

FINAL AGENDA

5-3-2013 Version # 2



COMMUNITY ZONING APPEALS BOARD 8
HENRY REEVES ELEMENTARY SCHOOL
2005 NW 111 Street, Miami
Thursday, May 30, 2013 at 7:00 p.m.

CURRENT

- | | | | | | |
|----|------------|-----------------------------|-------|----------|---|
| 1. | 13-5-CZ8-1 | <u>FORTUNE OF CHI, INC.</u> | 12-30 | 28-53-41 | N |
| 2. | 13-5-CZ8-2 | <u>ZACHARY BASS TRUSTEE</u> | 12-93 | 24-52-41 | N |



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF THURSDAY, MAY 30, 2013

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

1. **FORTUNE OF CHI, INC (13-5-CZ8-1/12-30)**

**28-53-41
Area 8/Dist. 2**

1. DISTRICT BOUNDARY CHANGE from IU-1 to IU-2.
2. NON-USE VARIANCE to waive the zoning regulations requiring all uses and materials to be stored within a completely enclosed building or confined and completely enclosed within masonry walls not less than 6' in height.
3. NON-USE VARIANCE to permit spacing between structures varying from 10' to 17.6' (20' required).
4. NON-USE VARIANCE to permit a greenbelt abutting the right-of-way varying from 1' to 10' wide (10' wide required).
5. NON-USE VARIANCE to permit a 10' high masonry wall (8' high maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Zoning Conversion from IU-1 to IU-3 for" as prepared by Charles Culpepper. Sheet SP-1.0 & LS-1.0 dated stamped received 10/16/12, with last handwritten revision dated stamped received 10/28/12 and the remaining 4 sheets dated stamped received 9/16/12 for a total of 6 sheets. Plans may be modified at public hearing.

LOCATION: Lying approximately 125' West of NW 27 Avenue between NW 23 Street & NW 24 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4.54 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval, subject to the Board's acceptance of the proffered covenant of request # 1, and approval with conditions #3, #4 and #5 and denial without prejudice of request #2.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

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



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

PH: Z12-093 (13-5-CZ8-2)

May 30, 2013

Item No. 2

Recommendation Summary	
Commission District	2
Applicant	Zachary Bass Trustee
Summary of Requests	The approval of this application will allow the applicant to establish a religious facility with reduced setbacks and spacing and to waive the required dissimilar land use buffer.
Location	14521 Memorial Highway, Miami-Dade County, Florida.
Property Size	2.73 Acres.
Existing Zoning	RU-1, Single-Family Residential District
Existing Land Use	vacant
2015-2025 CDMP Land Use Designation	Low Density Residential, 2.5 - 6 dua (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with the LUP map, interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(a), Use Variance standards, Section 33-311(A)(3), Special Exceptions , Unusual Uses and New uses, and Section 33-311(A)(4)(b), Non-Use Variance Standards (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions of requests #1 and #3 - #6, and denial without prejudice of request #2.

REQUESTS:

- (1) SPECIAL EXCEPTION to permit a religious facility.
- (2) USE-VARIANCE to permit a three (3) unit apartment building in the RU-1 zone, as would be permitted in the RU-3 zone.
- (3) NON-USE VARIANCE to permit the proposed religious facility to setback 21'-10" (25' required) from the front (west) property line.
- (4) NON-USE VARIANCE to permit the proposed religious facility to setback varying from 48'-7" to 49'-11" from the interior side (south) property line and setback 15' from the interior side (north) property line (50' required from both sides).
- (5) NON-USE VARIANCE of zoning requirements to waive the required 5' wide dissimilar land use buffer including a 6' high wall fence or hedge and buffer trees along the interior side (north) and rear (east) property lines.
- (6) NON-USE VARIANCE of spacing requirements to permit the proposed apartment building spaced 10' (20' required) from the proposed religious facility and storage structure.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed New Construction for: Uleta Kingdom Hall of Jehovah Witnesses" as prepared by Marrero and Associates, Architect and Planner, Inc. and sheets A-1, A-2, LA-1 and LA-2 dated stamped received 3/04/13, sheets A-3, A-4, and A-5 dated stamped received 12/20/2012, for a total of 7 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The applicant seeks to develop a religious facility with caretaker quarters on a vacant 2.73-acre parcel of land within the RU-1, Single-Family Residential District. The submitted plans depict a 15,497 sq. ft. religious facility consisting of three (3) separate buildings, which consists of auditoriums, each with a seating capacity of 244 persons and seven (7) wheelchair spaces, lobbies, meeting rooms and offices. In addition, the applicant proposes a 2,435 sq. ft. three (3) unit apartment building as caretaker quarters and a 750 sq. ft. storage structure as a depot for literature. The plans also show the proposed development with parking on hard surface exceeding the required parking spaces required with an ingress and egress drive along Memorial Highway.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; vacant	Low Density Residential (2.5 to 6 dua)
North	RU-1; vacant parcel, single-family residence, duplex residences	Low Density Residential (2.5 to 6 dua)
South	RU-1; religious facility	Low Density Residential (2.5 to 6 dua)
East	RU-1: single-family residence	Low Density Residential (2.5 to 6 dua)
West	canal	Low Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is located in a residential neighborhood characterized by single-family and duplex residences and religious institutions. The submitted plans depict the proposed religious facility and caretaker quarters on the 2.73 acre subject parcel. The proposed development consists of three (3) separate buildings that will house the aforementioned uses and a three (3) unit multifamily apartment building, with a total footprint of 18,682 sq. ft. on the subject parcel. The surrounding properties to the east and north contain one (1) duplex and two (2) single-family residences that range from approximately 2,600 sq. ft. to over 4,500 sq. ft. in size. Additionally, there is a vacant parcel to the north, approximately 47, 780 sq. ft. in size, which is currently owned by a religious entity. Staff notes that in July 1996, pursuant to Resolution #5-ZAB-194-96, the parcel located to the south was approved to permit the expansion of an existing religious facility. This abutting site is developed with an 11,845 sq. ft. religious facility on a 6.34 acre site.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to provide the community with additional religious services. However, the increased encroachments of the public assemblage uses into the setback area and multifamily residential use could have negative visual and noise impacts on the surrounding residential uses. Additionally, the lack of dissimilar land use buffer could also have negative visual and noise impacts on the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Low Density Residential** use. 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. This land use category is *typically 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.* The 2.73 acre property would allow a maximum density of 16 residential units; therefore, the proposed three (3) unit residential building meets the residential density threshold for this land use category.

Further, the CDMP Land Use Element Interpretative text under *Residential Communities* also permits **neighborhood and community services including schools, daycare centers and houses of worship, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood.** The criteria to evaluate compatibility among proximate land uses is outlined in the CDMP Land Use Element, **Policy LU-4A**, among which are *access, traffic, parking, height, bulk scale of architectural elements, buffering, and landscaping as applicable.* Further, the CDMP Land Use Element, **Policy LU-4D** states that *uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements.*

The applicant is proposing to develop the subject property with a religious facility that consists of three (3) fellowship halls and a three (3) unit residential building to be utilized as caretaker quarters. The site is surrounded by single-family and duplex residences to the north and east, also to the north is a vacant parcel that was approved to allow a religious facility and the parcel to the south is already developed with a religious facility. The subject parcel fronts onto Memorial Highway on the west. Memorial Highway abuts a canal, which acts as a natural land buffer for the residential neighborhood to the west.

Staff opines that although the proposed use will generate additional traffic for the surrounding area, the use is compatible with the area given that: the bulk and scale of the structures is similar to the abutting residential and institutional developments to the north, east and south; does not exceed the maximum height requirement for this residential zoning designation; provides adequate access to the property, exceeds the minimum parking requirements; and provides adequate buffering in the form of a continuous hedge and shrubs along the interior side (north) and rear (east) property lines and landscaping throughout the site. As such, staff opines that the proposed development including the parking areas will be adequately buffered and will not have a negative visual or aural impact on the surrounding properties or on passersby along the abutting roadways and therefore would satisfy the criteria for compatibility set forth in the CDMP Land Use Element, **Policy LU-4A**. For these reasons, staff is of the opinion that the approval of the proposed religious facility and residential use are compatible with the area and **consistent** with the CDMP Land Use Element interpretative text for the **Residential Communities**, CDMP Land Use Element **Policies LU-4A and LU-4D** and the CDMP Land Use Plan map designation for the subject property.

ZONING ANALYSIS:

When request #1, to permit the proposed religious 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 and institutional uses. The submitted plans depict a 15,497 sq. ft. religious facility consisting of three (3) separate buildings, which consist of auditoriums, each with a seating capacity of 244 persons and seven (7) wheelchair spaces, lobbies, meeting rooms and offices. In addition, the applicant proposes a 750 sq. ft. storage structure as a depot for literature. The applicant states in the letter of intent that the three (3) fellowship halls are planned to accommodate various language groups.

As previously mentioned, the surrounding properties to the east and north contain one (1) duplex and two (2) single-family residences that range from approximately 2,600 sq. ft. to over 4,500 sq. ft. in size. Additionally, there is a vacant parcel to the north, approximately 47,780 sq. ft. in size, which is currently owner by a religious entity. Staff notes that in July 1996, pursuant to Resolution #5-ZAB-194-96, the parcel located to the south was approved to permit the expansion of an existing religious facility. This abutting site is developed with an 11,845 sq. ft. religious facility on a 6.34 acre site. Staff opines that the proposed development is similar in architectural scale to the surrounding residential and institutional uses. Also, as mentioned in the CDMP analysis, staff is of the opinion that the proposed development is compatible with the neighborhood based on the evaluating criteria outlined in the CDMP Land Use Element, Policy LU-4A.

Staff opines that the proposed religious facility will not result in excessive noise or provoke excessive overcrowding, would be compatible with the abutting institutional uses and that any adverse impacts on the surrounding properties will be adequately mitigated by the landscaping provided along the interior side (north) and rear (east) property lines. Staff further opines that the proposed development will not result in excessive traffic for the community given that religious services are typically provided on the weekends and weekday evenings. The Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) memorandum states that the application meets the traffic concurrency criteria as it lies within the urban infill area where traffic concurrency does not apply. The Division of Environmental Resources Management of RER indicates in its memorandum that approval will not result in a reduction in the LOS standards for an initial development order. 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, staff opines that the requests will not result in excessive noise or traffic, cause undue or excessive burden on public facilities, nor provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development. **Therefore, staff recommends approval with conditions of request #1, under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses.**

When requests #3 through #6 are analyzed under the Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval of these requests will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with same. Requests #3 through #6 pertain to the physical setback of the buildings from the front (west), interior sides (north and south) property lines, spacing requirements between buildings and waiving of the required dissimilar land use buffer. When requests #3 and #4, to permit reduced setbacks from the front (west), interior sides (north and south) property lines, are analyzed staff opines that approval of these requests will not result in any adverse visual or aural impacts for the surrounding area. Although there will be a 3.167' encroachment into the front (west) setback area, a minimum of 1.42' encroachment into the interior side (south) setback area and 35' encroachment into the interior side (north) setback area, the

similarity of the uses on the abutting properties to the north and south will not result in any negative noise or visual impacts. Additionally, as mentioned earlier, staff opines that the proposed development has been designed with sensitivity to the residences and residentially zoned properties located to the northeast, with the more intensive uses including the fellowship halls located on the western section of the parcel and away from said uses. When request #6 is analyzed, staff opines that the reduced spacing of 10' (20' required) between buildings is interior to the site and therefore would not cause any adverse visual impacts to the surrounding area. When request #5, to waive the required land use buffer is analyzed, staff opines that the proposed landscaping along the interior side (north) and rear (east) property lines in the form of a continuous hedge and trees, will mitigate any negative visual and aural impacts of the proposed facility or the parking areas on the surrounding properties. **Therefore, staff recommends approval with conditions of requests #3 through #6 under Section 33-311(A)(4)(b), Non-Use Variance Standards.**

When request #2, use variance to permit a three (3) unit apartment use in the RU-1 zone, as would be permitted in the RU-3 zone, is analyzed under the Use Variance Section 33-311(A)(4)(a) staff opines that the request is not consistent with the general purpose and intent of the zoning regulations. The plans submitted depict a 2,435 sq. ft. three (3) unit apartment building as caretaker quarters. The subject property is located within the RU-1 zoning designation, which only allows one residential dwelling unit per property. The requested multi-family apartment building is an allowed use in the RU-3 zoning designation, which permits up to four (4) residential dwelling units per property. Staff notes that the applicant is requesting this use variance in order to develop a three (3) unit residential apartment building, which is not permitted in the existing RU-1 zoning district.

Section 33-311(A)(4)(a) provides that a **use variance** 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.* To prove an unnecessary hardship, the applicant must demonstrate that under applicable zoning regulations, the property is unusable and the applicant is deprived of all economic use or benefit from the property in question.

Based on the information provided by the applicant, staff opines 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 an unnecessary hardship. The subject application proposes a religious facility with three fellowship halls and a three (3) unit apartment use for the caretakers. The department does not object to the proposed religious use on the subject property and a single caretaker residence on the site, which provides the applicant with reasonable use and benefit of the property. Staff is of the opinion that the approval of the use variance request will not be in harmony with the general purpose and intent of the regulation, and that denial of the same will not result in unnecessary hardship, will not render the property unusable and will not deprive the applicant of all reasonable use or benefit from the property. **As such, staff recommends that the request for the proposed three (3) unit apartment use be denied without prejudice under the Use Variance Standards Section 33-311(A)(4)(a).**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate that the subject property has one (1) ingress and egress drive along Memorial Highway. The plans also show a total of 185 parking spaces, which exceeds the minimum required parking by 74 spaces.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

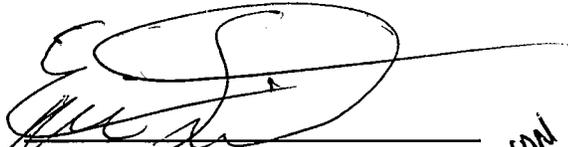
OTHER: Not applicable.

RECOMMENDATION: Approval with conditions of requests #1 and #3 - #6, and denial without prejudice of request #2.

CONDITIONS FOR APPROVAL: (for requests #1 and #3 - #6 only)

1. That a site plan be submitted to and meet with the approval of the Director of the Miami-Dade County Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed New Construction for: Uleta Kingdom Hall of Jehovah Witnesses" as prepared by Marrero and Associates, Architect and Planner, Inc. and dated stamped received 11/20/12 consisting of 7 sheets, except as herein modified to show the removal of the three (3) unit apartment building.
3. That the use be established and maintained in accordance with the approved plan.
4. That no trailers, tents or similar structures and no temporary use of any type shall be permitted on the premises.
5. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Miami-Dade County Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
6. That the applicant comply with all applicable conditions and requirements of the Environmental Division of the Miami-Dade County Department of Regulatory and Economic Resources.

ES:MW:NN:CH:JC


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

NDN

ZONING RECOMMENDATION ADDENDUM

Zachary Bass Trustee
Z12-093

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (Department of Regulatory and Economic Resources)	No objection
Platting and Traffic Review Section (Department of Regulatory and Economic Resources)	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 (Pg. I-31)	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
Residential Communities (Pg. I-26)	<i>The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are 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.</i>
Policy LU-4A (Page I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>
Policy LU-4D (Pg. I-11)	<i>Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the complementary elements and buffer any potentially incompatible elements.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.	<i>The Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning</i>
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ZONING RECOMMENDATION ADDENDUM

Zachary Bass Trustee
Z12-093

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

2. ZACHARY BASS TRUSTEE
(Applicant)

13-5-CZ8-2 (12-093)
Area 08/District 02
Hearing Date: 05/30/13

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:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
None				

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

Date: March 27, 2013
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources



Subject: C-08 #Z2012000093-3rd Revision
Randy Tobie
14521 Memorial Highway, Miami, Florida 33161
Special Exception to Permit a Religious Facility and Use Variance
to Permit a Three (3) Unit Apartment Use in the RU-1 Zone, as
Would Be Permitted in the RU-3 Zone
(RU-1) (2.73 Acres)
24-52-41

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 and Wastewater Disposal

The subject property is currently served by an on on-site potable water supply well and septic tank disposal system. Public water in the form of an 8-inch main from City of North Miami Beach, abuts the subject property along Memorial Hwy. Public sanitary sewer in the form of a 12-inch force main from City of North Miami, abuts the subject property along Memorial Hwy.

