

# KITS

10-14-2008 Version # 1



COMMUNITY ZONING APPEALS BOARD 5

LAWTON CHILES MIDDLE SCHOOL

8190 NW 197 Street, Miami

Wednesday, November 19, 2008 at 7:00 p.m.

## PREVIOUSLY DEFERRED

A. 08-9-CZ5-1 ISABEL BEEVERS 07-349 07-52-41

## CURRENT

1. 08-11-CZ5-1 C & C DEVELOPMENT GROUP, LLC 08-155 04-52-40 N



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

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COMMUNITY ZONING APPEALS BOARD - AREA 5

MEETING OF WEDNESDAY, NOVEMBER 19, 2008

LAWTON CHILES MIDDLE SCHOOL

8190 NW 197 STREET, 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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**A. ISABEL BEEVERS (08-9-CZ5-1/07-349)**

**7-52-41  
Area 5/District 13**

- (1) USE VARIANCE to permit an insurance office in the RU-1 zone as would be permitted in the RU-5A zone.
- (2) Applicant is requesting to permit a parcel of land with 9,339.8 sq. ft. (10,000 sq. ft. required).
- (3) Applicant is requesting to permit the office-building setback 10' 9½" (15' required) from the interior side (east) property line.
- (4) Applicant is requesting to permit a 3' wide (5' required) landscape buffer along a portion of the rear (north) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2-#4 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Buildings and Structures) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Remodel for Mrs. Isabel Beevers," as prepared by Luis J. Cotes, dated stamped received 2/10/08 and consisting of 2 sheets. Plans may be modified at public hearing.

LOCATION: 17601 N.W. 57 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 85' x 109.88'

Department of Planning and  
Zoning Recommendation:

Denial without prejudice.

Protests: 0

Waivers: 0

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

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

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

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

Deferred from 9/25/08

**1. C & C DEVELOPMENT GROUP L. L. C. (08-11-CZ5-1/08-155)**

**4-52-40  
Area 5/District 12**

- (1) UNUSUAL USE to permit outdoor dining.
- (2) MODIFICATION of Condition #2 of Resolution No. Z-33-00, passed and adopted by the Board of County Commissioners and last modified by Resolution No. CZAB5-7-06, passed and adopted by Community Zoning Appeals Board #5, reading as follows:

FROM: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Phase 2 (Retail/Office Bldg) Lakes on the Green Plaza,' as prepared by Albert O. Gonzalez,

Architect, Sheet A-1 dated stamped received 6/6/06 and the remaining pages dated stamped received 5/8/06 for a total of 7 sheets and a survey by Blanco Surveyors, Inc. consisting of 1 sheets and dated received 5/8/06.”

TO: “2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled ‘Proposed Phase 2 (Retail/Office Bldg) Lakes on the Green Plaza,’ as prepared by Albert O. Gonzalez, Architect, Sheets SP-1, FP-1, LA-1 and LA-2 dated stamped received 8/6/08 and the remaining pages dated stamped received 5/8/06 for a total of 7 sheets.”

- (3) DELETION of Condition #8 of Resolution No. CZAB5-11-04, passed and adopted by Community Zoning Appeals Board #5, reading as follows:

“8. That the exit on N.W. 189<sup>th</sup> Street be designed and installed (including appropriate signage) in such a way as to prohibit left turns onto N.W. 189 Street.”

- (4) DELETION of Condition #4 of Resolution No. CZAB5-7-06, passed and adopted by Community Zoning Appeals Board #5, reading as follows:

“4. That the second and third stories of the proposed office shall be limited to the office use only.”

- (5) DELETION of Paragraphs #6 - #8 of a Declaration of Restrictions recorded in Official Record Book #21946, Pages 2096 – 2101, reading as follows:

“6. That there shall be installed and maintained a right turn only exit for vehicles exiting the property on 87<sup>th</sup> Avenue.

“7. That there shall be installed and maintained traffic signs and markings posted indicating that vehicles shall only make a right turn onto N.W. 87<sup>th</sup> Avenue.”

“8. That there shall be no modifications or reductions to the number of parking spaces in the facility from what is provided and shown on the original site plans above described.

- (6) MODIFICATION of Paragraph #1 of a Declaration of Restrictions recorded in Official Record Book #21946, Pages 2096 - 2101, last modified by Modification of Declaration of Restrictions, recorded in Official Record Book 25086, Pages 382 - 386, reading as follows:

FROM: “1. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled ‘Proposed Phase 2 (Retail/Office Bldg) Lakes on the Green Plaza,’ as prepared by Albert O. Gonzalez, Architect, Sheet A-1 dated stamped received 6/6/06 and the remaining pages dated stamped received 5/8/06 for a total of 7 sheets and a survey by Blanco Surveyors, Inc. consisting of 1 sheets and dated received 5/8/06, said plans being on file with Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement.”

TO: “1. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled ‘Proposed Phase 2 (Retail/Office Bldg) Lakes on the Green Plaza,’ as prepared by Albert O. Gonzalez, Architect, Sheets SP-1, FP-1, LA-1 and LA-2 dated stamped received 8/6/08 and the remaining sheets dated stamped received 5/8/06 for a total of 7 sheets.”

- (7) DELETION of Paragraph #9 of Declaration of Restrictions recorded in Official Record Book #21946, Pages 2096 - 2101, last modified by Modification of Declaration of Restrictions, recorded in Official Record Book 25086, Pages 382 - 386, reading as follows:

“9. The second and third floors of the proposed office shall be limited to office use only.”

The purpose of requests #2 - #7 is to allow the applicant to submit a new site plan showing outside dining, to delete the restriction prohibiting other uses except office use on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the office building, to delete the conditions prohibiting left turns onto N.W. 87<sup>th</sup> Avenue and N.W. 189<sup>th</sup> Street and not allowing any modifications to the parking layout.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #7 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

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

LOCATION: 18600 N.W. 87 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 13.23 Acres

Department of Planning and

Zoning Recommendation:

Approval with conditions of request #1; approval with conditions of requests #2 through #7 under Section 33-311(A)(7) (generalized modification standards), and denial without prejudice of same requests under Section 33-311(A)(17) (modification or elimination of conditions and covenants after public hearing)

Protests: 0

Waivers: 1

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

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

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

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

T H E E N D

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of Planning and Zoning within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Legal Counsel's office for the Department of Planning and Zoning at (305) 375-3075, or the Zoning Hearings Section at (305) 375-2640. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 349-7409.

**A. ISABEL BEEVERS**  
**(Applicant)**

**08-9-CZ5-1 (07-349)**  
**Area 5/District 13**  
**Hearing Date: 11/19/08**

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>
				NONE

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

MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 5  
MOTION SLIP

**#1**

APPLICANT'S NAME: **ISABEL BEEVERS**

REPRESENTATIVE: Ben Fernandez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
08-9-CZ5-1 (07-349)	September 25, 2008	CZAB5	08

**REC: Denial without prejudice.**

WITHDRAW:  APPLICATION       ITEM(S): \_\_\_\_\_  
 DEFER:       INDEFINITELY       TO: Nov 19, 2008       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: To submit a Declaration of Restrictions and to meet with staff.

TITLE	M/S	NAME	YES	NO	ABSENT
MS.		Sharon FRANKLIN	X		
VICE-CHAIRMAN	M	Richard FRIEDMAN	X		
MR.		Julio A. GARUZ			X
MR.	S	Archie E. MCKAY, JR.	X		
MR.		Leonardo A. PEREZ			X
CHAIRMAN		Juan A. GARCIA (C.A.)	X		

VOTE:      **4**      **0**

EXHIBITS:  YES       NO

COUNTY ATTORNEY: **JOHN MCINNIS**

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 5**

**APPLICANT:** Isabel Beevers

**PH:** Z07-349 (08-9-CZ5-1)

**SECTION:** 7-52-41

**DATE:** November 19, 2008

**COMMISSION DISTRICT:** 13

**ITEM NO.:** A

**A. INTRODUCTION**

o **REQUESTS:**

- (1) USE VARIANCE to permit an insurance office in the RU-1 zone as would be permitted in the RU-5A zone.
- (2) Applicant is requesting to permit a parcel of land with 9,339.8 sq. ft. (10,000 sq. ft. required).
- (3) Applicant is requesting to permit the office building setback 10' 9½" (15' required) from the interior side (east) property line.
- (4) Applicant is requesting to permit a 3' wide (5' required) landscape buffer along a portion of the rear (north) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #4 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Buildings and Structures) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Proposed Remodel for Mrs. Isabel Beevers, as prepared by Luis J. Cotes, dated stamped received 2/10/08 and consisting of 2 sheets. Plans may be modified at public hearing.

- o **SUMMARY OF REQUESTS:** The applicant seeks a use variance to permit an insurance office in the RU-1, Single-Family Residential District, zone (an RU-5A, Semi-Professional Office District, use). The applicant also seeks to permit less lot area than required for an office use; to permit the proposed office structure setback closer to the interior side property line than permitted and to vary the zoning regulations requiring a wider landscaped buffer than provided along the rear property line.
- o **LOCATION:** 17601 NW 57 Avenue, Miami-Dade County, Florida.
- o **SIZE:** 85' x 109.88'
- o **IMPACT:** Approval of this application will allow the applicant to provide an insurance office service for the community. However, the proposed office use will bring additional non-local traffic and noise to the surrounding area and will be intrusive to the residential area located to the east and to the south of the site. Further, the approval of the additional variance requests for reduced lot area and

setbacks and the reduced landscaped buffer could have an negative visual impact on the adjacent properties.

**B. ZONING HEARINGS HISTORY: None.**

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential** use.
2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.
3. **Office uses** smaller than five acres in size may be approved in areas designated as Residential Communities where other office, business or industrial use(s) which are not inconsistent with this plan already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot. Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area. In applying this provision, the maximum limits of an eligible residentially designated block face along which office uses may be extended shall not extend beyond the first intersecting public or private street, whether existing, platted or projected to be necessary to provide access to other property, or beyond the first railroad right-of-way, utility transmission easement or right-of-way exceeding 60 feet in width, canal, lake, public school, church, park, golf course or major recreational facility.

In addition, office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in this paragraph. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map (Frontage roads are not eligible for consideration); b) the lot or site size does not exceed one acre; and c) the residential

area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does subject frontage face such an Estate Density area. Office use approvals, pursuant to this paragraph may only authorize: a) conversion of an existing residence into an office; b) addition of an office use to an existing residence; or, c) the construction of a new office building on lots which were finally platted prior to March 25, 1991 in a size one acre or smaller. Additionally, such office uses may be approved only if the scale and character of the prospective office use are compatible with the surrounding residential neighborhood and if the site has sufficient dimensions to permit adequate on-site parking and buffering of adjacent residences from the office. Other factors that will be considered in determining compatibility include, but are not limited to traffic, noise, lighting, shadows, access, signage, landscaping, and hours of operation. Signage shall be restricted both in size, style, and location to preclude a commercial appearance. Landscaping and buffering of adjacent residences and rear properties will be required. Emphasis shall be placed on retention of the general architectural style of the area, where the area is sound and attractive. Development Orders authorizing the conversion of existing homes into offices, the addition of offices to existing residences or the construction of new buildings encompassing office uses pursuant to this paragraph may be approved only where compatible and where the intensity and character of the new building including gross floor area, lot coverage and height, will be consistent with the homes which exist or which could be built on the immediately adjacent parcels.

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

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

**Subject Property:**

RU-1; Single-family residence

Low Density Residential, 2.5 to 6 dua

**Surrounding Properties:**

**NORTH:** RU-1; 2-story religious/school buildings

Low Density Residential, 2.5 to 6 dua

**SOUTH:** RU-1; Single-family residence

Low Density Residential, 2.5 to 6 dua

**EAST:** RU-1; Single-family residence

Low Density Residential, 2.5 to 6 dua

**WEST:** IU-C; restaurant building

Business and Office

The subject property is a corner lot located at 17601 NW 57 Avenue, in an area characterized by single-family residences and a religious/educational facility, which abuts the subject property to the north, and a restaurant across NW 57 Avenue to the west.

**E. SITE AND BUILDINGS:**

<b>Site Plan Review:</b>	(Site plans submitted.)
Scale/Utilization of Site:	<b>Unacceptable</b>
Location of Buildings:	<b>Unacceptable</b>
Compatibility:	<b>Unacceptable</b>
Landscape Treatment:	<b>Unacceptable</b>
Open Space:	<b>Unacceptable</b>
Buffering:	<b>Unacceptable</b>
Access:	<b>Acceptable</b>
Parking Layout/Circulation:	<b>Unacceptable</b>
Visibility/Visual Screening:	<b>Unacceptable</b>
Urban Design:	<b>N/A</b>

**F. PERTINENT REQUIREMENTS/STANDARDS:**

**Section 33-311(A)(4)(a) Use Variance.** 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 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.

