

# FINAL AGENDA

8-22-2016 Version # 2



COMMUNITY ZONING APPEALS BOARD 8  
HENRY REEVES ELEMENTARY SCHOOL  
2005 NW 111 Street, Miami  
Thursday, September 29, 2016 at 7:00 p.m.

## PREVIOUSLY DEFERRED

A. 16-7-CZ8-2     [JOSEPH ALCE](#)     15-126     01-53-41

## CURRENT

1. 16-9-CZ8-1     [LEGACY RENTALS, LLC](#)     16-67     15-53-41     N
2. 16-9-CZ8-2     [LEGACY RENTALS, LLC](#)     16-68     21-53-41     N



# Official Zoning Agenda

## COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 8

MEETING OF THURSDAY, SEPTEMBER 29, 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**

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**A. JOSEPH ALCE 16-7-CZ8-2 (15-126)**

**01-53-41  
Area 08/District 03**

NON-USE VARIANCE to permit a parcel of land with a lot area of 4,865 sq. ft. (7,500 sq. ft. required) and a lot frontage of 50' (75' required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Mr. Alce Joseph's Single Family Residence" as prepared by Arcon Engineering Group, Inc., Sheet A-1 dated stamped received 4/25/16 and sheets A-2 and A-3 dated stamped received 12/7/15 for a total of 3 sheets. Plans may be modified at public hearing.

LOCATION: Lying North of NW 95 Street, approximately 125' West of NW 3 Avenue A/K/A 311 NW 95 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 4,856 sq. ft.

Department of Regulatory and  
Economic Resources  
Recommendation:

**Approval with conditions.**

Protests: 0

Waivers: 0

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

*Deferred from July 28, 2016*

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**1. LEGACY RENTALS, LLC 16-9-CZ8-1 (16-067)**

**15- 53-41  
Area 08/District 02**

(1) NON-USE VARIANCE to permit a parcel of land with a lot area of 3,630 sq. ft. (7,500 sq. ft. required) and a lot frontage of 40' (75' required).

(2) NON-USE VARIANCE to permit a single family residence setback 22.25' (25' required) from the rear (north) property line.

(3) NON-USE VARIANCE to permit a lot coverage of 35.95% (35% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed Residence at 1839 NW 69<sup>th</sup> Terrace" as prepared by Lorenzo Soto P.E. Consulting Engineer, dated stamped received 6/6/16 and consisting of 3 sheets. Plans may be modified at public hearing.

LOCATION: Lying North of NW 69 Terrace & approximately 190' West of NW 18 Avenue A/K/A 1839 NW 69 TERRACE, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 3,630 sq. ft.

Department of Regulatory and  
Economic Resources  
Recommendation:

**Approval with conditions.**

Protests: 0

Waivers: 0

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED \_\_\_\_\_

**2. LEGACY RENTALS, LLC 16-9-CZ8-2 (16-068)**

**21- 53-41  
Area 08/District 03**

- (1) NON-USE VARIANCE to permit a parcel of land with a lot area of 3,436 sq. ft. (7,500 sq. ft. required) with a lot frontage of 39.34' (75' required).
- (2) NON-USE VARIANCE to permit a proposed single family residence to setback 12.5' (25' required) from the rear (north) property line and to setback 7.5' (15' required) from the side street (west) property line.
- (3) NON-USE VARIANCE to permit a lot coverage of 39.5% (35% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Legacy Rentals, LLC" as prepared by Lorenzo Soto, P.E. Consulting Engineer, dated stamped received 6/6/16 and consisting of 3 sheets. Plans may be modified at public hearing.

LOCATION: The NE corner of NW 31<sup>st</sup> Avenue & NW 44 Street, A/K/A 3099 NW 44 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 3,434 sq. ft.