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.

Be advised that the water main extension permits are issued by the Florida Department of Health. Civil drawings for the required water main extension will need to be approved by the City of North Miami Beach, Miami-Dade Water and Sewer Department (MDWASD) and the Environmental Permitting Section of DERM.

Civil drawings for the required sewer main extension will need to be approved by City of North Miami, MDWASD and the Environmental Permitting Section of DERM prior to approval of final development orders.

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 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 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 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

Tree Removal Permit TREE#4153 was issued for this property on February 1, 2013. 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 on February 1, 2014 in order to avoid violation of permit conditions.

Be advised that an amendment to this permit is required prior to the removal and/or relocation of additional trees on the subject property. 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.

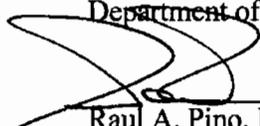
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: March 22, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

From: 
Raul A. Pino, PLS, Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2012000093
Name: Zachary Bass Trustee
Location: 14521 Memorial Highway
Section 24 Township 52 South Range 41 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections subject to the following condition:

Stripe out a parking space at the end of the parking lot leading to the storage building for vehicle turn-around in the event all spaces are taken.

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

Additional improvements may be required at time of permitting.

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

Memorandum



Date: August 10, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From:  Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: DIC # 12-093
Zachary Bass, Trustee

Attached please find a copy of this Department's review of the above-referenced item. 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 #12-093
Zachary Bass, Trustee

Application: *Zachary Bass, Trustee* is requesting a special exception to construct a church (a Kingdom Hall) and a use variance to construct an apartment building, consisting of three units on a property currently zoned Single Family Residential (RU-1).

Size: The subject property is approximately 2.73 acres.

Location: The subject property is located at 14521 Memorial Highway, 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 development of a three unit apartment building on the property is to serve as "caretaker quarters." According to Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, a building which contains "separate means of ingress and egress and containing no more than two (2) stories shall be considered a residential unit." 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.

If the building does not qualify as a "residential unit", it will most likely be considered a "multi-family residential unit." Additionally the development of a church (Kingdom Hall) will likely be considered development for a "commercial unit". Chapter 15 of the Miami-Dade Code requires the following of commercial developments and multi-family residential units 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.

Based on proposed alternatives for the property, the following is required for recycling:

3a. Recycling: Residential Units

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).

3b. Recycling: Multi-family Units

Regarding **multi-family units**, **Section 15-2.2a** requires "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below."

- 1) Newspaper
- 2) Glass (flint, emerald, amber)
- 3) Aluminum cans
- 4) Steel cans
- 5) Plastics (PETE, HDPE-natural, HDPE-colored)

Section 15-2.2b states the failure of a multi-family residential 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(s) shall be liable, provided, however, that in the case of a condominium or cooperative apartment having a condominium association or cooperative apartment association, said association, rather than individual unit owners, shall be liable for any such violation.

Applicants are **strongly** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling programs must be made directly to the Department at 305 514-6666.

3c. 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 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: March 22, 2012

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

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

Subject: Z2012000093: ZACHARY BASS TRUSTEE
Review includes plans dated submitted through 3/04/13

Application Name: ZACHARY BASS TRUSTEE

Project Location: The site is located at 14521 MEMORIAL HWY, Miami-Dade County.

Proposed Development: The applicant is requesting a use variance to permit three apartments as caretaker units and a special exception for a church. Review includes plans dated submitted through 3/04/13.

Impact and demand: The proposal states that the development will be limited to a residential population of about 8 which generates the need for .02 acres of parkland based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population. The site is located in Park Benefit District 1 which has a surplus of 310.91 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District.

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



Date: 02-APR-13
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2012000093

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated November 5, 2012.
 APPROVAL
 No objection to plan stamped received March 4, 2013 via Case # Z2012000093.

Service Impact/Demand

Development for the above Z2012000093
 located at 14521 MEMORIAL HWY, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 0393 is proposed as the following:

3 <u>residential</u>	dwelling units	N/A <u>industrial</u>	square feet
N/A <u>Office</u>	square feet	16,247 <u>institutional</u>	square feet
N/A <u>Retail</u>	square feet	N/A <u>nursing home/hospitals</u>	square feet

Based on this development information, estimated service impact is: 11.74 alarms-annually.
 The estimated average travel time is: 6:50 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station 32 - Uleta - 359 NE 168 Street
 Rescue, ALS Engine.

Planned Service Expansions:

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

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received March 4, 2013.

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

DATE: 20-MAR-13
REVISION 3

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

ZACHARY BASS TRUSTEE

14521 MEMORIAL HWY, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000093

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. Prior case opened December 11, 2012 for Failure to perform lot maintenance. A warning was issued January 24, 2013 and scheduled for recheck February 13, 2013. Reinspection was done February 20, 2013 and violation closed. BNC: No bss cases open/closed.

Zachary Bass Trs

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

REPORTER NAME:





DISCLOSURE OF INTEREST*

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

CORPORATION NAME: _____

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

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

<u>TRUST/ESTATE NAME</u>	<u>Percentage of Interest</u>
<u>Zachary Baso, Wendall Exchusa + Eglbert Purcell as Trustees for Uleta Congregation of Jehovah's Witnesses</u>	<u>Trustees Signed Declaration of Trust Conferring ownership to Uleta Congregation</u>
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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



ZONING HEARING OFFICE
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.

_____	_____
_____	_____
_____	_____
_____	_____

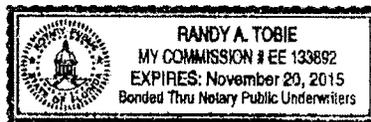
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

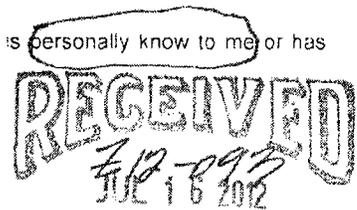
Signature: Zachary Bass
(Applicant)

Sworn to and subscribed before me this 8th day of July, 2012. Affiant is personally know to me or has produced _____ as identification

Randy A. Tobie
(Notary Public)

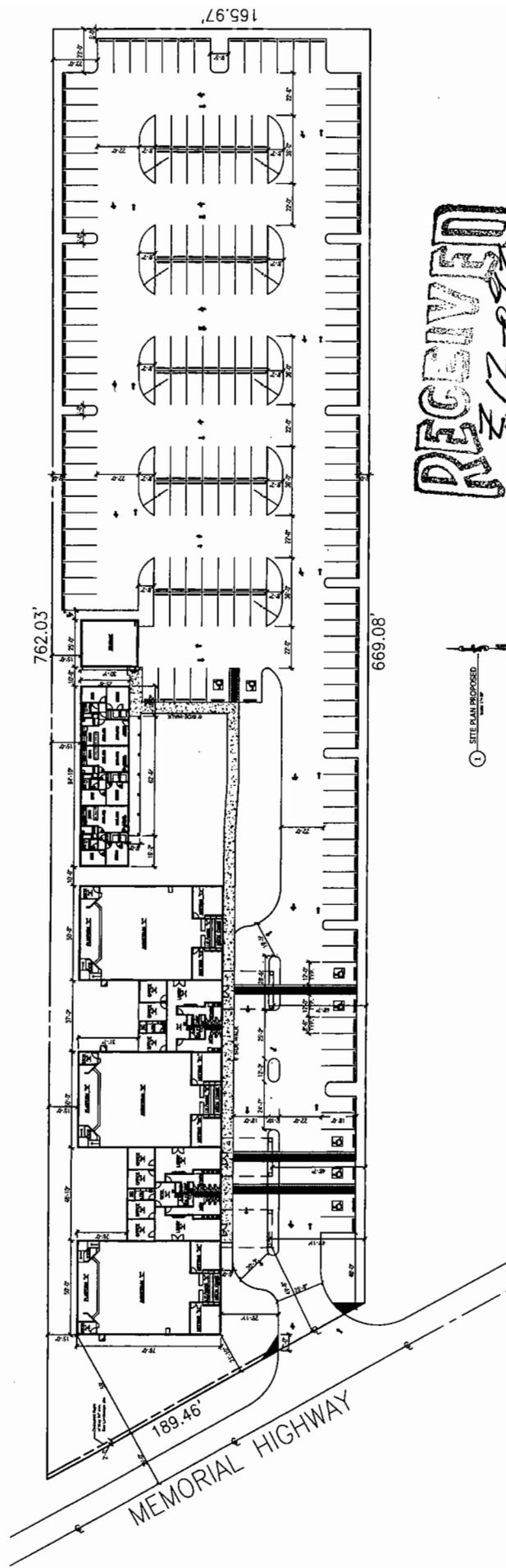


My commission expires: _____



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

*Disclosure shall not be required of: 1) any entity, the equity interests in which ~~are~~ 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.

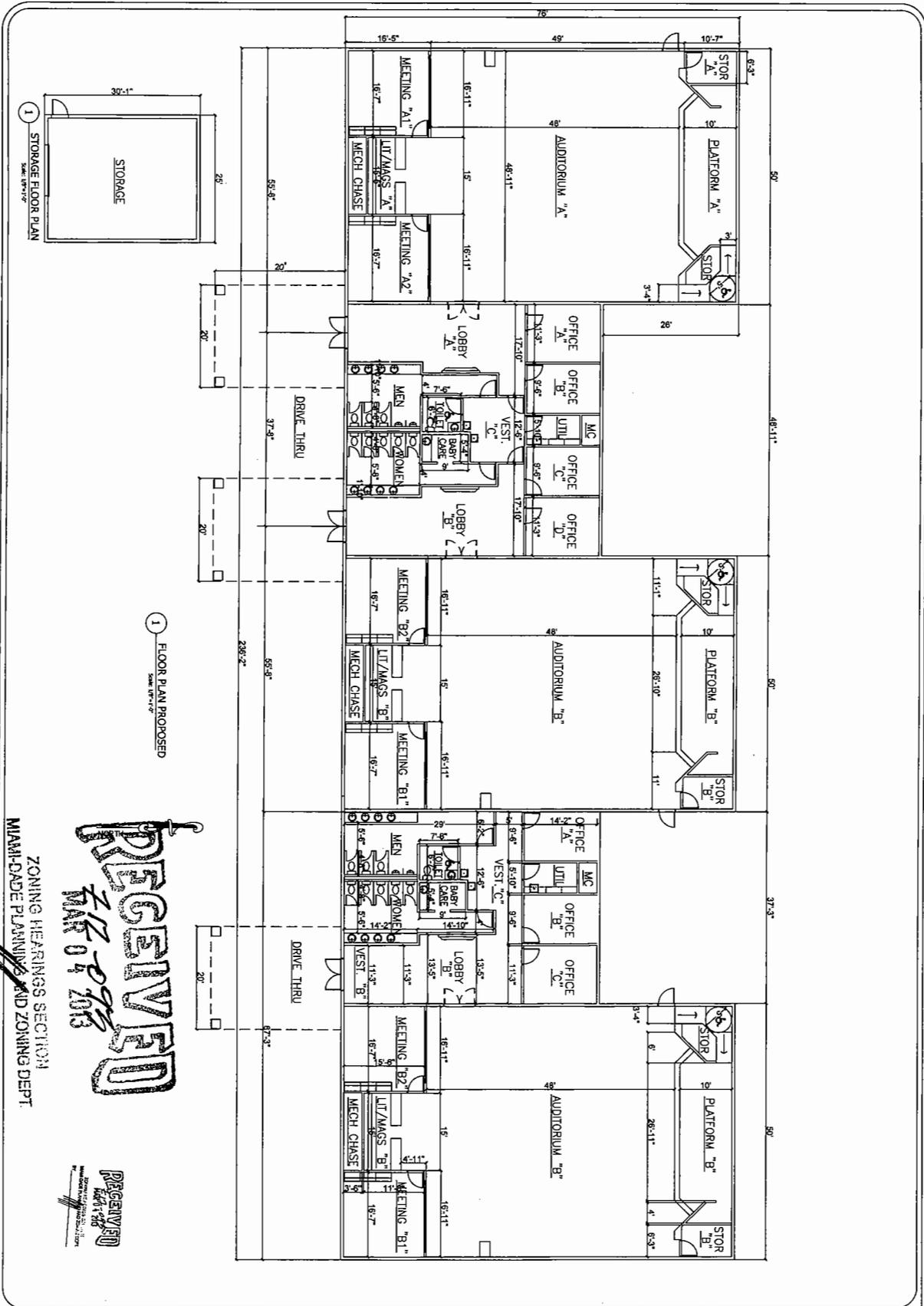


RECEIVED
 MAR 14 2013

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



ENLARGED SITE PLAN



1 STORAGE FLOOR PLAN
SCALE: 1/8" = 1'-0"

1 FLOOR PLAN PROPOSED
SCALE: 1/8" = 1'-0"

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

RECEIVED
MAR 09 2013

RECEIVED
MAR 11 2013

SHEET NO.
A-2
OF 18
ULET-100

PROPOSED NEW CONSTRUCTION FOR:
ULETA KINGDOM HALL OF JEHOVAH WITNESSES
14521 MEMORIAL HIGHWAY
MIAMI, FLORIDA, 33161

SHEET TITLE:
FLOOR PLAN

SCALE: ARCHITECT
3/11/13

ARRERO AND ASSOCIATES
ARCHITECT AND PLANNER, INC.
OSWALD MARRERO
ARCHITECT
RICK D. RUIZ, ASSOC. AIA

17007 NW 8 ST
PENSACOLA, FL 32504
TEL: (904) 400-4886
ID: # 005886

NO.	DATE	REVISION	BY	CHKD.	AS SHOWN



ZONING HEARING
MIAMI-DADE PLANNING
BY

RECEIVED
NOV 2 10 2012

A-5
CUBET-001

PROPOSED NEW CONSTRUCTION FOR:
UNETA + MEDINA + SELLER + LEONOV + WITKOPSES
1501 WENDELL AVE., 750-2A-1
MIAMI, FLORIDA 33136

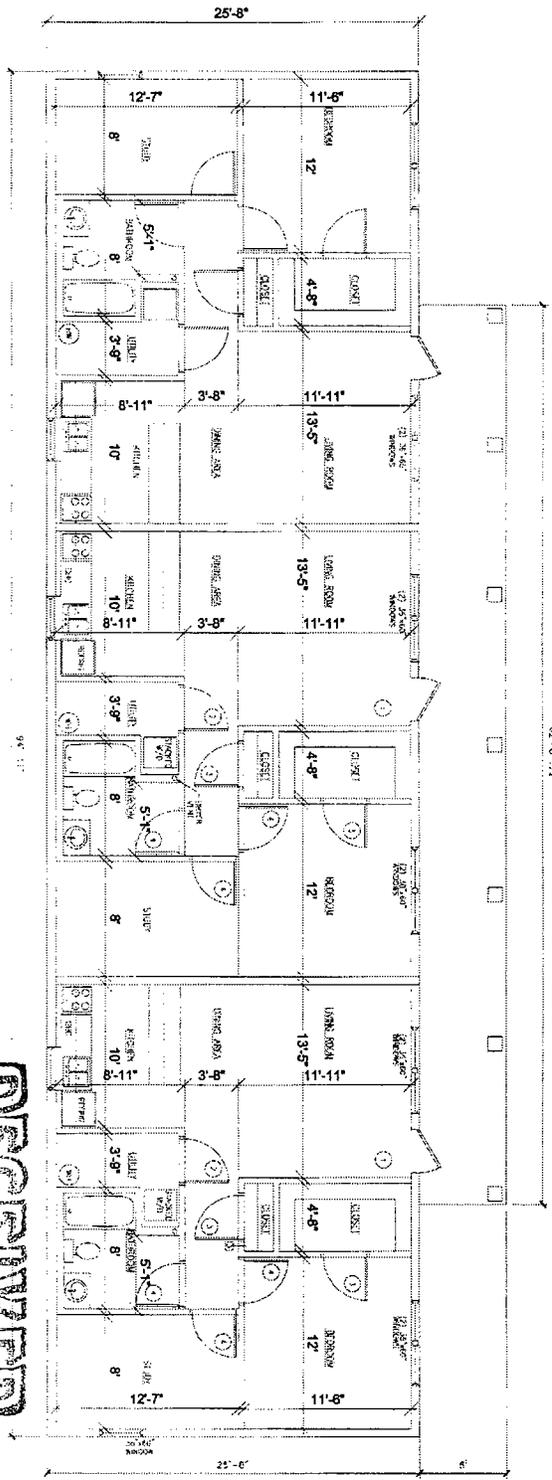
DATE: 11/02/12
DRAWN BY: [Signature]
CHECKED BY: [Signature]