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

**Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard.** Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance 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 non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

**Section 33-311(A)(20) Alternative Site Development Option for Semi-professional Office Buildings and Structures.**

**(c) Setbacks** for a principal building, or accessory building or structure in the RU-5A, shall be approved after public hearing upon demonstration of the following:

- (1) the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining property; and
- (2) the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and
- (3) the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development by more than twenty percent (20%) of the landscaped open space percentage required by the applicable district regulations; and
- (4) any area of shadow cast by the proposed alternative development upon an adjoining property will be no larger than would be cast by a structure constructed pursuant to the underlying district regulations, or will have no more than a *de minimus* impact on the use and enjoyment of the adjoining parcel of land; and
- (5) the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofing structure and if located on the roof of such an alternative development shall be screened from ground view and from view at the level in which the installations are located, and shall be designed as an integral part of and harmonious with the building design; and
- (6) the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and
- (7) the architectural design, scale, mass, and building materials of any proposed structure(s) or addition(s) are aesthetically harmonious with that of other existing or proposed structure(s) or building(s) on the parcel proposed for alternative development; and
- (8) the wall(s) of any building within a front, side street or double frontage setback area or within a setback area adjacent to a discordant use, required by the underlying district regulations, shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and
- (9) the proposed alternative development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot, parcel or tract; and

- (10) any windows or doors in any building(s) to be located within an interior side or rear setback required by the underlying district regulations shall be designed and located so that they are not aligned directly across from facing windows or doors on building(s) of a discordant use located on an adjoining parcel of land; and
- (11) total lot coverage shall not be increased by more than ten percent (10%) of the lot coverage permitted by the underlying district regulations; or a total floor area ratio shall not be increased by more than ten percent (10%) of the floor area ratio permitted by the underlying district regulations; and
- (12) the area within an interior side or rear setback required by the underlying district regulations located adjacent to a discordant use will not be used for off-street parking except:
  - (A) in an enclosed garage where the garage door is located so that it is not aligned directly across from facing windows or doors on buildings of a discordant use located on an adjoining parcel of land; or
  - (B) if the off-street parking is buffered from property that abuts the setback area by a solid wall at least six (6) feet in height along the area of pavement and parking, with either:
    - (i) articulation to avoid the appearance of a "blank wall" when viewed from the adjoining property, or
    - (ii) landscaping that is at least three (3) feet in height at time of planting, located along the length of the wall between the wall and the adjoining property, accompanied by specific provision for the maintenance of the landscaping, such as but not limited to, an agreement regarding its maintenance in recordable form from the adjoining landowner; and
- (13) any structure within an interior side setback required by the underlying district regulations:
  - (A) is screened from adjoining property by landscape material of sufficient size and composition to obscure at least eighty percent (80%) (if located adjoining or adjacent to a discordant use) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure(s) at time of planting; or
  - (B) is screened from adjoining property by an opaque fence or wall at least five (5) feet in height, if located adjoining or adjacent to a discordant use, that meets the standards set forth in paragraph (g) herein; and
- (14) any structure in the RU-5A district not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least 10 feet or the minimum distance to comply with fire safety standards, whichever is greater; and

- (15) when a principal building, or accessory building in the RU-5A district, is proposed to be located within a setback required by the underlying district regulations, any enclosed portion of the upper floor of such building shall not extend beyond the first floor of such building within the setback; and
- (16) safe sight distance triangles shall be maintained as required by this code; and
- (17) the parcel proposed for alternative development shall continue to provide the required number of on-site parking spaces as required by this Code; and
- (18) the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions issued prior to the effective date of this ordinance (July 11, 2003), regulating setbacks, lot area and lot frontage, lot coverage, floor area ratio, landscaped open space and structure height; and
- (19) the proposed development will meet the following:
  - (A) interior side setbacks shall not be reduced by more than fifty percent (50%) of the side setbacks required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater when the adjoining parcel of land is a RU-5, RU-5A, BU, IU, or OPD district or use provided, however, interior side setbacks shall not be reduced by more than twenty-five percent (25%) of the interior side setbacks required by the underlying district regulations when the adjoining parcel of land allows a discordant use.
  - (B) side street setbacks shall not be reduced by more than twenty-five percent (25%) of the underlying district regulations;
  - (C) front setbacks (including double-frontage setbacks) shall not be reduced by more than twenty-five percent (25%) of the setbacks required by the underlying district regulations; and
  - (D) rear setbacks shall not be reduced below fifty percent (50%) of the rear setback required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater, when the adjoining parcel of land is a RU-5, RU-5A, BU, IU, or OPD district or use provided, however, rear setbacks shall not be reduced below twenty-five percent (25%) of the rear setback required by the underlying district regulations when the adjoining parcel of land allows a discordant use.
  - (E) setbacks between building(s) shall not be reduced below 10 feet, or the minimum distance required to comply with fire safety standards, whichever is greater.
- (f) An alternative **lot area and frontage** shall be approved upon a demonstration of at least one of the following:
  - (1) the proposed lot area and frontage shall permit the development or redevelopment of a structure(s) on a lot, parcel or tract of land where such

structure(s) would not otherwise be permitted by the underlying district regulations due to the size or configuration of the parcel proposed for alternative development, provided that:

- (A) the lot, parcel or tract is under lawful separate ownership from any contiguous property; and
  - (B) the proposed alternative development will not result in the further subdivision of land; and
  - (C) the size and dimensions of the lot, parcel or tract are sufficient to provide all setbacks required by the underlying district regulations; and
  - (D) the area of the lot, parcel or tract is not less than: seventy-five percent (75%) of the minimum lot area required by the underlying district regulations; or eighty-five percent (85%) of the underlying district regulations for an older subdivision of land caused by a conveyance or device of record prior to August 2, 1938, or a platted unrevoked subdivision recorded prior to August 2, 1938; and
  - (E) the proposed alternative development does not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - (F) the frontage dimension of the lot, parcel or tract is not less than: seventy-five percent (75%) of the minimum frontage required by the applicable district regulations; or eighty-five percent (85%) of the underlying district regulations for older subdivisions of land caused by a conveyance or device of record prior to August 2, 1938, or a platted unrevoked subdivision recorded prior to August 2, 1938, except that the frontage dimension of a flag-lot, parcel or tract shall be permitted to be reduced to the minimum width necessary to allow vehicular access as determined by the County; and
  - (G) the resultant frontage dimension of the lot, parcel or tract provides vehicular ingress and egress to all resulting lots, parcels or tracts, including on-site access to emergency equipment; or
- (2) the proposed alternative development results in landscaped open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the applicable district regulations, provided that:
- (A) the number of lots of the proposed alternative development does not exceed that normally permitted by the lot area dimensions of the underlying district regulations; and
  - (B) the size and dimensions of each lot, parcel or tract in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions for similar uses issued prior to the effective date of this ordinance (July 11, 2003); and

- (C) the area of each lot, parcel or tract is not less than eighty percent (80%) of the area required by the applicable district regulations; and
  - (D) the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - (E) the resultant frontage of the lot, parcel or tract provides vehicular ingress and egress to all resulting lots, parcels or tracts, including on-site access to emergency equipment, or
- (3) the proposed lot area and frontage is such that:
- (A) the proposed alternative development will not result in the creation of more than two (2) lots, parcels or tracts; and
  - (B) the size and dimensions of each lot, parcel or tract are sufficient to provide all setbacks required by the applicable district regulations; and
  - (C) no lot area shall be less than the smaller of:
    - (i) ninety percent (90%) of the lot area required by the applicable district regulations; or
    - (ii) the average area of the developed lots, parcels or tracts in the immediate vicinity within the same zoning district; and
  - (D) the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and
  - (E) the resultant frontage provides vehicular ingress and egress to all resulting lots, parcels or tracts, including on-site access to emergency equipment.
- (k) Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:
- (1) will result in a significant diminution of the value of property in the immediate vicinity; or
  - (2) will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or
  - (3) will result in a materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or
- (l) Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the economic viability of any enterprises proposed within the approved development and the quality of life of residents and

business tenants of the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, landscaped open space over and above that normally required by the code, additional trees or landscaping, the inclusion of residential use(s), convenient pedestrian connection(s) to adjacent residential development(s), convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, cohesive wall signage, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed commercial development, the following shall be considered:

- (A) the types of needs of the residents or business tenants of the immediate vicinity and the needs of the occupants of the parcel proposed for development that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and
- (B) the proportionality between the impacts on the residents, business tenants or occupants of parcel(s) in the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional landscape open space.

**G. NEIGHBORHOOD SERVICES:**

DERM	<b>No objection*</b>
Public Works	<b>No objection</b>
Parks	<b>No objection</b>
MDT	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No comment</b>

\*Subject to the conditions indicated in their memorandum.

**H. ANALYSIS:**

This item was deferred from the September 25, 2008 meeting to allow the applicant to meet with the neighbors and to submit a Declaration of Restrictions. The subject property is a corner lot located at 17601 NW 57 Avenue in an area characterized by single-family residences that front on NW 176 Street. The subject property is also neighbored to the east by a single-family residence, to the north by a religious facility and to the west by a restaurant located on the west side of NW 57 Avenue. The 9,339.8 sq. ft. subject site is currently improved with a one-story single-family residence. The applicant is seeking a use variance to permit an insurance office in the RU-1, Single-Family Residential District, as would be permitted in the RU-5A, Semi-Professional Office District, (request #1). RU-5A uses include, but are not limited to, office buildings for accountants, architects, attorneys, dentists, medical doctors, notary publics, real estate, and travel agencies, as well as banks without drive-in teller facilities. Additionally, the applicant seeks to permit a lot area of 9,339.8 sq. ft. (10,000 sq. ft. required for office uses in the RU-5A zone) and to permit a building setback 10'9-1/2" (15' required) from the interior side (east) property line. The

applicant also seeks to waive the zoning regulation to permit a 3' wide landscaped buffer along a portion of the rear property line, where a 5' landscaped buffer is required. The applicant has submitted plans depicting the above-mentioned requests.

Plans submitted by the applicant depict the conversion of the existing 1-story single-family residence to accommodate the proposed 1,545 sq. ft. office use. There are 6 parking spaces provided to the rear of the building on the northern portion of the site, which include 1 handicapped parking space. Said parking area has a two-way driveway which provides access to a frontage road running adjacent and parallel to NW 57 Avenue. Staff notes that the applicant has provided the required number of parking spaces for the proposed office development. Additionally, the submitted plans depict a proposed 6' high CBS wall running along the rear (north) property line and along the interior side (east) property line. Landscape plans illustrate that 6 Live Oak trees will be provided on site and 2 Live Oak trees will be provided on the swale area. Additionally, the submitted plans indicate 2 Gumbo Limbo trees will be provided on the site, 2 on the swale area and a Coco-Plum hedge will be provided around the proposed parking area as well as along the office structure. Additional landscaping in the form shrubs will also be provided within the interior side and front setback areas.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM requirements as indicated in their memorandum for this application. The Public Works Department (**PWD**) **does not object** to this application subject to a condition. Specifically, their memorandum indicates that vehicles exiting the site will only be permitted to make a right turn. The Miami-Dade Fire Rescue Department (**MDFR**) has **no objections** to this application and indicates that their estimated response travel time is **6:19** minutes.

Approval of the application will allow the applicant to provide an insurance office service for the community. This area is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). The CDMP provides that office uses may be approved along the frontage of major roadways in residential communities where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in the CDMP. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map (Frontage roads are not eligible for consideration); b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does the subject frontage face such an Estate Density area.

The subject property does not meet the aforementioned criteria of the interpretative text of the CDMP. Notwithstanding the fact that the existing single-family residence was assigned an address on NW 57 Avenue when the house was constructed, the lot faces NW 176 Street. Staff notes that the existing single family residence complies with the front, rear, interior side and side street setback requirements for a lot fronting on NW 176 Street as do the balance of the lots on this same block face adjacent to NW 176 Street to the east of the subject property and the single family residences lying on the block across the street on the south side of NW 176 Street. Staff also notes that the frontage road running parallel to NW 57 Avenue along the west side of the subject property was platted in conjunction with

the residential subdivision in order to provide a buffer between a major roadway (NW 57 Avenue) and the residential neighborhood where the subject property is located. Additionally, this portion of NW 57 Avenue has been improved with a frontage road (running parallel to Red Road) and provides access for the residences along NW 57 Avenue, and as such, the subject property is not eligible for consideration for office uses under the provision of the CDMP since it is adjacent to a frontage road. Furthermore, the Master Plan also indicates that where other office, business or industrial uses exist on the same block face, approval of similar requests may be granted. Research reveals that there have been no other similar approvals within the same block face as the subject property. Therefore, as indicated above, the proposed office use would be **inconsistent** with the interpretative text of the CDMP and **incompatible** with the existing single family residences within the block face where the subject property lies.

The applicant is proposing a use variance to permit an insurance office use in the RU-1 zone as would be permitted in the RU-5A zone (request #1). As previously mentioned, the subject site is **inconsistent** with the Master Plan and **incompatible** with the area. A **use variance** as provided in Section 33-311(A)(4)(a) permits a use of land other than that 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 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 would result in unnecessary hardship since the subject property can be utilized for single-family residential use under the present RU-1 zoning district regulations. As such, staff recommends denial without prejudice of the requested use variance under Section 33-311(A)(4)(a).

When requests #2 and #3 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that said requests do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and as such, would be **incompatible** with the surrounding area. Requests #2 and #3, to permit a lot area of 9,339.8 sq. ft. where 10,000 sq. ft. is required and to permit the office building setback 10'9-1/2" (15' required) from the interior side (east) property line, are not supported by staff. Moreover, staff notes that requests #2 and #3 are germane to and an integral part of request #1, which staff does not support since no zoning hardship exists on the subject site. Therefore, staff recommends denial without prejudice of requests #2 and #3 under Section 33-311(A)(4)(b) (NUV).

When request #4 is analyzed under Section 33-311(A)(4)(b) (NUV), staff is of the opinion that this request does not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and as such, would be **incompatible** with the surrounding area. Approval of request #4 would permit a 3' wide landscape buffer along a portion of the rear (north) property line in lieu of the required 5' wide landscaped buffer. Although, there is a religious and school facility to the north of the subject property, staff is not supportive of this request and notes that this request is germane to and an integral part of request #1, which staff does not support since no zoning hardship exists on the site. Therefore, staff recommends denial without prejudice of request #4 under Section 33-311(A)(4)(b) (NUV).

