

FINAL AGENDA

6-25-2013 Version # 2



COMMUNITY ZONING APPEALS BOARD 8
DR. MARTIN LUTHER KING JR. PLAZA
2525 NW 62 Street, Miami
Wednesday, July 31, 2013 at 7:00 p.m.

PREVIOUSLY DEFERRED

- | | | | | |
|---------------|-----------------------------|-------|----------|---|
| A. 13-5-CZ8-2 | <u>ZACHARY BASS TRUSTEE</u> | 12-93 | 24-52-41 | |
| B. 13-6-CZ8-1 | <u>WR INVESTMENT, LLC</u> | 12-46 | 18-52-42 | N |

CURRENT

- | | | | | | |
|---------------|----------------------------|--|--------|----------|---|
| 1. 13-7-CZ8-1 | <u>FRL AUTOMOTIVE, LLC</u> | (DEVELOPMENTAL
IMPACT
COMMITTEE) | 12-112 | 13-52-41 | N |
|---------------|----------------------------|--|--------|----------|---|



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF WEDNESDAY, JULY 31, 2013

DR. MARTIN LUTHER KING JR. PLAZA

2525 NW 62 Street, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 7:00 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMUNITY ZONING APPEALS BOARD SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMUNITY ZONING APPEALS BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD BE GRANTED BY THE MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

A. ZACHARY BASS, TRUSTEE (13-5-CZ8-2/12-093)

**24-52-41
Area 8/Dist. 2**

- (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 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. Sheets A3, A4 & A5 dated stamped received 11/20/12, all other sheets dated stamped received 3/4/13 for a total of 7 sheets. Plans may be modified at public hearing.

LOCATION: 14521 Memorial Highway, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.73 Acres

Department of Regulatory and
Economic Resources

Recommendation:

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

Protests: 71

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from May 30, 2013

B. WR INVESTMENT, LLC (13-6-CZ8-1/12-046)

**18-52-42
Area 8/Dist. 2**

- (1) SPECIAL EXCEPTION to permit a 45 bed religious retreat facility including a chapel.
- (2) NON-USE VARIANCE to permit the religious facility setback 7'-8" (25' required) from the side street (north) property line, setback varying from 25'-0" to 26'-6" (50' required) from the interior side (south) property line, and located closer than the required 75' to an existing residential building to the south.
- (3) NON-USE VARIANCE to permit parking within 25' of rights-of-way.
- (4) NON-USE VARIANCE to permit a spacing of 8' (10' required) between buildings.
- (5) NON-USE VARIANCE to permit a decorative fence and gate with metal pickets, masonry column and decorative lanterns with a height of 8' within 10' of the edge of driveway leading to a public right-of-way (2.5' maximum height permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Oak Grove Retreat House" as prepared by NU Space Design-Build, sheets A-1, A-3 & L-1 dated stamped received 3/12/13, sheets A-4 & A-5 dated stamped received 3/7/12 and sheet A-2 dated stamped received 4/23/13 for a total of 6 sheets. Plans may be modified at public hearing.

LOCATION: 15250 NE 8th Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: 29

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from June 27, 2013

1. FRL AUTOMOTIVE, LLC (13-7-CZ8-1/12-112)

**13-52-41
Area 8/Dist. 2**

REQUESTS #1 THROUGH #4 ON EXHIBIT "A"

- (1) DISTRICT BOUNDARY CHANGE from BU-1A to BU-2.

NOTICE

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

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

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

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

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

July 31, 2013

Item No. A

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 du/a (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.

This item was deferred from the May 30, 2013 meeting of the Community Zoning Appeals Board (CZAB) 8 to allow the applicant to work with the neighbors and staff.

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.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	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.

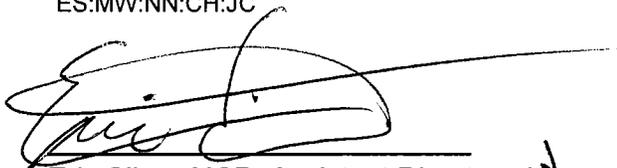
OTHER: Not applicable.

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 *NDW*
Development Services Division,
Miami-Dade County Department of
Regulatory and Economic Resources

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>

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

#2

APPLICANT'S NAME: **ZACHARY BASS TRUSTEE**

REPRESENTATIVE: Randy Tobie

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
13-5-CZ8-2 (12-093)	May 30, 2013	CZAB8	13

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

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: July 31, 2013 W/LEAVE TO AMEND
 DENY: WITH PREJUDICE WITHOUT PREJUDICE
 ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS
 APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.
 WITH CONDITIONS
 OTHER: To allow applicant to work with the neighbors and with staff.

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

EXHIBITS: YES NO

COUNTY ATTORNEY: DATON FITCH

A. ZACHARY BASS TRUSTEE
(Applicant)

13-5-CZ8-2 (12-093)
Area 08/District 02
Hearing Date: 07/31/13

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-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

RECEIVED

Memorandum

MIAMI-DADE
COUNTY

MIAMI-DADE COUNTY
PROCESS #: Z12-093
DATE: JUL 19 2013
BY: DAH

March 22, 2013
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 MDRF 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	dwelling units	N/A	square feet
<u>residential</u>		<u>industrial</u>	
N/A	square feet	16,247	square feet
<u>Office</u>		<u>institutional</u>	
N/A	square feet	N/A	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

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:

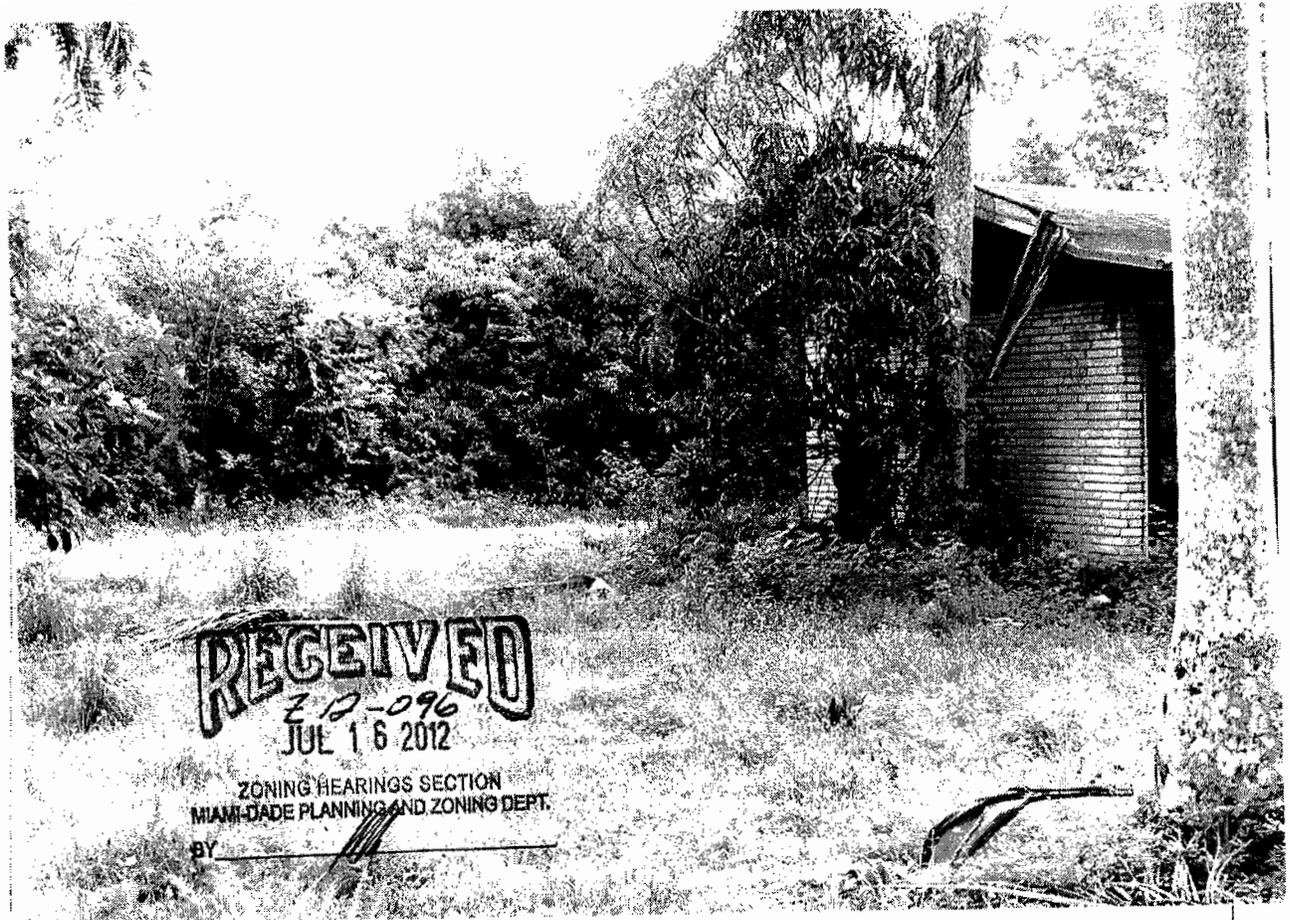
ENFORCEMENT HISTORY: NC: No open cases. Prior case opened December 11, 2012 for Failure to perform lot maintenance. A warning was issued January 24, 2013 and scheduled for recheck February 13, 2013. Reinspection was done February 20, 2013 and violation closed. BNC: No bss cases open/closed.

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].

TRUST/ESTATE NAME Zachary Baso, Wendall Exchusa + Eglbert Purcell as Trustees for Uleta Congregation of Jehovah's Witnesses

<u>NAME AND ADDRESS</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 HEARINGS 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.

_____	_____
_____	_____
_____	_____
_____	_____

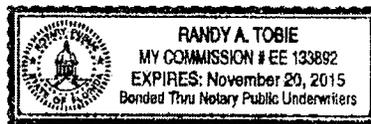
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

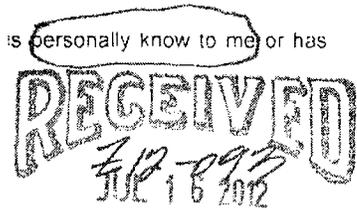
Signature: Zachery Bass
(Applicant)

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)

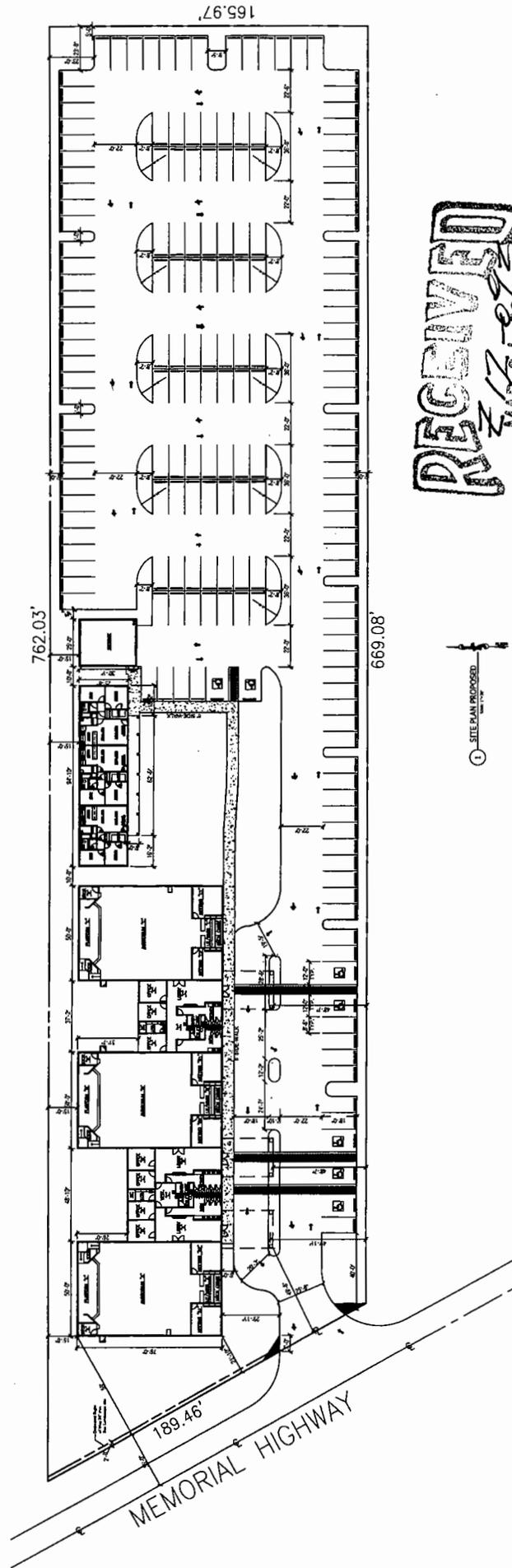


My commission expires: _____



Seal ZONING PLANNING AND PERMITS MIAMI-DADE PLANNING AND ZONING DEPT.

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

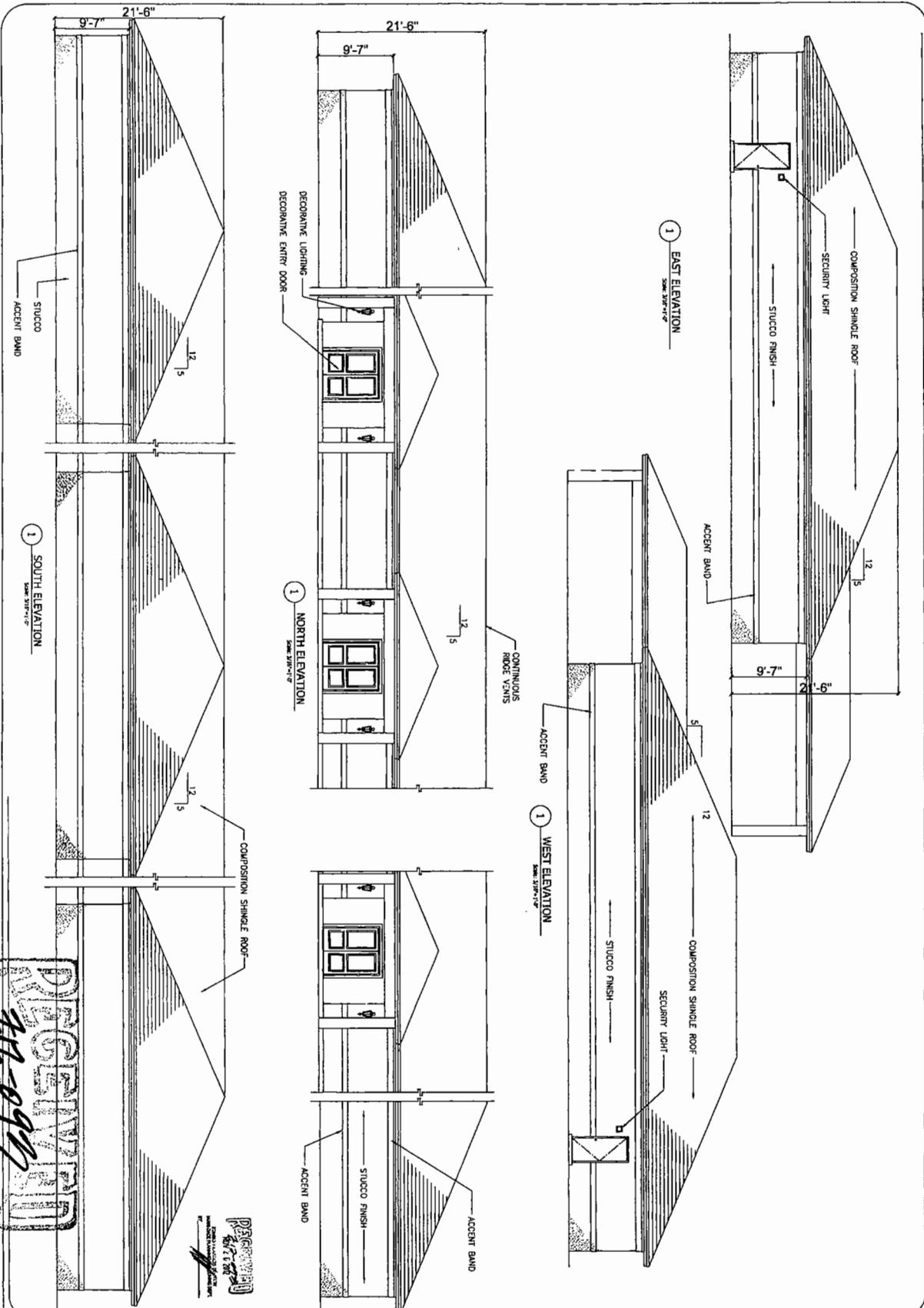


RECEIVED
 MAR 4 2013

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



ENLARGED SITE PLAN



REGISTERED
 ARCHITECT
 NO. 10202
 444-9999

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

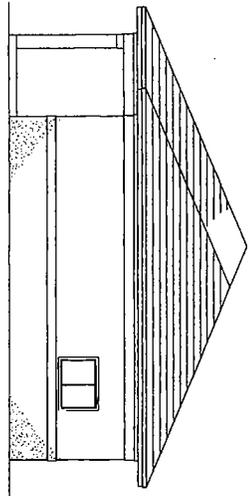
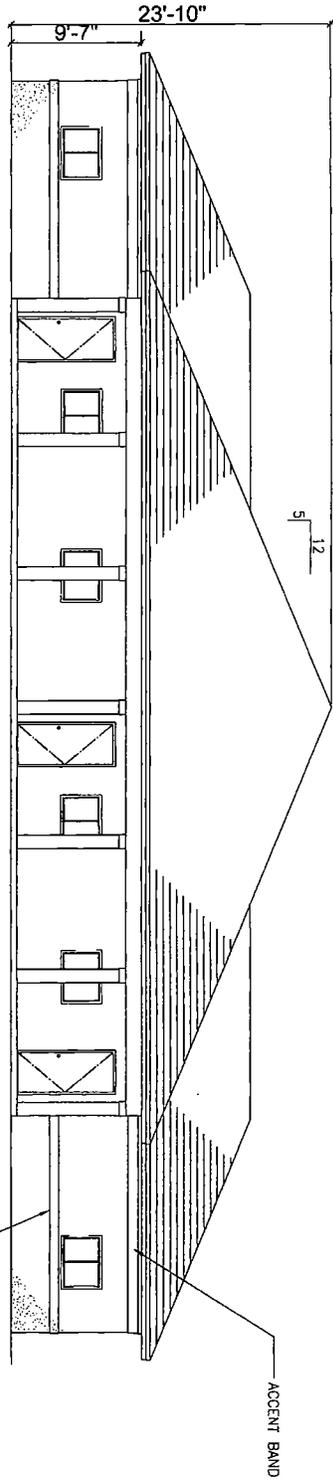
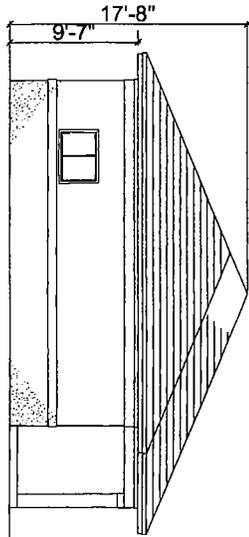
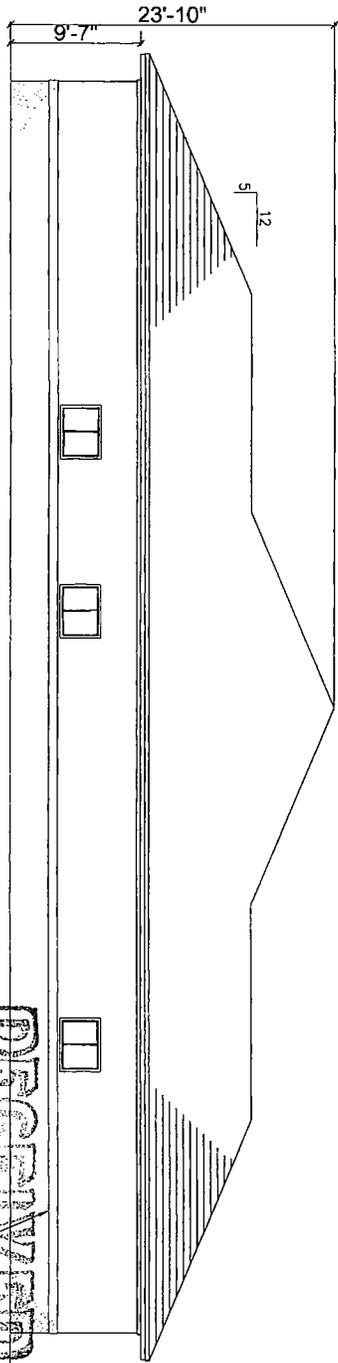
SHEET NO. **A-3**
 PROPOSED NEW CONSTRUCTION FOR:
 ULETA KINGDOM HALL OF JEHOVAH WITNESSES
 14521 MEMORIAL HIGHWAY
 MIAMI, FLORIDA, 33161
 SHEET TITLE:
 KINGDOM HALL ELEVATIONS

SEAL
 ARCH 1992
[Signature]
 1/19/12

ARRERO AND ASSOCIATES
 ARCHITECT AND PLANNER, INC.
OSWALD MARRERO
 ARCHITECT
 RICK D. RUIZ, ASSOC. AIA
 17807 27th St. SW
 PLEASANTON, FL 33088
 TEL: (954) 460-4300
 FAX: (954) 460-4300

NO.	DATE	REVISION





PROPOSED
11-14-12
 ACCENT BAND



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

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

SHEET NO. A-4
 SHEET TITLE: APARTMENTS ELEVATIONS

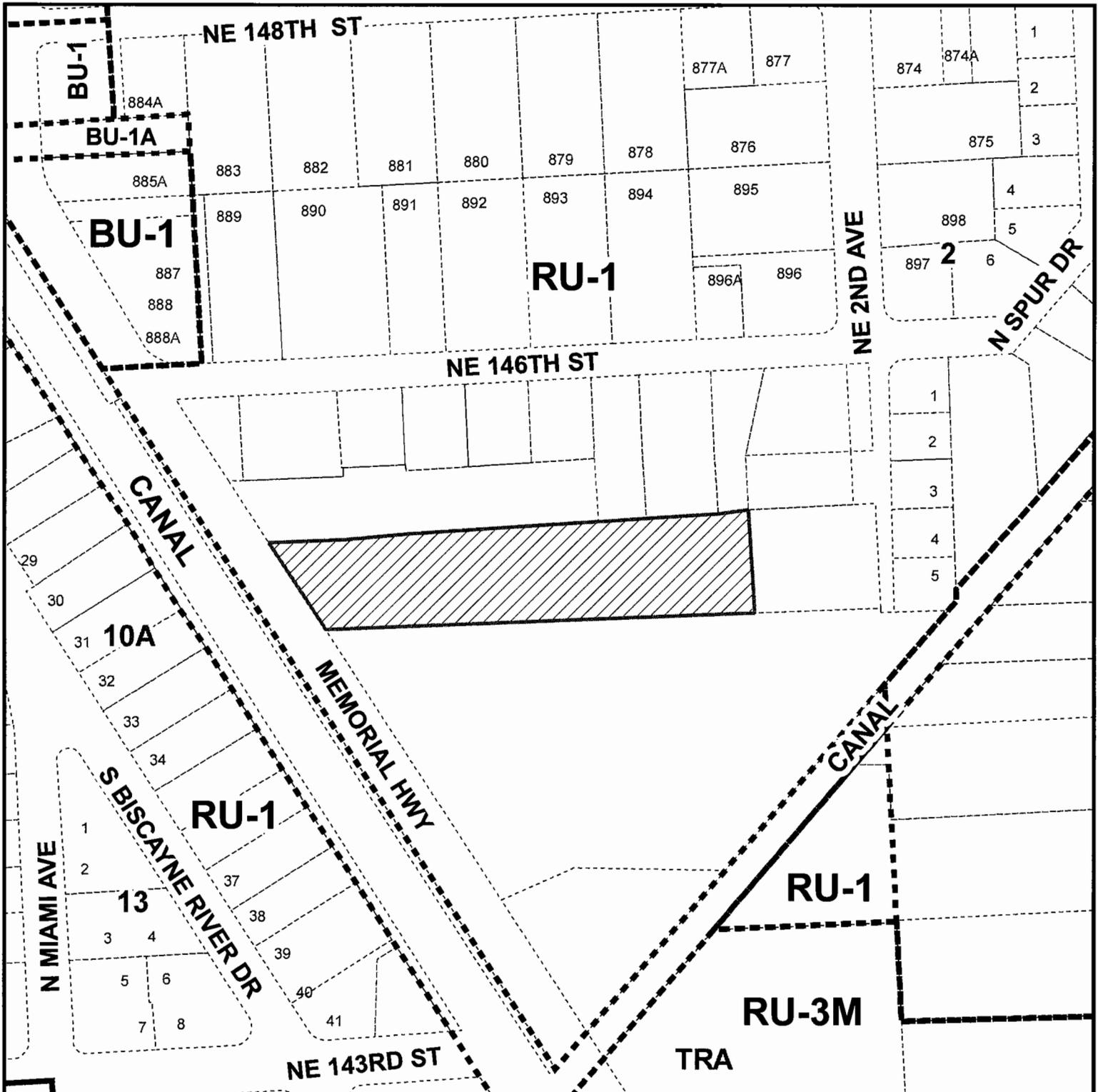
SEAL: 00003563
[Signature]
 11/14/12

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

17807 NW 8 ST TEL: (954) 680-8228
 FORTLAUDERDALE, FL 33404 FAX: (954) 680-8219

DATE	BY	SCALE	REVISION





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000093



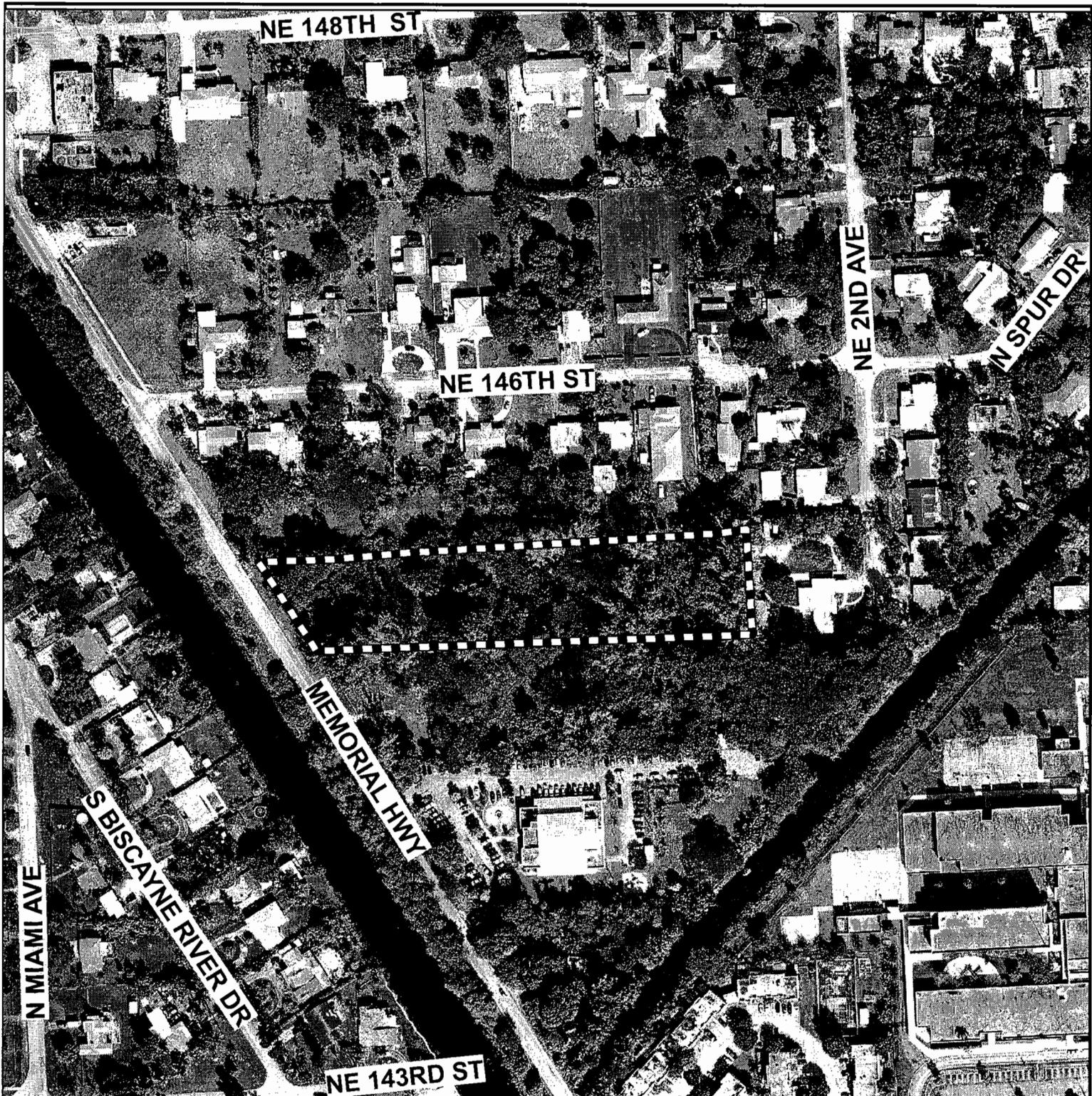
Section: 24 Township: 52 Range: 41
 Applicant: ZACHARY BASS TRUSTEE
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
		34