ARRERO AND ASSOCIATES
ARCHITECTS AND PLANNERS, INC.
OSWALD HARRERO
ARCHITECT
RICK D. RUIZ, ASSOC. AIA

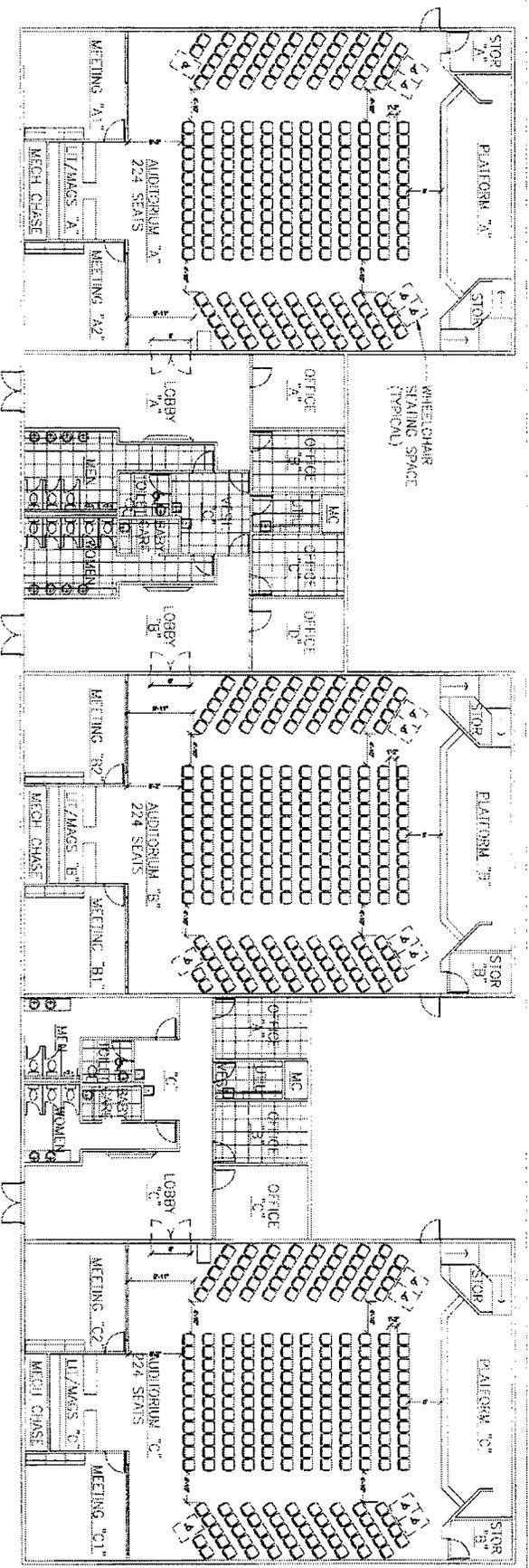
NO.	DATE	REVISION

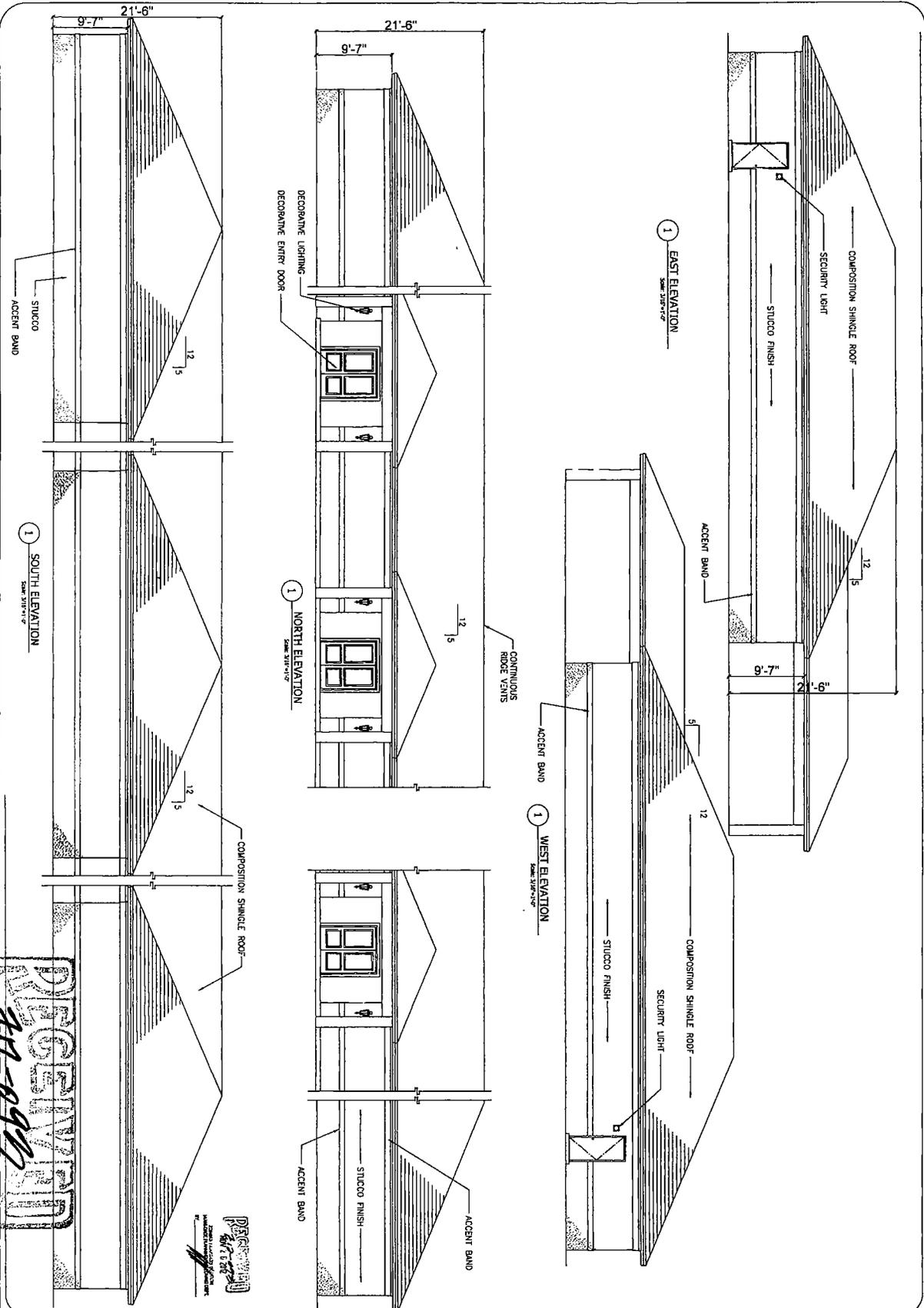


1 APARTMENT FLOOR PLAN



1 SEATING LAYOUT





SHEET NO. A-3
 FILE NO. ULET-001

PROPOSED NEW CONSTRUCTION FOR:
 ULETA KINGDOM HALL OF JEHOVAH WITNESSES
 14521 MEMORIAL HIGHWAY
 MIAMI, FLORIDA, 33161

SCALE: ARCHITECTURAL
 1/8" = 1'-0"

ARRERO AND ASSOCIATES
 ARCHITECT AND PLANNER, INC.
OSWALD MARRERO
 ARCHITECT
 RICK D. RUIZ, ASSOC. AIA

17507 N.W. 5TH ST.
 PLEASANTON, FL. 33089

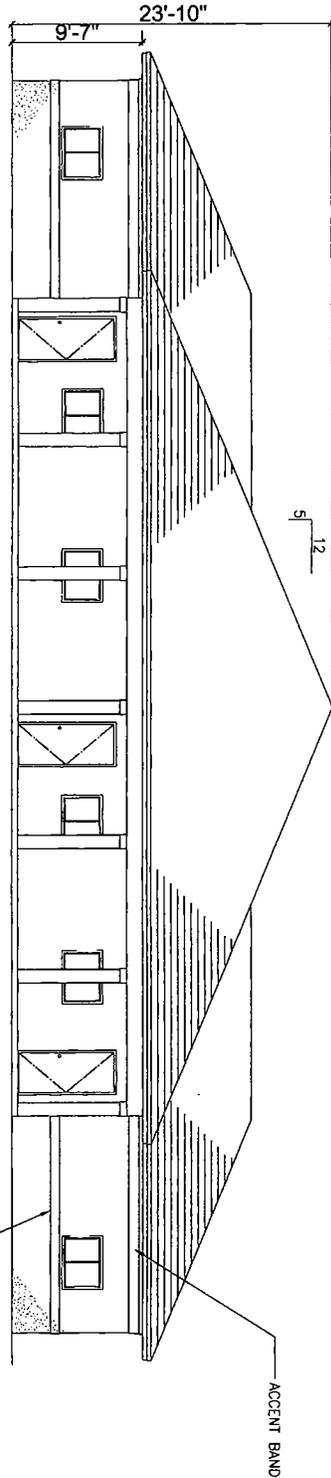
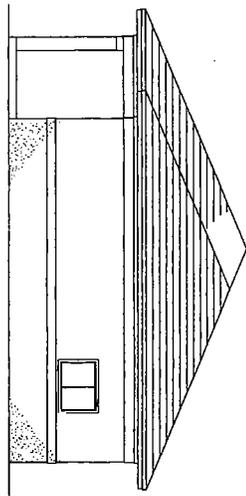
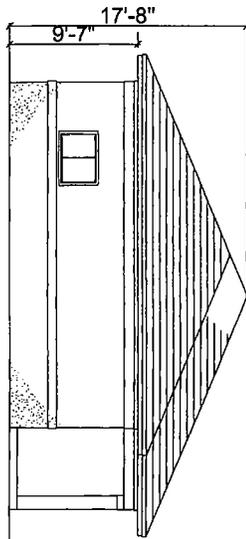
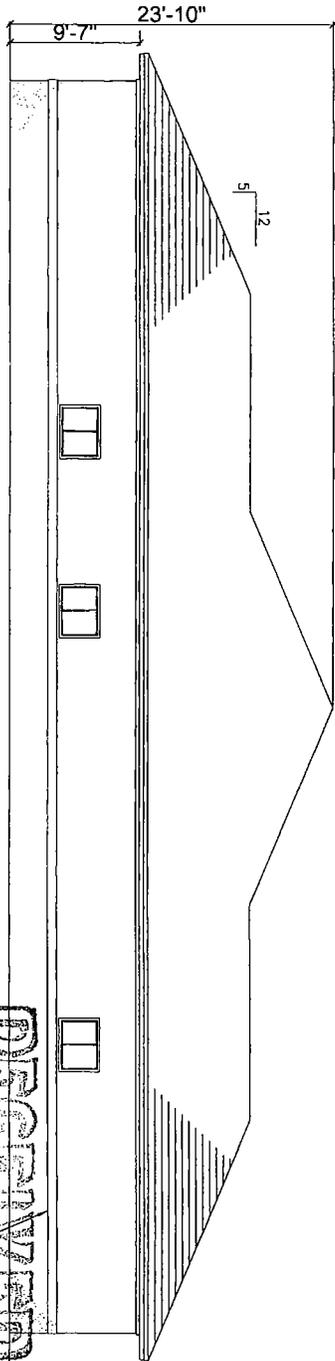
TEL. (304) 456-4386
 FAX (304) 456-4386

NO.	DATE	REVISION	SCALE
			AS SHOWN



REGISTERED
 ARCHITECT
 NOV 20 2012

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



PROPOSED
APARTMENTS



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

SHEET NO.
A-4
OF 10
ULET-001

PROPOSED NEW CONSTRUCTION FOR:
ULETA KINGDOM HALL OF JEHOVAH WITNESSES
14521 MEMORIAL HIGHWAY
MIAMI, FLORIDA, 33161

SHEET TITLE:
APARTMENTS ELEVATIONS

SEAL: A0005812

11/19/12

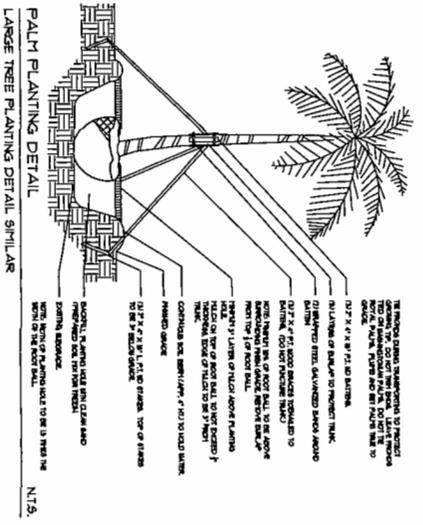
ARRERO AND ASSOCIATES
ARCHITECT AND PLANNER, INC.
OSWALD MARRERO
ARCHITECT
RICK D. RUIZ, ASSOC. AIA

