FINAL AGENDA

11-29-2012 Version # 2

COMMUNITY ZONING APPEALS BOARD 8
HENRY REEVES ELEMENTARY SCHOOL
2005 NW 111 Street, Miami
Wednesday, December 19, 2012 at 7:00 p.m.

PREVIOUSLY DEFERRED

A.	12-4-CZ8-1	BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC	10-52	10-53-41	
B.	12-4-CZ8-2	NEW SOLID ROCK MISSIONARY BAPTIST CHURCH	11-122	03-53-41	
C.	12-11-CZ8-1	NEW URBAN DEVELOPMENT, LLC	10-159	22-53-41	
D.	12-11-CZ8-2	KAROL KAZMIERCZAK, TRUSTEE	12-58	03-53-41	
E.	12-11CZ8-3	EQUITYMAX INC	12-91	10-53-41	

CURRENT

1.	12-12-CZ-1	9101 NW 7 AVE LLC & VALUE STORE IT NW 7 AVE MIAMI PARTNERSHIP	11-135	01-53-41	N
2.	12-12-CZ-2	EDUVIGES CASTILLO	12-78	33-52-41	N
3.	12-12-CZ-3	QUISQUELLA RESTAURANT, INC.	12-80	03-53-41	N
4.	12-12-CZ-4	MMG NORTH, INC	12-95	23-52-41	N
5.	12-12-CZ-5	IMPERIAL MANAGEMENT LLC & 3380 NW 79 STREET LLC	12-51	09-53-41	N

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF WEDNESDAY, DECEMBER 19, 2012

HENRY REEVES ELEMENTARY SCHOOL

2005 NW 111 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

I. SUNSET REVIEW
II. BOARD VACANCIES
III. APPLICATION(S):

A. BRIGHT STAR MISSIONARY (12-4-CZ8-1/10-052) 10-53-41
BAPTIST CHURCH, INC. Area 08/District 02

(1) SPECIAL EXCEPTION to permit a Religious Facility.

(2) NON-USE VARIANCE to permit the proposed Religious Facility with a lot coverage of 41.9% (30% maximum permitted).

(3) NON-USE VARIANCE of setback requirements to permit the proposed religious facility to setback varying from 0' to 20'-11" from the interior side (north) property line and to setback 5' from the interior side (west) property line (50' minimum required for each).

(4) NON-USE VARIANCE of setback requirements to permit the proposed religious facility to setback 20' from the front (west) property line and setback 15' from the side street (south) property line (25' minimum required).

(5) NON-USE VARIANCE of spacing requirements to permit the proposed religious facility to be spaced less than the required 75' from existing residential buildings to the north and east of subject property.

(6) NON-USE VARIANCE of zoning regulations to waive the required 5' wide dissimilar land use buffer including a 6' high wall, fence or hedge and buffer trees along the (east) and (north) property lines.

(7) NON-USE VARIANCE of landscape requirements to permit 5 street trees (9 street trees required).

(8) NON-USE VARIANCE of zoning regulation to waive the required 5' high decorative masonry wall along the common property line of the business lot when it abuts an RU zoned property.

(9) NON-USE VARIANCE to permit 6 parking spaces (35 parking spaces required).

(10) NON-USE VARIANCE of zoning regulations requiring that no fence or wall exceed 2.5' in height when located within the safe-sight distance triangle within 10' of the edge of a driveway leading to a public right-of-way; to waive same to permit an existing 4' high wall within the safe distance triangle along the side street.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Bright Star M.B. Church" as prepared by A+S Architects, Planners P.A., sheet A.0 dated stamped received 6/18/12 and all other sheets dated stamped received 5/1/12 for a total of 5 sheets. Plans may be modified at public hearing.

LOCATION: 8201 NW 22 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.34 Acres

Department of Regulatory and
Economic Resources
Recommendation: Denial without prejudice.

Protests: 1 Waivers: 11

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from September 12, 2012

B. NEW SOLID ROCK MISSIONARY BAPTIST CHURCH (12-4-CZ8-2/11-122) **03-53-41**
Area 8/District 02

(1) NON-USE-VARIANCE of zoning regulations requiring off street parking spaces to be hard surfaced; to waive same to permit the continued use of the existing parking spaces on natural terrain.

Plans are on file and may be examined in the Permitting, Environment and Regulatory Affairs or its successors department entitled "New Solid Rock Missionary Baptist Church" prepared by Brown and Associates, consisting of 1 sheet and dated stamped received 10/19/11. Plans may be modified at public hearing.

LOCATION: 9026 NW 22 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 75' X 119'

Department of Regulatory and Economic Resources Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from November 14, 2012

C. NEW URBAN DEVELOPMENT, LLC (12-11-CZ8-1/10-159) **22-53-41**
Area 08/District 03

(1) DISTRICT BOUNDARY CHANGE from RU-2 to RU-4.

(2) NON-USE VARIANCE to waive the required 5' wide dissimilar land use buffer with 6' high wall fence or hedge along the interior side (east, west, north & south) property lines.

REQUESTS #1 & #2 ON PARCELS "A" & "B"

(3) NON-USE VARIANCE to permit the proposed building "A" to setback varying from 5'-0" to 11'-5" from the front (west) property line (35' required for both).

(4) NON-USE VARIANCE of to permit the proposed building "A" to setback varying from 5'-9" to 10'-1" from the side street (south) property line and setback 11'-3" from the side street (north) property line (35' required for both).

(5) NON-USE VARIANCE of to permit the proposed building "A' to setback 29'-10" from the rear (east) property line (31' required).

(6) NON-USE VARIANCE of to permit an open space of 20% (40% required).

(7) NON-USE VARIANCE of to permit an F.A.R. of 1.47 (1.20 maximum permitted).

(8) NON-USE VARIANCE to waive the required additional landscaped open space reserved for parking in the event the department determines the provided parking for the elderly housing development is not adequate.

REQUESTS #3 THROUGH #8 ON PARCEL "A"

(9) NON-USE VARIANCE of to permit the proposed building "B" to setback 12'-0" from the front (west) property line and setback 10'-10" from the side street (north) property line (25' required from both).

(10) NON-USE VARIANCE of to permit the proposed building "C1" to setback varying from 11'-9" to 16'-9" the side street (south) property line (25' required).

(11) NON-USE VARIANCE of to permit an open space of 37% (40% required).

REQUESTS #9 THROUGH #11 ON PARCEL "B"

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Superior Manor Schematic Design" as prepared by Mateu Architecture Inc. dated stamped and consisting of 4 sheets dated stamped received 4/16/12, 1 sheet dated stamped received 8/17/12 and 3 sheets dated stamped received 9/12/12 for a total of 8 sheets. Plans may be modified at public hearing.

LOCATION: Lying east of NW 24 Avenue, between NW 51 Street & NW 53 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4.53 Acres

Department of Regulatory and Economic Resources Recommendation: Approval of requests #1 subject to the Board's acceptance of the proffered covenant and approval of requests #2 through #11 with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____
Deferred from November 14, 2012

D. KAROL KAZMIERCZAK, TRUSTEE (12-11-CZ8-2/12-058) **03-53-41**
Area 08/District 02

(1) NON-USE VARIANCE to permit an existing addition to a duplex residence setback a minimum of 9.75' (25 required) from the rear (north) property line and setback 22.70' (25' required) from the front (south) property line.

(2) NON-USE VARIANCE to permit a 5' high picket fence within the safe distance triangle (maximum 2.5' height permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Project Address 2221 NW 95th Street, Miami, Florida 33147", prepared by Karol Kazmierczak. Two sheets dated stamped received 4/17/12 and the remaining sheet dated stamped received 5/21/12 for a total of 3 sheets. Plans may be modified at public hearing.

LOCATION: 2221 NW 95 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 8,250 sq. ft.

Department of Regulatory and Economic Resources Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from November 14, 2012

E. EQUITYMAX, INC. (12-11-CZ8-3/12-091) **10-53-41**
Area 08/District 02

(1) NON-USE VARIANCE to permit an existing addition to a single family residence setback 17.7' (25' required) from the rear (north) property line.

(2) NON-USE VARIANCE to permit a second existing addition to the single family residence setback 4' (5' required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Equymax" as prepared by Carlos Tillan and dated stamped received 7/16/12 for a total of 5 sheets. Plans may be modified at public hearing.

LOCATION: 1913 NW 86 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4,350 sq. ft.

Department of Regulatory and Economic Resources Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

Deferred from November 14, 2012

---

1. 9101 NW 7 AVENUE LLC & VALUE STORE IT (12-12-CZ8-1/11-135) 01-53-41
NW 7 AVENUE MIAMI PARTNERSHIP Area 08/District 03

(1) SPECIAL EXCEPTION to permit the expansion of an existing self service storage facility onto adjacent property to the north.

(2) MODIFICATION of Resolution CZAB8-5-04, as last modified by Resolution CZAB8-24-11, both passed and adopted by the Community Zoning Appeals Board #8, reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Value Store It" as prepared by Blitstein Design Associates, dated stamped received 9/30/10 and consisting of 5 pages.

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Phase II Value Store It" as prepared by Patrick M. Pillot, Architect. Sheet 1 dated stamped received 8/16/12 and sheets 2 & 3 dated stamped received 3/13/12, consisting of 3 sheets and "landscaping plan" as prepared by Wilkin Hults Design Group, dated stamped received 9/1/12 and consisting of 3 sheets, for a total of 6 sheets.

The purpose of request #2 is to submit revised site plan showing an expansion of the existing self service storage facility onto additional property to the north.

(3) NON-USE VARIANCE of landscape requirements to permit a landscaped open space of 15.3 (16% required, 7.3% previously approved).

(4) NON-USE VARIANCE to permit 47 lot trees (93 trees required).

(5) NON-USE VARIANCE to permit a lot coverage of 51.2% (40% permitted, 60.6% previously approved).

(6) NON-USE VARIANCE of zoning regulations to permit a floor area ratio (F.A.R) of .51 (.40% permitted, .6% previously approved).

(7) NON-USE VARIANCE of setback requirements to permit the proposed detached sign to setback 10' (13.6' required) from the front (west) property line.

(8) NON-USE VARIANCE of regulations to permit a parking to buffer a minimum of 3.5' wide (7' required).

(9) NON-USE VARIANCE of zoning regulations to permit an existing 8' high security gate within the safe sight distance triangle (2.5' maximum height permitted).

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

LOCATION: 9101 & 9299 NW 7th Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4.2 Acres

Department of Regulatory and Economic Resources Recommendation: Approval with conditions of requests #1, #3, #5 through #7 and #9, modified approval of request #2 and denial without prejudice of requests #4 and #8.

Protests: 1 Waivers: 1

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

---

2. EDUVIGES CASTILLO (12-12-CZ8-2/12-078) **33-52-41**
Area 08/District 02

(1) NON-USE VARIANCE to permit an existing addition to a single family residence setback 12.5' (25' required) from the rear (west) property line.

(2) NON-USE VARIANCE to permit a lot coverage of 41% (35% permitted).

(3) NON-USE VARIANCE to permit an existing 4' high metal fence with concrete columns within the safe sight distance triangle (2.5' maximum height permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Demolition and Legalization for Eduviges Castillo's Residence" as prepared by JCD Architect, Inc., and dated stamped received 6/5/12, consisting of 5 sheets. Plans may be modified at public hearing.

LOCATION: 10400 NW 30 Place, Miami-Dade County, Florida.

SIZE OF PROPERTY: 70' X 110'

Department of Regulatory and Economic Resources Recommendation: Approval with conditions.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

---

3. QUISQUELLA RESTAURANT, INC. (12-12-CZ8-3/12-080) **03-53-41**
Area 08/District 02

NON-USE VARIANCE to permit an existing restaurant to have sales of alcoholic beverages Monday through Thursday until 3 a.m. the following day and Friday & Saturday until 5 a.m. the following day (1:00 a.m. permitted).

LOCATION: 9513 NW 27 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 100' X 120'

Department of Regulatory and Economic Resources Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

---

4. MMG NORTH, INC (12-12-CZ8-4/12-095) **23-52-41**
Area 08/District 01

USE VARIANCE & SPECIAL EXCEPTION to permit a pawn broker in the BU-1A zone as would be permitted in the BU-3 zone.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed Dilallo Jewelry Shop" as prepared by J. Barrio Architect & Planners, Inc., dated stamped received 9/13/12 and consisting of 3 sheets. Plans may be modified at public hearing.

LOCATION: 13610 NW 7 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 75' X 130'

Department of Regulatory and Economic Resources Recommendation: Denial without prejudice.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

---

5. IMPERIAL MANAGEMENT LLC & 3380 NW 79 STREET, LLC. (12-12-CZ8-5/12-051) **09-53-41**
Area 08/District 02

(1) MODIFICATION of Condition #2 of Resolution CZAB8-36-07, passed and adopted by the Community Zoning Appeals Board #8, reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Wal-Mart Supercenter" as prepared by Creech Eng., Inc. consisting of (i) sheets "C1" to "C5" & "D2", dated stamped received 6/11/07. (ii) landscape plans "L1" - 'L6" as prepared by Conceptual Design Group, Inc. stamped dated received 6/11/07, (iii) sheets "A1" & "DDA-2" (iv) two sign elevation sheets as prepared by B/R/R Architecture, dated stamped received 6/11/07 & (v) "ALTA/ACMS Survey for Wal-Mart 93362, Hialeah East" consisting of six pages, prepared by W.L. Fish & Company, Inc. and dated stamped received June 11th, 2007 all together totaling 22 sheets.

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Wal-Mart Supercenter" as prepared by Creech Engineers, Inc. consisting of (2) sheets, "Walmart Northside at East Hialeah Market Place" as prepared by WHA Design, Inc., consisting of 21 sheets, "Walmart" as prepared by B/R/R Architecture, consisting of 5 sheets, "Landscape Plans" as prepared by HJA Design Studio Lanscape Architecture, consisting of 6 sheets, all sheets dated stamped received August 23, 2012, for a total of 32 sheets and clarification sketch LA1.1 and L-1 dated stamped received 10/16/12.

(2) DELETION of Condition #8 of Resolution CZAB8-36-07, passed and adopted by the Community Zoning Appeals Board #8, reading as follows:

8. "The applicant agrees to pave 20% of the parking spaces with previous concrete. Upon approval by the County's Director of Planning of Zoning, the owner may substitute or modify these specific water conservation practices where such change provides equal or greater water conservation."

(3) DELETION of a Declaration of Restrictions recorded in Official Record Book 26011, Pages 3172-3181.

The purpose of requests #1 through #3 is to allow the applicants to submit revised plans showing additional area to be used as outparcels, relocation of the retention area and the addition of a 7 story storage facility and delete the condition requiring pervious concrete for a portion of the parking lot. Also, the applicants are deleting a declaration of restrictions that, among other things, required pervious concrete, water conservation practices and additional landscaping.

REQUESTS #1 THROUGH #3 ON PARCELS 1, 2 & 3

(4) SPECIAL EXCEPTION to permit a proposed self service storage facility in the BU-2 zone.

REQUEST #4 ON PARCEL 1

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

LOCATION: The SW corner of NW 32nd Avenue and NW 79th Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 39.45 Acres

Department of Regulatory and Economic Resources Recommendation: Approval with conditions, subject to the Board's acceptance of the modified proffered covenant and recommendation as set forth in the Department of Regulatory and Economic Resources' Recommendation.

Protests: 0 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

NOTICE

****

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

****

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

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

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

PH: Z10-052 (12-4-CZ8-1) **December 19, 2012**
Item No. A

Recommendation Summary	
Commission District	2
Applicant	Bright Star Missionary Baptist Church, Inc.
Summary of Requests	The applicant is seeking approval to expand the existing religious facility use onto additional property; to allow said facility with reduced setbacks from the property lines; and to permit the facility with fewer parking spaces than required. Additionally, the applicant seeks to waive the requirement for a dissimilar land use buffer along property lines and to waive the requirement for a decorative wall between the BU and RU zoned portions of the subject property.
Location	8201 NW 22 Avenue, Miami-Dade County, Florida.
Property Size	0.34 acres
Existing Zoning	RU-1 and BU-2
Existing Land Use	Church
2015-2025 CDMP Land Use Designation	Business and Office Low Density Residential, 2.5 - 6 dua *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Inconsistent with the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses, Section 33-311(A)(4)(b), Non-Use Variance standards *(see attached Zoning Recommendation Addendum)*
Recommendation	**Denial without prejudice**

This item was deferred indefinitely from the April 18, 2012, Community Zoning Appeals Board (CZAB) 8, meeting to allow the applicant to amend the application and to re-advertise if necessary. The applicant has submitted revised plans showing the addition of six (6) parking spaces on the site as well as the reduction in the size of the sanctuary building which resulted in a reduction of the lot coverage. Consequently, the application has been re-advertised to reflect these changes. Subsequently, the item was deferred from the September 12, 2012 meeting due to an inadvertent error in the advertisement. At the October 24, 2012 meeting of CZAB 8, this item was deferred by the Board to the December 19, 2012 meeting date allow the applicant to properly execute Cross Access Parking Agreements that were proffered by the applicant.

REQUESTS:

(1) SPECIAL EXCEPTION to permit a religious facility.

(2) NON-USE VARIANCE to permit the proposed religious facility with a lot coverage of 41.9% (30% maximum permitted).

(3) NON-USE VARIANCE of setback requirements to permit the proposed religious facility to setback varying from 0' to 20'-11" from the interior side (north) property line and setback 5' from the interior side (west) property line (50' required for each).

(4) NON-USE VARIANCE to permit the proposed religious facility to setback 20' from the front (west) property line and setback 15' from the side street (south) property line (25' minimum required).

(5) NON-USE VARIANCE of spacing requirements to permit the proposed religious facility to be spaced less than the required 75' from existing residential buildings to the north and east of the subject property.

(6) NON-USE VARIANCE of zoning regulations to waive the required 5' wide dissimilar land use buffer including a 6' high wall, fence or hedge and buffer trees along the rear (east) and interior side (north) property lines.

(7) NON-USE VARIANCE of landscaping requirements to permit five (5) street trees (nine (9) street trees required).

(8) NON-USE VARIANCE of zoning regulations requiring a 5' high decorative masonry wall along the common property line of the business lot when it abuts RU zoned property (to waive same).

(9) NON-USE VARIANCE to permit 6 parking spaces (35 parking spaces required).

(10) NON-USE VARIANCE of zoning regulations requiring that no fence or wall exceed 2.5' in height when located within the safe-site distance triangle within 10' of the edge of a driveway leading to a public right-of-way; to waive same to permit an existing 4' high wall within the safe-site distance triangle along the side street (NW 82 St.).

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Bright Star M.B. Church" as prepared by A+S Architects, Planners P.A., sheets A.O dated stamped received June 18, 2012 and the remaining sheets dated stamped received May 1, 2012, for a total of five (5). Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The plans submitted depict the proposed two-story, 13,338 sq. ft. religious facility containing a sanctuary, fellowship hall, offices and ancillary facilities.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	RU-1; vacant land BU-2: church	Low Density Residential (2.5 to 6 dua) Business and Office
North	RU-1; single-family residences BU-2: car wash	Low Density Residential (2.5 to 6 dua) Business and Office
South	RU-1; single-family residences BU-2: church	Low Density Residential (2.5 to 6 dua) Business and Office

East	RU-1: single-family residence	Low Density Residential (2.5 to 6 dua)
West	BU-3; auto repair shop	Business and Office

NEIGHBORHOOD COMPATIBILITY:

The submitted plans depict the proposed two-story religious facility building at a maximum height of 33'. The surrounding area is made up of mainly single-story residences located to the east and partially to the north and south. To the west and partially to the north and south is a carwash facility and a similar religious facility.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to continue to provide the community with expanded religious services. However, the approval of the proposed expansion of the religious facility with encroachments into the setback areas on the subject property could have negative visual and noise impacts on the abutting residential uses. Additionally, the lack of adequate parking on the subject property could result in a spillage of parking onto the abutting right-of-way that could have a negative impact on traffic along NW 22 Avenue and NW 82 Street.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the west approximately 110' of the subject property for ***Business and Office*** use. The CDMP Land Use Element interpretative text for the Business and Office land use category provides for the accommodation of *the full range of sales and service activities.* Further, said Land Use Element interpretative text for Institutions, Utilities and Communications, states that ***Neighborhood or community-serving institutional uses****, may be approved where compatible in all urban land use categories.* The existing one-story, 1,777 square foot church is located on the portion of the property that is designated for Business and Office use and is zoned BU-2, Special Business District. This zoning district permits religious facilities such as the church. As such, the existing religious facility use is **compatible** with the uses allowed in the BU-2 zoning district and is **consistent** with the CDMP Business and Office LUP map designation.

The remaining eastern portion of the subject property, approximately 100' long, is designated for ***Low Density Residential*** use. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.*

The applicant now seeks approval to expand the religious facility use onto the portion of the subject parcel located to the east that is designated for Low Density Residential use. Additionally, the applicant also seeks the approval of variances to the setbacks for the religious facility which is classified as a public assemblage use in the Code (Section 33-17), and a variance of the parking regulations within the RU-1, Single-Family Residential zoning district, which result from the expansion of the religious facility use. The CDMP Land Use Element Interpretative text under *Residential Communities* also permits *neighborhood and community services such as* ***houses of worship****, only* ***when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood***. The criteria to evaluate

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

Notwithstanding the reduction in the scale of the development, staff maintains that the proposed 33' high, two-story, 13,388 sq. ft. religious facility would be out of scale with the abutting single-story residential uses located to the north, east and south. Further, as explained further below, staff opines that the scale of the proposed development, when combined with the encroachment of the public assemblage uses and on-site parking that remains insufficient for the scale of the development, will have negative visual, noise and traffic impacts on the surrounding community. As such, staff opines that the proposed expansion of the religious facility uses onto the portion of the property designated for ***Low Density Residential*** use is **incompatible** with the area and therefore **inconsistent** with the CDMP Land Use Element interpretative text for the ***Residential Communities*** and CDMP Land Use Element **Policy LU-4D,** based on the criteria set forth in **Policy LU-4A**.

ZONING ANALYSIS:

The applicant has submitted revised plans showing a 1,612 sq. ft. reduction in the sanctuary building which results in a 1,556 sq. ft. reduction in the building footprint on the 0.34 net acre parcel and a reduction of the lot coverage for the proposed religious facility to 41.9% from the previously requested 51.6%. In addition, the revised plans show the addition of six (6) parking spaces where previously none was provided.

When request #1, to expand the existing religious facility onto additional property located to the east, is reviewed under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses, staff opines that the approval of this request would be **incompatible** with the surrounding residential uses. Based on memoranda from the Environmental Division of the Department of Regulatory and Economic Resources, Miami-Dade Fire Rescue Department (MDFRD) and the Public Works and Waste Management (PWWM) Department, staff notes that the proposed expansion would not cause undue or excessive burden on public facilities, tend to create a fire or other equally or greater dangerous hazards, when considering the necessity for and reasonableness of such applied for exception in relation to the present and future development of the area concerned. Notwithstanding the reduction in the scale of the development and the addition of six (6) parking spaces where thirty-five (35) is required, staff opines, that based on the submitted plans, the use and scale of the proposed development on the 0.34-acre site would be overly intensive. The revised plans still indicate encroachments of the building of public assemblage into the setback areas abutting properties under different ownership, as well as to the abutting roadways. Staff opines that the approval of the applied for exception could result in excessive noise or traffic and will have a negative visual impact on the area. Therefore, when considering the compatibility of the applied for exception with such area and its development, staff opines that approval of the proposed expansion would be **incompatible** with same. **Therefore, staff recommends denial without prejudice of request #1, under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New Uses.**

When requests #2 through #5 are analyzed under the Section 33-311(A)(4)(b), Non-Use Variance (NUV) Standards, staff opines that approval of these requests would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **incompatible** with same. Staff opines that although the applicant is proposing a reduction of the lot coverage from 51.6% to 41.9%, the applicant's request to develop the property at 1.39 times of the allowed lot coverage by the Code (request #2) is still evidence of the over intensive development of the subject property.

Requests #3 through #5 pertain to the physical setback encroachments of the proposed expansion of the religious facility, which is categorized as a building of public assemblage by the zoning code (Section 33-17). Request #3 pertains to the setback requirements from a property line under different ownership to the north and partially to the west; request #4 pertains to the setback of the religious facility from the right-of-way lines and request #5 pertains to the spacing from existing residential buildings to the north and east. Staff opines that the aforementioned requests are evidence that the proposed development is overly intensive for the 0.34-acre subject property and are not sufficiently spaced from the property lines or the existing surrounding residences. In staff's opinion, approval of these requests would create negative noise and visual impacts on the abutting residential developments to the north, east and south. Therefore staff opines that approval of these requests would affect the stability and appearance of the community and would be **incompatible** with same. **Staff therefore recommends denial without prejudice of requests #2 though #5 under Section 33-311(A)(4)(b), NUV Standards.**

When requests #6 through #8 are analyzed under Section 33-311(A)(4)(b), NUV Standards, staff opines that approval of requests to waive the dissimilar land use buffer (request #6); to permit less street trees than required (request #7); and the waiver of the decorative masonry wall between a BU and RU zoned lot (request #8), would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Said requests pertain to the visual buffering of the proposed religious facility development from the single-story, single-family residences located to the north and east and south. As previously noted, although the revised plans show a reduction in the scale of the proposed two-story development from 15,000 sq. ft. to 13,388 sq. ft. containing a sanctuary, fellowship hall, offices and other ancillary uses, staff maintains that the development is overly intensive and out of scale in comparison to the surrounding single-story, residential developments. Therefore, in staff's opinion, approval of requests #6 and #7, to waive the dissimilar landscape buffer along portions of the property line and permit a 44% reduction in the street trees required, would have a negative visual impact on the abutting residences and would be **incompatible** with the surrounding area.

Although, the decorative wall referred to in request #8 would be internal to the site and would not necessarily have a visual impact on the surrounding area, staff opines that this request is contingent on requests #1 through #5 being approved, which would allow the subject property to be developed as a single site. Staff has recommended denial without prejudice of requests #1 through #5. Therefore, staff also recommends that request #8 be denied without prejudice along with the contingent requests. **Based on the aforementioned, staff recommends denial without prejudice of request #6 through #8 under Section 33-311(A)(4)(b), NUV Standards.**

When requests #9 and #10 are analyzed under Section 33-311(A)(4)(b), NUV Standards, staff opines that approval of these requests would be **incompatible** with the area and would not

protect the general welfare of the public, particularly as it affects the stability of the community. The previously mentioned reduction in the scale of the development has also resulted in a reduction in the number of parking spaces from 45 to 35 spaces. Although the applicant has provided six (6) of the required parking spaces on site, staff opines that this remains insufficient to mitigate the 35 parking spaces required to accommodate the 3,485 sq. ft. sanctuary area within the facility. Staff opines that the six (6) parking spaces provided on-site by the applicant only amount to 17% of the required 35 parking spaces, and approval of this request would result in spillage of parking onto NW 22 Avenue and NW 82 Street which are the abutting roadways and could create a hazardous situation for pedestrians who would have to cross the six (6) lanes of traffic to attend events at the proposed religious facility.

Further, staff notes that the site plan submitted by the applicant indicates parking on adjacent parcels. The other parcels are not included as a part of this application and therefore cannot be considered or approved as a part of the site plan. Further, staff notes that the parcels on which the applicant proposed to locate additional parking across NW 22 Avenue are vacant parcels and would require a Use Variance or zone change to IU-1, Light Industrial Manufacturing District, since there are no buildings or principal uses located on said parcels. The applicant previously submitted recorded private parking agreements on the adjacent parcel to the north and on parcels across NW 22 Avenue, which staff does not recognize and note that they have not been reviewed by staff prior to recording. Further, staff opines that said agreements do not meet the requirements of Section 33-128(a) of the Code which states that the parking area in a BU district may be located on a BU or IU lot within 300' of the proposed use *provided such business or commercial use shall immediately terminate in the event such parking area therefore is not available and all those having any right, title or interest in and to such business or commercial use property site shall execute and place on the public records of this County a covenant approved by the Director that such business or commercial use shall cease and terminate upon the elimination of such parking area, and that no business or commercial use shall be made of such property until the required parking area is available and provided.* Therefore, the applicant cannot rely on the proposed spaces to meet his parking requirements.

In addition, staff has already opined that the proposed development of the site is overly intensive and the lack of adequate on-site parking could result in negative impact on traffic in the area. Staff further opines that the approval of request #10, to allow an over height wall within the safe sight distance triangle would create a potentially hazardous situation for pedestrian and vehicular traffic that would have a negative impact on the surrounding area. **Therefore, staff recommends denial without prejudice of requests #9 and #10 under Section 33-311(A)(4)(b), NUV Standards.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate that the subject property now has six (6) on-site parking spaces and is located at the intersection of NW 22 Avenue, a half-section line road and NW 82 Street.

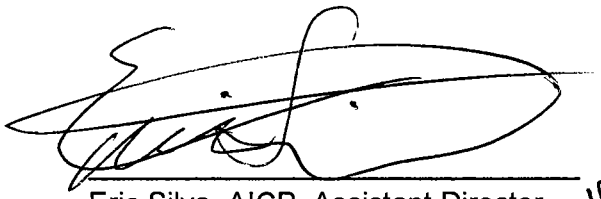
NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Denial without prejudice.

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:AN:CH



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

NDN

ZONING RECOMMENDATION ADDENDUM

Bright Star Missionary Baptist Church, Inc.
Z10-052

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental Resource Management (RER)	*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 comment*
**Subject to conditions in their memorandum.*	

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

Business and Office (Page I-41)	*This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.*
Low Density (Pg. I-31)	*The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.*
Residential Communities (Pg. I-26)	*The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks,* ***houses of worship****, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.*
Institutions, Utilities and Communications (Pg. I-53)	***Neighborhood or community-serving institutional uses****, cell towers and utilities including schools, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and cemeteries may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to Policy LU-4A. Co-location of communication and utility facilities are encouraged. Major utility and communication*

ZONING RECOMMENDATION ADDENDUM

Bright Star Missionary Baptist Church, Inc.
Z10-052

	facilities should generally be guided away from residential areas; however, when considering such approvals, the County shall consider such factors as the type of function involved, the public need, existing land use patterns in the area and alternative locations for the facility. All approvals must be consistent with the goals, objectives and policies of the Comprehensive Development Master Plan
Policy LU-4A (Pg. I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*
Policy LU-4D (Pg. I-11)	*Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(3) Special Exception, Unusual and New Uses.	*Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and* ***unusual uses*** *which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.*
Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.	*Upon appeal or direct application in specific cases, the Board shall hear and grant applications for* ***non-use variances*** *from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required*
Buildings for public assemblage—In districts other than business or industrial. Sec. 33-17.	*All building or other structures or any part thereof, intended for public assemblage, wherein provisions are made for fifty (50) or more persons to assemble in one (1) room or such structure as an auditorium, church, club, hospital, sanitarium, school, theater, night club, amusement park structure and similar structures, excluding hotels, motels and apartments shall be located or placed only in business or industrial districts, as herein provided, and shall comply with the following:* *(1) No building for public assemblage shall be located closer than twenty-five (25) feet to any property line which abuts on a public highway or alley, or closer than fifty (50) feet of any property line abutting a lot under different ownership than that on which the structure is to be placed, or closer than seventy-five (75) feet to an existing residential building.*

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

A

APPLICANT'S NAME: **BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC**

REPRESENTATIVE: Glenn Miller

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
12-4-CZ8-1 (10-052)	October 24, 2012	CZAB8 12

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: December 19, 2012 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

■ OTHER: Deferred to allow the applicant to properly execute a cross parking agreement.

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

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **DARON FITCH**

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

A

APPLICANT'S NAME: **BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC**

REPRESENTATIVE: No applicant present at hearing

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-4-CZ8-1 (10-052)	September 12, 2012	CZAB8		12

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: October 24, 2012 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

■ OTHER: Deferred by the Board, so that staff can correct an error in the Ad.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Richard C. BROWN (C.A.)	X		
COUNCILMAN		Patrick CURE	X		
COUNCILMAN		Arthemon JOHNSON	X		
COUNCIL WOMAN	S	Voncarol Yvette KINCHEN	X		
VICE CHAIRMAN	M	Fredericke Alan MORLEY	X		
CHAIRWOMAN		Joy J. DAVIS	X		
		VOTE:	6	0	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **DAVID HOPE**

11

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

#2

APPLICANT'S NAME: **BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC.**

REPRESENTATIVE: Glenn Miller

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-4-CZ8-1 (10-052)	April 18, 2012	CZAB8		12

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ■ INDEFINITELY ☐ TO:_____ ■ 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 provided the board with a packet that included recorded parking agreements with surrounding businesses that staff never reviewed. The board expressed concern with the agreements because they did not specify the duration of the agreement nor the number of spaces. Additionally, the applicant wants to use a vacant lots for parking that is located across NW 22 Avenue. The proposed parking layout for these lots is shown on the site plan submitted with the application; however, none of the parcels were not a part of the original application and the parcels have multiple owners, including the County.

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

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **DAVID HOPE**

12

A. BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC
(Applicant)

12-4-CZ8-1 (10-052)
Area 08/District 02
Hearing Date: 12/19/12

Property Owner (if different from applicant) **Bright Star Missionary Baptist.**

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:

Year	Applicant	Request	Board	Decision
	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

MIAMI-DADE COUNTY

Date: January 17, 2012

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

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

Subject: C-08 #Z2010000052-3rd Revision
Bright Star Missionary Baptist Church, Inc.
8201 N.W. 22nd Avenue
Special Exception to Permit a Church
(BU-2) (.34 Acres)
10-53-41

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

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

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

Wastewater Disposal
The closest public sanitary sewer is located approximately 416 feet from the subject property. Based on the proposed request, the subject property is within a feasible distance for connection to public sanitary sewers. Therefore, connection of any proposed development to the public sanitary sewer system shall be required in accordance with Code requirements. All sewer lines shall be required to comply with exfiltration requirements as applied to wellfield protection areas.

Civil drawings for the required sewer main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Water and Wastewater Engineering Section of PERA.

Existing public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the 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 alternative means of sewage disposal. Use of an alternative 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
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 plans shall comply with the requirements of Section 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

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

Wetlands
The subject properties do 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 properties contain tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. Approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

The applicant is advised to contact the Tree Program for additional information regarding permitting procedures and requirements prior to site development.

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

Concurrency Review Summary
A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for

potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

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

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

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

Cc: Eric Silva - Sustainability, Planning and Economic Enhancement

REVISION 2

PH# Z2010000052
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

This land may require 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.

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.
13-JAN-12

REVISION 1

Memorandum

Date: 15-FEB-12

To: , Director
Department of Sustainability, Planning and Economic Enhancement

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2010000052

Fire Prevention Unit:

No objection via case Z2010000052.

Service Impact/Demand

Development for the above Z2010000052
located at 8201 N.W. 22 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0794 is proposed as the following:

N/A residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	15,550 institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 10.43 alarms-annually.
The estimated average travel time is: 5:28 minutes

Existing services

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

Station 7 - W. Little River - 9350 NW 22 Avenue
Rescue, ALS Engine, Squad.

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped January 10, 2012.

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

DATE: 17-SEP-12

REVISION 2

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC	8201 N.W. 22 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2010000052

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: 3031100530570 No open cases, 3031100530580 No open cases, 3031100530590 No open cases. BNC: 3031100530570 - No bss cases open/closed. 3031100530580 - No bss cases open/closed. 3031100530590 - BSS case 20110141243-X opened on December 14, 2010. Notice of Violation issued for expired permit 2003031944. Civil Violation Notice P003111 issued on March 30, 2011 for non compliance. citation was appealed, hearing held on August 10, 2011, found guilty and given 30 days to comply with violation. Case remains open. BSS case A2004000680-X opened on November 12, 2003. Civil Violation Notice 639959 issued on November 12, 2003. Final Notice to lien/demand for payment issued on June 30, 2006. Lien recorded on December 1, 2006. Case remains open.

Bright Star Missionary Church Inc.

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: EDWARDS, RALPH **Inspection Date**

Evaluator: AMINA NEWSOME 02/23/12

Process #:	**Applicant's Name**
Z2010000052	BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC

Locations: 8201 N.W. 22 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Size: 0.34 ACRE **Folio #:** 3031100530590

Request:

1 Special Exception to permit a church.
10 Applicant is requesting a non-use variance of zoning regulations requiring a 5' high decorative masonry wall along the common property line of the business lot when abuts a RU zoned property (to waive same).

Requests #6-10 on Lots 6 &7 BU-2 portion of the property.
11 Applicant is requesting to permit 0 parking space (45 parking spaces required).

Request #11 on entire property.
2 The applicant is requesting to permit the proposed church with a lot coverage of 46.9%(35% maximum permitted).
3 Applicant is requesting to permit the proposed church building to setback 20' from the rear (east) property line, setback 20'-11" from the interior side (north) property line and setback 5' from the interior side (west) property line (50' min. required).
4 Applicant is requesting to waive the required 5' wide dissimilar land use buffer including a 6' high wall fence or hedge and buffer trees along the (east) and (north) property lines.
5 The applicant is requesting to permit the church to be closer than the required 75' from an existing residential building to the (north) and (east) of the subject property (not permitted).

Requests #1-5 on Lots 8, 9, 10 and 11 RU-1 portion of the property.
6 The applicant is requesting to permit the church with a lot coverage of 58 % (40% maximum permitted).
7 Applicant is requesting to permit a F.A.R. of 1.16%(51% max. permitted).
8 Applicant is requesting to permit 0%(18% required) of landscape open space.
9 Applicant is requesting a non-use variance of landscape requirements to permit four (4) street trees (9 street trees required).

EXISTING ZONING

Subject Property BU-2, RU-1,

EXISTING USE CHURCH & VACANT

SITE CHARACTERISTICS

STRUCTURES ON SITE:

SMALL CHURCH BUILDING

USE(S) OF PROPERTY:

CHURCH

FENCES/WALLS:

THE NORTHSIDE OF THE PROPERTY HAS A 6 FT CHAIN LINK FENCE

LANDSCAPING:

THE PROPERTY HAS VERY LITTLE LAND SCAPING

ZONING INSPECTION REPORT

BUFFERING:

THE SUBJECT PROPERTY HAS A CHAIN LINK FENCE ON THE NORTHSIDE OF THE PROPERTY

VIOLATIONS OBSERVED:

NONE

OTHER:

Process #	Applicant's Name
Z2010000052	BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC

SURROUNDING PROPERTY

NORTH:

GAS STATION, VACANT LAND ZONED RU1, RU1 HOMES

SOUTH:

BU1A, BU2 & BU3 PROPERTIES. SINGLE FAMILY RU1 HOMES

EAST:

VACANT LAND ZONED RU1

WEST:

BU2 & BU3 PROPERTIES, VACANT LAND ZONED BU2, RESIDENTIAL RU1 HOMES

SURROUNDING AREA

MIX OF RU1 SINGLE FAMILY ONE STORY HOMES, VACANT LAND ZONED RU1, COMMERCIAL PROPERTIES ZONED BU1A, BU2, BU3 VACANT & UNIMPROVED

NEIGHBORHOOD CHARACTERISTICS:

COMMENTS:

DISCLOSURE OF INTEREST*

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 210-052
DATE: JAN 16 2010
BY: DAH

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: Bright Star Missionary Baptist Church, Inc.

NAME AND ADDRESS		Percentage of Stock
President: Glenn K. Miller	490 NW 157th Street Miami, FL 33169	0
Treasurer: Clarette Harris	1376 NW 42nd Street Miami, FL 33142	0
Secretary: Draeshawn Butler	1360 NW 175th Terrace Miami Gardens, FL 33169	0

not for profit

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 _____

NAME AND ADDRESS	Percentage of Interest

RECEIVED
210-052
MAY 05 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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: _____

NAME AND ADDRESS	Percentage of Ownership

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

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

NAME OF PURCHASER: _____

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z10-052
DATE: JAN 10 2012
BY: DAH

NAME 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.

RECEIVED
Z10-052
MAY 05 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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: _____
(Applicant)

Sworn to and subscribed before me this 22 day of APRIL, 2010. Affiant is personally know to me or has produced N/A PERSONALLY KNOWN as identification.

_____
(Notary Public)

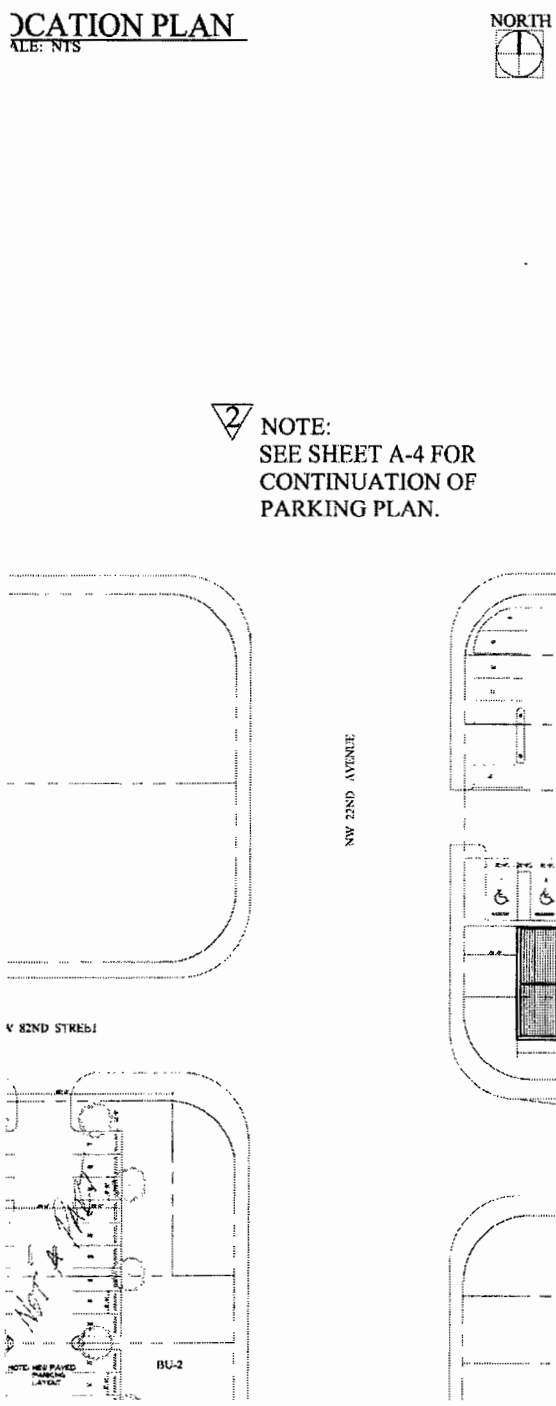
Notary Public State of Florida
Draeshawn Thomas Butler
My Commission DD725330
Expires 10/15/2011

My commission expires: _____ Seal

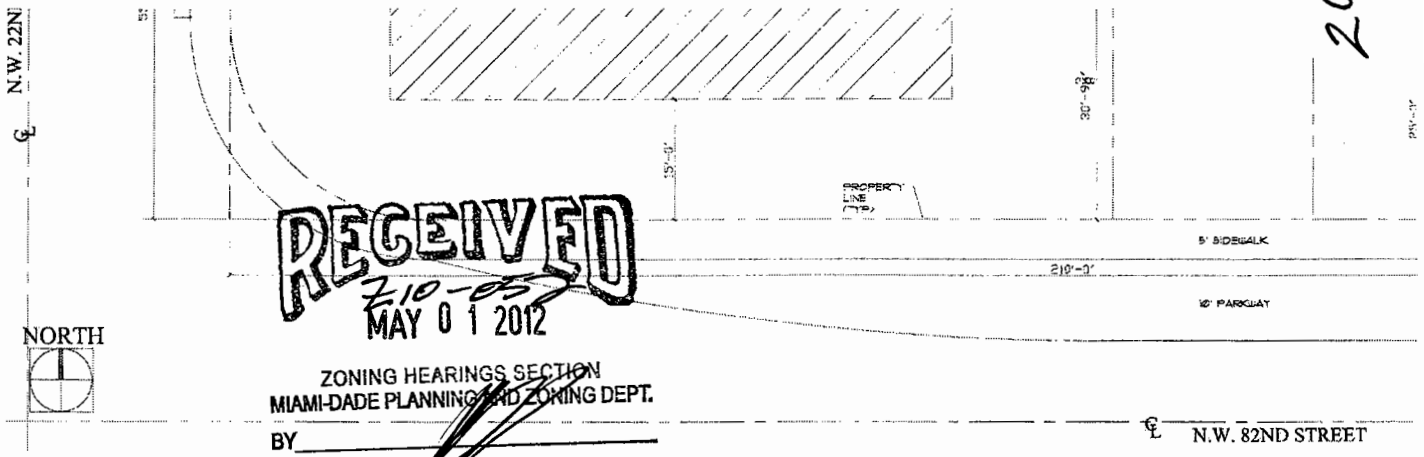
*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership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

24

)CATION PLAN
ALE: NTS

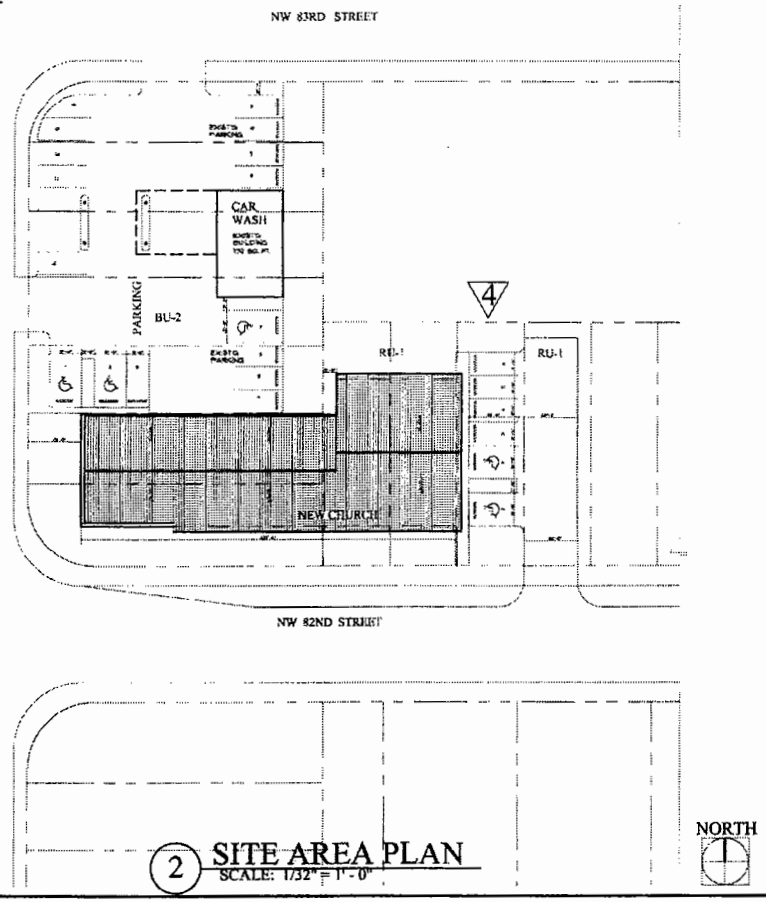


2 NOTE:
SEE SHEET A-4 FOR CONTINUATION OF PARKING PLAN.



RECEIVED
Z10-057
MAY 0 1 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

3 SITE PLAN / CODE SET BACKS
SCALE: 1/8" = 1' - 0"



2 SITE AREA PLAN
SCALE: 1/32" = 1' - 0"

ZONING INFORMATION

BU-2 SPECIAL BUSINESS DISTRICT
F.A.R. = 0.40 AT 1 STORY, 0.11 EACH ADDITIONAL STORY
TOTAL LOT COVERAGE NOT TO EXCEED 40%
SETBACKS - FRONT = 20 FEET, MAIN STREET
= 15 FEET, SIDE STREET
SIDE = 0 FEET, INTERIOR LOT LINE
REAR = 20 FEET,
MINIMUM DISTANCE BETWEEN BUILDINGS = 20 FEET
MAXIMUM HEIGHT - 2 STORIES - 35 FEET MAXIMUM
MINIMUM 6'-0" DECORATIVE MASONRY
WALL SEPARATING RU DISTRICT

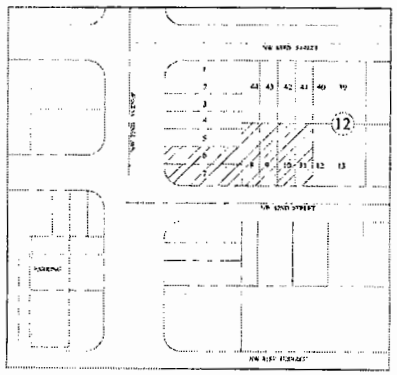
RU-1 RESIDENTIAL DISTRICT
SETBACKS - FRONT = 25 FEET, MAIN STREET
= 15 FEET, SIDE STREET
SIDE = 5 FEET, INTERIOR LOT LINE
REAR = 25 FEET,

GENERAL SETBACK
RELIGIOUS BUILDING FROM RESIDENTIAL = 75 FEET

SITE / LANDSCAPE

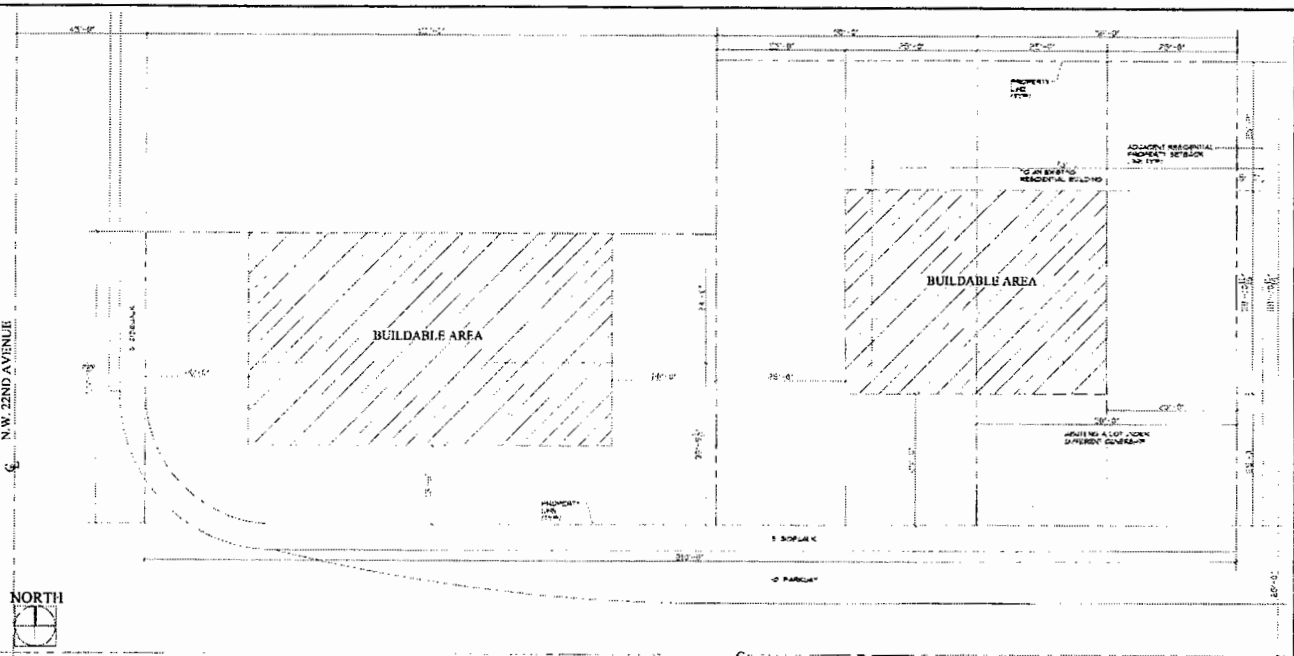
TOTAL SITE AREA = 14,778 SQ. FT. = .34 ACRES
PERCENTAGE OPEN SPACE = 64 %
LANDSCAPE AREA: 19.5% REQUIRED (.35 X 14,778 = 5,173 SQ. FT.)
TOTAL LANDSCAPE AREA PROPOSED = 6,362 SQ.FT.
.34 X 22 TREES PER ACRE = 7.48 - TREES REQUIRED ON SITE = 8
STREET TREES = 265 LINEAR FEET/35 = 7.45 8 TREES REQUIRED
TOTAL TREES REQUIRED = 16
TOTAL SHRUBS REQUIRED = 160

ENLARGED SITE PLAN



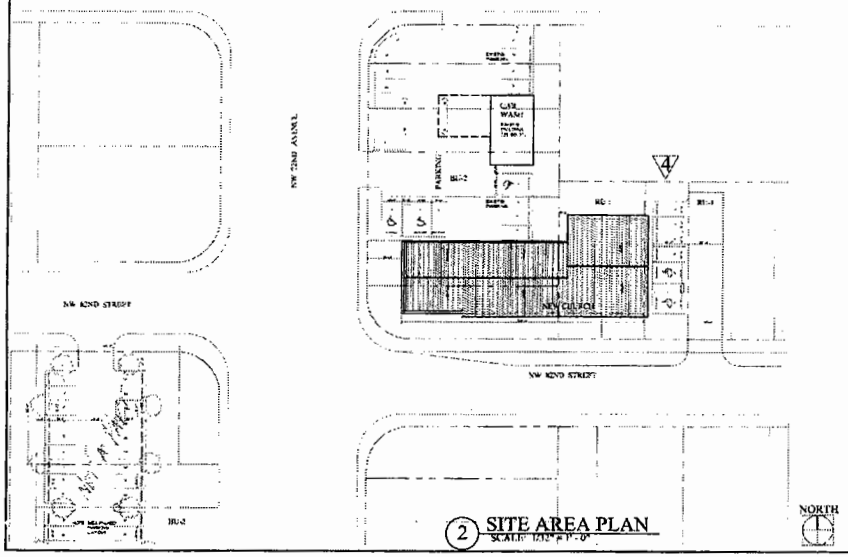
1 LOCATION PLAN
SCALE: NTS

NORTH



3 SITE PLAN / CODE SET BACKS
SCALE: 1/8" = 1'-0"

NOTE:
SEE SHEET A-4 FOR CONTINUATION OF PARKING PLAN.



2 SITE AREA PLAN
SCALE: 1/32" = 1'-0"

ZONING INFORMATION

BU-2 SPECIAL BUSINESS DISTRICT
F.A.R. = 0.40 AT 1 STORY, 0.11 EACH ADDITIONAL STORY
TOTAL LOT COVERAGE NOT TO EXCEED 40%
SETBACKS - FRONT = 20 FEET, MAIN STREET
= 15 FEET, SIDE STREET
SIDE = 0 FEET, INTERIOR LOT LINE
REAR = 20 FEET,
MINIMUM DISTANCE BETWEEN BUILDINGS = 20 FEET
MAXIMUM HEIGHT - 2 STORIES - 35 FEET MAXIMUM
MINIMUM 6'-0" DECORATIVE MASONRY
WALL SEPARATING RU DISTRICT

RU-1 RESIDENTIAL DISTRICT
SETBACKS - FRONT = 25 FEET, MAIN STREET
= 15 FEET, SIDE STREET
SIDE = 5 FEET, INTERIOR LOT LINE
REAR = 25 FEET,

GENERAL SETBACK
RELIGIOUS BUILDING FROM RESIDENTIAL = 75 FEET

SITE / LANDSCAPE

TOTAL SITE AREA = 14,778 SQ. FT. = .34 ACRES
PERCENTAGE OPEN SPACE = 64 %
LANDSCAPE AREA: 19.5% REQUIRED (.35 X 14,778 = 5,173 SQ. FT.)
TOTAL LANDSCAPE AREA PROPOSED = 6,362 SQ.FT.
.34 X 22 TREES PER ACRE = 7.48 - TREES REQUIRED ON SITE = 8
STREET TREES = 265 LINEAR FEET/35 = 7.45 8 TREES REQUIRED
TOTAL TREES REQUIRED = 16
TOTAL SHRUBS REQUIRED = 160

BUILDING DATA

NOTE: ALL SQ. FT. INCLUDES EXTERIOR WALL

BUILDING FOOT PRINT = 6,194 SQ. FT.
TOTAL BUILDING AREA = 13,388 SQ. FT.

PARKING REQUIREMENT

4 SANCTUARY SPACE - 1 CAR PER 100 SQ. FT.

3485 SQ. FT. SANCTUARY/ 100 = 35 CARS
TOTAL PARKING REQUIRED = 35 CARS

TOTAL PARKING PROPOSED = 52 CARS

TOTAL PERMITTED PARKING PROPOSED = 52 CARS

PARKING BREAKDOWN

4 ON SITE PARKING LOT = 6 CARS

3 NEW PAVED LOT SITE BU-2 ZONING
PARKING PROPOSED = 46 CARS

RECEIVED
MAY 01 2012
ZONING HEARINGS SEC.
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

A+S
ARCHITECTURE PLANNING P.A.

SEAL

REVISIONS	DATE
1	5/19/2011
2	10/7/2011
3	11/28/2011
4	4/27/2012

Project Name:
BRIGHT STAR M. B. CHURCH
8201 N.W. 22nd Avenue
Miami, FL 33147

Project No. 09021
Scale: AS NOTED
Date: 5-5-10
Drawn: D.S.
Checked: D. SMITH
CADD File:

Drawing Title:
SITE PLAN

Sheet No:
A.0

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

2 SITE AREA PLAN / ROOF PLAN
SCALE: 1/64" = 1'-0"

RECEIVED
MAY 0 1 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY________

A+S

ZONING REVIEW

SEAL

REVISIONS	DATE
1	5/19/2011
2	10/7/2011
3	11/28/2011
4	4/27/2012

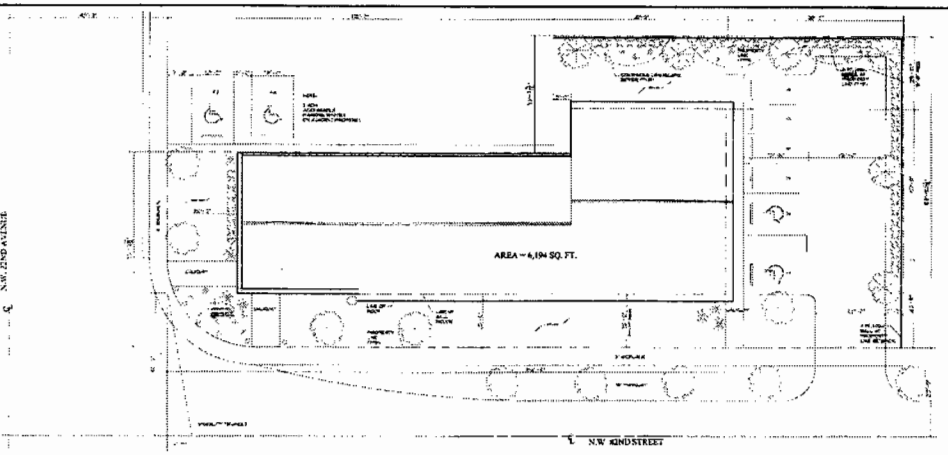
Project Name:
BRIGHT STAR M. B. CHURCH
8201 N.W. 22nd Avenue
Miami, FL 33147

Project No: 09021
Scale: AS NOTED
Date: 5-5-10
Drawn: D.S.
Checked: D. SMITH
CADD File:

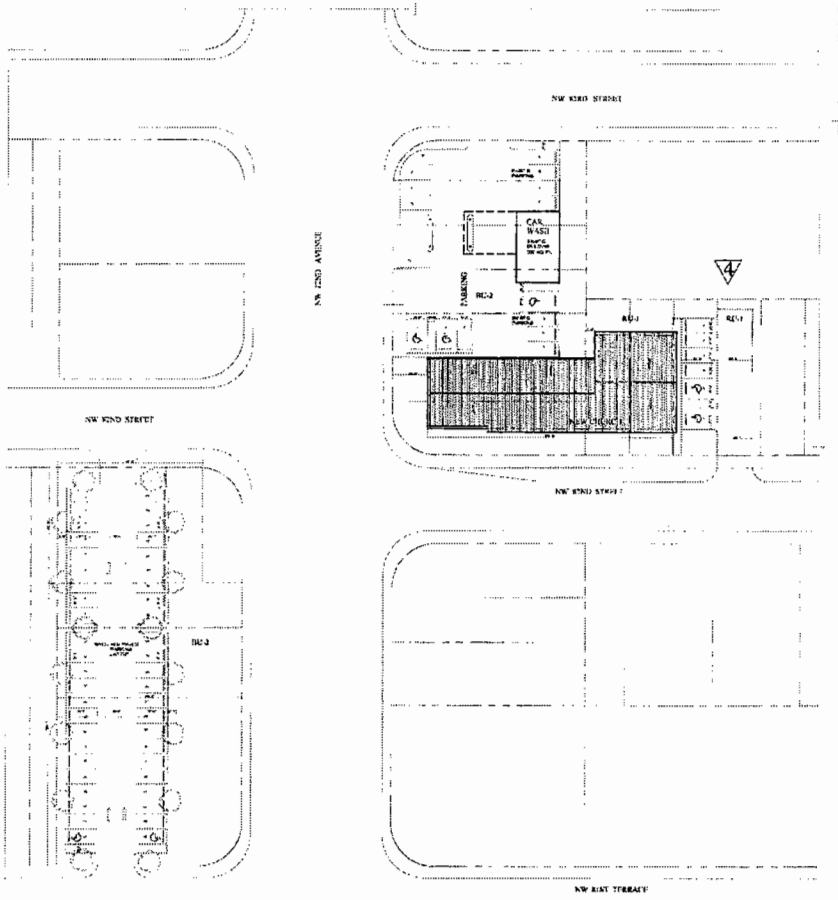
Drawing Title:
SITE / ROOF PLAN

Sheet No:
A.1

26



1 PROPOSED LANDSCAPE PLAN
SCALE: 1/16" = 1'-0"



3 PROPOSED PARKING PLAN
SCALE: 1/32" = 1'-0"

LANDSCAPE LEGEND
Zoning District: BU-2 Net Lot Area 31 acres 13,940 square feet

OPEN SPACE	REQUIRED	PROVIDED
A. Square feet of open space required by Chapter 33, as indicated on site plan: Net lot area = 13,940 square feet x 35 % = 4,879 square feet	4,879	6,347
B. Square feet of parking lot open space required by Chapter 18A, as indicated on site plan: The number of parking spaces 36 x 10 square feet per parking space =	-	-
C. Total square feet of landscaped open space required by Chapter 33 = A + B =	4,879	6,347

LAWN AREA CALCULATION		
A. Total square feet of landscaped open space required by chapter 33 =	4,879	
B. Maximum lawn area (St. Augustine sod) permitted : 20 % x 4,879 square feet =	1,036	1,000

TREES		
A. The number of trees required per net lot acre: 31 less the existing number of trees that meet minimum requirements (min.=0) =	31	0
32 trees x net lot acreage = 27 x .84 = 548	0	
B. 30% palm trees allowed (two palms = one tree) Palms provided =	5	4
C. Percentage of native trees required = the number of trees provided x 30% =	7	7
D. Street trees (max. average spacing 35' o.c.): 166 linear feet along street ÷ 35 =	5	5
Palms as street trees (max. average spacing 25' o.c.): N/A linear feet along street ÷ 25 =	0	0
E. Tree trees located directly beneath power lines (maximum average spacing of 25' o.c.): N/A linear feet along street ÷ 25 =	0	0
F. Total number of trees provided =	36	36

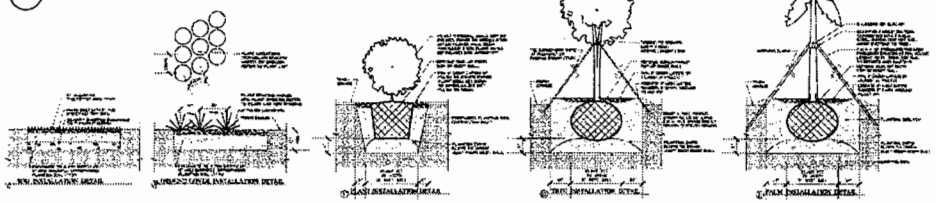
SHRUBS		
A. The total number of trees required x 10 = the number of shrubs required	440	900
B. The number of shrubs required x 20% = the number of native shrubs required	88	540

IRRIGATION PLAN: Required by Chapter 33. Auto irrigation ____ or hose bib X provided.

TABLE containing information as indicated in sample.

SYMBOL USED ON PLAN	PLANT NAME	NATIVE SPECIES	CALIPER	HEIGHT	CANOPY DIAMETER	QUANTITY
Symbol / New / Existing	Botanical / Common	Yes / No	Installed	Installed / Estimated at maturity	Radius at maturity	
X	Ficus benjamina Nitida / Ficus		X			7
X	Bursera simaruba / Gumbo Limbo	X		8'		1
X	Tabebuia heterophylla / Pink Tabebuia		X			1
X	Coccoloba uvifera / Sea Grape	X				2
X	Cocos nucifera / Coconut Palm		X			1
X	Conocarpus erectus / Green Buttonwood		X			1

2 LANDSCAPE LEGEND



4 LANDSCAPE DETAILS
SCALE: N.T.S.

RECEIVED
MAY 01 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

A+S
ARCHITECTS PLANNERS P.A.
ALBERTO MENDEZ SUITE ARCHITECT
LIC.# AR-0014571

ZONING REVIEW

SEAL

REVISIONS	DATE
1	5/19/2011
2	10/7/2011
3	11/28/2011
4	4/27/2012

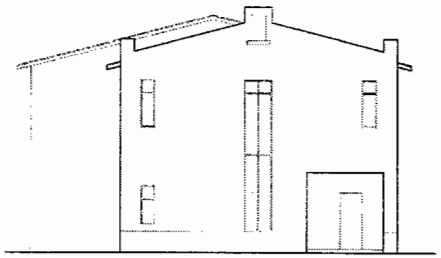
Project Name:
BRIGHT STAR M. B. CHURCH
8201 N.W. 22nd Avenue
Miami, FL 33147

Project No: 09021
Scale: AS NOTED
Date: 5-5-10
Drawn: D.S.
Checked: P. SMITH
CADD File:

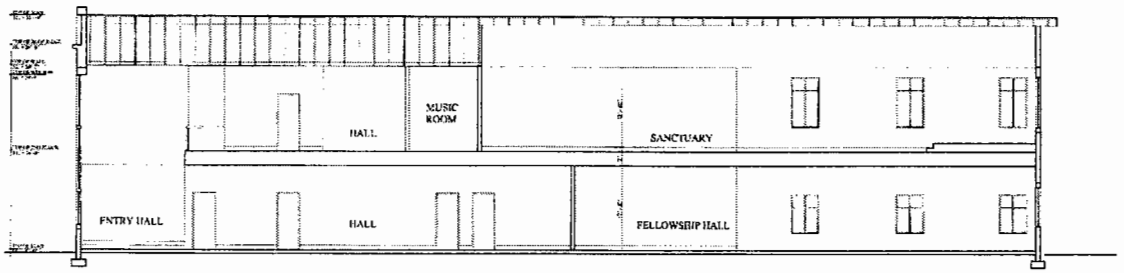
Drawing Title:
PARKING & LANDSCAPE

RECEIVED
MAY 01 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

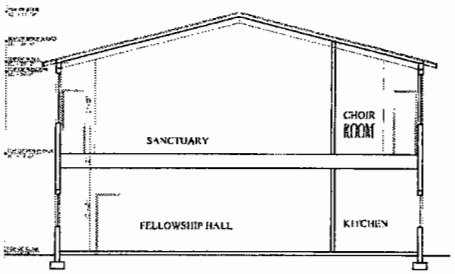
Sheet No: A.4



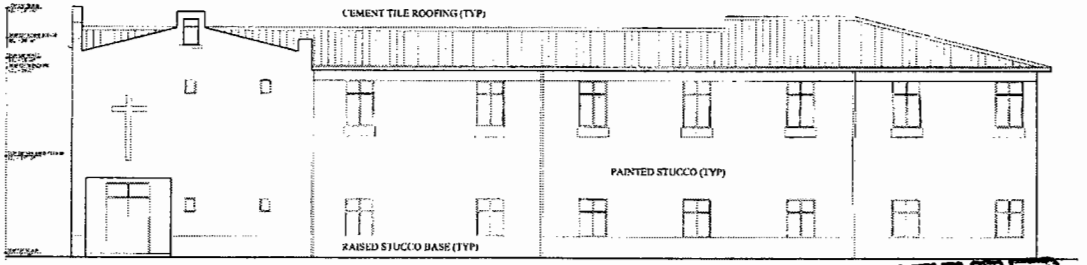
1 WEST ELEVATION (22ND AVE.)
SCALE: 1/8" = 1'-0"



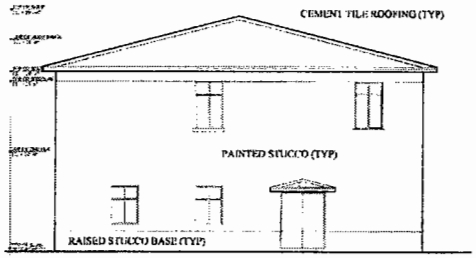
2 LONGITUDINAL SECTION
SCALE: 1/8" = 1'-0"



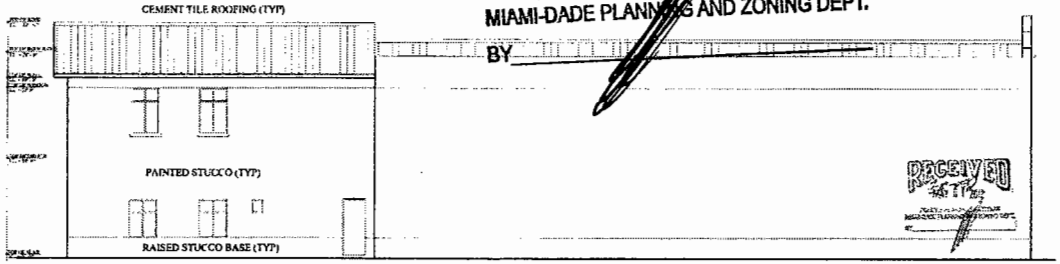
3 CROSS SECTION
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION (N.W. 82ND ST.)
SCALE: 1/8" = 1'-0"



5 EAST ELEVATION
SCALE: 1/8" = 1'-0"



6 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

RECEIVED
Z10-057
MAY 0 1 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

A+S
ARCHITECTURE PLANNING P.A.

ZONING REVIEW

SEAL

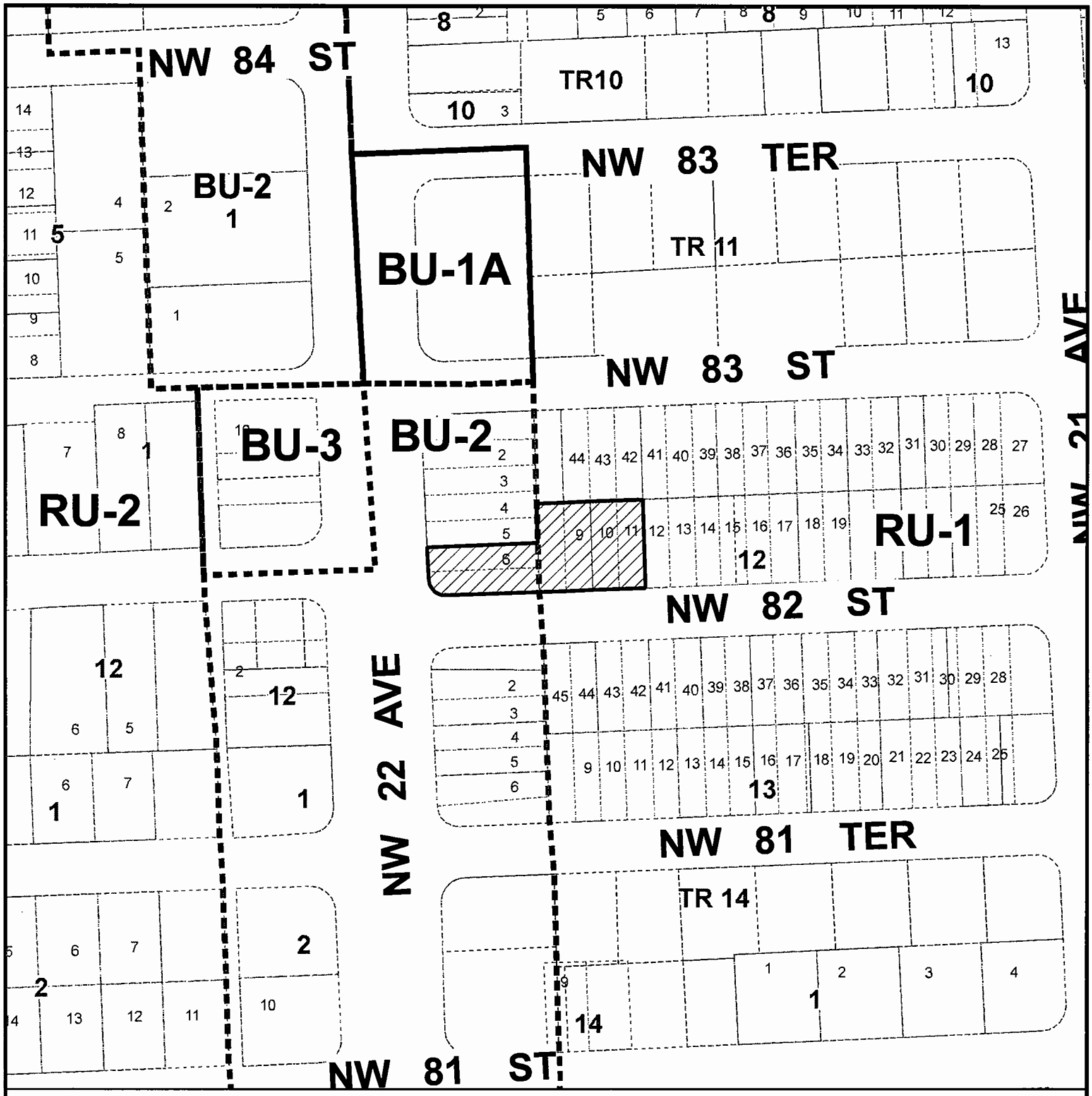
REVISIONS	DATE
1	5/19/2011
2	10/7/2011
3	11/26/2011
4	4/27/2012

Project Name:
BRIGHT STAR M. B. CHURCH
#201 N.W. 22nd Avenue
Miami, FL 33147

Project No: 09021
Scale: AS NOTED
Date: 5-5-10
Drawn: D.S.
Checked: D. SMITH
CADD File:

Drawing Title:
SECTIONS & ELEVATIONS

Sheet No:
A.3



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2010000052

Section: 10 Township: 53 Range: 41
Applicant: BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Friday, May 14, 2010

REVISION	DATE	BY
		29

MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2010000052

N
W E
S

Section: 10 Township: 53 Range: 41
Applicant: BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

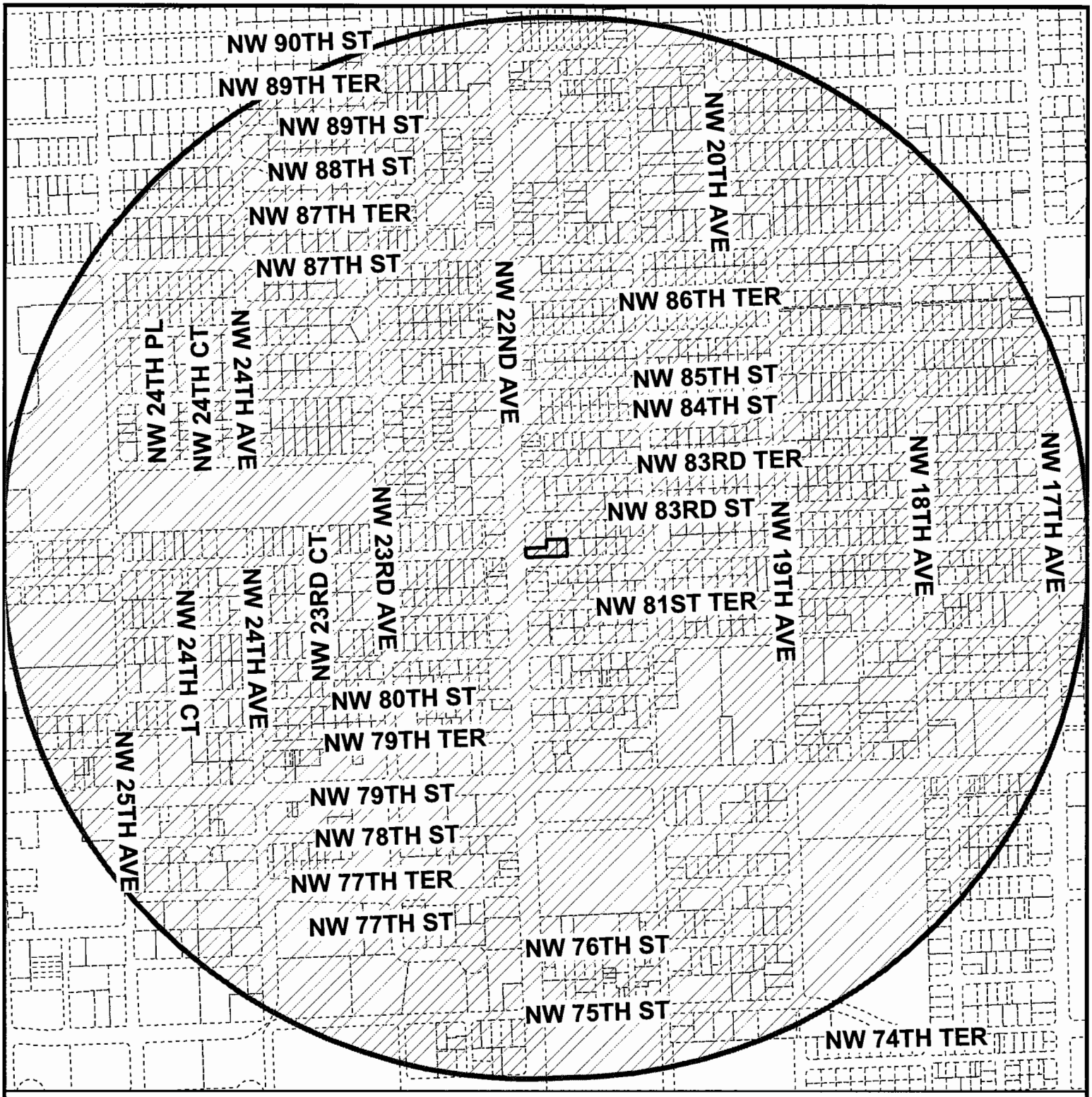
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Friday, May 14, 2010

REVISION	DATE	BY
		30



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2010000052

RADIUS: 2640

Section: 10 Township: 53 Range: 41

Applicant: BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC

Zoning Board: C8

Commission District: 2

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend

N
W E
S

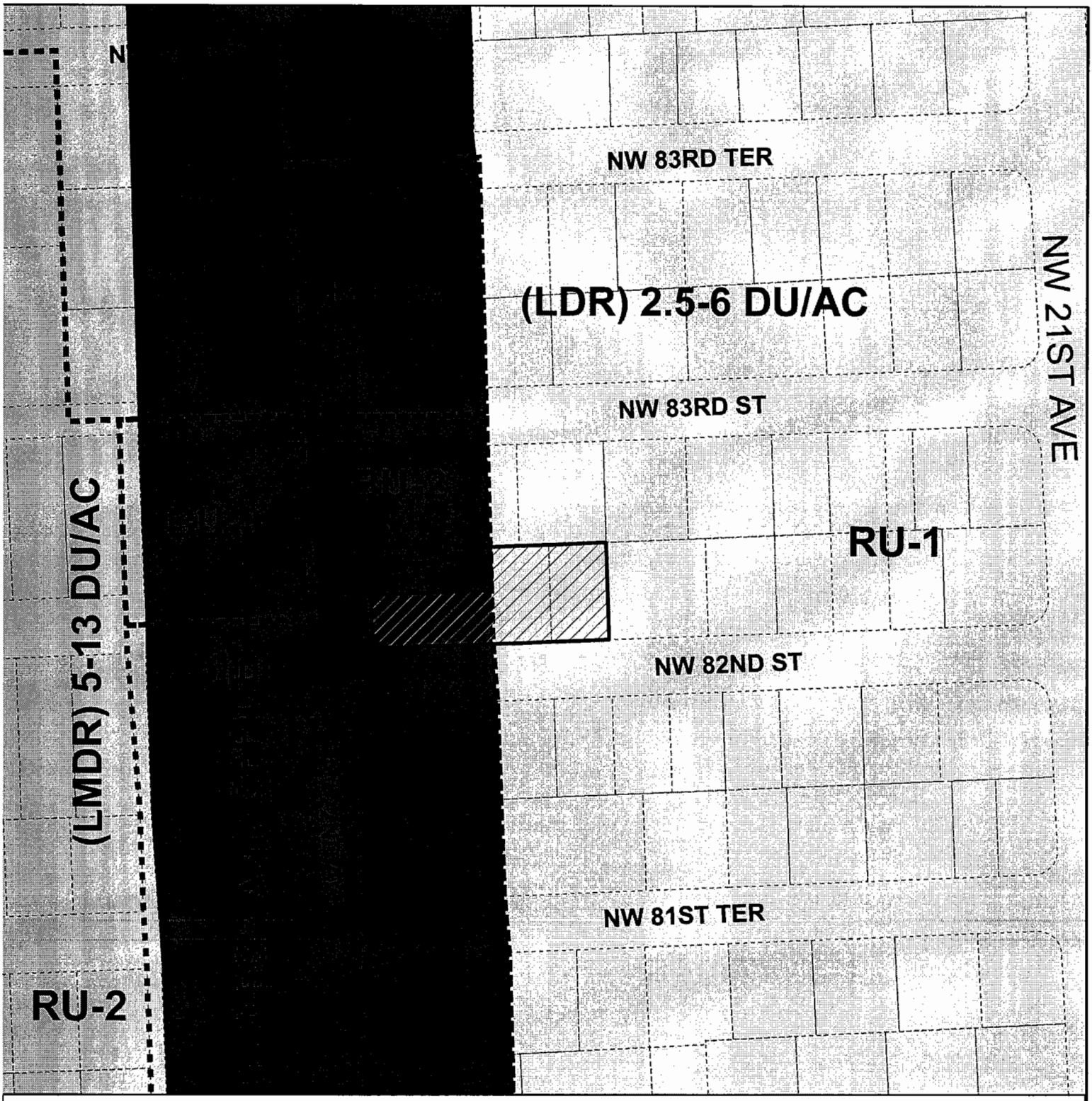
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Friday, May 14, 2010

REVISION	DATE	BY
		31



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2010000052

Section: 10 Township: 53 Range: 41
Applicant: BRIGHT STAR MISSIONARY BAPTIST CHURCH, INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Friday, May 14, 2010

REVISION	DATE	BY

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

PH: Z11-122 (12-04-CZ08-2) **December 19, 2012**
Item No. B

Recommendation Summary	
Commission District	2
Applicant	New Solid Rock Missionary Baptist Church
Summary of Requests	The applicant is seeking to permit the continued use of existing parking on natural terrain.
Location	9026 N.W. 22nd Avenue, Miami-Dade County, Florida.
Property Size	75' x 119'
Existing Zoning	BU-1
Existing Land Use	Religious Facility
2015-2025 CDMP Land Use Designation	Business and Office and Low-Medium Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	**Denial without prejudice.**

This item was deferred from the November 14, 2012 meeting of the Community Zoning Appeals Board (CZAB) 8 due to a lack of quorum. This item was also deferred from the September 12, 2012 and the June 13, 2012 meetings of the CZAB 8 to allow the applicant to obtain a parking lot design, cost estimates and an approximate time schedule of the time needed to obtain the necessary funding. Also, this item was deferred from the April 18, 2012 meeting of the CZAB 8 to allow the applicant to research the cost of paving and to determine how long they will need to continue to park on natural terrain.

REQUEST:

NON-USE VARIANCE of zoning regulations requiring off street parking areas to be hard surfaced; to waive same to permit the continued use of parking areas on natural terrain.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "New Solid Rock Missionary Baptist Church" as prepared by Brown and Associates, consisting of one (1) sheet and dated stamped received 10/19/11. Plans may be modified at public hearing.

PROJECT DESCRIPTION: Existing 2,239 sq. ft. religious facility with parking on natural terrain.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	BU-1; religious facility	Business and Office
North	BU-1A; vacant	Business and Office
South	BU-1A; duplex residence	Business and Office Low-Medium Density Residential (6 to 13 dua)
East	RU-1; single-family residence BU-1A; vacant	Business and Office
West	RU-1; single-family residence BU-1A; vacant	Low-Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is an interior lot, located at 9026 N.W. 22nd 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 the existing parking areas on natural terrain. However, the parking areas on natural terrain may create overcrowding and cause spillage of traffic on the abutting roadway.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Business and Office** use. The CDMP Land Use Element adopted interpretative text for the Business and Office land use category provides for the accommodation of *the full range of sales and service activities.* Further, said adopted Land Use Element interpretative text for Institutions, Utilities and Communications, states that ***Neighborhood or community-serving institutional uses**, may be approved where compatible in all urban land use categories.* The existing one-story, 2,239 square foot church is located on the portion of the property that is designated for Business and Office use and is zoned BU-1, Neighborhood Business District. This zoning district permits religious facilities such as the church. As such, the existing religious facility use is **compatible** with the uses allowed in the BU-1 zoning district and is **consistent** with the CDMP Business and Office LUP map designation.

ZONING ANALYSIS:

Resolution Z-4-93, passed and adopted by the Board of County Commissioners in 1993, approved a church use on the subject property with less parking, a reduced driveway, reduced back up space for parking spaces, less lot frontage, lot area and landscaped open space than required. In 1995, pursuant to resolution 5-ZAB-144-95, the applicant was approved on a temporary basis for a period of two years, to permit 11 parking spaces to be on natural terrain and to waive the requirement that off-street parking spaces be hard surfaced. While staff has never been opposed to the use on a BU-1 zoned property, the variances requested point to the limitations of the physical site. Furthermore, staff opines that the applicant has had sufficient time (16 years) to pave the parking areas of the subject property.

When the subject request is analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff opines that approval of this request would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **incompatible** with same. The approval of this request would allow the applicant to continue to permit parking on natural terrain in lieu of the required hard surface. Paved parking is required according to Section 33-126 of the Miami-Dade County Zoning Code (the Code). The Code provides *that in all Districts, except AU, RU-1, RU-2 and RU-3, all off-street parking areas be surfaced with a minimum of a rolled six-inch rock base and a one-inch durable weatherproof asphaltic pavement. The occupancy or use of a given structure or premises shall be prohibited until the required off-street parking area has been improved, inspected and approved.* Said parking requirements allow for an organized parking area with clearly delineated parking spaces and drives, which facilitates the flow of traffic on-site. Staff is of the opinion that the approval of the subject request may cause overcrowding as a result of having an unpaved parking area with no delineation of parking spaces and would have a negative impact on the

circulation of vehicles on the site. Staff further opines that this could result in the spillage of parking onto N.W. 22nd Avenue, which is a well travelled north/south roadway and would have a negative impact on traffic in this area. Additionally, staff notes that photographs submitted by the applicant indicate that cars park on the adjacent contiguous property, which is not a part of this application and therefore may not be used for parking. As such, staff opines that the approval of the subject request would negatively impact the surrounding properties with the spillage of parking onto the abutting roadway. **Therefore, staff recommends denial without prejudice of the subject request under Section 33-311(A)(4)(b), Non-Use Variances From Other than Airport Regulations.**

Furthermore, staff notes that the Public Works and Waste Management Department (PWWM) objects to this application noting that "the proposed driveway connection to N.W. 22nd Street may interfere with the existing light pole on the sidewalk". In addition, its memo requires that the parking spaces be redesigned at 90 degrees so that vehicles may back-out and exit the property.

CIRCULATION AND PARKING:

The site plan submitted depicts the existing religious facility with 11 parking spaces, four (4) of which are angled parking spaces, a reduced driveway and reduced back up space for the parking spaces.

ENVIRONMENTAL REVIEW: Not applicable.

OTHER: Not applicable.

RECOMMENDATION:

Denial without prejudice.

CONDITIONS FOR APPROVAL: None.

ES:NN:CH:JC

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

ZONING RECOMMENDATION ADDENDUM

Applicant: New Solid Rock Missionary Baptist Church
PH: *Z11-122*

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Public Works and Waste Management	Objects
Parks	No objection
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

Business and Office (Pg. I-41)	*This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.* *Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.*
Institutions, Utilities and Communications (Pg. I-53)	***Neighborhood or community-serving institutional uses**, cell towers and utilities including schools, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and cemeteries may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to Policy LU-4A. Co-location of communication and utility facilities are encouraged. Major utility and communication facilities should generally be guided away from residential areas; however, when considering such approvals, the County shall consider such factors as the type of function involved, the public need, existing land use patterns in the area and alternative locations for the facility. All approvals must be consistent with the goals, objectives and policies of the Comprehensive Development Master Plan*

ZONING RECOMMENDATION ADDENDUM

Applicant: New Solid Rock Missionary Baptist Church
PH: *Z11-122*

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-11(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	*Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*

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

A

APPLICANT'S NAME: **NEW SOLID ROCK MISSIONARY BAPTIST CHURCH**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-4-CZ8-2 (11-122)	November 14, 2012	CZAB8		12

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: December 19, 2012 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

■ OTHER: Deferred due to a lack of quorum.

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

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **DAVID HOPE**

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

B

APPLICANT'S NAME: **NEW SOLID ROCK MISSIONARY BAPTIST CHURCH**

REPRESENTATIVE: Vinnette Lamb

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-04-CZ08-2 (11-122)	September 12, 2012	CZAB8		12

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: November 14, 2012 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH CONDITIONS

■ OTHER: Deferred by the applicant in order for the applicant to submit a new site of revised plans to staff.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	S	Richard C. BROWN (C.A.)	X		
COUNCILMAN		Patrick CURE	X		
COUNCILMAN		Arthemon JOHNSON	X		
COUNCIL WOMAN		Voncarol Yvette KINCHEN	X		
VICE CHAIRMAN	M	Fredericke Alan MORLEY	X		
CHAIRWOMAN		Joy J. DAVIS	X		
		VOTE:	6	0	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **DAVID HOPE**

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

A

APPLICANT'S NAME: **NEW SOLID ROCK MISSIONARY BAPTIST CHURCH**

REPRESENTATIVE: Vinnette Lamb

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-4-CZ8-2 (11-122)	June 13, 2012	CZAB8		12

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: Sept 12, 2012 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

■ OTHER: Deferred to allow the applicant to submit a site plan to staff and to research the cost of paving so that they are better prepared to explain to the board how much time they would need to continue to park on natural terrain.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Richard C. BROWN (C.A.)	X		
COUNCILMAN		Patrick CURE			X
COUNCILMAN	S	Arthemon JOHNSON	X		
COUNCIL WOMAN	M	Voncarol Yvette KINCHEN	X		
VICE CHAIRMAN		Fredericke Alan MORLEY	X		
CHAIRWOMAN		Joy J. DAVIS	X		
		VOTE:	5	0	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **DAVID HOPE**

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

#3

APPLICANT'S NAME: **NEW SOLID ROCK MISSIONARY BAPTIST CHURCH**

REPRESENTATIVE: Vinnette Lamb

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
12-04-CZ8-2 (11-122)	April 18, 2012	CZAB8 12

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: June 13, 2012 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

■ OTHER: Deferred to allow the applicant to research the cost of paving so that they are better prepared to explain to the board how long they will need to continue to park on natural terrain.

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

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **DAVID HOPE**

B. NEW SOLID ROCK MISSIONARY BAPTIST CHURCH **12-4-CZ8-2(11-122)**
(Applicant) **Area 8/District 02**
Hearing Date: 12/19/12

Property Owner (if different from applicant) **Ozzie & Prudence Flowers.**

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:

Year	Applicant	Request	Board	Decision
1995	New Solid Rock Mission Baptist Church	- Non-Use Variance of Zoning Regulations requiring off street parking spaces to be hard surfaced to waive same to permit 11 parking spaces to be on natural terrain.	ZAB	Approved with Condition(s)

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

Memorandum

Date: November 9, 2011

To: Charles Danger, P.E., Interim Director
Permitting, Environment and Regulatory Affairs

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

Subject: C-08 #Z2011000122
New Solid Rock Missionary Baptist Church
9026 N.W. 22nd Avenue
To Permit Parking on Natural Terrain
(BU-1) (.23 Acres)
03-53-41

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

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

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

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

Furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(4)(a) of the Code, which provides that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank.

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

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

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

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

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

Tree Preservation
The proposal to permit parking on natural terrain will not impact tree resources. Please be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History
The subject properties have two (2) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

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, Permitting, Environment and Regulatory Affairs

PH# Z2011000122
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH

This Department objects to this application.

The proposed angled parking is designed for one-way traffic. Redesign parking spaces at 90 degrees so vehicles may back-out and exit the property.

The proposed driveway connection to NW 22 Street may interfere with the existing light pole on the sidewalk.

Additional improvements may be required at time of permitting.

This land may require 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.

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

Raul A Pino, P.L.S.
16-DEC-11

Memorandum

Date: 01-NOV-11

To: Charles Danger, Director
Department of Permitting, Environment and Regulatory Affairs

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2011000122

Fire Prevention Unit:

No objection via case Z2011000122.

Service Impact/Demand

Development for the above Z2011000122
located at 9026 NW 22 AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0738 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 4:06 minutes

Existing services

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

Station 7 - W Little River - 9350 NW 22 Avenue
Rescue, ALS Engine, Squad

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

Memorandum

MIAMI-DADE COUNTY

Date: November 28, 2011

To: Charles Danger, P.E., Interim Director
Permitting, Environment and Regulatory Affairs

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

Subject: Z2011000122: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH

Application Name: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH

Project Location: The site is located at the 9026 NW 22 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting a non-use variance to park on natural terrain for an existing church.

Impact and demand: This application does not generate any residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

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

DATE: 24-SEP-12

REVISION 2

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

NEW SOLID ROCK MISSIONARY BAPTIST CHURCH	9026 NW 22 AVE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2011000122

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: No open/closed cases.

New Solid Rock Missionary Baptist Church

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

REPORTER NAME:

ZONING INSPECTION REPORT

Inspector: EDWARDS, RALPH

Inspection Date 02/22/12

Evaluator: JACQUELINE CARRANZA

Process #:	**Applicant's Name**
Z2011000122	NEW SOLID ROCK MISSIONARY BAPTIST CHURCH

Locations: 9026 NW 22 AVE, MIAMI-DADE COUNTY, FLORIDA.

Size: 75'X119' **Folio #:** 3031030000190

Request:

NON USE VARIANCE to permit parking on natural terrain.

EXISTING ZONING

Subject Property BU-1,

EXISTING USE CHURCH

SITE CHARACTERISTICS

STRUCTURES ON SITE:

small chruch building with new office building behind the church with parking lot

USE(S) OF PROPERTY:

RELIGIOUS

FENCES/WALLS:

A 5' MASONRY WALL ON THE WEST SIDE OF THE PROPERTY

LANDSCAPING:

REAR OF THE PROPERTY NEXT TO THE PARKING AREA HAS HEDGES. A FEW TREES ON THE PROPERTY

BUFFERING:

HEDGES

VIOLATIONS OBSERVED:

THERE IS A 2ND BUILDING TOO CLOSE TO THE CHURCH; IT IS LESS THAN 5' FROM THE CHURCH

OTHER:

Process #	**Applicant's Name**
Z2011000122	NEW SOLID ROCK MISSIONARY BAPTIST CHURCH

SURROUNDING PROPERTY

ZONING INSPECTION REPORT

NORTH:
VACANT

SOUTH:
SINGLE FAMILY RU1

EAST:

WEST:

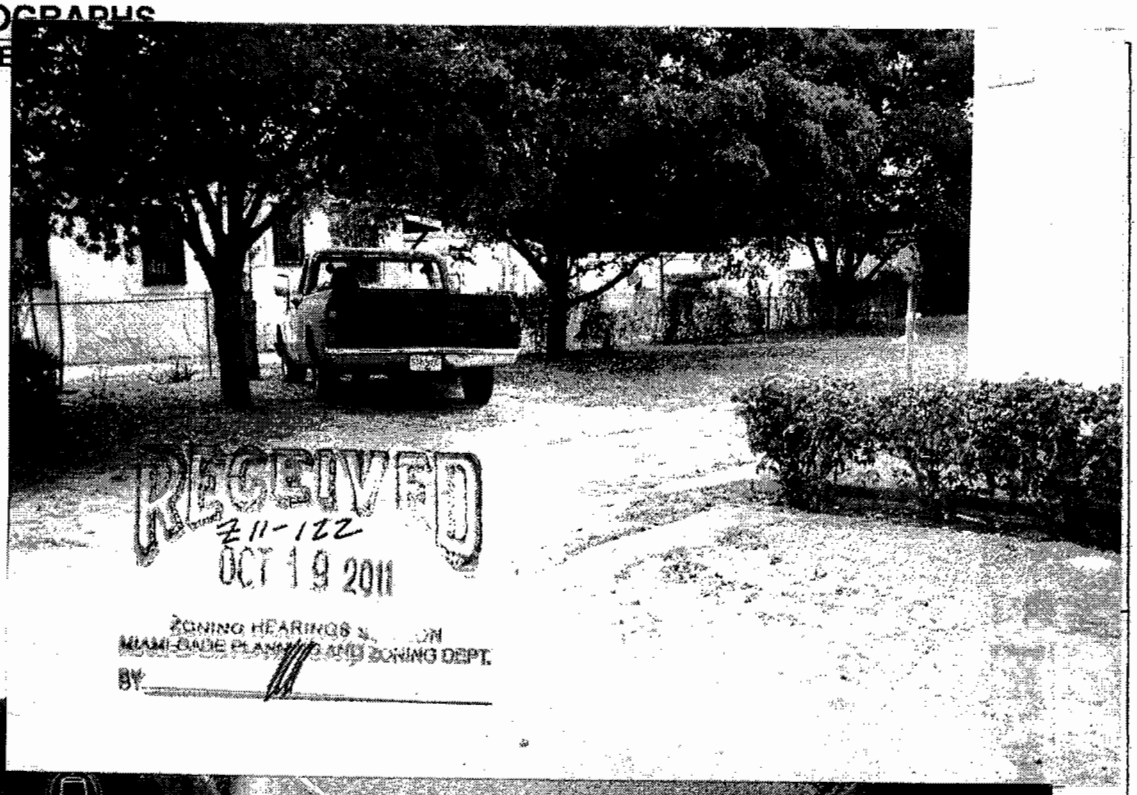
SURROUNDING AREA

NEIGHBORHOOD CHARACTERISTICS:

COMMENTS:

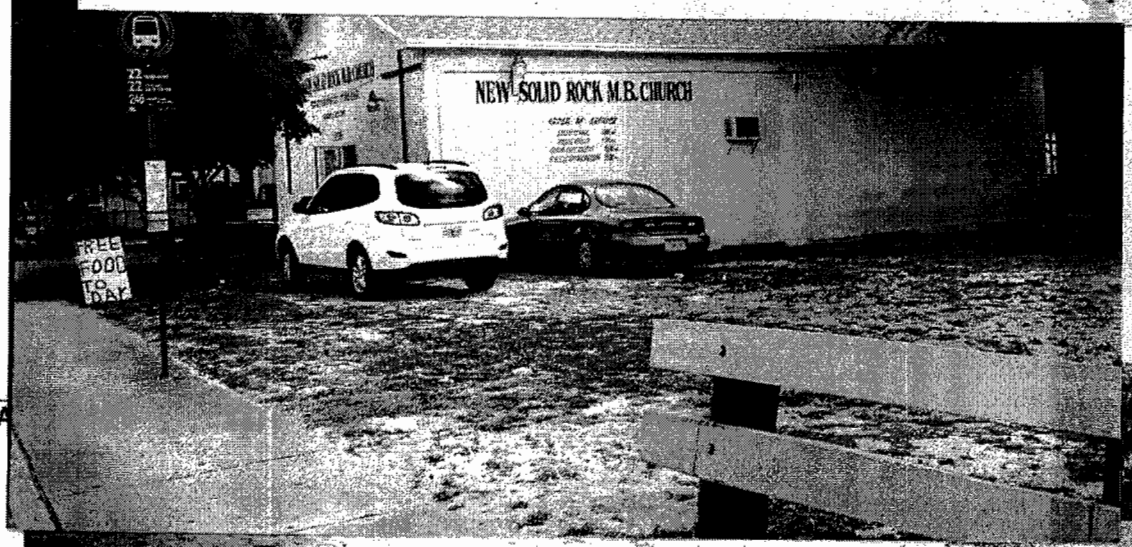
PHOTOGRAPHS

FRONT E

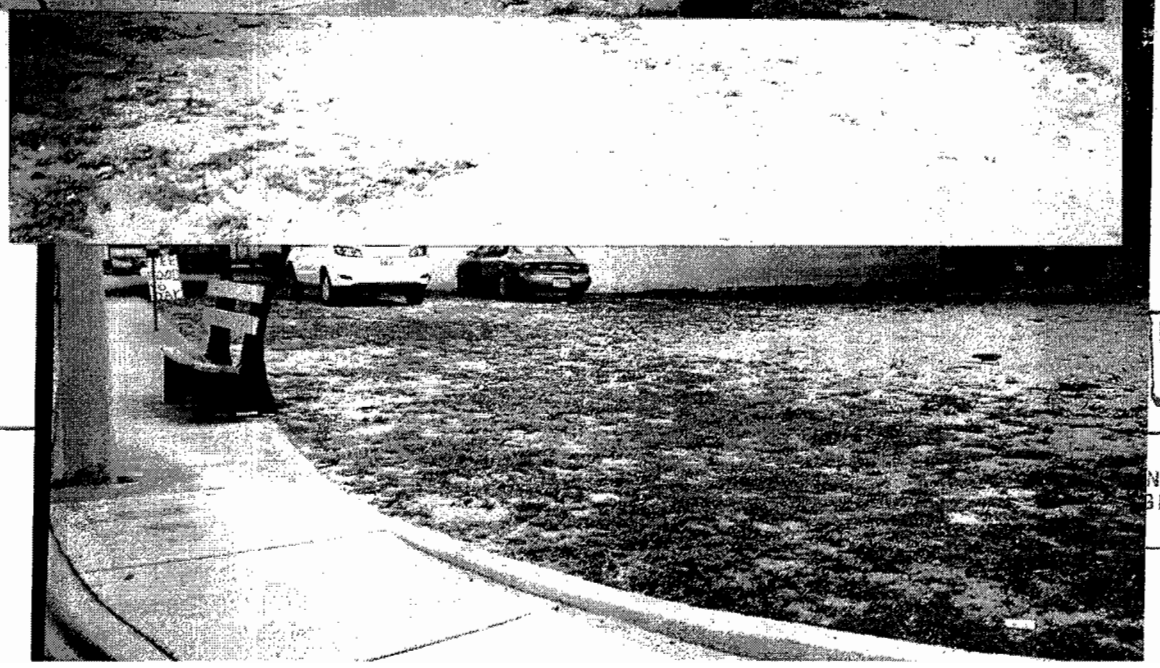


RECEIVED
2011-122
OCT 19 2011
ZONING HEARINGS S... ON
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

SIDE



REA



D

N
B DEPT.

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: New Solid Rock Missionary Baptist Church

NAME AND ADDRESS	Percentage of Stock
Onzie Flowers	50%
1779 NW 90 Street, Miami, FL 33147	
Prudence Flowers	50%
1779 NW 90 St, Miami, FL 33147	

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 _____

NAME AND ADDRESS	Percentage of Interest

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where 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: _____

NAME AND ADDRESS	Percentage of Ownership

RECEIVED
Z11-122
OCT 19 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

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

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

NAME OF PURCHASER: _____

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

Date of contract: _____

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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: Andre Flowers
(Applicant)

Sworn to and subscribed before me this 22ND day of Sept, 20 11. Affiant is personally know to me or has produced _____ as identification.