MIAMI-DADE COUNTY
AERIAL YEAR 2010

Process Number

Z2012000093



Section: 24 Township: 52 Range: 41
 Applicant: ZACHARY BASS TRUSTEE
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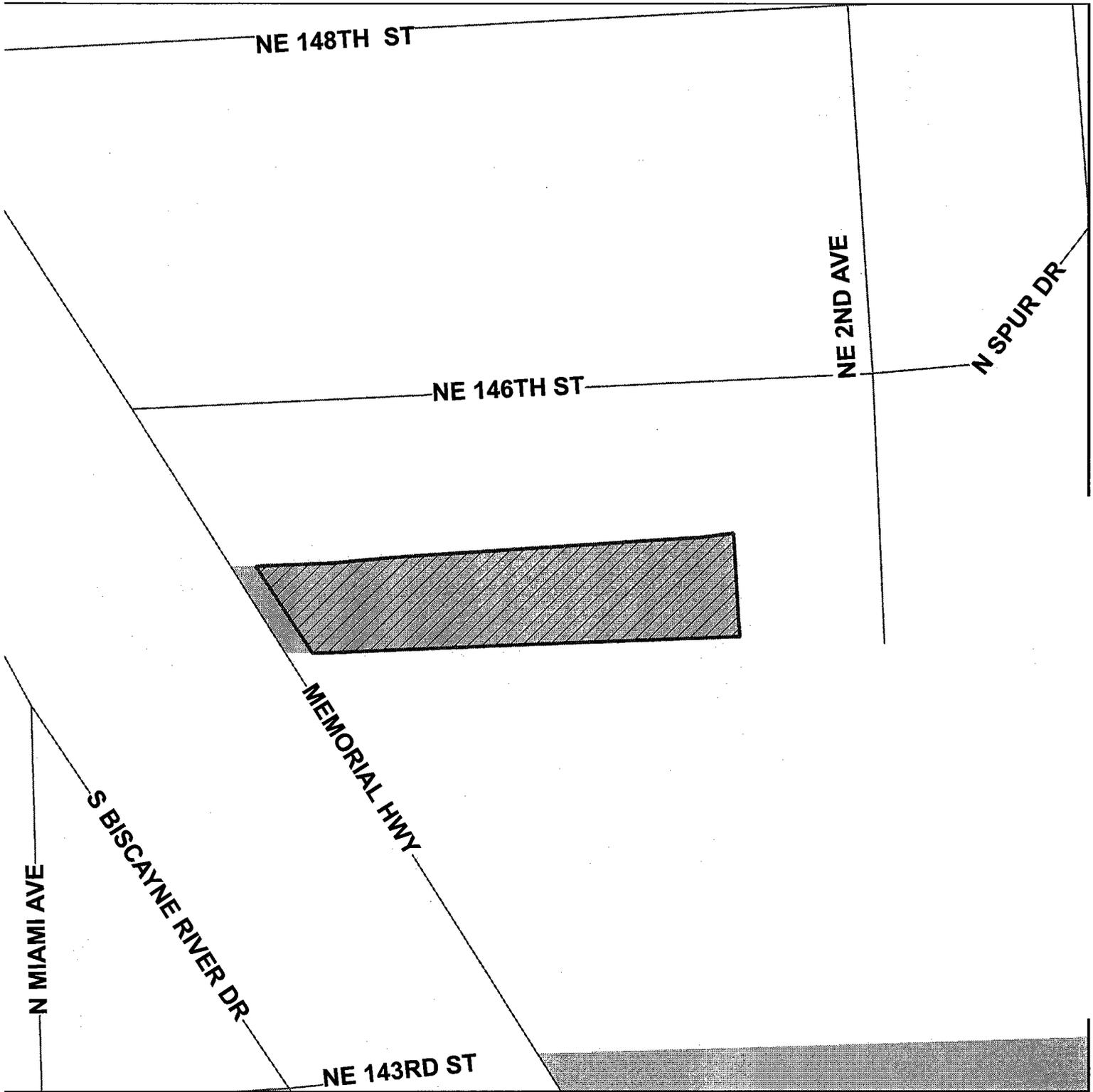
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 Subject Property



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
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 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: Z12-046 (13-6-CZ8-1)

July 31, 2013

Item No. B

Recommendation Summary	
Commission District	2
Applicant	WR Investment, LLC
Summary of Requests	The applicant is seeking to establish a religious retreat with buildings setback and spaced less than required from each other and property lines, with parking within 25' of the right-of-way and to permit a decorative fence taller than permitted.
Location	15250 NE 8 Avenue, Miami-Dade County, Florida
Property Size	2-acres
Existing Zoning	RU-1, Single Family Residential
Existing Land Use	Single-family residences
2015-2025 CDMP Land Use Designation	Low Density Residential <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions

This item was deferred from the June 27, 2013 Community Zoning Appeals Board (CZAB) 8 meeting due to an inadvertent error in the advertisement.

REQUESTS:

- (1) SPECIAL EXCEPTION to permit a 45 bed religious retreat including a chapel.
- (2) NON-USE VARIANCE to permit the religious facility setback 7'-8" (25' required) from the side street (north) property line, setback varying from 25' to 26'-6" (50' required) from the interior side (south) property line, and located closer than the required 75' to an existing residential building to the south.
- (3) NON-USE VARIANCE to permit a spacing of 8' (10' required) between buildings.
- (4) NON-USE VARIANCE to permit parking within 25' of rights-of-way.
- (5) NON-USE VARIANCE to permit a decorative fence and gate with metal pickets, masonry column and decorative lanterns with a height of 8' within 10' of the edge of driveway leading to a public right-of-way (2.5' maximum height permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Oak Grove Retreat House" as prepared by NU Space Design-Build, sheets A-1, A-3 & L-1 dated stamped received 3/12/13, sheets A-4 & A-5 dated stamped received 3/7/12 and sheet A-2 dated stamped received 4/23/13 for a total of 6 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The site plan depicts the proposed 45 bed, approximately 13,527 sq. ft. religious retreat facility. There are four (4) buildings, three (3) of which will be used for lodging and the fourth building includes a kitchen, dining hall, praying room, meditation room and office.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; two single-family residences	Low Density Residential (2.5 - 6 dua)
North	RU-1; single-family residences	Low Density Residential (2.5 - 6 dua)
South	RU-1; single-family residences	Low Density Residential (2.5 - 6 dua)
East	RU-1; single-family residences	Low Density Residential (2.5 - 6 dua)
West	RU-4M; condominiums	Low-Medium Density Residential (6 - 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property located at 15280 NE 8 Avenue. The surrounding area is characterized by single-family and multi-family residential uses.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicant to establish a religious retreat with buildings setback and spaced less than required from each other and property lines, with parking within 25' of the right-of-way and to permit a decorative fence taller than permitted. However, the approval could have a visual and aural impact on the surrounding area.

CDMP ANALYSIS:

The subject property is designated as ***Low Density Residential*** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* The approval of this application will permit the applicant to establish a religious retreat facility with buildings setback and spaced less than required from each other and property lines, parking within 25' of the right-of-way and a decorative fence taller than permitted. Staff notes that approval will change the use; however, the proposed religious retreat is a use that can be permitted in residential communities based on the CDMP's Land Use Element interpretative text for Residential Communities, which states that *neighborhood and community services including schools, parks, houses of worship, day care centers, group housing facilities, and utility facilities are permitted 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.* In staff's opinion, the layout of the site plan which depicts four (4) buildings, three (3) of which are

proposed and the fourth is the existing single family residence, keeps within the existing character of the surrounding area.

Further, staff opines that the submitted site plan is **compatible** with the surrounding area based on compatibility criteria set forth in the **Land Use Element Policy LU-4A** which states *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.* Staff notes that the redevelopment of the subject property includes buildings that are designed to match the architecture and scale of the surrounding single and multi-family residences. Further, the landscape plan depicts hedges and trees around the property to buffer any potential negative visual impacts to the surrounding residences. As such staff opines approval will be **consistent** with the CDMP LUP map Low Density Residential designation, the CDMP Land Use Element interpretative text for Residential Communities and **compatible** with the surrounding are based on the Land Use Element **Policy LU-4A** compatibility criteria.

ZONING ANALYSIS:

When analyzing request #1, a Special Exception to permit a religious retreat facility, under Section 33-311(A)(3), Standards For **Special Exceptions**, Unusual Uses and New Uses, staff is of the opinion that, as proposed, the religious retreat facility would be **compatible** with the surrounding area. The supplemental letter of intent applicant indicates that the proposed religious retreat facility will generally operate on the weekends, with a possible Thursday afternoon start and end on Sunday afternoon. Therefore, staff opines based on the additional information that said operation will result in only temporary stays for visitors to the proposed retreat facility and will not be used for a permanent residential use with the exception of a caretaker. The supplemental letter further indicates that during the retreat, the "Praying Room" will be used for prayer exercises, small groups may gather outside for quiet praying exercises and the overall main purpose of the retreats will be a time of meditation and reflection.

Staff notes that the proposed religious retreat facility is a change in use on the property; however, staff opines the new use will not result in excessive traffic because it does not generate any new daily peak hour trips as described in the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources. Further, staff notes that said memorandum indicates that the application meets the traffic concurrency criteria for an Initial Development Order. The Division of Environmental Resources Management of the Department of Regulatory and Economic Resources memorandum, indicates that approval will not result in a reduction in the LOS standards for potable water service, wastewater disposal, or stormwater management. Additionally the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the proposed religious retreat facility will have a negative impact on fire rescue services in the area. Based on the aforementioned department memoranda, staff opines that the request will not result in, among other things, excessive noise or traffic, cause undue or excessive burden on public facilities, nor provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development. **As such, staff recommends approval with conditions of requests #1 under Section 33-311(A)(3) Standards For Special Exceptions, Unusual Uses and New Uses.**

When requests #2 through #5 to permit the proposed religious retreat facility buildings to setback less than required from property lines and spaced less than required from one another,

parking within 25' of the right-of-way and fence taller than permitted are analyzed under Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff opines that approval would be **compatible** with the surrounding residential area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff notes that the existing single family residence to be utilized for the kitchen, dining hall, praying room, meditation room and office uses was previously approved pursuant to Resolution No. CZAB8-15-06 to setback 7'-8", where 15' was required. However, due to the requested religious retreat facility with a capacity of 50 persons in the "praying room" the request must now be analyzed as a building of public assemblage. Staff notes that the required setback for a building of public assemblage that abuts a public roadway is 25'. Staff opines that the requested 17'-4" encroachment (request #2) is adequately buffered from the properties located across NE 153 Street by the hedge and trees depicted on the submitted landscape plan. In staff's opinion said landscaping also buffers the requested parking within 25' of rights-of-way which is also located along NE 153 Street (request #4). Further, staff opines that the requested minimum 23'-6" (50' required) and 42'-2" (75' required) encroachments into the interior side area and the area between a residence under different ownership for a building of public assemblage (request #2) is adequately buffered from the abutting properties to the south by the proposed 5' high wood fence, trees and 6' high hedge running along the south interior property line. Additionally, in staff's opinion, the 2' encroachment into required spacing distance between buildings (request #3) is minimal and will not be visually intrusive to the surrounding properties. Staff notes that the spacing request is interior to the site.

Further, when analyzing request #5, to permit a 8' high fence and gate with metal pickets, masonry column and decorative lanterns within 10' of a driveway leading to a public right of way under the Non-Use Variance (NUV) Standards, staff opines that approval of this request would not be detrimental to the surrounding neighborhood and would not have a negative visual impact on same. Staff opines that the proposed decorative fence and gate, although 2' taller than permitted is designed in a manner that allows for adequate visibility for vehicles entering or leaving the residence and will be buffered from the surrounding area by trees and a hedge. Staff also notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources does not object to request #5 as evidenced in their memorandum. **As such, staff recommends approval with conditions of requests #2 through #5 under Section 33-311(A)(4)(b), Non-Use Variance Standards.**

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts ingress/egress point for the parking lot along NE 153 Street and u-shaped drive way for drop-off/pick-up along NE 8 Avenue.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

RECOMMENDATION: Approval with conditions

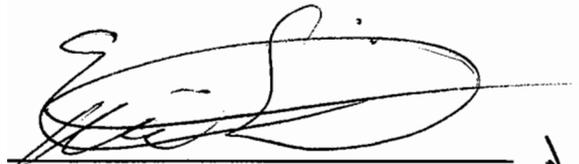
CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but

not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Oak Grove Retreat House" as prepared by NU Space Design-Build, sheets A-1, A-3 & L-1 dated stamped received 3/12/13, sheets A-4 & A-5 dated stamped received 3/7/12 and sheet A-2 dated stamped received 4/23/13 for a total of 6 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the use be limited to a religious retreat facility with chapel only.
6. That no rehabilitative services be offered on-site.
7. That the maximum number of persons staying overnight be limited to 45.
8. That overnight stays be limited to Thursday through Sunday.
9. That no permanent residence be permitted, except for a caretaker.
10. That no trailer, tents or similar structures and no temporary use of any type shall be permitted on the premises.
11. No carnivals, revivals or any similar outdoor activities or late night activities are allowed to be conducted on the property.
12. That the 5' high wood fence and 6' high hedge remain and be maintained and in the event that it is removed the applicant shall install an opaque 6' high fence or wall, or a hedge, 3' high at the time of planting, to grow to and be maintained at a height of 6' along the interior side (south) property line as a visual buffer.
13. That the use of outdoor speakers in connection with the religious retreat facility be prohibited.
14. That all outdoor lighting on the property be in compliance with Miami-Dade County's outdoor lighting regulations; specifically that any over-spill lighting onto adjacent properties not exceed one-half (1/2) foot candle vertical nor one-half (1/2) foot candle horizontal illumination on adjacent properties or structures, and that the outdoor lighting installation shall not be used until a compliance letter from a registered engineer or architect is provided.

ES:MW:NN:CH:AN

A handwritten signature in black ink, appearing to read 'Eric Silva', written over a horizontal line.

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

NDN

ZONING RECOMMENDATION ADDENDUM

WR Investment, LLC
Z12-046

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

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

Low Density Residential (Pg. I-31)	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</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 constructions systems. Also permitted in residential Communities are neighborhood and community services including schools, parks, houses of worship, day care 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 relationship.</i>
Land Use Element LU-4A (Pg. 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>

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(3) Special exceptions, unusual and new uses	<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. For purposes of public hearing, a site plan shall be considered one (1) special</i>
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ZONING RECOMMENDATION ADDENDUM

WR Investment, LLC

Z12-046

	<p><i>exception, and upon approval of a site plan by the Community Zoning Appeals Board and/or the Board of County Commissioners, all non-use variances incorporated within and reflected upon the site plan shall be considered a part thereof, and official approval of the site plan shall constitute approval of all such non-use variances, unless otherwise so moved by the approving board.</i></p>
<p>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>
<p>33-17. - Buildings for public assemblage—In districts other than business or industrial.</p>	<p><i>All building or other structures or any part thereof, intended for public assemblage, wherein provisions are made for fifty (50) or more persons to assemble in one (1) room or such structure as an auditorium, church, club, hospital, sanitarium, school, theater, night club, amusement park structure and similar structures, excluding hotels, motels and apartments shall be located or placed only in business or industrial districts, as herein provided, and shall comply with the following:</i></p> <p style="margin-left: 40px;"><i>(1) No building for public assemblage shall be located closer than twenty-five (25) feet to any property line which abuts on a public highway or alley, or closer than fifty (50) feet of any property line abutting a lot under different ownership than that on which the structure is to be placed, or closer than seventy-five (75) feet to an existing residential building.</i></p>

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

#1

APPLICANT'S NAME: WR INVESTMENT, LLC

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
13-6-CZ8-1 (12-046)	June 27, 2013	CZAB8	13

REC: Approval with conditions.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: July 31, 2013 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

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

WITH CONDITIONS

OTHER: Error in advertisement, re-advertisement at County's expense.

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

EXHIBITS: YES NO

COUNTY ATTORNEY: LAUREN MORSE

B. WR INVESTMENT, LLC
(Applicant)

13-6-CZ8-1 (12-046)
Area 08/District 02
Hearing Date: 07/31/13

Property Owner (if different from applicant) **Thomas Wensjoe/Mario Rumiano.**

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>
2006	WR Investment, LLC	<ul style="list-style-type: none">- Applicant is requesting to permit a single family residence setback 54.6' (50' Maximum permitted) from the front (east) property line and setback 20' (25' required) from the rear (west) property line on proposed lot 1.- Applicant is requesting to permit a single family residence setback 58.33' (50' Maximum permitted) from the front (east) property line and setback varying 7.8' to 10.3' (15' required) from the side street (north) property line on proposed lot 2.	C08	Approved with Condition(s)

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

Memorandum

Date: May 28, 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 #Z2012000046-2nd Revision
WR Investments, LLC
15250 NE 8th Avenue
Special Exception to Permit a Religious Retreat
(RU-1) (2 Acres)
1852-42



The subject application has been reviewed by the Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Potable Water Service

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

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

Wastewater Disposal

The subject property is currently connected to a septic tank and drainfield system for domestic wastewater disposal. Based on the proposed total square feet of construction, the proposed facility will be within feasible distance to connect to the public sanitary sewer system. Therefore, the proposed development is required to connect to the public sanitary sewer system in accordance with Code requirements. The applicant is required to contact the corresponding utility to determine the actual point of connection for this development.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Environmental Permitting Section of DERM prior to approval of final development orders.

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

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

Stormwater Management

The applicant is advised that any development greater than 2.0 acres of impervious area will require a Surface Water Standard General Permit from DERM for the construction and operation of the required surface water management system. This permit shall be obtained prior to platting and/or site development, or public works approval of paving and drainage plans. The applicant is advised to contact the Water Control Section 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 plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

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

An on site inspection performed by staff on August 28, 2008 revealed that the property contains specimen-sized trees (trunk diameter 18 inches or greater). The landscape plan submitted with this application (Sheet L-1, dated January 7, 2012 (revised April 25, 2013) states "Note: All specimen trees to be preserved", please be advised that all specimen-sized trees are shown on the plans. However, specimen size trees #461 and #589 are shown to be removed due to improvements along the right of way. Also, two non specimen-sized trees #343 and 344 are shown to be removed due to the proposed driveway.

Prior to the removal and/or relocation of any tree on site, a Miami-Dade County Tree Removal/Relocation Permit is required. Section 24.49.3 of the Code states, "If it is determined that the proposed development site involves removal of a specimen tree, the standards set forth in Section 24.49.2 shall apply..." DERM recommends approval of this application with the condition that a Miami Dade County Tree Removal/Relocation Permit is obtained prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal/Relocation Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

Please be advised that if this condition cannot be met prior to development orders, this zoning application would have to be resubmitted for review. The applicant is required to comply with the above tree permitting requirements.

Tree resources do not need to be removed and/or relocated for the placement of the proposed driveway on the property, however please be advised that any type of construction, including driveways, septic tanks, fences, pipes, buildings, roads, polls etc., should be at least 6 feet from specimen and non specimen-sized trees. Also, as per Section 24-49.5(1a) of the Code during construction protective barriers shall be placed around each tree, cluster of trees, or the edge of the preservation area no less than six (6) feet (in radius) from the trunk. If this distance is not maintained the root systems of the trees may be affected, thereby causing the effective destruction of the trees. In the event that the proposed construction causes the effective destruction of the trees on site, it would constitute a violation of Section 24-49 of the Code. Therefore, DERM recommends that appropriate actions be taken to not adversely impact tree resources on the referenced property.

Approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact the Tree Program at 305-372-6600, voice option #2, for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

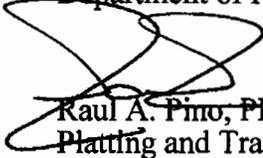
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: March 19th 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: Z2012000046
Name: WR Investment, LLC
Location: 15250 NE 8 Avenue
Section 18 Township 52 South Range 42 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections.

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.

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

Memorandum



Date: May 13, 2013

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: Z2012000046: WR INVESTMENT, LLC
Review includes revised plans submitted through 4-29-2013.

Application Name: WR INVESTMENT, LLC

Project Location: The site is located at 15250 NE 8 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting a special exception to permit a religious retreat. Review includes revised plans submitted through 4-29-2013.

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

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

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

MN:jb

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

Memorandum



Date: 21-JUN-13
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2012000046

Fire Prevention Unit:

Rev No.3: This memorandum supersedes MDFR memorandum dated 4/30/13. No objection to site plan dated stamp received 4/23/13.

Service Impact/Demand

Development for the above Z2012000046
 located at 15250 NE 8 AVE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 0335 is proposed as the following:

_____	dwelling units	_____	square feet
residential		industrial	
_____	square feet	14134	square feet
Office		institutional	
_____	square feet	_____	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 4 alarms-annually.
 The estimated average travel time is: 6:37 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
 Station No. 32 - Uleta - 358 NE 168 Street
 Rescue, ALS Engine

Planned Service Expansions:

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

Fire Planning Additional Comments

Current service impact calculated based on site plan dated stamp received 4/23/13. Substantial changes to the site plan will require additional service impact review.

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

DATE: 03-MAY-13
REVISION 1

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

WR INVESTMENT, LLC

15250 NE 8 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000046

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC; No open cases. Prior case 201306000185 was opened on January 14, 2013 for right-of-way violation. A warning was issued January 28, 2013, citation February 26, 2013. Affidavit of compliance March 21, 2013. Case closed April 9, 2013. Case 201306000695 was opened February 26, 2013 for unauthorized use and a warning was issued. Violation corrected and case closed on March 21, 2013. BNC: No bss cases open/closed.