The Alternative Site Development Option (ASDO) Standards, Section 33-311(A)(20), provide for the approval of a zoning application which can demonstrate at a public hearing that the development requested is in compliance with the applicable ASDO Standards and does not contravene the enumerated public interest standards as established. However, the applicant has not provided staff with the documentation required for analysis of requests #2 and #3 under the ASDO standards. As such, staff is unable to properly analyze the requests under these standards and recommends denial without prejudice of requests #2 and #3 under Section 33-311(A)(20) (ASDO).

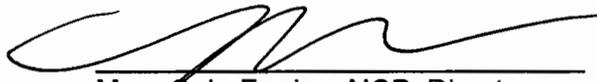
When requests #2 through #4 are analyzed under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicant would have to prove that the requests are due to an unnecessary hardship and that, should the requests not be granted, such denial would not permit the reasonable use of the premises. Since the applicant has not proven that compliance with same would result in an unnecessary hardship and the subject property could be developed in accordance with the zoning regulations, staff is of the opinion that requests #2 through #4 cannot be approved under the ANUV Standards and should be denied without prejudice under Section 33-311(A)(4)(c) (ANUV).

Based on all of the aforementioned, staff is of the opinion that the proposed office use is **inconsistent** with the interpretative text of the CDMP and **incompatible** with the existing single family residences within the block face where the subject property lies. Additionally, the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in **unnecessary hardship** since the subject property can be utilized for single-family residential use under the present RU-1 zoning district regulations. As such, staff recommends denial without prejudice of the requested use variance (request #1) and recommends denial without prejudice of the RU-5A companion requests #2 through #4 under Section 33-311(A)(4)(b) (NUV) and under Section 33-311(A)(4)(c) (ANUV), and further recommends denial without prejudice of requests #2 and #3 under Section 33-311(A)(20) (ASDO).

I. **RECOMMENDATION:** Denial without prejudice.

J. **CONDITIONS:** None.

**DATE INSPECTED:** 12/18/07  
**DATE TYPED:** 07/21/08  
**DATE REVISED:** 07/21/08; 08/04/08; 08/20/08; 09/12/08; 10/03/08; 10/29/08  
**DATE FINALIZED:** 10/29/08  
MCL:MTF:LVT:NC:AA

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

# Memorandum



**Date:** May 27, 2008

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

**Subject:** C-05 #Z2007000349-Revised  
Isabel Beevers  
17601 N.W. 57<sup>th</sup> Avenue  
Use Variance to Permit an Office Use in the RU-1 Zoning District  
(RU-1) (0.23 Acres)  
07-52-41

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

#### Potable Water Service and Wastewater Disposal

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

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

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

#### Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that the requested use of the subject property may require operating permits from DERM. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

### Wetlands

The subject property does not contain jurisdictional wetlands, as defined in 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 tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. The landscape plan submitted with this application dated November 5, 2007 and received by DERM on February 10, 2008, entitled "Proposed Remodel for Mrs. Isabel Beevers" Sheet A-1, and prepared by Luis J Cotes, depicts tree resources on-site to be preserved. However, the applicant is advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

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

### Enforcement History

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

### Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

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

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

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

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: ISABEL BEEVERS

This Department has no objections to this application.

Vehicles exiting the site will only be permitted to make a right turn.

Additional improvements may be required at time of permitting.

The proposed use of this application for a Semi-Professional Office generates the same number of peak hour vehicle trips as the existing use of a Single Family Residence; therefore this application will not generate any new vehicle trips and meets the Initial Traffic Concurrency Criteria.



Raul A Pino, P.L.S.

30-APR-08

# Memorandum



**Date:** 12-NOV-08  
**To:** Marc LaFerrier, Director  
 Department of Planning and Zoning  
**From:** Herminio Lorenzo, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2007000349

**Fire Prevention Unit:**

Fire Engineering & Water Supply has reviewed and approved the site plan dated stamp received 2/10/08. Please note that any changes to the vehicular circulation must be resubmitted for review and approval.

**Service Impact/Demand:**

Development for the above Z2007000349  
 located at 17601 N.W. 57 AVENUE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 0175 is proposed as the following:

N/A residential	dwelling units	N/A industrial	square feet
1390 Office	square feet	N/A institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 1 alarms-annually.  
 The estimated average travel time is: 6:19 minutes

**Existing services:**

The Fire station responding to an alarm in the proposed development will be:  
 Station No. 1 - Miami Lakes - 16699 NW 67 Avenue

**Planned Service Expansions:**

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

**Fire Planning Additional Comments:**

# TEAM METRO

## ENFORCEMENT HISTORY

ISABEL BEEVERS

17601 N.W. 57 AVENUE, MIAMI-  
DADE COUNTY, FLORIDA.

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**APPLICANT**

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**ADDRESS**

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Z2007000349

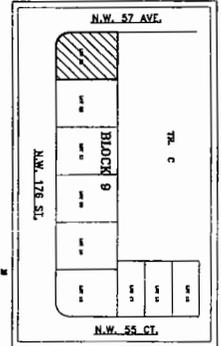
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**HEARING NUMBER**

### CURRENT ENFORCEMENT HISTORY:

NO VIOLATION OBSERVED

BRIDGET DAVIS



**LOCATION SKETCH**

1. Location of proposed site is shown by the shaded area.

2. The site is bounded by N.W. 57th Ave. to the north and N.W. 176th St. to the west.

3. The site is bounded by the existing road to the east and south.

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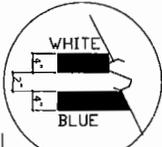
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SYMBOL	QTY	SCIENTIFIC NAME	COMMON NAME	INITIATIVE SPEC.	MIN. HEIGHT	MIN. DIA.
⊙	8	QUERCUS VIRENS	LIVE OAK	12'-0"	4"	2"
⊙	4	BURSERA SIMARUBA	GUMBO LIMBO	12'-0"	4"	2"
⊙	120	CHRYSOBALANUS COCCINUM	COCCINUM	18'-0"	20"	2"



Lot Area 9339 sq ft  
 Lot Coverage  
 49 x 20 = 980 sq ft  
 18 x 2 x 13.35 = 480.54 sq ft  
 15.44 x 42 = 648.48 sq ft  
 16.54 x 10 = 165.4 sq ft

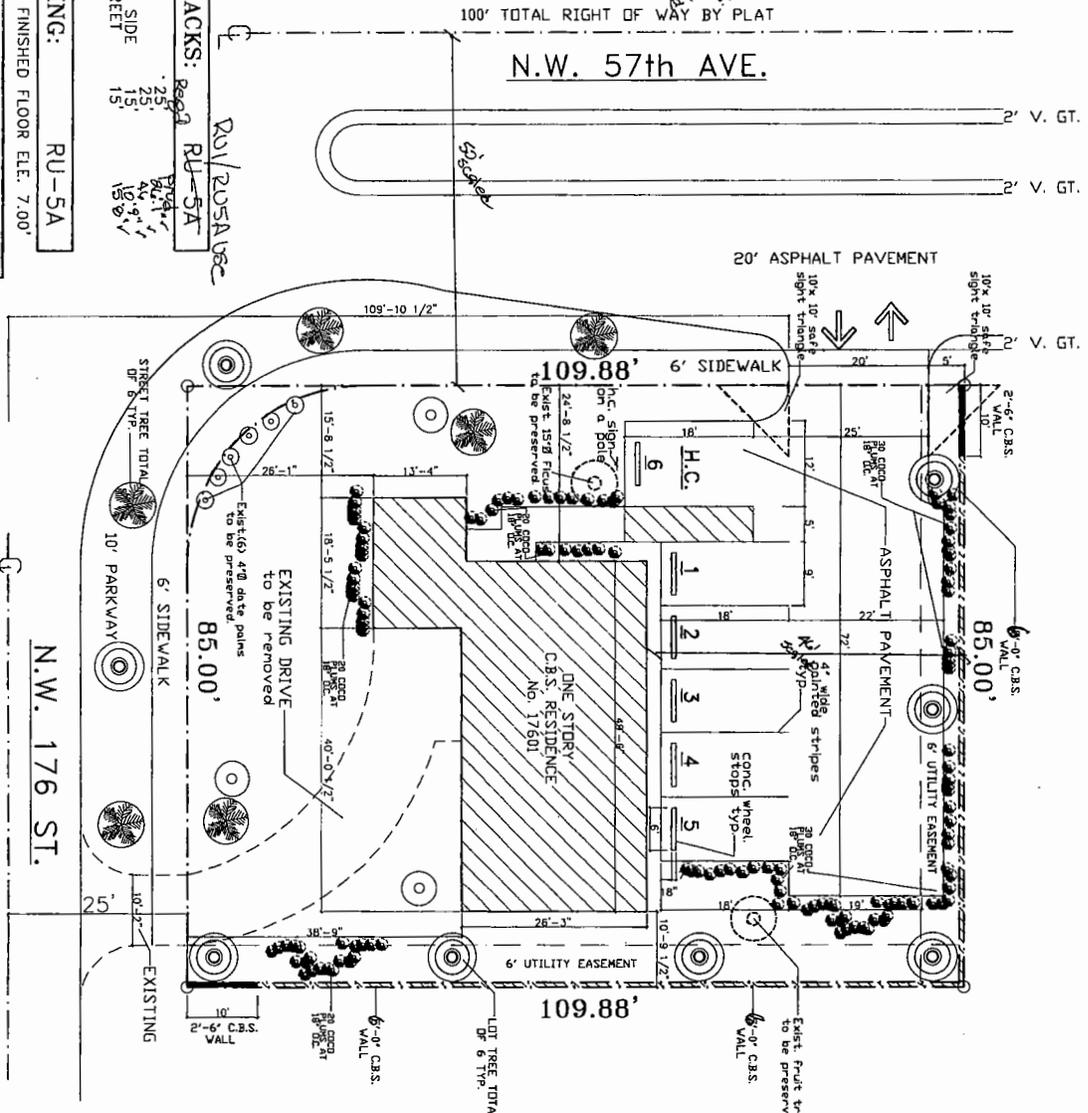
**SITE TABULATIONS**

N.W. 57th Ave / N.W. 176th St	sq ft	AC	% OF SITE
OFFICE	2,882	0.70	31.8%
PARKING	1,545	0.37	17.0%
BUILDING COVERAGE	4,923	1.1	53.0%
GREEN AREA			
NET LOT AREA	9,350	2.3	100%

**ZONING:** RU-5A  
 MINIMUM FINISHED FLOOR ELE. 7.00'  
**PARKING CALCULATIONS**  
 TOTAL BUILDING 1,545 S.F.  
 1,545 / 300 = 5.15 (6) SPACES MIN.  
 (1) HANDICAP PROVIDED  
 (5) REGULAR SPACES PROVIDED

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

**RECEIVED**  
 FEB 10 2008



**LEGAL DESCRIPTION:**  
 LOT 23 BLOCK 9 SUBDIVISION CAROL CITY LAKES STEVENS  
 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK  
 65 AT PAGE 144 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

**SITE PLAN**  
 SCALE: 1/8" = 1'-0"



**RECEIVED**  
 FEB 10 2008

SHEET 1D  
 A-1

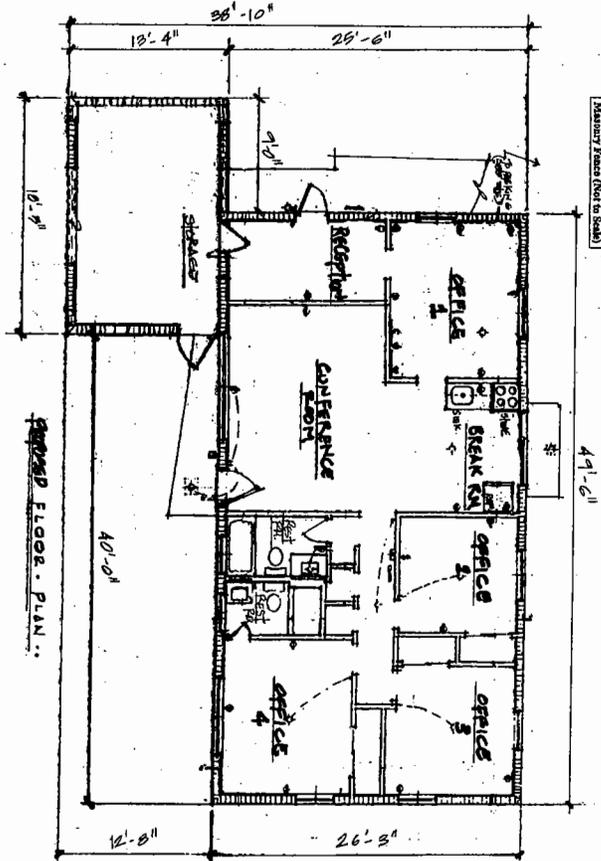
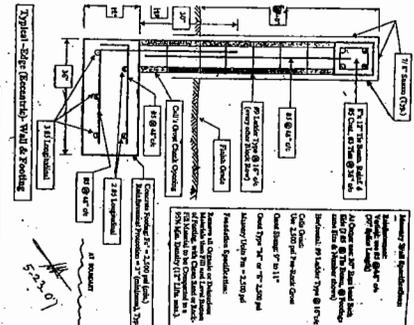
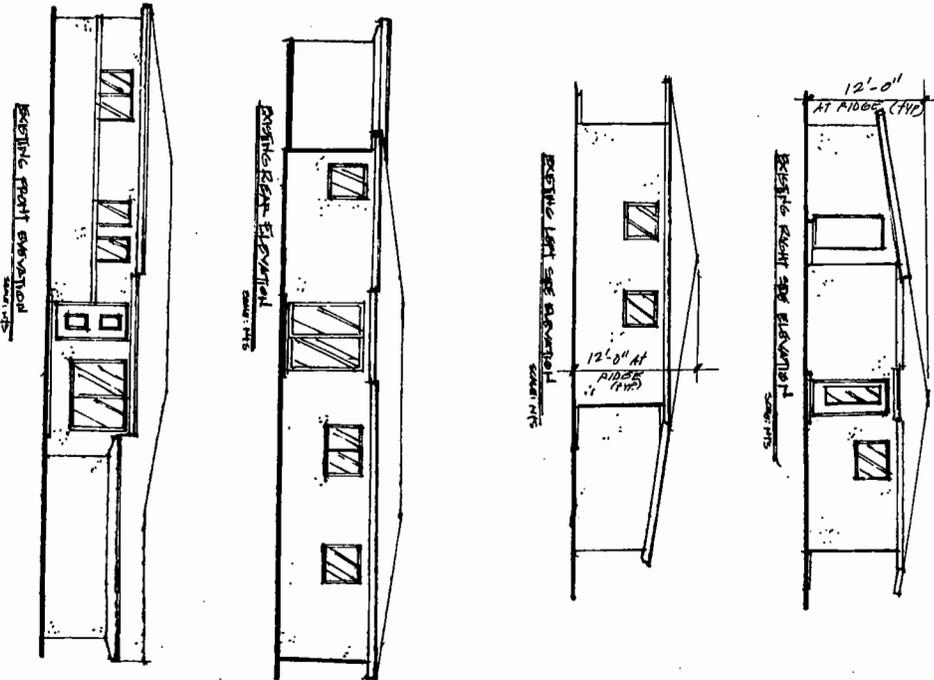
**PROPOSED REMODEL FOR:**  
 Mrs. ISABEL BEEVERS  
 17601 N.W. 57th AVE.  
 MIAMI FL. 33055