_____
(Notary Public)

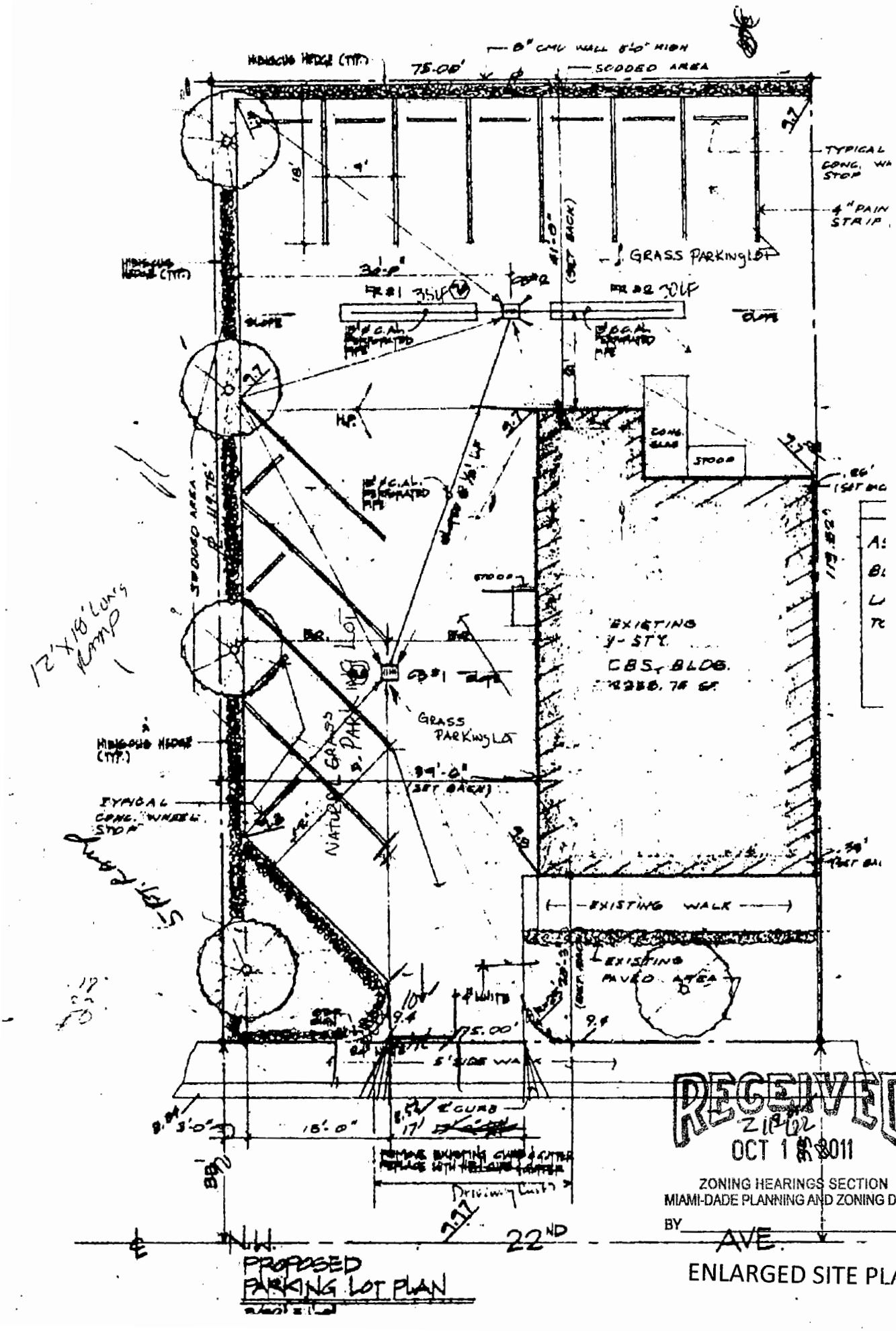
My commission expires: 3-5-2012

AINSWORTH SMITH
Notary Public, State of Florida
My Comm. Expires March 5, 2012
Commission No. DD760932

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.

RECEIVED
11-122
OCT 19 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____



RECEIVED
OCT 1 8 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ENLARGED SITE PLAN 22

94-165

RECEIVED
Z11-122
OCT 19 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
Z11-122
OCT 19 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

LEGAL DESCRIPTION
NORTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 55 SOUTH, RANGE 41 EAST, THENCE RUN SOUTH 150 FEET, THENCE WEST 35 FEET FOR A POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE RUN NORTH 87 DEGREES 59 MINUTES WEST 184.48 FEET; THENCE RUN SOUTH 75 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE THEREOF 184.48 FEET; THENCE TRUE NORTH TO THE POINT OF BEGINNING LESS THE EAST 35 FEET THEREOF. DADE COUNTY, FLORIDA

AREA OF ASPHALT = 3946.765 SF
AREA OF BUILDING = 2250.75 SF
AREA OF LANDSCAPE = 798.966 SF

Q = CIA
C = 0.90 FOR ASPHALT
C = 0.90 FOR BUILDING
C = 0.20 FOR LANDSCAPE

AREA OF ASPHALT + BUILDING = 3946.765 SF + 2298.75 SF = 6187.515 SF / 43560 = 0.1420 ACRES

AREA OF LANDSCAPE = 798.966 / 43560 = 0.0184 ACRES

Q 10-YR = 4.19 (9.2) (0.186) = 0.571
Q 100-YR = 6.29 (9.2) (0.0184) = 0.0847 / 0.5857

THE TOTAL DRAINAGE VOLUME = 0.5857 X 5 X 60 = 175.71 CF

ASSUME 3'-0" WIDE
A = 3 x 2.46 = 7.38 FT
D.I.P. PIPE = -1.59 FT
4.16 FT

50% VOID = 8.46 FT
+ 1.59 FT PIPE = 1.59 FT
4.97 FT

L = 175.71 / 4.97 = 44.98' USE 45'

PARKING SCHEDULE

REQUIRED	PROVIDED
10.5 SPACES	11 SPACES

ASSEMBLY AREA
11.5 x 30 = 345 SF / 50 = 10.50 PARKING SPACES

LEGEND

ASPHALT COVERAGE	3946.765 S.F.
BUILDING COVERAGE	2250.75 S.F.
LANDSCAPE COVERAGE	798.966 S.F.
TOTAL LOT COVERAGE	6996.48 SF

Church

BOTTOM OF FRENCH DRAIN EXCAVATION TRENCH SHALL BE 10'-0" Deep BY 2'-0" WIDE AND 40 L.F. OF L.D.

HOLD GRADE AT 12" BELOW HIGHER THAN CROWN OF ROAD

REPLACE EXISTING SIDEWALK AT DRIVE EXCAVATION WITH 6" CONCRETE PRIOR TO ENTER SIGNS FOR 1/2 DAY PERMIT REQUIRED FROM PUBLIC WORKS DEPARTMENT.

ALL REQUIRED TRAFFIC CONTROL DEVICES SHALL BE INSTALLED PRIOR TO PLACEMENT OF ASPHALT SURFACE

PAVING & DRAINAGE APPROVED
DADE COUNTY PUBLIC WORKS DEPT.
PER: [illegible]
DATE:

RECEIVED
10/19/93
ENVIRONMENTAL RESOURCES MANAGEMENT
WATER CONTROL SECTION
APPROVED AS NOTED
See ATTACHED SHEETS.
I HEREBY STATE THAT THIS PLAN WAS REVIEWED ONLY AS TO THE EXTENT OF MY SITE REQUIREMENTS FOR WATER CONTROL
[illegible] P.E.
DATE: 10/19/93

EXISTING FLOOR PLAN
1/8" = 1'-0"

PROPOSED PARKING LOT PLAN
1" = 10'

22ND AVE.

NW 22ND AVE

LOCATION PLAN

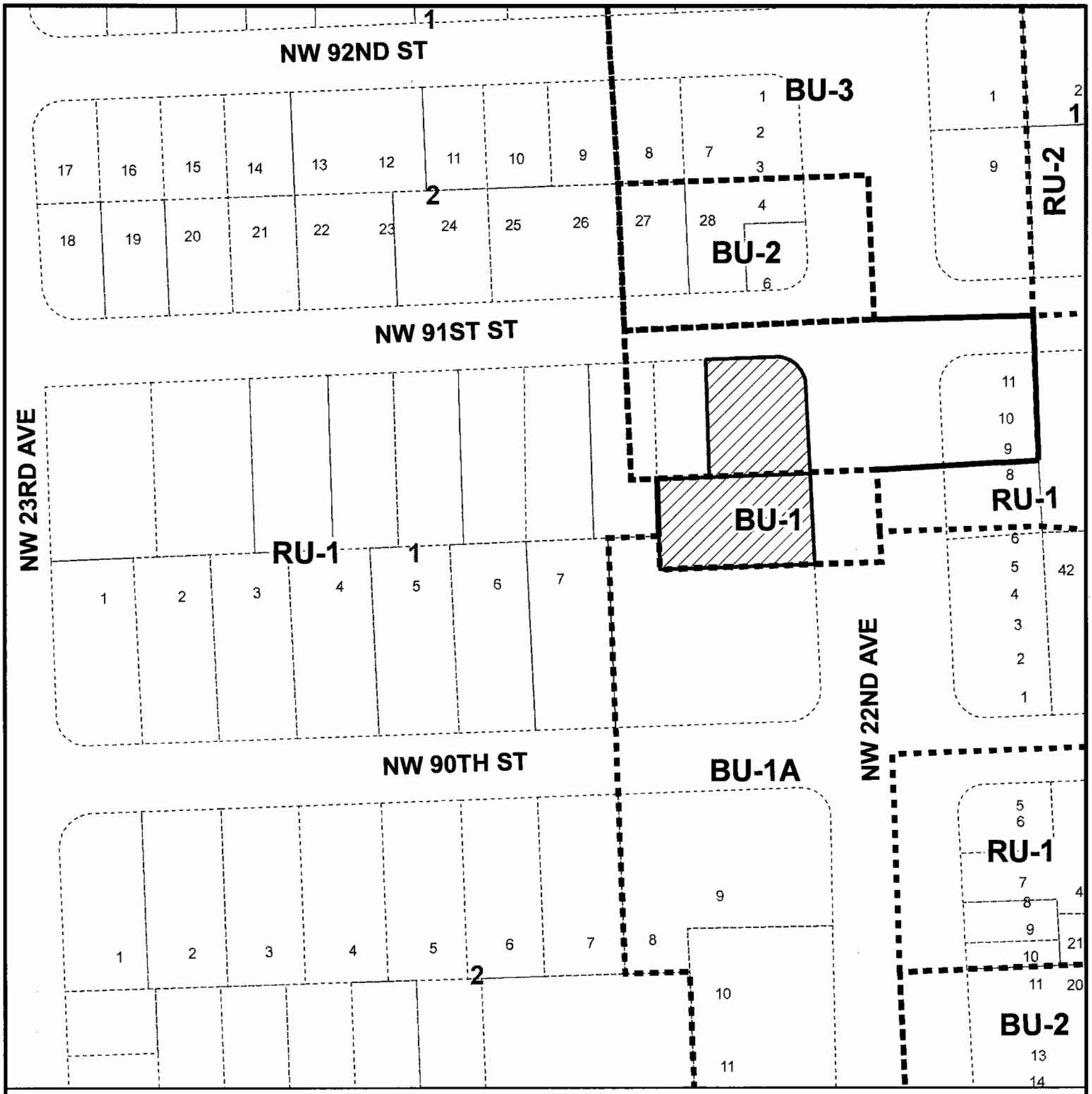
1332 NW 199 Terr

S 225 SS HIAWATHA

New Solid Rock Missionary Baptist Church
2020 N. W. 22nd. Ave. Miami, Florida 33142

BROWN AND ASSOCIATES, DESIGNERS, INC.
5800 N.W. 7th AVE., SUITE 206
MIAMI FLORIDA 33127 TEL: (305) 759-9931

SITE PLAN PARKING LOT PLAN
FLOOR PLAN
SCALE AS NOTED
APPD. BY



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2011000122

Section: 03 Township: 53 Range: 41
Applicant: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, November 29, 2011

REVISION	DATE	BY
		24

MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2011000122

Legend

Subject Property

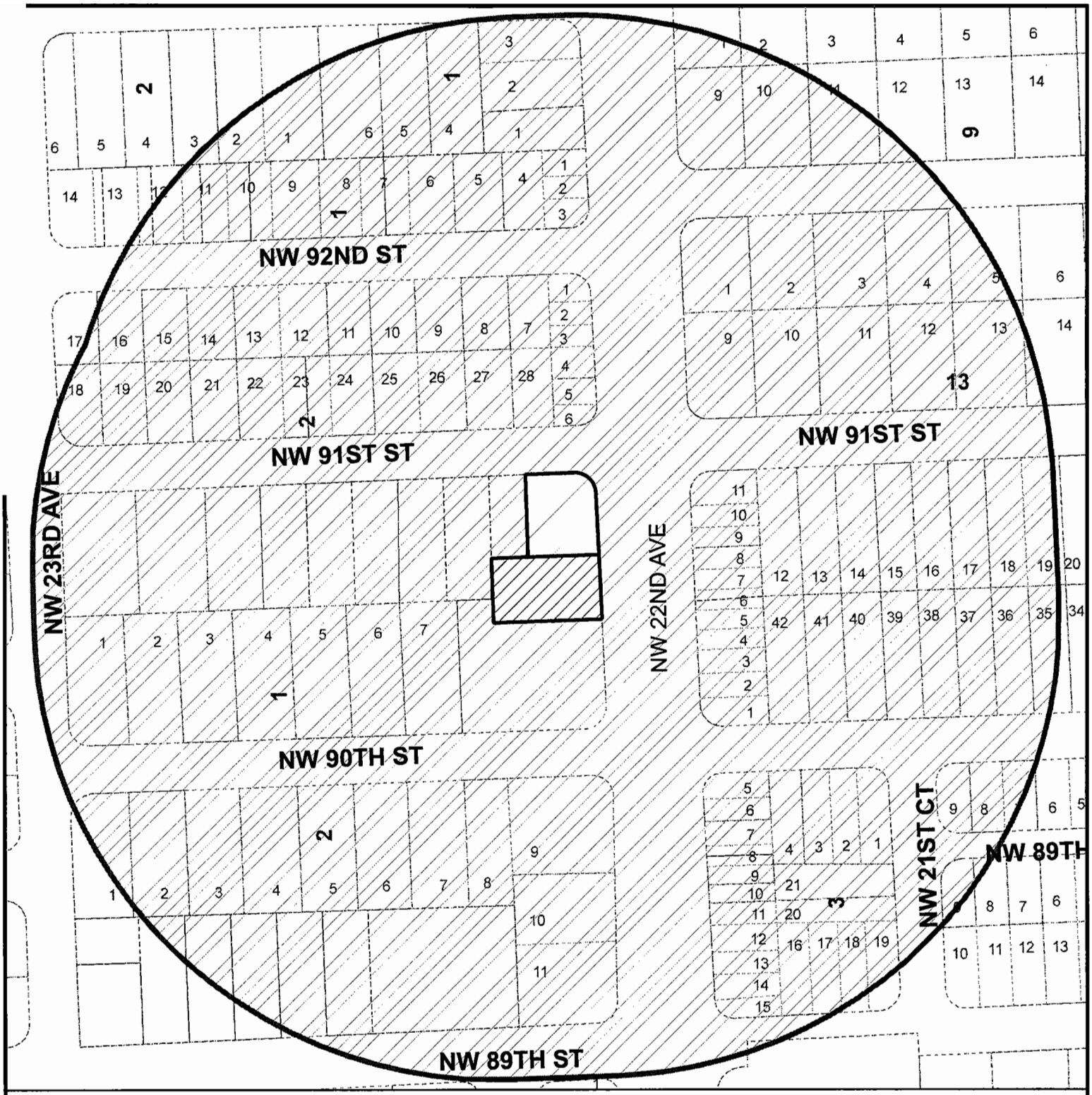
N
W E
S

Section: 03 Township: 53 Range: 41
Applicant: NEW SOLID ROCK MISSIONARY BAPTIST CHURCH
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, November 29, 2011

REVISION	DATE	BY
		25



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2011000122

RADIUS: 500

Section: 03 Township: 53 Range: 41
Applicant: NEW SOLID ROCK MBC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

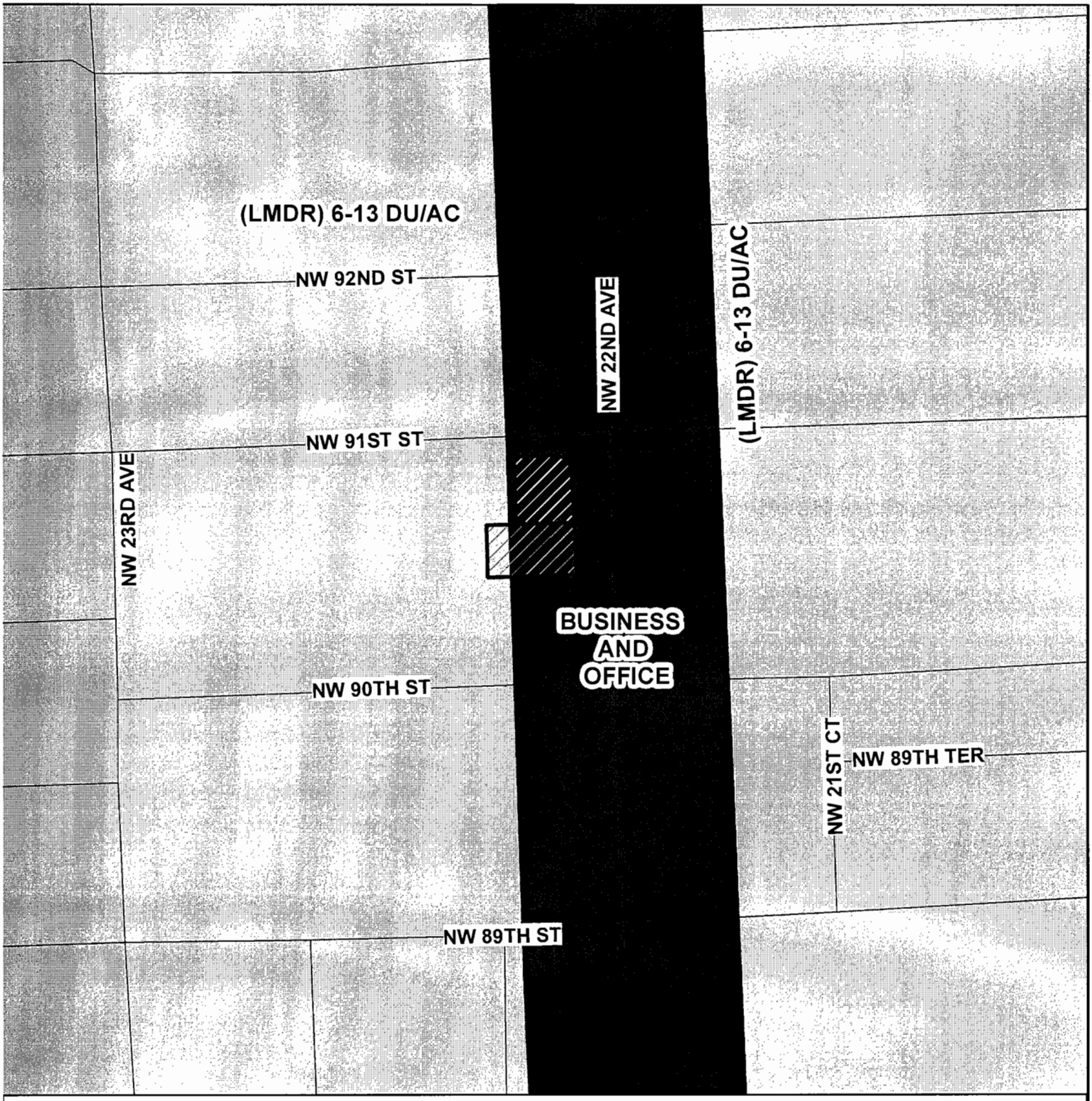
Legend

- Subject Property
- Contiguous Properties
- Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, November 3, 2011

REVISION	DATE	BY
		26



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2011000122

Section: 03 Township: 53 Range: 41
Applicant: NEW SOLID ROCK MBC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, November 3, 2011

REVISION	DATE	BY

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

PH: Z10-159 (12-11-CZ8-1) **December 19, 2012**
Item No. C

Recommendation Summary	
Commission District	3
Applicant	New Urban Development, LLC
Summary of Requests	The applicant is seeking approval of a zone change in order to develop the subject property with elderly and workforce residential housing units with reduced setbacks and a greater floor area ratio (F.A.R.) than allowed. Further, the applicant seeks to permit less open space than required and to waive the required 5' dissimilar land use buffer.
Location	Lying east of NW 24 Avenue, between NW 51 Street and NW 53 Street, Miami-Dade County, Florida
Property Size	4.53 acres
Existing Zoning	RU-2, Two-Family Residential
Existing Land Use	Vacant and multi-family residential
2015-2025 CDMP Land Use Designation	Medium High Density Residential (*see attached Zoning Recommendation Addendum*)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311 District Boundary Change Section 33-311(A)(4)(b) Non-Use Variances from other than airport regulations (*see attached Zoning Recommendation Addendum*)
Recommendation	**Approval of request #1 subject to the Board's acceptance of the proffered covenant and approval of requests #2 through #11 with conditions**

This application was deferred from the November 14, 2012 meeting due to a lack of quorum.

REQUESTS:

(1) DISTRICT BOUNDARY CHANGE from RU-2 (Two Family Residential) to RU-4 (Apartments 50 units/net acre).

(2) NON-USE VARIANCE to waive the required 5' wide dissimilar land use buffer with 6' high wall fence or hedge along the interior side (east, west, north & south) property lines.

Requests #1 & #2 on Parcels "A" & "B"

(3) NON-USE VARIANCE to permit the proposed building "A" to setback varying from 5'-0" to 11'-5" from the front (west) property line (35' required).

(4) NON-USE VARIANCE to permit the proposed building "A" to setback varying from 5'-9" to 10'-1" from the side street (south) property line and setback 11'-3" from the side street (north) property line (35' required for both).

(5) NON-USE VARIANCE to permit the proposed building "A" to setback 29'-10" from the rear (east) property line (31' required).

(6) NON-USE VARIANCE to permit an open space of 20% (40% required).

(7) NON-USE VARIANCE to permit a floor area ratio (F.A.R) of 1.47 (1.20 maximum permitted).

(8) NON-USE VARIANCE to waive the required additional landscaped open space reserved for parking in the event the department determines the provided parking for the elderly housing development is not adequate.

Requests #3 through #8 on Parcel "A"

(9) NON-USE VARIANCE to permit the proposed building "B" to setback 12'-0" from the front (west) property line and setback 10'-10" from the side street (north) property line (25' required for both).

(10) NON-USE VARIANCE of setback requirements to permit the proposed building "C1" to setback varying from 11'-9" to 16'-9" from the side street (south) property line (25' required).

(11) NON-USE VARIANCE to permit an open space of 37% (40% required).

Requests #9 through #11 on Parcel "B"

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Superior Manor Schematic Design" as prepared by Mateu Architecture Inc. dated stamped and consisting of 4 sheets dated stamped received 4/16/12, 1 sheet dated stamped received 8/17/12 and 3 sheets dated stamped received 9/12/12 for a total of 8 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The site plan depicts the proposed 204 unit elderly and workforce housing residential development spread across two parcels (A & B). There are 83 parking spaces on Parcel A and 126 parking spaces on Parcel B.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	RU-2; vacant and multi-family residential	Medium High Density Residential (25 to 60 dua)
North	Model City Urban Center District & RU-2; senior housing & duplexes	Community Urban Center Medium Density Residential (13 to 25 dua)
South	RU-2; vacant land	Medium Density Residential (13 to 25 dua)
East	RU-2; vacant land, single family residences & duplex	Medium Density Residential (13 to 25 dua)
West	RU-2; multi-family residential, vacant land, duplex and single-family residences	Medium Density Residential (13 to 25 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is located between NW 51 Street and NW 53 Street, east of NW 24 Avenue. The surrounding area is characterized by vacant land, residential and institutional uses.

SUMMARY OF THE IMPACTS:

The approval this application could have a positive impact on the surrounding neighborhood with the development of elderly and workforce housing in this area of the County. However, the requested variances may visually impact the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The approximately 4.53-acre subject property is designated as **Medium High Density Residential** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.* Staff notes that the property was the subject of a small scale CDMP amendment during the October 2007 Amendment Cycle and was redesignated from Medium Density Residential to the current Medium High Density designation. At the time of the amendment, the applicant proffered a CDMP covenant that among other things limited the maximum number of residential units, the maximum building heights identified by location, provided for design guidelines for the proposed development and required that all units be designated for affordable and/or workforce housing.

The approval of the requests sought in this application will permit the applicant to rezone the subject property from RU-2 (Two Family Residential) to RU-4 (Apartment 50 units/net acre), permit residential buildings setback less than required from the front, rear and interior side property lines, permit less open space, and permit greater F.A.R than required. Additionally, the applicant seeks to waive the required open space that should be set aside as a result of the parking reduction for the elderly housing portion of the development and the required dissimilar land use buffer along the north, south, east and west property lines. Staff notes that the requested RU-4 zoning district would yield 226 residential units; however, the applicant proffered a covenant at the time of the CDMP amendment which allows the site to be developed with a maximum of 280 residential units. Further, staff notes that the submitted plans depict the proposed development with 204 residential units, which is 76 units less than the CDMP covenant permitted and incorporates the CDMP covenant Design Guidelines. Staff opines that the requested RU-4 zoning district is **consistent** with the Medium High Density Residential designation of the subject property on the CDMP Land Use Plan map.

Staff opines that the proposed elderly and workforce multi-family development furthers the Land Use Element **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.* Staff notes that the subject parcel is located within the Model City/Brownsville Targeted Urban Area, and as such furthers the Land Use Element **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. Additionally, the proposed development furthers the Land Use Element Policy **LU-10A**, which indicates that the County *shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation.* Staff notes that the proposed development, is located 1/4 mile from the Brownsville Metrorail Station and 2/3 mile from the Martin Luther King, Jr. Plaza Station which furthers the Community Health and Design Element **Policy CHD-2B** which indicates the County shall *encourage well designed infill and redevelopment to reduce vehicle miles traveled and improve air quality.* Furthermore, staff opines that the proposed development is **consistent** with **Policy LU-4A** which states that when evaluating compatibility among proximate land uses, the County shall consider such factors as height, bulk, and scale of architectural elements. Staff notes in additional to the cohesive design the applicant has provided transitions from the subject property by locating the buildings close to the street with parking behind the buildings and screened by landscaping from the adjacent right-of-ways. Further the proposed development provides a transition from the high intensity multi-story residential buildings located along NW 54 Street to lower intensity one story duplex and single family homes located south of NW 52 Street. As such, staff opines that approval of the proposed elderly and workforce multi-family residential development has been designed in accordance with the CDMP covenant and therefore is **compatible** with the surrounding area and is **consistent** with CDMP's Land Use Element **Policy LU-1C, Objective LU-12, LU-10A, and Policy LU-4A and** the Community Health and Design Element **Policy CHD-2B.**

Further, staff opines that the proposed development is **consistent** the Housing Element **Objective HO-6** and **Policies HO-6A** and **HO-6C** which indicates in part that the County should increase and promote the location of housing for extremely low, very low, low, moderate-income households, including workforce housing options close to places of employment, mass transit or have easy access to a range of public services.

ZONING ANALYSIS:

When request #1, District Boundary Change from RU-2 (Two-Family Residential) to RU-4 (Apartments 50 units /net acre), is analyzed under Section 33-311 of the Code, staff opines that the approval of this request would be **consistent** with the land use interpretative text of the CDMP. Section 33-311 of the Code states that the purpose of zoning and regulations is to provide a comprehensive plan and among other things, lessen congestion on the highways and promote health, safety, morals, convenience and general welfare, 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. As such, staff opines that the applicant's request for a zone change in order to develop the subject site with elderly and working force multi-family residential units will not have a negative impact on the surrounding area. Further staff found similar approvals for zone changes to the RU-4 district in the surrounding area. For example, pursuant to Resolution Nos. Z-102-64, Z-106-64 and Z-108-64 properties located to the southwest, and southeast were granted approval for a district boundary change from RU-3 (Four Unit Apartment 7,500 sq. ft. net), RU-2 (Two-Family Residential), and GU (Interim) to RU-4 (Apartments 50 units /net acre), respectively. Additionally a property located to the northeast of the subject site was granted approval for a district boundary change from BU-2 (Special

Business) and BU-3 (Liberal Business) to RU-4, pursuant to Resolution No. Z-293-73. Further, staff notes that the applicant has proffered a covenant that ties the development to the limits placed at the time of the CDMP amendment and will restrict the development to the proposed site plan. **As such, staff recommends approval of request #1, subject to the acceptance of the proffered covenant, under Section 33-311.**

When request #2 (non-use variance to waive the required 5' wide land use buffer with a 6' high wall, fence or hedge) is analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that it is **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff notes that the submitted landscape plan depicts trees located along the north, south, east and west property lines that act as a visual buffer and minimizes any visual impact of the proposed development on the abutting residential properties. Staff opines that approval of the request would not have a negative visual or aural impact on the abutting properties and would be **compatible** with the same. **As such, staff recommends approval with conditions of request #2 under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

When analyzing requests #3 through #5, #7, #9 and #10 under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that approval of the requests to permit buildings "A", "B" and "C1" to encroach into the required front, side street, and rear setback areas is **compatible** with the surrounding area and would not have a negative impact on the appearance of the community. Staff opines that the applicant has utilized Urban Center Design Guidelines; therefore, the buildings have been designed to front the streets as would be required if located in an Urban Center District. Staff notes that the subject property is located just south of the boundary of the Model City Urban Center District (MCUCD) and provides a transition from MCUCD to the less intensive residential districts. Staff opines that the encroachments in the required setback areas are minimal and the buildings address the street which provides for public space in the street corridor that is comfortable, interesting as well as safe for pedestrians as required by the CDMP covenant submitted during the October 2003 Amendment Cycle. Further, staff opines that the 27% increase in F.A.R. (request #7) is **compatible** with the surrounding area and applies only to Parcel A, the north portion of the subject property. As previously stated, the subject site is in close proximity to MCUCD and the resulting F.A.R. is similar to what is allowed in that zoning district. The requested F.A.R increase provides for a transition from MCUCD to the less intense residential developments to the south. **As such, staff recommends approval with conditions of requests #3 through #5, #7, #9 and #10 under Section 33-311(A)(4)(a), Use Variances From Other Than Airport Regulations.**

Further, when requests #6, #8 and #11 are analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that approval of the requests, for less open space (requests #6 & #11) than permitted and to waive the required additional landscaped open-space reserved for parking in the event the Department determines that additional parking is needed (request #8) are **compatible** with the surrounding area and would not have a negative impact on the appearance of the community. Staff notes that the design of the residential units incorporates patios for the ground level units and balconies for all other units. Staff opines that the inclusion of patios and balconies into the design provides an outdoor amenity that is an extension of the individual units and open space for residents to enjoy. Further, staff notes that the memorandum submitted by the Parks, Recreation and Open Spaces Department indicates that there are four (4) parks within 3500' of the subject property

which would provide residents with an additional outdoor recreational option. Additionally, staff notes that the applicant is required to set aside open space for future parking in the event it is determined that the reduced parking count does not provide adequate parking for the development (request #8); however in order to provide the 138 elderly residential units on Parcel A, staff opines insufficient area remains to provide the required additional open space as evidenced by the request. Further opines that the close proximity to mass transportation offsets the need for parking and offers the residents an additional transportation option. Staff notes that subject site is located approximately 0.4 mile from the Brownsville Metrorail station and from a Metrobus Route 27 stop. **As such, staff recommends approval with conditions of requests #6, #8 and #11 under Section 33-311(A)(4)(a), Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts two (2) parcels; Parcel A is located south of NW 53 Street and east of NW 24 Avenue; Parcels B is east of NW 24 Avenue between NW 52 Street and NW 51 Street. The submitted site plan depicts 83 parking spaces on Parcel A, four (4) of which are dedicated handicap accessible spaces, 75 standard spaces for the elderly housing residential units, two (2) for the property manager and two (2) for the on-site office. There is a single ingress/egress point located along NW 53 Street for Parcel A. Parcel B contains 126 parking spaces for the workforce housing residential units, with 7 dedicated handicap accessible spaces and 119 standard spaces. There are two (2) ingress/egress points for Parcels B along NW 51 Street, one (1) ingress/egress point along NW 52 Street and one (1) egress point along NW 24 Avenue.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval of request #1 subject to the Board's acceptance of the proffered covenant and approval of requests #2 through #11 with conditions

CONDITIONS FOR APPROVAL: (for requests #2 through #11 only)

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, signs, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Superior Manor Schematic Design" as prepared by Mateu Architecture Inc. dated stamped and consisting of 4 sheets dated stamped received 4/16/12, 1 sheet dated stamped received 8/17/12 and 3 sheets dated stamped received 9/12/12 for a total of 8 sheets.

3. That the maximum number of residential units be restricted to 204 units (138 elderly affordable housing units, 1 manager's unit, and 65 workforce housing units).

4. That the use be established and maintained in accordance with the approved plan.

5. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

6. That the applicant comply with all applicable conditions and requirements of the Environmental Resources Management Division of the Department of Regulatory and Economic Resources, the Public Works and Waste Management Department, and the Miami-Dade Fire Rescue Department as contained in their memoranda pertaining to this application.

ES:MW:NN:CH:AN

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

NDN

ZONING RECOMMENDATION ADDENDUM

New Urban Development, LLC.
Z10-159

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Public Works & 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

Medium High Density Residential (Pg. I-31)	*The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for* ***Medium High Density Residential****. This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas. The provisions of the section below entitled "Density Increase with Urban Design" are not applicable to this density category. At such time as Miami-Dade County's land development regulations are amended pursuant to Policy LU-9O, a density bonus can be added to each residential zoning district that falls within the Medium-High Density range of 25 to 60 dwelling units per gross acre. When land development regulations are amended, this density bonus may allow a maximum of 60 dwelling units per gross acre on properties that are designated Medium-High Density on the Land Use Plan map. These density bonuses shall not apply to existing or proposed developments with vehicular entrances that are controlled or have entry gates or existing or proposed developments with private streets.*
Land Use Element Policy LU-4A (Pg. I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*
Land Use Element Policy LU-10A (Pg. I-23)	*Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation.*
Land Use Element Policy LU-1C (Pg. I-2)	*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.*
Land Use Element Objective LU-12 (Pg. I-24)	*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.*
Housing Element Objective HO-6 (Pg. III-6)	*Increase affordable housing opportunities for extremely low, very low, low, moderate-income households, including workforce housing options, within reasonable proximity to places of employment, mass transit and necessary public services in existing urbanized areas.*

ZONING RECOMMENDATION ADDENDUM

New Urban Development, LLC.
Z10-159

Housing Element Policy HO-6A (Pg. III-6)	*Promote the location of housing for extremely low, very low, low, and moderate-income households, including workforce housing options, near employment centers or premium transportation services through the application of CDMP planning provisions and cooperation with County agencies which provide affordable housing.*
Housing Element Policy HO-6C (Pg. III-6)	*Priority should be given to assisting affordable work force housing projects which are proximate to employment concentrations, mass transit, or have easy access to a range of public services.*
Community Health & Design Element Policy CHD-2B (Pg. XII-2)	*Encourage well designed infill and redevelopment to reduce vehicle miles traveled and improve air quality.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	(A) *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.* *(F)* ***Section 33-311*** *provides that the Board shall take into consideration, among other factors the extent to which:* *(1) 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;* *(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;* *(3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;* *(4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;* *(5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.*

ZONING RECOMMENDATION ADDENDUM

New Urban Development, LLC.
Z10-159

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

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

#1

APPLICANT'S NAME: **NEW URBAN DEVELOPMENT, LLC**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-11-CZ8-1 (10-159)	November 14, 2012	CZAB8		12

REC: Approval of requests #1 subject to the Board's acceptance of the proffered covenant and approval of requests #2 through #11 with conditions.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): _____

■ DEFER: ☐ INDEFINITELY ■ TO: December 19, 2012 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH CONDITIONS

■ OTHER: Deferred due to a lack of quorum.

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

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **DAVID HOPE**

11

C. NEW URBAN DEVELOPMENT, LLC
(Applicant)

12-11-CZ8-1 (10-159)
Area 08/District 03
Hearing Date: 12/19/12

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:

Year	Applicant	Request	Board	Decision
1949	S.J. McCarthy	- Zone change from BU-2A to BU-3A.	BCC	Denied
1960	Irving S. Philipson	- Zone change from RU-2 to RU-3B.	BCC	Denied
1978	Irving Philipson	- Special Exception to re-subdivide & reface lots. - Non-Use Variance's setbacks, frontage, area and street widths.	C04	Approved with condition(s)
1980	Bam Realty Co.	- Special Exception to permit a Single-Family Residence development to be served by a private easement. - Non-Use Variance's setbacks, frontage and area. - Waive access by a private easement.	C04	Approved with condition(s)
1980	BAM Realty Co.	- Special Exception to re-subdivide & reface tracts, to permit Single-Family Residence's on private easements. - Non-Use Variance's lot coverage and setback's requirements.	C04	Approved with condition(s)

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

MIAMI-DADE COUNTY

Date: September 27, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: C-08 #Z2010000159-7th Revision
New Urban Development, LLC
5155 N.W. 24th Avenue
District Boundary Change from RU-2 to RU-4, to Permit a Lesser Setback Less than Required from Property Lines, to Permit Lesser Open Space than Required and to Request to Lesser Parking Spaces than Required
(RU-2) (4.53 Acres)
22-53-41

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 by the Department 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

A Surface Water Management General Permit from the Department shall be required for the construction and operation of the 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 at (305)-372-6681 for further information regarding permitting procedures and requirements.

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 Level of Service standards for flood protection set forth in the CDMP subject to compliance with the conditions required by the Department for this proposed development order.

Wetlands
The subject properties do 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
Tree Removal Permit TREE-003522-2011 was issued for these properties on June 15, 2012 and expires on June 15, 2013. Tree Removal Permit TREE-003522-2011 requires the preservation of specimen-sized (Trunk diameter 18 inches or greater) trees as identified in approved permitted site plans.

The Tree Permitting Program previously disapproved this application since the landscape plans depicted trees #18 and #82 to be removed and were not in accordance with the permitted site plans. However, an on site inspection was performed by the Tree Permitting Program staff on September 26, 2012; consequently, this Program is currently processing an amendment to Tree Removal Permit TREE-003522-2011 to include the removal of trees #18 and #82.

Be advised that a new Miami-Dade County Tree Removal/Relocation Permit or an amendment to this permit is required prior to the removal and/or relocation of additional trees on the subject properties. Please contact the Tree Permitting Program at (305)-372-6600, voice option #2, for information regarding tree permits.

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, Department of Regulatory and Economic Resources

REVISION 3

PH# Z2010000159

CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: NEW URBAN DEVELOPMENT, LLC

This Department has no objections to this application subject to the following:

Sidewalk adjacent to asphalt drive off of NW 52 Street must have a minimum width of 6 feet.

Dumpster doors swinging out must remain clear of vehicular path.

Appropriate signage ensuring smooth traffic circulation is to be provided at Paving and Drainage submittal.

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

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.

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.

20-JUN-12

REVISION 5

Memorandum

Date: 22-AUG-12

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2010000159

Fire Prevention Unit:

Fire Engineering & Water Supply has reviewed and approved the revised site plan dated stamp received 8/17/12.

Service Impact/Demand

Development for the above Z2010000159
located at lying East of NW 24 ave, between NW 51 street & NW 53 street, Miami-Dade County, florida
in Police Grid 0967 is proposed as the following:

204 residential	dwelling units	_____ industrial	square feet
_____ Office	square feet	_____ institutional	square feet
_____ Retail	square feet	_____ nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 57 alarms-annually.
The estimated average travel time is: 4:36 minutes

Existing services

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

Station No. 2 - Model Cities - 6460 NW 27 Avenue
Rescue, 65' Aerial, Battalion

Planned Service Expansions:

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

N/A

Fire Planning Additional Comments

N/A

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

Memorandum

MIAMI-DADE COUNTY

Date: August 31, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: Z2010000159: New Urban Development, LLC
Includes revised plans dated submitted through 8/17/12

Application Name: New Urban Development, LLC

Project Location: The site is located East of NW 24 Ave, between NW 51 street & NW 53 Street, Miami-Dade County.

Proposed Development: The applicant is requesting a district boundary change to RU-4 and several non-use variances. Review includes revised plans dated submitted through 8/17/12.

Impact and demand: The site consists of 4.53 acres. The application proposes 204 residential units including 138 units of elderly housing, 1 managers unit and 65 workforce units. When measured by the County concurrency level-of-service standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons, the 204 dwelling units would generate the need for approximately .92 acres of local parks.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in Park Benefit District 1 (PBD1) which has a surplus capacity of 407.20 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

The 2007 Miami-Dade County Parks and Open Space System Master Plan (OSMP) recommends the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities. The future development plans of the application area should be developed to be consistent this objective.

Concurrency/Capacity Status: County-owned local parks that are within two miles of the subject application are described in Table A, which lists the name, type and acreage for each park. The nearest park to the application site is Marva Bannerman Park, which is located approximately .13 miles away.

Table A - County Parks (local only)
Within a 2 Mile Radius of Application Area.

NAME	CLASS	TOTALACRE
Gwen Cherry Park	COMMUNITY PARK	38.55
Alonzo Kelly Park	MINI-PARK	0.50
Area 226	MINI-PARK	0.50
Area 227	MINI-PARK	0.50
Claire Rosichan Park	MINI-PARK	0.38

Northwest Highlands Park	MINI-PARK	0.80
Broadway Park	MINI-PARK	0.50
Drew Park	NEIGHBORHOOD PARK	4.13
Partners Park	NEIGHBORHOOD PARK	5.80
Area 225	MINI-PARK	0.39
Gladeview Park	MINI-PARK	0.92
Glenwood Park	MINI-PARK	0.55
Jefferson Reaves, Sr. Park	COMMUNITY PARK	1.67
Rocky Creek Park	MINI-PARK	0.25
Olinda Park	COMMUNITY PARK	6.40
Marva Y. Bannerman Park & Pool	COMMUNITY PARK	3.92
West Little River Park		4.45
27th Avenue Teen Center (Boxing)	SINGLE PURPOSE PARK	1.44
Melrose Park	NEIGHBORHOOD PARK	3.40

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

MN:jb
Cc: John M. Bowers, RLA/AICP, Parks Property Management Supervisor

Enforcement History

Applicant: New Urban Development, LLC

Hearing Number: 10-159

Folio Number **3031220610010, 3031220200060, 3031220000111**

ENFORCEMENT HISTORY: NC: Folio 3031220610010 – No open cases. Folio 30312202000060 – No open cases. Folio 3031220000111 – No open cases. Prior case opened August 20, 2012 for illegal objects on right-of-way and a warning was issued. Citation was issued on August 23, 2012. Property owner requested a extension and was given until September 1, 2012. CVN was submitted for void on August 24, 2012. Violation corrected August 29, 2012. Case closed on September 7, 2012.

BNC: Folio 3031220610010 – BSS case 20090130207-B opened on May 19, 2009 for Bldg 6. Notice of Violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8C-3 of the Metropolitan Dade County Code. Civil Violation Notice B088134 issued on March 18, 2010 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on April 8, 2011. Lien was recorded on April 11, 2012; case remains open in non compliance.

BSS case 20090130210-B opened on May 19, 2009 for Bldg 7. Notice of Violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8C-3 of the Metropolitan Dade County Code. Civil Violation Notice B101673 issued on September 23, 2010 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on April 8, 2011. Lien was recorded on April 11, 2012; case remains open in non compliance.

BSS case 20090130212-B opened on May 19, 2009 for Bldg 8. Notice of Violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8C-3 of the Metropolitan Dade County code. Civil Violation Notice B099133 issued on March 18, 2010 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on April 8, 2011. CVN was paid on June 7, 2011. Lien was recorded on April 11, 2012; case remains open in non compliance.

BSS case 20090130213-B opened on May 19, 2009 for Bldg 3. Notice of Violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to immuminate parking lots, alleys, or access thereto in violation of section 8c-3 of the Metropolitan Dade County Code. Civil Violation Notice B101674 issued on September 24, 2010 for non

compliance. Final Notice of Intent to Lien//Demand for payment to be mailed was issued on April 8, 2011. Lien was recorded on April 11, 2012; case remains open in non compliance.

BSS case 20090130370-B opened on May 27, 2009 for Bldg 1. Notice of Violation for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8C-3 of the Metropolitan Dade County Code. Civil Violation Notice B088132 issued on March 18, 2010 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on April 11, 2011. CVN was paid on June 7, 2011. Lien was recorded on April 25, 2012; case remains open in non compliance.

BSS case 20090130583-B opened on June 8, 2009 for bldg 10. Notice of violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots, alleys, or access thereto in violation of section 8c-3 of the Metropolitan Dade County Code. Civil Violation Notice B088131 issued on March 18, 2010 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on October 12, 2010. Lien was recorded on May 18, 2011; cvn was paid on June 7, 2011 case remains open in non compliance.

BSS case 20090128164-X opened on February 9, 2009. Notice of Violation issued for Failure to maintain a building, structure, device or part thereof in a safe condition as evidenced by all work not being complete and/or not having obtained final inspection approval under permit No. 1991108618. Civil Violation Notice B087612 issued on September 28, 2009 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed was issued on October 12, 2010. Lien was recorded on May 18, 2011. CVN was paid on June 7, 2011 case remains open in non compliance.

3031220200060 – BSS case 20100135531-B opened on March 11, 2010. Notice of Violation issued for Failure to maintain a bldg or structure or devices in safe condition. Failure to illuminate parking lots and access thereto. Civil Violation Notice (CVN) P007913 issued on April 19, 2012. Case remains open in non compliance.

3031220000111 – BSS case A2007007826-X opened on August 11, 2007 for 2384 2386 NW 52 St. Notice of Violation issued for expired permit 2004061848. Civil Violation B027138 issued on October 9, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on June 13, 2011. Lien was recorded on December 30, 2011; case remains open in non compliance.

BSS case A2007003109-X opened on February 12, 2007 for 2388 2390 NW 52 St. Notice of Violation issued for expired permit 2004061852. Civil Violation Notice B005424 issued on April 4, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 30, 2007. Lien was recorded on April 20, 2009; case remains open in non compliance.

BSS case A2007003406-X opened on February 12, 2007 for 2372 2374 NW 52 St. Notice of Violation issued for expired permit 2004061854. Civil Violation Notice B009952 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 30, 2007. Lien was recorded on April 20, 2009; case remains open in non compliance.

BSS case A2007003433-X opened on February 12, 2007 for 2368 2370 NW 52 St. Notice of Violation issued for expired permit 2004061850. Civil Violation Notice B009953 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 30, 2007. Lien was recorded on April 20, 2009; case remains open in non compliance.

BSS case A2007003471-X opened on February 12, 2007 for 2376 2378 NW 52 St. Notice of Violation issued for expired permit 2004061849. Civil Violation Notice B009954 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 1, 2007. Lien was recorded on April 20, 2009; case remains open in non compliance.

BSS case A2007003499-X opened on February 12, 2007 for 5157 5155 NW 24 Ave. Notice of Violation issued for expired permit 2004061851. Civil Violation Notice B009955 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 1, 2007. Lien was recorded on October 15, 2007; case remains open in non compliance.

BSS case A2007003531-X opened on February 12, 2007 for 2396 2398 NW 52 St. Notice of Violation issued for expired permit 2004061847. Civil Violation Notice B009956 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 3, 2007. Lien was recorded on October 15, 2007; case remains open in non compliance.

BSS case A2007003645-X opened on February 12, 2007 for 2380 2382 NW 52 St. Notice of Violation issued for expired permit 2004061853. Civil Violation Notice B005423 issued on April 3, 2007 for non compliance. Final Notice of Intent to Lien/Demand for payment to be mailed issued on August 6, 2007. Lien was recorded on October 15, 2007; case remains open in non compliance.

Memorandum

MIAMI-DADE COUNTY

Date: October 24, 2012

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

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

Subject: Z2010000159

Zoning Inspector: Ralph Edwards
Inspection date: October 17, 2012
Location: E of NW 24 AVE BTWN NW 51 ST & NW 53 ST.

The subject properties has a total of 4.53 acres with duplex residences.

The subject property was inspected and has rear setback violation which they are applying for.

No CU violation observed.

DISCLOSURE OF INTEREST*

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z10-159
DATE: [illegible]
BY: DAH

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

CORPORATION NAME: New Urban Development, LLC

NAME AND ADDRESS	Percentage of Stock
New Urban Development, LLC Oliver Gross, Managing Member 8500 NW 25 Avenue Miami, FL 33147	100% owned by Urban League of Great Miami, Inc. (see below)
Urban League of Greater Miami, Inc. Talmadge W. Fair, President 8500 NW 25 Avenue Miami, FL 33147	A Florida Non-Profit Corporation

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

TRUST/ESTATE NAME: N/A

NAME AND ADDRESS	Percentage of Interest

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

NAME AND ADDRESS	Percent of Ownership

RECEIVED
Z10-159
SEP 22 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

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

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z10-159
DATE: [redacted]
BY: DAH

NAME OF PURCHASER: N/A

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:

N/A

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

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

Signature: _____, Managing Member of New Urban Development, LLC
(Applicant, Title)

Sworn to and subscribed before me this 20 day of AUGUST 2010. Affiant is personally known to me or has produced _____ as identification.

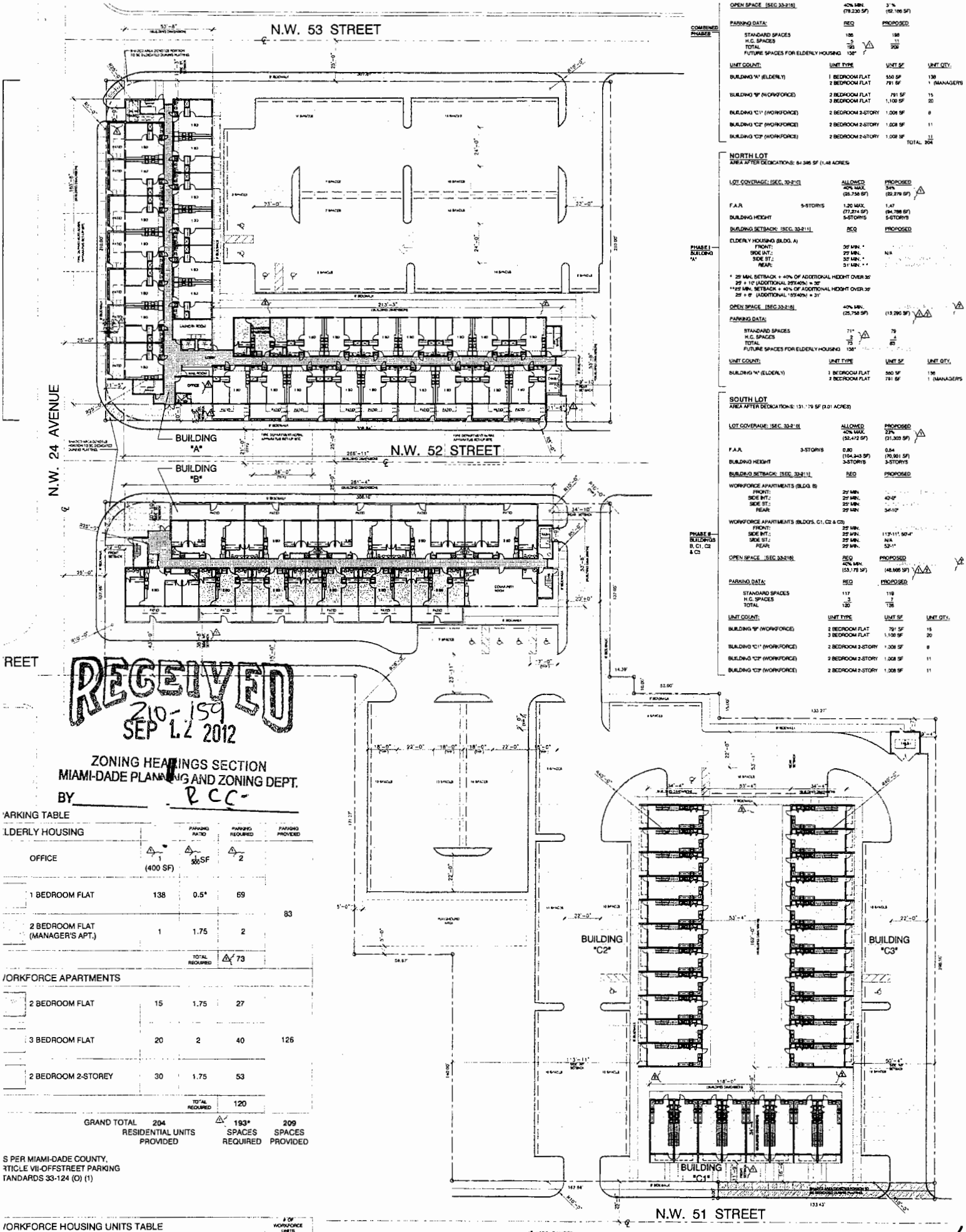
_____
(Notary Public)

FRANKLYN DRAKES
Comm# DD0696478
Expires 7/31/2011
Florida Notary Assn., Inc

My commission expires _____

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

RECEIVED
Z10-159
SEP 22 2010
ZONING
BY



OPEN SPACE (SEC 33-216)		40% MIN. (79,230 SF)	3 % (62,166 SF)
PARKING DATA:		REQ	PROPOSED
	STANDARD SPACES	186	198
	H.C. SPACES	5	11
	TOTAL	193	209
	FUTURE SPACES FOR ELDERLY HOUSING	138*	

COMBINED PHASES

UNIT COUNT:	UNIT TYPE	UNIT SF	UNIT QTY.
BUILDING "A" (ELDERLY)	1 BEDROOM FLAT	550 SF	138
	2 BEDROOM FLAT	791 SF	1 (MANAGER'S
BUILDING "B" (WORKFORCE)	2 BEDROOM FLAT	791 SF	15
	3 BEDROOM FLAT	1,100 SF	20
BUILDING "C1" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	8
BUILDING "C2" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	11
BUILDING "C3" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	11
		TOTAL	204

NORTH LOT

AREA AFTER DEDICATIONS: 84,386 SF (1.48 ACRES)

LOT COVERAGE: (SEC. 33-210)		ALLOWED	PROPOSED
		40% MAX. (33,758 SF)	34% (22,278 SF)
F.A.R.	5-STORYS	1.20 MAX. (77,274 SF)	1.47 (94,788 SF)
BUILDING HEIGHT		5-STORYS	5-STORYS

BUILDING SETBACK: (SEC. 33-211)	REQ	PROPOSED
ELDERLY HOUSING (BLDG. A)		
FRONT:	25' MIN. *	
SIDE INT.:	25' MIN.	N/A
SIDE ST.:	32' MIN. *	
REAR:	31' MIN. * *	

PHASE I BUILDING "A"

* 25' MIN. SETBACK + 40% OF ADDITIONAL HEIGHT OVER 35'
25' + 10' (ADDITIONAL 25'X40%) = 35'
**25' MIN. SETBACK + 40% OF ADDITIONAL HEIGHT OVER 35'
25' + 6' (ADDITIONAL 15'X40%) = 31'

OPEN SPACE (SEC 33-216)		40% MIN. (25,758 SF)	(13,290 SF)
PARKING DATA:			
	STANDARD SPACES	71*	79
	H.C. SPACES	3	4
	TOTAL	74	83
	FUTURE SPACES FOR ELDERLY HOUSING	138*	

UNIT COUNT:	UNIT TYPE	UNIT SF	UNIT QTY.
BUILDING "A" (ELDERLY)	1 BEDROOM FLAT	550 SF	138
	2 BEDROOM FLAT	791 SF	1 (MANAGER'S

SOUTH LOT

AREA AFTER DEDICATIONS: 131,179 SF (3.01 ACRES)

LOT COVERAGE: (SEC. 33-210)		ALLOWED	PROPOSED
		40% MAX. (52,472 SF)	23% (31,303 SF)
F.A.R.	3-STORYS	0.80 (104,943 SF)	0.64 (70,901 SF)
BUILDING HEIGHT		3-STORYS	3-STORYS

BUILDING SETBACK: (SEC. 33-211)	REQ	PROPOSED
WORKFORCE APARTMENTS (BLDG. B)		
FRONT:	25' MIN.	
SIDE INT.:	25' MIN.	42-0"
SIDE ST.:	25' MIN.	
REAR:	25' MIN.	34-10"
WORKFORCE APARTMENTS (BLDGS. C1, C2 & C3)		
FRONT:	25' MIN.	
SIDE INT.:	25' MIN.	113'-11", 50'-4"
SIDE ST.:	25' MIN.	N/A
REAR:	25' MIN.	52-1"

PHASE II BUILDINGS B, C1, C2 & C3

OPEN SPACE (SEC 33-216)	REQ	PROPOSED
	40% MIN. (53,178 SF)	(48,666 SF)
PARKING DATA:	REQ	PROPOSED
STANDARD SPACES	117	119
H.C. SPACES	3	7
TOTAL	120	126

UNIT COUNT:	UNIT TYPE	UNIT SF	UNIT QTY.
BUILDING "B" (WORKFORCE)	2 BEDROOM FLAT	791 SF	15
	3 BEDROOM FLAT	1,100 SF	20
BUILDING "C1" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	8
BUILDING "C2" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	11
BUILDING "C3" (WORKFORCE)	2 BEDROOM 2-STORY	1,008 SF	11

RECEIVED
210-159
SEP 12 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY RCC

PARKING TABLE

ELDERLY HOUSING		PARKING RATIO	PARKING REQUIRED	PARKING PROVIDED
OFFICE	1 (400 SF)	1/300SF	2	
1 BEDROOM FLAT	138	0.5*	69	
2 BEDROOM FLAT (MANAGER'S APT.)	1	1.75	2	83
		TOTAL REQUIRED	73	

WORKFORCE APARTMENTS				
2 BEDROOM FLAT	15	1.75	27	
3 BEDROOM FLAT	20	2	40	126
2 BEDROOM 2-STOREY	30	1.75	53	
		TOTAL REQUIRED	120	

GRAND TOTAL	204 RESIDENTIAL UNITS PROVIDED	193* SPACES REQUIRED	209 SPACES PROVIDED

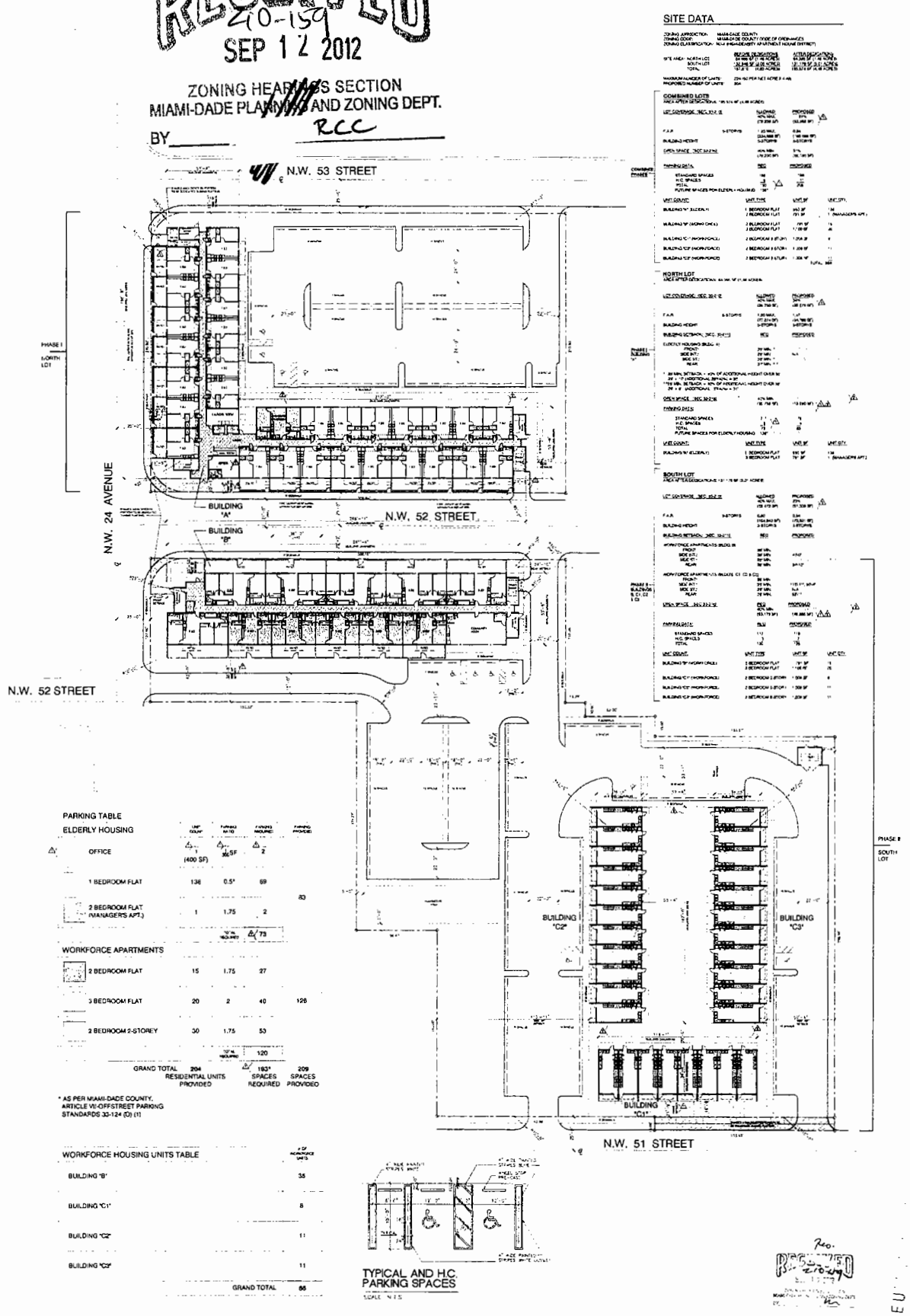
S PER MIAMI-DADE COUNTY,
RTICLE VII-OFFSTREET PARKING
TANDARDS 33-124 (O) (1)

WORKFORCE HOUSING UNITS TABLE	# OF WORKFORCE UNITS
BUILDING "B"	35

ENLARGED SITE PLAN

26

RECEIVED
2010-159
SEP 12 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY RCC



SITE DATA

PARKING TABLE

ELDERLY HOUSING				
OFFICE	1 (400 SF)	1/350 SF	2	
1 BEDROOM FLAT	138	0.5*	69	83
2 BEDROOM FLAT (MANAGER'S APT.)	1	1.75	2	
			73	
WORKFORCE APARTMENTS				
2 BEDROOM FLAT	15	1.75	27	
3 BEDROOM FLAT	20	2	40	120
2 BEDROOM 2-STOREY	30	1.75	53	
			120	
GRAND TOTAL	204 RESIDENTIAL UNITS PROVIDED		193* SPACES REQUIRED	209 SPACES PROVIDED

* AS PER MIAMI-DADE COUNTY, ARTICLE VII-OFFSTREET PARKING STANDARDS 33-124 (D) (1)

WORKFORCE HOUSING UNITS TABLE	# OF WORKFORCE UNITS
BUILDING 'B'	35
BUILDING 'C1'	8
BUILDING 'C2'	11
BUILDING 'C3'	11
GRAND TOTAL	65

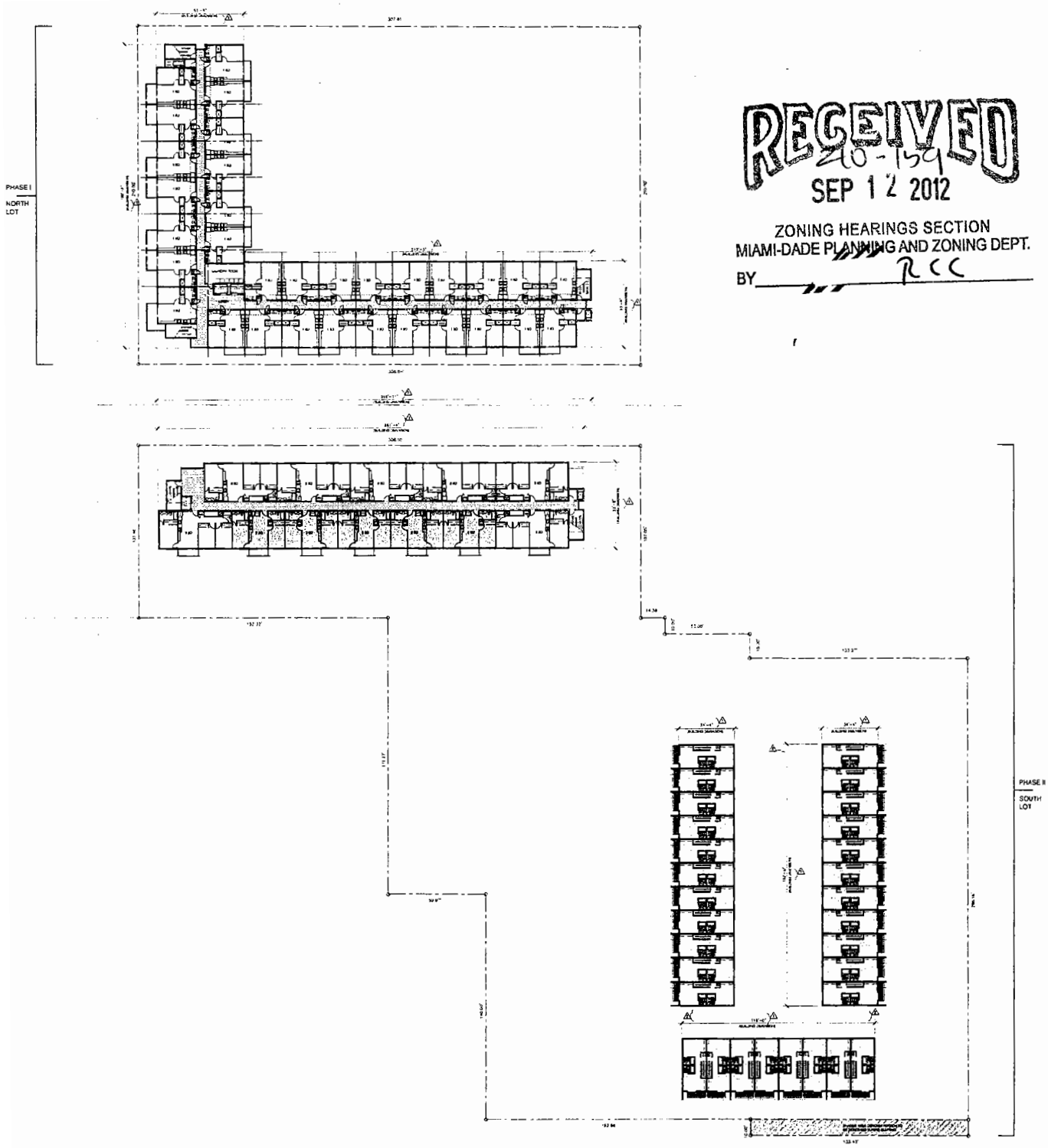
TYPICAL AND H.C. PARKING SPACES
SCALE: N.T.S.

RECEIVED

SUPERIOR MANOR
SCHEMATIC DESIGN 09-07-12

GROUND FLOOR / SITE PLAN
1:30

MATEU



RECEIVED
20-159
SEP 12 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY RCC

RECEIVED
20-159
SEP 12 2012

SUPERIOR MANOR

SCHEMATIC DESIGN

09-07-12

UPPER FLOOR PLANS

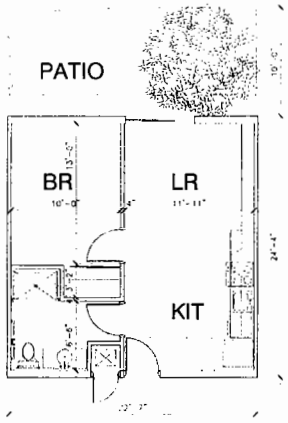
1:30

ELDERLY HOUSING	FLOORS 2-4
WORKFORCE APARTMENTS	FLOORS 2-3
WORKFORCE TOWNHOUSE	FLOOR 2

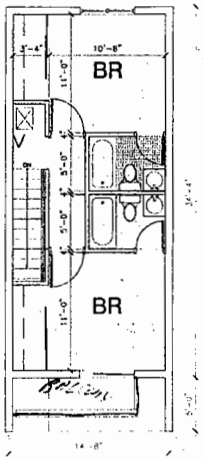
MATEU

9/7/12

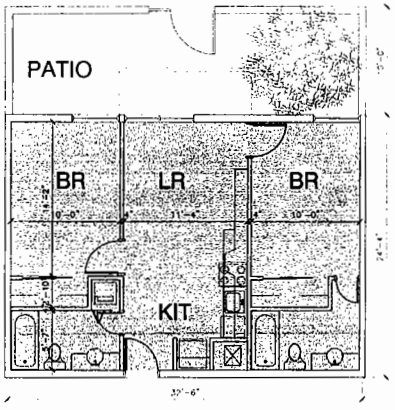
RECEIVED
210-159
APR 16 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



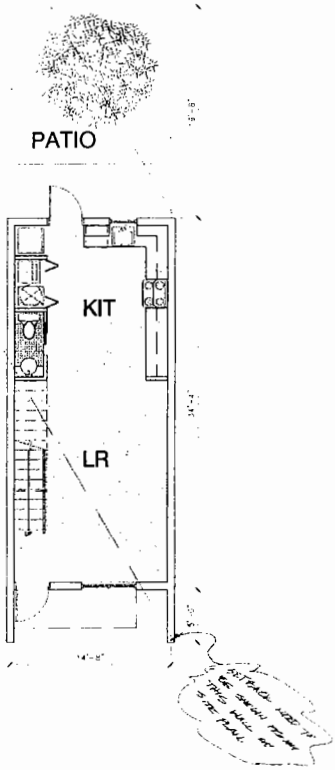
1 BEDROOM APARTMENT FLAT
550 SF (ELDERLY)



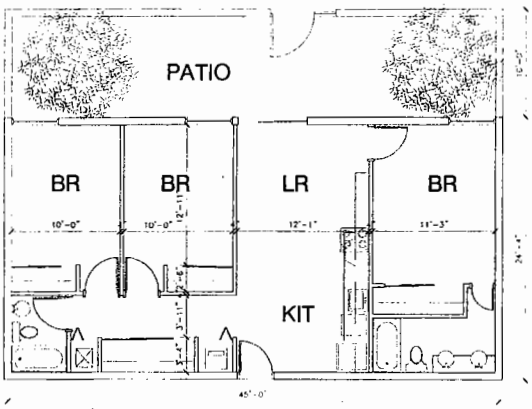
SECOND FLOOR



2 BEDROOM APARTMENT FLAT
791 SF (WORKFORCE)



2 BEDROOM APARTMENT 2-STORY
1,008 SF FIRST FLOOR (WORKFORCE)



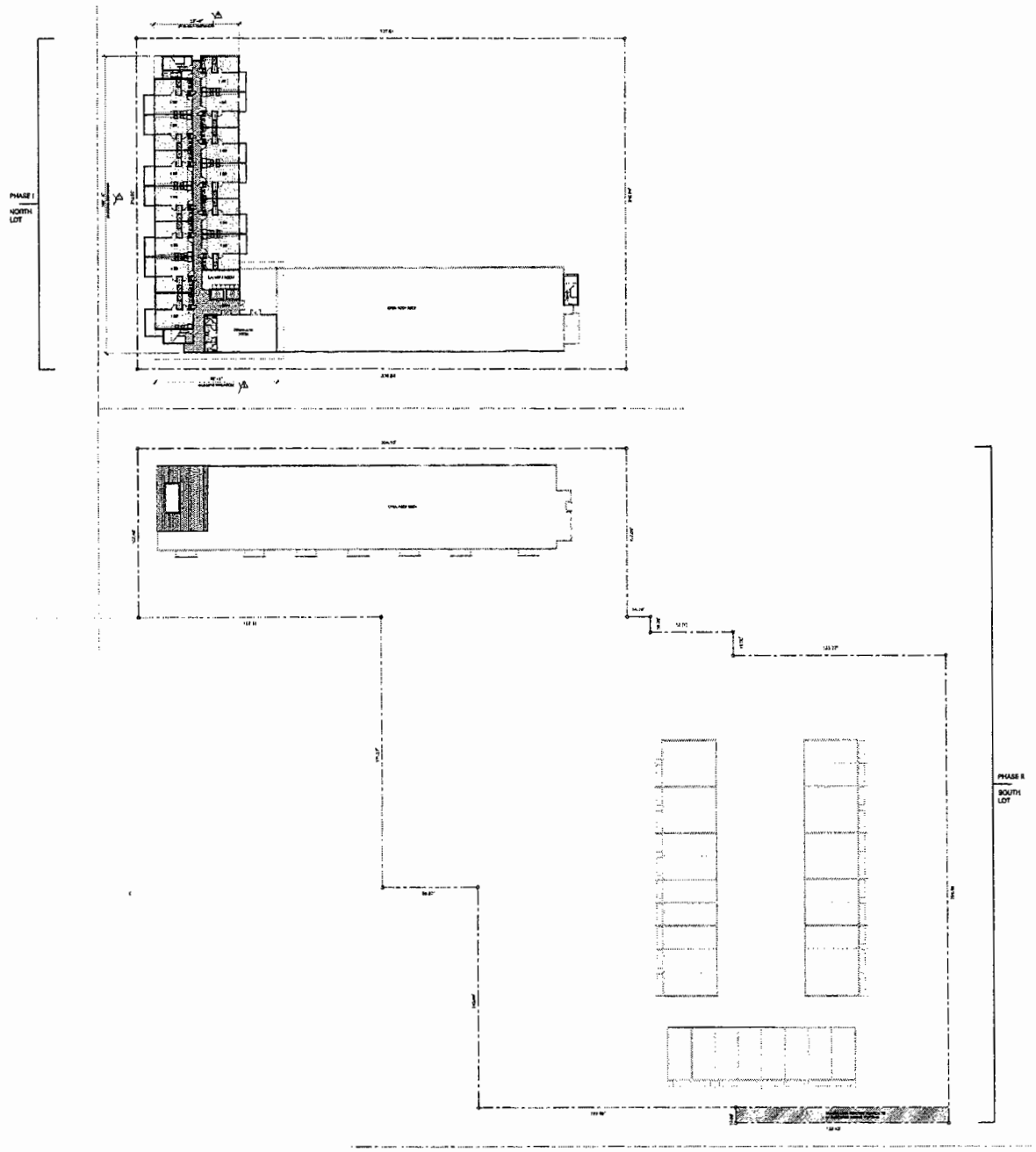
3 BEDROOM APARTMENT FLAT
1,100 SF (WORKFORCE)

RECEIVED
APR 16 2012

SUPERIOR MANOR
SCHEMATIC DESIGN 04-05-12

ENLARGED UNIT PLANS
3/16" = 1'-0"

MATEU



SUPERIOR MANOR

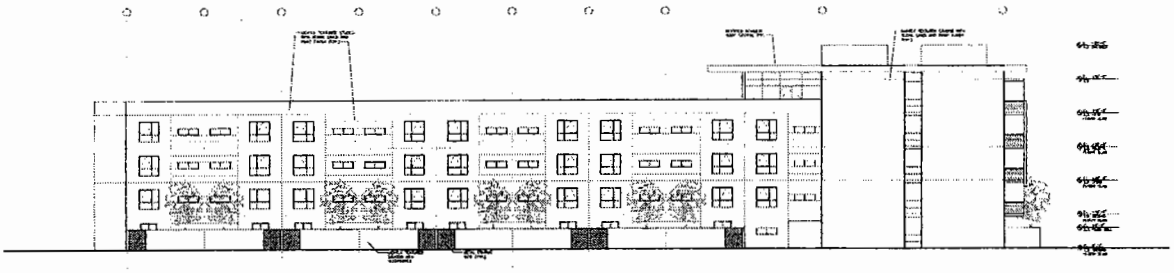
SCHEMATIC DESIGN

08-16-12

1

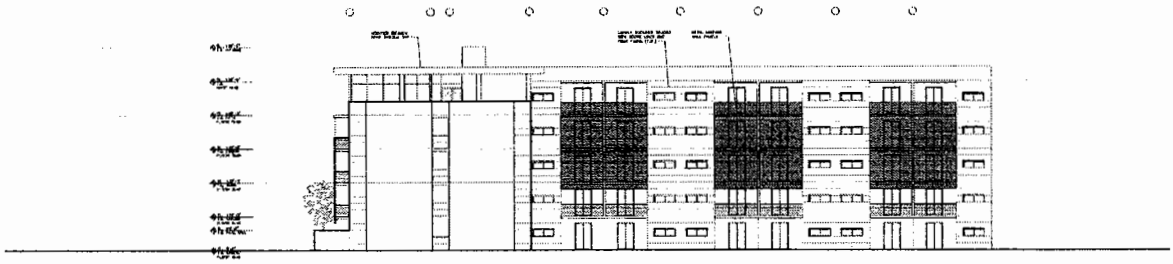
5TH FLOOR PLANS

RECEIVED
Z10-159
AUG 17 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.



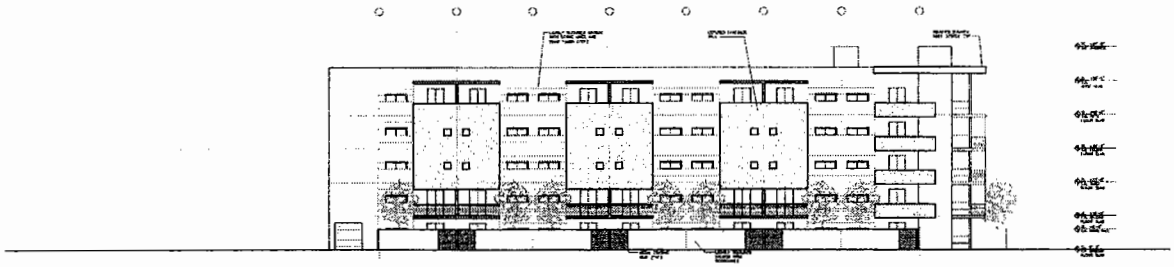
ELDERLY BUILDING — NORTH ELEVATION

1/16"=1'-0"



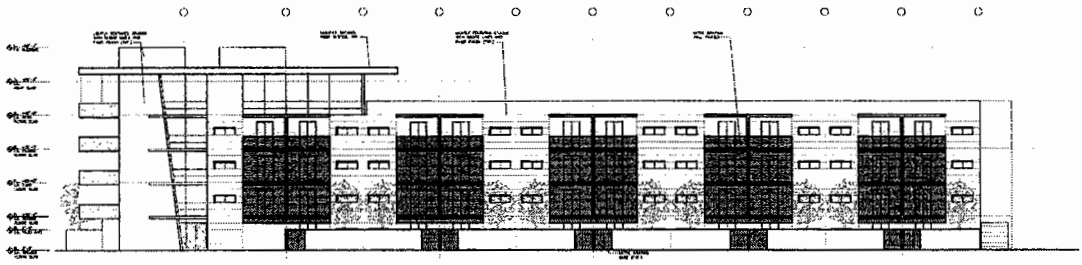
ELDERLY BUILDING — EAST ELEVATION

1/16"=1'-0"



ELDERLY BUILDING — WEST ELEVATION

1/16"=1'-0"



ELDERLY BUILDING — SOUTH ELEVATION

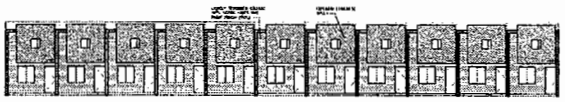
1/16"=1'-0"

SUPERIOR MANOR

SCHEMATIC DESIGN 04-05-12

RECEIVED
Z12-159
AUG 17 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

MATEU

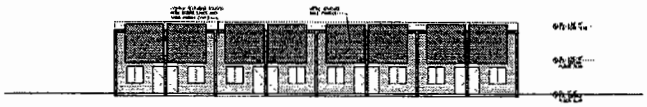


WORKFORCE TOWNHOUSES — WEST ELEVATION

1/16"=1'-0"

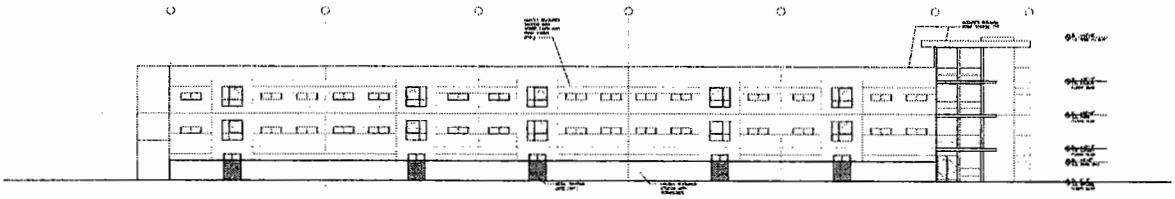
WORKFORCE TOWNHOUSES — EAST ELEVATION

1/16"=1'-0"



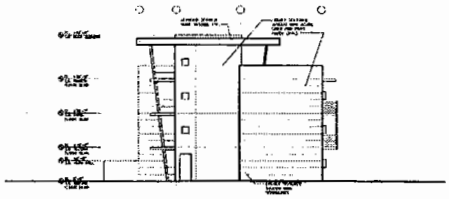
WORKFORCE TOWNHOUSES — SOUTH ELEVATION

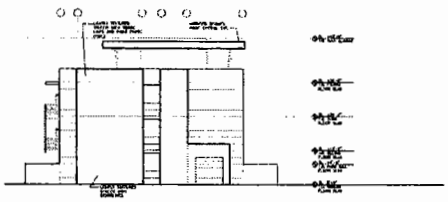
1/16"=1'-0"



WORKFORCE APARTMENTS — NORTH ELEVATION

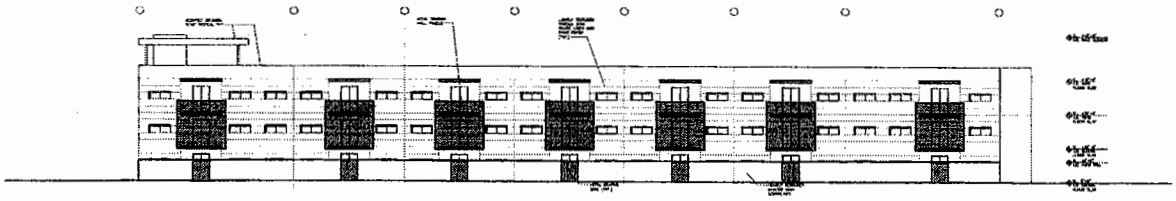
1/16"=1'-0"





WORKFORCE APARTMENTS — EAST & WEST ELEVATIONS

1/16"=1'-0"



WORKFORCE APARTMENTS — SOUTH ELEVATION

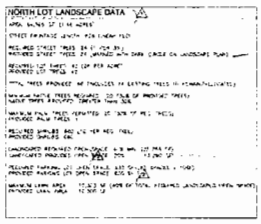
1/16"=1'-0"

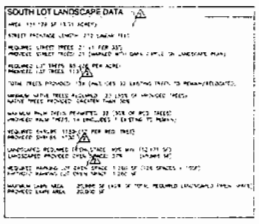
SUPERIOR MANOR

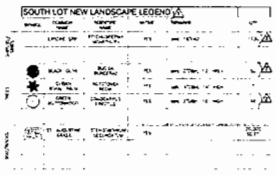
SCHEMATIC DESIGN 02-22-12

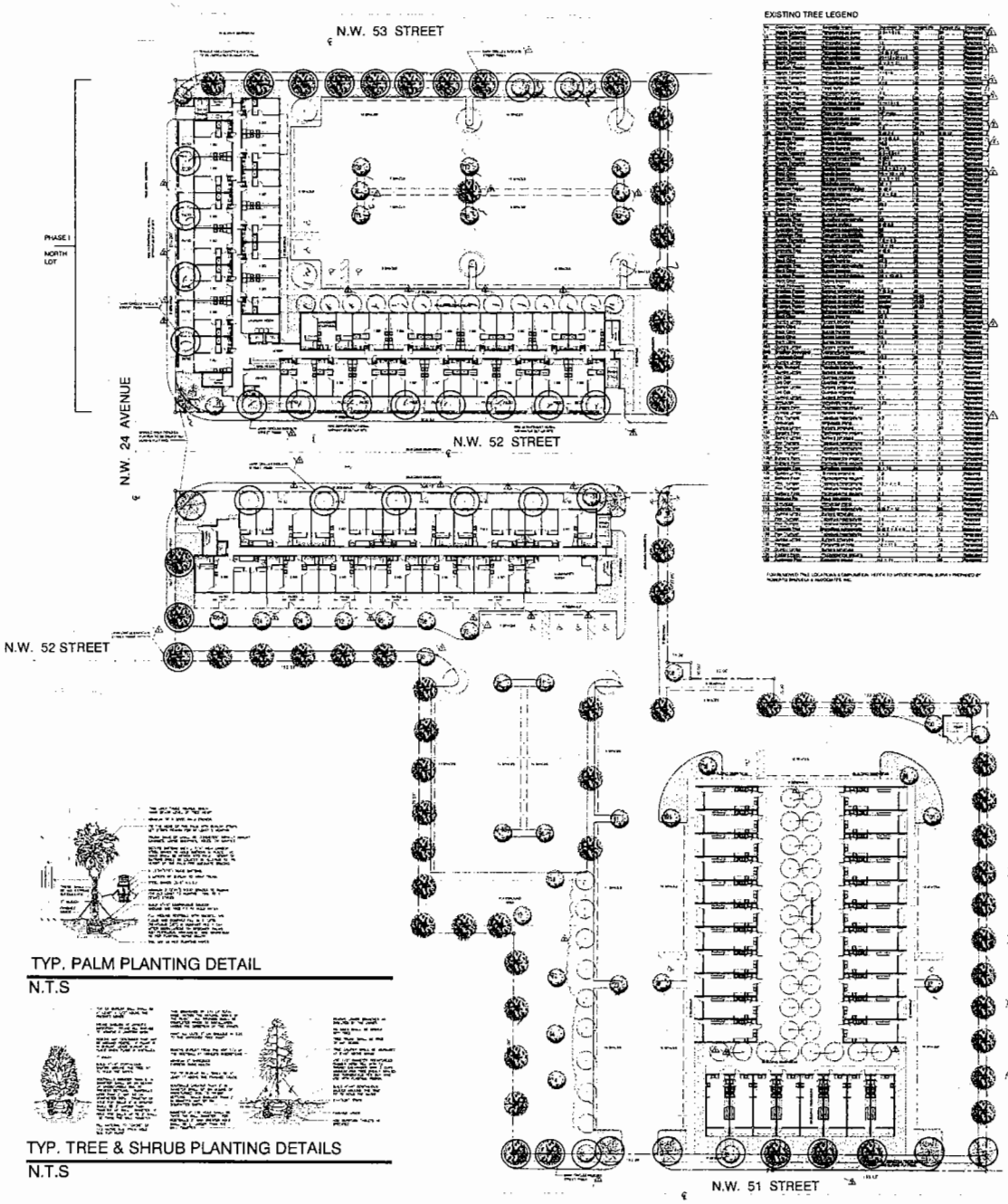
RECEIVED
Z10-159
AUG 17 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
10-159
2012









TYP. PALM PLANTING DETAIL

N.T.S

TYP. TREE & SHRUB PLANTING DETAILS

N.T.S

SUPERIOR MANOR

SCHEMATIC DESIGN 09-10-12

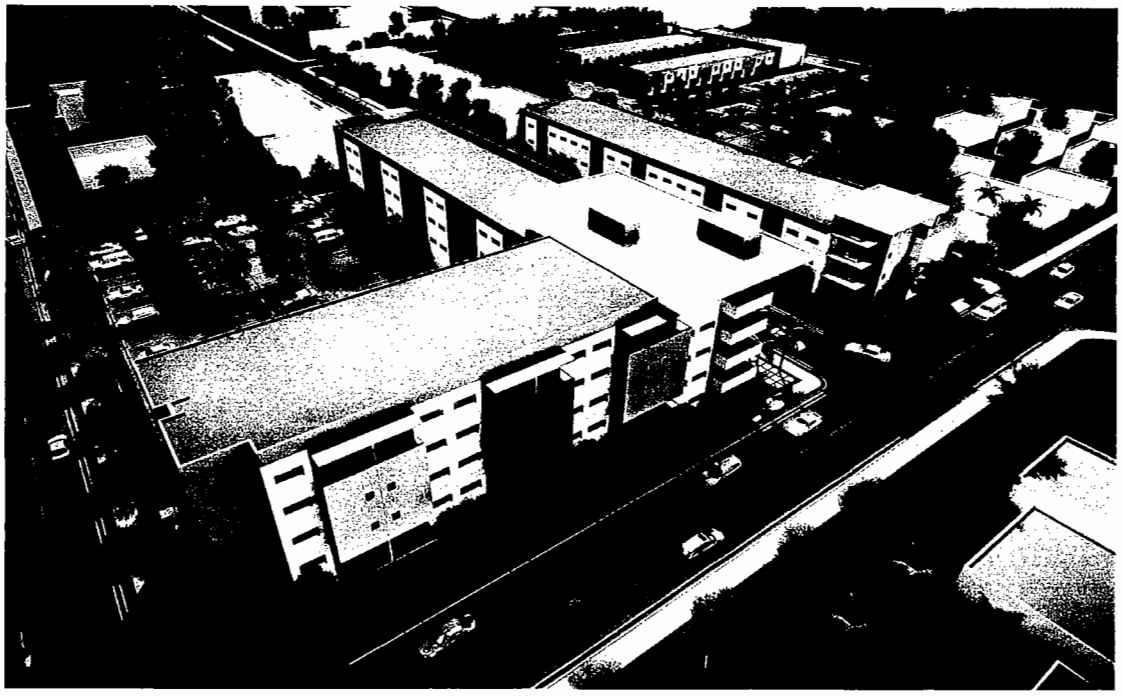
LANDSCAPE PLAN

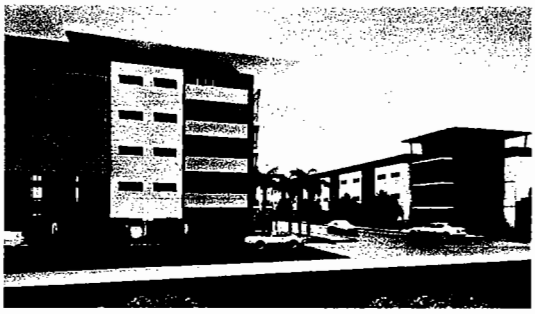
1:30

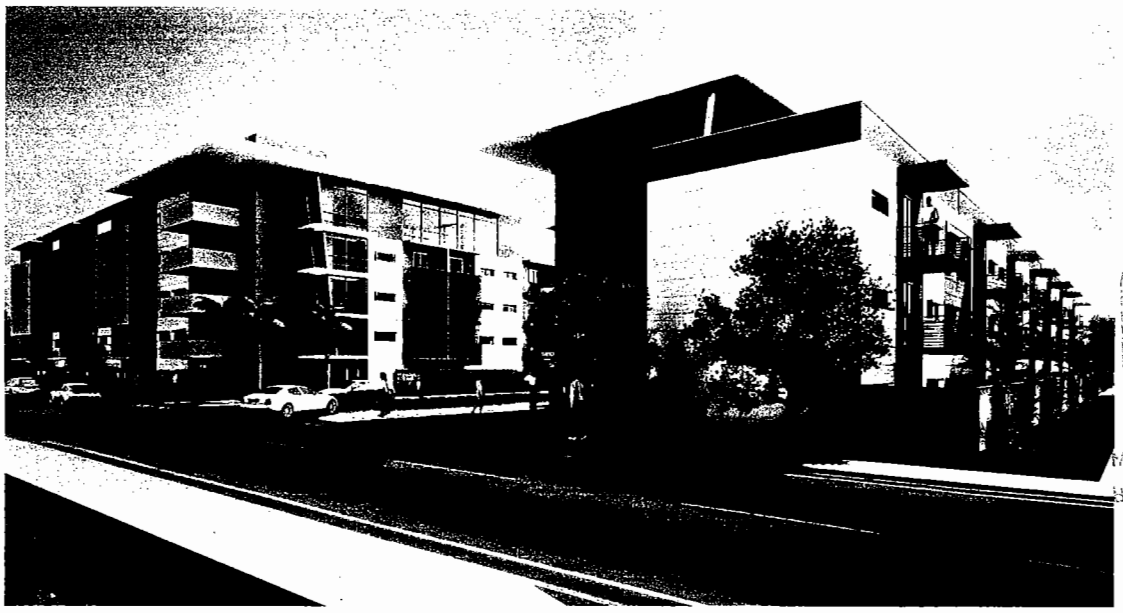
RECEIVED
SEP 12 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
SEP 12 2012

MATEU







RECEIVED
210-139
APR 16 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

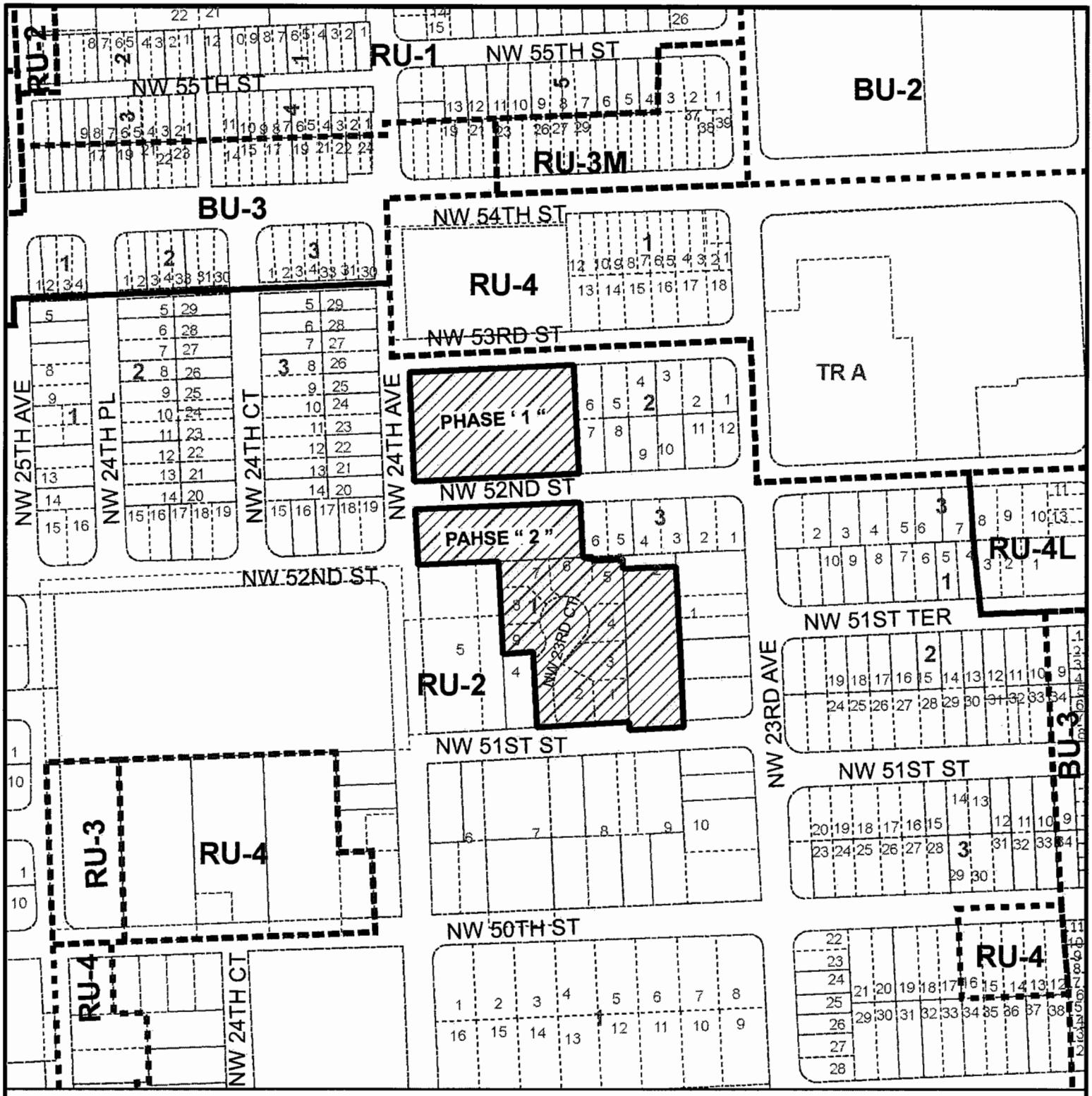
SUPERIOR MANOR

SCHEMATIC DESIGN

RENDERINGS

N.T.S.

MATEU



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2010000159

Section: 22 Township: 53 Range: 41
Applicant: NEW URBAN DEVELOPMENT, LLC
Zoning Board: C8
Commission District: 3
Drafter ID: KEELING
Scale: NTS

N
W E
S

Legend

Subject Property Case

Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, September 29, 2010

REVISION	DATE	BY
		35

MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2010000159

N
W E
S

Section: 22 Township: 53 Range: 41
Applicant: NEW URBAN DEVELOPMENT, LLC
Zoning Board: C8
Commission District: 3
Drafter ID: KEELING
Scale: NTS

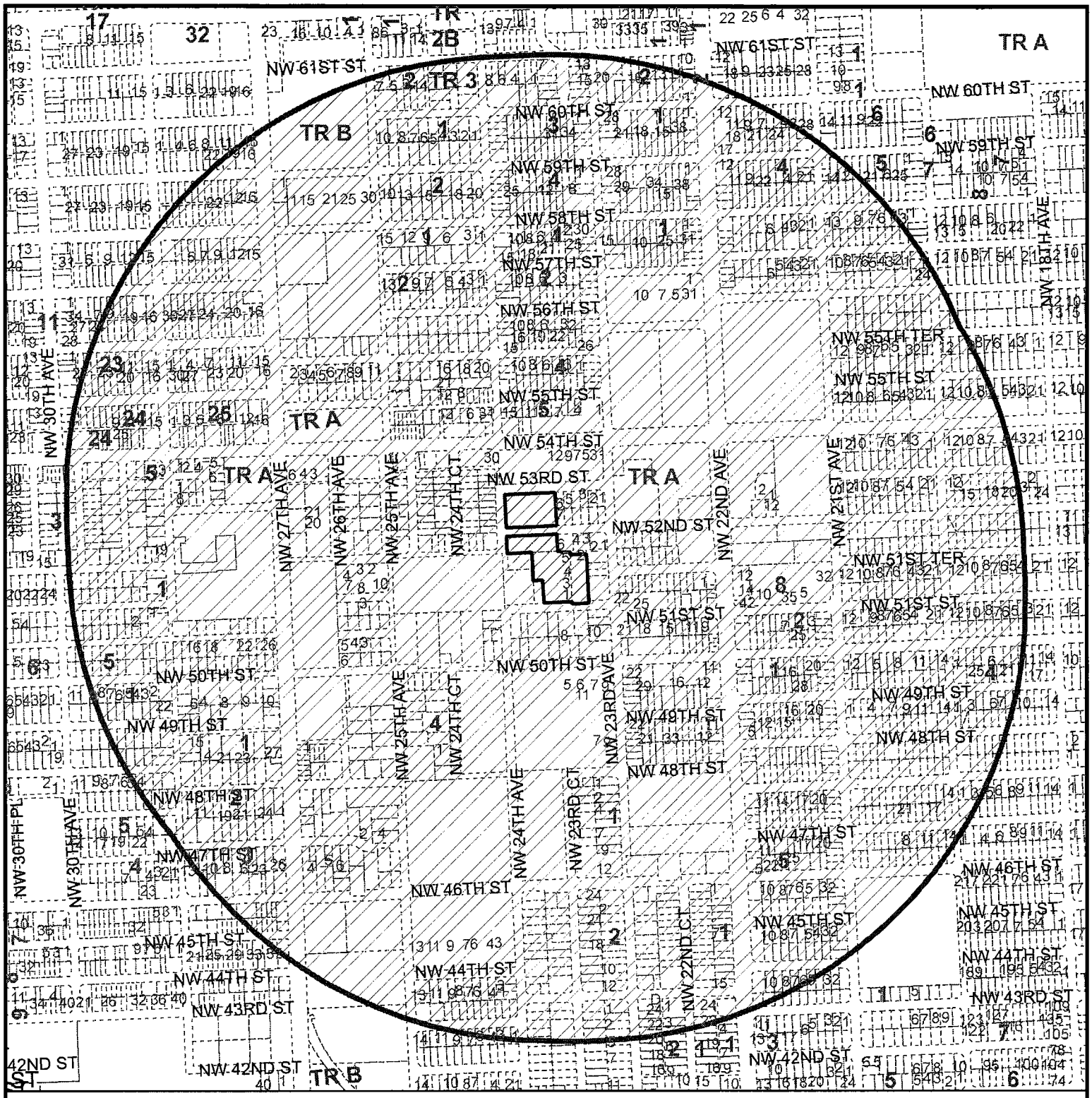
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, September 28, 2010

REVISION	DATE	BY
		36



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2010000159

RADIUS: 2640

Section: 22 Township: 53 Range: 41
Applicant: NEW URBAN DEVELOPMENT, LLC
Zoning Board: C8
Commission District: 3
Drafter ID: KEELING
Scale: NTS

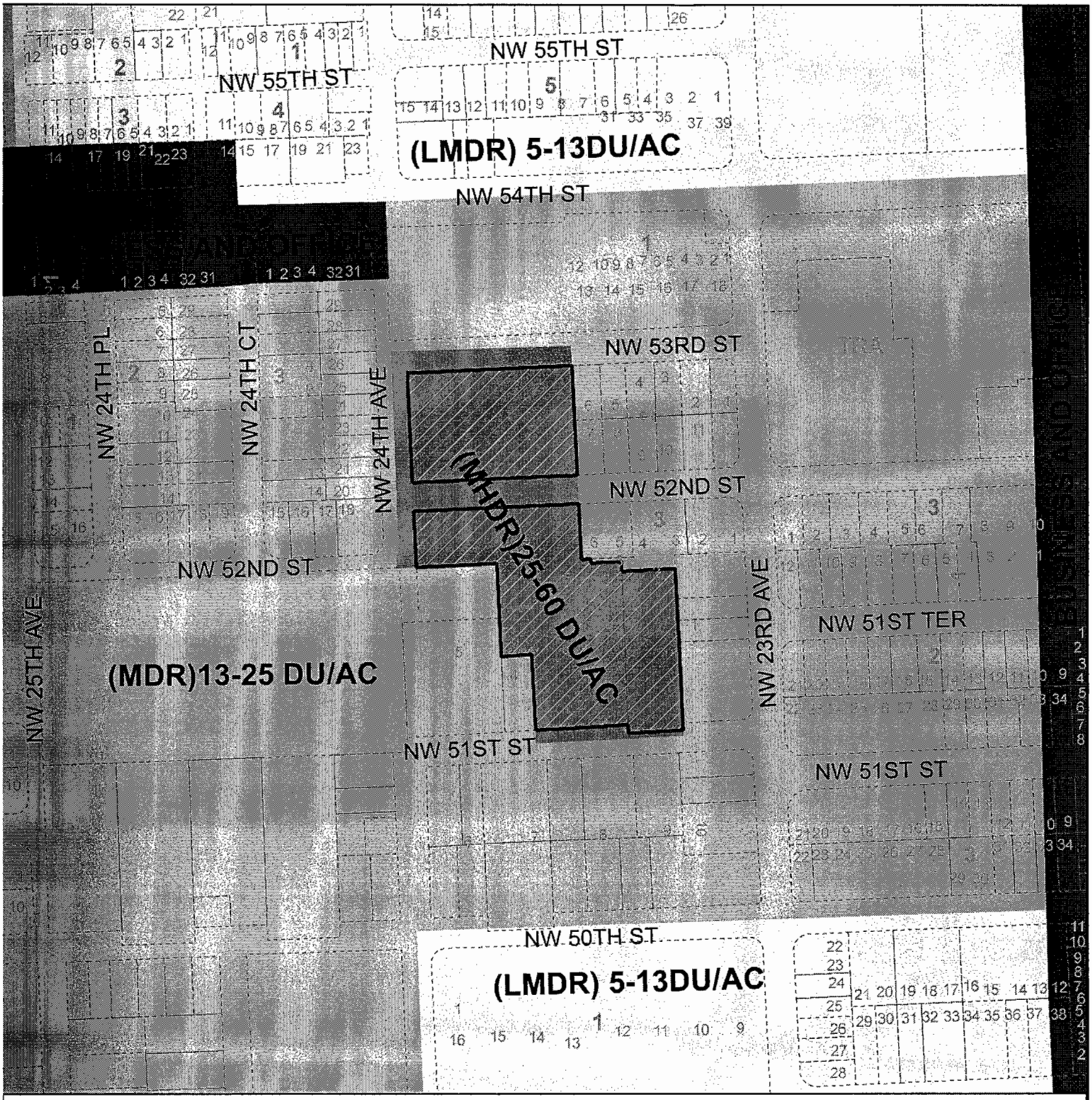
Legend

- Subject Property
- Buffer
- Property Boundaries

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, September 28, 2010

REVISION	DATE	BY
		37



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2010000159

Section: 22 Township: 53 Range: 41
Applicant: NEW URBAN DEVELOPMENT, LLC
Zoning Board: C8
Commission District: 3
Drafter ID: KEELING
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, September 28, 2010

REVISION	DATE	BY

This instrument was prepared by:
Name: Matthew Amster, Esq.
Address: Bercow Radell & Fernandez, P.A.
200 S. Biscayne Blvd., Suite 850
Miami, Florida 33131

PLANNING AND ZONING
AGENDA OFFICE

2012 DEC -5 P 12:22

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS INCLUDING WORKFORCE HOUSING

WHEREAS, the undersigned Owner (the "Owner") holds the fee simple title to the land in Miami-Dade County (the "County"), Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the **County** that the representations made by the Owner during consideration of Public Hearing No. 10-159 (the "Application") will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

(1) **Site Plan**. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Superior Manor Schematic Design" as prepared by Mateu Architecture Inc. dated stamped and consisting of 4 sheets dated stamped received 4/16/12, 1 sheet dated stamped received 8/17/12 and 3 sheets dated stamped received 9/12/12 for a total of 8 sheets.