WR Investment LLC

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

REPORTER NAME:

RECEIVED
#17-046
MAR 07 2012

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and the percentage of stock owned by each. [Note: Where principal officers or stockholders consist of other corporations, 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: W.R. INVESTMENTS LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
THOMAS WENSJOE	
1924 NW 79TH AVE DORAL, FL 33126	
MARIO L. RUMIANO	
12020 NE 5TH AVE BISCAYNE PARK, FL 33161	

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

TRUST/ESTATE NAME _____

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: W.R. INVESTMENTS LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
THOMAS WENSJOE	50%
1924 NW 79 TH AVE DORAL, FL 33126	
MARIO L. RUMIANO	50%
12020 NE 5 TH AVE BISCAYNE PARK, FL 33161	

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

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

RECEIVED
412-046
MAR 07 2012

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT

Date of contract: _____ BY _____

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

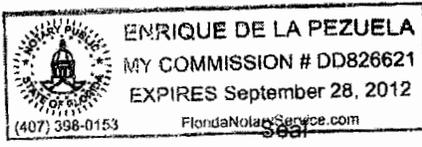
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: _____
(Applicant)

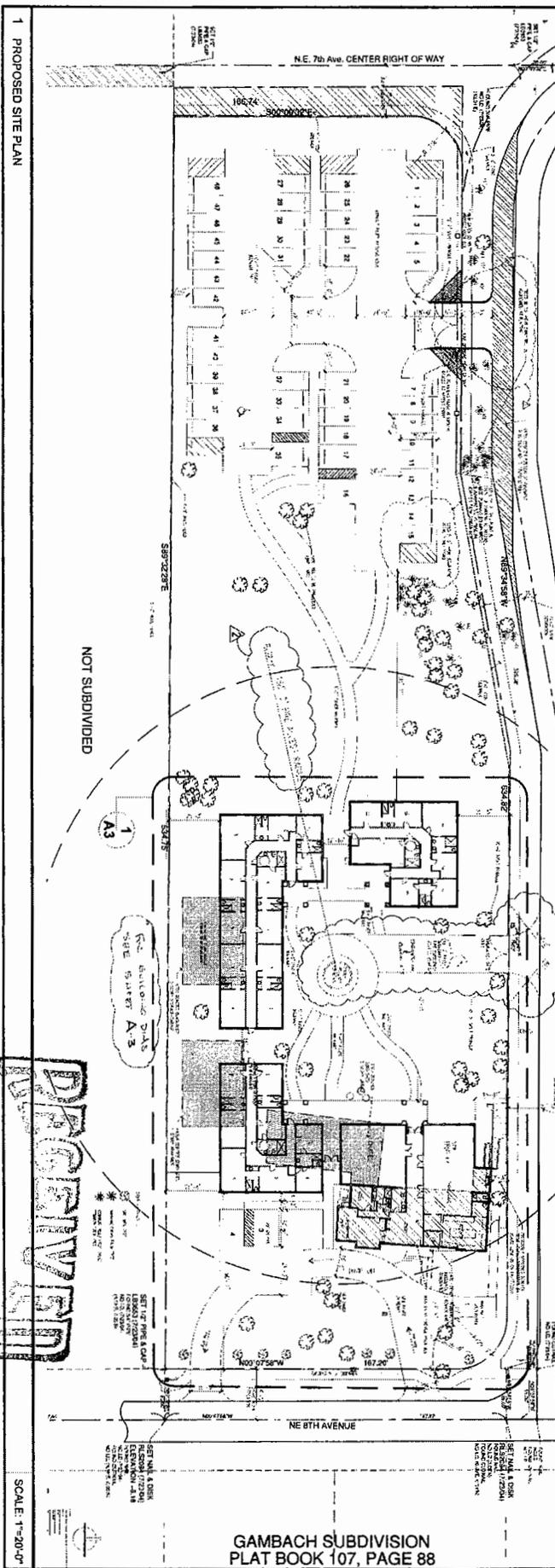
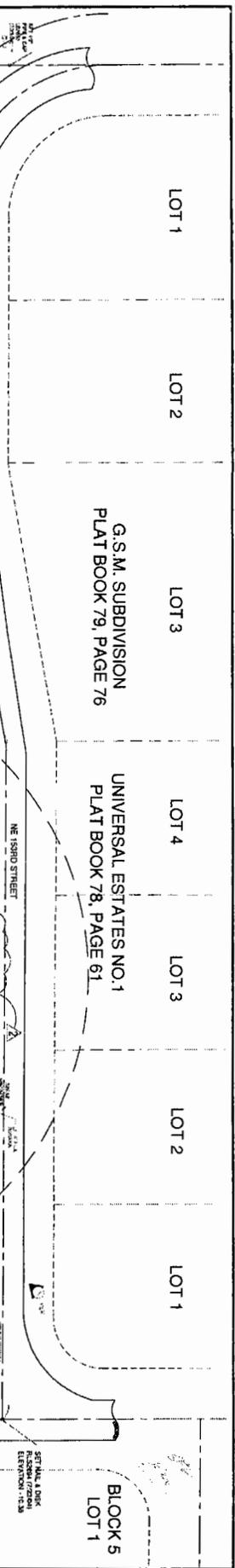
Sworn to and subscribed before me this 12th day of FEB, 2010. Affiant is personally know to me or has produced _____ as identification.

(Notary Public)

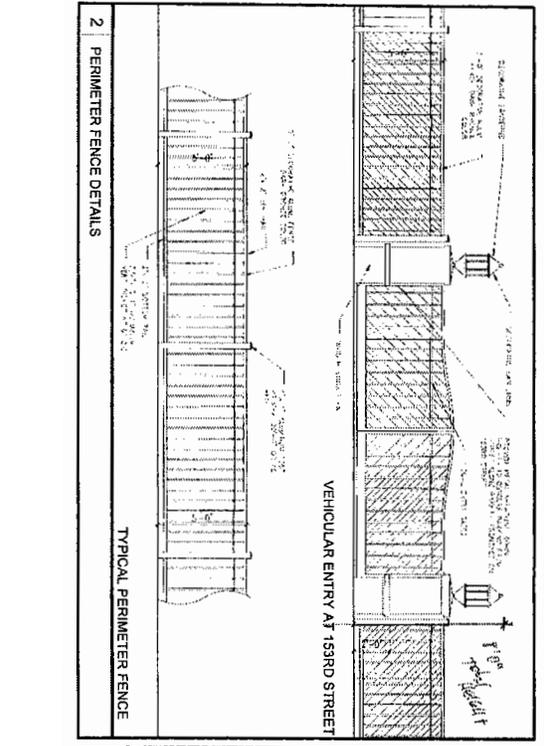


My commission expires: 9/28/2010

*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.



OAK GROVE RETREAT HOUSE
 15250 N.E. 8TH AVENUE MIAMI, FLORIDA
 BY: WR INVESTMENTS, LLC.

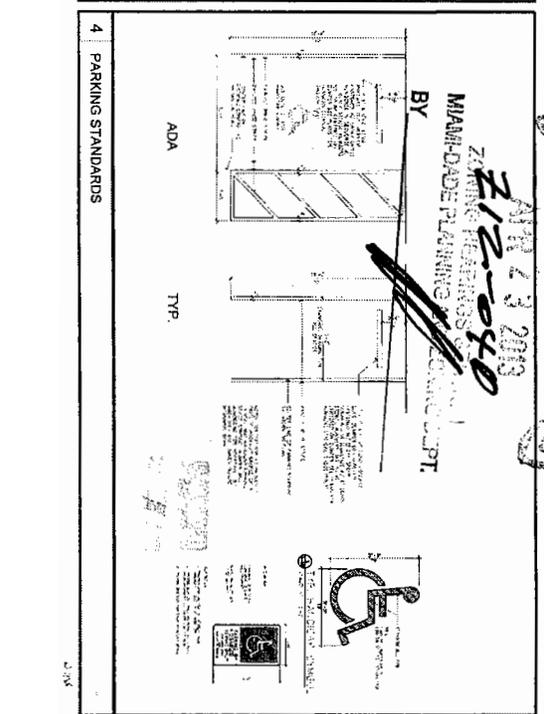


1 PROPOSED SITE PLAN

COMPATIBLE AREA CALCULATIONS

SITE AREA	103,635 S.F.
PROPOSED BUILDING	4155 S.F.
MAIN BUILDING	3209 S.F.
RESIDENT WING TWO	2465 S.F.
RESIDENT WING THREE	911 S.F.
COVERED TERRACE	1419 S.F.
FOOTPRINT COVERAGE 13.9% OF SITE	
TOTAL REQUESTED COVERED AREA INCREASE 744 S.F.	
TOTAL PARKING PROVIDED 63 SPACES	

2. A fence or gate used for security purposes with an adjacent lot of land shall be shown and located in similar location as depicted in a Concept Plan approved by the City of Miami.



2 PERIMETER FENCE DETAILS

3 PROJECT DATA

4 PARKING STANDARDS

ADA TYP.

N.E. 153rd STREET

(50'-0" PUBLIC RIGHT-OF-WAY)

150'-0" RADIUS FIRE EMERGENCY ACCESS DISTANCE (TAKEN FROM CENTER OF ROUND)

N.E. 8th AVENUE

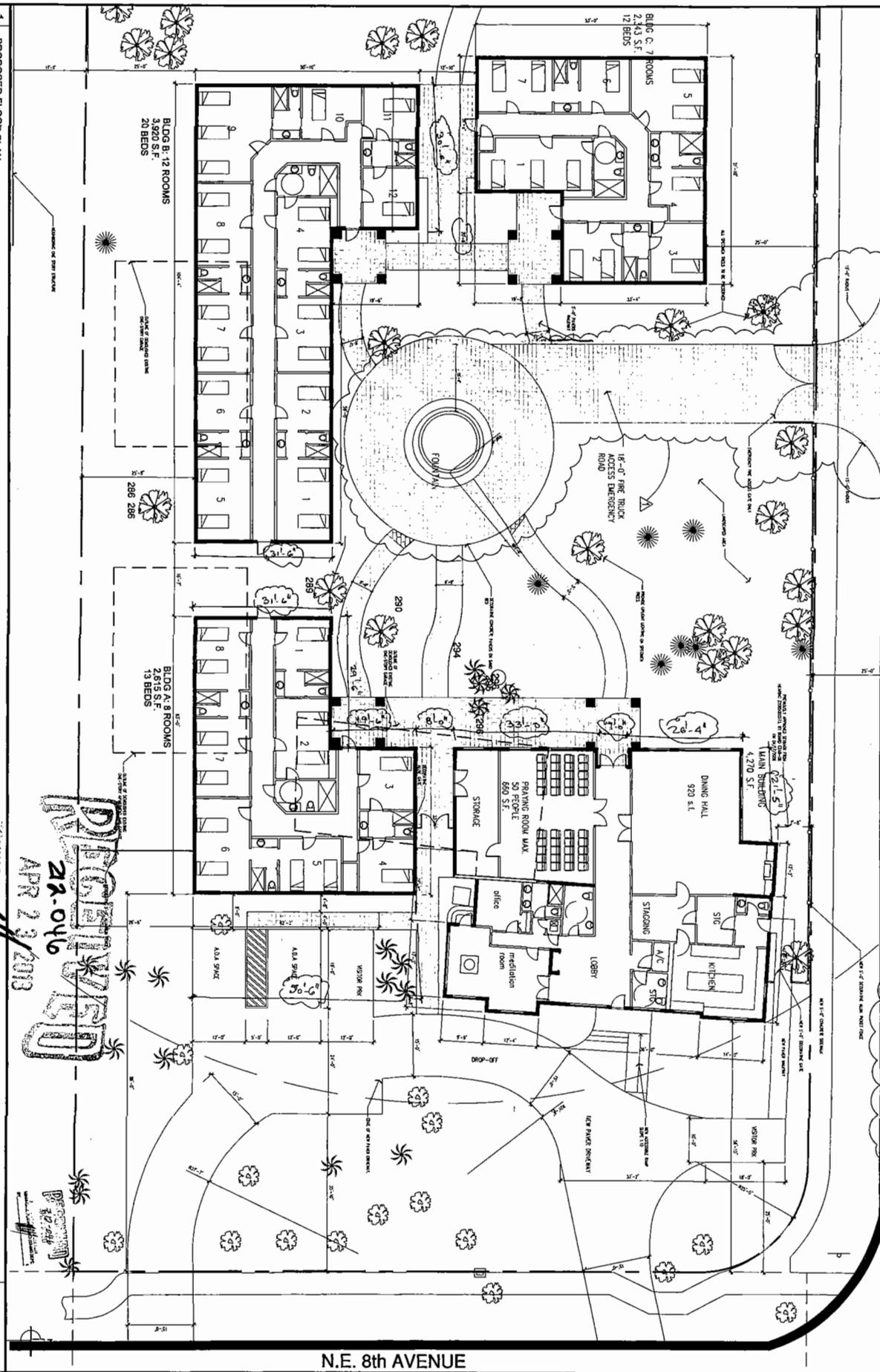
OAK GROVE RETREAT HOUSE
15250 N.E. 8TH AVENUE MIAMI, FLORIDA

BY: WR INVESTMENTS, LLC.

AA-26001858
44'x110'x110'
15' CLEARANCE
15' CLEARANCE



24



1 PROPOSED FLOOR PLAN

RECEIVED
22.04.16
APR 23 2013

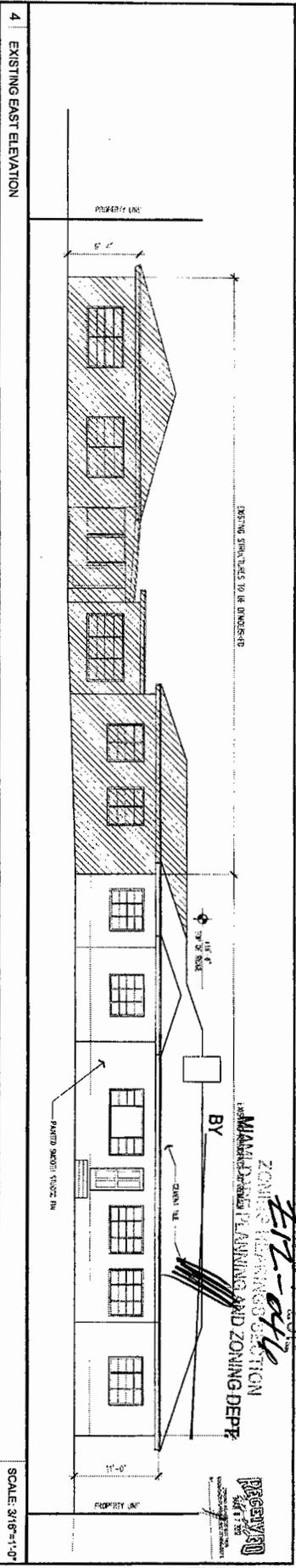
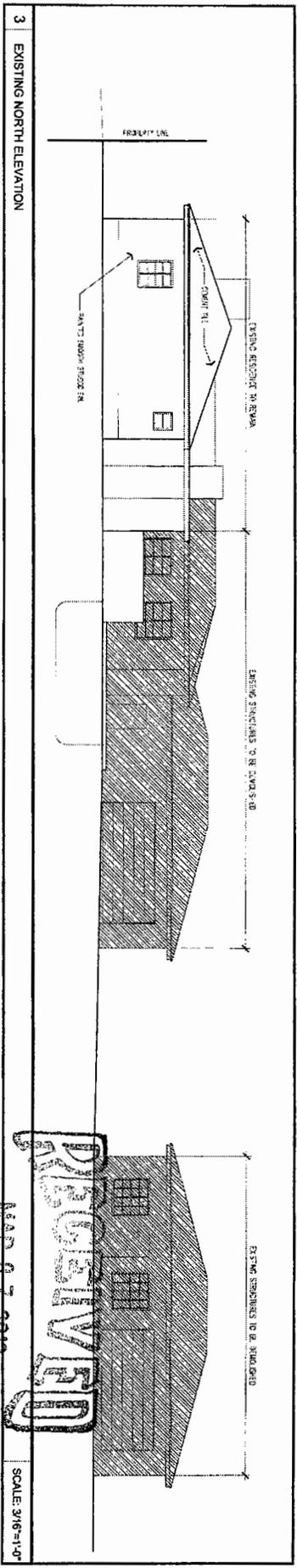
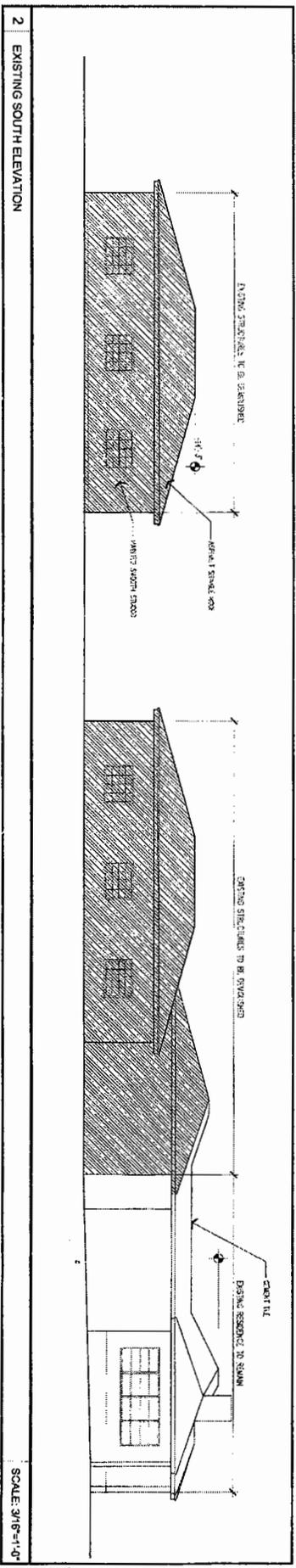
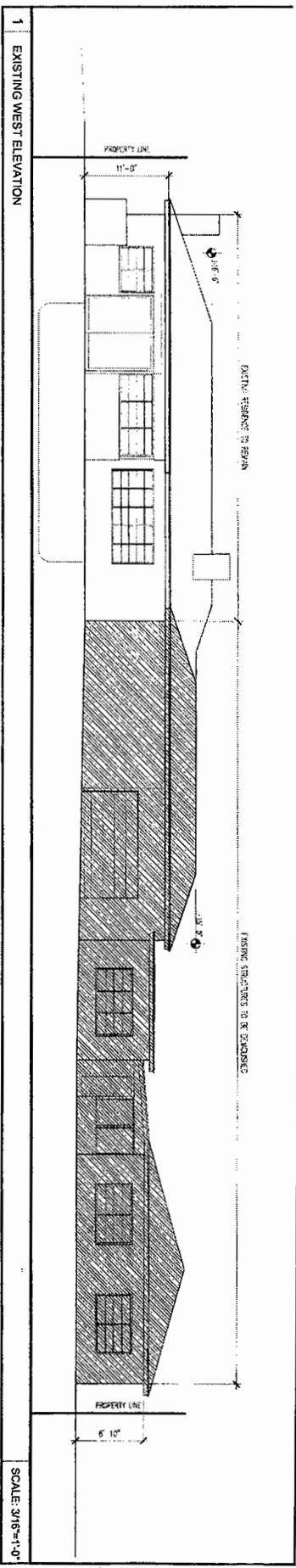
ZONING MAP AND SECTION
MAY 19 2013
BY: [Signature]
LAND ZONING DEPT.

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

A-3



NO.	DESCRIPTION	DATE
1	PROPOSED FLOOR PLAN	04/23/13



RECEIVED

MAILED 11 7 2012

ENGINEERING SECTION

BY: MARIANNE PLANNING AND ZONING DEPT.

OAK GROVE RETREAT HOUSE
 15250 N.E. 8TH AVENUE MIAMI, FLORIDA

BY: WR INVESTMENTS, LLC.

space
 AIA 2000 USBC
 26

A-4



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000046



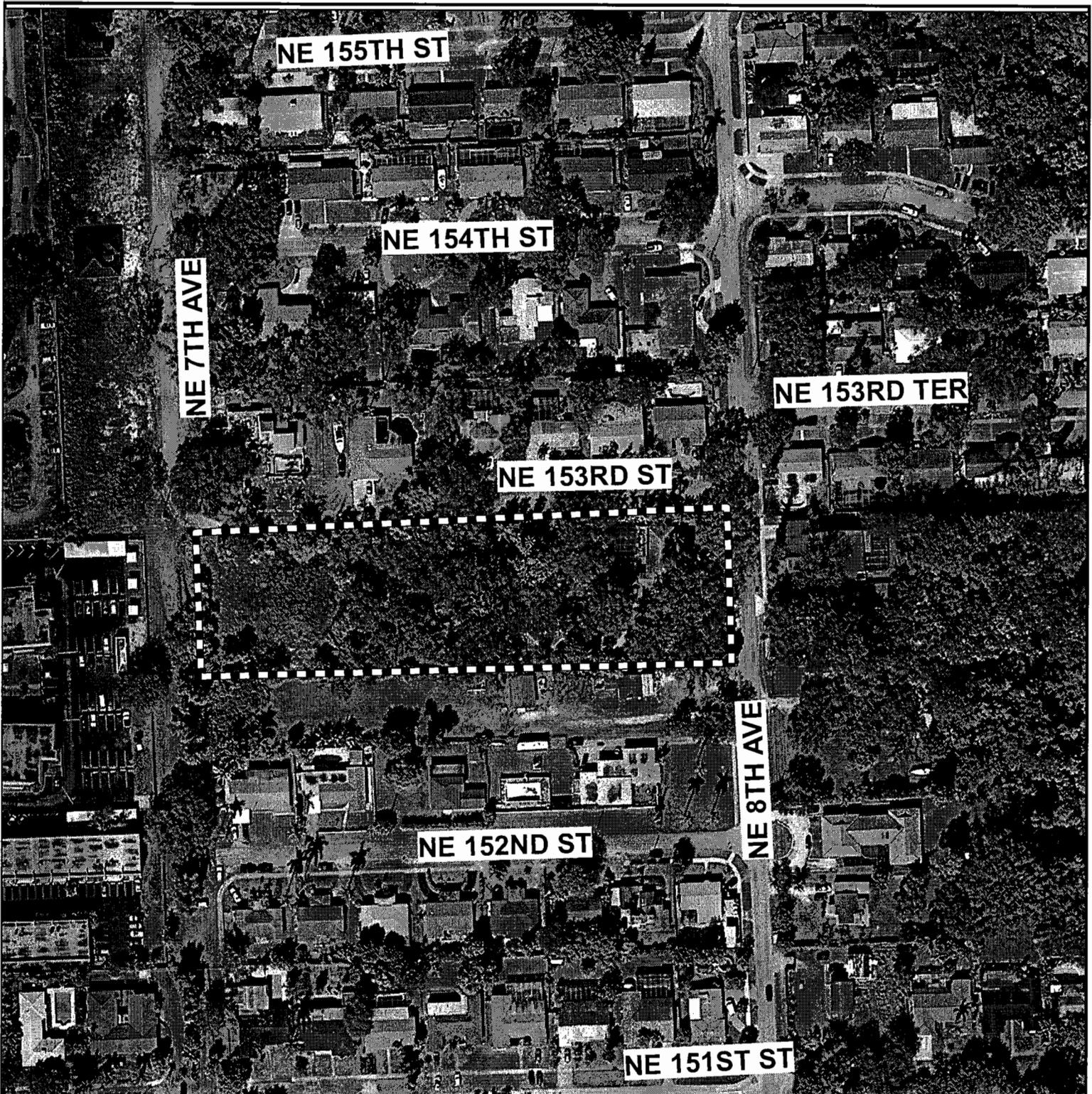
Section: 18 Township: 52 Range: 42
 Applicant: WR INVESTMENT, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend
 Subject Property Case



SKETCH CREATED ON: Thursday, March 15, 2012

REVISION	DATE	BY
		28



MIAMI-DADE COUNTY
AERIAL YEAR 2009

Process Number

Z2012000046



Section: 18 Township: 52 Range: 42
 Applicant: WR INVESTMENT, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

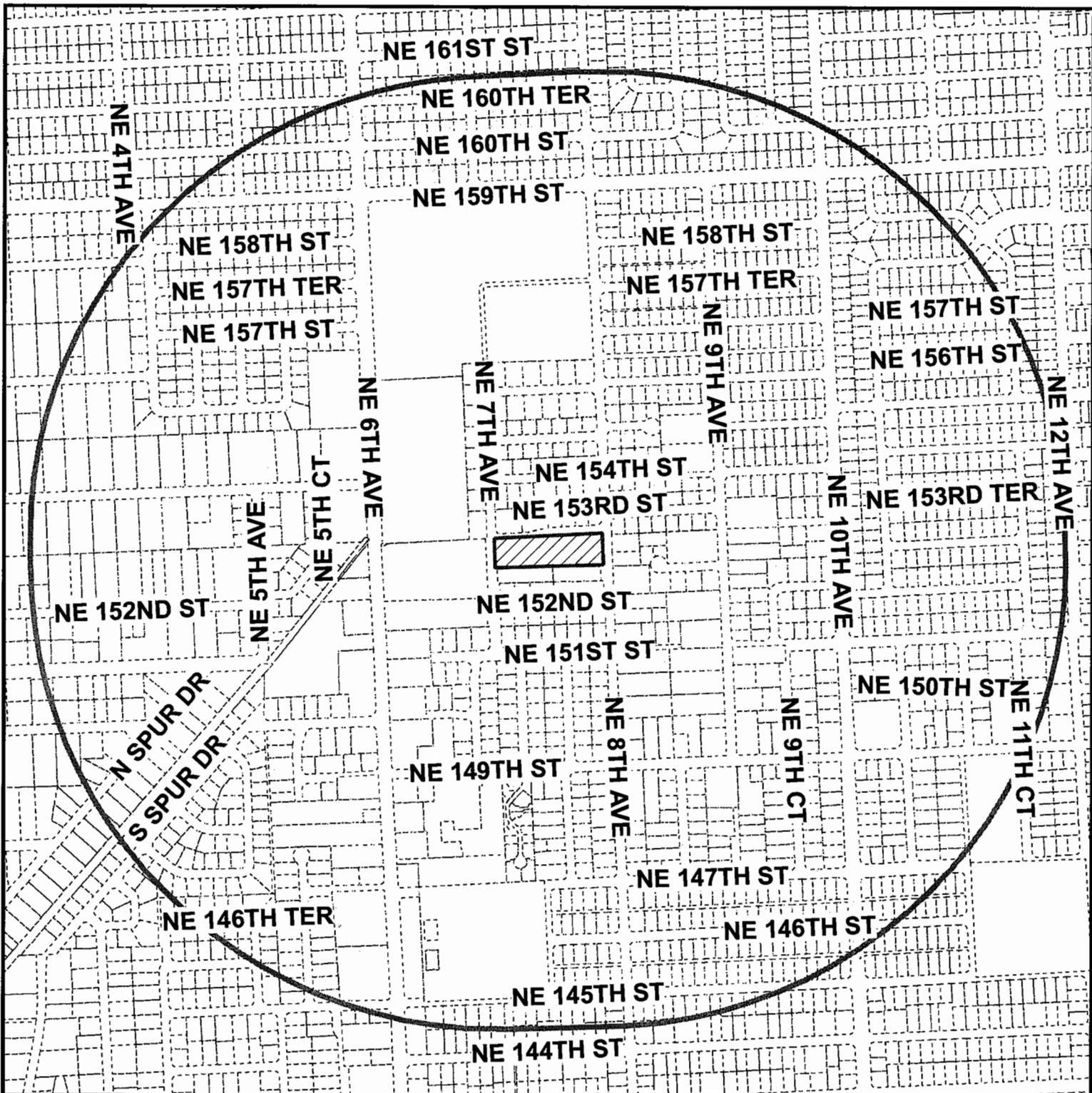
Legend

 Subject Property



SKETCH CREATED ON: Thursday, March 15, 2012

REVISION	DATE	BY
		29



**MIAMI-DADE COUNTY
RADIUS MAP**

Section: 18 Township: 52 Range: 42
 Applicant: WR INVESTMENT, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number

Z2012000046

RADIUS: 2640



Legend

 Subject Property

 Buffer



SKETCH CREATED ON: Thursday, March 15, 2012

REVISION	DATE	BY
		30

NE 155TH ST

NE 154TH ST

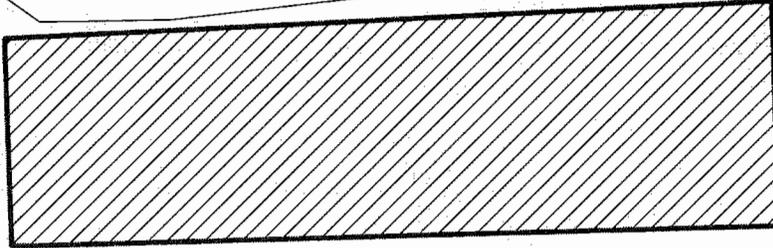
NE 7TH AVE

(LDR) 2.5-6 DU/AC

NE 153RD TER

NE 153RD ST

(LMDR) 6-13 DU/AC



NE 8TH AVE

NE 152ND ST

NE 151ST ST

MIAMI-DADE COUNTY
CDMP MAP

Process Number

Z2012000046



Section: 18 Township: 52 Range: 42
Applicant: WR INVESTMENT, LLC
Zoning Board: C8
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, March 15, 2012

REVISION	DATE	BY

Memorandum



Date: July 31, 2013

To: The Community Zoning Appeals Board - 8

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: FRL Automotive, LLC (Z12-112)

SUMMARY OF REQUESTS:

The applicant is seeking to rezone the south portion of the subject property from BU-1A to BU-2 and expand an automobile dealership with repair facilities and less greenbelt than required and fence/wall taller than permitted. Additionally the applicant seeks to establish an automobile dealership on the north portion of the subject property also with less greenbelt than required.

