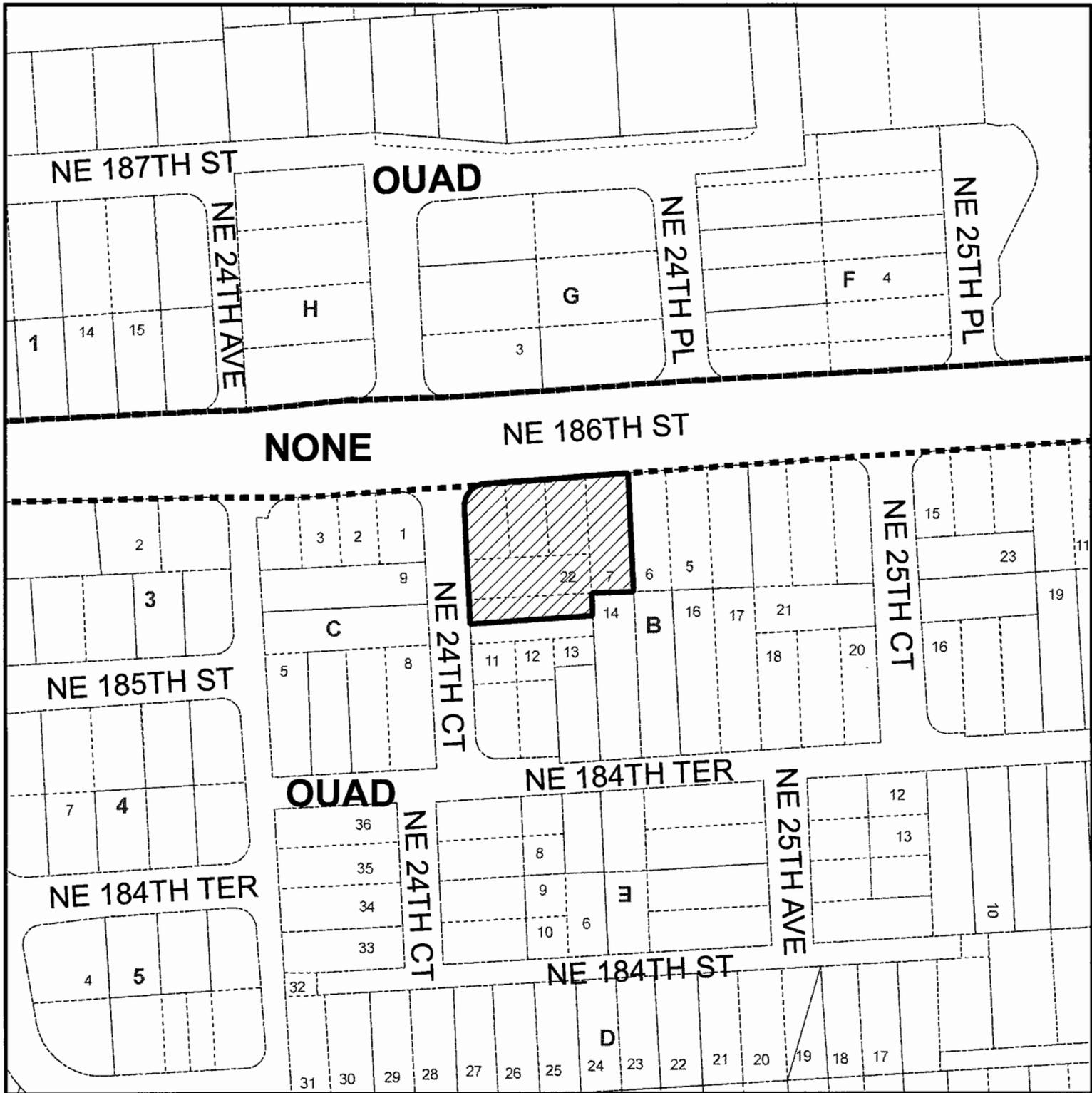
RECEIVED

MIAMI-DADE COUNTY  
PROCESS #: Z10-180  
DATE: OCT 19 2010  
BY: SDE

*J & H*

# INTERNALLY ILLUMINATED PYLON SIGN





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2010000180**



Section: 04 Township: 52 Range: 42  
 Applicant: NAVAL, LLC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: KEELING  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
		27



**MIAMI-DADE COUNTY**

**AERIAL YEAR 2009**

Process Number

**Z2010000180**



Section: 04 Township: 52 Range: 42

Applicant: NAVAL, LLC

Zoning Board: C2

Commission District: 4

Drafter ID: KEELING

Scale: NTS

**Legend**



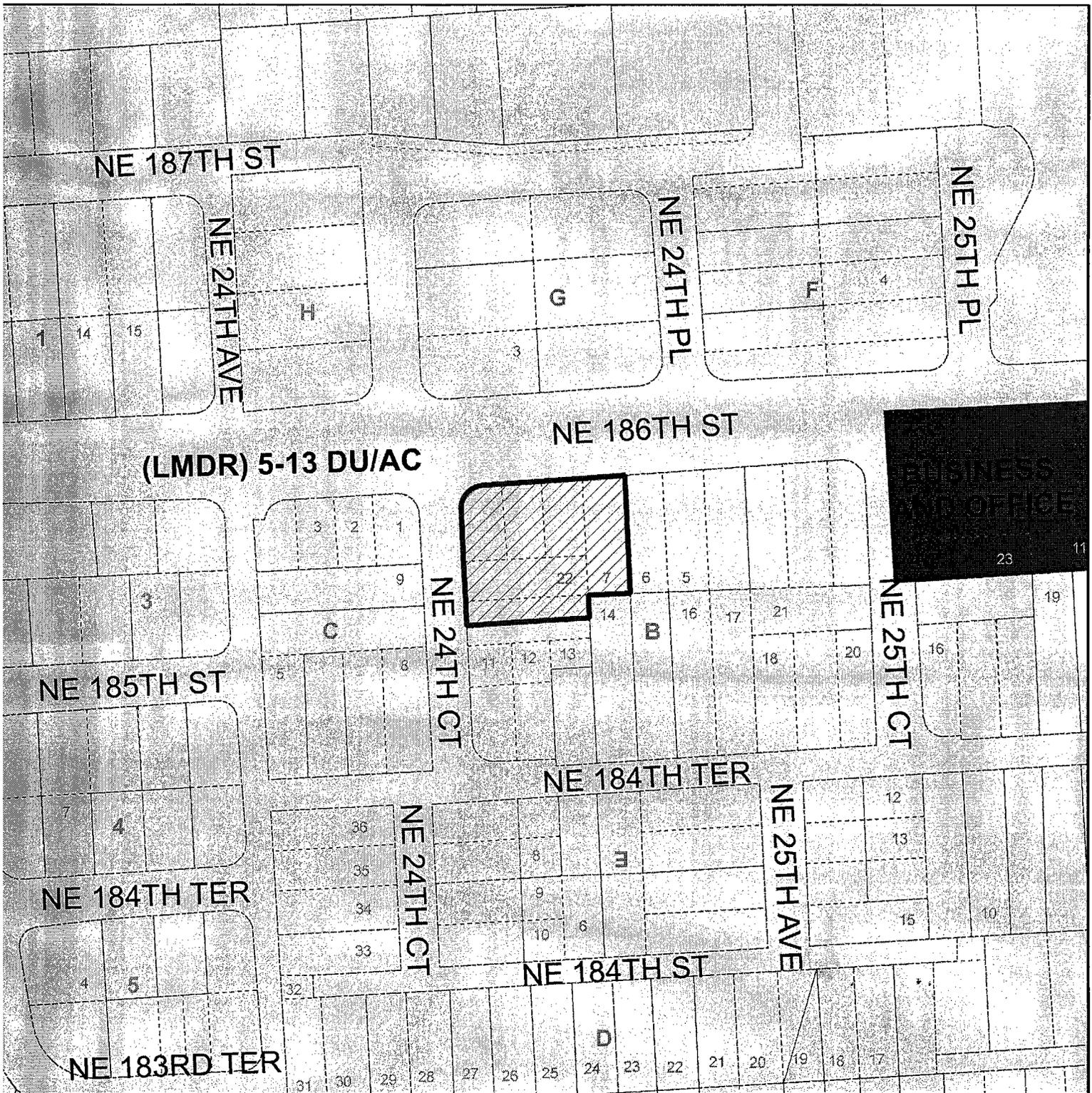
Subject Property



SKETCH CREATED ON: Tuesday, October 26, 2010

REVISION	DATE	BY
		28





(LMDR) 5-13 DU/AC

**MIAMI-DADE COUNTY**  
CDMP MAP

Section: 04 Township: 52 Range: 42  
 Applicant: NAVAL, LLC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: KEELING  
 Scale: NTS

Process Number  
**Z2010000180**



**Legend**

 Subject Property Case



SKETCH CREATED ON: Tuesday, October 26, 2010

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 2**

PH: Z12-007 (12-7-CZ2-1)

July 18, 2012  
Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	4
<b>Applicant</b>	Congregation Ohel Rochel, Inc.
<b>Summary of Requests</b>	The approval of this application will allow the applicant to establish a religious facility to wit: a ritual bath in a residential district with reduced setbacks, less parking than required and parking within 25' of the right-of-way.
<b>Location</b>	Lying east of NE 6 Avenue, approximately 207' south of NE 177 Street, Miami-Dade County, Florida.
<b>Property Size</b>	14,878 sq. ft.
<b>Existing Zoning</b>	RU-1, Single-Family Residential District
<b>Existing Land Use</b>	vacant
<b>2015-2025 CDMP Land Use Designation</b>	Low Density Residential, 2.5 - 6 duu (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with the LUP map, interpretative text and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses Section 33-311(A)(4)(b), Non-Use Variance Standards (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval with conditions</b>

**REQUESTS:**

1. SPECIAL EXCEPTION to permit a religious facility to wit: a Mikvah (ritual bath facility).
2. NON-USE VARIANCE to permit a religious facility setback a minimum 12.75' (25' required) from the rear (east) property line and setback 11.67' (15' required) from the interior side (north) property line.
3. NON-USE VARIANCE to permit handicap ramps setback 5.08' (15' required) from the interior side (north) property line.
4. NON-USE VARIANCE to permit raised steps with railings and a handicap ramp setback a minimum of 13.17' (15' required) from the interior side (south) property line.
5. NON-USE VARIANCE to permit 10 parking spaces (16 required).
6. NON-USE VARIANCE to permit parking within 25' of an official right-of-way (not permitted).

Plans are on file and may be examined in the Miami-Dade County Department of Regulatory and Economic Resources entitled "North Miami Mikvah", consisting of 4 sheets and plans entitled "North Miami Beach Mikvah", consisting of 2 sheets, for a total of 6 sheets, all dated stamped, received 3/6/12, sheet A-2, last handwritten revision dated 6/1/12. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:**

The applicant seeks to establish a religious facility to wit: a ritual bath along with caretaker's residence on the approximately 0.34-acre parcel within the RU-1, Single-Family Residential District. The proposed two-story, 4,000 sq. ft. facility, will contain preparation rooms, storage rooms, an administrative office and the Mikvah baths on the ground floor and the approximately 800 sq. ft. second floor, caretaker living quarters. The proposed facility will contain 62% of the required sixteen (16) parking spaces, two (2) of which will be located within 25' of the official right-of-way, NE 6 Avenue.

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

**NEIGHBORHOOD COMPATIBILITY:**

The submitted plans depict the proposed Mikvah facility and living quarters on the approximately 0.34-acre parcel. The subject parcel is surrounded by single-family residences. However, staff notes that the abutting parcel to the east is a contiguous property that is owned by the same owner and the abutting parcel to the south was approved in 2000 to allow a religious facility and daycare use pursuant to Resolution No. CZAB2-6-00.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow the applicant to provide the members that live within the surrounding residential area with easier access to the religious amenity. However, the approval of the facility with reduced setbacks and parking could have a negative visual impact on the abutting properties and could result in the spillage of parking onto the abutting roadway.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Low Density Residential** use. This land use category is typically 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. Further, CDMP Land Use Element Interpretative text under Residential Communities also permits neighborhood and community services including schools, daycare centers and **houses of worship, only when consistent with other goals, objectives and policies of this Plan and**

**compatible with the neighborhood.** The criteria to evaluate compatibility among proximate land uses is outlined in the CDMP Land Use Element, **Policy LU-4A**, among which are access, traffic, parking, height, bulk scale of architectural elements, buffering, and landscaping as applicable. Further, the CDMP Land Use Element, **Policy LU-4D** states that *uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements.*

The applicant is proposing to develop the property with a Mikvah, which is a religious facility that is used to carry out ritual baths as a part of a specific religious belief. The subject parcel on which the facility is proposed fronts onto NE 6 Avenue which is a half section line road and is surrounded by single-family residences although the parcel to the south that has been approved to allow a religious facility as well. Staff opines that the submitted site plans indicate that the facility will be adequately buffered with a continuous row of trees and hedges along the interior sides (north and south) and rear (east) property lines and that the height and scale of the development is below the maximum height of 35' allowed in the RU-1 zoning district.

Staff opines that the proposed development including the parking areas will be adequately buffered and will not have a negative visual impact on the surrounding properties or on passersby along NE 6 Avenue and therefore would satisfy the criteria for compatibility set forth in the CDMP Land Use Element, **Policy LU-4A**.

Therefore, staff opines that approval of the proposed religious facility is **compatible** with the area and therefore **consistent** with the CDMP Land Use Element interpretative text for the **Residential Communities**, CDMP Land Use Element **Policy LU-4D** and the CDMP Land Use Plan map designation for the subject property.

### **ZONING ANALYSIS:**

When request #1, to allow the proposed religious facility, to wit: a Mikvah is reviewed under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses, staff opines that the approval of this request would be **compatible** with the surrounding residential uses. Staff opines that the proposed use will not result in excessive traffic as evidenced by the memorandum from the Public Works and Waste Management Department which states that the application meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply. The Environmental Division of the Department of Regulatory and Economic Resources indicates in its memorandum that approval will not result in a reduction in the LOS standards for potable water service and wastewater disposal. However, its memorandum states that the applicant must meet all of the waste water, stormwater management and tree preservation requirements as indicated in the memorandum. Additionally the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the proposed facilities will have a negative impact on fire rescue services in the area. Based on the aforementioned department memoranda, staff opines that the requests will not result in excessive noise or traffic, cause undue or excessive burden on public facilities, nor provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development.

