

# FINAL AGENDA

6-20-2012 Version # 2



COMMUNITY ZONING APPEALS BOARD 8  
DR. MARTIN LUTHER KING JR. PLAZA  
2525 NW 62 Street, Miami  
Wednesday, July 25, 2012 at 7:00 p.m.

## PREVIOUSLY DEFERRED

A. 12-5-CZ8-1 JUAN RODRIGUEZ & MARIA NOYA 11-78 27-52-41 N

## CURRENT

1. 12-7-CZ8-1 PERIMETER ROAD MANAGEMENT LLC 12-40 35-53-40 N

2. 12-7-CZ8-2 HABITAT FOR HUMANITY OF GREATER MIAMI, INC. 12-50 10-53-41 N

**COMMUNITY ZONING APPEALS BOARD - AREA 8**

**MEETING OF WEDNESDAY, JULY 25, 2012**

**DR. MARTIN LUTHER KING JR. PLAZA**

**2525 NW 62 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**



# Official Zoning Agenda

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## COMMUNITY ZONING APPEALS BOARD

### COMMUNITY ZONING APPEALS BOARD - AREA 8

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SWEARING IN OF WITNESSES

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**A. JUAN RODRIGUEZ & MARA NOYA (12-5-CZ8-1/11-078)**

**27-52-41  
Area 08/District 02**

NON-USE VARIANCE to permit an accessory building setback a minimum of 7.12' (7.5' required) from the interior side (north) property line and spaced from the principal residence 7.37' (10' required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "12720 NW 17<sup>th</sup> Avenue", prepared by Emiliano Orozco P.E. dated stamped received 5/31/12 and consisting of 2 sheets. Plans may be modified at public hearing.

LOCATION: 12720 NW 17 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 75' X 100'

Department of Regulatory and  
Economic Resources  
Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

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

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

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

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

*Deferred from May 9, 2012*

**1. PERIMETER ROAD MANAGEMENT LLC. (12-7-CZ8-1/12-040)**

**35-53-40  
Area 08/District 06**

DISTRICT BOUNDARY CHANGE from GU to IU-2.

LOCATION: Lying South of NW 12 Street, approximately 1297' East of NW 72<sup>nd</sup> Avenue,  
Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.93 Acres

Department of Regulatory and  
Economic Resources  
Recommendation:

Approval

Protests: 0

Waivers: 0

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

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

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

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

**2. HABITAT FOR HUMANITY OF GREATER MIAMI, INC. (12-7-CZ8-2/12-050) 10-53-41**  
**Area 08/District 02**

- (1) NON-USE VARIANCE to permit a parcel of land with a lot frontage of 50' (75' required) and a lot area of 3,750 sq. ft. (7,500 sq. ft. required).
- (2) NON-USE VARIANCE to permit a single family residence setback 15' (25' required) from the rear (north) property line.

Plans are on file and be examined in the Department of Regulatory and Economic Resources entitled "Habitat for Humanity" as prepared by Thomas & Calzadilla, dated stamped received 3/19/12 and consisting of 2 sheets. Plans may be modified at public hearing.

LOCATION: 1945 NW 71 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 50' X 75'

Department of Regulatory and  
Economic Resources  
Recommendation:

Approval with conditions.

Protests: 0

Waivers: 0

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

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

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

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

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**NOTICE**

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

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

office of RER.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

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

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 8**

**PH: Z11-078 (12-05-CZ8-1)**

**July 25, 2012**

**Item No. A**

<b>Recommendation Summary</b>	
<b>Commission District</b>	2
<b>Applicant</b>	Juan Rodriguez and Maria Noya
<b>Summary of Requests</b>	The applicant is seeking to permit an accessory building that encroaches into the interior side setback area and spaced less than required from the principal building.
<b>Location</b>	12720 N.W. 17 <sup>th</sup> Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	75' x 100'
<b>Existing Zoning</b>	RU-1
<b>Existing Land Use</b>	Single-Family Residence
<b>2015-2025 CDMP Land Use Designation</b>	Low Density Residential (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval with conditions.</b>

This item was deferred from the May 9, 2012 meeting of the Community Zoning Appeals Board (CZAB) 5 to allow the applicant to submit revised plans.

**REQUEST:**

NON-USE VARIANCE to permit an accessory building setback a minimum of 7.12' (7.5' required) from the interior side (north) property line and spaced 7.37' (10' required) from the principal building.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "12720 NW 17<sup>th</sup> Avenue" as prepared by Emiliano Orozco, P.E. dated stamped received 5/31/12 and consisting of 2 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** Existing 1,860 sq. ft. single-family residence.

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

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is an interior lot, located at 12720 N.W. 17<sup>th</sup> Avenue. Single-family residences characterize the surrounding area where the subject property lies.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow the applicant to maintain additional storage space for an existing single-family residence. Further, staff opines that since the addition is existing and located to the rear of the residence, it will not create any new visual impacts on the surrounding area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates this site as **Low Density Residential** on the Adopted 2015-2025 LUP map. *This designation permits a density range of a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The Land Use Element Interpretive Text under Residential Communities provides that this density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses.* The approval of the request sought in this application will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP and will not change the single-family detached use. Therefore, staff opines that the request is **consistent** with the uses allowed in the Low Density Residential category and the density threshold for this land use category and is consistent with the designation of the site on the CDMP LUP map.

**ZONING ANALYSIS:**

On May 31, 2012, the applicant submitted revised plans indicating the removal of the covered roof which connected the principal residence to the rear building. By removing the connecting roof, the rear building is now considered an accessory building because it is no longer attached to the principal residence and is subject to accessory building setback requirements. These changes result in the modification of the request sought in this application.

When the revised request is analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that it maintains the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff opines that the request to permit an existing addition to a single family residence with an encroachment of 0.38' into the interior side (north) setback area is minimal and that the request to permit a spacing of 7.37' (10' required) between the existing accessory building and principle building is interior to the lot and will not create a negative visual impact on the abutting properties. Furthermore, staff found similar approvals for relief of setback requirements in the surrounding area. For example, pursuant to Administrative Variance #V2001000046, the property located to the northwest of the subject property at 12901 NW 19 Avenue, was granted approval to allow a setback of 3.75' (7.5' required) from the interior side (north) property line. Consequently, staff is of the opinion that approval of the subject request will not result in an obvious departure from the aesthetic character of the surrounding area and would be **compatible** with the surrounding residential developments.

In addition, staff opines that although the accessory building is labeled as a storage room on the plans, the layout could easily be converted and used as an additional residential unit. Staff notes that this is a single-family residential district which only permits one (1) residential unit on the subject property. Based on the photos submitted by the applicant, it looks like this property

could be converted to as many as four (4) living units on the subject property, which is three (3) more dwelling units than what is currently allowed in the RU-1 single-family residential district. Therefore, staff recommends as conditions for approval that the applicant submits a Declaration of Use agreement which restricts the use of the subject property to single-family use only, that the terrace on the southwest corner of the residence be demolished as indicated on the plans, and that the roofed area between the accessory building and principal building be removed remain open and not enclosed by a roof or any structure.

**Therefore, staff recommends approval with conditions of the subject request under Section 33-311(A)(4)(b), Non-Use Variance standards.**

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

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

**RECOMMENDATION:** Approval with conditions.

**CONDITIONS FOR APPROVAL:**

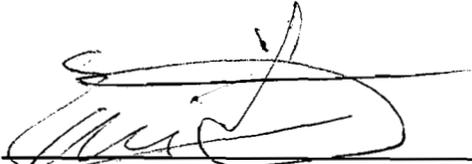
1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "12720 NW 17th Avenue" as prepared by Emiliano Orozco, P.E. dated stamped received 5/31/12 and consisting of 2 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a building permit for any unpermitted structures from the Construction, Permitting and Building Code Division of the Department of Regulatory and Economic Resources within 90 days after final public hearing approval of this application.
5. That the applicant submit a Declaration of Use Agreement restricting the use of the subject property only to a single family residence prior to the issuance of a building permit.
6. That the terrace be demolished as indicated in the plans and that the roofed area between the accessory building and principal building be removed and remain open and not enclosed by a roof or any structure.

ES:MW:NN:AN:JC

Juan Rodriguez and Maria Noya

Z11-078

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

*now*

# ZONING RECOMMENDATION ADDENDUM

Applicant: *Juan Rodriguez & Maria Noya*  
PH: Z11-078

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Miami-Dade Transit	No comment
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

<p><b>Low Density Residential (Pg. I-31)</b></p>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential use. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
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## PERTINENT ZONING REQUIREMENTS/STANDARDS

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

**12-5-CZ8-1 (11-078)**  
**Area 08/District 08**  
**Hearing Date: 07/25/12**

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

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
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No History

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

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 8  
MOTION SLIP**

**#1**

APPLICANT'S NAME: JUAN RODRIGUEZ & MARIA NOYA

REPRESENTATIVE: Juan Rodriguez and Maria Noya

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
12-5-CZ8-1 (11-078)	May 9, 2012	CZAB8	12

**REC: Denial without prejudice.**

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

DEFER:       INDEFINITELY       TO: July 25, 2012       W/LEAVE TO AMEND

DENY:       WITH PREJUDICE       WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT       ACCEPT REVISED PLANS

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

OTHER: The applicant requested a deferral to July 25, 2012 to make revisions to the plan.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Richard C. BROWN (C.A.)			X
COUNCILMAN		Patrick CURE			X
COUNCILMAN		Arthemon JOHNSON	X		
COUNCIL WOMAN	<b>S</b>	Voncarol Yvette KINCHEN	X		
VICE CHAIRMAN	<b>M</b>	Fredericke Alan MORLEY	X		
CHAIRWOMAN		Joy J. DAVIS	X		
VOTE:			4	0	

EXHIBITS:  YES       NO

COUNTY ATTORNEY: **DARON FITCH**

# Memorandum



**Date:** July 28, 2011  
**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". The signature is written in a cursive, flowing style.

**Subject:** C-08 #Z2011000078  
Juan Rodriguez  
12720 N.W. 17 Avenue  
To Permit a Single-Family Residence Setback Less than Required from  
Property Lines  
(RU-1) (0.1723 Acres)  
27-52-41

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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.

#### Potable Water Service

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

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

#### Wastewater Disposal

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

The subject property does not meet the minimum allowable lot size requirements of Section 24-43.1(3) of the Code for a single-family residence or duplex served with a septic tank and public water. However, since the legal subdivision, creating by plat such tract of land, occurred prior to the effective date of the aforesaid Code Section, the subject property is grandfatherable and may be administratively approved by DERM. DERM does not object to the proposed use served by a septic tank and drainfield disposal system, provided that all the above criteria are met and connection is made to public water.

#### Stormwater Management

The existing addition will not affect the existing stormwater management system.

### Wetlands

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

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

### Tree Preservation

According to the site plan submitted with this zoning application, the proposal to permit an existing addition will not impact tree resources. Therefore, the Tree Program has no objection to this zoning application, however please be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Section 24 of the Code.

### Enforcement History

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

### Concurrency Review Summary

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

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

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

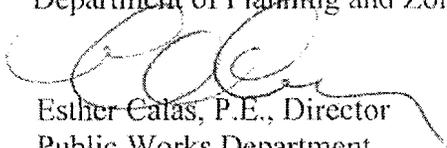
If you have any questions concerning the comments, or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

# Memorandum



**Date:** November 26, 2008

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

**From:**  Esther Calas, P.E., Director  
Public Works Department

**Subject:** Zoning Hearing Improvements

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In order to enhance the efficiency of the zoning review process for public hearings, your Department requested that Public Works Department (PWD) provide standard "bypass" comments for some residential applications. These applications will be limited to single family residences, townhouses and duplexes, where the applicant seeks zoning hearing relief for a customary residential use, on previously platted lots. The following applications for public hearings could "bypass" the PWD review:

- Applications requesting setback variances
- Applications requesting variance on lot frontage
- Applications requesting variance on lot area
- Applications requesting greater lot coverage than permitted by Code
- Applications requesting additions to an existing structure

Pursuant to Sec. 33-24 of the Miami-Dade County Code, for those applications where a structure encroaches onto an easement, the applicant must secure from the easement owner a written statement that the proposed use will not interfere with owner's reasonable use of the easement.

Please contact Mr. Raul Pino, P.L.S., Chief, Land Development Division, at (305) 375-2112, if you have any questions.

**cc:** Antonio Cotarelo, P.E., Assistant Director  
Public Works Department

Raul Pino, P.L.S., Chief  
Land Development Division

Leandro Rodriguez

# Memorandum



**Date:** August 16, 2011

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

**Thru** *MN* Maria I. Nardi, Chief  
Planning and Research Division

**From:** John M. Bowers, AICP/RLA  
Landscape Architect 2  
Planning and Research Division

**Subject:** Z2011000078: JUAN RODRIGUEZ & MARIA NOYA

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**Application Name:** JUAN RODRIGUEZ & MARIA NOYA

**Project Location:** The site is located at 12720 NW 17 AVE., Miami-Dade County.

**Proposed Development:** The applicant is requesting non-use variance to setbacks for an existing residence.

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

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

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

MN:jb

Cc: John M. Bowers, RLA/AICP, Landscape Architect 2

# Memorandum



**Date:** 29-JUL-11  
**To:** Marc LaFerrier, Director  
Department of Planning and Zoning  
**From:** Karls Paul-Noel, Interim Director  
Miami-Dade Fire Rescue Department  
**Subject:** Z2011000078

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## Fire Prevention Unit:

Not applicable to MDRF site requirements.