LOCATION: 444 NW 165 Street Road and 16600 NW 2 Avenue, Miami-Dade County, Florida.

COMMENTS:

This application went before the Developmental Impact Committee due to the size of the application. Section 33-303.1(D)(7) of the Code of Miami-Dade County charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The meeting of the DIC Executive Council was held on May 22, 2013 and the attached Department memoranda were reviewed and considered by said Committee.

DIC RECOMMENDATION:

Approval with conditions, as set forth in the Department of Regulatory and Economic Resources' recommendation.

The Executive Council is of the opinion that this application will be in keeping with the Comprehensive Development Master Plan designation for the subject property. In addition, the Council found that the approval of this application will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. As such, the Executive Council finds that approval of this application will be **consistent** with the CDMP and **compatible** with the surrounding area.

APPLICATION NO. Z12-112
FRL AUTOMOTIVE, LLC

Respectfully Submitted,

DIC Executive Council
May 22, 2013

Giovannie Ulloa, Fire Chief
Miami-Dade Fire Rescue Department

 AYE

Eric Silva, AICP
Sustainability, Planning and Economic Enhancement
Department

 AYE

Antonio Cotarelo, Assistant Director
Public Works Department

 AYE

Jose Gonzalez, P.E., Assistant Director
Department of Environmental Resources Mgmt

 AYE

Bertha M. Goldenberg, Assistant Director
Miami-Dade Water and Sewer Department

 AYE

David Henderson, Bicycle/Pedestrian Specialist
Metropolitan Planning Organization

 AYE

Albert A. Hernandez, Deputy Director, Engineering
Miami-Dade Transit

 AYE

**Miami-Dade County Department of Regulatory and Economic Resources
Developmental Impact Committee (DIC)
Recommendation to Community Council 8**

PH: Z12-112

DIC Date: May 22, 2013

Recommendation Summary	
Commission District	2
Applicant	FRL Automotive, LLC
Summary of Requests	The applicant is seeking to rezone the south portion of the subject property from BU-1A to BU-2 and expand an automobile dealership with repair facilities and less greenbelt than required and fence/wall taller than permitted. Additionally the applicant seeks to establish an automobile dealership on the north portion of the subject property also with less greenbelt than required.
Location	444 NW 165 Street Road and 16600 NW 2 Avenue, Miami-Dade County, Florida
Property Size	10.6-acres
Existing Zoning	BU-1A, Limited Business & BU-2, Special Business
Existing Land Use	Automobile dealership and vacant land
2015-2025 CDMP Land Use Designation	Business and Office <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-303.1(D)(7) Developmental Impact Committee Section 33-311 District Boundary Change Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses Section 33-311 (A)(4)(b) Non-Use Variances From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval of request #1 and that the previously approved automobile dealership and ancillary repair shops be preserved and carried forward and approval with conditions of requests #2 through #6

REQUESTS:

Requests #1 - #4 on Exhibit A

1. DISTRICT BOUNDARY CHANGE from BU-1A to BU-2.
2. SPECIAL EXCEPTION to permit an expansion to a previously approved automobile and light truck new sales agency and repair shop.
3. NON-USE VARIANCE to permit a continuous greenbelt along the rights-of-ways varying from 3' to 11.5' and to permit a greenbelt along the residential zoned property to the (south) varying from 8.4' to 8.7' (15' required).
4. NON-USE VARIANCE to permit a 3' high CBS wall with a 7' high chain link fence on top for a total height of 10' (8' maximum permitted).

Requests #5 & #6 on Exhibit B

5/16/2013

5. SPECIAL EXCEPTION to permit an automobile and light truck new sales agency.
6. NON-USE VARIANCE to permit a continuous greenbelt along the rights-of-way varying from 7.5' to 9.7' (15' required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "North Miami Toyota" as prepared by YSM Design, consisting of 5 sheets, "Lehman Toyota" as prepared by Bohler Engineering, consisting of 11 sheets, all plans dated stamped received March 28, 2013 with sheet C-2 last handwritten revision dated 04/19/13 and C-2S last handwritten revision dated 04/19/13. Plans may be modified at public hearing.

PROJECT HISTORY & DESCRIPTION:

The subject 10.6-acres subject property is comprised of dual zoned lots; the northern lot is vacant and zoned BU-2, Special Business District and the southern lot is improved with an automobile dealership and zoned BU-1A, Limited Business District. In 1988, pursuant to Resolution No. Z-177-88, the southern lot was rezoned from RU-4A to BU-1A and permitted to establish an automobile dealership with paint, major mechanical repair, top and body shops. The applicant is requesting a district boundary change from BU-1A, Limited Business District to BU-2, Special Business District on the south parcel and to carry forward the previously granted Special Exception of the automobile dealership and repair uses. The submitted site plan depicts the existing approximately 67,291 sq. ft., 2-story building including canopy covered areas with a proposed approximately 7,229 sq. ft. addition to the service area on the southern parcel and a new approximately 24,909 sq. ft., 1-story building including canopy covered areas on the northern parcel.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-1A & BU-2; automobile dealership & vacant land	Business & Office
North	GU; I-95	Transportation
South	RU-4, RU-4A & BU-3, multi-family & office condominiums	Business & Office Medium High Density Residential (25 to 60 dua)
East	RU-5-A, BU-1A & BU-2; office & commercial	Business & Office Office/Residential
West	GU & BU-3; I-95 & office	Transportation

NEIGHBORHOOD COMPATIBILITY:

The subject property is two parcels located south of the Golden Glades Interchange and west of NW 2 Avenue at 444 NW 165 Street Road and 16600 NW 2 Avenue. Commercial, office and residential uses characterize the surrounding area.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to rezone the south parcel of the subject property, expand the previously approved automobile dealership with paint, major mechanical repair, top and body shops, and establish a new automobile dealership on the north parcel.

However, the expansion and establishment of a new automobile dealership could impact traffic in the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as **Business and Office** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. *This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.* The approval of the requests sought in this application will permit the applicant to rezone the southern parcel of the subject property from BU-1A, Limited Business to BU-2, Special Business District, expand the previously approved automobile dealership and ancillary repair facilities with less greenbelt than required and a taller fence than permitted. Approval would also permit the applicant to establish an automobile dealership with less greenbelt than required on the northern parcel of the subject site. Staff opines that the requested BU-2 zoning district, proposed use, and associated requests are **consistent** with the Business and Office designation of the subject property on the CDMP Land Use Plan map.

Further, the CDMP Land Use Element interpretative text for the Business and Office designation states that *in reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities.* Staff notes that memoranda submitted by the Departments of Public Works and Waste Management, the Environment Division of Regulatory and Economic Resources, Miami-Dade Fire Rescue and Parks, Recreation and Open Spaces do not indicate any negative impact from the requested district boundary change. Staff opines that the submitted site plan is **compatible** with the surrounding area based on compatibility criteria set forth in the **Land Use Element Policy LU-4A** which states *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.* Staff notes that the site plan submitted in conjunction with this application depicts the development of the subject of the north parcel with a new building and remodeling and addition to the existing building on the south parcel. Staff opines that the development meets the compatibility criteria as described above because the buildings are designed in manner that keeps the scale, height and intensity similar to those in the surrounding area. Staff notes that the surrounding area is comprised of 3 to 4-story apartment and office buildings, ranging in height from 27' to 47.5'. Staff further notes that the applicant is utilizing an existing automobile dealership on the south portion of the subject property where the more intensive uses were previously approved. In staff's opinion the submitted site plan, requested special exceptions, along with the associated non-use variances are **consistent** with the Business and Office CDMP LUP map designation and **compatible** with the surrounding area based on the criteria set forth in **Land Use Element Policy LU-4A**.

ZONING ANALYSIS:

When analyzing request #1, district boundary change from BU-1A to BU-2, under Section 33-311 of the Code, staff opines that the approval of the request would be **consistent** with the CDMP's LUP map Business and Office designation. The Environmental Division of the

Department of Regulatory and Economic Resources memorandum indicates that approval will not result in a reduction in the Level of Service (LOS) standards for potable water service, wastewater disposal, or stormwater management. Further, staff opines that said request would not have an unfavorable impact on the environmental and natural resources, or economy nor burden water, sewer, solid waste disposal, recreation, education or public transportation facilities as evidenced by memoranda submitted by the Departments of Public Works and Waste Management; Parks, Recreation and Open Spaces; the Environmental Division of Regulatory and Economic Resources; and Miami-Dade Fire Rescue. Additionally, said departments indicate in their memoranda that they do not object to this application. Staff opines that the request will bring the two parcels that currently are zoned BU-1A and BU-2 into a unified zoning category. **Therefore, staff recommends approval of the request #1, under Section 33-311 Standards for District Boundary Change.**

When requests #2, special exception to expand a previously approved an automobile dealership and associated repair facilities (south parcel) and #5, special exception to permit an automobile dealership (north parcel) are analyzed under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses And New Uses, staff opines that approval of the requests would be **compatible** with the surrounding area based on the reasons stated above. The surrounding area is comprised on multi-family and office uses. Additionally, the proposed establishment of an automobile dealership and expansion of a previously approved dealership provides a transition from I-95 to the multi-family and office uses. Staff opines that the proposed and existing use will not result in excessive traffic as evidenced by the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) which states that the application meets the traffic concurrency criteria because it lies within the Urban Infill Area (UIA) where traffic concurrency does not apply. Although the development lies within the UIA, 258 peak hour trips were assigned and a concurrency analysis was performed which indicates that with the additional trips, the surrounding roadways will continue to operate at their existing Level of Service (LOS). The Division of Environmental Resources Management of the Department of Regulatory and Economic Resources memorandum, indicates that approval will not result in a reduction in the LOS standards for potable water service, wastewater disposal, or stormwater management. Additionally the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the proposed facility will have a negative impact on fire rescue services in the area. Based on the aforementioned department memoranda, staff opines that the requests will not result in, among other things, excessive noise or traffic, cause undue or excessive burden on public facilities, nor provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development. **As such, staff recommends approval with conditions of request #2 and #5 under Section 33-311(A)(3), Special Exception, Unusual and New Uses.**

When analyzing requests #3 and #6 under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that approval of these requests to permit less greenbelt than required is **compatible** with the surrounding area and would not be detrimental to the neighborhood or negatively affect the appearance of the community. Staff opines that the request to permit a varying greenbelt on the south parcel (request #3) is a result of the existing conditions of the site. Staff notes that in 1988 when the automobile dealership was initially approved there was not a requirement for automobile dealerships to provide a 15' greenbelt along all property lines abutting public rights-of-way or properties zoned residential. The requested non-use variance for the south parcel varies from 3' to 11.5' (15' required) along NE 165 Street Road and from 8.4' to 8.7' (15' required) along the residentially zoned property to the

south. Staff notes that the submitted site plan depicts trees and shrubs along said property lines in addition to the required street trees, providing a buffer between the right-of-way, the residentially zoned property and the automobile dealership.

Further, staff notes the request to permit a greenbelt varying from 7.5' to 9.7' (15' required) on the north parcel (request #6) is limited to the property line that abuts the I-95. In staff's opinion the visual impact will be minimal. Staff notes that the submitted landscape plan depicts a densely planted property line with shrubs and trees. Staff opines that such planting provides an adequate buffer between the property and the expressway. Further, staff notes that while the buffer area is less than required, the applicant will provide trees and hedges as required, which staff opines will mitigate any negative visual impact of the subject property on the surrounding area. **As such, staff recommends approval with conditions of requests #3 and #6 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

When request #4, to permit a 3' high CBS wall with a 7' high chain link fence on top for a total height of 10' (8' maximum permitted) is analyzed under Section 33-311 (A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that approval of the request would be **compatible** with the surrounding area and would not be detrimental to the neighborhood or negatively affect the appearance of the community. The submitted plan and survey depict the existing CBS wall and fence located along the rear (south) property line abutting a multi-family residential development. Staff notes that the fence/wall abuts the parking area of said development and that the 2' increase in height if approved will not have a negative visual impact on the abutting residential property to the south. **As such, staff recommends approval with conditions of request #4 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

Staff opines that the approval of requests #1 through #6 would not be out of character with the surrounding area and is **compatible** based on the above analysis. **As such, staff recommends approval of request #1 and approval with conditions of requests #2 through #6, under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING:

North parcel: ingress point and egress with right turn only along NW 2 Avenue and ingress/egress point along NW 165 Street.

South parcel: general ingress/egress point, service ingress/egress point, truck delivery entrance on the south and truck exit on the north.

The applicant is providing the required number of parking spaces and the lots have been designed in a manner as not to impact the adjacent right-of-ways.

NEIGHBORHOOD SERVICES PROVIDER REVIEW:

Aviation

The Miami-Dade County Aviation Department (MDAD) has no objections to this application.

Regulatory and Economic Resources (Environmental Resources Management Division)

The Department of Regulatory and Economic Resources (RER) does not object to this application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County.

Miami-Dade Fire Rescue

The Miami-Dade Fire Rescue Department (MDFR) has no objections to this application. The average travel time to the vicinity of the proposed development is 6:07 minutes (based on 2011 data). Travel time to the vicinity of the proposed development complies with the national performance objective.

Parks, Recreation and Open Spaces

The Miami-Dade Park, Recreation and Open Spaces Department (MDPROS) has no objections to this application. Further, its memorandum indicates that since the application is not expected to generate any residential population, the CDMP Open Space Spatial Standards do not apply.

Miami-Dade Police Department

The Miami-Dade Police Department (MDPD) has no objections to this application. Its memorandum indicates that the current staffing allows for an average emergency response time of eight minutes or less and could accommodate a slight increase in volume of calls for service. The applicant and developers are encouraged to work with police during any future application, design, or construction changes to determine the best possible solutions or security options.

Public Works and Waste Management Department (Traffic Division)

The Public Works and Waste Management Department, does not object to this application. Its memorandum indicates that the proposed project will generate 258 peak hour trips and that the existing LOS of the surrounding roadways will not go below what currently exists. Additionally, because the subject property is located within the Urban Infill Area, no vehicle trips have been reserved by this application.

Public Works and Waste Management Department (Waste Management)

The Miami-Dade County Department of Public Works and Waste Management - Waste Management Division does not object to this application. The memorandum submitted for this hearing application indicates that the latest concurrency status determination issued in September 2012, which is valid for one (1) year, shows sufficient disposal system capacity to meet and exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Department of Regulatory and Economic Resources, is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits as needed from the Florida Department of Environmental Protection.

Water and Sewer Department

The Miami-Dade County Water and Sewer Department (MDWASD) has no objections to this application. The subject parcels are located within the City of North Miami Beach (NMB) water service area. Additionally, both parcels are located within the City of North Miami's sewer service area.

Miami-Dade Transit Department

The Miami-Dade Transit Department (MDT) has no objections to this application. Its memorandum indicates that there are multiple Metrobus routes; the majority of which have AM/PM peak-hour headways of 30 minutes or less. Therefore, this application meets the adopted mass transit level of service standards as prescribed by the CDMP Mass Transit Subelement Policy MT-1A.

Miami-Dade County Public Schools – Not applicable, (no residential development proposed)

OTHER: Not applicable.

RECOMMENDATION:

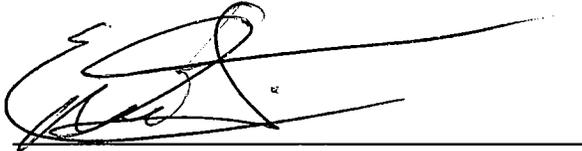
Approval of request #1 and that the previously approved automobile dealership and ancillary repair shops be preserved and carried forward and approval with conditions of requests #2 through #6

CONDITIONS FOR APPROVAL:

1. That the approval and conditions of Resolution No. Z-177-88 remain in effect, to wit: Special Exception to permit a new car agency and in connection therewith, a paint shop, major mechanical repair shop, top and body shop, and automobile sales or rental from an open lot.
2. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "North Miami Toyota" as prepared by YSM Design, consisting of 5 sheets, "Lehman Toyota" as prepared by Bohler Engineering, consisting of 11 sheets, all plans dated stamped received March 28, 2013.
4. That the use be established and maintained in accordance with the approved plan.
5. That the applicant submit to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan that indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
6. That the applicant obtain a Certificate of Use from and promptly renew same annually with the Department of Regulatory and Economic Resources or its successor Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
7. That the use of outdoor speakers in connection with the automobile dealership and ancillary repair facilities be prohibited.
8. That all outdoor lighting on the property be in compliance with Miami-Dade County's outdoor lighting regulations; specifically that any over-spill lighting onto adjacent properties not exceed one-half (1/2) foot candle vertical nor one-half (1/2) foot candle horizontal illumination on adjacent properties or structures, and that the outdoor lighting installation shall not be used until a compliance letter from a registered engineer or architect is provided.
9. That no test drives shall occur east of NW 2 Avenue.
10. That no off-site parking shall be permitted on the right-of-way areas.

11. That the hours of operation for repairs shall be between 7:00 AM and 7:00 PM, Monday – Saturday and between 10:00 am to 5:00 pm on Sunday.

ES:MW:NN:JV:AN

A handwritten signature in black ink, appearing to read 'Eric Silva', written over a horizontal line.

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

ZONING RECOMMENDATION ADDENDUM

FRL Automotive, LLC

12-112

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Public Works & Waste Management	No objection
Parks, Recreation and Open Space	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
Miami-Dade Transit	No objection
*Subject to conditions in the Department's attached memorandum.	

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

<p>Business and Office (Pg. I-41)</p>	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property for Business and Office use. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.</i></p> <p><i>Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.</i></p>
<p>Land Use Element Policy LU-4A</p>	<p><i>When evaluating compatibility among proximate land uses, the County shall consider such</i></p>

ZONING RECOMMENDATION ADDENDUM

FRL Automotive, LLC

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(Pg. I-11)	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.
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PERTINENT ZONING REQUIREMENTS/STANDARDS

33-303.1(D)(7) Developmental Impact Committee	<p>Review and make recommendations concerning County zoning actions, with the exception of applications which seek only non-use variances and/or a modification of a condition(s) or covenant(s) and which do not approve a change of use or an increase in the floor area for any and all nonresidential use(s), which are:</p> <p style="padding-left: 40px;">(a) Required by the regulations to be taken after public hearing, and which would allow individually, or cumulatively within an independent development parcel:</p> <p style="padding-left: 40px;">2. Business uses involving in excess of ten (10) acres or one hundred thousand (100,000) square feet of retail floor area, or one thousand (1,000) vehicle off-street parking space capacity.</p>
Section 33-311 District Boundary Change	<p>(A) The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</p> <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) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered; (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irremediable commitment of natural resources will occur as a result of the proposed development; (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida; (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction; (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

ZONING RECOMMENDATION ADDENDUM

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<p>33-311(A)(3) Special Exceptions, Unusual Uses and New Uses</p>	<p>The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by 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.</p>
<p>33-311(A)(4)(b) Non-Use Variances from other than airport regulations</p>	<p>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.</p>
<p>Sec. 33-317. - Limitation on issuance of permits</p>	<p>The Department shall not issue any type of permit or certificate based upon any action of the Community Zoning Appeals Board which the County Commission has jurisdiction to review until a final decision has been rendered on the application by the County Commission as provided by this chapter; provided, however, a temporary conditional permit or certificate may be issued prior to such final decision if the Director should first determine that the withholding of the same would cause imminent peril to life or property and then only upon such conditions and limitations, including the furnishing of an appropriate bond, as may be deemed proper by the Director.</p> <p>Upon application of the Director, any variance, special exception, new use, special permit or unusual use heretofore or hereafter granted that is not utilized within the three-year period following the date of its grant or approval, may be terminated by the Board of County Commissioners after the required noticed public hearing or hearings, if it is determined that there have been sufficient changes in circumstances in the neighborhood and area concerned that to permit the same to be used would be detrimental to the area and incompatible therewith; provided, a variance shall not be terminated if the guidelines for granting the same exist. The foregoing provision shall not apply if the resolution granting the variance, special exception, new use, special permit or unusual use establishes a specific time limitation for utilizing the same. In such instances, the time limitation established by such resolution shall prevail.</p> <p>In the event application is made for a change of zoning on property which possesses any variance, special exception, new use, special permit or unusual use not yet utilized, no permits or certificates shall be issued for such variance, special exception, new use, special permit or unusual use until the hearing has been concluded. If the application for change of zoning is approved, the variance, special exception, new use, special permit or unusual use shall terminate, unless continued by the rezoning resolution; otherwise such variance, special exception, new use, special permit or unusual use shall remain in full force and effect, unless terminated by other provisions in this section.</p> <p>A variance, special exception, new use, special permit or unusual use shall be deemed to have been utilized if the use pursuant thereto shall have been established, or if a building permit has been issued, acted upon, and the development to which such variance, special exception, new use, special permit or unusual use is an integral part is progressively and continuously carried to conclusion.</p>
<p>Sec. 33-247. - Uses permitted.</p>	<p>(4) Automobile and light truck, new sales agency or rental shall be permitted only upon approval after public hearing and subject to the following conditions:</p>

ZONING RECOMMENDATION ADDENDUM

FRL Automotive, LLC

12-112

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| | <ul style="list-style-type: none">(a) <i>That a continuous, densely planted greenbelt of not less than fifteen (15) feet in width, penetrated only at points approved by the Director and the Director of the Public Works Department for ingress or egress to the property, shall be provided along all property lines abutting public rights-of-way or properties zoned residential. Said greenbelt shall have shade trees planted at a maximum spacing of thirty (30) feet on center. The shade trees shall have a minimum caliper of two and one-half (2½) inches at time of planting.</i>(b) <i>That a decorative masonry wall at least five (5) feet in height shall enclose the vehicle storage area and repair area approved through public hearing. The placement of said wall and openings through same shall comply with the requirements contained elsewhere in this article.</i>(c) <i>That all outdoor paging or speaker systems are expressly prohibited.</i>(d) <i>That no repair work of any type is permitted on premises unless approved after public hearing.</i>(e) <i>That accessory used vehicle sales shall be permitted providing said vehicles are late model and in operable condition.</i>(f) <i>That the applicant obtain a certificate of use and occupancy which shall be automatically renewable yearly upon compliance with all terms and conditions applicable.</i> |
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1. FRL AUTOMOTIVE, LLC
(Applicant)

13-7-CZ8-1 (12-112)
Area 08/District 02
Hearing Date: 07/31/13

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>
1962	Howard Johnson, Inc., Of Florida	- Unusual Use to permit a Heliport Plan Use Property.	ZAB	Approved with Condition(s)
1972	Howard Johnson Co.	- Use Variance to permit office parking complex in an RU-4A.	ZAB	Approved with Condition(s)
1972	Howard Johnson Co., A Maryland Corporation	- Zone change from RU-4A to BU-2.	BCC	Approved
1974	Ryerson & Haynes Realty, Inc.	- Modification of Condition #2 of Resolution 4-ZAB-396-72 of 7-8-72 to substitute revision.	ZAB	Approved
1975	Ryerson & Haynes Realty Corp.	- Unusual Use Private Tennis Club with 16 tennis courts, clubhouse, swim pool & liquor.	ZAB	Approved with Condition(s)
1976	Ryerson & Haynes Realty Company	- Modification of Condition #2 of Resolution 4-ZAB-266-75 Plan Use Property.	ZAB	Approved with Condition(s)
1976	Ryerson & Haynes Realty	- Variance 40sf. detached sign in RU-5A (24sf. permitted).	BCC	Denied
1984	Holland Builders Inc.	- Modification of Condition #2 of Resolution 4-ZAB-7-76.	ZAB	Approved with Condition(s)
1986	Holland Builders Inc.	- Modification of Condition #2 of Resolution 4-ZAB-505-84.	ZAB	Approved with Condition(s)

1988	James D. Evans, Sr. & James D. Evans Jr. as Trustee	- Zone change from RU-4A to BU-1A. - Special Exception to permit a New Car Agency.	BCC	Approved with Condition(s)
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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: May 1, 2013

To: Eric Silva
Assistant Director
Regulatory and Economic Resource Department

From: 
Antonio Cetarelo, P.E.
Interim County Engineer
Public Works and Waste Management Department

Subject: DIC 12-112
Name: FRL Automotive, LLC
Section 13 Township 52 South Range 41 East

I. PROJECT LOCATION:

444 NW 165 Street Road and 16600 NW 2 Avenue

II. APPLICATION REQUEST:

This application is seeking a district boundary change from BU-1A (Limited Business District) to BU-2 (Special Business District), a special exemption to permit a new car agency and in connection therewith, a paint shop, major mechanical repair shop, top and body shop and automobile sales or rental from an open lot. The application also seeks a special exception to permit an automobile and light truck agency and in connection, a paint shop, major mechanical repair shop, top and body shop and automobile sales or rental from an open lot; a non-use variance of zoning regulations requiring a continuously, densely planted greenbelt of not less than 15 feet in width along all property lines abutting rights-of-way or properties zoned residential and to waive same along certain property lines.

III. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION:

NW 165 Street, NE 167 Street, NW 6 Avenue, NW 2 Avenue, Miami Avenue and NE 6 Avenue

IV. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY:

A. Trip Generation (Based on Institute of Transportation Engineers)

258 PM Peak Hour trips are generated by this development.

B. Cardinal Distribution

North	28%	East	19%
South	30%	West	23%

V. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

Station 9326 located on NW 2 Avenue south of NW 167 Street, has a maximum LOS “E+ 50%” of 2,085 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 1,071 vehicles and an additional 10 vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9326** with its PHP and assigned vehicles is at LOS “D”. The 98 vehicle trips generated by this development when combined with the 1,071 and those previously approved through Development Orders, 10, equal 1,179 and will cause this segment to operate at LOS “D”.

Station F-366 located on NE 167 Street east of North Miami Avenue, has a maximum LOS “E+ 50%” of 7,725 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 4,400 vehicles and an additional 43 vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-366** with its PHP and assigned vehicles is at LOS “D”. The 32 vehicle trips generated by this development when combined with the 4,400 and those previously approved through Development Orders, 43, equal 4,475 and will cause this segment to operate at LOS “D”.

Station 9316 located on North Miami Avenue north of NE 159 Street, has a maximum LOS “E” of 1,160 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 1,232 vehicles and an additional 72 vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9316** with its PHP and assigned vehicles is at LOS “F”. The 34 vehicle trips generated by this development when combined with the 1,232 and those previously approved through Development Orders, 72, equal 1,343 and will cause this segment to operate at LOS “F”.

Station F-2134 located on I-95 Expressway south of NW 151 Street, has a maximum LOS “E+ 50%” of 29,905 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 16,760 vehicles and an additional 20 vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-2134** with its PHP and assigned vehicles is at LOS “E+ 10%”. The 77 vehicle trips generated by this development when combined with the 16,760 and those previously approved through Development Orders, 20, equal 16,857 and will cause this segment to operate at LOS “E+ 11%”.

Station F-126 located on NE 125 Street east of NE 6 Avenue, has a maximum LOS “E+ 20%” of 3,720 vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of 2,805 vehicles and 0 vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-126** with its PHP and no assigned vehicles is at LOS “E”. The 17 vehicle trips generated by this development when combined with the 2,805 and those previously approved through Development Orders, 0, equal 2,822 and will cause this segment to operate at LOS “E”.

VI. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT:

Eastbound left-turn extension along NW 165 Street as indicated on the site plan per the traffic study to be incorporated as part of the paving and drainage plans.

VII. ACCESS IMPROVEMENTS REQUIRED FOR THIS PROJECT:

Proposed eastbound right-out only movement along NW 2 Avenue at north parcel, will be enforced by a physical raised island.

VIII. SITE PLAN CRITIQUE

- Site plan is acceptable, minor modifications to be implemented as part of the paving and drainage plans.
- This land complies with Chapter 28 of the Miami-Dade County Code. The north parcel property is grandfathered; therefore, platting is not required. The south parcel property has an approved waiver of plat under D-17294.

VI. STANDARD CONDITION:

A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."

VII. SUMMARY:

This project is located within the jurisdiction of Miami-Dade County. Pursuant to Chapter 33G-5(1)(a)1 of the Miami-Dade County Code this application will be granted concurrency approval since the project is located within the Urban Infill Area, therefore, no vehicle trips have been reserved by this application. This project is subject to the payment of Road Impact Fees. Additional improvements may be required at time of permitting.

- c: Raul A. Pino, PLS, Department of Regulatory and Economic Resources
Jorge Vital, Development Impact Committee, Department of Regulatory and Economic Resources
Joan Shen, Ph.D., P.E., PTOE, Interim Chief, Traffic Engineering Division, PWWM
Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division, PWWM
Orlando Grandal, Special Administrator for Concurrency, Department of Regulatory and Economic Resources

Memorandum

Date: April 17, 2013

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

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

Subject: DIC #Z2012000112-2nd Revision
FRL Automotive, LLC, a Florida limited liability company
444 NW 165th Street Road and 16600 NW 2nd Avenue, Miami, FL
Zone Change from BU-1A and BU-2 to BU-2 and Special
Exception to Permit an Automobile and Light Truck Agency
(BU-1A) (10.6 Acres)
13-52-41

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

Potable Water Service

The subject properties are located within the City of North Miami Beach water franchised service area. Public water is abutting these properties in the form of water mains ranging in size from 8-inch and 12-inch. Connection of the proposed development to the public water supply system shall be required in accordance with the Code requirements.

The source for this water supply is Norwood Oeffler Water Treatment Plant, which is owned and operated by the City of North Miami Beach. This plant has sufficient capacity to provide current water demand, and is presently producing water that meets federal, state, and county drinking water standards.

Wastewater Disposal

Section 24-43.1(6) of the Code prohibits the approval of any building permit, certificate of use and occupancy, municipal occupational license, platting action or zoning action for any nonresidential land use served or to be served by any liquid waste storage, disposal or treatment method other than public sanitary sewers or any source of potable water supply other than a public water main.

The subject properties are located within the City of North Miami sanitary sewer franchised service area. The south parcel is served by a private sanitary sewer system, PSO-520. The north parcel is abutting a 6-inch force main located along NW 165th Street which is owned and operated by the City of North Miami Water and Sewer Department. In accordance with Section 24-43.1(7) of the Code the proposed development is required to connect to the abutting public sanitary sewer system if it is determined to be available and operative. The applicant is advised to contact the City of North Miami Water and Sewer Department for further information regarding connecting to their system.

The wastewater flow is directed into pump station 30-0346, and then to the North District Wastewater Treatment Plant. The sanitary sewer pump station 30-0346 as well as the North District Wastewater

Treatment Plant are owned and operated by Miami Dade Water and Sewer Department. The aforesaid force main, private pump station (99-00520), and pump station 30-0346 are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree. At this time the North District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

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

Stormwater Management

A Surface Water Management General Permit from the Department shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to platting and/or site development, or public works approval of paving and drainage plans. The applicant is advised to contact the Water Control Section at (305)-372-6681 for further information regarding permitting procedures and requirements.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage 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 Section 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

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

Pollution Remediation

There are no records of current contamination assessment/remediation issues on the north and south parcel. There is one record of a current petroleum contaminated site directly abutting the south parcel (FBI, UT-6253, 16320 NW 2 Avenue).

Air Quality Preservation

Be advised that installation of spray booth(s) requires permitting by the Air Facilities Section of DERM. An Air Construction Permit application and appropriate processing fee along with a set of plans would need to be submitted to the Air Facilities Section.

The application shall be signed and sealed by a Professional Engineer registered in the State of Florida and accompanied by specifications of the paint spray booth(s), and control devices, including but not limited to: number of exhaust filter grids and exhaust filter area of the booth(s).

Actual and Potential air emissions calculations in tons per year (TPY) from all operations at the facility, Material Safety Data Sheets (MSDS) of all paints and solvents are also required.

The requirement of obtaining a state air construction/operation permit will be determined as part of the plan review process. If you have questions, please contact the Air Facilities Section at (305)-372-6925.

Operating Permits

Section 24-18 of the Code authorizes the Department to require operating permits from facilities that could be a source of pollution. Furthermore, approval for best management practices to control any potential discharge and spillage of pollutants associated with some land uses permitted in the requested zoning district may be required. The Permitting Section of Pollution Regulation Division may be contacted at (305) 372-6600 for further information concerning operating requirements.

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 Permits (TREE 4145 and TREE 4146) were issued for these properties. Tree Removal Permit TREE 4145 was issued for the parcel with folio 30-2113-010-0010 on March 22, 2013 and expires March 22, 2015. TREE 4146 was issued for the parcel with folio 30-2113-000-0050 on April 2, 2013 and expires April 2, 2015. Be advised that both permits require the preservation of specimen-sized (Trunk diameter 18 inches or greater) trees as identified in permitted approved plans. The landscape plans submitted with this application are in accordance with both of the permitted approved plans.

The parcels contain prohibited trees as defined in Section 24-49.9 of the Code. Pursuant to Section 24-49.9 of the Code, all prohibited trees are exempt from permitting and must be removed from the sites prior to development.

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 dates of these permits to avoid violation of permit conditions.

Be advised that an amendment to these permits is required prior to the removal and/or relocation of additional trees on the subject property that are subject to the Tree Preservation and Protection provisions of the Code. Please contact the Tree Permitting Program at (305)-372-6600, voice option #2, for information regarding tree permits.

Enforcement History

The south parcel and the north parcel have each one (1) closed enforcement record for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

Concurrency Review Summary

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

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review.

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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: April 15, 2013
To: Jack Osterholt, Director
Permitting, Environment and Regulatory Affairs
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: DIC 2012000112 – FRL Automotive, LLC (Revision No. 2)

According to the revised letter of intent dated March 28, 2013, the applicant is seeking to permit the expansion of an approved new and used automobile dealership onto additional property, along with a district boundary change, a modification of a previously approved resolution, a special exception, and a non-use variance of zoning regulations.

SERVICE IMPACT/DEMAND

- (A) Based on development information, this project is expected to generate approximately **10** fire and rescue calls annually. Although the estimated number of alarms results in a minimal impact to existing fire and rescue service, current stations serving this area will be able to handle the additional number of alarms.
- (B) Based on data retrieved during calendar year 2012, the average travel time to the vicinity of the proposed development was **6:18** minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.
- (C) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires four (4) suppression units; one of which must be an aerial, and the other three may be a combination of engines, tankers, ladders or aerials. Additionally, the assignment will require one (1) rescue and a battalion commander. This assignment requires twenty (20) firefighters and officers.

EXISTING SERVICES

STATION	ADDRESS	EQUIPMENT	STAFF
32	358 NE 168 Street	Rescue, Engine	7
38	575 NW 199 Street	Rescue, Aerial	7
19	650 NW 131 Street	Rescue, Aerial	7
11	18705 NW 27 Avenue	Rescue, Aerial, Battalion	8

SITE PLAN REVIEW:

- (A) Fire Engineering & Water Supply Bureau has reviewed and approved the revised site plan dated stamp received March 28, 2013 entitled 'Lehman Toyota' as prepared by Bohler Engineering with the following condition:
 - 1. All gates must be equipped with a Knox key switch or pad lock for Fire Department Access.

DIC 2012000112 – FRL Automotive, LLC (Revision No. 2)

April 15, 2013

Page 2 of 2

- (B) This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for DIC applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must be reviewed by the Fire Engineering & Water Supply Bureau to assure compliance with the Florida Fire Prevention Code (FFPC) and National Fire Protection Association (NFPA) standards, including all applicable conditions set forth during the DIC review process.

For additional information, please contact Mr. Carlos Heredia, Planning Section Supervisor at 786-331-4544.

/ch

Memorandum



DATE: April 22, 2013

TO: Jorge Vital
DIC Coordinator
Department of Regulatory and Economic Resources

FROM: Nilia Cartaya *Nilia Cartaya*
Principal Planner
Miami-Dade Transit - Engineering, Planning & Development Division

SUBJECT: Review of DIC Project No. 12-112 (FRL Automotive, LLC) – Revision 2
MDT Project No. OSP006
FSC No. 41.04

Project Description

The subject property is approximately 10.6 acres and consists of two triangular shaped parcels of land that are located at 444 NW 165 Street Road and 16600 NW 2 Avenue, Miami-Dade County, Florida. FRL Automotive, LLC is requesting to rezone the southern parcel from BU-1A (Limited Business District) to BU-2 (Special Business District), modify a condition of a previously approved Resolution, a special exception to permit an automobile and light truck agency, and a non-use variance to waive the required 15' greenbelt along all property line abutting rights-of-way or properties zoned for residential use in order to permit the expansion of a previously approved new and used automobile dealership.

Current Transit Service

Transit service in the surrounding area is provided by Routes 2, 22, 77, 95 (Golden Glades Express), E (105), 246 (Night Owl), 277 (7th Avenue MAX). The alignments for these routes are illustrated on the attached maps. The service headways for these routes (in minutes) are as follows:

**Metrobus Route Service Summary
 FRL Automotive, LLC Application Site**

Route(s)	Service Headways (In minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
2	60	60	55	n/a	n/a	n/a	0.3	L/F
22	15	30	60	n/a	30	30	0	L/F
77	7.5	15	30	n/a	15	30	0	L/F
95 (Golden Glades Express)	5	n/a	n/a	n/a	n/a	n/a	0.3	E
E (105)	30	45	30	n/a	50	50	0	L
246 (Night Owl)	n/a	n/a	n/a	60	60ovn	60ovn	0	L
277 (7th Avenue MAX)	18	n/a	n/a	n/a	n/a	n/a	0.3	E

Notes: L means Metrobus local route service
 F means Metrobus feeder service to Metrorail
 E means Express or Limited-Stop Metrobus service

November 2012 Line Up

Future Transportation/Transit Improvements

The 2014 Transportation Improvement Program (TIP) proposes the following improvements on the roadways within the immediate vicinity of the site.

Facility/Project Limits	Type of Work
SR 9A/I-95 Express (from north of SR 836/I-395 to Golden Glades Interchange)	Add Special Use Lane
SR 826/Palmetto Expressway (from SR 826 Eastbound Ramp to SR 9A/I-95 Northbound)	New Interchange Ramp

The 2035 Long Range Transportation Plan (LRTP) lists the following improvements within the immediate vicinity of this project.

Facility/Project Limits	Type of Work	Priority/Funding Phase
I-95 Express (from North of SR 836/I-395 to Golden Glades Interchange)	Add Special Use Lanes	Priority I
I-95 Regional Express Bus Service (from Broward Blvd. to Downtown Miami)	Implement regional express bus service on I-95 between Broward and Miami-Dade Counties	Priority I
Golden Glades Multi-modal Facility Upgrade	Capacity improvement, including a pedestrian overpass to connect Golden Glades Intermodal Center to business park west of CSX	Priority II

	tracks	
Golden Glades Multi-modal Terminal	Tri-Rail/MDT Terminal – 1,000 space deck, intermodal center with improved bus circulation and improved ADA; Replace multiple existing pedestrian bridges with a single-level bridge	Priority II
I-95 (NB) Ramp to Turnpike/SR 826	Add 1 auxiliary/acceleration lane	Priority II
SR 826/Palmetto Expressway (EB) to I-95 (NB)	Operational improvement within the Golden Glades Interchange	Priority IV
SR 826/Palmetto Expressway (EB) to NW 167 Street	Operational improvement within the Golden Glades Interchange	Priority IV
Golden Glades Interchange {SR 826 (EB) to I-95 (NB)}	Ramp improvements to provide direct system to system connection	Partially funded projects

The draft 2013 ten-year Transit Development Plan (TDP) identifies in its 2023 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route	Improvement/Adjustment
2	Realign northern terminus to future Golden Glades Intermodal Terminal.
22	No planned improvements.
77	No planned improvements.
95 (Golden Glades Express)	No planned improvements.
E (105)	No planned improvements.
246 (Night Owl)	No planned improvements.
277 (7 Avenue MAX)	Route to be transformed to the NW 7th Avenue Enhanced Bus.

MDT Comments/Recommendations

The surrounding area is well served by multiple Metrobus routes; the majority of which have AM/PM peak-hour headways of 30 minutes or less. Policy MT 1A, Mass Transit Subelement of the Comprehensive Development Master Plan states that the minimum peak-hour mass transit level-of-service shall be that all areas within the Urban Development Boundary (UDB) of the Land Use Plan (LUP) which have a combined resident and workforce population of more than 10,000 persons per square mile shall be provided with public transit service having a 30-minute headways and an average route spacing of one mile provided that:

- 1) The average combined population and employment density along the corridor between the existing transit network and the area of expansion exceeds 4,000 per square mile, and the corridor is 0.5 miles on either side of any necessary new routes or route extensions to the area of expansion;
- 2) It is estimated that there is sufficient demand to warrant the service;
- 3) The service is economically feasible; and
- 4) The expansion of transit service into new areas is not provided at the detriment of existing or planned services in higher density areas with greater need.

Therefore, this application meets the adopted mass transit level of service standards as prescribed by Policy MT-1A of the Mass Transit Sub-element of the Comprehensive Development Master Plan (CDMP).

Based on the information presented, MDT has no objections to this application.

c: Monica D. Cejas, P.E., Senior Professional Engineer, MDT
Gerald E. Bryan, Section Chief Service Planning and Scheduling, MDT
Eric Zahn, Transit Planning Section Supervisor, MDT
Douglas K. Robinson, Principal Planner, MDT

Memorandum



Date: October 11, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From: Naim R. Erched, Acting Director *NRE*
Miami-Dade Police Department

Subject: Developmental Impact Committee Review - Zoning Application
Case: No. Z2012000112 - FRL Automotive

APPLICATION

The applicant, FRL Automotive, is requesting a public hearing to permit the expansion of an approved new and used automobile dealership onto additional nearby property. The property, consisting of two parcels, is located at 444 NW 165 Street and 16600 NW 2 Avenue, Miami-Dade County, Florida.

CURRENT POLICE SERVICES

The automobile dealership is located in unincorporated Miami-Dade County and serviced by our Intracoastal District, located at 15665 Biscayne Boulevard, Aventura, Florida. Our current staffing allows for an average emergency response time of eight minutes or less.

REVIEW

A review of the application and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. A ½ mile radius check of crimes/calls for service of the location was completed and has been provided in the attached documents for your department.

Current data of police staffing, population, and crimes/calls for service was examined to project any increase in calls for service. Based on this data and due to the nature of the request (new and used automobile dealership), it cannot be accurately predicted as to any projected increase in calls for service. Experience lends itself to anticipate that when additional citizens and vehicles are present, traffic and calls for service may rise. Current staffing should accommodate any slight increase in the volume of calls for service. Should demand for police services increase beyond a slight increase, additional sworn personnel, support staff, and equipment may be required to maintain current levels of service.

The MDPD does not object to any proposed zoning modifications to complete this project. The applicant and developers are encouraged to work with police during any future application, design, or construction changes to determine the best possible solutions or security options.

Should you have any questions or require additional information, Lieutenant William Gonzalez, of the Public Information & Education Bureau, may be contacted at (305) 471-1775.

NRE/kh
Attachment

DATE: 18-APR-13
REVISION 3

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

FRL AUTOMOTIVE, LLC

444 NW 165 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000112

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: FOLIO 3021130100010 and 3021130000050 No open cases.
BNC: No bss cases open/closed.

FRL Automotive LLC

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

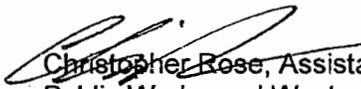
REPORTER NAME:

Memorandum



Date: March 13, 2013

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

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

Subject: DIC #12-112
FLR Automotive, LLC

Please find attached a copy of the Public Works and Waste Management's review of the above-referenced item. The review was created as requested to update a previous response dated September 17, 2012. Final comments will be offered as needed.

Should you require additional information, please contact Stacey McDuffie, Fiscal Planning and Performance Management Division at, 305-375-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-112
FRL Automotive, LLC

Application: *FRL Automotive, LLC* is requesting on the South Parcel of the property, a District Boundary Change from Limited Business District (BU-1A) to Special Business District (BU-2), a modification to Resolution Z-177-88 and the continuation of a special exemption for the same Resolution. On the North Parcel of the property, the applicant is requesting a special exemption to permit an automobile and light truck agency and in connection therewith a paint shop, major mechanical repair shop, top and body shop, and automobile sales or rental from an open lot. In addition the applicant is also requesting a non-use variance to waive the requirement for a densely planted greenbelt of not less than fifteen (15) feet in width along all property lines abutting rights-of-way or properties zoned for residential use.

Size: The subject property is approximately 10.6 acres.

Location: The subject property is located at 444 NW 165th Street in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 28, 2012, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed

2. Garbage and Trash Collection Services

The Public Works and Waste Management Department (PWWM) maintains the response provided via memo dated January 4, 2012, as the supplemental information provided in the application does not affect the waste management service provided. The expansion regarding the new and used automobile dealership on the property will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

- | | |
|----------------------------------|--|
| 1) High grade office paper | 6) Steel (cans, scrap) |
| 2) Mixed paper | 7) other metals/scrap production materials |
| 3) Corrugated cardboard | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles |
| 5) Aluminum (cans, scrap) | 10) Wood |

Section 15-2.3 states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

Memorandum



Date: November 27, 2012

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

From: José A. Ramos, R.A., Division Director
Aviation Planning, Land-Use and Grants Division
Aviation Department

Subject: DIC Application #12-112
FRL Automotive, LLC
MDAD DN-12-11-1090

A handwritten signature in black ink, appearing to be "J. Ramos", written over the "From:" field.

As requested by the Department of Regulatory and Economic Resources, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #12-112, FRL Automotive, LLC. The applicant is requesting a zone change from BU-1A and BU-2 to BU-2; and a special exception to permit an automobile and light truck agency at 444 NW 165 Street, Miami-Dade County, Florida. The size of the property is approximately 10.6 acres.

Based upon our review of the information provided to us, MDAD does not object to the use provided there are no conflicts with applicable local, state and federal aviation regulations including the Code of Miami-Dade County, Chapter 33, Airport Zoning.

C: Jorge Vital, DIC Coordinator, Department of Regulatory and Economic Resources

Memorandum



Date: April 9, 2013

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

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

Subject: Z2012000112: FRL AUTOMOTIVE, LLC
Revised plans per letter of intent dated 3-28-2013

Application Name: FRL AUTOMOTIVE, LLC

Project Location: The site is located at 444 NW 165 ST, Miami-Dade County.

Proposed Development: The applicant is requesting approval of a district boundary change from BU-1A and BU-2 to BU-2; and a special exception for an automobile dealership. Review includes revised plans per letter of intent dated 3-28-2013.

Impact and demand: Because the request in 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: April 16, 2013

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

From: Maria A. Valdes, Chief, LEED[®] Green Associate (Maria Valdes)
Comprehensive Planning & Water Supply Certification Section

Subject: FRL Automotive, LLC DIC Application # Z2012000112 (Revision # 2)

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project.

Application Name: FRL Automotive, LLC

Proposed Development: The applicant is requesting to permit the expansion of an approved new and used automotive dealership onto additional property. The project consists of two effectively triangularly shaped properties that are joined at the tip (respectively referred to as the "North Parcel" and the "South Parcel"). The North parcel is currently zoned BU-2 and is currently vacant. The applicant proposes to expand the approved automobile dealership on the South Parcel to include the North Parcel. The South Parcel is currently zoned BU-1A and the applicant is requesting a district boundary change to a BU-2 zoning classification in order to match the existing zoning classification of the North Parcel.

Project Location: The address of the North Parcel is 16600 NW 2nd Avenue and for the South Parcel is 444 NW 165th Street Road, in unincorporated Miami-Dade County.

