

FINAL AGENDA

1-20-2016 Version # 1



COMMUNITY ZONING APPEALS BOARD 8
HENRY REEVES ELEMENTARY SCHOOL
2005 NW 111 Street, Miami
Thursday, February 25, 2016 at 7:00 p.m.

CURRENT

- | | | | | |
|---------------|--|-------|----------|---|
| 1. 16-2-CZ8-1 | VANESSA ARIAS | 15-73 | 04-53-41 | N |
| 2. 16-2-CZ8-2 | CARE OASIS, LLC, PRE-APP
Z2015P00118 | 15-77 | 13-52-41 | N |



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF THURSDAY, FEBRUARY 25, 2016

HENRY REEVES ELEMENTARY SCHOOL

2005 NW 111 STREET, MIAMI, FLORIDA

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

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

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

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

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

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

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

SWEARING IN OF WITNESSES

1. VANESSA ARIAS (16-2-CZ8-1/15-073)

**04-53-41
Area 08/District 02**

- (1) USE VARIANCE of the North Central Urban Area District (NCUAD) regulations to permit an accessory dwelling unit in the Mixed-Use Corridor as would be permitted in Residential (R) or Residential Modified (RM) Corridor.
- (2) NON-USE VARIANCE to permit the accessory use building setback a minimum of 4' (5' required) from the rear (south) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Unit "B" Legalization" as prepared by Fausto Guerrero. Sheet L-1 dated stamped received 10/19/15 and the remaining 3 sheets dated stamped received 7/7/15 for a total of 4 sheets. Plans may be modified at public hearing.

LOCATION: 2718 NW 100 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 80' X 140'

Department of Regulatory and
Economic Resources
Recommendation:

Denial without prejudice.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

2. CARE OASIS, LLC (16-2-CZ8-2/15-077)

**13-52-41
Area 08/District 02**

- (1) UNUSUAL USE to permit a drug and alcohol rehabilitation and detoxification facility.
- (2) DELETION of Declaration of Restrictive Covenants Running with the Land, recorded in Official Record Book 10947, Pages 1163 – 1165.

The purpose of Request #2 is to allow the applicant to remove a restriction tying the property to office use only in order to develop a drug and alcohol rehabilitation & detoxification facility.

- (3) NON-USE VARIANCE to permit a building setback a minimum of 25'-1" (50' required) from the rear (east) property line and spaced than the required 75' from adjacent residence to the east.
- (4) NON-USE VARIANCE to permit parking within 25' of an official right-of-way (not permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Oasis Rehabilitation Center" as prepared by S H Brandt & Associates, consisting of 3 sheets and landscape plans as prepared by M. L. A., Inc., consisting of 1 sheet, for a total of 4 sheets, all dated stamped received 1/14/16. Plans may be modified at public hearing.

LOCATION: Northeast corner of NW 160 Street & NW 2 Avenue, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 2.34 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED _____

NOTICE

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

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

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

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

PH: Z15-073(16-2-CZ8-1)

February 25, 2016

Item No. 1

Recommendation Summary	
Commission District	2
Applicant	Vanessa Arias
Summary of Requests	The applicant is seeking to legalize an existing duplex within the North Central Urban Area District (NCUAD) with variances to the urban center regulations.
Location	2718 NW 100 Street, Miami-Dade County, Florida.
Property Size	11,200 sq. ft.
Existing Zoning	NCUAD, North Central Urban Area District
Existing Land Use	Single-family residence
2020-2030 CDMP Land Use Designation	Community Urban Center <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Denial without prejudice.

REQUESTS:

- (1) USE VARIANCE of the North Central Urban Area District (NCUAD) regulations to permit an accessory dwelling unit in the Mixed-Use Corridor as would be permitted in Residential (R) or Residential Modified (RM).
- (2) NON-USE VARIANCE to permit the accessory use building setback a minimum of 4' (5' required) from the rear (south) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled, "Unit "B" Legalization" as prepared by Fausto Guerrero. Sheet L-1 dated stamped received 10/19/2015 and the remaining 3 sheets dated stamped received 07/07/2015 for a total of 4 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

Pursuant to Resolution #Z-14-12, the subject property is a part of a larger tract of land that was rezoned from numerous zoning districts, including the subject parcel, which was zoned RU-1, Single-Family Residential District, to the North Central Urban Area District (NCUAD). The subject property is located in an area that is designated MC, Mixed-Use Corridor on the Land Use plan map for the NCUAD district.

The applicant seeks to permit a duplex residence, which consists of the principal residence and an existing accessory dwelling unit as would be permitted in the R, Residential district within the NCUAD. The submitted plans depict the existing one-story single-family residence and accessory dwelling unit located to the rear (south), on the 0.26-net acre parcel.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	NCUAD/MC; single-family residence	Community Urban Center
North	NCUAD/MC; duplex and single-family residence	Community Urban Center
South	NCUAD/MC; single-family residence	Community Urban Center
East	NCUAD/MCS; auto repair facility	Community Urban Center
West	NCUAD/MC; single-family residence	Community Urban Center

NEIGHBORHOOD COMPATIBILITY:

The subject property is an interior lot located within the North Central Urban Area District (NCUAD) fronting on NW 100 Street. The subject property is surrounded by both existing commercial uses which abut NW 27 Avenue to the east and single-family and duplex residential uses to the west, south and north.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to maintain the existing residential use consisting of the principal residence and the accessory dwelling unit within the MC Corridor of the NCUAD. Based on memoranda from the departments reviewing this application, staff opines that approval of same will not create any new impacts on the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

In October 2011, pursuant to Resolution #Z-14-12, the subject parcel was a part of a larger tract of land that was rezoned to the **North Central Urban Area District (NCUAD)**.

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property as lying within the **NCUAD**. All of the parcels within the boundaries of the approved **NCUAD** are regulated by plans and standards described in Ordinance #11-065, which are consistent with the Urban Center interpretative text. The CDMP Land Use Element interpretative text under Urban Centers provides for a mix of uses in this district. The applicant seeks to maintain the existing residential use accessory dwelling use, which is permitted within the MC, Mixed Use Corridor of the NCUAD.

As such, staff opines that approval of the requests would be **consistent** with the CDMP LUP map Urban Center designation, and the CDMP Land Use Element interpretative text for Urban Centers.

ZONING ANALYSIS:

The applicant seeks to permit the existing single-family residence and accessory dwelling unit building in the MC, Mixed Use Corridor district as would be permitted in the R, Residential District and the RM, Residential Modified district (request #1). The aforementioned requests can only be analyzed under the Use Variance standards, Section 33-311(A)(4)(a) in the NCUAD. Although the residence and accessory dwelling are existing, staff notes that there was no prior zoning approval for the duplex use or for two (2) single-family homes on one lot prior to the

rezoning of the property to the NCUAD. Staff notes that the subject property is surrounded by residential uses that were originally developed under the RU-1 zoning district requirements, which are permitted under the Non-Conforming Lots, Uses and Structures Section of the Urban Center standards. As such, the existing single-family use is compatible with the surrounding area, which is primarily developed with single-family residences. However, the requested approval of the duplex use consisting of the principal residence and an accessory dwelling use, which was not legally permitted, would be out of character with the development of the area expressed in the descriptive standards outlined in Ordinance #11-065, which was adopted by the Board of County Commissioners in 2011.

Additionally, a **use variance** as provided in Section 33-311(A)(4)(a) permits a use of land other than that which is prescribed by the zoning regulations. The standard stipulates that *the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; and further provided that the use variance will be in harmony with the general purpose and intent of the regulations. To prove an unnecessary hardship, the applicant must demonstrate that under applicable zoning regulations, the applicant is deprived of all reasonable use of, 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. Therefore, 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 zoning regulations, and that the applicant has not demonstrated a loss of all reasonable use of, or benefit from the property under the existing zoning. **As such, staff recommends denial without prejudice of request #1, under the Use Variance Standards, Section 33-311(A)(4)(a).**

When request #2 is analyzed under Section 33-311(A)(4)(b), Non-Use Variance standards, for the reasons stated below, staff opines that approval of same would also not be in harmony with the general purpose and intent of the NCUAD zoning regulations and would be **incompatible** with same. Staff notes that the accessory structure that is the subject of request #2, is similar to other non-residential accessory structures that could be permitted in residential zoning districts. However, the submitted plans indicate that the structure is currently being used as a residence, which was not previously permitted and the purpose of the request is to maintain the residential use. This request is inextricably tied to request #1, to permit the duplex use in the MC district, which as stated earlier, staff is unable to support. **For these reasons, staff recommends denial without prejudice of request #2, under the Section 33-311(A)(4)(b), Non-Use Variance standards.**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

PLANNING AND ZONING
AGENDA OFFICE

2016 FEB 11 A 9:59

RECOMMENDATION:

Denial without prejudice.

CONDITIONS FOR APPROVAL: None.

NK:MW:NN:EJ:CH



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

PLANNING AND ZONING
AGENDA OFFICE

2016 FEB 11 A 9:59

ZONING RECOMMENDATION ADDENDUM

Vanessa Arias
Z15-073

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

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

<p>Urban Centers (Pg. I-45-48)</p>	<p><i>Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.</i></p> <p><i>The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.</i></p> <p><i>The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.</i></p> <p><i>Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.</i></p>
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ZONING RECOMMENDATION ADDENDUM

Vanessa Arias
Z15-073

	<p>Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.</p> <p>Uses and Activities. Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.</p> <p>Buildings. Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.</p>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

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

1. VANESSA ARIAS
(Applicant)

16-2-CZ8-1(15-073)
Area 08/District 02
Hearing Date: 02/25/16

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>
2012	The Director of SPEED	- Zone change from GU, RU-1, RU-2, RU-3B, RU-3M, RU-4L, RU-4M, RU-4, BU-1A, BU-2, BU-3, IU-1 to North Central Urban Center (NCUAD).	BCC	Approved

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

Memorandum



Date: November 13, 2015

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

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

Subject: C-08 #Z2015000073-2nd Revision
Vanessa Arias
2718 NW 100th Street, Miami, FL 33147
Non-Use Variance to permit a duplex residence setback less than
required from property lines.
(NCUC) (0 Acres)
04-53-41

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 closest public sanitary sewer is located more than 2000 feet from the subject property; therefore, extension of the public sanitary sewer system to serve this property may not be feasible. Consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

DERM can only approve the interim use of a septic tank and drainfield provided that the development complies with the minimum lot size requirements per Section 24-43.1(a) of the Code and the property is connected to public water. In accordance with the Code, the minimum lot size for a single family residence or duplex served by public water and a septic tank shall be 15,000 square feet (gross) or 20,000 square feet (gross), respectively. In as much as the above-noted request does not comply with the noted code section, DERM was not able to administratively approve this application. Accordingly, the applicant applied for variances before the Environmental Quality Control Board (EQCB). Based upon the evidence and available information the Board approved the applicant's petition.

Tree Preservation

The subject property contains tree resources. Please note that Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Projects shall be designed to meet the requirements of Sections 24-49.2 and 24-49.4 of the Code including compliance with the specimen tree preservation requirements of Chapter 24 of the Code as well as CON 8A of the CDMP.

Finally, in accordance with Chapter 24 of the Code and CON8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. DERM also recommends that this requirement be included as a condition of any zoning approval.

The applicant is advised to contact Tree Permitting Program at 305-372-6574 for additional information regarding tree permitting procedures and requirements.

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.

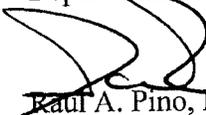
cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: July 28, 2015

To: Nathan Kogon, 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: Z2015000073
Name: Vanessa Arias
Location: 2718 NW 100 Street
Section 04 Township 53 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:

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.

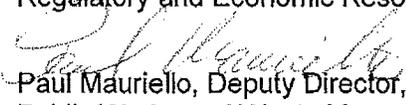
This project meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply.

Memorandum



Date: July 22, 2015

To: Nathan Kogon, Assistant Director
Regulatory and Economic Resources Department

From: 
Paul Mauriello, Deputy Director, Waste Operations
Public Works and Waste Management Department

Subject: Vanessa Arias (#15_073)

The PWWM has no objections to the proposed application. The Department's review of the above-referenced item is provided below.

The application requests a non-use variance of setback requirements for a property which contains a duplex. The application will have no PWWM impact or any associated costs.

If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager, Intergovernmental and External Affairs, at 305-375-1354.

Memorandum



Date: October 27, 2015

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

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

Subject: Z2015000073: VANESSA ARIAS
Revised Documents Received Dated Stamped Received Through 10/19/2015

Application Name: VANESSA ARIAS

Project Location: The site is located at 2718 NW 100 STREET, Miami-Dade County.

Proposed Development: The request is for a NUV TO PERMIT A SECOND UNIT.

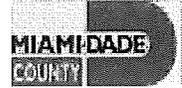
Impact and demand: This application which requests recognition of 2 existing dwelling units on a single family lot does not create any new units and therefore would result in a de minimis impact to the CDMP Open Space Spatial Standards in Park Benefit District 1, which has a level of service surplus of 156.45 acres of local recreation open space.

Recommendation: Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

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

MN:jb

Cc: John M. Bowers, Parks Planning Section Supervisor



Memorandum

Date: 27-JUL-15
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2015000073

Recommendation:

No objection to the site plan with a 7/7/15 RER received date.

Service Impact/Demand

Development for the above Z2015000073
 located at 2718 NW 100 STREET, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 0675 is proposed as the following:

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

Based on this development information, estimated service impact is: No Impact. N/A alarms-annually.