DATE	REVISION
11/15/07	Landscaping & Legend

DESIGN/DRAWN:  
Luis J. Cortes

SCALE:  
DATE:

21



**RECEIVED**  
 207,340  
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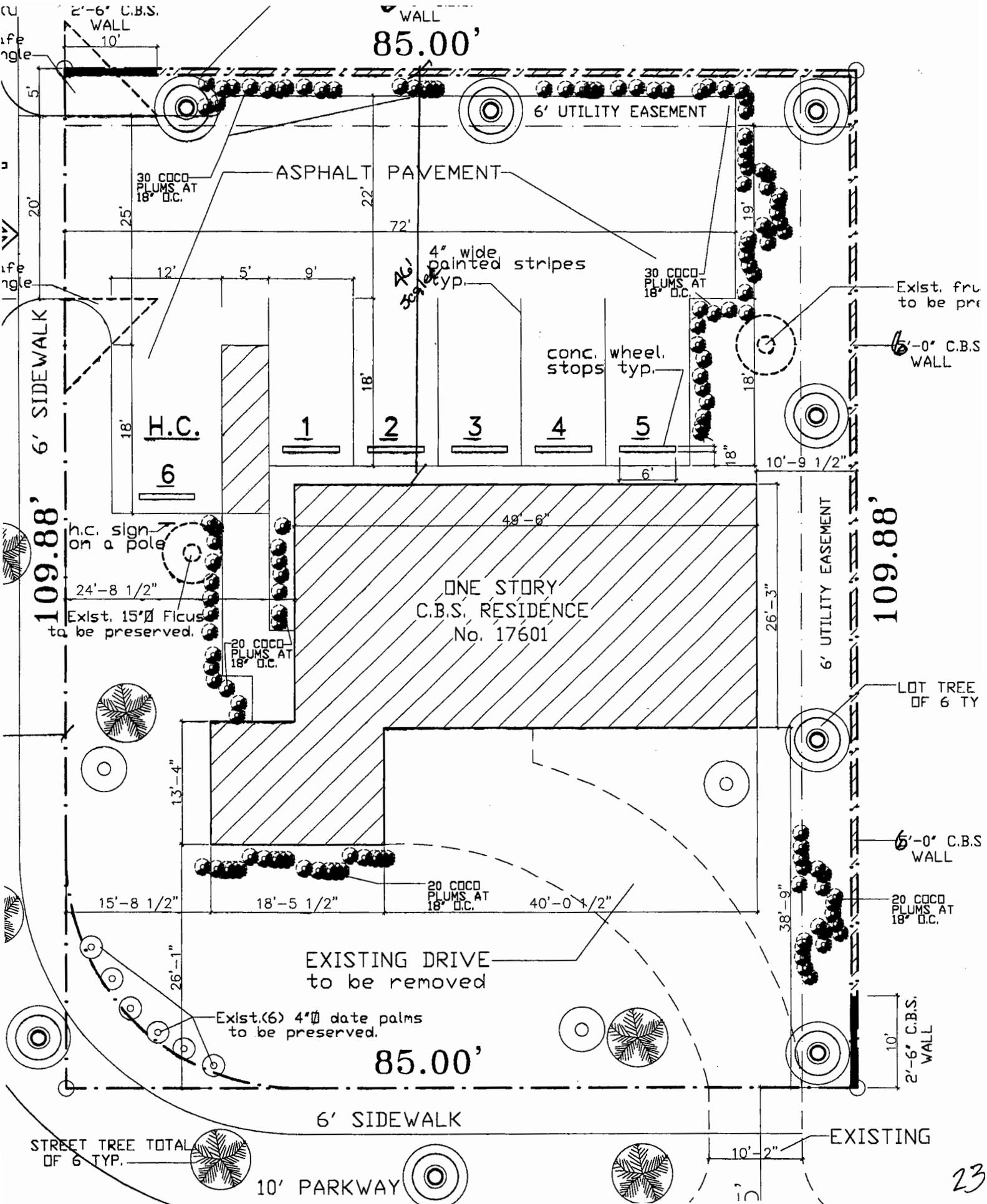
ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY \_\_\_\_\_

Seal  
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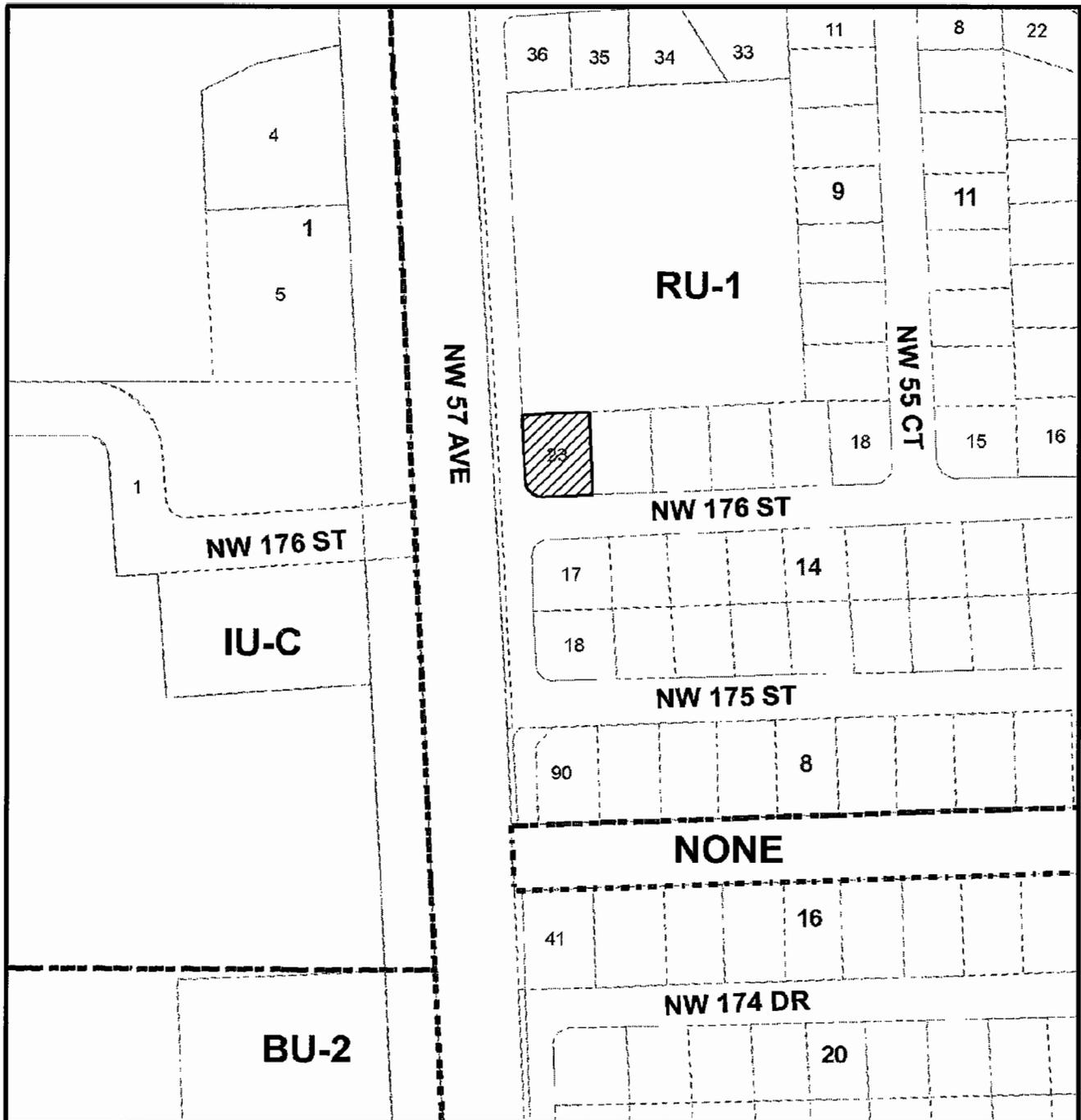
PROPOSED REMODEL FOR:  
 Mrs. ISABEL BEEVERS  
 17601 N.W. 57th AVE.  
 MIAMI FL. 33055

DATE	REVISION
11-19-07	RAE-PART 4
	ENR
DESIGN/DRAWN	Luis J. Cotes
SCALE:	
DATE:	

SHEET ID:  
**A-2**  
 SEAL/SIGNATURE



ENLARGED SITE PLAN

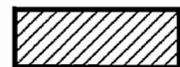


**MIAMI-DADE COUNTY  
HEARING MAP**

**Process Number  
07-349**



**Section: 07 Township: 52 Range: 41  
Applicant: ISABEL BEEVERS  
Zoning Board: C05  
District Number: 13  
Drafter ID: ALFREDO  
Scale: NTS**



**SUBJECT PROPERTY**



REVISION	DATE	BY



MIAMI-DADE COUNTY  
AERIAL

Process Number  
**07-349**



**SUBJECT PROPERTY**

Section: 07 Township: 52 Range: 41  
Applicant: ISABEL BEEVERS  
Zoning Board: C05  
District Number: 13  
Drafter ID: ALFREDO  
Scale: NTS



CREATED ON: 10/16/07

REVISION	DATE	BY

**1. C & C DEVELOPMENT GROUP, LLC**  
**(Applicant)**

**08-11-CZ5-1 (08-155)**  
**Area 5/District 12**  
**Hearing Date: 11/19/08**

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>
1988	North Dade Associates	- Zone change from GU to RU-1Z, RU3M, & BU-1A. - Unusual Use	BCC	Approved in part w/conds.
2000	GND Assoc. LTD	- Special exception for a commercial development. - Special exception for spacing requirement - Deletion of resolution.	BCC	Approved w/conds.
2003	C & C Development Group, LLC	Modification of condition of previous resolution.	CZAB-5	Approved w/conds.
2004	C & C Development Group, LLC	Modification of a resolution & of a Declaration of Restrictions.	CZAB-5	Approved w/conds.
2006	C & C Development Group, LLC	Modification of a resolution & of a Declaration of Restrictions.	CZAB-5	Approved w/conds.

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

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO COMMUNITY COUNCIL No. 5**

**APPLICANT:** C & C Development Group L.L. C.

**PH:** 08-155 (08-11-CZ5-1)

**SECTION:** 4-52-40

**DATE:** November 19, 2008

**COMMISSION DISTRICT:** 12

**ITEM NO.:** 1

=====

**A. INTRODUCTION**

o **REQUESTS:**

- (1) UNUSUAL USE to permit outdoor dining.
- (2) MODIFICATION of Condition #2 of Resolution No. Z-33-00, passed and adopted by the Board of County Commissioners and last modified by Resolution No. CZAB5-7-06, passed and adopted by Community Zoning Appeals Board #5, reading as follows:

FROM: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Phase 2 (Retail/Office Bldg) Lakes on the Green Plaza,' as prepared by Albert O. Gonzalez, Architect, Sheet A-1 dated stamped received 6/6/06 and the remaining pages dated stamped received 5/8/06 for a total of 7 sheets and a survey by Blanco Surveyors, Inc. consisting of 1 sheets and dated received 5/8/06."

TO: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Phase 2 (Retail/Office Bldg) Lakes on the Green Plaza,' as prepared by Albert O. Gonzalez, Architect, Sheets SP-1, FP-1, LA-1 and LA-2 dated stamped received 8/6/08 and the remaining pages dated stamped received 5/8/06 for a total of 7 sheets."

- (3) DELETION of Condition #8 of Resolution No. CZAB5-11-04, passed and adopted by Community Zoning Appeals Board #5, reading as follows:

"8. That the exit on N.W. 189<sup>th</sup> Street be designed and installed (including appropriate signage) in such a way as to prohibit left turns onto N.W. 189 Street."

- (4) DELETION of Condition #4 of Resolution No. CZAB5-7-06, passed and adopted by Community Zoning Appeals Board #5, reading as follows:

"4. That the second and third stories of the proposed office shall be limited to the office use only."