## Service Impact/Demand

Development for the above Z2011000078  
located at 12720 NW 17 AVE, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid 0479 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.  
The estimated average travel time is: 6:24 minutes

## Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 19 - North Miami W - 650 NW 131 Street  
Rescue, ALS 65' Squrt, TRT-1

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

## Fire Planning Additional Comments

Not applicable to service impact analysis.

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

JUAN RODRIGUEZ & MARIA  
NOYA

12720 NW 17 AVE, MIAMI-DADE  
COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

---

Z2011000078

---

HEARING NUMBER

**HISTORY:**

Enforcement History : Z2011000078  
Applicant: Juan & Maria Rodriguez  
Folio # 3021270090100

ENFORCEMENT HISTORY: NC: No open cases. BNC: BSS case 20100137196-B was opened on May 25, 2010. Notice of Violation issued for failure to obtain required building permit(s) prior to commencing work on: main residence with 2 efficiencies added and 1 detached structure not complying with building spacing and is encroaching into required interior side setback. Interior alternations to include all trades. New windows and iron bars blocking egress. Aerial electrical service over aluminum patio and electrical conductors with open ends and not properly spaced. Many improvised branch circuits, exposed romex from fixture to fixture. AC system installed with condensate and insulated cooper lines going from AHU and CU running above the floor in bedroom closets to ac closet. Wiring near cu have exposed ends. Failure to maintain septic tank system with lid not properly placed and erosion around tank. Case closed on February 18, 2012 due to change in ownership, new case opened 20110142911-B.

BSS case 20110142911-B opened on February 17, 2011. Notice of Violation issued on February 17, 2011 for failure to obtain required building permit(s) prior to commencing work on: main residence with 2 efficiencies added and 1 detached structure not complying with building spacing and is encroaching into required interior side setback. Interior alternations to include all trades . New windows and iron bars blocking egress. Aerial electrical service over aluminum patio and electrical conductors with open ends and not properly spaced. Many improvised branch circuits, exposed romex from fixture to fixture. AC system installed with condensate and insulated cooper lines going from ahu and cu running above the floor in bedroom closets to ac closet. Wiring near cu have exposed ends. Failure to maintain septic tank system with lid not properly placed and erosion around tank. Civil Violation Notice P005424, P005425, P005426, P005427, P005429 & P005431 issued on September 21, 2011 for non compliance. CVN's were also posted on property

on October 20, 2011. CVN's were appealed on November 9, 2011. On January 17, 2012 hearing were held for all cvn's. On this date property owner did not show and owner was found guilty and 30 days were issued for compliance. Case remains open in non compliance.

Juan Rodriguez & Maria

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

**REPORTER NAME:**

**Inspector:** RODRIGUEZ, FRANK

**Inspection Date**

**Evaluator:** JACQUELINE CARRANZA

03/19/12

**Process #:**        **Applicant's Name**  
Z2011000078        JUAN RODRIGUEZ & MARIA NOYA

**Locations:**        12720 NW 17 AVE, MIAMI-DADE COUNTY, FLORIDA.

**Size:**                75' X 100'

**Folio #:** 3021270090100

**Request:**

applicant are requesting to permit an existing single family residence setback a minimum of 7.12' (7.5' required) from the interior (north) and a minimum of 6.92' (25' required) from the rear (west) property lines.

**EXISTING ZONING**

**Subject Property**    RU-1,

**EXISTING USE**        RESIDENCE

**SITE CHARACTERISTICS**

**STRUCTURES ON SITE:**

One story single family residence.

**USE(S) OF PROPERTY:**

Residential

**FENCES/WALLS:**

Chain link fence surrounds subject property. Front portion of north property line has a metal iron picket fence.

**LANDSCAPING:**

Coconut palm, Norfolk Island pine & fruit tree used in front yard landscaping. Large tree used in rear yard landscaping.

**BUFFERING:**

None

**VIOLATIONS OBSERVED:**

Existing violation as stated in request.

**OTHER:**

None

**Process #**    **Applicant's Name**  
Z2011000078    JUAN RODRIGUEZ & MARIA NOYA

**SURROUNDING PROPERTY**

**NORTH:**

One story single family residence

**SOUTH:**

One story single family residence

**EAST:**

one story single family residences

**WEST:**

One story single family residence

**SURROUNDING AREA**

Subject property is surrounded by single family residences.

**NEIGHBORHOOD CHARACTERISTICS:**

Single family residential neighborhood in long established subdivision.

**COMMENTS:**

None



**RECEIVED**  
21.07.11  
JUL 06 2011

ZONING ADMINISTRATIVE REVIEW SECT.  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY: \_\_\_\_\_





**RECEIVED**

20078

JUL 06 2011

ADMINISTRATIVE REVIEW SECT.  
PLANNING AND ZONING DEPT.

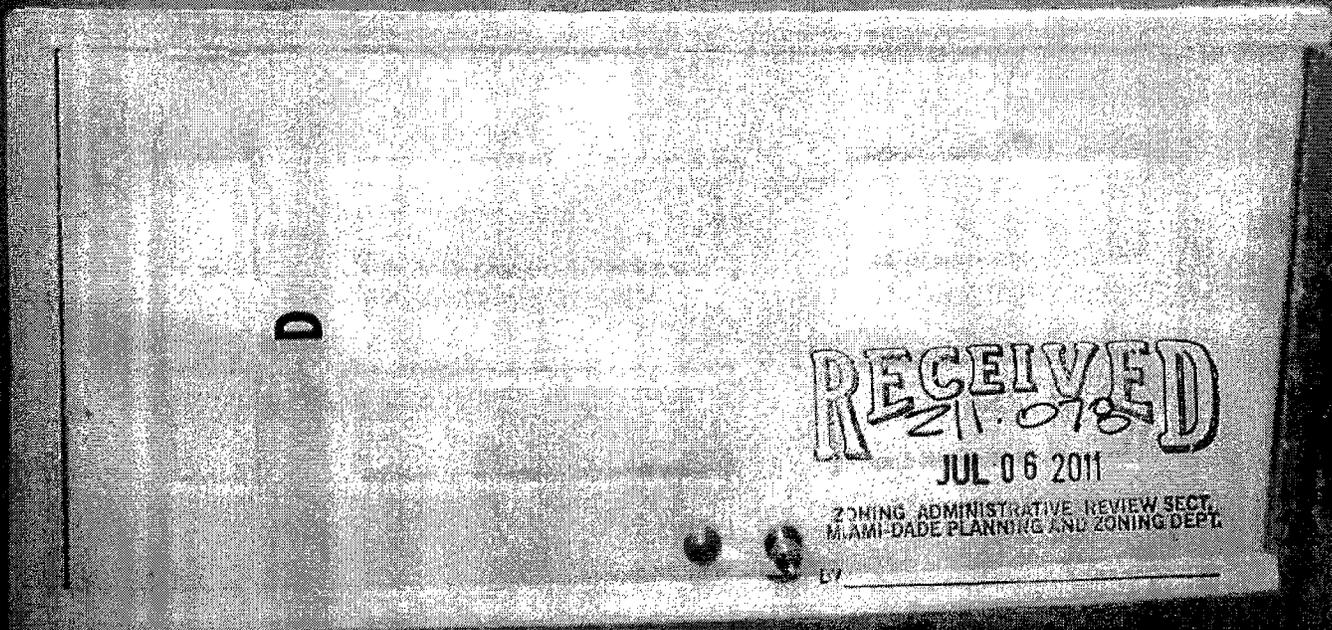
RECEIVED

211-078

JUL 06 2011

ZONING ADMINISTRATIVE REVIEW AND  
MIAMI-DADE PLANNING AND ZONING DEPARTMENT

BY \_\_\_\_\_



**RECEIVED**  
21.07.11

JUL 06 2011

ZONING ADMINISTRATIVE REVIEW SECT.  
MIAMI-DADE PLANNING AND ZONING DEPT.



**RECEIVED**  
211-078  
JUL 06 2011

ZONING ADMINISTRATIVE REVIEW SECT.  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY \_\_\_\_\_



RECEIVED

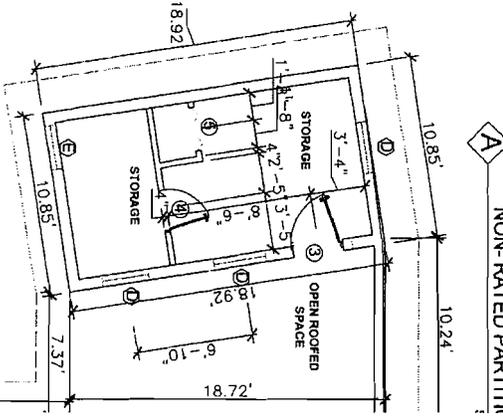
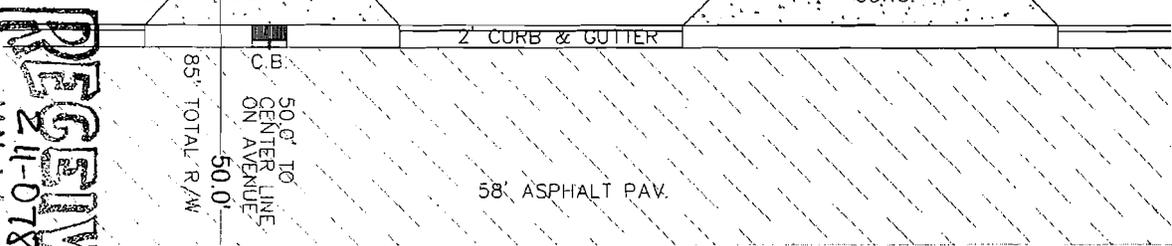
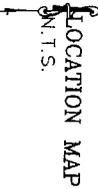
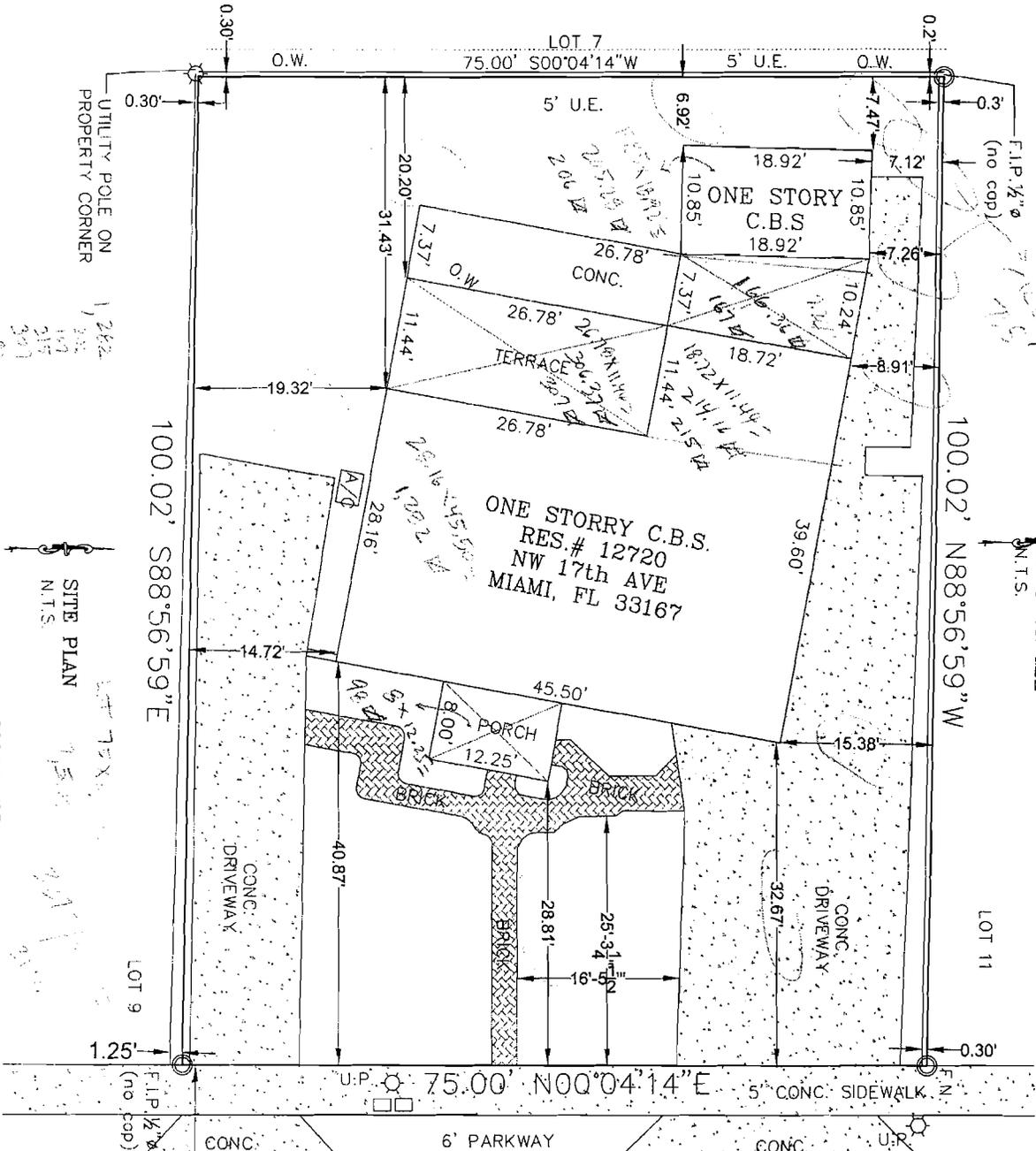
21 26  
JUL 06 2011

ZONING ADMINISTRATIVE ASSISTANT  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY

**ENLARGED SITE PLAN**

SCOPE WORK:  
GENERAL REPARATIONS



**EXISTING FLOOR PLAN**  
SCALE: 3/16"=1'-0"

NOTE:  
THE RESIDENCE WAS BUILT IN 1953 WITH OLD REGULATIONS. ANY REPAIRS IN RELATIONSHIP WITH SETBACKS WAS RECEIVED IN THE TO BUY PROCESS AND WAS BUILT BEFORE TO BUY.