17507 NW 8 ST
PO BOX 2 PHOENIX, AZ 85028

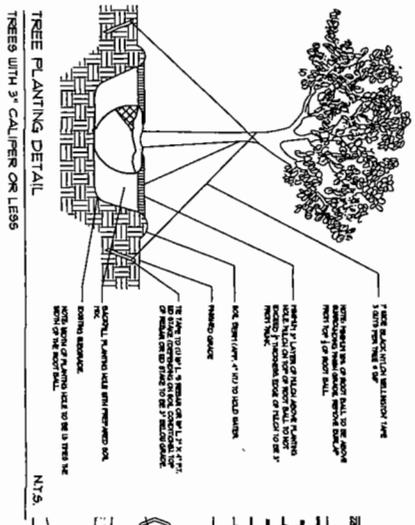
TEL: (604) 690-6328
ID. # 008888

DATE	BY	REVISION	SCALE	AS SHOWN

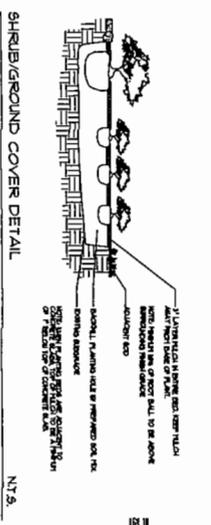




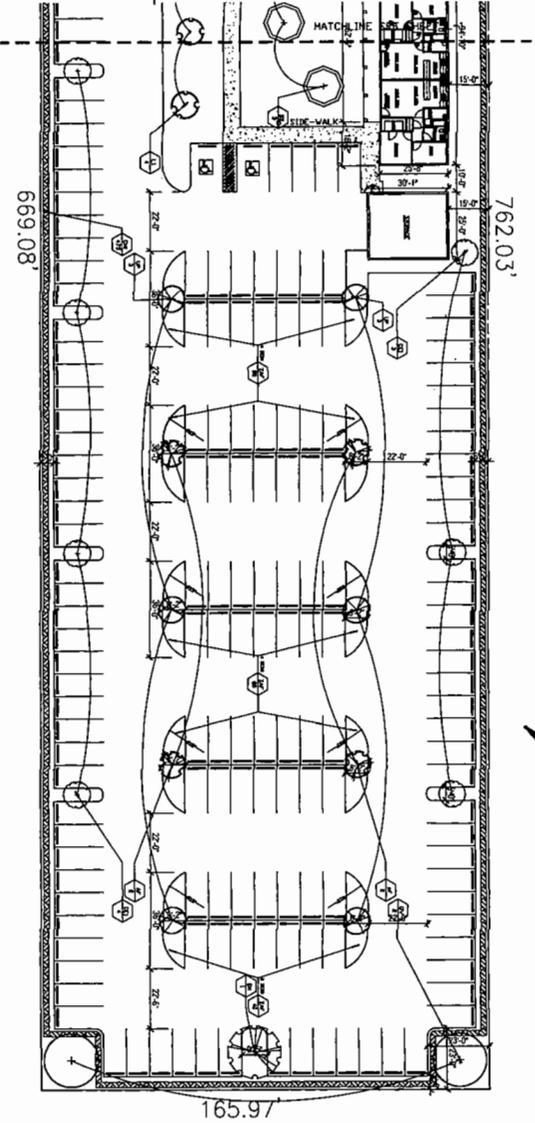
- PLANT NOTES**
1. ALL PLANT MATERIAL TO BE FURNISHED BY THE CONTRACTOR TO THE DEPARTMENT OF AGRICULTURE, LANDS AND FORESTRY, MIAMI COUNTY, FLORIDA, AND TO BE INSTALLED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT OF AGRICULTURE, LANDS AND FORESTRY, MIAMI COUNTY, FLORIDA.
 2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT OF AGRICULTURE, LANDS AND FORESTRY, MIAMI COUNTY, FLORIDA.
 3. ALL PLANTS TO BE PLANTED IN A GOOD GROWING CONDITION AND SHALL BE INSTALLED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT OF AGRICULTURE, LANDS AND FORESTRY, MIAMI COUNTY, FLORIDA.
 4. ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT OF AGRICULTURE, LANDS AND FORESTRY, MIAMI COUNTY, FLORIDA.
 5. ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT OF AGRICULTURE, LANDS AND FORESTRY, MIAMI COUNTY, FLORIDA.
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 8. ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT OF AGRICULTURE, LANDS AND FORESTRY, MIAMI COUNTY, FLORIDA.
 9. ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT OF AGRICULTURE, LANDS AND FORESTRY, MIAMI COUNTY, FLORIDA.
 10. ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT OF AGRICULTURE, LANDS AND FORESTRY, MIAMI COUNTY, FLORIDA.



- PLANT NOTES**
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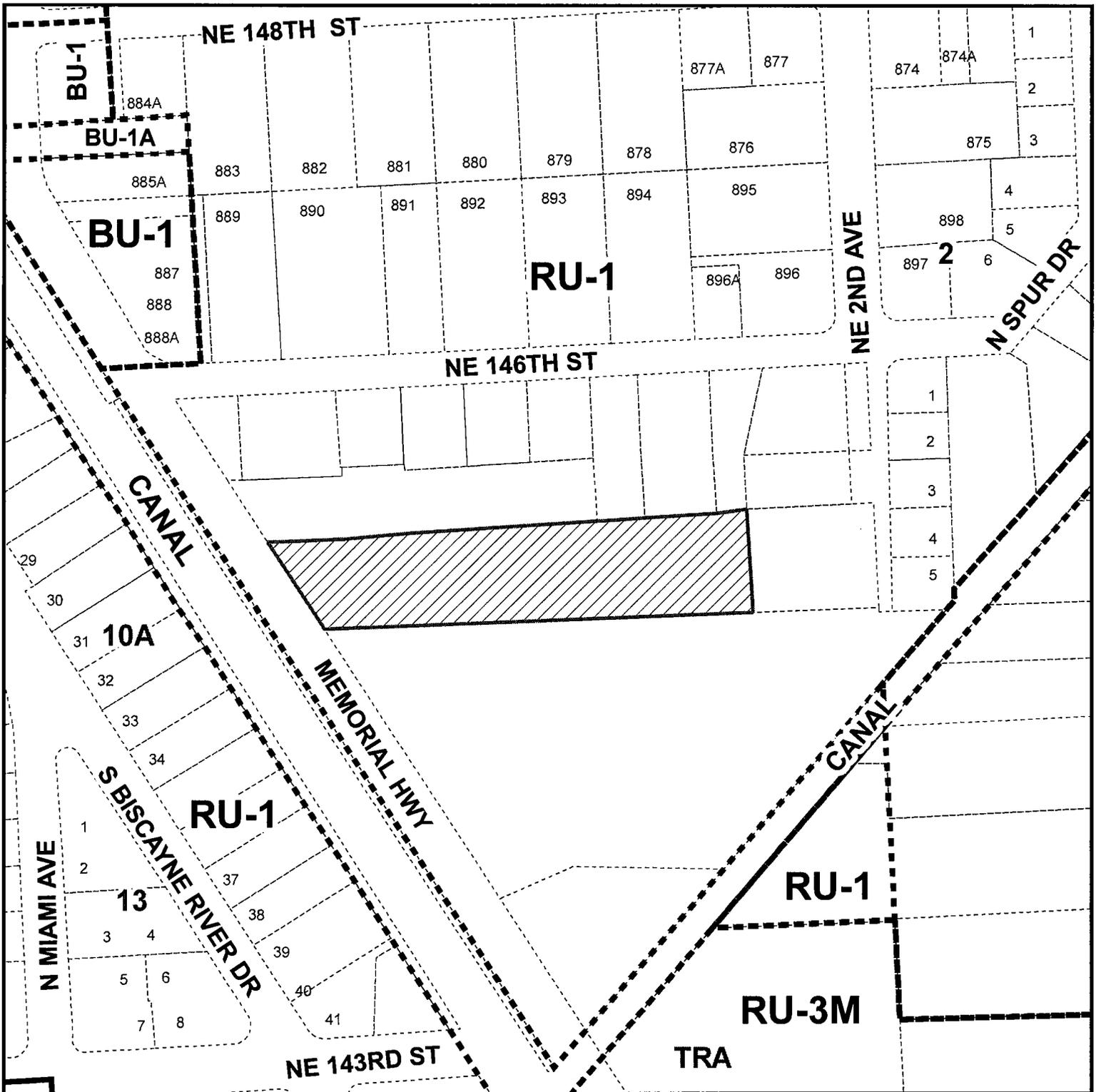


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RECEIVED
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY _____

SHEET NO. LA-2 JOB NO. UL21-001	PROPOSED NEW CONSTRUCTION FOR: ULETA KINGDOM HALL OF JEHOVAH WITNESSES 14521 MEMORIAL HIGHWAY MIAMI, FLORIDA, 33161	ARCHITECT AND PLANNER ARRERO AND ASSOCIATES RICK D. RUIZ, ASSOC. AIA 17807 27th St. # 201 PINEBLUFF, FL, 33429 TEL: (561) 486-4388 ID. # 000808	DATE: _____ DRAWN BY: E.C. SCALE: AS SHOWN																												
			SHEET TITLE: FLOOR PLAN		<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	REVISION																							
NO.	DATE	REVISION																													



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000093



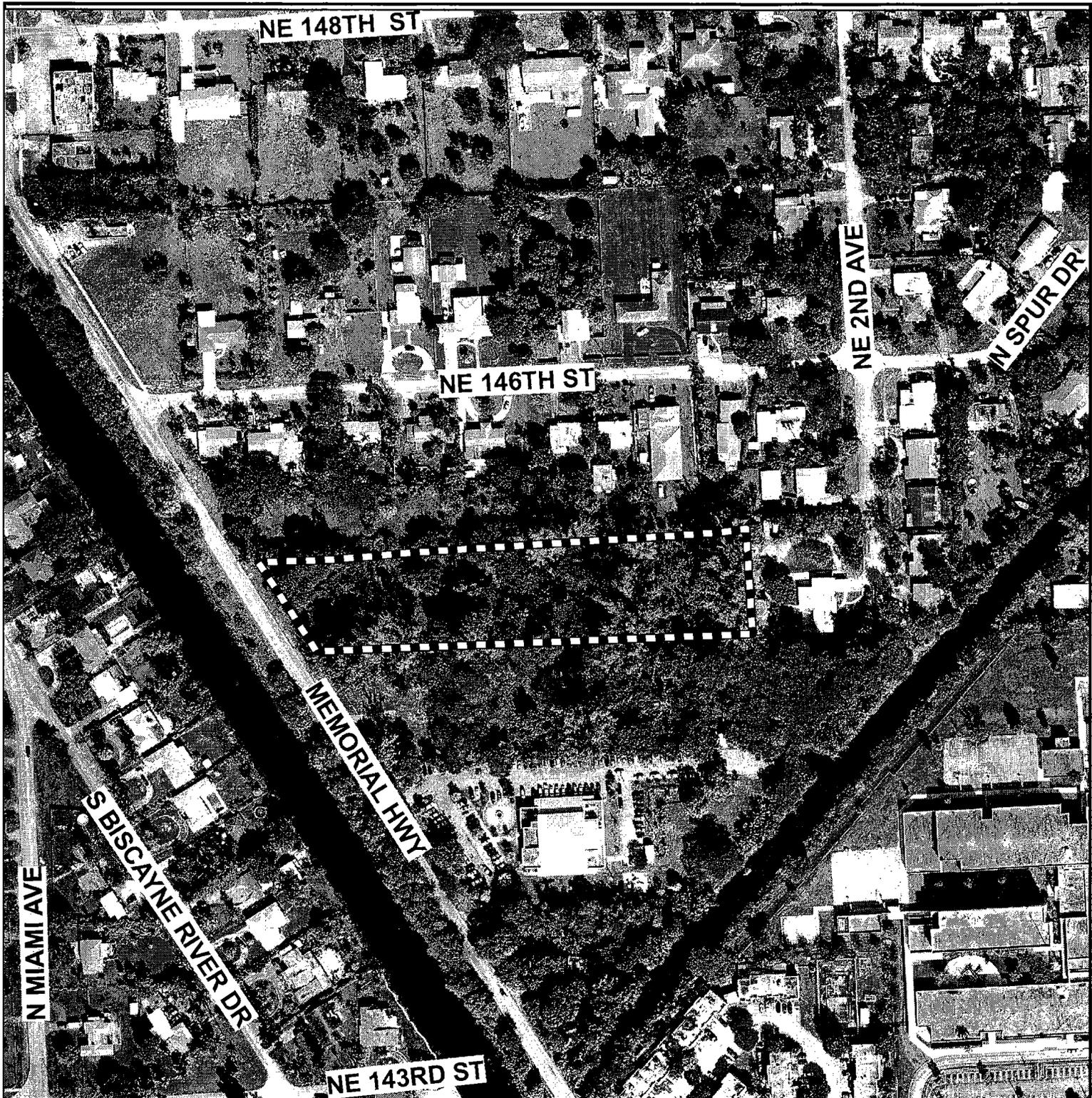
Section: 24 Township: 52 Range: 41
 Applicant: ZACHARY BASS TRUSTEE
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
		33



MIAMI-DADE COUNTY

Process Number

AERIAL YEAR 2010

Z2012000093



Section: 24 Township: 52 Range: 41
 Applicant: ZACHARY BASS TRUSTEE
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

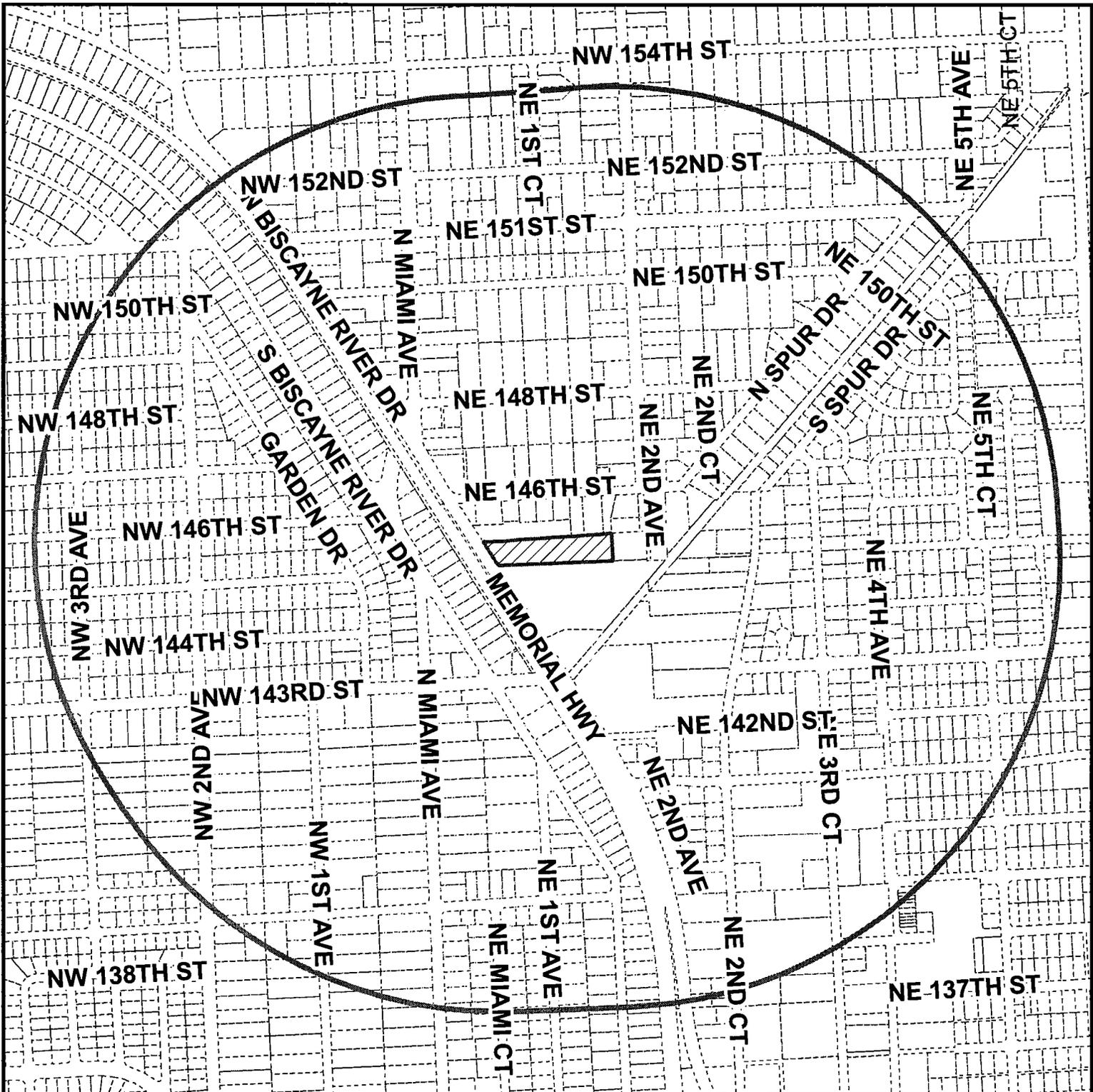
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 Subject Property



SKETCH CREATED ON: Thursday, August 2, 2012

REVISION	DATE	BY
		34



MIAMI-DADE COUNTY
RADIUS MAP

Section: 24 Township: 52 Range: 41
 Applicant: ZACHARY BASS TRUSTEE
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number