- (5) DELETION of Paragraphs #6 - #8 of a Declaration of Restrictions recorded in Official Record Book #21946, Pages 2096 – 2101, reading as follows:

“6. That there shall be installed and maintained a right turn only exit for vehicles exiting the property on 87<sup>th</sup> Avenue.

“7. That there shall be installed and maintained traffic signs and markings posted indicating that vehicles shall only make a right turn onto N.W. 87<sup>th</sup> Avenue.”

“8. That there shall be no modifications or reductions to the number of parking spaces in the facility from what is provided and shown on the original site plans above described.

- (6) MODIFICATION of Paragraph #1 of a Declaration of Restrictions recorded in Official Record Book #21946, Pages 2096 - 2101, last modified by Modification of Declaration of Restrictions, recorded in Official Record Book 25086, Pages 382 - 386, reading as follows:

FROM: “1. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled ‘Proposed Phase 2 (Retail/Office Bldg) Lakes on the Green Plaza,’ as prepared by Albert O. Gonzalez, Architect, Sheet A-1 dated stamped received 6/6/06 and the remaining pages dated stamped received 5/8/06 for a total of 7 sheets and a survey by Blanco Surveyors, Inc. consisting of 1 sheets and dated received 5/8/06, said plans being on file with Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement.”

TO: “1. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled ‘Proposed Phase 2 (Retail/Office Bldg) Lakes on the Green Plaza,’ as prepared by Albert O. Gonzalez, Architect, Sheets SP-1, FP-1, LA-1 and LA-2 dated stamped received 8/6/08 and the remaining sheets dated stamped received 5/8/06 for a total of 7 sheets.”

- (7) DELETION of Paragraph #9 of Declaration of Restrictions recorded in Official Record Book #21946, Pages 2096 - 2101, last modified by Modification of Declaration of Restrictions, recorded in Official Record Book 25086, Pages 382-386, reading as follows:

“9. The second and third floors of the proposed office shall be limited to office use only.”

The purpose of requests #2 - #7 is to allow the applicant to submit a new site plan showing outside dining, to delete the restriction prohibiting other uses except office use on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the office building and to delete the conditions prohibiting left turns onto N.W. 87<sup>th</sup> Avenue and N.W. 189<sup>th</sup> Street and not allowing modifications to the parking layout.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #7 may be considered under§33-311(A)(7) (Generalized

Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

o **SUMMARY OF REQUESTS:**

The applicant is seeking an Unusual Use to permit outdoor dining in conjunction with restaurants, take-out restaurants, coffee shops, etc. within the shopping center; to modify and delete conditions of previous resolutions and to modify and delete paragraphs of previously recorded Declarations of Restrictions; to allow other uses as permitted in the BU-1A zone in addition to the office use permitted on the second and third floors of a three-story, free-standing building in the shopping center; to allow a left turn onto NW 189 street and onto NW 87 Avenue and to allow modifications to the parking area caused by the driveway turning lanes onto NW 87 Avenue and NW 189 Street.

o **LOCATION:**

18600 NW 87 Avenue, Miami-Dade County, Florida.

o **SIZE:** 13.23 acres

o **IMPACT:**

The approval of this application will allow the applicant to submit new plans showing outdoor dining for outdoor dining in conjunction with some of the commercial units that can be utilized as restaurants/take out restaurants, coffee shops, etc. in the shopping center, will allow customers to make a left turn onto NW 189 Street and onto NW 87 Avenue, and will allow other than office uses on the second and third floors of the three-story, free-standing building. The approval of these requests could impact the traffic flow onto NW 87 Avenue and NW 189 Street and could visually and aurally impact the adjacent properties.

**B. ZONING HEARINGS HISTORY:**

In 1988, pursuant to Resolution #Z-150-88, the Board of County Commissioners granted a district boundary change from GU, Interim District, to BU-1A, Limited Business District. In 2000, pursuant to Resolution #Z-33-00, the Board of County Commissioners granted special exceptions to permit site plan approval for a commercial development and allow a liquor package store less than 2,500' from a religious facility. In 2003, pursuant to Resolution #CZAB5-11-03, Community Zoning Appeals Board 5 granted the approval of a modification of condition #2 of Resolution #Z-33-00, to modify a previously approved site plan at which time a Declaration of Restrictions was proffered and recorded in ORB 21946, Pages 2096 - 2101. In 2004, pursuant to Resolution #CZAB5-11-04, Community Zoning Appeals Board 5 granted the approval for a modification of the previously approved plans and of Paragraph #1 of a previously recorded Declaration of Restrictions recorded in ORB 21946, Pages 2096 – 2101 and, in 2006, pursuant to #CZAB5-7-06, Community Zoning Appeals Board 5 granted the approval for a modification of previously approved plans and of the previously recorded Declaration of Restrictions (recorded in ORB 23142, Pages 4860 – 4865) at which time the applicant proffered an amended Declaration of Restriction and recorded same in ORB 25086, Pages 382 – 386.

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**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

- 1. Business and Office.** This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.
- 2. Office/Residential.** Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.
- 3. Uses and Zoning Not Specifically Depicted.** Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new commercial locations must be consistent with the LUP map or the specific exceptions provided in the various LUP map categories, and the objectives and policies of this Plan.

- 4. Other Land Uses Not Addressed.** Certain uses are not authorized under any LUP map category, including many of the uses listed as "**unusual uses**" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.
- 5. Low-Medium Density.** This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.

**D. NEIGHBORHOOD CHARACTERISTICS:**

ZONING

LAND USE PLAN DESIGNATION

**Subject Property:**

BU-1A; shopping center

Business and Office (north 200')  
 Low-Medium Density Residential, 6 to 13  
 dua (southwesterly 200' x 450')  
 Office/Residential (balance)

**Surrounding Properties:**

**NORTH:** RU-1Z; zero lot line residences

Low-Medium Density Residential, 6 to 13  
 dua

**SOUTH:** GU; I-75 right-of-way,  
 BU-1A; retail  
 AU; vacant

Transportation (GU portion)  
 Business and Office (BU-1A)

**EAST:** BU-1A; shopping center  
 RU-3M; townhouse residences

Business and Office (BU-1A portion)  
 Low-Medium Density Residential, 6 to 13  
 dua

**WEST:** RU-1Z; zero lot line residences

Low-Medium Density Residential, 6 to 13  
 dua

The subject property is located on the northwest corner of NW 186 Street and NW 87 Avenue, and it contains an existing shopping center and an outparcel which is not developed. There are single-family residences developed under the zero-lot line regulations located to the north and west. A shopping center, gasoline station and townhouse development to the east across NW 87 Avenue and entry onto I-75 occurs to the southwest along NW 186 Street (Miami Gardens Drive).

**E. SITE AND BUILDINGS:**

<b>Site Plan Review:</b>	(Site plan submitted.)
Scale/Utilization of Site:	<b>Acceptable*</b>
Location of Buildings:	<b>Acceptable</b>
Compatibility:	<b>Acceptable*</b>
Landscape Treatment:	<b>Acceptable</b>
Open Space:	<b>Acceptable</b>
Buffering:	<b>Acceptable</b>
Access:	<b>Acceptable*</b>
Parking Layout/Circulation:	<b>Acceptable</b>
Visibility/Visual Screening:	<b>Acceptable</b>
Energy Considerations:	<b>N/A</b>
Roof Installations:	<b>N/A</b>
Service Areas:	<b>N/A</b>
Signage:	<b>N/A</b>
Urban Design:	<b>N/A</b>

\*subject to conditions

**F. PERTINENT REQUIREMENTS/STANDARDS:**

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

**Section 33-311(A)(7) The Generalized Modification Standards.** The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire

or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

**Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing.** The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

**G. NEIGHBORHOOD SERVICES:**

DERM	<b>No objection*</b>
Public Works	<b>No objection</b>
Parks	<b>No objection</b>
MDT	<b>No objection</b>
Fire Rescue	<b>No objection</b>
Police	<b>No objection</b>
Schools	<b>No comment</b>

\*Subject to the conditions indicated in their memorandum.

**H. ANALYSIS:**

The subject site is zoned BU-1A, Limited Business District, and is located at 18600 NW 87 Avenue. The applicant is seeking to permit outdoor dining (request #1); to modify previously approved plans as per Condition #2 of Resolution #Z-33-00, further modified by Resolution #CZAB5-7-06 (request #2); to delete the restriction prohibiting a left turn onto NW 189 Street as per Condition #8 of Resolution #CZAB5-11-04 (request #3); to delete the restriction that only office use be allowed on the second and third floors of a previously approved three-story free-standing building within the shopping center as per Condition #4 of Resolution #CZAB5-7-06, (request #4); to delete restrictions requiring signs for right turn only onto NW 87 Avenue and not allowing modifications to the parking layout of the shopping center as per Paragraphs #6 - #8 of a Declaration of Restrictions recorded in Official Record #21946, Pages 2096-2101 (request #5), modification of a previously approved site plan as per Paragraph 1 of the same Declaration of Restrictions (request #6) and a deletion of a restriction of office use only on the second and third floors of the aforementioned three-story building as per Paragraph 9 of the same Declaration of Restrictions (request #7). The applicant is requesting the approval of these requests in order to be allowed to show outdoor dining areas in connection with commercial units which could be utilize as restaurants, coffee shops, etc.; a left turn driveway onto NW 189 Street; a left turn driveway onto NW 87 Avenue; to eliminate the office use restriction on the second and third floors of a previously approved

three-story building within the shopping center and to allow a modification to the parking areas of the site plan to show the requested left turn drives onto NW 87 Avenue and NW 189 Street. The subject property is currently operating as a shopping center and is located at the northwest corner of NW 87 Avenue and NW 186 Street (Miami Gardens Drive). A shopping center, gasoline station and townhouse residences lie to the east of the subject property across NW 87 Avenue; zero-lot line residences lie to the north of the subject property, across NW 189 Street; zero-lot line residences are abutting the west property line of the subject property, and commercial structures and I-75 lie to the south of the subject property. The applicant has submitted plans depicting the aforementioned requests on the subject site.

The plans submitted by the applicant depict five (5) proposed outdoor dining areas with two (2) of the outdoor dining areas containing 165 sq. ft. two (2) other outdoor dining areas containing 40 sq. ft. and one (1) outdoor dining area containing 80 sq. ft. for a total of 490 sq. ft. of outdoor dining area. The proposed outdoor dining areas will be provided at the open breezeway located at the first level of a previously approved 35,300 sq. ft. three-story building. The plans submitted by the applicant depict the 490 sq. ft. of outdoor dining area on the first floor of the three-story free-standing building, which contains 10,500 sq. ft. at the first floor and a combined total of 24,800 sq. ft. on the second and third floors for a total of 35,300 sq. ft. The plans also depict a total of 592 parking spaces for the entire shopping center which requires a total of 535 parking spaces including the required 10 parking spaces for the proposed 490 sq. ft. of outdoor dining area and the additional 17 parking spaces required for the conversion of the previously approved 24,800 sq. ft. of office area into retail area, resulting in a total of 57 surplus parking spaces. The plans submitted by the applicant also depict a proposed left turn drive onto NW 189 Street and a proposed left turn drive onto NW 87 Avenue.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application and indicates that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department does not object** to this application and their memorandum indicates that this project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply. The Miami-Dade Fire Rescue Department (**MDFRD**) has **no objections** to this application and has indicated that the average response time for this site is **6:27** minutes.

The Land Use Plan of (LUP) map of the Comprehensive Development Master Plan (CDMP) designates the northerly 200' of the subject property for **Low-Medium Density Residential** use. This category allows densities from 6 to 13 dwelling units per gross acre. The **Low-Medium Density Residential** designation allows single-family homes, townhouses, low-rise apartments and also allows zero-lot-line single-family developments that do not exceed a density of 7.0 dwelling units per gross acre. The southwesterly 200' x 450' portion of the subject property is designated for **Office/Residential** use. The Office/Residential use category allows both professional and clerical offices, hotels, motels, and residential uses. The balance of the site is designated for **Business and Office**. The Business and Office designation accommodates a full range of sales and service activities which includes, among other things, retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments. The interpretative text of the

CDMP indicates that all existing lawful uses and zoning are deemed to be consistent with the CDMP as provided in the section titled "Concepts and Limitations of the Land Use Plan Map." As such the existing BU-1A zoning and the shopping center on the subject property are **consistent** with the provisions of the Master Plan.

The subject property, zoned BU-1A, is allowed to have uses such as banks, bakeries, drugstores, grocery stores, restaurants, automobile parts and equipment sales, and variety stores, among others. The applicant is seeking to permit outdoor dining in conjunctions with restaurants and other eating establishments in the shopping center (request #1) and to modify conditions of previous Resolutions and paragraphs of various recorded Declarations of Restrictions, in order to revise the approved site plans to show the aforementioned outdoor dining areas, left turn exits onto NW 87 Avenue and NW 189 Street, to allow commercial uses in addition to the permitted office uses on the second and third floors of the 35,300 sq. ft. three-story, free-standing building and to show some modifications to the parking lot configuration.

The CDMP indicates that certain uses are not authorized under any LUP map category, including many uses listed as "**unusual uses**" in the Zoning Code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of the Master Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area.