Water: The North and South Parcels for the subject sites are located within the City of North Miami Beach (NMB) water service area. Please consult with the Utility Department of the City of NMB for any infrastructure that they may have in their service area. Also note that a Water Supply Certification is not required from MDWASD as the project is located entirely within the City of NMB's water service area and the water supply will be provided by the NMB utility.

Sewer: The proposed development for the North Parcel (Folio # 3021130000050) is located within the City of North Miami's sewer service area. For the South Parcel (Folio # 3021130100010), the sewer service area was administratively release under release number (12-305 "Parkway Grove Pump Station Basin") to the City of North Miami on November 7th, 2012. Please consult with the Utility Department of the City of North Miami for any infrastructure that they may have in their service area for both Parcels.

Water Conservation: All future development for the subject area will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-84 and 8A-381 of the Code of Miami-Dade County. In addition, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

For more information about our Water Conservation Program please go to <http://www.miamidade.gov/conservation/home.asp>.

For information concerning the Water-Use Efficiency Standards Manual please go to http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf

Should you have any questions, please call me at (786) 552-8198 or Alfredo B. Sanchez at (786) 552-8237.

DATE: 18-APR-13
REVISION 3

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

FRL AUTOMOTIVE, LLC

444 NW 165 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2012000112

HEARING NUMBER

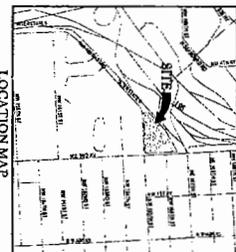
HISTORY:

ENFORCEMENT HISTORY: NC: fOLIO 3021130100010 and 3021130000050 No open cases.
BNC: No bss cases open/closed.

FRL Automotive LLC

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

REPORTER NAME:



LEGAL DESCRIPTION

ALL INFORMATION CONTAINED HEREIN IS THE PROPERTY OF BOHLER ENGINEERING AND CONSULTING ENGINEERS, INC. (BOHLER). BOHLER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. BOHLER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSULTING SERVICES PROVIDED HEREIN. BOHLER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. BOHLER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSULTING SERVICES PROVIDED HEREIN. BOHLER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS.

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PARKING LEGEND

C CONCRETE/ASPHALT PAVED STALL SPACES
 D ASPHALT PAVED STALL SPACES

HATCH LEGEND

ASPHALT
 CONCRETE
 ASPHALT CONC.

GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE, THE FLORIDA ELECTRICAL CODE, THE FLORIDA MECHANICAL CODE, THE FLORIDA PLUMBING CODE, AND THE FLORIDA GAS CODE.

2. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

3. BOHLER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSULTING SERVICES PROVIDED HEREIN. BOHLER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS.

4. ALL DIMENSIONS SHALL BE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.

5. ALL MATERIALS SHALL BE AS SHOWN ON THE PLAN UNLESS OTHERWISE SPECIFIED.

6. ALL UTILITIES SHALL BE AS SHOWN ON THE PLAN UNLESS OTHERWISE SPECIFIED.

7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE, THE FLORIDA ELECTRICAL CODE, THE FLORIDA MECHANICAL CODE, THE FLORIDA PLUMBING CODE, AND THE FLORIDA GAS CODE.

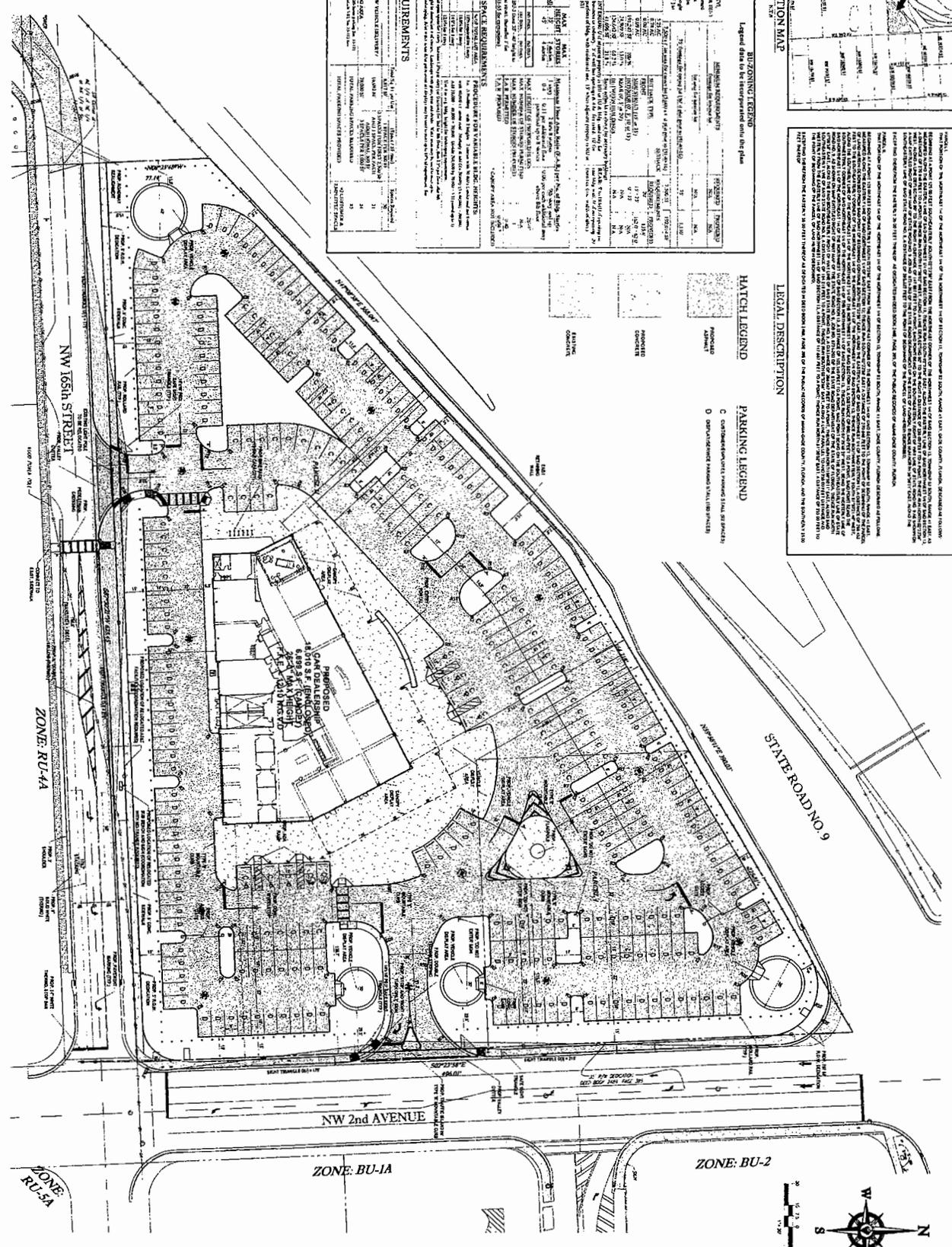
8. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

9. BOHLER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSULTING SERVICES PROVIDED HEREIN. BOHLER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS.

10. ALL DIMENSIONS SHALL BE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.

11. ALL MATERIALS SHALL BE AS SHOWN ON THE PLAN UNLESS OTHERWISE SPECIFIED.

12. ALL UTILITIES SHALL BE AS SHOWN ON THE PLAN UNLESS OTHERWISE SPECIFIED.



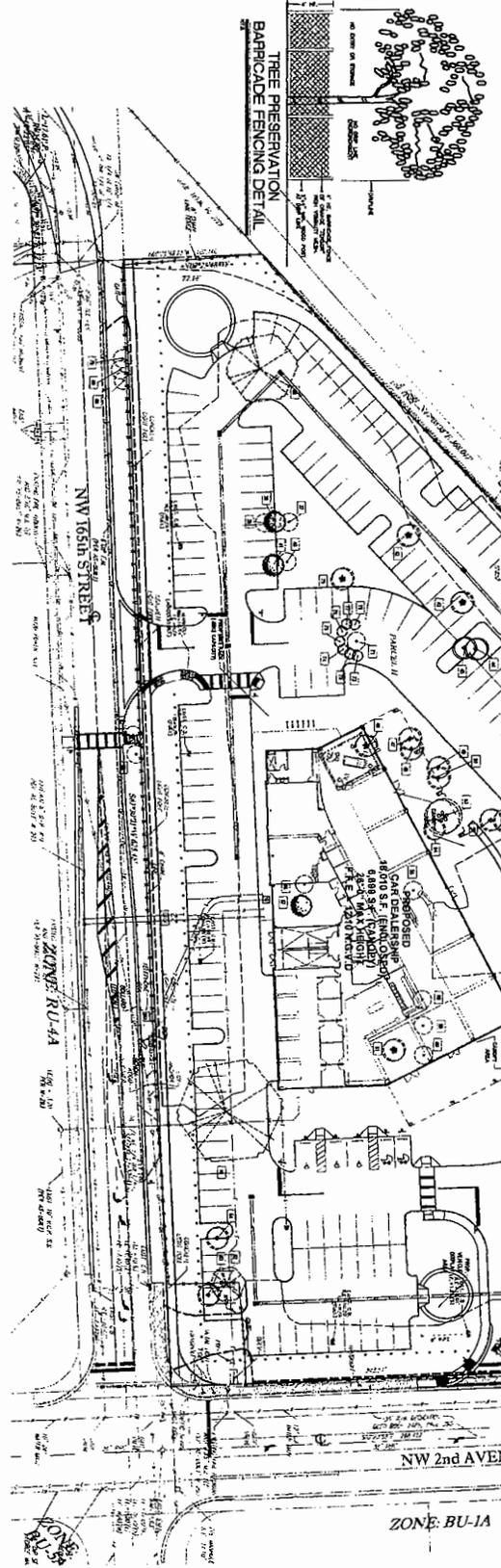
<p>BOHLER ENGINEERING</p> <p>CIVIL & CONSULTING ENGINEERS</p> <p>SUB OFFICE</p> <p>PRODUCT MANAGERS</p> <p>ENVIRONMENTAL CONSULTANTS</p> <p>LANDSCAPE ARCHITECTS</p> <p>CORPORATE OFFICE</p> <p>1100 W. WARENS, FL 32150</p> <p>OFFICE</p> <p>BOHLER INC.</p> <p>1100 W. WARENS, FL 32150</p> <p>BOHLER INC.</p> <p>1100 W. WARENS, FL 32150</p> <p>BOHLER INC.</p> <p>1100 W. WARENS, FL 32150</p>	<p>PROJECT NO. F1000-001</p> <p>DATE: 11/15/2011</p> <p>SCALE: AS SHOWN</p> <p>DESIGNED BY: J. BOHLER</p> <p>CHECKED BY: J. BOHLER</p> <p>DATE: 11/15/2011</p>	<p>PROJECT: LEHMAN TOYOTA</p> <p>FOR: HODGEN CONSTRUCTION</p> <p>MAN: GUYANA COUNTY, FLORIDA</p>	<p>NOBLE PARTNERS</p> <p>1100 W. WARENS, FL 32150</p> <p>BOHLER ENGINEERING</p> <p>1100 W. WARENS, FL 32150</p>	<p>C-2N</p> <p>SITE PLAN</p>
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RECEIVED
MAR 28 2013
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
BATTOLINELLI IMPACT COMMITTEE

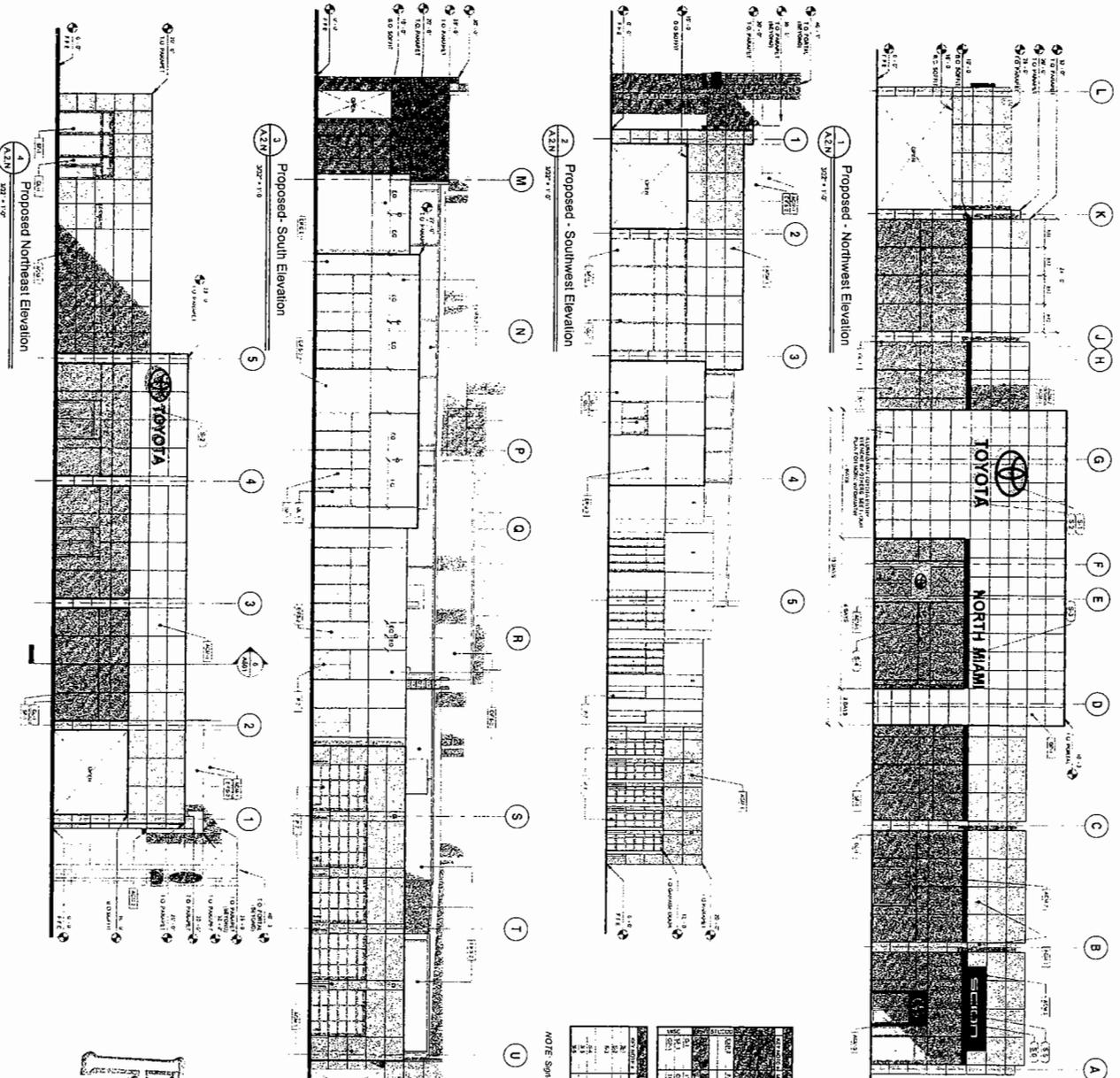
GENERAL NOTES:

1. Tree preservation barricade shall be provided by Landscape Contractor around existing trees not set by the applicant for proposed construction. Prior to any construction a tree preservation barricade inspection for tree preservation barricade (fencing) shall be conducted by the applicant.
2. Contractor to notify "Miami State One Call of Florida, Inc." at 1-800-431-4719 for Business Days prior to digging for underground utility locations.
3. Contractor to notify "Miami State One Call of Florida, Inc." at 1-800-431-4719 for Business Days prior to digging for underground utility locations.

GENERAL NOTES:
All changes to existing utilities or structures shall be approved and paid for by the applicant.
All changes to existing utilities or structures shall be approved and paid for by the applicant.



<p>LD-IN</p> <p>TRIPLE TREE NORTH TREE DISPOSITION PLAN</p>	<p>MICHAEL D. GROSSWORTH</p> <p>LANDSCAPE ARCHITECT</p>	<p>BOHLER ENGINEERS</p> <p>REGISTERED PROFESSIONAL ENGINEERS</p>	<p>NOELI MIAMI TOYOTA</p> <p>HODGEN CONSTRUCTION</p>	<p>MIAMI-DADE COUNTY, FLORIDA</p>	<p>BOHLER ENGINEERING</p> <p>CIVIL & CONSTRUCTION ENGINEERING</p>	<p>COMPONENT OFFICE</p> <p>OFFICE</p>	<p>PROJECT MANAGER</p> <p>ENVIRONMENTAL CONSULTANT</p>	<p>LANDSCAPE ARCHITECT</p>	<p>43</p>



NO.	DESCRIPTION	DATE	BY	CHKD.
1	ISSUED FOR PERMITTING	03/12/13	YSM	YSM
2	ISSUED FOR PERMITTING	03/12/13	YSM	YSM
3	ISSUED FOR PERMITTING	03/12/13	YSM	YSM
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49	ISSUED FOR PERMITTING	03/12/13	YSM	YSM
50	ISSUED FOR PERMITTING	03/12/13	YSM	YSM

NOTE: Signage requires separate permit.

RECEIVED
MAR 28 2013

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY _____

Client:	Lehman Toyota
Address:	4539 Northwest 2nd Ave. Miami, FL 33189
Project:	NORTH MIAMI TOYOTA
Address:	16800 Northwest 2nd Ave. Miami, FL 33189
Project Number:	22006
Checked By:	BY YSM
Approved By:	YSM
Sheet Title:	Exterior Elevations
Sheet Number:	A.2.N


YSM DESIGN
 1206 Elkport Industrial Blvd
 Suite 100
 Atlanta GA 30318
 404-348-4333 (atl)
 404-332-6324 (m)
 www.ysmdesign.com

Signed & Sealed: **MAR 12 2013**
 Not valid for recording after this date.
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[Rev] Date [] Comments

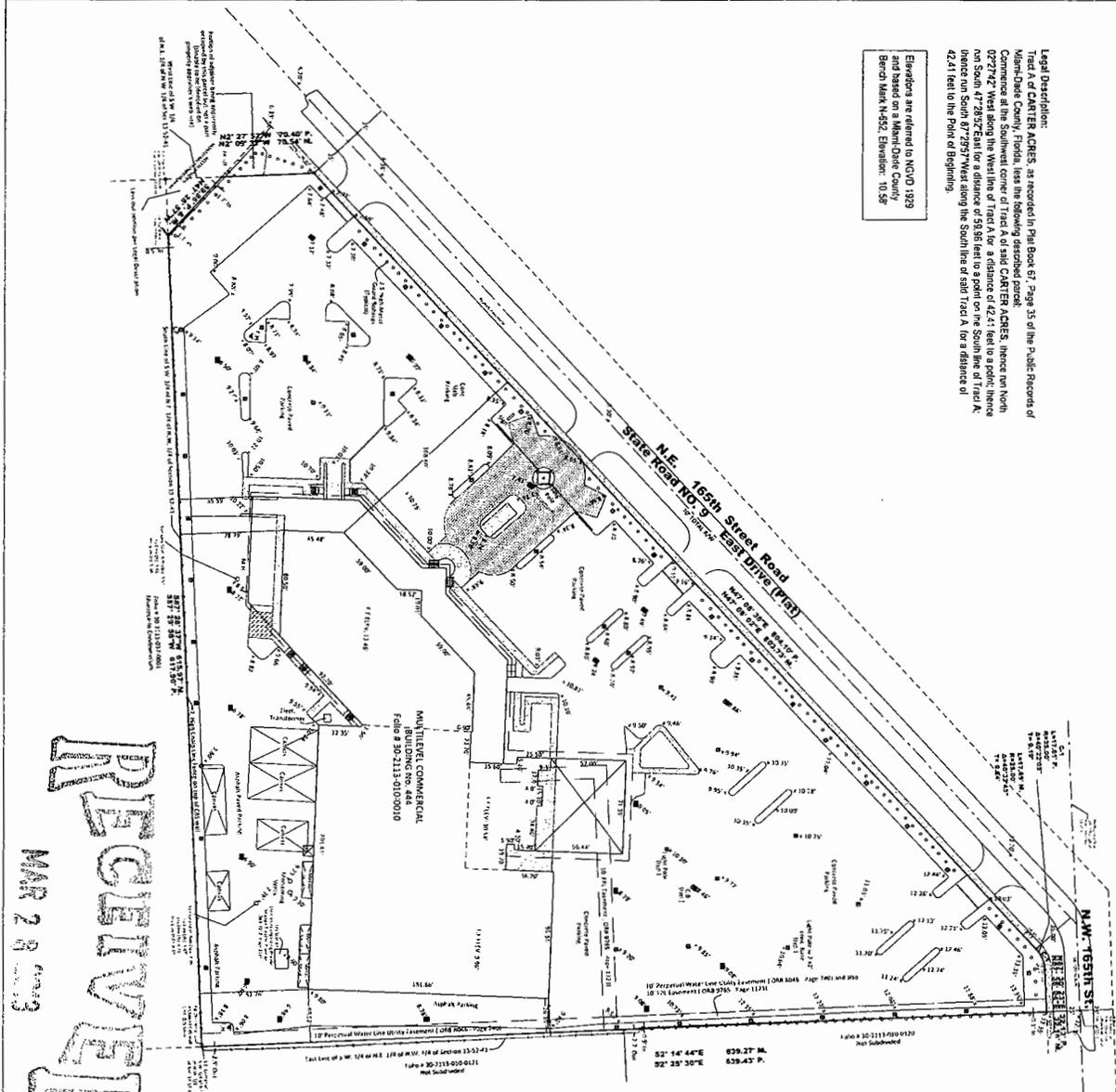
47

BOUNDARY & TOPOGRAPHIC SURVEY

A portion of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 13, Township 52 South, Range 41 East, Miami-Dade County, Florida.
 Site Address: 444 N.W. 165th Street Road, Miami, Florida 33169

Legal Description:
 Tract A of CENTER ACRES, as recorded in Plat Book 67, Page 35 of the Public Records of Miami-Dade County, Florida, which Commences at the Southwest corner of Tract A of said CENTER ACRES, thence run north 02°27'42" West along the West line of Tract A for a distance of 42.21 feet to a point, thence run South 47°28'52" East for a distance of 59.95 feet to a point on the South line of Tract A, thence run South 87°29'57" West along the South line of said Tract A for a distance of 42.41 feet to the Point of Beginning.