SCOPE WORK:  
GENERAL REPARATIONS  
INTERIOR PARTITIONS TO BE REPAIRED  
WALL & DOORS TO BE PAINTED  
EXISTING A/C UNITS TO BE REPLACED  
ELECTRICAL INSTALLATIONS TO BE REPAIRED  
TOILET & LAV TO BE REPLACED  
ROOF MAINTENANCE

Summary Details: File No. 30-2127-009-0100  
 Address: 12720 NW 17th Ave, Miami, FL 33167  
 Mailing Address: JIMMY C RODRIGUEZ JR & MARIA C NOVA JIRS  
 2090 SW 49 TERR MARLES FL FL  
 34118-  
 Property Information: Primary Zone: 0100 SINGLE FAM  
 CLUD: 0001 RESIDENTIAL - SINGLE FAMILY  
 Recs/Boths: 3/1  
 Units: 1  
 Sq Footage: 50 FT  
 Lot Area: 7,500 SQ FT  
 Parcel ID: 1500 933  
 Description: RANDALL PARK 1ST ADDN PB 56  
 LOT 7 12720 BLK 12 LOT SIZE SITE VALUE OR 18756-043  
 06 28463-0038 06 2008 5 OR 23344-3651 061

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

**REGULATORY**  
JAN 11 2012

NW 127th ST



**RECEIVED**  
 1-10-12  
 JAN 11 2012

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

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

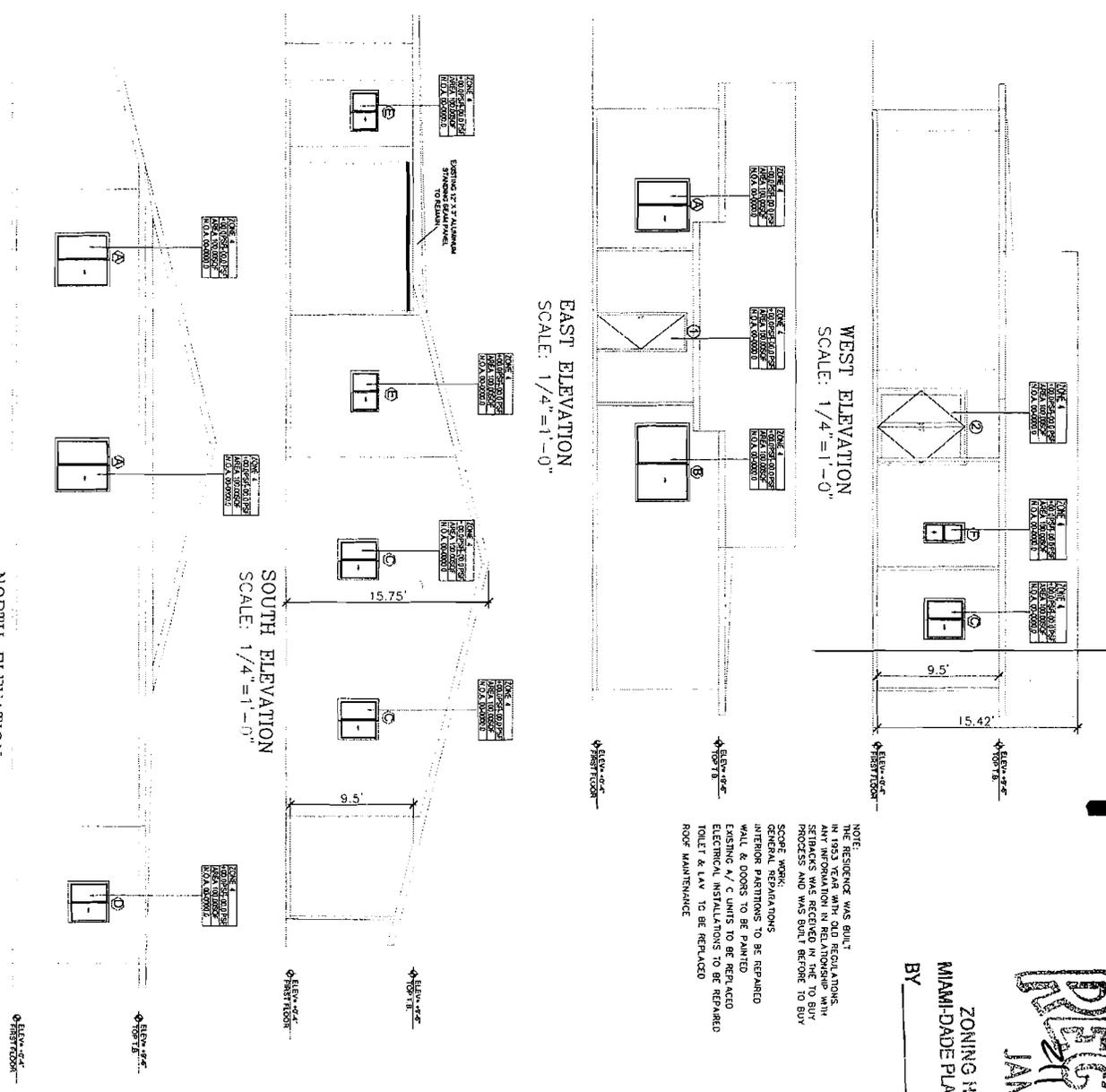
EAST ELEVATION  
 SCALE: 1/4"=1'-0"

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

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

NOTE:  
 THE RESIDENCE WAS BUILT IN 1983 YEAR WITH OLD REGULATIONS. SETBACKS WAS RECEIVED IN THE TO BUY PROCESS AND WAS BUILT BEFORE TO BUY.

SCOPE WORK:  
 GENERAL REPAIRATIONS:  
 INTERIOR PARTITIONS TO BE REPAIRED  
 WALL & DOORS TO BE PAINTED  
 EXISTING A/C UNITS TO BE REPLACED  
 ELECTRICAL INSTALLATIONS TO BE REPAIRED  
 TOILET & LAV TO BE REPLACED  
 ROOF MAINTENANCE



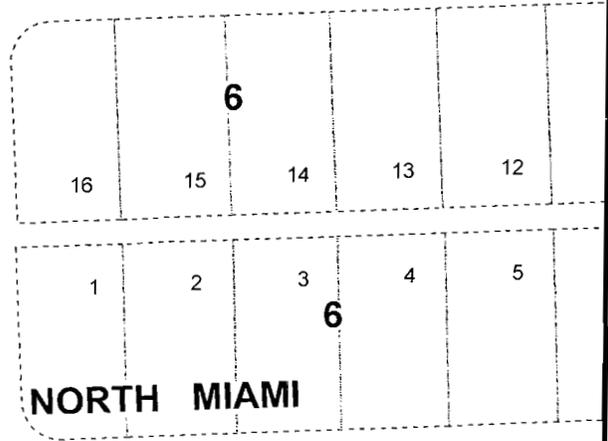
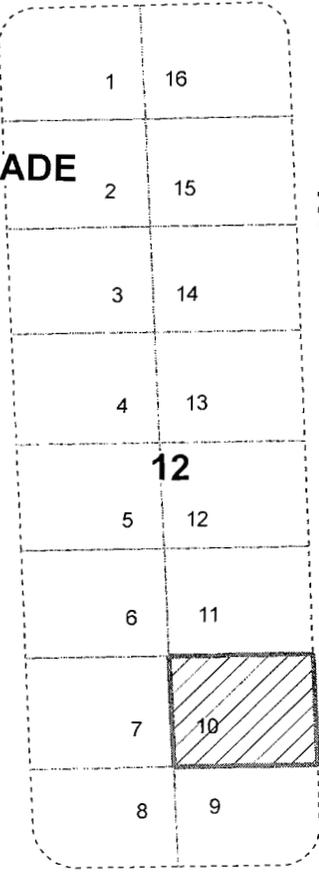
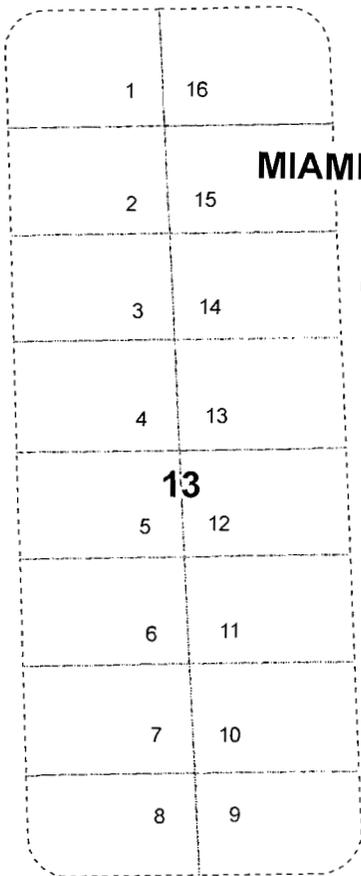
EMILIANO OROZCO P.E.  
 817 SW 122 AVENUE  
 MIAMI, FLORIDA 33184  
 PHONE: (786) 715-7125  
 emilianoorozco90@yahoo.com

12720 NW 17th AVE.  
 MIAMI, FL. 33167

SEAL  
 DATE: 06-16-12  
 SCALE: AS SHOWN  
 DESIGNED: [Signature]  
 DRAWN: [Signature]  
 CHECKED: [Signature]  
 DRAWING NO: A-1  
 SHEET 1 OF 4

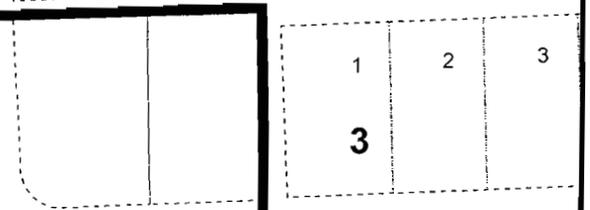
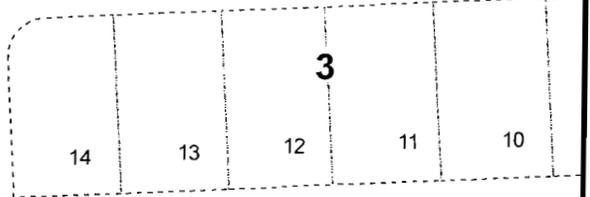
27

NW 129 ST



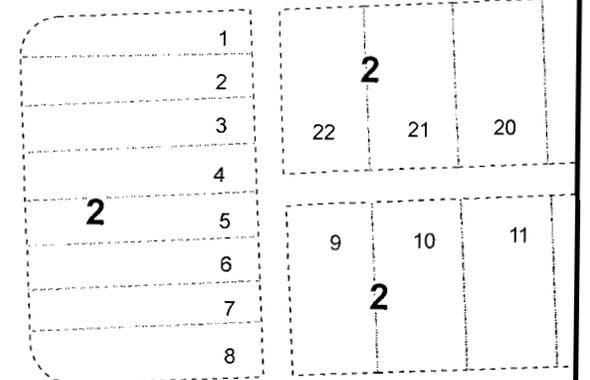
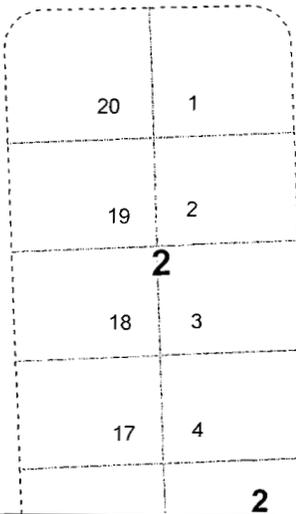
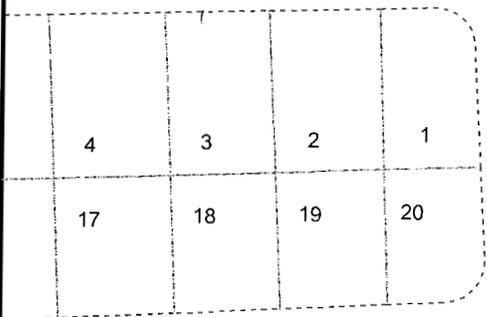
NORTH MIAMI

NW 128 ST



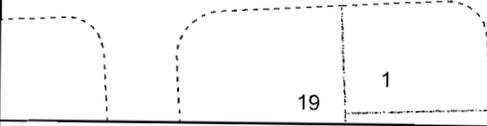
RU-1

NW 127 ST



NW 126 ST

NW 126 ST



MIAMI-DADE COUNTY HEARING MAP

Process Number

Z2011000078



Section: 27 Township: 52 Range: 41  
 Applicant: JUAN RODRIGUEZ & MARIA NOYA  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, July 13, 2011

