

FINAL AGENDA

2-26-2016 Version # 3



COMMUNITY ZONING APPEALS BOARD 8
HENRY REEVES ELEMENTARY SCHOOL
2005 NW 111 Street, Miami
Thursday, March 31, 2016 at 7:00 p.m.

PREVIOUSLY DEFERRED

A. 16-2-CZ8-2 [CARE OASIS, LLC, PRE-APP
Z2015P00118](#) 15-77 13-52-41

CURRENT

1. 16-3-CZ8-1 [LEMANO INVESTMENT, LLC](#) 15-110 15-53-41 N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

Revised Agenda to
Reflect protesters
Item #A – Z15-077

COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF THURSDAY, MARCH 31, 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

A. 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:

Approved with conditions.

Protests: 34

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from February 25, 2016

1. LEMANO INVESTMENT, LLC (16-3-CZ8-1/15-110)

**15-53-41
Area 08/District 03**

NON-USE VARIANCE to permit a parcel of land with a lot frontage of 40' (75' required) and a lot area of 3,600 sq. ft. (7,500 sq. ft. required).

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

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

March 31, 2016

Item No. A

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.

On February 25, 2016 the application was deferred by Community Zoning Appeals Board (CZAB 8) to allow the applicant to work with the neighbors.

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.

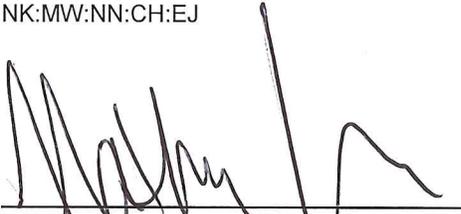
RECOMMENDATION: Approval with conditions.

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 January 28, 2016.
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 5, 2016.

NK:MW:NN:CH:EJ



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

NK

2016 MAR - 8 A 11: 56
PLANNING AND ZONING
ADMINISTRATIVE OFFICE

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PLANNING AND ZONING
ADMINISTRATIVE OFFICE

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, congregare 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 MAR - 8 A 11: 51
PLANNING AND ZONING
AGENDA OFFICE

A. CARE OASIS, LLC.
(Applicant)

16-2-CZ8-2(15-077)
Area 08/District 02
Hearing Date: 03/31/16

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.

MIAMI-DADE COUNTY
 COMMUNITY ZONING APPEALS BOARD - AREA 8
 MOTION SLIP
 HEARING DATE: February 25, 2016

2

APPLICANT'S NAME: CARE OASIS, LLC

REPRESENTATIVE: Robert Holland

HEARING NUMBER	PROCESS #	RESOLUTION NUMBER		
16-2-CZ8-2	15-077	CZAB8	-	16

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: 3/31/16 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

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

WITH CONDITIONS AS MODIFIED _____

OTHER: _____

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN	M	Richard C. BROWN	x		
COUNCILMAN	S	Athemon JOHNSON	x		
COUNCIL WOMAN		VonCarol Yvette KINCHENS	x		
COUNCILMAN		Fredericke Alan MORLEY	x		
VICE CHAIR		Joy J. DAVIS	x		
CHAIR		Patrick CURE			x

VOTE:

0	0	0
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EXHIBITS: YES NO

COUNTY ATTORNEY: Daron Fitch

11

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.

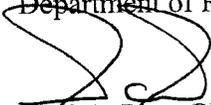
cc: Nathan Kogon, Department of Regulatory and Economic Resources

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
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.

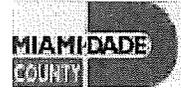
Impact and demand: This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

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:

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

Based on this development information, estimated service impact is: 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.

22

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:

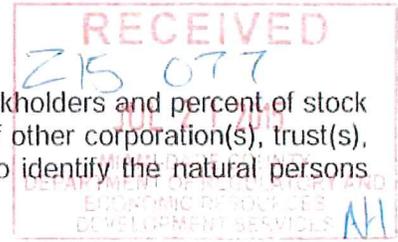
VIOLATOR:

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 _____

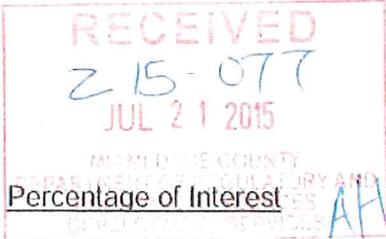
<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____

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.

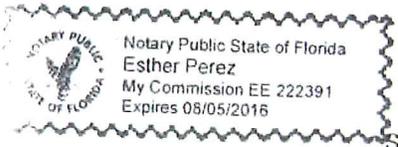
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature _____ ISAAC AELION
(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.

[Signature]
(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.

26

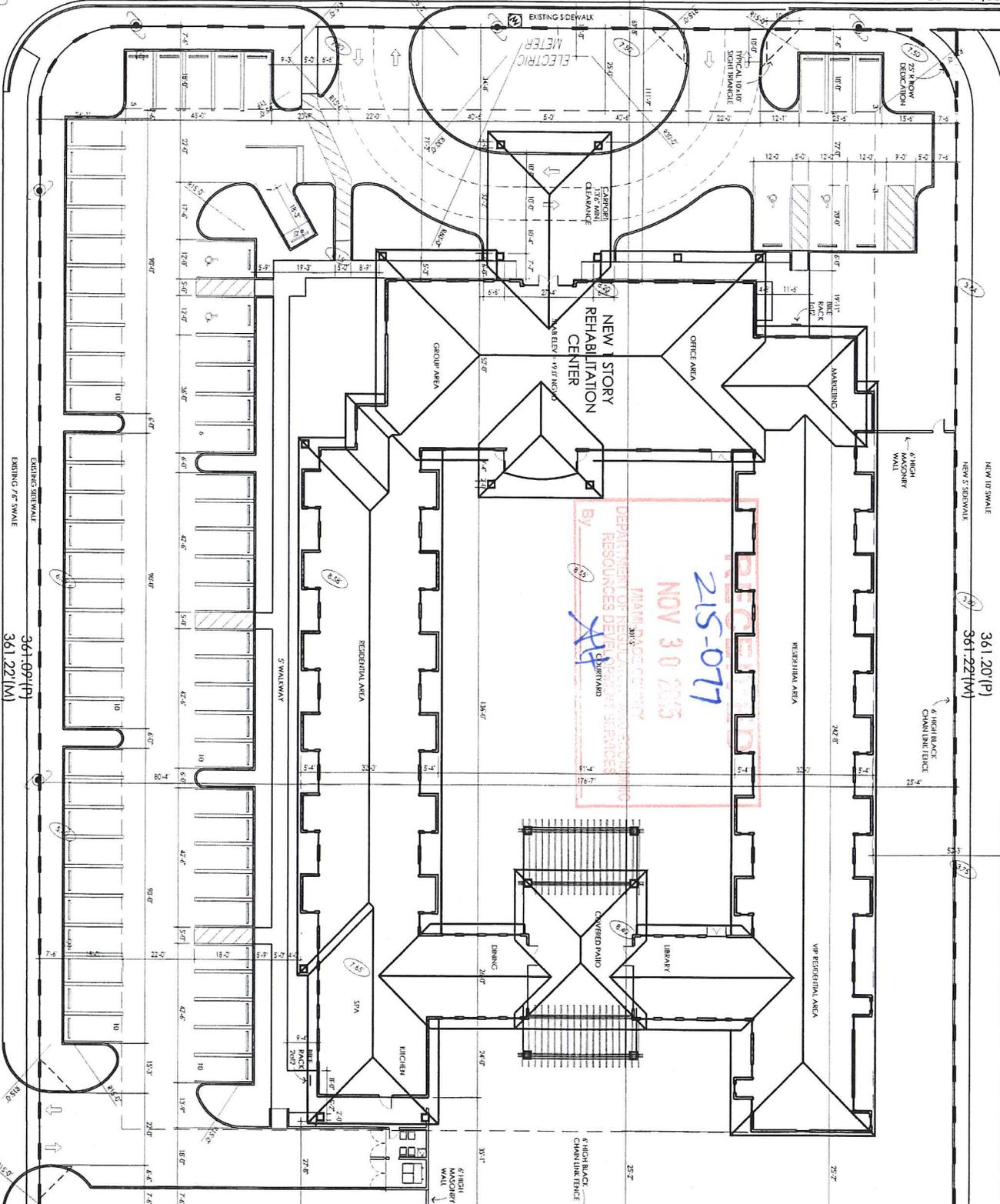
NW 2nd AVE

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

282.08'(P)
282.41'(M)

2" CONC. CURB

27'-0" ASPHALT
6'-0" SW



215-077
NOV 30 2015
MAM, DACC
DEPARTMENT OF RESOURCES DEVELOPMENT SERVICES
By: [Signature]

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

361.20'(P)
361.22'(M)

282.02'(P)
282.10'(M)