Existing services

The Fire station responding to an alarm in the proposed development will be: Station # 26
 The estimated average travel time is: 6:58 minutes

Planned Service Expansions:

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

Fire Planning Additional Comments

OK

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

VANESSA ARIAS

2718 NW 100 STREET,
MIAMI-DADE COUNTY, FLORIDA

APPLICANT

ADDRESS

FEBRUARY 25, 2016

Z2015000073

DATE

HEARING NUMBER

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

JANUARY 12, 2015

NEIGHBORHOOD REGULATIONS:

THERE ARE NO CURRENT OPEN OR CLOSED CASES

BUILDING SUPPORT REGULATIONS OPEN:

Building Support Case #20150170629-B, was opened on December 8, 2014, for Failure to obtain required Building permit(s) prior to commencing work on a wood structure, garage conversion, an addition added to west side of the property; rear detached building that was converted into an additional living unit. A Notice of Violation was issued the same day. Civil Violation Notice #P016800 issued on April 2, 2015, for non-compliance. The Citation was appealed on April 14, 2015, and the hearing was conducted on August 25, 2015. The Appeal was withdrawn at the time of the Hearing. The Citation was paid on September 18, 2015. The Case remains open pending the results/outcome of the Zoning Hearing.

CLOSED CASE:

Building Support Case #20130158493-B, was opened on March 28, 2013, for Failure to obtain the required Building permit(s) prior to commencing work on Security Bars over the Escape/Rescue openings, a Wood Structure, and an Addition to Westside of the rear Bldg. a Notice of Violation was issued the same day. Civil

Violation Notice P013360 & P013362, was issued on October 1, 2013, for non-compliance. The Ownership of the property changed on October 27, 2014. The Citations were placed in abeyance. This case was closed and referred to new Case #20150170334-B.

Building Support Case #20150170334-B, was opened on November 18, 2014, for Failure to obtain required Building permit(s) prior to commencing work on Security Bars, A Wood Structure, A Garage Conversion, and a rear addition that was added to the west side of the property; Detached building that was converted into additional living units. Ownership of the property changed. This case was closed and referred to new case #20150170629-B.

VIOLATOR:
VANESSA ARIAS

OUTSTANDING LIENS AND FINES:
AS OF JANUARY 12, 2015, THERE ARE NO OUTSTANDING LIENS, FINES, OR FEES

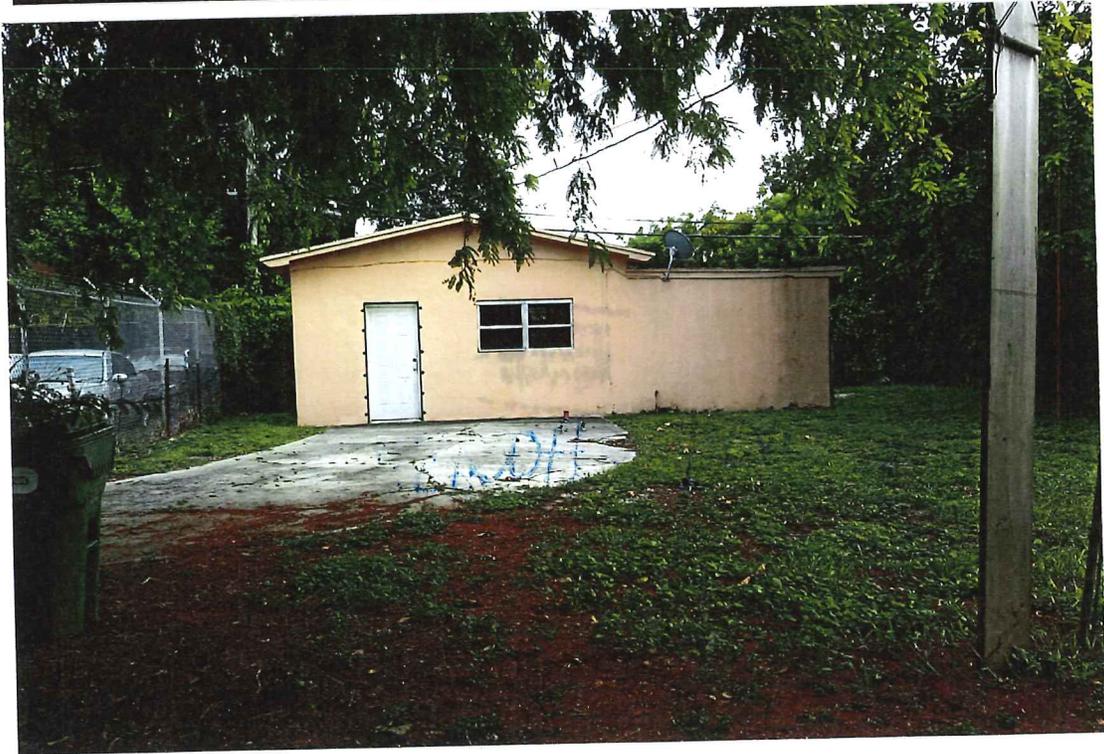


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215-073
JUL 28 2015
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND
ECONOMIC RESOURCES
DEVELOPMENT SERVICES

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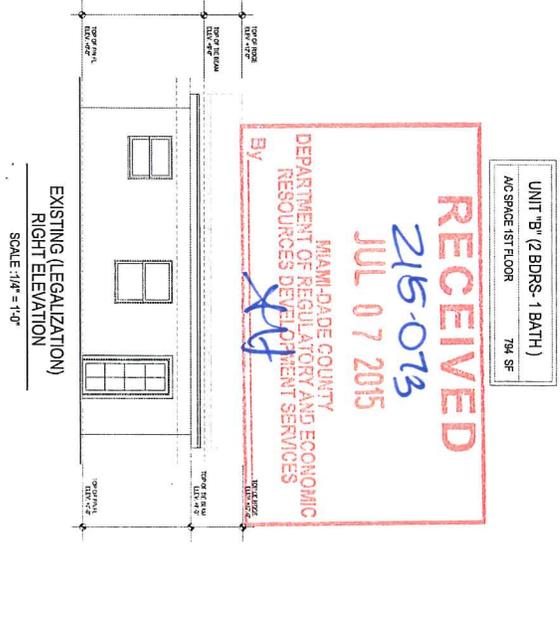
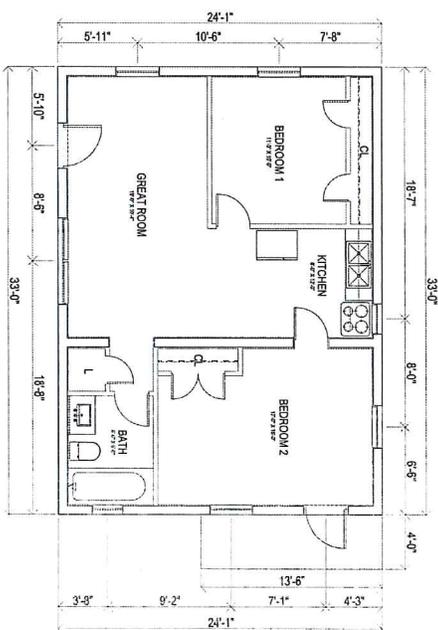
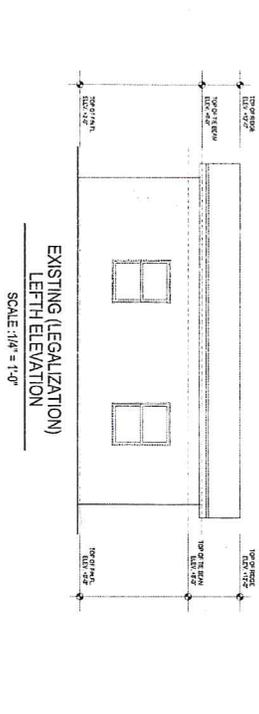
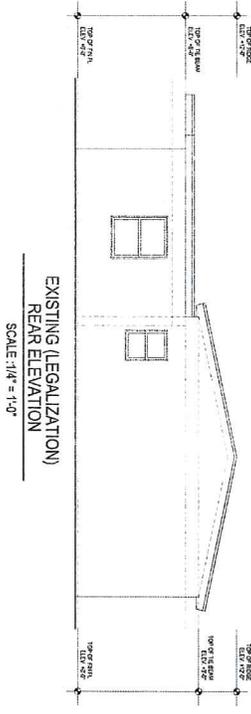
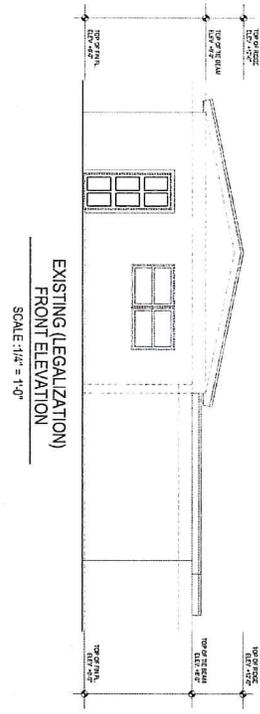


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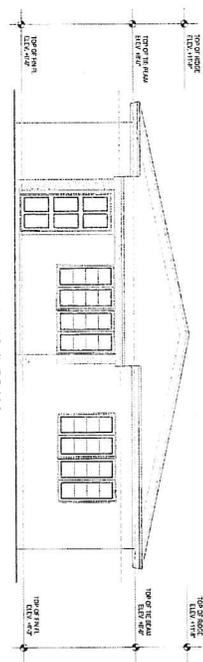
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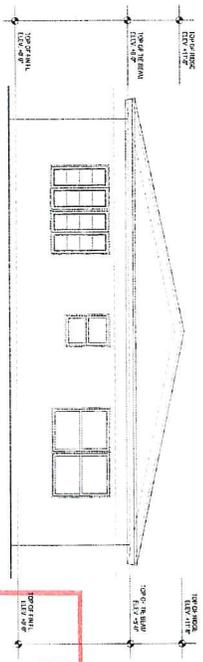


RECEIVED
 215-073
 JUL 07 2015
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 BY *[Signature]*

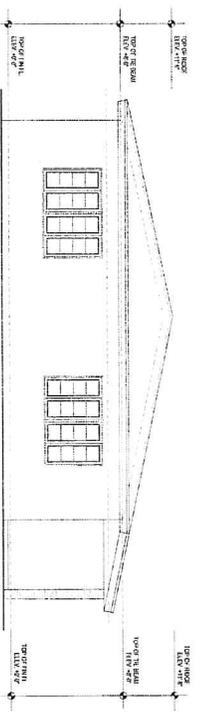
<p>PROJECT NO. A-1</p> <p>SHEET NO. A-1</p>	<p>UNIT "B" LEGALIZATION</p> <p>2718 NW 100 STREET MIAMI, FLORIDA</p>	<p>FASTO GUERRERO</p> <p>0693 SW 33RD TERR.</p> <p>Florida registra- PE 53462</p>	<p>UNIT "B" LEGALIZATION</p> <p>AC SPACE 1ST FLOOR 794 SF</p>
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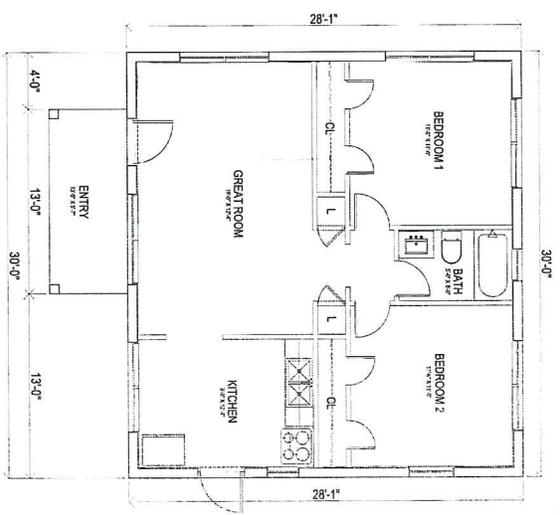
EXISTING (LEGAL)
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING (LEGAL)
REAR ELEVATION
SCALE: 1/4" = 1'-0"



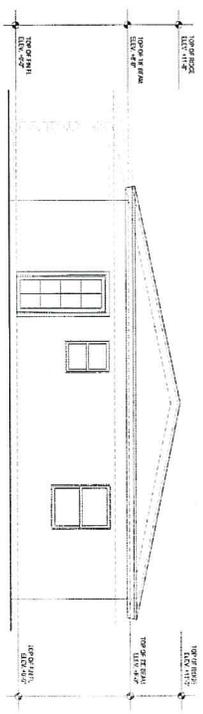
EXISTING (LEGAL)
LEFT ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING (LEGAL) FLOOR PLAN
SCALE: 1/4" = 1'-0"

UNIT "A" (2 BDRS - 1 BATH)	843 SF
A/C SPACE 1ST FLOOR	72 SF
ENTRY	72 SF
TOTAL	915 SF

RECEIVED
 215-073
 JUL 07 2015
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
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 By *[Signature]*