Further, staff notes that the subject property is located on NE 6 Avenue which is a well travelled north/south half section line roadway consisting of four (4) lanes and abuts a property located to

the south which pursuant to Resolution No. CZAB2-6-00 was approved to allow a larger, 22,823 sq. ft. religious facility and day nursery. Additionally, the submitted plans for the proposed facility indicate that the facility will be adequately buffered by a continuous hedge, a row of trees and a 6' high privacy fence along the interior sides and rear property lines to mitigate any negative visual or noise impacts from the facility or visitors. **Therefore, staff recommends approval with conditions of request #1, under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses.**

When requests #2 through #6 are analyzed under the Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval of these requests will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with same. Requests #2 through #4 pertain to the physical setback of the building and the steps and handicap ramps from the rear (east) and interior sides (north and south) property lines. Staff notes that although the proposed Mikvah is considered a religious facility, neither the proposed plans nor the applicant's letter of intent indicate that the facility will operate as a building of public assemblage. Therefore, the proposed facility is required to meet the RU-3, Four Unit Apartment House District's setback requirements of 25' from the rear property line and 15' from the interior side property lines. The submitted plans indicate that the interior side (north and south) and rear (east) property lines will be adequately buffered by a continuous hedge and a row of trees as well as a 6' high privacy fence surrounding the perimeter of the property, which staff opines will mitigate any negative visual impact of the proposed encroachments. In addition, staff notes that the encroachment of the actual building into the interior side (north) setback area is only 3.33' and the building encroachment into the interior side (south) setback is only 0.25'. Staff notes that the residences located to the north and south that would be most impacted by the encroachment are sufficiently spaced from the property lines and as such, staff opines the proposed 25' high facility will not have a negative visual impact on these residences. In addition, the submitted plans indicate that the handicap ramps and railings will have a maximum height of approximately 4.5' which will not be visible from the abutting properties to the north and south and therefore will not have a negative visual impact on same. Further, staff opines that although the abutting property located to the east is a contiguous parcel that is owned by the same owner, there is no use proposed on that parcel at this time and the parcel will be adequately buffered by the previously mentioned landscaping and privacy fence that will mitigate any negative visual impact from the encroachment into the rear (east) setback area.

Requests #4 and #5 pertain to the reduced number of parking spaces for the facility as well as the location of the parking areas within 25' of the official right-of-way, NE 6 Avenue. The applicant indicated in its letter of intent that the Mikvah, is intended to serve congregation members residing in the immediate area and the ability to walk and be in reasonable proximity to centralized religious facilities is imperative to the success of the congregation. Staff opines that the 37.5% reduction in parking for the facility as proposed in this application would not create spillage of parking that would impact traffic on the abutting roadway. Further, staff notes that the Public Works and Waste Management Department does not object to the application and specifically, does not object to the request to provide less parking spaces than required. In addition, staff opines that the applicant's request to permit parking within 25' of NE 6 Avenue will not have a negative visual impact on passersby along NE 6 Avenue. The submitted plans indicate that there will be a hedge next to the parking areas which will mitigate any negative visual impact that the encroachment will have. **Therefore, staff recommends approval with conditions of requests #2 through #6 under Section 33-311(A)(4)(b), Non-Use Variance Standards.**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate that the subject property has one (1) ingress and egress drive along NE 6 Avenue. The plans also show a total of 10 parking spaces.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

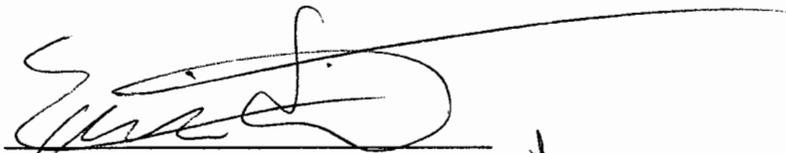
**OTHER:** Not applicable.

**RECOMMENDATION:** Approval with conditions.

**CONDITIONS FOR APPROVAL:**

1. That a site plan be submitted to and meet with the approval of the Director of the Miami-Dade County Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "North Miami Mikvah", consisting of 4 sheets and plans entitled "North Miami Beach Mikvah", consisting of 2 sheets, for a total of 6 sheets, all dated stamped, received 3/6/12, sheet A-2, last handwritten revision dated 6/1/12.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Miami-Dade County Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the occupancy of the proposed Mikvah building be restricted to a maximum of forty-nine (49) persons at all times.
6. That the applicant comply with all applicable conditions and requirements of the Environmental Division of the Miami-Dade County Department of Regulatory and Economic Resources.

ES:MW:GR:NN:JC:CH



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

*NDM*

# ZONING RECOMMENDATION ADDENDUM

Congregation Ohel Rochel, Inc.  
Z12-007

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

<b>Low Density</b> (Pg. I-31)	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 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.</i>
<b>Residential Communities</b> (Pg. I-26)	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are <b>neighborhood and community services including schools, parks, houses of worship</b>, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.</i>
<b>Policy LU-4A</b> (Page I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>
<b>Policy LU-4D</b> (Pg. I-11)	<i>Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements.</i>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311(A)(3)</b> <b>Special Exception, Unusual and New Uses.</b>	<i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i>
<b>Sec. 33-189(C)-Religious facilities and schools in RU-5A, BU and IU districts.</b>	<i>Churches in RU-1, RU-2, EU-M, EU-1, EU-1C, EU-2, AU and GU Districts will be permitted only upon approval after public hearing; schools in GU, EU-2, EU-1C, EU-1, EU-S, EU-M, RU-1, RU-2, RU-1(M)(a), RU-1(M)(b), RU-TH, RU-5, RU-5A, PAD, IU-2, IU-3 and IU-C will be permitted only upon approval after public hearing, and shall be subject to compliance with the requirements of sections <u>33-151.11</u> through <u>33-151.22</u> of this code.</i>
<b>Section 33-311(A)(4)(b)</b> <b>Non-Use Variances From Other Than Airport Regulations.</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>

**1. CONGREGATION OHEL ROCHEL, INC**  
**(Applicant)**

**12-7-CZ2-1 (12-007)**  
**Area 02/District 04**  
**Hearing Date: 07/18/12**

Property Owner (if different from applicant) **Same.**

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
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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.

# Memorandum

**Date:** April 6, 2012

**To:** Jack Osterholt, Director  
Sustainability, Planning and Economic Enhancement

**From:** Jose Gonzalez, P.E., Assistant Director  
Permitting, Environment and Regulatory Affairs 

**Subject:** C-02 #Z2012000007-2<sup>nd</sup> Revision  
Congregational Ohel Rochel, Inc.  
17507 N.E. 6<sup>th</sup> Avenue  
Special Exception to Permit a Religious Facility to Wit a Mikvah and  
to Permit the Religious Facility Setback Less than Required from  
Property Lines  
(RU-1) (0.34 Acres)  
07-52-42

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The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application 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 the Department 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.

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 18106.5 square feet. The proposed development would generate a wastewater flow of approximately 550 gallons per day. This translates into a sewage loading rate of 1323.17 gpd/acre which complies with sewage loading requirements as defined in Section 24-43.1(4)(b) of the Code.

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.

#### Stormwater Management

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 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 subject property contains specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of the Code requires that specimen-sized trees be preserved whenever reasonably possible. The applicant is aware of the Department preservation requirements and has submitted a site plan of record entitled "North Miami Mikvah" sheet TD-1, prepared by JFS Design, and dated June 8, 2011, that provides for the preservation of the specimen-sized trees, however non specimen-sized trees will be removed. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal/Relocation Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

Any type of construction, including driveways, septic tanks, fences, pipes, buildings, roads, polls etc., should be at least 12-14 feet from specimen and non specimen-sized trees, also during construction 10-12 feet barriers should be placed around specimen trees and 6-8 feet barriers around non specimen-sized trees. If this distance is not maintained the root systems of the trees may be affected, thereby causing the effective destruction of the trees. In the event that the proposed construction causes the effective destruction of the trees on site, it would constitute a violation of Section 24-49 of the Code.

Therefore, the Department recommends that appropriate actions be taken to not adversely impact tree resources on the referenced property. The applicant is required to comply with the above tree permitting requirements. The 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 Tree Permitting Program staff 305-372-6600, voice option #2, for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History

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

Concurrency Review Summary

A concurrency review has been conducted 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 written approval as required by Chapter 24 of 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.

cc: Eric Silva, Sustainability, Planning and Economic Enhancement

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: CONGREGATION OHEL ROCHEL, INC

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

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.

03-FEB-12

# Memorandum



**Date:** 21-FEB-12  
**To:** , Director  
Department of Sustainability, Planning and Economic Enhancement  
**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department  
**Subject:** Z2012000007

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## Fire Prevention Unit:

APPROVAL  
No objection to site plan date stamped received January 17, 2012.

## Service Impact/Demand

Development for the above Z2012000007  
located at LYING EAST OF NE 6 AVENUE & APPROXIMATELY 207' SOUTH OF NE 177 STREET , MIAMI-DADE  
COUNTY, FLORIDA.  
in Police Grid 0190 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>4,000</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: 2.70 alarms-annually.  
The estimated average travel time is: 6:16 minutes

## Existing services

The Fire station responding to an alarm in the proposed development will be:  
Station 32 - Uleta - 358 NE 168 Street  
Rescue, ALS Engine

## 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 January 17, 2012. Substantial changes to the plan will require additional service impact analysis.

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

# Memorandum



**Date:** February 27, 2012

**To:** Jack Osterholt, Interim Director  
Sustainability, Planning and Economic Enhancement

**From:** Maria I. Nardi, Chief *M.I.N.*  
Planning and Research Division  
Parks, Recreation and Open Spaces

**Subject:** Z2012000007: CONGREGATION OHEL ROCHEL, INC

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**Application Name:** CONGREGATION OHEL ROCHEL, INC

**Project Location:** The site is located at 17507 NE 6 AVE, Miami-Dade County.

**Proposed Development:** The applicant is requesting a special exception to permit a religious ritual bath (Mikveh) facility.

**Impact and demand:** Because this application does not generate any residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, RLA/AICP, Parks Property Section Supervisor

DATE: 13-JUN-12  
REVISION 1

**BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT**

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

CONGREGATION OHEL ROCHEL,  
INC

LYING EAST OF NE 6 AVENUE &  
APPROXIMATELY 207' SOUTH OF  
NE 177 STREET , MIAMI-DADE  
COUNTY, FLORIDA.

---

**APPLICANT**

---

**ADDRESS**

---

Z2012000007

---

**HEARING NUMBER**

**HISTORY:**

ENFORCEMENT HISTORY: NC: No open cases. Prior case was opened march 23, 2010 for commercial vehicle and warning issued. Truck removed and case closed on April 2, 2010. Another case was opened February 17, 2011 for sign on private property and warning issued. On April 1, 2011 case was closed. Another case was opened March 10, 2011 for sign on private property and warning issued. Case closed on April 29, 2011 corrected by owner. BNC; No bss cases open/closed.

Congregation Ohel Rochel, Inc.

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

**REPORTER NAME:**

# Memorandum



**Date:** May 30, 2012

**To:** Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office  
Department of Regulatory and Economic Resources

**From:** James Byers, Zoning Permitting Division Chief  
Department of Regulatory and Economic Resources

**Subject:** Z2012000007

---

Subject property was inspected by Frankie Rodriguez. Inspector observed a vacant lot with no unauthorized use and no violations.

Subject property has a chain link fence at both interior side property lines and rear property line. Three large trees exist on the property with a few palm trees.



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

NAME OF PURCHASER: NOT APPLICABLE

NAME, ADDRESS AND OFFICE (if applicable) Percentage of Stock

Date of contract: \_\_\_\_\_

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

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

**EXECUTION PAGE TO FOLLOW**

**RECEIVED**  
212-007  
JAN 17 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY ah

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

**CONGREGATION OHEL ROCHEL, INC.,**  
a Florida non-profit corporation

BY: Efraim Brody  
Efraim Brody, Director

Sworn to and subscribed before me this 6 day of July, 2011. Affiant is personally  
known to me or has produced as identification.

Elizabeth Ortiz  
(Notary Public)



ELIZABETH ORTIZ  
MY COMMISSION # EE 043223  
EXPIRES: December 17, 2014  
Bonded Thru Budget Notary Services