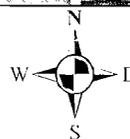
REVISION	DATE	BY
		28



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

Process Number

**Z2011000078**



Section: 27 Township: 52 Range: 41  
 Applicant: JUAN RODRIGUEZ & MARIA NOYA  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

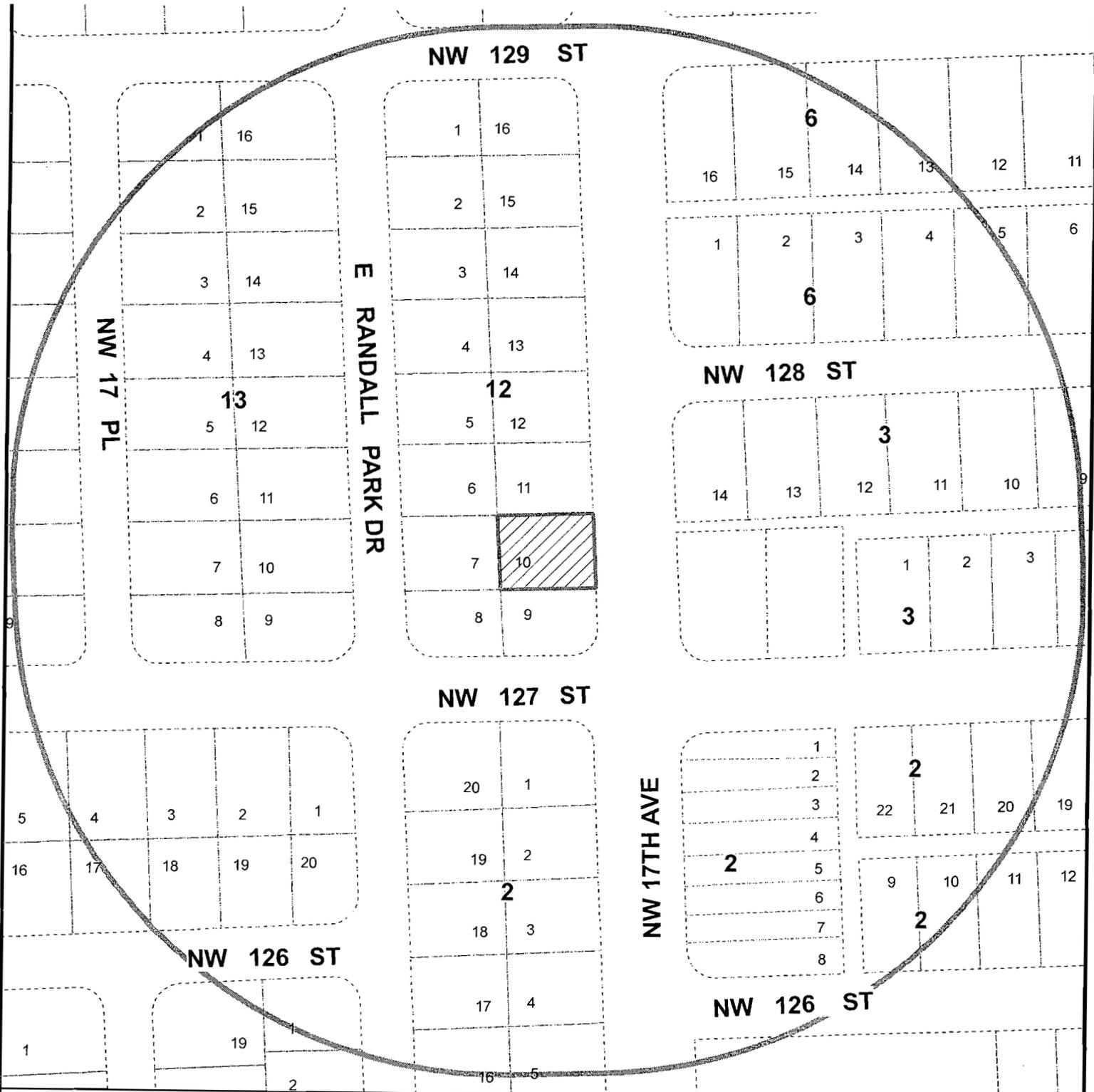
Legend

 Subject Property



SKETCH CREATED ON: Wednesday, July 13, 2011

REVISION	DATE	BY
		29



**MIAMI-DADE COUNTY  
RADIUS MAP**

Process Number

**Z2011000078**

RADIUS: 500



Section: 27 Township: 52 Range: 41  
 Applicant: JUAN RODRIGUEZ & MARIA NOYA  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

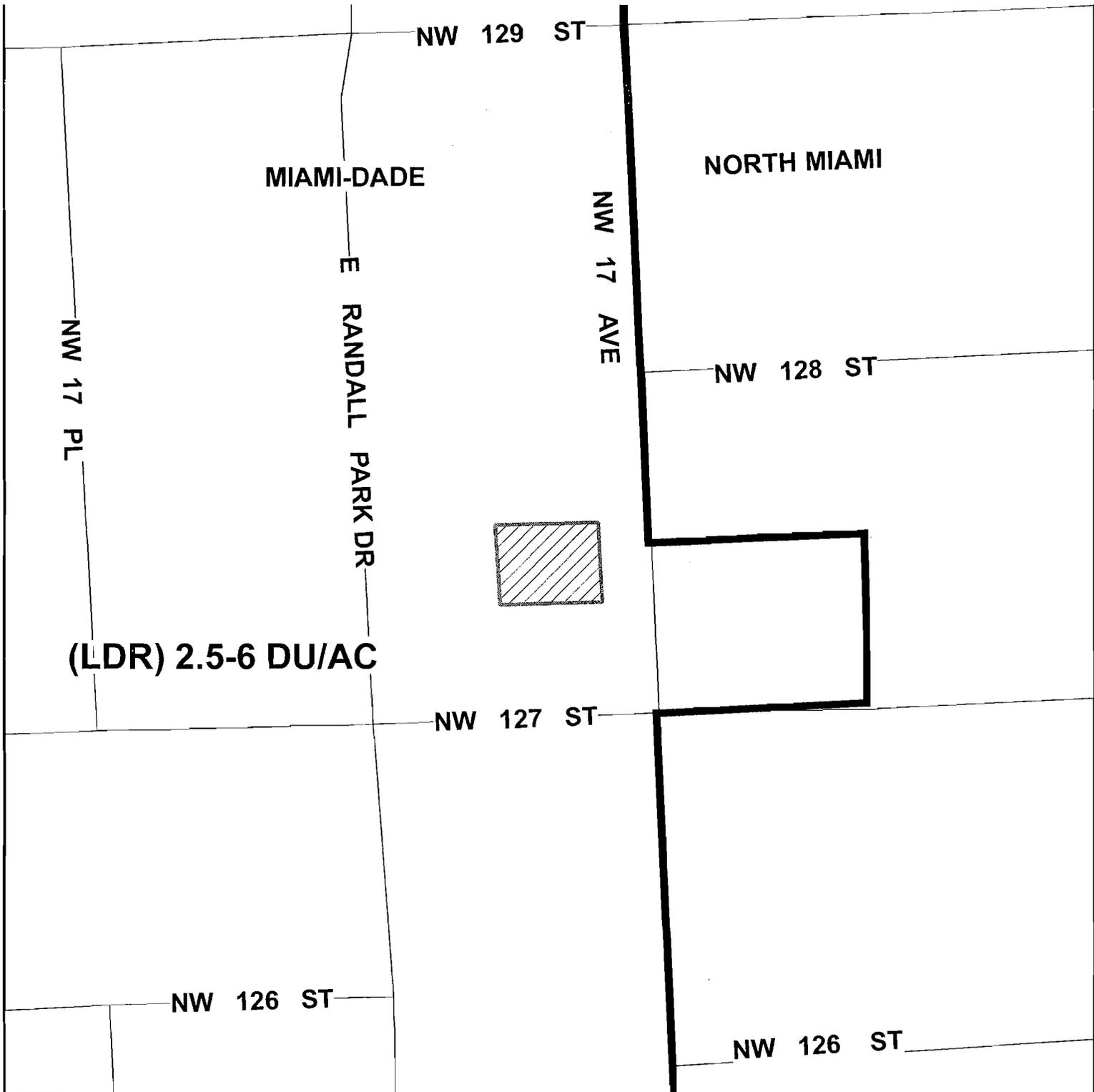
**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Wednesday, July 13, 2011

REVISION	DATE	BY
		30



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

Process Number  
**Z2011000078**



Section: 27 Township: 52 Range: 41  
 Applicant: JUAN RODRIGUEZ & MARIA NOYA  
 Zoning Board: C8  
 Commission District: 2  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, July 13, 2011

REVISION	DATE	BY

**Miami-Dade County Regulatory and Economic Resources Department  
Staff Report to Community Council No. 8**

PH: Z12-040 (12-7-CZ8-2)

July 25, 2012

Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	6
<b>Applicant</b>	Perimeter Road Management, LLC
<b>Summary of Requests</b>	The applicant is seeking to allow a zone change from GU to IU-2.
<b>Location</b>	Lying south of NW 12 Street, approximately 1297' east of NW 72 Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	2.93 acres
<b>Existing Zoning</b>	GU, Interim District
<b>Existing Land Use</b>	Vacant
<b>2015-2025 CDMP Land Use Designation</b>	Industrial and Office <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with the LUP map, and the interpretative text and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311, District Boundary Change <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval</b>

**REQUEST:**

DISTRICT BOUNDARY CHANGE from GU to IU-2.

**PROJECT DESCRIPTION:**

The applicant seeks the approval of a request to rezone the vacant, 2.93-acre parcel from GU, Interim District, to IU-2, Heavy Industrial District.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	GU; vacant	Industrial and Office, Terminals and Transportation
<b>North</b>	GU; vacant land	Terminals
<b>South</b>	GU; State Road #836	Transportation
<b>East</b>	IU-2; vacant	Industrial and Office
<b>West</b>	IU-2; rail track, vacant land	Industrial and Office and Transportation

**NEIGHBORHOOD COMPATIBILITY:**

Staff notes that the abutting properties to the east and west are zoned IU-2 and the property abuts a vacant Miami-Dade Aviation Department parcel to the north and the State Road #836 expressway to the south. Further, staff notes that there are railroad tracks within close proximity of the parcel to the east and west.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow heavy industrial uses on the subject parcel which could be an economic benefit to the County by increasing the availability of such jobs in this area. However, the proposed IU-2 zoning in close proximity to the airport and the expressway could have a negative impact on traffic in this area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is designated as ***Industrial and Office*** on the Comprehensive Development Master Plan (CDMP) Adopted 2015-2025 Land Use Plan (LUP) map. The CDMP Land Use Element interpretative text under the Industrial and Office land use category allows *manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers and similar uses*. The proposed zoning district is **consistent** with the industrial uses permitted under the Industrial and Office land use category. As such, staff opines that approval of the request to rezone the property to an industrial zoning district would be **compatible** with the surrounding area and **consistent** with the CDMP LUP map designation for the subject property.

**ZONING ANALYSIS:**

Staff notes that pursuant to Resolution #5368, adopted by the Board of County Commissioners (BCC) in October 1952, the subject property was a part of a larger tract of land that was rezoned to GU, Interim District to permit airport use and incidental uses thereto at the Miami International Airport; and all types of industrial, commercial and residential uses. As such, staff opines that the rezoning of the property to IU-2 reflects the vision of the BCC reflected in the 1952 resolution and would bring the subject parcel into conformity with the intent of the BCC as expressed by Resolution #5368.

When the applicant's request to rezone the 2.93-acre parcel to IU-2, Heavy Industrial Manufacturing District, is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of the application would not have an unfavorable impact on the environment, the natural resources, or the economy of the County. Staff notes that the approval of the applicant's request to rezone the property will be **consistent** with the Industrial and Office designation of the property on the CDMP LUP map. Further, staff opines that approval of this request will not have a negative impact on the surrounding roadways or burden or affect transportation facilities based on the recommendations and/or information contained in memoranda from the Miami-Dade County Regulatory and Economic Resources Department, and the Public Works and Waste Management Department.

Additionally, staff notes that the subject property is located to the south of the Miami International Airport and north of State Road #836, a well travelled east/west expressway; and the property is separated from the abutting parcels to the east and west by railroad tracks which in staff's opinion could enhance the transportation efficiencies of the proposed industrial uses in the future. Further, staff notes that the parcels located to the east and west are also zoned IU-2 and therefore, staff opines that approval of the district boundary change to IU-2 will be **compatible** with the surrounding area. **Therefore, staff recommends approval of the application under Section 33-311, District Boundary Change.**

**ACCESS, CIRCULATION AND PARKING:** N/A

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

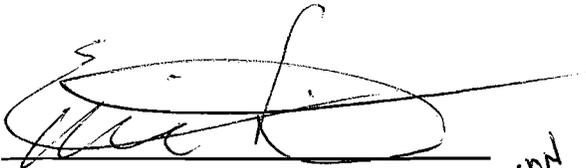
**OTHER:** Not applicable.

**RECOMMENDATION:**

Approval.

**CONDITIONS FOR APPROVAL:** None.

ES:MW:NN:JC:CH

A handwritten signature in black ink, appearing to read 'Eric Silva', written over a horizontal line. The signature is stylized and includes a long horizontal stroke extending to the right.