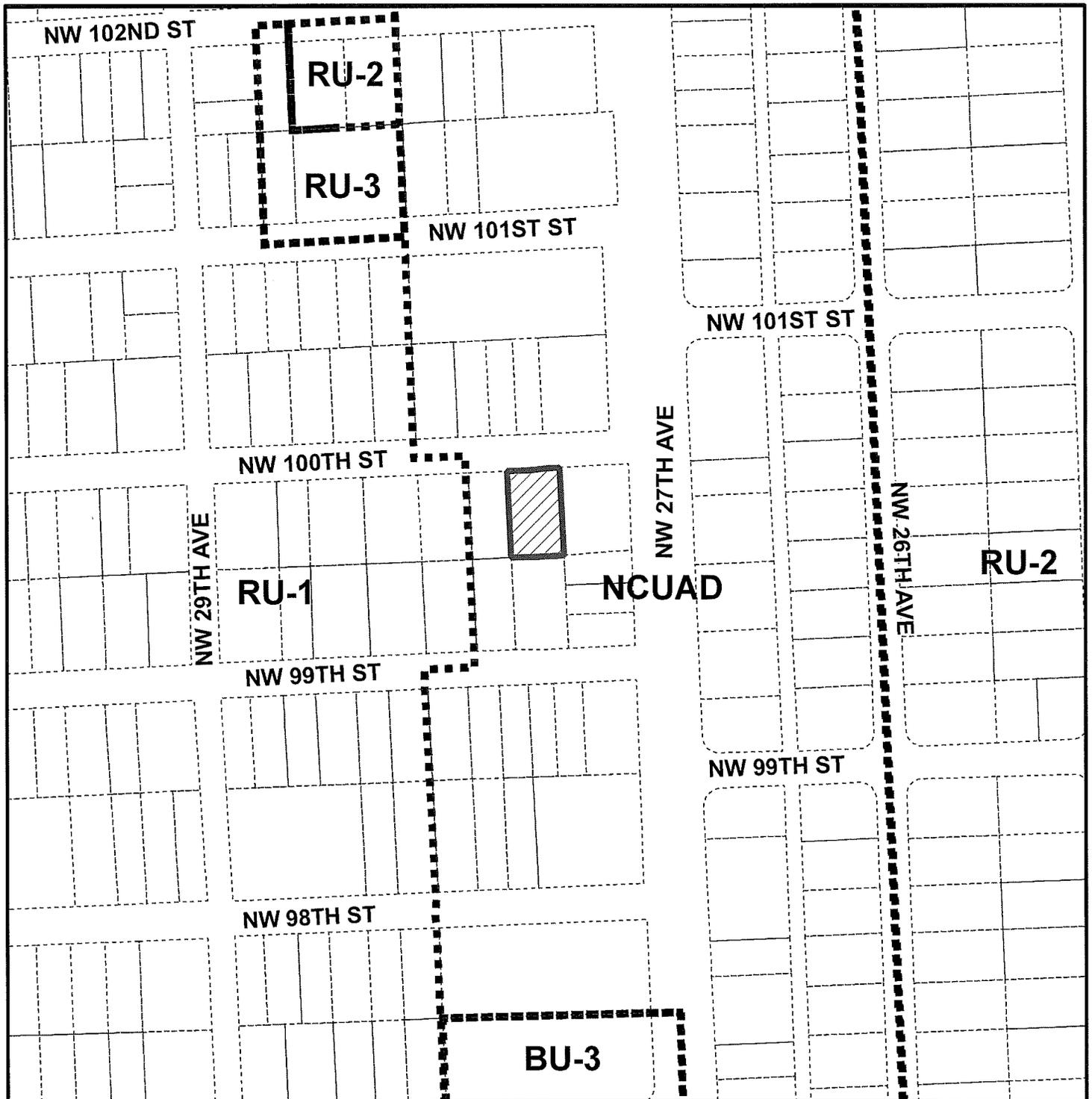


EXISTING (LEGAL)
RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

RECEIVED
 215-073
 JUL 07 2015

SHEET NO. A-2	UNIT "A" (LEGAL) DESCRIPTION: UNIT "A" (2 BDRS - 1 BATH) A/C SPACE 1ST FLOOR ENTRY TOTAL	UNIT "B" LEGALIZATION 2718 NW 100 STREET MIAMI, FLORIDA	FAUSTO GUERRERO 8800 SW 13 TERR. Florida Register: PE 60460
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23



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2015000073

Section: 04 Township: 53 Range: 41
 Applicant: VANESSA ARIAS
 Zoning Board: C8
 Commission District: 2
 Drafter ID: E.CESPEDES
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, July 20, 2015

REVISION	DATE	BY
		25



MIAMI-DADE COUNTY
AERIAL YEAR 2014

Process Number
Z2015000073

Legend
 Subject Property

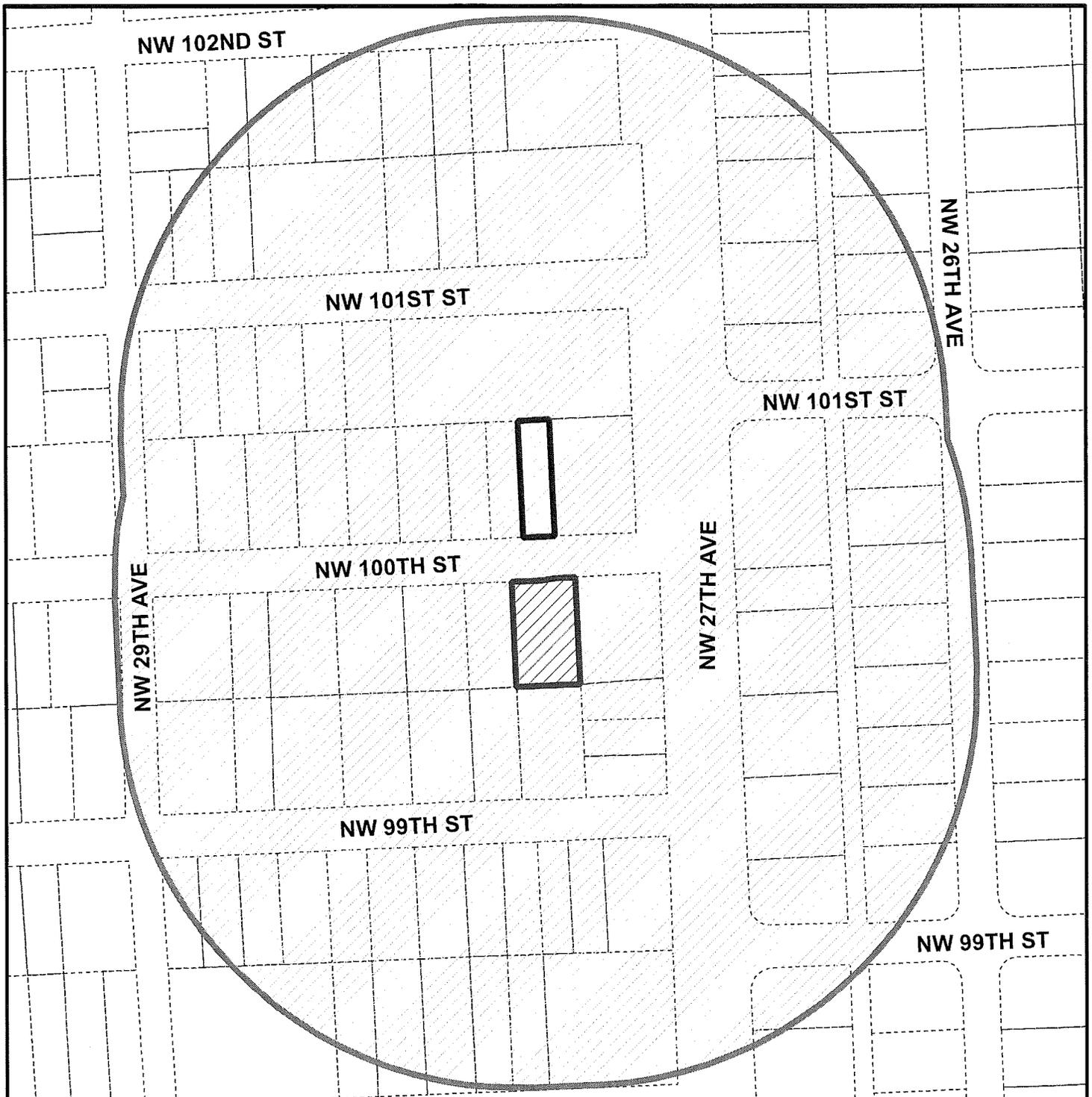


Section: 04 Township: 53 Range: 41
 Applicant: VANESSA ARIAS
 Zoning Board: C8
 Commission District: 2
 Drafter ID: E.CESPEDES
 Scale: NTS



SKETCH CREATED ON: Monday, July 20, 2015

REVISION	DATE	BY
		26



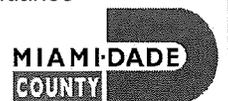
MIAMI-DADE COUNTY
RADIUS MAP

Section: 04 Township: 53 Range: 41
 Applicant: VANESSA ARIAS
 Zoning Board: C8
 Commission District: 2
 Drafter ID: E.CESPEDES
 Scale: NTS

Process Number
Z2015000073
 RADIUS: 500

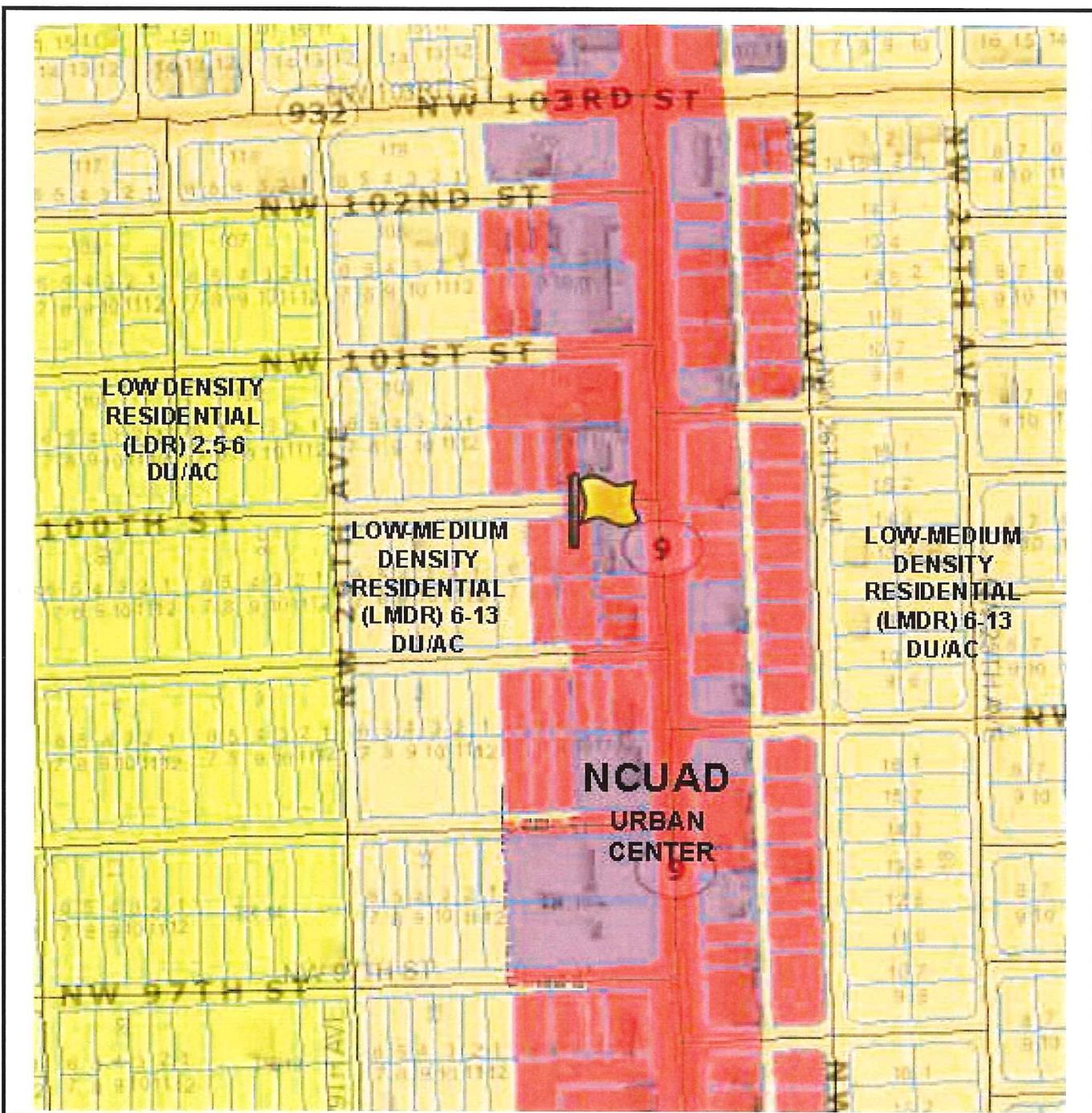
Legend

-  Subject Property
-  Contiguous Properties
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, July 20, 2015

REVISION	DATE	BY
		27



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2015000073

Section: 04 Township: 53 Range: 41
 Applicant: VANE SSA ARIAS
 Zoning Board: C8
 Commission District: 2
 Drafter ID: GGARCIA
 Scale: NTS

-  MC MIXED-USED CORRIDOR
-  MCS MIXED-USED & SPECIAL

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, February 16, 2016

REVISION	DATE	BY

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

PH: Z15-077 (16-2-CZ8-2)

February 25, 2016

Item No. 2

Recommendation Summary	
Commission District	2
Applicant	Care Oasis, LLC
Summary of Requests	The applicant is seeking to delete a prior covenant in order to permit a drug and alcohol rehabilitation and detoxification facility setback less than required from the rear property line, and spaced less than required from an adjacent residence. In addition, the applicant seeks to permit parking within 25' of the right-of-way.
Location	Northeast corner of NW 160 Street and NW 2 Avenue, Miami-Dade County, Florida
Property Size	2.34 Acres (net)
Existing Zoning	RU-1, Single-Family Residence District and RU-5A, Semi Professional Office District
Existing Land Use	Rehabilitative and Detoxification Center
2020-2030 CDMP Land Use Designation	Low Density Residential Office/Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(3) Special Exception, Unusual and New Uses Section 33-311(A)(7) Generalized Modification Standards, Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations (see attached Zoning Recommendation Addendum)
Recommendation	Approval with conditions.