Elevations are referred to NOAA 1929 and based on a Miami-Dade County Bench Mark M-652, Elevation: 10.36



RECEIVED
 MAR 2 9 2013
 MIAMI-DADE COUNTY
 DEPT. OF PLANNING AND COMMUNITY DEVELOPMENT
 LAND SURVEYING DIVISION

NORTH
 SCALE: 1" = 40'

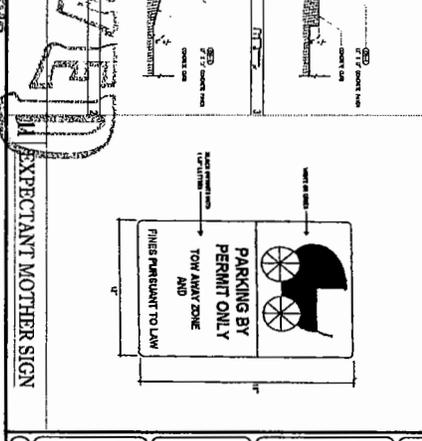
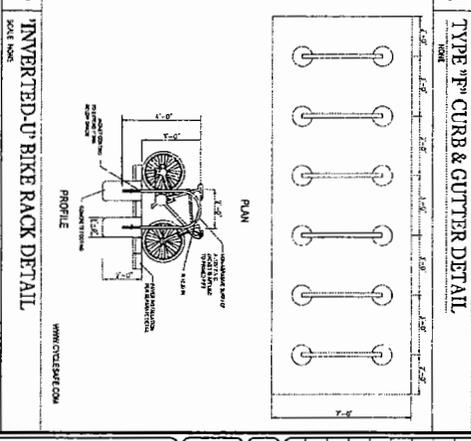
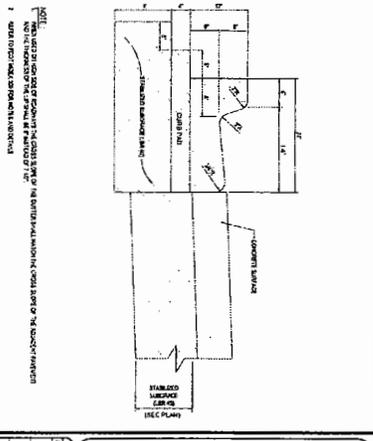
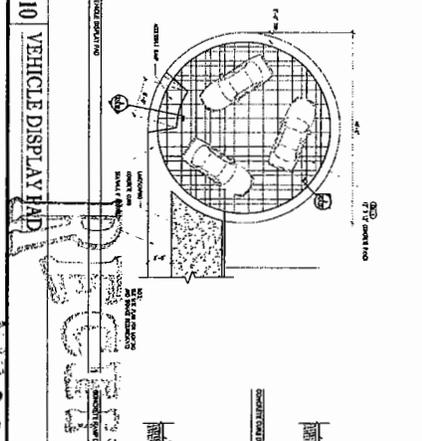
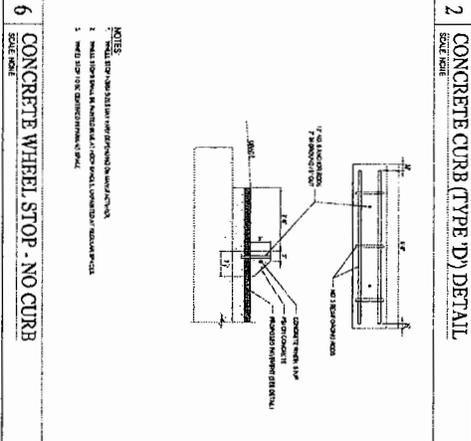
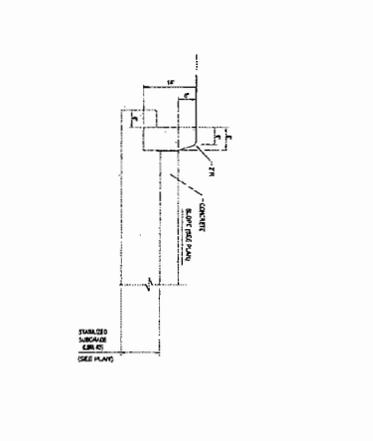
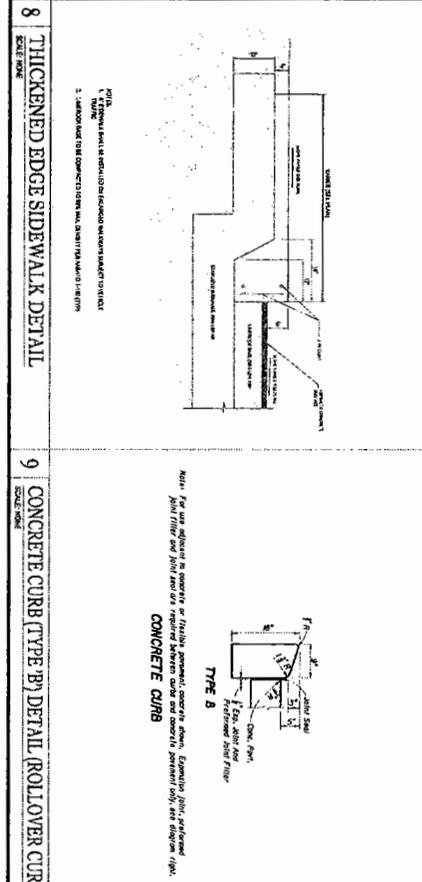
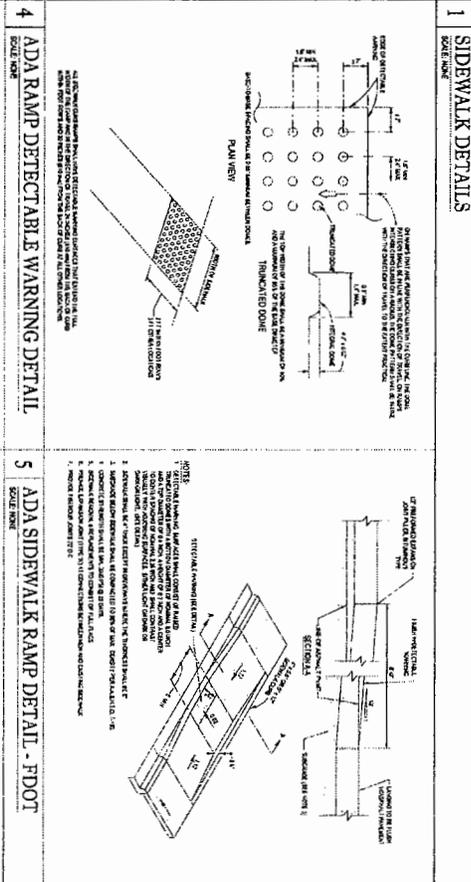
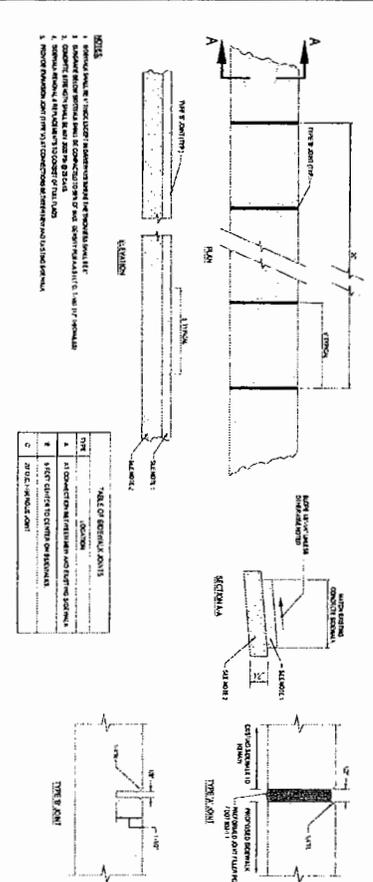
LEGEND & ABBREVIATIONS

1. CENTER LINE OF ROAD	11. UNDEVELOPED LAND
2. PROPERTY LINE	12. EXISTING CONCRETE DRIVE
3. EXISTING CONCRETE DRIVE	13. EXISTING ASPHALT DRIVE
4. EXISTING ASPHALT DRIVE	14. EXISTING GRAVEL DRIVE
5. EXISTING GRAVEL DRIVE	15. EXISTING DIRT DRIVE
6. EXISTING DIRT DRIVE	16. EXISTING CONCRETE DRIVE
7. EXISTING CONCRETE DRIVE	17. EXISTING ASPHALT DRIVE
8. EXISTING ASPHALT DRIVE	18. EXISTING GRAVEL DRIVE
9. EXISTING GRAVEL DRIVE	19. EXISTING DIRT DRIVE
10. EXISTING DIRT DRIVE	20. EXISTING CONCRETE DRIVE
21. EXISTING ASPHALT DRIVE	22. EXISTING GRAVEL DRIVE
23. EXISTING GRAVEL DRIVE	24. EXISTING DIRT DRIVE
25. EXISTING DIRT DRIVE	26. EXISTING CONCRETE DRIVE
27. EXISTING ASPHALT DRIVE	28. EXISTING GRAVEL DRIVE
29. EXISTING GRAVEL DRIVE	30. EXISTING DIRT DRIVE
31. EXISTING DIRT DRIVE	32. EXISTING CONCRETE DRIVE
33. EXISTING ASPHALT DRIVE	34. EXISTING GRAVEL DRIVE
35. EXISTING GRAVEL DRIVE	36. EXISTING DIRT DRIVE
37. EXISTING DIRT DRIVE	38. EXISTING CONCRETE DRIVE
39. EXISTING ASPHALT DRIVE	40. EXISTING GRAVEL DRIVE
41. EXISTING GRAVEL DRIVE	42. EXISTING DIRT DRIVE
43. EXISTING DIRT DRIVE	44. EXISTING CONCRETE DRIVE
45. EXISTING ASPHALT DRIVE	46. EXISTING GRAVEL DRIVE
47. EXISTING GRAVEL DRIVE	48. EXISTING DIRT DRIVE
49. EXISTING DIRT DRIVE	50. EXISTING CONCRETE DRIVE
51. EXISTING ASPHALT DRIVE	52. EXISTING GRAVEL DRIVE
53. EXISTING GRAVEL DRIVE	54. EXISTING DIRT DRIVE
55. EXISTING DIRT DRIVE	56. EXISTING CONCRETE DRIVE
57. EXISTING ASPHALT DRIVE	58. EXISTING GRAVEL DRIVE
59. EXISTING GRAVEL DRIVE	60. EXISTING DIRT DRIVE
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63. EXISTING ASPHALT DRIVE	64. EXISTING GRAVEL DRIVE
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73. EXISTING DIRT DRIVE	74. EXISTING CONCRETE DRIVE
75. EXISTING ASPHALT DRIVE	76. EXISTING GRAVEL DRIVE
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79. EXISTING DIRT DRIVE	80. EXISTING CONCRETE DRIVE
81. EXISTING ASPHALT DRIVE	82. EXISTING GRAVEL DRIVE
83. EXISTING GRAVEL DRIVE	84. EXISTING DIRT DRIVE
85. EXISTING DIRT DRIVE	86. EXISTING CONCRETE DRIVE
87. EXISTING ASPHALT DRIVE	88. EXISTING GRAVEL DRIVE
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91. EXISTING DIRT DRIVE	92. EXISTING CONCRETE DRIVE
93. EXISTING ASPHALT DRIVE	94. EXISTING GRAVEL DRIVE
95. EXISTING GRAVEL DRIVE	96. EXISTING DIRT DRIVE
97. EXISTING DIRT DRIVE	98. EXISTING CONCRETE DRIVE
99. EXISTING ASPHALT DRIVE	100. EXISTING GRAVEL DRIVE

BY _____

BELLO & BELLO
 LAND SURVEYING CORPORATION
 13230 S.W. 131 Avenue, Suite 201
 Ft. Myers, Florida 33907
 Phone: (239) 251-6637
 Fax: (239) 251-6637
 Email: info@bellolandsurvey.com
 SURVEY NO. 13135

85



BOHLER ENGINEERING
CIVIL & ENVIRONMENTAL ENGINEERS
SERVICES
PROJECT MANAGER
ENVIRONMENTAL CONSULTANTS
LANDSCAPE ARCHITECTS

COMPOSITE OFFICE
8 WARRIOR LN
GIBBS
10000 BOYD BLVD
MIAMI, FL 33156
TEL: 305.444.1111
WWW.BOHLER-ENR.COM

LEHMAN TOYOTA
HODGREN CONSTRUCTION

MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

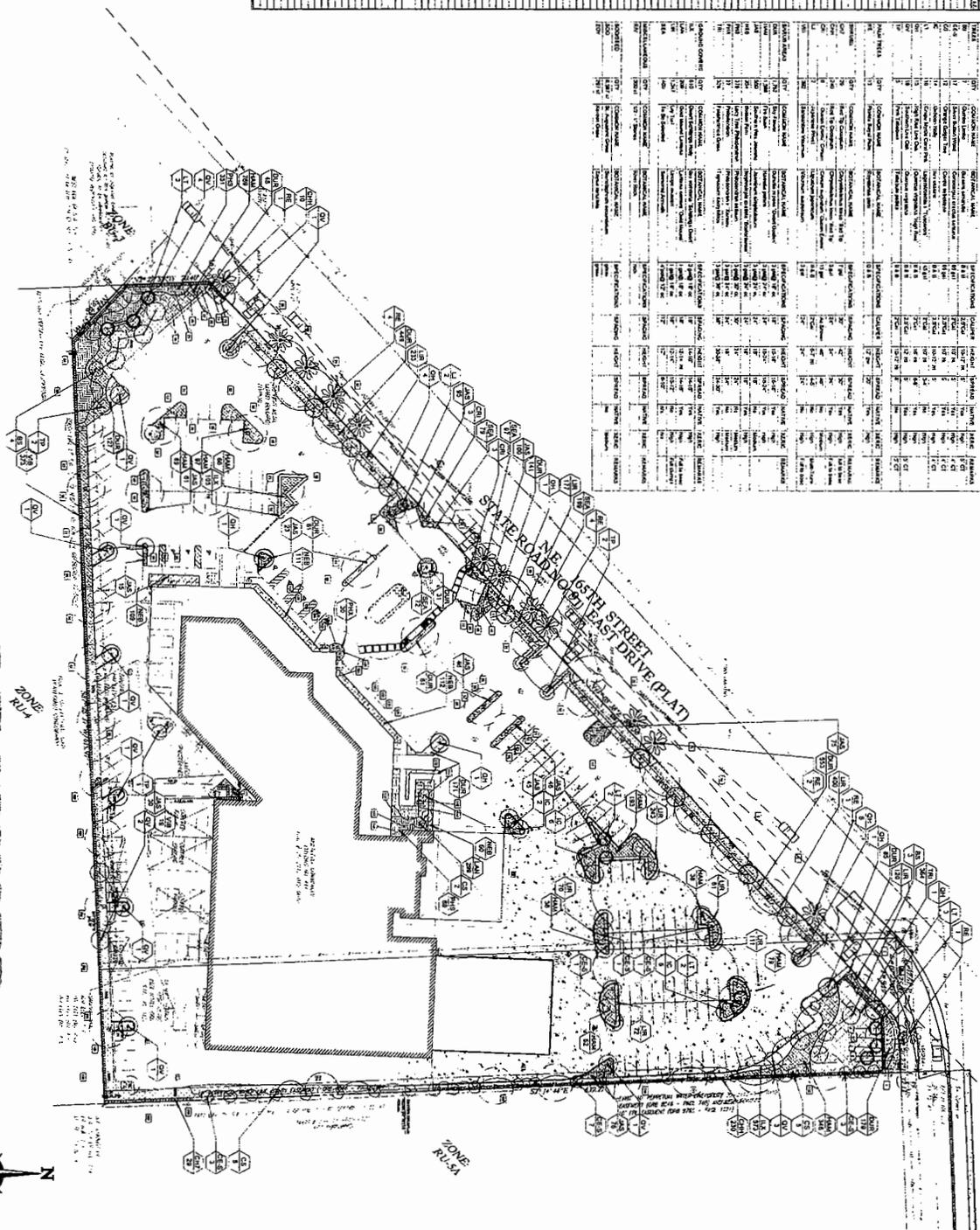
DATE: 2/8/2013

BY: [Signature]

PLEASE REFER TO SHEET LP-28 FOR CODE REQUIREMENTS & PLANTING DETAILS; AND TO SHEET LP-33 FOR LANDSCAPE GENERAL NOTES; AND TO SHEET LP-15 FOR TREE DISPOSITION PLAN.

PLANT	QUANTITY	LOCATION	REMARKS
1	1	1	1
2	1	2	2
3	1	3	3
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5	1	5	5
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PLANT SCHEDULE	PLANT	QUANTITY	LOCATION	REMARKS
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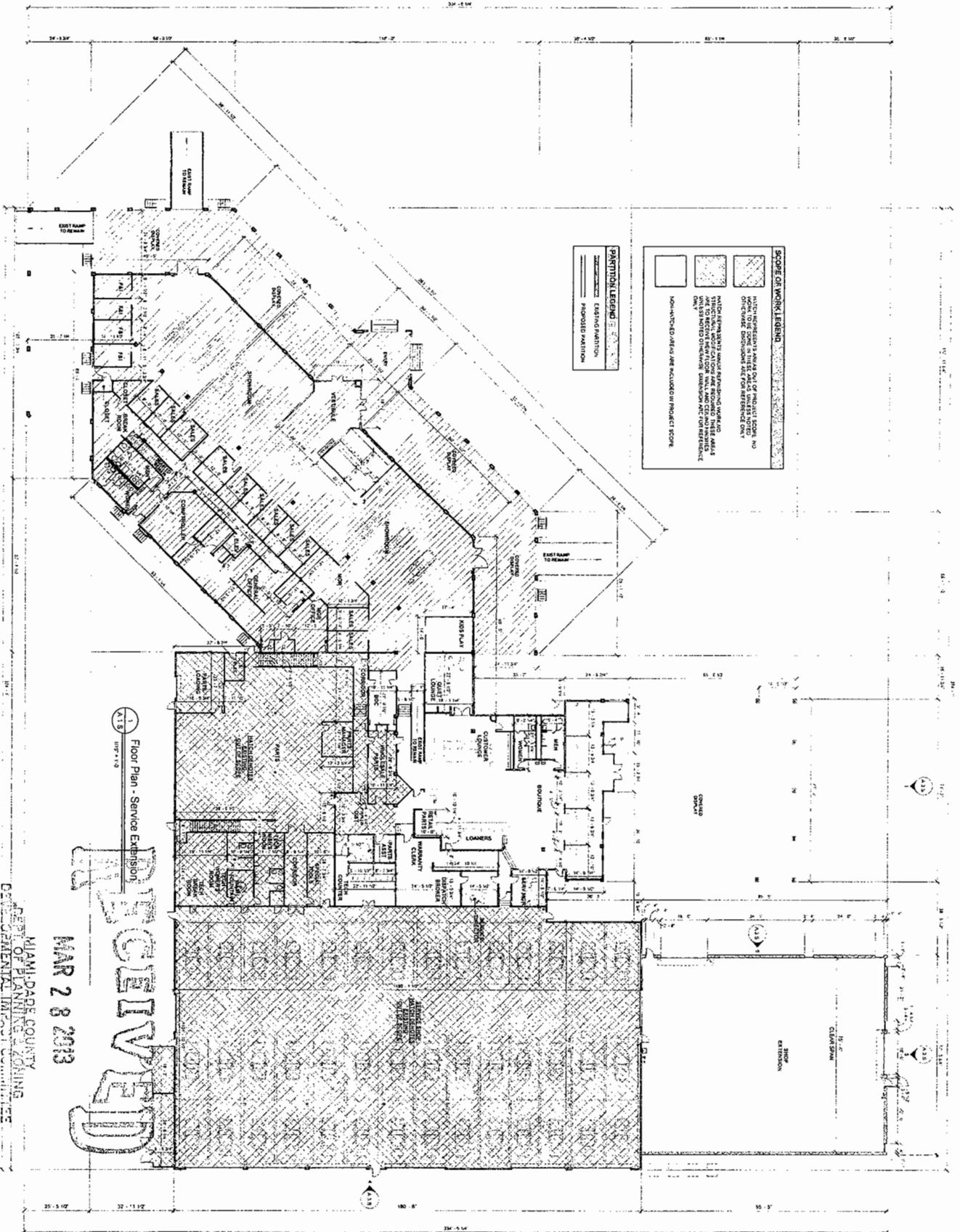
RECEIVED

MAR 23 2013

MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

BY _____

<p>PROJECT: SOUTH LANDSCAPE PLAN SHEET TITLE: LP-15</p>	<p>DESIGNED BY: MICHAEL J. CROSSWICK DATE: 02/14/13</p>	<p>BOHLER ENGINEERING CORPORATE OFFICE 10000 W. WARDEN RD. SUITE 100 MIAMI, FL 33156 TEL: 305.444.1111 WWW.BOHLER-ENG.COM</p>	<p>CLIENT: BOHGEN CONSTRUCTION NORTH MIAMI TOYOTA</p>	<p>DATE: 02/14/13 SCALE: AS SHOWN</p>	<p>BOHLER ENGINEERING CORPORATE OFFICE 10000 W. WARDEN RD. SUITE 100 MIAMI, FL 33156 TEL: 305.444.1111 WWW.BOHLER-ENG.COM</p>
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SCOPE OF WORK LEGEND

- EXISTING PARTITION
- PROPOSED PARTITION
- EXISTING PARTITION
- PROPOSED PARTITION

NOTATION: THIS PLAN SHOWS THE SCOPE OF WORK FOR THE PROPOSED EXPANSION. THE SCOPE OF WORK IS LIMITED TO THE PROPOSED EXPANSION AND DOES NOT INCLUDE THE EXISTING BUILDING. THE EXISTING BUILDING IS SHOWN FOR REFERENCE ONLY. THE PROPOSED EXPANSION IS SHOWN WITH HATCHING. THE EXISTING PARTITIONS ARE SHOWN WITH SOLID BLACK. THE PROPOSED PARTITIONS ARE SHOWN WITH DOTTED PATTERN.

PARTITION LEGEND

- EXISTING PARTITION
- PROPOSED PARTITION

1
119
Floor Plan - Service Expansion
REV: 1-1-0

RECEIVED
MAR 28 2013

MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING AND ZONING
GENERAL IMPACT COMMITTEE

Client: **Lehman Toyota**
1530 Northwest 2nd Ave.
Miami, FL 33185

Project: **LEHMAN TOYOTA**

444 NW 186th St. Miami, FL 33189

Project Number: 13006
Drawn By: JRG
Checked By: BY
Approved By: BY
Sheet Title: Proposed Service Bay Expansion Floor Plan

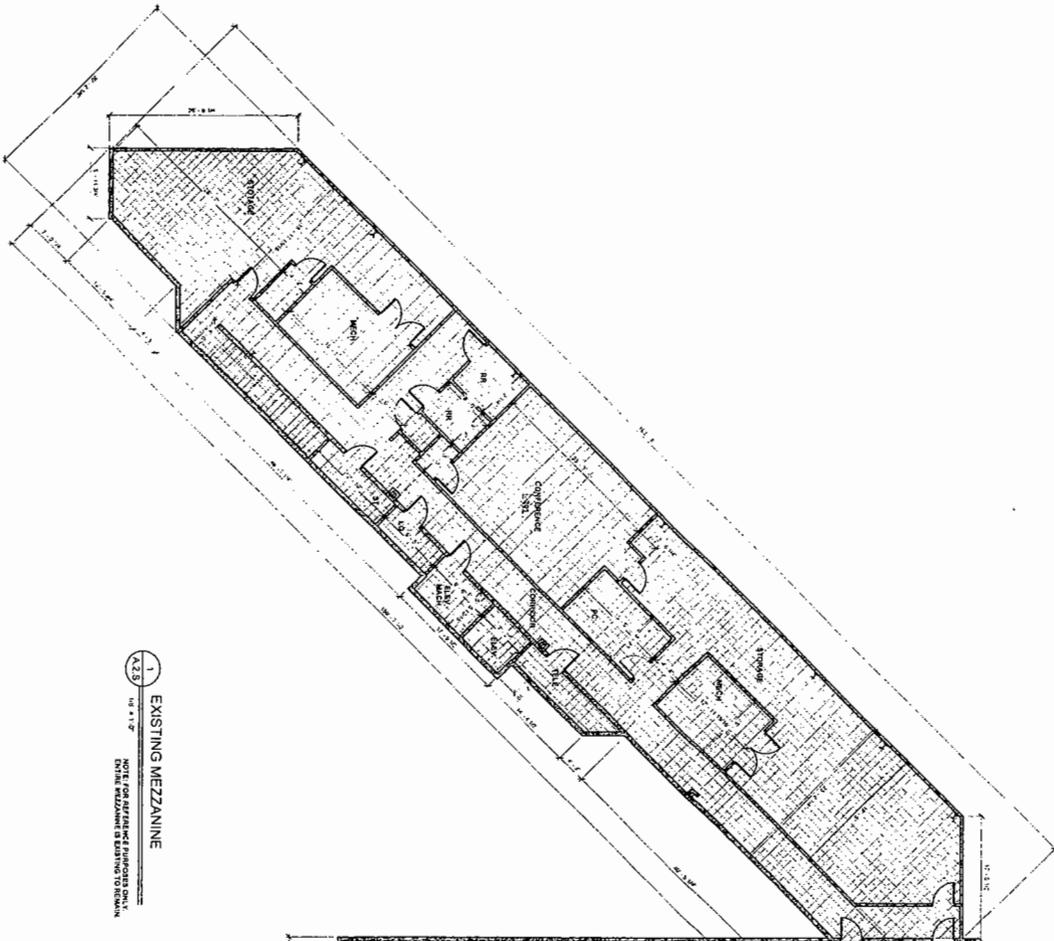
Sheet Number: **A.1.S**

YSM DESIGN

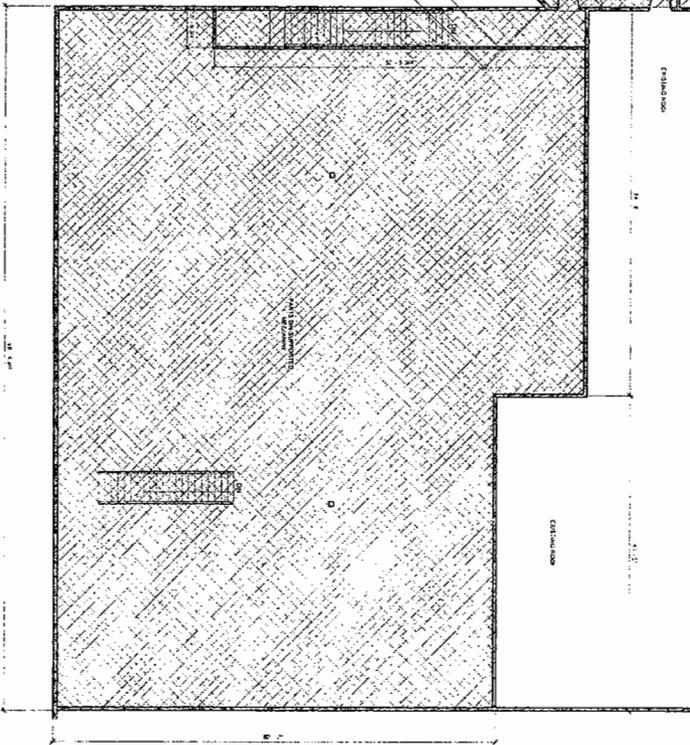
1305 Spanish Hammer Blvd
Suite A-100
Aventura, FL 33180
Tel: 305-455-5555
www.ydesign.com

Sign & Sealed: **MAR 13 2013**

Professional Engineer
No. 13006
State of Florida
Professional Seal



1 EXISTING MEZZANINE
 1/8" = 1'-0"
 NOTE: FOR FINISHES AND FINISHED DIMS, SEE THE ARCHITECT'S SCHEDULE AND SPECIFICATIONS.