Z2012000093

RADIUS: 2640



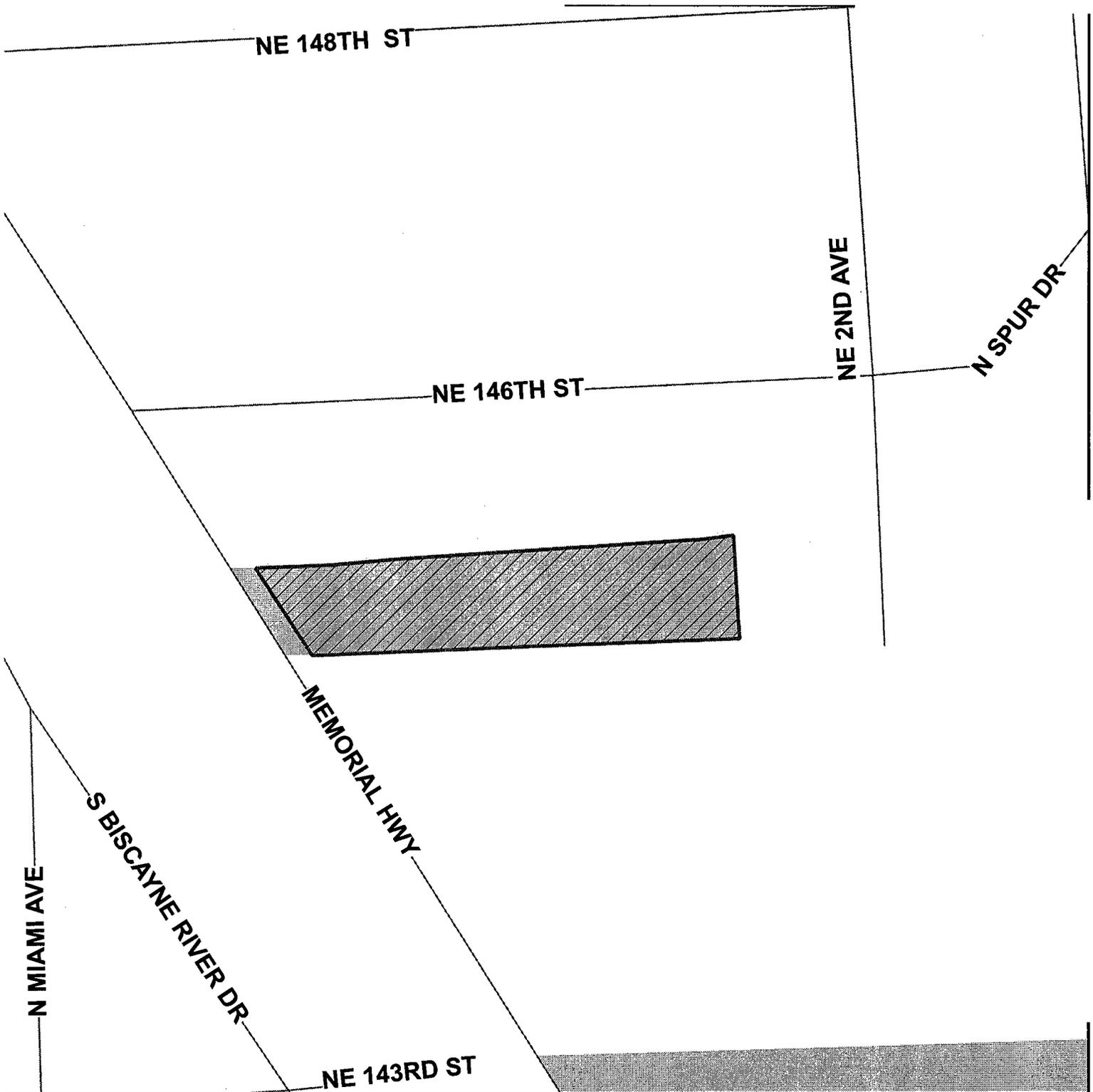
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, August 2, 2012

REVISION	DATE	BY
		35



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000093



Section: 24 Township: 52 Range: 41
 Applicant: ZACHARY BASS TRUSTEE
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, August 2, 2012

REVISION	DATE	BY

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

PH: Z12-030 (13-05-CZ8-1)

**May 30, 2013
Item No. 1**

Recommendation Summary	
Commission District	2
Applicant	Fortune of Chi, Inc.
Summary of Requests	The applicant is requesting a district boundary change from IU-1 to IU-2 and ancillary non-use variances.
Location	Lying approximately 125' West of NW 27 Avenue, between NW 23 Street & NW 24 Street, Miami-Dade County, Florida.
Property Size	4.54 acres
Existing Zoning	IU-1
Existing Land Use	Industrial building
2015-2025 CDMP Land Use Designation	Industrial 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 District Boundary Change and Section 33-311(A)(4)(b), Non-Use Variance Standards (see attached Zoning Recommendation Addendum)
Recommendation	Approval, subject to the Board's acceptance of the proffered covenant of request #1, and approval with conditions #3, #4 and #5 and denial without prejudice of request #2.

REQUESTS:

- (1) DISTRICT BOUNDARY CHANGE from IU-1 (Industry-Light) to IU-2 zone (Industry-Heavy).
- (2) NON-USE VARIANCE to waive the zoning regulations requiring all uses and materials to be stored within a completely enclosed building or confined and completely enclosed within masonry walls not less than 6' in height.
- (3) NON-USE VARIANCE to permit spacing between structures varying from 10' to 17.6' (20' required).
- (4) NON-USE VARIANCE to permit a greenbelt abutting a right-of-way varying from 1' to 10' wide (10' wide required).
- (5) NON-USE VARIANCE to permit a 10' high masonry wall (8' high maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Zoning Conversion from IU-1 to IU-2 for" as prepared by Charles Culpepper. Sheet SP-1.0 & LS-1.0 dated stamped received 10/16/12, with last handwritten revision dated stamped received 10/28/12 and the remaining 4 sheets dated stamped received 9/16/12 for a total of 6 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The applicant seeks to change the zoning on the subject property from IU-1, Light Industrial Manufacturing District, to IU-2, Heavy Industrial Manufacturing District. Additionally, the applicant is seeking non-use variances of spacing between structures, greenbelt and wall

requirements and to waive regulations requiring all uses and materials to be stored within a completely enclosed building or enclosed within a masonry wall.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	IU-1; industrial building	Industrial and Office
North	IU-1; warehouse, office building, and vacant land	Industrial and Office
South	IU-1; railroad tracks	Industrial and Office
East	BU-3; auto parts retail	Industrial and Office
West	IU-1; warehouse	Industrial and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is an interior lot located approximately 125' West of NW 27 Avenue, between NW 23 Street & NW 24 Street and within an Industrial Zoning District. The surrounding area is predominantly characterized by industrial uses such as warehouses, offices, some retail uses, vacant land, and residential uses to the south.

SUMMARY OF THE IMPACTS:

The approval of the rezoning from IU-1 (Light Industrial Manufacturing District) to IU-2 (Heavy Industrial Manufacturing District) would expand the type and intensity of industrial uses on the subject property and surrounding area. However, the approval of the rezoning together with the accompanying non-use variance requests could have a visual impact on the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as **Industrial and Office** on the Comprehensive Development Master Plan (CDMP) Adopted 2015-2025 Land Use Plan (LUP) map. The CDMP Land Use Element interpretative text under the Industrial and Office land use category allows *manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers and similar uses*. The proposed zoning district is **consistent** with the industrial uses permitted under the Industrial and Office land use category. As such, staff opines that approval of the request to rezone the property to the IU-2 Zoning District would be compatible with the surrounding area and **consistent** with the Industrial and Office designation of the property on the CDMP LUP map designation.

ZONING ANALYSIS:

When request #1, to rezone the 4.54-acre parcel from IU-1, Light Industrial District, to IU-2, Heavy Industrial Manufacturing District, is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of the application would not have an unfavorable impact on the natural resources or an unfavorable economic impact on Miami-Dade County and will not unduly burden water, sewer, solid waste disposal, or other necessary public facilities. Further, staff opines that approval of this request will not have a negative impact on the surrounding roadways or burden or affect transportation facilities based on the recommendations and/or information contained in the memoranda from the Miami-Dade County Regulatory and

Economic Resources Department Division of Environmental Resources Management and the Public Works and Waste Management Department.

The subject property is located in a section of Miami-Dade County which is predominately zoned IU-1 and developed with a mix of uses. Staff notes that the nearest residential uses, mobile homes, are located approximately 50' south of the subject property. Staff also notes that the subject property has a 10' high masonry wall along the rear (south) property line, which is the subject of request #5 and that staff recommends approval of, which acts as a visual buffer to the residential uses to the south. In addition, staff notes that railroad tracks are also located between the subject property and these residential uses. Therefore, staff opines that the existing 10' high masonry wall and railroad tracks act as adequate buffers from the subject property to the remaining residential uses in this industrial district. Furthermore, a property located further west on the same block, approximately 135' away from the subject property, is zoned IU-2.

The subject property is currently developed with an existing industrial building. The approval of the rezoning to IU-2 would allow the applicant to provide additional and more intense industrial uses to the area. However, the applicant has proffered a declaration of restrictions limiting the IU-2 uses for the subject property. Said covenant provides that the subject property will not be used for an asphalt drum mixing plants which produce less than one hundred and fifty (150) tons per hour in self-contained drum mixers, soap manufacturing (vegetable byproducts) only, sawmills, or dynamite storage. Consequently, staff is of the opinion that, subject to the Board's acceptance of the proffered covenant, approval of the zone change request to IU-2 would not be out of character with this industrial area, would be **compatible** with neighboring developments and would, therefore, be consistent with the CDMP. **As such, staff recommends approval of the district boundary change from IU-1 to IU-3, subject to the Board's acceptance of the proffered covenant.**

When request #2, to waive the zoning regulations requiring all uses and materials to be stored within a completely enclosed building, is analyzed under the Non-Use Variance (NUV) standards, Section 33-311(A)(4)(b), staff opines that approval of the request would be **incompatible** with the surrounding area. Although the adjacent property to the east is contiguously owned, staff opines that in the event that one of the properties is sold, an adequate buffer in the form of a wall is necessary to buffer any visual impact. Therefore, staff opines that the existing chain link fence located along the interior side (east) property line does not provide an adequate buffer for the adjacent property to the east. **Therefore, staff recommends denial without prejudice of request #2, under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard.**

When request #3, to permit spacing between structures varying from 10' to 17.6' (20' required), request #4, to permit a greenbelt abutting NW 24 Street varying from 1' to 10' wide (10' required), and request #5, to permit a 10' high masonry wall (8' high maximum permitted), are analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff notes that these requests are due to existing conditions on the subject property and opines that approval of these requests would not create any additional impact on the surrounding area and would be compatible with the same. Moreover, staff opines that the reduced spacing between structures is interior to the site and would not create any negative impact to the surrounding area. Also, staff notes that the applicant is only proposing 1' greenbelt along that portion, approximately 74 feet, of the property that is restricted due to the configuration of the existing building and parking area. Staff recognizes that the applicant has worked with staff and has

substantially increased the greenbelt and landscaping along the rest of NW 24th Street. Staff opines that the proposed greenbelt and increased landscaping along NW 24 Street provides an adequate buffer from the site to the right-of-way. Also, staff notes that pursuant to Resolution No. Z-141-94, the property directly north of the subject property, located at 2745 and 2757 NW 24 Street, was granted approval to permit a 5' wide greenbelt (8' required) abutting NW 24 Street. And lastly, the existing wall higher than allowed creates a visual buffer from the subject property to the surrounding area. **Therefore, staff recommends approval of requests #3, #4, and #5, under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate that the subject property has two (2) ingress and egress drives along NW 24 Street. The plans also show a total of 40 parking spaces, which exceeds the parking requirement by 2 parking spaces.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval, subject to the Board's acceptance of the proffered covenant of request #1, and approval with conditions #3, #4 and #5 and denial without prejudice of request #2.

CONDITIONS FOR APPROVAL: (for requests #3, #4 and #5 only)

1. That a site plan be submitted to and meet with the approval of the Director of the Miami-Dade County Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "'Zoning Conversion from IU-1 to IU-3 for" as prepared by Charles Culperrer. Sheet SP-1.0 & LS-1.0 dated stamped received 10/16/12, with last handwritten revision dated stamped received 10/28/12 and the remaining 4 sheets dated stamped received 9/16/12 for a total of 6 sheets except as herein amended to provide for all uses and materials to be stored within a completely enclosed building or confined and completely enclosed within masonry walls not less than 6' in height.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to final zoning inspection.
5. That the applicant comply with all applicable conditions and requirements of the Department of Regulatory and Economic Resources and all other departments as contained in their memoranda pertaining to this application.
6. That the applicant obtain a new Certificate of Use from and promptly renew the 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.

ES:MW:NN:CH:JC



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

NDW

ZONING RECOMMENDATION ADDENDUM

Fortune of CHI, Inc.
Z12-030

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

<p>Industrial and Office (Pg. I-39)</p>	<p><i>Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunication facilities, microwave towers, radar stations and cell towers is also allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed, dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Free-standing retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Free-standing retail and personal service uses and shopping centers that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses, and others with unusual siting requirements may also be considered at appropriate locations. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings.</i></p> <p><i>If the land is the subject of an application for rezoning, zoning approval or a plan amendment and is located in an MSA with less than a 15-year supply of industrial land, in order to receive approval for a non-industrial use, the applicant must demonstrate that such use will not have a significant adverse impact on future industrial development.</i></p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311 District Boundary Change</p>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p>
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ZONING RECOMMENDATION ADDENDUM

*Fortune of CHI, Inc.
Z12-030*

	<p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> (1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i> (2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i> (3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i> (4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i> (5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i>
<p>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>

1. FORTUNE OF THE CHI, INC.
(Applicant)

13-5-CZ8-1 (12-030)
Area 08/District 02
Hearing Date: 05/30/13

Property Owner (if different from applicant) **Fortune of Chi, Inc.**

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:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1948	Walter C Roome	- Zone change from RU-3B to BU-1 & IU-1.	BCC	Approved with Condition(s)
1955	Gladys Kirkpatrick & Ace Concrete Service Co.	- Zone change from BU-1 to IU-1.	BCC	Approved
1969	Sy-Mor Properties, Inc.	- Zone change from RU-3B to IU-1.	BCC	Approved
1969	Sy-Mor Properties, Inc.	- Zone change from RU-3B to IU-1.	ZAB	Recommended for Approval

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: June 14, 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: C-08 #Z2012000030-1st Revision
Fortune of Chi, Inc.
2340 NW 27th Avenue
District Boundary Change from IU-1 to IU-3
(IU-1) (4.54 Acres)
28-53-41

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

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

Potable Water Service 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

Site grading and development plans shall comply with the requirements of Chapter 11C of the Miami-Dade County Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

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

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

Pollution Remediation

There are records of current dry cleaning solvent contamination assessment/remediation issues on the abutting property to the north (Holiday Cleaners, 2414 NW 27 Ave., IW5-3825/F-3536).

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/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

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, Department of Regulatory and Economic Resources

PH# Z2012000030
CZAB - C08

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: FORTUNE OF THE CHI, INC.

This Department has no objections to this application.

Additional improvements may be required at time of permitting.

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



Raul A Pino, P.L.S.

03-APR-12

Memorandum



Date: October 19, 2012

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

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

Subject: Z2012000030: FORTUNE OF CHI, INC
Includes revised plans dated stamped received through 10/16/12

Application Name: FORTUNE OF CHI, INC

Project Location: The site is located at 2340 NW 27 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting approval for a district boundary change from IU-1 to IU-3 to permit a wider range of industrial uses on site. Review includes revised plans dated stamped received through 10/16/12.

Because this application does not generate any additional residential population, the CDMP Open Space Spatial Standards do not apply and this Department has no objection to this application. We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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

MN:jb

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



Memorandum

Date: 20-NOV-12
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: William W. Bryson, Fire Chief.
 Miami-Dade Fire Rescue Department
Subject: Z2012000030

Fire Prevention Unit:

No objection to plan stamped received 10/16/2012 VIA Case # Z2012000030

Service Impact/Demand

Development for the above Z2012000030
 located at 2340 NW 27 AVE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1076 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.
 The estimated average travel time is: 7:50 minutes

Existing services

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

Planned Service Expansions:

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

Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 06-MAR-13
REVISION 4

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

FORTUNE OF THE CHI, INC.