REQUESTS:

- (1) UNUSUAL USE to permit a drug and alcohol rehabilitation and detoxification facility.
- (2) DELETION of Declaration of Restrictive Covenants Running with the land, recorded in Official Record Book 10947, Pages 1163 – 1165.

The purpose of request #2 is to allow the applicant to remove a restriction tying the property to office use only, in order to build an alcohol and rehabilitation and detoxification facility.

- (3) NON-USE VARIANCE to permit a building setback a minimum of 25'-1" (50' required) from the rear (east) property line and spaced than the required 75' from adjacent residence to the east
- (4) NON-USE VARIANCE to permit parking within 25' of official rights-of-way (not permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, "Oasis Rehabilitation Center" as prepared by S H Brandt & Associates, consisting of 3 sheets and a landscape plans as prepared by M. L. A. Inc., consisting of 1 sheet, for a total of 4 sheets, all sheets dated stamped received 01/14/16. Plans may be modified at public hearing.

PROJECT HISTORY AND DESCRIPTION:

The subject property has been through numerous hearings from 1969 to 1986. In June 1969, a portion of the subject property was approved pursuant to Resolution Z-186-69 to permit a 100 bed nursing home facility and to permit non-commercial parking in zones more restrictive than the use it serves. In September 1980, a portion of the subject property was approved pursuant to Resolution #Z-208-80 to permit a district boundary change from RU-3M, Minimum Apartment House District to RU-5A, Semi-Professional Office District with other non-use ancillary variances. In addition, the Board accepted a Declaration of Restrictions that restricted the property to office use only. In March 1986, the subject property was approved pursuant to a modification of a prior Declaration of Restrictions to delete a condition which prohibited financial institutions and medical and dental offices on the subject property.

In the present application, the site plan shows a proposed 22,929 sq. ft. drug and alcohol rehabilitation and detoxification facility on the 2.34 net acre subject site, which contains five (5) contiguous parcels.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-5A/RU-1; vacant parcels	Low Density Residential (2.5 to 6 dua)/ Office/Residence
North	RU-5A/RU-1; vacant parcel	Low Density Residential (2.5 to 6 dua)/Office/Residence
South	RU-3M/RU-1; park	Low Density Residential (2.5 to 6 dua)/Office/Residence
East	RU-1; residence	Low Density Residential (2.5 to 6 dua)
West	RU-3M/RU-5A; apartment and church	Office/Residential

NEIGHBORHOOD COMPATIBILITY:

The subject property is located at the northeast corner of NW 160 Street and NW 2 Avenue. The subject property is surrounded by a vacant parcel to the north, a park to the south, a single-family residence to the east, and an apartment building and church to the west.

SUMMARY OF THE IMPACTS:

The approval of this application will allow a proposed Residential Rehab/Detox Center which will provide the community with treatment services for substance abuse. However, approval of the application may create negative visual impact in the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates this site as **Low Medium Density Residential and Office/Residential** on the adopted 2020-2030 LUP map. The applicant seeks approval of an unusual use to permit a Residential Rehab/Detox Center along with other ancillary variances. Staff notes that the land use interpretative text, under residential communities permits neighborhood and community services

such as congregate living facilities, group homes, foster homes, nursing homes and day care facilities when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. Staff notes that the proposed residential rehab/detox center is similar to a nursing home and congregate living facility.

The CDMP Land use Element interpretative text for Residential Communities states that ***congregate residential uses and nursing homes*** may be permitted at suitable locations in Residential Communities in keeping with the following density allowance: each 2.5 occupants of a congregate residential facility shall be considered as the equivalent of one residential unit and that the maximum number of dwelling units shall not be more than allowed in the next higher residential category, which in this case is Low-Medium Density Residential use. This category allows a maximum of 13 dwelling units per gross acre which would allow a maximum of 98 residents on the 3.0-gross acre subject parcel. However, the applicant's intent is to provide 96 beds as shown on the submitted site plan. As such, staff opines that the applicant's proposal for the 96 beds as indicated on the site plan would be **consistent** with the density threshold allowed by the CDMP interpretative text noted above.

For reasons that will be expanded upon in the zoning analysis below, staff opines that the proposed residential rehab/detox center with ancillary requests are compatible with the surrounding area based on the criteria detailed in **Policy LU-4A**. Therefore, staff opines that for the reasons previously discussed and discussed further in the zoning analysis, the proposed requests are **consistent** with the CDMP Land Use Element interpretative text for properties designated Low Density Residential and Office/Residential.

ZONING ANALYSIS:

Staff notes that the provision of substance abuse services is governed by Chapters 394 and 397 of the Florida Statutes, which provide direction for a continuum of community-based services including prevention, treatment, and detoxification services. The licensure process is governed and regulated by Chapter 397, F.S., and Chapter 65D-30, Florida Administrative Code (F.A.C.). Minimum standards for licensure are specified for the following program components: addictions receiving facilities, detoxification, intensive inpatient treatment, residential treatment, day or night treatment with host homes, day or night treatment with community housing, day or night treatment, intensive outpatient treatment, outpatient treatment, continuing care, intervention, prevention, and medication-assisted treatment for opiate addiction.

Substance abuse programs are licensed by the Florida Department of Children and Families. Said Department regulates a wide array of detoxification, treatment and recovery support services for adolescents and adults affected by substance misuse, abuse or dependence. The Treatment Services Unit, within the Substance Abuse Program Office, provides oversight and policy development for these services, including management of statewide grant initiatives for treatment and recovery support. Detoxification programs are designed for individuals in need of medical assistance to withdraw from drug and alcohol abuse or dependence. Individuals that pose a significant risk to themselves or others due to substance abuse impairment can be referred for involuntary assessment and stabilization through the Marchman Act (Chapter 397, Part V, Florida Statutes). Treatment services include a wide array of assessment, counseling, case management, and support provided in residential and non-residential (outpatient) settings. Recovery support activities include transitional housing, life skills training, parenting skills, and peer-based individual and group counseling.

This facility would operate and be licensed under the State as a substance abuse facility. The proposed program will consist of a 24 hour inpatient residential program limited to the ninety-six (96) beds shown on the plan.

When request #1, to permit a drug and alcohol rehabilitation and detoxification facility is analyzed under the Special Exception, Unusual and New Uses standards, Section 33-311(A)(3), and request #2, to permit a deletion of a Declaration of Restrictive Covenants Running with the land are analyzed under the Generalized Modification standards, Section 33-311(A)(7), staff opines that approval of these requests would not generate excessive traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, and would be **compatible** with the area. Staff notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) has no objections to the requests and in their memorandum recommends approval of the application with conditions. Furthermore, staff opines that based on memoranda from the Division of Environmental Resource Management (DERM) of (RER), and the Miami-Dade Fire Rescue Department (MDFRD), the approval of the applied for unusual use would not cause undue or excessive burden on public facilities or services when considering the necessity for and reasonableness of such applied for unusual use in relation to the present and future development of the area concerned. Additionally, staff opines that the proposed drug and alcohol rehabilitation center is similar to the 100 bed nursing home that was approved on the subject property in 1969. **As such, staff recommends approval with conditions of request #1 under Section 33-311(A)(3), Special Exception, Unusual and New Uses Standards and approval with conditions of request #2 under Section 33-311(A)(7), Generalized Modification Standards.**

When request #3, to permit a building setback a minimum of 25'-1" (50' required) from the rear (east) property line and spaced less than the required 75' from adjacent residence to the east is analyzed under the Non-Use Variances standards, Section 33-311(A)(4)(b), staff opines that approval of the request would be **compatible** with the surrounding area. This request pertains to the Public Assemblage requirements outlined in Section 33-17 of the Code, Staff notes that the site plan indicates a 6' high cbs wall and a row of trees along the rear (east) property line, which staff opines will mitigate any negative visual or aural impacts generated from the 24'-11" encroachment into rear (east) setback area and from the approximate 39'-1" spacing of the neighboring residence from the proposed building. In addition, staff opines that request #3 is explicably intertwined with request #1, which staff has no objection to. Therefore, staff opines that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations as it affects the stability and appearance of the community and that approval of the request would be **compatible** with the surrounding land uses and would not be detrimental to the surrounding area. **As such, staff recommends approval with conditions of request #3 under Section 33-311(A)(4)(b).**

When request #4, to permit parking within 25' of official rights-of-way (not permitted) is analyzed under the Non-Use Variances standards, Section 33-311(A)(4)(b), staff opines that the request would be compatible with the surrounding area. Staff notes from the site plan a row of trees along the side street (south) property lines, which staff opines will be a visual buffer to the neighboring properties to the south. Furthermore, staff opines that approval of the request would not be detrimental to the surrounding area and would not have a negative impact on traffic on the abutting rights-of-way, and staff notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources have no objections to the request. **Therefore, staff recommends approval with conditions of request #4 under Section 33-311(A)(4)(b).**

ACCESS, CIRCULATION AND PARKING:

The subject parcel has an ingress/egress drives along NW 2 Avenue and along NW 160 Street. The plans show 68 parking spaces for the residential Rehab/Detox Center.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

RECOMMENDATION: Approval with conditions.

CONDITIONS FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Oasis Rehabilitation Center" as prepared by S H Brandt & Associates, consisting of 3 sheets and a landscape plans as prepared by M. L. A. Inc., consisting of 1 sheets, for a total of 4 sheets, all sheets dated stamped received 01/14/16.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submits to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
5. That the use shall be restricted to a residential treatment facility only.
6. That the use be approved for and be restricted to a maximum of 96 beds.
7. That the dumpsters and recycling containers shall be placed in the pickup area for trash and recycling pickup no earlier than thirty (30) minutes before trash pickup, and placed back no later than 30 minutes after trash pickup into the trash and recycling area.
8. That the trash and recycling pickup will take place between the hours of 10:00am and 4:00pm.
9. That the use be made to conform to the requirements and/or recommendations of the Miami-Dade County Fire Department, Miami-Dade County Department of Public Health, and the State of Florida Department of Health and Rehabilitative Services.
10. That the applicant obtains an annual renewable Certificate of Use from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
11. That the applicant complies with all applicable conditions and requirements, if any, from the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources in their memorandum dated December 18,2015..

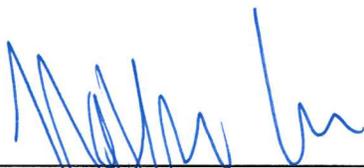
Care Oasis, LLC

Z15-138

Page | 6

12. That the applicant complies with all applicable conditions and requirements, if any, from the Platting and Traffic Review section of the Department of Regulatory and Economic Resources in their memorandum dated January 21, 2015.

NK:MW:NN:CH:EJ



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



2016 FEB 18 A 10: 37
PLANNING AND ZONING
ADMINISTRATIVE OFFICE

PLANNING AND ZONING
ADMINISTRATIVE OFFICE

2016 FEB 18 A 10: 32

ZONING RECOMMENDATION ADDENDUM

Care Oasis, LLC
15-077

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
<i>Division of Environmental Resource Management (RER)</i>	<i>No objection*</i>
<i>Platting and Traffic Review Section (RER)</i>	<i>No objection*</i>
<i>Parks, Recreation and Open Spaces</i>	<i>No objection</i>
<i>Fire Rescue</i>	<i>No objection</i>
<i>Police</i>	<i>No objection</i>
<i>Public Works and Waste Management Department</i>	<i>No objection</i>
<i>Schools</i>	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

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

Low Density Residential <i>(Pg. I-29)</i>	<i>The Adopted 2020 and 2030 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.</i>
Office/Residential <i>(Pg. I-43)</i>	<i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Office/Residential. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.</i>
Policy LU-4A <i>(Page I-9)</i>	<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>
Congregate Living Facilities, Group Homes, Foster Homes, Nursing Homes, and Day Care Facilities. <i>(Pg. I-34)</i>	<i>"Congregate residential uses" and nursing homes may be permitted at suitable locations in Residential Communities in keeping with the following density allowance: Each 2.5 occupants shall be considered to be one dwelling unit, and the maximum number of dwelling units allowed shall be no greater than the number allowed in the next higher residential density category than that for which the site is designated. For example, a ten-acre site located in an area designated for six dwelling units per gross acre may be permitted up to 13 units per gross acre or in this instance, up to 130 units. Assuming 2.5 occupants per unit, up to 325 persons could occupy the site. The intensity of use that may be approved for "daytime service uses" such as day care facilities shall be limited as necessary to be compatible with adjacent uses and to comply with water supply and sewage regulations contained in Chapter 24 of the Miami-Dade County Code. If located in Estate, Low or Low-Medium Density neighborhoods, congregated residential uses, and daytime service uses such as day care centers, should locate only in activity nodes, transition areas and section centers as indicated in the Guidelines for Urban Form, or on sites that are transitional to higher density or higher intensity land uses, to public uses or to other areas of high activity or accessibility.</i>

ZONING RECOMMENDATION ADDENDUM

Care Oasis, LLC
15-077

PERTINENT ZONING REQUIREMENTS/STANDARDS

<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>Section 33-311(A)(7) Generalized Modification Standards.</p>	<p><i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</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>
<p>Buildings for public assemblage—In districts other than business or industrial. Sec. 33-17.</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> <ol style="list-style-type: none"> <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> <i>(3) In EU-1 and EU-2 Districts, where the setback from the front building line is greater than the minimum specified by this section, buildings for public assemblage shall set back at least the minimum distance required, namely, fifty (50) feet from the front property line.</i> <i>(4) No building for public assemblage in EU-M, EU-1 and EU-2 Districts shall be closer than seventy-five (75) feet to any property line abutting a lot under ownership other than that on</i>

ZONING RECOMMENDATION ADDENDUM

Care Oasis, LLC
15-077

	<p><i>which the structure is to be placed.</i></p> <p><i>(7) Ample parking facilities for buildings for public assemblage shall be provided off the highway right-of-way. Parking facilities for a church, school, or other buildings used for noncommercial purposes in a residential district may be permitted in the same district with said church, school or other buildings used for noncommercial purposes, provided no parking lot or special parking area is closer than twenty-five (25) feet to any property under different ownership which is zoned RU or EU unless the parking area is separated from such lot by a wall or hedge approved by the Director.</i></p>
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2016 FEB 18 A 10:37
PLANNING AND ZONING
AGENDA OFFICE

2. CARE OASIS, LLC.
(Applicant)

16-2-CZ8-2(15-077)
Area 08/District 02
Hearing Date: 02/25/16

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>
1980	Universal Health Service Corp.	- Zone change from RU-3M to RU-5A. - Unusual Use for Parking. - Non-Use Variance's.	BCC	Appeal Approved, Application Approved
1980	Universal Health Service Corp.	- Zone change from RU-3M to RU-5A. - Unusual Use for Parking. - Non-Use Variance's.	BCC	Denied Without Prejudice
1986	Laurence Brody, ET AL	- Modification of Declaration of Restriction Covenant.	ZAB	Approved

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

Memorandum



Date: January 28, 2016

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

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

Subject: BCC #Z2015000077-4th Revision
Isaac Aelion
NE Corner of NW 160th Street and NW 2nd Avenue
Unusual Use to permit a drug and alcohol rehabilitation and
detoxification facility.
(RU-5A) (2.34 Acres)
13-52-41

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

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 Supply

The subject area is located within the City of North Miami Beach water franchise service area. A 12-inch water main abuts the property along NW 2nd Avenue and a 16-inch water main abuts the property along NW 160th Street.