27

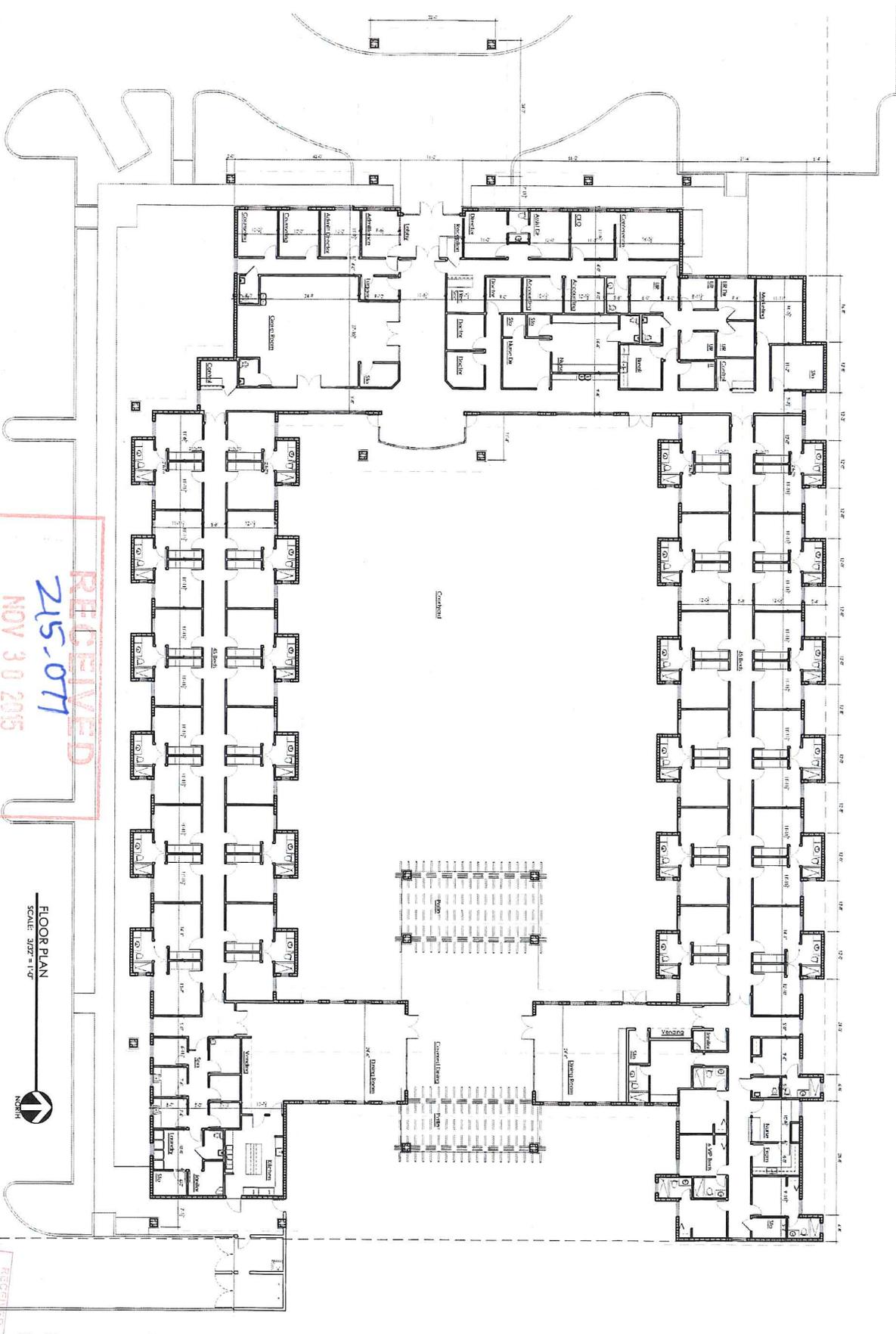
NW 160TH STREET
50' TOTAL RIGHT-OF-WAY
28' ASPHALT ROAD

EXISTING SIDEWALK
EXISTING 7'-6" SWALE
361.09'(P)
361.22'(M)

EXISTING 28' PAVED BI

"enlarge site plan"

13-4	13-4
7-4	7-4
7-4	7-4



RECEIVED

215-077

NOV 30 2015

XAF

MIAMI-DADE COUNTY ECONOMIC
 DEVELOPMENT DEPARTMENT OF
 REGULATION AND RESOURCES
 DEVELOPMENT DIVISION

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

NORTH

RECEIVED

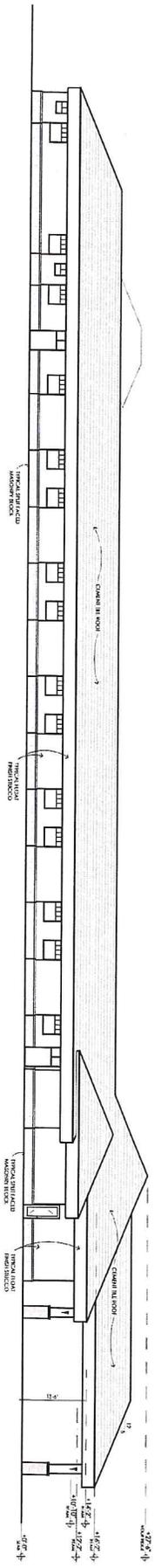
215-077

NOV 30 2015

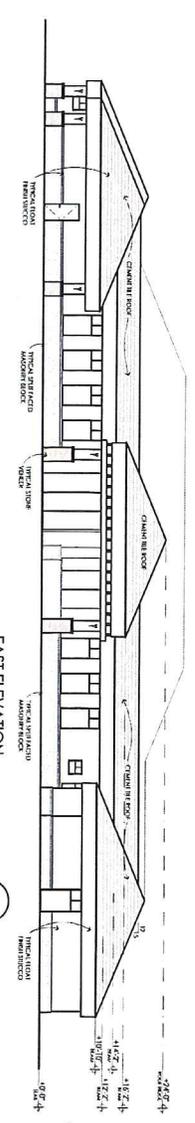
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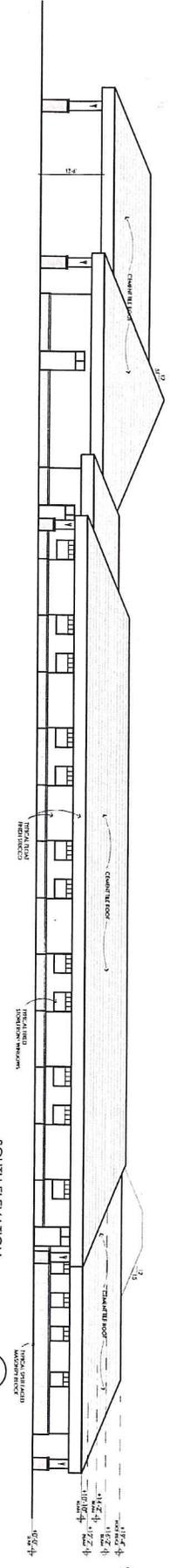
<p style="font-size: 0.8em;">DATE 11/22/15</p> <p style="font-size: 0.8em;">JOB NUMBER 215-077</p> <p style="font-size: 0.8em;">SHEET A2.1</p>	<p style="font-size: 0.8em;">Ochs Rehabilitation Center</p> <p style="font-size: 0.8em;">14001 NE 29th Ave. North Miami Beach, FL</p>	<p style="font-size: 0.8em;">STATIONED IN REVISION</p> <p style="font-size: 0.8em;">11/22/15</p> <p style="font-size: 0.8em;">FLORIDA ARCHITECTS</p>	<p style="font-size: 0.8em;">Floor Plan</p>		<p style="font-size: 0.8em;">ALL DRAWINGS AND SPECIFICATIONS HEREON ARE THE PROPERTY OF SH BRANDT ASSOCIATES. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED THEREON. NO PARTS OF THIS DRAWING ARE TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SH BRANDT ASSOCIATES, INC.</p>	<p style="font-size: 0.8em;">ARCHITECTURE INTERIOR DESIGN</p>	<p style="font-size: 0.8em;">SH BRANDT ASSOCIATES AA 0002411</p> <p style="font-size: 0.8em;">5014 N FEDERAL HIGHWAY LITTLETON, NORTH FLORIDA 32043</p> <p style="font-size: 0.8em;">Phone: (904) 584-2111 Fax: (904) 584-2111 Website: shbrandt.com Email: info@shbrandt.com</p>	<p style="font-size: 0.8em;">REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50px; height: 20px;"> </td> <td style="width: 50px; height: 20px;"> </td> </tr> <tr> <td style="width: 50px; height: 20px;"> </td> <td style="width: 50px; height: 20px;"> </td> </tr> <tr> <td style="width: 50px; height: 20px;"> </td> <td style="width: 50px; height: 20px;"> </td> </tr> </table>						



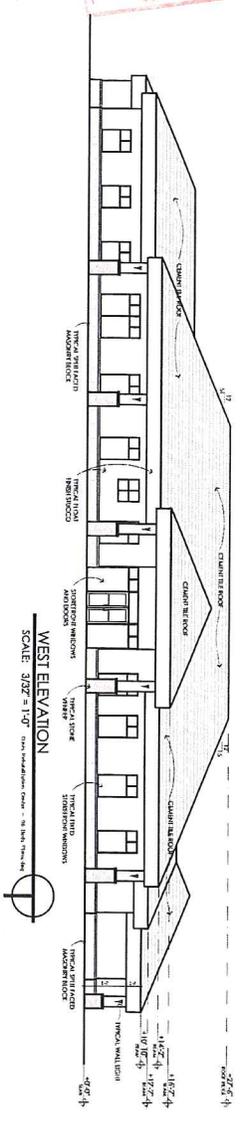
NORTH ELEVATION
SCALE: 3/32" = 1'-0" (omit horizontal lines - 3/16" thick)



EAST ELEVATION
SCALE: 3/32" = 1'-0" (omit horizontal lines - 3/16" thick)



SOUTH ELEVATION
SCALE: 3/32" = 1'-0" (omit horizontal lines - 3/16" thick)



WEST ELEVATION
SCALE: 3/32" = 1'-0" (omit horizontal lines - 3/16" thick)