Department of Regulatory and  
Economic Resources  
Recommendation:

**Approval with conditions.**

Protests: 0

Waivers: 0

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE: \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

**NOTICE**

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



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

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

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

**PH: Z15-126 (16-7-CZ8-2)**

**September 29, 2016**

Item No. A

<b>Recommendation Summary</b>	
<b>Commission District</b>	3
<b>Applicant</b>	Joseph Alce
<b>Summary of Requests</b>	The applicant is seeking to permit a parcel of land with less lot area and frontage than required.
<b>Location</b>	Lying north of NW 95 Street, approximately 125' west of NW 3 Avenue, AKA 311 NW 95 Street, Miami-Dade County, Florida
<b>Property Size</b>	4856 sq. ft.
<b>Existing Zoning</b>	RU-2, Two-Family Residential District, 7,500 sq. ft. net
<b>Existing Land Use</b>	Vacant lot
<b>2020-2030 CDMP Land Use Designation</b>	Low-Density Residential, 2.5 to 6 dua <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance standards <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval with conditions.</b>

This item was deferred from the July 28, 2016 Community Zoning Appeals Board (CZAB) #8 hearing in order for the applicant to address the Building Neighborhood Compliance section's memo regarding the lien on the subject property.

**REQUEST:**

NON-USE VARIANCE to permit a parcel of land with a lot area of 4,856 sq. ft. (7,500 sq. ft. required) and a lot frontage of 50' (75' required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Mr. Alce Joseph, Single-Family Residence" as prepared by Arcon Engineering Group, Inc., sheet A-1, dated stamped received 4/25/16 and sheets A-2 and A-3 dated stamp received 12/7/15, and consisting of 3 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:**

The applicant seeks to permit a parcel of land with 4,856 sq. ft. and a lot frontage of 50'. The site plan shows a proposed 1,500 sq. ft. residence on the subject parcel that meets all the setback requirements.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	RU-2; vacant lot	Low-Density Residential (2.5 to 6 dua)
<b>North</b>	RU-3B; single-family residence	Low-Density Residential (2.5 to 6 dua)
<b>South</b>	RU-3B; duplex residence	Low-Density Residential (2.5 to 6 dua)

<b>East</b>	RU-3B; triplex	Low-Density Residential (2.5 to 6 dua)
<b>West</b>	RU-3B; triplex	Low-Density Residential (2.5 to 6 dua)

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a vacant 4,869 sq. ft., RU-2, Two-Family Residential District lot, located lying north of NW 95 Street, approximately 125' west of NW 3 Avenue, AKA 311 NW 95 Street. The area surrounding the subject property is primarily characterized by duplex, single-family and triplex residences.

**SUMMARY OF THE IMPACTS:**

Approval of the request would allow the applicant to develop the vacant parcel with a proposed single-family residence. Since there are parcels in the area with similar lot area and frontage, staff opines that approval of the requested lot area and lot frontage will not create a negative visual impact in the area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the site for **Low Density Residential**. The approval of this application will allow the construction of a proposed single-family residence on a substandard size lot with less lot area and lot frontage than permitted by the Zoning Code.

The proposed single-family residence furthers **Policy LU-1C** which indicates that *Miami-Dade County shall give priority to infill redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.* In addition, **Objective LU-12**, indicates that the County *shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in a built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.*

Based on the aforementioned, staff opines that the proposed single-family residence would be **consistent** with the CDMP Low Density designation of the LUP map and the CDMP's Land Use Element, the interpretative text, **Policy LU-1C** and **Objective LU-12**.

**ZONING ANALYSIS:**

When the request to permit a parcel of land with a lot area of 4,865 sq. ft. (7,500 sq. ft. required) and a lot frontage of 50' (75' required) is analyzed under Section 33-311(A)(4)(b), Non-Use Variance standards, staff opines that the request would be compatible with the area, would not be detrimental to the neighborhood and would not affect the appearance of the community.

Staff notes that there are similar lot frontage and lot area approvals in the area. For example, a property located at 375 NW 91 Street was approved pursuant to Resolution 4-ZAB-407-81 to permit a frontage of 48.25' (75' required). Additionally, staff notes from the site plan that the proposed residence meets all of the setbacks requirements for the zoning district. As such, staff opines that the approval of the request would not create any negative visual impacts in the area. Therefore, staff opines that approval of the request would maintain the basic intent and purpose of the zoning regulations as it affects the stability and appearance of the community, and that approval of the application would be compatible with surrounding area. As such, staff **recommends approval with conditions of the application under Section 33-311(A)(4)(b), Non-Use Variances Standards From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

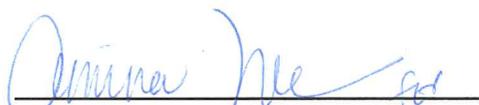
**RECOMMENDATION:**

**Approval with conditions.**

**CONDITIONS FOR APPROVAL:**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources or its successor upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Mr. Alce Joseph, Single-Family Residence" as prepared by Arcon Engineering Group, Inc., sheet A-1, dated stamped received 4/25/16 and sheets A-2 and A-3 dated stamp received 12/7/15, and consisting of 3 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant comply with all applicable conditions and requirements of the Division of Environmental Resource Management of RER in their memoranda dated May 10, 2016.