The source for this water supply is the Norwood-Oeffler Water Treatment Plant. This plant has sufficient capacity to provide current water demand. The plant is presently producing water that meets federal, state, and county drinking water standards.

Wastewater Disposal

The subject property is located within City of North Miami sanitary sewer franchise service area. An 8-inch force main owned and operated by the City of North Miami is abutting the property along NW 2nd Avenue. This force main directs the flow to sewer pump station 30-0346, which at the present is operating under OK status with a proposed Nominal Average Pump Operating Time of 5.25 hours. The sewer flow is directed from this pump station to the North District Wastewater Treatment Plant.

The aforementioned sanitary sewer pump station, as well as the North District Wastewater Treatment Plant, are owned and operated by Miami Dade Water and Sewer Department and currently working within the mandated criteria set forth in the New Consent Decree Case: NO. 1:12-cv-24400-FAM, effective Dec 6, 2013. At this time the North District Wastewater Treatment Plant has sufficient capacity to treat proposed sewer flow.

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

Stormwater Management

A DERM Surface Water Management General Permit shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. The applicant is advised to contact the DERM 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.

Plans entitled "Revised Site Plans, Modified on November 17, 2015" included with the application show a proposed berm, exfiltration trenches, swale and other structures. Applicant is advised that these must comply with the abovementioned requirements.

Tree Preservation

The subject property contains tree resources. Please note that Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Projects shall be designed to meet the requirements of Sections 24-49.2 and 24-49.4 of the Code including compliance with the specimen tree preservation requirements of the Code as well as CON 8A of the CDMP.

Finally, in accordance with the Code and CON8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. DERM also recommends that this requirement be included as a condition of any zoning approval.

The applicant is advised to contact Tree Permitting Program at (305) 372-6574 for additional information regarding tree permitting procedures and requirements.

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: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: January 21, 2016

To: Nathan Kogon, 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: Z2015000077
Name: Care Oasis, LLC
Location: NE corner of NW 160 St. and NW 2nd Ave.
Section 13 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 objection.

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.

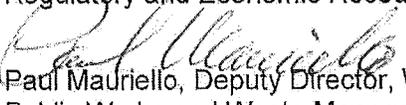
This project meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply.

Memorandum



Date: December 28, 2015

To: Nathan Kogon, Assistant Director
Regulatory and Economic Resources Department

From: 
Paul Mauriello, Deputy Director, Waste Operations
Public Works and Waste Management Department

Subject: Update: Care Oasis, LLC (#15_077)

The Public Works and Waste Management Department (PWWM), Waste Operations, review of the above-referenced item is provided below. This memo updates a previous response, dated August 7, 2015. Additional comments will be provided as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager, Intergovernmental and External Affairs Division at 305-375-1354. **PWWM has no objections to the proposed application.**

Application: *Care Oasis, LLC* requests an unusual use to develop an alcohol and drug rehabilitation and detoxification facility on vacant land. The applicant submitted revised elevation, floor, landscape and site plans.

Size: The subject property is approximately 2.3 acres.

Location: The subject property is located on the NE corner of NW 160th Street and NW 2nd Avenue, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. 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 24, 2015, 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 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

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the construction of an alcohol and drug rehabilitation and detoxification facility on

the property meets the County Code definition of a commercial establishment. Per the Code, the following is required of commercial establishments 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.

3. Recycling

Section 15-2.3a of the Code 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 |

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.

Section 15-2.3b of the Code 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.

Memorandum



Date: February 3, 2016

To: Nathan Kogon, Assistant Director
Development Services
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, CSM, LEED® Green Associate *Maria A. Valdes*
Chief, Comprehensive Planning & Water Supply Certification Section

Subject: Zoning Application Comments – Care Oasis, LLC
Application Number Z2015000077 – (Pre-App. # Z15P-118) – REVISION # 4

The Water and Sewer Department (WASD) has reviewed the zoning application for the proposed development. The revised site plan submitted on January 14, 2016 by the applicant does not impact the water and sewer comments, therefore the comments below remain the same. The information provided below does not affect the Zoning process. The applicant is advised to consult with their engineer and the WASD Plans Review staff to finalize points of connection and capacity approval.

Application Name: Care Oasis, LLC

Location: The proposed project is located on the N.E. Corner of N.W. 160th Street and N.W. 2nd Avenue with Folios No. 30-2113-002-0360, 30-2113-002-0370, 30-2113-002-0380, 30-2113-002-0390, and 30-2113-002-400 in unincorporated Miami-Dade County.

Proposed Development: Develop a State of the Art Alcohol and Drug Rehabilitation and Detoxification Facility with 96 beds.

Total water demand for this project is 9,600 gpd.

Water: The proposed development is 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, a Water Supply Certification (WSC) is not required from WASD as the project is located entirely within the NMB's water service area and the water supply will be provided by the NMB utility.

In addition, the future development 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.

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/waterconservation/library/instructions/water-use-efficiency-standards-manual.pdf>

Sewer: The proposed development is located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the North District

Wastewater Treatment Plant (NDWWTP) for treatment and disposal. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection.

If DERM requires connection to the sewer system, there is an 8-inch sewer force main located approximately 370 feet south of the application site on NW 2nd Avenue, north of NW 159th Street to where the developer may connect and extend an 8-inch force main to the developer's property as required. A private sewage pump station will be required. Please note that final points of connection and capacity approval for connection to the sewer system will be issued at the time the applicant requests connection to the sewer infrastructure.

WASD will be the utility providing sewer services subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2 A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Any public sewer infrastructure must be within a public right-of-way, or within a utility easement.

Below please find additional links to the WASD portal which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>

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

Memorandum



Date: February 1, 2016

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

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

Subject: Z2015000077: CARE OASIS, LLC, PRE-APP Z2015P00118
Revised Plans Submitted Dated Stamped Received Through 1-14-2016

Application Name: CARE OASIS, LLC, PRE-APP Z2015P00118

Project Location: The site is located at NE CORNER OF NW 160 ST & NW 2 AVE, Miami-Dade County.

Proposed Development: The request is for AN UNUSUAL USE FOR DRUG & ALCOHAL REHAB & DETOX CARE.

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

Recommendation: PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

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

MN:jb
Cc: John M. Bowers, Parks Planning Section Supervisor

Memorandum



Date: 20-JAN-16
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2015000077

Recommendation:

No objection to the site plan with a 1/14/16 RER received date.

Service Impact/Demand

Development for the above Z2015000077
 located at NE CORNER OF NW 160 ST & NW 2 AVE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 0330 is proposed as the following:

N/A	dwelling units	N/A	square feet
residential		industrial	
N/A	square feet	22929	square feet
Office	square feet	institutional	square feet
N/A		N/A	
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: No Impact. 15 alarms-annually.

Existing services

The Fire station responding to an alarm in the proposed development will be: Station # 32
 The estimated average travel time is: 6.15 minutes

Planned Service Expansions:

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

Fire Planning Additional Comments

OK

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

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

CARE OASIS, LLC

NE CORNER OF NW 160 ST & NW 2 AVE,
MIAMI-DADE COUNTY, FLORIDA

APPLICANT

ADDRESS

FEBRUARY 25, 2016

Z2015000077

DATE

HEARING NUMBER

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

JANUARY 13, 2016

FOLIO'S: 30-2113-002-0360, 30-2113-002-0370, and 30-2113-002-0380

NEIGHBORHOOD REGULATIONS OPEN CASES:

THERE ARE NO OPEN CASES

NEIGHBORHOOD REGULATIONS CLOSED:

FOLIO: 30-2113-002-0370

Case #201303006004428, was opened on October 2, 2013, for Failure to Perform Lot maintenance; Overgrowth of Weeds and Grass exceeding 18" in height/Misc Junk and Debris on the property. A Warning Letter was issued the same day. Civil Violation Notice #T041431, was issued for non-compliance. The property was cleared and the Citation was cleared. The case was closed.

BUILDING SUPPORT REGULATIONS OPEN:

THERE ARE NO OPEN CASES

BUILDING SUPPORT REGULATIONS CLOSED:

THERE ARE NO CLOSED CASES:

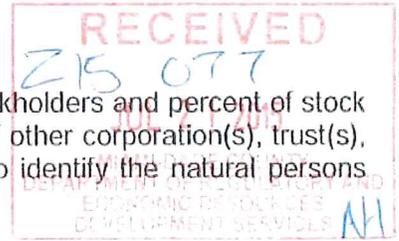
VIOLATOR:

CARE OASIS, LLC

OUTSTANDING LIENS AND FINES:

As of January 13, 2016, There are no Outstanding Liens, Fines, or Fees.

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: Care Oasis, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Isaac Aelion	100%
16711 Collins Avenue	
Suite 2302	
Sunny Isles Beach, FL 33160	

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

TRUST/ESTATE NAME _____

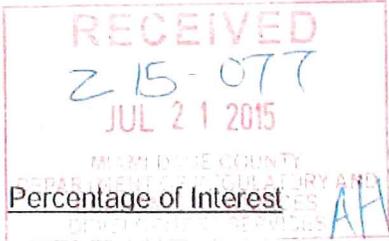
<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

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

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



NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Date of contract: _____

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

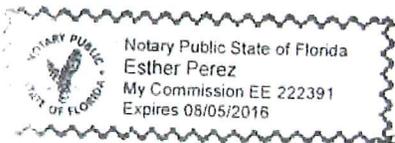
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature _____ ISAAC AECION
(Applicant) (Print Applicant name)

Sworn to and subscribed before me this 17 day of July, 2015. Affiant is personally know to me or has produced _____ as identification.

Esther Perez
(Notary Public)



My commission expires: 8-5-2016

*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.

NW 2nd AVE

70' TOTAL RIGHT-OF-WAY
54' ASPHALT ROAD

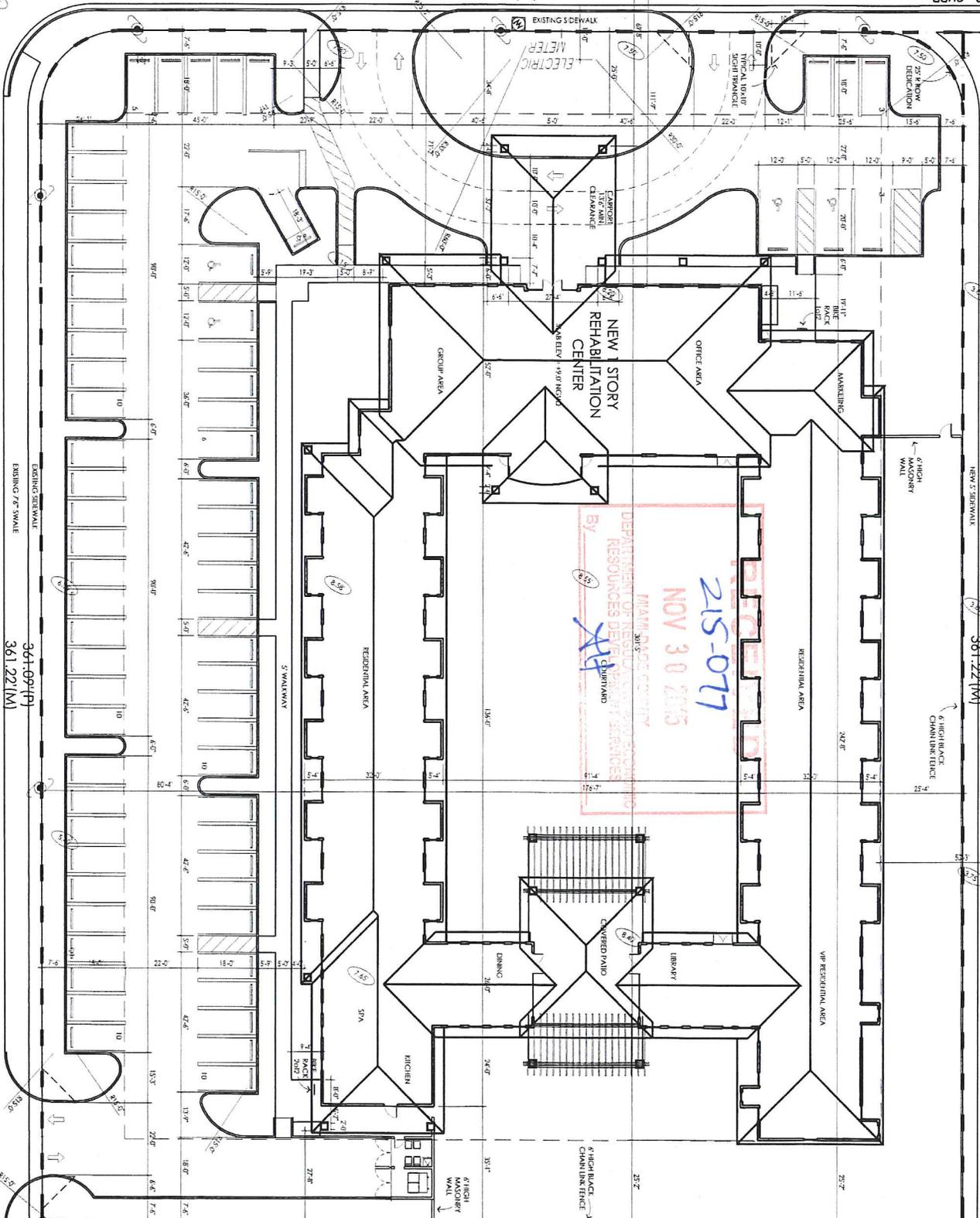
282.08'(P)
282.41'(M)