RECEIVED
 215-077
 NOV 3 0 2015
 MANASSAS COUNTY ECONOMIC
 DEVELOPMENT
 DEPARTMENT OF REVENUE AND SERVICES
 RESOURCES DE
 BY *AL*

RECEIVED
 215-077
 NOV 3 0 2015
 MANASSAS COUNTY ECONOMIC
 DEVELOPMENT
 DEPARTMENT OF REVENUE AND SERVICES
 RESOURCES DE
 BY *AL*

REGIONS

**S H BRANDT
1 ASSOCIATES**
ARCHITECTS
A 0303414
3435 H FEDERAL HIGHWAY
LANTANA, FLORIDA 33462
Phone: (888) 584-2111
Fax: (888) 584-2111
Website: shbrandt.com
Email: info@shbrandt.com

**ARCHITECTURE
INTERIOR DESIGN**

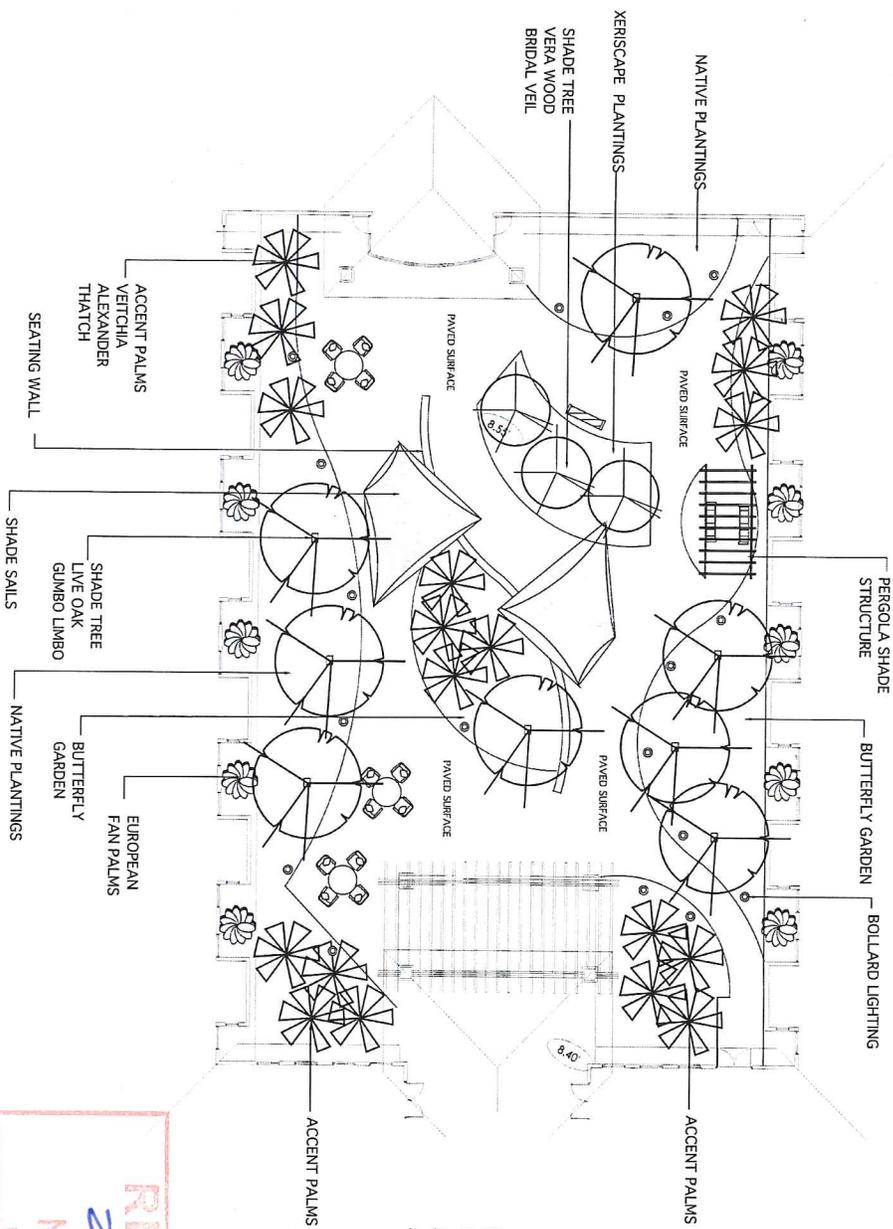
ALL PROJECTS ARE THE PROPERTY OF S H BRANDT 1 ASSOCIATES ARCHITECTS AND INTERIOR DESIGNERS. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF S H BRANDT 1 ASSOCIATES ARCHITECTS AND INTERIOR DESIGNERS.

STATEMENT BY ARCHITECT
I, **S H BRANDT 1 ASSOCIATES**, ARCHITECTS, A PROFESSIONAL SERVICE CORPORATION, FLORIDA A/E/C 0303414, REGISTERED ARCHITECTS, 3435 H FEDERAL HIGHWAY, LANTANA, FLORIDA 33462.

Elevations

**Oasis
Rehabilitation
Center**
1400 N.E. 2nd Ave.
North Palm Beach, FL
DATE: 1/24/15
JOB NO: 215-077
2/15/2015

A3.1



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

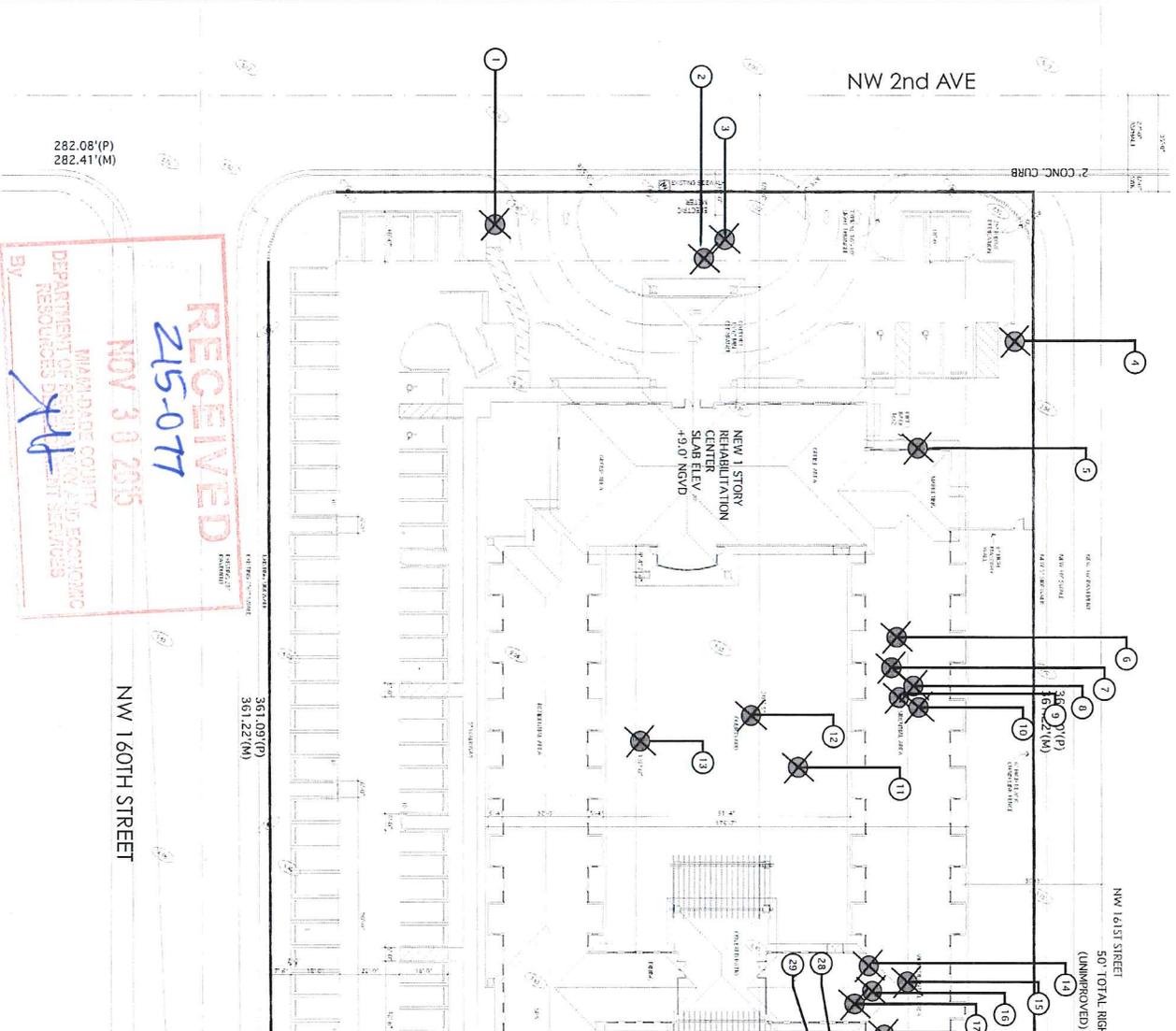
COURTYARD DESIGN SHALL BE
 CONSIDERED SCHEMATIC. FINAL DESIGN
 AND DETAILS SHALL BE SUBMITTED
 AFTER INITIAL CITY REVIEW

RECEIVED
 215-077
 NOV 30 2015
 MAHARAJA COUNTY
 DEPARTMENT OF REVENUE AND ECONOMIC
 RESOURCES AND PLANNING SERVICES
 BY: AH