The applicant is requesting an unusual use in conjunction with the modification of the submitted plans. The unusual use to permit outdoor dining (request #1) would allow the applicant to provide restaurant style dining in a section of the commercial plaza. As depicted within the submitted plans, the applicant has provided approximately 490 sq. ft. of outdoor dining area located within the open breezeway of the first floor of the three-story, 35,300 sq. ft. free-standing building. Staff notes that outdoor dining is similar to other outdoor uses permitted in the BU-1A zoning district such as, outdoor playground areas which are permitted in conjunction with fast-food restaurants. Therefore, staff opines that outdoor dining is substantially similar to other uses permitted in the Business and Office LUP map category. The submitted plans depict 592 parking spaces, which is 57 spaces more than required to accommodate the existing uses in the existing commercial/retail plaza and the proposed outdoor dining areas. As such, staff opines that the proposed 490 sq. ft. of outdoor dining will not have an unfavorable effect on the area as it will not result in an overflow of parking onto the surrounding roadways or create spillage into the residential areas that abut the subject property to the north, west and east. This is substantiated by the approval of the **Public Works Department**, which did not object to the application. Further, other departments such as **DERM** and **MDFR** also did not object to the application, nor did they indicate that the approval of the application would have an unfavorable effect on the air, water or create an undue risk to the surrounding properties. As previously mentioned, staff opined that the existing uses and requested restaurant use with outdoor dining is **consistent** with the interpretative text and the LUP Map designation of the CDMP.

When request #1, to permit outdoor dining, is analyzed under Section 33-311(A)(3), Standards for Special Exceptions, **Unusual Uses** and **New Uses**, staff is of the opinion that the approval of this request would not have an unfavorable effect on the economy, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, is accessible by public roads, will not tend to create a fire or other equally or greater dangerous hazard or provoke excessive overcrowding or concentration of people when considering. As previously mentioned, the proposed plans indicate the development of outdoor dining areas sited on the first floor of the abovementioned three story building. The subject property is located at the intersection of section line roads NW 87 Avenue and NW 186 Street, both well-traveled roadways in the County. Staff therefore opines, that based on the aforementioned, the applicant's request for approval of their request for an Unusual Use to permit a restaurant with outdoor dining areas is **compatible** with the surrounding area and would not have a negative impact on the economy of Miami-Dade County, nor based on the memoranda from DERM, Public Works and MDFRD, be an excessive burden on public facilities, including water, sewer or transportation, nor would it tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population. As such, staff recommends approval with conditions of request #1 to permit outdoor dining under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses And New Uses.

When requests #2 and #6 are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff is of the opinion that the approval of same would not generate excessive noise or traffic, tend to create a fire or other hazard, or provoke excessive overcrowding of people, nor would it tend to provoke a nuisance, and would not be incompatible with the area when considering the necessity for and reasonableness of the modification in relation to the present and future development of the area. The proposed modification of Condition #2 of Resolution #Z-33-00, last modified by Resolution #CZAB5-7-06 (request #2), and the proposed modification of Paragraph #1 of a previously approved Declaration of Restrictions recorded in Official Record Book #21946, Pages 2096-2101, last modified by a Declaration of Restrictions recorded in Official Record Book 25096, Pages 382-386 (request #6), in order to modify the previously approved plans and show on the revised plans the proposed 490 sq. ft. outdoor dining area on the first floor of the 35,300 sq. ft. three-story building, a proposed left turn lane onto NW 87 Avenue, a proposed left turn lane onto NW 189 Street, eliminating the restriction of the traffic signs and driveway markings prohibiting left turns onto NW 87 Avenue and NW 189 Street indicating additional BU-1A uses other than office uses on the second and third floors of the aforementioned 35,300 sq. ft. three-story free-standing building and indicating driveways with traffic markings allowing the shopping center traffic to turn left onto NW 87 Avenue and NW 189 Street. As previously mentioned, the proposed plans show the proposed 490 sq. ft. outdoor dining areas located on the easterly portion of the first floor (breezeway) of the 35,300 sq. ft. three story building facing an existing shopping center across the street from NW 87 Avenue. Additionally, the proposed outdoor dining will not contribute towards a shortage of parking, thereby resulting in spillage of traffic onto the surrounding swale areas. When considering the necessity for and the reasonableness of the proposed modification on the subject property, staff is of the opinion that the approval of these requests (requests #2 and #6) will not have an unfavorable effect on the area and will not be contrary to the public interest. The approval of the proposed site plan will not, therefore, result in the intensification of the site and, as previously mentioned, is **compatible** with the existing uses in the surrounding area. As such, staff recommends

approval with conditions of requests #2 and #6, under the Generalized Modification Standards.

When request #3 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff is of the opinion that the approval of the request would not generate excessive traffic, would not create a nuisance and would be **compatible** with the area. Staff supports this request to delete condition #8 of Resolution #CZAB5-11-04, restricting the traffic exiting the shopping center from turning left onto NW 189 Street and requiring traffic signs and markings indicating that vehicles shall only make right turn onto NW 189 Street. Staff is of the opinion that the deletion of this restriction would not have an unfavorable effect on the neighboring residential properties lying to the north and the west of the subject property since the residential development to the north is buffered by an existing concrete block masonry decorative wall which runs along the northern right-of-way line of NW 189 Street. Additionally, the subject driveway connection onto NW 189 Street is depicted on the plans as a secondary access to the shopping center, which in staff's opinion, would be most commonly used by the existing residential communities lying to the north and to the west of the subject property. As such, staff recommends approval with conditions of this request (request #3) under the Generalized Modification Standards.

When requests #4 and #7 are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), staff is of the opinion that the proposed deletion of condition #4 of Resolution #CZAB5-7-06 (request #4), and the proposed deletion of Paragraph #9 of a previously approved Declaration of Restrictions recorded in ORB 21946, Pages 2096 - 2101 (request #7) in order to delete a restriction limiting the use of the second and third floors of the aforementioned 35,300 sq. ft. free-standing building to office use only, would not generate excessive traffic or provoke excessive overcrowding of people and would be compatible with the other uses in the shopping center. As indicated on the plans submitted by the applicant the total number of parking spaces provided by the applicant would exceed the required number of parking spaces even when the most restrictive parking (retail) requirements are applied to the 24,800 sq. ft. second and third floor portions of the 35,300 sq. ft. building. As indicated on the plans, the shopping center will provide a total of 592 parking spaces where 535 parking spaces are required (including the parking requirements for the proposed 490 sq. ft. outdoor dining area and the proposed 24,800 sq. ft. retail area). As such, staff is of the opinion that with the 57 surplus parking spaces, the deletion of the *office use only* restriction on the second and third floors of the three story building would not be contrary to the public interest and would not create a negative impact to the surrounding area. As such, staff recommends approval of requests #4 and #7 under the Generalized Modification Standards.

When request #5 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the proposed deletion of Paragraphs #6, #7 and #8 of a previously approved Declaration of Restrictions recorded in ORB 21946, Pages 2096 - 2101, would allow the applicant to delete restrictions prohibiting a left turn onto NW 87 Avenue, requiring traffic signs and markings indicating that vehicles shall only make a right turn onto NW 87 Avenue and not allowing modifications to the parking area. Staff is of the opinion that the requested deletions of these restrictions would not have an unfavorable effect on the surrounding area. Specifically, the parcel of land lying to the east of the subject property across the street from NW 87 Avenue is zoned BU-1A and developed with a shopping center and gasoline station. Staff also notes that, as depicted on the plans submitted by the applicant, the driveway which will allow a the left turn onto NW 87

Avenue would not infringe into the residential area lying to the north of the existing shopping center across NW 87 Avenue, and that the proposed left turn driveway is aligned with the northern BU-1A boundary line of the neighboring shopping center. Additionally, the Public Works Department has indicated on their memorandum submitted for this application that they do not have any objection to the plans submitted by the applicant indicating the parking layout modifications which reflect the requested left turn onto NW 87 Avenue. As such, staff is of the opinion that the deletion of Paragraphs #6, #7 and #8 of the previously approved Declaration of Restrictions (request #6) will not have an unfavorable effect on the area and will not be contrary to the public interest. As such, staff recommends approval with conditions of request #5 under the Generalized Modification Standards.

The Standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to this application. Due to the lack of information, staff is unable to analyze requests #2 through #7 under said Standards, and as such, this request should be denied without prejudice under same.

Based on all of the aforementioned, staff recommends approval with conditions of request #1 under Section 33-311(A)(3), approval with conditions of requests #2 through #7 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

**I. RECOMMENDATION:**

Approval with conditions of request #1 and approval with conditions of requests #2 through #7 under Section 33-311(A)(7) (Generalized Modification Standards) and denial without prejudice of same under Section 33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

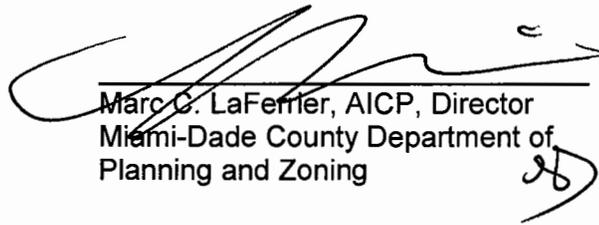
**J. CONDITIONS:**

1. That all conditions of Resolutions No. Z-33-00, No. CZAB5-11-04 and No. CZAB5-7-06 remain in full force and effect except as herein modified.
2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Phase 2 (Retail/Office Bldg) Lakes on the Green Plaza,' as prepared by Albert O. Gonzalez, Architect, Sheets SP-1, FP-1, LA-1 and LA-2 dated stamped received 8/6/08 and the remaining sheets dated stamped received 5/8/06 for a total of 7 sheets.

3. That the applicant obtain a Certificate of Use for the outdoor dining from the Department of Planning and Zoning, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
5. That the use be established and maintained in accordance with the approved plan.
6. That the outdoor dining areas be arranged in a manner so as not to obstruct pedestrian and wheelchair access to the entrance of the premises.
7. That a revised Declaration of Restrictions be submitted to the Department within 90 days after final public hearing approval of this application, unless a time extension is granted by the Director of the Department of Planning and Zoning, for good cause shown.

**DATE INSPECTED:** 10/24/08  
**DATE TYPED:** 09/19/08  
**DATE REVISED:** 10/08/08; 10/10/08; 10/14/08; 10/22/08; 10/29/08  
**DATE FINALIZED:** 10/29/08

MCL:MTF:LVT:AA

  
\_\_\_\_\_  
Marc C. LaFerrer, AICP, Director  
Miami-Dade County Department of  
Planning and Zoning

Memorandum 

**Date:** August 26, 2008  
**To:** Marc C. LaFerrier, AICP, Director  
Department of Planning and Zoning

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



**Subject:** C-05 #Z2008000155  
C & C Development Group, LLC  
18600 N.W. 87<sup>th</sup> Avenue  
Unusual Use to Permit Outdoor Dining  
(BU-1A) (13.23 Acres)  
04-52-40

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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 Level of Service (LOS) standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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 Enrique A. Cuellar at (305) 372-6764.

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names:C & C DEVELOPMENT GROUP, LLC

This Department has no objections to this application.

This Department has no objections to requests to allow vehicles to make left turns onto NW 87 Avenue and NW 189 Street.

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



Raul A Pino, P.L.S.

12-SEP-08

# Memorandum



**Date:** 25-AUG-08  
**To:** Marc LaFerrier, Director  
 Department of Planning and Zoning  
**From:** Herminio Lorenzo, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2008000155

## Fire Prevention Unit:

### APPROVAL

Fire Engineering and Water Supply Bureau has no objection to Site plans (2nd phase) date stamped August 6, 2008. Any changes to the vehicular circulation must be resubmitted for review and approval. This plan has been reviewed to assure compliance with the MDRR Access Road Requirements for zoning hearing applications only. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDRR requirements.

## Service Impact/Demand:

Development for the above Z2008000155  
 located at 18600 N.W. 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 0094 is proposed as the following:

<u>N/A</u>	dwelling units	<u>N/A</u>	square feet
residential		industrial	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Office		institutional	
<u>35,300</u>	square feet	<u>N/A</u>	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 10.84 alarms-annually.  
 The estimated average travel time is: 6:27 minutes

## Existing services:

The Fire station responding to an alarm in the proposed development will be:  
 Station 44 - Palm Springs N - 7700 NW 186 Street  
 Rescue, ALS Engine, EMS Capt.

## 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 plans (2nd. phase) date stamped August 6, 2008. Substantial changes to the planst will require additional service impact analysis.

# TEAM METRO

## ENFORCEMENT HISTORY

C & C DEVELOPMENT GROUP, LLC

18600 N.W. 87 AVENUE, MIAMI-  
DADE COUNTY, FLORIDA.

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**APPLICANT**

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**ADDRESS**

---

Z2008000155

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**HEARING NUMBER**

### CURRENT ENFORCEMENT HISTORY:

NO VIOLATION OBSERVED

JOSEPHINE ROMAN

**DISCLOSURE OF INTEREST\***

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

CORPORATION NAME: C & C Development Group, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Power One Group, LLC</u>	<u>100%</u>
<u>Oscar J. Delgado, Managing Member (who is also Managing Member of C &amp; C Development Group, LLC)</u>	
<u>15476 NW 77 Court, #707, Miami Lakes, Florida 33016</u>	
<u>Power One Group is owned as follows:</u>	
<u>Oscar J. Delgado, Managing Member</u>	<u>28.6%</u>
<u>16719 SW 54 Court, Miramar, Florida 33027</u>	
<u>Rene M. Cambert</u>	<u>23.8%</u>
<u>2300 West 84<sup>th</sup> Street, Hialeah Florida 33016</u>	
<u>Luis M. Espinosa</u>	<u>23.8%</u>
<u>2300 West 84<sup>th</sup> Street, Hialeah Florida 33016</u>	
<u>Reginald Beane</u>	<u>23.8%</u>
<u>2300 West 84<sup>th</sup> Street, Hialeah Florida 33016</u>	

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

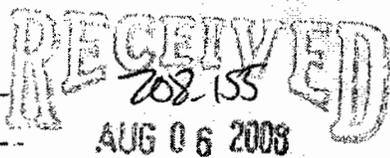
TRUST/ESTATE NAME: N/A

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

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


  
 ZONING HEARINGS SECTION  
 PLANNING AND ZONING DEPT.  
 BY AH

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].