NK:MW:NN:CDH:EJ

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

*NON*

2016 SEP 20 A 9:2  
PLANNING AND ZONING  
AGENDA OFFICE

# ZONING RECOMMENDATION ADDENDUM

Joseph Alce  
15-126

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS</b>	
<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>Public Works and Waste Management</i>	<i>No objection</i>
<i>Fire Rescue</i>	<i>No objection</i>
<i>Police</i>	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

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

<b>Low-Medium Density Residential</b> <i>(Pg. I-29)</i>	<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>
<b>Land Use Policy 1C</b> <i>(Pg. I-2)</i>	<i>Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.</i>
<b>Land Use Objective 12</b> <i>(Pg. I-24)</i>	<i>Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.</i>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for <b>non-use variances</b> 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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MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 8  
MOTION SLIP  
HEARING DATE: July 28, 2016

# 2

APPLICANT'S NAME: JOSEPH ALCE

REPRESENTATIVE: SAME

HEARING NUMBER	PROCESS #	RESOLUTION NUMBER	
16-7-CZ8-2	15-126	CZAB8	16

WITHDRAW:  APPLICATION       ITEM(S): \_\_\_\_\_  
 DEFER:       INDEFINITELY       TO: 9/29/16       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: To ADDRESS EXISTING LIEN

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

VOTE: 

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EXHIBITS:  YES  NO

COUNTY ATTORNEY: \_\_\_\_\_

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**A. JOSEPH ALICE**  
**(Applicant)**

**16-7-CZ8-2(15-126)**  
**Area 08/District 03**  
**Hearing Date: 09/29/16**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
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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:** May 10, 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:** C-08 #Z2015000126-2<sup>nd</sup> Revised  
Joseph Alce  
311 NW 95 Street, Miami, FL  
Non-Use Variance of Lot Area Requirements  
(RU-2) (0.11 Acres)  
01-53-41

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 Service

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

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

#### Wastewater Disposal

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

The subject property does not meet the minimum allowable lot size requirements of Section 24-43.1(3) of the Code for a single family residence to be served by a septic tank and public water. However, since the property was created by deed prior to the effective date of the aforesaid Code Section, the use of a septic tank for a single family residence can be administratively approved by DERM. DERM does not object to the proposed use served by a septic tank and drainfield disposal system, provided that all the above criteria are met and connection is made to public water.

#### Stormwater Management

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-hour storm event. Site grading and development plans shall comply with the requirements of Chapter

11C of the Miami-Dade County Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

The proposed development order, if approved, will not result in the reduction of the Level of Service standards for flood protection set forth in the CDMP.

#### Tree Preservation

The subject properties contain tree resources. Please note that Section 24-49 of the Code of Miami-Dade County provides for the preservation and protection of tree resources. The Department has reviewed the subject application to determine whether the proposed site action is in accordance with the specimen tree protection standards contained in 24-49.2 of the Miami Dade County Code and in CON-8A of the Miami-Dade County Comprehensive Development Master Plan (CDMP). Specimen trees require preservation and are defined as trees with a Diameter at Breast Height (DBH) greater than 18 inches that require permits pursuant to the County Code. Based on the information submitted with this zoning application, specimen-sized trees (trunk diameter 18 inches or greater) will not be impacted by the proposed project. According to the landscape plan entitled "PROPOSED NEW SINGLE FAMILY FOR ALCE JOSEPH", dated 02/2/2016 and prepared by Arcon Engineering Group, Inc., all existing tree resources will remain on-site and not be impacted by the proposed project.

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 Chapter 24. 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 (diameter at breast height of 18") tree preservation requirements of Chapter 24 as well as CON 8A of the Comprehensive Development Master Plan.

Finally, in accordance with Chapter 24 of the County 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 staff at 305-372-6574 for additional information regarding permitting procedures and requirements.