215-077
 AH

<p>PROJECT: Oasis Rehabilitation Center 16001 Nw 2nd Ave North Miami Beach, FL</p>	<p>SCALE: 1"=4'-0"</p>	<p>DATE DRAWN: 6-8-15</p>	<p>SHEET NO. L-2</p>
	<p>SEAL: [Signature]</p>		
<p>INCISIONS:</p>	<p>SHEET TITLE: SCHEMATIC COURTYARD LANDSCAPE PLAN</p>	<p>M. L. Group Inc. Landscape Architecture Reg. LA-6666695 Cert. Arborist -0817A 1016 NE 45th Street, Oakland Park, FL 33334 E: mlgroupinc@yahoo.com P: 954-763-4071 F: 954-337-0817</p>	

32



282.08'(P)
282.41'(M)

RECEIVED
 NOV 30 2015
 215-077
 MIAMI-DADE COUNTY
 DEPARTMENT OF PUBLIC WORKS AND ECONOMIC
 RESOURCES BY *[Signature]*

NW 160TH STREET

361.09'(P)
361.22'(M)

TREE NO.	COMMON NAME	SIZE (CAL. HT. X S.W.)	CONDITION	DETERMINATION
1.	UNKNOWN INVASIVE/EKOTIC	30" DBH, 40'X30'	GOOD	REMOVE
2.	LIVE OAK	12" DBH, 40'X30'	FAIR	REMOVE/ANTICIPATE 900 SF
3.	UNKNOWN INVASIVE/EKOTIC	42" DBH, 40'X40'	GOOD	REMOVE
4.	ROYAL PALM	12" DBH, 60' O.A.	GOOD	REMOVE/ANTICIPATE
5.	UNKNOWN INVASIVE/EKOTIC	24" DBH, 40'X30'	GOOD	REMOVE
6.	UNKNOWN INVASIVE/EKOTIC	24" DBH, 40'X30'	GOOD	REMOVE
7.	UNKNOWN INVASIVE/EKOTIC	12" DBH, 40'X30'	GOOD	REMOVE
8-10.	UNKNOWN INVASIVE/EKOTIC	42" DBH, 18'X9'	GOOD	REMOVE
11.	UNKNOWN INVASIVE/EKOTIC	42" DBH, 40'X30'	GOOD	REMOVE
12.	UNKNOWN INVASIVE/EKOTIC	18" DBH, 40'X20'	GOOD	REMOVE
13.	UNKNOWN INVASIVE/EKOTIC	36" DBH, 40'X40'	GOOD	REMOVE
14.	UNKNOWN INVASIVE/EKOTIC	36" DBH, 40'X40'	GOOD	REMOVE
15.	UNKNOWN INVASIVE/EKOTIC	57" DBH, 30'X12'	FAIR	REMOVE/ANTICIPATE
16.	UNKNOWN INVASIVE/EKOTIC	25" DBH, 40'X30'	FAIR	REMOVE
17.	UNKNOWN INVASIVE/EKOTIC	12" DBH, 30'X15'	FAIR	REMOVE
18.	UNKNOWN INVASIVE/EKOTIC	8" DBH, 30'X12'	FAIR	REMOVE
19.	UNKNOWN INVASIVE/EKOTIC	8" DBH, 30'X12'	FAIR	REMOVE
20-21.	UNKNOWN INVASIVE/EKOTIC	4" DBH, 30'X12'	FAIR	REMOVE
22-24.	UNKNOWN INVASIVE/EKOTIC	8" DBH, 30'X12'	FAIR	REMOVE
25.	UNKNOWN INVASIVE/EKOTIC	10" DBH, 30'X12'	FAIR	REMOVE
26.	UNKNOWN INVASIVE/EKOTIC	7" DBH, 30'X12'	FAIR	REMOVE
27.	UNKNOWN INVASIVE/EKOTIC	7" DBH, 30'X12'	FAIR	REMOVE
28-29.	UNKNOWN INVASIVE/EKOTIC	6" DBH, 30'X12'	FAIR	REMOVE

ANTICIPATION TREES:
 (1) LIVE OAK 900 SF / 2000 SF - 3 TREES (SEE SHEET L-1)
 (1) RECLAIMED 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 (DEMR)

KEY

- EXISTING PALM TO REMAIN
- EXISTING TREE TO REMOVE

L-3

DATE DRAWN: 6-8-15

SHEET NO.

PROJECT:

Oasis Rehabilitation Center

16001 NW 2nd Ave
North Miami Beach, FL

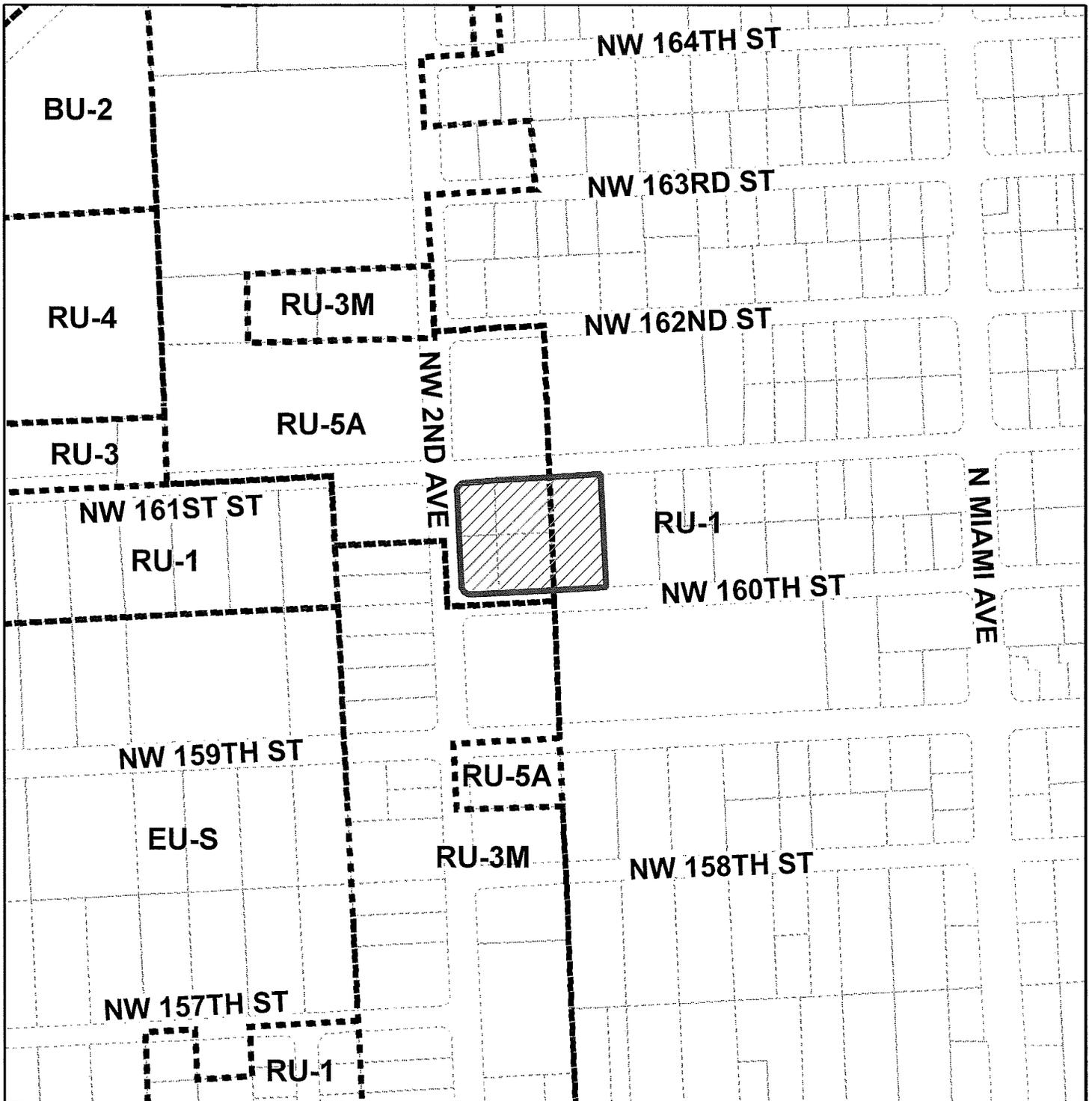
SHEET TITLE:

EXISTING TREE DISPOSITION 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
 P: 354-763-4071
 F: 954-337-0817