My commission expires \_\_\_\_\_

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

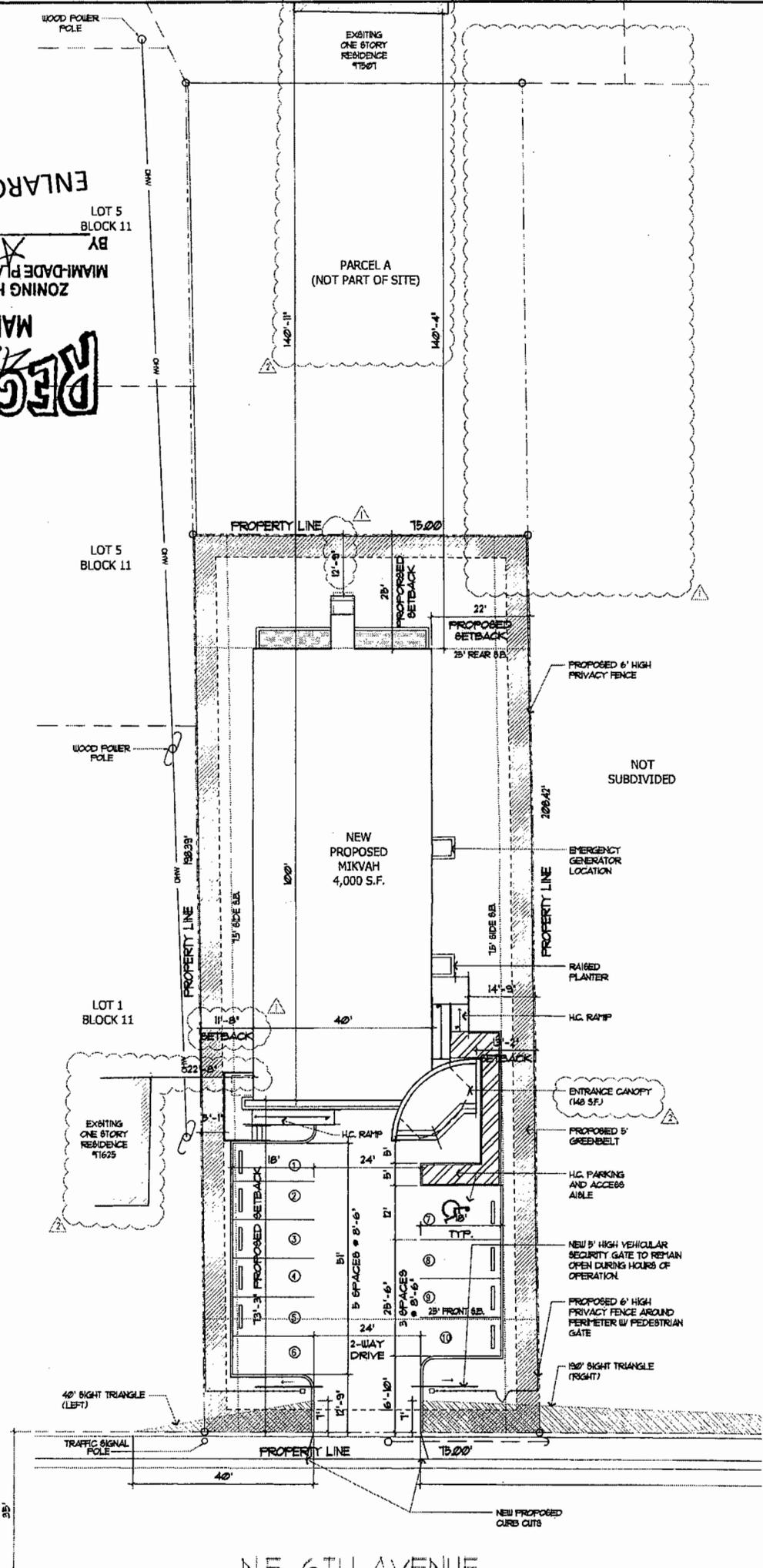
RECEIVED  
2/12-007  
JAN 17 2012

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

ENLARGED SITE PLAN

LOT 5  
BLOCK 11  
BY  
MIAMI-DADE PLANNING AND ZONING DEPT.  
ZONING HEARINGS SECTION

RECEIVED  
MAR 06 2012

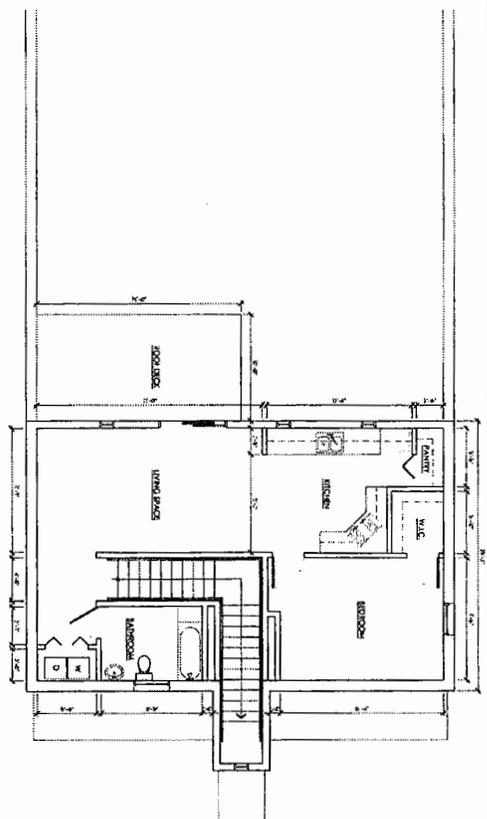


NE 6TH AVENUE



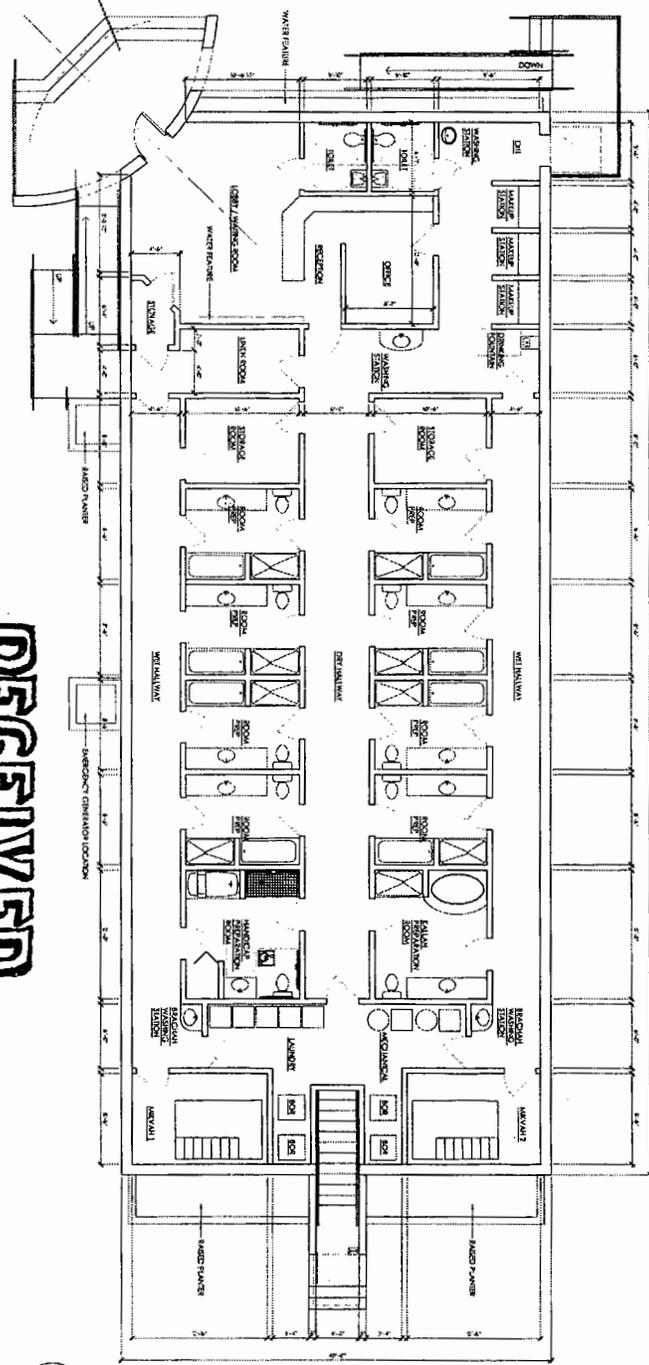


RECEIVED  
 MIAMI-DADE COUNTY  
 PLANNING AND ZONING DEPT.  
 2/7/12 10:51 AM



2 SECOND FLOOR PLAN

SCALE: 3/16" = 1'-0"



1 FIRST FLOOR PLAN

SCALE: 3/16" = 1'-0"

**RECEIVED**  
 MAR 06 2012

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

A-1

PROJECT NO. 0078  
 DRAWN BY: JIM T. JAY  
 CHECKED BY: JM

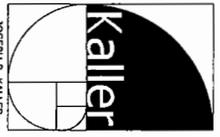
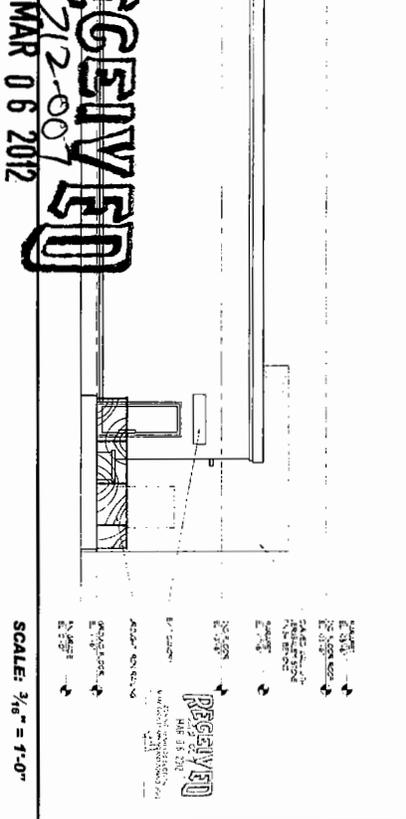
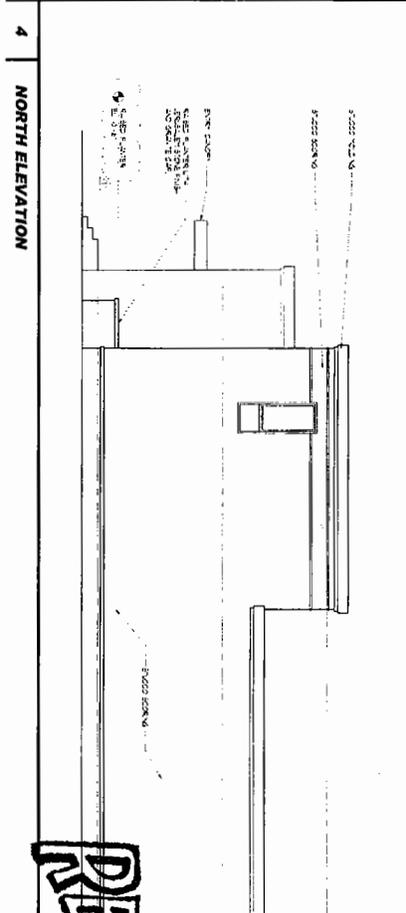
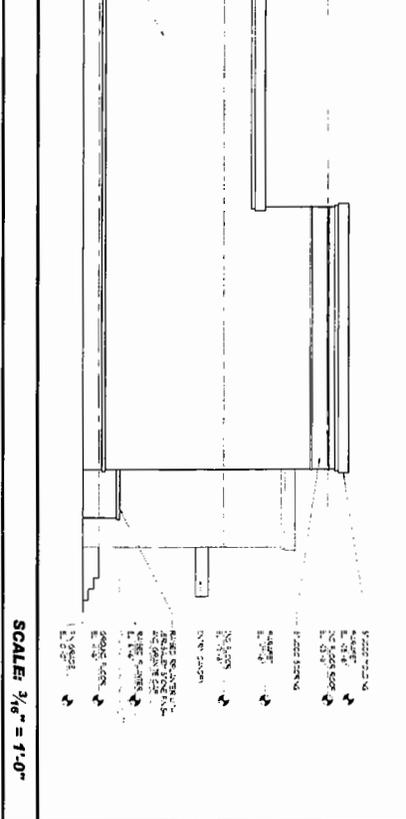
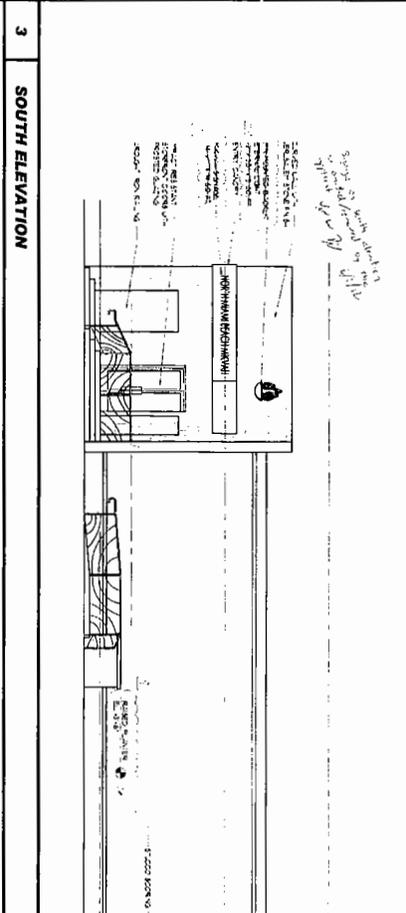
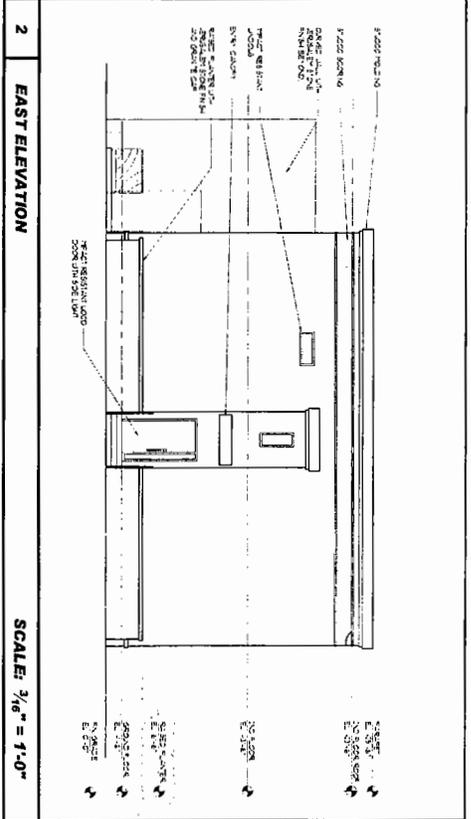
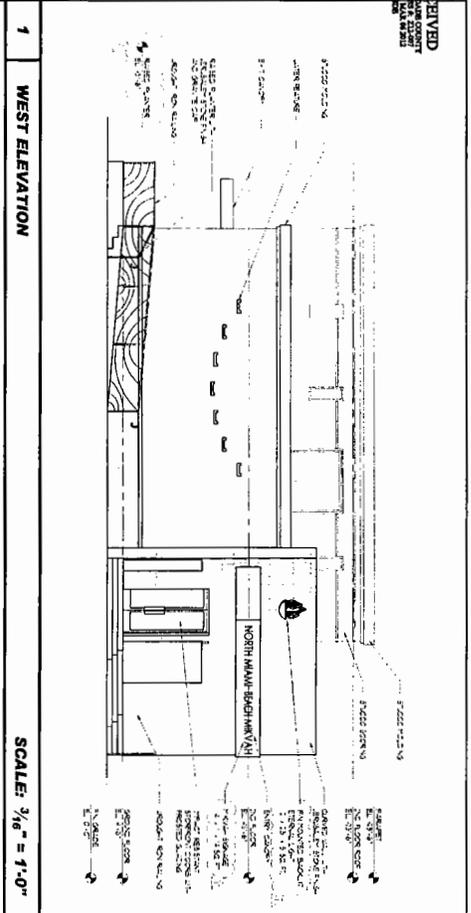
SHEET TITLE  
 FLOOR PLANS

PROJECT TITLE  
 NORTH MIAMI BEACH MIKVAH  
 17507 NE 6TH AVENUE  
 MIAMI, FL 33162

JOSEPH B. WALLER  
 ASSOCIATES PA  
 1112 International Blvd., Suite 100, North Miami, FL 33166  
 305-251-1111  
 www.jbwaller.com



22



JOSEPH B. KALLER  
 ASSOCIATES PA  
 2417 NE 136th Avenue, Suite 200  
 Miami, FL 33180  
 Phone: 305.755.1100  
 Fax: 305.755.1101  
 www.kallerpa.com

PROJECT TITLE  
 NORTH MIAMI BEACH MIKVAH  
 17507 NE 6TH AVENUE  
 MIAMI, FL 33162

SHEET TITLE  
 ELEVATIONS

NO.	DATE	DESCRIPTION
1	7/28/11	ISSUED FOR PERMITS

REVISIONS

NO.	DATE	DESCRIPTION
1	7/28/11	ISSUED FOR PERMITS

PROJECT NO.: 1103  
 DATE: FEB 11, 2011  
 DRAWN BY: JMK  
 CHECKED BY: JMK

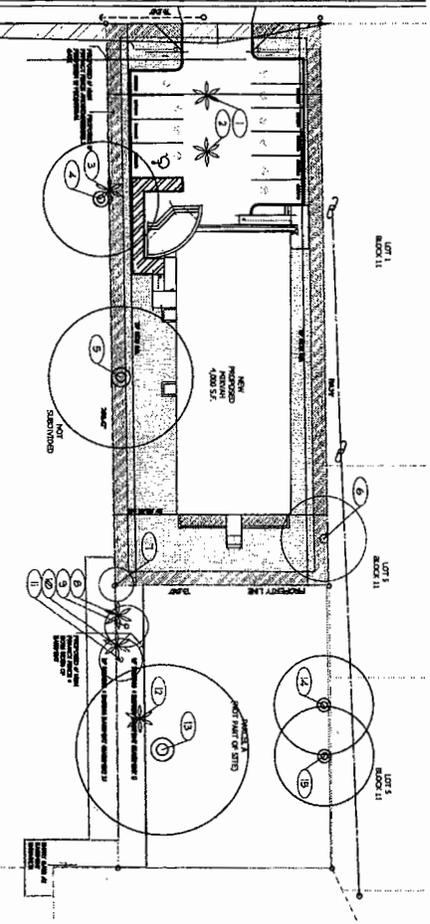
SHEET  
 A-2

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

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 2/12/12 00:07  
 MAR 06 2012



N.E. 6th Ave.