2" CONC. CURB

282.02'(P)
282.10'(M)

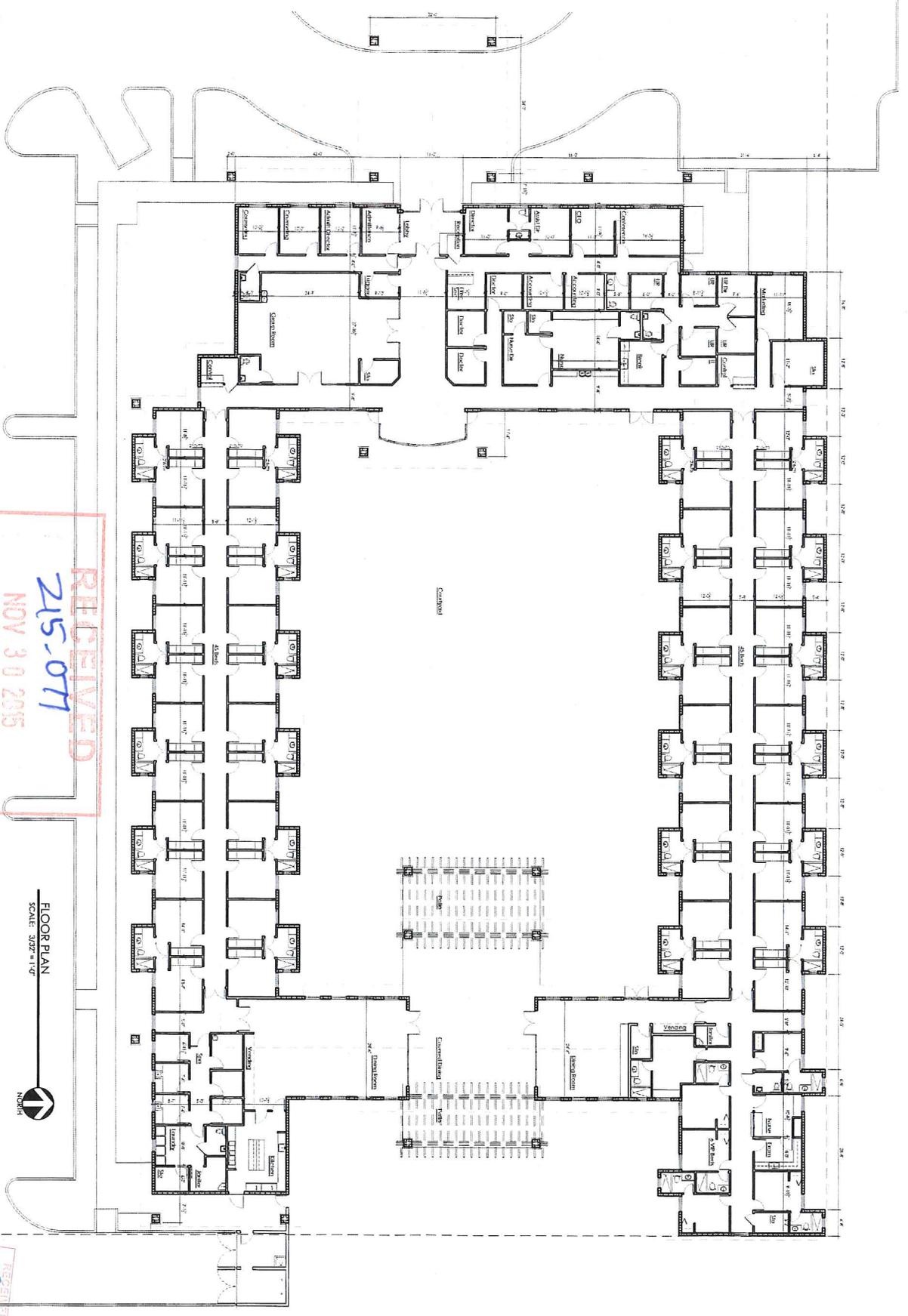
NW 161ST STREET
50' TOTAL RIGHT-OF-WAY
(UNIMPROVED)

361.20'(P)
361.22'(M)



NW 160TH STREET
50' TOTAL RIGHT-OF-WAY
28' ASPHALT ROAD

"Enlarge site plan"



RECEIVED

215-071

NOV 30 2015

MAYNARD COUNTY
DEPARTMENT OF REGIONAL AND ECONOMIC
RESOURCES DEVELOPMENT

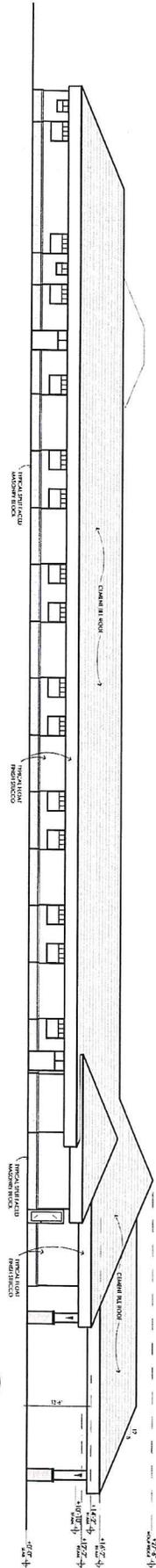
ATF

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

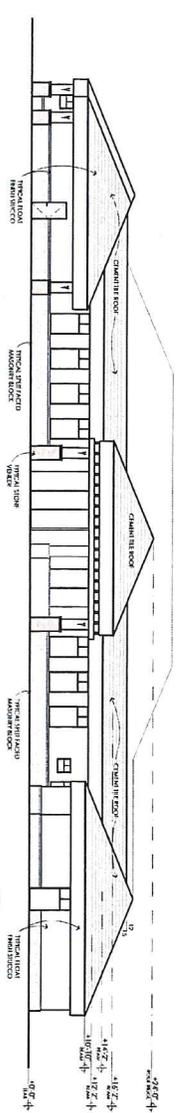
NORTH

<p style="font-size: 0.8em;">DATE</p> <p>11/24/15</p> <p style="font-size: 0.8em;">BY</p> <p>215-071</p>	<p style="font-size: 0.8em;">Ochs Rehabilitation Center</p> <p style="font-size: 0.8em;">1001 N.E. 2nd Ave. Maitland, FL 32751, FL</p>	<p style="font-size: 0.8em;">ATTORNEY'S EXHIBIT</p> <p style="font-size: 0.8em;">11/24/15</p> <p style="font-size: 0.8em;">FLORIDA BAR #01333</p>	<p style="font-size: 0.8em;">Floor Plan</p>	<p style="font-size: 0.8em;">S H BRANDT ASSOCIATES A S ARCHITECT</p> <p style="font-size: 0.8em;">2018 N FEDERAL HIGHWAY GAINESVILLE, FL 32608</p> <p style="font-size: 0.8em;">Phone: (354) 558-2111 Fax: (354) 558-2311 Website: SHBrandt.com www.SHBrandt.com</p>	<p style="font-size: 0.8em;">ARCHITECTURE INTERIOR DESIGN</p>	<p style="font-size: 0.8em;">SHEET</p> <p style="font-size: 1.5em; font-weight: bold;">A2.1</p>
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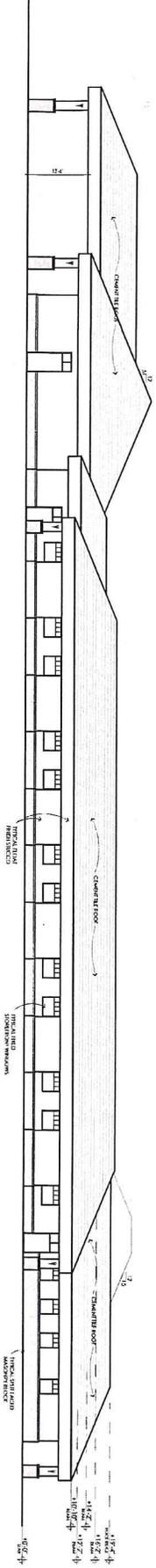
28



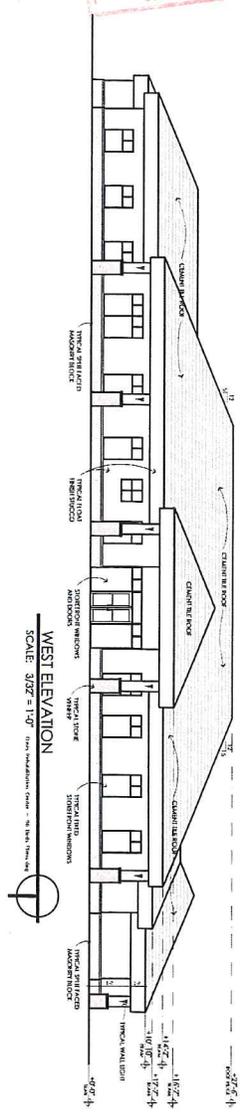
NORTH ELEVATION
SCALE: 3/32" = 1'-0"



EAST ELEVATION
SCALE: 3/32" = 1'-0"



SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

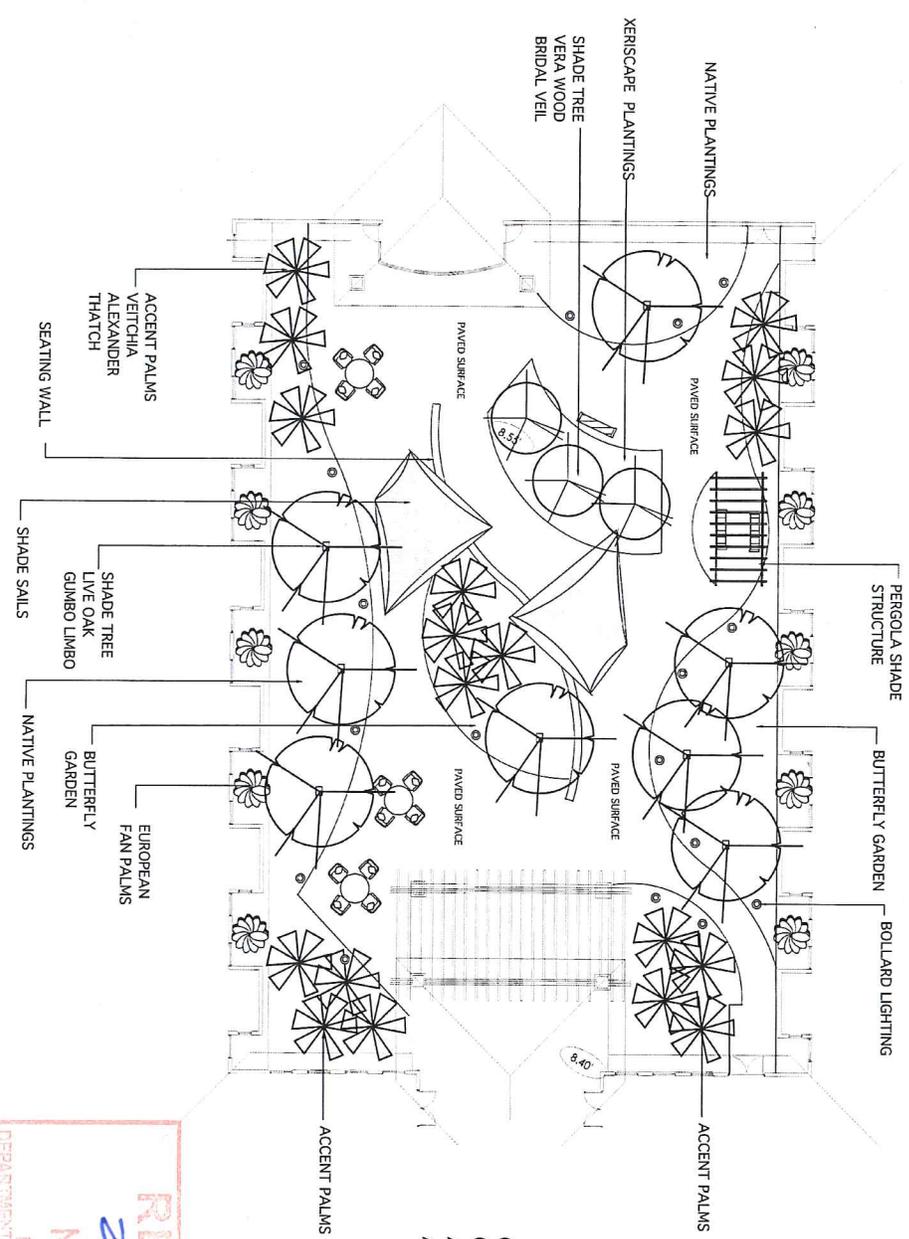


WEST ELEVATION
SCALE: 3/32" = 1'-0"