(2) **Dwelling Units**. Pursuant to the Declaration of Restrictions for Comprehensive Development Master Plan (CDMP) Application No. 3 of the October 2007 Amendment Cycle, as recorded in Official Record Book 27157 at Page 2775 (the "CDMP Covenant"), all residential units constructed on the Property shall be designated for affordable and/or workforce housing and shall meet the criteria of affordable and/or workforce housing in Miami-Dade County;

   (a) The maximum number of residential units permitted on the Property shall be 204 units;

   (b) The development of the Property shall include 138 non-profit elderly affordable housing units, 1 affordable manager's apartment unit and 65 workforce housing units;

   (c) There shall not be any market-rate dwelling units on the Property;

Section-Township-Range: 22-53-41
Folio Numbers: 30-3122-000-0111, 30-3122-061-0010 & 30-3122-020-0060

(Space reserved for Clerk)

(d) Owner acknowledges that sale or lease of any dwelling unit on the Property outside of the range of either affordable or workforce housing ranges shall not be permitted unless the CDMP Covenant is properly amended;

(3) **Workforce Housing**. In accordance with the Workforce Housing Development Program, Chapter 33, Article XIIA of the Code of Miami-Dade County (the "Code"), the development of the Property shall include 65 workforce housing units as follows: Building "B" – 35 units; Building "C1" – 8 units; Building "C2" – 11 units; and Building "C3" – 11 units. Additionally, the Property shall be developed in accordance with the following specifications:

(a) A workforce housing unit ("WHU" or "restricted WHU") shall mean a dwelling unit, the sale, rental or pricing of which, is restricted to households whose income range is established at between 65% and 140% of the most recent median family income for the County as reported by the U.S. Department of Housing and Urban Development (HUD) and as maintained by the Department of Regulatory and Economic Resources at the time of sale or rental of each WHU;

(b) The development of the Property shall include 65 WHUs, which will be restricted by a Declaration of Restrictions in accordance with Chapter 33, Article XIIA of the Code, 138 non-profit elderly affordable housing units and 1 manager's dwelling unit;

(c) All 204 dwelling units on the Property, including the 65 WHUs, will be rental dwelling units with a minimum lease period of twelve months, provided that the Owner may convert one or more rental units to owner-occupied units as long as 65 dwelling units remain subject to Chapter 33, Article XIIA of the Code;

(d) Each lessee of the restricted WHUs will use the WHU as the lessee's primary residence and subleasing shall be prohibited;

(e) The Property will be developed generally in accordance with the Estimated Construction Schedule, attached hereto as Exhibit "B", which indicates the approximate dates when construction of the new residential dwelling units (including the restricted WHUs, the non-profit elderly affordable housing units and the manager's dwelling unit) will be initiated and completed;

(Space reserved for Clerk)

(f) The restricted WHUs on the Property will consist of two-bedroom and three-bedroom apartment type units in Building "B" and two-bedroom two-story apartment type units in Buildings "C1", "C2", and "C3";

(4) **Individual Workforce Housing Agreements**. Prior to the earlier of final plat approval or application for building permit for the first new residential unit on the Property, the Owner shall submit a Workforce Housing Agreement (the "Agreement") for the restricted WHUs on the Property to the Director of the Department of Regulatory and Economic Resources. The Agreement will encumber each restricted WHU in the entire development, and specify the restrictions of each of the restricted WHUs and such further arrangements, restrictive covenants, resale restrictions, and rental restrictions as are necessary to carry out the purposes of Chapter 17, Article IX, Sections 17-142 through 17-144 inclusive, of the Code, and shall include the following:

(a) A binding commitment that the restrictions of Chapter 33, Article XIIA and Chapter 17, Article IX of the Code shall run with the land for the entire 20-year control period of each of the WHUs;

(b) A binding commitment that the covenants will bind the Owner, any assignee, mortgagee, or buyer, and all other parties that receive title to or an interest in each of the WHUs;

(c) A statement that the covenants shall be senior to all other liens or encumbrances on the Property, including all instruments securing permanent financing, except that tax and assessment liens shall be superior to the covenants; and

(d) A binding commitment that incorporates all terms and conditions regarding WHUs, including without limitation, the required shared equity agreement, eligibility standards, appropriate sale and rental price standards and affordability controls required of purchasers of WHUs pursuant to Chapter 17, Article IX of the Code.

(5) **Parking Spaces for Elderly Affordable Housing**. In the event that the non-profit elderly affordable housing ceases in Building "A", Owner acknowledges that there is insufficient parking on the Property for Building "A" and that to permit other residential uses requires providing appropriate parking, which may be achieved by, but not limited to, one or more of the following options:

(a) Reduce the number of units;

(Space reserved for Clerk)

(b) Provide parking within 300 feet as may be permitted by the Code Section 33-128(b);

(c) Construct structured parking on the Property;

(d) Seek a variance of the required parking through a public hearing.

(6) **Miscellaneous**.

(a) **County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

(b) **Covenant Running with the Land**. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

(c) **Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

(d) **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is

(Space reserved for Clerk)

also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing, provided that, in accordance with Section 33-193.13(E) of the Code, the provisions relating to the WHUs may be modified by mutual consent of the Owner and the Directors of the Miami-Dade County Department of Regulatory and Economic Resources and Miami-Dade Public Housing and Community Development, or their successor agencies, as long as the modified agreement remains in conformity with Chapter 33, Article XIIA of the Code and substantially conforms to this Declaration's provisions relating to number, location, distribution and timing of construction of WHUs.

(e) **Enforcement**. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

(f) **Authorization for Miami-Dade County to Withhold Permits and Inspections**. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration is complied with.

(g) **Election of Remedies**. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

(h) **Presumption of Compliance**. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that

(Space reserved for Clerk)

the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

(i) **Severability**. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

(j) **Recording**. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

(k) **Acceptance of Declaration.** Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

(l) Owner. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

(Space reserved for Clerk)

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this 18 day of October, 2012.

WITNESS(ES)

Signature

Scott Osman
Print Name

Signature

Eton Metayer
Print Name

New Urban Development, LLC, a Florida non-profit Limited Liability Company

8500 NW 25th Avenue
Miami, Florida 33147

By: Oliver L. Gross
Name: Oliver L Gross
Title: President

STATE OF Florida

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me by Oliver L. Gross, the President of New Urban Development, LLC, and for the purposes stated herein on behalf of the LLC. He/She is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 18 day of October, 2012, in the County and State aforesaid.

My Commission Expires:
7/18/15

Natacha Desamours
Notary Public
Natacha Desamours
Print Name

NATACHA DESAMOURS
MY COMMISSION EXPIRES
July 18, 2015
#EE 113270
Bonded thru
Troy Fain Insurance
NOTARY PUBLIC, STATE OF FLORIDA

(Space reserved for Clerk)

JOINDER BY MORTGAGEE
CORPORATION

The undersigned One United Bank, a Massachusetts Chartered Trust Company, Mortgagee under that certain mortgage from New Urban Development, LLC, dated the 12th day of December 2005, and recorded in Official Records Book 24104, Pages 4484 - 4528, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, specifically Declaration of Restrictions Including Workforce Housing for Miami-Dade County Public Hearing No. 10-159 for New Urban Development, LLC, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 18th day of October, 2012.

Witnesses:

Signature

Alisa L. Zeils, AVP
Print Name

Signature

Print Name

One United Bank, a Massachusetts
Chartered Trust Company
Address: 3683 Crenshaw Blvd.
Los Angeles, CA 90016

By: Yan Feng, Vice President

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF California

COUNTY OF Los Angeles

The foregoing instrument was acknowledged before me by Yan Feng, a Vice President of One United Bank, on behalf of the banking corporation. She/he is personally known to me or has produced California drivers license, as identification.

Witness my signature and official seal this 18th day of October, 2012, in the County and State aforesaid.

D. PEREZ
Commission # 1938220
Notary Public - California
Los Angeles County
My Comm. Expires May 24, 2015

Notary Public-State of California

D. Perez
Print Name

My Commission Expires: May 24, 2015

Exhibit "A"

LEGAL DESCRIPTION

PARCEL A (PHASE I –NORTH LOT)

A PORTION OF THE NW ¼ OF SECTION 22, TOWNSHIP 53 SOUTH, RANGE 41 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NW CORNER OF THE SW ¼ OF THE NE ¼ OF THE NW ¼ OF SAID SECTION 22; THENCE RUN S 89 52'13"E FOR A DISTANCE OF 25.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF NW 24TH AVENUE; THENCE RUN N 00 00'39" E ALONG SAID EAST RIGHT-OF-WAY, FOR A DISTANC E OF 182.37 FEET TO A POINT OF BEGINNING; THENCE CONTINUE N 00 00'39" E ALONG SAID EAST RIGHT-OF-WAY FOR A DISTANCE OF 160.00 TO A POINT OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING FOR ITS ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90 11'43" AND AN ARC DISTANCE OF 39.36 FEET TO A POINT OF TANGENCY; THENCE RUN S 89 47' 38" E , A DISTANCE OF 282.72 FEET TO A POINT; THENCE RUN S 00 03' 14" E FOR A DISTANCE OF 210.00 FEET TO A POINT; THENCE N 89 47'38" W FOR A DISTANCE OF 283.13 TO A POINT OF A CURVE CONCAVE TO THE NORTHEAST; THENCE RUN ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89 48'17", AND AN ARC DISTANCE OF 39.18 FEET TO A POINT OF TANGENCY, ALSO BEING THE POINT OF BEGINNING AND CONTAINING 64,664.00 SQUARE FEET OR 1.48 ACRES MORE OR LESS.

PARCEL B (PHASE II –SOUTH LOT)

A PORTION OF THE NW ¼ OF SECTION 22, TOWNSHIP 53 SOUTH, RANGE 41 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NW CORNER OF THE SW ¼ OF THE NE ¼ OF THE NW ¼ OF SAID SECTION 22; THENCE RUN S 89 52'13"E FOR A DISTANCE OF 25.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF NW 24TH AVENUE, ALSO BEING THE POINT OF BEGINNING; THENCE RUN N 00 00'39" E ALONG SAID EAST RIGHT-OF-WAY, FOR A DISTANC E OF 82.10 FEET TO A POINT OF CURVE; THENCE RUN NORTHEASTERLY ALONG SAID CURVE, CONCAVE TO THE SOUTHEAST, HAVING FOR ITS ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90 11'43" AND AN ARC DISTANCE OF 39.36 FEET TO A POINT OF TANGENCY; THENCE S 89 47' 38" E , FOR A DISTANCE OF 282.92 FEET TO A POINT; THENCE RUN S 00 03' 14" E FOR A DISTANCE OF 107.05 FEET TO A POINT; THENCE S 89 52'13" E, FOR A DISTANCE OF 14.39 FEET TO A POINT, THENCE S 00 03'45" E , FOR A DISTANCE OF 10.00 FEET TO A POINT; THENCE S 89 52'13" E, FOR A DISTANCE OF 52.00 FEET TO A POINT; THENCE S 00 03'45" E, FOR A DISTANCE OF 15.00 FEET TO A POINT; THENCE S 89 52'13"E, FOR A DISTANCE OF 133.18 FEET TO A POINT; THENCE S 00 05'35" E, FOR A DISTANCE OF 296.16 FEET TO A POINT; THENCE N 89 53'15" W FOR A DISTANCE OF 133.24 FEET TO A POINT; THENCE N 00 08'45"W FOR A DISTANCE OF 10.00 FEET TO A POINT; THENCE RUN N 89 53'15" W ALONG THE NORTH RIGHT-OF-WAY LINE OF NW 51TH STREET, FOR A DISTANCE OF 162.86 FEET TO A POINT; THENCE RUN N 00 00'54" W FOR A DISTANCE OF 140.00 FEET TO A POINT; THENCE RUN N 89 53'15"W, FOR A DISTANCE OF 59.97 FEET TO A POINT; THENCE RUN N 00 00'54" W, FOR A DISTANCE OF 171.27 FEET TO A POINT; THENCE RUN N 89 52'13" W FOR A DISTANCE OF 152.18 FEET TO THE POINT OF BEGINNING AND CONTAINING 132,851.00 SQUARE FEET OR 3.05 ACRES MORE OR LESS.

Exhibit "B"

Estimated Construction Schedule
For Superior Manor Apartments
Public Hearing No. 10-159

Phase of Development	Construction Description	Estimated Start Date	Estimated Completion Date
Phase I (north lot)	Building A – Elderly Housing	June 1, 2013	August 31, 2014
Phase II (south lot)	Building B – Workforce Housing	Jan 5, 2014	March 31, 2015
Phase II (south lot)	Buildings C1, C2 & C3 – Workforce Housing	Jan 5, 2014	March 31, 2015

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

PH: Z12-058 (12-11-CZ8-2) **December 19, 2012**
Item No. D

Recommendation Summary	
Commission District	2
Applicant	Karol Kazmierczak, Trustee
Summary of Requests	The applicant is seeking to allow a duplex residence setback closer to the front and rear property lines and to permit a picket fence taller than 2.5' in the safe sight distance triangle.
Location	2221 NW 95 Street, Miami-Dade County, Florida.
Property Size	8,250 sq. ft.
Existing Zoning	RU-2, Two-Family Residential
Existing Land Use	Duplex residence
2015-2025 CDMP Land Use Designation	Low Medium Density Residential (*see attached Zoning Recommendation Addendum*)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (*see attached Zoning Recommendation Addendum*)
Recommendation	**Approval with conditions**

This application was deferred from the November 14, 2012 meeting due to a lack of quorum.

REQUEST:

(1) NON-USE VARIANCE to an existing duplex residence setback a minimum of 9.57' (25' required) from the rear (north) property line and setback 22.70' (25' required) from the front (south) property line.

(2) NON-USE VARIANCE to permit a 5' high picket fence within the safe sight distance triangle (maximum 2.5' high picket fence permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Project House 2221 NW 95th Street, Miami, Florida 33147", prepared by Karol Kazmierczak, two sheets dated stamped received 4/17/12 and the remaining sheet dated stamped received 5/21/12 for a total of 3 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION: Existing approximately 2,384 sq. ft. duplex residence

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	RU-2; duplex residence	Low Medium Density Residential (6 to 13 dua)
North	North Central Urban Area District; duplex residence	Community Urban Center
South	North Central Urban Area District; gas station and commercial	Community Urban Center
East	North Central Urban Area District; commercial	Community Urban Center

West	RU-2; vacant	Low Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing duplex residence located at 2221 NW 95 Street. Residential and commercial uses characterize the surrounding area where the subject property lies.

SUMMARY OF THE IMPACTS:

Approval of this application will permit a duplex residence to setback closer to the front and rear property lines and a 5' high picket fence within the safe sight distance triangle. However, the encroachments could have a visual impact on the surrounding area and the fence could be a visual hazard for vehicles entering and exiting the property.

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. 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 legalize encroachments into the front and rear setback areas and permit a 5' high fence in the safe sight distance triangle. Further, staff notes that approval will not add additional dwelling units to the site beyond what is allowed by the CDMP LUP map and will not change the duplex residence use. Since the applicant is not requesting to add additional dwelling units to the site above that allowed nor change the existing duplex residence use, approval of the application with conditions is **consistent** with the density range of the Low Density Residential CDMP LUP map designation and the CDMP Land Use Element interpretative text for Residential Communities.

ZONING ANALYSIS:

When request #1 is analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff is of the opinion that the request to permit an existing front porch and rear additions to encroach into the front and rear setback areas would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff notes that the encroachment into the front (south) setback area is for the residential unit labeled west unit on the site plan and the rear (north) addition encroachment is for the east unit. While staff did not find similar approvals for encroachments into the front and rear setback areas, staff opines that the existing 2.3' encroachment into the front (south) setback area is minimal and does not have a negative visual impact on the surrounding area. Further, staff opines that the 15.25' encroachment into the rear (north) setback area is adequately buffered from the abutting property to the north by landscaping located along the rear (south) property line of the abutting property. However, as a condition of approval staff recommends that the applicant install an opaque 6' high fence, wall, or a hedge, 3' high at the time of planting, to grow to and be maintained at a height of 6' along the rear (north) property line as a visual buffer.

Further, when analyzing request #2, to permit a 5' high picket fence within the safe sight distance triangle under the Non-Use Variance (NUV) Standards, staff opines that approval of this request would not be detrimental to the surrounding neighborhood and would not have a negative visual impact on same. Staff opines that the existing picket fence, although 2.5' taller than permitted is designed in a manner that allows for adequate visibility from the safe sight triangle area for vehicles entering or leaving the residence. Staff also notes that the Public Works and Waste Management Department does not object to request #2 as evidenced in their memorandum.

In staff's opinion the approval of requests #1 and #2 would not be out of character with the surrounding area and is **compatible** based on the above analysis. However, staff opines that due to the layout of the floor plan for the existing duplex residence, future owners could easily convert the duplex residence into additional residential units. Therefore, staff recommends as a condition for approval, that the applicant submit a Declaration of Use agreement which restricts the use of the subject property to two-family use only. **As such, staff recommends approval of requests #1 and #2 with conditions under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Project House 2221 NW 95th Street, Miami, Florida 33147", prepared by Karol Kazmierczak, two sheets dated stamped received 4/17/12 and the remaining sheet dated stamped received 5/21/12 for a total of 3 sheets. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submits a Declaration of Use Agreement to the Department of Regulatory and Economic Resources restricting the use of the subject property to a two-family residence prior to the issuance of a building permit.

5. That the applicant installs an opaque 6' high fence, wall, or a hedge, 3' high at the time of planting, to grow to and be maintained at a height of 6' along the rear (north) property line as a visual buffer.

ES:MW:NN:CH:AN

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

NDN

ZONING RECOMMENDATION ADDENDUM

Karol Kazmierczak, Trustee
Z12-058

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

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

Low- Medium Density Residential (Pg. I-31)	*The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for* ***Low-Medium Density Residential****. 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.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

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

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

#2

APPLICANT'S NAME: **KAROL KAZMIERCZAK, TRUSTEE**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-11-CZ8-2 (12-058)	November 14, 2012	CZAB8		12

REC: Approval with conditions.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: December 19, 2012 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

■ OTHER: Deferred due to a lack of quorum.

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

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **DAVID HOPE**

D. KAROL KAZMIERCZAK, TRUSTEE
(Applicant)

12-11-CZ8-2 (12-058)
Area 08/District 02
Hearing Date: 12/19/12

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:

Year	Applicant	Request	Board	Decision
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

MIAMI-DADE COUNTY

Date: June 26, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: C-08 #Z2012000058-1st Revision
Karol Kazmierczak as Trustee
2221 NW 95th Street
Non Use Variance to Permit a Single Family Residence Setback Less than Required from Property Lines
(RU-2) (0.19 Acres)
03-53-41

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

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

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by 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. The department does not object to the proposed use served by a septic tank and drainfield disposal system, provided that all the above criteria are met and connection is made to public water.

Stormwater Management
The existing additions will not affect the existing stormwater management system.

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

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

Tree Preservation
According to the site plan submitted with this zoning application, the proposal for a non use variance to approve reduced setbacks on the existing structures will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of Chapter 24 of the Code.

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

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

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

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

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

cc: Eric Silva, Department of Regulatory and Economic Resources

PH# Z2012000058
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: KAROL KAZMIERCZAK, TRUSTEE

This Department has no objections to this application.

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

Raul A Pino, P.L.S.
29-JUN-12

Memorandum

Date: 04-MAY-12

To: , Director
Department of Sustainability, Planning and Economic Enhancement

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2012000058

Fire Prevention Unit:

Not applicable to MDFR site requirements.

Service Impact/Demand

Development for the above Z2012000058
located at 2221 NW 95 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0638 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 2:30 minutes

Existing services

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

Station 7 - W Little River - 9350 NW 22 Avenue
Rescue, ALS Engine, Squad

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

Memorandum

MIAMI-DADE COUNTY

Date: May 14, 2012

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

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

Subject: Z2012000058: KAROL KAZMIERCZAK, TRUSTEE

Application Name: KAROL KAZMIERCZAK, TRUSTEE

Project Location: The site is located at 2221 NW 95 ST, Miami-Dade County.

Proposed Development: The applicant is requesting approval of non-use variance for setbacks on a residential lot.

Impact and demand: This application does not generate any new residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

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

DATE: 21-JUN-12

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

KAROL KAZMIERCZAK, TRUSTEE	2221 NW 95 ST, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2012000058

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC; No open cases. prior case opened March 24, 2011 for storing junk/trash and warning issued. On April 12, 2011 citation issued. Affidavit on non compliance June 23, 2011. Case forwarded to collection June 27, 2011. Accepted by remediation June 30, 2011 and placed on contractor list July 7, 2011. Lien accepted July 13, 2011, noil mailed July 14, 2011. Remediation complete August 5, 2011. Payment plan fulfilled September 26, 2011, case closed November 29, 2011. BNC; BSS case 20110147278-B opened August 29, 2011. Notice of Violation issued August 31, 2011 for 105.1 violation, to wit: rear addition at east unit and front porch built contrary to code 8-11(a) violation, to wit: crack at exterior wall of rear unit and broken windows. civil Violation Notice P006606,P006608 & P006609 issued on December 27, 2011 for non compliance. CVN's were paid on February 17, 2012. CVN's placed in abeyance due to change in ownership. Case closed on april 10, 2012. BSS case 20120151718-X opened March 26, 2012. Notice of violation issued on March 27, 2012 for expired permit 1993275987. Case remains open. BSS case 20110147347-X opened August 31, 2011. Notice of Violation issued on August 31, 2011 for expired permit 1993275987. March 26, 2011 permit in non compliance, change of ownership, new case opened 20120151718 to address violation. Case closed on march 30, 2012. BSS case 20120151558-B opened March 19, 2012. Notice of Violation issued on april 4, 2012 for 105.1 violations, to wit:rear addition and front porchh, 8-11(a) violation, to wit:exterior wall damage, missing/broken windows, electrical, plumbing and mechanical violations as per certificate of use report. Case remains open.

Karol Kazmierczak, Trustee

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

Memorandum

MIAMI-DADE COUNTY

Date: October 23, 2012

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

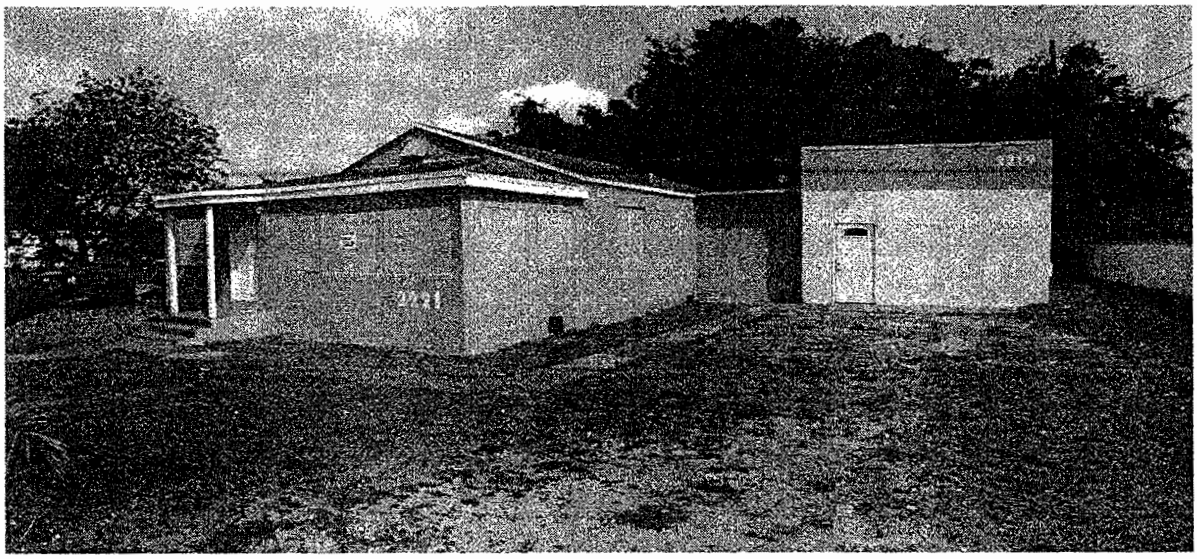
From: James Byers, Zoning Permitting Division Chief
Department of Regulatory and Economic Resources

Subject: Z2012000058

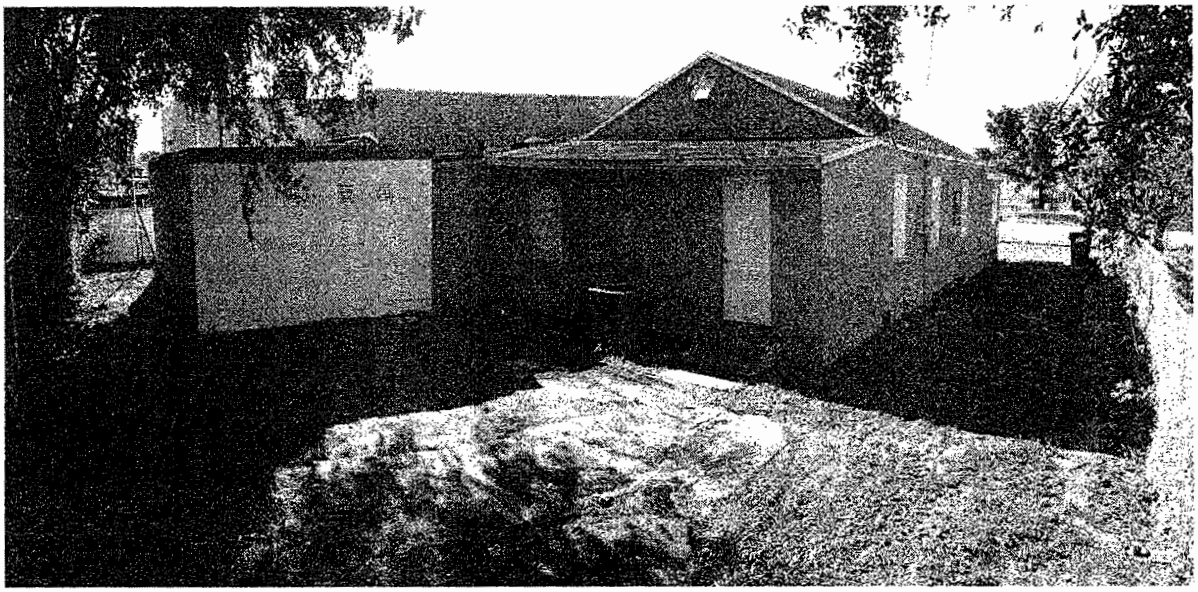
Zoning Inspector: Ralph Edwards
Inspection date: October 17, 2012
Location: 2221 NW 95 ST

The subject properties is a single family residential property located at 2221 NW 95 ST.

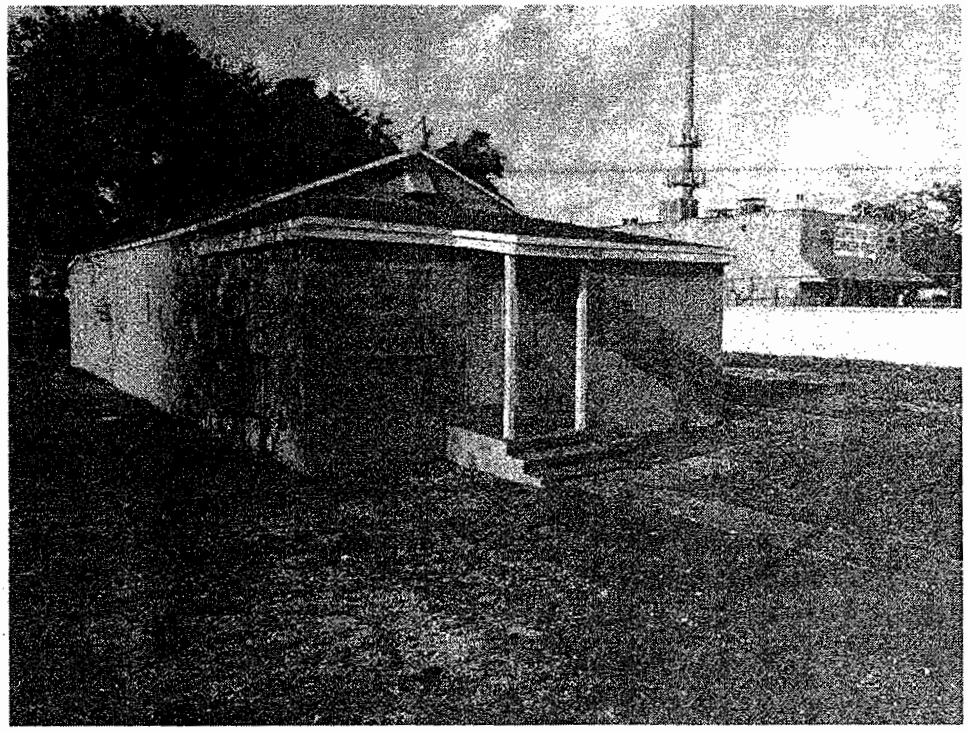
The subject property was inspected and has rear setback violations which they want to correct. No CU is required.



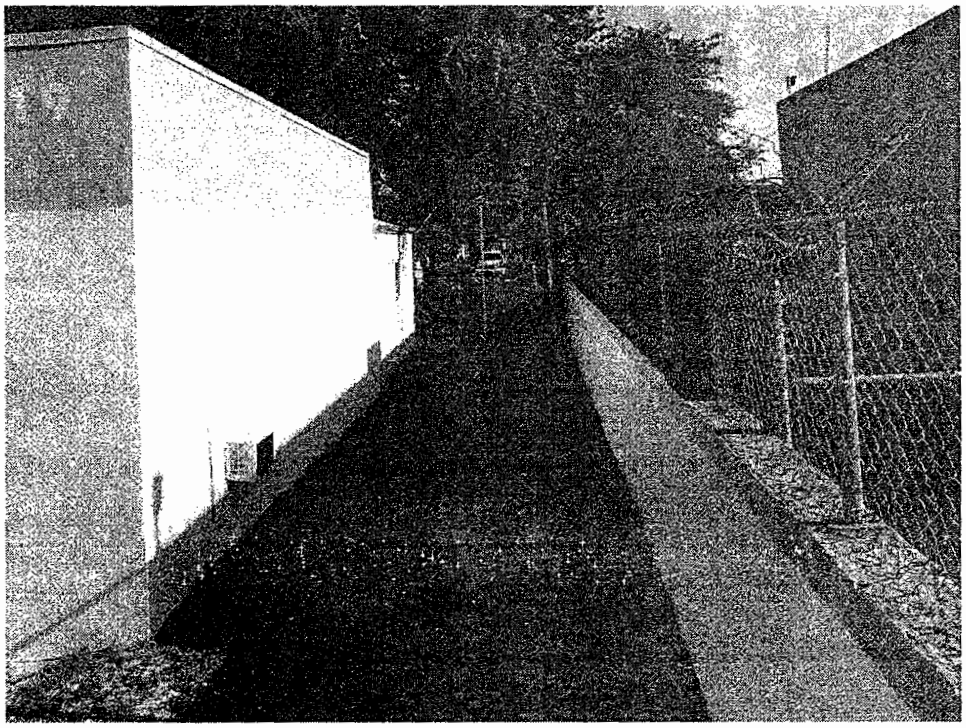
South Facade



North Facade



West Facade



East Facade

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: _____

NAME AND ADDRESS	Percentage of Stock

RECEIVED
12-038
APR 17 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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 KC FAMILY BENEFICIAL TRUST, U/D 09/04/2011

NAME AND ADDRESS	Percentage of Interest
KKC, LLC	100%
KAROL KAZMIERCZAK	100%

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: _____

NAME AND ADDRESS	Percentage of Ownership

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

RECEIVED
12-053
APR 17 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: AH

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: _____
(Applicant)

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

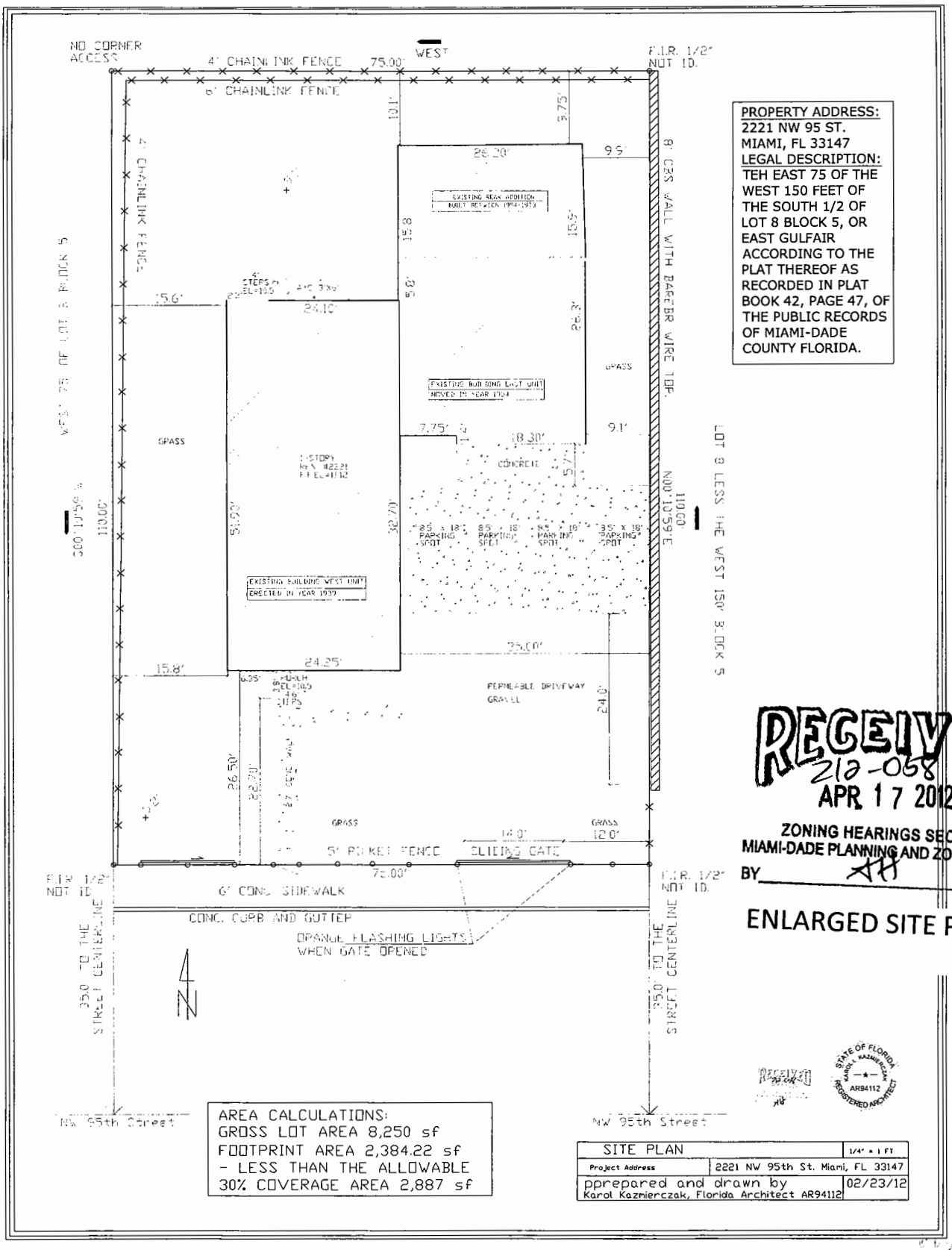
_____
(Notary Public)

My commission expires: May 10, 2013

CHRISSY L. ESCORCIA
Notary Public - State of Florida
My Comm. Expires May 10, 2013
Commission # DD 888080
Bonded Through National Notary Assn.
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.

RECEIVED



PROPERTY ADDRESS:
2221 NW 95 ST.
MIAMI, FL 33147
LEGAL DESCRIPTION:
TEH EAST 75 OF THE WEST 150 FEET OF THE SOUTH 1/2 OF LOT 8 BLOCK 5, OR EAST GULFAIR ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 42, PAGE 47, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA.

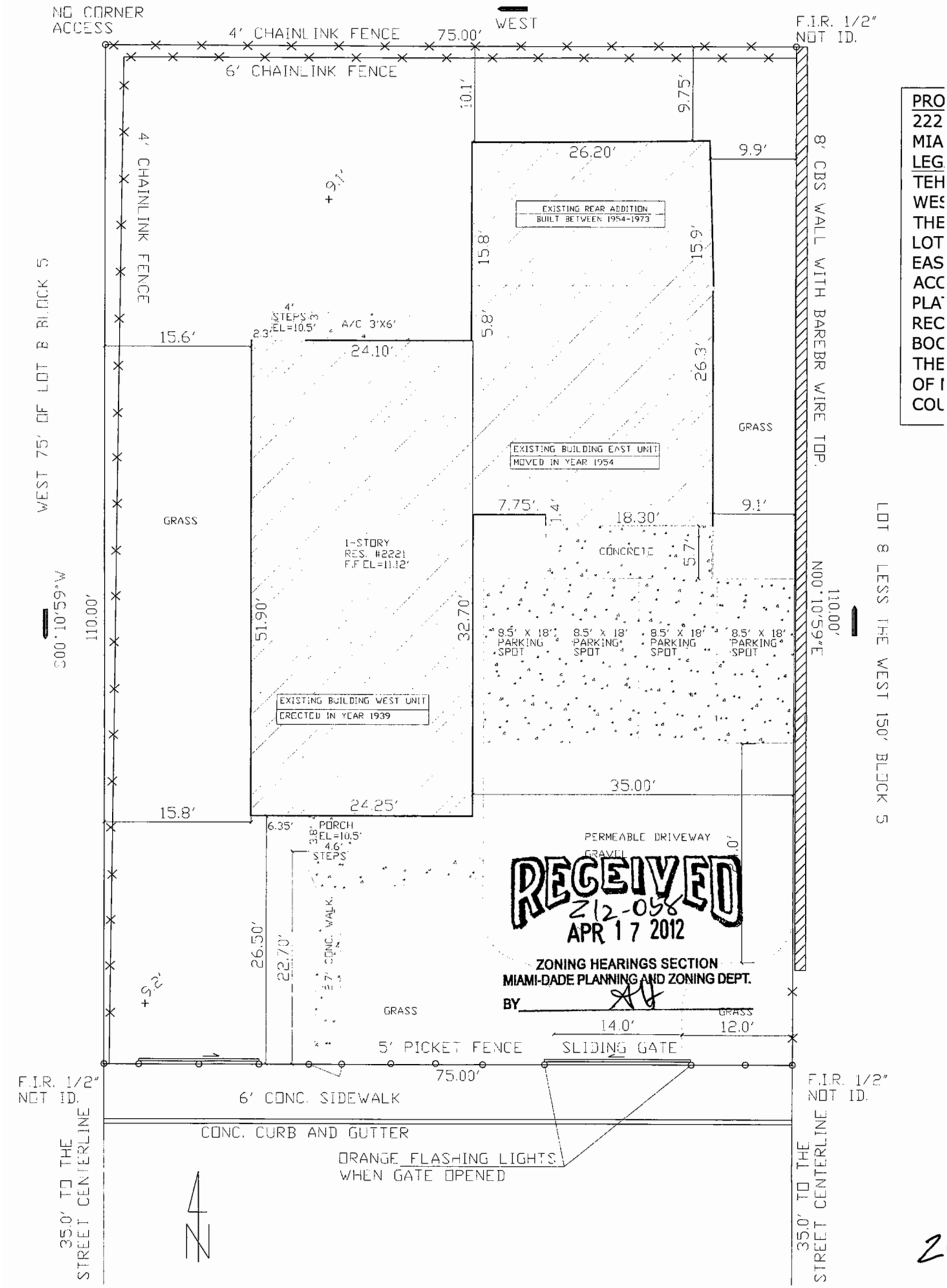
RECEIVED
212-058
APR 17 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ENLARGED SITE PLAN

AREA CALCULATIONS:
GROSS LOT AREA 8,250 sf
FOOTPRINT AREA 2,384.22 sf
- LESS THAN THE ALLOWABLE
30% COVERAGE AREA 2,887 sf

SITE PLAN	1/4" = 1 FT
Project Address	2221 NW 95th St. Miami, FL 33147
pprepared and drawn by Karol Kazmierczak, Florida Architect AR94112	02/23/12

STATE OF FLORIDA
KAROL KAZMIERCZAK
AR94112
REGISTERED ARCHITECT

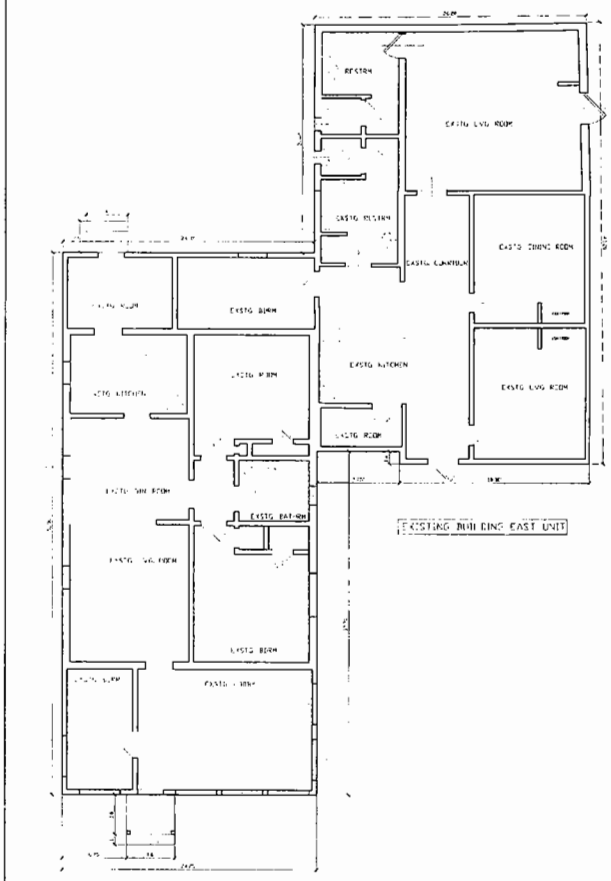


PRO
222
MIA
LEG
TEH
WES
THE
LOT
EAS
ACC
PLA
REC
BOC
THE
OF I
COU

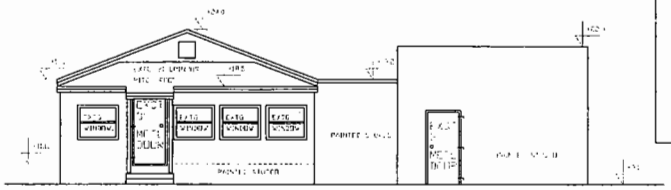
20

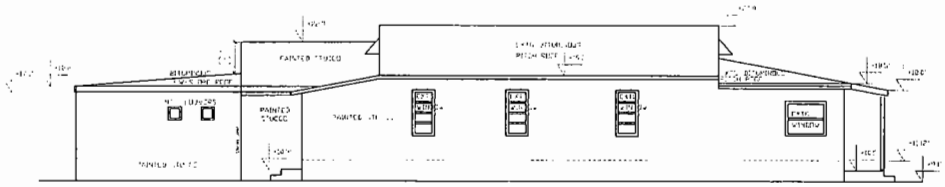
RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 212-058
DATE: APR 17 2012
BY: [illegible]

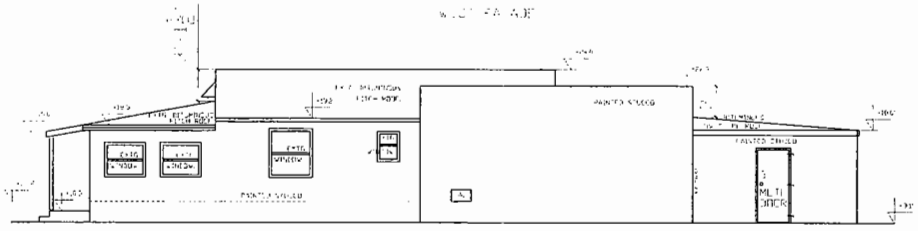
RECEIVED
212-058
APR 17 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

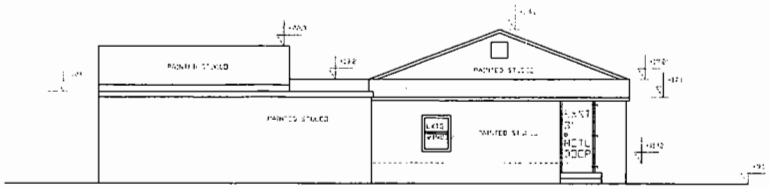


GROUND FLOOR PLAN







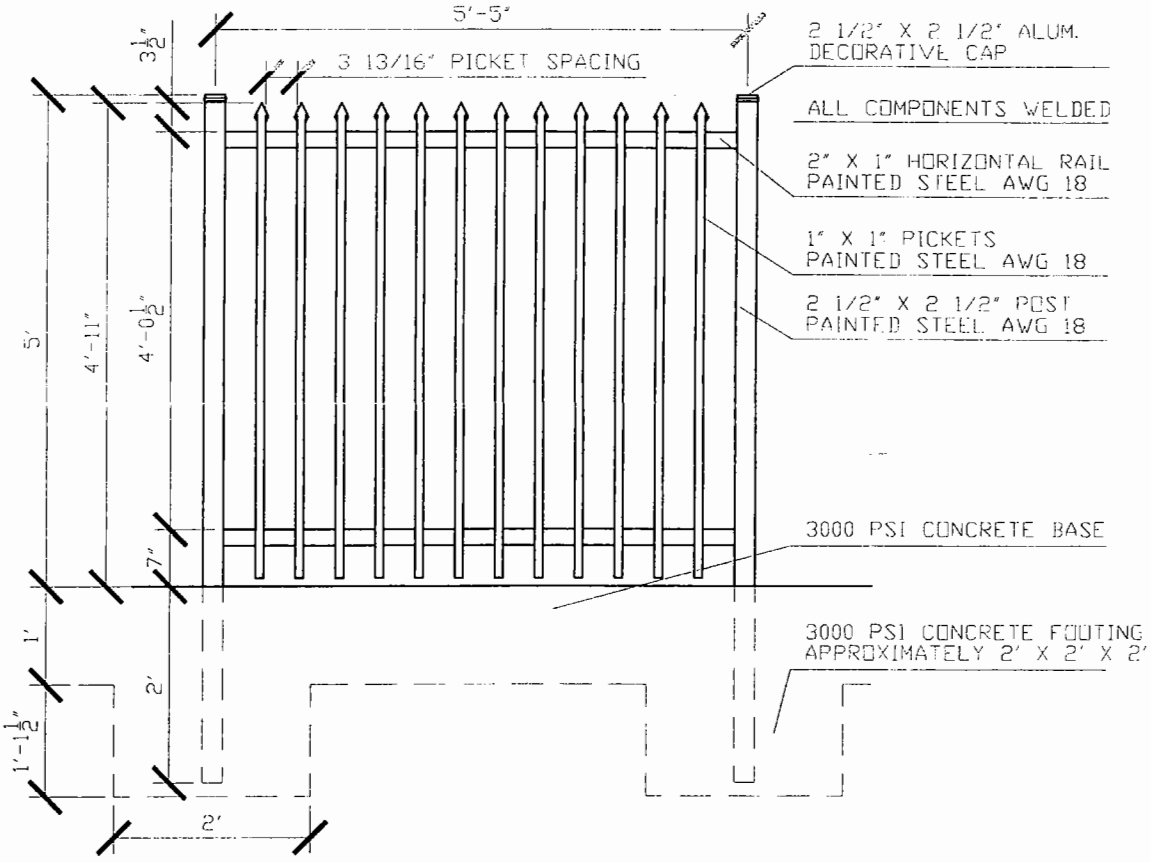


RECEIVED
APR 17 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

FACADES and FLOOR PLAN		1/4" = 1 FT
Project Address	2221 NW 95th St. Miami, FL 33147	
prepared and drawn by Karol Kazmierczak, Florida Architect AR94112		02/23/12

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z12-058
DATE: MAY 21 2012
BY: SDE

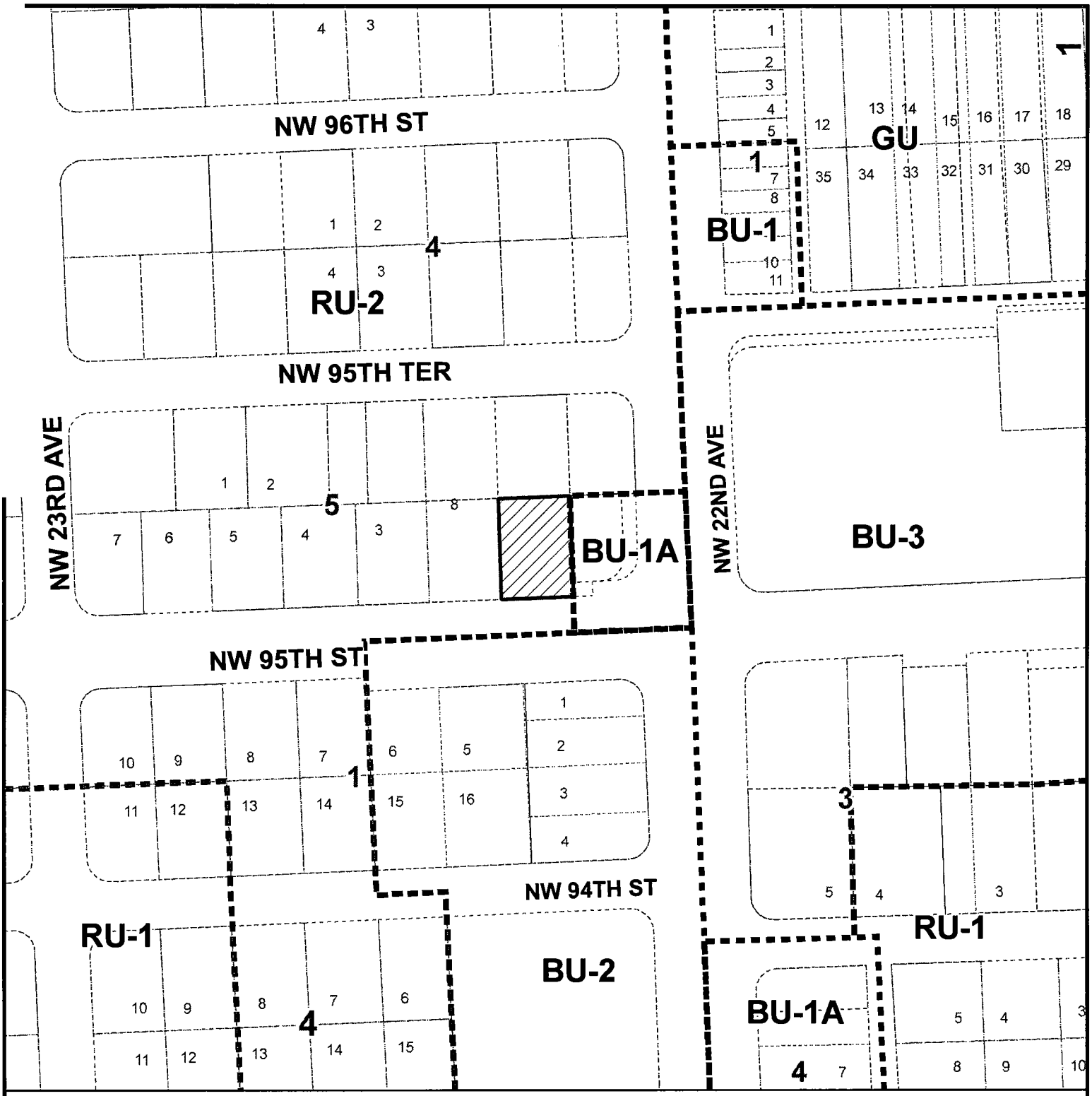
RECEIVED
Z12-058
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



STATE OF FLORIDA
KAROL L KAZMIERCZAK
AR94112
REGISTERED ARCHITECT

FENCE DETAIL DRAWING	2' = 1 FT
Project Address	2221 NW 95th St. Miami, FL 33147
pprepared and drawn by Karol Kazmierczak, Florida Architect AR94112	05/07/12

22



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000058

Section: 03 Township: 53 Range: 41
Applicant: KAROL KAZMIERCZAK, TRUSTEE
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, May 1, 2012

REVISION	DATE	BY
		23

MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2012000058

N
W E
S

Section: 03 Township: 53 Range: 41
Applicant: KAROL KAZMIERCZAK, TRUSTEE
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

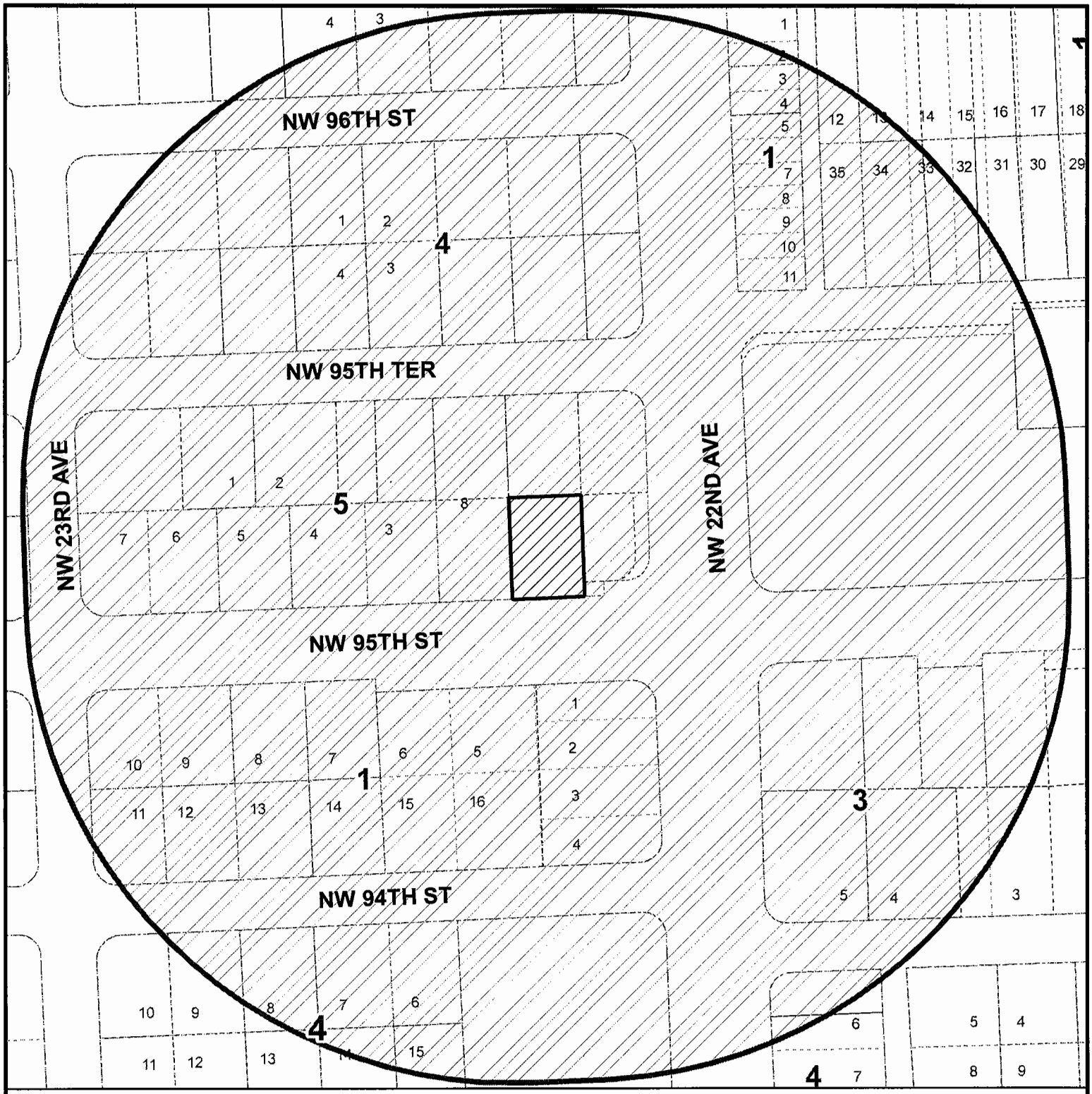
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, May 1, 2012

REVISION	DATE	BY
		24



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000058

RADIUS: 500

Section: 03 Township: 53 Range: 41
Applicant: KAROL KAZMIERCZAK, TRUSTEE
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

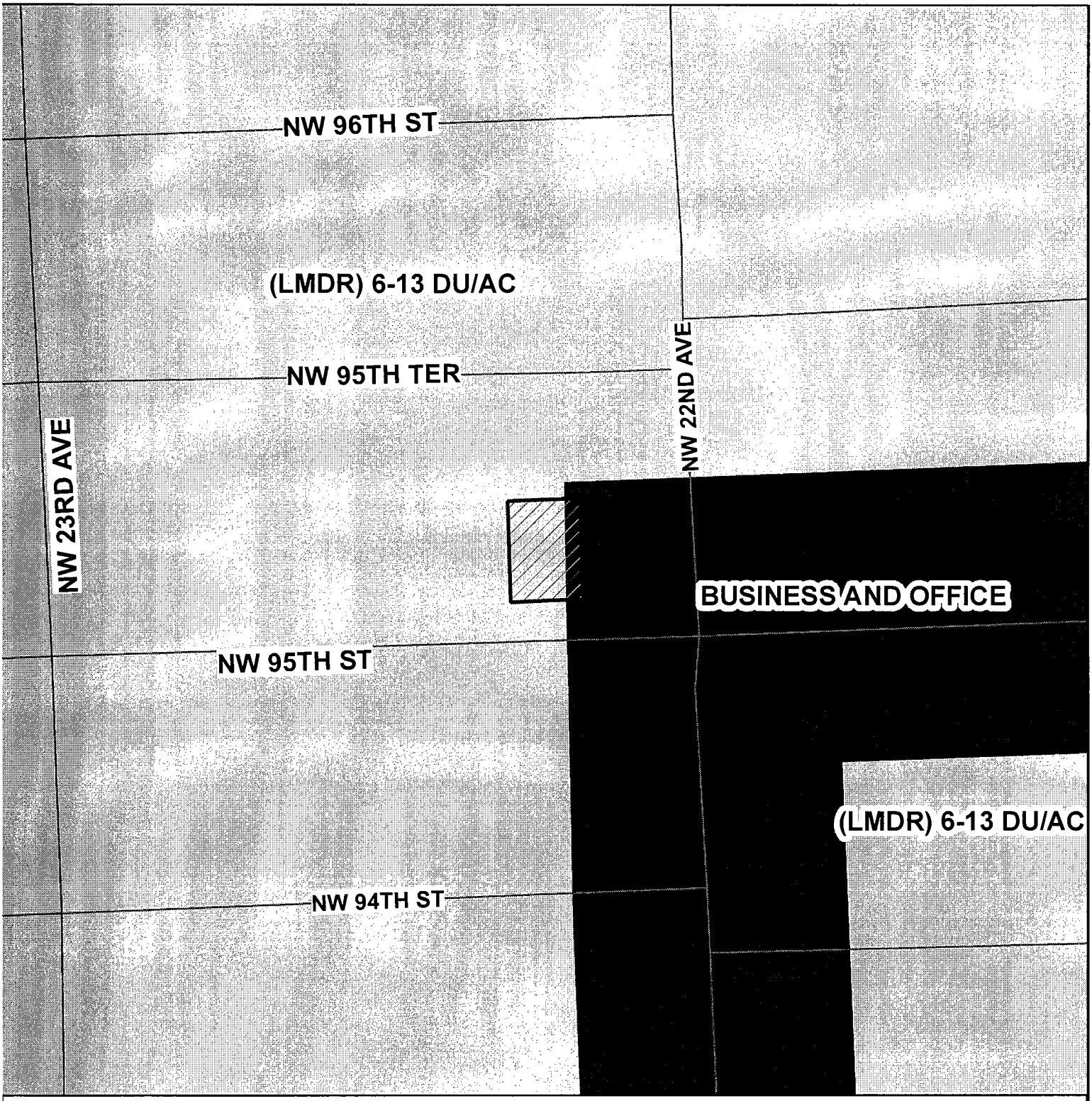
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, May 1, 2012

REVISION	DATE	BY
		25



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000058

N
W E
S

Section: 03 Township: 53 Range: 41
Applicant: KAROL KAZMIERCZAK, TRUSTEE
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, May 1, 2012

REVISION	DATE	BY

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

PH: Z12-091 (12-11-CZ8-3) **December 19, 2012**
Item No. E

Recommendation Summary	
Commission District	2
Applicant	Equitymax, Inc.
Summary of Requests	The applicant is seeking to permit existing additions to a single-family residence that encroach into the rear (north) and interior side (west) setback areas.
Location	1913 NW 86 Street, Miami-Dade County, Florida.
Property Size	4,350 sq. ft.
Existing Zoning	RU-1, Single-family Residential District
Existing Land Use	Single-family residence
2015-2025 CDMP Land Use Designation	Low Density Residential, 2.5 to 6 dua *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval with conditions.**

This item was deferred from the November 14, 2012 meeting of Community Zoning Appeals Board (CZAB) 8 due to a lack of quorum.

REQUESTS:

1. NON-USE VARIANCE to permit an existing addition to a single family residence setback from 17.7' (25' required) from the rear (north) property line.

2. NON-USE VARIANCE to permit a second existing addition to a single family residence setback from 4' (5' required) from the interior side (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Equitymax, Inc." as prepared by Carlos Tillan dated stamped received 7/16/12 for a total of 5 sheets.

PROJECT DESCRIPTION:

The plan submitted depicts the existing 1,289 sq. ft. single family residence including the existing additions encroaching into the rear (north) and interior side (west) setback areas on the substandard lot.

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

South	RU-1;single-family residence	Low Density Residential (2.5 to 6 dua)
East	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)
West	RU-1; single-family residence	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is an interior, sub-standard RU-1, Single-Family Residential District lot located on NW 86 Street. The area surrounding the subject property is primarily characterized by single-family residences.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to permit the existing additions to the residence. Although the existing additions provide the applicant with additional living area, staff opines that they may have a visual impact on the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the site for **Low Density Residential.** *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* The approval of the request sought in the 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. Since the applicant is not requesting to add additional dwelling units or change the single-family detached use, approval of the application with conditions is **consistent** with the density threshold of Low Density Residential Communities map of the CDMP LUP map designation and the CDMP land Use Element interpretative text under Residential Communities.

ZONING ANALYSIS:

Staff notes that the applicant submitted revised plans dated stamped received August 24, 2012, that are within the scope of the advertisement. When the applicant's requests to permit the single-family residence with an existing addition to the residence setback 17.7' (25' required) from the rear (north) property line (request #1) and setback 4', where 5' is required from the interior side (west) property line (request #2) are analyzed under the Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions of these requests would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the area. Staff opines that subject to the conditions, the 7.3' encroachment into the rear (north) setback area as well as the 1' encroachment into the interior side (west) setback area will not have a negative visual impact on the abutting properties located to the north and west. Staff notes that the survey and pictures submitted with this application indicate that the subject property is separated from the abutting properties to the north and west by a chainlink fence which staff opines does not mitigate the negative visual impact of the aforementioned encroachments. Therefore, as a condition for approval, staff

recommends that the applicant either installs an opaque, 6' high wall or fence or in addition to the existing fence, install a hedge to grow and be maintained at a maximum height of 7'.

Staff notes that the requests are not out of character with previous approvals of variances to the setback regulations in this area. For example, pursuant to Administrative Variance #V1985000079, a property located northwest of the subject property at 2044 NW 87 Street was approved to allow the residence to setback 18' (25' required) from the rear (south) property line. Additionally, pursuant to Resolution #4-ZAB-278-91, a property located south of the subject property, at 1953 NW 83 Street, was approved to allow a carport addition setback 4.75' (5.8' required) from the interior side (west) property line. However, in staff's opinion, the existing floor plan for the single-family residence could be easily converted by future owners to allow multiple residential uses on the property. Therefore, staff recommends as a condition for approval that the applicant provide a Declaration of Use that would restrict the property to a single family use only. Further, staff notes that the applicant has been cited by the Building and Neighborhood Compliance (BNC) Section of the Department of Regulatory and Economic Resources for construction without the required permits. As such, as a condition for approval of the application, staff recommends that the applicant obtain the applicable permits for the additions and that the applicant complies with all the requirements set forth in the attached Departments' memoranda. **Staff therefore, recommends approval with conditions of requests #1 and #2 under the Section 33-311(A)(4)(b), Non-Use Variance standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the 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 "Equitymax, Inc." as prepared by Carlos Tillan dated stamped received 8/24/12 for a total of 4 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.

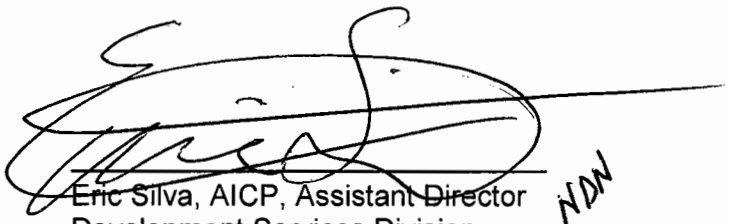
3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant obtain a building permit for all non-permitted additions on the property where applicable from the Department of Regulatory and Economic Resources.

5. That the applicant submits a Declaration of Use to the Department of Regulatory and Economic Resources restricting the use of the subject property only to a single family residence prior to the issuance of a building permit.

6. That the applicant installs an opaque 6' high fence, wall, or a hedge, 3' high at the time of planting, to grow to and be maintained at a height of 6' along the rear (north) property line as a visual buffer.

ES:MW:NN:JC:CH



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

ZONING RECOMMENDATION ADDENDUM

Equitymax, Inc.
Z12-091

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental Resource Management (RER)	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 comment
*Subject to conditions in their memorandum.	

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

Low-Density Residential (Pg. I-31)	*The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

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

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

#3

APPLICANT'S NAME: **EQUITYMAX, INC.**

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
12-11-CZ8-3 (12-091)	November 14, 2012	CZAB8		12

REC: Approval with conditions.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: December 19, 2012 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

■ OTHER: Deferred due to a lack of quorum.

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

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **DAVID HOPE**

E. EQUITYMAX INC
(Applicant)

12-11-CZ8-3 (12-091)
Area 08/District 02
Hearing Date: 12/19/12

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 ☐

If so, who are the interested parties? **Equitymax Inc.**

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
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

MIAMI-DADE COUNTY

Date: August 3, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: #Z2012000091
Equity Max, Inc.
1913 NW 86th Street
Non Use Variance to Permit Less Setbacks than Required
(RU-1) (99 Acres)
10-53-41

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

Flood Protection:
The application site is not within a Special Flood Hazard Zone as per determined by the Federal Flood Insurance Rate Maps (FIRM) for Miami-Dade County. The County flood criterion for this site is 6.0 ft NGVD. The proposed addition as depicted in the zoning request for a variance of set backs appears to be a substantial improvement matching the elevation of the existing single family residence, as defined in Chapter 11C of the Code.

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

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

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

The subject property does not meet the minimum allowable lot size requirements of Section 24-43.1(3) of the Code for a single-family residence or duplex served with a septic tank and public water. Pursuant to Section 24-43.1(3), the minimum lot size for a single family residence or duplex served by public water and a septic tank shall be 15,000 square feet (gross) or 20,000 square feet (gross), respectively. However, if it can be demonstrated that the legal subdivision, creating such tract of land, occurred prior to the effective date of the requirement, the subject property is grandfatherable. The Department does

not object to the proposed use served by a septic tank and drainfield disposal system, provided that all the above criteria are met and connection is made to public water.

Stormwater Management
The areas to be legalized will not affect the existing stormwater management system.

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

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

Tree Preservation
The proposal of the additions will not impact tree resources. Therefore, the Tree Permitting Program has no objection to this zoning application, however be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

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, Department of Regulatory and Economic Resources

PH# Z2012000091
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: EQUITYMAX INC

This Department has no objections to this application.

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

Raul A Pino, P.L.S.
03-AUG-12

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW # Z12-091
Equity Max Inc.

Application: ***Equity Max Inc*** is requesting a non-use variance for an interior setback on the property to permit a carport and a rear setback for a terrace enclosure. The property is zoned in a single family residential area.

Size: The subject property is approximately 0.1 acres (4,350 square feet).

Location: The subject property is located at 1913 NW 86th Street in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The single-family residence on the property meets the County Code definition of "residential unit." As such, according to Chapter 15 of the Miami-Dade Code entitled Solid Waste Management, the residential unit on the property currently receives, and shall continue to receive **PWWM** waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWM solid waste collection service area.

3. Recycling

The PWWM provides curbside recycling services to **residential units** located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained by calling the Department's Public Information & Outreach Division at 305-594-1500 or 305-514-6714.

Applicants are ***strongly*** advised to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store their recycling carts).

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends").
b. "T" shaped turnaround 60 feet long by 10 feet wide.
c. Paved throughway of adequate width (minimum 15 feet).

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWMD has no objections to the proposed application.**

Memorandum

Date: 09-AUG-12

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2012000091

Fire Prevention Unit:

Not applicable to MDFR site requirements.

Service Impact/Demand

Development for the above Z2012000091
located at 1913 NW 86 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0794 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:18 minutes

Existing services

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

Station 7 - W Little River - 9350 NW 22 Avenue
Rescue, ALS Engine,

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

Memorandum

MIAMI-DADE COUNTY

Date: August 13, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: Z2012000091: EQUITYMAX INC

Application Name: EQUITYMAX INC

Project Location: The site is located at 1913 NW 86 ST, Miami-Dade County.

Proposed Development: The applicant is requesting approval for variances to setbacks for an existing single family residence.

Impact and demand: This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

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, Parks Property Management Supervisor

DATE: 30-JUL-12

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

EQUITYMAX INC	1913 NW 86 ST, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2012000091

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC; No open cases. BNC: BSS case 20090128448-B opened on February 24, 2009. Notice of Violation issued on February 25, 2009 for Failure to obtain required building permit(s) prior to commencing work on:Attached addition at rear carport enclosure and new windows. Civil Violation Notice B075013 was issued on August 13, 2009. CVN was appealed and hearing held on September 5, 2010, at hearing property owner was found guilty and given 30 days to comply. Final Notice of Intent to Lien/Demand for payment was issued on July 7, 2011. Ownership changed on October 20, 2011, cvn paid on February 24, 2012 and new case 20120148360-B opened. BSS case 20120148360-B opened on October 20, 2011. Notice of Violation issued on October 20, 2011 for failure obtain required building permit(s) prior to commencing work on:Attached addition at rear carport enclosure and new windows. Civil Violation Notice P007245 was issued on February 3, 2012 for non compliance. CVN was appealed on February 15, 2012, hearing was withdrawn on July 18, 2012. Case remains open. BSS case 20120150623-B opened on February 3, 2012. Notice of Violation issued on February 3, 2012 for Failure to obtain required building permit(s) prior to cmmencing work on: Security cameras. Violation was corrected, permit 2012034542 obtained. Case closed on April 26, 2012.

EquityMax Inc

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

Memorandum

MIAMI-DADE COUNTY

Date: October 23, 2012

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

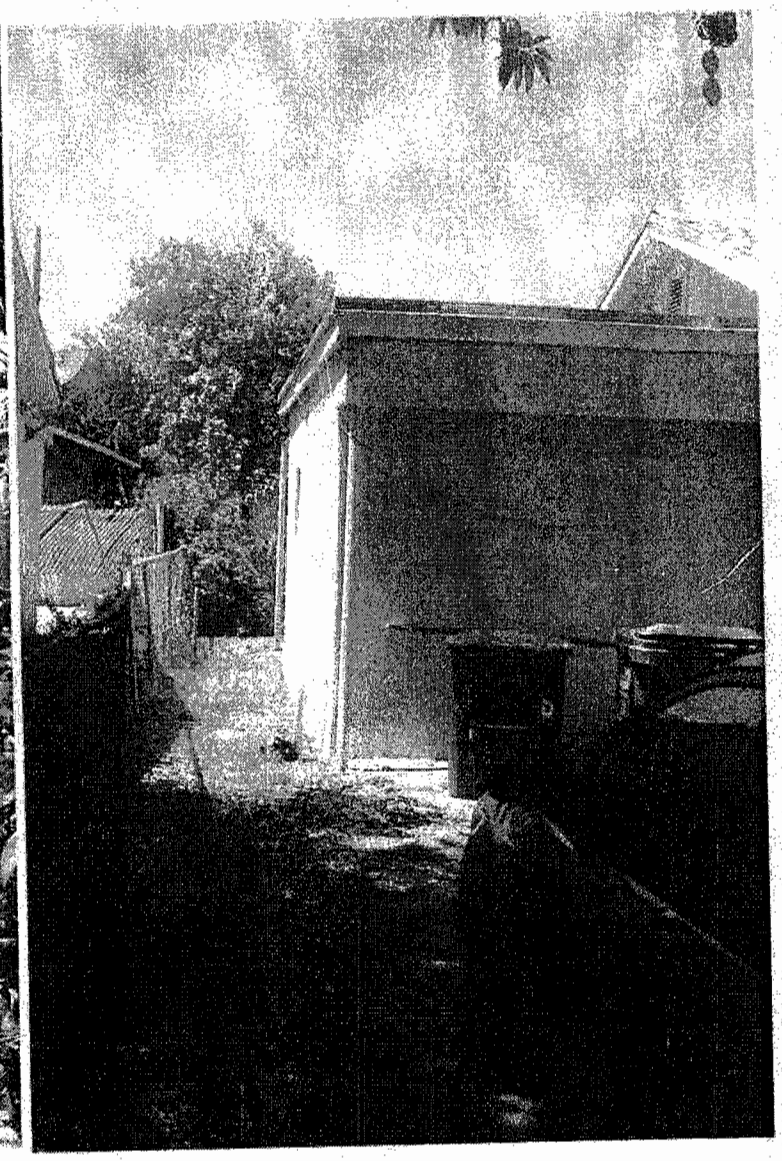
From: James Byers, Zoning Permitting Division Chief
Department of Regulatory and Economic Resources

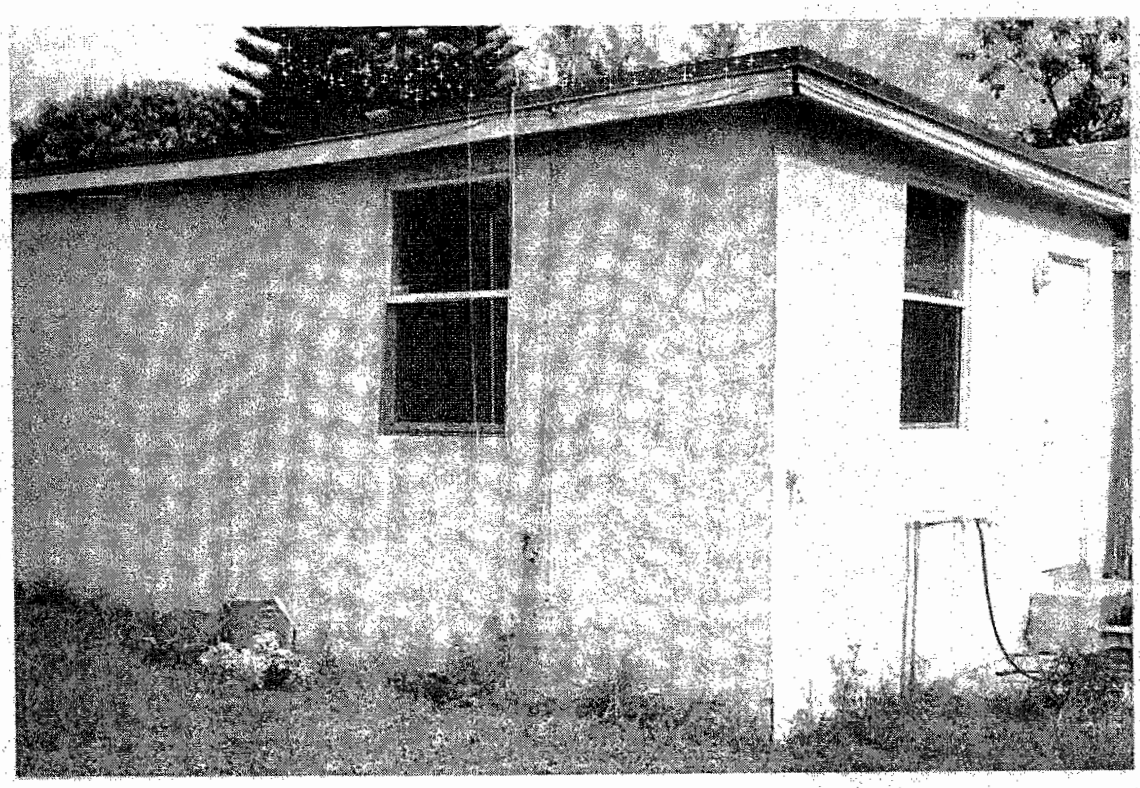
Subject: Z2012000091

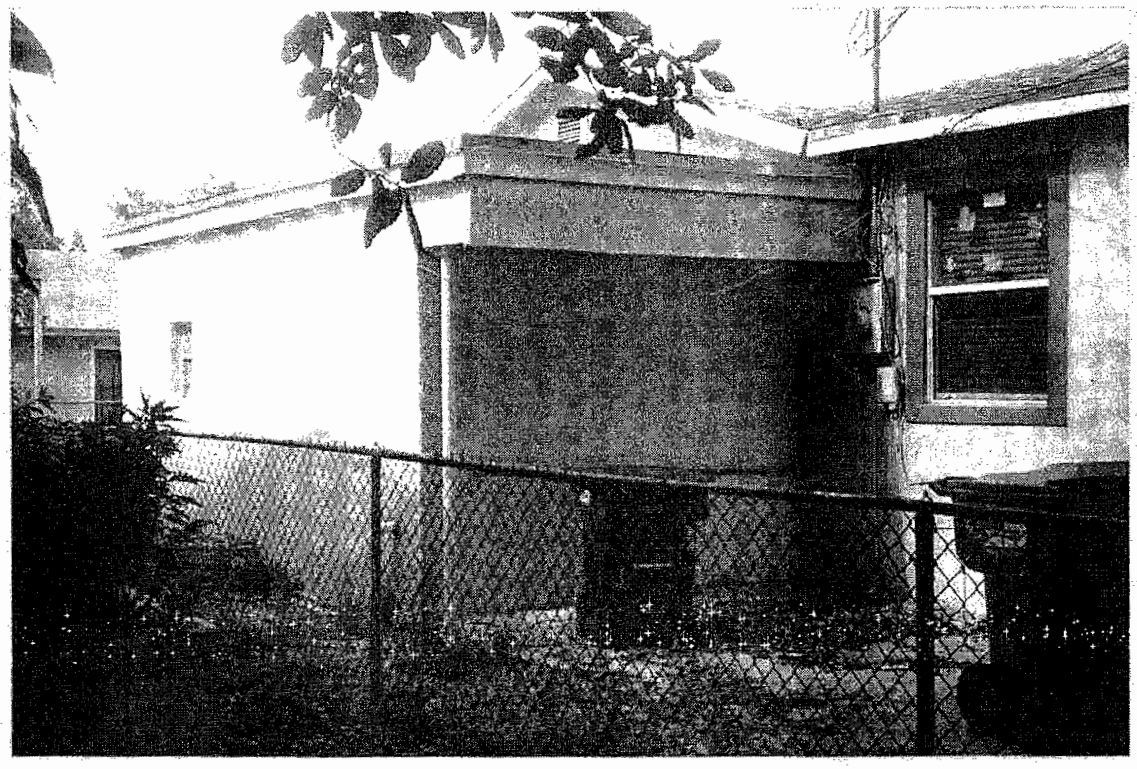
Zoning Inspector: Ralph Edwards
Inspection date: October 17, 2012
Location: 1913 NW 86 ST

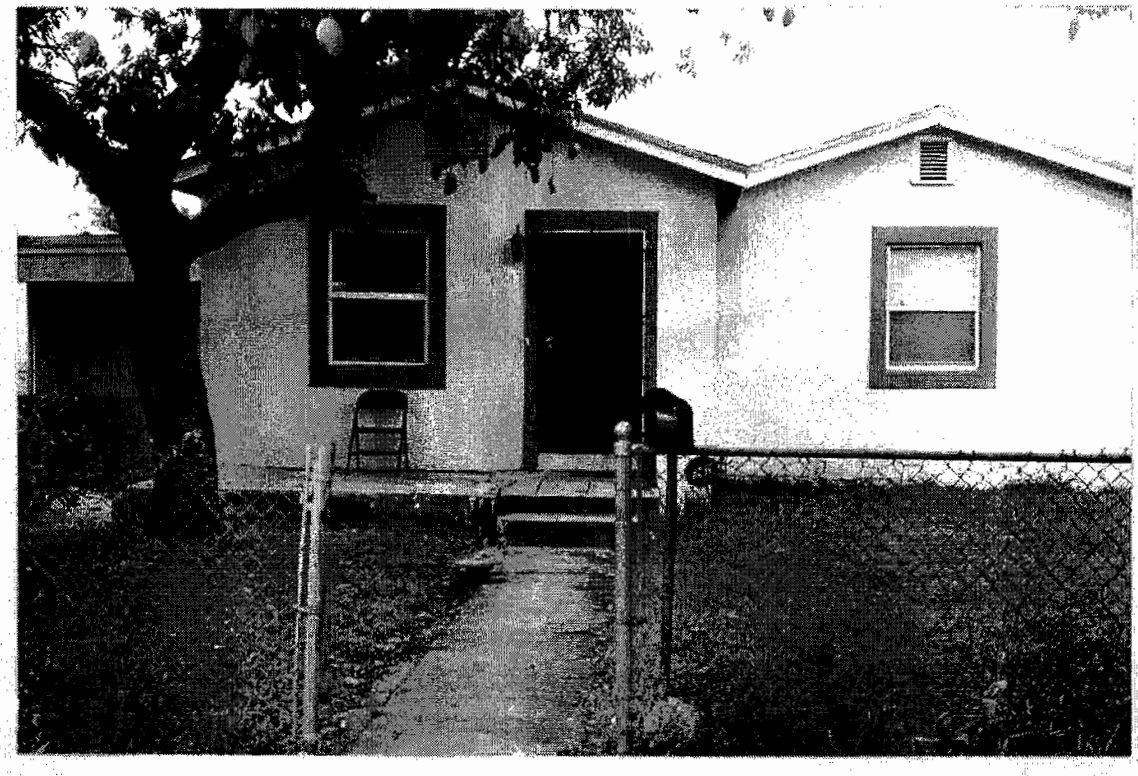
The subject properties is a single family resident located at 1913 NW 86 ST.

The subject property was inspected and has rear setback violation.









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: EQUITYMAX, INC.

NAME AND ADDRESS	Percentage of Stock
BRAD EMMER 20 Bay Colony Lane Ft Lauderdale, FL 33308-2004	100 %

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 _____

NAME AND ADDRESS	Percentage of Interest

RECEIVED
2-2-0911
AUG 24 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

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: _____

NAME AND ADDRESS	Percentage of Ownership

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

RECEIVED
2.12.09
AUG 24 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

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: _____
(Applicant)

Sworn to and subscribed before me this 3 day of July 20 12 Affiant is personally know to me or has produced I.D. as identification.

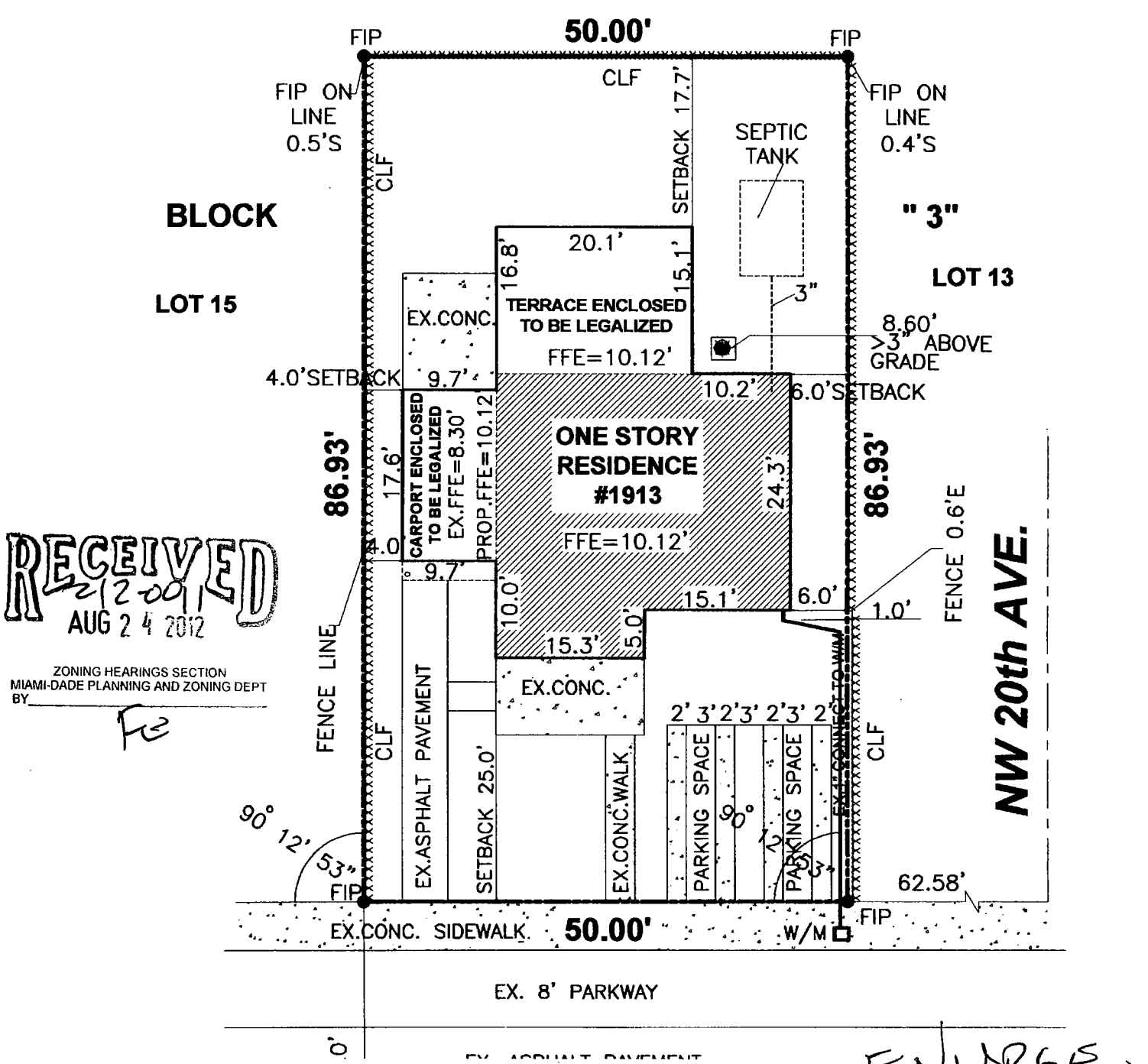
HILDA E. GARCIA
MY COMMISSION # DD 980820
EXPIRES: April 11, 2014
Bonded Thru Notary Public Underwriters

_____
(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.

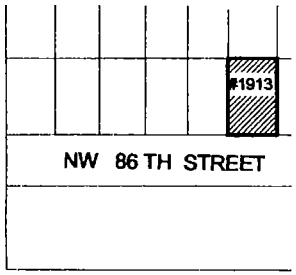
22



RECEIVED
2120091
AUG 24 2012

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

ENLARGE SITE PLAN



LOCATION SKE

N1

LEGAL DESCI

LOT 14,BLOCK 3 EVERGLADES AVENUE
PLAT THEREOFF, PRECORDED PB 19, P
FLORIDA RECORDS.

PROPERTY AD

1913 NW 86 ST
MIAMI, FL. 33147

BUILDING CRITE

LOT GROSS AREA
EX HOUSE TO REMAIN
AREA TO BE REMODELING & TO BE

TOTAL AREA

% LOT COVER HOUSE

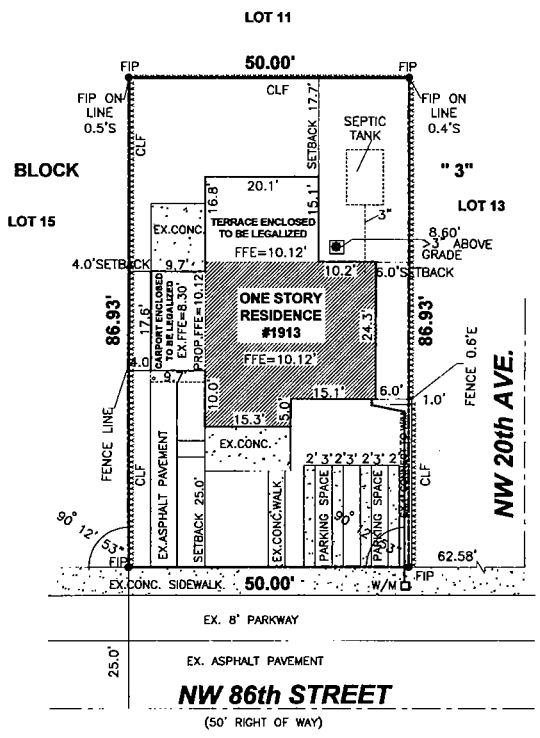
ZONING LEGEND

ZONING:
HEIGHT (to ridge of roof):
GROSS LAND AREA
SETBACKS: FRONT
SIDE RIGHT
SIDE LEFT
REAR

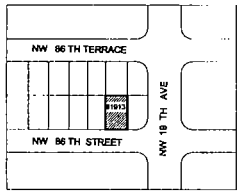
FLOOD ZONE

RECEIVED
12-091
AUG 2 4 2012

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



SITE PLAN
SCALE: 1:" 10'



LOCATION SKETCH
NTS

LEGAL DESCRIPTION

LOT 14,BLOCK 3 EVERGLADES AVENUE HEIGHTS 2 ADDITION ACCORDING TO THE PLAT THEREOFF, PRECORDED PB 19, PAGE 59 PUBLIC RECORDS MIAMI DADE COUNTY FLORIDA RECORDS.

PROPERTY ADDRESS

1913 NW 86 ST
MIAMI, FL 33147

BUILDING CRITERIA

LOT GROSS AREA	4,347SF
EX.HOUSE TO REMAIN	815 SF
AREA TO BE REMODELING & TO BE LEGALIZED	474 SF
TOTAL AREA	1,289 SF
% LOT COVER HOUSE	29 %

ZONING LEGEND

	REQ.	PROV.
ZONING:		
HEIGHT (to ridge of roof):	25'	14'-0"
GROSS LAND AREA	4,347 S.F.	
SETBACKS: FRONT	25'-0"	25'-0"
SIDE RIGHT	5'-0"	6'-0"
SIDE LEFT	5'-0"	4'-0"
REAR	25'-0"	17'-7"

FLOOD ZONE

THIS IS NOT A FLOOD HAZARD ZONE
FLOOD ZONE: X
BASE FLOOD ELEV: N/A
SUFFIX: L
PANEL: 1209B0301
COMMUNITY #: 120635
LOWEST ADJ. GRADE 8.20'
HIGHEST ADJ. GRADE 8.40'
PROP.LOWEST ELEV.MACHINARY: 8.60'
CR-R=8.44 CR-L=8.83'
* BASE FLOOD ELEV MIAMI DADE COUNTY: ZONE AH 0.00

APPROXIMATE AMOUNT TO THE WORKS:$ 22,278

THERE ARE NOT PERTINENT FEATURES ON ADJACENT PROPERTIES AND ACROSS THE STREET THAT MAY AFFECT THE SYSTEM INSTALLATIONS. OR ASPHALT.

LEGEND:
TO BE REMODELING AND TO BE LEGALIZED
EXISTING TO REMAIN HOUSE

FLOOD LEGEND

ADDRESS: 1913 NW 86 ST MIAMI, FL 33147

LEGAL DESCRIPTION

LOT 14,BLOCK 3 EVERGLADES AVENUE HEIGHTS 2 ADDITION ACCORDING TO THE PLAT THEREOFF, PRECORDED PB 19, PAGE 59 PUBLIC RECORDS MIAMI DADE COUNTY FLORIDA RECORDS.

	LOWEST FLOOR ELEV.EX.HOUSE	GARAGE FLOOR ELEVATION	ADJACENT GRADE ELEVATION
EX.HOUSE TO REMAIN	+10.12' FT.NGVD	N/A	8.20 FT.NGVD
ENCLOSED AREAS TO BE LEGALIZED.	+10.12' FT.NGVD	N/A	8.20 FT.NGVD

CROWN OF ROAD=8.40'

ALL ELECTRICAL, MECHANICAL AND PLUMBING WILL BE PLACE AT OR ABOVE THE BASE FLOOD ELEVATION. (B.F.E.)

ALL AREAS BELOW B.F.E. SHALL BE PROVIDE WITH A MINIMUN OF TWO (2) OPENINGS HAVING A TOTAL NET AREA OF NO LESS THAN ONE SQUARE INCH OF OPENING FOR EVERY SQUARE FOOT OF ENCLOSED AREA SUBJECT TO FLOODING. THE BOTTOM OF THE OPENING WILL BE NO HIGHER THAN ONE (1) FOOT ABOVE GRADE AND LOCATED ON DIFFERENT SIDES OF THE ENCLOSED AREA. OPENINGS WILL BE EQUIPPED WITH SCREENS OR LOUVERS. FLOOD RESISTANT MATERIALS WILL BE USED BELOW B.F.E.

ALTERNATIVELY, SEE A CERTIFICATION MARIO PRATS JR &ASSOCIATES. NOTES INDICATING THAT THE DESIGN WILL BE ALLOWED FOR THE AUTOMATIC EQUALIZATION OF HYDROSTATIC FLOOD FORCES ON EXTERIOR WALLS.

THE SITE WILL BE GRADE IN A MANNER TO PREVENT THE FLOODING OF ADJACENT PROPERTIES, WHERE NECESARY INTERCEPTOR SWALES WILL BE CONSTRUCTED ON SITE WHIT NO ENCROACHMENT OVER ADJACENT PROPERTIES.

SITE GENERAL NOTES

1. BEFORE SUBMITTING BIDS, THE CONTRACTOR SHALL VISIT THE SITE AND INFORM THEMSELVES AS TO THE LOCATION, NATURE OF THE WORK, EQUIPMENT AND FACILITIES NEEDED, GENERAL AND LOCAL CONDITIONS PREVAILING AT THE SITE, AND ALL MATTERS WHICH MAY AFFECT THE WORK UNDER THIS CONTRACT.
2. CLEAR AND GRUB PREMISES OF ALL SUBTERRANEAN OR SURFACE MATERIALS CANAL DREDGING MATERIAL, GROWTH AND THE LIKE AS REQUIRED TO REMOVE ANY OBSTRUCTION TO THE WORK INDICATED ON DRAWINGS WITHIN CLEARING AND GRADE LIMITS.
3. GRUB ENTIRE CONSTRUCTION AREA OF ANY GRASS, WEEDS AND PLANTS EXCEPT PROTECT ANY TREES INDICATED TO REMAIN ANY STONE, STUMPS AND ROOTS LARGER THAN 1 INCH IN DIAMETER SHALL BE REMOVED TO A DEPTH NOT LESS THAN 18 INCHES BELOW ORIGINAL GRADE LEVEL.
4. DIG ALL EXCAVATION FOR CONTINUOUS WALL FOUNDATIONS WITH SQUARE CORNERS LEVEL BOTTOMS AND TO TRUE DIMENSIONS AS SHOWN IN PLANS. FORMS FOR FOUNDATIONS WILL BE REQUIRED WHEN EXCAVATIONS ARE NOT CLEAN CUT OR CAVERNS OCCUR. REMOVE STUMPS AND ROOTS PROTRUDING THROUGH OR APPEARING ON THE SURFACE OF THE EXCAVATIONS. EXTEND EXCAVATIONS FOR FOUNDATIONS TO ELEVATIONS SHOWN ON DRAWINGS.
5. MAKE EXCAVATIONS REQUIRING FORMING LARGE ENOUGH TO ALLOW FOR THE INSTALLATIONS OF SERVICES AND FOR INSPECTIONS.
6. SOIL SHALL BE TREATED AGAINST SUBTERRANEAN TERMITES BY A RELIABLE AND ESTABLISHED LICENSED TERMITE CONTROL FIRM THOROUGHLY FAMILIAR WITH LOCAL SOILS AND CHEMICALS. AREA TO BE TREATED SHALL INCLUDE ALL THE BUILDING CONSTRUCTION AREA AND ALONG SIDE OF BUILDING FOUNDATIONS.
7. ALL BUILDINGS SHALL HAVE PRE-CONSTRUCTION TREATMENT PROTECTION AGAINST SUBTERRANEAN TERMITES AS PER F.B.C 1816.1.7. A CERTIFICATE OF COMPLIANCE SHALL BE ISSUED TO THE BUILDING DEPARTMENT BY THE LICENSED PEST CONTROL COMPANY THAT CONTAINS THE FOLLOWING STATEMENT: THE BUILDING HAS RECEIVED A COMPLETE TREATMENT FOR THE PREVENTION OF SUBTERRANEAN TERMITES. TREATMENT IS IN ACCORDANCE WITH THE RULES AND LAWS ESTABLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

SCOPE OF WORK:

- CARPORT AND TERRACE ENCLOSED TO BE LEGALIZED..
- LEFT SIDE CARPORT ENCLOSED TO BE LEGALIZED,THE F.F TO BE RAISED TO MATCH WITH F.F IN EXISTING HOUSE. THE ROOF IN THIS AREA TO BE RAISED 12"
- NEW LANDINGS TO BE BUILT AT FRONT EXTERIOR DOORS.
- THE LAUNDRY CLOSET TO BE REMODELING. THE EQUIPMENTS TO BE RELOCATED INSIDE THE SAME AREA.(INSIDE CARPORT ENCLOSED)
- THE WINDOW IN BATHROOM TO BE LEGALIZED, TO BE REMOVED AND A NEW WINDOW TO BE PLACED.(INSIDE TERRACE ENCLOSED)
- IN CARPORT ENCLOSED TO BE LEGALIZED A NEW DOOR AND WINDOW TO BE PLACED. THE EXISTING SMALL WINDOWS IN THIS AREA TO BE REMOVED.
- NEW INSTANT WATER HEATER TO BE INSTALLED.
- BATHROOM AND W.I.C TO BE LEGALIZED INSIDE TERRACE ENCLOSED.
- THE EXTERIOR DOOR IN TERRACE ENCLOSED TO BE LEGALIZED (BEDROOM) WILL BE REMOVED AND THE OPENING WILL BE CLOSED. THE STEPS AT FRONT OF THIS DOOR TO BE DEMOLISHED TOO.
- NOTE: THERE ARE SMOKE DETECTORS REQUIRED IN THIS HOUSE.

12-091
RECEIVED
AUG 2 4 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY FB

Revisions

ENCLOSED AREAS TO BE LEGALIZED
1913 NW 86th ST
MIAMI , FL, 33147

OWNER: EQUITYMAX INC.

P.E. LIC.# 68869
11214 SW 156 PL
MIAMI, FL, 33196
Ph: (305) 527 9041

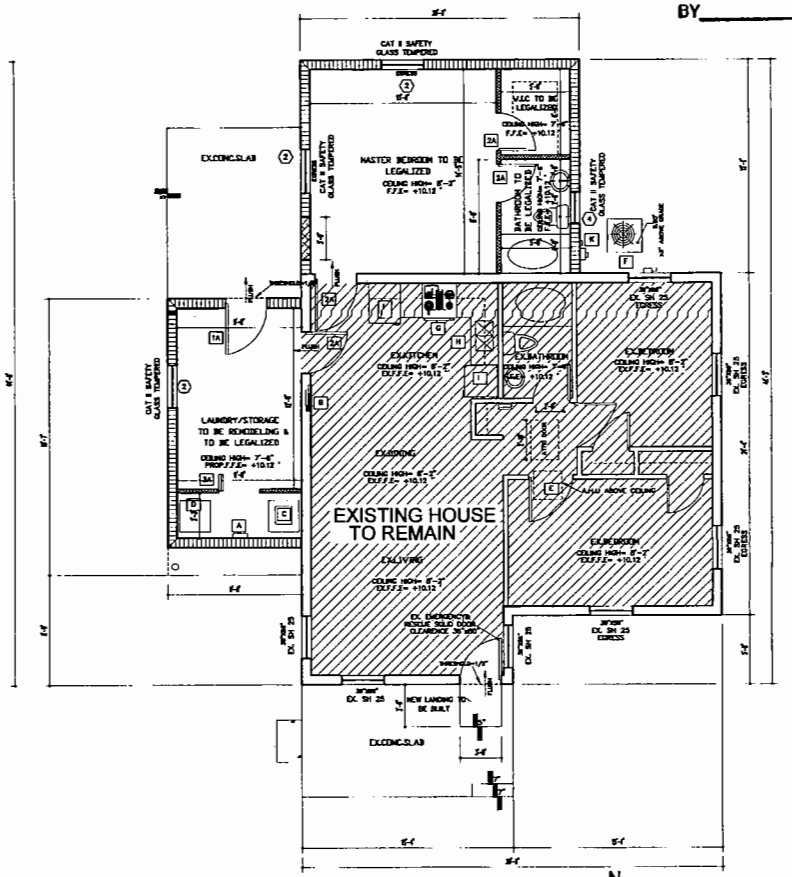
Job No. 006
Date: 05/04/2012
Scale: 1/4"=1'
Seal
1 OF 4

SP.1.1

RECEIVED
12-091
AUG 24 2012

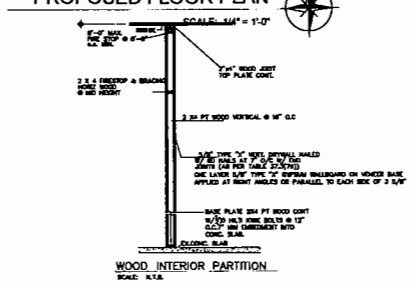
24

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



PROPOSED FLOOR PLAN

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



SCALE: N.T.S.

WALL LEGEND:

- INDICATES EXISTING CBS WALL TO REMAIN
- INDICATES CBS WALL TO BE LEGALIZED
- INDICATES EXISTING STUDS PARTITION TO REMAIN
- INDICATES PARTITIONS TO BE LEGALIZED
- INDICATES NEW CBS WALL

LEGEND:

- EXISTING HOUSE TO REMAIN
- AREA TO BE LEGALIZED AND TO BE REMODELING

EXISTING FIXTURES	
A	INSTANT WATER HEATER
B	BREAKER PANEL
C	WASHER
D	DRYER
E	A.H.U.
F	C.U.
G	RANGE
H	SINK
I	REFRIGERATOR
J	MICROWAVE
K	ELECTRIC METER

PROPOSED AREA	
EX HOUSE TO REMAIN	815 SF
AREA TO BE REMODELING & TO BE LEGALIZED	474 SF
TOTAL AREA	1,289 SF
% LOT COVER HOUSE	29 %

NOTE:
ALL NEW WORK MUST COMPLY WITH THE BUILDING CODE 2010 FBCA EDITION FLORIDA BUILDING CODE ONLY BE APPLICABLE ADOPTED, ENFORCING.