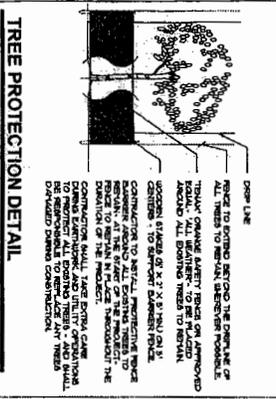
TREE NUMBER	COMMON NAME	HORTICULTURAL VALUE	HEIGHT	DBH	CONDITION	STATUS	CANOPY	CANOPY LOSS	REMARKS
1	PE. ALEXANDER PALM	Profoundly Significant	12'	10"	3	FAIR	75	75	PROHIBITED SPECIES
2	PE. ALEXANDER PALM	Profoundly Significant	12'	10"	3	FAIR	75	75	PROHIBITED SPECIES
3	OV. LIVE OAK	Goodly Significant	20'	4"	42	FAIR	125'	113'	ON ADJACENT PROPERTY TO THE SOUTH
4	OV. LIVE OAK	Goodly Significant	20'	4"	42	FAIR	125'	113'	ON ADJACENT PROPERTY TO THE SOUTH
5	OV. LIVE OAK	Goodly Significant	20'	4"	42	FAIR	125'	113'	ON ADJACENT PROPERTY TO THE SOUTH
6	PE. ALEXANDER PALM	Profoundly Significant	12'	10"	3	FAIR	75	75	PROHIBITED SPECIES
7	PE. ALEXANDER PALM	Profoundly Significant	12'	10"	3	FAIR	75	75	PROHIBITED SPECIES
8	PE. ALEXANDER PALM	Profoundly Significant	12'	10"	3	FAIR	75	75	PROHIBITED SPECIES
9	PE. ALEXANDER PALM	Profoundly Significant	12'	10"	3	FAIR	75	75	PROHIBITED SPECIES
10	PE. ALEXANDER PALM	Profoundly Significant	12'	10"	3	FAIR	75	75	PROHIBITED SPECIES
11	PE. ALEXANDER PALM	Profoundly Significant	12'	10"	3	FAIR	75	75	PROHIBITED SPECIES
12	PE. ALEXANDER PALM	Profoundly Significant	12'	10"	3	FAIR	75	75	PROHIBITED SPECIES
13	PE. ALEXANDER PALM	Profoundly Significant	12'	10"	3	FAIR	75	75	PROHIBITED SPECIES
14	OV. LIVE OAK	Goodly Significant	20'	4"	42	FAIR	125'	113'	ON ADJACENT PROPERTY TO THE SOUTH
15	OV. LIVE OAK	Goodly Significant	20'	4"	42	FAIR	125'	113'	ON ADJACENT PROPERTY TO THE SOUTH

**RECEIVED**  
MAR 06 2012

ZONING HEARINGS SECTION  
MIDAM-DADE PLANNING AND ZONING DEPT.  
BY *AT*



**TREE DISPOSITION PLAN**

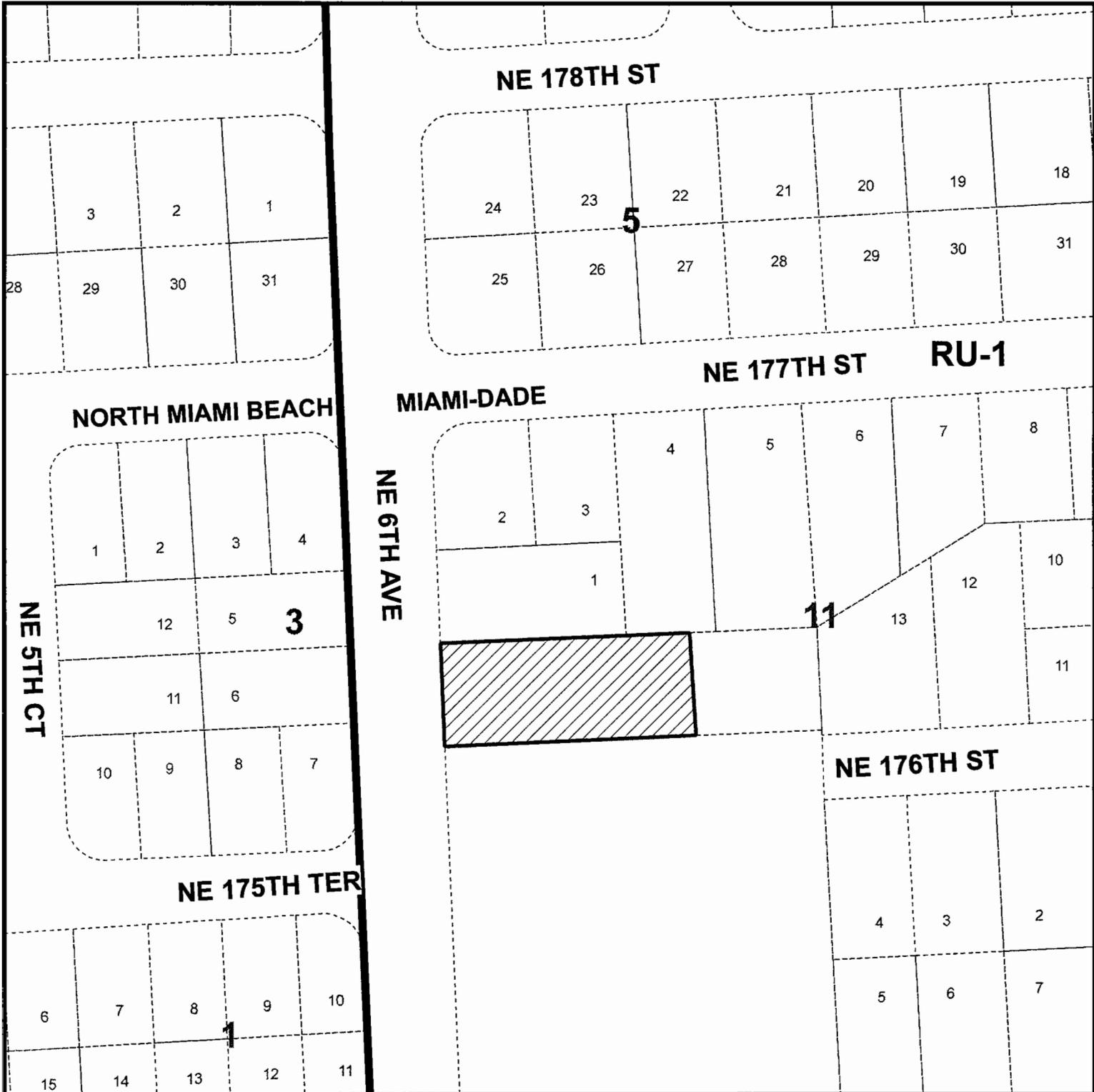


- NOTES:**
- ALL TREES 1-1/2" DBH AND GREATER SHALL BE PROTECTED.
  - THE CONTRACTOR SHALL REMOVE ALL TREES AND BUSHES AS PER PLAN AND AS APPROVED BY THE LOCAL PERMITS DEPARTMENT. THE CONTRACTOR SHALL MAINTAIN ALL TREES AND BUSHES REMAINING ON THE SITE AND PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL MAINTAIN ALL TREES AND BUSHES REMAINING ON THE SITE AND PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL MAINTAIN ALL TREES AND BUSHES REMAINING ON THE SITE AND PROTECT THEM FROM DAMAGE.
  - ALL INVASIVE EXOTIC VEGETATION AND OTHER PLANTS SHALL BE REMOVED FROM THE SITE AND LANDSCAPE WITH CLEAN, APPROVED MULCH.
  - APPROPRIATE BUFFER LOCATIONS ARE TO BE FIELD DETERMINED BY THE CONTRACTOR AND SHALL BE FIELD DETERMINED BY THE CONTRACTOR AND SHALL BE FIELD DETERMINED BY THE CONTRACTOR.

A WRITTEN TREE REMOVAL PERMIT IS REQUIRED FROM MIAMI-DADE COUNTY PERMITS DEPARTMENT PRIOR TO ANY TREE REMOVAL ON THIS SITE.

**RECEIVED**  
MAR 05 2012

<p><b>JFS</b></p> <p><b>JFS Design Inc.</b> LANDSCAPE ARCHITECTURE</p> <p>1633 NE 148th Terr. PENSACOLA FL 32508 TEL: (904) 441-1662 FAX: (904) 442-8225</p>	<p><b>NORTH MIAMI MIKVAH</b></p> <p>17507 N.E. 6th Avenue MIAMI-DADE, FL. 33162</p>	<p>LC 000393</p> <p>www.jfsdesignfl.com jimmy@jfsdesignfl.com</p>
	<p>DATE: 1/25/12</p> <p>REVISION:</p>	<p>DESIGNER: T.J. HOBAN</p> <p>CHECKER: T.C. EVERETT</p> <p>APPROVED: N.P. LAYTON</p> <p>DATE: MAR 06 2012</p>



**MIAMI-DADE COUNTY  
HEARING MAP**

Process Number  
**Z2012000007**



Section: 07 Township: 52 Range: 42  
 Applicant: CONGREGATION OHEL ROCHEL, INC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, May 3, 2012

REVISION	DATE	BY
		26



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2009**

Process Number

**Z2012000007**

Legend



Subject Property



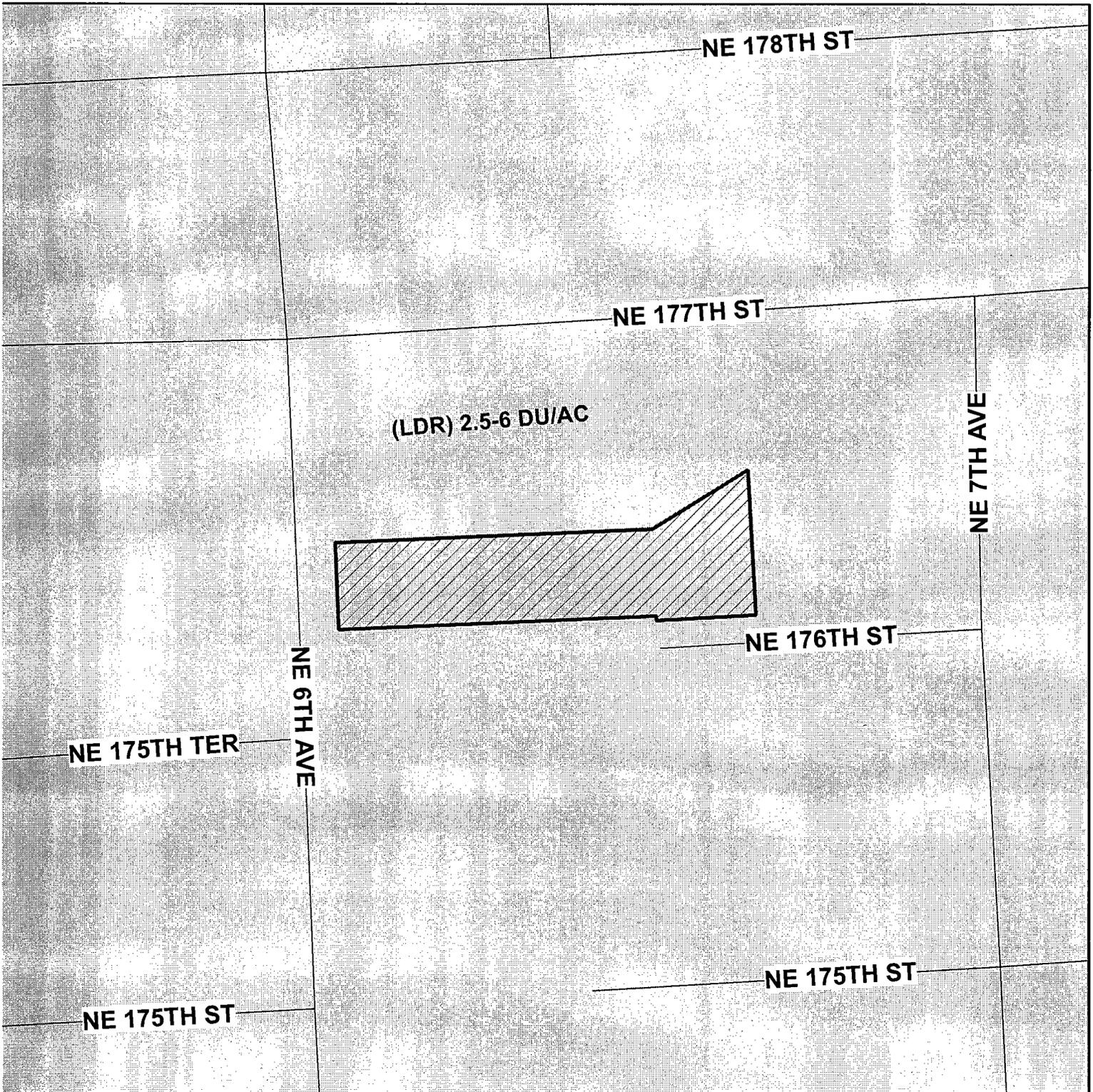
Section: 07 Township: 52 Range: 42  
 Applicant: CONGREGATION OHEL ROCHEL, INC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



SKETCH CREATED ON: Thursday, May 3, 2012

REVISION	DATE	BY
		27





**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2012000007**



Section: 07 Township: 52 Range: 42  
 Applicant: CONGREGATION OHEL ROCHEL, INC  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Friday, January 27, 2012

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 2**

**PH: Z12-033 (12-6-CZ2-2)**

**July 18, 2012  
Item No. 2**

<b>Recommendation Summary</b>	
<b>Commission District</b>	4
<b>Applicant</b>	Offer Ramin
<b>Summary of Requests</b>	The applicant is seeking to permit an existing single-family residence setback greater than required, a storage building with wood trellis spaced less than required from the existing residence, and a fence taller than permitted. Additionally, the applicant is seeking to waive street type parameters for a minor street and zoning regulations requiring a 4' high wall along the build to line.
<b>Location</b>	2529 NE 181 Street, Miami-Dade County, Florida.
<b>Property Size</b>	50' X 125'
<b>Existing Zoning</b>	Ojus Urban Area District (OUAD)
<b>Existing Land Use</b>	Single-family residence
<b>2015-2025 CDMP Land Use Designation</b>	Community Urban Center <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval with conditions</b>

**REQUEST:**

1. NON-USE VARIANCE to permit an existing single-family residence setback 20.58' (10' or 15' permitted).
2. NON-USE VARIANCE to permit an existing storage building with wood trellis spaced a minimum of 7' (10' required) from the existing single-family residence.
3. NON-USE VARIANCE to waive the street type parameters for a minor street (NE 181 Street).
4. NON-USE VARIANCE to waive the zoning regulations requiring parking in the form of an individual garage or carport located behind the build to line accessed through a driveway from the street; to permit parking in front of the build to line within the driveway.
5. NON-USE VARIANCE to waive the zoning regulations requiring a 4' high wall along the build to line.
6. NON-USE VARIANCE to permit a 4' high wood picket fence (3.5' maximum permitted) in front of the build to line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Offer Ramin Residence" as prepared by Catalyst Design Group and dated stamped received 3/6/12 with sheets C-1 & L-1, last handwritten revision dated 05/22/12 and consisting of 5 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** Existing 977 sq. ft. single-family residence and 452 sq. ft. storage building.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	OUAD; single-family residence	Community Urban Center
<b>North</b>	OUAD; duplex residence	Community Urban Center
<b>South</b>	OUAD; duplex residence	Community Urban Center
<b>East</b>	OUAD; single-family residence	Community Urban Center
<b>West</b>	OUAD; duplex residence	Community Urban Center

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is an interior lot, located at 2529 NE 181 Street. Residential uses characterize the surrounding area where the subject property lies.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow the continued use of the existing single-family residence. However, the requested variances could have a negative visual impact on the surrounding area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

In March 2007, pursuant to Resolution #Z-3-07, the subject parcel was a part of a larger tract of land that was rezoned to the **Ojus Urban Area District (OUAD)**.