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215-017
NOV 30 2015
MANA WARE COUNTY ENGINEERING
DEPARTMENT OF HEALTH AND SERVICES
BY: [Signature]

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215-017
NOV 21 2015
XIV

<p>SH BRANDT ASSOCIATES ARCHITECTS 1018 N. FEDERAL HIGHWAY SUITE 100 FORT LAUDERDALE, FL 33304 PHONE: (954) 554-2111 FAX: (954) 554-2511 WWW: SHBRANDT.COM</p>	<p>ARCHITECTURE INTERIOR DESIGN</p>	<p>STATEMENT BOARD 172415 FLORIDA ARCH 0101232</p>	<p>Elevations</p>	<p>DATE: 11/24/15 BY: JEB BRANDT 215432</p>	<p>Scale: Qualification Center North West North West North West</p>	<p>SHEET A3.1 OF SHEETS</p>
---	--	---	--------------------------	---	--	--



SHEET L-2 TREE COUNTS
 TOTAL TREES 12' HT. = 8
 TOTAL PALMS = 3:1 = 5

COURTYARD DESIGN SHALL BE
 CONSIDERED SCHEMATIC. FINAL DESIGN
 AND DETAILS SHALL BE SUBMITTED
 AFTER INITIAL CITY REVIEW

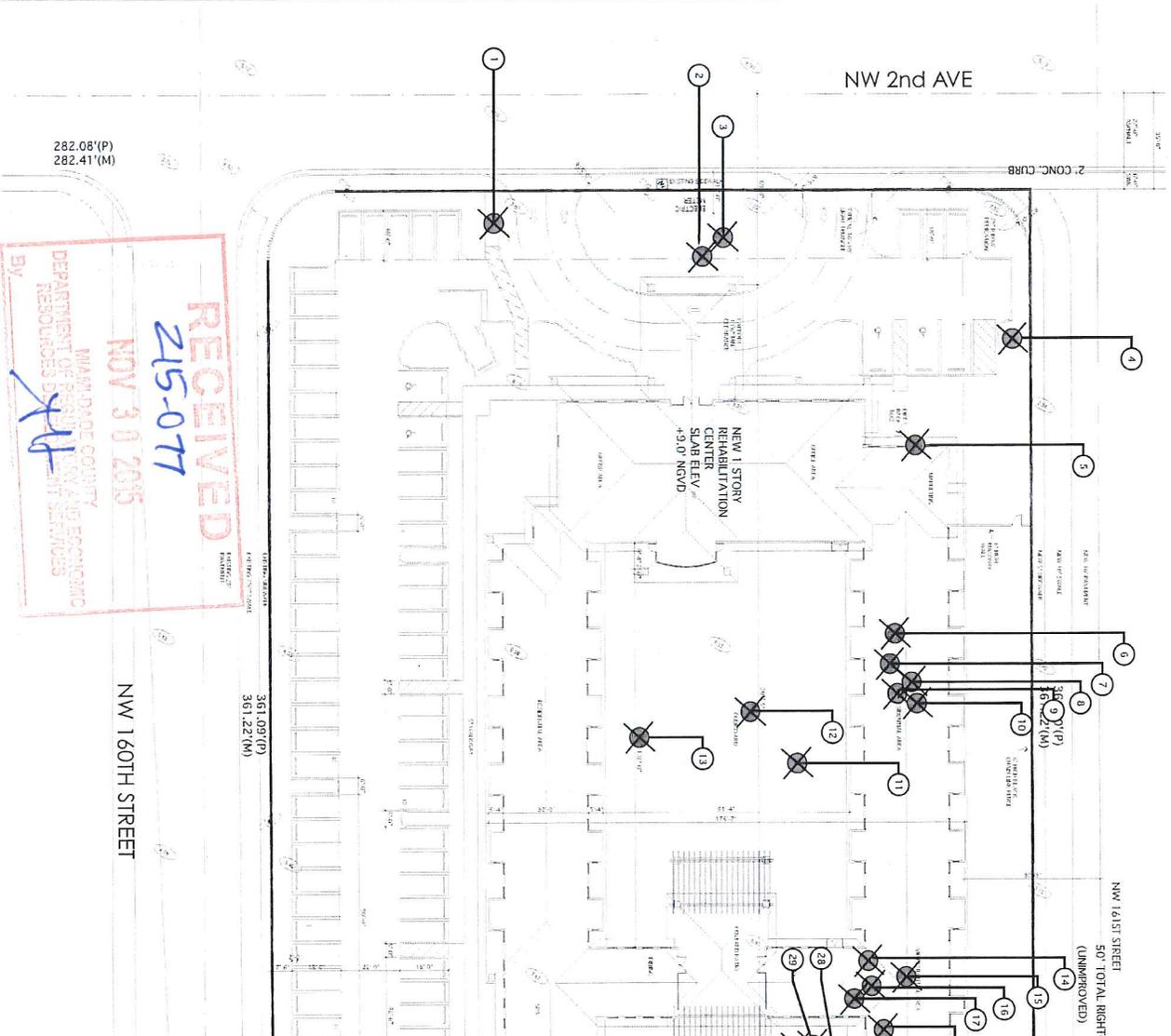
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 215-017
 NOV 30 2015
 MAJUMDAR COUNTY
 DEPARTMENT OF RESIDENTIAL AND ECONOMIC
 RESOURCES AND PLANNING SERVICES
 BY: AH

215-017
 2/18

SCALE: 1"=10' DATE DRAWN: 6.8.15 SHEET NO.	PROJECT: Oasis Rehabilitation Center 16001 Nw 2nd Ave North Miami Beach, FL	SHEET TITLE: SCHEMATIC COURTYARD LANDSCAPE PLAN	REVISIONS:	M. L. A. Inc. Landscape Architecture Reg. LA-6666695 Cert. Arborist -0817A 1016 NE 45th Street, Oakland Park, FL 33334 E: mlagroupinc@yahoo.com
			SIGNATURE:	

L-2

31



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 215-077
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 MIAMI-DADE COUNTY
 DEPARTMENT OF PUBLIC WORKS AND ECONOMIC
 RESOURCES DIVISION
 BY: *[Signature]*

EXISTING TREE INVENTORY

TREE NO.	COMMON NAME	SIZE (CAL. I.D. X SRK.)	CONDITION	DETERMINATION
1.	UNKNOWN INVASIVE/EXOTIC	30" DBH, 40'X30"	GOOD	REMOVE
2.	LIVE OAK	12" DBH, 40'X30"	FAIR	REMOVE/ANTICIPATE 500 SF.
3.	UNKNOWN INVASIVE/EXOTIC	42" DBH, 40'X40"	GOOD	REMOVE
4.	ROYAL PALM	12" DBH, 60' ON	GOOD	REMOVE/ANTICIPATE
5.	UNKNOWN INVASIVE/EXOTIC	12" DBH, 60' ON	GOOD	REMOVE
6.	UNKNOWN INVASIVE/EXOTIC	12" DBH, 40'X30"	GOOD	REMOVE/ANTICIPATE
7.	UNKNOWN INVASIVE/EXOTIC	18" DBH, 40'X30"	GOOD	REMOVE
8-10.	UNKNOWN INVASIVE/EXOTIC	42" DBH, 40'X30"	GOOD	REMOVE
11.	UNKNOWN INVASIVE/EXOTIC	36" DBH, 40'X30"	GOOD	REMOVE
12.	UNKNOWN INVASIVE/EXOTIC	36" DBH, 40'X30"	GOOD	REMOVE
13.	UNKNOWN INVASIVE/EXOTIC	30" DBH, 40'X30"	GOOD	REMOVE
14.	RECINTA/PALM	30" DBH, 30'X12"	POOR	REMOVE/ANTICIPATE
15.	UNKNOWN INVASIVE/EXOTIC	57" DBH, 30'X12"	FAIR	REMOVE
16.	UNKNOWN INVASIVE/EXOTIC	25" DBH, 40'X30"	FAIR	REMOVE
17.	UNKNOWN INVASIVE/EXOTIC	12" DBH, 30'X12"	FAIR	REMOVE
18.	UNKNOWN INVASIVE/EXOTIC	12" DBH, 30'X12"	FAIR	REMOVE
19.	UNKNOWN INVASIVE/EXOTIC	6" DBH, 30'X12"	FAIR	REMOVE
20-21.	UNKNOWN INVASIVE/EXOTIC	4" DBH, 30'X12"	FAIR	REMOVE
22-24.	UNKNOWN INVASIVE/EXOTIC	8" DBH, 30'X12"	FAIR	REMOVE
25.	UNKNOWN INVASIVE/EXOTIC	10" DBH, 30'X12"	FAIR	REMOVE
26.	UNKNOWN INVASIVE/EXOTIC	10" DBH, 30'X12"	FAIR	REMOVE
27.	UNKNOWN INVASIVE/EXOTIC	10" DBH, 30'X12"	FAIR	REMOVE
28-29.	UNKNOWN INVASIVE/EXOTIC	6" DBH, 30'X12"	FAIR	REMOVE
30.	UNKNOWN INVASIVE/EXOTIC	6" DBH, 30'X12"	FAIR	REMOVE

MITIGATION TREES:
 (1) LIVE OAK, 12" DBH, 900 SF. / 300SF. - 3 TREES (SEE SHEET L-1)
 (1) RECINTA/PALM (1) ROYAL PALM = 2 PALM (SEE SHEET L-1)
 NO TREES SHALL BE REMOVED OR RELOCATED WITHOUT A TREE REMOVAL PERMIT
 ISSUED BY DADE COUNTY (GERM)

PROJECT: **Oasis Rehabilitation Center**

16001 NW 2nd Ave
North Miami Beach, FL

SCALE: 1"=20'

DATE DRAWN: 6-8-15

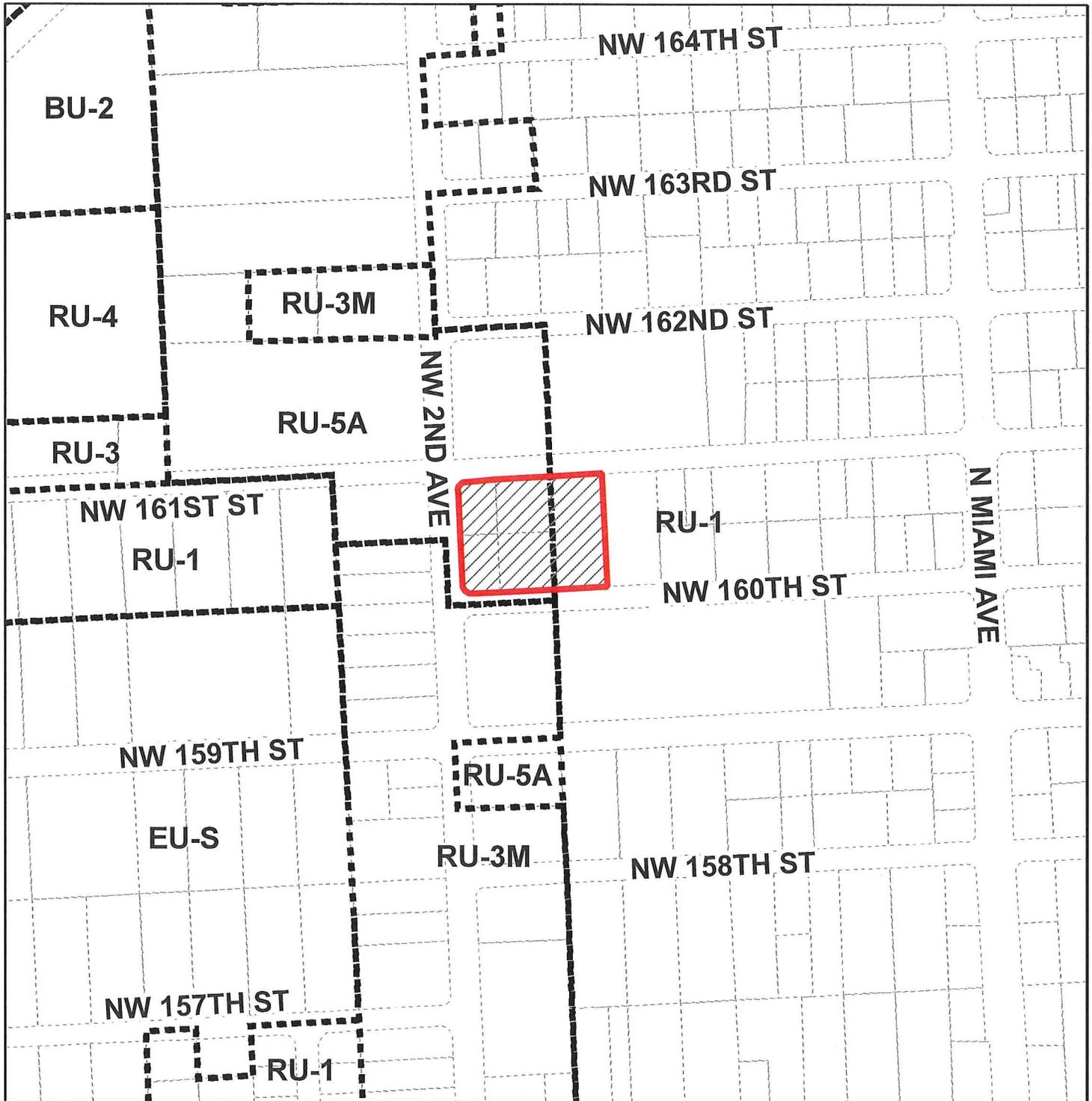
SHEET NO. **L-3**

REVISIONS:

SHEET TITLE: **EXISTING TREE DISPOSITION PLAN**

M. L. Group Inc.
 Landscape Architecture
 Reg. LA-6666895 Cert. Arborist - 0817A
 1016 NE 45th Street, Oakland Park, FL 33334
 E: mlgroupinc@yahoo.com Ph: 954-763-4071 Fax: 954-337-0817

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MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2015000077

Section: 13 Township: 52 Range: 41
 Applicant: CARE OASIS, LLC.
 Zoning Board: C08
 Commission District: 2
 Drafter ID: E.CESPEDES
 Scale: NTS

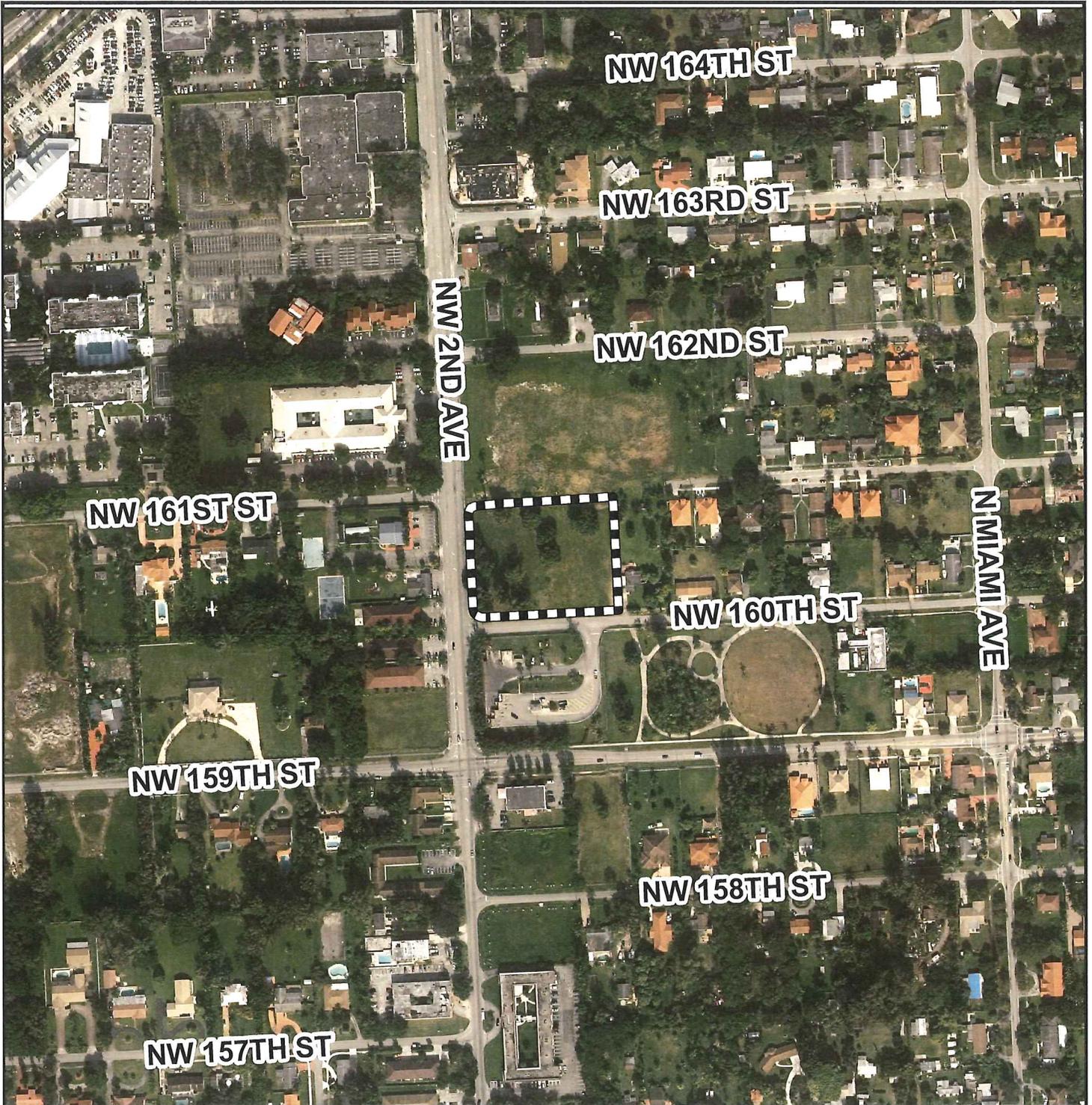
Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, August 3, 2015

REVISION	DATE	BY
		33



MIAMI-DADE COUNTY
AERIAL YEAR 2014

Process Number
Z2015000077

Legend
 Subject Property

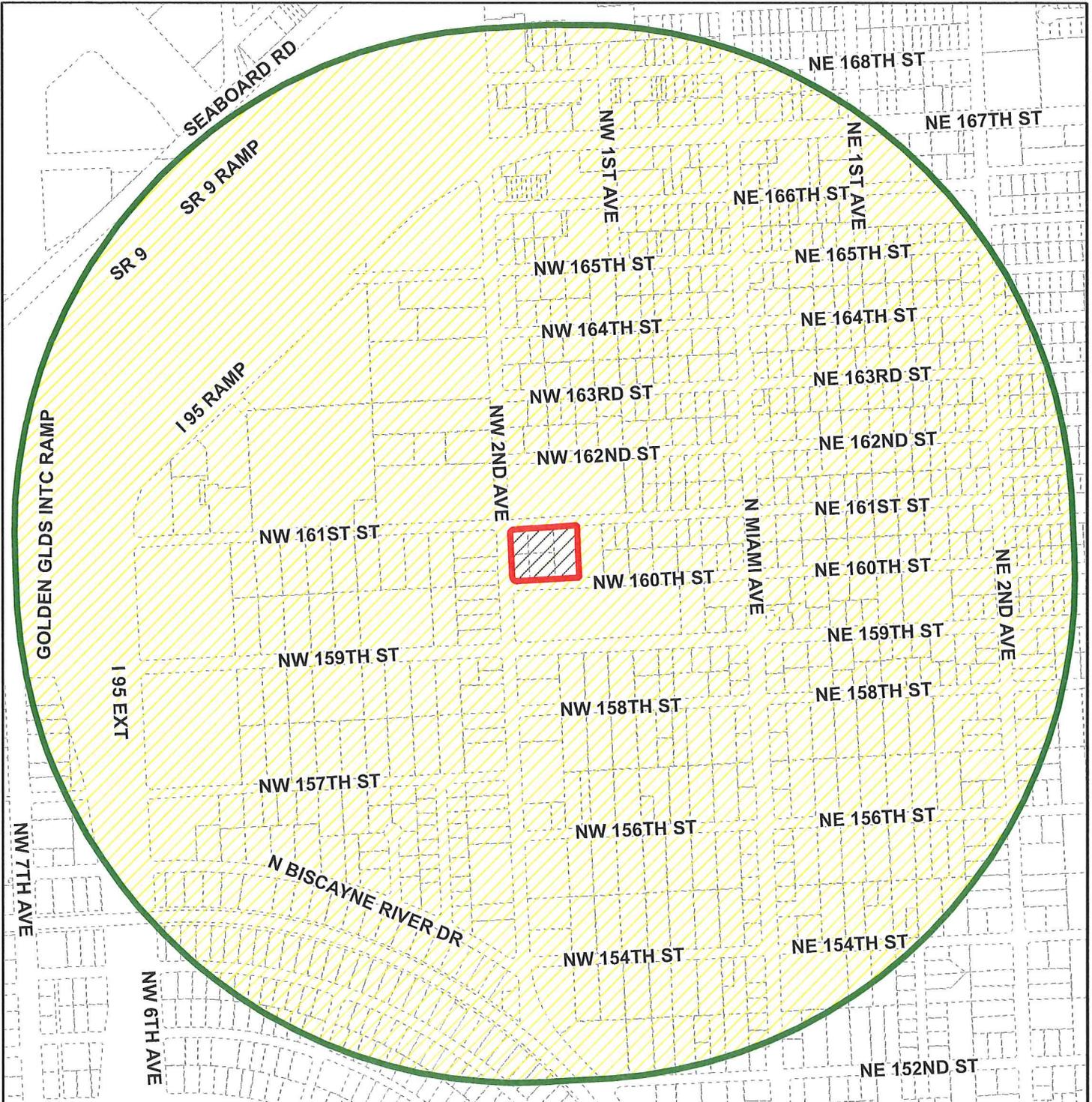


Section: 13 Township: 52 Range: 41
Applicant: CARE OASIS, LLC.
Zoning Board: C0 8
Commission District: 2
Drafter ID: E.CESPEDES
Scale: NTS



SKETCH CREATED ON: Monday, August 3, 2015

REVISION	DATE	BY
		34



**MIAMI-DADE COUNTY
RADIUS MAP**

Section: 13 Township: 52 Range: 41
 Applicant: CARE OASIS, LLC.
 Zoning Board: C08
 Commission District: 2
 Drafter ID: E.CESPEDES
 Scale: NTS

Process Number
Z2015000077
 RADIUS: 2640

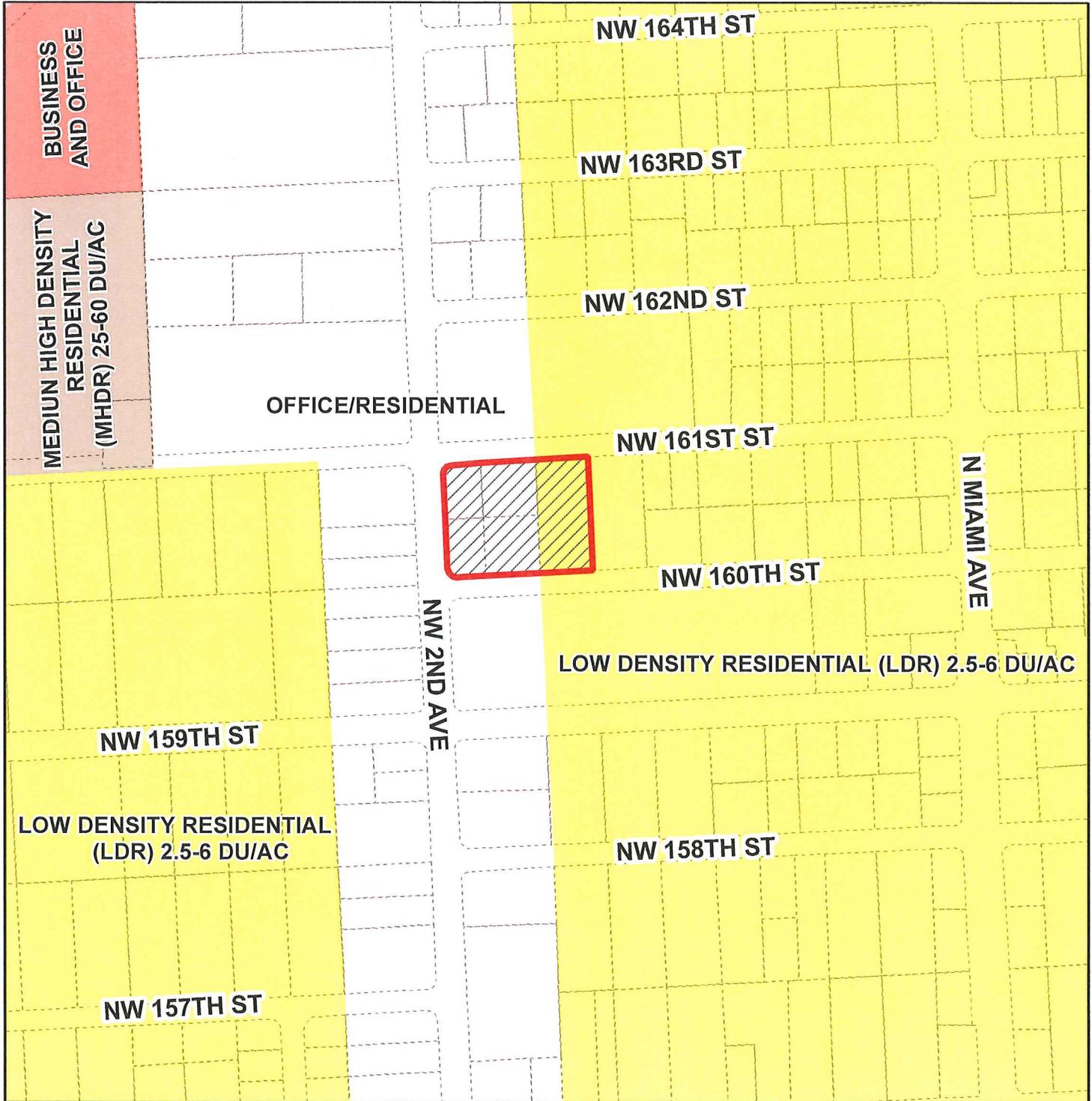
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, August 3, 2015

REVISION	DATE	BY
		35



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2015000077

Section: 13 Township: 52 Range: 41
 Applicant: CARE OASIS, LLC.
 Zoning Board: C08
 Commission District: 2
 Drafter ID: E.CESPEDES
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, August 3, 2015

REVISION	DATE	BY