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

NDN

# ZONING RECOMMENDATION ADDENDUM

Perimeter Road Management, LLC  
Z12-040

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

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

<b>Industrial and Office</b> (Pg. I-39)	<p><i>Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunication facilities, microwave towers, radar stations and cell towers is also allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed, dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Free-standing retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Free-standing retail and personal service uses and shopping centers that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections.</i></p>
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## PERTINENT ZONING REQUIREMENTS/STANDARDS

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

## ZONING RECOMMENDATION ADDENDUM

*Perimeter Road Management, LLC  
Z12-040*

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

**1. PERIMETER ROAD MANAGEMENT LLC**  
**(Applicant)**

**12-7-CZ8-5 (12-040)**  
**Area 08/District 06**  
**Hearing Date: 07/25/12**

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

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1952	Dade County P&Z & Building Department	- Zone change from RU-2, BU-1A, BU-2A, IU-1, IU-2, AU and GU to GU.	BCC	Approved

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

# Memorandum



**Date:** April 2, 2012

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

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

**Subject:** C-08 #Z2012000040  
Perimeter Road Management, LLC  
South Side of Perimeter Road at approximately 69<sup>th</sup> Avenue  
District Boundary Change from GU to IU-2  
(GU) (2.93 Acres)  
35-53-40

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is written in a cursive, flowing style.

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

#### Potable Water Service

Based on the proposed request, no development is intended at this point. However, as per the Code industrial properties are required to be served by public water. Miami-Dade Water and Sewer Department (MDWASD) has indicated water is available at NW 12<sup>th</sup> Street and NW 72<sup>nd</sup> Avenue, approximately 1370 feet from the property. Any future development will be required to obtain a water extension permit.

Be advised that the water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by MDWASD and this department Water and Wastewater Engineering Section.

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

#### Wastewater Disposal

Public sanitary sewer abuts this property along NW 12<sup>th</sup> Street. Therefore, any future development shall be connected to the public sanitary sewer system in accordance with Code requirements.

Civil drawings for the required sewer main extension will need to be approved by MDWASD and by this department Water and Wastewater Engineering Section prior to approval of development orders.

#### Stormwater Management

A Surface Water Management General Permit from PERA shall be required for the construction and operation of required surface water management system. This permit shall be obtained prior to platting and/or site development, or public works approval of paving and drainage plans. The applicant is

advised to contact the Water Control Section for further information regarding permitting procedures and requirements.

Be advised that a class VI permit maybe required for the construction of any proposed drainage system.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event.

Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

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

#### Pollution Remediation

There are no records of current contamination assessment/remediation issues within this area. However, please be advised that there are abutting properties to the north and east that are under assessment for potential contamination related to solid waste and petroleum (MDAD-CSXT Parcels A-E (East of Ash Landfill) ARP-153). Additionally, please be advised that abutting to the northwest is the Ash Landfill, ARP-97/File 15179, which is under Florida Department of Environmental Protection jurisdiction.

#### Wetlands

Although the subject property is not located within a designated wetland basin, please be advised that an on site inspection performed by staff on March 20, 2012, revealed that portions of the ditch that lies along the eastern part of the site does contain wetlands as defined by Section 24-5 of the Code. Therefore, a Class IV Wetland Permit will be required.

The applicant shall acquire all permits prior to the initiation of any work on the subject property. A full evaluation of the resources is performed during the permitting process. While every effort is made to notify the applicant of all requirements at this time, the full permit evaluation may require that site plans be changed to preserve unique biologic resources.

The Wetlands Resources Section (305-372-6585) may be contacted for further information concerning the wetland permitting requirements.

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

#### Tree Preservation

There are no tree resources issues on the subject property.

#### Enforcement History

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

Concurrency Review Summary

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

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

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

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

cc: Eric Silva, Sustainability, Planning and Economic Enhancement

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: PERIMETER ROAD MANAGEMENT LLC

This Department has no objections to this application.

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

Additional improvements may be required at time of platting.

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



Raul A Pino, P.L.S.

18-APR-12

# Memorandum



**Date:** April 20, 2012

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

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

**Subject:** Z2012000040: PERIMETER ROAD MANAGEMENT LLC

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**Application Name:** PERIMETER ROAD MANAGEMENT LLC

**Project Location:** The site is located South Of NW 12 Street, approximately 1297 feet east of NW 72 Avenue, Miami-Dade County.

**Proposed Development:** The applicant is requesting a district boundary change from GU to IU-2.

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

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

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

MN:jb

Cc: John M. Bowers, RLA/AICP, Landscape Architect 2

# Memorandum



**Date:** 22-MAR-12  
**To:** , Director  
 Department of Sustainability, Planning and Economic Enhancement  
**From:** William W. Bryson, Fire Chief.  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2012000040

## Fire Prevention Unit:

No objection to Zoning change request. Any development shall be resubmitted for MDRR site review.

## Service Impact/Demand

Development for the above Z2012000040  
 located at LYING SOUTH OF NW 12 STREET, APPROXIMATELY 1297' WEST OF NW 72 AVENUE, MIAMI-DADE  
 COUNTY, FLORIDA.

in Police Grid 1211 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.  
 The estimated average travel time is: 7:30 minutes

## Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 48 - Fontainebleau - 8825 NW 18 Terrace  
 Rescue, TRT Heavy Rescue USAR, Battalion 12

## Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

## Fire Planning Additional Comments

Not applicable to service impact analysis.

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

PERIMETER ROAD MANAGEMENT  
LLC

LYING SOUTH OF NW 12 STREET,  
APPROXIMATELY 1297' WEST OF  
NW 72 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

---

Z2012000040

---

HEARING NUMBER

**HISTORY:**

THERE ARE NO CURRENT NEIGHBORHOOD COMPLIANCE OR BUILDING SUPPORT CASES  
OPENED OR CLOSED.

PERIMETER ROAD MANAGEMENT, LLC

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

**REPORTER NAME:**

DISCLOSURE OF INTEREST\*

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

CORPORATION NAME: Perimeter Road Management, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>See Exhibit "A", attached.</u>	

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

TRUST/ESTATE NAME \_\_\_\_\_

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

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

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

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

NAME OF PURCHASER: \_\_\_\_\_

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

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

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

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

Signature: [Handwritten Signature]  
(Applicant)

Sworn to and subscribed before me this 13 day of March 2012. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

[Handwritten Signature]  
(Notary Public)



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

Seal

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

DISCLOSURE OF INTEREST

LIMITED LIABILITY COMPANY NAME: Perimeter Road Management, LLC.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
• Gwynn M. Elias 7440 SW 50th Terrace, Unit 103 Miami, FL 33155	52.56%
• Christi L. Elias 7440 SW 50th Terrace, Unit 103 Miami, FL 33155	15%
• Lesli E. Joseph 152 Isla Dorada Coral Gables, FL 33143	10%
• Perimeter Road Associates, Inc. 7440 SW 50th Terrace, Unit 103 Miami, FL 33155	22.44% 100%
<u>Ownership of Perimeter Road Associates, Inc.</u>	
○ Sean McArdle & Chris Cooksly (15.30%) 806 S. Douglas Rd., Suite 625 Douglas Entrance, South Tower Coral Gables, FL 33134	
○ Florent Blanchet (38.25%) 3622 NE 2nd Ave. Miami, FL 33137	
○ George & Valerie McArdle (46.45%) 806 S. Douglas Rd., Suite 625 Douglas Entrance, South Tower Coral Gables, FL 33134	

**RECEIVED**  
 212-040  
 MAR 05 2012  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY AB

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

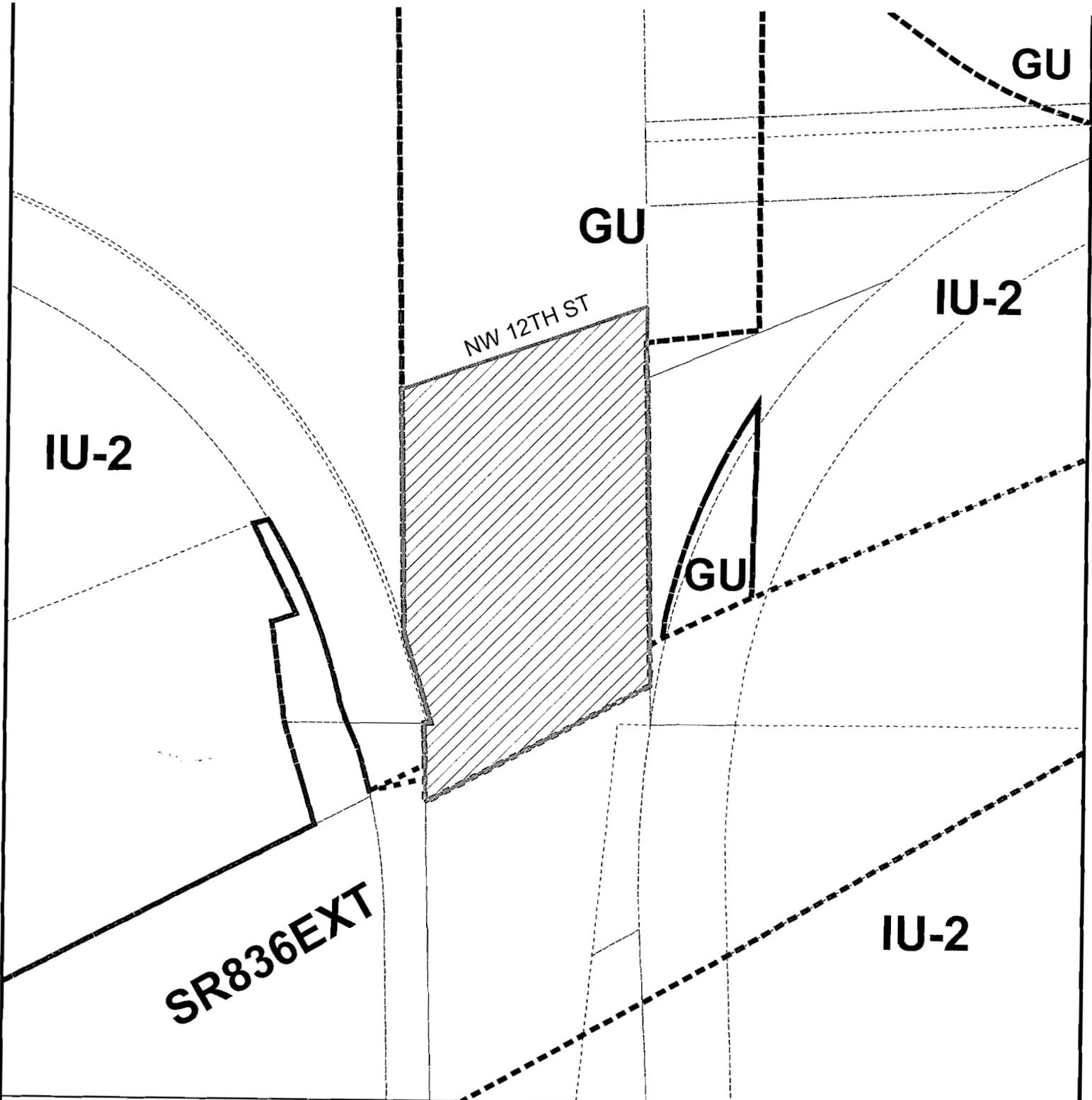
Signature: [Handwritten Signature]  
(Applicant)

Sworn and subscribed before this 23 day of February, 2012. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

[Handwritten Signature]  
(Notary Public)



My Commission expires: \_\_\_\_\_ Seal



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

Process Number  
**Z2012000040**



Section: 52/35 Township: 53 Range: 40  
 Applicant: PERIMETER ROAD MANAGEMENT LLC  
 Zoning Board: C8  
 Commission District: 6  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning

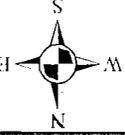


REVISION	DATE	BY
		17

81		
BY	DATE	REVISION



Legend  Subject Property



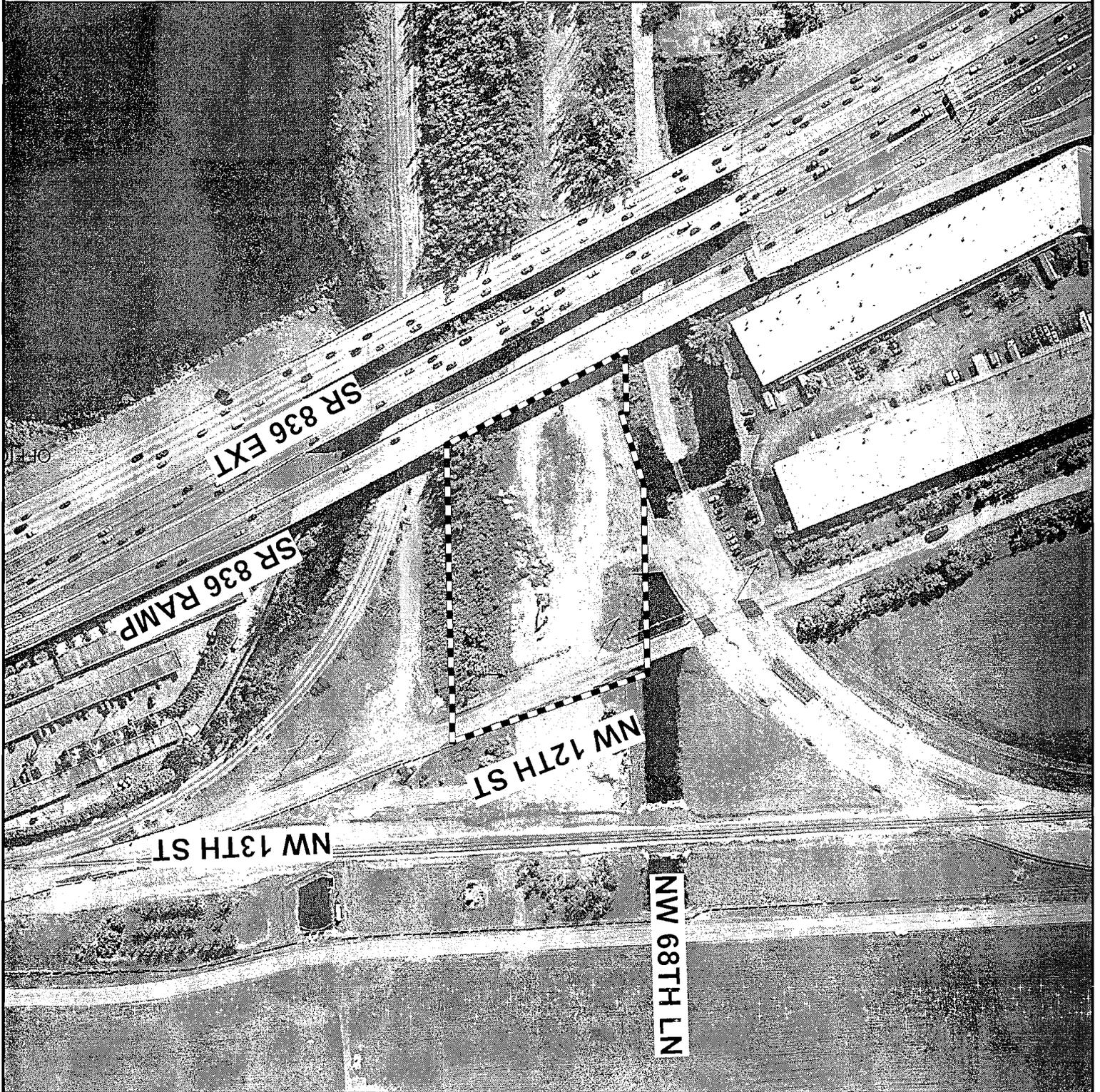
**Z2012000040**

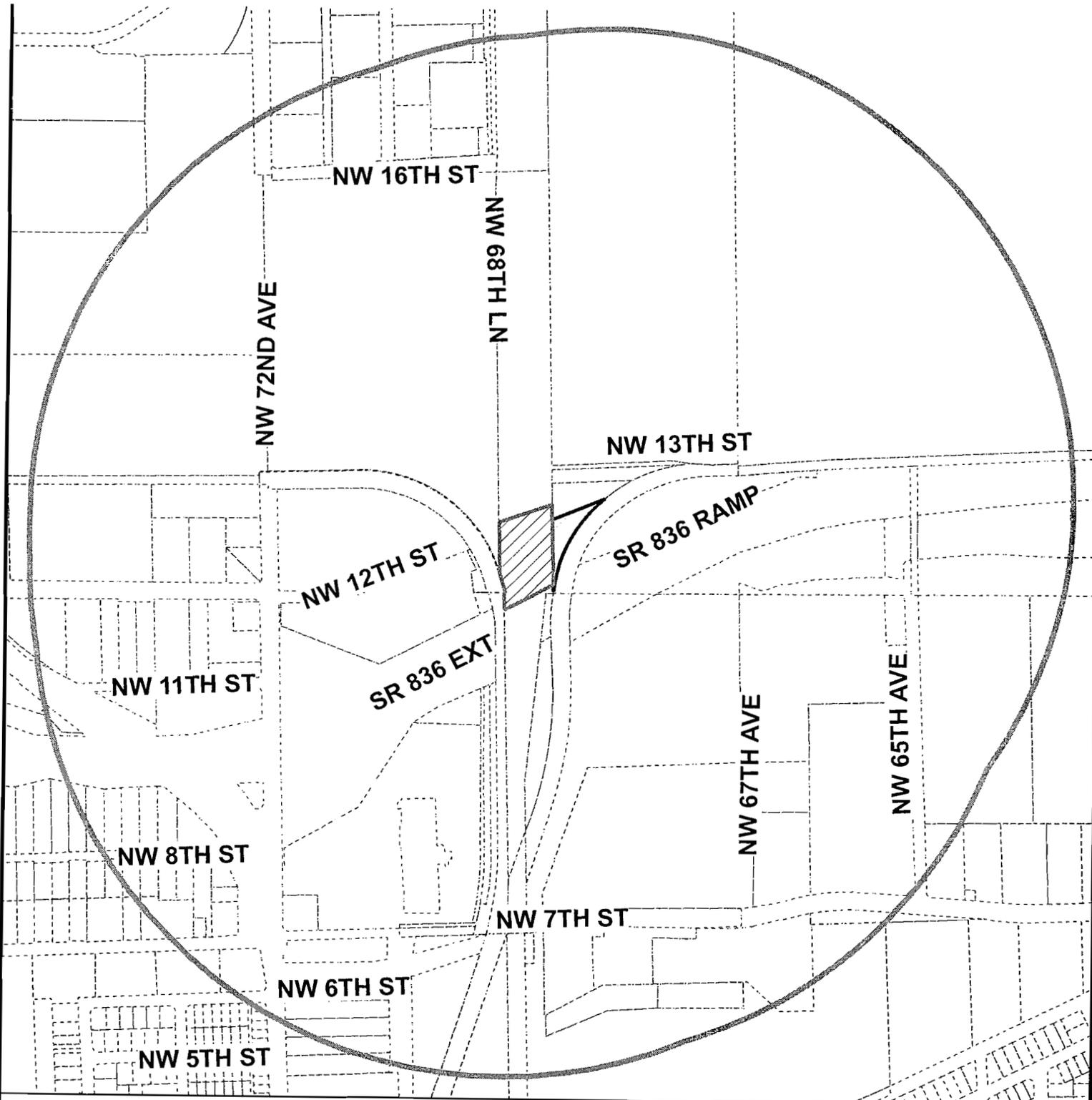
Process Number

**MIAMI-DADE COUNTY**

AERIAL YEAR 2009

Section: 52/35 Township: 53 Range: 40  
 Applicant: PERIMETER ROAD MANAGEMENT LLC  
 Zoning Board: C8  
 Commission District: 6  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS





**MIAMI-DADE COUNTY  
RADIUS MAP**

Process Number

**Z2012000040**

RADIUS: 2640

Section: 52/35 Township: 53 Range: 40

Applicant: PERIMETER ROAD MANAGEMENT LLC

Zoning Board: C8

Commission District: 6

Drafter ID: JEFFER GURDIAN

Scale: NTS



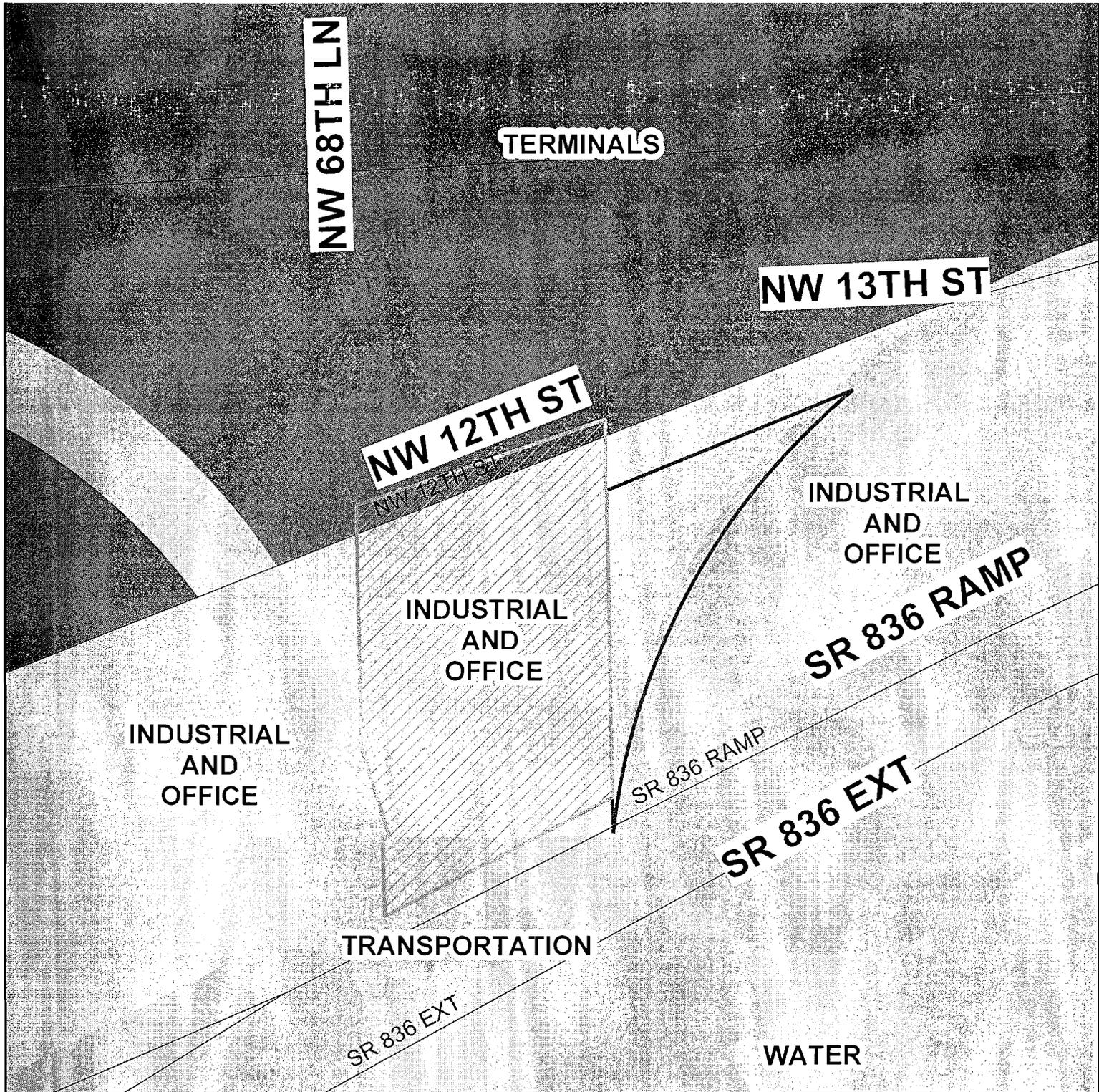
**Legend**

-  Subject Property
-  Contiguous Properties
-  Buffer



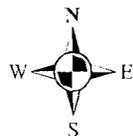
SKETCH CREATED ON: Monday, March 19, 2012

REVISION	DATE	BY
		19



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

Process Number  
**Z2012000040**



Section: 52/35 Township: 53 Range: 40  
 Applicant: PERIMETER ROAD MANAGEMENT LLC  
 Zoning Board: C8  
 Commission District: 6  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**  
 Subject Property Case



SKETCH CREATED ON: Monday, March 19, 2012

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 8**

**PH: Z12-050 (12-7-CZ8-3)**

**July 25, 2012**

Item No. 2

<b>Recommendation Summary</b>	
<b>Commission District</b>	2
<b>Applicant</b>	Habitat for Humanity of Greater Miami, Inc.
<b>Summary of Requests</b>	The applicant is seeking to permit a parcel of land with less lot frontage and lot area than required and setback closer to the rear (north) property line than permitted.
<b>Location</b>	1945 NW 71 Street, Miami-Dade County, Florida.
<b>Property Size</b>	50' x 75'
<b>Existing Zoning</b>	RU-2
<b>Existing Land Use</b>	Single-family residence
<b>2015-2025 CDMP Land Use Designation</b>	Low-Medium Density Residential, 6 to 13 dua (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance Standards (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Approval with conditions.</b>

**REQUESTS:**

- (1) NON-USE VARIANCE to permit a parcel of land with a lot frontage of 50' (75' required) and a lot area of 3,750 sq. ft. (7,500 sq. ft. required).
- (2) NON-USE VARIANCE to permit a proposed single-family residence setback 15' (25' required) from the rear (north) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Habitat for Humanity," as prepared by Thomas & Calzadilla, dated stamped received 3/19/12, and consisting of 2 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** A proposed 955 sq. ft. single-family residence.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	RU-2; single-family residence	Low-Medium Density Residential (6 to 13 dua)
<b>North</b>	RU-2; vacant land	Low-Medium Density Residential (6 to 13 dua)
<b>South</b>	RU-2; single-family residence	Low-Medium Density Residential (6 to 13 dua)
<b>East</b>	RU-2; vacant land	Low-Medium Density Residential (6 to 13 dua)
<b>West</b>	RU-2; vacant land	Low-Medium Density Residential (6 to 13 dua)

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a corner, substandard sized lot in an area comprised of single-family residences and vacant lots.

**SUMMARY OF THE IMPACTS:**

The approval of this application could have a positive impact on the surrounding neighborhood with the development of affordable housing on a substandard vacant lot. However, the requested variances are due to the size constraints of the property and could have a negative visual impact on the surrounding area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is designated as ***Low Medium Density Residential*** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. The proposed use for a single-family residence is consistent with the housing types permitted under the CDMP land use interpretative text for Low Medium Density Residential Communities. 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.* The approval of this application will allow the construction of a proposed single-family residence on a substandard size lot setback closer to the rear (north) property line than permitted by the Zoning Code.