LYING APPROXIMATELY 125' WEST
OF NW 27 AVENUE, BETWEEN NW
23 STREET & NW 24 STREET,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000030

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: Folio 3031280030030 - No open cases. Folio 3031280030101 - No open cases. BNC: Folio 3031280030030 BSS case 20120153058-B was opened on May 25, 2012. Case opened for breaking up ground in parking area, violation has not yet been issued. Case remains open. Folio 3031280030101 - No cases open/closed.

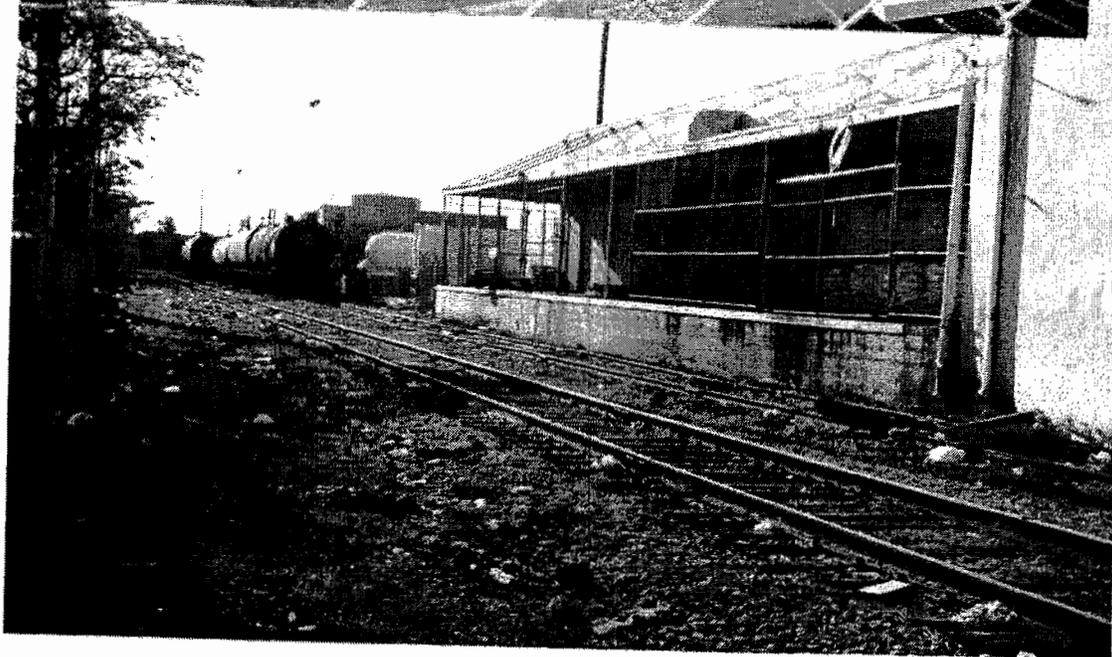
Fortune of the Chi, Inc.

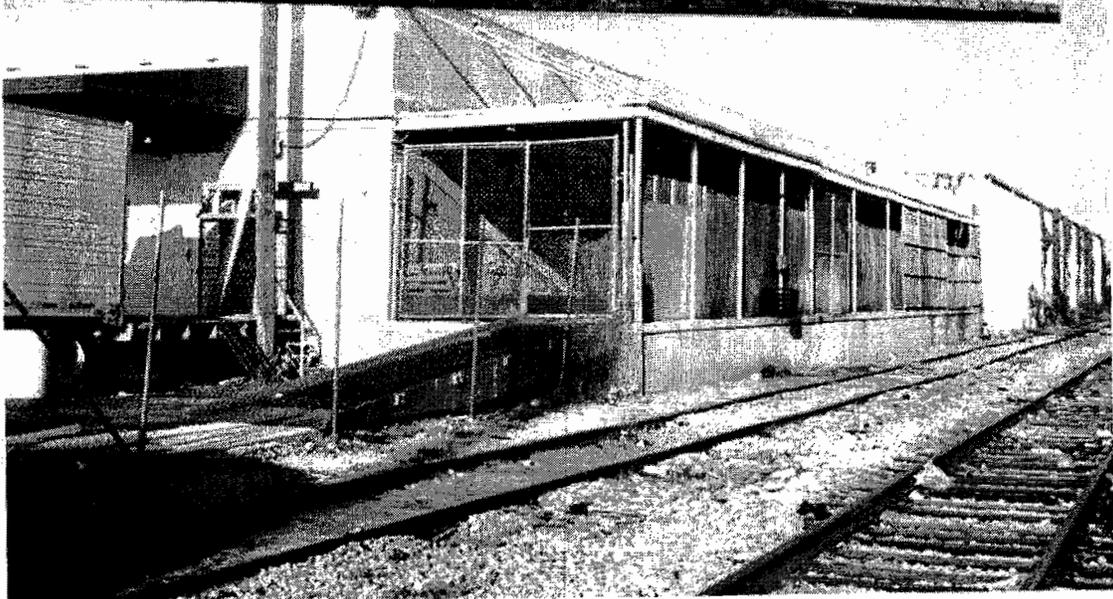
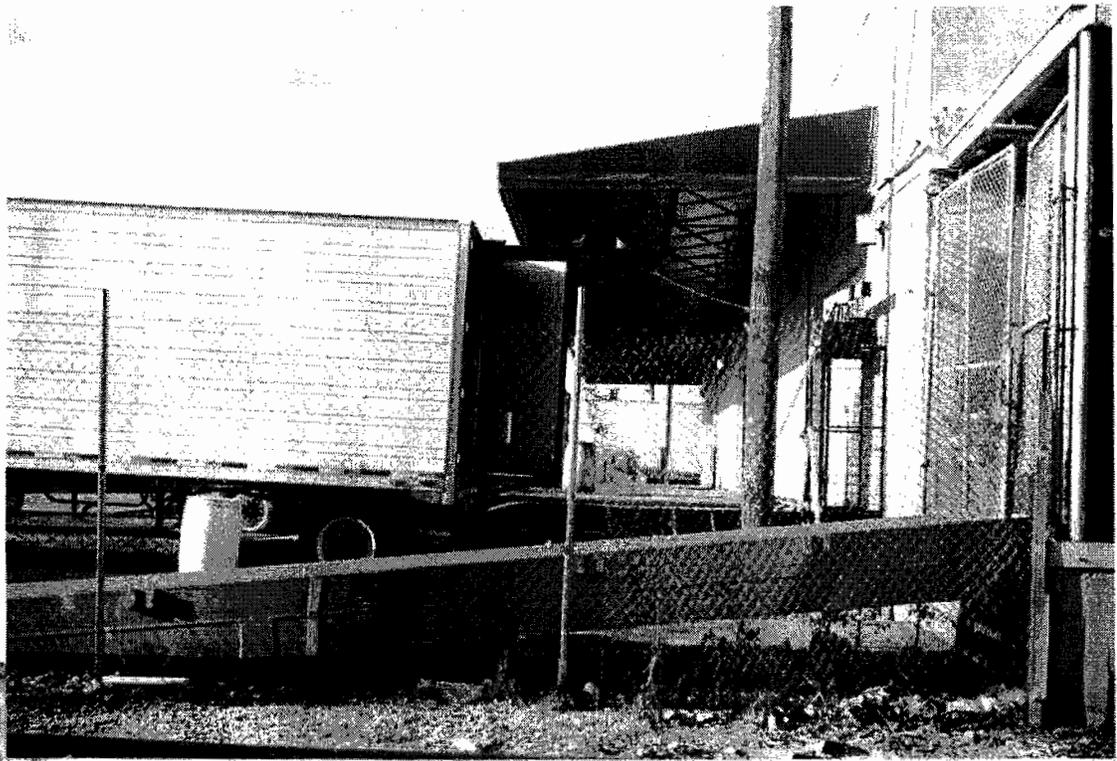
**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

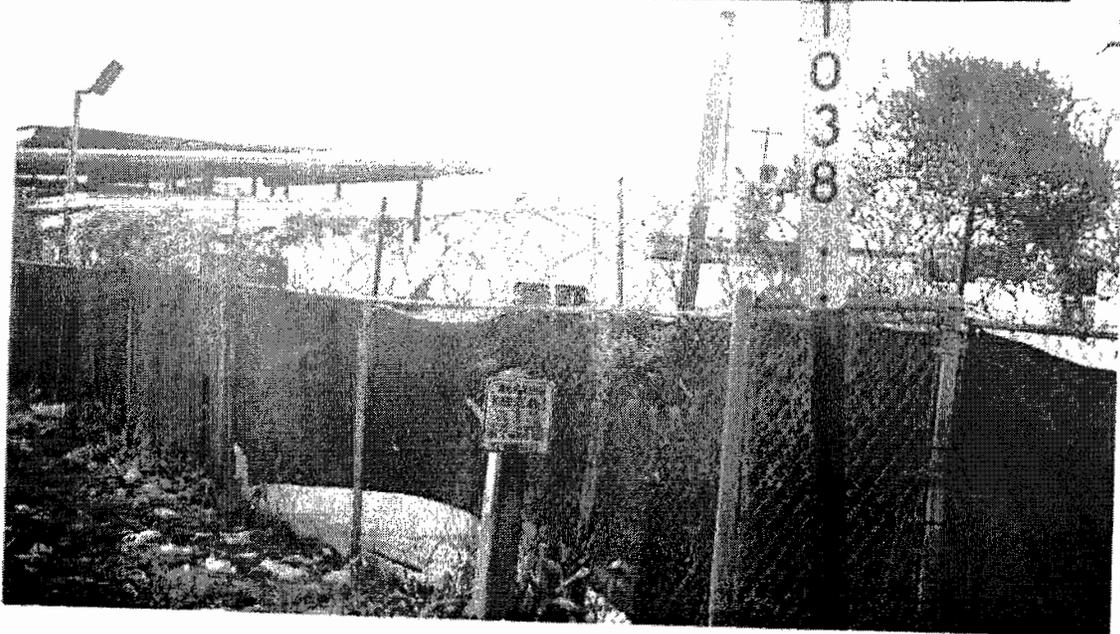
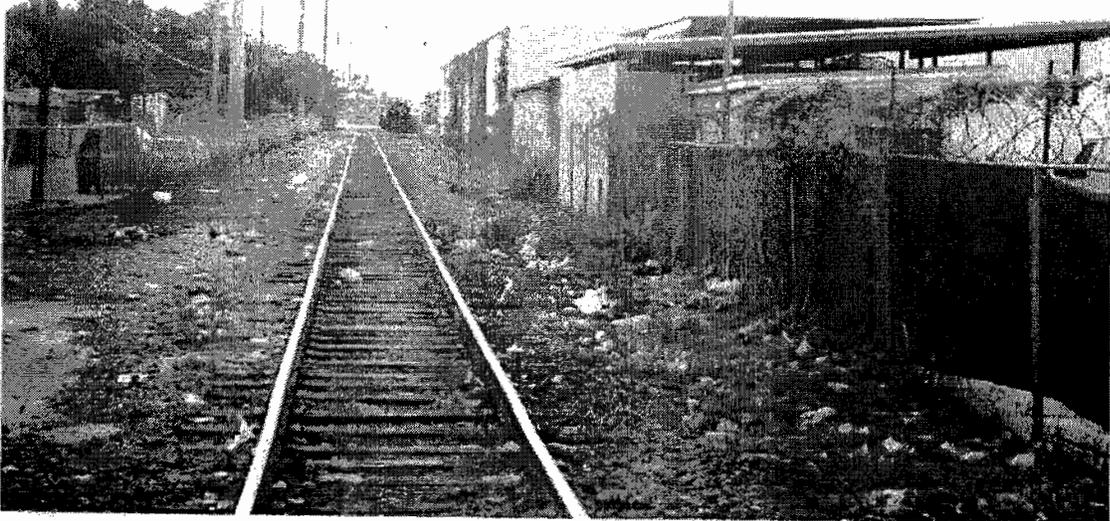
REPORTER NAME:

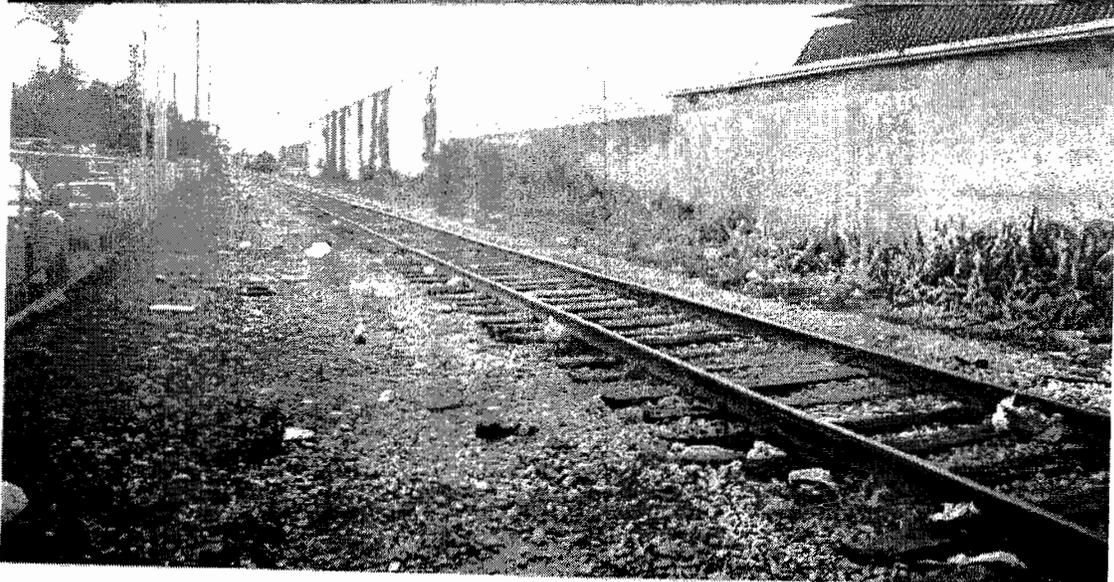






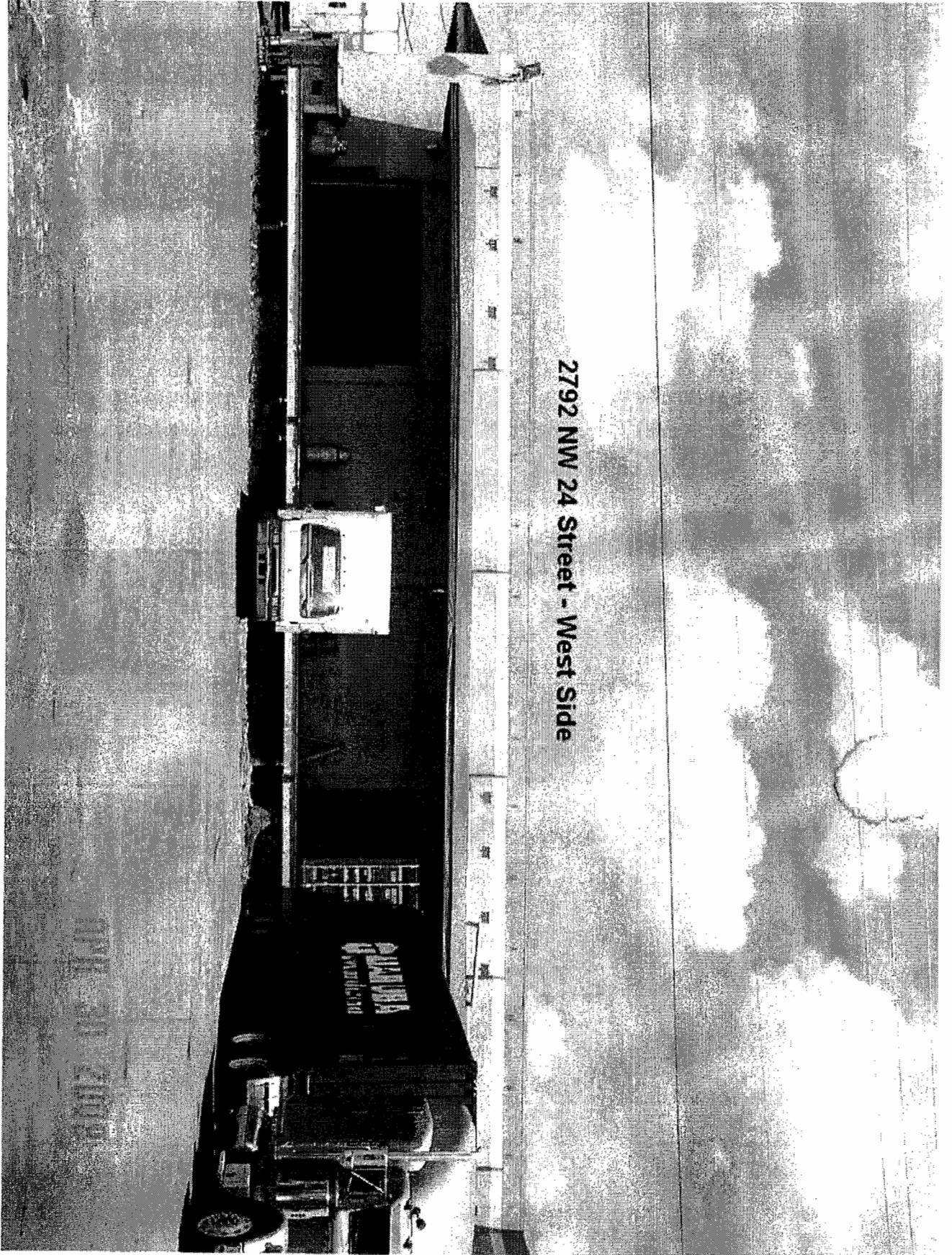




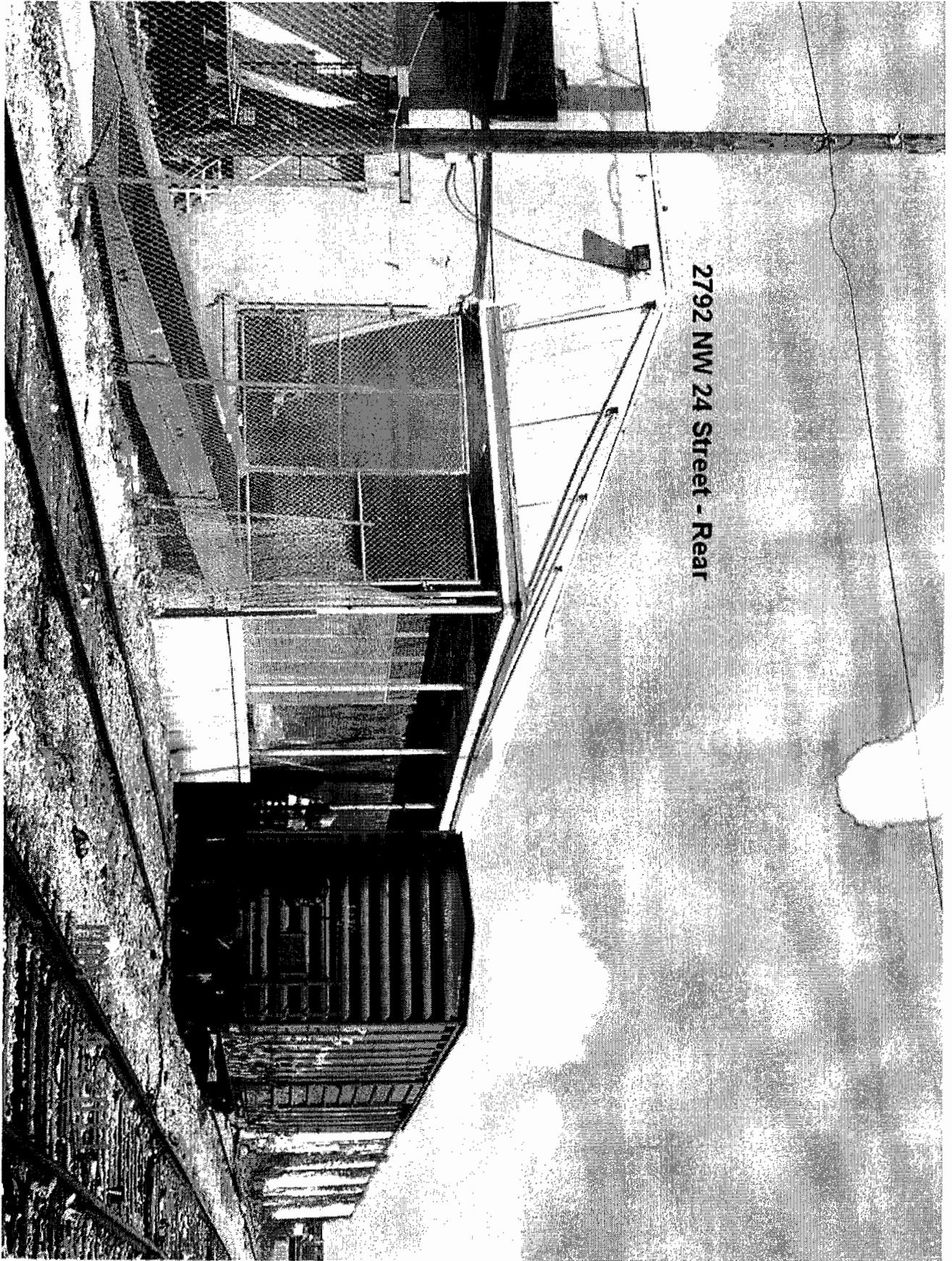








2792 NW 24 Street - West Side



2792 NW 24 Street - Rear

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: FORTUNE OF THE CHI, INC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>2340 NW 27 AVE.</u>	<u>35%</u>
<u>LUIS CHI</u>	<u>35%</u>
<u>MARIA CHI</u>	
<u>JOE CHI, JEANNY, SONYA CHI</u>	<u>10% EA = 30%</u>

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

TRUST/ESTATE NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u>N/A</u>	<u>N/A</u>
<u>212-030</u>	<u>N/A</u>
<u>A</u>	<u>N/A</u>

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

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

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

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

NAME OF PURCHASER: N/A

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

N/A
N/A
N/A
N/A

N/A
N/A
N/A
N/A

Date of contract: N/A

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

N/A
N/A
N/A
N/A

N/A
N/A
N/A
N/A

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

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

Signature: [Signature]
(Applicant)

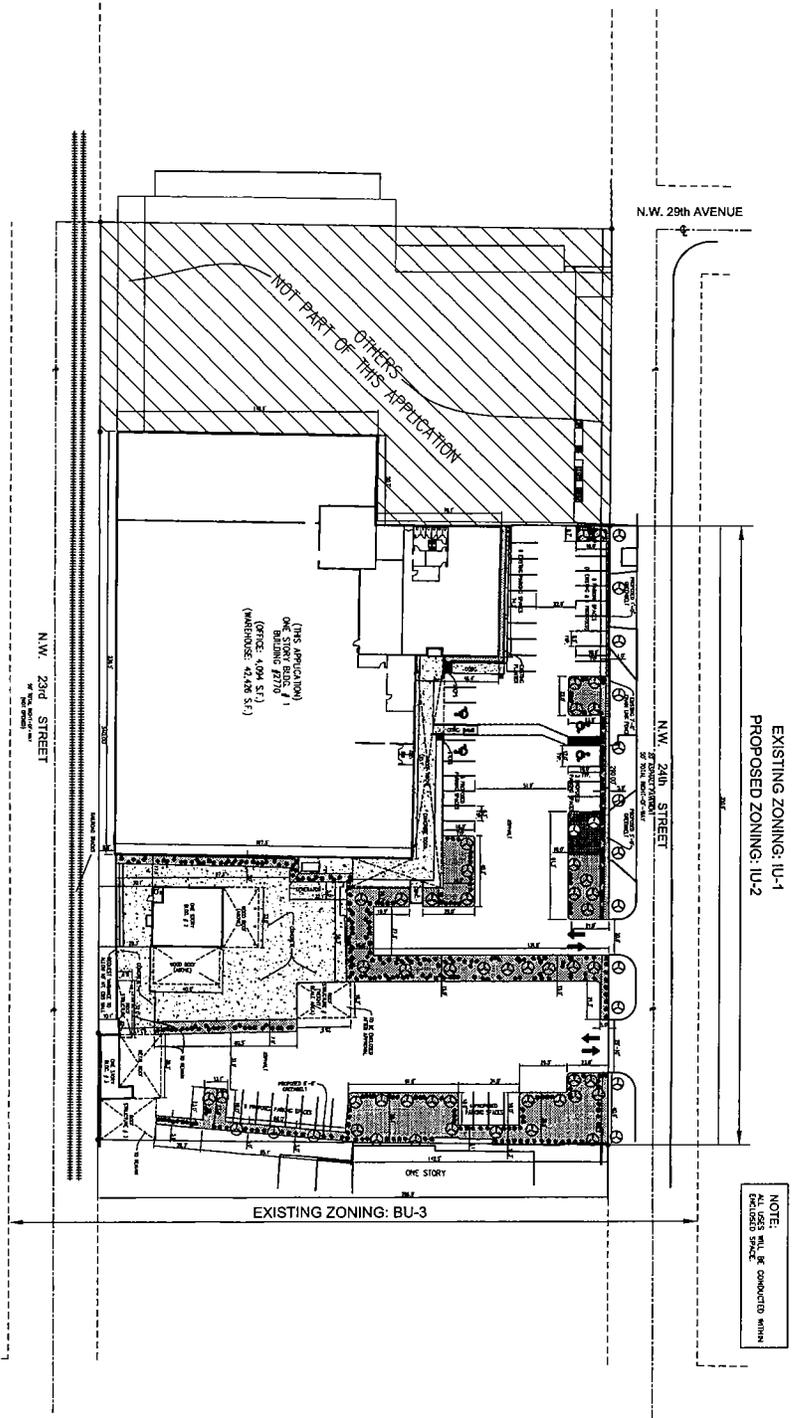
Sworn to and subscribed before me this 11 day of FEB., 20 11. Affiant is personally know to me or has produced FL. D.L. as identification.

[Signature]
(Notary Public)
ANTONIO SACERIO
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.



ZONING LEGEND	
LOT SIZE (SQ. FT.)	= 107,250 S.F.
TOTAL BUILDING (SQ. FT.)	43,560 / 107,250 S.F. = 41.54 ADUS
OFFICE (SQ. FT.)	42,428 S.F.
WAREHOUSE	4,094 S.F.
DEVELOPMENT REQUIRED	38,212 S.F.
DEVELOPMENT PROVIDED	0
LANDSCAPING REQUIREMENT	0.1 X 107,250 S.F. = 10,725 S.F.
LANDSCAPING PROVIDED	11,544 S.F.
TREES REQUIRED ON SITE	13 X 2.48 = 32.24
TREES PROVIDED ON SITE	41
STREET TREES REQUIRED	300 / 25 = 12
STREET TREES PROVIDED	12
PARKING REQUIREMENTS:	
OFFICE (4,094 S.F.)	1/200 S.F. = 20.47 SPACES REQ.
WAREHOUSE (42,428 S.F.)	1/1,000 S.F. OF 10,725 S.F. = 10.00 S.F./1,000 S.F. = 10 SPACES REQ.
TOTAL PARKING REQUIRED	30.47 SPACES REQ.
TOTAL PARKING PROVIDED	38 SPACES PROVIDED
A. 8 X 12' SPACES PROVIDED	

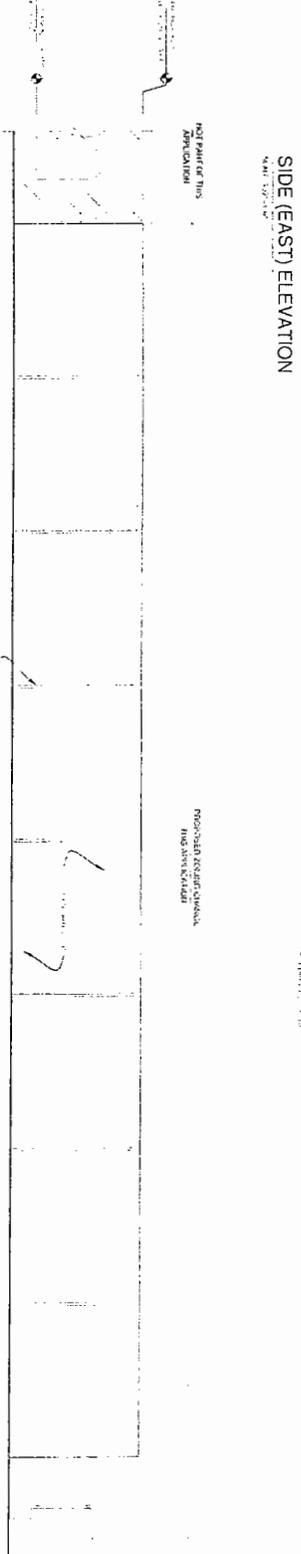
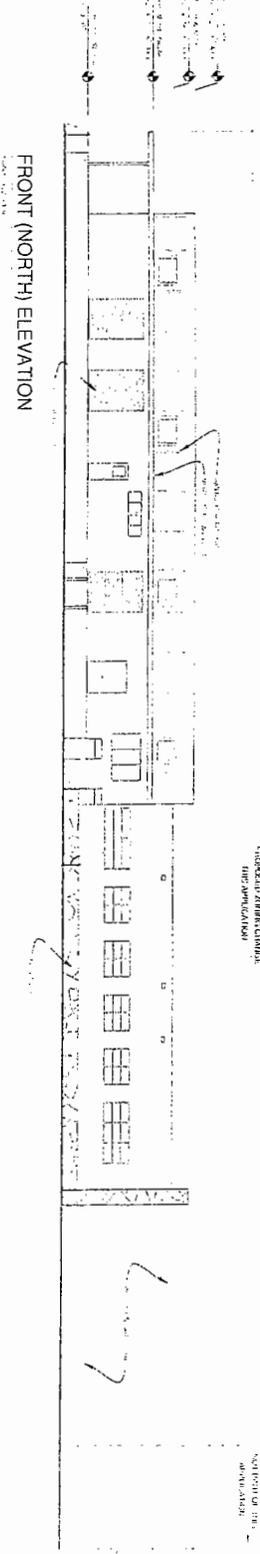
SITE PLAN
SCALE: 1"=20'-0"

RECEIVED
OCT 16 2012

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

RECEIVED
OCT 16 2012

Project Type: ZONING CONVERSION from IU-1 to IU-2 for: Prepared For: FORTUNE OF THE CHI, INC. 2770 N.W. 29th Street Miami, Florida	CHARLES CULPEPPER STRUCTURAL P.E. Florida License No. 0300044503 Miami, Florida 305-710-3284
No. / Revision: _____ Date: _____	
Site Plan Date: 10-16-12 Drawn by: SP-1.0	