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property as lying within the **OUAD**. 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. Emphasis in design and development of these centers and all of their individual components have been created to promote active pedestrian environments through high-quality design of public spaces as well as private buildings; human scaled appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. All of the parcels within the boundaries of the approved OUAD are regulated by plans and descriptive standards described in Ordinance #06-086, which is consistent with the Urban Center interpretative text. Among other things, said Ordinance requires buildings to be oriented to the street, parking lots to be predominately relegated to the rear or sides of buildings, primary building entrances to be placed close to the street and/or open space, and shade trees and weather protection to be available in order to create a pedestrian-friendly environment at street level.

The approval of the request sought in the application will not add additional dwelling units to the site beyond what is allowed by the CDMP LUP map, and will not change the single-family detached use. Staff opines that the existing single-family residence within the area designated as R in the OUAD is **compatible** with the surrounding residential uses and **consistent** with the CDMP LUP map Urban Center designation and the Land Use Element interpretative text for Urban Centers.

**ZONING ANALYSIS:**

As previously mentioned, the subject property was a part of a larger tract of land that was rezoned to the OUAD in March 2007. Properties that were subject of the rezoning were grandfathered and considered legally non-conforming if on or before the rezoning, they had received final site plan approval through a public hearing or through administrative site plan review or had a valid building permit (Section 33-284.99.22). However, staff notes that this application is a result of the property owner receiving violation notices from the Building and Neighborhood Compliance Department on May 5, 2011 and May 6, 2011 for the front setback (request #1) and for the conversion of the single-family residence and accessory structure into three living units. The requested variances are based on the existing conditions of the subject property which do not meet the current OUAD regulating plans.

When analyzing requests #1 through #6 under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the requests would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. While staff did not find similar approvals for variances of the OUAD regulations in the surrounding area, staff notes that the conditions are existing and the applicant is not proposing any new development of the site, but seeks to legalize the existing conditions. Requests #1, #2, and #6 to permit the existing single-family residence to setback greater than required, spaced closer to the existing storage room and wood trellis and to permit a 4' high wood picket fence (3.5' maximum permitted) in front of the build to line represent the existing conditions of the subject property. Staff opines that said requests are compatible with the other existing residential uses in the surrounding area. Further staff notes that the OUAD requires street type parameters for NE 181 Street (request #3), an individual garage or carport to be located behind the build to line (request #4) and a 4' high wall along the build to line (request #5). The applicant is requesting to waive said requirements to legalize the existing conditions of the subject property.

Further, staff opines that since the existing single-family residence had previously been cited for being used as a multi-unit residence, as a condition of approval the applicant should submit a Declaration of Use Agreement restricting the subject property to a single-family residence. Staff notes that the submitted site plans depict a single-family residence and indicate the removal of the two additional units that were subject of the violation notice. Staff opines that the approval of the requests would not be out of character with the surrounding area and will legalize the existing conditions of the subject property. **As such, staff recommends approval with conditions of requests #1 through #6 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

**RECOMMENDATION:** Approval with conditions.

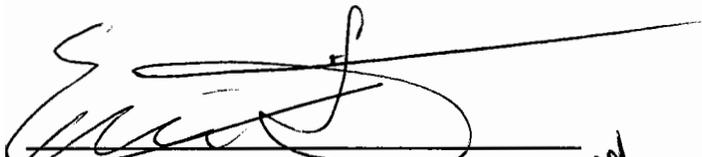
**CONDITIONS FOR APPROVAL:**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for

a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Offer Ramin Residence" as prepared by Catalyst Design Group and dated stamped received 3/6/12 with sheets C-1 & L-1, last handwritten revision dated 05/22/12 and consisting of 5 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That a portion of the existing wood deck be removed as indicated on the submitted plans.
5. That the applicant submits a Declaration of Use Agreement to the Department of Regulatory and Economic Resources restricting the use of the subject property to a single-family residence prior to the issuance of a building permit.

ES:MW:GR:NN:CH:AN



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

*NDW*

# ZONING RECOMMENDATION ADDENDUM

Offer Ramin  
Z12-033

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Environmental Division – Regulatory and Economic Resources	No objection
Public Works & Waste Management	No objection
Parks, Recreation & Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

<p><b>Urban Centers</b> (Pg. I-46-48)</p>	<p><i>Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and <b>Community Centers</b> which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.</i></p> <p><i>The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more 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.</i></p> <p><i>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 <b>Community Centers</b> shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.</i></p> <p><i>Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.</i></p>
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## ZONING RECOMMENDATION ADDENDUM

Offer Ramin  
Z12-033

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

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

**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.

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

# ZONING RECOMMENDATION ADDENDUM

Offer Ramin  
Z12-033

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>
<b>33-284.99.22 Non-conforming Structures, Uses, and Occupancies</b>	<i>Nothing contained in this article shall be deemed or construed to prohibit a continuation of a legal nonconforming structure, use, or occupancy in the OUAD that either (1) was existing as of the date of the district boundary change on the property to OUAD or (2) on or before said date, had received final site plan approval through a public hearing pursuant to this chapter or through administrative site plan review or had a valid building permit. However, any structure, use, or occupancy in the OUAD that is discontinued for a period of at least six months, or is superseded by a lawful structure, use or occupancy permitted under this chapter, or that incurs damage to the roof or structure to an extent of 50 percent or more of its market value, shall be subject to Section 33-35(c) of this code. However, a lawfully existing single-family home use that is discontinued for a period of at least six months or that incurs damage to the roof or structure to an extent of 50 percent or more of its market value, shall not be subject to Section 33-35(c) of this code.</i>

**2. OFFER RAMIN**  
**(Applicant)**

**12-7-CZ2-2 (12-033)**  
**Area 02/District 04**  
**Hearing Date: 07/18/12**

Property Owner (if different from applicant) **Same.**

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
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.

# Memorandum



**Date:** March 19, 2012

**To:** Jack Osterholt, Interim Director  
Sustainability, Planning and Economic Enhancement

**From:** Jose Gonzalez, P.E., Assistant Director  
Permitting, Environment and Regulatory Affairs 

**Subject:** C-02 #Z2012000033-1<sup>st</sup> Revision  
Offer Ramin  
2529 NE 181<sup>st</sup> Street  
To Permit an Existing Single Family Residence Setback Less than  
Required from Property Lines  
(OUAD) (2.72 Acres)  
04-52-42

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The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

#### Flood Plain Management

The application site lies within a Special Flood Hazard Zone with a base flood elevation of 6 ft. NGVD as per determined the Federal Flood Insurance Rate Maps (FIRM) for Miami-Dade County. The County flood criterion for this site is 5 ft NGVD. The subject addition as depicted in the zoning submittal is a substantial improvement as defined in Chapter 11C of the Code. Existing residential structures with proposed substantial improvements within Special Flood Hazard Zone areas elevations must be above the base flood elevation and 8 inches above the crown of road and County Flood Criteria. As noted on new sheet C-1, signed on February 8, 2012, the applicant agrees to raise the finished floor elevation of the detached storage building to meet the minimum elevation required as per Chapter 11C of the Code. For more information please contact the Floodplain Program at 786-315-2800.

#### 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 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. The subject property does not meet the minimum allowable lot size requirements of Section 24-43.1(3) of the Code for a single-family residence or duplex served with a septic tank and public water. However, since the legal subdivision, creating by plat

such tract of land, occurred prior to the effective date of the aforesaid Code Section, the subject property is grandfatherable and may be administratively approved. The Department does not object to the proposed use served by a septic tank and drainfield disposal system, provided that all the above criteria are met and connection is made to public water.

#### Stormwater Management

The proposed change in set backs will not affect the existing stormwater management system.

#### 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

According to the site and landscape plans submitted with this zoning application, the proposal to permit an existing single family residence setback less than required 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 Chapter 24 of the Code.

#### Enforcement History

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

#### Concurrency Review Summary

A concurrency review has been conducted 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 written approval as required by Chapter 24 of 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.

cc: Eric Silva, Sustainability, Planning and Economic Enhancement

PH# Z2012000033  
CZAB - C02

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: OFFER RAMIN

This Department has no objections to this application.

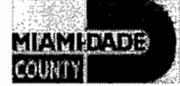
This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.

A handwritten signature in black ink, appearing to read "Raul", with a long horizontal flourish extending to the right.

Raul A Pino, P.L.S.

29-FEB-12

# Memorandum



**Date:** 23-FEB-12  
**To:** , Director  
Department of Sustainability, Planning and Economic Enhancement  
**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department  
**Subject:** Z2012000033

**Fire Prevention Unit:**

Not applicable to MDFR site requirements.

**Service Impact/Demand**

Development for the above Z2012000033  
located at 2529 NE 181 ST, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid 5196 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: 5:31 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
Station 33 - Aventura - 2601 Point East Drive 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.

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

OFFER RAMIN

2529 NE 181 ST, MIAMI-DADE  
COUNTY, FLORIDA.

**APPLICANT**

**ADDRESS**

Z2012000033

**HEARING NUMBER**

**HISTORY:**

Folio Number: 3022040090610  
Enforcement History: NC: No open cases. Prior case opened October 18, 2010 and warning issued for setback violation. Citation posted November 18, 2010. CVN submitted for closure January 25, 2011 due new owner. Case closed April 11, 2011. Another case opened January 21, 2011 for setback and warning issued. Citation issued May 5, 2011. Non compliance June 28, 2011. Case sent lien August 23, 2011. Recorded lien returned December 27, 2011. Another case was opened May 6, 2011 for unauthorized use and citation issued. Non compliance June 28, 2011. Case sent lien August 23, 2011. Recorded lien returned January 26, 2012.

BSS history is as follow: BSS case 20110141575-B opened on December 28, 2010. Notice of Violation issued on December 28, 2010 for failure to obtain required building permits prior to commencing work on: 105.1 violation to wit: building sub-divided into two living quarters, each with a bathroom and kitchen, and front & rear buildings violate zoning setbacks 8-11(a) violation, to wit: fence in disrepair, roof leaks and window/doors in disrepair. Civil Violation Notice (CVN) P003672 & P003673 issued on May 9, 2011 for non compliance . Case has been recommended for lien on July 28, 2011 and case remains open.

Offer Ramin

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

# Memorandum



**Date:** June 6, 2012

**To:** Franklin Gutierrez, Agenda Supervisor, Agenda Coordinator's Office  
Miami-Dade Sustainability, Planning and Economic Enhancement

**From:** James Byers, Zoning Permitting Division Chief  
Department of Permitting, Environment and Regulatory Affairs

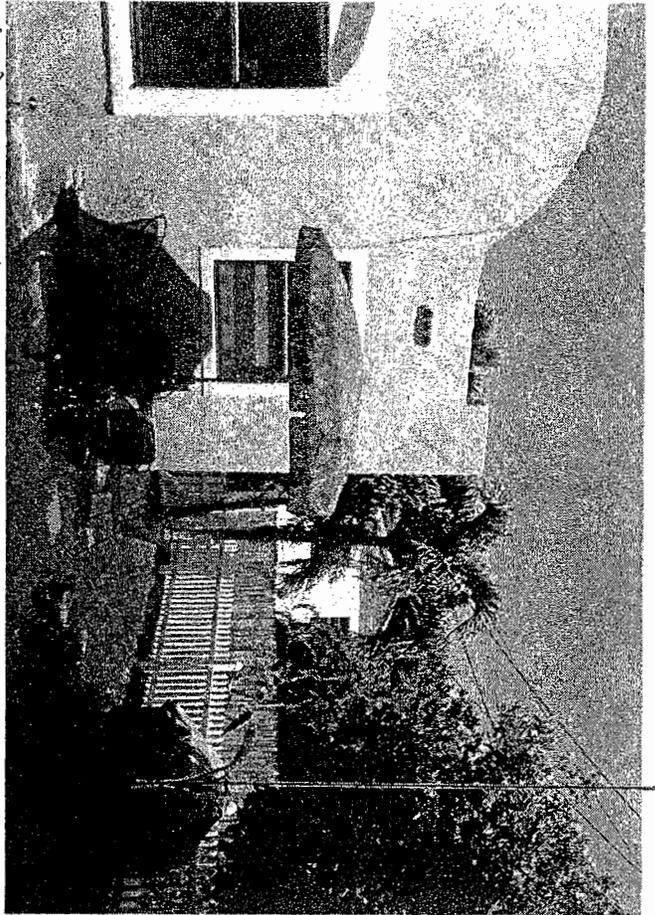
**Subject:** Z2012000033

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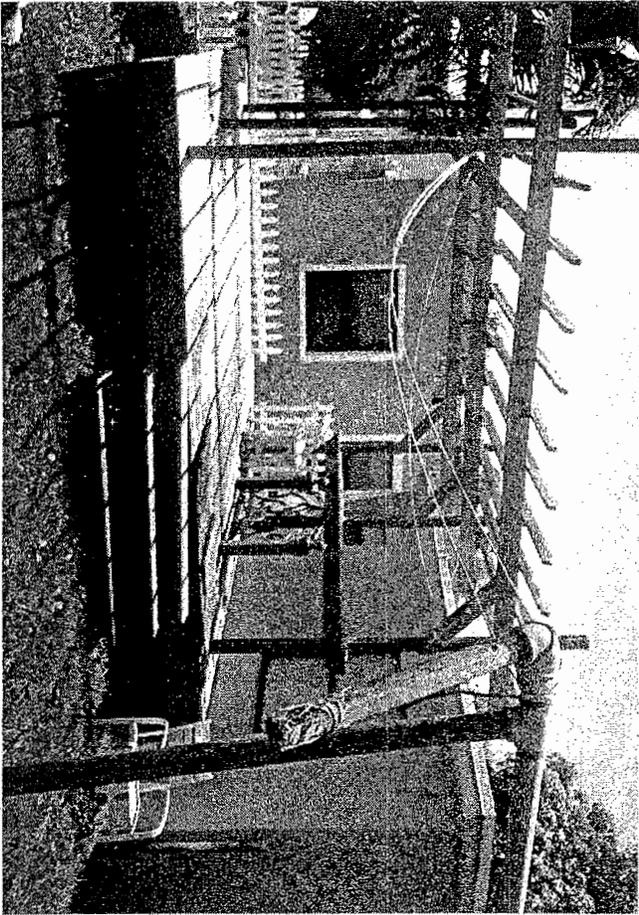
Zoning Inspector: Frankie Rodriguez  
Inspection date: June 1, 2012  
Location: 2529 NE 181 St.

The subject property has two one story structures used as residences. There are a total of three residential units identified as 1B, 2B and 2C. A wood picket fence surrounds the front yard, wood fencing along the interior side property lines and chain link fence along rear property line.