DOOR SCHEDULE.		
1A	3'-2"x6'-8" EXT.DOORS.(CLEARANCE 36")	1
2A	2'-10"x6'-8" INT.DOORS.(CLEARANCE 32")	4
3A	3'-0" x6'-8" BIFOLD/LOUVERED DOOR	1

CAT II SAFETY GLASS TEMPERED

WINDOWS SCHEDULE						
MARK	CODE	WIDTH	HEIGHT	Q.	U-COEF.	SHGC
②	SH 25	36"	36"	3	1.1	0.50
④	SH 1/2 32	25"	25-1/2"	1	1.1	0.50
* SH 25 & SH 1/2 32 CAT II SAFETY GLASS TEMPERED CLEAR GLASS. % SA < 10 %						

GENERAL NOTES AND CONSTRUCTION SPECIFICATIONS

1. CONTRACTORS SHALL VISIT THE SITE AND FAMILIARIZE THEMSELVES WITH THE BUILDING AND ALL RELATED COMPONENTS PRIOR TO BIDDING OF THE WORK. THE CONTRACTOR SHALL REPORT TO THE ARCHITECT ANY DISCREPANCIES BETWEEN THE DRAWINGS AND THE ACTUAL SITE CONDITIONS. FAILURE TO DO SO WILL NOT JUSTIFY ANY ADDITIONAL CHARGES BY CHANGE ORDER AFTER ISSUANCE OF CONTRACT. DO NOT SCALE DRAWINGS, USE FIGURED DIMENSIONS ONLY.
2. CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO FABRICATION. IN THE EVENT OF A CONFLICT, CONTRACTOR SHALL NOTIFY THE ARCHITECT PRIOR TO PROCEEDING WITH THE WORK.
3. ALL WORK SHALL COMPLY WITH FLORIDA BUILDING CODE 2010, FLA FIRE PREV. CODE 2010, N.E.C. AND ANY OTHER APPLICABLE CODES. ANY DISCREPANCY BETWEEN INFORMATION SHOWN IN PLANS AND APPLICABLE CODES SHALL BE BROUGHT TO THE ATTENTION OF ARCHITECT DURING THE BIDDING PHASE IN ORDER TO CLARIFY THE REQUIREMENTS PRIOR TO ISSUANCE OF CONTRACT.
5. CONTRACTOR SHALL VERIFY WITH OWNER WHETHER THE CONTRACTOR WILL BE PAYING PERMITS AND FEES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SECURING THE PREMISES DURING AND AFTER HOURS OF CONSTRUCTION FOR THE PROTECTION OF THE OWNER AND THE PREMISES.
7. CONTRACTOR SHALL MAINTAIN THE JOB SITE IN A CLEAN AND SAFE MANNER AND SHALL REMOVE AND DISPOSE OF ALL CONSTRUCTION DEBRIS DAILY.
8. FINISHED WORK SHALL BE SMOOTH, FREE FROM ABRASIONS, TOOL MARKS OR RAISED GRAINS ON EXPOSED SURFACES. ALL FASTENINGS AND ATTACHMENTS SHALL BE FULLY CONCEALED FROM VIEW.
9. ALL GYPSUM WALLBOARD CONSTRUCTION SHALL CONFORM TO RECOMMENDATIONS AND INSTRUCTIONS PUBLISHED BY UNITED STATES GYPSUM CO. IN THE GYPSUM CONSTRUCTION HANDBOOK.
11. MATERIALS SHALL BE NEW, OF QUALITY SPECIFIED AND DELIVERED IN AMPLE QUANTITIES TO PREVENT DELAY OF WORK.
12. WHERE TWO METALS ARE AFFIXED TO EACH OTHER, CONTRACTOR SHALL PROVIDE THE NECESSARY INSULATION MATERIAL SO THAT NO VIBRATION OR NOISE IS TRANSMITTED BETWEEN THE METALS.
13. ALL CONVENTIONAL DRYWALL CONSTRUCTION, FURRING, & SHEATHING SHALL BE AS DETAILED IN THESE CONSTRUCTION DOCUMENTS. DRYWALL JOINTS SHALL BE TAPED/SPACKLED LEVEL. EXTERIOR CORNERS SHALL RECEIVE METAL CORNER REINFORCING BEAD AND BE SPACKLED IN CONVENTIONAL MANNER. FULL HEIGHT GYPSUM BOARD SHEETS SHALL BE USED THROUGHOUT FOR THE FULL HEIGHT CONSTRUCTION.
14. NO STRUCTURAL MEMBER SHALL BE NOTCHED, CUT, ALTERED OR MOVED IN ANY WAY WITHOUT PREVIOUS AUTHORIZATION FROM THE ARCHITECT.
15. IT IS THE INTENT OF THE ARCHITECT THAT THIS WORK BE IN CONFORMANCE WITH ALL REQUIREMENTS OF THE BUILDING AUTHORITIES HAVING JURISDICTION OVER THIS TYPE OF CONSTRUCTION AND OCCUPANCY. ALL CONTRACTORS SHALL DO THEIR WORK IN CONFORMANCE WITH ALL APPLICABLE CODES AND REGULATIONS.
16. PAINTING MATERIAL PRODUCTS TO BE FACTORY PREPARED AND AS RECOMMENDED FOR THE SPECIFIC TYPE OF PAINT. COLORS TO MATCH THOSE SPECIFIED.
17. WALLS SHALL BE PERFECTLY DRY, SMOOTH AND WALL MARKINGS MUST BE SUFFICIENTLY SEALED BEFORE APPLICATION OF FINISH MATERIAL SO AS TO PREVENT IMPERFECTIONS.
19. ALL PRIMERS, SIZING AND UNDERCOATS SHALL BE TINTED TO BE A SHADE OFF OF THE FINISH COAT.
20. ALL MATERIALS PROVIDED BY THE CONTRACTOR SHALL BE FREE OF CHIPPING, BLAZIERS, DISTRESS, WARPING CRACKING, FLAKING, SPLITTING OR ANY MARRING THAT WILL RESULT IN AN UNEVEN OR DAMAGED SURFACE.
21. THE ELECTRICAL SUB CONTRACTOR SHALL FURNISH AND INSTALL EXIT LIGHTS IN ACCORDANCE WITH THE PLANS AND BASED ON APPLICABLE BUILDING AND FIRE CODES.
22. NOTIFY ARCHITECT IMMEDIATELY OF ANY CONDITION WHICH WILL PROHIBIT INSTALLATION OF CEILING OR FIXTURES AS SHOWN.
23. NO COMBUSTIBLE MATERIAL SHALL BE USED ABOVE THE SUSPENDED CEILING. REMOVE ALL UNUSED CONDUIT AND PIPING ABOVE THE SUSPENDED CEILING. ALL TELEPHONE WIRING SHALL BE RATED FOR PLENUM USE UNLESS IT IS RUN INSIDE CONDUIT, AND SHALL COMPLY WITH APPLICABLE BUILDING AND FIRE CODES.
24. ALL SMOKE DETECTORS, AND EXIT LIGHTS HEADS LOCATED IN CEILING TILE MUST BE CENTERED.
25. THESE DOCUMENTS, AS INSTRUMENTS OF SERVICE, ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE USED OR REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE ARCHITECT.
26. CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR PROTECTION & SAFEKEEPING OF GOODS BEING INSTALLED UNDER THIS CONTRACT, AS WELL AS FOR COMPLIANCE WITH ALL APPLICABLE OSHA REGULATIONS.
27. MISCELLANEOUS ITEMS NOT SPECIFIED IN DRAWINGS SHALL BE SELECTED BY OWNER.

12-091
RECEIVED
AUG 24 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

Revisions

ENCLOSED AREAS TO BE LEGALIZED

OWNER: EQUITYMAX INC.
1913 NW 66th ST
MIAMI, FL 33147

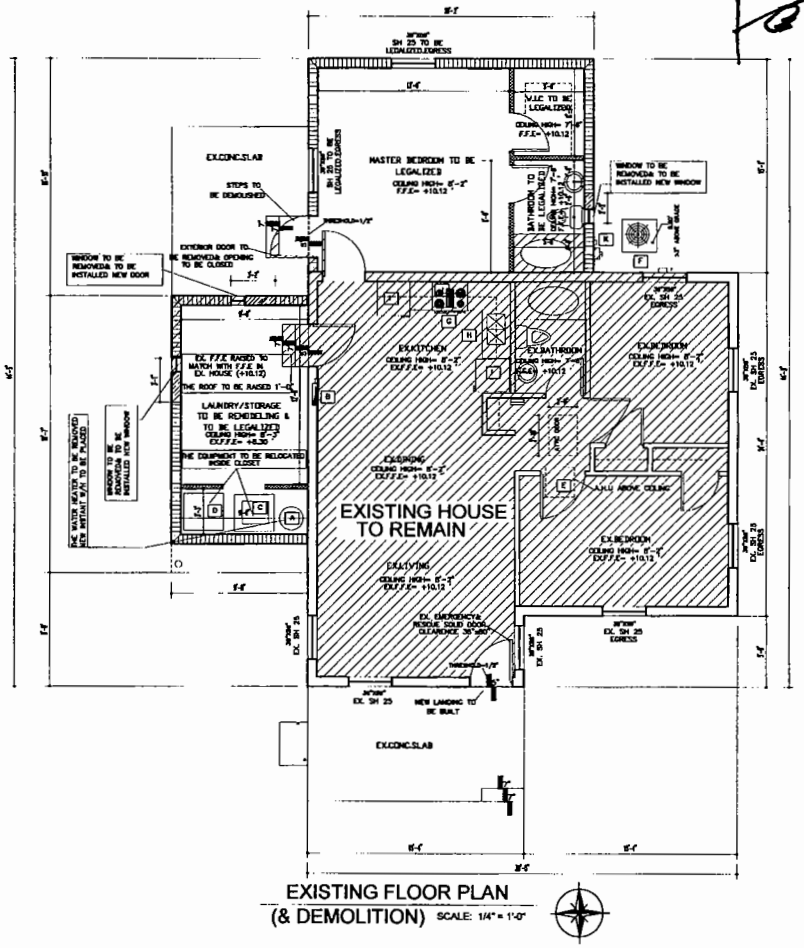
ENGINEER: CARLOS TILLAN
P.E. LIC.# 68869
11214 SW 156 PL
MIAMI, FL, 33196
Ph: (305) 527 9041

Job No. 006
Date: 05/04/2012
Scale: 1/4"=1'
Seal
3 OF 4

A.2.1

RECEIVED
12-091
AUG 2 4 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

25



EXISTING FLOOR PLAN
(& DEMOLITION) SCALE: 1/4" = 1'-0"

WALL LEGEND:

- INDICATES EXISTING CBS WALL TO REMAIN
- INDICATES CBS WALL TO BE LEGALIZED.
- INDICATES EXISTING CBS WALL OR PARTITION TO BE DEMOLISHED.
- INDICATES EXISTING STUDS PARTITION TO REMAIN
- INDICATES EXISTING STUDS PARTITION TO BE LEGALIZED

LEGEND:

- EXISTING HOUSE TO REMAIN
- AREA TO BE LEGALIZED AND TO BE REMODELING

REMOVAL NOTES

1. IT IS NOT THE INTENT OF THESE PLANS TO SHOW EVERY DETAIL OF DEMOLITION AND CONSTRUCTION. CONTRACTOR SHALL VISIT JOB LOCATION TO BECOME THOROUGHLY FAMILIAR WITH THE WORK AND SHALL VERIFY ALL EXISTING CONDITIONS APPLICABLE TO THE DEMOLITION WORK PRIOR TO SUBMITTING A BID FOR THE WORK. IF ANY ITEMS AND/OR SYSTEMS ARE OTHER THAN AS DESCRIBED ON THESE DRAWINGS, THE CONTRACTOR SHALL SUBMIT A BID ON THE BASIS OF THE WORK ACTUALLY REQUIRED TO DEMOLISH, PROVIDE, OR INSTALL ANY ITEMS OR SYSTEMS EQUAL TO THE DESIGN AS DRAWN AND QUALIFY THE BID ACCORDINGLY.
2. ALL EXISTING SURFACES AND EQUIPMENT TO REMAIN SHALL BE FULLY PROTECTED FROM DAMAGE. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR DAMAGE AND SHALL MAKE REPAIRS REQUIRED WITHOUT ADDITIONAL COST TO THE OWNER.
3. NO DEBRIS SHALL BE ALLOWED TO ACCUMULATE ON THE JOB SITE. DEBRIS SHALL BE REMOVED BY THE CONTRACTOR AS THE JOB PROCEEDS, FROM THE SITE TO THE DUMPSTER OR OFF SITE ON A DAILY BASIS. DEBRIS IS NOT TO ACCUMULATE; THE SITE SHALL BE LEFT BROOM CLEAN AT THE COMPLETION OF DEMOLITION.
4. NO STRUCTURAL ELEMENTS SHALL BE REMOVED UNLESS THE PORTIONS AFFECTED ARE ADEQUATELY SUPPORTED BY EITHER TEMPORARY SHORING OR NEW STRUCTURAL ELEMENTS AS REQUIRED TO PROTECT THE STABILITY AND INTEGRITY OF THE EXISTING STRUCTURE.
5. DEMOLITION TO OCCUR IN SUCH A MANNER SO THAT ALL BUILDING STANDARD COMPONENTS SUCH AS LIGHTS, ALL DIFFUSERS AND RETURN AIR GRILLES, POWER DEVICES, CEILING AND ROOF, ARE CAREFULLY REMOVED.
6. REMOVE OR RELOCATE ALL WIRING, (OVER CEILING), AFFECTED BY THE REMOVAL CEILING AND ROOF.
7. ALL WIRING, MECHANICAL CONDUITS , PLUMBING ,SHALL BE REMOVED,(THE ELECTRICAL INSTALATIONS UNDER FLOOR TO REMAIN)
8. REMOVE ABANDONED DUCTWORK, WIRES, PIPES, ETC. SERVING THIS TENANT SPACE FROM PLENUM ABOVE AND BELOW THE CEILING AND FLOOR SLAB. INSTALL VALVES AND CAPS AS REQUIRED. ALL ABANDONED OPENINGS THROUGH THE SLAB (ELECTRICAL ETC.) TO BE REPOURED TO MAINTAIN FIRE RATING. THE BASE BUILDING SPECIFICATIONS SHALL APPLY. REPLACE FIREPROOFING.
9. THE CONTRACTOR SHALL PROVIDE ADEQUATE WEATHER PROTECTION FOR THE BUILDING AND ITS CONTENTS DURING COURSE OF WORK.
10. THE CONTRACTOR SHALL FILE ALL NECESSARY CERTIFICATES OF INSURANCE WITH THE DEPARTMENT OF BUILDINGS, PAY ALL FEES, OBTAIN ALL PERMITS AND PROVIDE ANY AND ALL BONDS REQUIRED BY ANY CITY AGENCY IN ORDER TO DO THE WORK DESCRIBED HEREIN. CERTIFICATES OF INSURANCE ARE ALSO PROVIDED IN CONFORMANCE W/ LANDLORD REQUIREMENTS WHICH SHALL BE INCLUDED AS PART OF THE BID PACKAGE.
11. CONTRACTOR SHALL PERFORM ALL OPERATIONS OF DEMOLITION AND REMOVAL INDICATED OR DRAWINGS AND AS MAY BE REQUIRED BY THE WORK. ALL WORK SHALL BE DONE CAREFULLY NEATLY AND IN A SYSTEMATIC MANNER.
12. ALL ADJOINING PROPERTY AFFECTED BY ANY OPERATIONS OF DEMOLITION SHALL BE PROTECTED PER THE REQUIREMENTS OF APPLICABLE CODES.
13. THE CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN ALL TEMPORARY BARRIERS AND GUARDS AND ALL TEMPORARY SHORING AND BRACING AS REQUIRED BY THE DEPARTMENT OF BUILDING RULES AND REGULATIONS.
14. REMOVE DRYWALL/ A.C.T. AND GRID CEILING AS REQUIRED
15. ALL WORK IS TO BE COORDINATED W/ BUILDING MANAGEMENT.
16. G.C. TO MAINTAIN INTEGRITY OF FIRE ENVELOPE DURING DEMO, RENOVATION AND CONSTRUCTION.

EGRESS OR WHICH CANNOT BE EASILY DISENGAGED SHALL BE PROHIBITED.

NOTE:CLASSIFICATION OF WORK: LEVEL OF ALTERATION ACCORDING TO SECTIONS 404 IS LEVEL 2. (INCLUDE THE RECONFIGURATION OF SPACE, THE ADDITION OR ELIMINATION OF ANY DOOR OR WINDOW, THE RECONFIGURATION OR EXTENTION OF ANY SYSTEM, OR THE INSTALLATION OF ANY ADDITIONAL EQUIPMENT. IT SHALL COMPLY WITH THE PROVISIONS OF CHAPTER 6 FOR LEVEL 1 ALTERATIONS AS WELL THE PROVISIONS OF CHAPTER 7. ADDITION TO BE LEGALIZED TOO.

EXISTING FIXTURES

A	WATER HEATER
B	BREAKER PANEL
C	WASHER
D	DRYER
E	A.H.U
F	C.U
G	RANGE
H	SINK
I	REFRIGERATOR
J	MICROWAVE
K	ELECTRIC METER

EXISTING AREA

EX HOUSE TO REMAIN	815 SF
AREA TO BE REMODELING & TO BE LEGALIZED	474 SF
TOTAL AREA	1,289 SF
% LOT COVER HOUSE	29 %

NOTE: SAFEGUARDS DURING CONSTRUCTION/DEMOLITION: PEDESTRIAN PROTECTION, MEANS OF EGRESS, & UTILITY CONNECTIONS WILL BE GARANTIZED GARANTIZED .(F.E.B.C 1

NOTE: ALL NEW WORK MUST COMPLY WITH THE BUILDING CODE 2010 FBCA FBCEBM FLORIDA BUILDING CODE,2010 Y PIC APPLICABLE AHJ(S)(S). BCNS(FBM).

INSULATION:
FLAT ROOF : R-19
EXTERIOR WALL =R-4.1
CLATTIC ROOF =R-30

DEMOLITION NOTES:

NOTE:SAFEGUARDS DURING CONSTRUCTION OR DEMOLITION: PEDESTRIAN PROTECTION, MEANS OF EGRESS, UTILITY CONNECTIONS WILL BE GARANTIZED .(F.E.B.C a1303.8)

1. PROTECT ALL FINISHES (FLOORS, WALLS AND CEILINGS) DURING CONSTRUCTION AND REMOVAL OF DEBRIS FROM DEMOLITION AND DELIVERY OF SUPPLIES.
2. DEMOLISH ONLY THE SECTIONS OF PARTITIONS AS SHOWN ON THIS PLAN. PROTECT ALL EXISTING WALLS TO MAINTAIN INTEGRITY OF FIRE RATED WALLS
3. REMOVE AND STORE DOORS SHOWN TO BE RELOCATED.

12-091
RECEIVED
AUG 2 4 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

Revisions

ENCLOSED AREAS TO BE LEGALIZED

1913 NW 86th ST
MIAMI, FL, 33147

OWNER: EQUITYMAX INC.

ENGINEER: CARLOS TILLAN
P.E. LIC. # 68869
11214 SW 156 PL
MIAMI, FL, 33196
Ph: (305) 527 9041

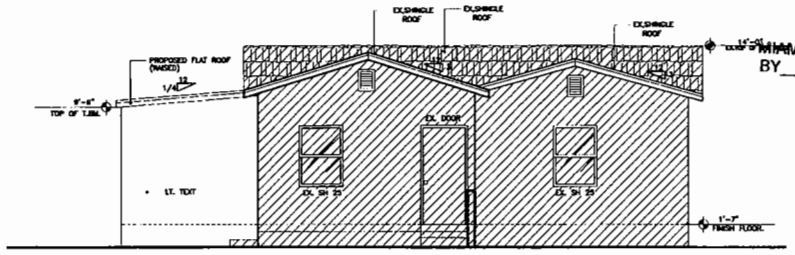
Job No. 006
Date: 05/04/2012
Scale: 1/4"=1'
Seal
2 OF 4

A.1.1

RECEIVED
12-091
AUG 2 4 2012

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

26



PROPOSED SOUTH ELEVATION
SCALE:1"=1/4"

EXISTING SOUTH ELEVATION
SCALE:1"=1/4"

PROPOSED EAST ELEVATION
SCALE:1"=1/4"

EXISTING EAST ELEVATION
SCALE:1"=1/4"

PROPOSED NORTH ELEVATION
SCALE:1"=1/4"

EXISTING NORTH ELEVATION
SCALE:1"=1/4"

PROPOSED WEST ELEVATION
SCALE:1"=1/4"

EXISTING WEST ELEVATION
SCALE:1"=1/4"

212-091
RECEIVED
AUG 2 4 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

Revisions

ENCLOSED AREAS TO BE LEGALIZED

OWNER: EQUITYMAX INC.
1913 NW 86th ST
MIAMI, FL, 33147

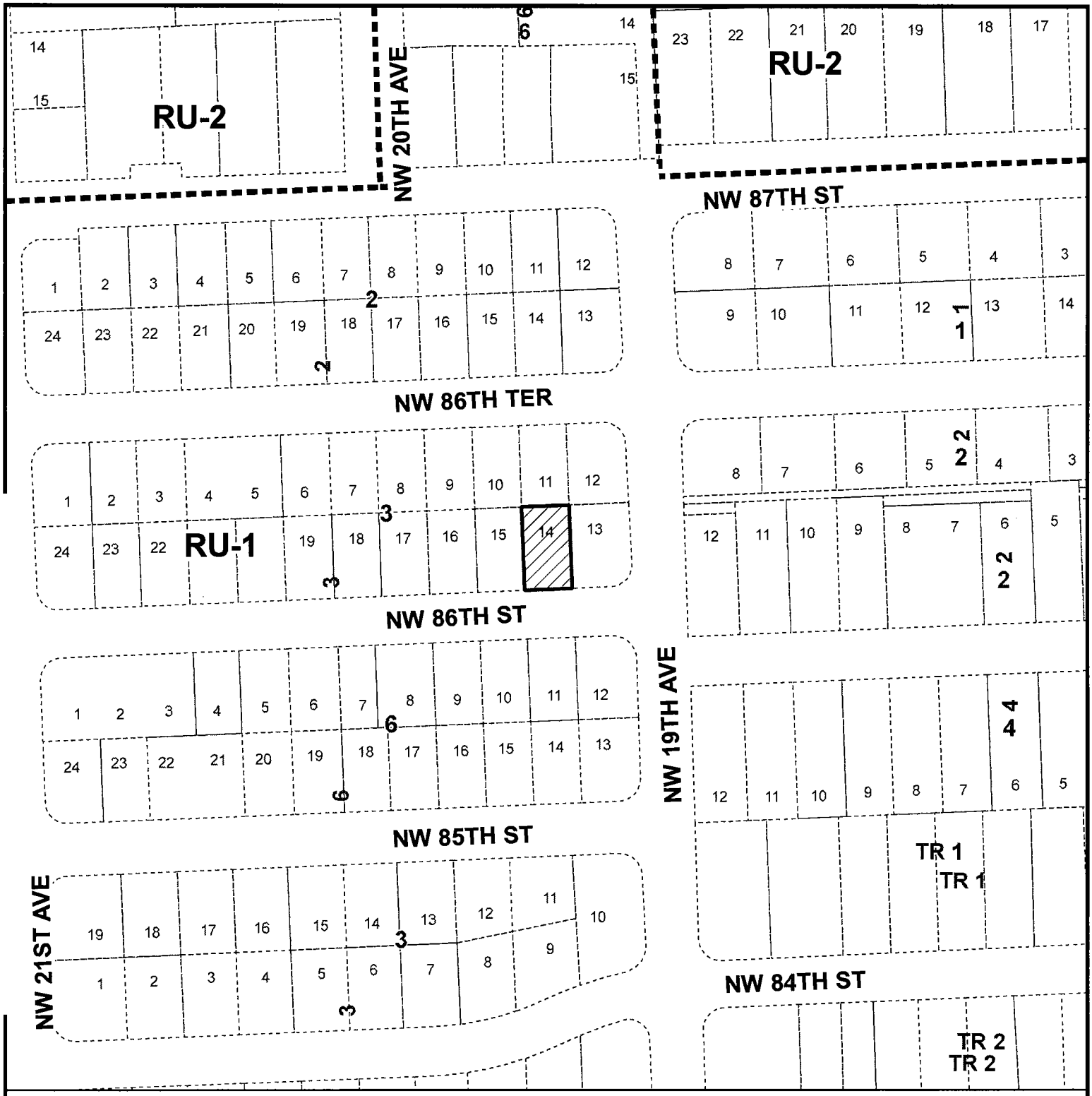
ENGINEER: CARLOS TILLAN
P.E. LIC.# 68869
11214 SW 156 PL
MIAMI, FL, 33196
Ph: (305) 527 9041

Job No. 006
Date: 05/ 04/2012
Scale: 1/4"=1'

Seal

4 OF 4

A3.1



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000091

Section: 10 Township: 53 Range: 41
Applicant: EQUITYMAX INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, July 26, 2012

REVISION	DATE	BY
		27

MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2012000091

Section: 10 Township: 53 Range: 41
Applicant: EQUITYMAX INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

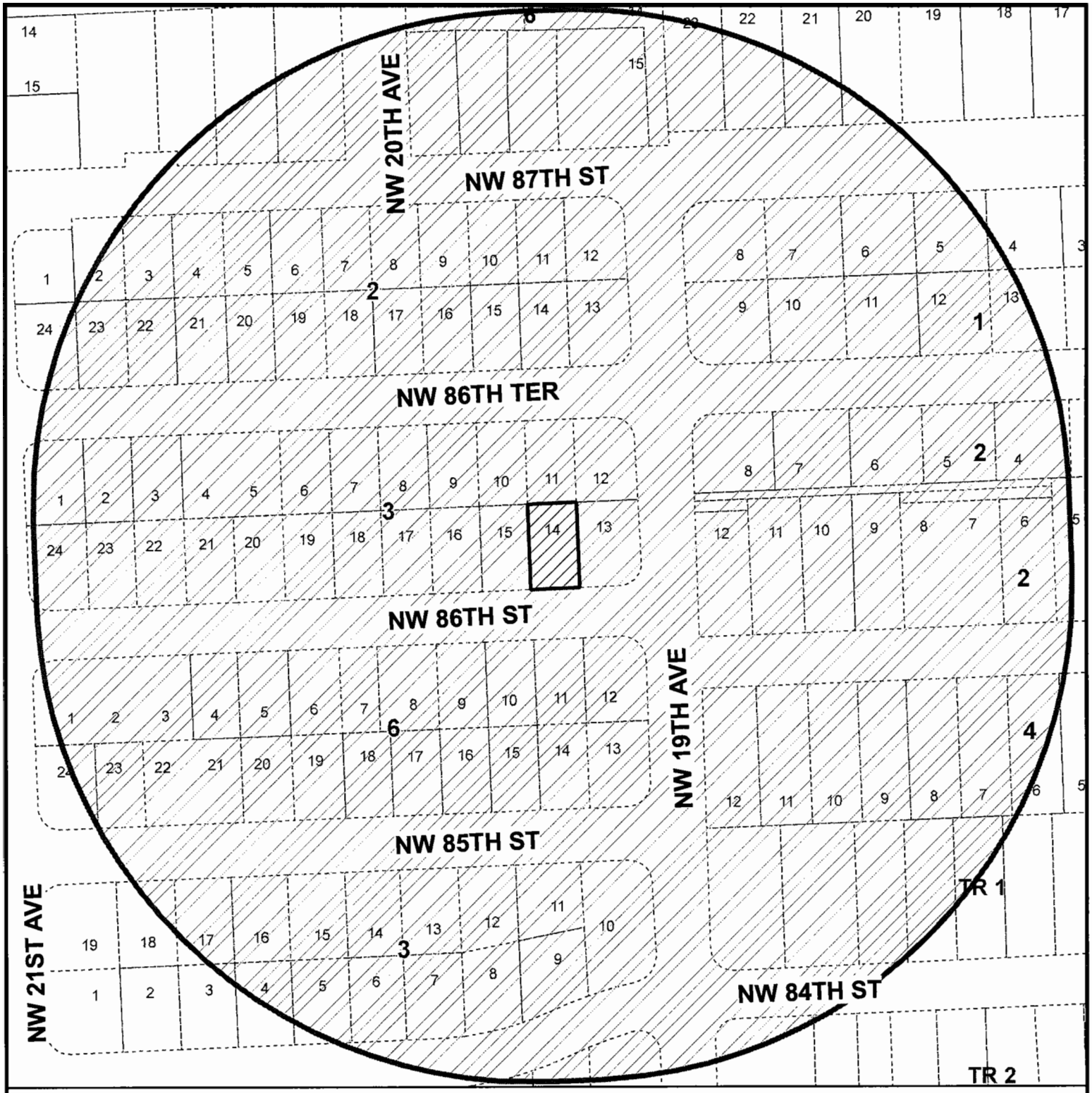
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, July 26, 2012

REVISION	DATE	BY
		28



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000091

RADIUS: 500

Section: 10 Township: 53 Range: 41
Applicant: EQUITYMAX INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

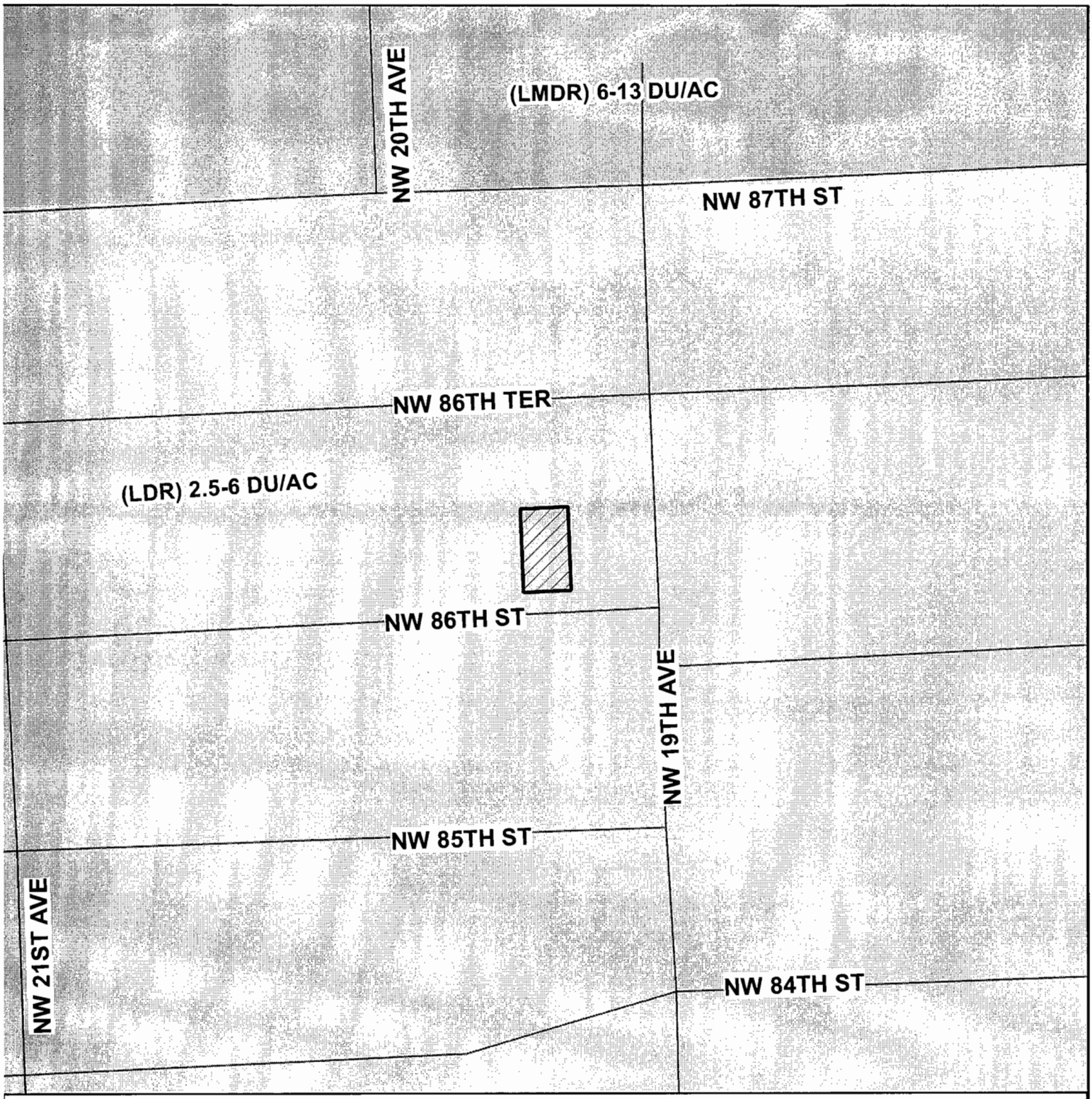
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, July 26, 2012

REVISION	DATE	BY
		29



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000091

Section: 10 Township: 53 Range: 41
Applicant: EQUITYMAX INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, July 26, 2012

REVISION	DATE	BY

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

PH: Z11-135 (12-12-CZ8-1) **December 19, 2012**
Item No. 1

Recommendation Summary	
Commission District	3
Applicant	9101 NW 7 Avenue LLC & Value Store It NW 7 Avenue Miami Partnership
Summary of Requests	The applicant is seeking to modify a condition of a previously approved resolution to submit a revised site plan showing the proposed expansion of a self-service storage facility. Additionally, the applicant is seeking to permit less open space and lot trees than required. The applicant also seeks to permit lot coverage and FAR greater than permitted; a detached sign setback less than permitted; parking closer to the right-of-way than permitted; and a fence or wall greater than 2.5' within the safe sight distance triangle.
Location	9101 & 9299 NW 7 Avenue, Miami-Dade County, Florida.
Property Size	4.2-acres
Existing Zoning	BU-2, Special Business District & BU-3, Liberal Business District
Existing Land Use	Self-service storage facility
2015-2025 CDMP Land Use Designation	Business and Office *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations Section 33-311(A)(7) Generalized Modification Standards Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval with conditions of requests #1, #3, #5 through #7 and #9, modified approval of request #2 and denial without prejudice of requests #4 and #8**

REQUESTS:

(1) SPECIAL EXCEPTION to permit the expansion of an existing self service storage facility onto adjacent property to the north.

(2) MODIFICATION of Resolution CZAB8-5-04, as last modified by Resolution CZAB8-24-11, both passed and adopted by the Community Zoning Appeals Board #8, reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Value Store It" as prepared by Blitstein Design Associates, dated stamped received 9/30/10 and consisting of 5 pages.

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Phase II Value Store It" as prepared by Patrick M. Pillot, Architect. Sheet 1 dated stamped received 8/16/12 and sheets 2 & 3 dated stamped received 3/13/12, consisting of 3 sheets and "landscaping plan" as prepared by Wilkin Hults Design Group, dated stamped received 9/1/12 and consisting of 3 sheets, for a total of 6 sheets.

The purpose of request #2 is to submit revised site plan showing an expansion of the existing self service storage facility onto additional property to the north.

(3) NON-USE VARIANCE of landscape requirements to permit landscaped open space of 15.3% (16% required, 7.3% previously approved).

(4) NON-USE VARIANCE to permit forty-seven (47) lot trees (93 trees required).

(5) NON-USE VARIANCE to permit a lot coverage of 51.2% (40% permitted, 60.6% previously approved).

(6) NON-USE VARIANCE of zoning regulations to permit a floor area ratio (F.A.R) of .51% (.4% permitted, .6% previously approved).

(7) NON-USE VARIANCE of setback requirements to permit the proposed detached sign to setback 10' (13.6' required) from the front (west) property line.

(8) NON-USE VARIANCE of zoning regulations to permit a landscaped parking lot buffer a minimum of 3.5' wide (7' minimum required).

(9) NON-USE VARIANCE to permit an 8' high security fence within the safe sight distance triangle (maximum 2.5' height permitted).

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

PROJECT DESCRIPTION:

The site plan depicts an existing 71,490 sq. ft. self-storage facility with a proposed 22,396 sq. ft. expansion onto additional property to the north.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	BU-2 & BU-3; self-service storage facility	Business & Office
North	BU-2; bank	Business & Office
South	BU-3; commercial and storage facility	Business & Office
East	I-95 Expressway	Transportation
West	BU-3; multi-family residential and commercial	Institutions, Utilities & Communications Business & Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing self-storage facility located at 9101 and 9299 NW 7 Avenue. The surrounding area is characterized by commercial and multi-family residential uses.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to expand the self-storage facility on to additional property to the north, with less open space and lot tress than required; greater lot coverage and FAR than allowed; a fence within the safe sight distance triangle and a detached sign within the front setback area. The proposed expansion will provide additional self-storage space at this facility; however, the requested variance could have a visual impact on the surrounding area.

CDMP ANALYSIS:

The subject property is designated as **Business and Office** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.* The approval of the requests sought in this application will permit the applicant to expand the existing self-storage facility onto additional property to the north, provide less landscaped open space, lot trees and landscaped parking lot buffer than required. Additionally approval would permit lot coverage and FAR greater than permitted, a detached sign to encroach into the front setback area, and permit an 8' high fence in the safe sight distance triangle. In staff's opinion the existing self-storage facility and proposed expansion are **consistent** with the Business and Office CDMP LUP map designation, the CDMP Land Use Element Interpretative text for Business and Office, and **compatible** with the surrounding area based on the Zoning Analysis below.

ZONING ANALYSIS:

When analyzing request #1, a Special Exception to permit the expansion of an existing storage facility onto additional property to the north, under Section 33-311(A)(3), Standards For **Special Exceptions**, **Unusual Uses** and New Uses, staff is of the opinion that, as proposed, the expansion would be **compatible** with the surrounding area. Staff opines that the proposed expansion will not result in excessive traffic as evidenced by the memorandum from the Public Works and Waste Management Department which states that the application meets the traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply. The Division of Environmental Resources Management of the Department of Regulatory and Economic Resources, indicates that approval will not result in a reduction in the LOS standards for potable water service, wastewater disposal, or stormwater management. Additionally the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the proposed facilities will have a negative impact on fire rescue services in the area. Based on the aforementioned department memoranda, staff opines that the requests will not result in, among other things, excessive noise or traffic, cause undue or excessive burden on public facilities, nor provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development. Further, staff notes that approval of request #1 is contingent upon request #2, modification of the previously approved site plan and the non-use variances listed as requests #3 through #6, #8 and #9. **As such, staff recommends approval with conditions of requests #1 under Section 33-311(A)(3) Standards For Special Exceptions, Unusual Uses and New Uses.**

When request #2, to permit the modification of a condition of a previously approved resolution, is analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that approval would be **compatible** with the surrounding area. Approval of this request will allow the applicant to submit a revised site plan that depicts an expansion of the existing self-storage facility onto the adjacent parcel to the north. Staff opines that the proposed expansion will not result in excessive traffic, would tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people for reasons indicated above. Staff notes that the memoranda submitted by the Departments of Regulatory and Economic Resources – Division of Environmental Resources Management and Parks, Recreation and Open Spaces indicate no objection to the application. Additionally, staff notes that the submitted site plan depicts an existing 71,490 sq. ft., 1-story self storage building with the proposed expansion on the adjacent parcel to the north. The expansion includes an additional 22,396 sq. ft. of storage space spread across 1-story buildings labeled Buildings A – G and a parking area to accommodate trucks, boats, RV's and the like. Staff opines that when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned the requested modification would be **compatible** with the surrounding area based on by the memoranda submitted by the reviewing Departments. Further, staff notes that approval of request #2 is contingent upon request #1 to permit the expansion of the existing storage facility and the non-use variances listed as requests #3 through #9. However, staff is recommending denial without prejudice of requests #4 and #8 and therefore the submitted site plan should be revised to show the 93 required street trees and the required 7' parking buffer along NW 7 Avenue. **As such, staff recommends modified approval of request #2 under Section 33-311(A)(7) Generalized Modification Standards.**

When analyzing request #3, #5 and #6 to permit less landscaped open space, greater lot coverage and greater FAR under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the requests would be **compatible** with the surrounding area. Staff notes that pursuant to Resolution No. CZAB8-24-11 the property was approved to permit 7.3% open space, where 16% is required; 60.6% lot coverage, where 40% maximum is permitted; and .6% FAR, where .4% maximum is permitted. Further, staff notes that the applicant has increased the required open space to 15.3%, which is only 0.7% less than that required by the Zoning Code. Additionally, the applicant has reduced the lot coverage by 9.4% and the FAR by .09% from what was previously approved. Staff opines that the reduction of lot coverage and FAR decreases the overall intensity of the use on the property. Further, staff opines that the reduction in open space is minimal. Staff further notes that since the previous approval the applicant has increased the overall land area of the subject property. **As such, staff recommends approval with conditions of requests #3, #5 and #6 under Section 33-311(A)(4)(b) (Non-Use Variances From Other Than Airport Regulations).**

When requests #4 and #8, to permit less lot trees and landscaped parking lot buffer than required are analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **incompatible** with the surrounding area. In staff's opinion, the lot trees as required by the Code would help to mitigate any visual impacts the proposed expansion would have on the surrounding area. Staff notes that pursuant to Resolution No. CZAB8-5-04, CZAB 8 denied the applicant's requests to permit zero (0) lot trees, where three (3) trees were required and a 6' wide landscape buffer, where 7' is required. Additionally staff notes that as a condition of approval for Resolution No. CZAB8-24-11 the applicant was required to provide additional greenery (trees and shrubbery) to the existing greenery along the 7th Avenue corridor. In staff's opinion the previously mentioned condition was never met, based on the County's GIS aerial

photographs, which depict a hedge that is not continuous and 13 trees along NW 7 Avenue. Staff opines that the design of the site layout could be revised to accommodate both the required 7' buffer and 93 lot trees. **As such, staff recommends denial without prejudice of requests #4 and #8 under Section 33-311(A)(4)(b) (Non-Use Variances From Other Than Airport Regulations).**

When analyzing request #7, to permit a detached sign setback less than required under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations, staff is of the opinion that the approval of the request would be **compatible** with the surrounding area. Staff notes that the submitted plans depict the proposed sign setback 10' from the front (west) property line; where 13.6' is required. Staff opines that the 3.6' encroachment into the front setback area is minimal and will have little visual impact on passersby. **As such, staff recommends approval with conditions of request #7 under Section 33-311(A)(4)(b) (Non-Use Variances From Other Than Airport Regulations).**

Further, when analyzing request #9, to permit an 8' high security fence within the safe sight distance triangle under the Non-Use Variance (NUV) Standards, staff opines that approval of this request would not be detrimental to the surrounding neighborhood and would not have a negative visual impact on same. Staff opines that the existing security fence, although 5.5' taller than permitted is designed in a manner that allows for adequate visibility from the safe sight triangle area for vehicles entering or leaving the subject property. Additionally, the 8' high security fence allows the applicant to secure the subject property. Staff also notes that the Public Works and Waste Management Department does not object to request #9 as evidenced in their memorandum. **Therefore, staff recommends approval with conditions of request #9 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts the existing self-storage facility and proposed expansion with an ingress/egress point toward the middle of the property and an egress point at the south end of the property. There are 32 parking spaces.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

RECOMMENDATION: Approval with conditions of requests #1, #3, #5 through #7 and #9, modified approval of request #2 and denial without prejudice of requests #4 and #8

CONDITIONS FOR APPROVAL:

1. That all the conditions of Resolution Nos. CZAB8-5-04 and CZAB8-24-11 remain in full force and effect, except as herein modified.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Phase II Value Store It" as prepared by Patrick M. Pillot, Architect. Sheet 1 dated stamped received 8/16/12 and sheets 2 & 3 dated stamped received 3/13/12, consisting of 3 sheets and "landscaping plan" as prepared by Wilkin Hults Design Group, dated stamped received 9/1/12 and consisting of 3 sheets, for a total of 6 sheets, except as herein modified to show the required 7' parking buffer and the required 93 lot trees.

ES:MW:NN:CH:AN

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

ZONING RECOMMENDATION ADDENDUM

9101 NW 7 Avenue LLC & Value Store It NW 7 Avenue Miami Partnership
Z11-135

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Public Works & 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

Business and Office (Pg. I-41)	*The Adopted 2015 and 2025 Land Use Plan designates the subject property, being within the Urban Development Boundary for* ***Business and Office****. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.* *Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.*

ZONING RECOMMENDATION ADDENDUM

9101 NW 7 Avenue LLC & Value Store It NW 7 Avenue Miami Partnership
Z11-135

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(3) Special exceptions, unusual and new uses	***Special exceptions*** *(for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny* ***special exceptions****, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development. For purposes of public hearing, a site plan shall be considered one (1) special exception, and upon approval of a site plan by the Community Zoning Appeals Board and/or the Board of County Commissioners, all non-use variances incorporated within and reflected upon the site plan shall be considered a part thereof, and official approval of the site plan shall constitute approval of all such non-use variances, unless otherwise so moved by the approving board.*
33-311(A)(4)(b) Non-Use Variances from other than airport regulations	*Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*
33-311(A)(7) Generalized Modification Standards	*The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.*

1. 9101 NW 7 AVENUE LLC & VALUE STORE IT NW 7 AVENUE MIAMI PARTNERSHIP

12-12-CZ8-1(11-135)
Area 8/District 03
Hearing Date: 12/19/12

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:

Year	Applicant	Request	Board	Decision
2004	Todd Ruderman	- BU-2 to BU-3 - Non-use variance of zoning regulations	ZAB	Approved with Condition(s)
2011	9101 NW 7th Avenue, LLC	- Modification of resolution - Non-use variance of floor are ratio	ZAB	Approved with Condition(s)

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: September 27, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: C-08 #Z2011000135-4th Revision
9101 N.W. 7th Avenue, LLC and
Value Store IT N.W. 7thA venue Partners
9101 and 9299 N.W. 7th Avenue
Modification of a Previous Resolution to Permit the Addition of a New Building and Non Use Variance of Landscape Open Space Requirements to Permit an Open Space of 7.35%
(BU-1) (4.2 Acres)
01-53-41

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

Any proposed development greater than 2.0 acres of impervious area will require a Surface Water Management General Permit from the Water Control Section for the construction and operation of the required surface water management system.

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

Site grading and development 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.

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

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

Tree Preservation
The subject property contains specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49 of the Code requires the preservation of tree resources. Prior to the removal and/or relocation of any tree on site, a Miami-Dade County Tree Removal/Relocation Permit is required. Section 24.49.3 of the Code states, "If it is determined that the proposed development site involves removal of a specimen tree, the standards set forth in Section 24.49.2 of the Code shall apply." Note that the applicant has submitted an application to the Tree Permitting Program for a Tree Removal/Relocation Permit (Tree #3807).

As such, the Department recommends approval of this application with the condition that the Tree Removal/Relocation Permit (Tree #3807) is duly obtained prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal/Relocation Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code. Please be advised that if this condition cannot be met prior to development orders, this zoning application would have to be resubmitted for review.

The applicant is required to comply with the above tree permitting requirements. This Department's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

Also note that the applicant must meet the standards of Section 24.49.2(II) of the Code that includes the submittal of a tree survey with the trees numbered, indicating the tree species, diameter at breast height, location of all trees and one of the following:

1. A revised site plan that indicates the preservation of all specimen trees at their current location, or

2. Comply with all specimen tree removal standards set forth in Section 24-49.2(II) of the Code.

The applicant is advised to contact the Tree Permitting Program at (305)-372-6600, voice option #2, for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement records
The subject property has one (1) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

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, Department of Regulatory and Economic Resources

PH# Z2011000135
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: 9101 NW 7 AVE LLC & VALUE STORE IT NW 7 AVE MIAMI PARTNERSHIP

This Department has no objections to this application.

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

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.

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.

14-MAR-12

REVISION 1

Memorandum

Date: 24-SEP-12

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2011000135

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated February 22, 2012.
APPROVAL:
No objection via case Z2011000135.

Service Impact/Demand

Development for the above Z2011000135
located at 9101 & 9299 NW 7 AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0741 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 6:00 minutes

Existing services

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

Station 30 - Miami Shores - 9500 NE 2 Avenue
Rescue, ALS Engine

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

Memorandum

MIAMI-DADE COUNTY

Date: August 31, 2012

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

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

Subject: Z2011000135: 9101 NW 7 AVE LLC & VALUE STORE IT NW 7 AVE MIAMI PARTNERSHIP
Revised Documents Dated Stamped Received through 8/16/2012

Application Name: 9101 NW 7 AVE LLC & VALUE STORE IT NW 7 AVE MIAMI PARTNERSHIP

Project Location: The site is located at the 9101 & 9299 NW 7 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting a modification of a previous resolution and several non use variances for expansion of a public storage facility. Revised Documents Dated Stamped Received through 8/16/2012 have been submitted.

Impact and demand: This application does not generate any residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

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

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

MN:jb
Cc: John M. Bowers, RLA/AICP, Parks Property Management Supervisor

DATE: 11-SEP-12

REVISION 2

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

9101 NW 7 AVE LLC & VALUE STORE IT NW 7 AVE MIAMI PARTNERSHIP	9101 & 9299 NW 7 AVE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**
Z2011000135	
HEARING NUMBER	

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: No open/closed bss cases.

9101 NW 7 Ave LLC & Value Store

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

REPORTER NAME:

Memorandum

MIAMI-DADE COUNTY

Date: June 7, 2012

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

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

Subject: Z2011000135

Property was inspected by Ralph Edwards. The property at 9101 NW 7 Ave is a Value U store it building, self storage facility with a parking lot on 9299 NW 7 Ave. the said parking lot is use for storage of cars, truck and boats. The Value U storage has a certificate of use since 2004, certificate # 2004021450, and no violations.

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].

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z11-135
DATE: FEB 23 2012
BY: DAH

CORPORATION NAME: 9101 NW 7th Avenue, LLC

NAME AND ADDRESS	Percentage of Stock
NW 7, LLC (Todd Ruderman)	93.06%
WMC, LLC (Estate of William Coakley)	6.94%

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 _____

NAME AND ADDRESS	Percentage of Interest

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where 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: _____

NAME AND ADDRESS	Percentage of Ownership

RECEIVED
SEP 06 2011
Z11-135
ZONING HEARINGS
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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

NAME OF PURCHASER: _____

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

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z11-135
DATE: FEB 23 2012
BY: DAH

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: _____ (Applicant)

Sworn to and subscribed before me this 5th day of October 2011 ~~2010~~. Affiant is personally known to me or has produced _____ as identification.

_____ (Notary Public)

My commission expires: 3/5/14

BETTY LLERENA
MY COMMISSION # DD 960413
EXPIRES: March 5, 2014
Bonded Thru Notary Public Underwriters

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

RECEIVED
DEC 08 2011
Z11-135
ZONING
MIAMI-DADE PLANNING & ZONING DEPT.
BY: _____

DISCLOSURE OF INTEREST*

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

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z11-135
DATE: FEB 23 2012
BY: DAH

CORPORATION NAME: Value Store it NW 7 Ave, Miami Partnership

NAME AND ADDRESS	Percentage of Stock
NW 7, LLC (Todd Ruderman)	93.06%
WMC, LLC (Estate of William Coakley)	6.94%

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 _____

NAME AND ADDRESS	Percentage of Interest

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where 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: _____

NAME AND ADDRESS	Percentage of Ownership

RECEIVED
Z11-135
MIAMI-DADE PLANNING AND ZONING DEPT.
BY ZONING
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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

NAME OF PURCHASER: _____

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

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z11-135
DATE: FEB 23 2012
BY: DAH

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: _____
(Applicant)

Sworn to and subscribed before me this 4th day of October 2012. Affiant is personally know to me or has produced _____ as identification.

_____
(Notary Public)

My commission expires: 9/9/2015

CARLOS DIAZ
Notary Public - State of Florida
My Comm. Expires Sep 9, 2015
Commission # EE 100504
Bonded Through National Notary Ass

Seal

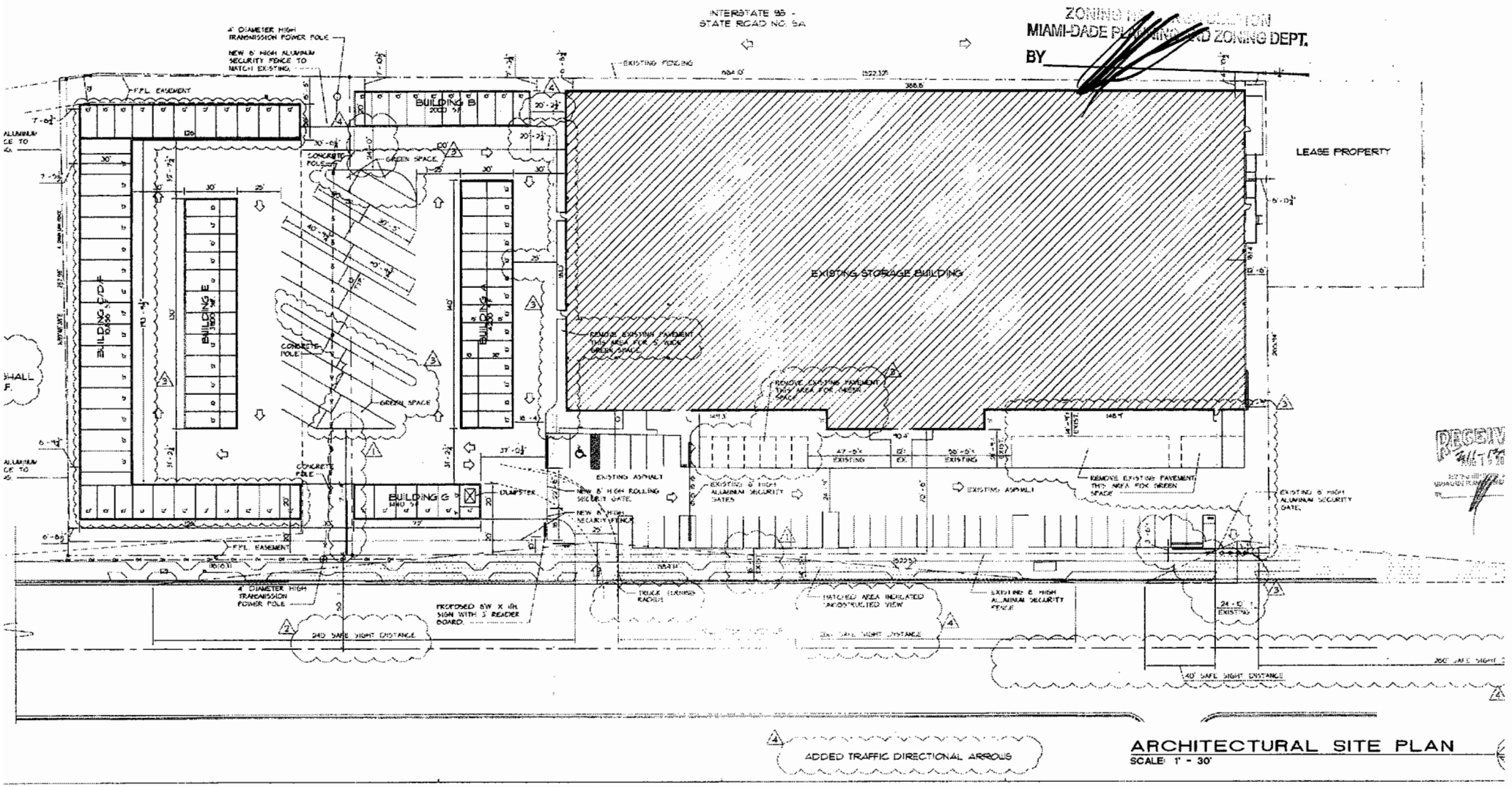
*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership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

RECEIVED
MAR 04 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: _____

RECEIVED
Z11-135
AUG 16 2012
ZONING INFORMATION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

PARKING DETAILS
SCALE: 1/4" = 1'-0"

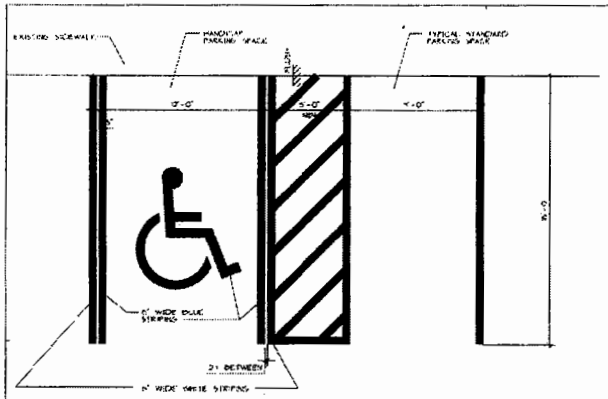
PROPOSED SIGN ELEVATION
SCALE: 1/4" = 1'-0"



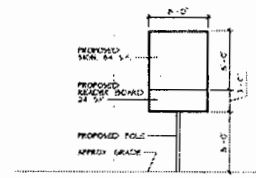
4 ADDED TRAFFIC DIRECTIONAL ARROWS

ARCHITECTURAL SITE PLAN
SCALE: 1" = 30'

ENLARGED SITE PLAN



PARKING DETAILS
SCALE: 1/4" = 1'-0"



PROPOSED SIGN ELEVATION
SCALE: 1/4" = 1'-0"

SITE DATA	
ZONING (EXIST)	BU-2 / BU-3
ZONING (NEW)	BU-2 / BU-3
PROPOSED USE	SELF STORAGE
LOT AREA (EXISTING)	139,675 (3.21 ACRES)
LOT AREA (PROPOSED)	183,339 (4.2 ± ACRES)

BUILDING AREA	
EXISTING (OFFICE)	1,800 S.F.
EXISTING (STORAGE)	69,690 S.F.
TOTAL EXISTING	71,490 S.F.
NEW BUILDINGS	22,356 S.F.
TOTAL BUILDINGS	93,886 S.F.

MAX. BUILDING HEIGHT	ALLOWED	PROPOSED
	UNLIMITED	20'-0"

	ALLOWED	PROPOSED
MAX. LOT COVERAGE	40%	51.2% (EXISTING)
		51.1% (PROPOSED)
MAX. F.A.R.	0.4	0.5 (EXISTING)
		0.5 (PROPOSED)

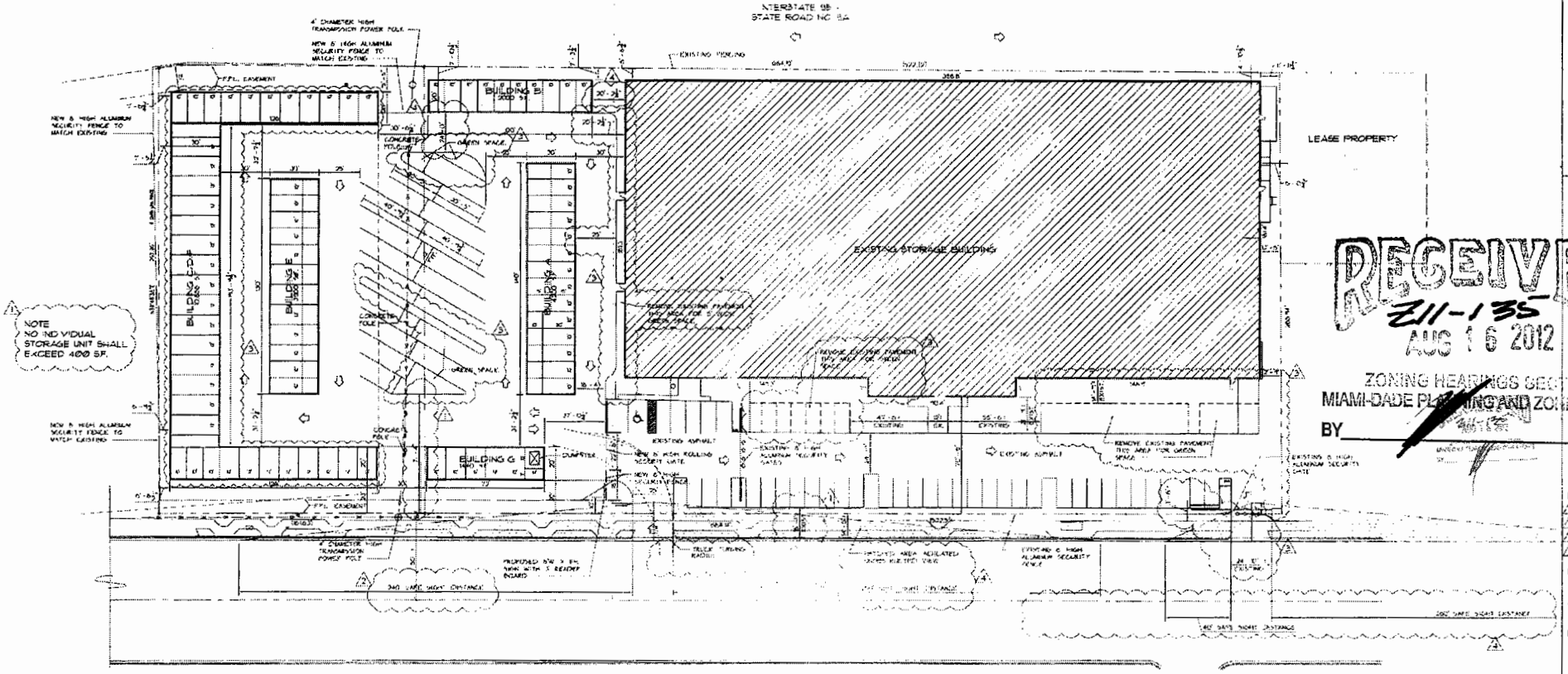
	REQUIRED	PROPOSED
MIN. LANDSCAPE / OPEN SPACE	16% (29,334 S.F.)	15.37% (28,090 S.F.)
VARIED		

MIN. SETBACKS	REQUIRED	PROPOSED
FRONT	20'	20'
REAR	0'	4'-10"
INTERIOR SIDE	5'	7'-5"
INTERIOR SIDE	5'	6'-5"
SIGN SETBACK	13.58'	10'-0"

PARKING REQUIREMENTS:

OFFICE: 1800 S.F. 400 S.F. PER SPACE = 4.5 SPACES
STORAGE: 92,086 S.F.
FIRST 20,000 S.F. = 1 S.F. PER 5000 S.F. = 4 SPACES
72,086 S.F. = 1 S.F. PER 10,000 S.F. = 7.21 SPACES

TOTAL SPACES REQUIRED = 16
TOTAL SPACES PROVIDED = 32



ARCHITECTURAL SITE PLAN
SCALE: 1" = 30'

RECEIVED
Z11-135
AUG 16 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

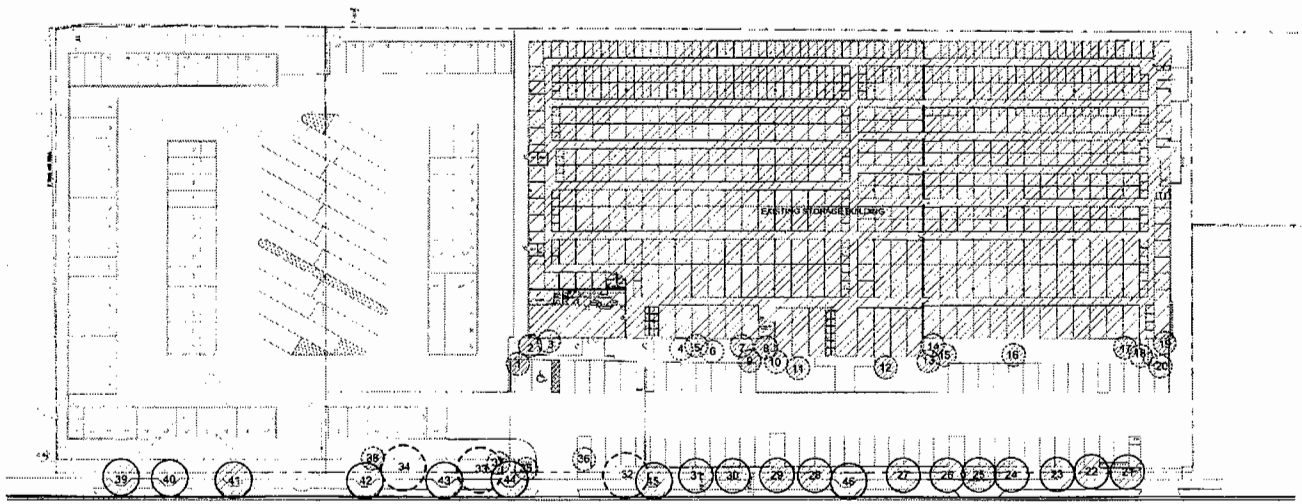
PATRICK M. PILLOT
ARCHITECT
1267 SECOND STREET SARASOTA, FLORIDA 34236
(941) 955-7375 FAX (941) 953-2281
FLORIDA 6AR001884 - EMAIL PAT@PILLOTARCH.COM

PHASE II
VALUE STORE IT
N.W. 7th AVENUE - MIAMI DADE COUNTY

REVISED:
1 JAN 16, 2012
2 MAR 8, 2012
3 JULY 2, 2012
4 JULY 31, 2012

DATE: OCT 17, 2011
JOB NO.
FILE NO
SHEET 1 OF 3

24



Tree Disposition List						Canopy Area
Point #	Size	Spread	Height	Type	Disposition	
1	12"	8'	15'	Sabal Palmetto	Remain	
2-3	4" Hole	8'	8'	Pygmy Date Palm	Remain	
4-6	10"	8'	30'	Sabal Palmetto	Remain	
7-8	10"	8'	30'	Sabal Palmetto	Remain	
9	8"	10'	15'	Sabal Palmetto	Remain	
10-12	12"	15'	15'	Bismarck Palm	Remain	
13-15	10"	8'	20'	Sabal Palmetto	Remain	
16	2 1/2" Hole	20'	15'	Pygmy Date Palm	Remain	
17	12"	8'	20'	Sabal Palmetto	Remain	
18	12"	8'	20'	Sabal Palmetto	Remain	
19	12"	8'	30'	Sabal Palmetto	Remain	
20	10"	8'	20'	Sabal Palmetto	Remain	
21	18"	25'	25'	Black Olive	Remain	
22	18" Bent	35'	30'	Black Olive	Remain	
23	10"	25'	30'	Black Olive	Remain	
24	10"	25'	30'	Black Olive	Remain	
25	10"	20'	30'	Black Olive	Remain	
26	14"	30'	30'	Black Olive	Remain	
27	14"	30'	30'	Black Olive	Remain	
28	12"	20'	25'	Black Olive	Remain	
29	16"	20'	25'	Black Olive	Remain	
30-31	14"	25'	30'	Black Olive	Remain	
32	24"	20'	45'	Black Olive	Remove	615
33	14"	25'	45'	Black Olive	Remove	615
34	14"	25'	45'	Black Olive	Remove	615
35-36	4" Hole	8'	8'	Pygmy Date Palm	Remain	
37-38	4"-6" Hole	10'	8'	Christmas Palm	Remain	
39-45	Hole	8'	12'	Crape Myrtle	Remain	
						1,848

TREES TO REMAIN 41
TREES TO RELOCATE 0
TREES TO REMOVE 7
TOTAL CANOPY REMOVED 1,848 s.f.
TOTAL NUMBER OF TREES REQUIRED FOR MITIGATION 1,848 / 500 = 4 trees 4 trees

SYMBOL LEGEND

#x Tree to Relocate

#x Tree to Remove

#x Tree to Remain

NORTH

TREE DISPOSITION PLAN

Scale: 1/32"=1'-0"

RECEIVED
Z11-135
SEP 0 1 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

WITKIN HULTS DESIGN GROUP

Project

VALUE STORE IT
Miami-Dade County, Florida
TREE DISPOSITION PLAN

Revisions:
2-21-12 Site Plan Change

Seal

AUG 30 2012

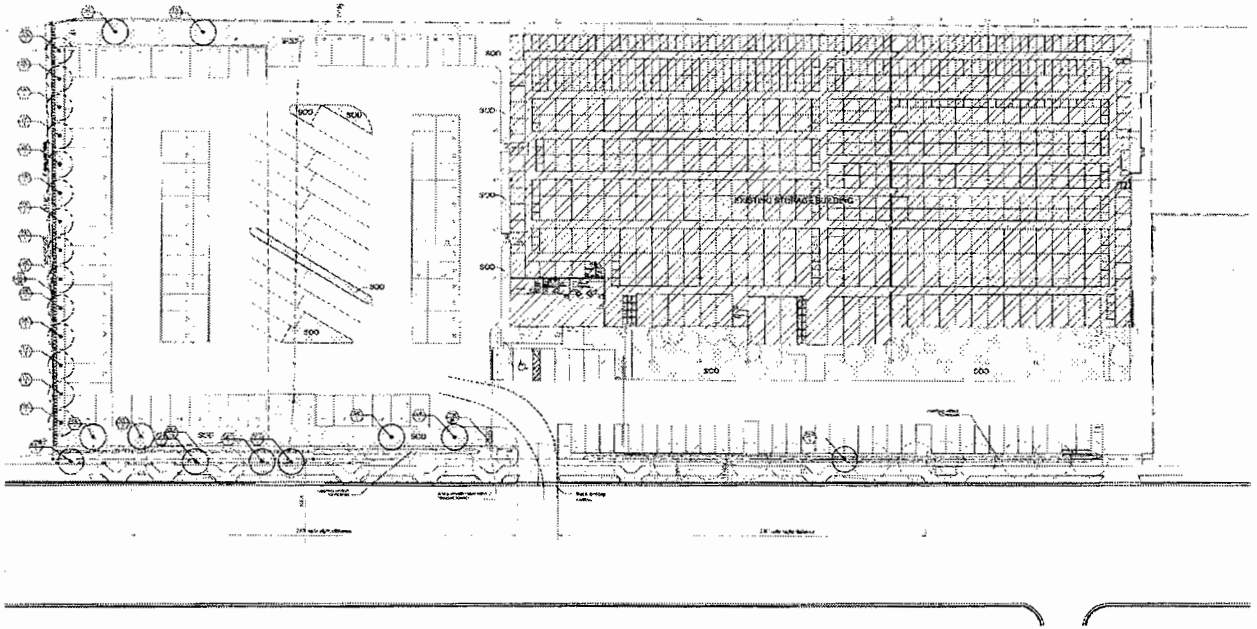
Lic. # LA0000491
Member A.S.L.A.

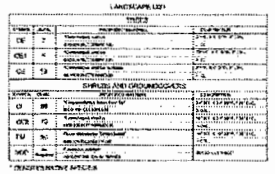
Drawing: Tree Disposition Plan
Date: 10/8/2011
Scale: 1/32"=1'-0"
Drawn by: JS
Sheet No.

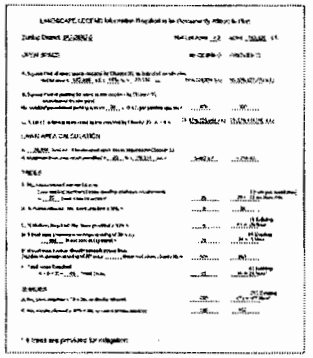
L-1

Last Rev. 2011-07-5

25.







LANDSCAPE PLAN

Scale: 1/32"=1'-0"

NORTH

WEST ELEVATION

Scale: N.T.S

RECEIVED
Z11-136
SEP 01 2012
ZONING
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

WITKIN HULTS DESIGN GROUP

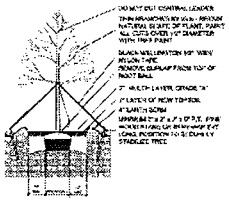
VALUE STORE IT
Miami-Dade County, Florida
LANDSCAPE PLAN

Revised:
7.31.12 My Plan Change
7.19.12 City Comments
7.3.12 County Comments

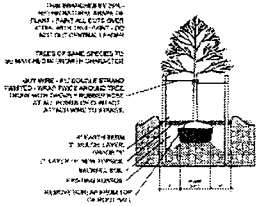
Seal

AUG 30 2012

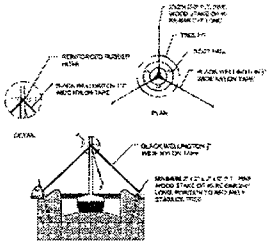
L-2



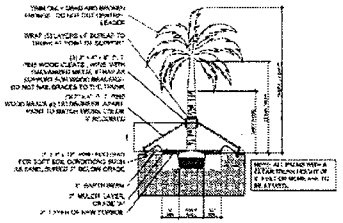
LARGE TREE PLANTING DETAIL



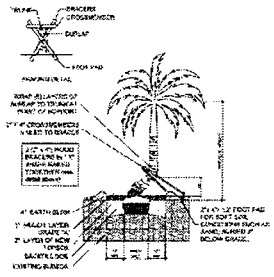
SMALL TREE PLANTING DETAIL



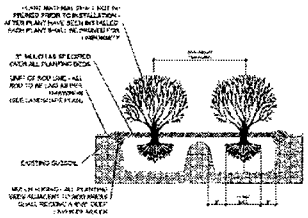
TYPICAL TREE GUYING DETAIL



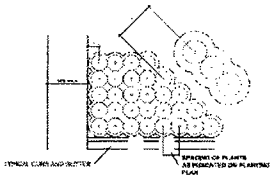
STRAIGHT TRUNK PALM PLANTING DETAIL



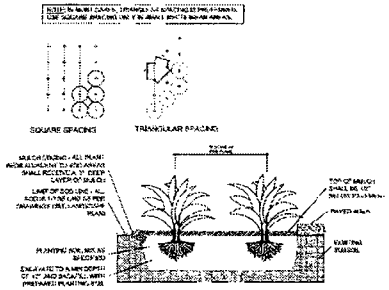
CURVED TRUNK PALM PLANTING DETAIL



TYPICAL SHRUB PLANTING DETAIL



TYPICAL CONTAINER SPACING DETAIL



TYPICAL GROUNDCOVER PLANTING DETAIL

PLANTING NOTES: (See plant specification and details for additional standards)

-All plant material is to be Florida Number 1 or better pursuant to the Florida Department of Agriculture's Grades and Standards for Nursery Plants.

-Sod is to be grade "A" weed free.

-All areas marked "LAWN" shall be solid sodded with St. Augustine 'Floratam' solid sod.
See limit on plan. All areas marked 'Bahia Grass' shall be solid sodded with Paspalum. All sod is to be laid level, tight, and cut even along planting beds.

-All plants are to be top dressed with a minimum 3" layer of Melaleuca mulch. Eucalyptus mulch or equal.

-Planting plans shall take precedence over plant list in case of discrepancies.

-No changes are to be made without the prior consent of the Landscape Architect and Owner. Additions and or deletions to the plant material must be approved by the project engineer.

-Landscape Contractor is responsible for providing their own square footage takeoffs and field verification for 100% sod coverage for all areas specified.

- All landscape areas are to be provided with automatic sprinkler system which provide 100% coverage, and 50% overlap.

- All trees in lawn areas are to receive a 24" diameter mulched saucer at the base of the trunk.

- All lawn located in parking islands is to be set flush with top of curb. Provide adequate soil to within 3" of top of curb.

- Trees are to be planted within parking islands after soil is brought up to grade. Deeply set root balls are not acceptable.

- Planting soil for topsoil and backfill shall be 50/50 mix, nematode free. Planting soil for annual beds to be comprised of 50% Canadian peat moss, 25% soil; free coarse sand and 25% Aerolite.

- Tree and shrub pits will be supplemented with "Agriform Pells", 21 gram size with a 20-10-5 analysis, or substitute application accepted by Landscape Architect. Deliver in manufacturer's standard containers showing weight, analysis and name of manufacturer.

GENERAL NOTES

-The Landscape Contractor is to locate and verify all underground and overhead utilities prior to beginning work. Contact proper utility companies and / or General Contractor prior to digging for field verification. The Owner and the Landscape Architect shall not be responsible for any damages to utility or irrigation lines (see Roadway Plans for more utility notes).

-Landscape Contractor is to verify all current drawings and check for discrepancies and bring to the attention of the Landscape Architect prior to commencing with the work.

-All unattended and unplanted tree pits are to be properly barricaded and flagged during installation.

-All planting plans are issued as directives for site layout. Any deviations, site changes, et cetera are to be brought to the attention of the Landscape Architect for clarification prior to installation.

RECEIVED
SEP 01 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING & ZONING DEPT.
BY

WITKIN HULTS DESIGN GROUP

VALUE STORE IT
Miami-Dade County, Florida
LANDSCAPE DETAILS

Revisions:

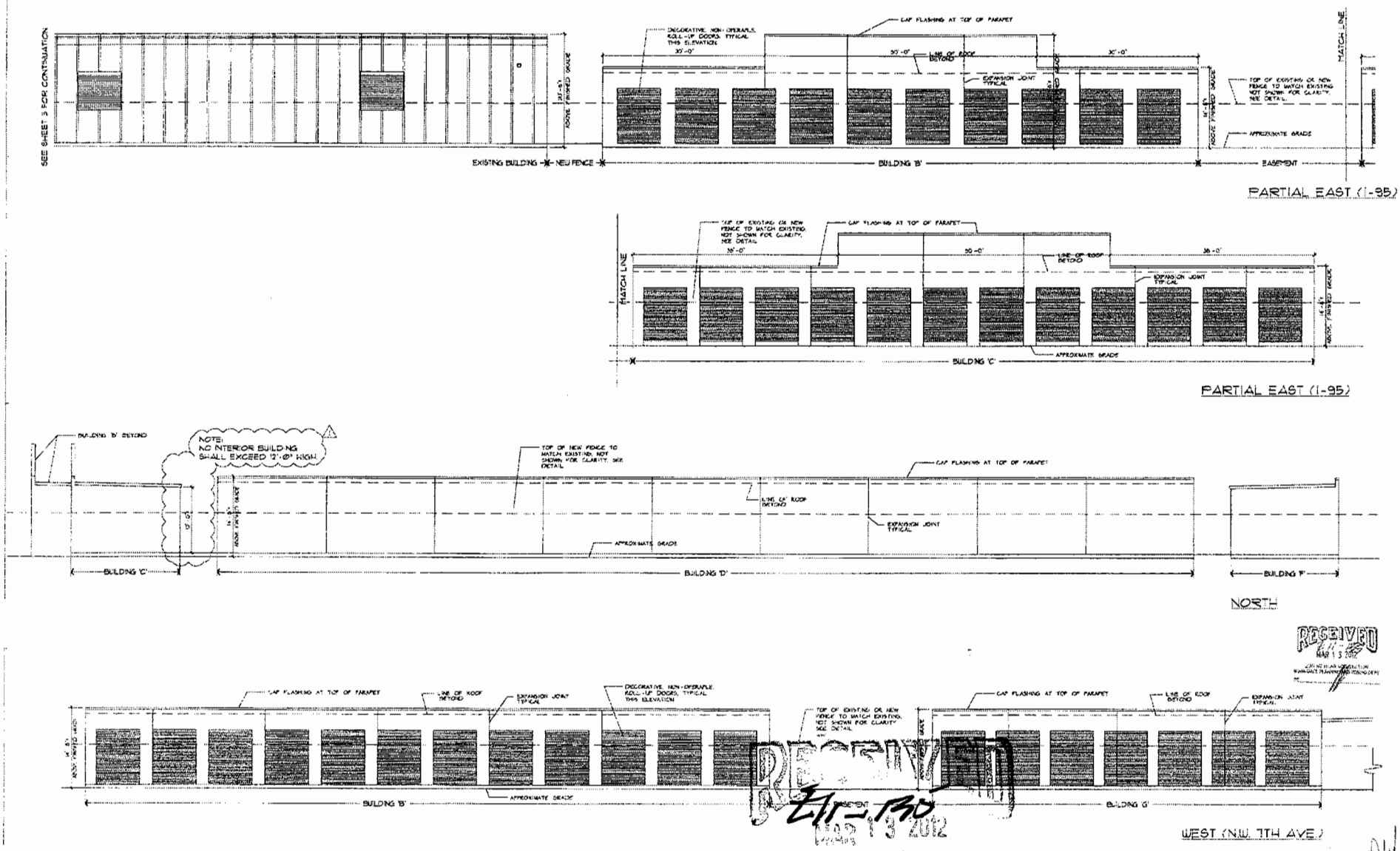
Seal:

AUG 30 2012

Drawing: Landscape Details
Date: 08/30/2012
Scale: NTS
Drawn by: SS
Sheet No.: L-3

27

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 211-133
DATE: MAR 13 2012
BY: DAH



EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"

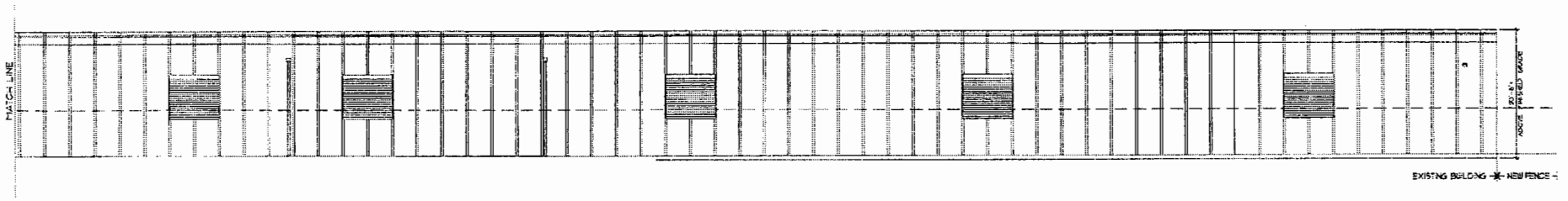
RECEIVED
MAR 13 2012
ZONING HEARING SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

PATRICK M. PILLOT
ARCHITECT
1267 SECOND STREET
(941) 953-7375
FLORIDA #AR0011684
SARASOTA, FLORIDA 34236
FAX (941) 953-2281
EMAIL PAT@PILLOTARCH.COM

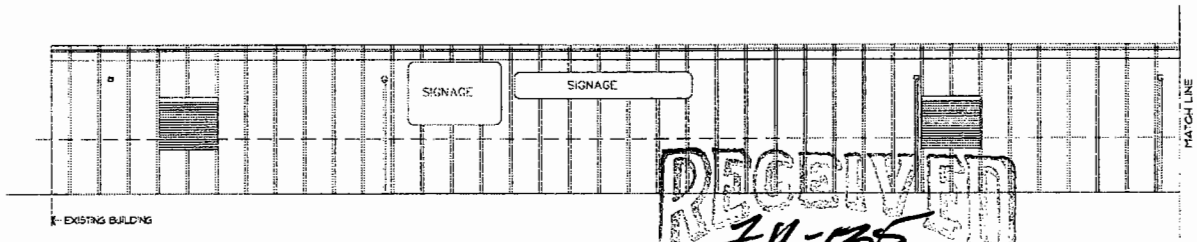
PHASE II
VALUE STORE IT
N.W. 7th AVENUE - MIAMI DADE COUNTY

REVISED: JAN 16, 2012
DATE: OCT 17, 2011
JOB NO.
FILE NO.
SHEET 2 OF 3

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 211-135
DATE: MAR 13 2012
BY: DAS

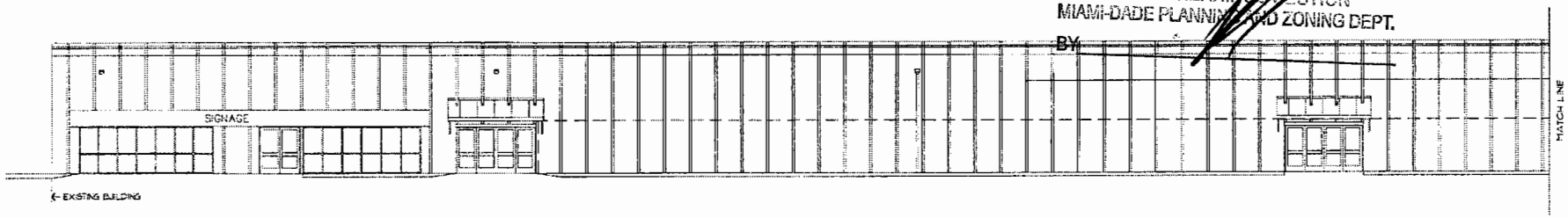


PARTIAL EAST (I-95)

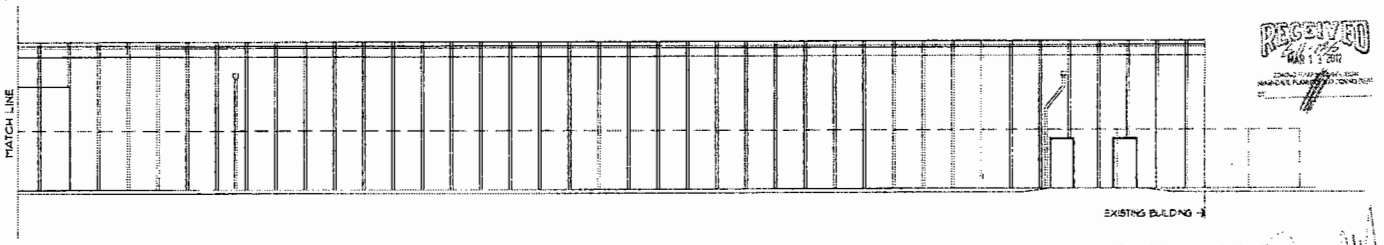


PARTIAL EAST (I-95)

RECEIVED
Z11-135
MAR 13 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY:



WEST (N.W. 7TH AVE.)



RECEIVED
MAR 13 2012

WEST (N.W. 7TH AVE.)

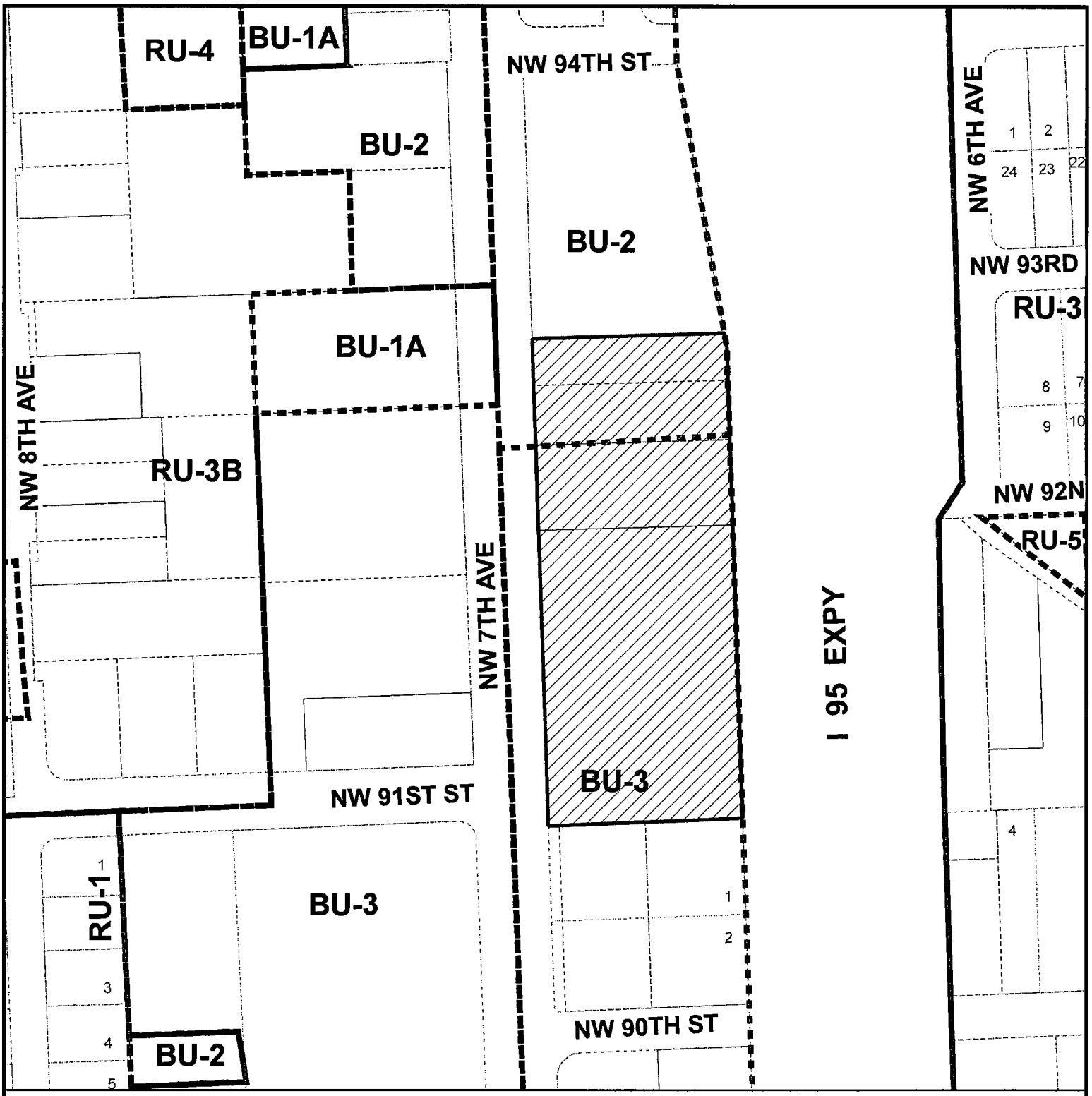
EXTERIOR ELEVATIONS

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

PATRICK M. PILLOT
ARCHITECT
1207 SECOND STREET
SARASOTA, FLORIDA 34236
(941) 955-7375
FAX (941) 955-2911
FLORIDA #AR0015854
EMAIL PAT@PILLOTARCH.COM

PHASE II
VALUE STORE IT
N.W. 7th AVENUE - MIAMI DADE COUNTY

DATE: OCT 17, 2011
JOB NO.
FILE NO.
SHEET 3 OF 3



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2011000135

Section: 01 Township: 53 Range: 41
Applicant: 9191 NW 7 AVE LLC & VALUE STORE IT NW 7 AVE MIAMI PARTNERSHIP
Zoning Board: C8
Commission District: 3
Drafter ID: JEFFER GURDIAN
Scale: NTS

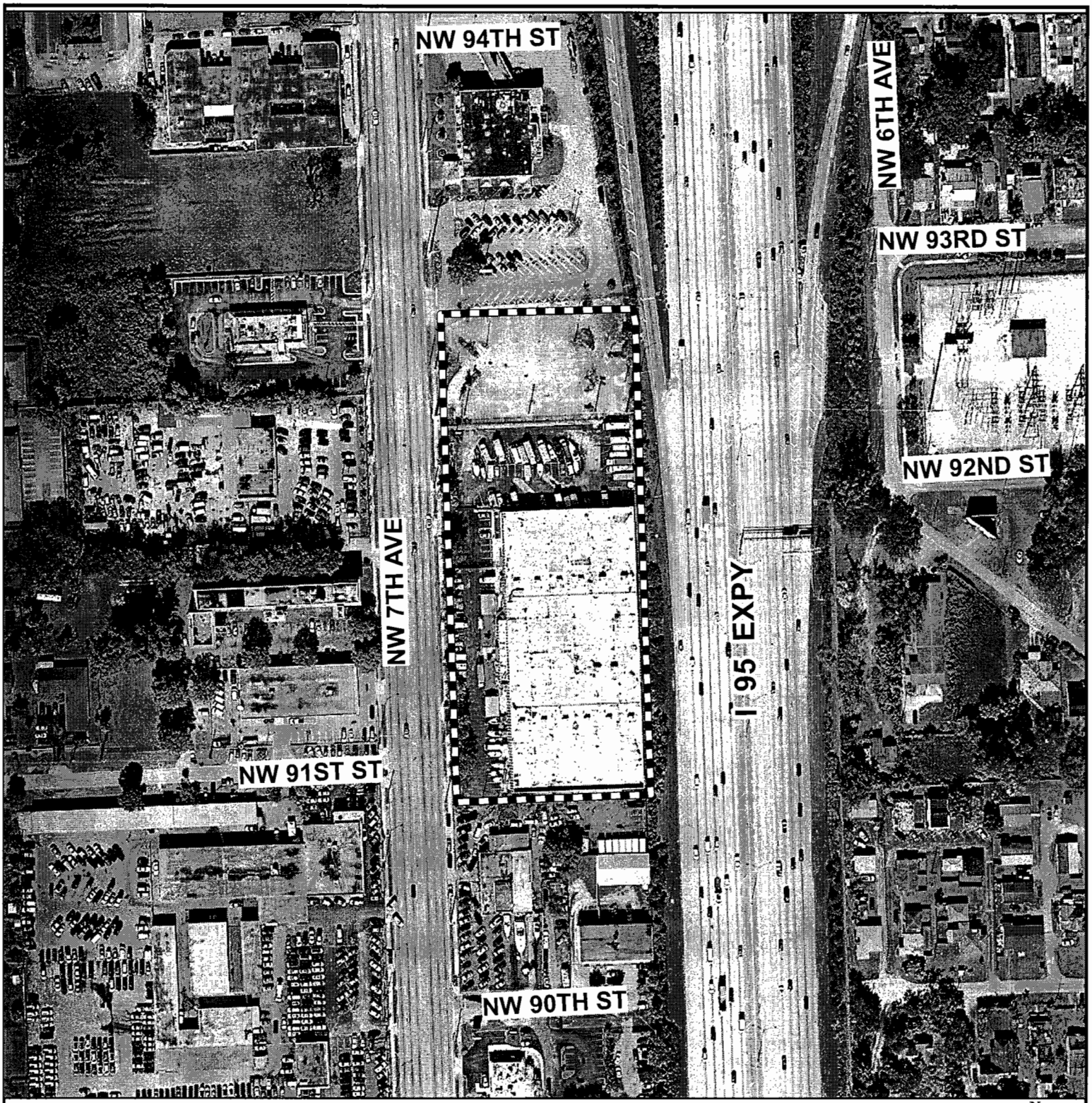
Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, December 13, 2011

REVISION	DATE	BY
		29



MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2011000135

N
W E
S

Section: 01 Township: 53 Range: 41
Applicant: 9191 NW 7 AVE LLC & VALUE STORE IT NW 7 AVE MIAMI PARTNERSHIP
Zoning Board: C8
Commission District: 3
Drafter ID: JEFFER GURDIAN
Scale: NTS

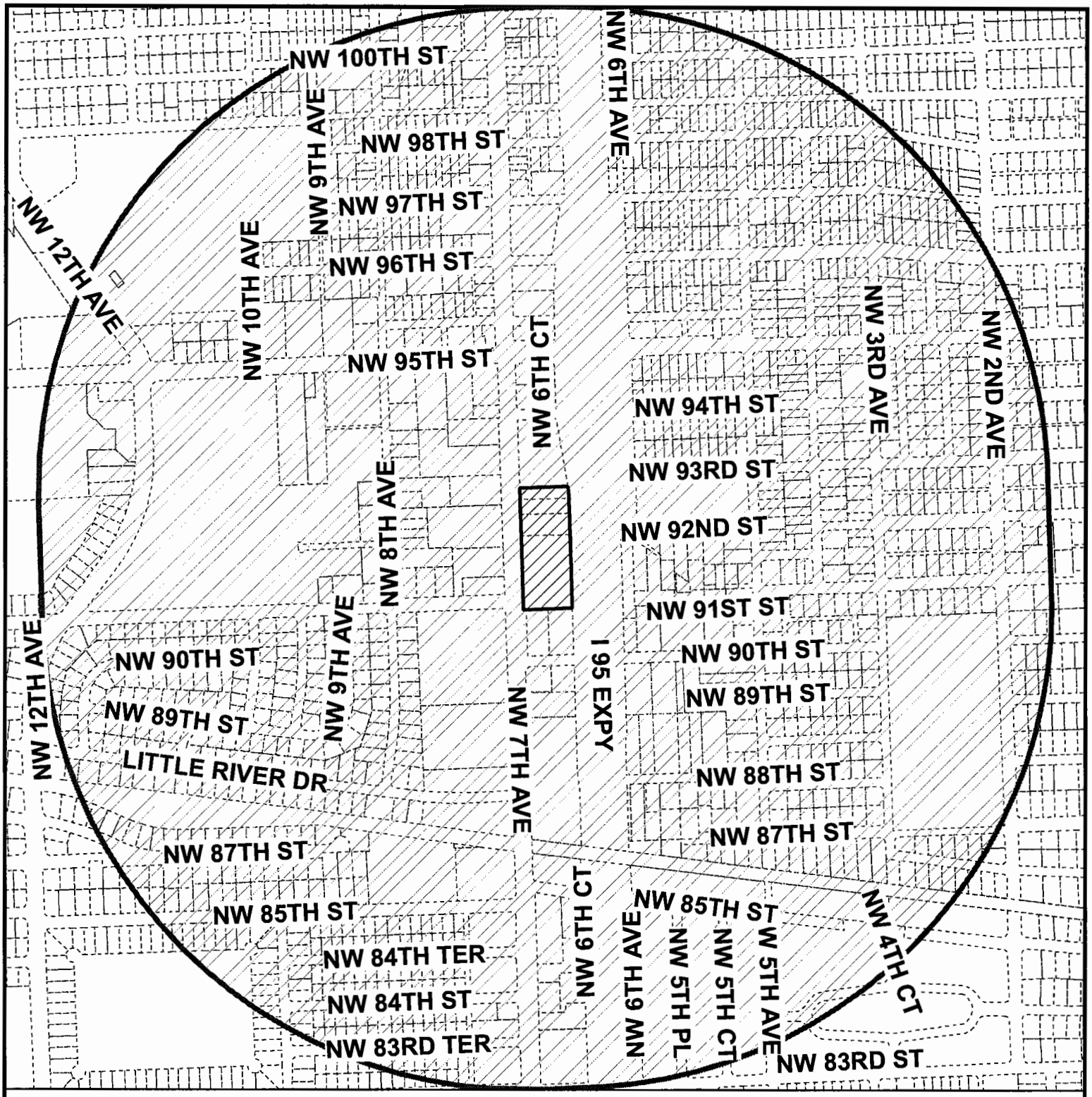
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, December 13, 2011

REVISION	DATE	BY
		30



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2011000135

RADIUS: 2640

N
W E
S

Section: 01 Township: 53 Range: 41

Applicant: 9191 NW 7 AVE LLC & VALUE STORE IT NW 7 AVE MIAMI PARTNERSHIP

Zoning Board: C8

Commission District: 3

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend

Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, December 13, 2011

REVISION	DATE	BY
		31

MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2011000135

Legend

N
W E
S

Section: 01 Township: 53 Range: 41
Applicant: 9191 NW 7 AVE LLC & VALUE STORE IT NW 7 AVE MIAMI PARTNERSHIP
Zoning Board: C8
Commission District: 3
Drafter ID: JEFFER GURDIAN
Scale: NTS

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, December 13, 2011

REVISION	DATE	BY

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

PH: Z12-078 (12-12-CZ8-2) **December 19, 2012**
Item No. 2

Recommendation Summary	
Commission District	2
Applicants	Eduviges Castillo
Summary of Requests	The applicants are seeking to allow an existing single-family residence setback closer to the rear property line with a lot coverage greater than permitted and to permit a picket fence taller than 2.5' in the safe sight distance triangle.
Location	10400 NW 30 Place, Miami-Dade County, Florida
Property Size	70' x 110'
Existing Zoning	RU-1, Single-Family Residential
Existing Land Use	Single family residence
2015-2025 CDMP Land Use Designation	Low Density Residential (*see attached Zoning Recommendation Addendum*)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (*see attached Zoning Recommendation Addendum*)
Recommendation	**Approval with conditions**

REQUEST:

(1) NON-USE VARIANCE to permit an existing addition to a single family residence setback 12.5' (25' required) from the rear (west) property line.

(2) NON-USE VARIANCE to permit a lot coverage of 41% (35% permitted).

(3) NON-USE VARIANCE to permit a 4' high metal picket fence with concrete columns within the safe sight distance triangle (maximum 2.5' height).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Demolition and Legalization for Eduviges Castillo's Residence" as prepared by JCD Architect, Inc., and dated stamped received 6/5/12, consisting of 5 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION: Existing approximately 3,130 sq. ft. single-family residence

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

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing single-family residence located at 10400 NW 30 Place. Residential uses characterize the surrounding area where the subject property lies.

SUMMARY OF THE IMPACTS:

Approval of this application will permit an existing single-family residence setback closer to the rear property line with greater lot coverage than permitted and a 4' high picket fence within the safe sight distance triangle. However, the encroachment into the rear setback may visually impact the abutting single-family residence to the west.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as ***Low Density Residential*** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses* The approval of the requests sought in this application will permit the existing single-family residence to encroach into the required rear setback area with greater lot coverage than permitted. Staff notes that approval will not add additional dwelling units to the site beyond what is allowed by the CDMP LUP map and will not change the single-family residence use. As such, approval of the application with conditions is **consistent** with the density range of the Low Density Residential CDMP LUP map category and the CDMP Land Use Element interpretative text for Residential Communities.

ZONING ANALYSIS:

When requests #1 and #2 are analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff is of the opinion the approval of the requests with conditions 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 a similar approval for variance of setback and lot coverage requirements for single-family residences within the surrounding area. For example, a property located to the northwest at 3500 NW 105 Street was approved pursuant to Resolution No. 4-ZAB-409-93 to setback 9' from the rear property line, where 25' is required and lot coverage of 45%, where 35% is permitted by the Zoning Code. Pursuant to Administrative Variance #1998000182, another property located to the west at 10416 NW 35 Court was granted approval to setback 12.5', where 25' is required. Staff opines that the 6% increase in lot coverage and the 12.5' encroachment into the rear setback area are minimal and similar to the previously mentioned approvals. However, as a condition of approval staff recommends that the applicant install an opaque 6' high fence, wall, or a hedge, 3' high at the time of planting, to grow to and be maintained at a height of 6' along the rear (north) property line as a visual buffer. **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.**

Further, when analyzing request #3, to permit a 4' high picket fence within the safe sight distance triangle under the Non-Use Variance (NUV) Standards, staff opines that approval of this request would not be detrimental to the surrounding neighborhood and would not have a negative visual impact on same. Staff opines that the existing picket fence, although 1.5' taller than permitted is designed in a manner that allows for adequate visibility from the safe sight

triangle area for vehicles entering or leaving the residence. Staff also notes that the Public Works and Waste Management Department does not object to request #3 as evidenced in their memorandum.

In staff's opinion the approval of requests #1 through #3 would not be out of character with the surrounding area and is **compatible** based on the above analysis. However, staff opines that due to the layout of the floor plan for the existing single-family residence, future owners could easily convert the single-family residence into additional residential units. Therefore, staff recommends as a condition for approval, that the applicant submit a Declaration of Use agreement which restricts the use of the subject property to a single-family residence use only. **As such, staff recommends approval of requests #1 through #3 with conditions under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval with conditions

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Demolition and Legalization for Eduviges Castillo's Residence" as prepared by JCD Architect, Inc., and dated stamped received 6/5/12, consisting of 5 sheets"

3. That the use be established and maintained in accordance with the approved plan.

4. That the existing carport remain open sided.

5. That the applicant installs an opaque 6' high fence, wall, or a hedge, 3' high at the time of planting, to grow to and be maintained at a height of 6' along the rear (west) property line as a visual buffer.

6. That the applicant submits a Declaration of Use Agreement to the Department of Regulatory and Economic Resources restricting the use of the subject property to a single-family residence prior to the issuance of a building permit.

ES:MW:NN:CH:AN

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

ZONING RECOMMENDATION ADDENDUM

Eduviges Castillo
Z12-078

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Public Works & Waste Management	No objection
Parks	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

Low Density Residential (Pg. I-31)	*The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

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

2. EDUVIGES CASTILLO
(Applicant)

12-12-CZ8-2 (12-078)
Area 08/District 02
Hearing Date: 12/19/12

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:

Year	Applicant	Request	Board	Decision
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

MIAMI-DADE COUNTY

Date: June 18, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E., Assistant Director
Department of Regulatory and Economic Resources

Subject: #Z2012000078
Eduviges Castillo
10400 NW 30 Place
Non-Use Variance to Permit Less Setbacks than Required from the Property Line and Non-Use Variance to Permit a Greater Lot than Permitted
(RU-2) (0.17 Acres)
33-52-41

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.

Conditions for Flood Protection
The application site is not within a Special Flood Hazard Zone as per determined the Federal Flood Insurance Rate Maps (FIRM) for Miami-Dade County. The County flood criterion for this site is 5.75 ft NGVD. The proposed legalization of addition as depicted in the zoning request for a variance of set backs appears to be a non-substantial improvement as defined in Section 11C of the Code. Non-substantial improvements are required at a minimum to meet the elevation of the existing single family residence. Based on the survey provided, the single family residence has a highest floor elevation of 10.40 ft NGVD and a lowest floor elevation of 9.95 NGVD. The applicant will be required to demonstrate the addition complies with the Code prior to approval of building permit plans. For more information please contact the Department's Floodplain Program at 786-315-2800.

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

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

Wastewater Disposal
Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. The Department has no objection to the interim use of a septic tank and drainfield provided that the maximum sewage loading allowed by Section 24-43.1(3)

of the Code is not exceeded and the property is connected to public water. In accordance with the Code, the minimum lot size for a single family residence or duplex served by public water and a septic tank shall be 15,000 square feet (gross) or 20,000 square feet (gross), respectively. The subject property does not meet the minimum allowable lot size, however the legal subdivision occurred prior the effective date of the requirement so the subject property is grandfatherable.

Stormwater Management
The existing setbacks will not affect the existing stormwater management system.

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

Please be advised that 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 require permits for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation
The proposal to permit less setbacks and a greater lot than permitted will not impact tree resources. Therefore, the Tree Permitting Program has no objection to this zoning application.

Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code

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, Department of Regulatory and Economic Resources

PH# .Z2012000078
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: EDUVIGES CASTILLO

This Department has no objections to this application.

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

Raul A Pino, P.L.S.
03-AUG-12

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW # Z12-078
Eduviges Castillo

Application: ***Eduviges Castillo*** is requesting a non-use variance to allow for a rear set back. The property is zoned RU-1 (Single Family Residential).

Size: The subject property is approximately 0.177 acres (7,700 square feet).

Location: The subject property is located at 10400 NW 30th Place in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The single-family residence on the property meets the County Code definition of "residential unit." As such, according to Chapter 15 of the Miami-Dade Code entitled Solid Waste Management, the residential unit on the property currently receives, and shall continue to receive PWWM waste collection service, twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWM solid waste collection service area.

3. Recycling

The PWWM provides curbside recycling services to **residential units** located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained by calling the Department's Public Information & Outreach Division at 305-594-1500 or 305-514-6714.

Applicants are ***strongly*** advised to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store their recycling carts).

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends").
b. "T" shaped turnaround 60 feet long by 10 feet wide.
c. Paved throughway of adequate width (minimum 15 feet).

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWMD has no objections to the proposed application.**

Memorandum

Date: 14-JUN-12

To: , Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2012000078

Fire Prevention Unit:

Not applicable to MDFR site requirements.

Service Impact/Demand

Development for the above Z2012000078
located at 10400 NW 30 PL, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0675 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:31 minutes

Existing services

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

Station 7 - W Little River - 9350 NW 22 Avenue
Rescue, ALS Engine, Squad

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

Memorandum

MIAMI-DADE COUNTY

Date: July 2, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: Z2012000078: EDUVIGES CASTILLO

Application Name: EDUVIGES CASTILLO

Project Location: The site is located at 10400 NW 30 PL, Miami-Dade County.

Proposed Development: The applicant is requesting a non-use variance to setbacks.

Impact and demand: This variance requested by this application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

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, Parks Property Management Supervisor

DATE: 29-NOV-12

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

EDUVIGES CASTILLO	10400 NW 30 PL, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2012000078

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC; Case was opened August 16, 2011 for maintaining a structure in setback and a warning was issued August 16, 2011. Extension requested September 14, 2011 and granted until October 30, 2011.Another extension requested November 2, 2011 and approved December 2, 2011.December 9, 2011 another extension requested and granted til December 30, 2011.Citation issued March 21, 2012, violation not corrected April 25, 2012. Extension requested April 30, 2012.Lien inspection October 16, 2012 and zoning hearing pending scheduled for December 19, 2012 and case on hold pending variance. Citation paid November 27, 2012. Prior case opened July 25, 2011 for storing/maintaining junk/trash and a warning was issued. Violation corrected and case closed on August 16, 2011.