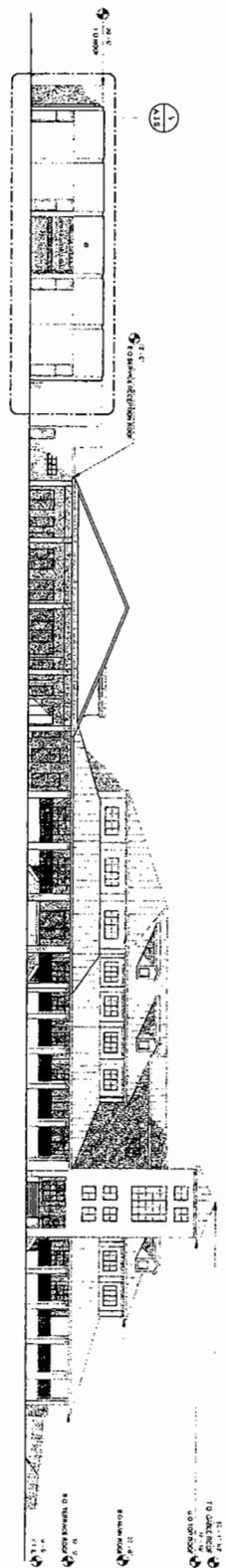
HATCH REPRESENTS AREA OUT OF PROJECT SCOPE. NO WORK TO BE DONE IN THESE AREAS UNLESS NOTED OTHERWISE. (ENCLOSURES AND CIVIL REFERENCED ONLY)
 HATCH REPRESENTS EXISTING MEZZANINE AND MEZZANINE LEVELS. (ENCLOSURES AND CIVIL REFERENCED ONLY)
 HATCH REPRESENTS MEZZANINE AND MEZZANINE LEVELS. (ENCLOSURES AND CIVIL REFERENCED ONLY)

RECEIVED
 APR 28 2013
 MIAMI-DADE COUNTY
 DEPT. OF PLANNING & ZONING
 DEVELOPMENTAL IMPACT COMMITTEE

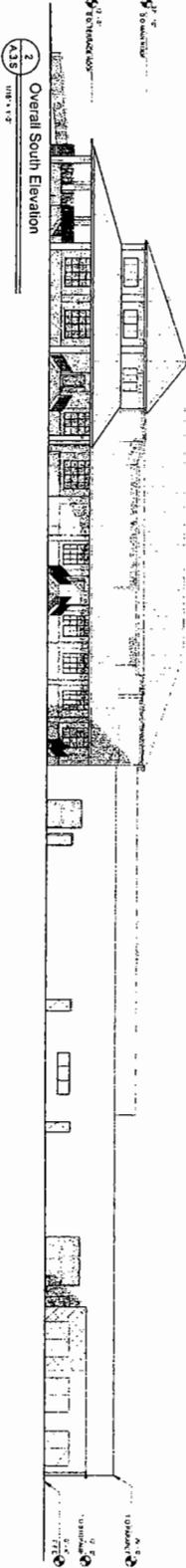
Client: Lehman Toyota 1330 Northwest 2nd Ave. Miami, FL 33188	Project: LEHMAN TOYOTA	Project Number: 12008 Drawn By: CWM Checked By: CWM Approved By: YSM Sheet Title: Existing Mezzanine	444 NW 16th St. Miami, FL 33189
Sheet Number: A.2.S			Date: 3/12/2013

YSM DESIGN
 1330 Northwest 2nd Ave.
 Suite A-100
 Miami, FL 33188
 Phone: 305-594-1100
 Fax: 305-594-1101
 www.ysmdesign.com

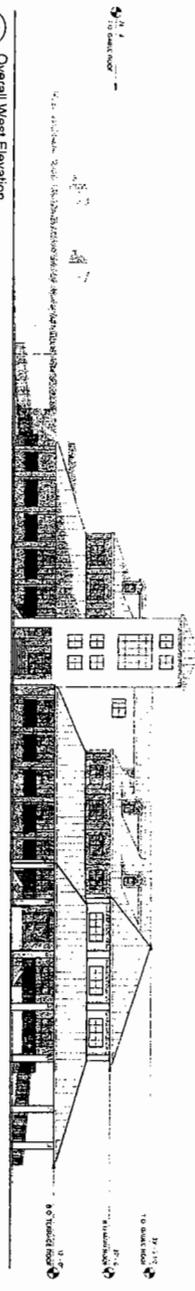
Signed & Sealed: *[Signature]* MAR 12 2013
 Notary Public for the State of Florida
 My Commission Expires: 03/31/2015



Overall North Elevation
A.3.S
1/8" = 1'-0"



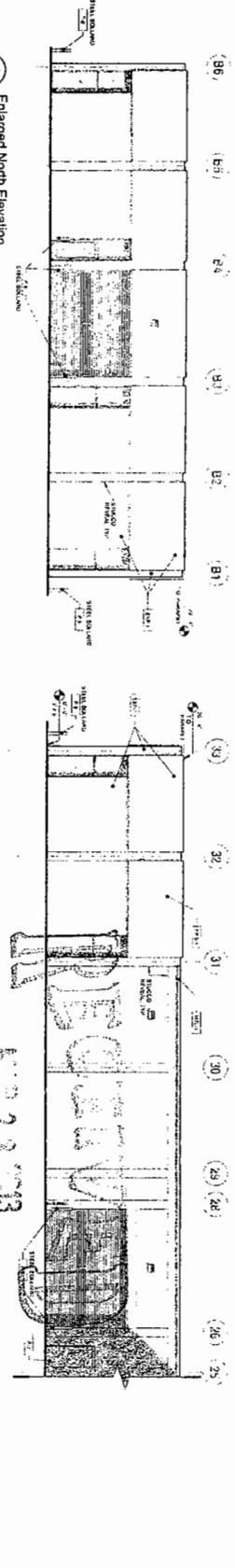
Overall South Elevation
A.3.S
1/8" = 1'-0"



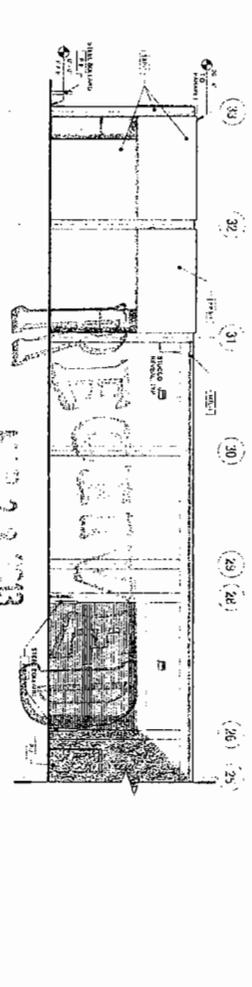
Overall West Elevation
A.3.S
1/8" = 1'-0"



Overall East Elevation
A.3.S
1/8" = 1'-0"



Enlarged North Elevation
A.3.S
1/8" = 1'-0"



Enlarged West Elevation
A.3.S
1/8" = 1'-0"

REVISED ELEVATIONS
MAY 29 2013

Ysm
DESIGN

1300 Blenheim Building Blvd
Atlanta GA 30318
404-249-4555 HI
404-249-6282 FAX
www.ysmdesign.com

Speed & Spence
MK 1 2 2013

Client: Lehman Toyota
Project: 13500 Northwest 2nd Ave.
Miami, FL 33189

Project: LEHMAN TOYOTA
Client: Lehman Toyota
Project: 13500 Northwest 2nd Ave.
Miami, FL 33189

Project Number: 2208
Checked By: CJM
Approved By: YSM
Sheet Title: Proposed Elevations
Sheet Number: A.3.S

HAVFLOR COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY _____

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: FRL Automotive, LLC. a Florida limited liability company.

NAME AND ADDRESS	Percentage of Stock
------------------	---------------------

See attached Exhibit "C"

19390 N.W. 2nd Avenue, Miami Gardens, Florida 33169.

See Attached Exhibit "C".

_____	_____
_____	_____
_____	_____
_____	_____

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

TRUST/ESTATE NAME: _____

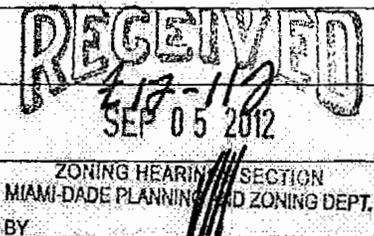
NAME AND ADDRESS	Percentage of Interest
------------------	------------------------

_____	_____
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership
------------------	-------------------------

<div style="text-align: center;">  </div>	<table border="0"> <tr><td>_____</td></tr> <tr><td>_____</td></tr> <tr><td>_____</td></tr> </table>	_____	_____	_____

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

NAME OF PURCHASER: _____

NAME AND ADDRESS (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 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]
Eric Friedman, General Manager

Sworn to and subscribed before me this 13 day of August, 2012. Affiant is personally known to me or has produced _____ as identification.

[Signature]
(Notary Public)



My commission expires _____

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

RECEIVED
 7-18-112
 SEP 05 2012
 ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT.
 BY [Signature]

Exhibit "C"

FRL AUTOMOTIVE, LLC¹

Lehman FRL Partners, LLC (22.53%)	Mark Tsesarsky (20.77%)
Alan L. Reyf (22.53%)	Justin Dash (3.46%)
Eric Friedman (10%)	Yana Vishnitsky (3.46%)
Douglas and Debbie Jacobs (12.12%) ²	Daniel and Kaye Jacobs (1.71%) ³
Anthony Chao (1.71%)	Jeremy and Laura Koss (1.71%) ⁴

LEHMAN FRL PARTNERS, LLC

William Lehman, Jr. Amended and Restated Revocable Trust ⁵ (12 1/3%)	William Lehman Jr. and Shirley Lehman (33 1/3%)
Mark Lehman (10%)	Deborah Lehman (33 1/3%)
John Lehman (10%)	Lehman Manager, LLC (1%)

WILLIAM LEHMAN, JR. AMENDED AND RESTATED REVOCABLE TRUST

William Lehman, Jr. as sole beneficiary (100%)

LEHMAN MANAGER, LLC

William Lehman, Jr. Amended and Restated Revocable Trust (100%)

FRL AUTOMOTIVE, INC.

William Lehman, Jr. (25%) President	Douglas Jacobs (25%) Vice President and Secretary
Alan L. Reyf (25%) Vice President and Treasurer	Eric Friedman (25%) Vice President

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17-112
SEP 05 2012

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

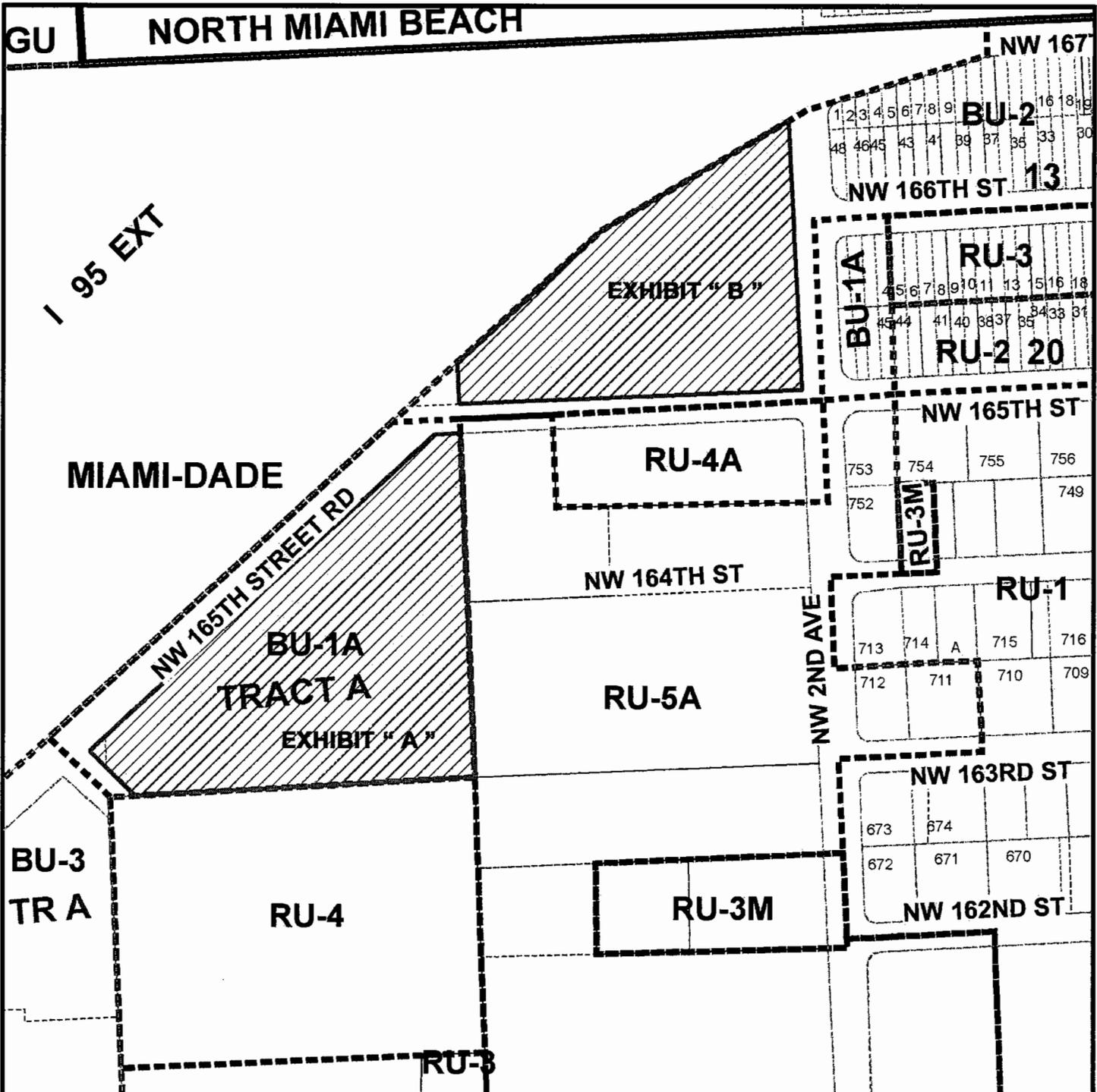
¹ FRL Automotive, Inc. is the Manager, but is not a member of and has no interest in FRL Automotive, LLC.

² Tenants by the Entirety

³ Tenants by the Entirety

⁴ Tenants by the Entirety

⁵ William Lehman, Jr. as Trustee of the William Lehman, Jr. Amended and Restated Revocable Trust U/A/D January 21, 2000 (the "William Lehman, Jr. Amended and Restated Revocable Trust")



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2012000112

Section: 13 Township: 52 Range: 41
 Applicant: FRL AUTOMOTIVE, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

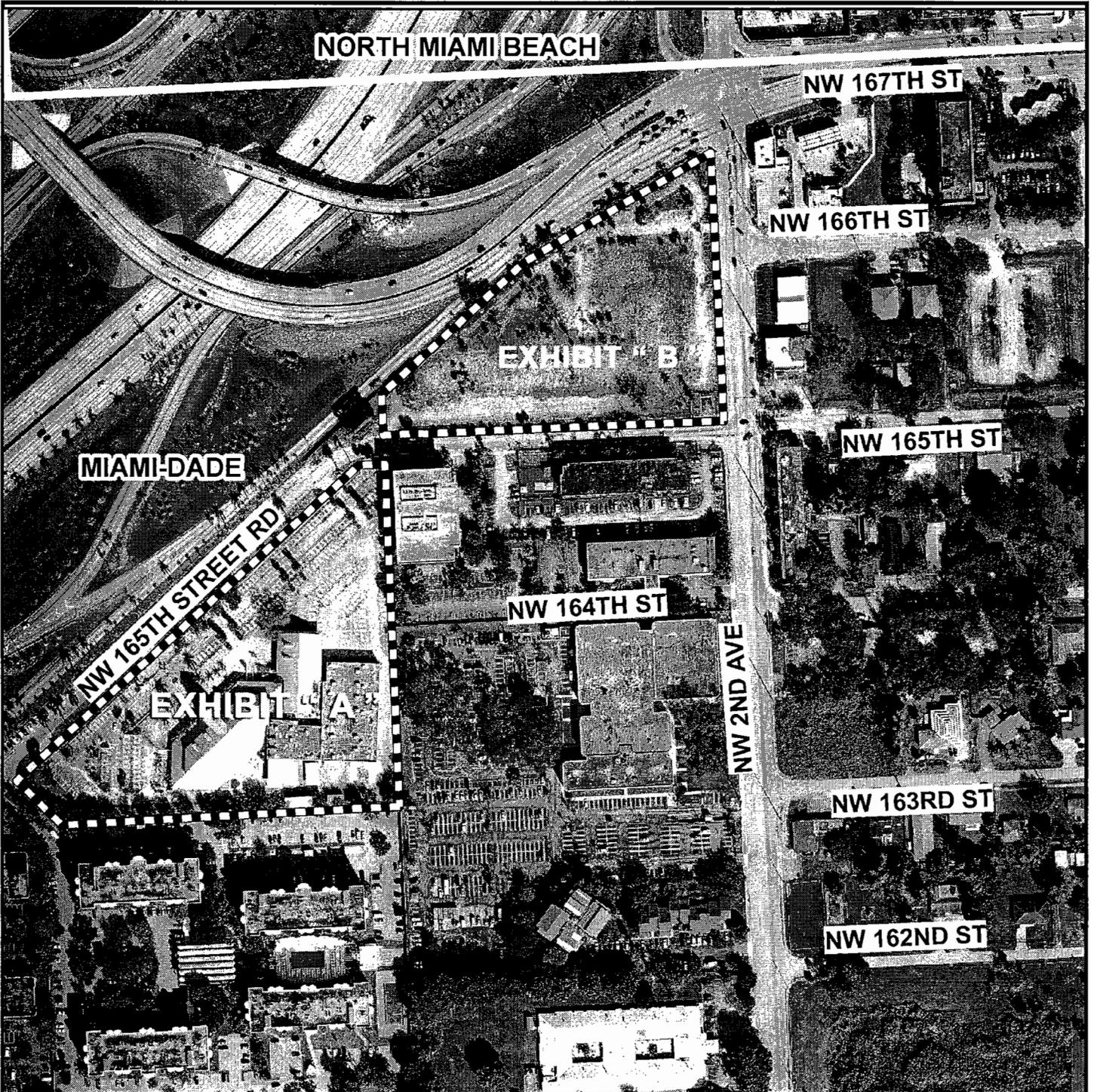
Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, September 25, 2012

REVISION	DATE	BY
		60



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z2012000112



Section: 13 Township: 52 Range: 41
 Applicant: FRL AUTOMOTIVE, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

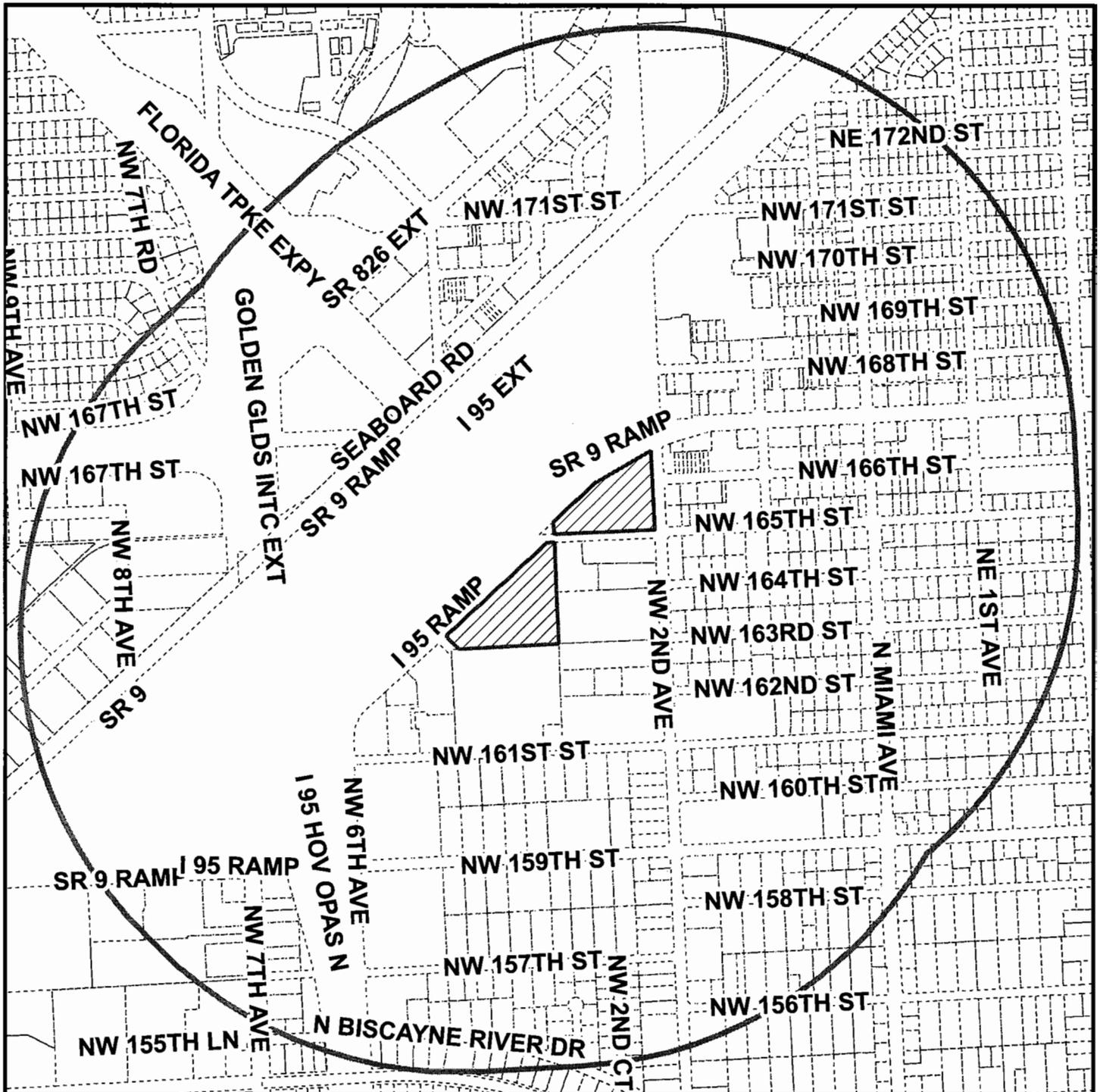


Subject Property



SKETCH CREATED ON: Tuesday, September 25, 2012

REVISION	DATE	BY
		61



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2012000112

RADIUS: 2640

Section: 13 Township: 52 Range: 41
 Applicant: FRL AUTOMOTIVE, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS



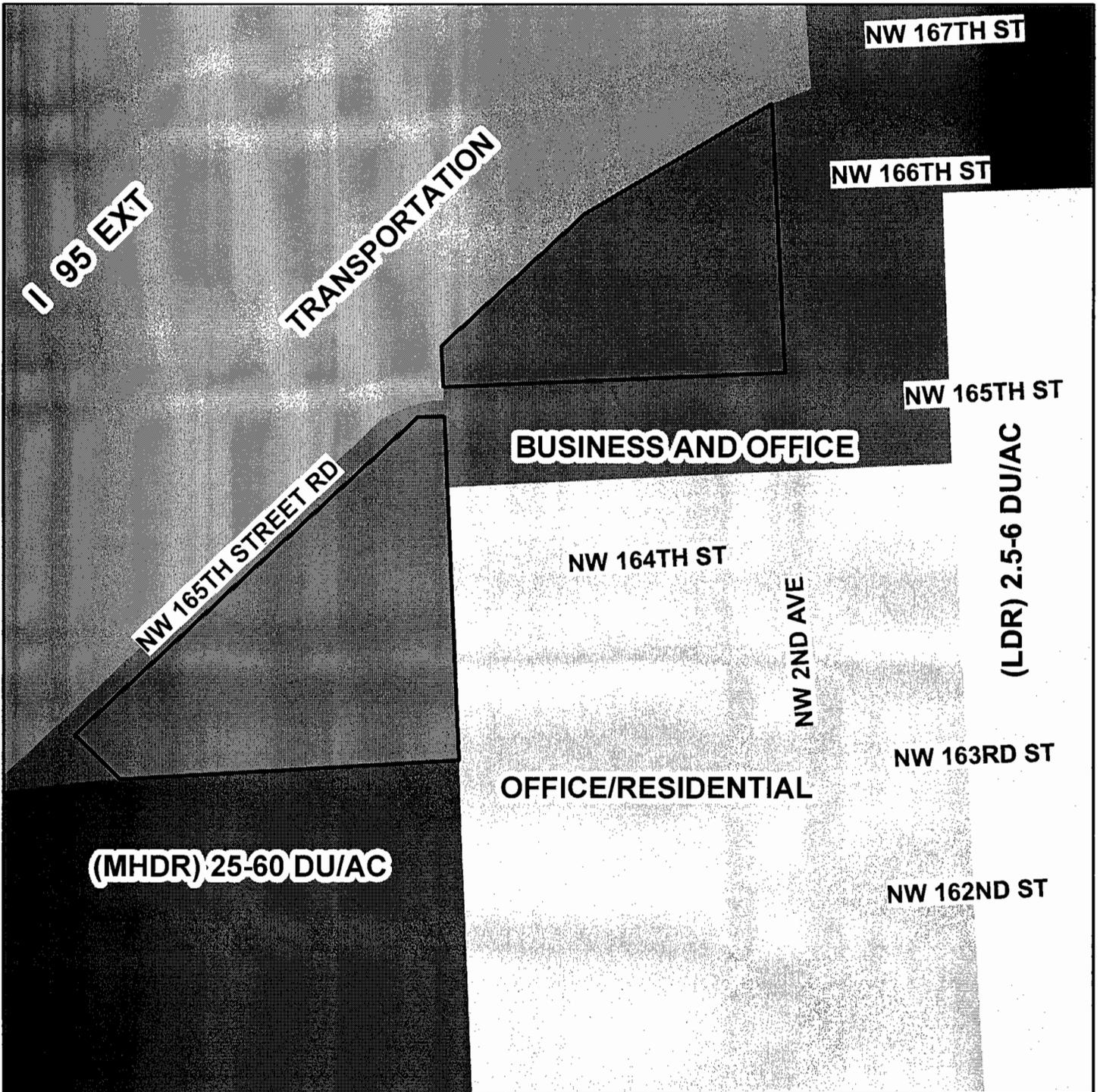
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Tuesday, September 25, 2012

REVISION	DATE	BY
		62



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2012000112



Section: 13 Township: 52 Range: 41
 Applicant: FRL AUTOMOTIVE, LLC
 Zoning Board: C8
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Tuesday, September 25, 2012

REVISION	DATE	BY