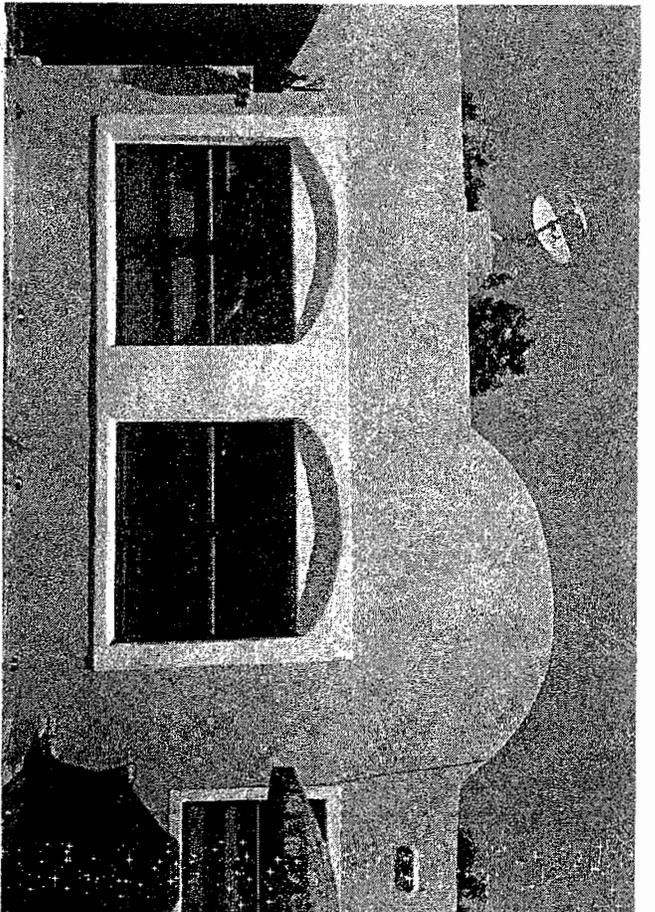
The multifamily use is not authorized since the zoning district allows 6 units per net acre. The size of the lot would only allow for 1.5 units.



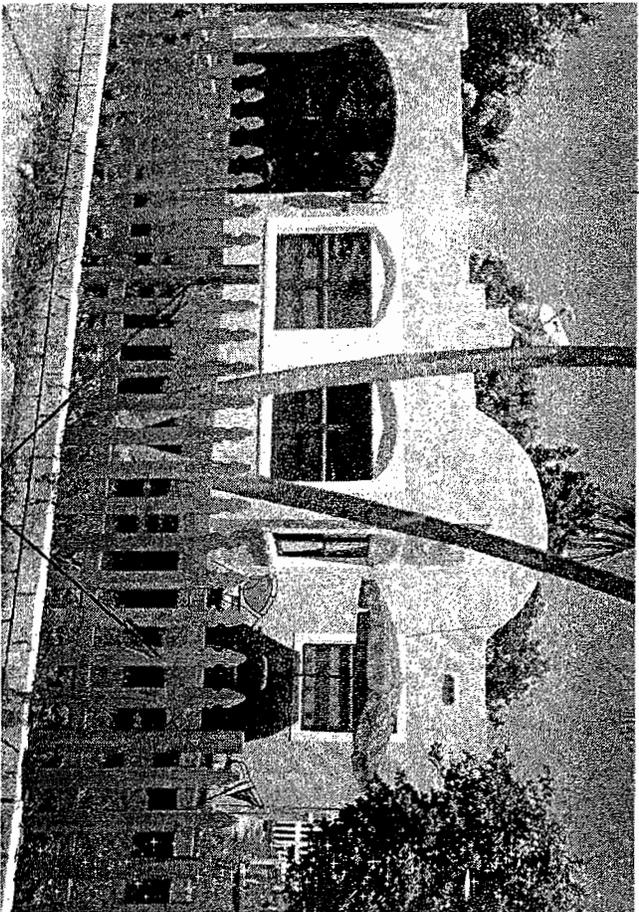
FRONT VIEW



REAR/SIDE VIEW



FRONT VIEW

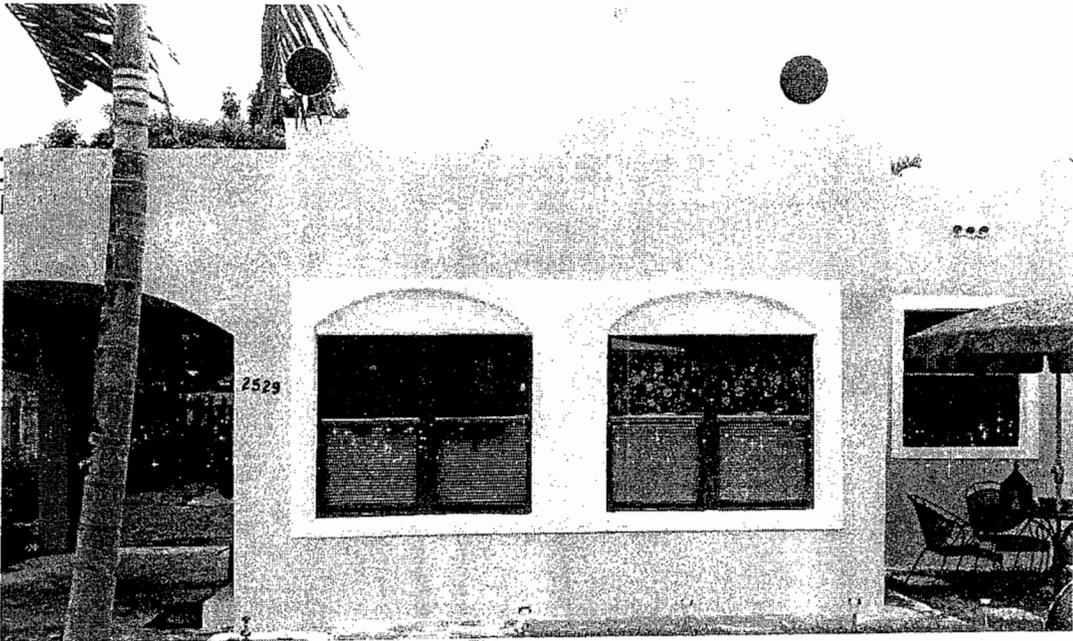


FRONT VIEW

EXISTING FENCE TO BE REMOVED

NOTE: PORTABLE BBQ GRILL

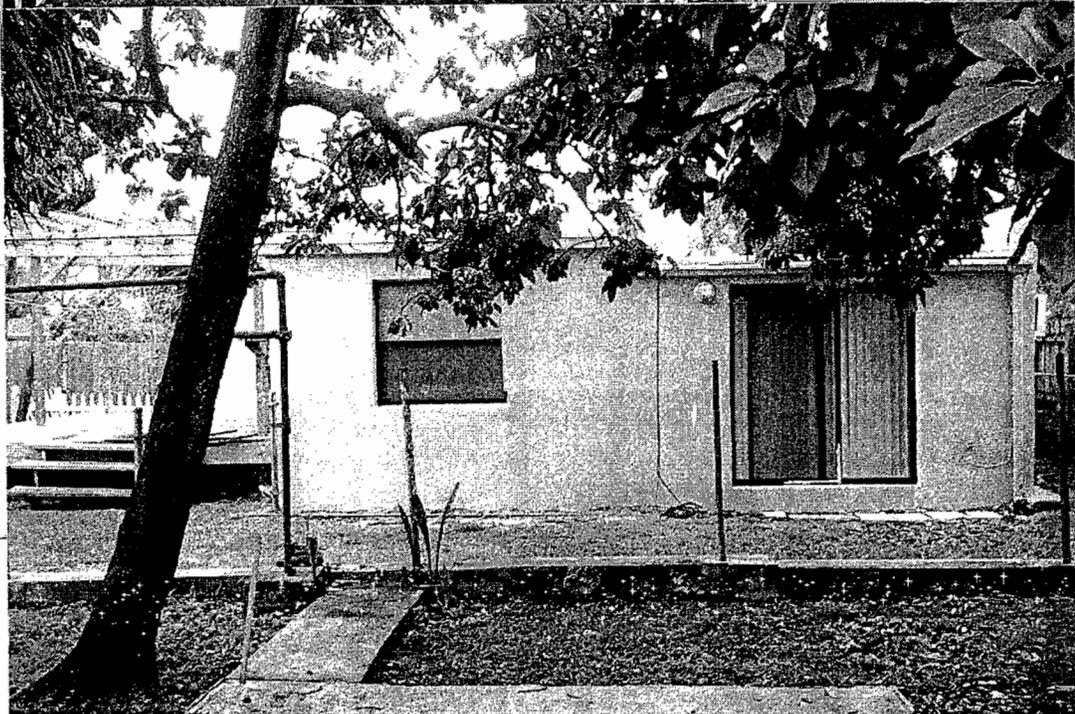
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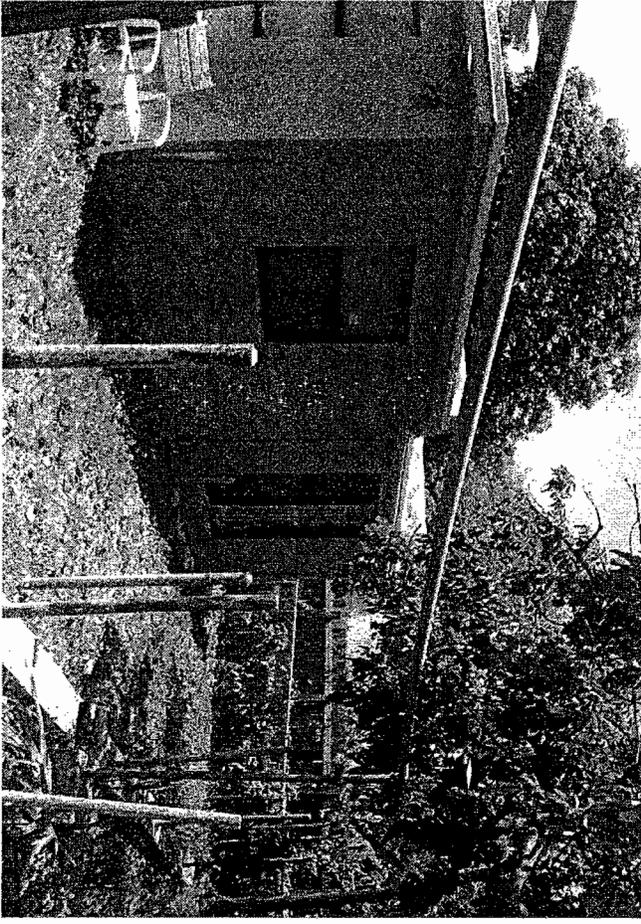
SIDE E