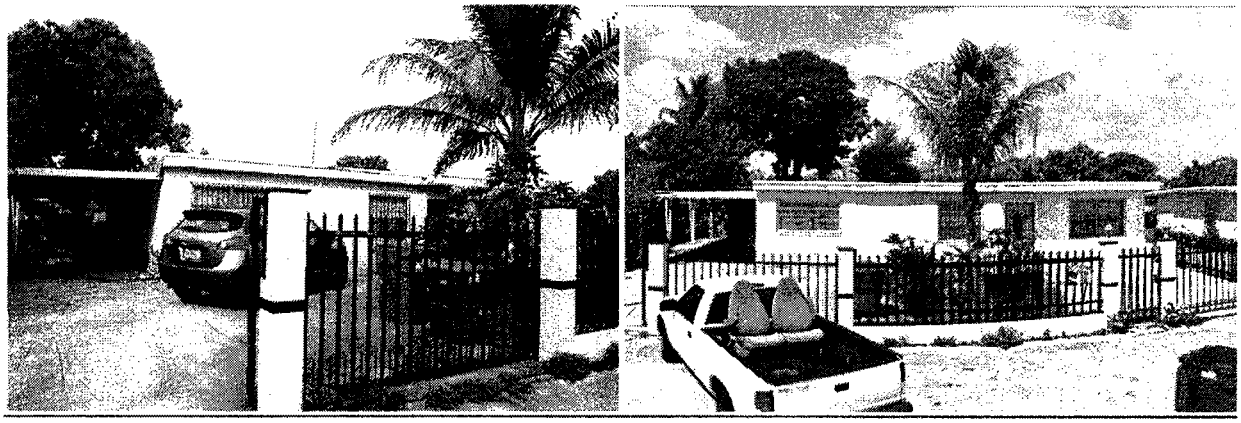
Eduviges Castillo

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

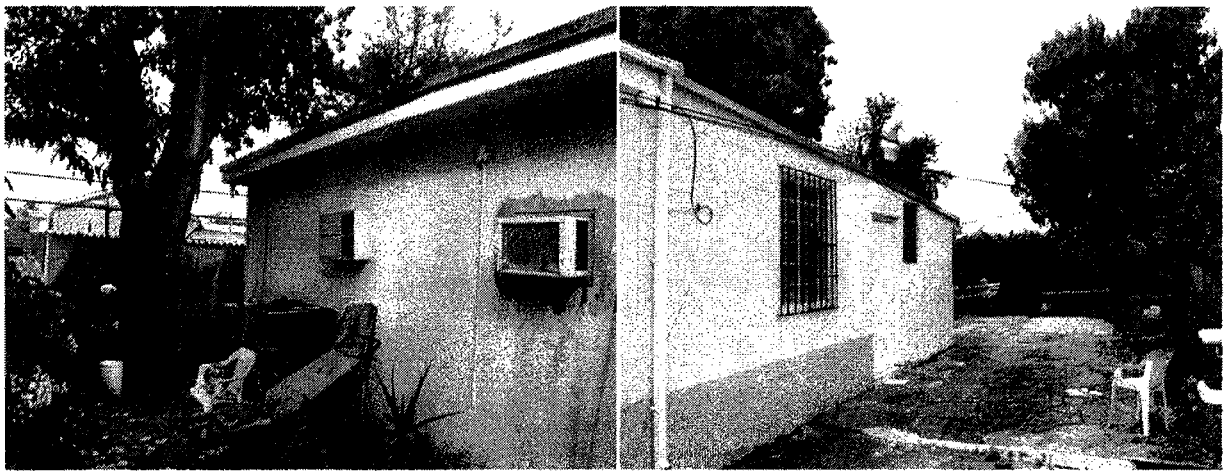
REPORTER NAME:

PHOTOGRAPHS

FRONT ELEVATION:



SIDE ELEVATION:

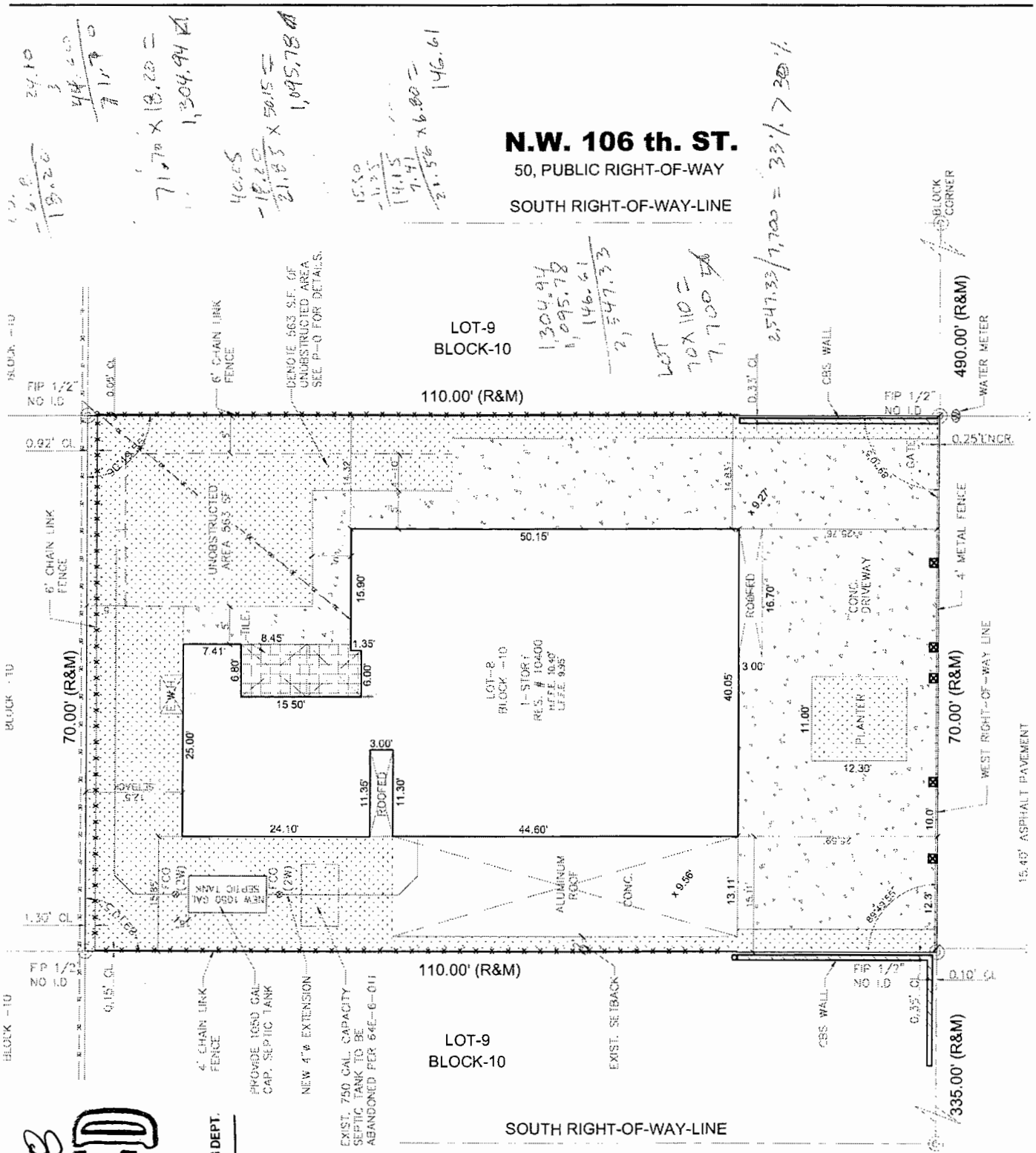


REAR ELEVATION:

JCD ARCHITECT, Inc.
JUAN CARLOS DAVID R.A.#0015344
LEED ACCREDITED PROFESSIONAL
Design & Development
Architecture Interiors Planning Construction

DEMOLITION & LEGALIZATION

EDUVIGES CASTILLO
10400 N.W. 30th PLACE
MIAMI FL 33147



ENLARGED SITE

2/2-078
RECEIVED
JUN 05 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: FE

ENLARGED SITE PLAN

ZONING INFO.

ZONING – RU-1 MC

	REQ'D	PROPOSED
LOT COVERAGE		
AREA MIN.		
SETBACKS:	REQ'D	PROPOSED
FRONT	25'	25.59'
REAR	25'	15.90' (variance)
SIDE INTERIOR (NORTH)	7.5'	8.00'
SIDE STREET (SOUTH)	15'	14.35'

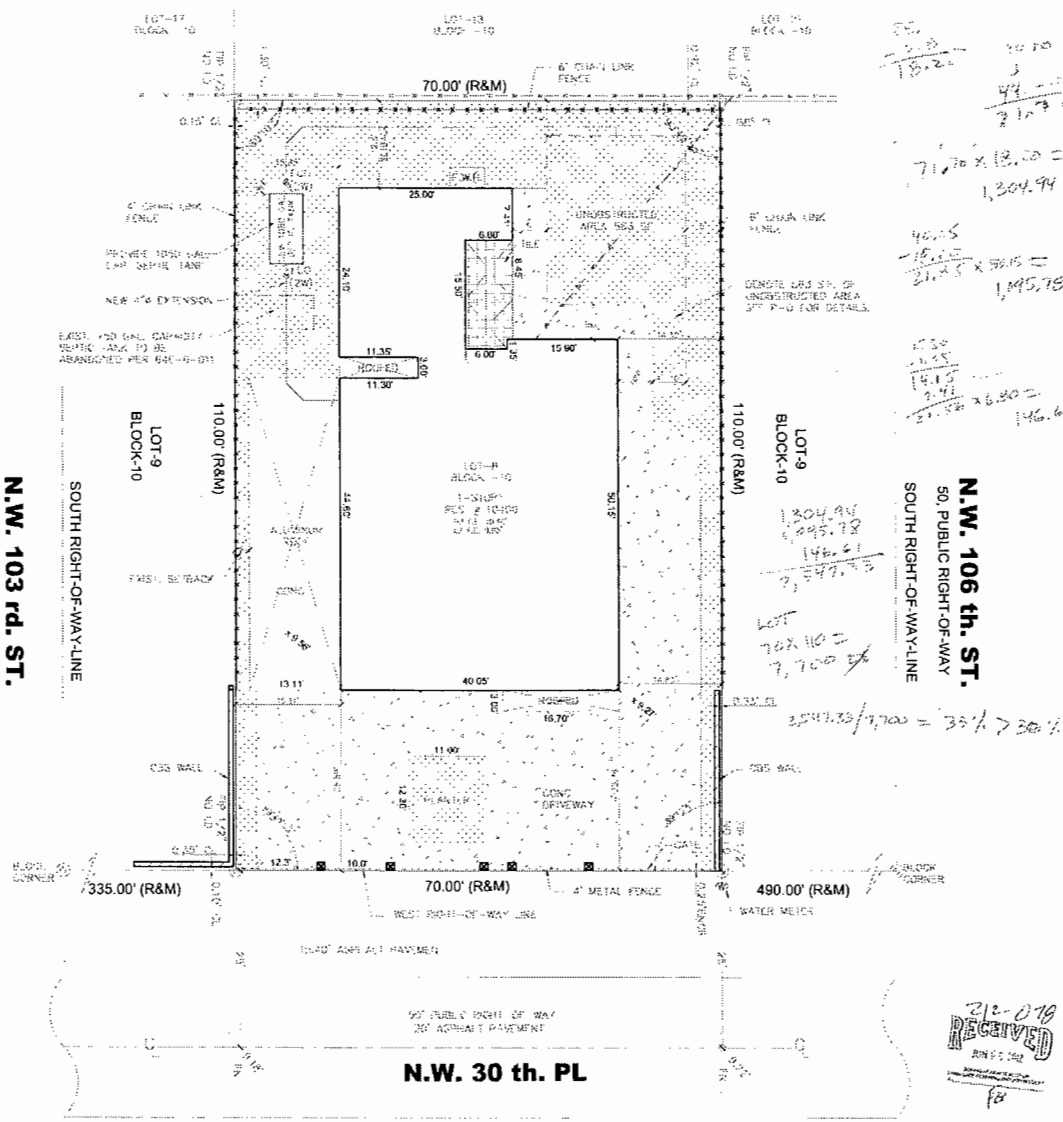
GENERAL NOTES

1. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST BUILDING, FIRE, MECHANICAL, PLUMBING AND ALL APPLICABLE LOCAL AND GOVERNMENTAL CODES.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES AND OMISSIONS BEFORE PROCEEDING WITH THE WORK.
3. CONTRACTOR TO OBTAIN ALL PERMITS AND APPROVALS FOR THE CONSTRUCTION AND OCCUPANCY OF THIS PROJECT.
4. ALL WORK DONE UNDER THE SUPERVISION OF THE CONTRACTOR SHALL BE DONE IN A NEAT AND WORKMANLIKE MANNER AND IN ACCORDANCE WITH ALL GOVERNING AGENCIES, RULES AND REGULATIONS HAVING JURISDICTION.
5. CONTRACTOR TO PROVIDE ALL TEMPORARY MATERIALS AS REQUIRED FOR ELECTRICAL SUPPORT, BRACE AND ENCASE ALL BUILDING APPURTENANCES.
6. PRIOR TO CONSTRUCTION, WORK THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EQUIPMENT AND DUCTWORK IN THE FIELD. ANY CONFLICT BETWEEN PLANS, SPECIFICATIONS AND THE OWNER AND ALL EXISTING AND DETAILED FIELD CONDITIONS.
7. CONTRACTOR SHALL PROVIDE THE BEST GRADE MATERIALS, EQUIPMENT AND WORKMANSHIP AND ALL FIELD CHANGES, EXCLUDE ADDITIONS TO THE WORK AS SHOWN IN THE DRAWINGS.
8. IF ANY CHANGES AND/OR CLARIFICATIONS ARE MADE TO THESE PLANS WHICH ARE NOT SHOWN ON THE PLANS OR THE AGREEMENT, THE CONTRACTOR SHALL HAVE FULL RESPONSIBILITY FOR SUCH CHANGES AND/OR CLARIFICATIONS.
9. IN ORDER TO AVOID DELAYS OF CONSTRUCTION, ANY DISCREPANCIES ARE MADE KNOWN TO THE ARCHITECT AS SOON AS POSSIBLE. CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR FIELD CHANGES AND DELAY CLAIMS.
10. ALL SHOP DRAWINGS SHALL BE SUBMITTED TO THE ARCHITECT FOR REVIEW FOR CONFORMANCE ONLY.
11. SUBSTITUTIONS MUST BE APPROVED AND APPROVED BY THE ARCHITECT OR ENGINEER.
12. CONTRACTOR OR SUB-CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING AND REMOVAL AND DISPOSAL OF ALL DEBRIS RESULTING FROM HIS CONSTRUCTION.
13. ALL DIMENSIONS AND GRADIENTS HEREON ARE PRIVATE RELIEF OF THE ARCHITECT'S AND ARE THE PROPERTY OF THE ARCHITECT AND SHALL NOT BE REUSED ON ANY OTHER LOCATION UNLESS THEIR USE FOR THAT PURPOSE HAS BEEN AUTHORIZED BY THE ARCHITECT. THE PERMISSION OF USE WILL BE GRANTED TO ANOTHER PARTY ONLY WHEN SUCH PARTY HAS AGREED TO ASSUME ALL RISKS AND LIABILITY ARISING THEREFROM.

NEW CONST. LEGEND:

- EXISTING BUILDING TO BE DEMOLISHED
- EXISTING BUILDING (REAL) TO REMAIN UNLESS NOTED OTHERWISE
- NEW MASONRY WALLS
- EXISTING DOOR TO REMAIN
- NEW DOOR TO BE REPLACED FOR NEW
- EXISTING PAINT (REAL) TO REMAIN UNLESS NOTED AS NEW PAINT
- NEW PAINT (NEW)

RM TO BE REMAINED
RP TO BE REPLACED



PROPOSED SITE PLAN

RECEIVED
2-2078
JUN 05 2012

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

FB

17

DEMOLITION & LEGALIZATION

EDUVIGES CASTILLO
10400 N.W. 30th PLACE
HIALEAH FL 33172

JCD ARCHITECT, Inc.
JUAN CARLOS DAVID R.A.#0015344
LEED ACCREDITED PROFESSIONAL
Design & Development
Architecture Interior Planning Construction

Job No:
Date:
Scale: SHOWN

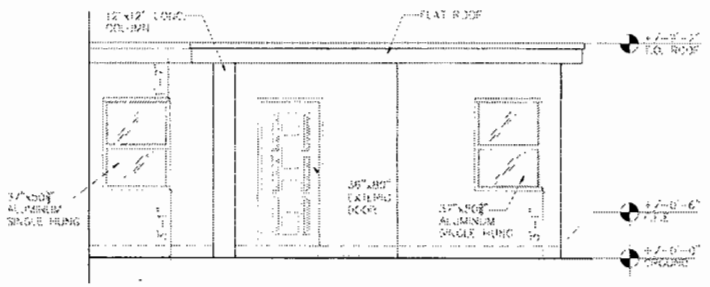
Building Permit: MAR 23 2012

AA-26001560

Sheet No:
A-1

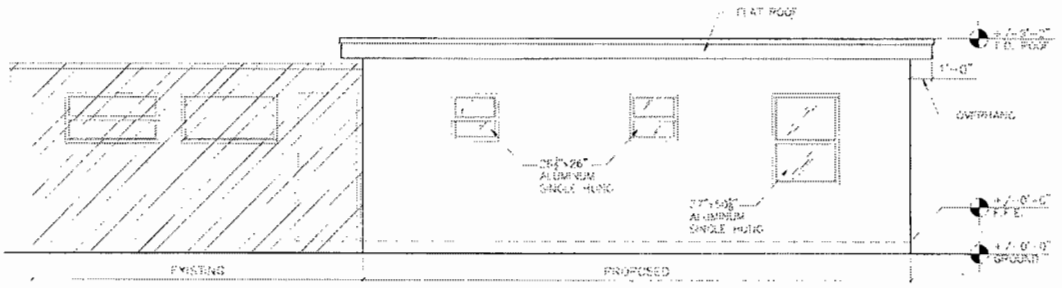
2-2078
RECEIVED
JUN 05 2012
FB

18



PROPOSED SOUTH ELEV.

PROPOSED WEST ELEV.



PROPOSED EAST ELEV.

12-078
RECEIVED
JUN 0 5 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

12-078
RECEIVED
JUN 0 5 2012

DEMOLITION & LEGALIZATION
EDUVIGES CASTILLO
10400 N.W. 30th PLACE
MIAMI FL 33147

JCD ARCHITECT, Inc.
JUAN CARLOS DAVID R.A.#0018344
LEED ACCREDITED PROFESSIONAL
Design & Development
Architecture Interiors Planning Construction

Job No.
Date
Scale AS SHOWN

MAY 25 2012

AA-26001560

Sheet No.
A-4

NOTE 1:
ALL THE GLASS OF FRENCH DOOR AND GLASS IN VIEWS ADJACENT TO TUBS & SHOWER COMPARTMENTS MUST BE CATEGORY II SAFETY GLAZING AS DEFINED IN THE SFBC 2004 (CBC 2407.2.3.2 & 2407.6)

NOTE 2: IN THE BATHROOM PROVIDE TUB WALL TILE & WALL BOARD FINISH TO COMPLY THE SFBC P 2078
"Shower compartments shall have smooth, non-absorbent corrosion resistant and non-absorbent surface extending at least 6 feet above the floor. Floors and walls above bathtubs with installed shower heads and in shower compartments shall be finished with a non-absorbent surface to a height of not less than 72 inches (1829 mm) above the drain inlet."

NOTE 3: EGRESS WINDOW
Minimum size the minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm). The minimum net clear opening area shall be 5.7 sq. ft. (0.530 m2).

NOTE 4:
SHUTTERS REQUIRE PRODUCT APPROVAL & SEPARATE PERMIT

NOTE 5:
ALL WINDOW & MELTION PRODUCT APPROVALS ATTACHED

NOTE 6:
GLASS BREAKAGE FOR ALL VIEWS IS 3/16" PER N.C.A. ATTACHED

NOTE 7:
EXTERIOR DOORS & WORK, ROOF TRUSSES, ROOFING MEMBRANE UNDER SEPARATE PERMIT

NOTE 8:
WALL AND CEILING FINISHES SHALL HAVE A FLAME SPREAD CLASSIFICATION OF NOT GREATER THAN 200 PER R302.9
WALL AND CEILING FINISHES SHALL HAVE SMOKE-DEVELOPED INDEX OF NOT GREATER THAN 450 PER R302.9

NEW CONST. LEGEND:

NEW MASONRY WALL

NEW PARTITION

EXIST. PARTITION TO BE DEMOLISHED

MASONRY WALL TO BE DEMOLISHED

EXIST. PARTITION

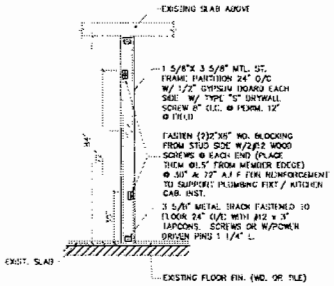
EXIST. MASONRY WALL

Door Schedule

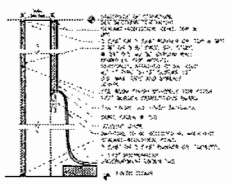
door no.	size w	size h	thick	type	material	finish	frame	remarks	qty
①	3'-0"	6'-8"	1 3/4"	swinging	aluminum	painted	aluminum	exterior	2
②	2'-10"	6'-8"	1 3/8"	swinging	wood	painted	wood	solid core	1

Window Schedule

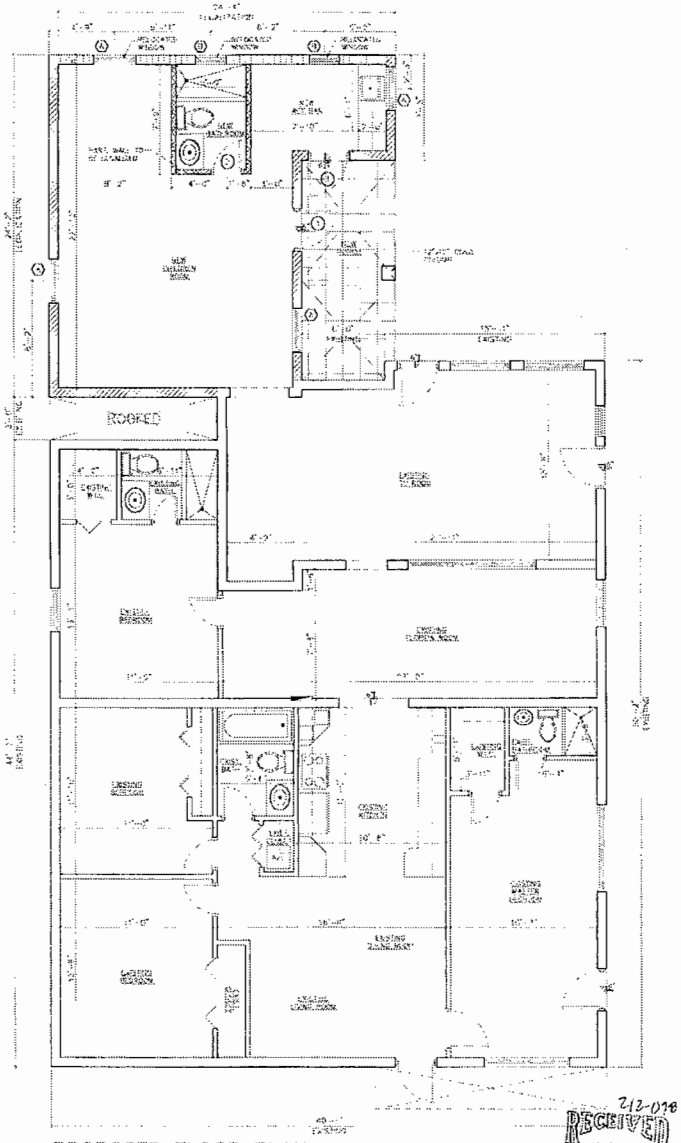
sym	size w	size h	type	material	finish	frame	remarks	qty
Ⓐ	37"	38-3/8"	Single Hung	aluminum	clear	white	See N.O.A Attach.	2
Ⓑ	26-1/2"	26"	Single Hung	aluminum	clear	white	See N.O.A Attach.	1



E TYP. PARTITION
SCALE - N.T.S.



PARTITION TYPE TUB



PROPOSED FLOOR PLAN
SCALE: 1/4" = 1'

212-078
RECEIVED
JUN 0 5 2012

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

212-078
RECEIVED
JUN 0 5 2012
FB

DEMOLITION & LEGALIZATION
EDUVIGES CASTILLO
10400 N.W. 30th PLACE
MIAMI, FL 33147

JCD ARCHITECT, Inc.
JUAN CARLOS DAVID R.A.#0015344
LEED ACCREDITED PROFESSIONAL
Design & Development
Architecture Interiors Planning Construction
1234 Dade Way, City, FL 33000 • Phone: (305) 555-1234 • Fax: (305) 555-5678

Job No.
Date
Scale: SHOWN
Date: MAY 25 2012
AA-26001560
Sheet No.
A-3

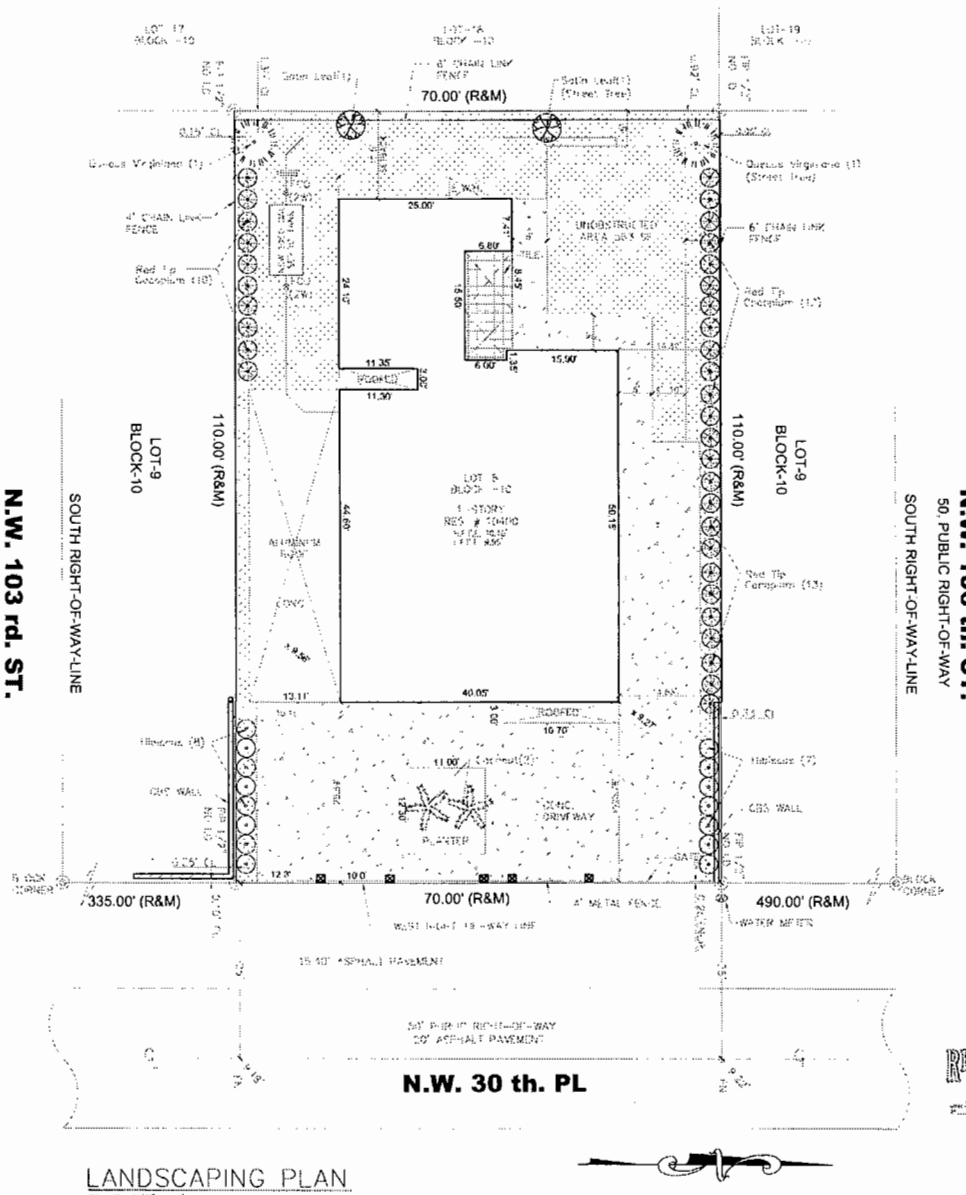
SYMBOL USED ON PLAN			PLANT NAME		NATIVE SPECIES		CALIPER	HEIGHT		CANOPY DIAMETER	QUANTITY
Symbol	New	Existing	Scientific	Common	YES	NO	Installed	Installed	Estimated at maturity*	Estimated at maturity*	
⊕	yes	no	Chrysobalanus Icaco	Red Tip Cocoplum		x	4"	2'	3'	3'	35
⊙	yes	no	Hibiscus		x		2"	2'	3'	3'	15
[illegible]	yes	no	Stenotaphrum Secundatum	St. Augustine		x	N/A	N/A	N/A	N/A	587.5 sq.ft.
⊛	yes	no	CHRYSO PHYLUM OLIVIFORME	Satin Leaf	x		2"	2"	10'	3'	2
⊙	yes	no	QUECUS VIRGINIANA	Live Oak		x	2"	2"	3'	3'	2
✳	yes	no		Coconut		x	2"	7'	30'	6'	2

212-078

RECEIVED

JUN 0 5 2012

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



LANDSCAPING PLAN
SCALE: 1/8" = 1'

212-078
RECEIVED
JUN 0 5 2012
FG

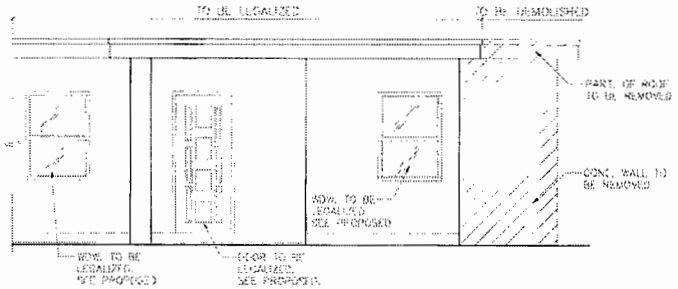
Revisions

LEGALIZATION
EDUVIGES CASTILLO
10400 N.W. 30th PLACE
MIAMI, FL 33147

JCD ARCHITECT, Inc.
JUAN CARLOS DAVID R.A.#0015344
LEED ACCREDITED PROFESSIONAL
Design & Development
Architecture | Interiors | Planning | Construction

Job No.
Date
Scale SHOWN
Seal MAY 16 2012
AA-26001560
Sheet No.
L-1

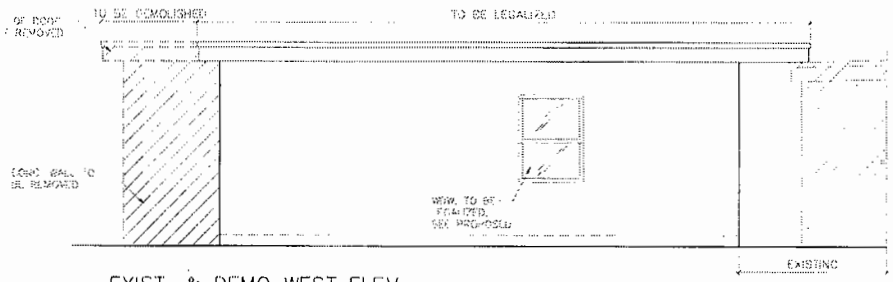
20



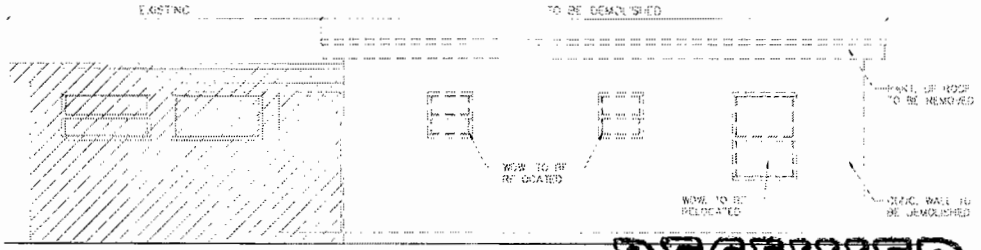
EXIST. & DEMO SOUTH ELEV.

DEMOLITION NOTES:

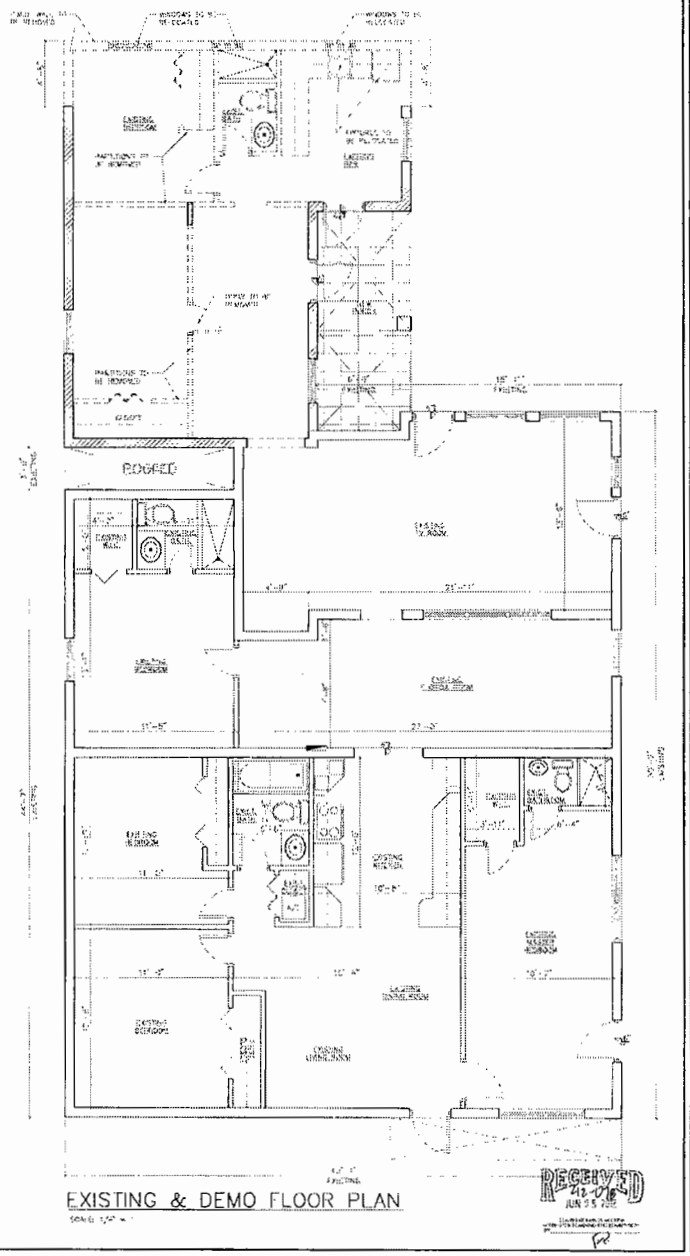
1. GENERAL CONTRACTOR SHALL VISIT THE SITE IN FAMILIARIZE HIMSELF/HERSELF W/ ALL EXIST. CONDITIONS IN THE FIELD, & WITH DRAWINGS, W/ APPROVED PLANS, & W/ EXIST. AS-BUILT PLANS IF ANY, PRIOR TO ANY DEMO.
2. ALL DEBRIS SHALL BE TO LEGALLY REMOVED FROM PREMISES & DISPOSED OF IN SUCH A MANNER AS TO COMPLY WITH ALL APPLICABLE LAWS, CODES & ORDINANCES.
3. CONTRACTOR SHALL PROTECT ALL EXISTING FINISHES, EQUIPMENT, ETC. WHICH ARE TO REMAIN IN PLACE & BE RE-USED. ANY DAMAGE CAUSED BY DEMOLITION SHALL BE REPAIRED OR REPLACED TO MATCH EXISTING CONDITIONS PRIOR TO DEMOLITION.
4. CONTRACTOR IS NOTIFIED THAT NOT ALL EXISTING UTILITIES MAY HAVE BEEN INDICATED ON THE DRAWINGS AND THAT SOME ADDITIONAL UTILITIES MAY BE ENCOUNTERED. CONTRACTOR IS REQUIRED TO VISIT SITE AND BECOME FAMILIAR WITH THE EXISTING CONDITIONS PRIOR TO COMMENCING THE WORK. ANY UTILITIES TO BE ABANDONED AS PART OF THIS WORK SHALL BE CAPPED AT THE MAIN.
5. THE WORK SHALL INCLUDE THE FURNISHING OF ALL MATERIALS, EQUIPMENT, LABOR, SUPERVISION, APPLIANCES AND WORK NECESSARY TO COMPLETE THE DEMOLITION AS INDICATED ON THE DRAWINGS AND AS REQUIRED BY CONDITIONS ENCOUNTERED IN THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY INSTALLATIONS AS MAY BE NECESSARY TO SUPPORT, PROTECT, BRACE OR SHORE ANY EXISTING STRUCTURE, EQUIPMENT, ETC. AS REQUIRED DURING DEMOLITION AND CONSTRUCTION.
6. ALL DEMOLITION, TRANSPORTATION AND DISPOSAL OF DEBRIS SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS. ALL DEBRIS SHALL BE REMOVED FROM THE PREMISES DAILY AND DISPOSED OF IN A LEGAL MANNER. NO BURNING OR BURYING OF DEBRIS WILL BE PERMITTED ON THE PREMISES.
7. ALL ELECTRICAL EQUIPMENT SHALL BE REMOVED FROM STRUCTURE, TO BE REMOVED, SUITABLY TAGGED WITH NOTICE OF DISCONNECTION, AND STORED IN A SECURE LOCATION. ALL ELECTRICAL ITEMS DESIGNATED TO BE REMOVED SHALL BE DISCONNECTED AT THE SOURCE BY A LICENSED ELECTRICIAN.
8. ALL PLUMBING FIXTURES SHALL BE DISCONNECTED AT THE SOURCE BY A LICENSED PLUMBER.
9. ALL MECHANICAL EQUIPMENT SHALL BE DISCONNECTED AT ITS SOURCE BY A LICENSED MECHANICAL CONTRACTOR.
10. ALL EXISTING FLOOR, WALL AND CEILING FINISHES SHALL BE REMOVED AS REQUIRED FOR NEW CONSTRUCTION. ALL EXPOSED SURFACES SHALL BE PREPARED AND PATCHED TO MATCH ADJACENT EXISTING SURFACES.
11. ALL DOORS, WINDOWS AND FRAMES SHALL BE REMOVED AS REQUIRED FOR NEW CONSTRUCTION. ALL OPENINGS SHALL BE PROPERLY FRAMED AND SECURED.
12. ALL PLUMBING FIXTURES SHALL BE REMOVED AS REQUIRED FOR NEW CONSTRUCTION. ALL WATER AND DRAIN LINES SHALL BE CAPPED AT THE SOURCE.
13. ALL ELECTRICAL WIRING, CONDUIT AND DEVICES SHALL BE REMOVED AS REQUIRED FOR NEW CONSTRUCTION. ALL ABANDONED WIRING SHALL BE REMOVED BACK TO THE SOURCE.
14. ALL MECHANICAL DUCTWORK, EQUIPMENT AND ACCESSORIES SHALL BE REMOVED AS REQUIRED FOR NEW CONSTRUCTION. ALL OPENINGS IN FLOOR, WALL OR CEILING SHALL BE PROPERLY FRAMED AND SECURED.
15. ALL DEMOLITION WORK SHALL BE PERFORMED IN A WORKMANLIKE MANNER BY EXPERIENCED DEMOLITION WORKERS. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.



EXIST. & DEMO WEST ELEV.



EXIST. & DEMO EAST ELEV.



EXISTING & DEMO FLOOR PLAN

RECEIVED
2/2-078
JUN 05 2012

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

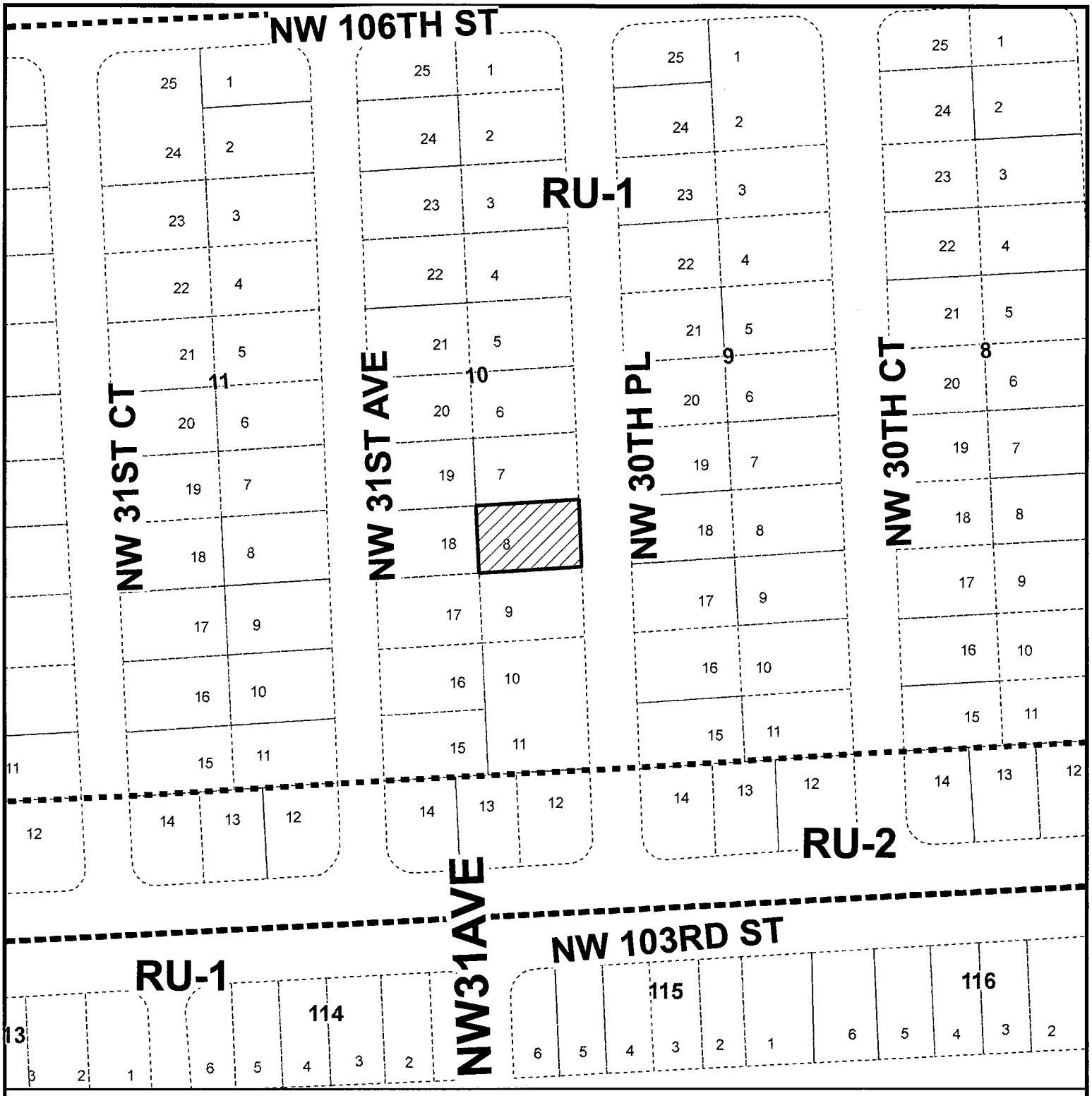
RECEIVED
2/2-078
JUN 05 2012

Revisions

DEMOLITION & LEGALIZATION
EDUVIGES CASTILLO
10400 N.W. 30th PLACE
Miami FL 33147

JCD ARCHITECT, Inc.
JUAN CARLOS DAVID R.A.#0015344
LEED ACCREDITED PROFESSIONAL
Design & Development
Architecture | Interiors | Planning | Construction
3841 Ponce De Leon Blvd. • Coral Gables 33134 • Tel: 305.774.4000 • Fax: 305.774.4001

Job No.
Date
Scale: SHOWN
Drawn
Date: MAY 25 2012
AA-26001560
Sheet No.
A-2



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000078

Section: 33 Township: 52 Range: 41
Applicant: EDUVIGES CASTILLO
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, June 11, 2012

REVISION	DATE	BY
		22

MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2012000078

N
W E
S

Section: 33 Township: 52 Range: 41
Applicant: EDUVIGES CASTILLO
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

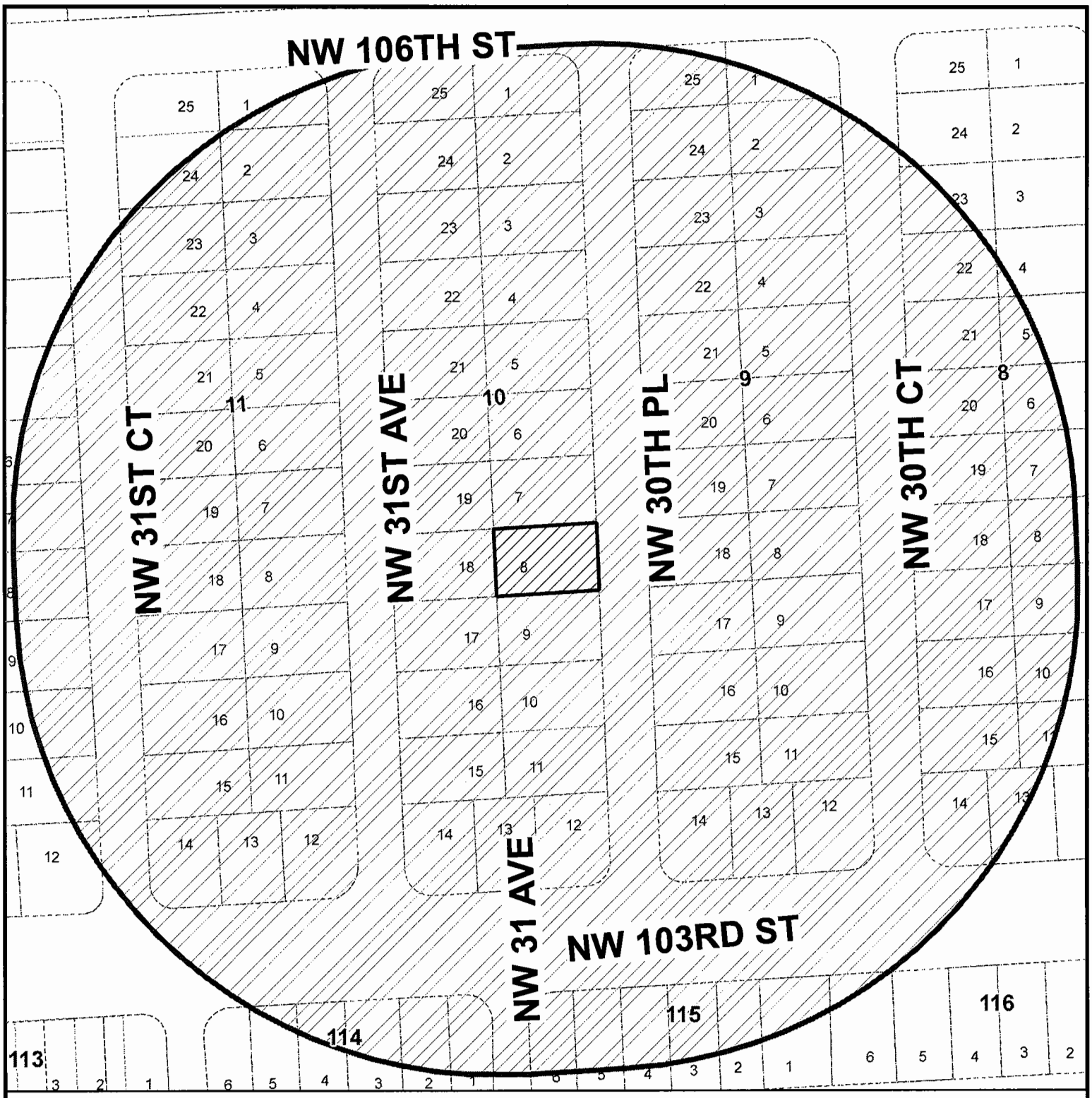
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, June 11, 2012

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000078

RADIUS: 500

Section: 33 Township: 52 Range: 41
Applicant: EDUVIGES CASTILLO
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

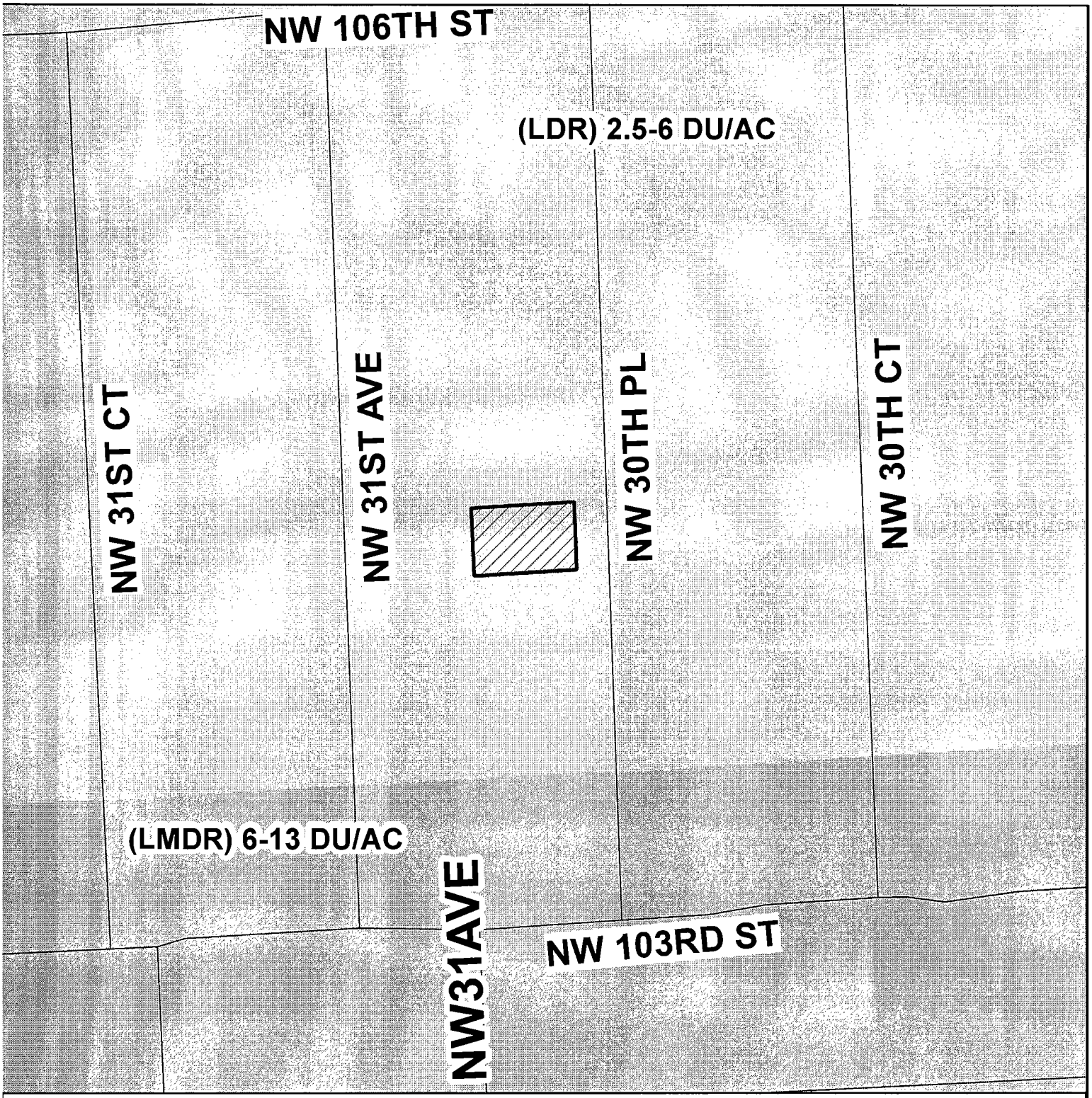
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, June 11, 2012

REVISION	DATE	BY
		24



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000078

Section: 33 Township: 52 Range: 41
Applicant: EDUVIGES CASTILLO
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, June 11, 2012

REVISION	DATE	BY

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

PH: Z12-080 (12-11-CZ8-3) **December 19, 2012**
Item No. 3

Recommendation Summary	
Commission District	2
Applicant	Quisquella Restaurant, Inc.
Summary of Requests	The applicant is requesting to extend the hours of sales of alcoholic beverages at an existing restaurant.
Location	9513 NW 27 Avenue, Miami-Dade County, Florida.
Property Size	100' x 120'
Existing Zoning	BU-2
Existing Land Use	Restaurant
2015-2025 CDMP Land Use Designation	Business and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Inconsistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	**Denial with Prejudice**

REQUEST:

NON USE VARIANCE to permit an existing restaurant to have sales of alcoholic beverages Monday through Thursday until 3:00 AM the following day and Friday and Saturday until 5:00 AM the following day (1:00 AM permitted).

PROJECT DESCRIPTION: Existing restaurant.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	BU-2; restaurant	Business and Office
North	BU-2; office building	Business and Office
South	BU-2; retail	Business and Office
East	RU-2; single-family residence BU-2; retail	Low-Medium Density Residential (6 to 13 dua)
West	BU-3; Miami-Dade Transit Facility BU-3; auto repair	Business and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is located within an existing shopping center at 9513 NW 27 Street. The surrounding area is characterized by commercial and residential uses. The subject property abuts a single family residence on the northeast corner, commercial uses to the north, and south, southeast corner and west.

SUMMARY OF THE IMPACTS:

The approval of the requested non-use variance would allow patrons to consume alcoholic beverages past the permitted time of 1:00 AM. However, approval of the request may adversely

affect the abutting residential neighborhood and surrounding area due to the possible increase of noise, lighting, vibration, traffic and crime.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as ***Business and Office*** on the Adopted 2015-2025 Land Use Plan (LUP) map. This category accommodates the full range of sales and service activities. Staff opines that the existing restaurant use is **consistent** with the allowable uses described in the CDMP interpretive text under the Business and Office land use category and its use is **consistent** with the CDMP LUP map Business and Office designation for the subject property.

However, staff opines that the request for extended hours for alcoholic sales is too intensive and would negatively impact levels of noise, lighting, vibration, traffic, and crime on the residential property to the northeast of the subject property. **CDMP Land Use Policy LU-4** provides that *Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.* Staff opines that the proximity of the subject property to the abutting single-family residence could create potential nuisances such as increases in the levels of noise, lighting, vibration, traffic and crime for the abutting residence and the surrounding residential community. In addition, **CDMP Land Use Policy LU-4C** indicates *residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust, or traffic.* Staff opines that approval of the subject request could create a potential safety hazard and would have a negative impact to the tranquility, character and overall welfare of the abutting residential neighborhood. As such, staff opines that the approval of the request is **inconsistent** with the **Land Use Policy LU-4C**.

ZONING ANALYSIS:

In December 2011 pursuant to Resolution No. CZAB8-65-11, the subject property was denied without prejudice the sale of alcoholic beverages until 4:00 AM Monday through Saturday (1:00 AM permitted) at the existing restaurant. The current application seeks to permit the sale of alcoholic beverages Monday through Thursday until 3:00 AM and Fridays and Saturdays until 5:00 AM (1:00 AM permitted) at the existing restaurant. Staff opines that the current request is even more intensive than the previous request of 2011; the department objects to the approval of this application and recommends denial with prejudice of the subject request.

The subject property is located within the BU-2, Special Business District, which allows uses such as package stores, pubs, bars, and liquor package stores as well as night clubs provided that it is not located within five hundred (500) feet of any residential zoning district, if approved at a public hearing.

The subject property is located within an existing shopping center at 9513 NW 27 Street, and abuts a single family residence on the northeast corner, commercial uses to the north, and south, southeast corner and west. Documents submitted by the applicant consist of a survey, which indicates the distance from the subject property to the single-family residence to be 20 feet, and a lease, which indicates that the property will be used as a "restaurant nightclub". Staff notes that a night club use is not allowed at the subject property and approval of the same would require a public hearing. Staff opines that the approval to permit the sale of alcoholic beverages Monday through Thursday until 3:00 AM and Fridays and Saturdays until 5:00 AM at

the existing restaurant is similar to a night club type use and would be **incompatible** with the surrounding residential area. Staff opines that there will be noise from the patrons as they leave the establishment and also the headlights and noise from the cars that will be entering and exiting the property during these late hours could result in a deterioration of the quality of life in said neighborhood and in particular the residence located 20 feet from the subject property.

When the subject request to permit the extended hours of alcoholic beverage sales is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the approval of this request would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability of the community, would be **incompatible** with the surrounding residential land uses and would be detrimental to the community. Staff notes that the memorandum from the Miami-Dade County Police Department also recommends against the approval of the subject request and states that "the surrounding neighborhood does not lend itself to benefit from this request". Moreover, the Miami-Dade Police Incident Report of selected crimes within a 0.5 mile radius of the subject property, indicates 219 crime incidents from January 1, 2012 to June 18, 2012, fourteen (14) of which are located in the area of NW 95th Street between NW 27th and 26th Avenues. As such, staff opines that the approval of the subject application may increase crime in the area and is too intensive for the 100' x 120' (0.28-acre) site.

Consequently, staff recommends denial with prejudice of the subject request 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: Denial with prejudice.

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:CH:JC

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

ZONING RECOMMENDATION ADDENDUM

Applicant: *Quisquella Restaurant*
PH: *Z12-080*

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
DERM	No objection
Public Works	No objection
Parks	No objection
Fire Rescue	No objection
Police	Objects
Schools	No objection
*Subject to conditions in their memorandum.	

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

Business and Office (Pg. I-41)	*The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for* ***Business and Office****. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.*
Land Use Objective LU-4 (Pg. I-11)	*Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.*
Land Use Objective LU-4C (Pg. I-11)	*Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust, or traffic.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

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

3. QUISQUELLA RESTAURANT, INC.
(Applicant)

12-12-CZ8-3 (12-080)
Area 08/District 02
Hearing Date: 12/19/12

Property Owner (if different from applicant) **1201 NW 54 ST, LTD.**

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

If so, who are the interested parties? **Quisquella Restaurant, Inc.**

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
2011	Quisquella Restaurant Inc.	- Non-Use Variance to permit an existing restaurant to have sales of alcoholic beverages until 4am (1am required).	C08	Denied without prejudice

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

MIAMI-DADE COUNTY

Date: June 27, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: C-08 #Z2012000080
Quisquella Restaurant, Inc.
9507 NW 27th Avenue
Non Use Variance to Extend the Hours of the Sale of Alcoholic Beverages on the Site
(BU-2) (1 Acres)
03-53-41

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.

The Department has no pertinent comments regarding the aforementioned variance to extend the hours of the sale of alcoholic beverages on the site since the request does not entail any environmental concern.

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, Department of Regulatory and Economic Resources

PH# Z2012000080
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: QUISQUELLA RESTAURANT, INC.

This Department has no objections to this application.

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

Raul A Pino, P.L.S.

16-JUL-12

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-080
Quisquella Restaurant, LLC

Application: ***Quisquella Restaurant, LLC.*** is requesting a non-use variance to permit the sale of alcoholic beverages beyond 1:00 am at the existing restaurant on the property. The applicant requests the sale of alcoholic beverages until 3:00am Monday – Thursday and until 5:00 am on Fridays and Saturdays. The area is currently zoned BU-2 (Special Business District).

Size: The subject property is approximately 0.28 acres (12,000 square feet).

Location: The subject property is located at 9513 NW 27th Avenue in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The restaurant on the property meets the County Code definition of for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

1) High grade office paper
2) Mixed paper
6) Steel (cans, scrap)
7) other metals/scrap production materials

3) Corrugated cardboard
4) Glass (flint, emerald, amber)
5) Aluminum (cans, scrap)
8) Plastics (PETE, HDPE-natural, HDPE-colored)
9) Textiles
10) Wood

Section 15-2.3 states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends").
b. "T" shaped turnaround 60 feet long by 10 feet wide.
c. Paved throughway of adequate width (minimum 15 feet).

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

Memorandum

Date: 19-JUN-12

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2012000080

Fire Prevention Unit:

Not applicable to MDFR site requirements.

Service Impact/Demand

Development for the above Z2012000080
located at 9513 NW 27 AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0678 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 4:30 minutes

Existing services

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

Station 7 - W Little River - 9350 NW 22 Avenue
Rescue, ALS Engine, Squad

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

Memorandum

MIAMI-DADE COUNTY

Date: July 13, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: Z2012000080: QUISQUELLA RESTAURANT, INC.

Application Name: QUISQUELLA RESTAURANT, INC

Project Location: The site is located at 9513 NW 27 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting a non-use variance to extend hours of sale of alcoholic beverages.

Impact and demand: This variance requested by this application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

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, Parks Property Management Supervisor

DATE: 24-SEP-12

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

QUISQUELLA RESTAURANT, INC.	9513 NW 27 AVE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2012000080

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC: No open cases. BNC: No bss cases open/closed.

Quisquella Restaurant Inc.

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

REPORTER NAME:

Memorandum

MIAMI-DADE COUNTY

Date: September 28, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From: James K. Loftus, Director
Miami-Dade Police Department

Subject: Review - Zoning Application - Case: No. Z2012000080
Quisquella Restaurant

APPLICATION

The applicant, Quisquella Restaurant, is requesting a public hearing for a non-use variance of the requirements of Section 33-151(g), of the Code of Miami-Dade County, to permit the sale of alcoholic beverages beyond 1:00 a.m. at the existing restaurant located at 9513 NW 27 Avenue, Miami, Florida. The request is to permit the sale of alcoholic beverages until 3:00 a.m., Mondays through Thursdays, and 5:00 a.m., on Fridays and Saturdays.

CURRENT POLICE SERVICES

The restaurant is located in unincorporated Miami-Dade County and serviced by our Northside District, located at 2950 NW 83rd Street, Miami, Florida. Our current staffing allows for an average emergency response time of eight minutes or less.

REVIEW

A review of the application and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. A ½ mile radius check of crimes/calls for service of the location was completed and has been provided in the attached documents for your department.

Current data of police staffing, population, and crimes/calls for service was examined to project any increase in calls for service. Based on this data and due to the nature of the request (extended sales of alcoholic beverages), it cannot be accurately predicted as to any projected increase in calls for service. Previous calls for service to the restaurant and experience leads to anticipate that calls for police service will rise should the request be approved.

While current staffing should accommodate any slight increase in the volume of calls for service, we recommend that the Regulatory and Economic Resources Department not approve the request. The MDPD had previously recommended against approval of the applicant's similar request as noted in our review memorandum dated November 18, 2011, "Review – Zoning Application Case: No. Z2011000081, Quisquella Restaurant" (attached). The surrounding neighborhood does not lend itself to benefit from this request. The mere volume of crimes/calls for service in the immediate area indicates no quality of life benefits for citizens if this request is approved.

Should the Regulatory and Economic Resources Department approve the request and demand for police services increase beyond current levels, additional sworn personnel, support staff, and equipment may be required to maintain current levels of service.

Additionally, regardless of the request's outcome, it is recommended that Quisquella Restaurant work closely with the local police district command staff in considering security options for the site, especially during high volume times, to include, but not limited to holidays.

If the request is approved, the MDPD recommends the following to be implemented as part of the venture.

1. A parking plan should be submitted that will allow for adequate off-street parking for all hours and prohibiting patrons from parking on NW 27 Avenue.

2. Security measures should be implemented, including uniformed security personnel for the business and parking areas. These measures should also include lighting and video cameras with recording capabilities.

3. Activities, including illegal alcohol sales, alcohol sales without proof of food sales, or other criminal activities that may constitute a nuisance to the community and/or danger to the public health, safety, and welfare be immediate grounds for revocation of alcohol sales by your office.

4. The business owners shall maintain documentation that evidences adherence to Section 33-151, of the Code of Miami-Dade County, and the Certificate of Use and Occupancy.

Should you have any questions or require additional information, Lieutenant William Gonzalez, of the Public Information & Education Bureau, may be contacted at (305) 471-1775.

JKL/kh
Attachment

RECEIVED
ZC-PBD
JUN 06 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Quisquella Restaurant, Inc.

NAME AND ADDRESS	Percentage of Stock
Gerpy Fermin	100%

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 _____

NAME AND ADDRESS	Percentage of Interest

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where 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: 1201 NW 54 ST, LTD.

NAME AND ADDRESS	Percentage of Ownership
Ronald P. Fisher, 419 W. 49 St., #105, Hialeah, FL 33012	~~SEE Exhibit "A"~~ 33.34 %
James Q. Fisher, 419 W. 49 St., #105, Hialeah, FL 33012	33.33 %
Richard J. Fisher, 419 W. 49 St., #105, Hialeah, FL 33012	33.33 %

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
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

RECEIVED
Z12-080
JUN 05 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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: _____ (Applicant)

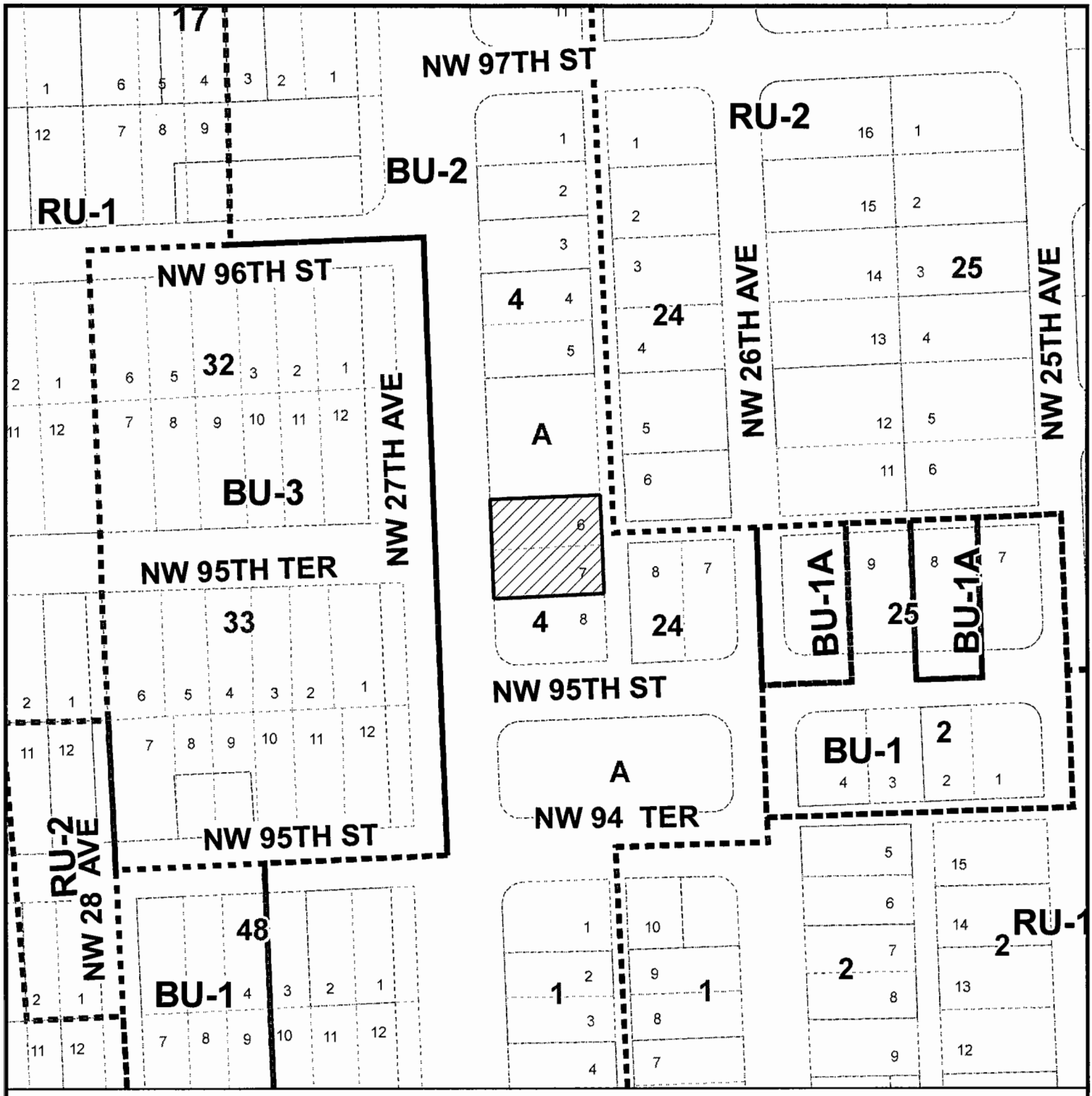
Sworn to and subscribed before me this 30 day of April, 2012. Affiant is personally know to me or has produced FL DR'S LICENSE as identification.

_____ (Notary Public)

SIUBY FLEITES
MY COMMISSION # DD 858036
EXPIRES: April 16, 2013
Bonded Thru Notary Public Underwriters

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.



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000080

Section: 03 Township: 53 Range: 41
Applicant: QUISQUELLA RESTAURANT, INC.
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, June 13, 2012

REVISION	DATE	BY
		17

MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2012000080

N
W E
S

Section: 03 Township: 53 Range: 41
Applicant: QUISQUELLA RESTAURANT, INC.
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

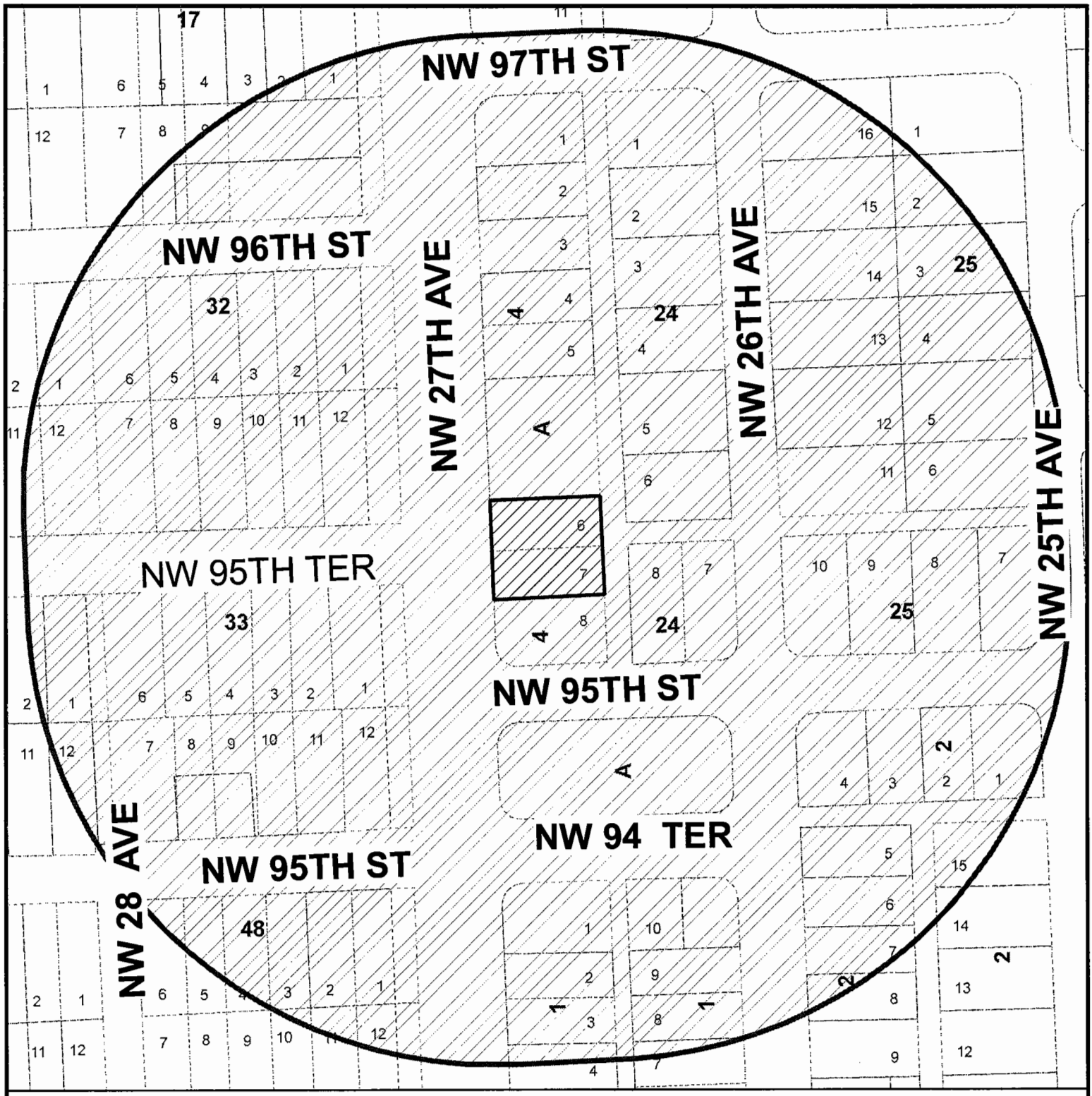
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, June 13, 2012

REVISION	DATE	BY
		18



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000080

RADIUS: 500

Section: 03 Township: 53 Range: 41
Applicant: QUISQUELLA RESTAURANT, INC.
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

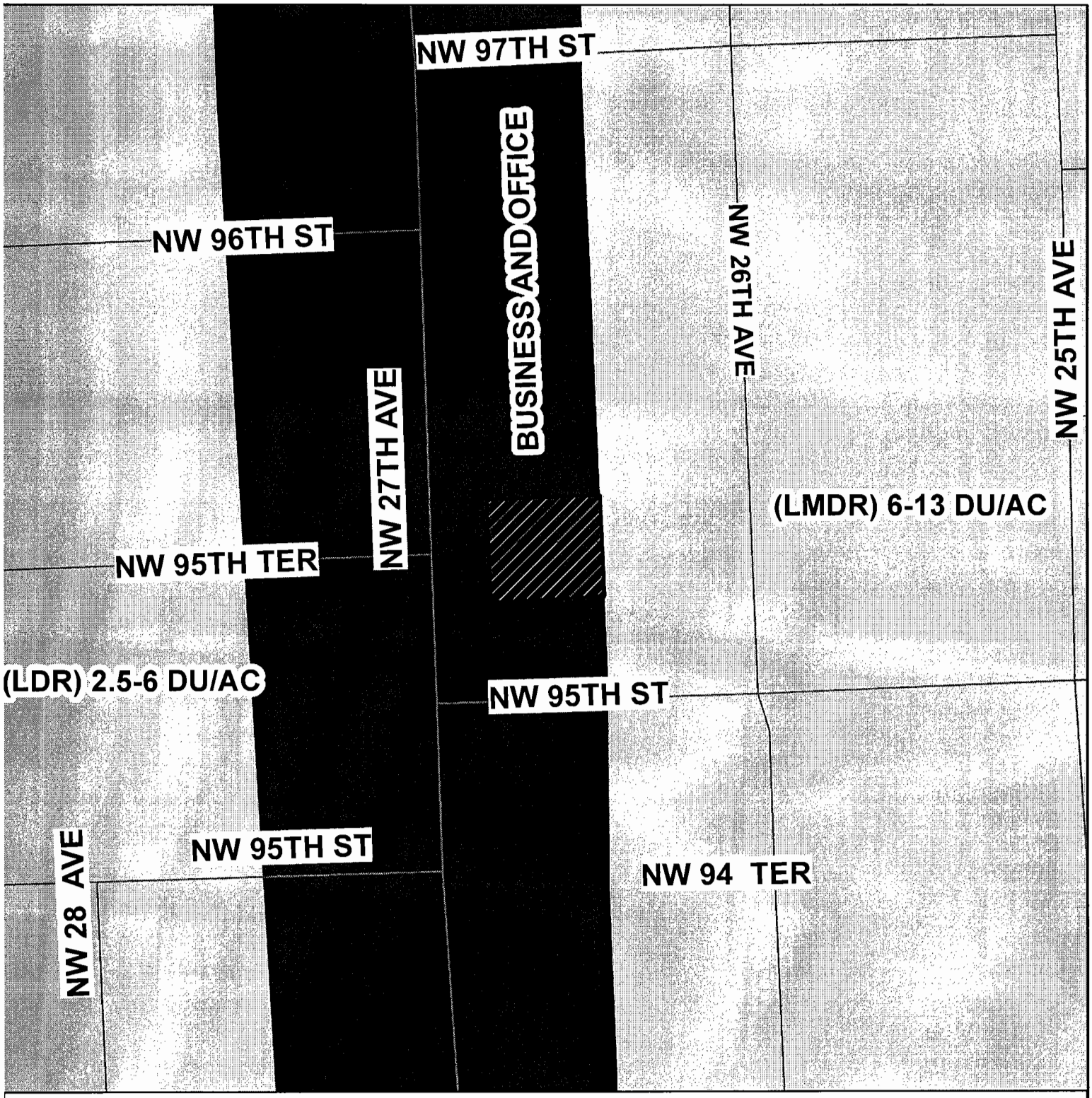
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, June 13, 2012

REVISION	DATE	BY
		19



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000080

N
W E
S

Section: 03 Township: 53 Range: 41
Applicant: QUISQUELLA RESTAURANT, INC.
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, June 13, 2012

REVISION	DATE	BY

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

PH: Z12-095 (12-12-CZ8-4) **December 19, 2012**
Item No. 4

Recommendation Summary	
Commission District	1
Applicant	MMG North, Inc.
Summary of Request	The applicant is seeking a Use Variance and a Special Exception to allow a pawnbroker use in a more restrictive zoning district.
Location	13610 NW 7 Avenue, Miami-Dade County, Florida.
Property Size	75' x 130'
Existing Zoning	BU-1A
Existing Land Use	Retail Store
2015-2025 CDMP Land Use Designation	Business and Office *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Inconsistent with objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(a), Use Variance standards, Special Exceptions, Unusual Uses and New uses, Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations *(see attached Zoning Recommendation Addendum)*
Recommendation	**Denial with prejudice.**

REQUEST:

USE VARIANCE and a SPECIAL EXCEPTION to permit a pawnbroker in the BU-1A zone as would be permitted in the BU-3 zone.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed Dilallo Jewelry Shop," as prepared by J. Barrio Architect & Planners Inc., dated stamped received 09/13/12 and consisting of 3 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The site plan submitted by the applicant depicts the existing 1,785 sq. ft. retail building and 720 sq. ft. storage building with ten (10) parking spaces.

NEIGHBORHOOD CHARATERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	BU-1A; retail store	Business and Office
North	BU-1A;automotive repair facility	Business and Office
South	BU-1A; automotive repair facility	Business and Office
East	City of North Miami; retail store	Business and Office
West	RU-1; single-family residence, vacant lot	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is an interior lot, located at 13610 NW 7 Avenue. The area surrounding the subject property is primarily characterized by commercial uses to the north, south and east and residential uses to the west.

SUMMARY OF THE IMPACTS:

The approval of this application will provide an additional service for the surrounding community. However, approval of the request to allow a pawnbroker use which is typically located in a zoning district that allows more intensive commercial uses, could have a negative impact on the abutting commercial and residential properties. Furthermore, approval of same could result in an increase in the intensity and types of uses that would be allowed in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for ***Business and Office*** use. *This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.* As such, the existing retail use is **compatible** with the area and **consistent** with the CDMP Land Use Element interpretative text for the Business and Office designation.

Staff acknowledges that the proposed pawnbroker use is allowed in the BU-3, Liberal Business District, after a public hearing and as such, would be consistent with the Business and Office designation of the subject property on the CDMP Land Use Plan map. However, the CDMP Land Use Element interpretative text for the Business and Office designation states that *in reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on* ***locational factors, particularly compatibility with both adjacent and adjoining uses****, and availability of highway capacity, ease of access and availability of other public services and facilities.* Staff notes that the abutting properties located to the north and south of the subject property are currently zoned BU-1A, Limited Business District and contain tire repair facilities that are permitted uses in the BU-1A zoning district. Staff opines that approval of the requested use variance to allow a use as would be permitted in the BU-3 zone would be too intensive when compared with the surrounding BU-1A uses located to the north and south, and the residential uses located to the west.

Further, the CDMP Land Use Element **Objective LU-4** states that *Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text,* ***or with the character of the surrounding community****.* CDMP Land Use Element **Policy LU-4A** provides the criteria used to evaluate compatibility, one of which is safety. Staff notes that the applicant is seeking a use variance which staff opines is a drastic remedy only available in the most limited circumstances. Essentially, the applicant is seeking to permit a use prohibited by the existing zoning category which is an indication that the request is out of character with the surrounding community. The Miami-Dade Police Department (MDPD) states in their memorandum that their experience lends itself to anticipate that in areas

where pawnbrokers are present, calls for service may rise. Based on the issues expressed by the MDPD in its memorandum, staff has concerns that approval of the application will result in the changing the character of the community by allowing the property to be used as a pawnbroker. As such, staff opines that based on the aforementioned, the approval of the requested use variance and special exception to permit a pawnbroker use as would be allowed in the BU-3 zoning district, would be **incompatible** with the BU-1A uses on this block face and the residential uses located to the west, and would therefore be **inconsistent** with CDMP Land Use Element **Objective LU-4**.

ZONING ANALYSIS:

In February 2012, pursuant to resolution #CZAB8-4-12, the applicant's request to rezone the subject property to BU-3 and a special exception to permit a pawnshop as well as a variance to the parking regulations was denied without prejudice. Subsequently, the applicant has submitted a new application and is now requesting a use variance and a special exception to permit a pawnbroker use in the BU-1A zoning district as would be permitted in the BU-3 district. The applicant has also submitted revised plans for the parking areas with a increased back-out dimension for the parking lot.

The applicant is proposing a use variance and special exception to permit a pawnbroker use on the subject site. As previously mentioned, although the existing retail store is consistent with the interpretative text of the CDMP, staff opines that approval of the proposed pawnbroker use would be **incompatible** with the surrounding commercial and residential uses. Staff notes that the subject property is surrounded by BU-1A uses to the north and south, and residentially zoned properties to the west. Staff opines that the location of the existing BU-1A zoning district abutting the residentially zoned properties to the west provides the residential properties with access to services for the residents and provides a reasonable transition from the residential uses to the more intensive commercial uses located to the east. The proposed pawnbroker use is only permitted in the BU-3 zoning district after a public hearing. As such, staff notes that the applicant is requesting this use variance in order to establish a pawnbroker, which would not be permitted in the existing BU-1A zoning district. The BU-3 district provides for a host of uses that are significantly more intense than those allowed in the BU-1A district, such as lumber yards, bottling plants, garage and mechanical services, commercial chicken hatcheries, airports, and pawnbrokers. Further, staff notes that there have been no other similar approvals in the area for a pawnbroker or for any other BU-3 uses that are similar to or as intense as the pawnbroker use being requested herein.

In addition, staff notes that a **use variance** as provided in Section 33-311(A)(4)(a) permits a use of land other than that which is prescribed by the zoning regulations. The standard stipulates that *the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions thereof will result in* ***unnecessary hardship****, and so the spirit of the regulations shall be observed and substantial justice done; and further provided that the use variance will be in harmony with the general purpose and intent of the regulations.* The subject property currently operates as a retail store which is allowed in the BU-1A district. To prove an unnecessary hardship, the applicant must demonstrate that under applicable zoning regulations, the applicant is deprived of all economic use or benefit from the property in question. Staff notes that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in unnecessary hardship. In staff's opinion, the approval of the use variance to allow a use that

is allowed in the BU-3 district and specifically, to permit the pawnbroker use, could have a negative impact on the character of the surrounding area. For example, the MDPD indicated in its memorandum that approval could result in an increase in the number of calls for service from the MDPD that could have a detrimental effect on the abutting residential properties. Further, staff opines that approval of said requests would be overly intensive, would be equivalent to spot zoning and would be **incompatible** with the surrounding BU-1A uses within this block face and the abutting residential uses located to the west. In addition, staff is of the opinion that the approval of the use variance and special exception request will not be in harmony with the general purpose and intent of the regulation, and that the same will not result in the reasonable use of the premises. **As such, staff is of the opinion that the existing jewelry store is a reasonable use for the subject site and that the use variance and special exception request for the proposed pawnbroker should be denied with prejudice under the Use Variance Section 33-311(A)(4)(a) and under the Special Exception Section 33-311(A)(3).**

ACCESS, CIRCULATION AND PARKING: Access to the site is provided from NW 7 Avenue.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

ENVIRONMENTAL REVIEW: Not applicable.

OTHER: Not applicable.

RECOMMENDATION:

Denial with prejudice.

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:JC:CH

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

NDN

ZONING RECOMMENDATION ADDENDUM

MMG North, Inc.
Z12-095

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

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

Business and Office (Pg. I-41)	*The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for* ***Business and Office****. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.*
Objective LU-4 (Pg. I-11)	*Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.*
Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(3) Special Exception, Unusual and New Uses.	*Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.*
33-311(A)(4)(a) Use Variances from other than airport regulations	*Upon appeal or direct application in specific cases to hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and*

ZONING RECOMMENDATION ADDENDUM

MMG North, Inc.
Z12-095

	intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises; and further provided, no variance from any airport zoning regulation shall be granted under this subsection; provided, however, no use variance shall be granted permitting a BU or IU use in any residential, AU or GU District, unless the premises immediately abuts a BU or IU District. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.

4. MMG NORTH, INC.
(Applicant)

12-12-CZ8-4 (12-095)
Area 08/District 01
Hearing Date: 12/19/12

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 ☑

If so, who are the interested parties? **Equitymax Inc.**

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1949	Frank Olivio	- District boundary change from RU-2 to BU-1A	BCC	Approved on a modified basis
1956	Elias Thaw	- Special to permit a mercury to Type cleaning unit	BCC	Approved on a modified basis
1956	Elias Thaw	- Modification of Resolution	BCC	Approved with condition(s)
2012	MMG, North, Inc.	- District boundary change from BU-1A to BU-3 - Special exception to permit a Pawnbroker - Noun-use variance of parking	CZAB	Denied without prejudice

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

MIAMI-DADE COUNTY

Date: September 27, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: #Z2012000095-1st Revision
MMG North, Inc.
13610 NW 7th Avenue
Use Variance and Special Exception to Permit a Pawnbroker
(BU-1A) (.22 Acres)
23-52-41

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
The subject property is currently connected to public water. Water service is provided by the City of North Miami Water and Sewer Department. Therefore, connection of the proposed facility to the public water supply system is required in accordance with Code requirements.

Wastewater Disposal
The subject property is currently connected to a septic tank as a means for the disposal of domestic liquid waste. The closest public sanitary sewer is a 6-inch force main located approximately 200 feet away from the subject property. Be advised that connection will be required in the event that a change of use that signifies an increase in wastewater flow is proposed. According to our records, the previous use of the property was retail (U2011004721). Since there is no net increase in the wastewater flow generated from the previous use to the proposed use, connection to public sewer will not be required at this time.

The Department would not object to the interim use of a septic tank and drainfield system provided that the site is connected to the public water supply system and the proposed development meets the sewage loading requirements of Section 24-43.1(4) of the Code. Based upon the available information the proposal meets said requirements. Furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(4)(a) of the Code, which provides that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank.

Stormwater Management
The proposed change will not affect the existing stormwater management system.

Air Quality Preservation
In the event of any kind of demolition, removal or renovation of any existing strucuture(s), an asbestos survey from a Florida-licensed asbestos consultant is required. If said survey shows friable asbestos materials in amounts larger than prescribed by federal law (260 linear feet of pipe insulation/thermal system insulation [TSI] or 160 square feet of surfacing material), then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor. A notice of asbestos renovation or demolition form must be filed with the Air Quality Management Division for both the abatement (renovation) work and the demolition activity at least 10 working days prior to starting the field operations.

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
There are no tree resources issues on the subject property.

Enforcement History
The subject property has one closed enforcement case for violations regarding an industrial waste discharge to an on-site soakage pit. This case was closed in February 16, 2012. Please contact the Enforcement Section if you require additional information.

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, Department of Regulatory and Economic Resources

REVISION 1

PH# Z2012000095
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MMG NORTH, INC

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

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

Raul A Pino, P.L.S.

31-JUL-12

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-095
MMG North, Inc

Application: ***MMG North, Inc*** is requesting a use variance and a special exception to permit a pawn broker use in an existing business. The property is located in a limited Business District (BU-1A).

Size: The subject property is approximately .22 acres.

Location: The subject property is located at 13610 NW 7th Avenue, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The establishment of a pawn broker use on the property will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

1) High grade office paper
2) Mixed paper
3) Corrugated cardboard
4) Glass (flint, emerald, amber)
6) Steel (cans, scrap)
7) other metals/scrap production materials
8) Plastics (PETE, HDPE-natural, HDPE-colored)
9) Textiles

5) Aluminum (cans, scrap) 10) Wood

Section 15-2.3 states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends").
b. "T" shaped turnaround 60 feet long by 10 feet wide.
c. Paved throughway of adequate width (minimum 15 feet).

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

REVISION 1

Memorandum

Date: 02-OCT-12

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2012000095

Fire Prevention Unit:

APPROVAL
No objection to plan stamped received September 13, 2012 via Case # Z2012000095.

Service Impact/Demand

Development for the above Z2012000095
located at 13610 NW 7 AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 3390 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:30 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 60' Aerial, 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.

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

Memorandum

MIAMI-DADE COUNTY

Date: October 2, 2012

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

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

Subject: Z2012000095: MMG NORTH, INC
Includes Revised Plans Dated stamped received 9/13/12

Application Name: MMG NORTH, INC

Project Location: The site is located at 13610 NW 7 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting a use variance to permit a pawn broker. Includes Revised Plans Dated stamped received 9/13/12.

Impact and demand: This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

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, Parks Property Management Supervisor

DATE: 17-SEP-12

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

MMG NORTH, INC	13610 NW 7 AVE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2012000095

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: No bss cases open/closed.

MMG North Inc

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

REPORTER NAME:

Memorandum

MIAMI-DADE COUNTY

Date: November 15, 2012

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

From: J. D. Patterson, Acting Director
Miami-Dade Police Department

Subject: Review - Zoning Application
Case: No. Z2012000095– MMG North, Inc.

APPLICATION

The Applicant, MMG North, Inc. is requesting a zoning "use variance" and "special exception" to allow for their property to operate as a pawn shop. The property is located at 13610 NW 7 Avenue in Miami-Dade County, Florida.

CURRENT POLICE SERVICES

The site is located in unincorporated Miami-Dade County and serviced by our Intracoastal District, located at 15665 Biscayne Boulevard, Miami, Florida. Our current staffing allows for an average emergency response time of eight minutes or less.

REVIEW

A review of the application, and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. The Permitting, Environment and Regulatory Affairs Department requested a radius check of crimes/calls for service of the location which has been provided in the attached documents.

Current data of police staffing, population, and crimes/calls for service was examined to project any increase in calls for service. Based on this data and due to the nature of the request (pawn shop), it cannot be anticipated as to any projected increase in calls for service. Experience lends itself to anticipate that in areas where pawn shops are present, calls for police service may rise. Current staffing should accommodate any slight increase in the volume of calls for service. However, should demand for police services increase beyond current levels, additional sworn personnel, support staff, and equipment may be required to maintain current levels of service.

While the MDPD has concern regarding the applicant's request and changing the character of the community by allowing the property to be used as a pawn shop, we do not object to the proposed zoning modifications. The applicant is encouraged to work with police during any future application, design, or construction changes to determine the best possible solutions or security options.

Should you have any questions or require additional information, Lieutenant William Gonzalez, of the Public Information & Education Bureau, may be contacted at (305) 471-1775.

JDP/kh
Attachment

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: MMG NORTH, INC.

NAME AND ADDRESS	Percentage of Stock
NICHOLAS DILALLO	50 %
THERESA DILALLO	50 %

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 _____

NAME AND ADDRESS	Percentage of Interest

RECEIVED
Z12-095
JUL 18 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AV

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: _____

NAME AND ADDRESS	Percentage of Ownership

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

RECEIVED
12-095
JUL 18 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY AV

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: _____
(Applicant)

Sworn to and subscribed before me this 17th day of July 2012. Affiant is personally know to me or has produced FLDL exp: 12/17 as identification.

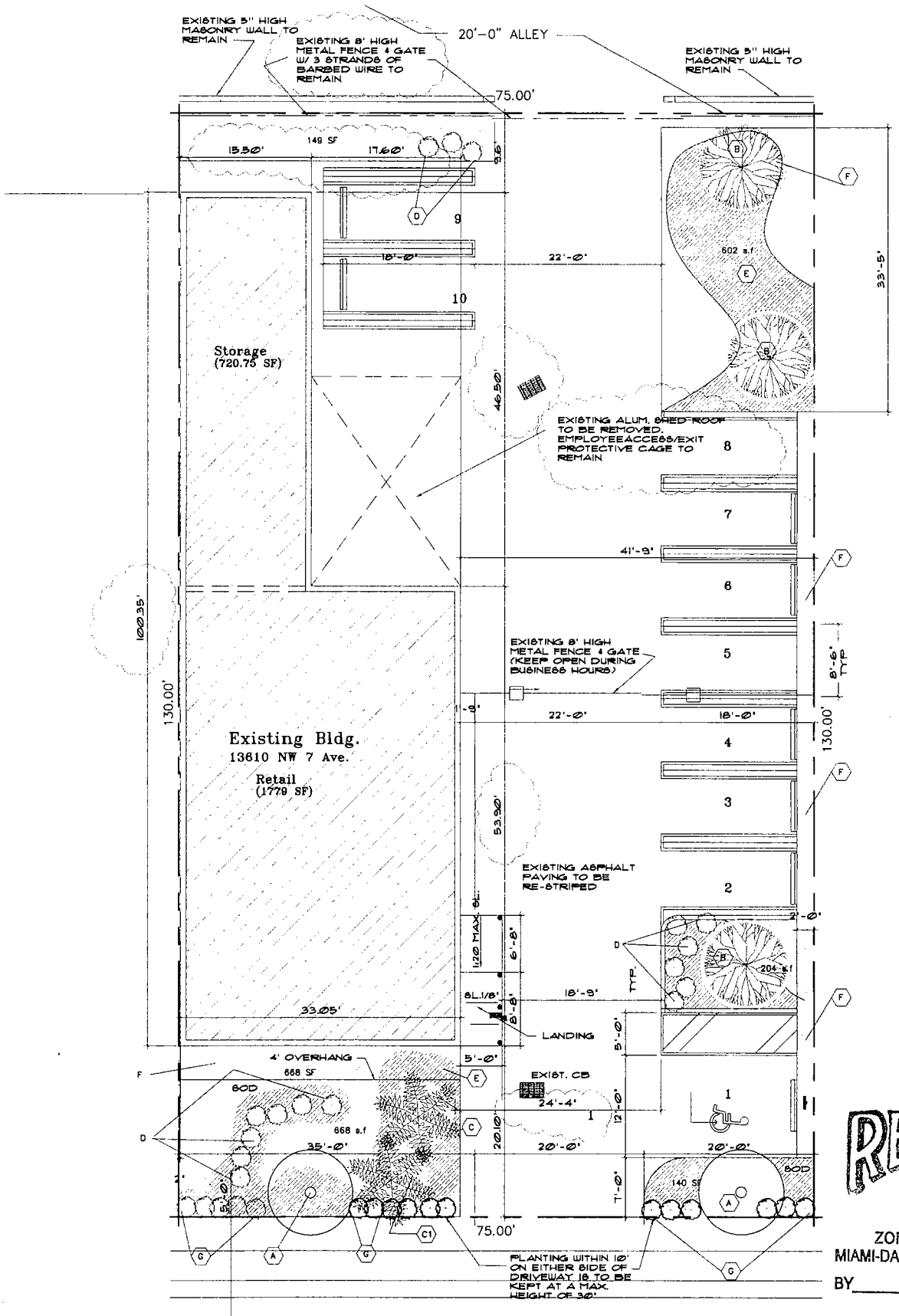
Jennifer Anderson
(Notary Public)

My commission expires: 4/2/2016

(Seal)

JENNIFER ANDERSON
Notary Public - State of Florida
My Comm. Expires Apr 2, 2016
Commission # EE 185801

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



RECEIVED
Z12-095
SEP 13 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

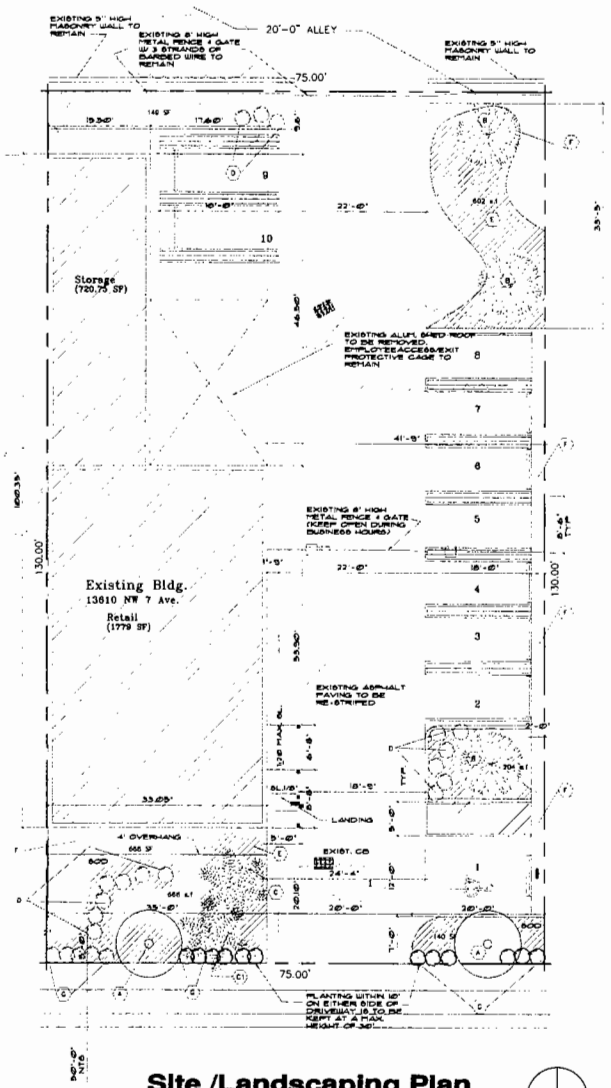
Site /Landscaping Plan

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

NW 7th Avenue

ENLARGED SITE PLAN

RECEIVED
MIAMI-DADE COUNTY
PROCESS # Z12-095
DATE: SEP 13 2012
BY: SDE



Site /Landscaping Plan

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

N.W. 7th Avenue

LANDSCAPING LEGEND

MARK	TREE / PLANT	SPECIES	QUANTITY
A	STREET TREE	LIVE OAK (35'-0" O.C. MAX.) (12' HIGH AT PLANTING)	2
B	SHADE TREE (10' HIGH MIN.)	GUMBO LIMBO	3
C	PALMS (10' HIGH MIN.)	CABBAGE SAW PALMETTO	1
C1	PALMS (12' HIGH MIN.)	CABBAGE SAW PALMETTO	1
D	SHRUBS (MIN. 18" HIGH 30" O.C.)	WAX MYRTLE IXORA PHILODENDRON	16
E	MULCHED AREA	AS SHOWN (MIN.) LAYER AROUND ALL PLANTING AREAS)	
F	SOD SAINT AUGUSTINE		
G	CHERRY HEDGE		

ALL NEW LANDSCAPED AREAS WILL HAVE IRRIGATION SYSTEM. IRRIGATION CONTRACTOR TO PROVIDE PLAN SHOWING SPRINKLER HEADS DISTRIBUTION AND WATER CONNECTIONS

GENERAL SITE INFORMATION:

ZONING----------BU-1A
OCCUPANCY:----------MERCANTILE
LOT AREA----------9,750 S.F. OR .22 ACRE
GROSS BUILDING AREA----------2,499 S.F. or 25.63%
TOTAL RETAIL AREA----------1,185 S.F.
TOTAL STORAGE AREA----------720 S.F.
F.A.R. ALLOWED----------40% OR 3,900 S.F.
F.A.R. PROVIDED----------25.63% OR 2,499 S.F.

PARKING REQUIREMENTS

RETAIL/OFFICE AREA (1 PER 250 S.F.)----------7 SPACES
STORAGE AREA (1 PER 250 S.F.)----------3 SPACES
TOTAL PARKING REQUIRED----------10 SPACES
PARKING PROVIDED----------10
LANDSCAPED OPEN AREA REQUIRED 18% OR 1,755 S.F.
LANDSCAPED OPEN AREA PROVIDED 1763 S.F.
REQUIRED ADDITIONAL TREES /ACRE = 22X22 = 5 (REQ.)