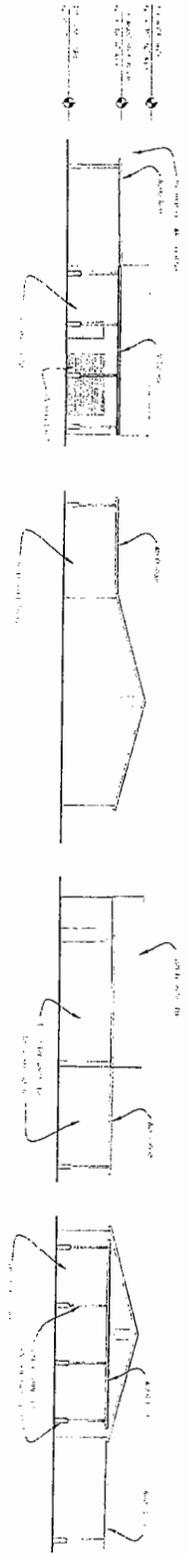


RECEIVED
Z12-030
JUL 16 2012

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

RECEIVED
JUL 16 2012

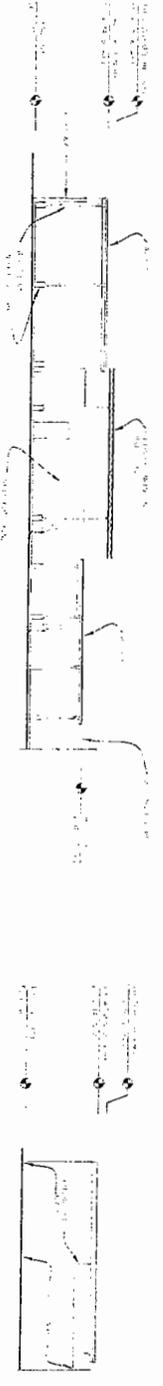
<p>EXTERIOR ELEVATIONS</p> <p>A2.0</p>	<p>Project Type</p> <p>ZONING CONVERSION from IU-1 to IU-3 for.</p> <p>Prepared For</p> <p>FORTUNE OF THE CHI, INC</p>	<p>CHARLES CULPEPPER</p> <p>5740 CULPEPPER</p> <p>PLANNING & ZONING</p> <p>6500 SW 11TH</p> <p>MIAMI, FL 33156</p> <p>305-551-1104</p>
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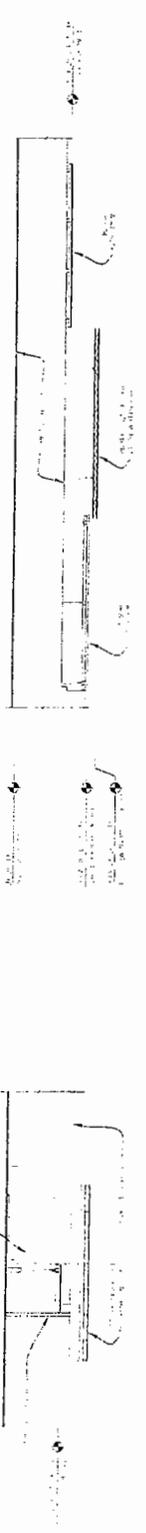
BUILDING NO. 2
 FRONT (NORTH) ELEVATION
 BUILDING NO. 2
 SIDE (EAST) ELEVATION
 BUILDING NO. 2
 REAR (SOUTH) ELEVATION
 BUILDING NO. 2
 SIDE (WEST) ELEVATION



STRUCTURE NO. 1
 FRONT (NORTH) ELEVATION
 STRUCTURE NO. 1
 SIDE (EAST) ELEVATION
 STRUCTURE NO. 1
 REAR (SOUTH) ELEVATION
 STRUCTURE NO. 1
 SIDE (WEST) ELEVATION



STRUCTURE NO. 3
 BUILDING NO. 3
 FRONT (NORTH) ELEVATION
 STRUCTURE NO. 3
 SIDE (EAST) ELEVATION



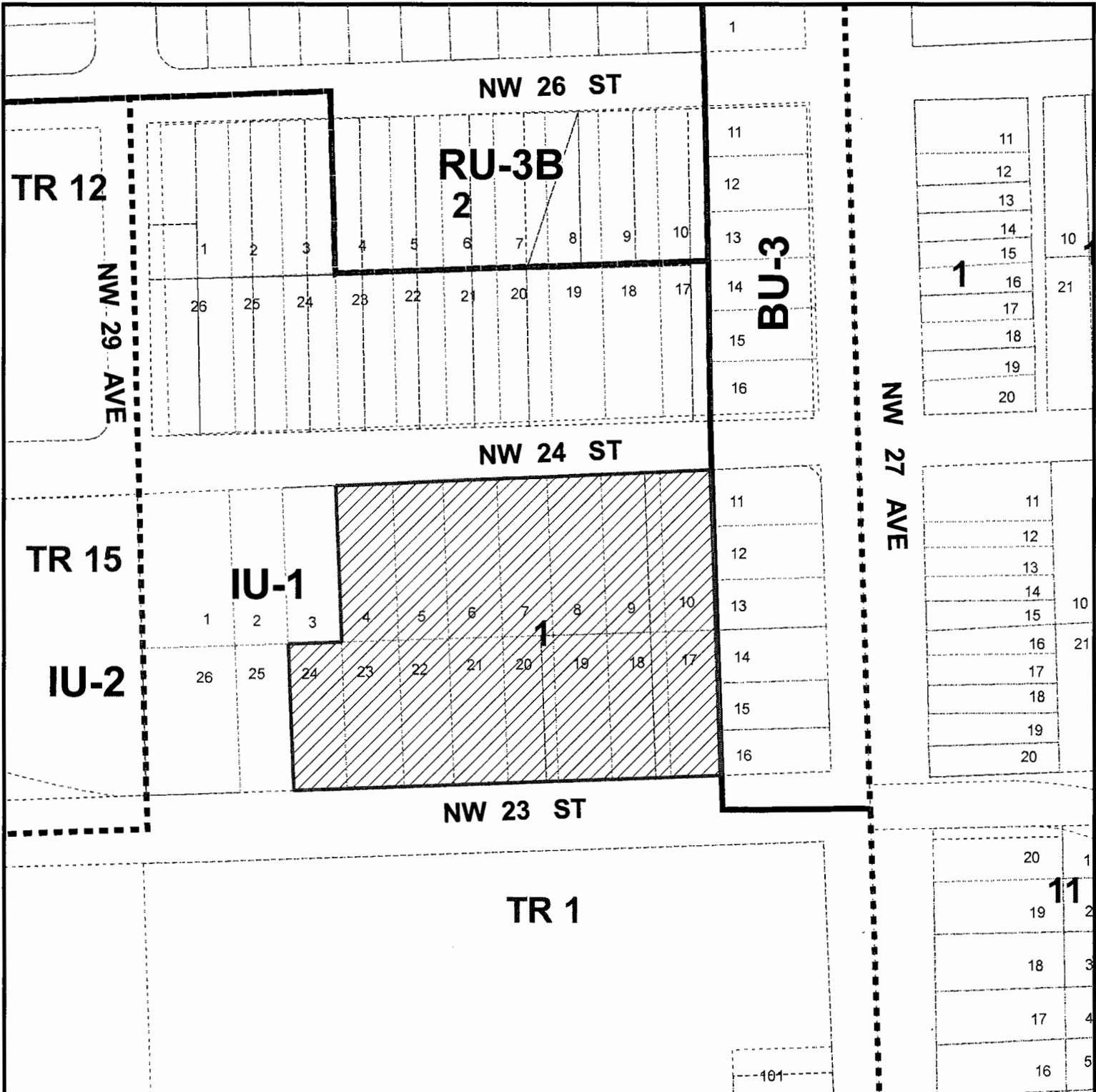
STRUCTURE NO. 2
 BUILDING NO. 3
 REAR (SOUTH) ELEVATION
 STRUCTURE NO. 3
 STRUCTURE NO. 2 and 3
 SIDE (WEST) ELEVATION

RECEIVED
 JUL 16 2012

RECEIVED
 JUL 16 2012

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

Project Type ZONING CONVERSION from IU-1 to IU-3 for Prepared For FORTUNE OF THE CHI, INC. City of Miami Miami, Florida	CHARLES CULPEPPER STRUCTURAL P.E. Fundedup.com 7025142203 Miami, Florida 305-710-5224
EXTERIOR ELEVATIONS A2.1	



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000030



Section: 28 Township: 53 Range: 41
 Applicant: FORTUNE OF CHI, INC.
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

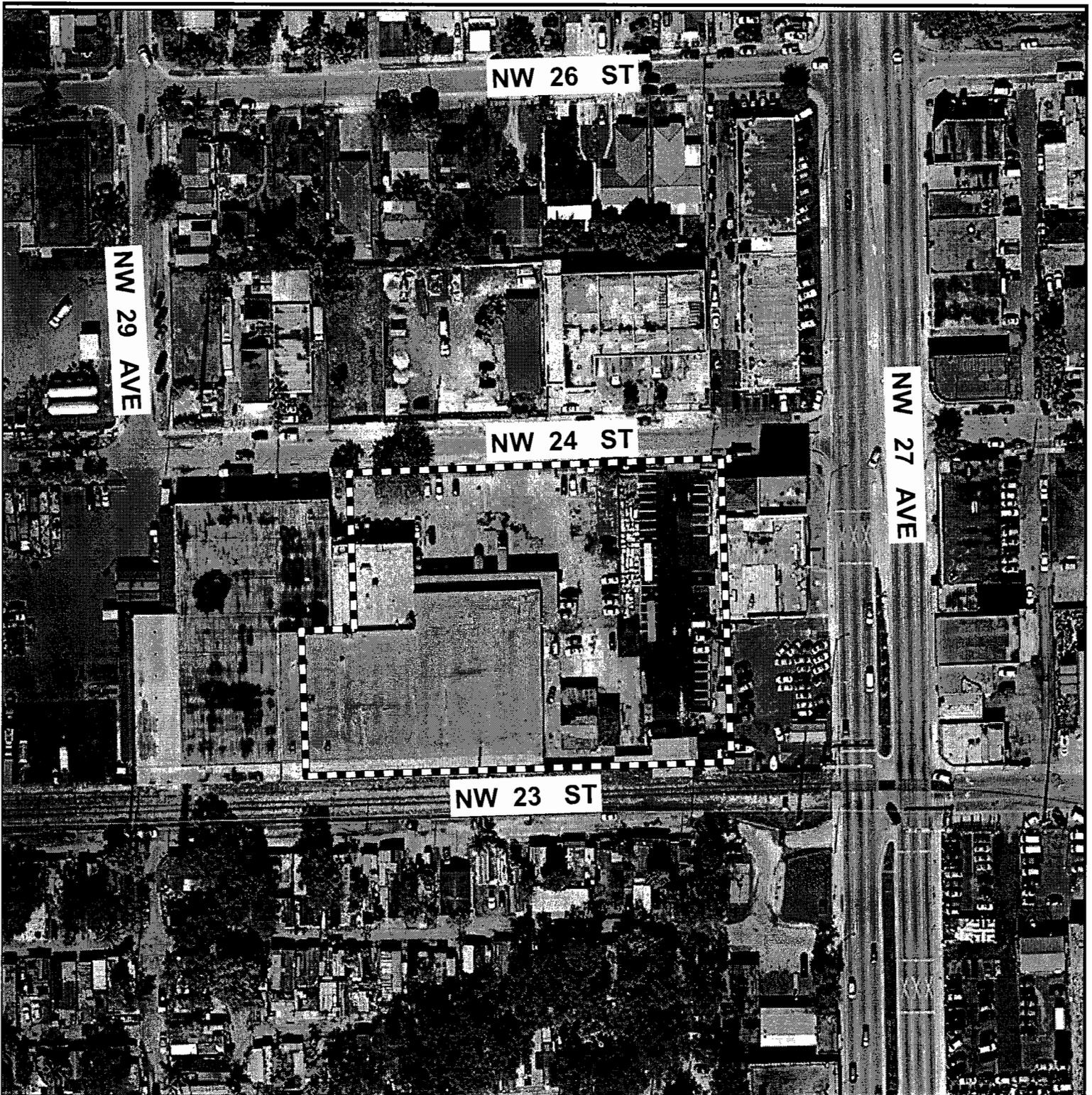
Legend

 Subject Property Case



SKETCH CREATED ON: Monday, March 5, 2012

REVISION	DATE	BY
		33



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

Z2012000030

Section: 28 Township: 53 Range: 41
 Applicant: FORTUNE OF CHI, INC.
 Zoning Board: C8
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Legend

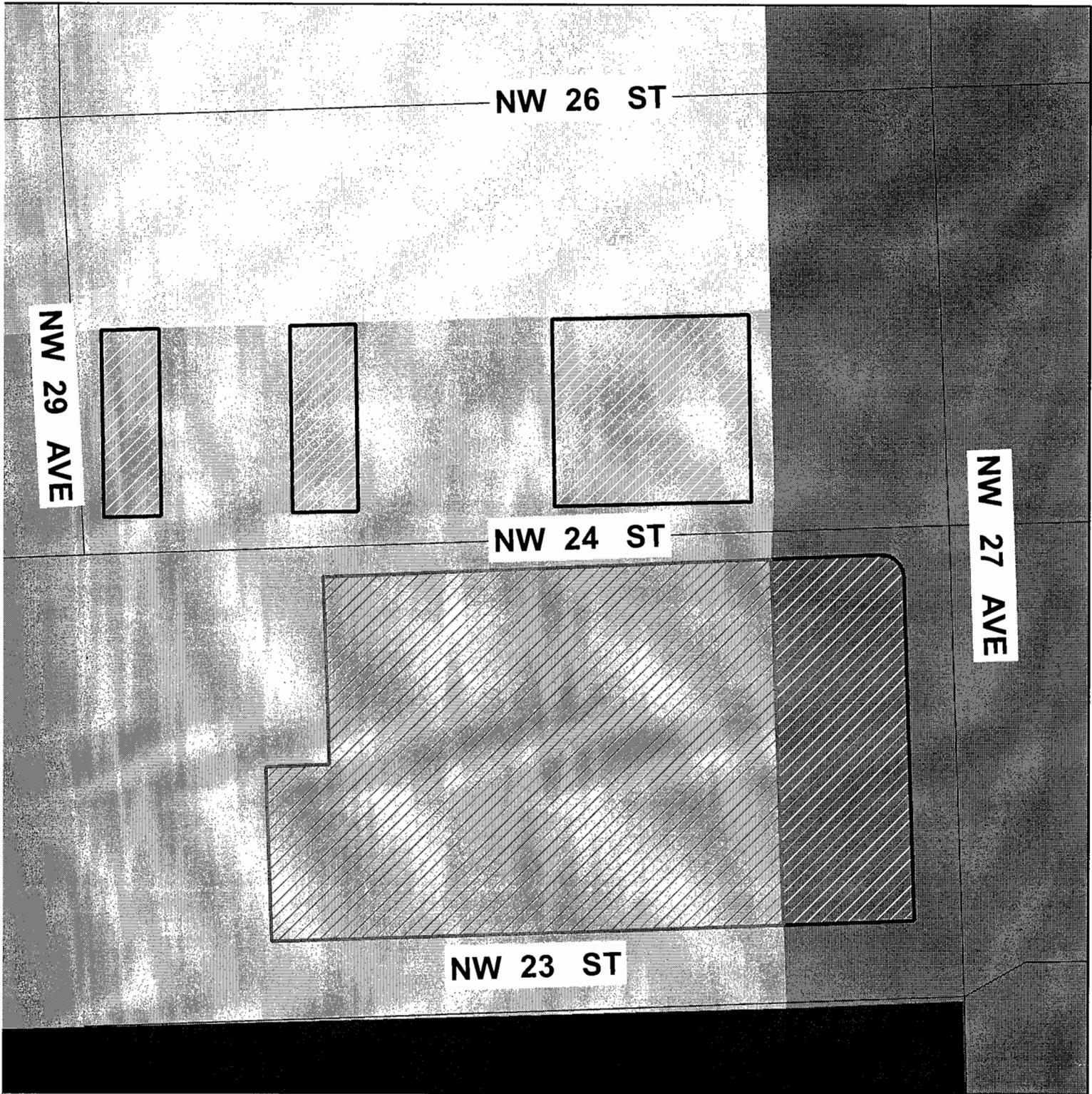


Subject Property



SKETCH CREATED ON: Monday, March 5, 2012

REVISION	DATE	BY
		34



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000030



Section: 28 Township: 53 Range: 41
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 Zoning Board: C8
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 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, March 5, 2012

REVISION	DATE	BY