#### Enforcement History

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking system and has found no open or closed enforcement records for the subject property identified on the Miami-Dade County Department of Planning and Zoning, Zoning Hearing preliminary notice.

#### 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.

C-08 #Z2015000126-Revised  
Joseph Alice  
Page 3

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:** August 11, 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:** Z201500126  
Name: Joseph Alce  
Location: 311 NW 95 St.  
Section 01 Township 43 South Range 41 East

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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 grandfathered; therefore, platting is not required.

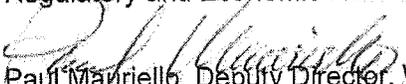
This project meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply.

# Memorandum



**Date:** January 25, 2016

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

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

**Subject:** Joseph and Marie Alce (#15\_126)

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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:** *Joseph and Marie Alce* are requesting a non-use variance of lot area requirements to permit a parcel of land with a lot area of 4,900 square feet where a minimum of 7,500 square feet are required, a lot frontage of 50 feet where a minimum of 75 feet are required, and a lot coverage of 33% where a maximum of 30% is allowed.

**Location:** 311 NW 95 Street, Miami-Dade County, Florida.

**Size:** The subject property is approximately .11 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, along Route 2108. Approval of the non-use variance and subsequent construction of a single family home will result in development that meets the Miami-Dade County Code definition of "residential unit," (single family, townhome, etc.). According to Chapter 15 of the Code entitled Solid Waste

Management, the residential unit constructed 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 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:** Jun 8, 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 – Joseph Alce - Application No. Z2015000126

The Water and Sewer Department (WASD) has reviewed the zoning application for the proposed development. Below, please find the comments for the subject application. The information provided below is preliminary and it 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: Joseph Alce

Location: The proposed project is located at 311 NW 95<sup>th</sup> Street with folio No. 30-3101-003-1380, in unincorporated Miami-Dade County.

Proposed Development: Proposed 1 Single Family Residence. According to the applicant, the single family residence will be 1,500 sq.ft.

The estimate total water demands for the proposed project will be 220 (gpd).

Water: The subject project is located within WASD's service area. The water supply will be provided by the Hialeah-Preston Treatment Plant. Currently, there is adequate treatment and water supply capacity for the proposed project consistent with Policy WS-2 A (1) of the CDMP.

There is an abutting 12-inch water main on N.W. 95<sup>th</sup> Street to where the developer may connect to provide water service for the proposed development. Final points of connections and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.

A Water Supply Certification (WSC) from WASD will be required for the proposed development. Said Certification will be issued at the time the applicant request connection to the water system. The Certification is required to assure adequate water supply is available to all water users of the WASD as required by Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the WSC Program, please go to <http://www.miamidade.gov/water/water-supply-certification.asp>

In addition, all 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-

Zoning Application # Z2015000126  
Joseph Alce  
June 8, 2016

Dade County. In addition, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

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

For information concerning the Water-Use Efficiency Standards Manual please go to [http://www.miamidade.gov/conservation/library/WUE\\_standards\\_manual\\_final.pdf](http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf)

Sewer: The existing facility will be on septic. There is no sanitary sewer system in close proximity to this project.

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



# Memorandum

**Date:** 09-MAY-16  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2015000126

**Recommendation:**

Fire Engineering & Water Supply Bureau reviewed and approved the site plan dated 04/25/16.

**Service Impact/Demand**

Development for the above Z2015000126 located at Lying north of NW 95 street, approx. 125' west of nw 3 avenue, aka 311 NW 95 ST, MIAMI-DADE COUNTY, FLORIDA.

in Police Grid 685 is proposed as the following:

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

Based on this development information, estimated service impact is: No Impact. 0.28 alarms-annually.

**Existing services**

The Fire station responding to an alarm in the proposed development will be: Station # 30  
 The estimated average travel time is: 6.0 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.