33



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
		34



MIAMI-DADE COUNTY
AERIAL YEAR 2014

Process Number
Z2015000077

Legend
 Subject Property

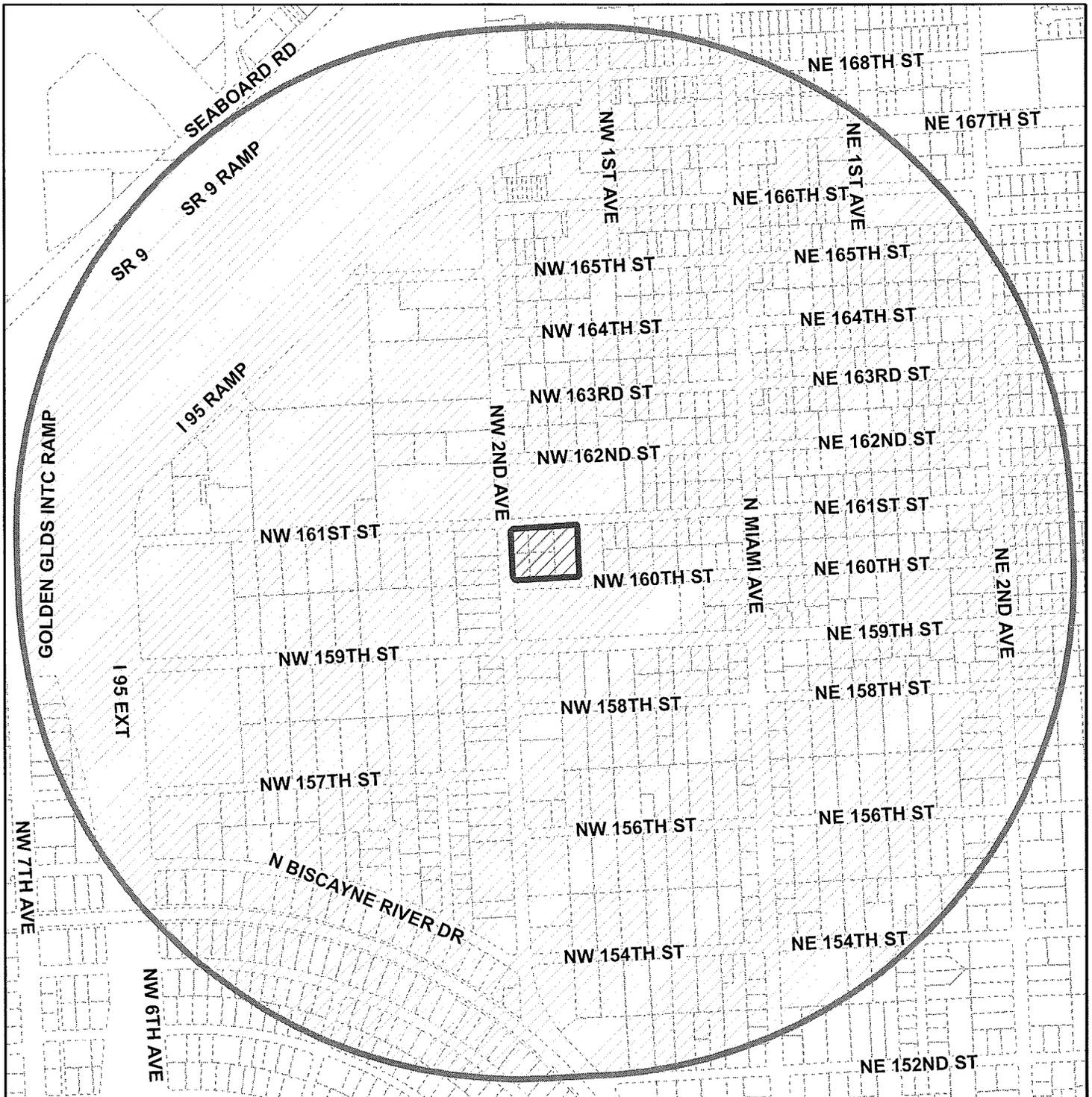


Section: 13 Township: 52 Range: 41
 Applicant: CARE OASIS, LLC.
 Zoning Board: C0 8
 Commission District: 2
 Drafter ID: E.CESPEDES
 Scale: NTS



SKETCH CREATED ON: Monday, August 3, 2015

REVISION	DATE	BY
		35



**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

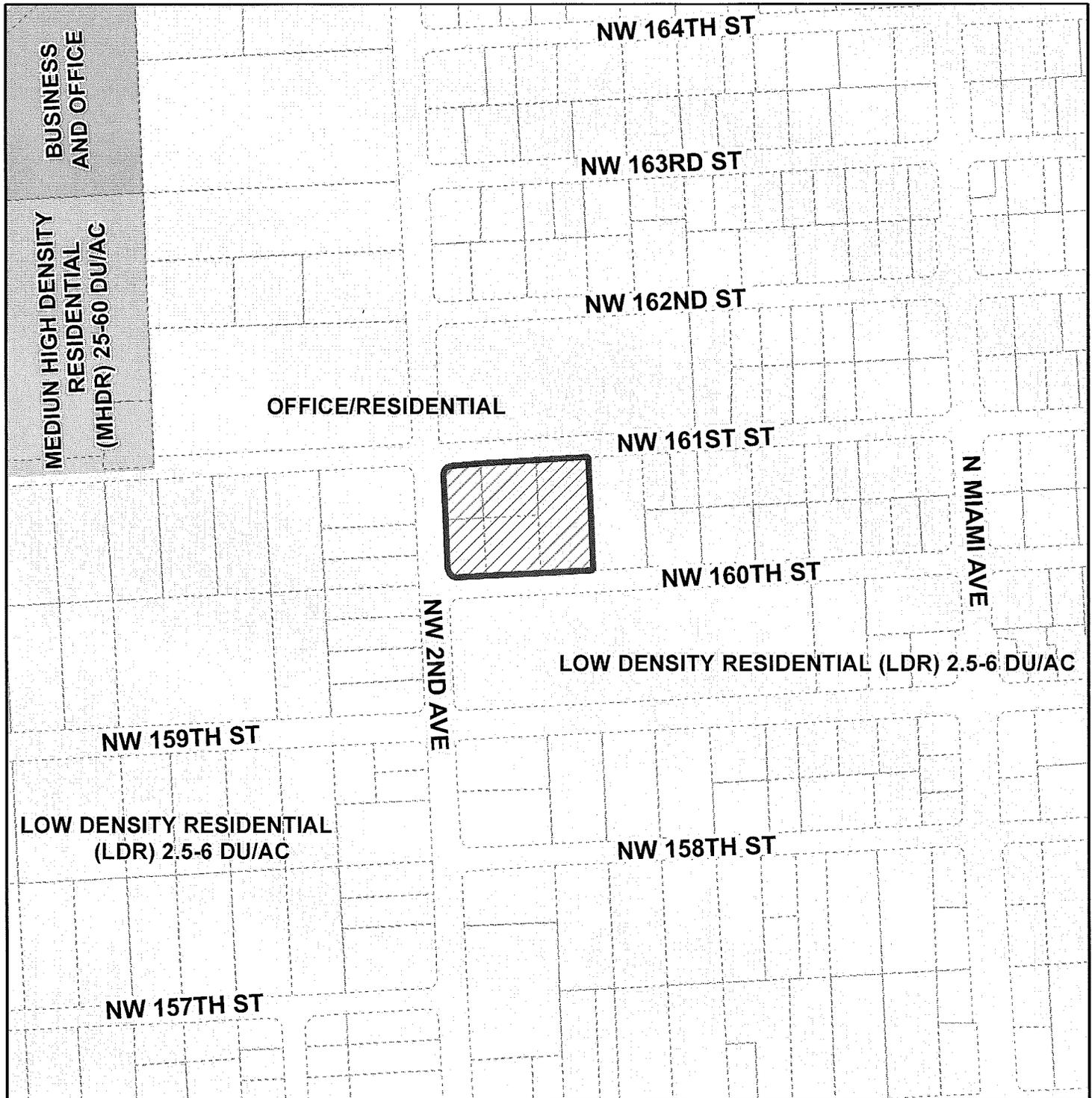
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, August 3, 2015

REVISION	DATE	BY
		36



MIAMI-DADE COUNTY
CDMP MAP

Process Number

Z2015000077

Legend

 Subject Property Case



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



SKETCH CREATED ON: Monday, August 3, 2015

REVISION	DATE	BY

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

PH: Z15-110 (16-3-CZ8-1)

March 31, 2016

Item No. 1

Recommendation Summary	
Commission District	3
Applicant	Lemano Investments, LLC
Summary of Requests	The applicant is seeking to permit an RU-1, Single Family Residential District zoned parcel with less lot area and frontage than permitted.
Location	Lying south of NW 66 Street, approximately 320' east of NW 18 Avenue, A/K/A 1740 NW 66 Street, Miami-Dade County, Florida.
Property Size	40' x 90'
Existing Zoning	RU-2, Two-Family Residential District
Existing Land Use	Vacant
2020-2030 CDMP Land Use Designation	Low-Density Residential, 2.5 to 6 dua <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance Standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions.

REQUEST:

NON-USE VARIANCE to permit a parcel of land with a lot frontage of 40' (75' required) and a lot area of 3,600 sq. ft. (7,500 sq. ft. required).

Plans are on file and may be examined in the Department of Regulatory and Economic resources entitled "Single Family Residence for: Lemano Investments, LLC", as prepared by Jose L. Diaz, Sheet A-2 dated stamped received 10/6/15, and sheet A-1 dated stamped received 11/10-15, for a total of 2 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The applicant seeks to permit the proposed 1,123 sq. ft. single family residence on a substandard RU-2, Two-Family Residential District lot with less lot area and frontage than allowed.

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

NEIGHBORHOOD COMPATIBILITY:

The subject property is an interior lot located Lying south of NW 66 Street, approximately 320' east of NW 18 Avenue, A/K/A 1740 NW 66 Street. The area surrounding the subject property is primarily characterized by single-family residences and a few vacant parcels.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the applicants to develop the sub-standard RU-2 zoned parcel with a single-family residence. Staff opines that approval of the application will not have any negative visual impacts on the surrounding area that is primarily made up of single-family residences and a few vacant parcels.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as *Low-Medium Density Residential* on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. The proposed use for a single-family residence is consistent with the housing types permitted under the CDMP land use interpretative text for Low-Medium Density Residential Communities. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. *The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.* Approval of this application would result in the construction of one (01) single-family residence on the 3,600 sq. ft. (.08 acre) parcel, which meets the density threshold of the land use designation. Staff notes that because this application does not propose a use different from those allowed in this land use category and does not generate any additional units, approval of the requests is **consistent** with the density threshold allowed under the CDMP Low-Medium Density designation on the LUP map.