The proposed single-family residence furthers **Policy LU-1C** which indicates that *Miami-Dade County shall give priority to infill redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.* The subject parcel is located within the Model City/Brownsville Targeted Urban Area, and as such furthers **Objective LU-12**, which indicates that the County *shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in a built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.*

Based on the aforementioned, staff opines that the proposed single-family residence would be **consistent** with the CDMP Low Medium Density designation of the LUP map and the CDMP's Land Use Element the interpretative text, **Policy LU-1C** and **Objective LU-12**.

**ZONING ANALYSIS:**

When requests #1 and #2 are analyzed under the Non-Use Variances From Other Than Airport Regulations Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the requests to permit a single-family residence with less lot frontage, lot area and setback than required would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff found similar approvals for variances of the rear setback, lot frontage lot area requirements on several

properties surrounding the subject property. For example, pursuant to Resolution #CZAB8-4-11, the property located at 2178 NW 79 Terrace was approved to permit the residence with a setback of 15' (25' required) from the rear (south) property line. Additionally, a property located at 2114 NW 71 Street was approved pursuant to Resolution #CZAB8-30-10 to permit a parcel with a lot frontage of 37.5' (75' required) and a lot area of 3,750 sq. ft. (7,500 sq. ft. required). The plans submitted by the applicant show an existing 5' high chain link fence along the rear (north) property line, which staff opines does not provide an adequate visual buffer from the existing neighboring property to the north. Therefore, staff recommends that as a condition for approval of this application, that the applicant provide a visual buffer along the rear (north) property line either in the form of a hedge, 3' tall at time of planting to grow and be maintained at a height of 6', or in the alternative to erect a 6' high wood fence or 6' high CBS wall along said property line to mitigate any negative visual impact from the aforementioned encroachment. Furthermore, staff opines that approval of this application would not be out of character with the surrounding area which is comprised of lots with similar dimensions as the 50' x 75' subject parcel and would therefore have similar physical constraints in development.

Moreover, staff notes that the approval of the requests will allow new development on a substandard vacant lot within the Model City/Brownsville Targeted Urban Area as identified in the Urban Economic Revitalization Plan for Targeted Urban Areas. **As such, staff recommends approval with conditions of requests #1 and #2 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

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

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

**OTHER:** Not applicable.

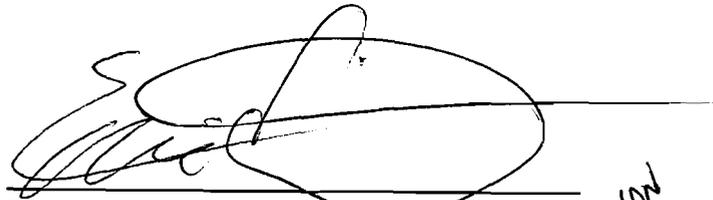
**RECOMMENDATION:**

**Approval with conditions.**

**CONDITIONS FOR APPROVAL:**

1. That a site plan be submitted to and meet with the approval of the Director of the Permitting, Environment and Regulatory Affairs Department or its successor Department upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Habitat for Humanity," as prepared by Thomas & Calzadilla, dated stamped received 3/19/12, and consisting of 2 sheet.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant provide a visual buffer along the rear (north) property line either in the form of a hedge, 3' tall at the time of planting to grow and be maintained at a height of 6', or in the alternative, erect a 6' high wood fence or 6' high CBS wall.

ES:MW:GR:NN:JV:JC

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

Eric Silva, AICP, Assistant Director  
Development Services Division  
Department of Regulatory and Economic Resources

NDW

# ZONING RECOMMENDATION ADDENDUM

*Habitat for Humanity of Greater Miami, Inc.  
Z12-050*

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works & Waste Management	No objection
Parks, Recreation & Open Spaces	No objection
Miami-Dade Transit	No comment
Fire Rescue	No objection
Police	No comment
Schools	No comment
*Subject to conditions in their memorandum.	

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

<b>Low –Medium Density Residential (Pg. I-31)</b>	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Low-Medium Density Residential</b>. 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.</i>
<b>Land Use Policy 1C (Pg. I-2)</b>	<i>Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.</i>
<b>Land Use Objective 12 (Pg. I-24)</b>	<i>Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.</i>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

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

**2. HABITAT FOR HUMANITY OF GTR MIAMI**  
**(Applicant)**

**12-7-CZ8-6 (12-050)**  
**Area 8/District 02**  
**Hearing Date: 07/25/12**

Property Owner (if different from applicant) Same.

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

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

No History

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

# Memorandum



**Date:** April 23, 2012  
**To:** Jack Osterholt, Director  
Sustainability, Planning and Economic Enhancement

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

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

**Subject:** C-08 #Z2012000050  
Habitat for Humanity of Greater Miami, Inc.  
1945 NW 71<sup>st</sup> Street  
Non-Use Variance to Permit a Parcel of Land with Less Lot  
Frontage and Lot Area than Required and to Permit a Single-Family  
Residence Setback Less than Required from Property Lines  
(RU-2) (0.86 Acres)  
10-53-41

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

#### Potable Water Service 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 for this proposed development order.

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

#### Stormwater Management

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

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood

protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

#### Wetlands

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

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

#### Tree Preservation

The subject property contains county regulated tree resources, as well as prohibited trees as referenced in Section 24-49.9 of the Code. Per Section 24-49.9 of the Code, all prohibited trees are exempt from permitting and must be removed from site prior to development.

The applicant is advised that Section 24-49 of the Code requires the preservation of tree resources. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any other tree on the subject property that is not a prohibited species.

The applicant is advised to contact the Tree Program for permitting procedures and requirements prior to development of site and landscaping plans.

#### Enforcement History

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

#### Concurrency Review Summary

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

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

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

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

cc: Eric Silva, Sustainability, Planning and Economic Enhancement

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: HABITAT FOR HUMANITY OF GREATER MIAMI, INC.

This Department has no objections to this application.

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

Additional improvements may be required at time of platting.

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

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

Raul A Pino, P.L.S.

20-APR-12

# Memorandum



**Date:** 03-MAY-12  
**To:** , Director  
 Department of Sustainability, Planning and Economic Enhancement  
**From:** William W. Bryson, Fire Chief.  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2012000050

**Fire Prevention Unit:**

No objection via Case Z2012000050.

**Service Impact/Demand**

Development for the above Z2012000050 located at NE CORNER OF NW 71 STREET & NW 20 AVENUE, MIAMI-DADE COUNTY, FLORIDA. in Police Grid 0863 is proposed as the following:

<u>1</u>	dwelling units	<u>N/A</u>	square feet
<u>residential</u>		<u>industrial</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Office</u>		<u>institutional</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: 0.27 alarms-annually. The estimated average travel time is: 6:03 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
Station 2 - Model Cities - 6460 NW 27 Avenue  
Rescue, BLS 65' Aerial, Battalion 5

**Planned Service Expansions:**

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

**Fire Planning Additional Comments**

Current service impact based on submitted site plan.

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

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

HABITAT FOR HUMANITY OF  
GREATER MIAMI, INC.

1945 NW 71 ST, MIAMI-DADE  
COUNTY, FLORIDA.

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APPLICANT

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ADDRESS

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Z2012000050

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HEARING NUMBER

**HISTORY:**

Enforcement History Z2012000050

Applicant: Habitat for Humanity of Greater Miami

Folio Number: 3031100280200

Enforcement History: NC: No open cases. Prior case opened July 22, 2010 for failure to maintain lot maintenance and warning issued. Citation issued August 9, 2010. Violation corrected September 21, 2010. Citation paid April 14, 2011 and case closed April 27, 2011. Another case was opened September 28, 2010 for illegal articles on row and warning issued. Citation was issued on October 27, 2010. Non compliance November 29, 2010. Case sent to lien January 11, 2011 and payment plan fulfilled April 12, 2011 and lien cancelled on August 22, 2011. CVN issued for closure October 25, 2011 and closed November 10, 2011. Case opened July 22, 2010 for MH violation and notice posted February 28, 2011. Violation corrected April 1, 2011. Case sent to collection April 5, 2011 but case closed May 16, 2011 due change of ownership. Case opened August 30, 2011 for illegal articles and warning issued. Citation paid October 13, 2011 and case closed November 1, 2011.

BNC: BSS case 20110143429-B opened on March 15, 2011. Notice of Violation issued on May 9, 2011 for Failure to obtain required building permit(s) prior to commencing work on: Sheds and front setback violation. Case closed on August 30, 2011 due to change in ownership. BSS case

20110147301-B opened on August 29, 2011. Notice of Violation issued on August 29, 201 for Failure to obtain required building permit(s) prior to commencing work on: Sheds and front setback violation. Violation corrected on January 17, 2012, total demolition permit 2011039276 obtained.

Case was closed on January 18, 2012 due to compliance. BSS case 20110143840-B opened April 1, 2011. Case closed on April 18, 2011 as a duplicate.

Habitat for Humanity

11

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

**REPORTER NAME:**



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

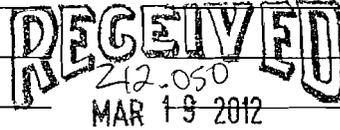
NAME OF PURCHASER: \_\_\_\_\_

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

\_\_\_\_\_  
NOT APPLICABLE

\_\_\_\_\_  
NOT APPLICABLE



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

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

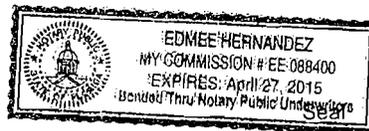
**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

**Signature:** [Signature]  
Mario Artecona, CEO, Habitat for Humanity of Greater Miami, Inc.

Sworn to and subscribed before me this 16 day of March 2012. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

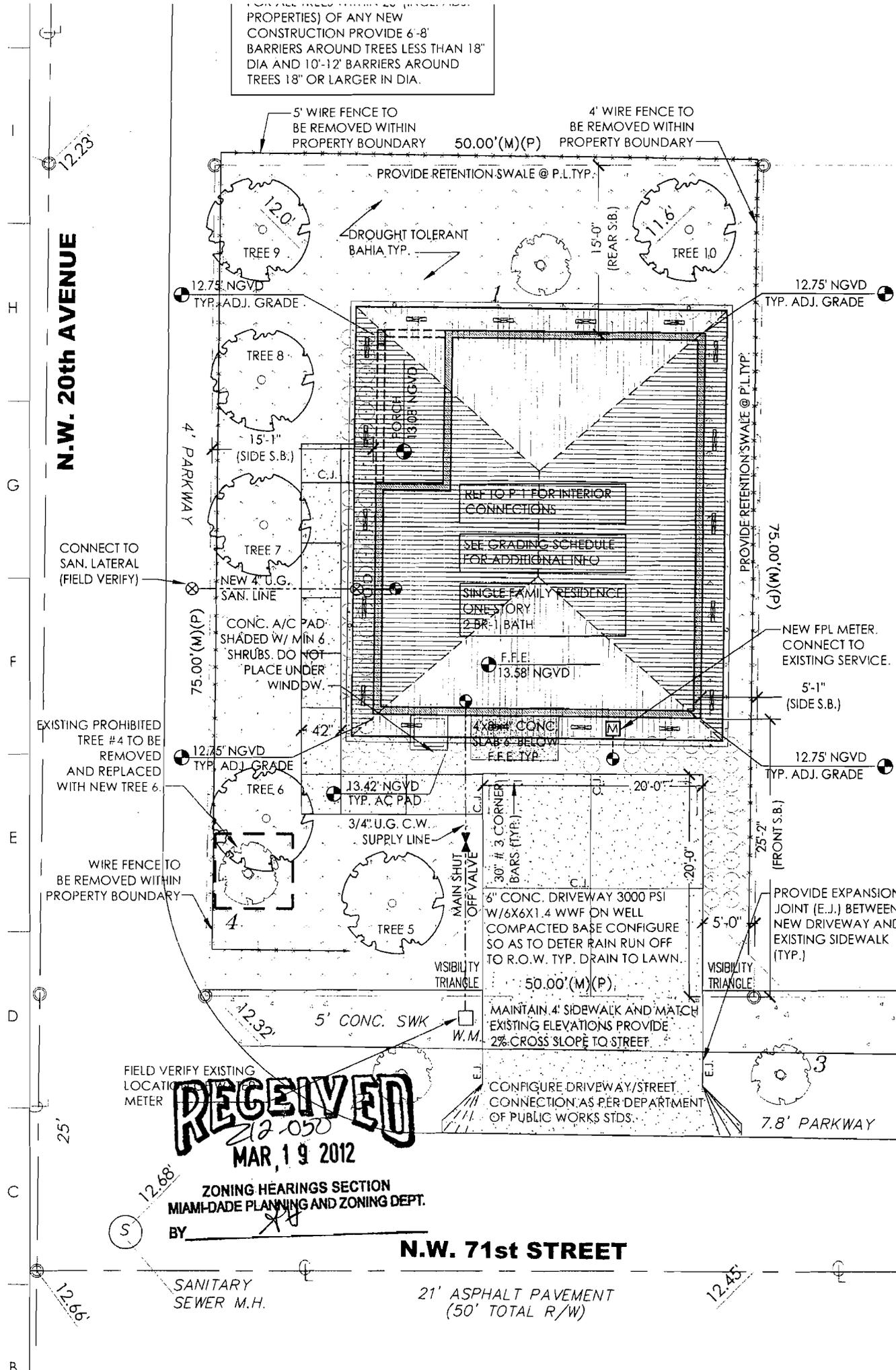
[Signature]  
(Notary Public)