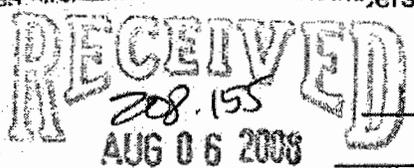
NAME OF PURCHASER: N/A

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

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

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

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



ZONING HEARINGS SECTION  
METROPLANNING AND ZONING DEPT.

*Handwritten initials*

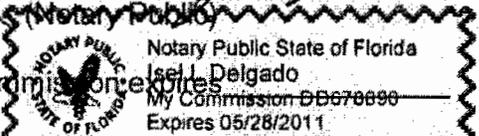
**NOTICE:** For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: \_\_\_\_\_, Managing Member  
(Applicant) -

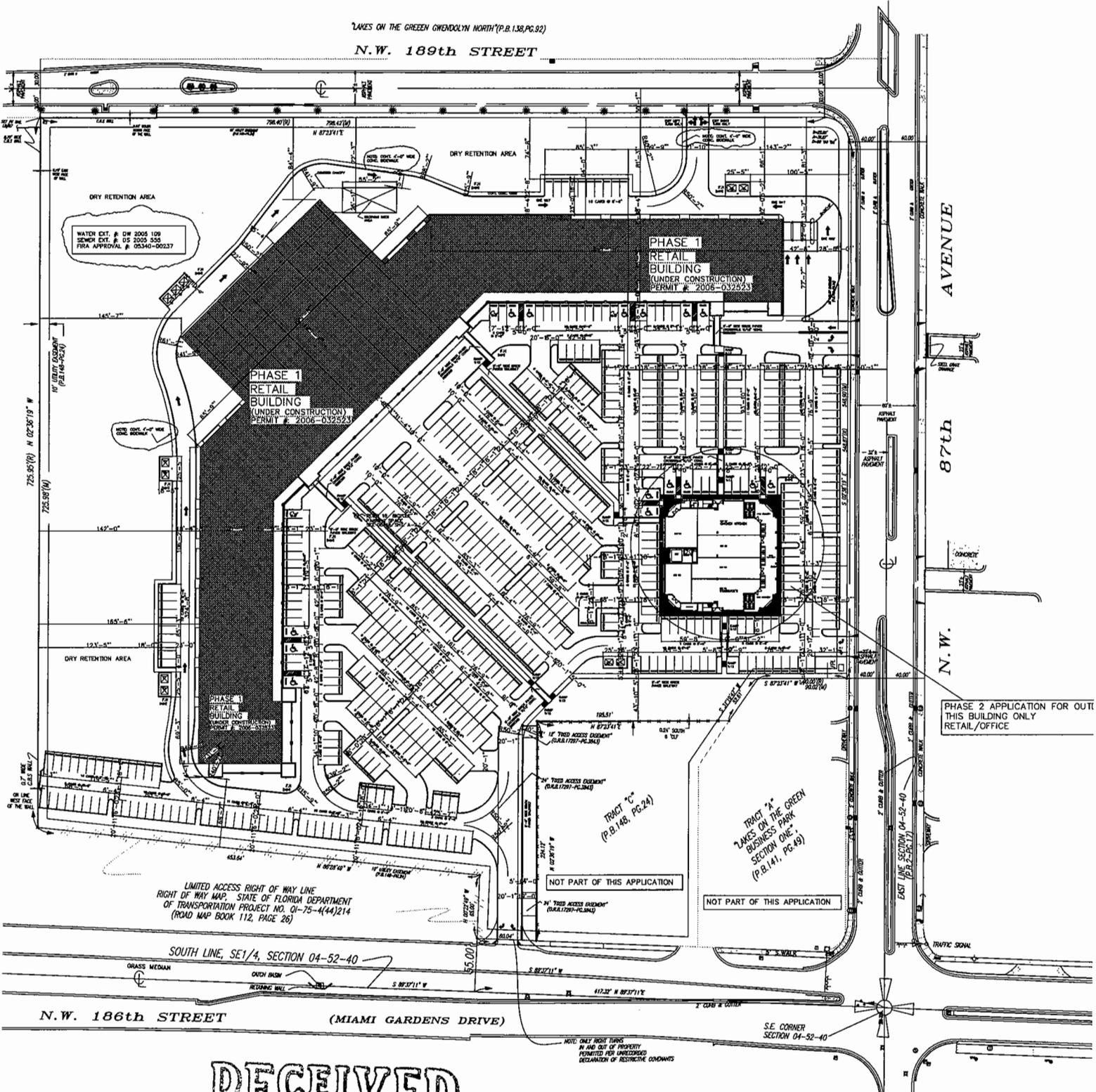
Sworn to and subscribed before me this day of 4th June 2008. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

*Handwritten signature of Notary*



\*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 a other 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 percent (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.

LAKES ON THE GREEN Gwendolyn North (P.B. 138, PG. 92)  
 N.W. 189th STREET



LIMITED ACCESS RIGHT OF WAY LINE  
 RIGHT OF WAY MAP, STATE OF FLORIDA DEPARTMENT  
 OF TRANSPORTATION PROJECT NO. Q1-75-444)214  
 (ROAD MAP BOOK 112, PAGE 26)

SOUTH LINE, SE 1/4, SECTION 04-52-40

N.W. 186th STREET

(MIAMI GARDENS DRIVE)

AVENUE

87th

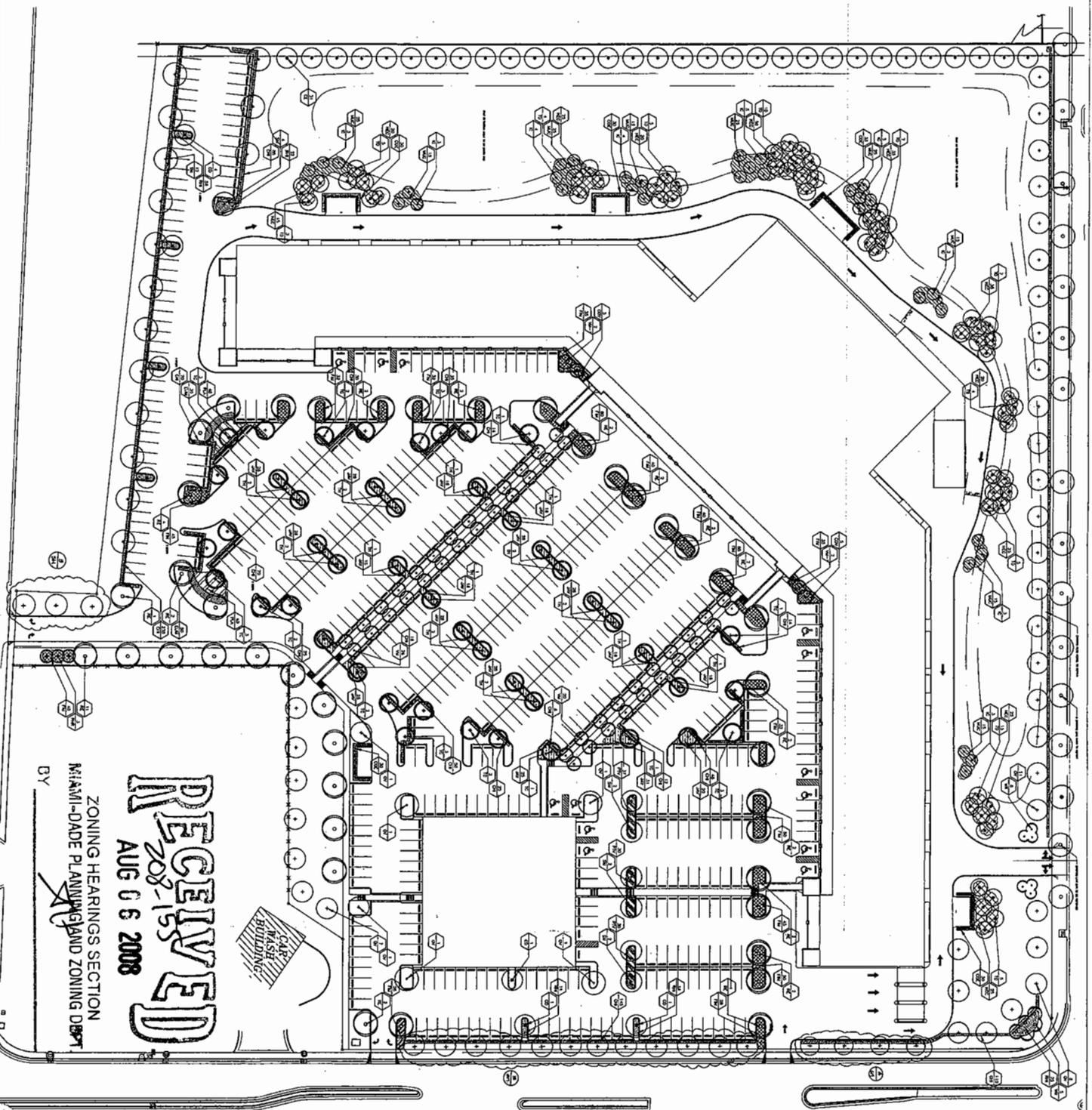
N.W.

**RECEIVED**  
 208-155  
 AUG 06 2008

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.

ENLARGED SITE PLAN





**RECEIVED**  
 AUG 06 2008  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT  
 BY \_\_\_\_\_

CAR WASH BUILDING

DATE PLOTTED: 11/15/08  
 PLOTTED BY: MARIANA GONZALEZ R.A.  
 PROJECT NO.: 08-0011843  
 SHEET NO.: 23

DATE	APRIL 25, 2005
JOB NUMBER	LA-1
SHEET NO.	
SCALE	
BY	<i>Blatt</i>

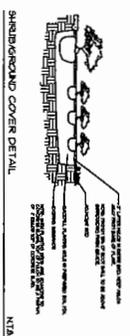
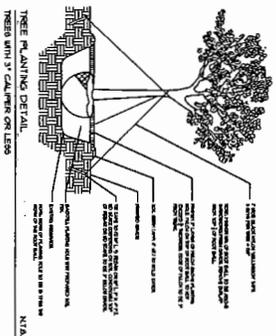
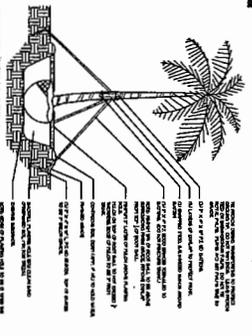
PROPOSED RETAIL CENTER FOR:  
 LAKES ON THE GREEN PLAZA  
 JOB ADDRESS: N.W. CORNER OF NW 186THST AND 87TH AVE.  
 C/O/ DELGADO BROTHERS (305)

**A. O. G. ARCHITECTS, P.A.**  
 6500 COWPEN RD. SUITE 302  
 MIAMI LAKES, FL. 33014  
 ALBERT G. GONZALEZ R.A.  
 LIC.#: A00011843  
 PHONE#: (305) 827-8933  
 FAX#: (305) 827-8977

REVISIONS	

PLANT NOTES

1. ALL PLANT MATERIAL TO BE IN COMPLIANCE WITH THE CITY OF MIAMI DEPARTMENT OF AGRICULTURE GUIDANCE AND STANDARDS (PARTS I AND II) AND LOCAL REGULATORY AGENCIES RESPECTIVELY.
2. ALL PLANTING BEDS TO BE TOPPED WITH 2" NUCON ENCLAVING TOP OR PROTECTIVE PLANTING DETAIL.
3. ALL TREES TO BE SHOWN IN A GOOD DEVELOPMENT PHASE AND ALL TREES TO BE SHOWN IN COMPLIANCE WITH ALL LOCAL CODES.
4. LANDSCAPE CONTRACTOR SHALL VERIFY ALL COMPLIANCE WITH ALL LOCAL CODES.
5. ALL SOIL SHALL BE ST. AUGUSTINE FLORISTONE SOIL SOIL CLASSIFICATION (SANDY LOESS) AND LIME TREATED TO MEET ALL LOCAL CODES.
6. ALL PLANTING BEDS TO BE REED AND GRADE LEVEL.
7. LANDSCAPE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND MEASURE EACH CUBIC YARD QUANTITY (CONCRETE PAVEMENT TO END CURB AND COMPARE TO ARCHITECT'S PLANT LIST). LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ACCURATE COUNTY OF MIAMI RECORDS FOR EXISTING PLANTING DETAIL. LANDSCAPE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI AND THE COUNTY OF MIAMI. LANDSCAPE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MIAMI AND THE COUNTY OF MIAMI.
8. NO CHANGES SHALL BE MADE WITHOUT THE PRIOR CONSENT OF THE ARCHITECT.
9. ALL PLANTING MATERIALS TO BE RECEIVED FROM A REPUTABLE NURSERY AND TO BE PROVIDED.