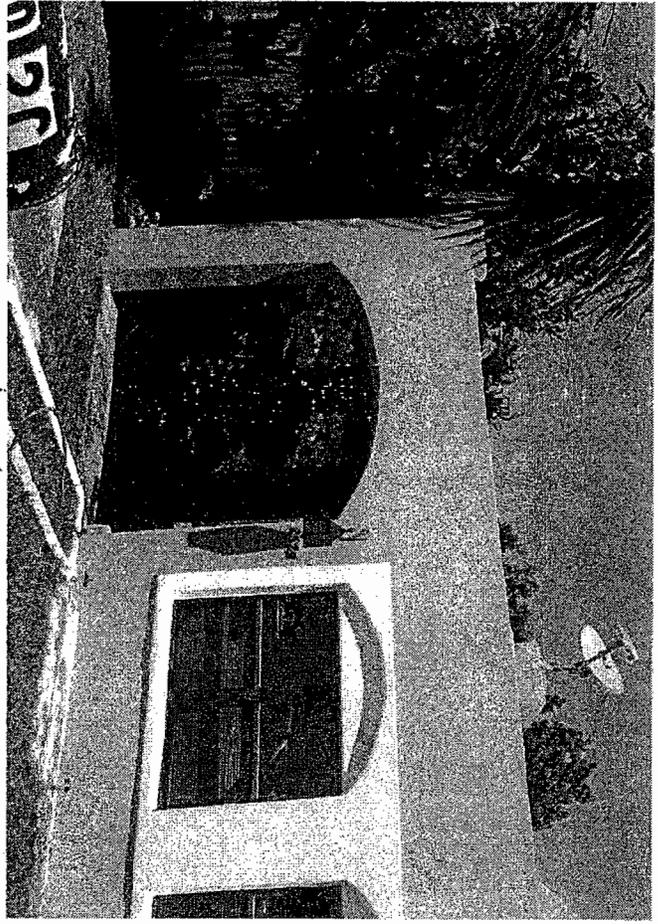
REAR E



REAR VIEW



FRONT VIEW

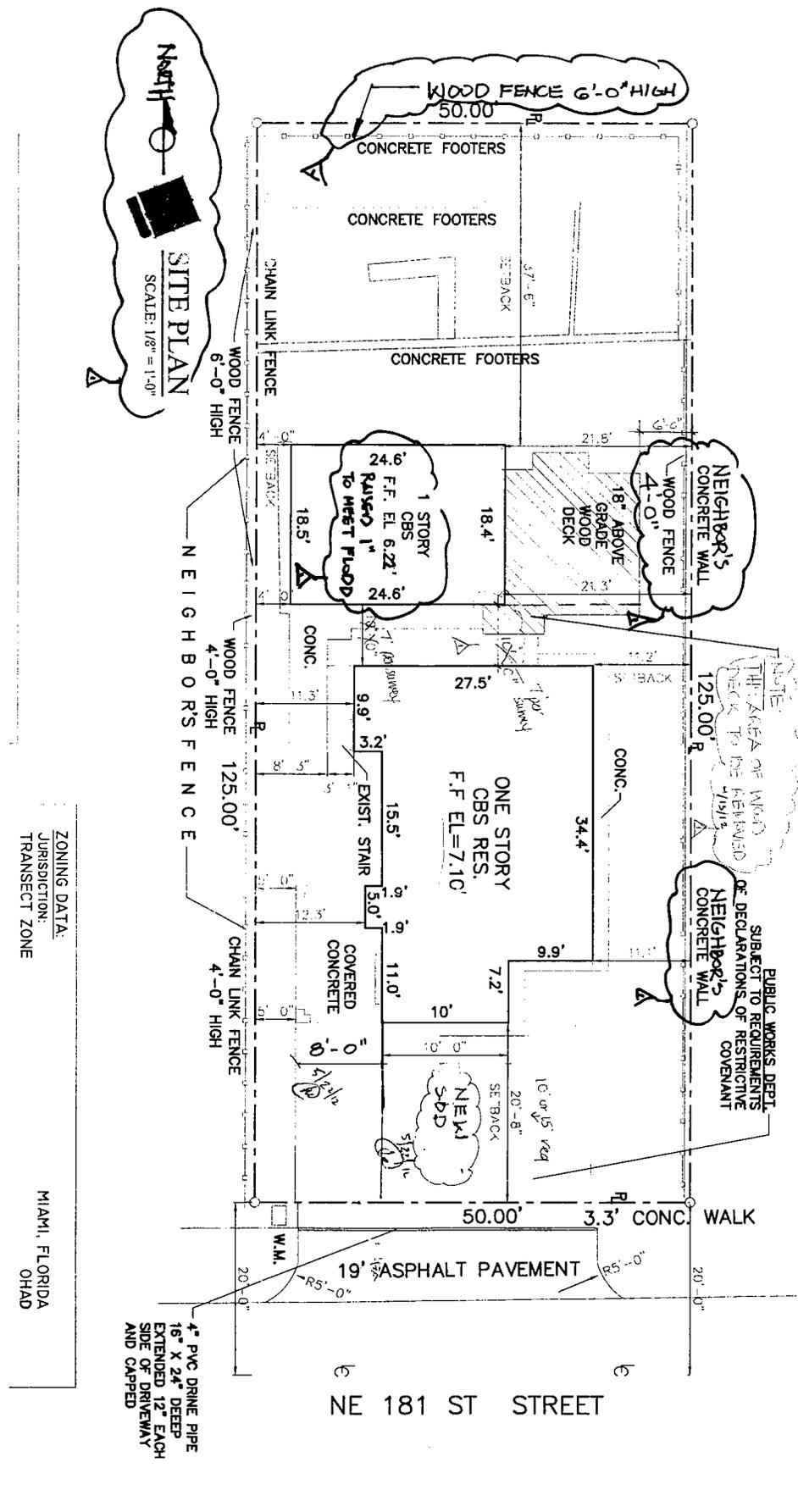


2012 MAY 24 P 1:06

**RECEIVED**  
212-093  
MAR 06 2012

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
2012 MAY 24 P 1:05

BY AT



ENLARGED SITE PLAN

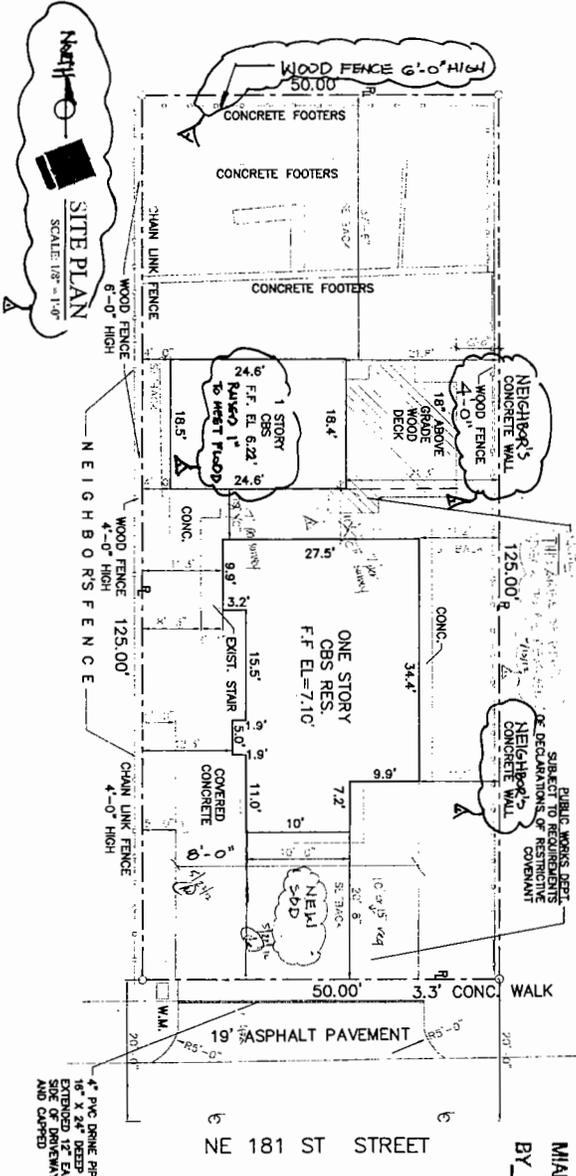
ZONING DATA:  
JURISDICTION:  
TRANSECT ZONE

MIAMI, FLORIDA  
OHAD

RESIDENCE  
 2529 NE 181 STREET  
 NORTH MIAMI, FLORIDA

**RECEIVED**  
 212-033  
 MAR 06 2012

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



LAND DESCRIPTION:  
 LOT 14, BLOCK 5 OF "OAKS PARK", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 47 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

Land Use - Residential  
 Sub District - F-14g  
 Vary Height - 15 ft max  
 Street - existing to street (main)

ZONING DATA: MIAMI, FLORIDA  
 JURISDICTION: OHAD  
 TRANSECT ZONE: OHAD

BUILDING DATA:  
 ACTUAL EXISTING NUMBER OF STORIES: 1 STORIES

SITE DATA:  
 EXISTING ZONING CLASSIFICATION: OHAD - C14g  
 LAND USE: URBAN ZONE

LOT AREA: 6,250 S.F.  
 LOT WIDTH: 50 FEET  
 MAIN HOUSE: 977 S.F.  
 STORAGE: 492 S.F.  
 TOTAL LOT COVERAGE: 1,429 S.F.

BUILDING SETBACKS:

MIN. FRONT SETBACK	15 FT.	EXIST. 107.1 FT.	EXIST.
MIN. SIDE SETBACK	5 FT.	EXIST. 21.5 FT.	EXIST.
MIN. SIDE SETBACK	5 FT.	EXIST. 4.6 FT.	EXIST.
MIN. REAR SETBACK	20 FT.	EXIST. 37.6 FT.	EXIST.

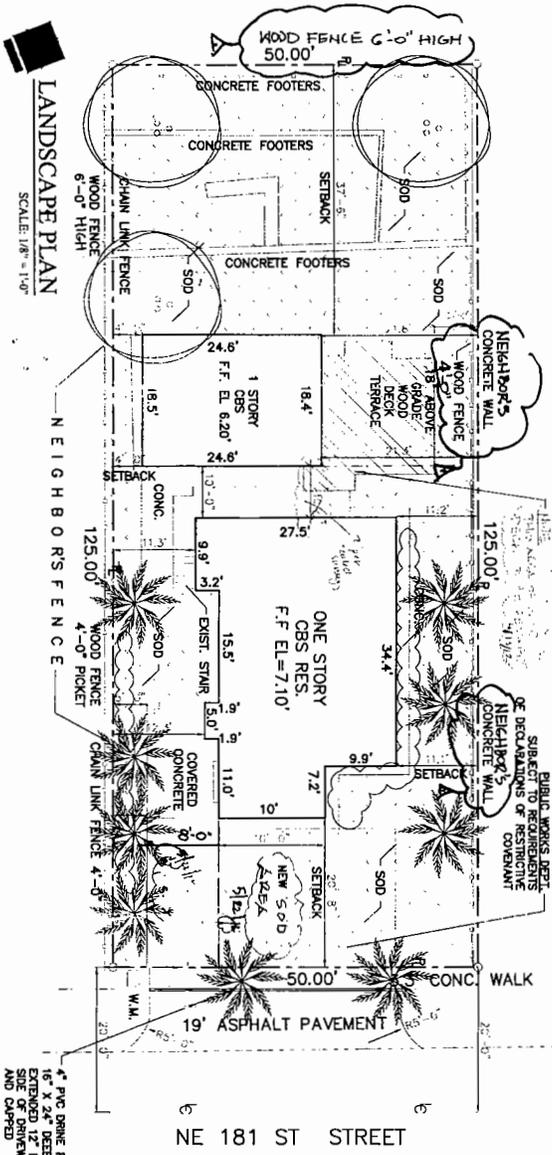
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OFFER RAMIN RESIDENCE  
 2529 NE 181 STREET  
 NORTH MIAMI, FL

C-1

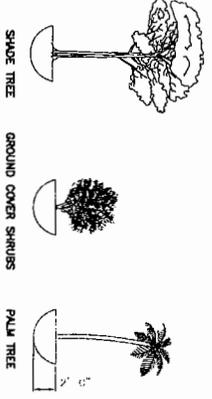
RECEIVED  
 MARIANNE SPERRY  
 PLANNING & DESIGN  
 1001 N.W. 10TH AVE.  
 SUITE 200  
 MIAMI, FL 33136

RESIDENCE  
 2529 NE 181 STREET  
 NORTH MIAMI, FLORIDA



LANDSCAPE PLAN  
 SCALE: 1/8" = 1'-0"

LAND DESCRIPTION:  
 LOT 14, BLOCK 5 OF "DAVIS PARK" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 47 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.



LANDSCAPE LEGEND

SYMBOL USED ON PLAN	PLANT NAME	WANT SPECIES	YES	NO	QUANTITY	HEIGHT	QUANTITY
[Symbol]	COMMON PALM				9	12'-0"	3
[Symbol]	BUTTERNUT				70	10'-0"	3,124 SF
[Symbol]	SHRUBS				70	18"	3,124 SF
[Symbol]	SOD				3,124 SF		
[Symbol]	CONCRETE						

\*Required for trees located underneath or adjacent to power lines and palms used at 1:1 ratio  
 ADDITIONAL INFORMATION MAY BE REQUIRED BY CHAPTER 18A

RECEIVED  
 MAR 06 2012  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY [Signature]

LANDSCAPE LEGEND (This information is required to be permanently affixed to the plan)  
 GREEN SPACE: Not less than \_\_\_\_\_ sq. ft. per acre  
 OPEN SPACE: Not less than \_\_\_\_\_ sq. ft. per acre  
 A. Total square feet of landscaped open space required by Chapter 23 - A - 1 - 8 = \_\_\_\_\_ sq. ft.  
 B. LAND AREA CALCULATION  
 1. Total area of site = \_\_\_\_\_ sq. ft.  
 2. Area of building footprint = \_\_\_\_\_ sq. ft.  
 3. Area of paved areas = \_\_\_\_\_ sq. ft.  
 4. Area of other paved areas = \_\_\_\_\_ sq. ft.  
 5. Area of other paved areas = \_\_\_\_\_ sq. ft.  
 6. Area of other paved areas = \_\_\_\_\_ sq. ft.  
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L-1

OFFER RAMIN RESIDENCE  
 2529 NE 181 STREET  
 NORTH MIAMI FL.

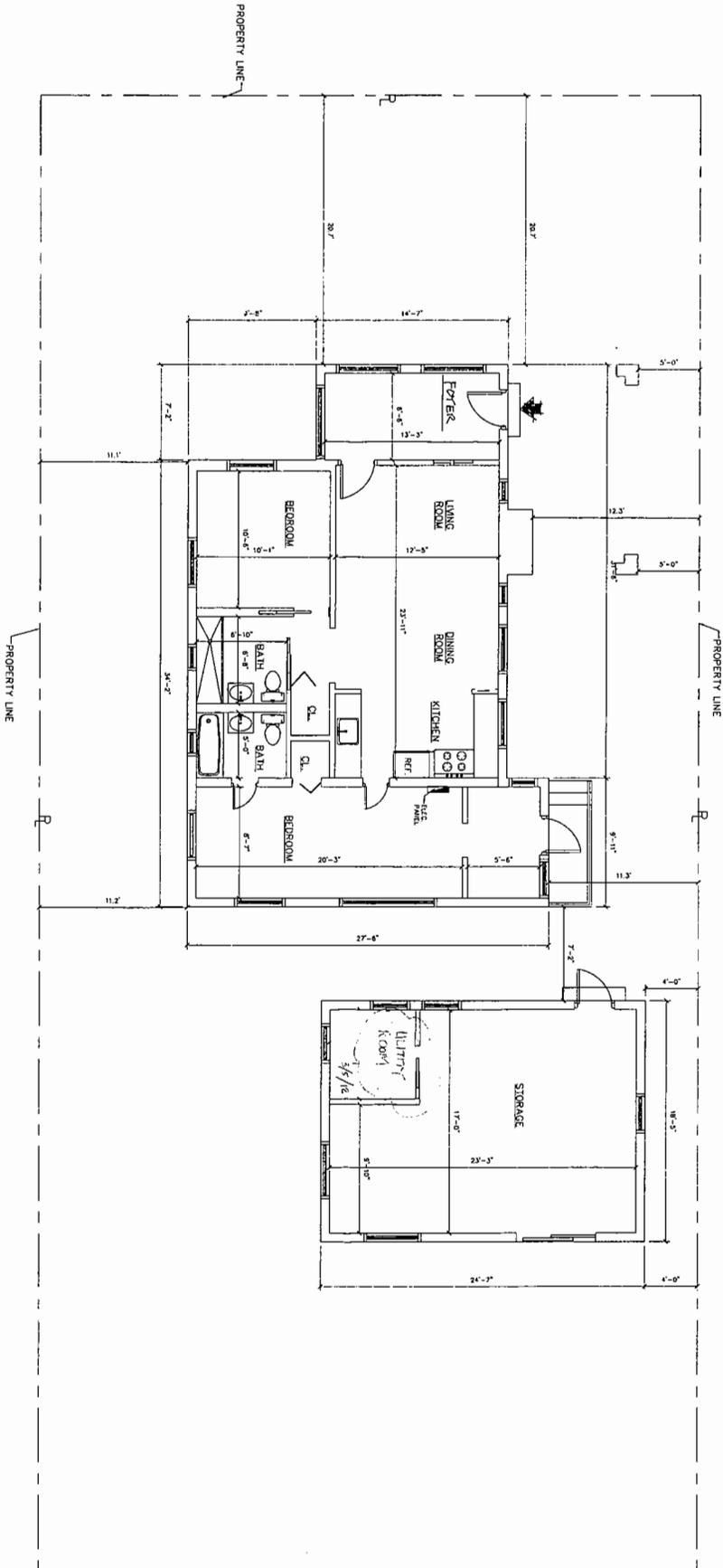
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 7395 NW 44TH CT  
 MIAMI, FL 33150  
 T. 786.697.2042  
 E. MIAMI.CATALYSTDESIGN@GMAIL.COM

DATE: DEC 15, 2010  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 REVISIONS: [List]  
 PROJECT: [Name]  
 SHEET NO: [Number]  
 TOTAL SHEETS: [Number]

RECEIVED  
 MULTICOUNTY COUNTY  
 DATE: MAR 06 2012  
 BY: [Signature]

**RECEIVED**  
 MAR 06 2012  
 202-033

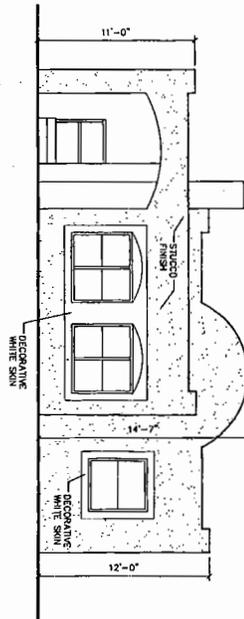
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 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY: [Signature]



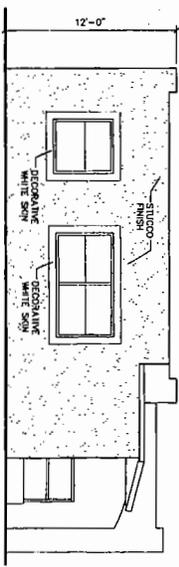
**EXISTING FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

2/18/08  
 2/18/08  
 2/18/08

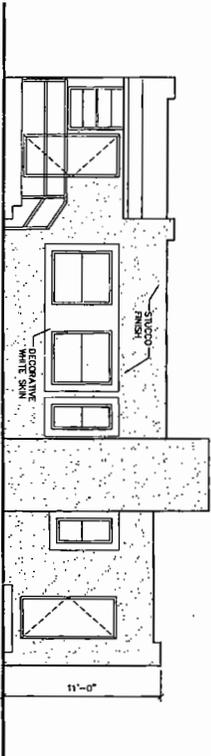
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	<p>PROJECT: [Signature]          2000 NW 11th Ave          MIAMI, FL 33150          1 786 597 2002          4 mva.com/design@mls.com</p>
<p>A-1</p>	<p>21</p>



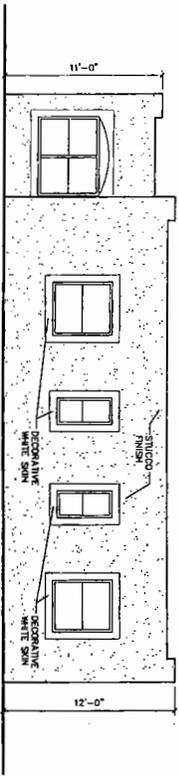
FRONT ELEVATION  
 SCALE: 1/4" = 1'-0"



BACK ELEVATION  
 SCALE: 1/4" = 1'-0"