ZONING ANALYSIS:

The applicant seeks to develop the .08 acre (3,600 sq. ft.), RU-2 zoned parcel with a single-family residence. However, the RU-2 zoning district requires a minimum 75' of frontage and a lot area of 7,500 sq. ft. The applicant is seeking a variance of the aforementioned requirements under the Non-Use Variance From Other Than Airport Regulations Standards, Section 33-311(A)(4)(b), to permit the substandard parcel. Staff opines that approval of this request will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and for the reasons stated below would be **compatible** with same. Staff notes that two (2) other lots on the same block on which the subject parcel is located, were approved for variances of lot frontage and area as requested herein. Pursuant to Resolution #CZAB-8-23-07 and Resolution #CZAB8-25-07, respectively, the properties located at 1754 NW 66 Street and 1762 NW 66 Street, were approved for similar variances of lot frontage and lot area as are being requested herein.

Further, staff opines that the proposed development will not have a negative visual impact on the surrounding area. Although the proposed residence will be located on a substandard parcel, the submitted plans indicate that it will meet the setback requirements of the zoning district and therefore, will be adequately spaced from the abutting residences to the east, west and south.

Therefore, staff recommends approval with conditions of the application under Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations Standards.

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

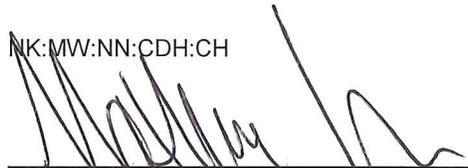
OTHER: Not applicable.

RECOMMENDATION: Approval with a condition.

CONDITION FOR APPROVAL:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Single Family Residence for: Lemano Investments, LLC", as prepared by Jose L. Diaz, Sheet A-2 dated stamped received 10/06/15, and sheet A-1 dated stamped received 11/10/15, for a total of 2 sheets.
3. That the use be established and maintained in accordance with the approved plan.

NK:MW:NN:CDH:CH



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

NK

2016 MAR - 8 A 11:5
PLANNING AND ZONING
ADMINISTRATIVE OFFICE

ZONING RECOMMENDATION ADDENDUM

Lemano Investment, LLC
Z15-110

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

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

Low-Medium Density Residential (Pg. 1-29)	<i>This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.	<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>
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2016 MAR - 8 A 11: 5
PLANNING AND ZONING
AGENDA OFFICE

1. LEMANO INVESTMENT, LLC
(Applicant)

16-3-CZ8-1(15-110)
Area 08/District 03
Hearing Date: 03/31/16

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>
--------------------	-------------------------	-----------------------	---------------------	------------------------

No History

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

Memorandum

Date: November 17, 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 #Z2015000110-1st Revision
Lemano Investment, LLC.
1740 NW 66th Street
Non-Use Variance to permit a parcel of land with less lot frontage
and area than required; and Non-Use Variance to permit greater lot
coverage than permitted.
(RU-2) (.083 Acres)
15-53-41

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 and Wastewater Disposal

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

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

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

Stormwater Management

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

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

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.

Tree Preservation

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 Comprehensive Development Master Plan.

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: October 23, 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: Z201500110
Name: Lemano Investment, LLC
Location: 2550 South Bayshore Drive
Section 15 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 objection.

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 16 Block 8, Plat Book 7, Page 79.

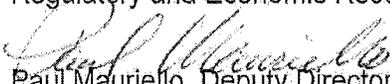
This project meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply.

Memorandum



Date: December 17, 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: Lemano Investment, LLC (#15_110)

The Department's review of the above-referenced item is provided below. 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, at 305-375-1354. **The PWWM has no objections to the proposed application.**

Application: *Lemano Investments LLC* is requesting a variance to allow a single family house with a lot area of 3,600 sq. ft. where 3,750 sq. ft. is the minimum required, lot frontage of 40 feet where 75 feet is the minimum required, and a lot coverage area of 1,141 sq. ft. (31.67%) where 1,080 sq. ft. (30%) is the maximum allowed. The property is currently vacant.

Location: 8592 SW 169 Terrace, Palmetto Bay, Florida.

Size: The subject property is .83 acres.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 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 Regulatory and Economic Resources 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

The vacant property falls within the PWWM solid waste collection service area. Approval of the variances to allow a single family home will result in development that meets the County Code definition of "residential unit," (single family, townhome, etc.). According to Chapter 15 of the Miami-Dade Code entitled Solid Waste Management, the residential units on the property will

receive PWWM waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWM solid waste collection service area.

3. Recycling

The PWWM provides curbside recycling services to **residential units** located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained on the Department's website at <http://www.miamidade.gov/publicworks/recycling.asp>.

Applicants are **strongly** advised to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store and set out their recycling carts).

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

It is required that development 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: 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: Z2015000110: LEMANO INVESTMENT, LLC

Application Name: LEMANO INVESTMENT, LLC

Project Location: The site is located at 1740 NW 66 STREET, Miami-Dade County.

Proposed Development: The request is for non-use variances of lot size and setbacks for one single family home.

Impact and demand: This application for one new single family dwelling unit which 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 149.53 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: 16-NOV-15
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2015000110

Recommendation:

No objection to the site plan with a 11/10/15 RER received date

Service Impact/Demand

Development for the above Z2015000110 located at LYING SOUTH OF NW 66 STREET, APPROXIMATELY 320' EAST OF NW 18 AVENUE, A.K.A. 1740 NW 66 STREET, MIAMI-DADE COUNTY, FLORIDA. in Police Grid 0863 is proposed as the following:

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

Based on this development information, estimated service impact is: No Impact. 0.27 alarms-annually.

Existing services

The Fire station responding to an alarm in the proposed development will be: Station # 2
 The estimated average travel time is: 5.27 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

LEMANO INVESTMENT, LLC

LYING SOUTH OF NW 66 STREET, APPROXIMATELY
320' EAST OF NW 18 AVENUE, AKA 1740 NW 66
STREET,
MIAMI-DADE COUNTY, FLORIDA

APPLICANT

ADDRESS

MARCH 31, 2016

Z20150000110

DATE

HEARING NUMBER

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

February 10, 2016

NEIGHBORHOOD REGULATIONS:

THERE ARE NO CURRENT OPEN OR CLOSED CASES

BUILDING SUPPORT REGULATIONS:

THERE ARE NO CURRENT OPEN OR CLOSED CASES

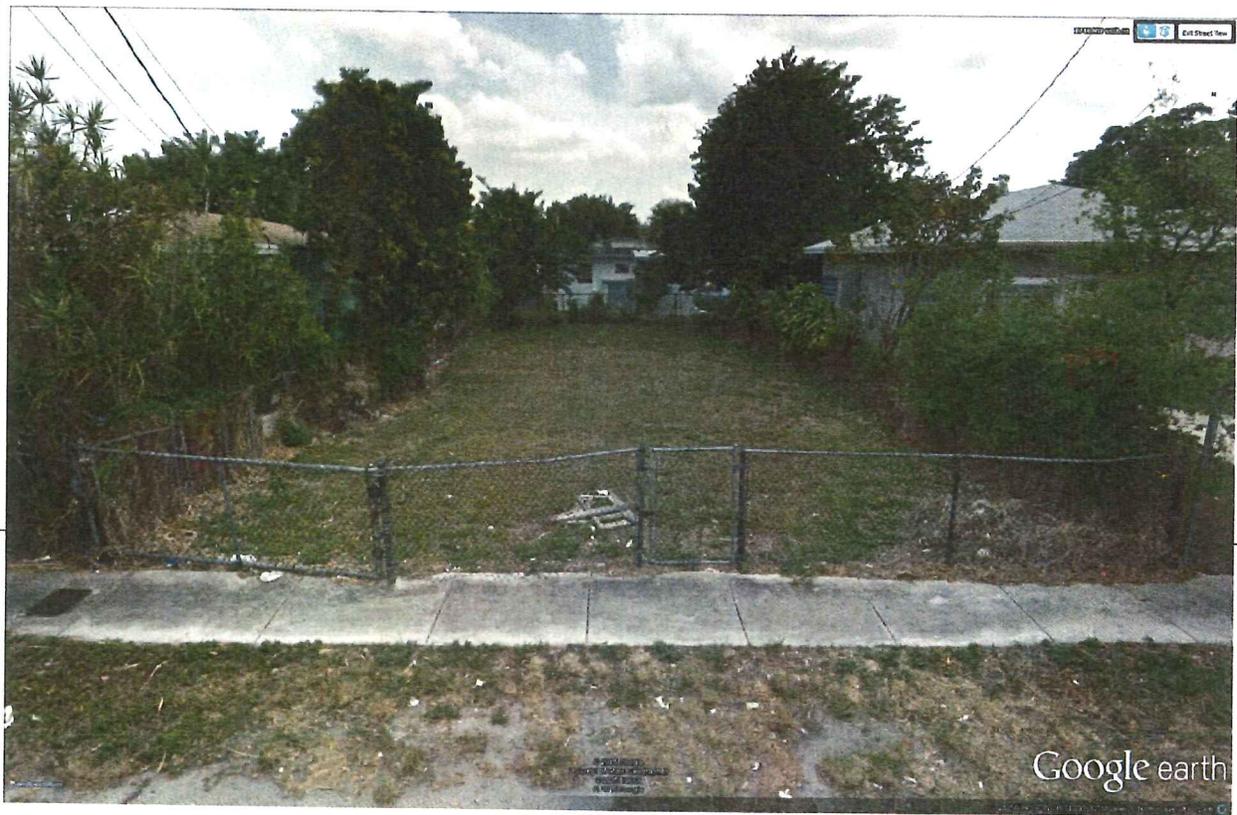
VIOLATOR:

LEMANO INVESTMENT, LLC

OUTSTANDING LIENS AND FINES:

AS OF FEBRUARY 10, 2016, THERE ARE NO OUTSTANDING LIENS, FINES, OR FEES

PHOTOGRAPHS –submit photos showing entire site and all structures
FRONT ELEVATION



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Z15-110
OCT 06 2015 SDE
MIAMI
DEPARTMENT OF REGULATORY AND
ECONOMIC RESOURCES
DEVELOPMENT SERVICES

RECEIVED

OCT 06 2015

MIAMI-DADE COUNTY
ECONOMIC DEVELOPMENT SERVICES

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: _____

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

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

TRUST/ESTATE NAME _____

<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: LEMANO INVESTMENTS LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<u>Frederic Henry 2550 S. Pineywood Dr #208 C Grove, FL 33133</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____

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

NAME OF PURCHASER: _____

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

Date of contract: _____

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

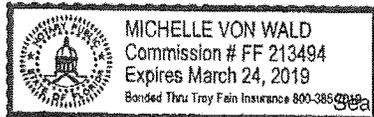
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

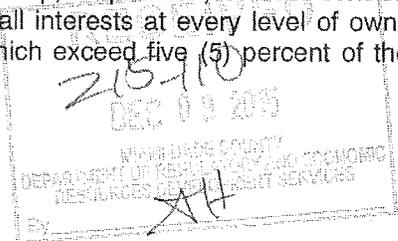
Signature: _____
(Applicant)

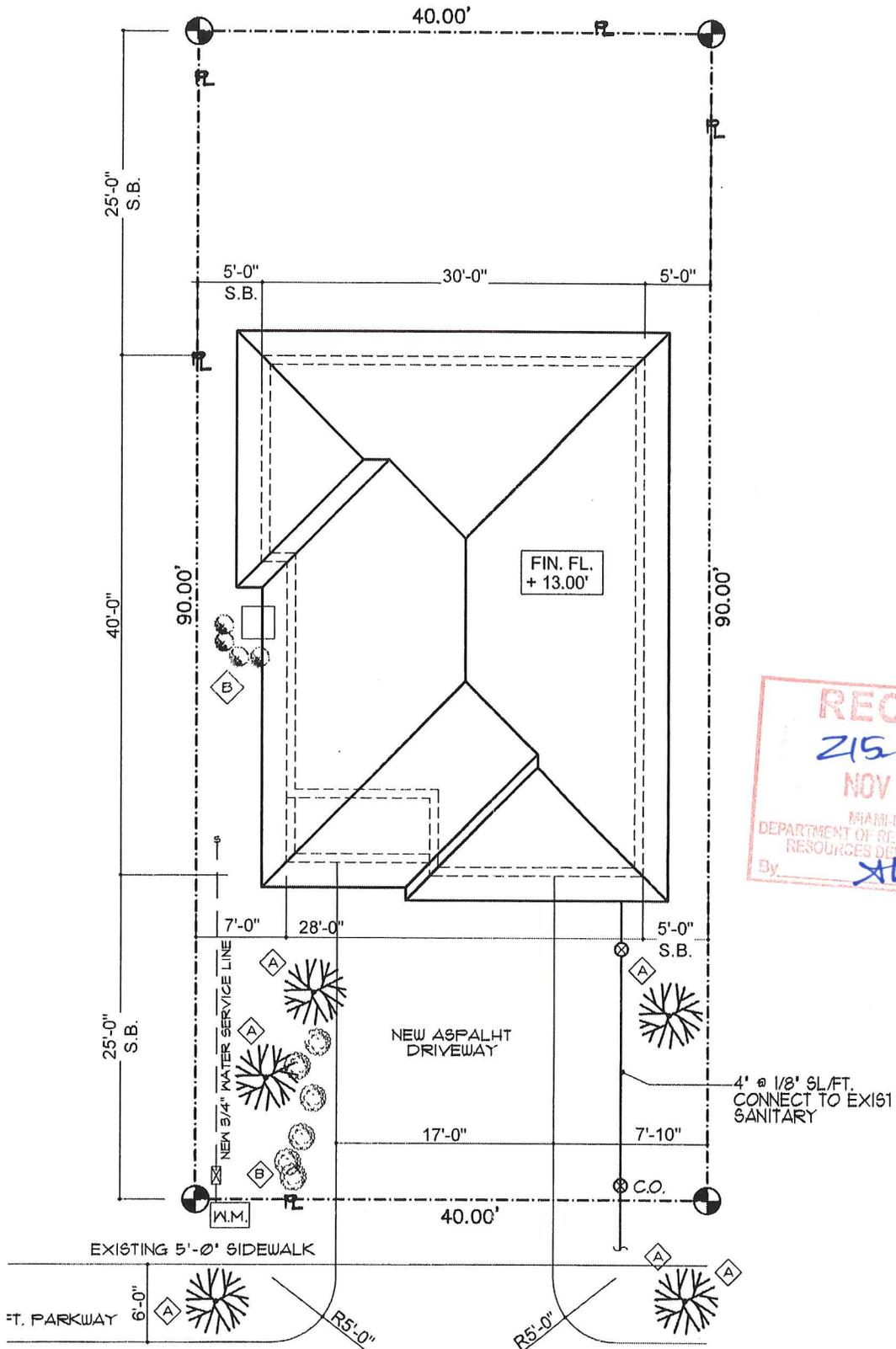
Sworn to and subscribed before me this 8th day of December 2015. Affiant is personally known to me or has produced _____ as identification.

(Notary Public)
My commission expires: 3/24/19



*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.





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 RESOURCES DEVELOPMENT SERVICES
 By: *sh*

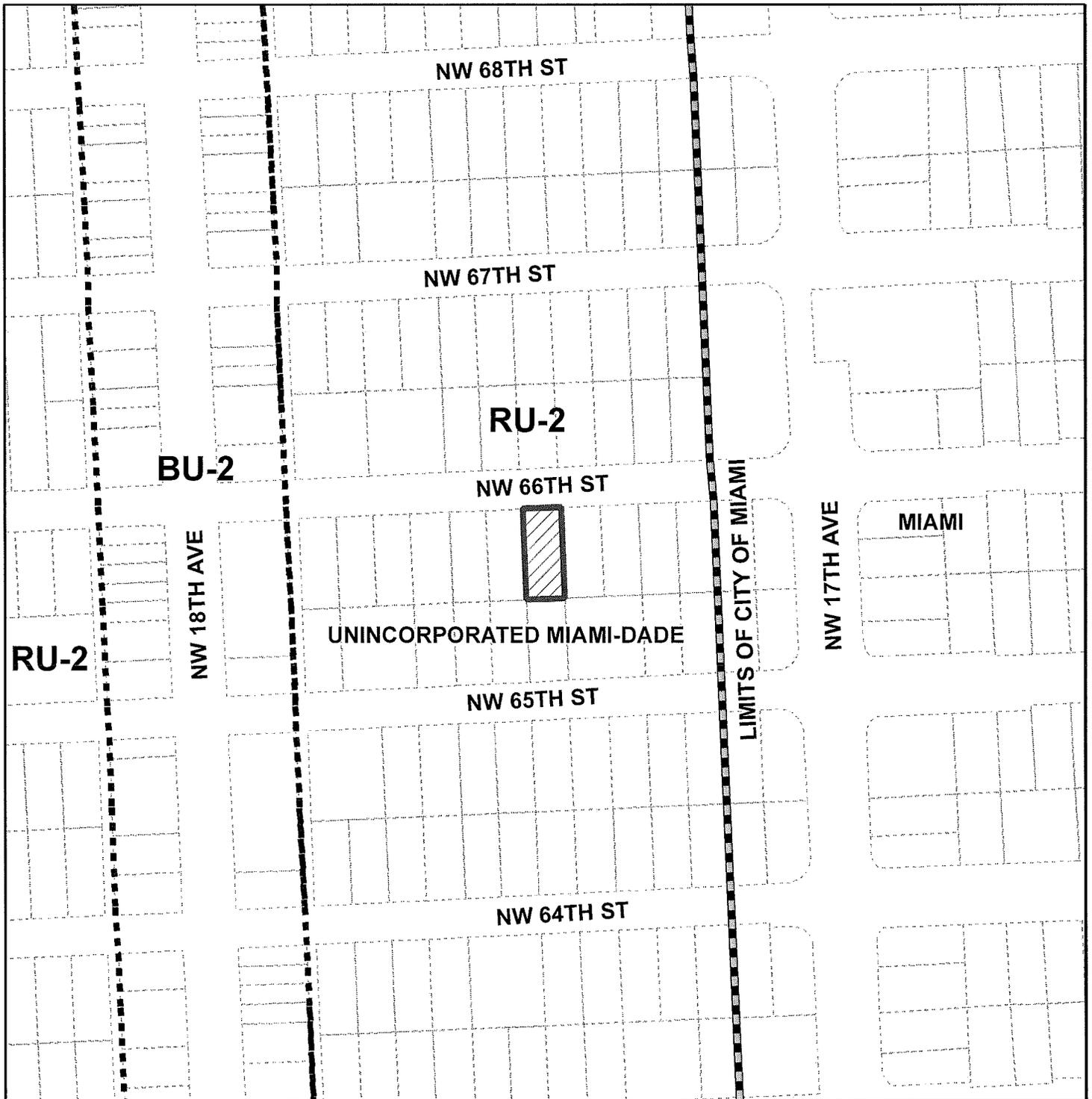
NW 66 STREET
"enlarge site plan"