Lakes on the Green Plaza

NW Corner of NW 186 St. & NW 87th Ave.  
Landscape Requirements  
Chapter 184-6

Zone	BU-1/A	Water Bodies: 0
Cross Land: 132 acres (776,301 sq. ft.) <td>N/A</td> <td></td>	N/A	
Required	14%	38.9%
Provided	N/A	N/A
Landscape Open Space (if applicable)	N/A	N/A
Greenbelt Width (if applicable)	N/A	N/A
Lawn Area (if applicable)	20%	20%
TREES:	291	298
Street Trees:	1 per 35'	
Total Number of Trees:	9,079	9,165
SELECTIONS: (10 plants per each required tree)	9,079	9,165
30% shrubs / hedge/s shall be native species.	3,632	3,662



Plant List - Lakes on the Green

Qty.	Key	Botanical Name	Common Name	Description
40	RE	Rapanea saba	Royal Palm	4' to 10' tall
3	PIR	Platanus mexicana	Platanus	4 to 6 ft. tall
2	WA-1	Wedelia macrocarpa	Wedelia	15-20' tall
4	WA-1	Wedelia macrocarpa	Wedelia	15-20' tall
11	WA-1	Wedelia macrocarpa	Wedelia	15-20' tall
31	CE	Conocarpus erectus	Caracas	10' tall
20	TH	Thunbergia alata	Black Butterfly	10' tall
22	CD	Conocarpus erectus	Caracas	10' tall
7	CD	Conocarpus erectus	Caracas	10' tall
46	IC	Ischaemum polystachyon	Ischaemum	10' tall
33	IC	Ischaemum polystachyon	Ischaemum	10' tall
879	CHI	Chrysanthemum indicum	Chrysanthemum	3' tall
852	FL	Ficus religiosa	Fig	3' tall
235	HEC	Hedera helix	English Ivy	3' tall
80	PLA	Platanus mexicana	Platanus	3' tall
85	ELM	Elm	Elm	3' tall
131	RH	Rapanea saba	Royal Palm	3' tall
104	PTV	Platanus mexicana	Platanus	3' tall
110	IND	Indigofera tinctoria	Indigo	3' tall

RECEIVED  
AUG 06 2008  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

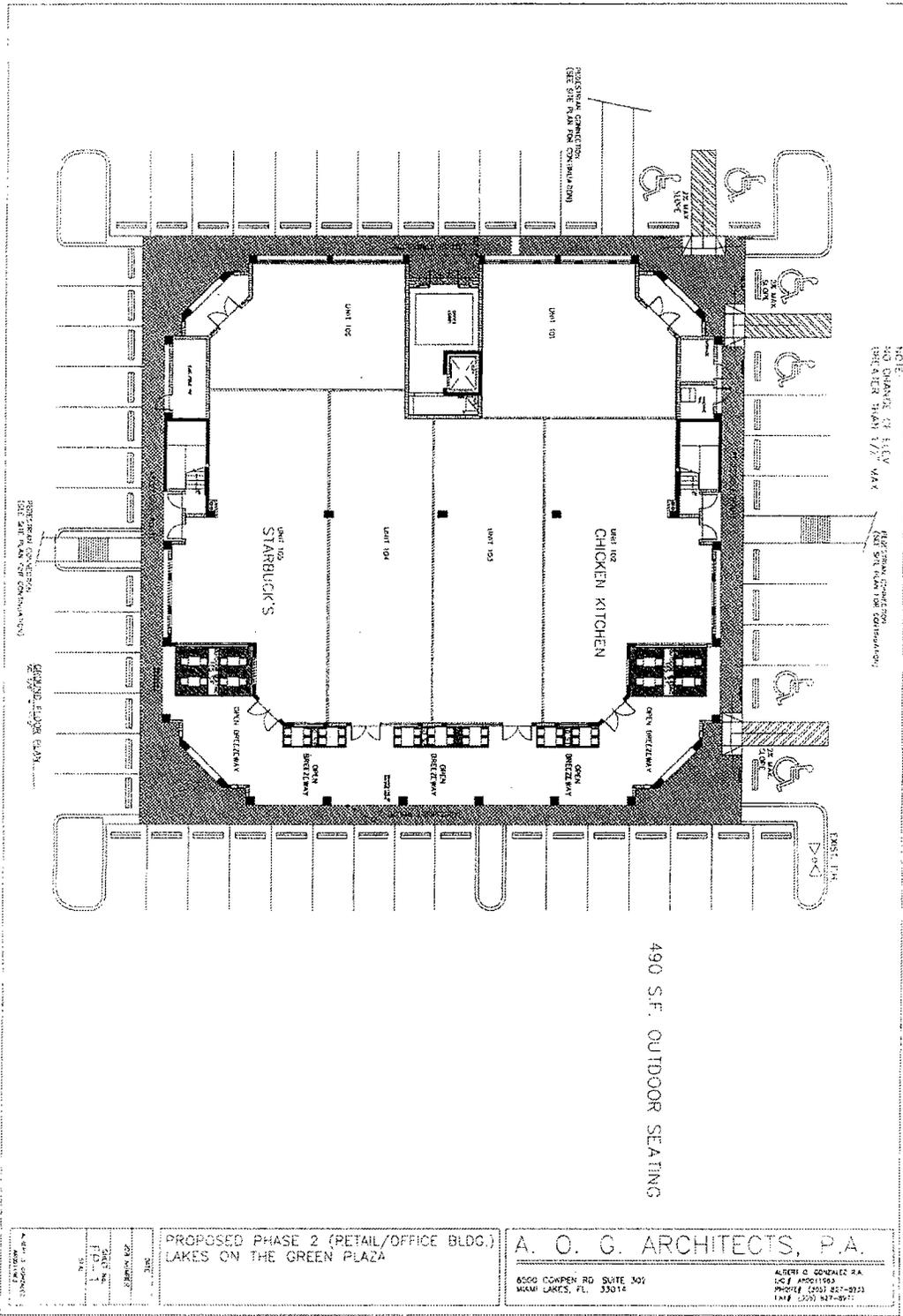
BY \_\_\_\_\_

DATE: APRIL 23, 2005  
SHEET NO. LA-2

PROPOSED RETAIL CENTER FOR:  
LAKES ON THE GREEN PLAZA  
JOB ADDRESS: N.W. CORNER OF NW 186TH AND 87TH AVE.  
C/O DELGADO BROTHERS (305)

A. O. G. ARCHITECTS, P.A.  
6500 COWPEN RD. SUITE 302  
MIAMI LAKES, FL. 33014  
ALBERT O. GONZALEZ R.A.  
LEO A. ARCHITECTS  
PHONE: (305) 827-8933  
FAX: (305) 827-8977

RECEIVED  
 MIAMI-DADE COUNTY  
 PROCESS #: Z08-155  
 DATE: AUG 06 2008  
 BY: SDR



PROPOSED PHASE 2 (RETAIL/OFFICE BLDG.)  
 LAKES ON THE GREEN PLAZA

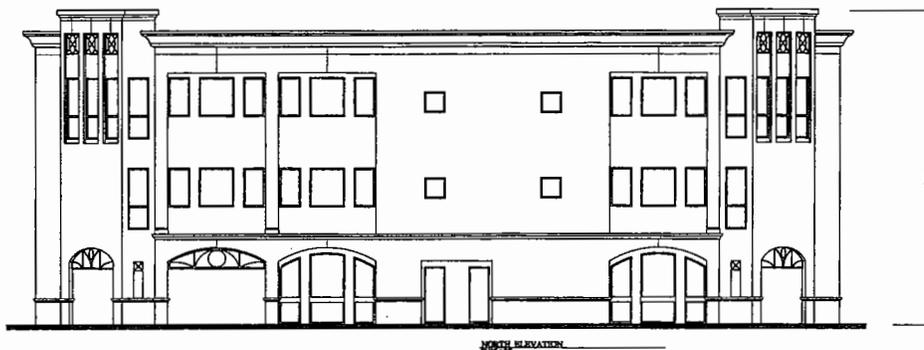
A. O. G. ARCHITECTS, P.A.  
 6500 COWPEN RD SUITE 302  
 MIAMI LAKES, FL 33014

ALBERT G. GONZALEZ P.A.  
 LIC # AC001193  
 PHONE (305) 257-0923  
 FAX (305) 247-0977

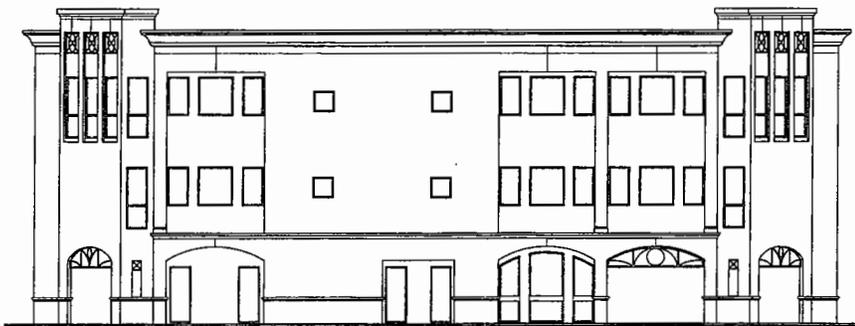
DATE: 8/6/08  
 DRAWING NO.: 100-100-100-100  
 SHEET NO.: 100-100-100-100

25





NORTH ELEVATION



SOUTH ELEVATION

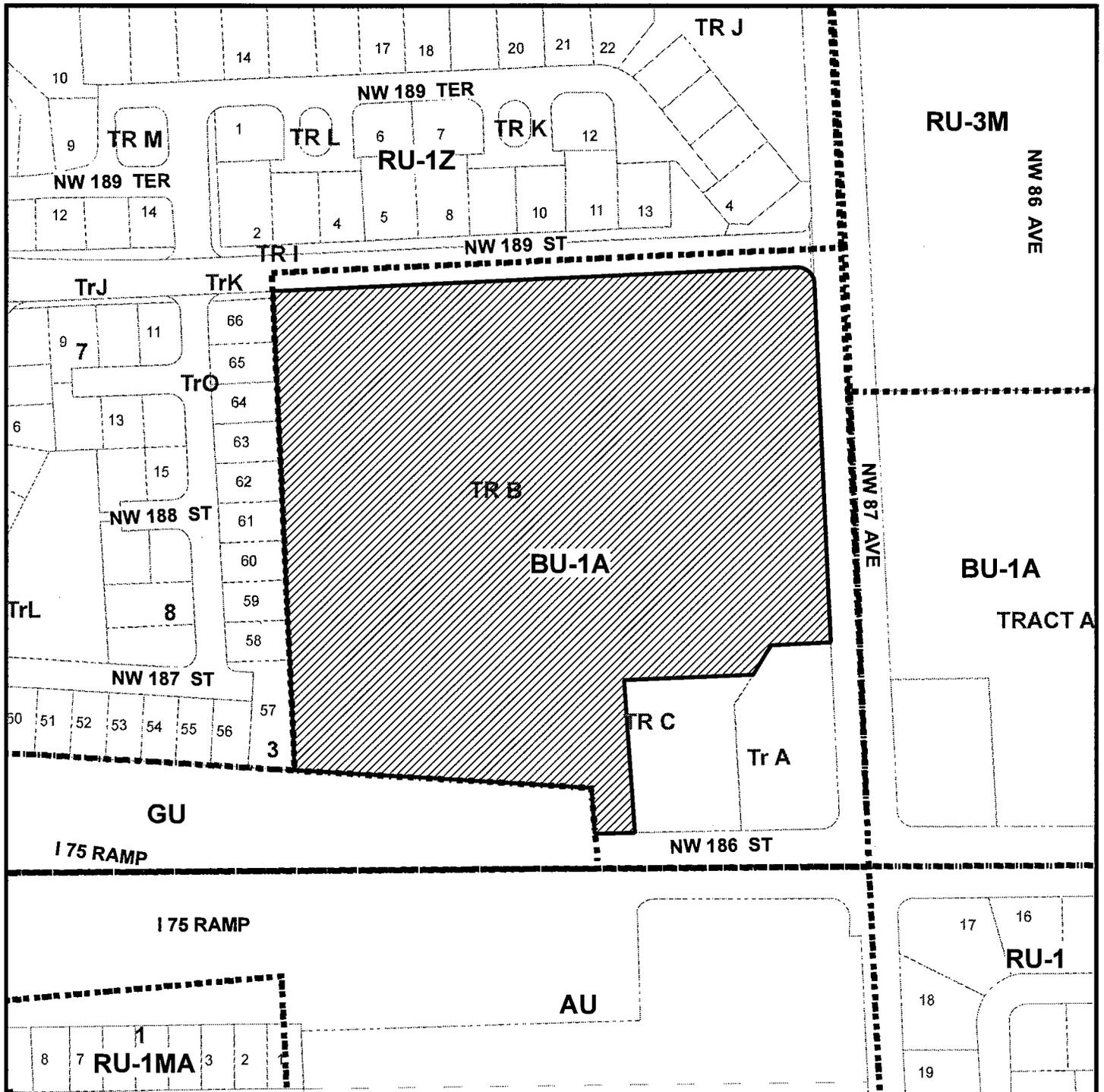
REVISIONS	BY
	LAKES ON THE GREEN OFFICE BUILDING

Albert O. Gonzalez  
 ARCHITECT  
 1925 W. 25TH AVE. SUITE # 2, HIALEAH, FL. 33016 (305) 871-8933

DATE: 1/16/06  
 PERM:  
 SCALE:  
 AR: A-5  
 AR #: 001963

**RECEIVED**  
 208-155  
 MAY 08 2006  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY

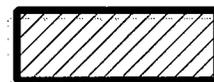




**MIAMI-DADE COUNTY  
HEARING MAP**

Section: 04 Township: 52 Range: 40  
 Applicant: C & C DEVELOPMENT GROUP, LLC.  
 Zoning Board: C05  
 Commission District: 12  
 Drafter ID: ALFREDO  
 Scale: NTS  
 ----- Zoning

Process Number  
**08-155**



**SUBJECT PROPERTY**



SKETCH CREATED ON: 08/14/08

REVISION	DATE	BY
		29



**MIAMI-DADE COUNTY  
AERIAL YEAR 2008**

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**SUBJECT PROPERTY**



SKETCH CREATED ON: 08/14/08

REVISION	DATE	BY