My commission expires: 4/27/2015

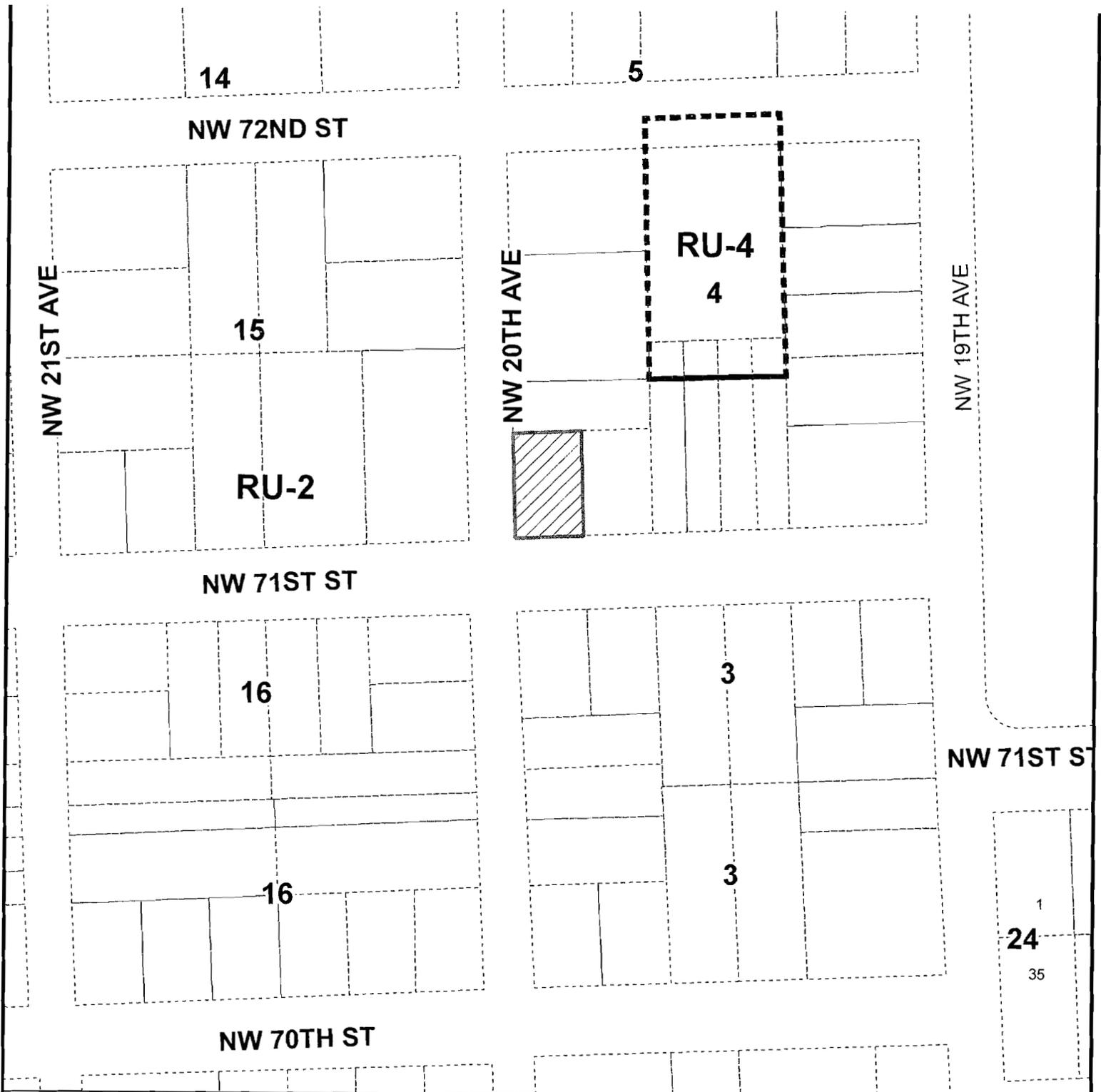
\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership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

FOR ALL TREES (EXISTING OR PROPOSED PROPERTIES) OF ANY NEW CONSTRUCTION PROVIDE 6'-8" BARRIERS AROUND TREES LESS THAN 18" DIA AND 10'-12" BARRIERS AROUND TREES 18" OR LARGER IN DIA.









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

Process Number  
**Z2012000050**



Section: 10 Township: 53 Range: 41  
 Applicant: HABITAT FOR HUMANITY OF GREATER MIAMI, INC.  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Tuesday, April 10, 2012

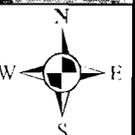
REVISION	DATE	BY
		18



**MIAMI-DADE COUNTY**  
 AERIAL YEAR 2009

Process Number

**Z2012000050**



Section: 10 Township: 53 Range: 41  
 Applicant: HABITAT FOR HUMANITY OF GREATER MIAMI, INC.  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

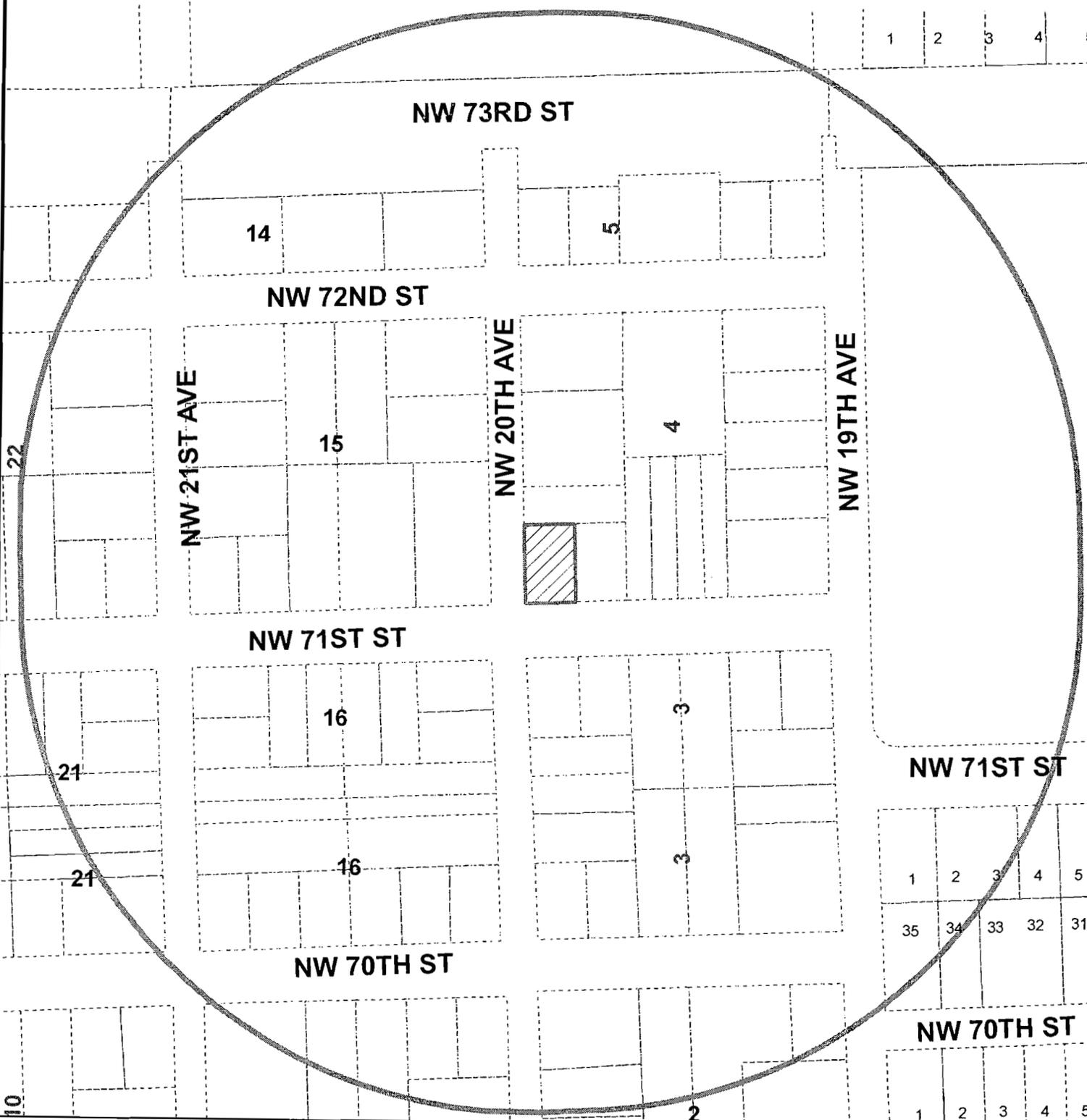
Legend

 Subject Property



SKETCH CREATED ON: Tuesday, April 10, 2012

REVISION	DATE	BY
		19



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

Process Number

**Z2012000050**

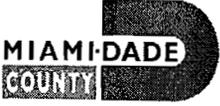
RADIUS: 500

Section: 10 Township: 53 Range: 41  
 Applicant: HABITAT FOR HUMANITY OF GREATER MIAMI, INC.  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



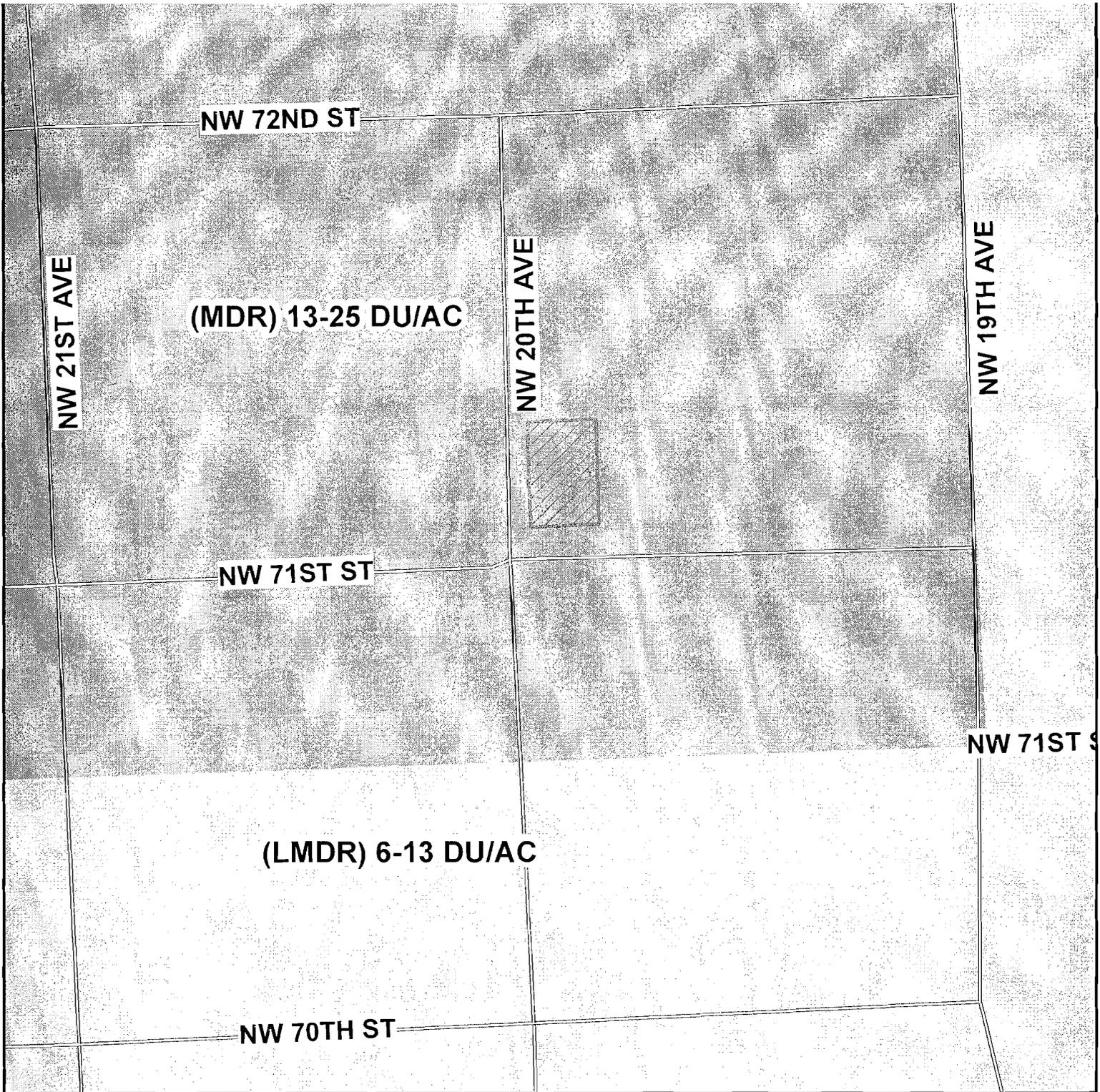
**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Monday, April 23, 2012

REVISION	DATE	BY
		20



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

Process Number  
**Z2012000050**



Section: 10 Township: 53 Range: 41  
 Applicant: HABITAT FOR HUMANITY OF GREATER MIAMI, INC.  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Tuesday, April 10, 2012

REVISION	DATE	BY