SITE PLAN

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

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 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By: *sh*



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2015000110

Section: 15 Township: 53 Range: 41
 Applicant: LEMANO INVESTMENT, LLC
 Zoning Board: C8
 Commission District: 3
 Drafter ID: E.CESPEDES
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning
-  Municipalities



SKETCH CREATED ON: Wednesday, October 21, 2015

REVISION	DATE	BY
		20



MIAMI-DADE COUNTY

AERIAL YEAR 2015

Process Number

Z2015000110

Legend



Subject Property

Municipalities

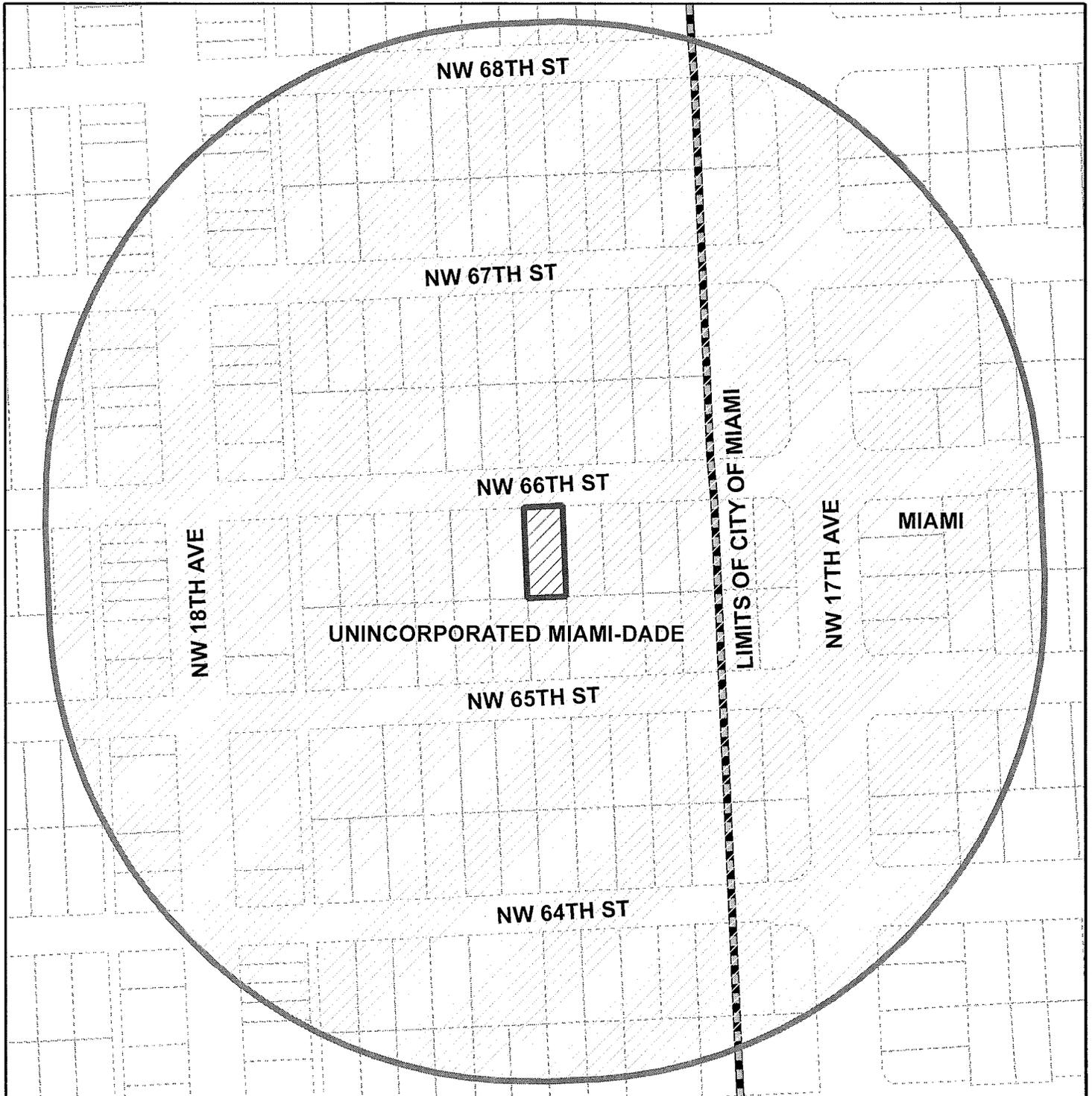


Section: 15 Township: 53 Range: 41
 Applicant: LEMANO INVESTMENT, LLC
 Zoning Board: C8
 Commission District: 3
 Drafter ID: E.CESPEDES
 Scale: NTS



SKETCH CREATED ON: Wednesday, October 21, 2015

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY
RADIUS MAP

Section: 15 Township: 53 Range: 41
 Applicant: LEMANO INVESTMENT, LLC
 Zoning Board: C8
 Commission District: 3
 Drafter ID: E. CESPEDES
 Scale: NTS

Process Number
Z2015000110
 RADIUS: 500

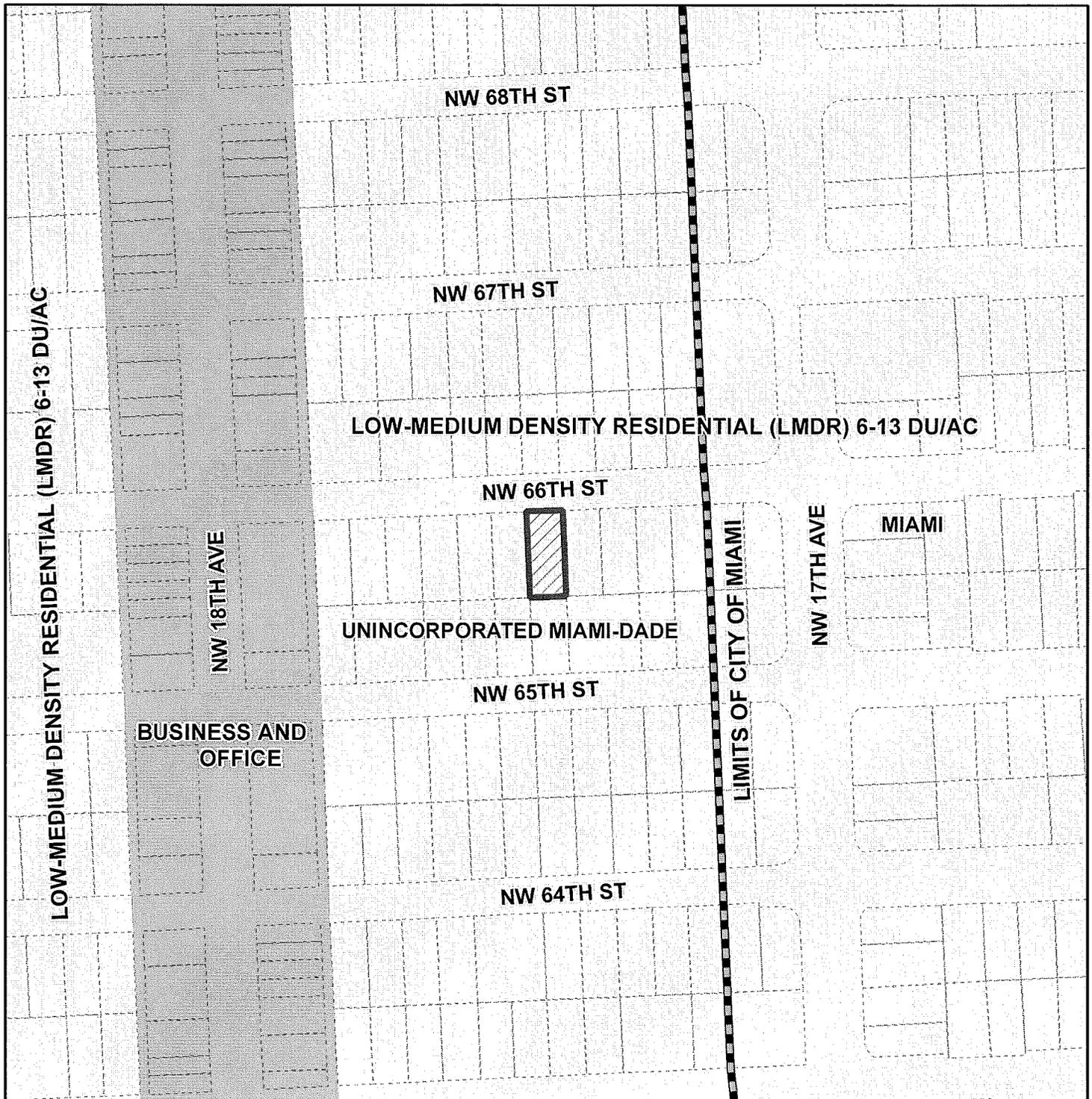
Legend

-  Subject Property
-  Buffer
-  Municipalities
-  Property Boundaries



SKETCH CREATED ON: Wednesday, October 21, 2015

REVISION	DATE	BY
		22



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2015000110

Section: 15 Township: 53 Range: 41
 Applicant: LEMANO INVESTMENT, LLC
 Zoning Board: C8
 Commission District: 3
 Drafter ID: E.CESPEDES
 Scale: NTS

Legend

-  Subject Property Case
-  Municipalities



SKETCH CREATED ON: Wednesday, October 21, 2015

REVISION	DATE	BY