LEGAL DESCRIPTION:
LOT 31, BLOCK 1, OF "TROPICAL FARMS", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 42, PAGE 84, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

RECEIVED
212-095
SEP 13 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

EXISTING BUILDING

PROPOSED
DIALLO JEWELRY SHOP
13610 NW 7 AVENUE
MIAMI, FLORIDA

j. barrio
ARCHITECT & PLANNERS INC.
2121 SOUTHWEST 24th STREET MIAMI FLORIDA 33145
PH (305) 854-9685 FAX (305) 856-0961 AA 0002487

9/11/12

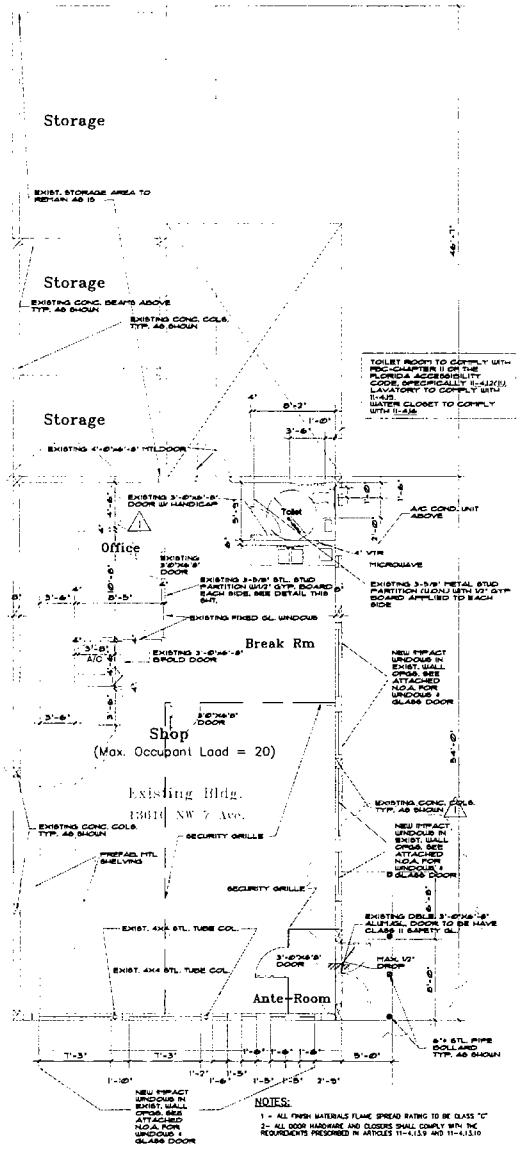
NO.	REVISION	BY	DATE

DRAWN
JAB
CHECKED
JMB
DATE
05/13/11
SCALE
AS SHOWN
JOB NO.
2011-32
FILE
Diallo03-11
SHEET
SL-1
OF
SHEETS

COPYRIGHT PROTECTION NOTICE: THE INFORMATION IN THESE DRAWINGS REMAINS THE SOLE PROPERTY OF THE ARCHITECT AND IS NOT TO BE COPIED, REPRODUCED, OR TRANSFERRED WITHOUT J. BARRIO ARCHITECT'S WRITTEN CONSENT

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: 212-095
DATE: SEP 13 2012
BY: SDB

21



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

RECEIVED
212-095
SEP 13 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

EXISTING BUILDING

NO.	REVISION	BY	DATE
1	BUILDING COMMENTS	JVB	04/11/11

AS-BUILT PLANS
DILALLO JEWELRY SHOP
13610 NW 7 AVENUE
MIAMI, FLORIDA

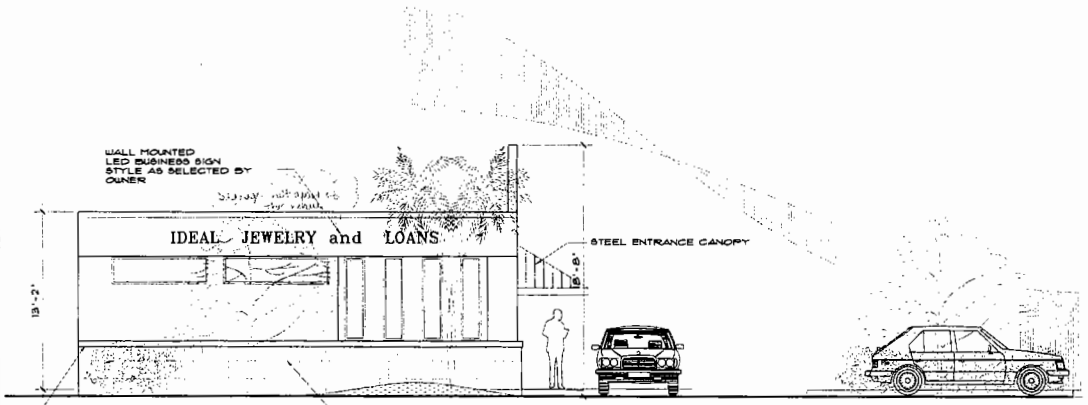
j. barrio
ARCHITECT & PLANNERS INC
2321 SOUTHWEST 24TH STREET MIAMI FLORIDA 33145
PH. (305) 856-9985 FAX (305) 856-9981 AA 0002657

9/11/12

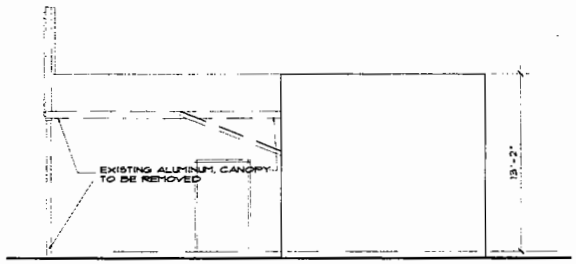
DRAWN JAB
CHECKED JVB
DATE 04/19/11
SCALE AS SHOWN
JOB NO. JB11-02
FILE 04ofa03-11
SHEET A-1 OF SHEETS

COPYRIGHT PROTECTION NOTICE: THE INFORMATION IN THESE DRAWINGS REMAINS THE SOLE PROPERTY OF THE ARCHITECT AND IS NOT TO BE COPIED, REPRODUCED, OR TRANSFERRED WITHOUT J. BARRIO ARCHITECT'S WRITTEN CONSENT

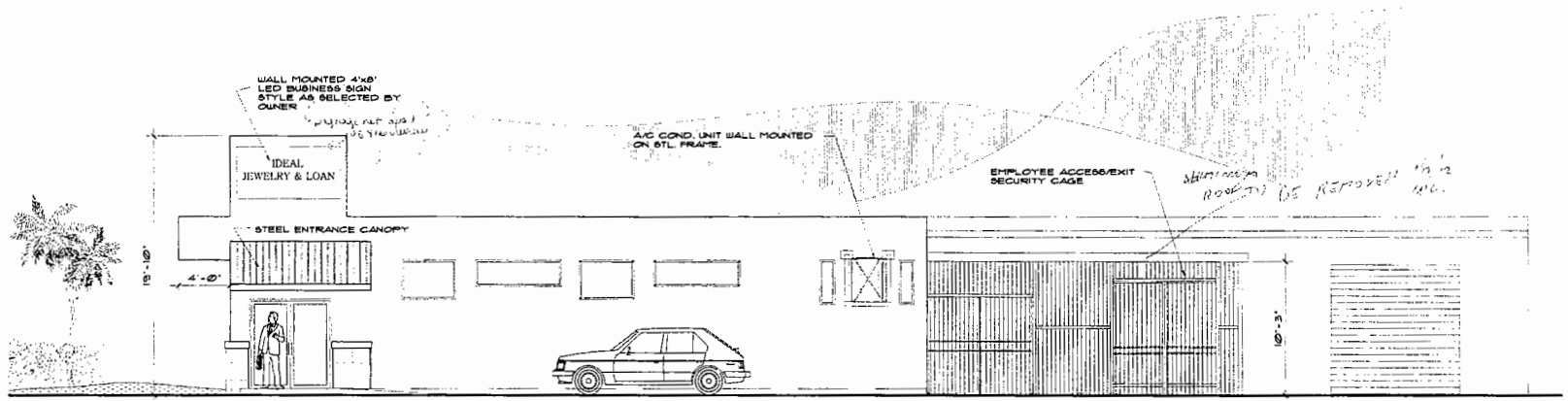
RECEIVED
MIAMI-DADE COUNTY
PROCESS # 12-095
DATE: SEP 13 2012
BY: RDR



East Elevation SCALE: 1/4" = 1'-0"



West Elevation SCALE: 1/4" = 1'-0"



North Elevation SCALE: 1/4" = 1'-0"

PROPOSED
DILALLO JEWELRY SHOP
13610 NW 7 AVENUE
MIAMI, FLORIDA

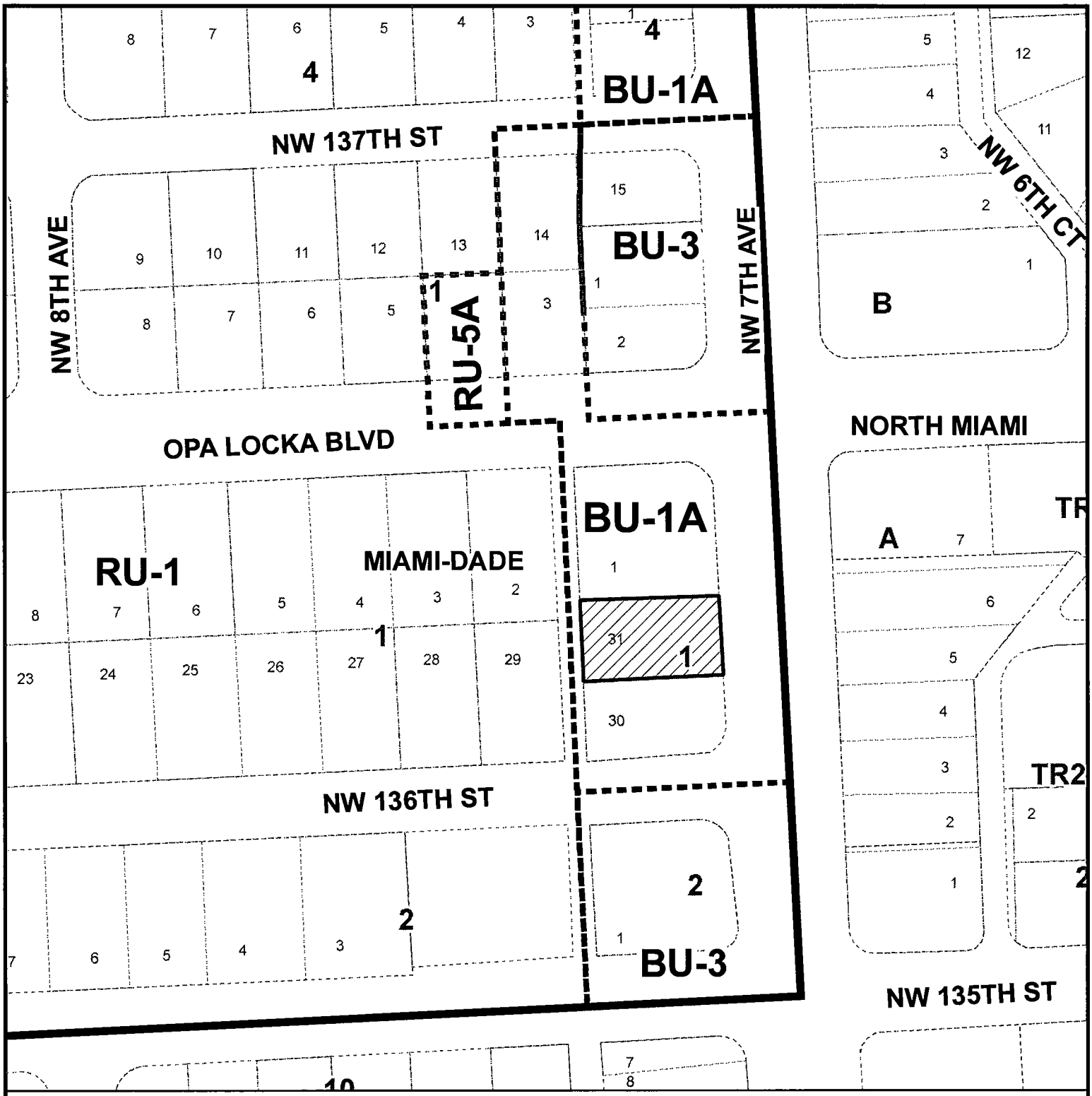
j. barrio
ARCHITECT & PLANNERS INC.
2331 SOUTHWEST 74TH STREET MIAMI FLORIDA 33143
PH (305) 856-9994 FAX (305) 856-9981 AA 0002667

DRAWN
JAB
CHECKED
JVB
DATE
05/13/11
SCALE
AS SHOWN
JOB NO.
2011-02
FILE
Dilallo03-11
SHEET
A-2
OF
SHEETS

COPYRIGHT PROTECTION NOTICE: THE INFORMATION IN THESE DRAWINGS BEARING THE SOLE PROPERTY OF THE ARCHITECT AND IS NOT TO BE COPIED, REPRODUCED, OR TRANSFERRED WITHOUT J. BARRIO ARCHITECT'S WRITTEN CONSENT

EXISTING BUILDING

RECEIVED
12-095
SEP 13 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000095

Section: 23 Township: 52 Range: 41
Applicant: MMG NORTH, INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 1, 2012

REVISION	DATE	BY
		23

MIAMI-DADE COUNTY

AERIAL YEAR 2009

Process Number

Z2012000095

N
W E
S

Section: 23 Township: 52 Range: 41
Applicant: MMG NORTH, INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

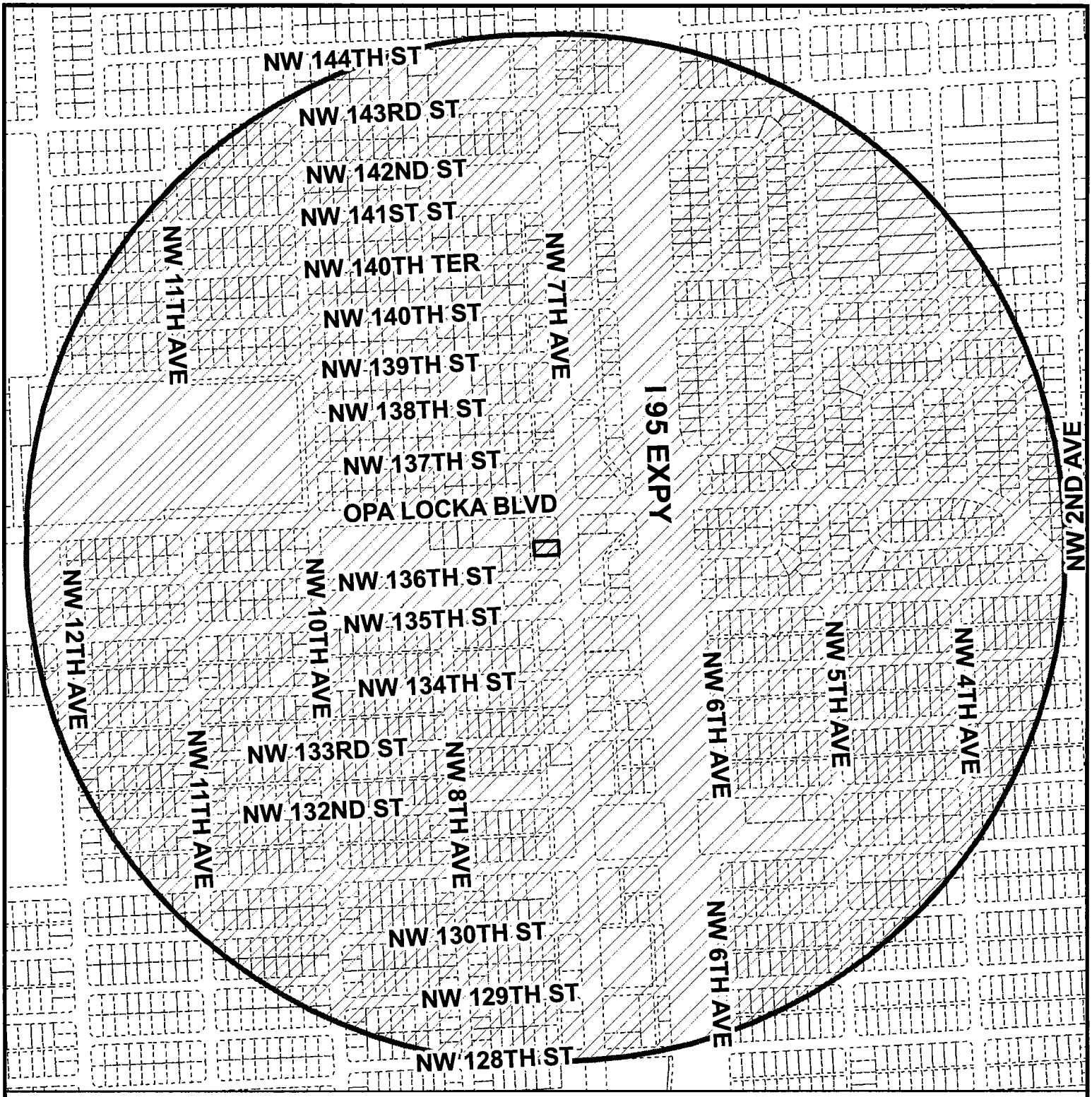
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 1, 2012

REVISION	DATE	BY
		24



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000095

RADIUS: 2640

Section: 23 Township: 52 Range: 41
Applicant: MMG NORTH, INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property

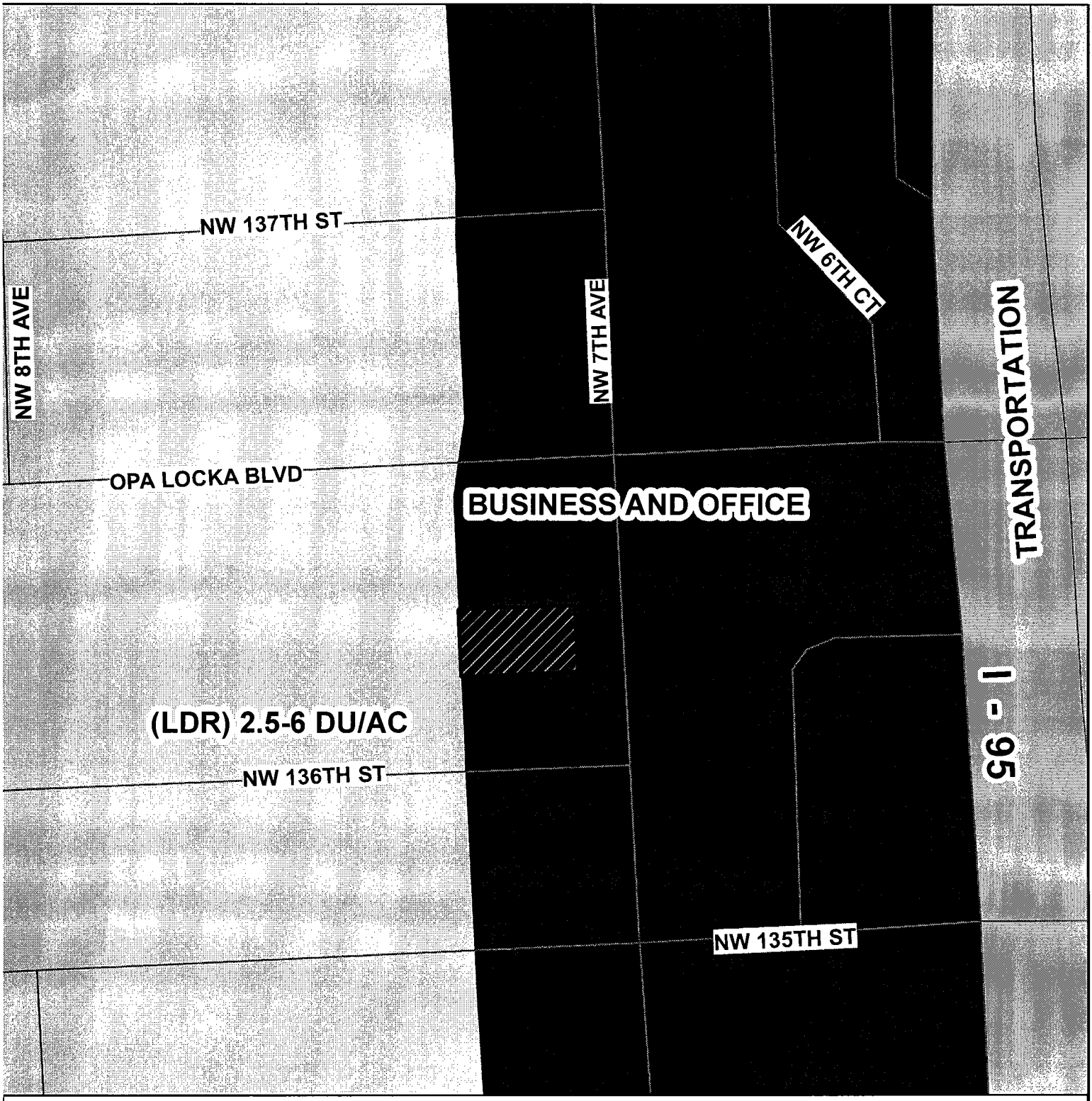
Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 1, 2012

REVISION	DATE	BY

25



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000095

Section: 23 Township: 52 Range: 41
Applicant: MMG NORTH, INC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 1, 2012

REVISION	DATE	BY

Memorandum

MIAMI-DADE COUNTY

Date: December 19, 2012

To: The Community Zoning Appeals Board - 8

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANTS: Imperial Management LLC and 3380 NW 79 Street LLC (Z12-051)

SUMMARY OF REQUESTS:

The applicants are seeking to modify a prior resolution and a paragraph of a covenant along with a deletion of one condition in order to submit revised plans for a proposed shopping center. Additionally, a request to permit a proposed storage facility on a portion of the property is also being sought.

LOCATION: Lying on the SW corner of NW 32nd Avenue and NW 79th Street, Miami-Dade County, Florida.

COMMENTS:

This application is before the Developmental Impact Committee due to the size of the application. Section 33-303.1(D)(7) of the Code of Miami-Dade County charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The meeting of the DIC Executive Council was held on November 7, 2012 and the attached Department memoranda were reviewed and considered by said Committee.

DIC RECOMMENDATION:

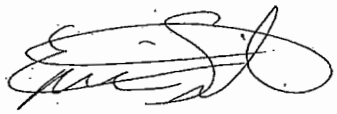
Approval with conditions, subject to the Board's acceptance of the modified proffered covenant and recommendation as set forth in the Department of Regulatory and Economic Resources' recommendation.

The Executive Council is of the opinion that this application will be in keeping with the Comprehensive Development Master Plan designation for the subject property. In addition, the Council found that the approval of this application with conditions and the acceptance of the proffered covenant, will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. As such, the Executive Council finds that this application will permit a development which is **consistent** with the CDMP and **compatible** with the surrounding area.

APPLICATION NO. Z12-51
IMPERIAL MANAGEMENT LLC & 3380 NW 79 STREET LLC

Respectfully Submited,

DIC Executive Council
November 07, 2012

William Bryson, Fire Chief Miami-Dade Fire Rescue Department		Absent
Irma San Roman, Interim Director Metropolitan Planning Organization Secretariat		Absent
Eric Silva, AICP Sustainability, Planning and Economic Enhancement Department		AYE
Antonio Cotarelo, Assistant Director Public Works Department		AYE
Jose Gonzalez, P.E., Assistant Director Department of Environmental Resources Mgmt		AYE
Bertha M. Goldenberg, Assistant Director Miami-Dade Water and Sewer Department		AYE

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Developmental Impact Committee (DIC)

PH: Z12-051 **November 7, 2012**

Recommendation Summary	
Commission District	2
Applicants	Imperial Management, LLC & 3380 NW 79 Street, LLC
Summary of Requests	The applicants are seeking to modify a prior resolution and a paragraph of a covenant in order to submit revised plans for a proposed shopping center. In addition to the inclusion of additional land, said plans will also show a proposed storage facility and an expanded water retention area.
Location	The SW corner of NW 32nd Avenue and NW 79th Street, Miami-Dade County, Florida.
Property Size	39.45 acres
Existing Zoning	BU-2
Existing Land Use	Vacant
2015-2025 CDMP Land Use Designation	Business and Office *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses Section 33-311(A)(7) Generalized Modification Standards *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval, subject to the Board's acceptance of the proffered covenant**

REQUESTS:

1. Modification of condition #2 of Resolution CZAB8-36-07, passed and adopted by the Community Zoning Appeals Board on the 19th day September, 2007, reading as follows:

   From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Wal-Mart Supercenter" as prepared by Creech Eng., Inc. consisting of (i) sheets "C1" to "C5" & "D2", dated stamped received 6/11/07. (ii) landscape plans "L1" - 'L6" as prepared by Conceptual Design Group, Inc. stamped dated received 6/11/07, (iii) sheets "A1" & "DDA-2" (iv) two sign elevation sheets as prepared by B/R/R Architecture, dated stamped received 6/11/07 & (v) "ALTA/ACMS Survey for Wal-Mart 93362, Hialeah East" consisting of six pages, prepared by W.L. Fish & Company, Inc. and dated stamped received June 11th, 2007 all together totaling 22 sheets.

   To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Wal-Mart Supercenter" as prepared by Creech Engineers, Inc. consisting of (2) sheets, "Walmart Northside at East Hialeah Market Place" as prepared by WHA Design, Inc., consisting of 21 sheets, "Walmart" as prepared by B/R/R Architecture, consisting of 5 sheets, "Landscape Plans" as prepared by HJA Design Studio Lanscape Architecture, consisting of 6 sheets, all

sheets dated stamped received August 23, 2012, for a total of 32 sheets and clarification sketch LA1.1 and L-1 dated stamped received 10/16/12.

2. Deletion of Condition #8 of Resolution CZAB8-36-07 passed and adopted by Community Zoning Appeals Board # 8, which read as follows:

> "8. The Applicant agrees to pave 20% of the parking spaces with pervious concrete. Upon approval by the County's Director of Planning and Zoning, the Owner may substitute or modify these specific water conservation practices where such change provides equal or greater water conservation."

3. Deletion of a Declaration of Restrictions recorded in Official Record Book 26011 Pages 3172 – 3181.

The purpose of requests #1 through #3 is to allow the applicants to submit revised plans showing additional area to be used as outparcels, relocation of the retention area and the addition of a 7 story storage facility and delete the condition requiring pervious concrete for a portion of the parking lot. Also, the applicants are deleting a declaration of restrictions that, among other things, required pervious concrete, water conservation practices and additional landscaping.

Requests #1 through #3 on Parcels 1, 2 & 3

4. Special Exception to permit a proposed self service storage facility in the BU-2 zone.

Request #4 on Parcel 1

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

PROJECT DESCRIPTION:

The site plans submitted by the applicants depict the approximately 35-net acre parcel consisting of approximately 223,000 sq. ft. of retail, restaurant and storage buildings. The proposed development will also have a total of 591 parking spaces with ingress/egress drives along both NW 79 Street and NW 32 Avenue. Apart from the storage facility located at the southwest corner of the site that will be 7-stories high, the remainder of the development will consist of one-story retail buildings.

NEIGHBORHOOD CHARATERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	BU-2; vacant	Business and Office
North	BU-2; bank, gas station, religious facility, parking lot and retail stores	Business and Office
South	IU-1; warehouse GU; railway	Industrial and Office Transportation

East	BU-1, BU-1A & BU-3: Metro-rail Station, vacant land, Miami-Dade group housing, retail store	Industrial and Office
West	IU-1 & BU-3; trailer park	Business and Office/Industrial and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is located on the southwest corner of the intersection of NW 79 Street and NW 32 Avenue, and within 600' of the Northside Miami-Dade Transit Metrorail station which is located to the east of the subject property along NW 79 Street. The area surrounding the subject property is primarily characterized by commercial uses located to the north and partially to the west, and residential uses to the east and south and partially to the west.

SUMMARY OF THE IMPACTS:

The approval of these requests would allow the applicant to submit revised plans showing the addition of an approximately 2±-acre outparcel and, a 7-story storage facility and modifications of the pedestrian walkways and ingress/egress drives for the previously approved shopping center. However, although the changes will allow the applicants to provide additional storage services to the community in addition to the shopping center, the increased building height of the storage facility could have a minimal impact on the surrounding area. Additionally, the intensification of the uses to now include a storage facility may have an impact on traffic on the abutting roadways, NW 79 Street and NW 32 Avenue.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as ***Business 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 Business and Office land use *category accommodates the full range of sales and service activities. Included are* ***retail,*** *wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities.* Staff notes that pursuant to Resolution #CZAB8-36-07, the larger portion of the subject parcel was approved for a district boundary change to BU-2, Special Business District, at which time, among other things, the applicant proffered a covenant restricting the development of the site to the submitted plans. The BU-2 zoning district permits uses such as apparel stores, hardware stores, restaurants, major department stores, regional shopping centers, furniture stores, supermarkets, banks, pet shops, printing shops and variety stores, among others, which are permitted uses in the Business and Office designation of the CDMP. Further, staff notes that the approximately two-acre parcel being added to the subject property, located in the northwest corner of the subject property, is also zoned BU-2. Therefore, the existing BU-2 zoning on the entire subject parcel is **consistent** with the uses allowed in the CDMP Land Use Element interpretative text under the Business

and Office land use category, and is consistent with the Business and Office designation on the CDMP LUP map.

The subject property is located along a bustling and vibrant commercial corridor and therefore, staff opines that the proposed development as designed, would not negatively impact the traffic, lighting, access, parking, and other factors to be addressed when evaluating compatibility among proximate land uses as addressed in CDMP land Use Element, **Policy LU-4A**. Further, **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as height, bulk, and scale of architectural elements. Notwithstanding the addition of a 7-story storage facility to the development, located in the southwest corner of the site, staff opines that the proposed development would be harmonious with the scale and size of the proximate land uses as addressed further below. Therefore, staff opines that the proposed scale and size of the use remains **compatible** with the scale of the surrounding uses.

The applicants now seek to modify condition #2, of Resolution # CZAB8-36-07 pertaining to the site plans for the larger parcel (request #1) and delete condition #8 of said resolution requiring a portion of the parking areas to be developed with pervious concrete (request #2). Additionally, the applicants seek to delete and replace said zoning covenant which also addresses the previously approved site plan. Apart from the inclusion of the approximately 2 acre outparcel abutting NW 79 Street, the current site plans now depict the actual buildings on the outparcels, increased building heights, the relocation of the retention area, the addition of ingress/egress drives along NW 79 Street, and increased walk-way connectivity throughout the site and from the Metrorail station. Staff notes that the additional parcel being included was the subject of a CDMP amendment in the October 2005 amendment cycle, at which time the applicant proffered a covenant that provided for pedestrian and vehicular connectivity between this smaller parcel and the larger parcel surrounding it on three (3) sides that is the subject of Resolution #CZAB8-36-07. Said CDMP covenant also required the owner of this parcel to work with the Miami-Dade Transit Department (MTD) to accommodate future transit facilities within the property. The submitted plans indicate that the parking, drives and pedestrian walk-ways on this smaller parcel will be incorporated into and connected to the larger surrounding commercial development. Further, the applicants have met with staff of the MDT and incorporated revised transit stops and benches within the larger parcel as required by the CDMP covenant. As such, staff opines that the approval of the application, with the conditions outlined below, would maintain the restrictions imposed by the CDMP amendment and the CDMP covenant.

In addition, although the submitted plans indicate a proposed drive-through restaurant in the northeast corner of the site, the applicant has agreed to the relocation of said restaurant as a condition for approval of the application to meet the requirements set forth in the existing covenant and **Objective LU-7** of the CDMP Land Use Element interpretative text. Said Policy requires the County to promote transit-oriented development (TOD) in existing and planned transit corridors and urban centers. Furthermore, **Policy LU-7E** states that land uses that are not conducive to public transit ridership such as car dealerships and car oriented food franchises should not be permitted to locate or expand within ¼ mile of rail rapid transit stations and the existing covenant proffered with the prior application maintains these restrictions on the subject parcel. Staff, therefore, recommends as a condition for approval of the application that said restaurant be relocated to be more than ¼ mile from the Northside Metrorail station. Based on the aforementioned, staff opines that the revised plans for the retail

development will be **consistent** with **Objective LU-7** and **Policy LU-7E** CDMP Land Use Element interpretative text.

Further, staff notes that the proposed changes to include the relocation of the water retention area, the addition of additional drives along NW 79 Street, and the 7-story storage building, will maintain all the other provisions in the prior covenant. As such, subject to the acceptance of a new zoning covenant being proffered by the applicants, approval of the requests to modify the plans (requests #1 and #2) and to permit the storage facility (request #3) would be **consistent** with the uses allowed in the CDMP Land Use Element interpretative text under the Business and Office land use category, and will be **consistent** with **Objective LU-7** and **Policy LU-7E** CDMP Land Use Element interpretative text.

ZONING ANALYSIS:

When the applicants' requests to modify condition #2 (request #1) and to delete condition #8 of Resolution CZAB8-36-07 (request #2) and to delete and replace of the Declaration of Restrictions recorded in Official Record Book 26011 Pages 3172 – 3181 (request #3) in order to submit revised plans showing the inclusion of an additional outparcel and a storage facility are analyzed under the Generalized Modification Standards, Section 33-311(A)(7), for the reasons stated below, staff opines that approval would be **compatible** with the surrounding area. Based on the memoranda submitted by the Departments concerned with reviewing this application, staff opines that approval with conditions of this application will not generate excessive noise or traffic, tend to create fire or other equally dangerous hazard, provoke excessive overcrowding of people, or provoke a nuisance. Further, based on said memoranda provided by the reviewing Departments that the application meets the level of service standards for an initial development order as specified in the adopted CDMP amendment and the CDMP covenant, staff opines that approval with conditions of the application would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification in relation to the present and future development of the area concerned.

Further, staff opines that the submitted plans indicate sensitivity to the residential uses located to the east, by providing a continuous row of trees and hedges along the side street (east) property line abutting NW 32 Avenue. Additionally, staff notes that the applicants have incorporated design elements that encourage pedestrian use of the walkways along the property line abutting NW 32 Avenue and attractive crosswalks equipped with traffic signals that encourage connectivity to the Northside Metrorail station which is located to the east of the subject parcel. Notwithstanding, staff notes that the previously approved plans have a canopy covered walkway from the bus stops on NW 32 Avenue adjacent to the proposed Walmart store. The canopy is not a part of the proposed plans. Said canopy cover brought the development into conformity with **Land Use Policy LU-7B,** of the CDMP Land Use Element interpretative text which requires pedestrian accommodations inclusive of shade trees, awnings and other weather protection for pedestrians as appropriate. Therefore, staff recommends as a condition for approval that the applicants add the canopy cover as was shown in the previously approved plans from NW 32 Avenue to the proposed Walmart store and extend the cover along the front of the store to the building #6 located to the west.

Further, as a condition for approval of requests #1 through #3, staff recommends that the applicants also extend the landscape treatment from the corner of NW 79 Street and NW 32 Avenue, along the front (north) property line abutting NW 79 Street. Staff opines that this can be achieved by the expansion of the landscape islands within the parking areas abutting 79

Street resulting only in a loss of 14 parking spaces from the total of 591 (461 parking spaces required) spaces provided. Staff notes that this will not create a negative impact on parking and will provide a visually pleasing enhancement to this portion of NW 79 Street as well as providing added shaded area for pedestrian traffic along this section of the roadway within close proximity to the Metrorail station. **Therefore, based on the aforementioned reasons, staff recommends approval with the aforementioned conditions of requests #1 through #3 under the Generalized Modification Standards, Section 33-311(A)(7).**

Similarly, when request #4, to allow the proposed storage facility, is reviewed under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses, staff opines that the approval of this request would be **compatible** with the surrounding residential, industrial, and commercial uses. Staff opines that the proposed use will not result in excessive traffic as evidenced by the memorandum from the Public Works and Waste Management Department's Traffic Division, which states that the entire application meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply. Also, as previously noted, memoranda from the various Departments that reviewed the application do not indicate that approval of the proposed storage facility will result in excessive noise or traffic, cause undue or excessive burden on public facilities, nor provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development.

Staff notes that the proposed 7-story storage facility that will be 86'-9" in height will be substantially taller than any building proposed on the site or within the surrounding area. However, staff notes that the storage facility will be sited in the southwest corner of the site, where it abuts an existing industrial use to the southwest. Although there is an existing trailer park located to the west of the site, the proposed storage facility will be located approximately 100' from the property line abutting the trailer park site. The submitted site plans also indicate a continuous hedge and a row of Buttonwood trees along the interior side (west) property line that will mitigate any visual impact of the development on the trailer park. As such, staff opines that the 7-story high facility will have a minimal visual impact on same. Further, staff notes that the entrance drives for delivery trucks for both the commercial uses and the storage facility on the site are oriented away from the residential uses to the west and therefore will have a minimal aural impact on the residences within the trailer park. **Staff therefore recommends approval with conditions of request #4 under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New**.

ACCESS, CIRCULATION AND PARKING: The submitted site plans indicate that the Walmart store site has 130 more parking spaces than required and the location and width of the drives on the subject property are sufficient to accommodate the potential traffic on this approximately 39.45-acre site. Furthermore, the site has ingress and egress drives along NW 32 Avenue, which is a half section line road, and NW 79 Street, which is a section line road. Additionally, the submitted site plan depicts internal sidewalk connections that are linked to sidewalks located along NW 32 Avenue to the east and NW 79 Street to the north and bike racks to accommodate customers with bikes.

NEIGHBORHOOD SERVICES PROVIDER REVIEW:

Aviation

The Miami-Dade County Aviation Department (MDAD) has no objections to this application. MDAD has determined that the proposed requests are compatible with operations from MDAD's system of airports.

Regulatory and Economic Resources (Environment Resource Management Division)
The Department of Regulatory and Economic Resources (RER), Environmental Division does not object to this application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County.

Its memorandum indicates that the property is located within the Miami-Dade Water and Sewer Department's water and sewer franchised service areas. A new Surface Water Management General Permit from the Department will be required for the construction and operation of the surface water management system and must be obtained prior to platting and/or site development. Its memorandum further indicates that the applicant is required to comply with the tree permitting requirements prior to the final inspection. Further, the memorandum indicates that a concurrency review has been conducted for this application and it has been determined that it meets all applicable level of service standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal and flood protection. The subject properties do not contain any jurisdictional wetlands.

Miami-Dade Transit
The Miami-Dade Transit Department (MDT) has no objections to this application.

Its memorandum indicates that the proposed development meets the mass transit level-of-service standards established for Miami-Dade County. Further, the MDT department indicates in its memorandum that the proposed development is **consistent** with **Policy LU-7B** of the CDMP Land Use Element which requires new development around rapid transit stations to be designed in a manner that is sensitive to the fact that many transit riders begin and end their trips as pedestrians.

Miami-Dade Fire Rescue
The Miami-Dade Fire Rescue Department (MDFR) has no objections to this application.

Its memorandum indicates that the proposed development could generate approximately 113 fire and rescue calls annually. The department states that the estimated number of alarms would result in a moderate impact to the existing fire and rescue service and current stations serving the area will be able to handle the additional number of alarms. The average travel time to the vicinity of the proposed development is 5:30 minutes (based on 2011 data). Travel time to the vicinity of the proposed development complies with the national performance objective.

Parks, Recreation and Open Spaces
The Miami-Dade Parks, Recreation and Open Spaces Department (MDPROS) does not object to this application.

Public Works and Waste Management Department (Traffic Engineering Division)
The Public Works and Waste Management Department, Traffic Division (TED) does not object to this application. However, its memorandum indicates that the Traffic Engineering Division's recommendation of approval of this application is subject to the conditions outlined that apply to this development.

Its memorandum indicates that the project is within the urban infill area and is therefore exempt from traffic concurrency review for an Initial Development Order. The memorandum further indicates that no vehicle trips have been assigned for this application and that the application is subject to Road Impact Fee payment.

Public Works and Waste Management Department (Fiscal, Planning and Performance Management Division)
The Public Works and Waste Management Department, Fiscal, Planning and Performance Management Division does not object to this application.

Water and Sewer Department
The Miami-Dade County Water and Sewer Department (MDWASD) has no objections to this application. Public water mains and sanitary sewers exist throughout the area.

Miami-Dade Police Department
The Miami-Dade Police Department (MDPD) does not object to this application. The memorandum indicates that current staffing should accommodate any slight increase in the volume of calls for service. However, the Department recommends approval of the application with conditions, among which that be no deliveries between the hours of 10:00 p.m. and 7:00 a.m. and that the applicant hires uniformed licensed security personnel and install internal and external security cameras with electronic archiving capability.

OTHER: Not applicable.

RECOMMENDATION:

Approval with conditions, subject to the Board's acceptance of the proffered covenant.

CONDITIONS FOR APPROVAL:

1. That all the conditions of Resolution CZAB8-36-07 remain in full force and effect except as herein modified.

2. That the submitted plans be revised to show the location of the drive-through restaurant facility more than a ¼ mile west of the Northside Metrorail station.

3. That the applicants comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of this recommendation incorporated herein by reference.

4. That the plan includes the canopy covered walkway that was approved as a part of Resolution #CZAB8-36-07 and extend it along the northern side of the Walmart store, westward to the north side of building #6.

5. That 14 parking spaces adjacent to each of the landscape islands abutting NW 79 Street be replaced with landscaping.

ES:MW:NN:JV;AN:CH

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

ZONING RECOMMENDATION ADDENDUM

Imperial Management, LLC & NW 79 Street, LLC
Z12-051

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

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

Business and Office (Page I-41)	*This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.*
Urban Centers (Pg. I-46-48)	*Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and* ***Community Centers*** *which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.* *The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.*

The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the ***Community Centers*** *shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.*

Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.
Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.

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

Radius*. The area developed as an urban center shall extend to one mile radius around the core or central transit station of a Regional Urban Center designated on the LUP map. Designated Metropolitan Urban Centers shall extend not less than one-quarter mile walking distance from the core of the center or central transit stop(s) and may extend up to one-half mile form such core or transit stops along major roads and pedestrian linkages. Community Centers shall have a radius of 700 to 1300 feet.*

Streets and Public Spaces. *Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways,*

	and squares, parks and plazas defined by the buildings around them. The street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian access ways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edge landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixtures and bus shelters. Open spaces such as public squares and greens shall be established in urban centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenades, shall be a minimum of 15 percent of gross development area. This public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject urban center to the extent that it would better serve the quality and functionality of the center. ***Parking.*** *Shared parking is encouraged. Reductions from standard parking requirements shall be authorized where there is a complementary mix of uses on proximate development sites, and near transit stations. Parking areas should occur predominately in mid-block, block rear and on-street locations, and not between the street and main building entrances. Parking structures should incorporate other uses at street level such as shops, galleries, offices and public uses.* ***Buildings.*** *Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.*
Objective LU-4 (Pg. I-11)	*Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.*
Land Use Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*
Land use Policy LU-4D (Pg. I-11)	*Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements.*
Land Use Policy Objective LU-7 (Pg. I-14)	*Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian-friendly environment that promotes the use of rapid transit services.*
Land Use Policy LU-7A. (Pg. I-14)	*Through its various planning, regulatory and development activities, Miami-Dade County shall encourage development of a wide variety of residential and non-residential land uses and activities in nodes around rapid transit stations to produce short trips, minimize transfers, attract transit ridership, and promote travel patterns on the transit line that are balanced*

ZONING RECOMMENDATION ADDENDUM

Imperial Management, LLC & NW 79 Street, LLC
Z12-051

	directionally and temporally to promote transit operational and financial efficiencies. Land uses that may be approved around transit stations shall include housing, shopping and offices in moderate to high densities and intensities, complemented by compatible entertainment, cultural and human varying mixes. The particular uses that are approved in a given station should, a) respect the character of the nearby community, b) strive to serve the needs of the community for housing and services, and c) promote a balance in the range of existing and planned land uses along the transit line. Rapid transit station sites and their vicinity shall be developed as "urban centers" as provided in this plan element under the heading Urban Centers.
Land Use Policy LU-7B. (Pg. I-15)	*It is the policy of Miami-Dade County that both the County and its municipalities shall accommodate new development and redevelopment around rapid transit stations that is well designed, conducive to both pedestrian and transit use, and architecturally attractive. In recognition that many transit riders begin and end their trips as pedestrians, pedestrian accommodations shall include, as appropriate, continuous sidewalks to the transit station, small blocks and closely intersecting streets, buildings oriented to the street or other pedestrian paths, parking lots predominately to the rear and sides of buildings, primary building entrances as close to the street or transit stop as to the parking lot, shade trees, awnings, and other weather protection for pedestrians.*
Land Use Policy LU-7D (Pg. I-15).	*Redevelopment of property within one-half mile of existing or planned mass transit stations and bus routes shall not cause an increase in walking distances from nearby areas to the transit services and shall, wherever practical, be done in a manner that reduces walking distances and is comfortable and attractive to pedestrians.*
Land Use Policy LU-7E. (Pg. I-15)	*Land uses that are not conducive to public transit ridership such as car dealerships, car oriented food franchises, and uses that require transporting large objects should not be permitted to locate or expand within ¼ mile of rail rapid transit stations.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(3) Special Exception, Unusual and New Uses.	*Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.*
33-311(A)(7) Generalized Modification Standards	*The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the*

	present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.

5. IMPERIAL MANAGEMENT LLC & 3380 NW 79 STREET LLC

12-12-CZ8-5 (12-051)
Area 8/District 02
Hearing Date: 12/19/12

Property Owner (if different from applicant) **Imperial Management LLC; 3380NW79.**

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:

Year	Applicant	Request	Board	Decision
1964	Leo Gelvan	- Variance filling of PLAT with 1 lot with 66' frontage 975' required.	ZAB	Denied
1969	79th Street Investment Co. INC. & Morris Jaffee	- Variance setback permit erection six industrial & 1 business building.	ZAB	Approved
1977	C.B.'s Pub, Inc.	- Variance liquor use spacing. - Variance building setback19.85' (20' required). - P.U.P.	ZAB	Approved
1985	Northwest Dade Community Mental	- Non-Use Variance of setback requirement to permit a proposed private school in existing building.	ZAB	Approved with Condition(s)
2003	Bell Haven, LLC	- Zone change from BU-1, BU-2, AU & IU-1 to IU-1.	C08	Approved on a Modified Basis
2007	3380 NW 79 Street, LLC	- Zone change from BU-2 & RU-4A to BU-2.	C08	Approved
2007	MLIP L.L.C.	- Zone change from BU-1, BU-2 & IU-1 to BU-2.	C08	Approved In Part with Condition(s)

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

MIAMI-DADE COUNTY

Date: October 3, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: DIC #Z2012000051-3rd Revision
Imperial Management, LLC
3200 NW 79th Street
Modification of a Previous Resolution to Permit Additional Buildings to the Site
(39.45 Acres)
09-53-41

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
The subject property is located within the Miami-Dade Water and Sewer Department (MDWASD) water franchised service area. Public water abuts the site in the form of a 24-inch main located along N.W. 32nd Avenue.

The source for this water supply is MDWASD's Hialeah-Preston Water Treatment Plant. This plant has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.

Wastewater Disposal
The subject property is located within MDWASD sanitary sewer franchised service area. Public sanitary sewers abut the site along N.W. 32nd Avenue in the form of 8-inch gravity main along N.W. 32nd Avenue.

The wastewater flow is directed into pump station 30-0013, then to pump station 30-0001 and then, the Central District Wastewater Treatment Plant. The aforementioned sanitary sewer pump stations as well as the Central District Wastewater Treatment Plant are owned and operated by Miami Dade Water and Sewer Department. The aforesaid pump stations, are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

Stormwater Management
Be advised that the previously approved Surface Water Management General Permit No. 13-03610-P issued in May 30, 2007 expired; therefore a new Surface Water Management General Permit from the Department shall be required for the construction and operation of the 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 at (305) 375 6681 for further information regarding permitting procedures and requirements.

Site is located in a contaminated area. A Class VI Permit issued by the Water Control Section may be required.

A Class II permit is required if an emergency overflow outfall is proposed.

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 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.

Pollution Remediation
The subject site does not have records of current contamination investigation. Under tracking number HWR-233, the contamination investigation received closure on June 29, 1995. Under tracking number HWR-118, the Florida Department of Environmental Protection completed site contamination cleanup activities and delisted the site in February 2008. In addition, there are no records of current contamination assessment/remediation issues for sites directly abutting the property.

Wetlands
The subject properties do 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
Tree Removal Permit TREE-004033-2012 was issued for all three folios 30-3109-000-0330, 0290 and 30-3109-034-0010 on October 2, 2012, and is scheduled to expire on October 2, 2013. As per this permit, two strangler fig trees (#46 and #71)shall be preserved on the site with folio 30-3109-000-0290, along the eastern and southeastern part of the site. The site and landscape plans submitted with this zoning application are consistent with the permitted site plans and depict the two strangler fig trees "to remain".

All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit to avoid violation of permit conditions.

Please be advised that a new Miami-Dade County Tree Removal/Relocation Permit or an amendment to this permit is required prior to the removal and/or relocation of any additional trees on the subject

properties. Please contact the Tree Permitting Program at 305-372-6600, voice option #2, for information regarding tree permits.

Enforcement History
The subject properties have a closed enforcement record for violations of Chapter 24 of the Code regarding solvent contamination. If you require further information regarding the above open enforcement case, please contact the Code Enforcement Section at (305) 372-6418.

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, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE COUNTY

Date: October 5, 2012

To: Jorge Vital
Development Impact Coordinator
Regulatory and Economic Resource Department

From: Antonio Cotarelo, P.E.
Interim County Engineer
Public Works and Waste Management Department

Subject: DIC 12-051
Name: Imperial Management, LLC
Location: 3380 NW 79 Street, Miami, Florida
Sec. 9 Twp. 53 Rge. 41

I. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION:

This application is for a project located at the southwest corner of NW 79 Street and NW 32 Avenue. Northwest 79 Street is a Section Line and maintained by the Florida Department of Transportation (FDOT). Northwest 32 Avenue is a Half Section Line and maintained by Miami-Dade County.

II. SITE PLAN CRITIQUE:

The site plan is acceptable subject to the following comments:

A. The applicant offered to replace Building 1's Splitter Island between the drive-thru and the rest of the aisle to striping only; however, it looks wide enough to be shrunken to get the drive-thru land to eighteen (18) feet without having to abandon it completely. We will work with the applicant on this item in paving and drainage review.

B. The aisle around Building 3 will need to be one-way counterclockwise along its south, east and north faces as a consequence of having a drive-thru. Please revise the site plan and submit along with the traffic signs at paving and drainage plans. The one-way pattern is standard operating procedure for this type of site arrangement. We will work with the applicant to ensure the correct traffic signs and markings reflect this in paving and drainage review.

C. Widen the lane around Building 5 on the south and east side to meet zoning code if needed.

D. The requested on-street median on NW 32 Avenue by the railroad track, whether kept completely intact, partially reduced or totally substituted with striping will be addressed at the paving and drainage plans review stage.

E. Prior to obtaining the building permits for parking, paving and drainage, roadway, median modification and driveway locations, design plans should be submitted to the Public Works and Waste Management Department (PWWM) for final review and approval.

III. STANDARD CONDITITIONS THAT APPLY TO THIS DEVELOPEMENT:

A. A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted before T-Plat is approved:

"I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."

B. Street lights and other right-of-way improvements are required per Public Works and Waste Management Department Standards.

C. Provide appropriate radii to allow for large vehicles from Fire Rescue Department, Public Works and Waste Management Department and school buses from Miami-Dade County Public Schools.

D. Driveways shall be no less than twenty-two feet in width and shall be resilient enough for large vehicles.

E. All landscaping, walls, fenced, entrance features etc., will be subject to the Safe Sight Distance as per Section 33-11 of the Miami-Dade County Code; G5.3 of the PWWM Manual; and Index 546 FDOT Design Standards for Design Construction, Maintenance and Utility Operations on the State Highway System.

F. Entrance features are not reviewed and/or approved under this application.

G. All traffic signing, markings and signal plans, onsite and offsite, shall be submitted to PWWM as a part of paving and drainage for review and approval. Any signing and/or striping submitted in the site plan is not reviewed and approved at this time.

IV. TRAFFIC IMPACT STUDY COMMENTS:

All improvements should comply with the criteria set by the "Florida Greenbook." In order to improve vehicular traffic operations and safer pedestrian experience, the following are required:

A. Provide an exclusive eastbound right-turn lane and an exclusive westbound left-turn lane on NW 79 Street for the main eastern driveway. At the entrance to the driveway, two entering lanes should be provided. Additionally, a traffic signal should be provided at this intersection. However, since NW 79 Street/SR 934 is under FDOT's jurisdiction, appropriate approvals must be obtained for improvements along this segment.

B. Provide an exclusive southbound right-turn lane and an exclusive northbound left-turn lane at the main northern driveway along NW 32 Avenue. At the entrance to the driveway, two

entering lanes should be provided. A traffic signal is warranted and shall be installed by the applicant at this intersection prior to the completion of the development.

C. Northbound left-turn movement into the project site shall be prohibited at the southern driveway along NW 32 Avenue. Furthermore, if unsafe conditions occur at the intersection after full build-out of the development and upon the determination of a traffic study, eastbound left-turn movement will be restricted from this driveway.

D. Pedestrian crosswalks must be refurbished at the existing side streets on the east side of the roadway along NW 32 Avenue. Additionally, the pedestrian ramps must be updated to comply with ADA requirements.

V. SUMMARY:

This project is within the urban infield area and traffic concurrency is exempt for an initial development order. No vehicle trips have been reserved by this application. This application is subject to Road Impact Fee payment.

c: Joan Shen, Ph.D., Interim Chief
Jeff Cohen, P.E., Assistant Chief
Muhammad Khan, P.E., P.T.O.E., PTP
Armando E. Hernandez

Memorandum

MIAMI-DADE COUNTY

Date: October 1, 2012

To: Jack Osterholt, Director
Permitting, Environment and Regulatory Affairs

From: William W. Bryson, Fire Chief
Miami-Dade Fire Rescue Department

Subject: DIC 2012000051 – Imperial Management LLC (Wal-Mart) NW 79th Street between NW 32nd and NW 34th Avenue, Miami-Dade County, FL (Revision No. 2)

According to the amended letter of intent dated July 11, 2012, the applicant is seeking to modify a previously approved site plan for the development of a Wal-Mart Supercenter.

SERVICE IMPACT/DEMAND

(A) Based on development information, this project is expected to generate approximately **113** fire and rescue alarms annually. The estimated number of alarms results in a moderate impact to existing fire and rescue service. However, existing fire and rescue stations will be able to absorb the additional number of alarms.

(B) Based on data retrieved during calendar year 2011, the average travel time to the vicinity of the subject application was **5:30 minutes**. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.

(C) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires four (4) suppression units; one of which must be an aerial, and the other three may be a combination of engines, tankers, ladders or aerials. Additionally, the assignment will require one (1) rescue and a battalion commander. This assignment requires twenty (20) firefighters and officers.

EXISTING SERVICES

STATION	ADDRESS	EQUIPMENT	STAFF
2	6460 NW 27 Avenue	Rescue, Aerial, Battalion	8
7	9350 NW 22 Avenue	Rescue, Engine	7
26	3190 NW 119 Street	Rescue, Ladder	7
30	9500 NE 2 Avenue	Rescue, Engine	7

SITE PLAN REVIEW:

(A) Fire Engineering & Water Supply Bureau has reviewed and approved the revised site plan entitled Wal-Mart Supercenter as prepared by Creech Engineers, Inc. dated stamp received Augusut 23, 2012.

(B) This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for DIC applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must be reviewed by the Fire Water & Engineering Bureau to assure compliance with the Florida Fire Prevention Code (FFPC) and National Fire Protection Association (NFPA) standards.

For additional information, please contact Mr. Carlos Heredia, Planning Section Supervisor at 786-331-4544.

Memorandum

MIAMI-DADE COUNTY

DATE: September 20, 2012

TO: Jorge Vital
DIC Coordinator
Department of Regulatory and Economic Resources

FROM: Nilia Cartaya
Principal Planner
Miami-Dade Transit - Engineering, Planning & Development Division

SUBJECT: Review of DIC Project No. 12-051 (Imperial Management, LLC and 3380 NW 79 Street LLC) – Revision 4
MDT Project No. OSP006
FSC No. 41.04

Project Description

12-051 – Imperial Management, LLC and 3380 NW 79 Street LLCare requesting a modification of a previously approved site plan in order to show additional acreage and buildings on the subject site. The subject property is approximately 39.45 acres and is located at 3200 NW 79 Street, Miami-Dade County, Florida.

Current Transit Service

There is transit service along NW 79 Street and NW 32 Avenue, provided by Routes 12, 21, 32, 79 (79 Street MAX) and Route L (112). The alignment for these routes is illustrated on the attached maps. The service headways for these routes (in minutes) are as follows:

Metrobus Route Service Summary
Imperial Management LLC and 3380 NW 79 Street LLC Application Site

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
12	30	30	45	n/a	40	40	0	L
21	30	30	60	n/a	40	40	0	L
32	24	30	60	n/a	40	60	0	L
79 (79 Street MAX)	24	n/a	n/a	n/a	n/a	n/a	0	F/E
L (112)	12	12	20	60	15	20	0	L

Notes: *L means Metrobus local route service*
F means Metrobus feeder service to Metrorail
E means Express or Limited-Stop Metrobus service

July 2012 Line Up

Premium transit service is provided within walking distance of the subject site immediately to the east at the Northside Metrorail Station.

Future Transportation/Transit Improvements

The 2013 Transportation Improvement Program (TIP) proposes the following improvements on the roadways within the immediate vicinity of the site:

Facility/Project Limits	Type of Work
NW 79 Street (from east of 2800 Block to NW 14 Avenue)	Resurfacing project

The 2035 Long Range Transportation Plan (LRTP) lists the following improvements within the immediate vicinity of this project.

Facility/Project Limits	Type of Work	Priority/Funding Phase
NW 37Avenue (from North River Drive to NW 79 Street)	Widen: from 2 to 3 lanes	Priority I

The draft 2012 ten-year Transit Development Plan (TDP) which is currently in the review/approval phase before adoption by the Board of County Commissioners identifies in its 2022 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route	Improvement/Adjustment
12	No planned improvements.
21	No planned improvements.
32	No planned improvements.
79 (79 Street MAX)	Extend Route to Tri-Rail Metrorail Station
L (112)	No planned improvements.

MDT Comments/Recommendations

Concurrency

Premium transit service is provided within walking distance of the subject site immediately to the east at the Northside Metrorail Station located at 3150 NW 79 Street. The Northside Metrorail Station is served by Routes 12, 21, 32, 79 (79 Street MAX) and Route L (112) which run along NW 79 Street adjacent to the proposed development. Miami-Dade Transit (MDT) Metrobus Route 32 also runs immediately adjacent to the site along NW 32 Avenue. All of the bus routes that run within the vicinity of the subject site currently provide bus service with a 30 minute or better AM/PM peak-hour headways. In addition, the subject site is located immediately to the west of the Northside Metrorail Station which provides premium transit (heavy rail) service with 7.5 – 10 minute peak-hour headways. Therefore, this application meets the adopted mass transit level of service standards as prescribed by Policy MT-1A of the Mass Transit Sub-element of the Comprehensive Development Master Plan (CDMP).This project has been

reviewed by MDT for mass transit concurrency and was found to be concurrent with the mass transit level-of-service standards established for Miami-Dade County.

Site Plan Review

The submitted plans for the subject site include a large scale retail development. The applicants are requesting a modification of a previously approved site plan in order to show additional acreage and buildings on the subject site. Notwithstanding the foregoing, it should be noted that Paragraph 4 of a Declaration of Restrictions recorded in Official Record Book 26011 Pages 3172-3181 requires that the applicants provide bus pullout bays as follows:

> *"...4. Compliance with Miami-Dade Transit*
>
> *The owner shall make provisions for transit pullout bays as depicted in the Site Plan, and where appropriate shall either (1) permit them to encroach on the Property or (2) upon platting of the Property, dedicate by plat such encroachments to the County to accommodate the pullout bays and shelters. The Owner shall pay for and pave said transit pull out bays; the County will be responsible for the shelters."*

Moreover, it should be noted that Paragraph 2 of a Declaration of Restrictions recorded in Official Record Book 27604 Pages 2335-2345 requires that the applicants provide transit-related amenities as follows:

> *"...2. Transit Improvements*
>
> *In an effort to promote public transportation in the area, prior to the approval of a final plat for the Property, the Owner shall work with Miami-Dade Transit in good faith to accommodate future transit facilities within the Property, including bus shelters, pull-out bays, and other facilities, by allowing transit-related encroachments onto the Property. This obligation shall not require a modification to an approved final plat. The Owner shall also work with Miami-Dade Transit in order to provide pedestrian accommodations for transit connectivity within the Property, consistent with Policy LU-7B of the Comprehensive Plan. Approval of a final plat of the Property, or any portion thereof, shall constitute proof of compliance with the provisions of this paragraph."*

The subject site is very well served by Miami-Dade Transit and presents an excellent opportunity to incorporate design elements that encourage transit use and pedestrian access. The applicant has worked closely with MDT to incorporate bus pull-out bays, bus shelters, and a traffic signal near the intersection of NW 32nd Avenue and NW 77th Street to ensure safety of pedestrians as they travel between the subject site and the Northside Metrorail Station. In addition, the applicant is providing decorative pedestrian crosswalks which in conjunction with the proposed traffic signal will provide a safe clear path for pedestrians to cross NW 32nd Avenue. As illustrated on the plans, additional decorative pedestrian crosswalks are also provided near the intersection of NW 32nd Avenue and NW 79th Street thereby providing direct

pedestrian access from the subject site to the Northside Metrorail Station and near the intersection of NW 79th Street and NW 33rd Avenue.

MDT has reviewed the submitted site plans and opines that said development is **consistent** with **Policy LU-7B** of the CDMP which requires new development around rapid transit stations to be designed in a manner that is sensitive to the fact that many transit riders begin and end their trips as pedestrians.

Based on the information presented, MDT has no objections to this application.

c: Monica D. Cejas, P.E., Senior Professional Engineer, MDT
Robert Pearsall, Section Chief, Service Planning and Scheduling, MDT

Memorandum

MIAMI-DADE COUNTY

Date: August 8, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: Z2012000051: IMPERIAL MANAGEMENT LLC
Revised plans stamped date received 7/11/2012

Application Name: IMPERIAL MANAGEMENT LLC

Project Location: The site is located at the SW corner of NW 32 Ave and NW 79 St, Miami-Dade County.

Proposed Development: The applicant is requesting a modification of a previous resolution for a Wal-Mart Supercenter. Review includes revised plans stamped date received 7/11/2012.

Impact and demand: Because this application does not generate any residential population, the CDMP Open Space Spatial Standards do not apply. It was noted during the DIC Lower Council meeting that the North Dade Greenways Master Plan includes the proposed Unity Trail along the rail road corridor which parallels the south boundary of the site. Subsequently, as reflected in the revised site plan dated stamped received 7-11-12, the applicant has provided a 12 foot wide sidewalk along the west side of NW 32 Ave to connect the property to the future Unity Trail. This change supports the goals of the Miami-Dade County Parks and Open Space System Master Plan and policies of the Recreation and Open Space Element of the CDMP (ROS-3B).

This Department has no objection to this application.

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

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum

MIAMI-DADE COUNTY

Date: April 25, 2012

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

From: José A. Ramos, R.A., Division Director
Aviation Planning, Land-Use and Grants Division
Aviation Department

Subject: DIC Application No.12-051
Imperial Management LLC and 3380 NW 79 Street LLC
MDAD DN-12-04-1035

As requested by the Sustainability, Planning and Economic Enhancement Department, the Miami-Dade Aviation Department (MDAD) has reviewed the applicant's request for a modification of a previously approved site plan in order to show additional acreage and buildings on the subject site. The subject property is approximately 39.45 and is located at 3200 NW 79 Street, Miami-Dade County, Florida.

Based upon our review of the project information provided to us, it appears that the proposed development at this location is compatible with airport operations, provided there are no conflicts with applicable local, state and federal aviation guidelines/regulations including the Code of Miami-Dade County, Chapter 33, Airport Zoning.

Should you have any questions, please feel free to contact me at 305-876-8080.

JR/rb

DATE: 04-SEP-12

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

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

IMPERIAL MANAGEMENT LLC; 3380 NW 79 Street LLC	The SW corner of NW 32 Ave and NW 79 St, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2012000051

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: No bss cases open/closed.

Imperial Management LLC

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

REPORTER NAME:

Memorandum

MIAMI-DADE COUNTY

Date: May 29, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From: James K. Loftus, Director
Miami-Dade Police Department

Subject: Review - Zoning Application
Case: No. Z2012000051 – Imperial Management LLC
(Wal-Mart Stores East, LP)

APPLICATION

The applicant, Imperial Management LLC, on behalf of the Wal-Mart Stores East LP, is requesting a public hearing to allow for modification of a site plan that was approved in 2006 which depicted a Wal-Mart Supercenter (CZAB8-36-07) be built at 3200 NW 79 Street, Miami, Florida. The applicant is requesting the change to allow the development of a Wal-Mart Store (24-Hour Supercenter) with the below listed modifications.

- Inclusion of a small adjacent parcel of property not included in the 2006 Site Plan which increases the total area from 37.61 acres to 39.64 acres.
- Decrease the Wal-Mart store in overall area from 34.60 acres to 23.12 acres and in building size from 215,325 square feet to 185,856 square feet while reducing the side and rear set-backs within county code.
- The "Seller's Parcels", now include outparcels and has increased from 3.01 acres to 16.52 acres. The Seller's Parcels include additional uses and a self-storage facility.

CURRENT POLICE SERVICES

The proposed Wal-Mart Supercenter will be located in unincorporated Miami-Dade County and serviced by our Northside District, located at 2950 NW 83rd Street, Miami, Florida. Our current staffing allows for an average emergency response time of eight minutes or less.

REVIEW

A review of the application and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. A ½ mile radius check of crimes/calls for service of the location was completed and has been provided in the attached documents for the Miami-Dade County Regulatory and Economic Resources Department.

Current data of police staffing, population, and crimes/calls for service was examined to project any increase in calls for service. Based on this data and due to the nature of the request (Wal-Mart Store), it cannot be accurately predicted as to any projected increase in calls for service. Experience lends itself to anticipate that calls for police service will rise upon the completion of the project due to an increase in citizens being present in the area.

Current staffing should accommodate any slight increase in the volume of calls for service. However, should demand for police services increase beyond current levels, additional sworn personnel, support staff, and equipment will be required to maintain current levels of service.

Additionally, it is recommended that Wal-Mart Stores East LP, work closely with the local police district command staff in considering security options for the site, especially during high volume times, to include but not limited to holidays.

While the MDPD does not object to any proposed zoning modifications to complete this project, we recommend the following to be implemented as part of the venture.

- No deliveries between the hours of 10:00 p.m. – 7:00 a.m.
- Do not allow overnight parking of recreational vehicles (RV's) on the property
- Work with the Public Works and Waste Management Department regarding pedestrian traffic, vehicle traffic, speed zones, school zones, and related signage along bordering streets
- Hire uniformed licensed/certified security personnel, which may include law enforcement and/or a private security company during times identified as appropriate
- Install internal and exterior (parking lot, etc.) security cameras with electronic archiving capabilities for future review

The applicant and developers are encouraged to work with police during any future application, design, or construction changes to determine the best possible solutions or security options.

Should you have any questions or require additional information, Lieutenant William Gonzalez, of the Public Information & Education Bureau, may be contacted at (305) 471-1775.

JKL/kh
Attachment

Memorandum

MIAMI-DADE COUNTY

Date: September 14, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From: Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: DIC # 12-051
updated Imperial Management, LLC.

Attached please find a copy of this Department's review of the above-referenced item. The review was created as requested to update a previous response dated August 6, 2012. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-051
Imperial Management, LLC.

Application: ***Imperial Management, LLC.*** is currently requesting a modification to a site plan which was previously approved in 2006 and a modification of a Restrictive Covenant that accompanied the 2006 Site Plan. Previously the applicant requested a revision to the site plan submitted in May, 2012 and a modification of a site plan, under Resolution CZAB8-36-07, to develop a Wal-Mart Supercenter.

Size: The subject property is approximately 39.64 acres.

Location: The subject property is generally located at 3200 NW 79th Street, described as the S.W. corner of N.W. 32nd Avenue and N.W. 79th Street, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The Public Works and Waste Management Department (PWWM) maintains the response provided via memo dated August 6, 2012, as the supplemental information provided in the application does not affect the waste management service provided. The revision of the site plan regarding a Wal-Mart on the property will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

1) High grade office paper
2) Mixed paper
3) Corrugated cardboard
4) Glass (flint, emerald, amber)
5) Aluminum (cans, scrap)
6) Steel (cans, scrap)
7) other metals/scrap production materials
8) Plastics (PETE, HDPE-natural, HDPE-colored)
9) Textiles
10) Wood

Section 15-2.3 states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
b. "T" shaped turnaround 60 feet long by 10 feet wide
c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

Memorandum

MIAMI-DADE COUNTY

Date: May 11, 2012

To: Jack Osterholt, Deputy Mayor/Director
Sustainability, Planning and Economic Enhancement (SPEE)

From: Maria A. Valdes, Chief, LEED® Green Associate
Comprehensive Planning & Water Supply Certification Section

Subject: Imperial Management LLC - DIC Application # Z2012000051

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project.

Application Name: Imperial Management LLC

Proposed Development: The applicant is requesting a modification of a previously approved site plan in order to show additional acreage and buildings on the subject site. The site plans for the project indicates a total development consisting of 417,546 square feet (S.F.), of which 283,856 S.F. is for retail use, 8,600 S.F. is for bank use, 118,000 S.F. is for storage facility use and 7,000 S.F. is for restaurant use. The total water demand for this development will be 36,996 gpd.

Project Location: The subject property is located at 3200 NW 79th Street, in unincorporated Miami-Dade County.

Water: The parcels with folio numbers (3031090000290 & 3031090000330) are located within MDWASD's service area, and the source of water is the Hialeah Preston Water treatment Plant. The parcel with folio No. (3031090340010) is within the City of Hialeah's water service area. Please consult with the Utility Department of the City of Hialeah for any infrastructure that they may have in their service area. There is an existing 12-inch water main at the intersection of NW 32nd Avenue and NW 79th Street from where the developer may be required to connect and extend a new 12-inch water main heading westerly along NW 79th Street to the most western point of the property. Thence, within the developer's property, a 12-inch water main extension will be required to abut and provide separate service connections to all parcels therein in a looped system with two (2) points of connection. Please note that an Agreement for the proposed development was requested on April 27, 2012. Final points of connection will be issued at the time the Agreement is finalized with MDWASD. In addition, all comments addressing water service are provided in accordance with CDMP policies WS-1A, WS-1B and WS-2A.

This project will be required to obtain a Water Supply Certification from Miami-Dade Water and Sewer Department. Said Certification is issued to assure adequate water supply is available to all water users of the MDWASD as required by Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the MDWASD's 20-year Water Use Permit.

MDWASD will be the utility providing water services subject to the following conditions:

- Adequate transmission and Plant capacity exist at the time of the applicant's request.
- Adequate water supply is available prior to issuance of a building permit or its functional equivalent.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Sewer: All three parcels for the subject project are located within MDWASD's service area. There is an existing 8-inch sanitary gravity sewer system abutting the property along NW 32nd Avenue, and there is also an existing 12-inch sewer force main abutting the property along NW 32nd Avenue. The developer may connect to the gravity sewer system provided there is sufficient depth and that there are no obstacles which would preclude construction of the sewer. Please note that final points of connection will be issued at the time the Developer's Agreement is finalized with MDWASD. The Central District Wastewater Treatment Plant (WWTP) is the facility for treatment and disposal of the wastewater. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. MDWASD will be the utility providing sewer services subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required, depending on the compliance status of the United States Environmental Protection Agency (USEPA) Second and Final Partial Consent Decree.

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Pump Station: 0013
NAPOT: 0.02Hrs

Water Conservation: All future development for the subject area will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-84 and 8A-381 of the Code of Miami-Dade County. In addition, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

For more information about our Water Conservation Program please go to http://www.miamidade.gov/conservation/home.asp.

For information concerning the Water-Use Efficiency Standards Manual please go to http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf

Should you have any questions, please call me at (786) 552-8198 or Alfredo B. Sanchez at (786) 552-8237.

40

PROPOSED

Walmart NORTHSIDE #4303-01 AT EAST HIALEAH MARKETPLACE

UNINCORPORATED MIAMI
MIAMI-DADE COUNTY, FLORIDA

SITE LOCATION MAP
NOT TO SCALE

N

SHEET INDEX

	COVER SHEET
S1-S3	BOUNDARY SURVEY
C1	MASTER DEVELOPEMENT PLAN
CS 1	COVER SHEET
SP1.0	PARCEL #1 - SITE PLAN AND ZONING LEGEND
LA1.0	LANDSCAPE PLANS
LA1.1	PLANT LIST AND LANDSCAPE LEGEND
A1.0	RETAIL BUILDING #1-PARCEL #1 - OVERALL FLOOR PLAN
A1.1	RETAIL BUILDING #1-PARCEL #1 - EXTERIOR ELEVATIONS
A2.0	BANK BUILDING #2-PARCEL #1 - FLOOR PLAN & ELEVATIONS
A3.0	RESTAURANT BUILDING #3-PARCEL #1 - FLOOR PLAN & ELEVATIONS
A4.0	BANK BUILDING #4-PARCEL #2 - FLODR PLAN & ELEVATIONS
A5.0	RESTAURANT BUILDING #5-PARCEL #2 - FLOOR PLAN & ELEVATIONS
A6.0	RETAIL BOX BUILDING #6-PARCEL #1 - OVERALL FLOOR PLAN
A6.1	RETAIL BOX BUILDING #6-PARCEL #1 - TYPICAL FLOOR PLAN
A6.2	RETAIL BOX BUILDING #6-PARCEL #1 - NORTH ELEVATION
A6.3	RETAIL BOX BUILDING #6-PARCEL #1 - EAST & WEST ELEVATIONS
A6.4	RETAIL BOX BUILDING #6-PARCEL #1 - SOUTH ELEVATIONS
A7.0	BUILDING #7-PARCEL #1 - 1ST FLOOR PLAN
A7.1	BUILDING #7-PARCEL #1 - 2ND - 5TH FLOOR PLANS
A7.2	BUILDING #7-PARCEL #1 - 6TH FLOOR PLAN
A7.3	BUILDING #7-PARCEL #1 - 7TH FLOOR PLAN
A7.4	BUILDING #7-PARCEL #1 - ELEVATIONS
A7.5	BUILDING #7-PARCEL #1 - ELEVATIONS
A7.6	BUILDING #7-PARCEL #1 - ELEVATIONS
C2	PARCEL 3 - WALMART SITE PLAN
A1	PARCEL 3 - WALMART FLOOR PLAN
A2	PARCEL 3 - WALMART EXTERIOR ELEVATIONS
1	PARCEL 3 - WALMART ELEVATIONS
2	PARCEL 3 - WALMART SITE SIGNAGE CALCULATIONS
L1-L6	PARCEL 3 - WALMART LANDSCAPE PLANS
A2.2	PARCEL 3 - WALMART SIGNAGE PLAN

SURVEYOR OF RECORD
CREECH ENGINEERS, INC.
7881 S.W. ELLIPSE WAY
STUART, FLORIDA 34997
(772) 283-1413

TRANSPORTATION ENGINEER
MCMAHON TRANSPORTATION ENGINEERS AND PLANNERS
5500 VILLAGE BLVD.
SUITE 103
WEST PALM BEACH, FLORIDA 33407
(561) 840-8650

PARCELS 1&2 - ENGINEER OF RECORD
DEVELOTEC
6494 CORAL WAY
MIAMI, FLORIDA 33155
(305) 663-9650

PARCELS 1&2 - ARCHITECT
WHA DESIGN, INC. ARCHITECTURE
P.O.BOX 14.2116
CORAL GABLES, FLORIDA 33114
(305) 443-3100

PARCELS 1&2 - LANDSCAPE ARCHITECT
H.L. MARTIN, LANDSCAPE ARCHITECT
(305) 790-4372

PARCEL 3 - WALMART ENGINEER OF RECORD
CREECH ENGINEERS, INC.
7881 S.W. ELLIPSE WAY
STUART, FLORIDA 34997
(772) 283-1413

PARCEL 3 - ARCHITECT
BRR ARCHITECTURE
6700 ANTIOCH PLAZA SUITE 300
MERRIAM, KANSAS, 66204
(913) 262-9095

PARCEL 3 - WALMART LANDSCAPE ARCHITECT
HJA DESIGN STUDIO LANDSCAPE ARCHITECTURE
31 E. OCEAN BLVD.
STUART, FLORIDA 34994
(772) 678-7200

RECEIVED
Z12-051
AUG 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

811 KNOW WHAT'S BELOW ALWAYS CALL 811 BEFORE YOU DIG

LOCATION MAP
NOT TO SCALE

BOUNDARY SURVEY
FOR WALMART STORES, INC.
LYING IN SECTION 9, TOWNSHIP 53 SOUTH, RANGE 41 EAST
NORTHSIDE, MIAMI-DADE COUNTY, FLORIDA

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

41

LEGAL DESCRIPTION:

PARCEL 1:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

CONTAINING [illegible] SQUARE FEET OR [illegible] ACRES, MORE OR LESS.

PARCEL 2:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

CONTAINING [illegible] SQUARE FEET OR [illegible] ACRES, MORE OR LESS.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

CONTAINING [illegible] SQUARE FEET OR [illegible] ACRES, MORE OR LESS.

SURVEYOR'S NOTES

1. THIS IS A BOUNDARY SURVEY AS DEFINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE. [illegible]

2. THE EASEMENTS SHOWN HEREON ARE BASED UPON TITLE COMMITMENT NO. [illegible]

3. THERE ARE NO EXISTING BUILDINGS ON THIS PROPERTY. [illegible]

4. THE BEARINGS AND COORDINATES SHOWN HEREON REFER TO THE FLORIDA STATE PLANE COORDINATE SYSTEM [illegible]

"KELLY"
N = [illegible]
E = [illegible]

DESCRIBED BY NATIONAL GEODETIC SURVEY 1971 (NGS) [illegible]

"PARK"
N = [illegible]
E = [illegible]

DESCRIBED BY NATIONAL GEODETIC SURVEY 1971 (NGS) [illegible]

5. ALL MEASUREMENTS SHOWN HEREON ARE CALCULATED DISTANCES, UNLESS OTHERWISE NOTED, AND ARE IN FEET AND DECIMALS THEREOF.

6. THE LANDS BOUND BY THIS SURVEY ARE LOCATED IN FLOOD ZONES [illegible]

7. THE EXPECTED USE OF THE LAND BOUND BY THIS SURVEY [illegible]

8. THIS SURVEY WAS PERFORMED UTILIZING REAL-TIME KINEMATIC G.P.S. AND TRADITIONAL SURVEY PROCEDURES. [illegible]

9. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

10. ADDITIONS AND DELETIONS TO THIS SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

CERTIFIED TO:

TO: WAL-MART STORES EAST, LP, A DELAWARE LIMITED PARTNERSHIP
STEWART TITLE GUARANTY CO. (CHICAGO)
[illegible]

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE BOUNDARY SURVEY SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "MINIMUM TECHNICAL STANDARDS" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PATRICK G. MEEKS
FLORIDA SURVEYOR AND MAPPER
REGISTRATION No. [illegible]

MARCH 6, 2012
DATE OF LAST FIELDWORK

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. CREECH ENGINEERS, INC., FLORIDA

CERTIFICATE OF AUTHORIZATION NUMBER [illegible]

LEGEND

CCR	= CERTIFIED RECORD CORNER	INC.	= INCORPORATED	PK	= PARKER KALON	—x—	= CHAIN LINK FENCE
CL	= CENTERLINE	L	= ARC LENGTH	(P)	= PLAT DATA	Δ	= CENTRAL ANGLE
CO.	= COMPANY	L.B.	= LICENSED BUSINESS	P.R.M.	= PERMANENT REFERENCE MONUMENT		= CONCRETE UTILITY POLE
(D)	= DEED	N	= NORTHING	R	= RADIUS		= WOOD UTILITY POLE
DIA.	= DIAMETER	N/A	= NON APPLICABLE	9-53-41	= SECTION-TOWNSHIP-RANGE	-OHL-	= OVERHEAD UTILITY LINE
E	= EASTING	NGS	= NATIONAL GEODETIC SURVEY	TYP.	= TYPICAL		= GUY WIRE & ANCHOR
ENG.	= ENGINEERING	NO.	= NUMBER	●	= SET 4" DIA. CONCRETE MONUMENT WITH BRASS DISK STAMPED "CREECH ENGINEERING INC. P.R.M. LB 6979"		= FIRE HYDRANT
FPL	= FLORIDA POWER & LIGHT	#	= NUMBER	○	= FOUND IRON ROD OR PIPE		
GIS	= GEOGRAPHIC INFORMATION SYSTEM	O.R.B.	= OFFICIAL RECORDS BOOK	●	= SET PK NAIL AND DISK STAMPED "LB 6799 P.R.M."		
G.P.S.	= GLOBAL POSITIONING SYSTEM	P.B.	= PLAT BOOK				
I.D.	= IDENTIFICATION	PG.	= PAGE				

INDEX OF SHEETS

SHEET S1	COVER	
SHEET S2	G.I.S. MAP	
SHEET S3	BOUNDARY SURVEY	

THIS SURVEY IS NOT COMPLETE WITHOUT SHEETS 2- 3 OF 3

REVISIONS | BY

CREECH ENGINEERS, INC.
7881 S.W. ELLIPSE WAY, [illegible], FLORIDA, 34997 (772) 283-1413
WWW.CREECHINC.COM

WAL-MART SUPERCENTER • 4303-01
NORTHSIDE, MIAMI-DADE COUNTY, FLORIDA
WAL-MART STORES, INC.
2001 SE 10TH STREET, BENTONVILLE, AR 72716

DRAWN D.L.
CHECKED P.M.M.
DATE 09/27/11
SCALE N.A.
JOB No. [illegible]
SHEET

S-1

OF 3 SHEETS

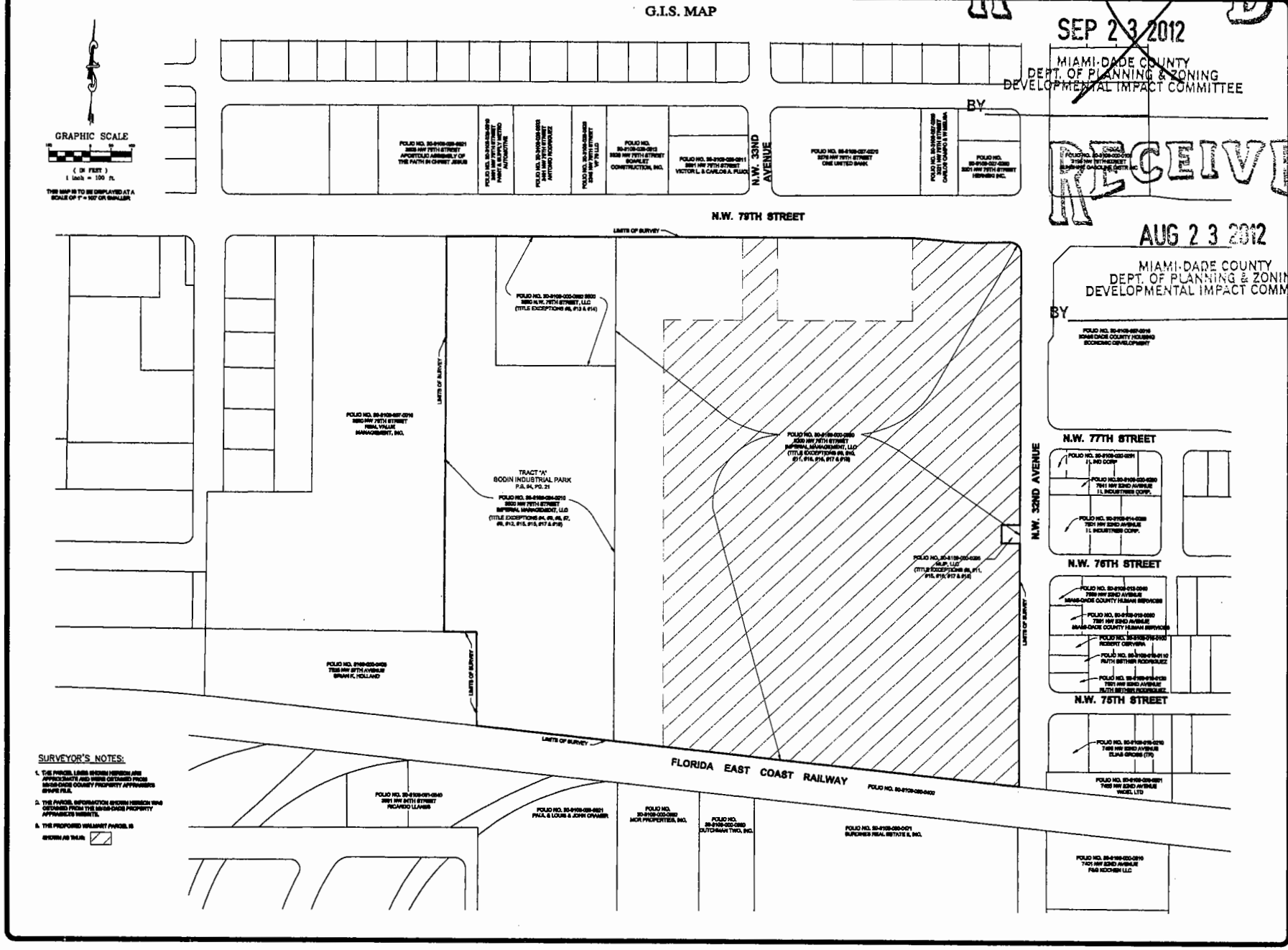
[illegible] BOUNDARY SURVEY.dwg

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

42

G.I.S. MAP



REVISIONS	BY

CREECH ENGINEERS, INC.
7581 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (772) 283-1413
WWW.CREECHINC.COM

WAL-MART SUPERCENTER • 4303-01
NORTHSIDE, MIAMI-DADE COUNTY, FLORIDA
WAL-MART STORES, INC.
2001 SE 10TH STREET, BENTONVILLE, AR 72716

DRAWN D.L.
CHECKED P.B.M.
DATE 08/27/12
SCALE 1" = 100'
JOB No. 3418604.000
SHEET

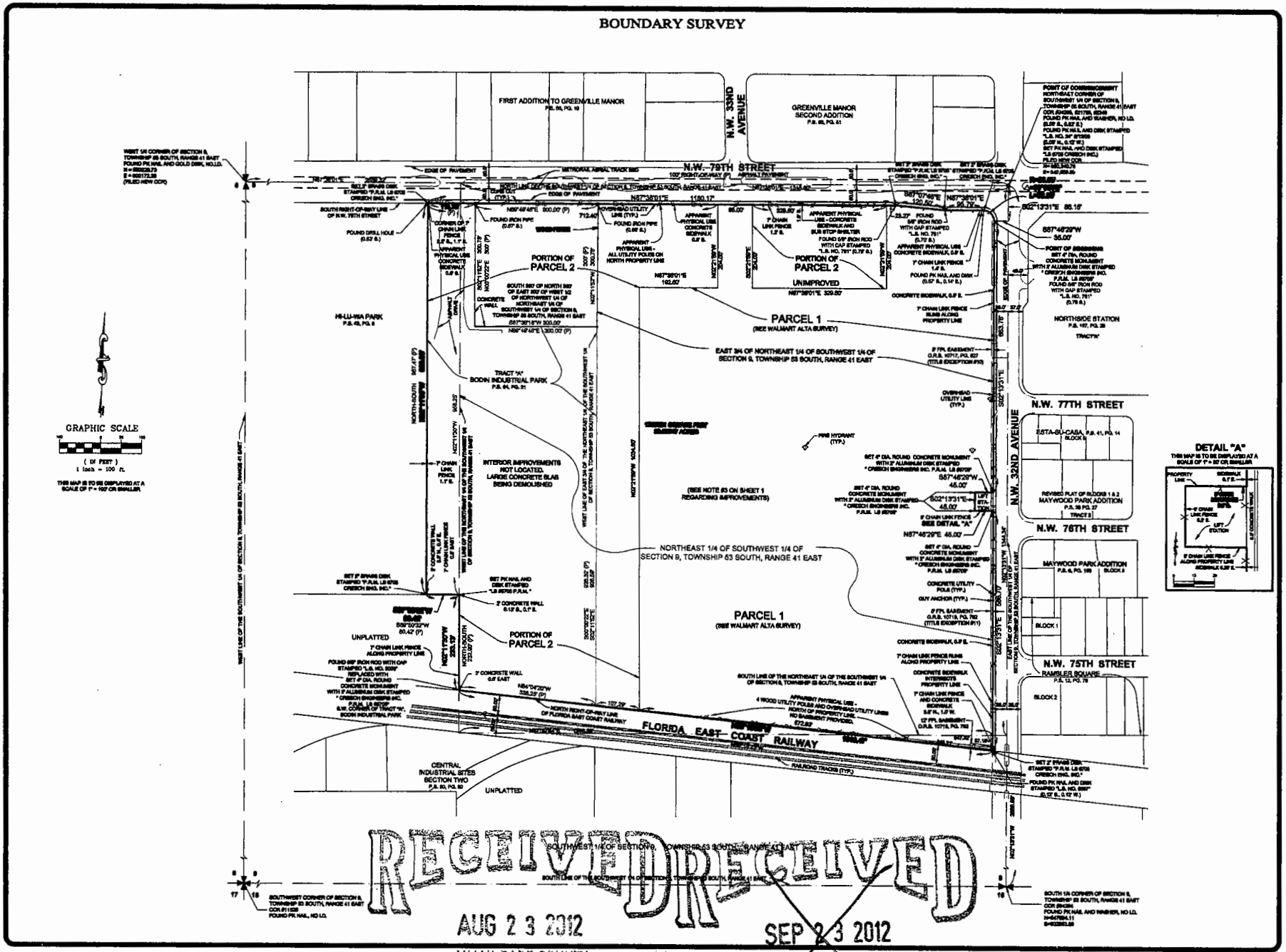
S-2

OF 2 SHEETS

3418604 BOUNDARY SURVEY.dwg

43

BOUNDARY SURVEY



RECEIVED

AUG 2 3 2012

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY_____

RECEIVED

SEP 2 3 2012

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY_____

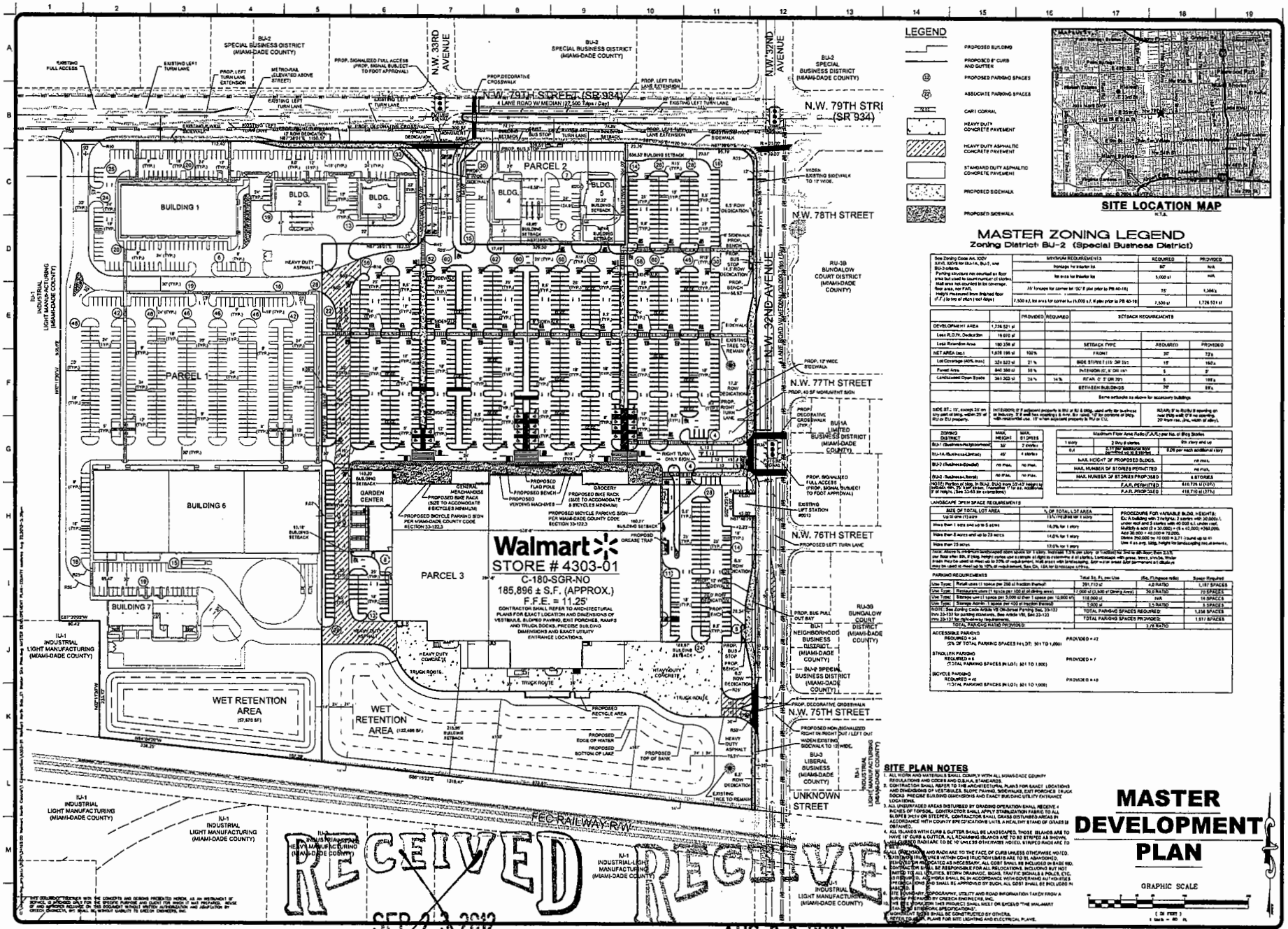
REVISIONS	BY

CREECH ENGINEERS, INC.
7581 S.W. ELLIPSE WAY, STUART, FLORIDA, 34997 (772) 283-1413
WWW.CREECHINC.COM

WAL-MART SUPERCENTER • 4303-01
NORTHSIDE, MIAMI-DADE COUNTY, FLORIDA
WAL-MART STORES, INC.
2001 SE 10TH STREET, BENTONVILLE, AR 72716

DRAWN D.L.
CHECKED P.S.M.
DATE 08/27/11
SCALE 1" = 100'
JOB No. 34103-04 IDD
SHEET S-3
OF 8 SHEETS

S4103-04 BOUNDARY SURVEY.dwg



LEGEND

- PROPOSED BUILDING
- PROPOSED 6" CURB AND GUTTER
- PROPOSED PARKING SPACES
- ASSOCIATE PARKING SPACES
- CART CORRAL
- HEAVY DUTY CONCRETE PAVEMENT
- HEAVY DUTY ASPHALTIC CONCRETE PAVEMENT
- STANDARD DUTY ASPHALTIC CONCRETE PAVEMENT
- PROPOSED SIDEWALK
- PROPOSED SIDEWALK

SITE LOCATION MAP

N.T.S.

MASTER ZONING LEGEND

Zoning District BU-2 (Special Business District)

	MINIMUM REQUIREMENTS	REQUIRED	PROVIDED
See Zoning Case An. XXX/ XXYZ, XXYB for BU-1A, BU-3, and BU-3 criteria. Parking structure not counted as floor area but used to count number of stories. Add area not counted in lot coverage, floor area, nor FAR. Height measured from finished floor (F.F.) to top of return roof slope)	Frontage for interior lot	50'	N/A
	lot area for interior lot	5,000 sf	N/A
	70' frontage for corner lot (50' if plat prior to PB 40-16)	70'	1,366±
	7,500 sf/2 lot area for corner lot (5,000 s.f. if plat prior to PB 40-16)	7,500 sf	1,726 SF± sf

	PROVIDED	REQUIRED
DEVELOPMENT AREA	1,726 521 sf	
Less R.O.W. Dedication	19 870 sf	
Less Retention Area	180 256 sf	
NET AREA (ac.)	1,626 196 sf	100%
Lot Coverage (40% max)	324 522 sf	21 %
Paved Area	840 366 sf	55 %
Landscaped Open Space	361 303 sf	24 %

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	25'	72±
SIDE STREET (15' SETBACK)	15'	162±
INTERIOR (0' or 5' SETBACK)	5	5'
REAR (0' or 5' SETBACK)	5	199±
BETWEEN BUILDINGS	20'	69±

Same setbacks as above for accessory buildings

SIDE ST.: 15', except 25' on any yard of lot abtg. within 25' of RU or EU property.

INTERIOR: 0' if adjacent property is BU or IU & abtg. used only for business or industry. 5' if not thus adjoining & B.W. B-1 abtg. 12' for portions of bldg. with residential use. 15' when adjacent property is RU or EU.

REAR: 0' in BU-1U if abutting an alley 20' from ctr. line, return at alley).

ZONING DISTRICT	MAX. HEIGHT	MAX. STORIES
BU-1 (Business-to-Neighborhood)	35'	2 stories
BU-1A (Business-Limited)	45'	4 stories
BU-2 (Business-General)	no max.	no max.
BU-3 (Business-Liberal)	no max.	no max.

NOTE: Portion of Lots 2, 3 BU-2, BU-3 from 33-47 height in MIAMI SHORES SUB. (PB 9-79) limited to 45' height, 4 stories if 9' min. (See 33-58 for exceptions)

Maximum Floor Area Ratio (F.A.R.) per No. of Story Stories	
1 story	2 Sty. 2 stories
0.4	0.11 per additional story 0.26 per each additional story
MAX. HEIGHT OF PROPOSED BLDGS.	no max.
MAX. NUMBER OF STORIES PERMITTED	no max.
MAX. NUMBER OF STORIES PROPOSED	6 STORIES
F.A.R. PERMITTED	616,726 sf (40%)
F.A.R. PROPOSED	418,710 sf (17%)

LANDSCAPE OPEN SPACE REQUIREMENTS

SIZE OF TOTAL LOT AREA	% OF TOTAL LOT AREA
Up to one (1) acre	15% (required for 1 story)
More than 1 acre and up to 5 acres	14.0% for 1 story
More than 5 acres and up to 25 acres	14.0% for 1 story
More than 25 acres	12.0% for 1 story

PROCEDURE FOR VARIABLE BLDG. HEIGHTS: Ex: A building with 2 heights: 2 stories with 30,000 s.f. and 1 story with 15,000 s.f. (Under 45,000 s.f.) Multiply a solid (2 × 30,000) + (1 × 15,000) =75,000. And 30,000 + 15,000 = 70,000 Divide 75,000 by 70,000 = 1.071 (round up to 1) Use 1 as avg. bldg. height for landscaping req.s et cetera.

Note: Allows 5% maximum landscaped open space for 1 story, however 15% per story is required for first to 35' floor from 25% per floor after 35', if bldg. height varies use average, all lots to commence at all setbacks. Landscape with grass, trees, shrubs, Water Feature. Pool is used as water feature up to 25% of required open. Water areas with berm landscaping, over water area MAY be counted as permanent on display or may be used or mixed up to 10% of required open. See Ch. 18A for landscape criteria.

PARKING REQUIREMENTS

	Total Sq. Ft. per Use	Min. (Typical) ratio	Spaces Required
Use Type: Retail uses (1 space per 250 sf fraction thereof)	291,710 sf	4.0 RATIO	1,167 SPACES
Use Type: Restaurant, over (1 space per 100 sf of dining area)	7,000 sf (3,500 sf Dining Area)	20.0 RATIO	70 SPACES
Use Type: Storage use (1 space per 1,000 sf over 5 spaces per 10,000 sf)	118,000 sf	n/a	18 SPACES
Use Type: Storage Accts.: 1 space per 400 sf fraction thereof)	1,000 sf	3.5 RATIO	3 SPACES
NOTE: See Zoning Code Article VIII, Division Parking Req. Sec. 33-122 thru 33-131 for parking standards. See Article VIII, Sec. 33-123 thru 33-127 for off-street loading standards.		TOTAL PARKING SPACES REQUIRED	1,258 SPACES
		TOTAL PARKING SPACES PROVIDED	1,517 SPACES
TOTAL PARKING RATIO PROVIDED			3.78 RATIO

ACCESSIBLE PARKING
REQUIRED = 34
(2% OF TOTAL PARKING SPACES IN LOT: 501 TO 1,000) — PROVIDED = 42

STROLLER PARKING
REQUIRED = 6
(TOTAL PARKING SPACES IN LOT: 501 TO 1,000) — PROVIDED = 7

BICYCLE PARKING
REQUIRED = 40
(TOTAL PARKING SPACES IN LOT: 501 TO 1,000) — PROVIDED = 40

SITE PLAN NOTES

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL MIAMI-DADE COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
3. ALL UNPAVED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE 4 INCHES OF TOPSOIL. CONTRACTOR SHALL APPLY STABILIZATION FABRIC TO ALL SLOPES 3:1(H:V) OR STEEPER. CONTRACTOR SHALL GRASS DISTURBED AREAS IN ACCORDANCE WITH COUNTY SPECIFICATIONS UNTIL A HEALTHY STAND OF GRASS IS OBTAINED.
4. ALL ISLANDS WITH CURB & GUTTER SHALL BE LANDSCAPED. THOSE ISLANDS ARE TO HAVE 18" CURB & GUTTER. ALL REMAINING ISLANDS ARE TO BE STRIPED AS SHOWN.
5. ALL CURBING RADII ARE TO BE 14' UNLESS OTHERWISE NOTED. RAMPED RADII ARE TO BE 25'.
6. ALL (DRAINAGE AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
7. EXISTING UTILITIES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY. ALL COST SHALL BE INCLUDED IN BASE BID.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES' SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
9. SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY PREPARED BY GREECH ENGINEERS, INC.
10. THE SITE IMPROVEMENTS THIS PROJECT SHALL MEET OR EXCEED "THE WALMART STANDARD SITEWORK SPECIFICATIONS".
11. CONCRETE SIDEWALKS SHALL BE CONSTRUCTED BY OTHERS.
12. REFER TO ELEC. PLANS FOR SITE LIGHTING AND ELECTRICAL PLANS.

MASTER DEVELOPMENT PLAN

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY_____

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY_____

REVISIONS	BY

GREECH ENGINEERS, INC.
CIVIL • LAND DEVELOPMENT • TRAFFIC
SURVEYING • PLANNING
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.

WALMART SUPERCENTER # 4303-01
NORTHSIDE, MIAMI-DADE COUNTY, FLORIDA
WAL-MART STORES, EAST LP.
2001 SE 10TH STREET, BENTONVILLE, AR 72716-0550

DRAWN	
J.A.C.	
CHECKED	
J.A.C.	
DATE	
07/10/12	
SCALE	
1" = 80'	
JOB NO.	
24165.04	
SHEET	

C1

ZONING LEGEND PARCEL 1
Zoning District: BU-2 (Special Business District)

See Zoning Code Art. XXIV, XXVI, XXVII for BU-1A, BU-2, and BU-3 criteria. Parking structure not counted as floor area but used to count number of stories. Mall area not counted in lot coverage, floor area, nor FAR. Height measured from finished floor (F.F.) to top of pitch (roof ridge)	MINIMUM REQUIREMENTS	REQUIRED	PROVIDED
	frontage for interior lot	50'	712'-6"
	lot area for interior lot	5,000 sf	647,896 S.F.
	75' frontage for corner lot (50' if plat prior to PB 40-16)	—NA—	—NA—
	7,500 s.f. lot area for corner lot (5,000 s.f. if plat prior to PB 40-16)	—NA—	—NA—

		PROVIDED	REQUIRED	SETBACK REQUIREMENTS		
DEVELOPMENT AREA	651,102 SF					
Less R.O.W. Dedication	3,106 SF			SETBACK TYPE	REQUIRED	PROVIDED
Less Retention Area	57,870 SF			FRONT	20'	77'-8"
NET AREA (ac.)	590,126 SF	100%		SIDE STREET (15'OR 25')	15'	—NA—
Lot Coverage (40% max)	128,729 SF	22%		INTERIOR (0',5' OR 15')	5'	5'-0"
Paved Area	285,016 SF	48%		REAR (0',5' OR 20')	5'	188'-7"
Landscaped Open Space	176,381 SF	30%	14%	BETWEEN BUILDINGS	20'	86'-6"
				Same setbacks as above for accessory buildings.		

SIDE ST.: 15', except 25' on any part of bldg. within 25' of RU or EU property.	INTERIOR: 0' if adjacent property is BU or IU & bldg. used only for business or industry, 5' if wall has openings & 4-hr. fire rated, 10' for portions of bldg. with residential use, 15' when adjacent property is RU or EU.	REAR: 5' to BU/IU if opening on rear bldg wall, 0' if no opening. 20' from res. (inc. width of alley).

ZONING DISTRICT	MAX. HEIGHT	MAX. STORIES
BU-1 (Business-Neighborhood)	35'	2 stories
BU-1A (Business-Limited)	45'	4 stories
BU-2 (Business-Special)	no max.	no max.
BU-3 (Business-Liberal)	no max.	no max.

NOTE: Portion of bldg. in BU-2, BU-3 from 35'-40' height to setback min. 25' from street. Thereafter 1' for ea. additional 5' of height. (See 33-55 for exemptions)

Maximum Floor Area Ratio (F.A.R.) per No. of Bldg Stories		
1 story	2 thru 8 stories	9th story and up
0.4	0.11 per additional floor permitted up to 8 stories	0.08 per each additional story
MAX. HEIGHT OF PROPOSED BLDGS.		no max.
MAX. NUMBER OF STORIES PERMITTED		no max.
MAX. NUMBER OF STORIES PROPOSED		7 STORIES
F.A.R. PERMITTED		236,050 SF (40%)
F.A.R. PROPOSED		223,014 SF (38%)

LANDSCAPE OPEN SPACE REQUIREMENTS

SIZE OF TOTAL LOT AREA	% OF TOTAL LOT AREA
Up to one (1) acre	18% required for 1 story
More than 1 acre and up to 5 acres	16.0% for 1 story
More than 5 acres and up to 25 acres	14.0% for 1 story
More than 25 acres	12.0% for 1 story

PROCEDURE FOR VARIABLE BLDG. HEIGHTS.
Ex: A building with 2 heights: 2 stories with 30,000 s.f. under roof and 5 stories with 40,000 s.f. under roof.
Multiply & add (2 x 30,000) + (5 x 40,000) = 260,000.
Add 30,000 + 40,000 = 70,000.
Divide 260,000 by 70,000 = 3.71 (round up to 4)
Use 4 as avg. bldg. height for landscaping requirements.

Note: Above is minimum landscaped open space for 1 story. Increase 1.5% per story (or fraction) for 2nd to 8th floor; then 2.5% per floor after 8th. If bldg. height varies use example at right to determine # of stories. Landscape with grass, trees, shrubs. Water areas may be used to meet up to 20% of requirement. Mall areas with landscaping, &/or water areas &/or permanent art displays may be used to meet up to 10% of requirement. See Ch. 18A for landscape criteria.

PARKING REQUIREMENTS

		Total Sq. Ft. per Use	(Sq. Ft./space ratio)	Space Required
Use Type:	Retail uses (1 space per 250 s.f. fraction thereof)	101,514 S.F.	4.0 RATIO	407 SPACES
Use Type:	Restaurant (1 space per 50 s.f. dining area)	3,500 S.F. (1,750 DINING)	20.0 RATIO	35 SPACES
Use Type:	Storage Admin (1 space per 400 s.f. fraction thereof)	2,000 S.F.	2.5 RATIO	5 SPACES
Use Type:	Public Storage (1 space per 5k, then 1 per 10k)	118,000 S.F.	—NA—	14 SPACES
Use Type:				
NOTE: See Zoning Code Article VII Off-Street Parking Sec. 33-122 thru 33-132 for parking standards. See Article VIII, Sec 33-133 thru 33-137 for right-of-way requirements.		TOTAL PARKING SPACES REQUIRED:		461 SPACES
		TOTAL PARKING SPACES PROVIDED:		561 SPACES
TOTAL PARKING RATIO PROVIDED.			2.43 RATIO	

ACCESSIBLE PARKING
REQUIRED = 12 — PROVIDED = 18
(2% OF TOTAL PARKING SPACES IN LOT: 501 TO 1,000)

STROLLER PARKING
REQUIRED = 3 — PROVIDED = 3
(TOTAL PARKING SPACES IN LOT: 501 TO 1,000)

BICYCLE PARKING
REQUIRED = 16 — PROVIDED = 16
(TOTAL PARKING SPACES IN LOT: 501 TO 1,000)

ZONING LEGEND PARCEL 2
Zoning District: BU-2 (Special Business District)

See Zoning Code Art. XXIV, XXVI, XXVII for BU-1A, BU-2, and BU-3 criteria. Parking structure not counted as floor area but used to count number of stories. Mall area not counted in lot coverage, floor area, nor FAR. Height measured from finished floor (F.F.) to top of pitch (roof ridge)	MINIMUM REQUIREMENTS	REQUIRED	PROVIDED
	frontage for interior lot	50'	329'-6"
	lot area for interior lot	5,000 sf	66,419 S.F.
	75' frontage for corner lot (50' if plat prior to PB 40-16)	—NA—	—NA—
	7,500 s.f. lot area for corner lot (5,000 s.f. if plat prior to PB 40-16)	—NA—	—NA—

		PROVIDED	REQUIRED	SETBACK REQUIREMENTS		
DEVELOPMENT AREA	66,419 SF					
Less Retention Area	0 SF			SETBACK TYPE	REQUIRED	PROVIDED
NET AREA (ac.)	66,419 SF	100%		FRONT	20'	74'-6"
Lot Coverage (40% max)	9,907 SF	15%		SIDE STREET (15'OR 25')	15'	—NA—
Paved Area	38,450 SF	58%		INTERIOR (0',5' OR 15')	5'	22'-10"
Landscaped Open Space	18,061 SF	27%	14%	REAR (0',5' OR 20')	5'	48'-0"
				BETWEEN BUILDINGS	20'	124'-11"
				Same setbacks as above for accessory buildings.		