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



SIDE ELEVATION  
 SCALE: 1/4" = 1'-0"

**RECEIVED**  
 2/28-033  
 MAR 06 2012

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

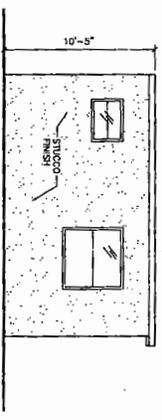
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PROPOSED  
 2/24/09  
 2/24/09  
 2/24/09

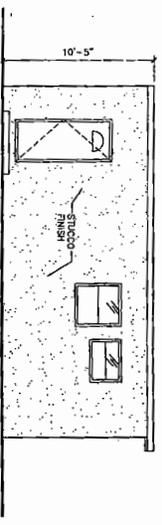
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**RECEIVED**  
 MAR 06 2012  
 2/2-833

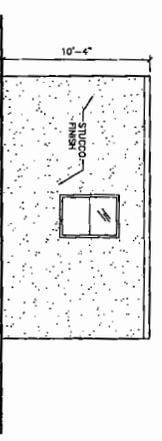
ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY ATB



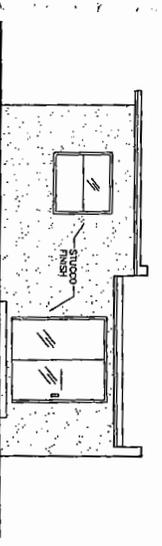
LEFT ELEVATION  
 SCALE: 1/4" = 1'-0"



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



SIDE ELEVATION  
 SCALE: 1/4" = 1'-0"



BACK ELEVATION  
 SCALE: 1/4" = 1'-0"

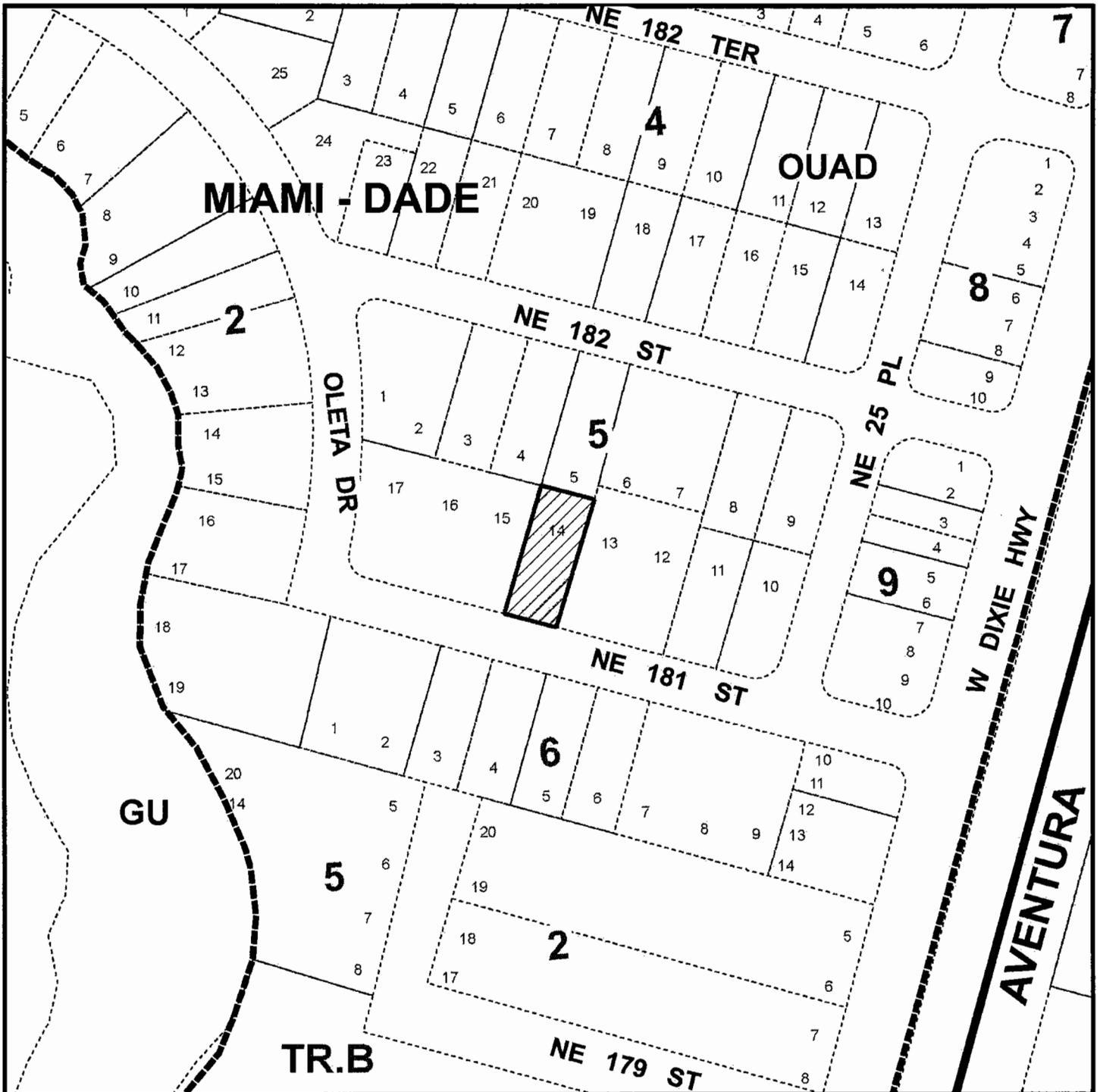
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 DRAWN BY: [blank]  
 CHECKED BY: [blank]  
 DESIGNED BY: [blank]  
 PROJECT NO.: [blank]  
 SHEET NO.: [blank]  
 TOTAL SHEETS: [blank]

CATALYST DESIGN GROUP  
 720 N.W. MIAMI CT.  
 MIAMI, FL 33130  
 T. 786.561.2042  
 www.catalystdesigngroup.com

STATE OF FLORIDA  
 DEPARTMENT OF REVENUE  
 DIVISION OF REVENUE ADMINISTRATION  
 1111 N. WASHINGTON AVENUE  
 SUITE 1000  
 MIAMI, FL 33132  
 TEL: 305-399-2000  
 FAX: 305-399-2001  
 WWW.FLORIDADEPARTMENTOFREVENUE.COM

**OFFER RAMIN RESIDENCE**  
 2529 NE 181 STREET  
 NORTH MIAMI, FL.

A-3



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2012000033**



Section: 09 Township: 52 Range: 42  
 Applicant: OFFER RAMIN  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Tuesday, February 21, 2012

REVISION	DATE	BY
		24



**MIAMI-DADE COUNTY**  
 AERIAL YEAR 2009

Process Number

**Z2012000033**



Section: 09 Township: 52 Range: 42  
 Applicant: OFFER RAMIN  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

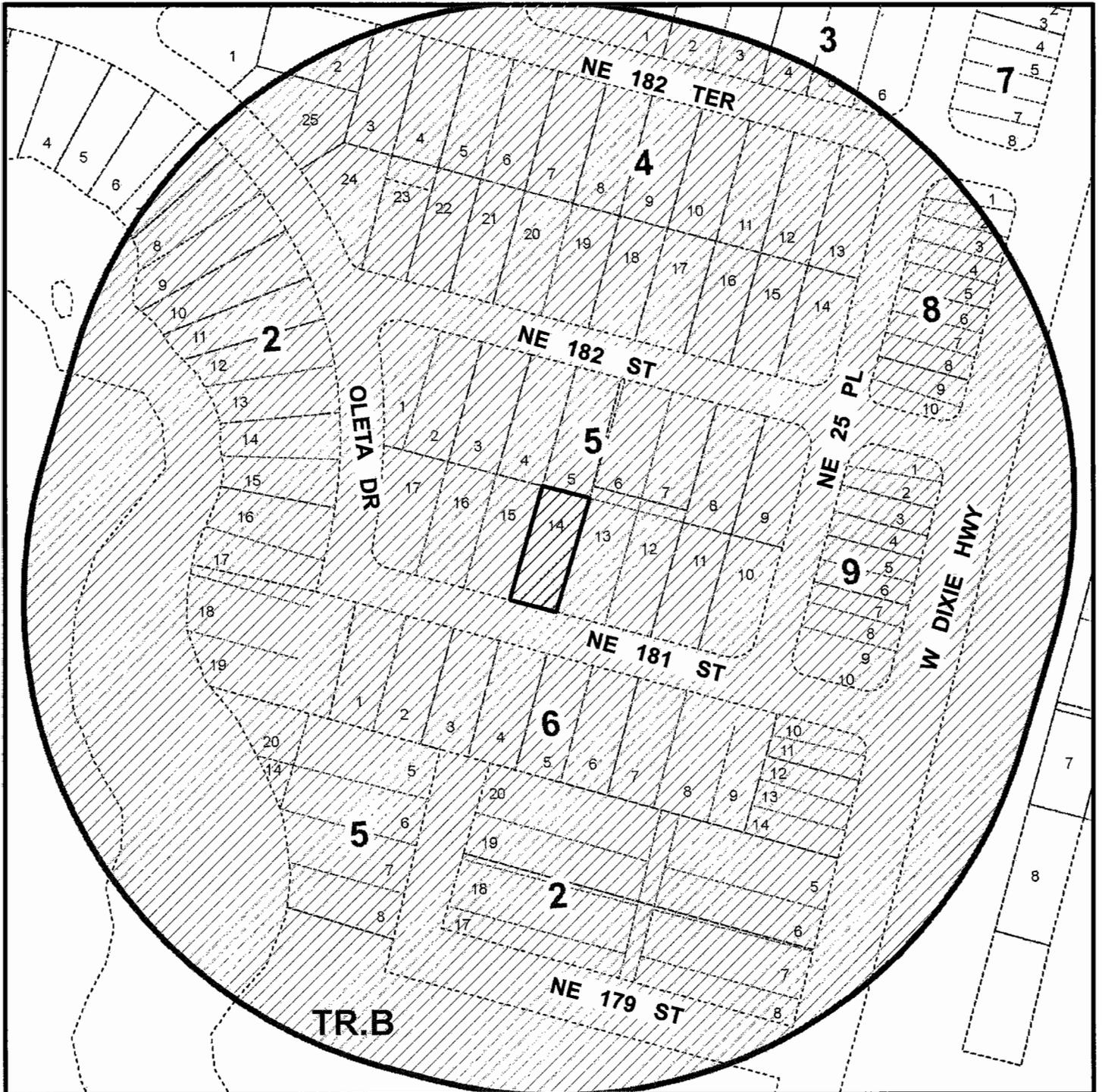
Legend

 Subject Property



SKETCH CREATED ON: Tuesday, February 21, 2012

REVISION	DATE	BY
		25



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Process Number  
**Z2012000033**  
 RADIUS: 500



Section: 09 Township: 52 Range: 42  
 Applicant: OFFER RAMIN  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

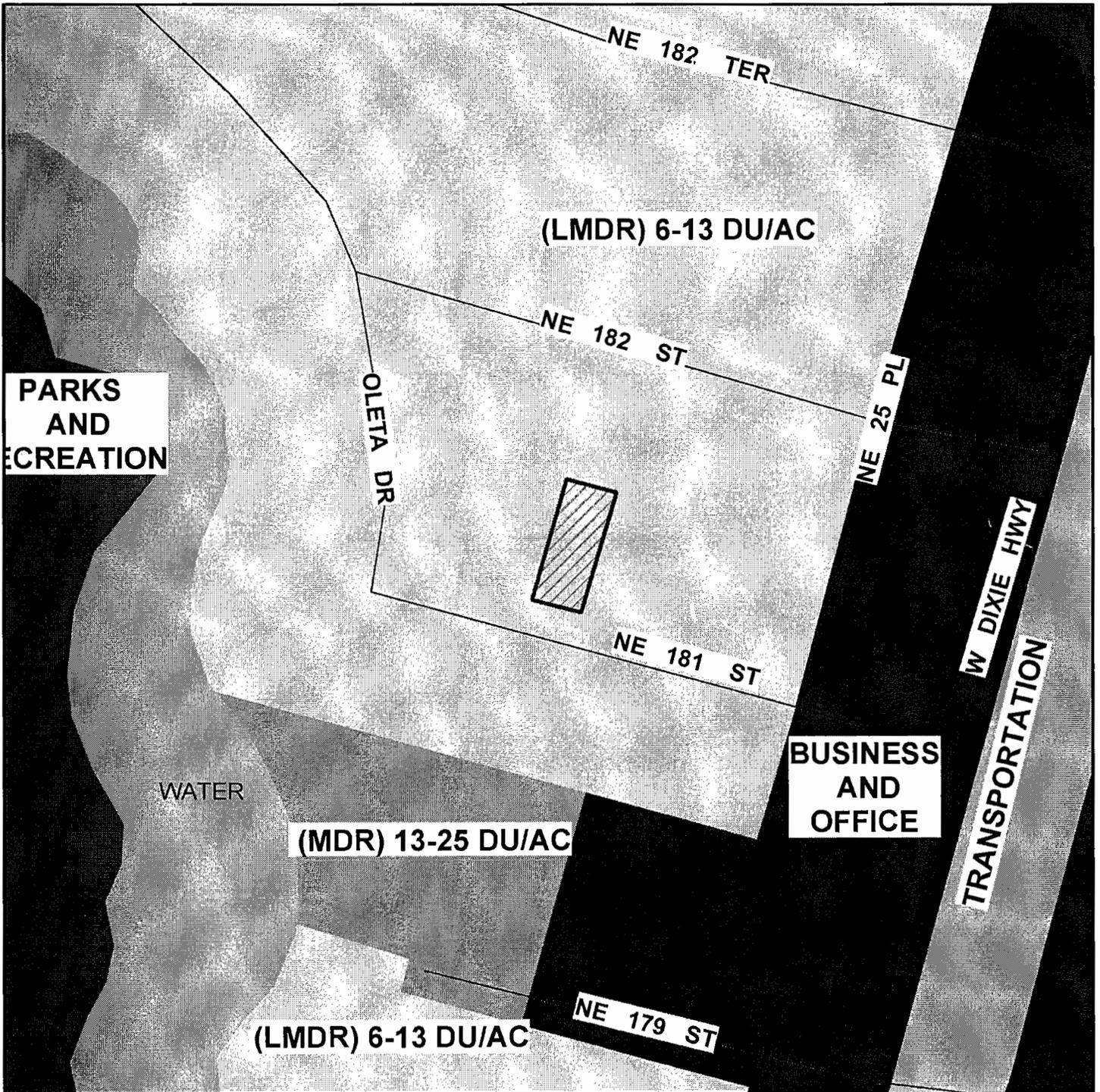
**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Tuesday, February 21, 2012

REVISION	DATE	BY
		26



**PARKS  
AND  
RECREATION**

WATER

**(MDR) 13-25 DU/AC**

**BUSINESS  
AND  
OFFICE**

**TRANSPORTATION**  
W DIXIE HWY

**(LMDR) 6-13 DU/AC**

**(LMDR) 6-13 DU/AC**

**MIAMI-DADE COUNTY**  
CDMP MAP

Process Number  
**Z2012000033**



**Legend**

 Subject Property Case

Section: 09 Township: 52 Range: 42  
 Applicant: OFFER RAMIN  
 Zoning Board: C2  
 Commission District: 4  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



SKETCH CREATED ON: Tuesday, February 21, 2012

REVISION	DATE	BY