SIDE ST.: 15', except 25' on any part of bldg. within 25' of RU or EU property.	INTERIOR: 0' if adjacent property is BU or IU & bldg. used only for business or industry, 5' if wall has openings & 4-hr. fire rated, 10' for portions of bldg. with residential use, 15' when adjacent property is RU or EU.	REAR: 5' to BU/IU if opening on rear bldg wall, 0' if no opening. 20' from res. (inc. width of alley).

ZONING DISTRICT	MAX. HEIGHT	MAX. STORIES
BU-1 (Business-Neighborhood)	35'	2 stories
BU-1A (Business-Limited)	45'	4 stories
BU-2 (Business-Special)	no max.	no max.
BU-3 (Business-Liberal)	no max.	no max.

NOTE: Portion of bldg. in BU-2, BU-3 from 35'-40' height to setback min. 25' from street. Thereafter 1' for ea. additional 5' of height. (See 33-55 for exemptions)

Maximum Floor Area Ratio (F.A.R.) per No. of Bldg Stories		
1 story	2 thru 8 stories	9th story and up
0.4	0.11 per additional floor permitted up to 8 stories	0.08 per each additional story
MAX. HEIGHT OF PROPOSED BLDGS.		no max.
MAX. NUMBER OF STORIES PERMITTED		no max.
MAX. NUMBER OF STORIES PROPOSED		1 STORY
F.A.R. PERMITTED		26,567 SF (40%)
F.A.R. PROPOSED		7,800 SF (12%)

LANDSCAPE OPEN SPACE REQUIREMENTS

SIZE OF TOTAL LOT AREA	% OF TOTAL LOT AREA
Up to one (1) acre	18% required for 1 story
More than 1 acre and up to 5 acres	16.0% for 1 story
More than 5 acres and up to 25 acres	14.0% for 1 story
More than 25 acres	12.0% for 1 story

PROCEDURE FOR VARIABLE BLDG. HEIGHTS:
Ex: A building with 2 heights: 2 stories with 30,000 s.f. under roof and 5 stories with 40,000 s.f. under roof.
Multiply & add (2 x 30,000) + (5 x 40,000) = 260,000.
Add 30,000 + 40,000 = 70,000.
Divide 260,000 by 70,000 = 3.71 (round up to 4)
Use 4 as avg. bldg. height for landscaping requirements.

Note: Above is minimum landscaped open space for 1 story. Increase 1.5% per story (or fraction) for 2nd to 8th floor; then 2.5% per floor after 8th. If bldg. height varies use example at right to determine # of stories. Landscape with grass, trees, shrubs. Water areas may be used to meet up to 20% of requirement. Mall areas with landscaping, &/or water areas &/or permanent art displays may be used to meet up to 10% of requirement. See Ch. 18A for landscape criteria.

PARKING REQUIREMENTS

		Total Sq. Ft. per Use	(Sq. Ft./space ratio)	Space Required
Use Type:	Retail uses (1 space per 250 s.f. fraction thereof)	4,300 S.F.	4.0 RATIO	18 SPACES
Use Type	Restaurant (1 space per 50 s.f. dining area)	3,500 S.F. (1,750 DINING)	20.0 RATIO	35 SPACES
Use Type:				
Use Type:				
Use Type:				
NOTE: See Zoning Code Article VII Off-Street Parking Sec. 33-122 thru 33-132 for parking standards. See Article VIII, Sec 33-133 thru 33-137 for right-of-way requirements.		TOTAL PARKING SPACES REQUIRED:		53 SPACES
		TOTAL PARKING SPACES PROVIDED:		58 SPACES
TOTAL PARKING RATIO PROVIDED.			7.5 RATIO	

ACCESSIBLE PARKING
REQUIRED = 3 — PROVIDED = 4
(2% OF TOTAL PARKING SPACES IN LOT: 501 TO 1,000)

STROLLER PARKING
REQUIRED = 0 — PROVIDED = 0
(TOTAL PARKING SPACES IN LOT: 501 TO 1,000)

BICYCLE PARKING
REQUIRED = 8 — PROVIDED = 8
(TOTAL PARKING SPACES IN LOT: 501 TO 1,000)

45

wha design, inc.
p.o. box 14,2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com

architect of record:
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without WHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owners information:
Imperial Management, LLC.

project history:
△ PLAN, COMMENTS 04/19/12
△
△
△

project information
date: 03.19.2012
project number: 11.32

sheet title:
Parcel 1 Site Plan & Zoning Legend

sheet number:
SP1.0

file:
xref_rev5.dwg

46

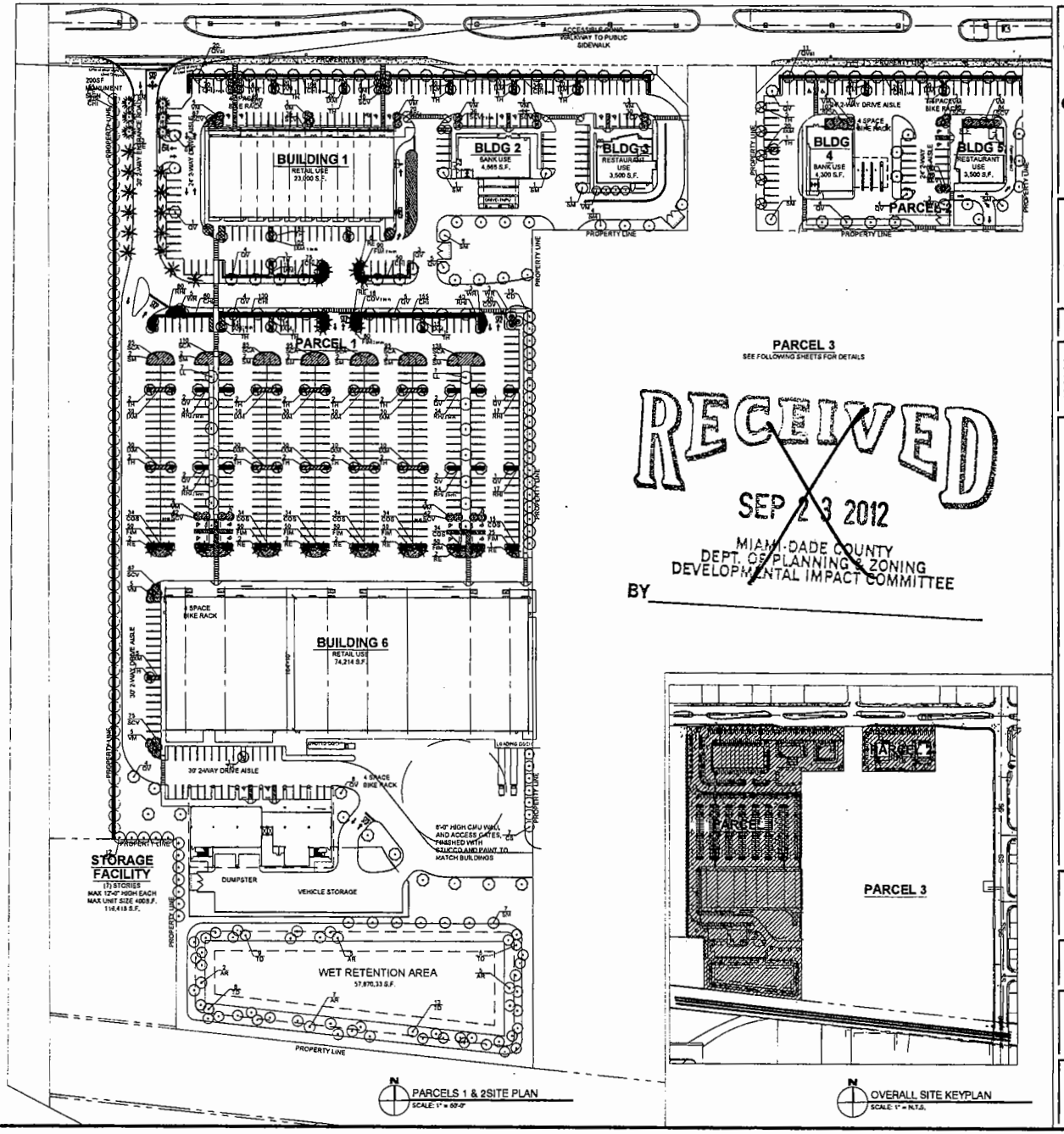
PLANT LIST- PARCEL 1

QTY	KEY	BOTANICAL NAME	COMMON NAME	DESCRIPTION	Native Yes / No
29	QVH	Quercus virginiana var. hrs	Live Oak	12'-16' ht, 4" dbh @ 4', 8' spr.	Yes
44	QV	Quercus virginiana	Live Oak	12' ea ht, 2.5" dbh, 8' spr.	Yes
35	SM	Swietenia mahogoni	Mahogany	12' ea ht, 2.5" dbh, 8' spr.	Yes
73	CE	Conocarpus erectus	Green Buttonwood	12' ea ht, 2.5" dbh, 8' spr.	Yes
7	CS	Conocarpus e. Sericeus	Silver Buttonwood	12' ea ht, 2.5" dbh, 8' spr.	Yes
19	CO	Cascabela thevetifolia	Pigeon Plum	12' ea ht, 2.5" dbh, 8' spr.	Yes
14	LL	Lysiloma latisiliqua	Wild Tamarind	12' ea ht, 2.5" dbh, 8' spr.	Yes
36	TH	Tabebuia heterophylla	Pink Tabebuia	12' ea ht, 2.5" dbh, 8' spr.	No
33	TD	Taxodium distichum	Bald Cypress	12' ea ht, 2.5" dbh, 8' spr.	Yes
19	AR	Acer rubrum	Red Maple	12' ea ht, 2.5" dbh, 8' spr.	Yes
6	BN	Bismarckia nobilis	Bismarck Palm	16' ct., 24' ea ht, silver cured	No
11	WR	Washingtonia robusta	Washingtonia Palm	16', 20', 24' ea ht	Yes
40	RE	Roystonea elata	Royal Palm	24' ea ht, 12' OH	No
55	VM	Veitchia montgomeryana	Veitchia palm	10', 16', 22' ea ht	No
1982	CHI	Chrysothemis friedi	Red Tip Cocoplum	24" ht x 18" spr., 3 gal. @ 7' oc	Yes
219	COS	Conocarpus e. Sericeus	Silver Buttonwood	24" ht x 18" spr., 3 gal. @ 7' oc	No
838	SCV	Schefflera v. veitchiana	Vai, Schefflera	18" ht x 18" spr., 3 gal.	No
818	SCA	Schefflera arboricola	Green Schefflera	18" ht x 18" spr., 3 gal.	No
439	SLM	Sans mad	Yellow Sans	18" ht x 18" spr., 3 gal.	No
55	COV	Codiaeum variegatum	Croton	30" ht x 18" spr., 10 gal.	No
3863					
	FIM	Ficus microcarpa	Green Island Ficus	3 gal, 12" ht x 12" spr.	No
	KHI	Rhaphiolepis indica	Indian Hawthorn	3 gal, 12" ht x 12" spr.	No

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

PLANT LIST- PARCEL 3

QTY	KEY	BOTANICAL NAME	COMMON NAME	DESCRIPTION	Native Yes / No
11	QVST	Quercus virginiana cv. 'Sta	Live Oak	16'-18' ea ht, 4" cl, 4" dbh, 8' spr.	Yes
9	QV	Quercus virginiana	Live Oak	12' ea ht, 2.5" dbh, 8' spr.	Yes
9	SM	Swietenia mahogoni	Mahogany	12' ea ht, 2.5" dbh, 8' spr.	Yes
8	TH	Tabebuia heterophylla	Pink Tabebuia	12' ea ht, 2.5" dbh, 8' spr.	Yes
14	VM	Veitchia montgomeryana	Veitchia palm	10', 16', 22' ea ht	No
393	CHI	Chrysothemis friedi	Red Tip Cocoplum	24" ht x 18" spr., 3 gal. @ 7' oc	Yes
240	SCV	Schefflera v. veitchiana	Vai, Schefflera	18" ht x 18" spr., 3 gal.	No
60	SLM	Sans mad	Yellow Sans	18" ht x 18" spr., 3 gal.	No
553					
	FIM	Ficus microcarpa	Green Island Ficus	3 gal, 12" ht x 12" spr.	
	RHU	Rhaphiolepis indica	Indian Hawthorn	3 gal, 12" ht x 12" spr.	



RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

vha design, inc.
p.o. box 14-2116
coral gables, fl 33114-2116
v. 305.443.3100
f. 305.441.7960
e. info@vhadesign.com

architect of record
William Arthur
License Number: 0013074

m.l. martin, landscape architect, p.a.
LC# 26000426 LA #0001123
9665 Sw 26th Street, Miami, Florida 33165
305-740-4272, mmartin@bellsouth.net
miriam lester martin, PLA

seal

design associate
BAA

These plans and specifications are the exclusive property of VHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without VHA Design's prior written consent is strictly prohibited.

project information
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owners information
Imperial Management, LLC.

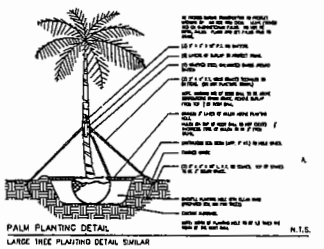
project history
PLAN. COMMENTS 04/19/12

project information
date
03.19.2012
project number
11.32

sheet title
Landscape Plan

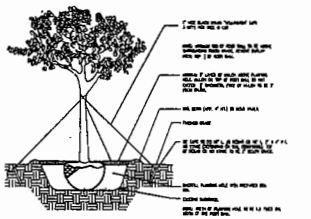
sheet number
LA1.0

file
andisplan08.21.dwg



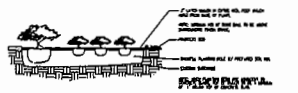
PALM PLANTING DETAIL N.T.S.

LARGE TREE PLANTING DETAIL SIMILAR



TREE PLANTING DETAIL N.T.S.

TREES WITH 3" CALIPER OR LESS



SHRUB/GROUND COVER DETAIL N.T.S.

PLANT NOTES

1. ALL PLANT MATERIAL TO BE FLORIDA NO. 1 OR BETTER FLORIDA DEPARTMENT OF AGRICULTURE GRADES AND STANDARDS; PARTS I AND II, 2ND EDITION, FEBRUARY 1998, RESPECTIVELY.
2. ALL PLANTING BEDS TO BE TOPPED WITH 3" MULCH INCLUDING TOP OF ROOT BALL (SEE PALM/ TREE PLANTING DETAIL).
3. ALL TREES TO BE STAKED IN A GOOD WORKMANLIKE MANNER, NO WIRE STAKING IN TRUNKS PERMITTED.
4. LANDSCAPE PLAN SHALL BE INSTALLED IN COMPLIANCE WITH ALL LOCAL CODES.
5. ALL SOD SHALL BE ST. AUGUSTINE 'FLORATAM' SOLID SOD, (UNLESS OTHERWISE NOTED) AND LAID WITH ALTERNATING AND ABUTTING JOINTS.
6. ALL PLANTING BEDS TO BE WEED AND GRASS FREE.
7. LANDSCAPE CONTRACTOR SHALL REVIEW ALL DRAWINGS AND PREPARE ONES OWN QUANTITY COUNTS PRIOR TO BID COST AND COMPARE TO ARCHITECT'S PLANT LIST). LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ATTAINING ACCURATE COUNT OF PLANT MATERIALS SPECIFIED. IN THE EVENT OF DISCREPANCIES, LANDSCAPE CONTRACTORS SHALL BRING TO THE ATTENTION OF LANDSCAPE ARCHITECT. PLAN SHALL TAKE PRECEDENCE OVER PLANT LIST.
8. LANDSCAPE CONTRACTOR SHALL LOCATE AND VERIFY ALL UNDERGROUND UTILITIES PRIOR TO DIGGING.
9. NO CHANGES SHALL BE MADE WITHOUT THE PRIOR CONSENT OF THE LANDSCAPE ARCHITECT.
10. ALL PLANTED AREAS TO RECEIVE 100% COVERAGE BY AN AUTOMATIC IRRIGATION SYSTEM, WITH A MINIMUM OF 50% OVERLAP. RAIN SENSOR TO BE PROVIDED.

LANDSCAPE LEGEND-PARCEL1

Zoning District: BU-2 Net Lot Area: 14.87 acres 647,995 s.f.

	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan. Net lot area: 647,995 s.f. x 14 % = square feet	90,719	160,107 (31%)
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan. No. parking spaces: 553 x 10 sf per parking space=	5880	5880
C. Total s.f. of landscaped open space required by Chapter 33 A + B=	96,599	160,107
Total square feet of landscaped open space required by Chapter 33= B. Maximum lawn area (sod) permitted= 20 % x 160,107 square feet	36, 021	36,000
A. No. trees required per net lot acre: less existing number of trees meeting minimum requirements (minus ex. to remain): 14.87 trees x net lot acres 14.87 (647,995) square feet	A. 327 / 0 / 327	338 / 0 / 338
B. 30 % palms allowed (two palm=one tree): Palms provided=	98 1/196 p	56 1/112 p
C. Percentage of natives required= the number of trees provided x 30% =	98	220
D. Street trees (maximum average spacing of 30' o.c.) 712 linear feet along street / 35 = Palms as Street trees (maximum average spacing of 25' o.c.) linear feet along street / 25 =	D. 20	20
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.) CNV linear feet along street / 25 =	E. 0	0
F. Total number of trees provided A+D+E=	347	358 Provid
A. The total number of trees required x 10 = the number of shrubs required	3470 @ 18"ht.	3953
B. The number of shrubs required x 30%=the number of native shrubs required	1041	2181

Required by Chapter 33. Auto irrigation = or more sch provided.

LANDSCAPE LEGEND- PARCEL 2

Zoning District: BU-2 Net Lot Area: 1.52 acres 66,418 s.f.

	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan. Net lot area: 66,418 s.f. x 14 % square feet	9299	18,577 (28%)
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan. No. parking spaces: 52 x 10 sf per parking space=	590	
C. Total s.f. of landscaped open space required by Chapter 33 A + B=	9889	18,577
A. Total square feet of landscaped open space required by Chapter 33= B. Maximum lawn area (sod) permitted= 20 % x 19,017 square feet	3715	3700
A. No. trees required per net lot acre: less existing number of trees meeting minimum requirements: 1.52 trees x net lot acres 1.52 (66,418) square feet (minus ex. to remain)	A. 33 / 0 / 33	32 / 0 / 32
B. 30 % palms allowed (two palm=one tree): Palms provided=	9p / 18t	14p / 7t
C. Percentage of natives required= the number of trees provided x 30% =	9	28
D. Street trees (maximum average spacing of 30' o.c.) 330 ft linear feet along street / 35 = Palms as Street trees (maximum average spacing of 25' o.c.) linear feet along street / 25 =	D. 9	11
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.) 0Veh linear feet along street / 25 =	C. 0	0
F. Total number of trees provided A+D+E=	42 Requ	43 Provid
A. The total number of trees required x 10 = the number of shrubs required	420 @ 18"ht.	563
B. The number of shrubs required x 30%=the number of native shrubs required	126	283

Required by Chapter 33. Auto irrigation = or more sch provided.

PLANT LIST- PARCEL 1

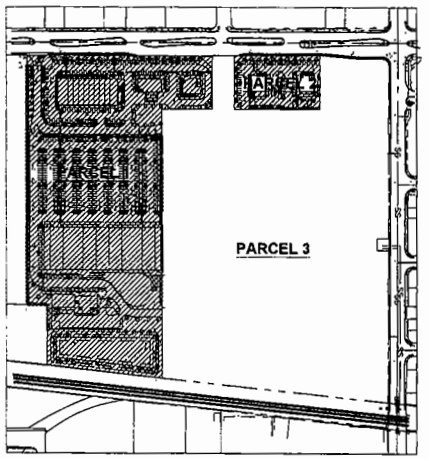
QTY	KEY	BOTANICAL NAME	COMMON NAME	DESCRIPTION	Native Yes / No
20	QVst	Quercus virginiana-st. tree	Live Oak	16'-18'oa ht, 4" dbh,5' cl, 8' spr.	Yes
44	QV	Quercus virginiana	Live Oak	12' oa ht, 2.5" dbh, 5' spr.	Yes
35	SM	Swietenia mahogani	Mahogany	12' oa ht, 2.5" dbh, 5' spr.	Yes
73	CE	Conocarpus erectus	Green Buttonwood	12' oa ht, 2.5" dbh, 5' spr.	Yes
7	CS	Conocarpus e. Sericeus	Silver Buttonwood	12' oa ht, 2.5" dbh, 5' spr.	Yes
19	CD	Coccoloba diversifolia	Pigeon Plum	12' oa ht, 2.5" dbh, 5' spr.	Yes
14	LL	Lysiloma latisiliqua	Wild Tamarind	12' oa ht, 2.5" dbh, 5' spr.	Yes
38	TH	Tabebuia heterophylla	Pink Tabebuia	12' oa ht, 2.5" dbh, 5' spr.	No
35	TD	Taxodium distichum	Bald Cypress	12' oa ht, 2.5" dbh, 5' spr.	Yes
19	AR	Acer rubrum	Red Maple	12' oa ht, 2.5" dbh, 5' spr.	Yes
302 Trees					
6	BN	Bismarckia nobilis	Bismarkia Palm	16' ct, 24" oa ht, silver select	No
11	WR	Washingtonia robusta	Washingtonia Palm	16', 28', 24" oa hts	Yes
40	RE	Roystonea elata	Royal Palm	24' oa ht, 12' GW	No
55	VM	Veitchia montgomeriana	Veitchia palm	16', 18', 22' oa hts	No
112 Palms=56 Trees					
1982	CHI	Chrysobalanus icaco	Red Tip Cocoplum	24" ht x 18" spr, 3 gal, @ 2oc	Yes
210	COS	Conocarpus e. Sericeus	Silver Buttonwood	24" ht x 18" spr, 3 gal. @ 2oc	No
520	SCV	Schefflera a. vanegata	Var. Schefflera	18" ht x 18" spr, 3 gal.	No
818	SCA	Schefflera arboricola	Green Schefflera	18" ht x 18" spr, 3 gal.	No
409	IXM	Ixora maui	Yellow Ixora	18" ht x 18" spr, 3 gal.	No
35	COV	Codiaeum variegatum	Croton	30" ht x 18" spr, 15 gal.	No
Provid Shrubs 3953					
	FIM	Ficus microcarpa	Green Island Ficus	3 gal, 12" ht x 12" spr.	No
	RHI	Rhapvolepsis indica	Indian Hawthorn	3 gal, 12" ht x 12" spr.	No

PLANT LIST- PARCEL 2

QTY	KEY	BOTANICAL NAME	COMMON NAME	DESCRIPTION	Native Yes / No
11	QVST	Quercus virginiana-st. tree	Live Oak	16'-18' oa ht, 5' cl, 4" dbh, 8' spr.	Yes
9	QV	Quercus virginiana	Live Oak	12' oa ht, 2.5" dbh, 5' spr.	Yes
8	SM	Swietenia mahogani	Mahogany	12' oa ht, 2.5" dbh, 5' spr.	Yes
5	TH	Tabebuia heterophylla	Pink Tabebuia	12' oa ht, 2.5" dbh, 5' spr.	Yes
36 Trees					Yes
14	VM	Veitchia montgomeriana	Veitchia palm	16', 18', 22' oa hts	No
14 P/Cl= 7 trees					
283	CHI	Chrysobalanus icaco	Red Tip Cocoplum	24" ht x 18" spr, 3 gal, @ 2oc	Yes
240	SCV	Schefflera a. vanegata	Var. Schefflera	18" ht x 18" spr, 3 gal.	No
60	IXM	Ixora maui	Yellow Ixora	18" ht x 18" spr, 3 gal.	No
Provid Shrubs 583					
	FIM	Ficus microcarpa	Green Island Ficus	3 gal, 12" ht x 12" spr.	
	RHI	Rhapvolepsis indica	Indian Hawthorn	3 gal, 12" ht x 12" spr.	

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY



N
OVERALL SITE KEYPLAN
SCALE: 1" = N.T.S.

wha
design, inc
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com

architect of record:
William Arthur
License Number: 0013074

H.G. Martin, Landscape Architect, P.A.
LC# 26000241 LA #0001723
9865 SW 36th Street, Miami, Florida 33165
305 780-4378, hmartin@bellsouth.net
Herbert Leslie Martin, RLA

seal

design associate:
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, distribution, and/or use of these materials (or any portion thereof) without WHA Design's prior written consent is strictly prohibited.

project information
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owners information
Imperial Management, LLC.

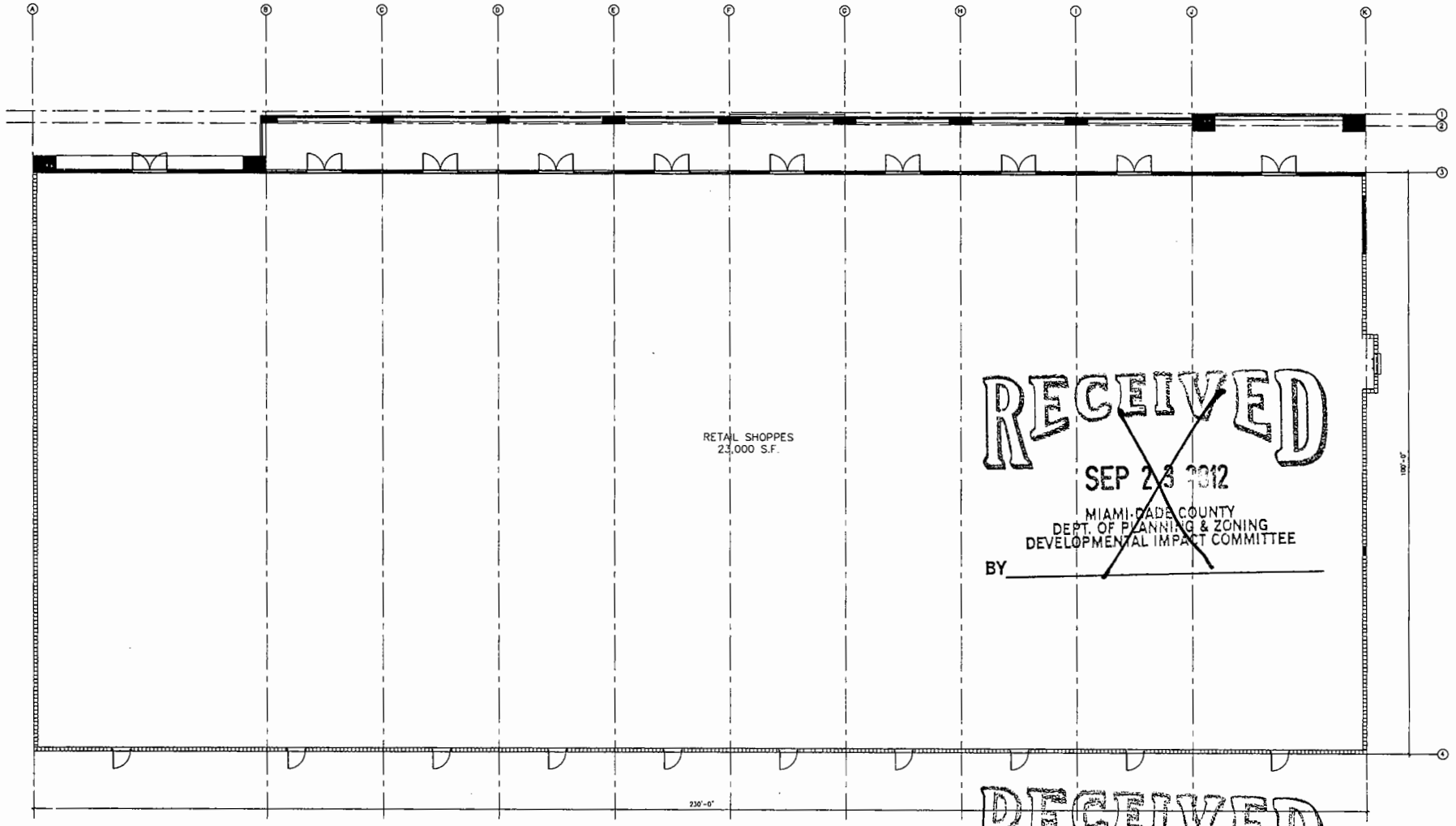
project history:
PLAN, COMMENTS 04/19/12

project information:
date: 03.19.2012
project number: 11.32

sheet title:
Parcel 1 Site Plan & Zoning Legend

sheet number:
LA1.1

file:
siteplan08.21.dwg



N Overall Floor Plan
Scale: 1/8" = 1'-0"

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

wha design, inc.
p.o. box 142115
coral gables, fl 33114-2115
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com
architect of record:
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without WHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147
owners information:
Owner - Imperial Management, LLC.

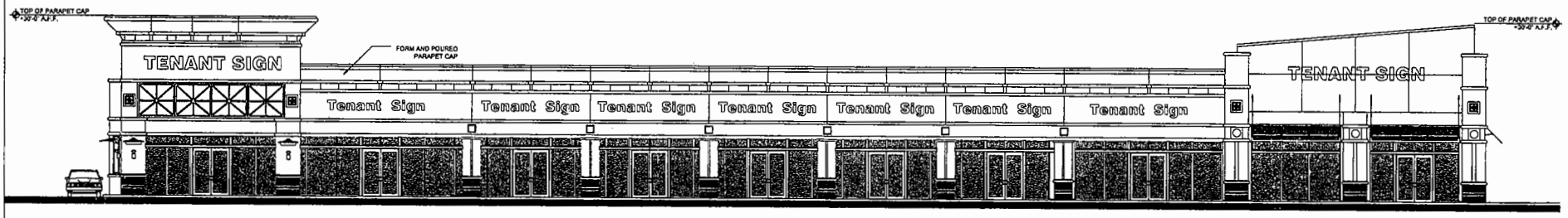
project history

project information
date: 03.19.2012
project number: 11.32

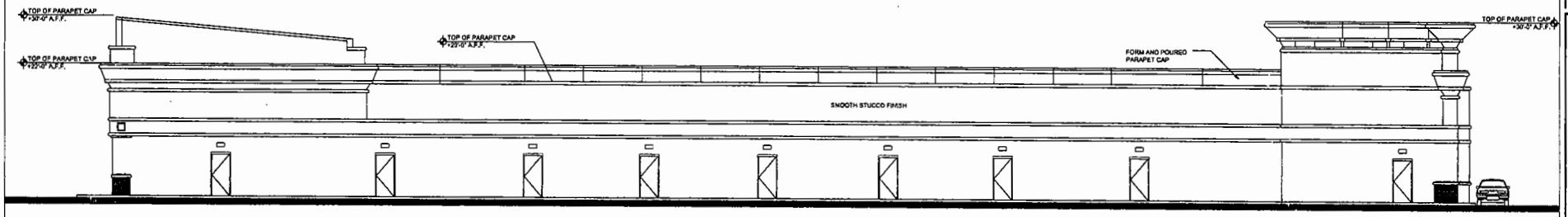
sheet title:
Retail Bldg#1-Site#2
Overall Floor Plan

sheet number:
A1.0

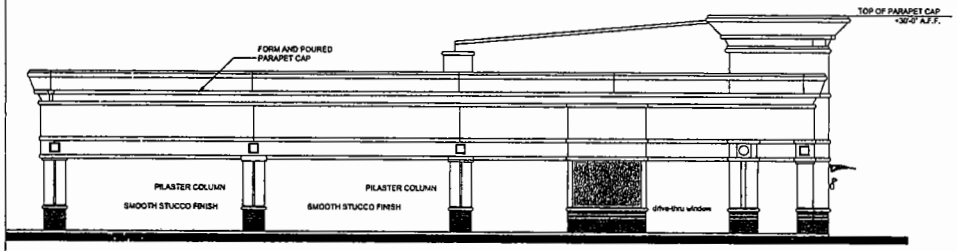
file:
a1.0 floor plan.dwg



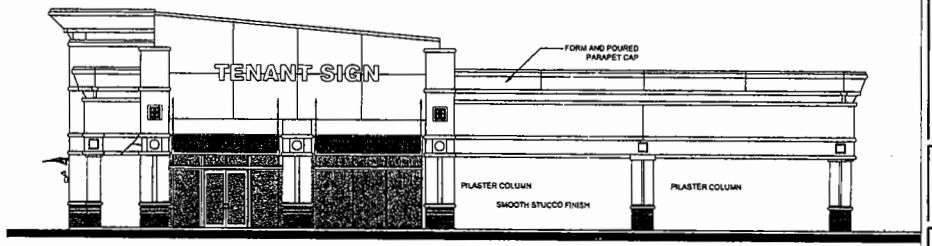
North Elevation



South Elevation



East Elevation



West Elevation

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

vha design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.1100
f. 305.441.7950
e. info@vhadesign.com
architect of record:
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of VHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without VHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owner information:
Owner - Imperial Management, LLC.

project history:

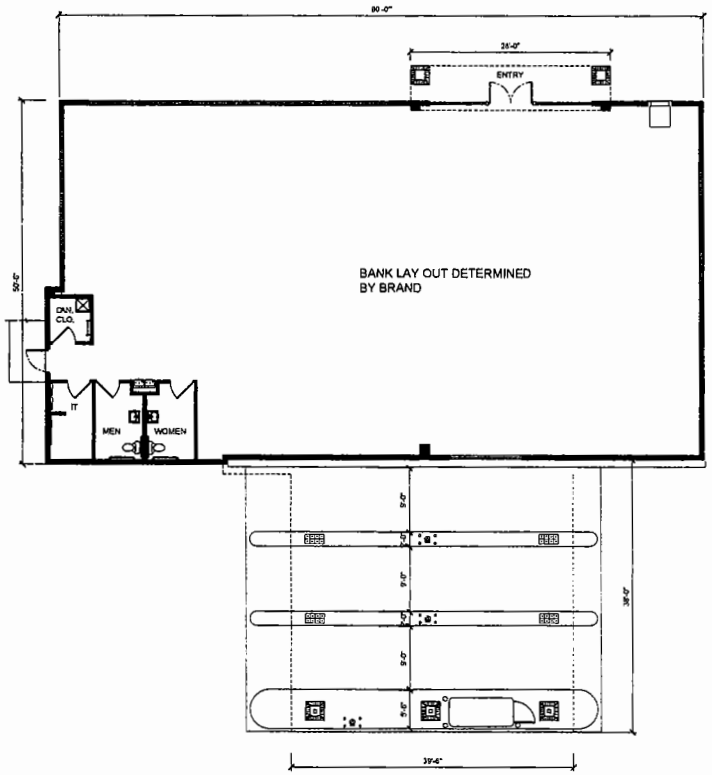
project information:
date: 03.19.2012
project number: 11.32

sheet title:
Retail Bldg #1-Site #2
Exterior Elevations

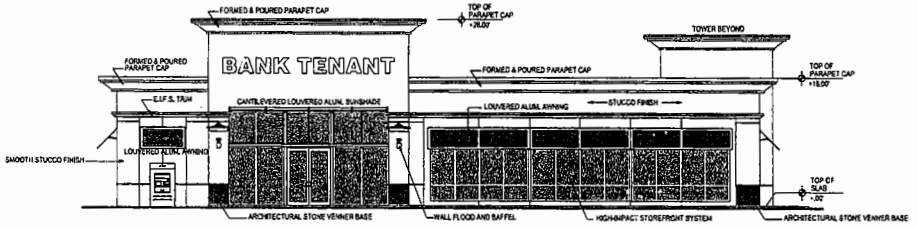
sheet number:
A1.1

file:
a1.1 elevations.dwg

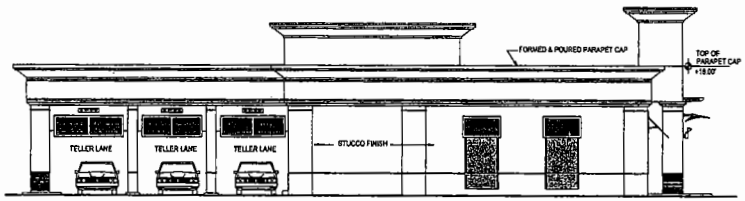
50



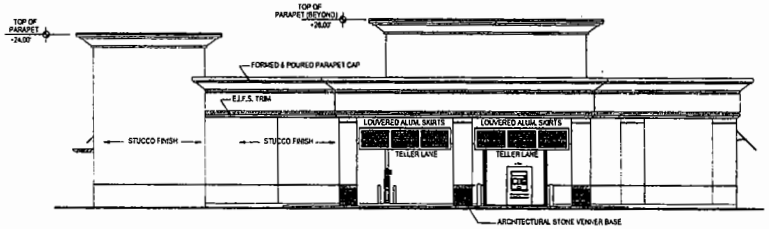
Floor Plan
Scale: 1/8" = 1'-0"



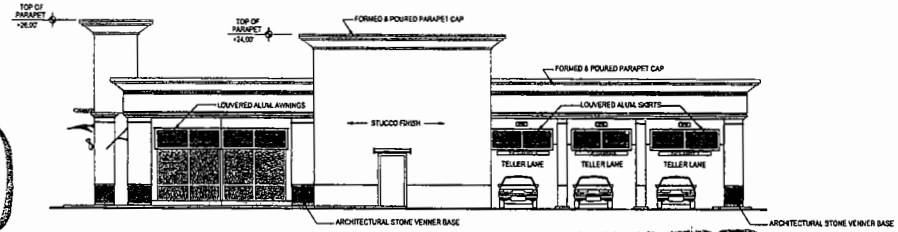
North Elevation
Scale: 1/8" = 1'-0"



East Elevation
Scale: 1/8" = 1'-0"



South Elevation
Scale: 1/8" = 1'-0"



West Elevation
Scale: 1/8" = 1'-0"

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY_____

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

vha design, inc.
p.o. box 142216
coral gables, fl 33114-2216
v. 305.443.3100
f. 305.441.7960
e. info@vhadesign.com

architect of record
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of VHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without VHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owners information:
Owner - Imperial Management, LLC.

project history:

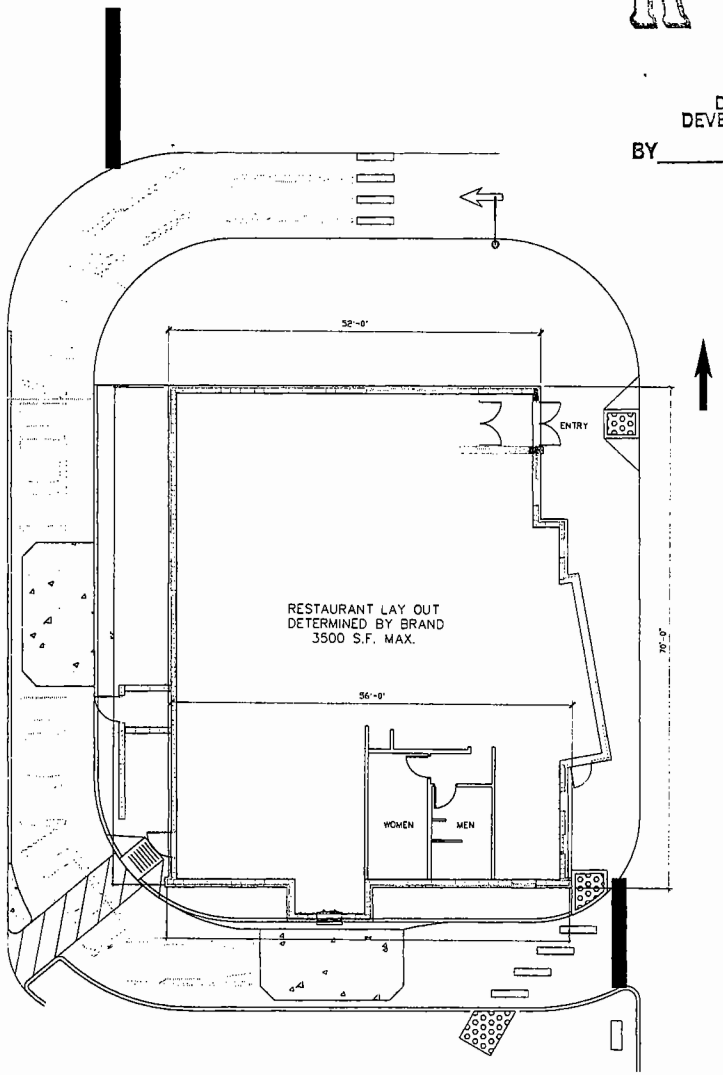
project information:
date: 03.19.2012
project number: 11.32

sheet title:
Bank Bldg #2-Site#2
Floor Plans
and Exterior Elevations

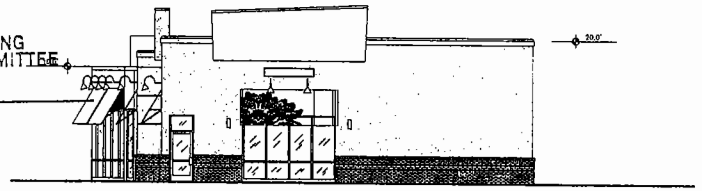
sheet number:
A2.0

file:
ta2.0_bankste2_floor plan & elev.dwg

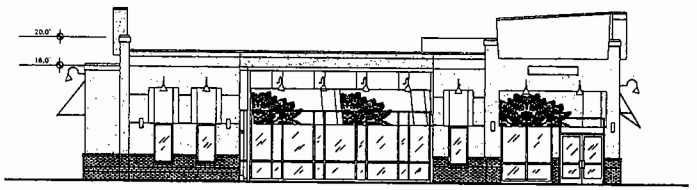
RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY



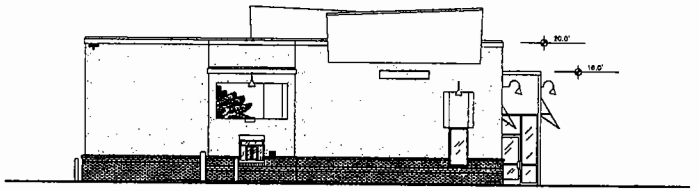
Floor Plan
Scale: 1/8" = 1'-0"



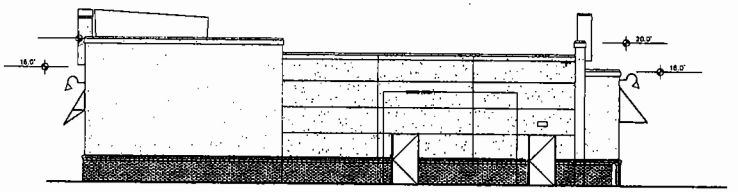
North Elevation
Scale: 1/8" = 1'-0"



East Elevation
Scale: 1/8" = 1'-0"



South Elevation
Scale: 1/8" = 1'-0"



West Elevation
Scale: 1/8" = 1'-0"

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

51

wha design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com
architect of record:
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials for any portion thereof) without WHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owner information:
Owner - Imperial Management, LLC.

project history

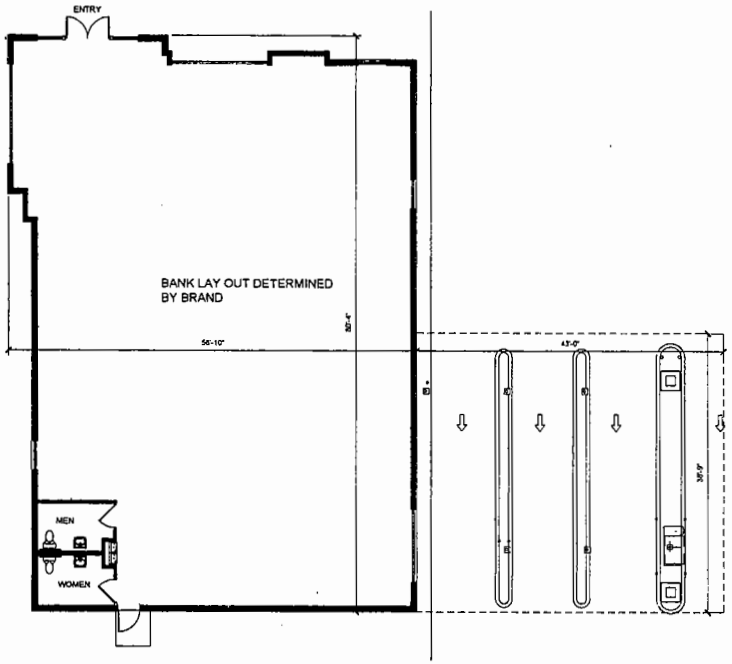
project information:
date: 03.19.2012
project number: 11.32

sheet title:
Restaurant Bldg #3
Site #2- Floor Plan and Exterior Elevations

sheet number:
A3.0

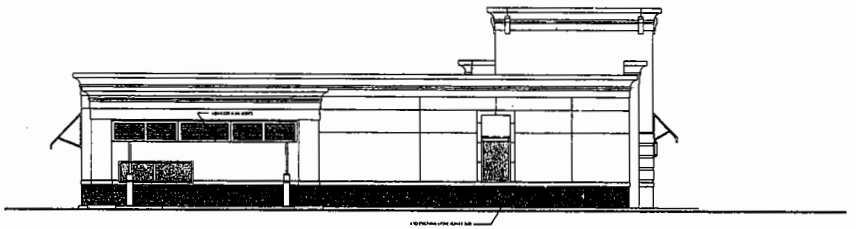
file:
a3.0_rest_site2_floor plan & elev.dwg

52

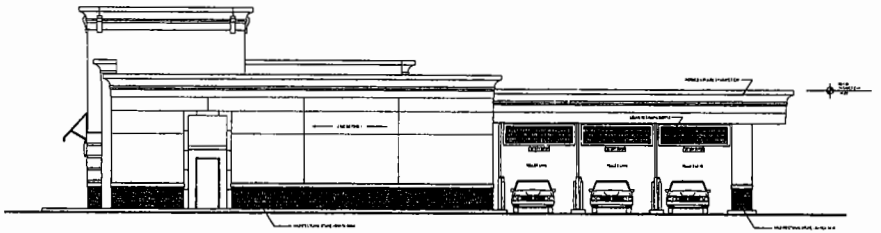


N Floor Plan
Scale: 1/8" = 1'-0"

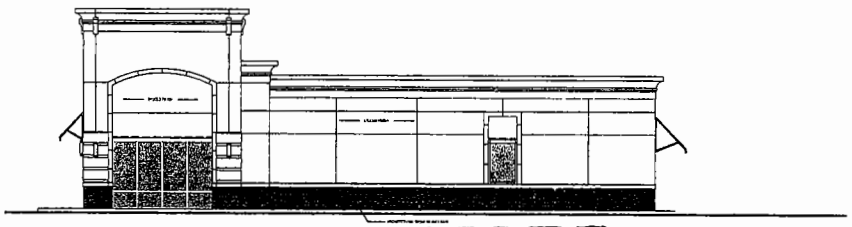
Scale: 1/8" = 1'-0"



Scale: 1/8" = 1'-0"



Scale: 1/8" = 1'-0"



Scale: 1/8" = 1'-0"

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

wha design, inc
p.o. box 142118
coral gables, fl 33114-2118
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com
architect of record:
William Arthur
License Number: 0012974

design associate:
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials for any portion thereof, without WHA Design's prior written consent is strictly prohibited

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147
owners information:
Owner - Imperial Management, LLC.

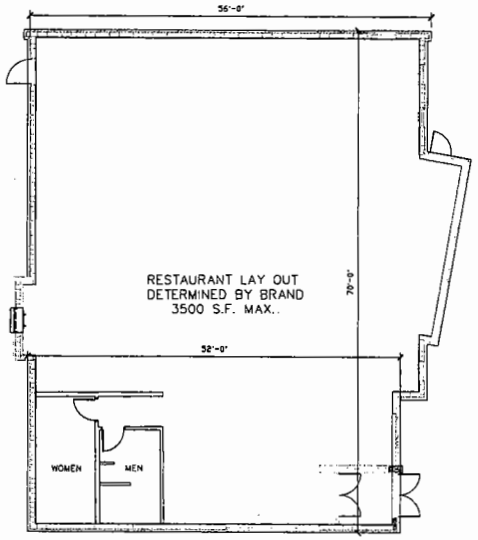
project history:
△
△
△
△

project information
date: 03.19.201
project number: 11.3

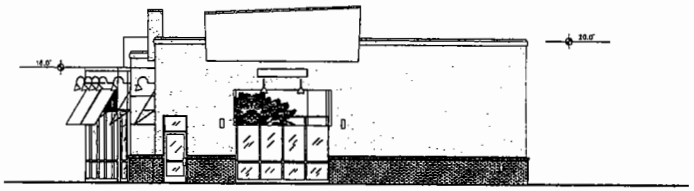
sheet title:
Bank Bldg #4 - Site#3
Floor Plans
and Exterior Elevation

sheet number:
A4.0

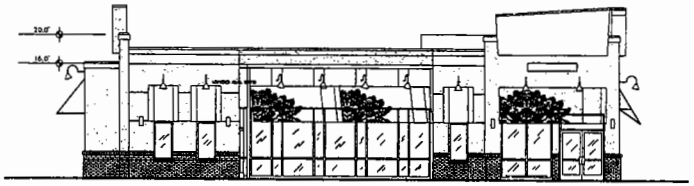
file:
a4.0 floor plan & elev.dwg



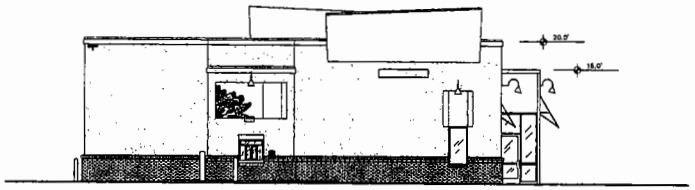
N Floor Plan
Scale: 1/8" = 1'-0"



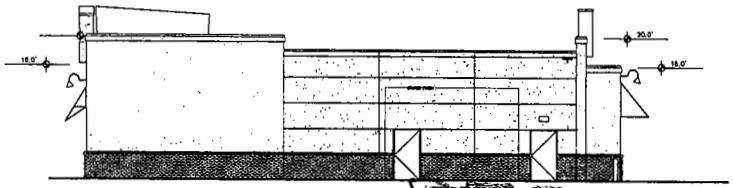
North Elevation
Scale: 1/8" = 1'-0"



East Elevation
Scale: 1/8" = 1'-0"



South Elevation
Scale: 1/8" = 1'-0"



West Elevation
Scale: 1/8" = 1'-0"

RECEIVED
SEP 13 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
AUG 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

wha design, inc.
p.o. box 14.2115
coral gables, fl 33114.2115
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com

architect of record:
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials for any portion thereof without WHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Marketplace
3200 NW 79th Street
Miami, Florida 33147

owners information:
Owner - Imperial Management, LLC.

project history:

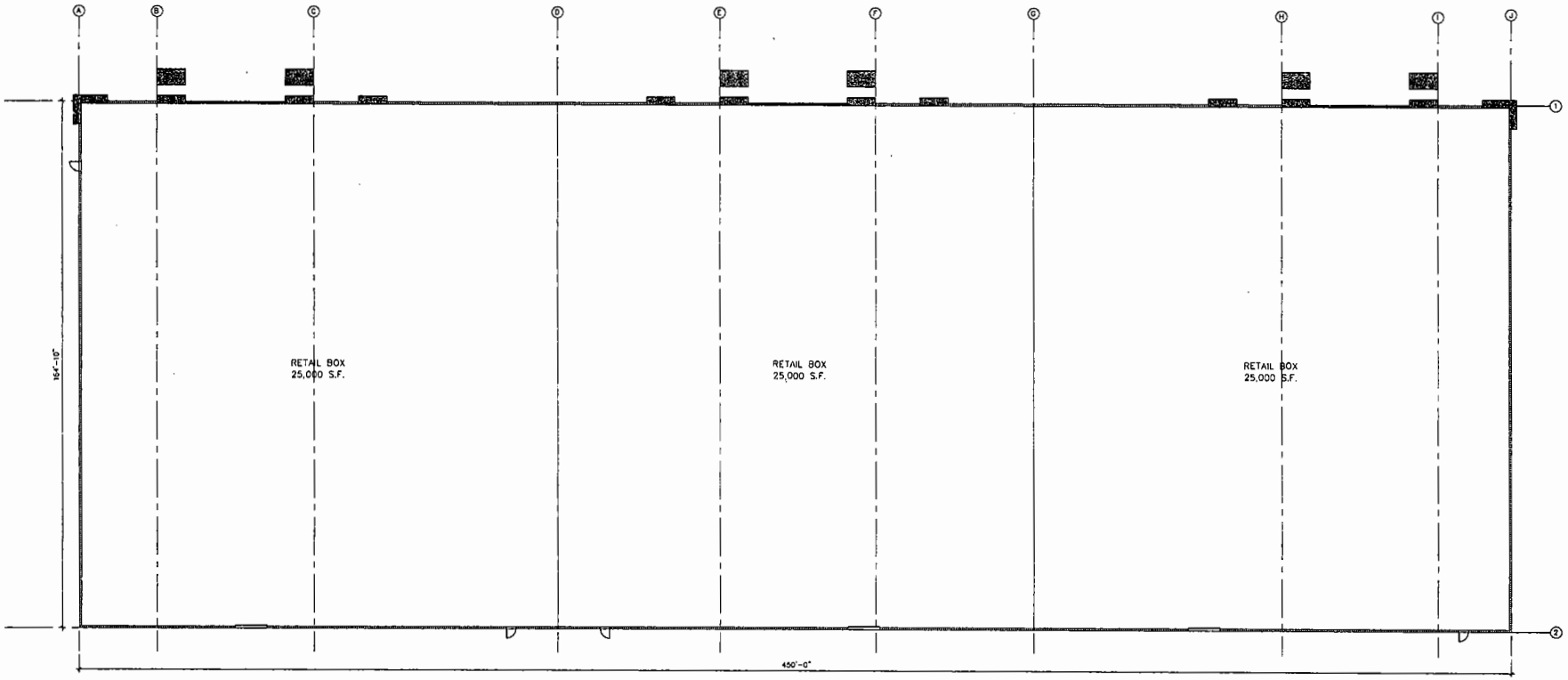
project information:
date: 03.19.2012
project number: 11.32

sheet title:
Restaurant Bldg #5
Site #3, Floor Plans
and Exterior Elevation

sheet number:
A5.0

file:
a5.0 floor plan.dwg

54



N Overall Floor Plan
Scale: 1/16" = 1'-0"

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY_____

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY_____

whа design, inc.
p.o. box 142118
coral gables, fl 33114-2118
v. 305.443.3100
f. 305.441.7980
e. info@whadesign.com

architect of record
William Arthur
License Number: 0012074

seal

design associate
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without WHA Design's prior written consent is strictly prohibited

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147
owners information:
Owner - Imperial Management, LLC.

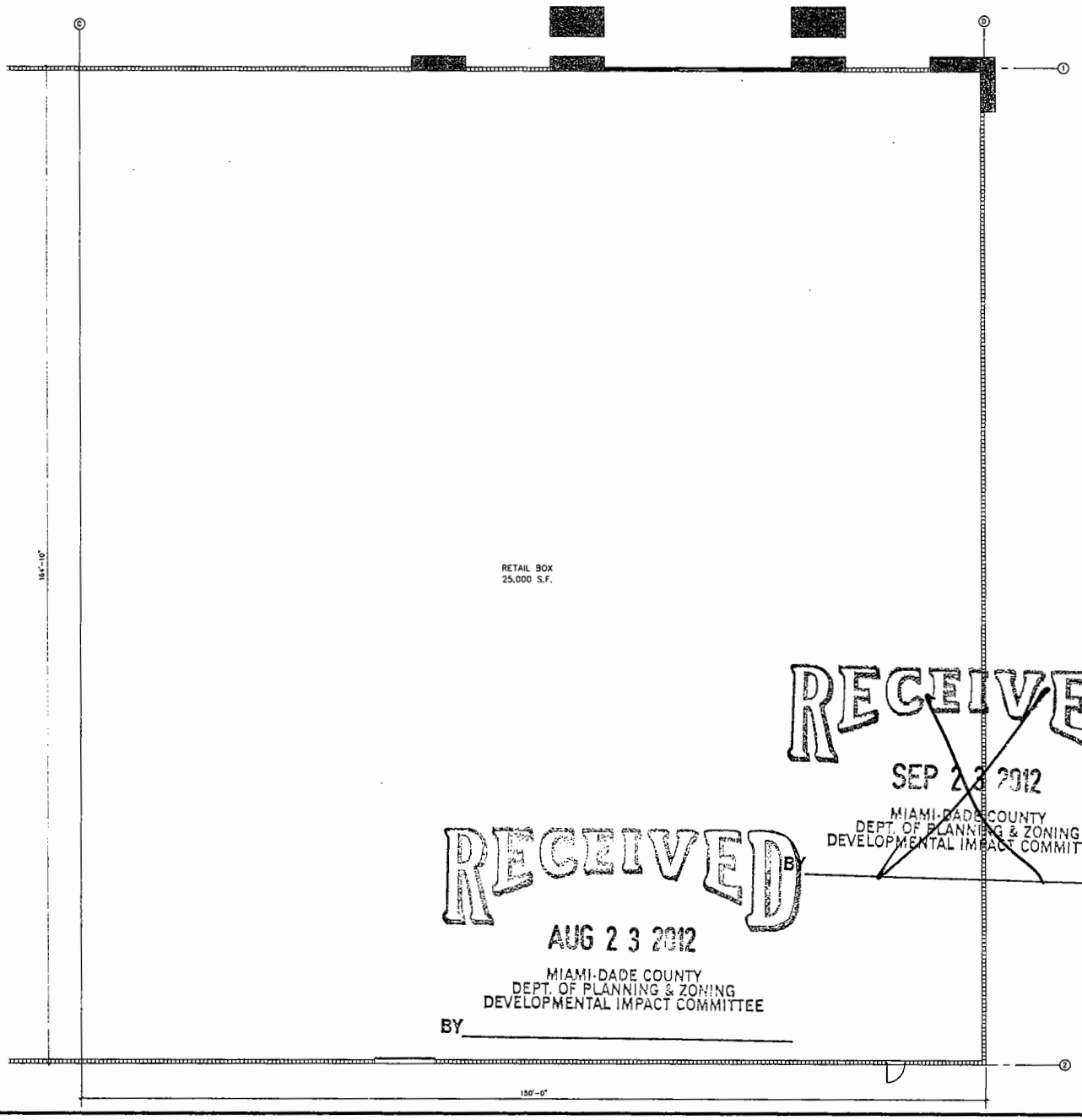
project history
△
△△
△△△

project information
date: 03.19.2012
project number: 11.32

sheet title:
Retail Bldg #6 -Site#1
Overall Floor Plan

sheet number:
A6.0

file:
a6.0 floor plan.dwg



RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

Typ. Floor Plan
Scale: 1/8" = 1'-0"

55

vha design, inc
p.o. box 14.2118
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7960
e. info@vhadesign.com
architect of record:
William Arthur
License Number: 0012674

seal

design associate:
BAA

These plans and specifications are the exclusive property of VHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without VHA Design's prior written consent is strictly prohibited

project information
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147
owners information
Owner - Imperial Management, LLC.

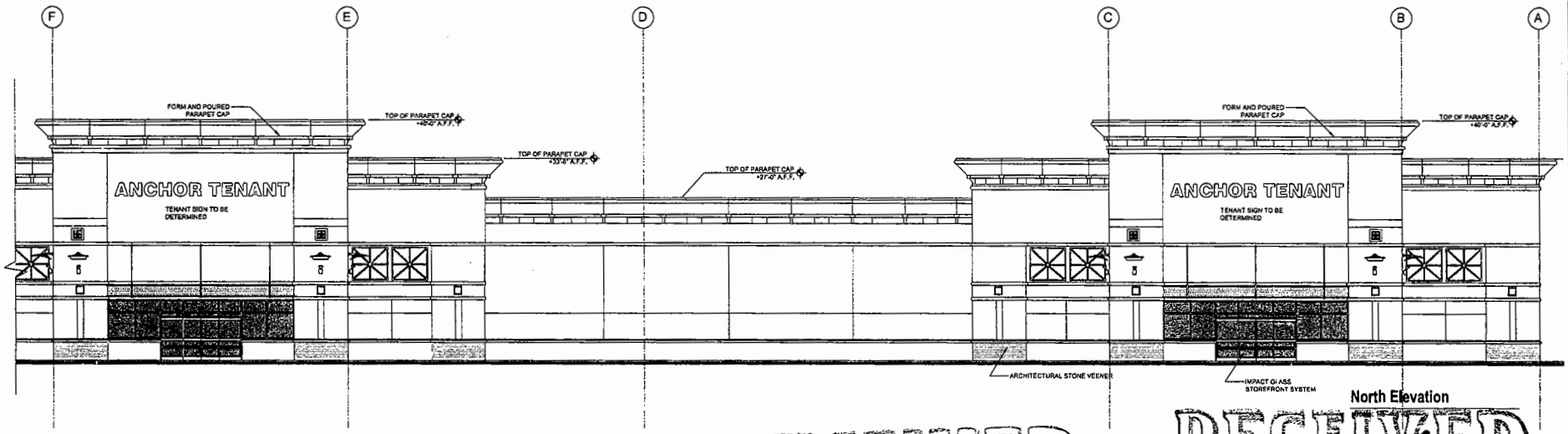
project history:
△
△
△
△

project information
date: 03.19.2012
project number: 11.32

sheet title:
Retail Bldg#6-Site#1
Typical Floor Plan

sheet number:
A6.1

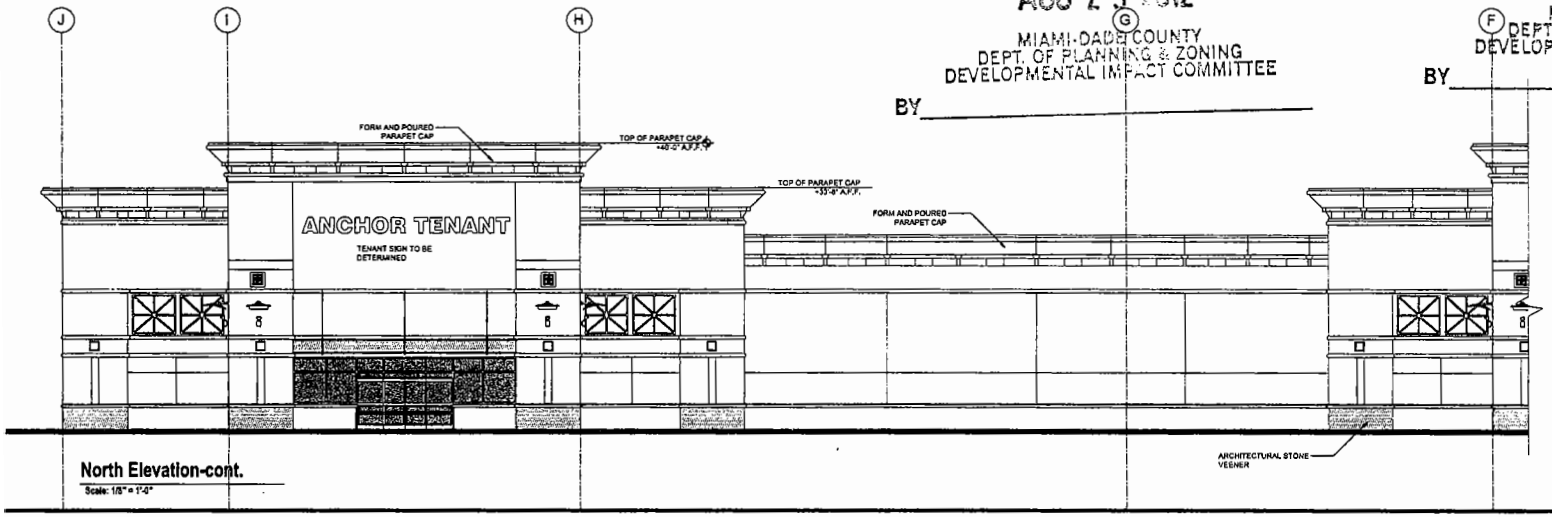
file:
a6.1 typ. floor plan.dwg



North Elevation

RECEIVED
AUG 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY



North Elevation-cont.
Scale: 1/8" = 1'-0"

wha design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com
architect of record
William Arthur
License Number: 0013074

seal

design associate
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without WHA Design's prior written consent is strictly prohibited

project information
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147
owners information
Owner - Imperial Management, LLC.

project history

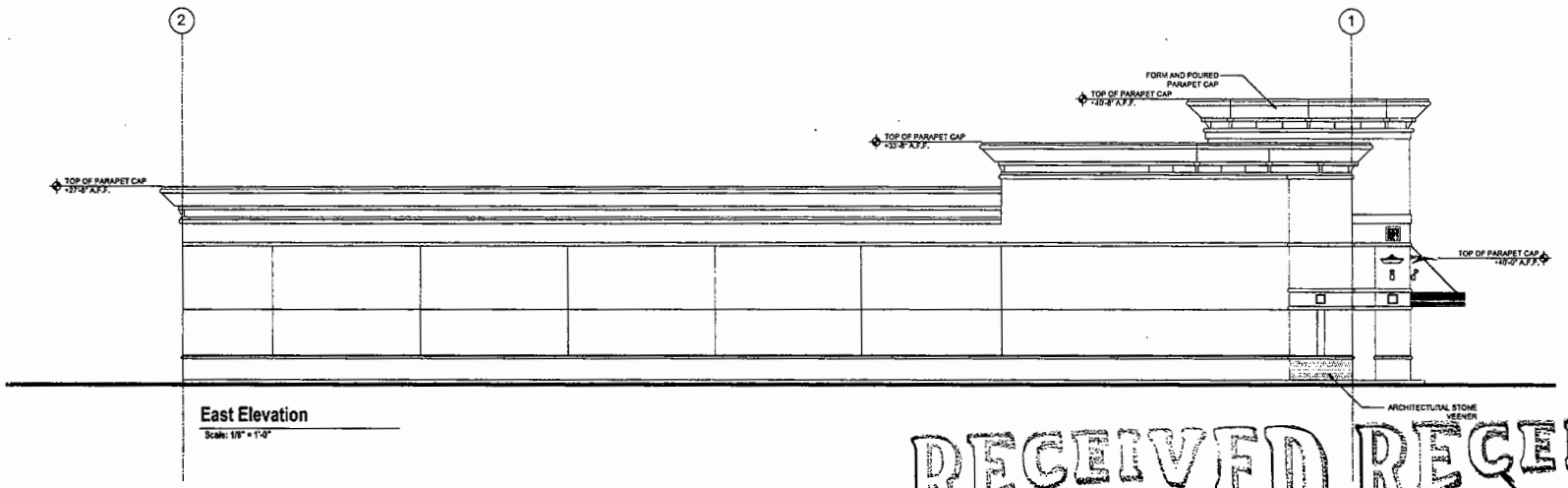
project information
date 03.19.2012
project number 11.32

sheet title
Retail Box-Site#1
North Elevation

sheet number
A6.2

file
a6.2 north elevation.dwg

57

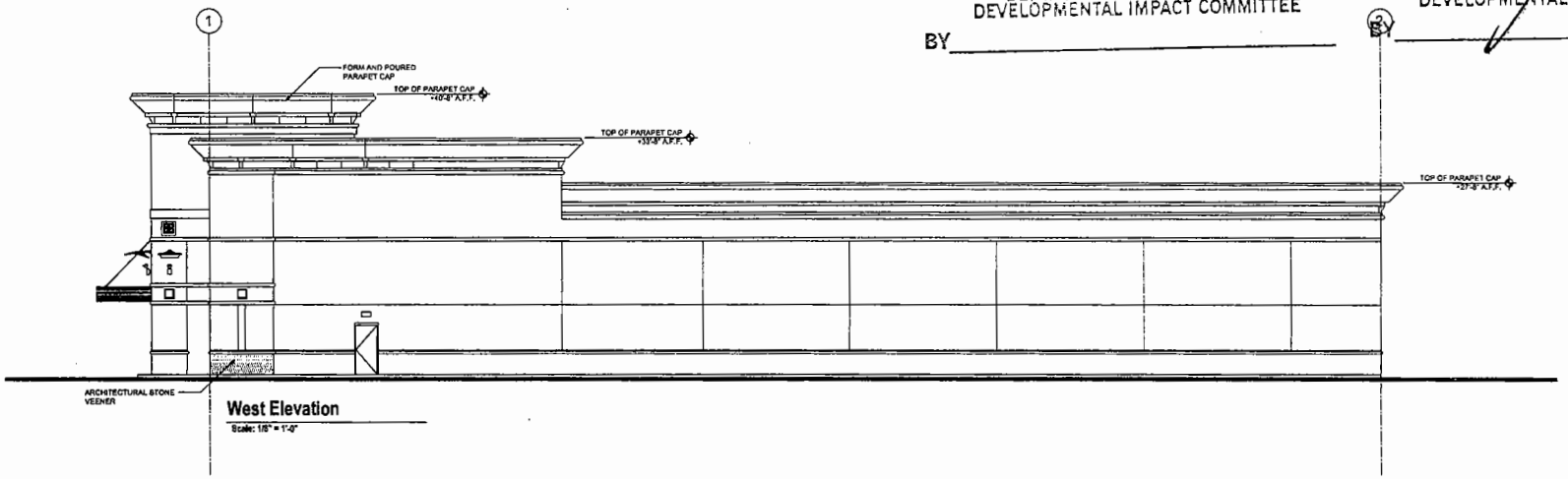


East Elevation

Scale: 1/8" = 1'-0"

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY



West Elevation

Scale: 1/8" = 1'-0"

wha design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com
architect of record:
William Arthur
License Number: 0012874
design associate
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials for any portion thereof, without WHA Design's prior written consent is strictly prohibited

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147
owners information:
Owner - Imperial Management, LLC.

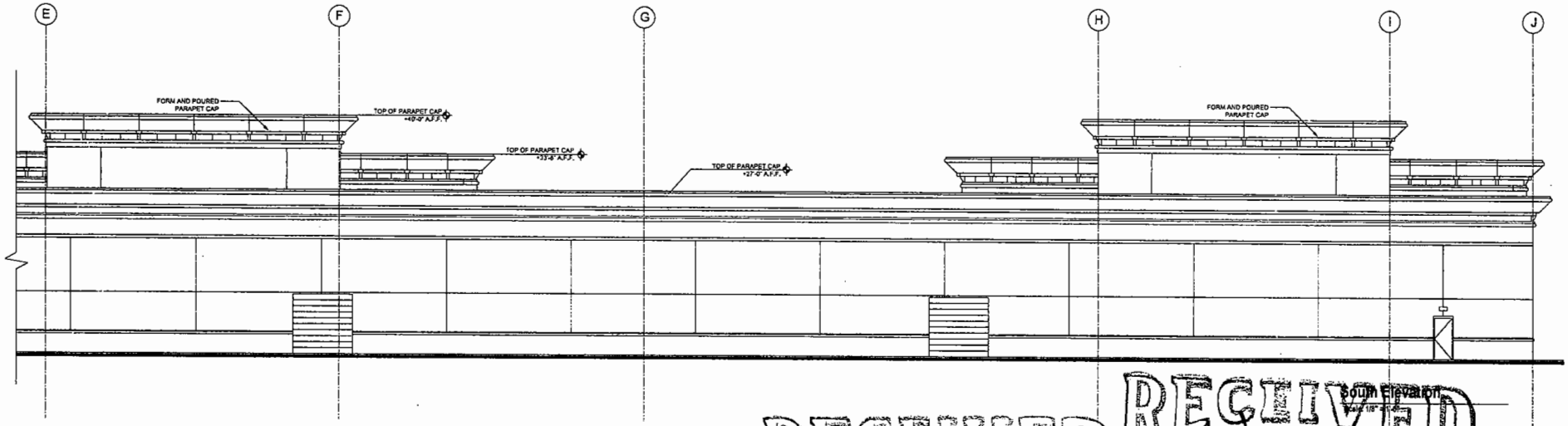
project history:
△
△△
△△△

project information:
date 03.19.2012
project number 11.32

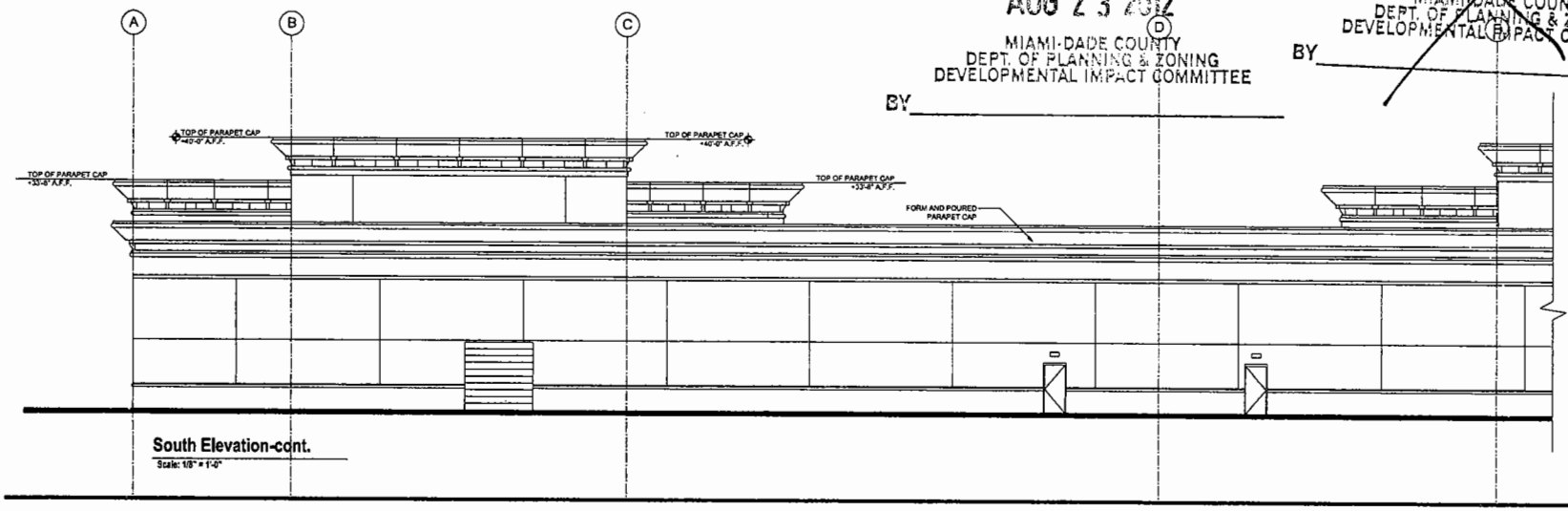
sheet title:
Retail Box-Site#1
East and West
Elevations

sheet number
A6.3

file
a6.3 east and west elevations.dwg



South Elevation



South Elevation-cont.
Scale: 1/8" = 1'-0"

RECEIVED
AUG 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

wha design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7980
e. info@whadesign.com

architect of record:
William Arthur
License Number. 0012074

seal

design associate
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without WHA Design's prior written consent is strictly prohibited

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owners information:
Owner - Imperial Management, LLC.

project history

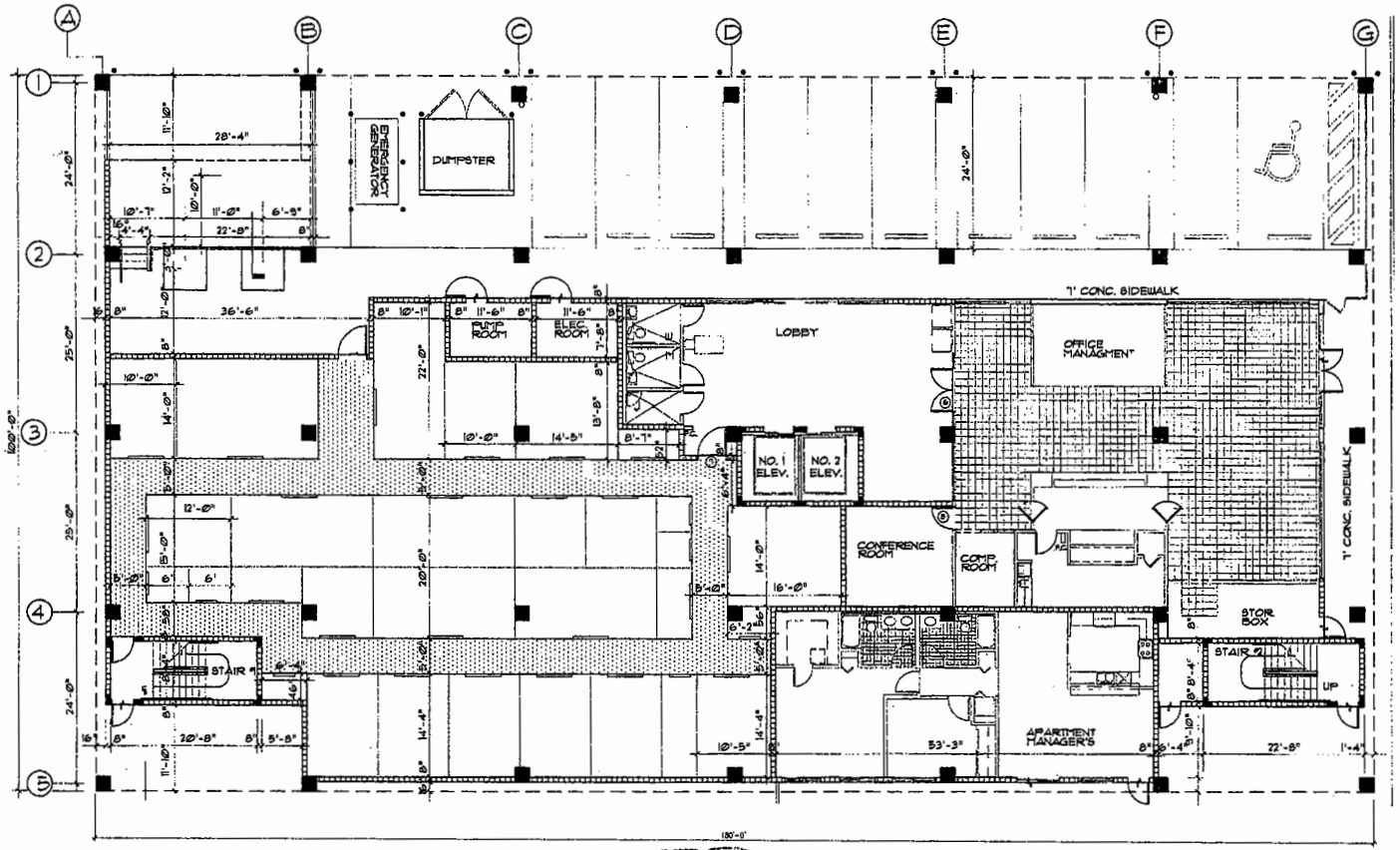
project information:
date: 03.19.2012
project number: 11.32

sheet title:
Retail Box-Site#1
South Elevation

sheet number:
A6.4

file:
a6.4 south elevations.dwg

59



First Floor Plan
Scale: 1/8" = 1'-0"

RECEIVED
AUG 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

wha design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com
architect of record:
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without WHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147
owner's information:
Owner - Imperial Management, LLC.

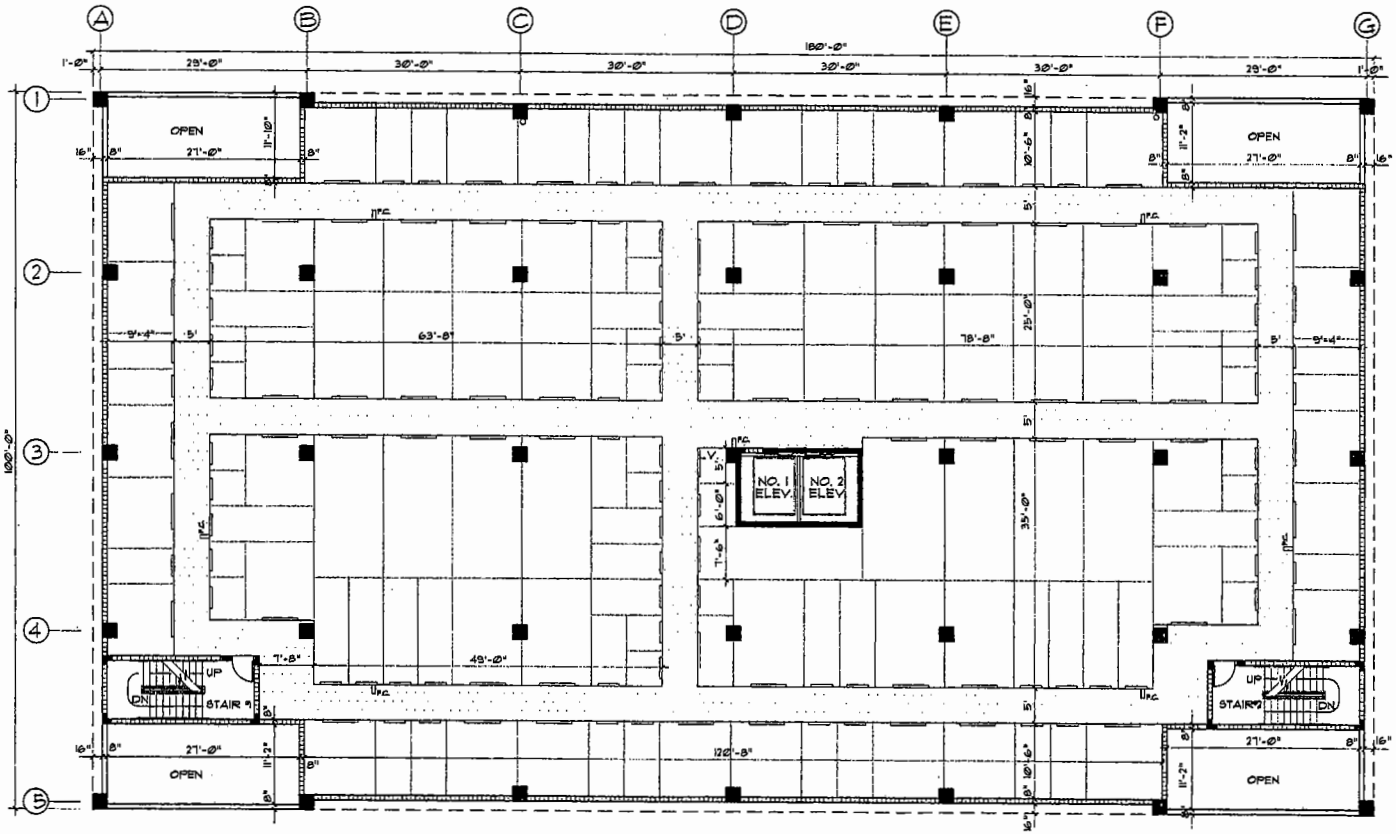
project history:
△
△
△
△

project information:
date: 03.19.2012
project number: 11.32

sheet title:
Storage Building #7
Site#1 First Floor Plan.

sheet number:
A7.0
file:
a7.0 floor plan.dwg

60



2nd Thru 5th Floor Plan
Scale: 1/8" = 1'-0"

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

wha design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com

architect of record
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without WHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147
owners information:
Owner - Imperial Management, LLC.

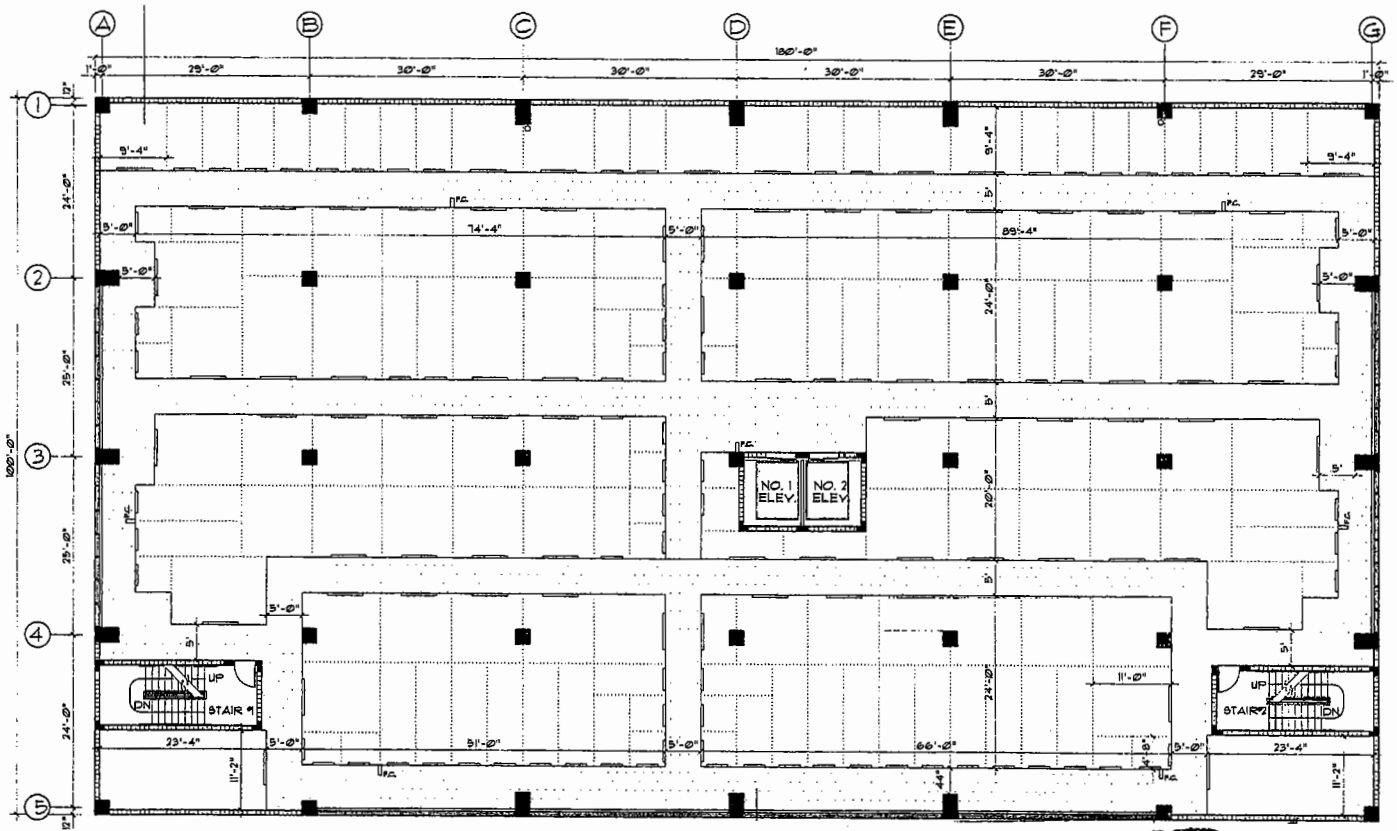
project history:
△
△
△
△

project information:
date: 03.19.2012
project number: 11.32

sheet title:
Storage Building #7
Site#1 Second thru Fifth Floor Plan.

sheet number:
A7.1
file:
a7.1-second-5th-floor-plan.dwg

61



Sixth Floor Plan
Scale: 1/8" = 1'-0"

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

wha design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7950
e. info@whadesign.com
architect of record:
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without WHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147
owners representative:
Owner - Imperial Management, LLC.

project history:

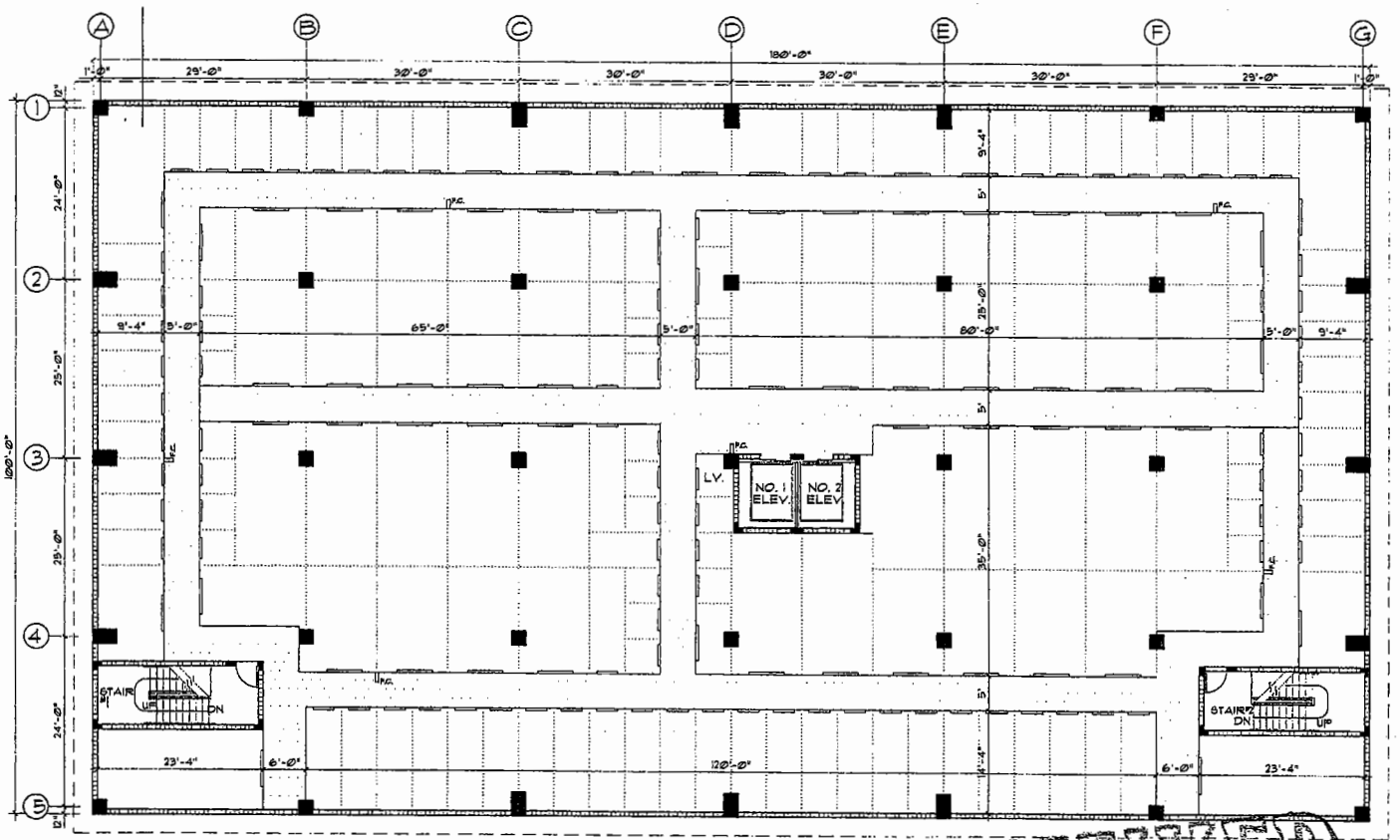
project information:
date: 03.19.2012
project number: 11.32

sheet title:
Storage Building #7
Site#1 Sixth Floor Plan

sheet number:
A7.2

file:
a7.2-sixth-floor-plan.dwg

62



Seventh Floor Plan
Scale: 1/8" = 1'-0"

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

wha design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com

architect of record:
William Arthur
License Number: 0012074

seal

design associate
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials for any portion thereof without WHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owners information:
Owner - Imperial Management, LLC.

project history:

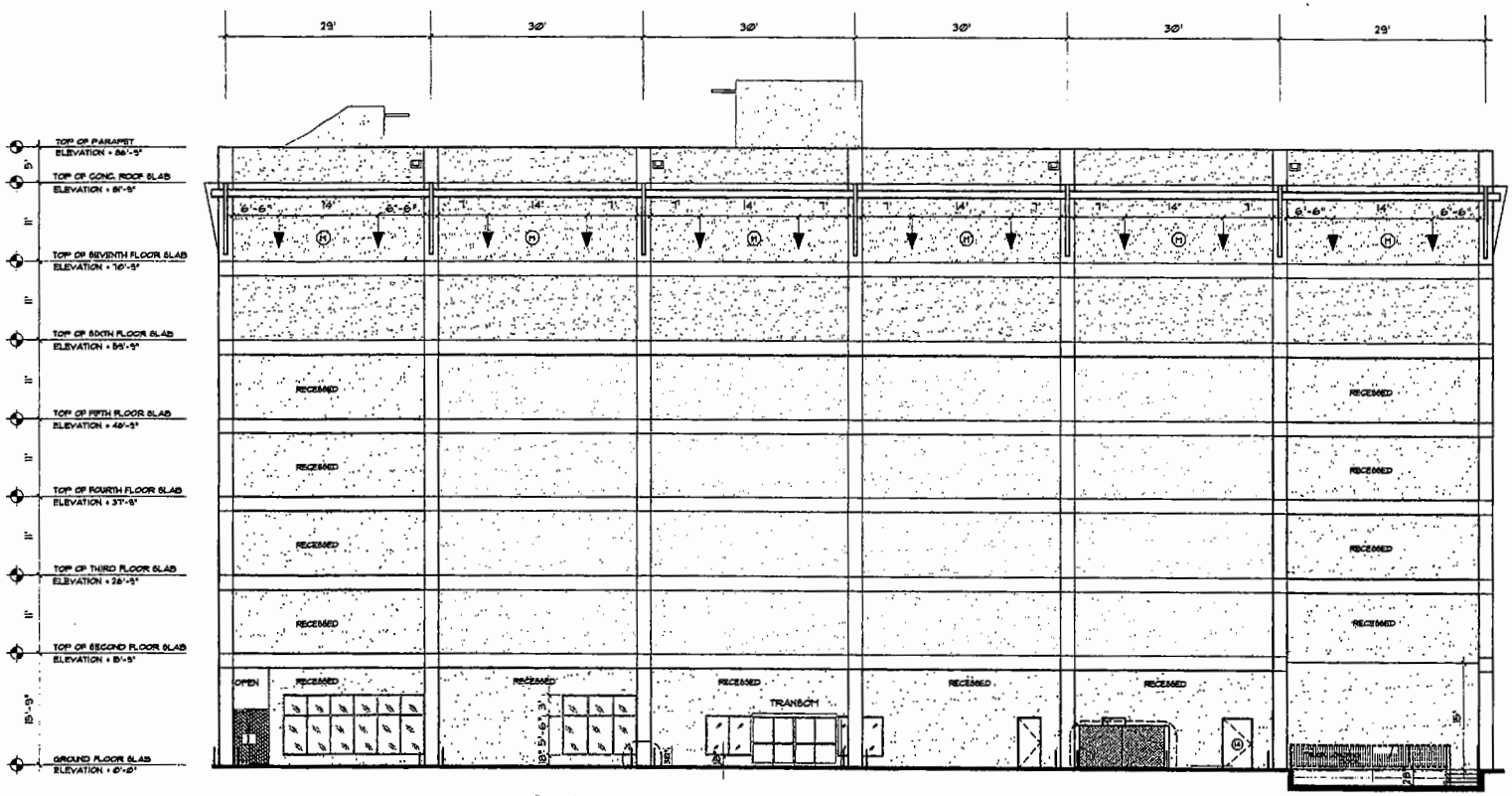
project information:
date: 03.19.2012
project number: 11.32

sheet title:
Storage Building #7
Site#1 Seventh Floor Plan.

sheet number:
A7.3

file:
a7.3-seventh-floor-plan.dwg

63



North Elevation

Scale: 1/8" = 1'-0"

RECEIVED
AUG 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

vha design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7950
e. info@vhadesign.com

architect of record
William Arthur
License Number 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of VHA Design. Any reproduction, modification, disclosure, and/or use of these materials (or any portion thereof) without VHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owners information:
Owner - Imperial Management, LLC.

project history

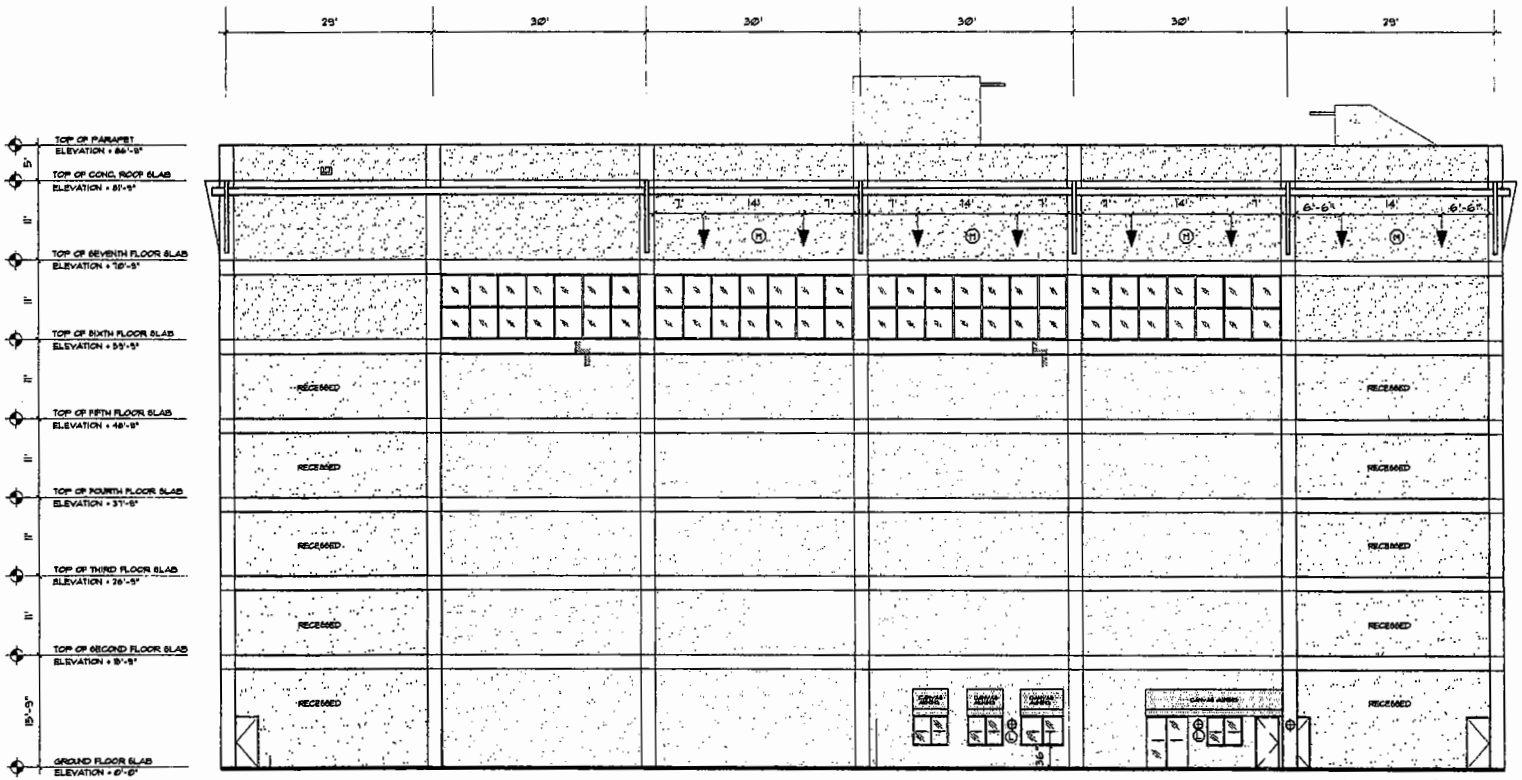
project information:
date: 03.19.2012
project number 11.32

sheet title
Storage Building #7
Site#1 North Elevation

sheet number
A7.4

file
a7.4-elevations.dwg

64



South Elevation

Scale: 1/8" = 1'-0"

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

wha
design, inc.
p.o. box 14.2116
coral gables, fl 33114.2116
v. 305.443.3100
f. 305.441.7960
e. info@whadesign.com

architect of record
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of WHA Design. Any reproduction, modification, disclosure, and/or use of these materials for any portion thereof without WHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owners information:
Owner - Imperial Management, LLC.

project history:

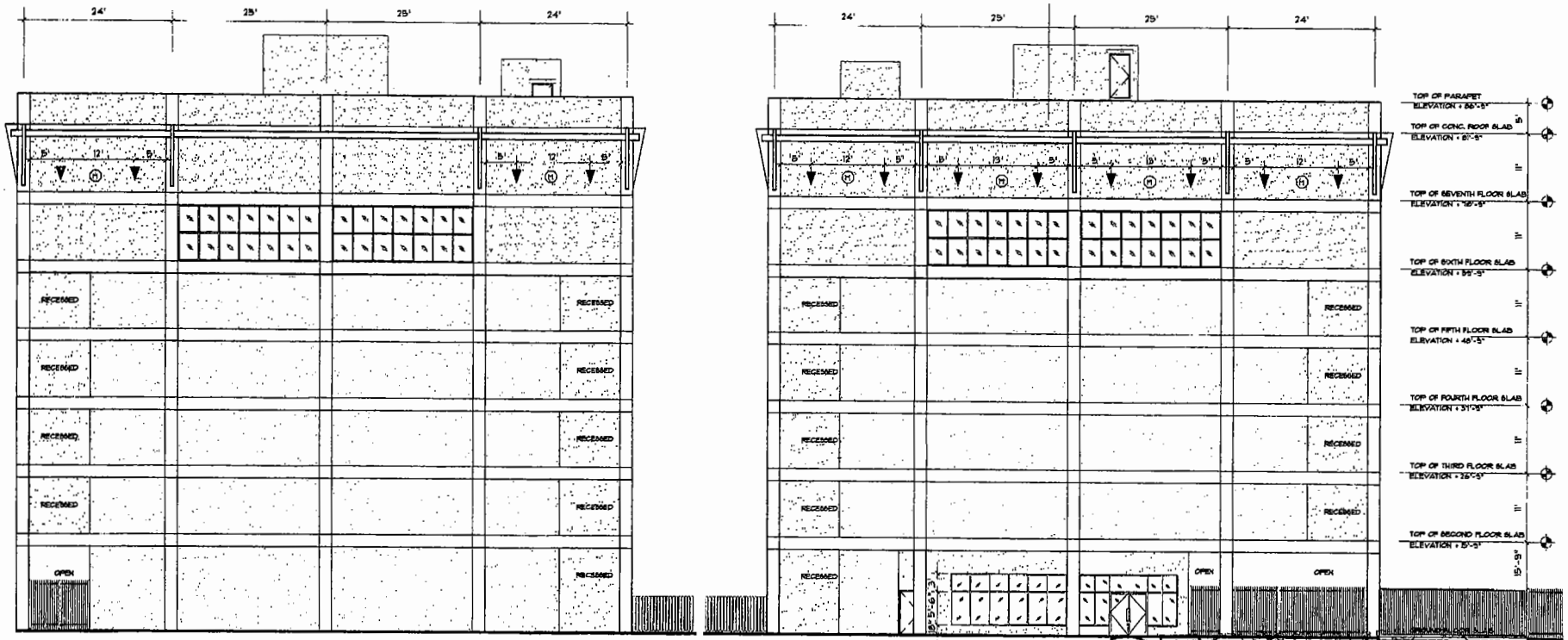
project information
date: 03.19.2012
project number: 11.32

sheet title:
Storage Building #7
Site#1 South Elevation

sheet number:
A7.5

file:
a7.5-elevations.dwg

65



East Elevation
Scale: 1/8" = 1'-0"

West Elevation
Scale: 1/8" = 1'-0"

RECEIVED
AUG 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

vha design, inc.
p.o. box 142116
coral gables, fl 33114-2116
v. 305.443.3100
f. 305.441.7960
e. info@vhadesign.com

architect of record
William Arthur
License Number: 0012074

seal

design associate:
BAA

These plans and specifications are the exclusive property of VHA Design. Any reproduction, modification, disclosure, and/or use of those materials (or any portion thereof) without VHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owners information
Owner - Imperial Management, LLC.

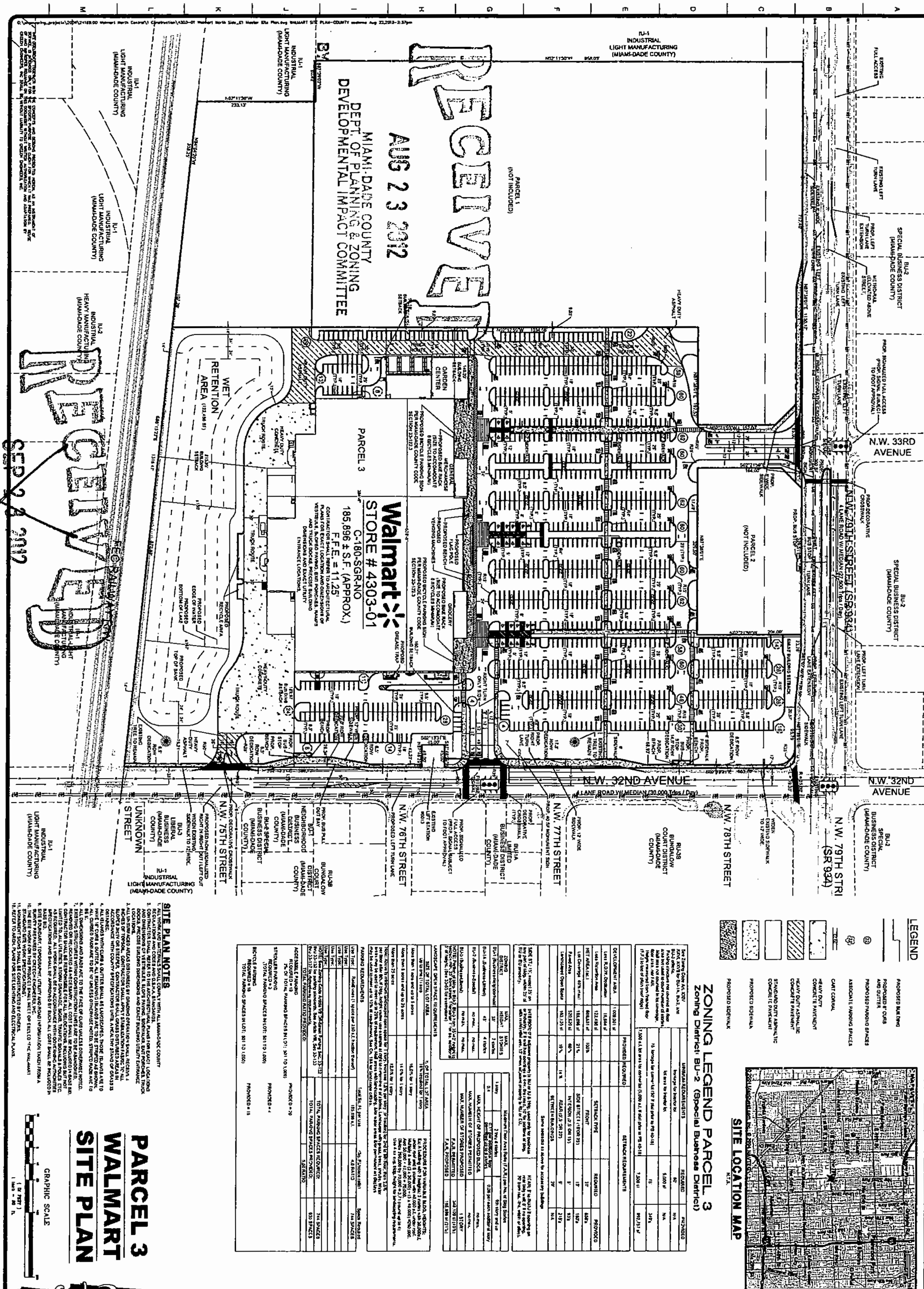
project history:

project information:
date: 03.19.2012
project number: 11.32

sheet title:
Storage Building #7
Site#1 East & West Elevations.

sheet number:
A7.6

file:
a7.6-elevations.dwg



REVISIONS | BY

CREECH ENGINEERS, INC.
7881 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (772) 283-1413
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL

WALMART SUPERCENTER # 4303-01
NORTHSIDE, MIAMI-DADE COUNTY, FLORIDA
WAL-MART STORES, EAST LP.
2001 SE 10TH STREET, BENTONVILLE, AR 72716-0550

C2

66

67

SHEET NOTES

1. INTERIOR PLAN DIMENSIONS ARE TO FACE OF STUD/CMU UNLESS NOTED OTHERWISE

2. THE GROSS LEASABLE AREA: 177,808 SF

THE LEASABLE SQUARE FOOTAGE FOR THE FOLLOWING SPACES:

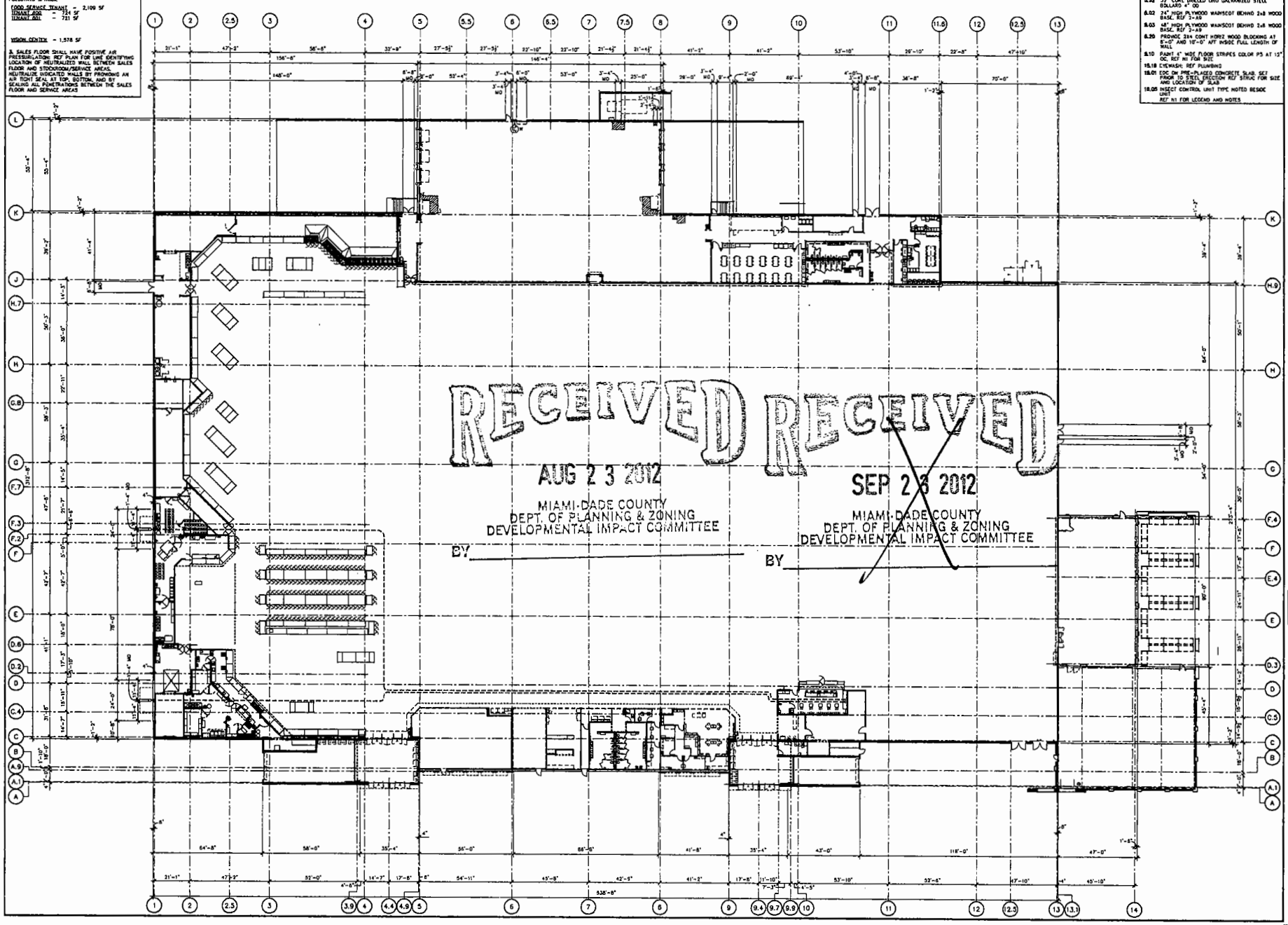
FOOD SERVICE TENANT - 2,109 SF
TENANT 600 - 724 SF
TENANT 601 - 721 SF

VISION CENTER - 1,578 SF

3. SALES FLOOR SHALL HAVE POSITIVE AIR PRESSURIZATION. REF PLAN FOR LINE IDENTIFYING LOCATION OF NEUTRALIZED WALL BETWEEN SALES FLOOR AND STOCKROOM/SERVICE AREAS. NEUTRALIZE INDICATED WALLS BY PROVIDING AN AIR TIGHT SEAL AT TOP, BOTTOM, AND BY SEALING ALL PENETRATIONS BETWEEN THE SALES FLOOR AND SERVICE AREAS

KEYNOTES

1.07 BALER/COMPACTOR
REF DA2 FOR EQUIPMENT LEGENDS
4.21 24" x 24" MASONRY OPENING AT GENERATOR CABLE RACEWAY. BOTTOM AT 6" AFF
REF ELEC
5.52 33" CORE DRILLED UNO GALVANIZED STEEL BOLLARD 4" OD
6.02 24" HIGH PLYWOOD WAINSCOT BEHIND 2x8 WOOD BASE. REF 2-A9
6.03 48" HIGH PLYWOOD WAINSCOT BEHIND 2x8 WOOD BASE. REF 2-A9
6.20 PROVIDE 2x4 CONT HORIZ WOOD BLOCKING AT 8'-0" AND 10'-0" AFF INSIDE FULL LENGTH OF WALL
9.10 PAINT 4" WIDE FLOOR STRIPES COLOR P5 AT 12" OC. REF N1 FOR SIZE
15.18 EYEWASH: REF PLUMBING
18.01 EDC ON PRE-PLACED CONCRETE SLAB. SET PRIOR TO STEEL ERECTION REF STRUC FOR SIZE AND LOCATION OF SLAB
18.05 INSECT CONTROL UNIT TYPE NOTED BESIDE UNIT
REF N1 FOR LEGEND AND NOTES



RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

B|R|R architecture

STIPULATION FOR REUSE

CONSULTANTS

Walmart
NORTHSIDE (MIAMI), FL
STORE NO. 4303-01
JOB NUMBER: 97100199 PROTO: 180

ISSUE BLOCK

CHECKED BY:	
DRAWN BY:	
FILE NAME:	180-A010
PROTO CYCLE:	012712
DOCUMENT DATE:	070512

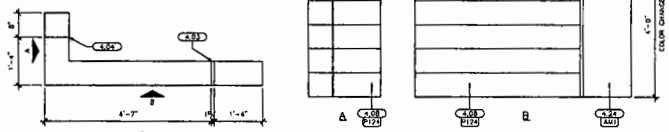
PRELIMINARY NOT FOR CONSTRUCTION.

FLOOR PLAN

SHEET: A1

7/9/2012 2:15:56 PM

NOTE:
1. LOCATE WHERE DIRECTED BY WALMART CONSTRUCTION MANAGER.
2. CLEAN 1/2 OF WALL IN ACCORDANCE WITH CLEANING REQUIREMENTS. LEAVE REMAINDER UNCLEANED FOR COMPARISON.
3. CONSTRUCTION MANAGER SHALL APPROVE MOCK UP BEFORE PROCEEDING WITH MASONRY INSTALLATION.
4. LEAVE FIELD SAMPLE IN PLACE UNTIL PROJECT COMPLETION. MOCK-UP WILL NOT REMAIN AS PART OF WORK.



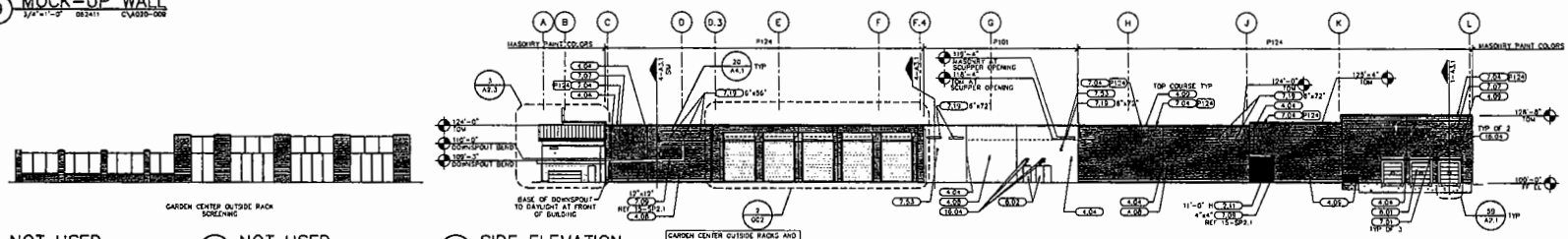
9 MOCK-UP WALL
3/4"=1'-0" 082411 CVA030-009

KEYNOTES	KEYNOTES	KEYNOTES	SHEET NOTES
1.06 FUTURE TENANT SIGNAGE LOCATION IF APPROVED BY AUTHORITIES HAVING JURISDICTION. TENANT SHALL BE RESPONSIBLE FOR ALL TENANT SIGN INSTALLATIONS, PERMIT COSTS, AND SIGN COSTS. REF ELECTRICAL FOR JUNCTION BOX LOCATION AND POWER REQUIREMENTS	4.04 CONTROL JOINT TYP REF STRUCTURAL 4.08 SPLIT FACE CMU 4.09 SMOOTH FACE CMU 4.21 24" x 24" MASONRY OPENING AT GENERATOR CABLE RACEWAY, BOTTOM AT 8" AFF REF ELEC.	7.04 METAL PARAPET COPING 7.07 ROOF LINE BEYOND 7.09 METAL DOWNSPOUT PAINTED UNO (SIZE NOTED BESIDE KEYNOTE) 7.18 OVERFLOW SCUPPER (SIZE NOTED BESIDE KEYNOTE)	1. DOWNSPOUTS ARE INDICATED FOR SIZE, QUANTITY, AND APPROXIMATE LOCATION ONLY 2. GUTTERS, DOWNSPOUTS, OVERFLOW DRAIN LEADERS, DOOR HOODS, HOLLOW METAL STEEL DOORS, FRAMES, EXPOSED METAL FLASHING, AND EXPOSED MISCELLANEOUS STEEL SHALL MATCH ADJACENT BUILDING COLOR UNO. IF THERE ARE TWO ADJACENT COLORS AT DOORS USE THE TOP COLOR FOR THE ENTIRE DOOR.
2.11 BLACK VINYL COATED CHAIN LINK FENCING WITH BLACK PLASTIC SCREENING SLATS INSTALLED VERTICALLY (HEIGHT NOTED BESIDE KEYNOTE)	4.34 ARCHITECTURAL MASONRY 4.35 40"W X 36"H OPENING AT TRASH COMPACTOR. BOTTOM OF OPENING IS 42" AFF REF 11-SP2	7.33 ROOFING MEMBRANE 7.53 SECONDARY OVERFLOW DRAIN 8.01 SECTIONAL OVERHEAD DOOR TYP	3. PARAPET STEPS OCCUR AT CONTROL JOINTS REF STRUCTURAL FOR CONTROL JOINT LOCATIONS. REF 13-A3.7 AND 2-AA.2 FOR FLASHING CONDITION
2.12 BLACK VINYL COATED CHAIN LINK FENCING (HEIGHT NOTED BESIDE KEYNOTE)	5.00 JIB CRANE HOIST ARM AND RAILING ASSEMBLY	8.02 HOLLOW METAL DOOR AND FRAME TYP PAINTED	4. DRINO SPLIT FACE CMU SMOOTH AT ANY BRACKET ATTACHMENTS
3.00 CONCRETE CURB	5.27 METAL CANOPY DECK AND STRUCTURE, WITH EXPOSED SURFACES PAINTED	9.83 10' x 10' PAINT TEST AREA REF SPECIFICATIONS	5. OVERFLOW DRAIN OPENINGS SHALL NOT BE PLACED IN JAMB AREA ADJACENT TO EDGE OF SCUPPER OPENINGS REF STRUCTURAL FOR WIDTH OF JAMB
3.06 CONCRETE TRANSFORMER PAD. REF CIVILS FOR LOCATION, COORDINATE SIZE, REINFORCING, AND THICKNESS WITH LOCAL UTILITY	7.01 SHEET METAL DOOR HOOD PAINTED	10.01 FLAGPOLE	6. PAINT TRANSITIONS OCCUR AT BUILDING CONTROL JOINTS, UNLESS NOTED OTHERWISE
4.03 EXPANSION JOINT	7.03 METAL GUTTER PAINTED UNO (SIZE NOTED BESIDE KEYNOTE)	10.02 LOCKABLE FLAGPOLE CLEAT	
		16.04 EXTERIOR LIGHT FIXTURE	

COLOR LEGEND

PS	"SAFETY YELLOW" OSHA STANDARD
P20	"REDDENED EARTH" SW #6053
P23	"COBBLE BROWN" SW #6082
P100	"EXTERIOR PROMENADE CAMEL" SW #7684 (EXT)
P128	"MEADOWLARK" SW #7532
AM1	ARCHITECTURAL MASONRY TO MATCH "PROMENADE BLEND" BY OUR BRK REF SPECIFICATIONS

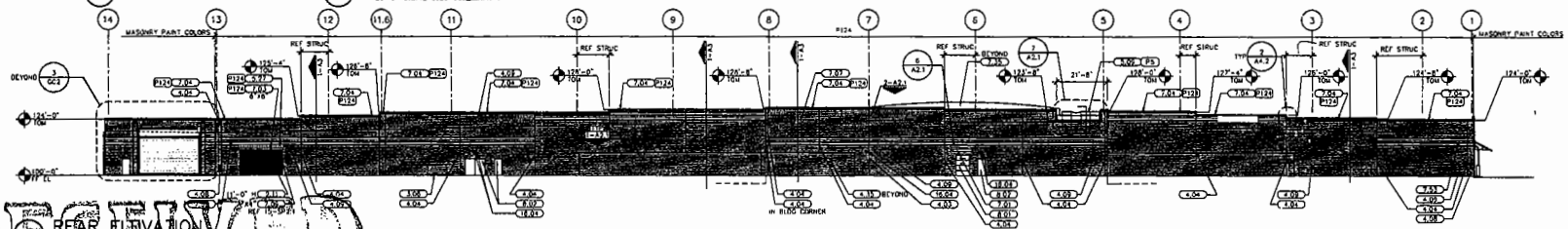
8 NOT USED



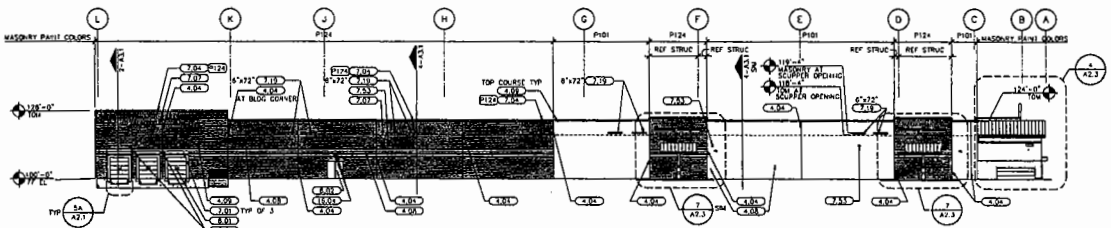
7 NOT USED

6 NOT USED

5 SIDE ELEVATION
1"=20'-0" 012712 a020-005_ELNPK-1

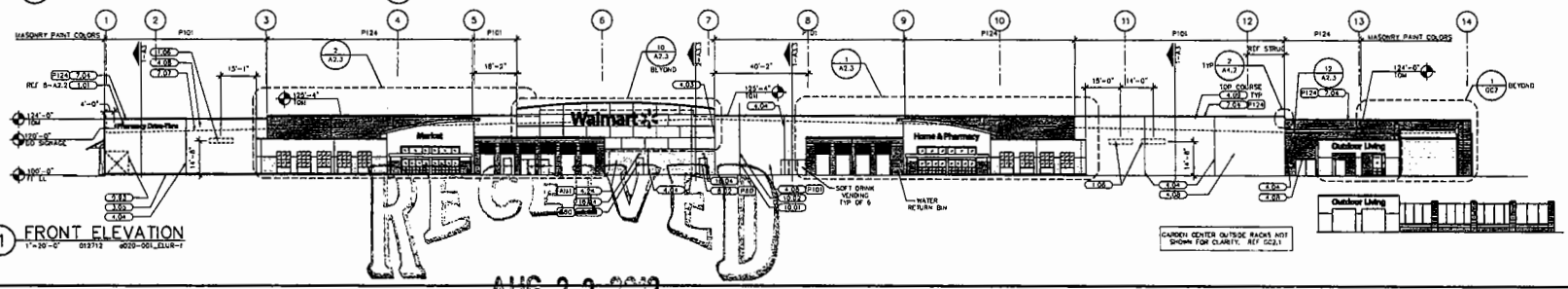


4 REAR ELEVATION
1"=20'-0" 012911 a020-006_ELNPK-1



3 NOT USED

2 SIDE ELEVATION
1"=20'-0" 012712 a020-003_ELNPK-1



1 FRONT ELEVATION
1"=20'-0" 012712 a020-001_ELNR-1

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

B|R|R architecture

SIMULATION FOR REUSE

CONSULTANTS

Walmart
NORTHSIDE (MIAMI), FL
STORE NO. 4303-01 180
JOB NUMBER: 8TH00180 PHOTO:

ISSUE BLOCK

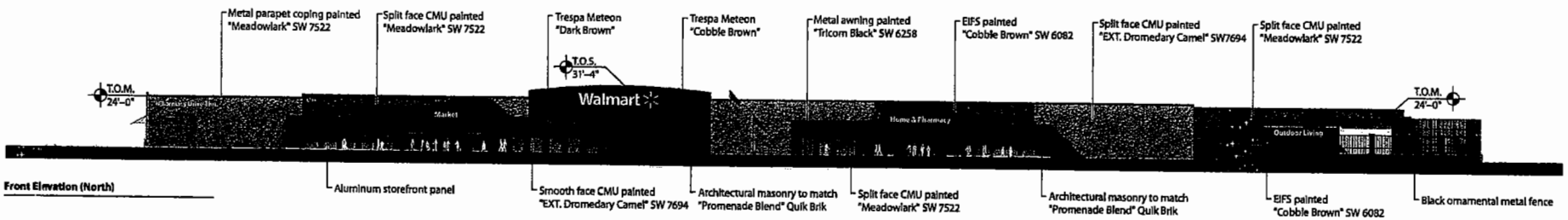
CHECKED BY:	
DRAWN BY:	
FILE NAME:	180-A020
PHOTO CYCLE:	012712
DOCUMENT DATE:	070512

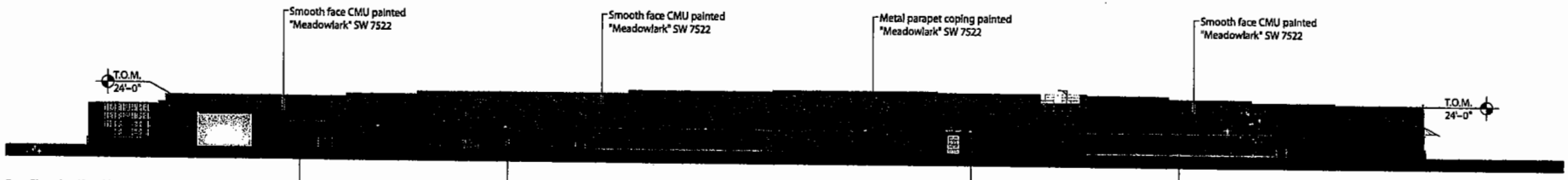
PRELIMINARY NOT FOR CONSTRUCTION.

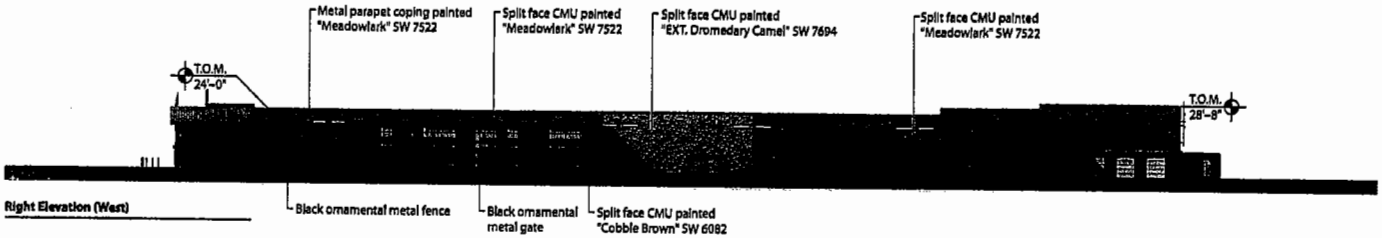
EXTERIOR ELEVATIONS

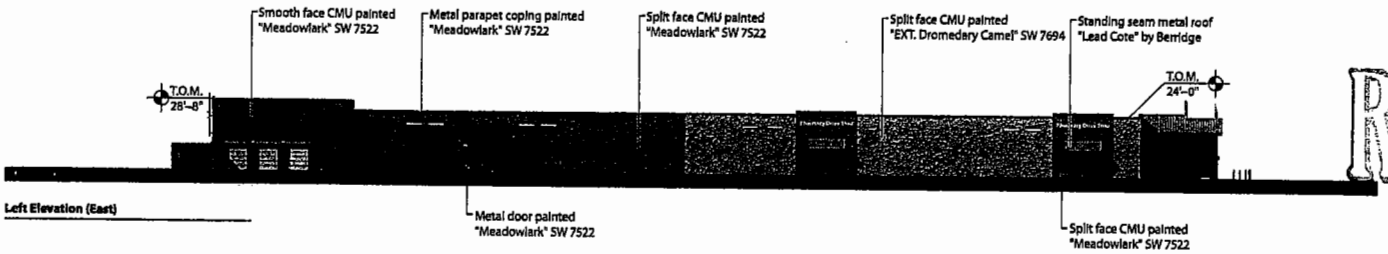
SHEET: A2

7/9/2012 2:11:30 PM









Sign	Qty.	Height	Area (S.F.)	Total S.F.
Walmart	1	5'-6"/8'-0"	298.00	298.00
Market	1	2'-6"	28.17	28.17
Home & Pharmacy	1	2'-6"	97.66	97.66
Outdoor Living	1	2'-6"	77.17	77.17
Pharmacy Drive-Thru	2	1'-6"	39.90	79.80
Pharmacy Drive-Thru	1	2'-6"	74.78	74.78
			Total Building Signage	655.58

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

Walmart

B|R|R architecture	June 22, 2012	Northside Miami, FL #4303 - New Store	Elevations	1

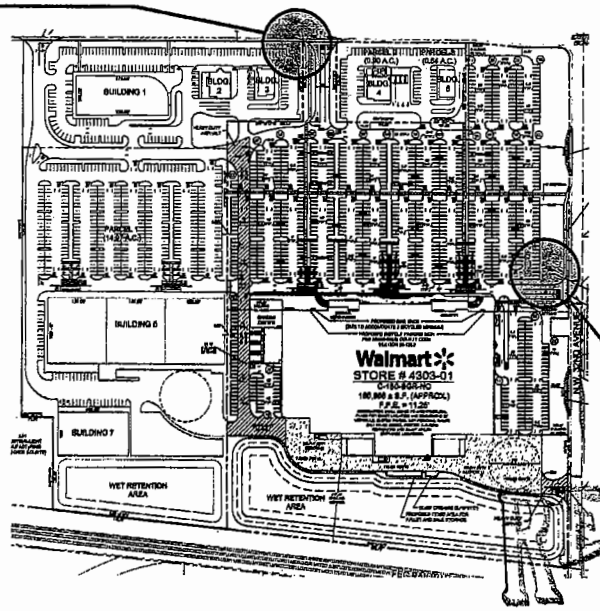
RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION The building images shown are a representation of the current design intent only. The building images may not reflect variations in color, tone, hue, tint, shading, finish, light, texture, contrast, font style, construction variations required by building codes or inspectors, material availability or final design detailing.

Sign	Qty.	Illumination	Area (S.F.)	Total S.F.
Walmart	1	Internal	80.75	80.75
Walmart	1	Internal	36.00	36.00
		Total Site Signage		**116.75**

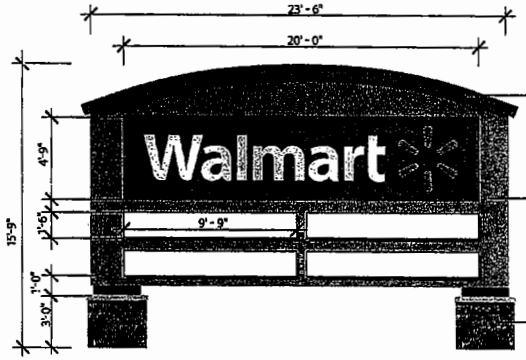
RECEIVED
AUG 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

Development Monument Sign



Monument Sign

RECEIVED
SEP 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY



Internally illuminated sign cabinet. Color supplied by Walmart

Textured finish painted "EXT. Dromedary Camel" SW 7694

Split face CMU painted "Meadowlark" SW 7522

Development Monument Sign Front Elevation

Side Elevation

Internally illuminated Cabinet "Duranodic Bronze"

Flex Face "Walmart Blue" PMS 285C

Split face CMU painted "Meadowlark" SW 7522

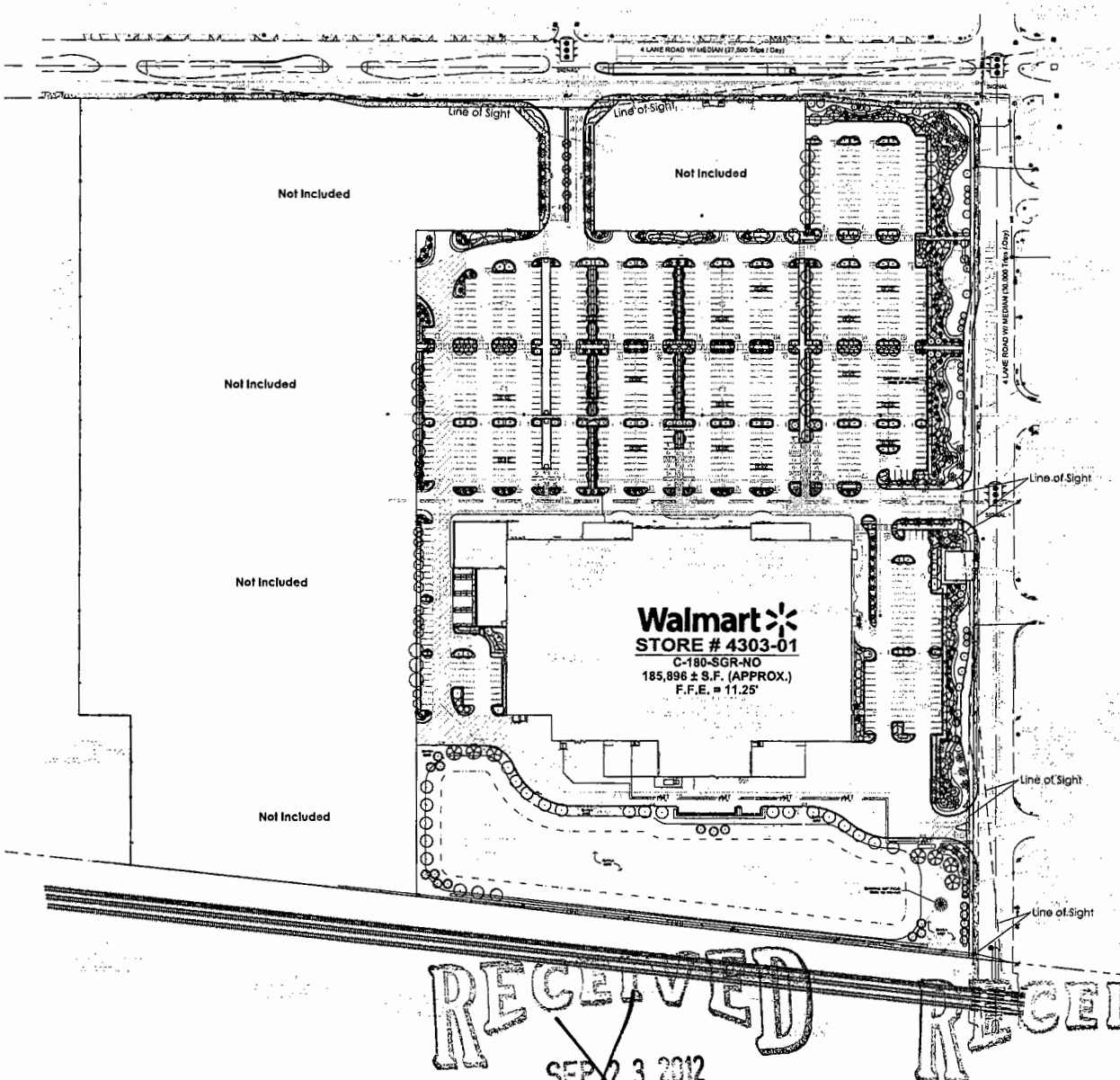
Monument Sign Front Elevation

Side Elevation

Walmart

B|R|R architecture	June 22, 2012	Northside Miami, FL #4303 - New Store	Site Signage Calculations	2

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION The building images shown are a representation of the current design intent only. The building images may not reflect variations in color, tone, hue, tint, shading, ambient light intensity, materials, texture, contrast, font style, construction variations required by building codes or inspectors, material availability or final design detailing.



Landscape Legend

Net Lot Area: 869,651 SQ.FT. (19.96 Ac.)

Zoning District: BU- 2

Open Space	Required	Provided
A. Square Feet of open space required by Chapter 33, as indicated on site plan: (Net lot area = 869,651 s.f. x 14%)	121, 751 s.f.	
B. Square Feet of Parking lot open space required by Chapter 18A, as indicated on site plan: (930 spaces x10 s.f. per parking spaces)	9,300 s.f.	
C. Total s.f. of landscaped open space required by Chapter 33: (A + B)	131,051 s.f.	163, 357 s.f.

Lawn Area Calculation	Max. Permit.	Provided
A. 131,051 total s.f. of landscaped open space required by Chapter 33		
B. Max low area (sod) permitted = (20% x 131,051) (Drought tolerant Grasses not included)	26, 210 s.f.	17,890 s.f.

Trees	Required	Provided
A. No. trees required per net lot acre (22 trees x Net lot acres (19.96 ac.)) =	440 Trees	440 Trees
B. % Palms Allowed: No. trees provided x 30% (489 x 30% = 146)	146 Palms (2:1 Ratio)	134 Palms
% Palms permitted to count as street tree on 1:1 basis x 30% (49 x 30%)	17 Palms	8 Palms
C. % Natives Required: No. of trees provided x 30% (489 Prov. Trees x 30%)	147 Trees	252 Trees
D. Street trees: Maximum average spacing of 35' o.c.: (272 LF along street / 35' o.c.)	8 Trees	8 Trees
E. Street trees: Located directly adjacent to power lines: (1,027 LF along street / 25' o.c.)	41 Trees	41 Trees
Total Trees Required:	489 Trees	489 Trees

Shrubs	Required	Provided
A. No. Shrubs required : (489 Trees Required x 10) =	4,890 Shrubs	9,263 Shrubs
B. % Natives Required: No. of Shrubs required (4,890 x 30%) =	1,467 Shrubs	5,211 Shrubs

Tree Requirements

1. All Trees except for street trees and trees located beneath powerlines, shall be a min. of 10' and have a min. DBH of 2 inches at time of planting.
2. Street trees shall have a 4' clear trunk, a min. overall height of 12' and a min. DBH of 2 inches at time of planting.
3. Palms shall have a min. 10' overall height or min. Cal. of 3 inches at time of planting and count as a required tree on the basis of 2 palms per tree, except as provided herein for palms used as street trees. Palms used as a street tree shall have a 14' min. height or min. Cal. of 4 inches at time of planting.

Shrub Requirements

1. All shrubs shall be a min. of 18 inches in height when measured immediately after planting.
2. Ground cover plants used in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one year after planting.

Notes:

1. See Sheet L-6 for Plant schedule And Landscape Details.

Scale: 1" = 80'

0' 40' 80' 160' 240'

North

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

HJA DESIGN STUDIO
31 E. Ocean Blvd.
Stuart, Florida 34994
T 772.678.7200
F 772.678.7201
www.hjadesignstudio.com

Walmart Supercenter #4303-01

Miami - Dade County Florida

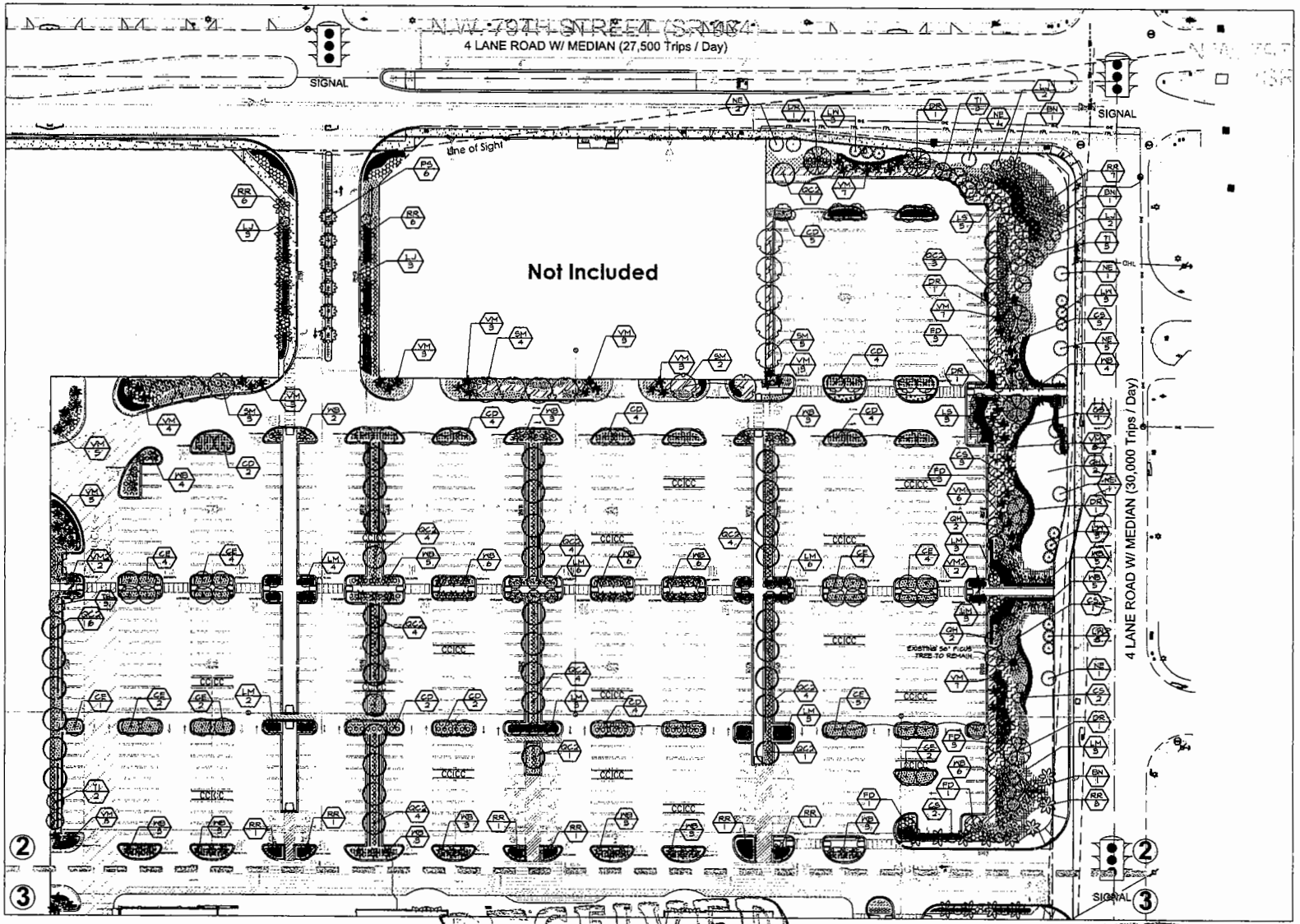
Overall Landscape Plan

Copyright
The following drawings and the elements of which they are composed (drawings). They are not to be used, in whole or in part, for any purpose whatsoever, without the written permission of HJA Design Studio, LLC. HJA Design Studio, LLC shall retain all common law, statutory and other reserved rights, including the copyright thereto. Unauthorized use of these drawings without the written permission of HJA Design Studio, LLC will constitute infringement of HJA Design Studio, LLC's rights and will subject the infringer to liability for damages, including, but not limited to, actual damages, profits derived by the infringer from the infringement, statutory damages of up to $150,000 per infringement, costs and attorneys' fees. These drawings are not to be changed or copied in any form or manner whatsoever nor are they to be assigned to any third party without first obtaining the written permission and consent of HJA Design Studio, LLC.

Job No. 11036
Drawn By: TT
Checked By: MH
Approved By: MH
Submittal Dates: 9/20/12
7/09/12
Revision Dates: 8/22/12

L-1

72



HJA DESIGN STUDIO
31 E. Ocean Blvd.
Stuart, Florida 34994
T 772.678.7200
F 772.678.7201
www.hjadesignstudio.com

Walmart Supercenter #4303-01

Miami - Dade County Florida

Landscape Tree Plan

Copyright
The following drawings are instruments of service to the Landscape Architect. They are the property of design, all ideas, designs, arrangements, and plans indicated or represented by this drawing are owned by and the property of the designer and were created, evolved and developed for use on and in connection with the specified project. None of such ideas, designs, arrangements, or plans shall be used by or disclosed to any person, firm, or corporation for any purpose whatsoever without the written permission of the designer.

Job No.	11036
Drawn By	TT
Checked By	MH
Approved By	MH
Submittal Dates	3/20/12
	7/09/12
Revision Dates	8/22/12

L-2

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

Notes

1. See Sheet L-6 for Plant schedule And Landscape Details.

Scale: 1" = 40'

0' 20' 40' 80' 120'

North

73

HJA DESIGN STUDIO
31 E. Ocean Blvd.
Stuart, Florida 34994
T 772.678.7200
F 772.678.7201
www.hjadesignstudio.com

Walmart Supercenter #4303-01

Miami - Dade County Florida

Landscape Tree Plan

Copyright

Job No.	11036
Drawn By	TT
Checked By	MH
Approved By	MH
Submittal Dates	3/20/12
	7/09/12
Revision Dates	8/22/12

L-3

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

Notes

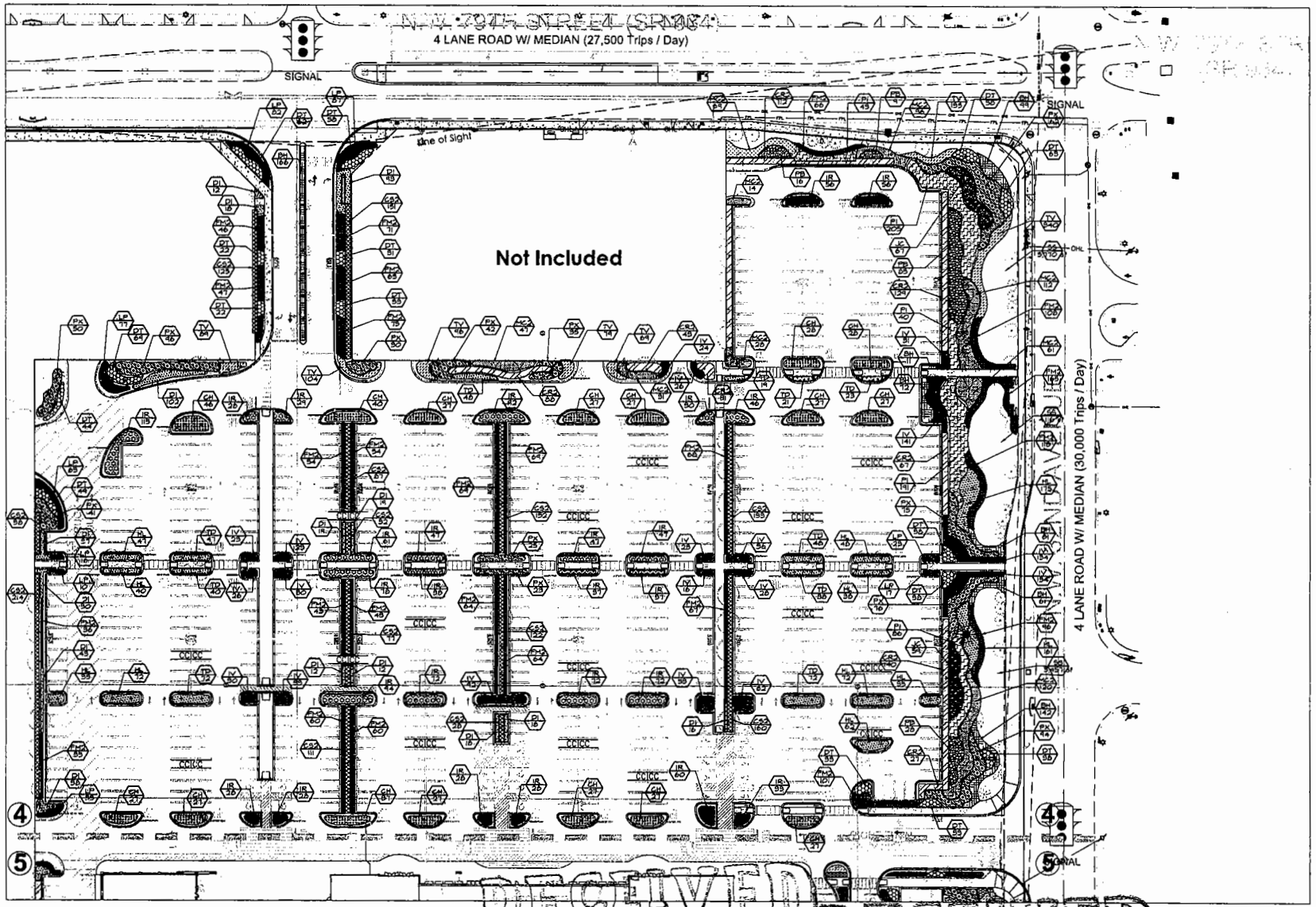
1. See Sheet L-6 for Plant schedule And Landscape Details.

Scale: 1" = 40'

0' 20' 40' 80' 120'

North

74



RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
SEP 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

Notes

1. See Sheet L-6 for Plant schedule And Landscape Details.

Scale: 1" = 40'

0' 20' 40' 80' 120'

North

HJA DESIGN STUDIO
31 E. Ocean Blvd.
Stuart, Florida 34994
T 772.678.7200
F 772.678.7201
www.hjadesignstudio.com

Walmart Supercenter #4303-01

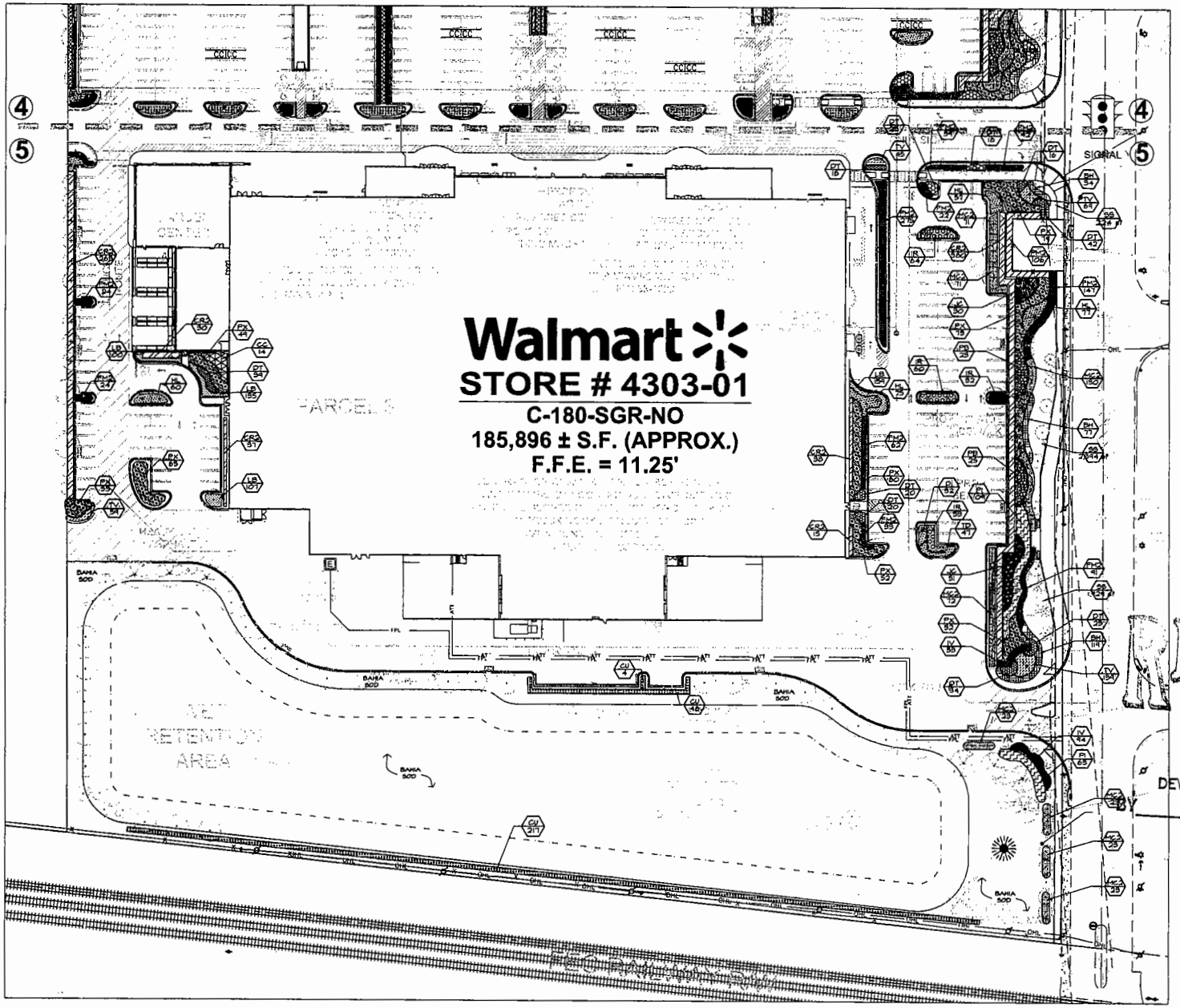
Miami - Dade County Florida

Landscape Shrub Plan

Job No. 11036
Drawn By TT
Checked By MH
Approved By MH
Submittal Dates 5/20/12

Revision Dates 8/22/12

L-4



HJA DESIGN STUDIO
31 E. Ocean Blvd.
Stuart, Florida 34994
T 772.678.7200
F 772.678.7201
www.hjadesignstudio.com

RECEIVED
AUG 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

Walmart Supercenter #4303-01

Miami - Dade County Florida

Landscape Shrub Plan

Scale: 1" = 40'

0' 20' 40' 80' 120'

North

Job No.	11086
Drawn By	TT
Checked By	MH
Approved By	MH
Submittal Dates	8/20/12
Revision Dates	8/22/12

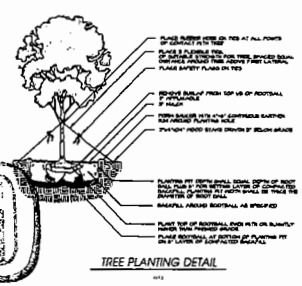
L-5

TREE SCHEDULE

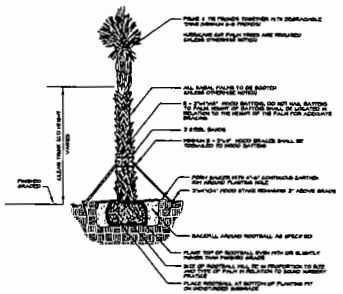
TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	NATIVE	DROUGHT TOL.
	CD	31	Coccoloba diversifolia / Pigeon Plum	10` Ht., 2" Cal. Min.	Yes	High
	CE	49	Conocarpus erectus / Buttonwood	10` Ht., 2" Cal. Min.	Yes	High
	CS	26	Conocarpus erectus sericeus / Silver Button Wood Multi - Trunk	8 - 10` Min.	Yes	High
	DR	15	Delonix regia / Royal Poinciana	14 - 16` , 4" Cal.	Yes	High
	FD	18	Ficium decipiens / Japanese Fern Tree	10 - 12` Ht., 2" Cal. Min.	no	Medium
	LM	44	Lagerstroemia indica " Muskogee " / Crape Myrtle Multi - Trunk	10` Ht., 2" Cal. Min.	Yes	High
	LS	9	Lagerstroemia speciosa / Queen` s Crape Myrtle	10` - 12` Ht. x 6` - 8` Spr., 2" Cal. Min.	no	High
	LW	18	Lagerstroemia x Natchez " White Crape Myrtle Multi-Trunk	12` Ht., 2" Cal. Min.	no	High
	LJ	10	Ligustrum japonicum / Japanese Privet	8` Ht. x 8` Spr. , Multi - Stem Tree Form	no	High
	NE	23	Noronha emarginata / Madagascar Olive	50 Gal., 12 - 14` Ht. x 6 - 8` , 2.5" Cal.	no	High
	QC	26	Quercus virginiana Cathedral " / Cathedral Live Oak	12` x 6 , 2 - 2.5" Cal.	Yes	High
	QC2	46	Quercus virginiana "Cathedral" / Cathedral Live Oak	3.5" Cal., 16` x 8` , 5` Ct. Min.	Yes	High
	QH	4	Quercus virginiana " High Rise " / High Rise Live Oak 20 -25` Mature Spread	14 - 16` Ht., 4" Cal., 5` Ct. Min.	Yes	High
	SM	17	Swietenia mahagoni / West Indian Mahogany	3.5" Cal., 16` x 8 , 5` Ct. Min.	Yes	High
	TH	10	Tabebuia heterophylla / Pink Tabebuia	10 - 12` Ht. x 5 - 6` , 2" Cal. Min.	no	High
	TI	10	Tabebuia impetiginosa / Purple Trumpet Tree	10 - 12` Ht. x 5 - 6` , 2" Cal. Min.	no	High
	TD2	13	Taxodium distichum / Bald Cypress	10` Ht., 2" Cal. Min.	Yes	High
PALM TREES	**CODE**	**QTY**	**BOTANICAL NAME / COMMON NAME**	**SIZE**	**NATIVE**	**DROUGHT TOL.**
	BN	6	Bismarckia nobilis / Bismark Palm	100 Gal., 10 - 12` Ht.	no	Medium
	PM	3	Phoenix roebelenii / Pigmy Date Palm Multi-Trunk	5` - 7` Ht	no	High
	PS	6	Phoenix sylvestris / Wild Date Palm	10` Ht. min.	no	High
	RR	50	Roystonea regia / Florida Royal Palm	10` GW	Yes	High
	VM	95	Veitchia montgomeryana / Montgomery Palm	10` Ht. min.	no	High
	VM2	6	Veitchia montgomeryana / Montgomery Palm Multi - trunk specimen - Triple	10` Ht. min.	no	
	WB	87	Wodyetia bifurcata / Foxtail Palm	10` Ht. min.	no	High

SHRUB SCHEDULE

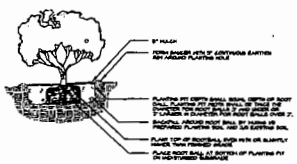
SHRUB & GROUNDCOVERS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE / SPACING	DETAILS	NATIVE	DROUGHT TOLERANT
	BH	842	Bougainvillea x " Helen Johnson" / Dwarf Bougainvillea	3 gal@ 24" oc	12" Ht. x 12" Spr.	No	High
	CC	14	Chamaedorea cataractarum / Cascade Palm	5 gal@ 60" oc	3` - 4` Ht	No	High
	CH	476	Chrysobalanus icaco " Horizontal" / Dwarf Horizontal Cocoplum	3 gal@ 36" oc	12" Ht. x 18" Spr.	Yes	High
	CR2	1,516	Chrysobalanus icaco " Red Tip " / Red Tip Cocoplum	3 gal@ 30" oc	24" Ht. x 24" Spr	Yes	High
	CU	269	Coccoloba uvifera / Sea Grape	5 gal@ 48" oc	36" Ht. Min.	Yes	High
	CS2	1,431	Conocarpus erectus sericeus / Silver Button Wood	3 gal@ 24" oc	24" Ht. x 18" Spr.	Yes	High
	DT	946	Dianella tasmanica " variegata" / Variegated Flax Lily	1 gal@ 24" oc		no	High
	DI	549	Dietes iridioides / White African iris	1 gal@ 24" oc	18" Ht., Full Pot	No	High
	FM2	2,534	Ficus microcarpa " Green Island " / Green Island Ficus " Sun Grown	3 gal@ 24" oc	12" Ht. x 12" Spr.	no	High
	HL	1,054	Hymenocallis latifolia / Spider Lily	3 gal@ 24" oc		Yes	High
	IV	1,112	Ilex vomitoria " Schillings Dwarf " / Dwarf Schillings Holly " Sun Grown	3 gal@ 24" oc	18" Ht. x 18" Spr.	Yes	High
	IR	1,568	Ixora coccinea / Red Ixora	3 gal@ 24" oc	18" Ht. x 18" Spr.	No	Medium
	JC	207	Jatropha integerrima " Compacta " / Compact Spicy Jatropha	5 gal@ 42" oc	3` - 4` Ht.	No	High
	LP	439	Lantana montevidensis / Trailing Lantana 50% Purple & 50% White Var., Mix Together	1 gal@ 24" oc		No	High
	LB	501	Liriope muscari " Big Blue " / Big Blue Lilyturf	1 gal@ 15" oc		No	High
	MC2	883	Muhlenbergia capillaris / Pink Muhly	3 gal@ 36" oc	18" - 24" Ht. , Full	Yes	Medium
	PB	186	Philodendron bipinnatifidum " Cut Leaf Philodendron	7 gal@ 48" oc	36" Ht. x 36" Spr.	No	Medium
	PX	1,232	Philodendron selloum " Xanadu " / Split Leaf Philodendron	3 gal@ 36" oc	18" Ht. x 18" Spr.	no	High
	PI	737	Plumbago auriculata " Imperial Blue " / Plumbago	3 gal@ 36" oc	18" - 24" Ht. x Spr	no	High
	PM2	106	Podocarpus macrophyllus / Yew Pine	3 gal@ 30" oc		No	Medium
	TD	475	Tripsacum floridanum " Florida Gamagrass	3 gal@ 24" oc	20 - 24" F	Yes	High
	TV	1,224	Tulbaghia violacea / Society Garlic	1 gal@ 18" oc		no	High
SOD/SEED	**CODE**	**QTY**	**BOTANICAL NAME / COMMON NAME**	**CONT**			
	SS	17,690 sf	Stenotaphrum secundatum / St. Augustine Grass	sod			



TREE PLANTING DETAIL



PALM PLANTING DETAIL



SHRUB/GROUNDCOVER PLANTING DETAIL

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

RECEIVED
AUG 2 3 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

HJA DESIGN STUDIO
31 E. Ocean Blvd.
Stuart, Florida 34994
T 772.678.7200
F 772.678.7201
www.hjadesignstudio.com

Walmart Supercenter #4303 - 01

Miami - Dade County Florida

Landscape Schedule & Details

Copyright
The following drawing(s) is/are the property of HJA Design Studio and may not be used in any way without the express written permission of HJA Design Studio. All common law rights are reserved. Unauthorized use of this drawing will invalidate any liability to the designer, and holds the user responsible for any and all damages, costs, and attorney's fees incurred in connection with the unauthorized use. Title of ownership of the original drawing(s) is vested in HJA Design Studio. Reproduction of this drawing(s) without the designer's written permission is unlawful and will be subject to legal action. Visual contact with these drawings shall constitute prima facie evidence of acceptance of these restrictions.

Job No. 11086
Drawn By TT
Checked By MH
Approved By MH
Submittal Dates 8/20/12

Revision Dates 8/22/12

COLOR LEGEND

P1D1	"EXTERIOR DRIVEWAY CANVAS" SW #7694 (EAT)
P12A	"MEADOWLARK" SW #7522
PT-1	LEAD COTE

REF SPECIFICATIONS

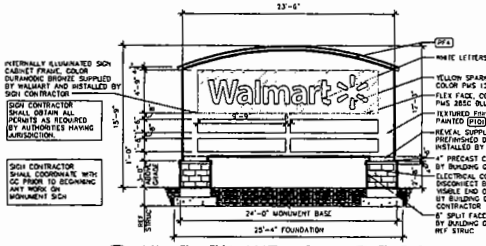
SITE SIGNAGE SCHEDULE — A022-SITE 043010

SIGNAGE	QTY	COLOR	INDIVIDUAL AREA	TOTAL AREA
Remote Monument (INTERNALLY ILLUMINATED)	1	WHITE LETTERING; YELLOW SPARK	38.00 SF	38.00 SF
Walmart Monument (INTERNALLY ILLUMINATED)	1	WHITE LETTERING YELLOW SPARK	95.00 SF	95.00 SF
Tenant (INTERNALLY ILLUMINATED)	4	Unknown	15.00 SF	60.00 SF
TOTAL SITE SIGNAGE				191.00 SF

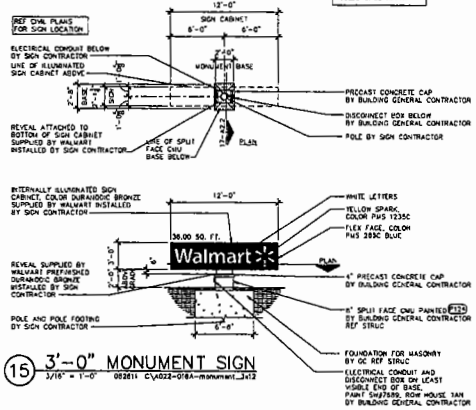
BUILDING SIGNAGE SCHEDULE — C:\A022-SIGN 082611

FRONT SIGNAGE	QTY	COLOR	INDIVIDUAL AREA	TOTAL AREA
Walmart (logo)	1	WHITE	298.00 SF	298.00 SF
<-- Pharmacy Drive-Thru	1	YELLOW		
Kanal	1	WHITE	74.66 SF	74.66 SF
Home & Pharmacy	1	WHITE	28.17 SF	28.17 SF
Outdoor Living	1	WHITE	97.88 SF	97.88 SF
	1	WHITE	77.17 SF	77.17 SF
TOTAL FRONT SIGNAGE				575.86 SF
PHARMACY DRIVE-THRU SIGNAGE				
Pharmacy Drive-Thru	2	WHITE	39.80 SF	79.60 SF
TOTAL PHARMACY DRIVE-THRU SIGNAGE				79.60 SF
TOTAL BUILDING SIGNAGE				655.46 SF

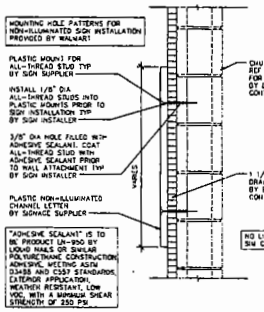
SIGN CONTRACTOR IS RESPONSIBLE FOR ENSURING ALL PERMITS ARE SUBMITTED AND PULLED ONCE APPROVED



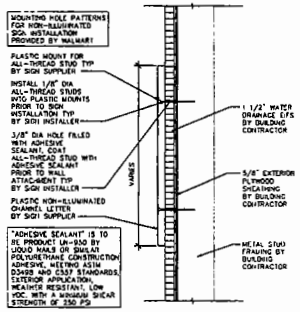
16 MULTI-TENANT MONUMENT SIGN
3/16" = 1'-0" 082811 C:\a022-018-multi-monument
SIGNAGE PANELS = 155 sq.ft.
SIGN STRUCTURE = 300 sq.ft.



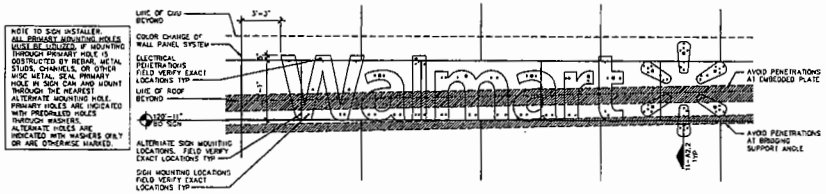
15 3'-0" MONUMENT SIGN
3/16" = 1'-0" 082811 C:\a022-018A-monument_3x12



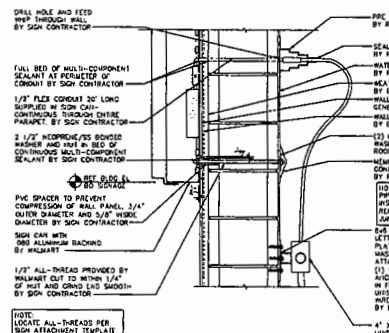
14 SIGN ATTACHMENT
1 1/2"=1'-0" 043010 C:\A022-014a



13 SIGN ATTACHMENT
1 1/2"=1'-0" 043010 C:\A022-013a

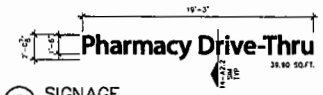


12 SIGN LOCATION
1/4" = 1'-0" 082811 A022-013a_ELMPN

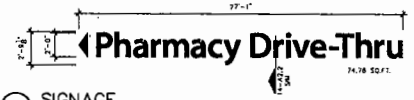


11 SIGN ATTACHMENT
1 1/2"=1'-0" 043010 C:\A022-011a

10 NOT USED



9 SIGNAGE
1/4" = 1'-0" C:\A022-009



8 SIGNAGE
1/4" = 1'-0" C:\A022-008_R

7 NOT USED

8 NOT USED

RECEIVED
AUG 23 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

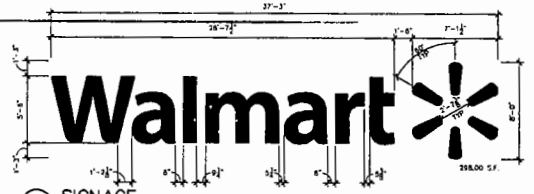
5 SIGNAGE
1/4" = 1'-0" C:\A022-005

4 SIGNAGE
1/4" = 1'-0" C:\A022-004

3 SIGNAGE
1/4" = 1'-0" C:\A022-003

NOTE: SQUARE FOOTAGE NOT INCLUDED IN BUILDING SIGNAGE SCHEDULE

2 SIGNAGE
1/4" = 1'-0" C:\A022-002



1 SIGNAGE
1/4" = 1'-0" C:\A022-001

BIRIR architecture

STIPULATION FOR REUSE

CONSULTANTS

Walmart
NORTHSIDE (MIAMI), FL
STORE NO. 4303-01
180
JOB NUMBER 9710180 PERMIT

ISSUE BLOCK

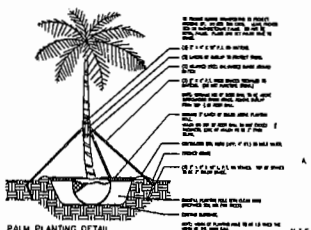
CHECKED BY:	
DRAWN BY:	
FILE NAME:	180-A022
PROJ CYCLE:	012712
DOCUMENT DATE:	070519

PRELIMINARY NOT FOR CONSTRUCTION

SIGNAGE

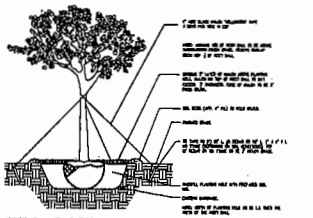
SHEET: A2.2

7/6/2012 2:12:53 PM



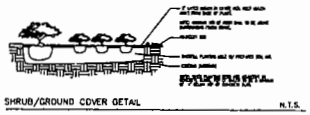
PALM PLANTING DETAIL N.T.S.

LARGE TREE PLANTING DETAIL, SIMILAR



TREE PLANTING DETAIL N.T.S.

TREES WITH 3" CALIPER OR LESS



SHRUB/GROUND COVER DETAIL N.T.S.

PLANT NOTES

1. ALL PLANT MATERIAL TO BE FLORIDA NO. 1 OR BETTER FLORIDA DEPARTMENT OF AGRICULTURE GRADES AND STANDARDS, PARTS I AND II, 2ND EDITION: FEBRUARY 1998, RESPECTIVELY.
2. ALL PLANTING BEDS TO BE TOPPED WITH 3" MULCH EXCLUDING TOP OF ROOT BALL (SEE PALM/ TREE PLANTING DETAIL).
3. ALL TREES TO BE STAKED IN A GOOD WORKMANLIKE MANNER, NO MAN STAKING IN TRUNKS PERMITTED.
4. LANDSCAPE PLAN SHALL BE INSTALLED IN COMPLIANCE WITH ALL LOCAL CODES.
5. ALL SOD SHALL BE ST. AUGUSTINE 'FLORATAM' SOLID SOD, (UNLESS OTHERWISE NOTED) AND LAID WITH ALTERNATING AND ADJUTING JOINTS.
6. ALL PLANTING BEDS TO BE WEED AND GRASS FREE.
7. LANDSCAPE CONTRACTOR SHALL REVIEW ALL DRAWINGS AND PREPARE ONES OWN QUANTITY COUNTS PRIOR TO BID COST AND COMPARE TO ARCHITECT'S PLANT LIST). LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ATTAINING ACCURATE COUNT OF PLANT MATERIALS SPECIFIED. IN THE EVENT OF DISCREPANCIES, LANDSCAPE CONTRACTORS SHALL BRING TO THE ATTENTION OF LANDSCAPE ARCHITECT. PLAN SHALL TAKE PRECEDENCE OVER PLANT LIST.
8. LANDSCAPE CONTRACTOR SHALL LOCATE AND VERIFY ALL UNDER-GROUND UTILITIES PRIOR TO DIGGING.
9. NO CHANGES SHALL BE MADE WITHOUT THE PRIOR CONSENT OF THE LANDSCAPE ARCHITECT.
10. ALL PLANTED AREAS TO RECEIVE 100% COVERAGE BY AN AUTOMATIC IRRIGATION SYSTEM, WITH A MINIMUM OF 50% OVERLAP. RAIN SENSOR TO BE PROVIDED.

LANDSCAPE LEGEND-PARCEL1

Zoning District: BU-2 — Net Lot Area: 14.87 acres 647,999 s.f.

	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area* 647,999 s.f. x 14 % = square feet	90,719	180,107 (31%)
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces 385 x 10 sf per parking space=	5850	5850
C. Total s.f. of landscaped open space required by Chapter 33: A + B=	96,599	180,107
Total square feet of landscaped open space required by Chapter 33= D. Maximum lawn area (sod) permitted= 20 % x 180,107 square feet=	36,021	36,000
A. No. trees required per net lot acre: tree existing number of trees meeting minimum requirements (minus ex. to remain) 32.1 trees x net lot acres 14.87 (647,999 square feet=	A. 327 / 0 = 327	338 / 0 = 338
B. 30 % palms allowed (two palms=one tree) Palms provided=	98 / 196 p	561/112 p
C. Percentage of natives required= the number of trees provided x 30% =	98	220 (61%)
D. Street trees (maximum average spacing of 30' o.c.) 712 linear feet along street / 35 = Palms as Street trees (maximum average spacing of 25' o.c.) linear feet along street / 25 =	D. 20	20
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.) 0%0 linear feet along street / 25 =	E. 0	0
F. Total number of trees provided A+D+E=	347	358 Provid
A. The total number of trees required x 10 = the number of shrubs required	3470 @ 18'ht.	3963(114%)
B. The number of shrubs required x 30%=the number of native shrubs required	1041	2181 (54%)

Required by Chapter 33, Auto ringleon K or hose bo provided.

LANDSCAPE LEGEND- PARCEL 2

Zoning District: BU-2 — Net Lot Area: 1.52 acres 66,418 s.f.

	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area* 66,418 s.f. x 14 % = square fee	9299	18,577 (28%)
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces 52 x 10 sf per parking space=	590	
C. Total s.f. of landscaped open space required by Chapter 33: A + B=	9889	18,577
A. Total square feet of landscaped open space required by Chapter 33= B. Maximum lawn area (sod) permitted= 22 % x 18,577 square feet=	3715	3700
A. No. trees required per net lot acre: tree existing number of trees meeting minimum requirements (minus ex. to remain) 32.1 trees x net lot acres 1.52 (66,418 square feet=	A. 33 / 15 = 18	32 / 39 = 39
B. 30 % palms allowed (two palms=one tree) Palms provided=	6p / 18t	14p / 7t
C. Percentage of natives required= the number of trees provided x 30% =	9	28 (65%)
D. Street trees (maximum average spacing of30' o.c.) 330 ft linear feet along street / 35 = Palms as Street trees (maximum average spacing of 25' o.c.) linear feet along street / 25 =	D. 9	11
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.) 0%0 linear feet along street / 25 =	E. 0	0
F. Total number of trees provided A+D+E=	42 Redd	43 Provid
A. The total number of trees required x 10 = the number of shrubs required	420 @ 18'ht.	583(138%)
B. The number of shrubs required x 30%=the number of native shrubs required	126	283 (48%)

Required by Chapter 33, Auto ringleon K or hose bo provided.

PLANT LIST- PARCEL 1

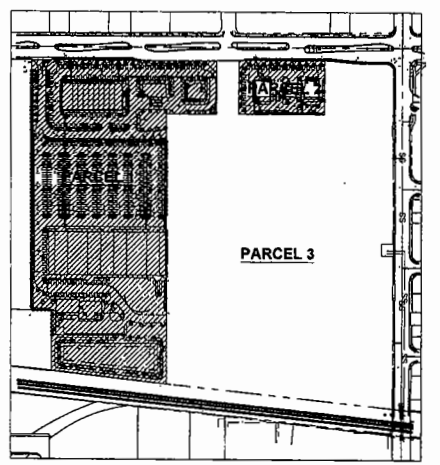
QTY	KEY	BOTANICAL NAME	COMMON NAME	DESCRIPTION	Native Yes / No
20	QVst	Quercus virginiana-st. tree	Live Oak	16'-18'oa ht, 4" dbh,5' cl, 8' spr.	Yes
44	QV	Quercus virginiana	Live Oak	12' oa ht, 2.5" dbh, 5' spr.	Yes
35	SM	Swietenia mahogani	Mahogany	12' oa ht, 2.5" dbh, 5' spr.	Yes
73	CE	Conocarpus erectus	Green Buttonwood	12' oa ht, 2.5" dbh, 5' spr.	Yes
7	CS	Conocarpus e. Sericeus	Silver Buttonwood	12' oa ht, 2.5" dbh, 5' spr.	Yes
19	CD	Coccoloba diversifolia	Pigeon Plum	12' oa ht, 2.5" dbh, 5' spr.	Yes
14	LL	Lysiloma latisiliquus	Wild Tamarind	12' oa ht, 2.5" dbh, 5' spr.	Yes
36	TH	Tabebuia heterophylla	Pink Tabebuia	12' oa ht, 2.5" dbh, 5' spr.	No
35	TD	Taxodium distichum	Bald Cypress	12' oa ht, 2.5" dbh, 5' spr.	Yes
18	AR	Acer rubrum	Red Maple	12' oa ht, 2.5" dbh, 5' spr.	Yes
303 Trees					
8	BN	Bismarckia nobilis	Bismarkia Palm	16' cl, 24' oa ht, silver select	No
11	WR	Washingtonia robusta	Washingtonia Palm	16', 20', 24' oa hts	Yes
40	RE	Roystonea elata	Royal Palm	24' oa ht, 12' GW	No
55	VM	Veitchia monigomemana	Veitchia palm	16', 18', 22' oa hts	No
112 Palms 56 trees					
1982	CHI	Chrysosalnaus icaco	Red Tip Cocoplum	24" ht x 18" spr, 3 gal. @ 2'oc	Yes
219	COS	Conocarpus e. Sericeus	Silver Buttonwood	24" ht x 18" spr, 3 gal. @ 2'oc	No
520	SCV	Schefflera a. variegata	Var. Schefflera	18" ht x 18" spr, 3 gal.	No
818	SCA	Schefflera arboricola	Green Schefflera	18" ht x 18" spr, 3 gal.	No
409	IXM	Ixora maui	Yellow Ixora	18" ht x 18" spr, 3 gal.	No
35	COV	Codiaeum variegatum	Crotons	30" ht x 18" spr, 15 gal.	No
Prov'd Shrubs 3963					
	FIM	Ficus microcarpa	Green Island Ficus	3 gal, 12" ht x 12" spr.	No
	RHI	Rhaphiolepsis indica	Indian Hawthorn	3 gal. 12" ht x 12" spr.	No

PLANT LIST- PARCEL 2

QTY	KEY	BOTANICAL NAME	COMMON NAME	DESCRIPTION	Native Yes / No
11	QVST	Quercus virginiana-st. tree	Live Oak	16'-18' oa ht, 5' cl, 4" dbh, 8' spr.	Yes
8	QV	Quercus virginiana	Live Oak	12' oa ht, 2.5" dbh, 5' spr.	Yes
8	SM	Swietenia mahogani	Mahogany	12' oa ht, 2.5" dbh, 5' spr.	Yes
8	TH	Tabebuia heterophylla	Pink Tabebuia	12' oa ht, 2.5" dbh, 5' spr.	Yes
36 Trees					Yes
14	VM	Veitchia monigomemana	Veitchia palm	16', 18', 22' oa hts	No
14 Plm 7 trees					
263	CHI	Chrysosalnaus icaco	Red Tip Cocoplum	24" ht x 18" spr, 3 gal. @ 2'oc	Yes
240	SCV	Schefflera a. variegata	Var. Schefflera	18" ht x 18" spr, 3 gal.	No
60	IXM	Ixora maui	Yellow Ixora	18" ht x 18" spr, 3 gal.	No
Prov'd Shrubs 583					
	FIM	Ficus microcarpa	Green Island Ficus	3 gal, 12" ht x 12" spr.	
	RHI	Rhaphiolepsis indica	Indian Hawthorn	3 gal, 12" ht x 12" spr.	

FOR CLARIFICATION PURPOSES ONLY

RECEIVED
Z12-051
OCT 16 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY



N
OVERALL SITE KEYPLAN
SCALE: 1" = N.T.S.

vha design, inc.
p.o. box 141218
coral gables, fl 33114-2118
v. 305.443.3150
f. 305.441.7960
e. info@vhadesign.com

architect of record:
William Arthur
License Number: 0012074

H.L. Martin, Landscape Architect, P.A.
LC# 0000424 / L LA 0001722
3855 SW 38th Street, Miami, Florida 33155
305 793-4373, hlmartin@bellsouth.net
Herbert Lester Martin, PLA

seal

design associate:
BAA

These plans and specifications are the exclusive property of VHA Design. Any reproduction, modification, disclosure, and/or use of these materials for any purpose thereof without VHA Design's prior written consent is strictly prohibited.

project information:
Walmart Northside at East Hialeah Market Place
3200 NW 79th Street
Miami, Florida 33147

owners information:
Imperial Management, LLC.

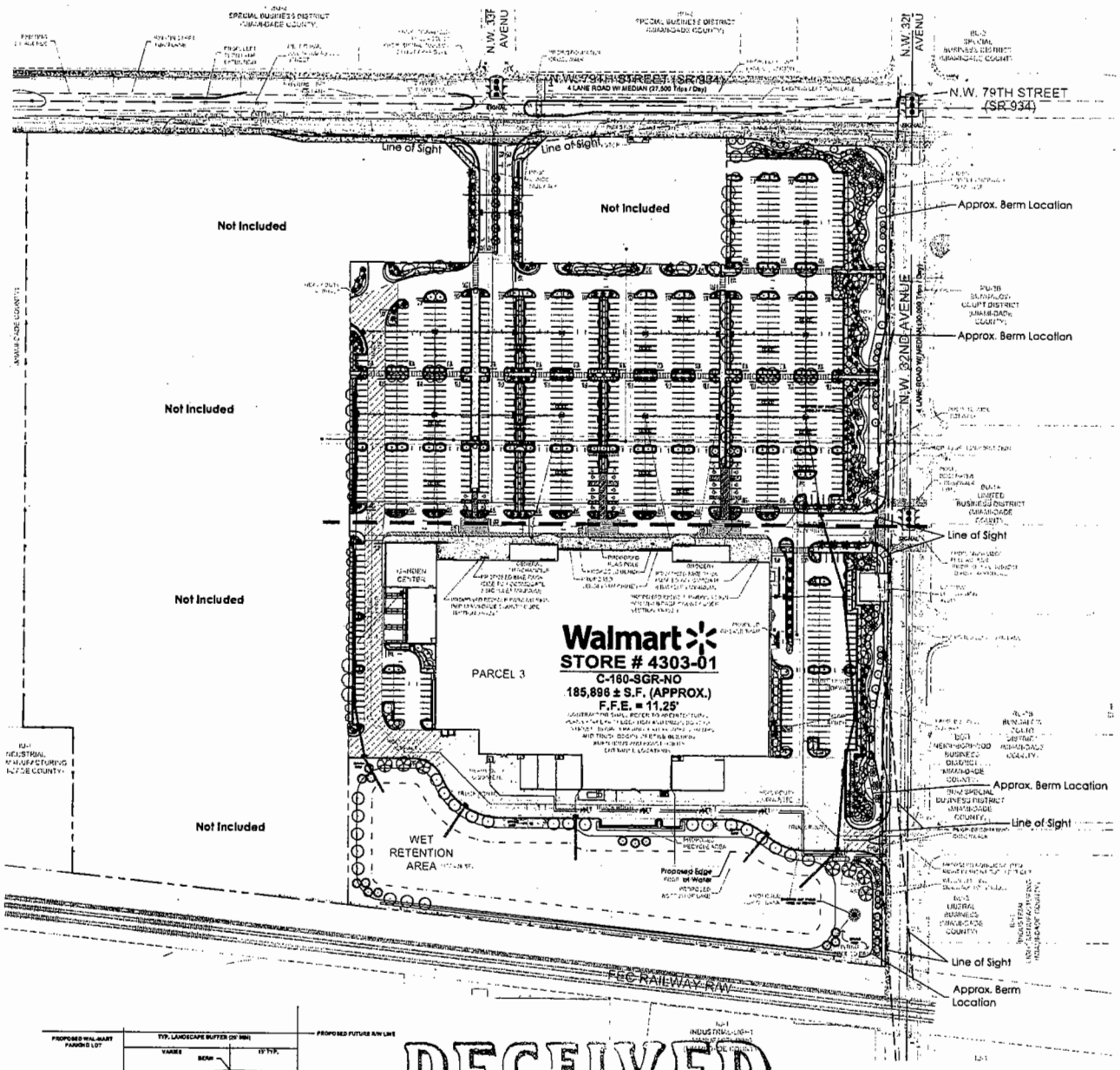
project history:
1 PLAN. COMMENTS 04/19/12

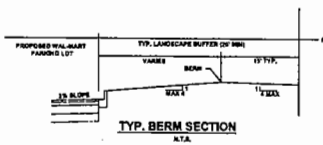
project information:
date 03.19.2012
project number: 11.32

sheet title:
Parcel 1 Site Plan & Zoning Legend

sheet number:
LA1.1

file:
wtofsiplan08.21.dwg





TYP. BERM SECTION
N.T.S.

Landscape Legend

Net Lot Area: 869,651 SQ.FT. (19.96 Ac.)

Zoning District: BU- 2

Open Space	Required	Provided
A. Square Feet of open space required by Chapter 33, as indicated on site plan: (Net lot area = 869,651 s.f. x 14%)	121, 751 s.f.	
B. Square Feet of Parking lot open space required by Chapter 18A, as indicated on site plan: (930 spaces x10 s.f. per parking spaces)	9,300 s.f.	
C. Total s.f. of landscaped open space required by Chapter 33: (A + B)	131,051 s.f.	163, 357 s.f.

Lawn Area Calculation	Max. Permit.	Provided
A. 131,051 total s.f. of landscaped open space required by Chapter 33		
B. Max law area (sod) permitted = (20% x 131,051) (Drought tolerant Grasses not included)	26, 210 s.f.	17,890 s.f.

Trees	Required	Provided
A. No. trees required per net lot acre (22 trees x Net lot acres (19.96 ac.)) =	440 Trees	440 Trees
B. % Palms Allowed: No. trees provided x 30% (489 x 30% = 146)	146 Palms (2:1 Ratio)	134 Palms
% Palms permitted to count as street tree on 1:1 basis x 30% (49 x 30%)	17 Palms	8 Palms
C. % Natives Required: No. of trees provided x 30% (489 Prov. Trees x 30%)	147 Trees	252 Trees (52%)
D. Street trees: Maximum average spacing of 35' o.c.: (272 LF along street / 35' o.c.)	8 Trees	8 Trees
E. Street trees: Located directly adjacent to power lines: (1,027 LF along street / 25' o.c.)	41 Trees	41 Trees
Total Trees Required:	489 Trees	489 Trees

Shrubs	Required	Provided
A. No. Shrubs required : (489 Trees Required x 10) =	4,890 Shrubs	9,263 Shrubs (189%)
B. % Natives Required: No. of Shrubs required (4,890 x 30%) =	1,467 Shrubs	5,211 Shrubs (106%)

Tree Requirements

1. All Trees except for street trees and trees located beneath powerlines, shall be a min. of 10' and have a min. DBH of 2 inches at time of planting.
2. Street trees shall have a 4' clear trunk, a min. overall height of 12' and a min. DBH of 2 inches at time of planting.
3. Palms shall have a min. 10' overall height or min. Cal. of 3 inches at time of planting and count as a required tree on the basis of 2 palms per tree, except as provided herein for palms used as street trees. Palms used as a street tree shall have a 14' min. height or min. Cal. of 4 inches at time of planting.

Shrub Requirements

1. All shrubs shall be a min. of 18 inches in height when measured immediately after planting.
2. Ground cover plants used in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one year after planting.

Notes

1. See Sheet L-6 for Plant schedule And Landscape Details.

Scale: 1" = 80'

0' 40' 80' 160' 240'

North

HJA DESIGN STUDIO
31 E. Ocean Blvd.
Stuart, Florida 34994
T 772.678.7200
F 772.678.7201
www.hjadesignstudio.com

Walmart Supercenter #4303-01

Miami - Dade County Florida

Overall Landscape Plan

Copyright
The following drawings are instruments of service of the Landscape Architect. They are the property of design, HJA Design Studio, and are not to be used in any way without the permission of design, HJA Design Studio. All drawings are created by and the property of design, HJA Design Studio, and may not be used in any form or manner whatsoever without the express written permission of design, HJA Design Studio.

Job No.	11086
Drawn By	TT
Checked By	MH
Approved By	MH
Submittal Dates	8/20/12
	7/09/12
Revision Dates	8/22/12
	10/08/12

L-1

RECEIVED
Z12-051
OCT 16 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

FOR CLARIFICATION PURPOSES ONLY

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Imperial Management, LLC

NAME AND ADDRESS	Percentage of Stock
Marcos Lapciuc	19.19%
Tania Lapciuc	5.95%
Isaac Lapciuc	1.67%
Yair Lapciuc	14.19%
1995 Israel Lapciuc Revocable Living Trust	38%
Tania Lapciuc Revocable Living Trust	21%

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

TRUST/ESTATE NAME: _____

NAME AND ADDRESS	Percentage of Interest

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percent of Ownership

RECEIVED
2/2 05
DEC 03 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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

NAME OF PURCHASER: Wal-Mart Stores East, LP

NAME ADDRESS AND OFFICE (if applicable)	Percentage of Interest
702 Southwest 8th Street	100%
Bentonville, AR 72716	

Date of contract: _____

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

_____

_____

_____

_____

_____

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

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

Signature: _____
(Applicant)

Sworn to and subscribed before me this 03 day of 12, 2012. Affiant is personally known to me or has produced _____ as identification.

_____
(Notary Public)

JORDANA GAMEZ
Notary Public - State of Florida
My Comm. Expires Jul 20, 2013
Commission # DD 908873

My commission expires 7/20/13

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

RECEIVED
DEC 03 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z12-051
DATE: MAY 08 2012
BY: DAH

Exhibit A-1

DISCLOSURE OF INTEREST

Imperial Management, LLC

NAME	ADDRESS	PERCENTAGE OF STOCK
Marcos Lapciuc	15800 NW 48 Avenue, Miami Gardens, FL 33014	19.19%
Tania Lapciuc	same	5.95%
Isaac Lapciuc	same	1.67%
Yair Lapciuc	same	14.19%
1995 Israel Lapciuc Revocable Living Trust	same	38%
Tania Lapciuc Revocable Living Trust	same	21%
Total		100%

RECEIVED
MAR 2 1 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z12-051
DATE: MAY 08 2012
BY: DAH

Exhibit A-2

DISCLOSURE OF INTEREST

3380 NW 79th Street, LLC

NAME	ADDRESS	PERCENTAGE OF STOCK
Marcos Lapciuc	15800 NW 48 Avenue, Miami Gardens, FL 33014	100 %

RECEIVED
Z12-051
MAR 2 1 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

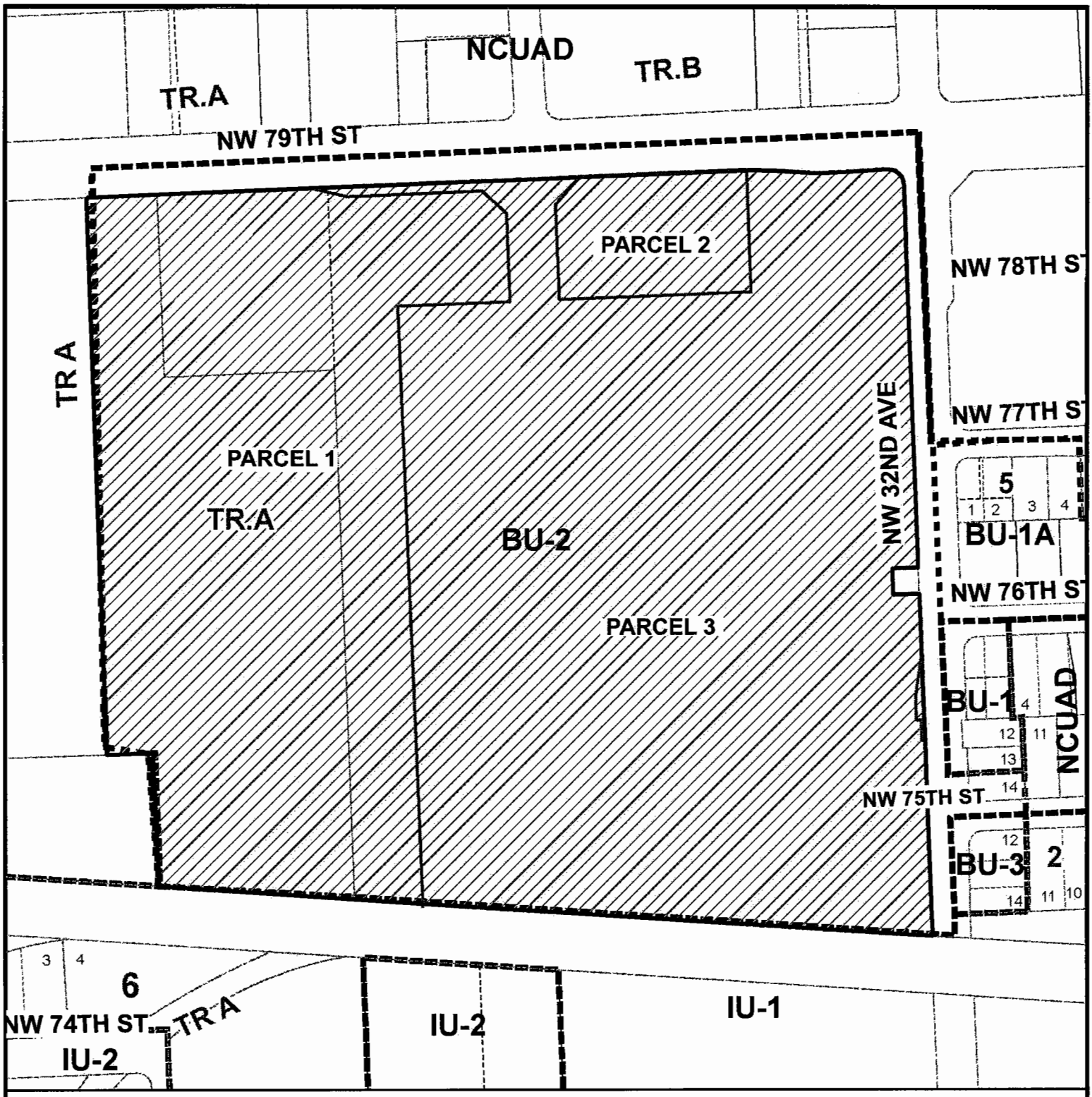
RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z12-051
DATE: MAY 08 2012
BY: DAH

EXHIBIT "B"
to
Disclosure of Interest

1.) Wal-Mart Stores, East, L.P. a Delaware limited partnership
2001 S.W. 10th Street
Bentonville, Arkansas 72716-0550

	Percentage of Interest
General Partner:	1%
WSE Management, LLC., a Delaware limited liability company 702 S.W. 8th Street Bentonville, Arkansas 72716-0555 a wholly owned subsidiary of Wal-Mart Stores, East, Inc., an Arkansas corporation, which is a wholly owned subsidiary of Wal-Mart Stores, Inc., a PUBLICLY TRADED COMPANY.	
Limited Partner	99%
WSE Investment, LLC, a Delaware limited liability company 1301 Southeast 10th Street Bentonville, Arkansas 72716-0555 a wholly owned subsidiary of Wal-Mart Stores East, Inc., an Arkansas corporation, which is a wholly owned subsidiary of Wal-Mart Stores, Inc. a Publicly Traded Company	

RECEIVED
MAR 21 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000051

Section: 09 Township: 53 Range: 41
Applicant: IMPERIAL MANAGEMENT LLC; 3380 NW 79 Street LLC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend
Subject Property Case
Zoning

MIAMI-DADE COUNTY

SKETCH CREATED ON: Friday, October 5, 2012

REVISION	DATE	BY
		83

MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2012000051

N
W E
S

Section: 09 Township: 53 Range: 41
Applicant: IMPERIAL MANAGEMENT LLC; 3380 NW 79 Street LLC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

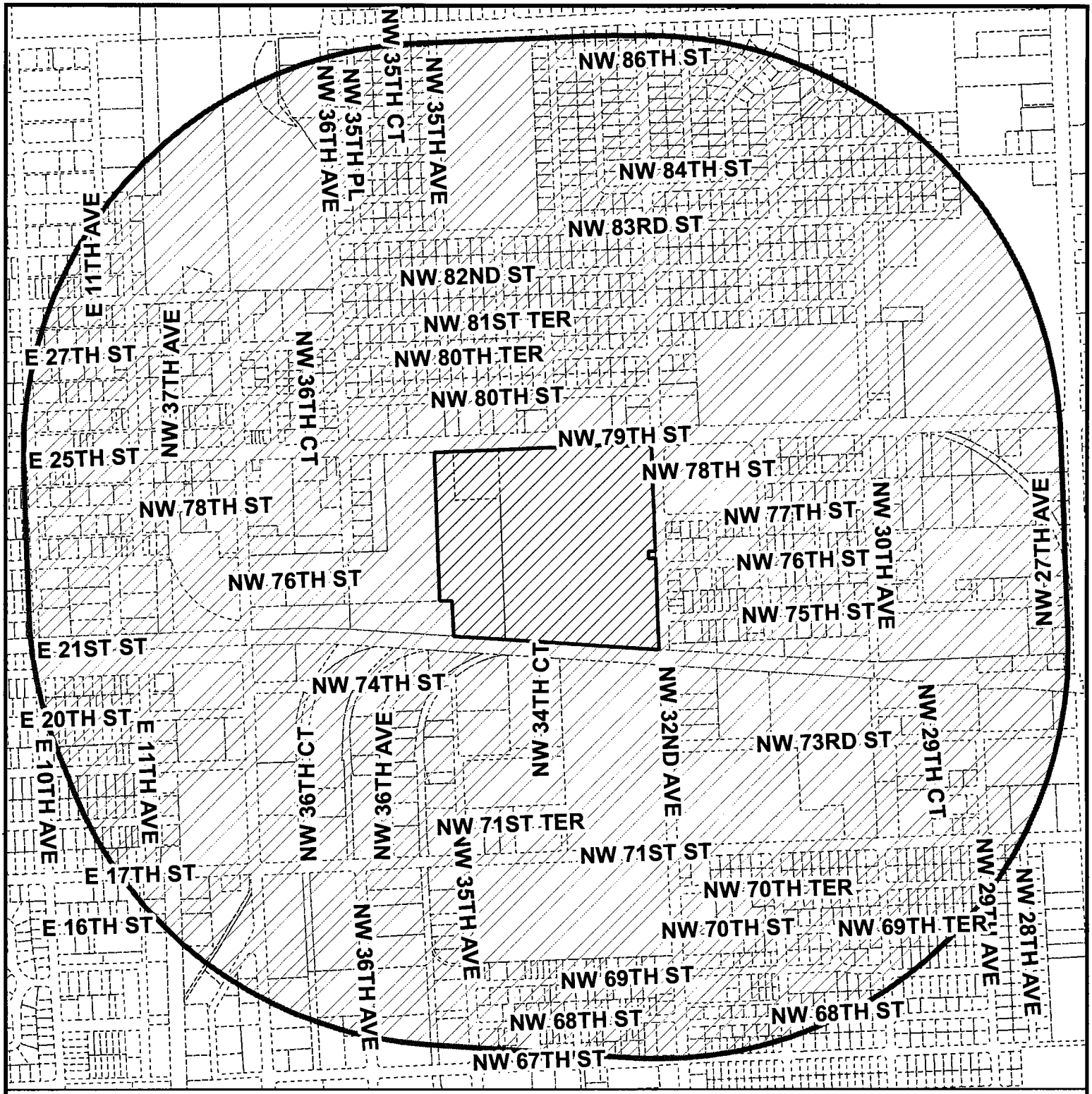
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Friday, October 5, 2012

REVISION	DATE	BY
		84



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000051

RADIUS: 2640

Section: 09 Township: 53 Range: 41
Applicant: IMPERIAL MANAGEMENT LLC; 3380NW79
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

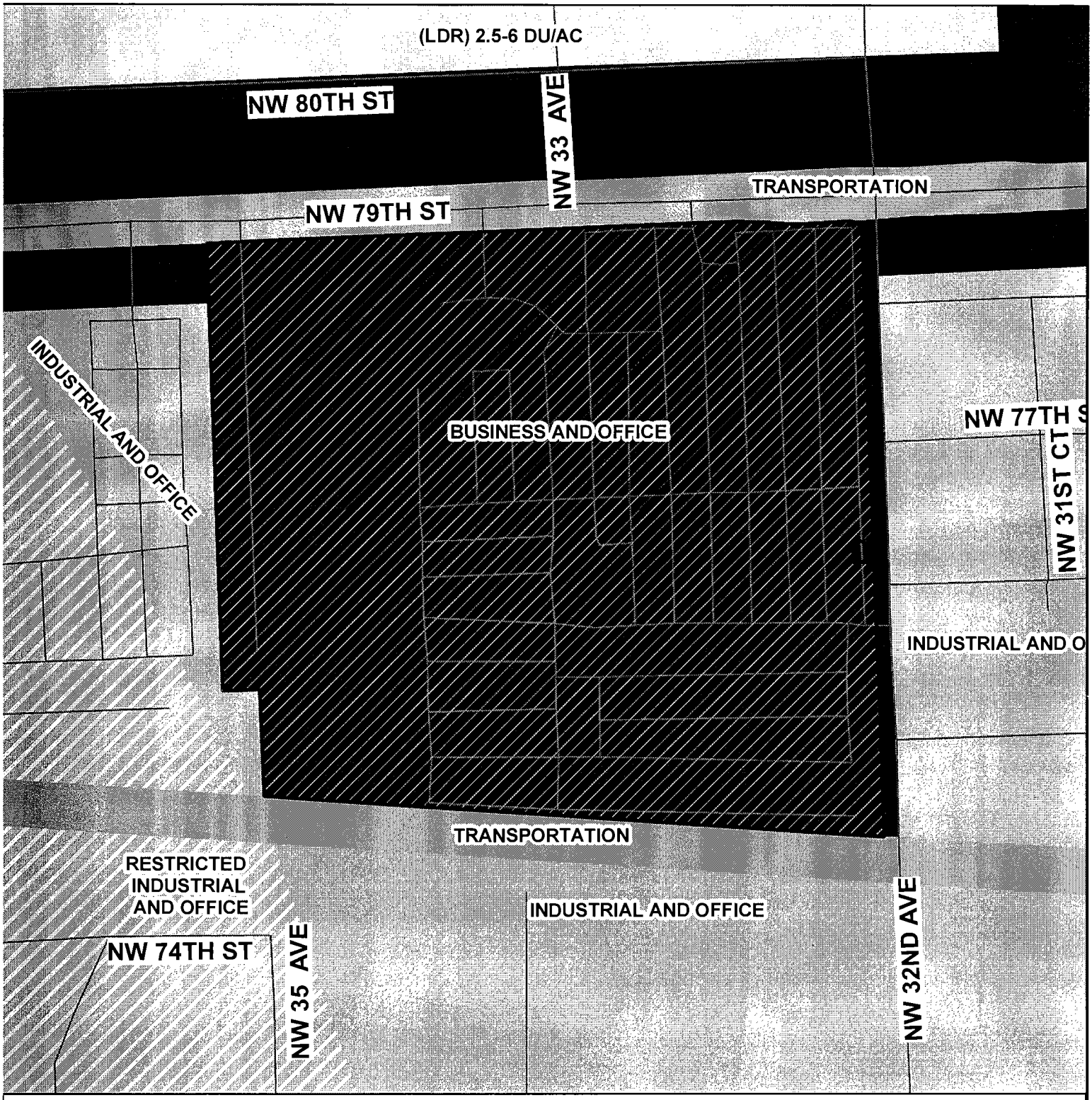
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, April 2, 2012

REVISION	DATE	BY
		85



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000051

N
W E
S

Section: 09 Township: 53 Range: 41
Applicant: IMPERIAL MANAGEMENT LLC; 3380NW79
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Monday, April 2, 2012

REVISION	DATE	BY

PLANNING AND ZONING
AGENDA OFFICE
2012 NOV 29 A 8:08

DRAFT

Imperial Management LLC & 3380 NW 79 St LLC (12-051)

This instrument was prepared by:
Name: **Augusto E. Maxwell, Esq.**
Address: **Akerman Senterfitt, P.A.**
One SE Third Avenue, Suite 2500
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County (the "County"), Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the County that the representations made by the Owner during consideration of Public Hearing No. 12-051 will be abided by the Owners freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

1. **Site Plan.**

That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Wal-Mart Supercenter" as prepared by Creech Engineers, Inc. consisting of (2) sheets, "Walmart Northside at East Hialeah Market Place" as prepared by WHA Design, Inc., consisting of 21 sheets, "Walmart" as prepared by B/R/R Architecture, consisting of 5 sheets, "Landscape Plans" as prepared by HJA Design Studio Landscape Architecture, consisting of 6 sheets, all sheets dated stamped received August 23, 2012, for a total of 32 sheets and clarification sketch LA1.1 and L-1 dated stamped received 10/16/12.

2. **No Automobile Service Station Use on Property.**

The Owner agrees not to allow on the Property any automobile service stations, or automobile self-service gas stations as provided in § 33-247(5) and (6) of the Code of Miami Dade County.

3. **Compliance with DIC Report.**

That the Owner shall comply with all of the applicable conditions, requirements, recommendations, requests, and other provisions of the various departments, as contained in the Departmental memoranda except conditions _____of the DIC Memorandum dated November 7, 2012 from the Developmental Impact Committee, Executive Council, to Community Council Appeals Board No. 8 ("the DIC Memorandum") which is part of the record of this application and incorporated herein by reference. The Covenant cited above shall control over any inconsistency between it and the DIC Memorandum.

4. **Compliance with Miami-Dade Transit.**

The Owner shall make provisions for a transit pullout bay as depicted in the Site Plan, and where appropriate shall either (1) permit a pull out bay to encroach on the Property or (2) upon platting of the Property, dedicate by plat such encroachments to the County to accommodate the pullout bay and shelters. The Owner shall pay for and pave said transit pull out bay; the County will be responsible for the shelters.

5. **Compliance with Water Conservation Recommendations.**

As to Parcel 3 of the Property only, the Owner will install and implement specific water conservation practices as described in a letter dated July 2, 2007 from Adam Schildmeier of Creech Engineers, Inc. to Ms. Cordella Ingram of the Miami-Dade Planning and Zoning Department, attached hereto as Exhibit "B" and made a part hereof.

Upon approval by the County's Director of Planning and Zoning, the Owner may substitute or modify these specific water conservation practices where such change provides equal or greater water conservation.

6. **Compliance with Environmentally Sensitive Practices in Store Building.**

The Owner will install or implement specific environmentally sensitive equipment or practices to the "WAL-MART #4303-01" Building depicted on the Site Plan as described in a letter dated July 25, 2007 from Gladys E. Vital to Augusto E. Maxwell, attached hereto as Exhibit "C" and made a part hereof. Upon approval of the Director of Planning and Zoning, the Owner may substitute or modify these specific environmentally sensitive practices where such change provides equal or greater benefit to the environment.

7. **Shopping Cart Containment System.**

The Owner shall install, utilize and maintain a shopping cart containment system which impedes the ability to remove shopping carts from the Property.

8. **Emergency Power Supply.**

The Owner will design the "WAL-MART #4303-01" Building depicted on the Site Plan with a provision for a temporary generator hookup. Upon approval of the Director of Planning and Zoning, the Owner may substitute or modify this condition where such change provides equal or greater emergency power.

9. **Miscellaneous.**

County Inspection. An official inspector of Miami-Dade County, or successor municipal corporation, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the

Property to determine whether or not the requirements of the applicable building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at the Owner's expense, in the Public Records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the undersigned Owner, and its heirs, successors and assigns until such time as the same is modified or released or, if sooner, the expiration of the Term described below.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date that this Declaration is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County, or any such successor municipal corporation.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning

Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, or such successor municipal corporation, and inspections made and approval of occupancy given by the County, or such successor municipal corporation, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect.

Recording. This Declaration shall be filed of record in the Public Records of Miami-Dade County, Florida, at the cost of the Owner, following the adoption by the Miami-Dade County Board of County Commissioners or Community Zoning Appeals Board, or similar Board of such successor municipal corporation, of a resolution approving the Application.

Acceptance of Declaration. The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part.

[Execution Page Follows]

IN WITNESS WHEREOF, I have executed this Declaration of Restrictions as of this

_____ day of _____, 20___.

WITNESSES

Imperial Management, LLC, a Florida limited liability company, f/k/a/ MLIP, L.L.C. f/n/a Bell Haven, LLC, and successor by merger to West Bell Haven, LLC

_____
Signature

By:_____
Marcos Lapciuc, Manager

_____
Printed Name

_____
Signature

_____
Printed Name

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by Marcos Lapciuc, as Manager on behalf of Imperial Management, LLC, a Florida limited liability company, for the purposes stated herein. He is personally known to me or has produced _____ as identification. Witness my signature and official seal this _____ day of _____, 20 , in the County and State aforesaid.

My Commission Expires:

_____
Notary Public - State of Florida

_____
Printed Name