# Memorandum



**Date:** May 3, 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:** Z2015000126: JOSEPH ALCE  
Revised Plans Submitted Dated Stamped Received 4-25-2016

---

**Application Name:** JOSEPH ALCE

**Project Location:** The site is located at 311 NW 95 ST, Miami-Dade County.

**Proposed Development:** The request is for NUV OF LOT FRONTAGE AND LOT COVERGAGE for one single family dwelling unit.

**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

# ***Building and Neighborhood Compliance***

## **ENFORCEMENT HISTORY**

JOSEPH ALCE

LYING NORTH OF NW 95 STREET, APPROX. 125'  
WEST OF NW 3 AVENUE, AKA 311 NW 95 ST,  
MIAMI-DADE COUNTY, FLORIDA

---

APPLICANT

ADDRESS

JULY 28, 2016

Z2015000126

---

DATE

HEARING NUMBER

**Folio Number: 30-3101-003-1380**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

September 15, 2016

**NEIGHBORHOOD REGULATIONS OPEN:**

**Case #200306000547**, was opened on February 8, 2003, for Failure to Perform Lot Maintenance in a Residential District [Vacant Lot/Grass, Weeds, Construction Debris, and Tires]. Civil Violation Notice #888469, was issued February 10, 2003. The property was cleared by the County's Contractor. The case was forwarded to the Lien/Collections Department for the Remediation/Clearing costs and the payment of the Citation. There is an Outstanding Balance of \$30,521.31. The Recorded Lien was cancelled and returned on September 13, 2016. The Settlement Agreement and the Citation was paid. The Lien was satisfied on September 14, 2016.

**Case #200806003065**, was opened on July 11, 2008, for Failure to Perform Lot Maintenance in a Residential District [Overgrown Vacant Lot with Grass/Weeds]. Civil Violation Notice #B049620, was issued on July 14, 2008. The Lot was cleared. The case was forwarded to the Lien/Collections Department for the non-payment of the Citation. There is an Outstanding Balance of \$10,639.89. The Recorded Lien was cancelled and returned on September 13, 2016. The Settlement Agreement and the Citation was paid. The Lien was satisfied on September 14, 2016.

**NEIGHBORHOOD REGULATIONS CLOSED:**

There are no current closed cases

**BUILDING SUPPORT REGULATIONS:**

There are no current open or closed cases

**VIOLATOR:**

Joseph Alce

**OUTSTANDING LIENS AND FINES:**

As of September 15, 2016, There are no Outstanding Liens, Fines, or Fees



RECEIVED  
215-122  
DEC 07 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
ECONOMIC RESOURCES  
DEVELOPMENT SERVICES

Don E.J.



RECEIVED  
215-126  
DEC 07 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
ECONOMIC RESOURCES  
DEVELOPMENT SERVICES

Ken E.J.



RECEIVED  
215-126  
DEC 07 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
ECONOMIC RESOURCES  
DEVELOPMENT SERVICES

FOR E.J.



RECEIVED  
215-126  
DEC 07 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
ECONOMIC RESOURCES  
DEVELOPMENT SERVICES

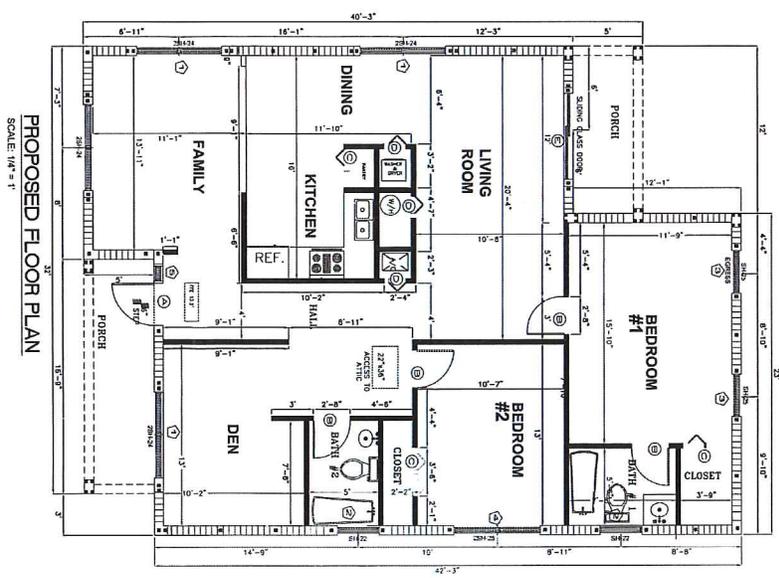
FORREST.



RECEIVED  
215-126  
DEC 07 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
ECONOMIC RESOURCES  
DEVELOPMENT SERVICES

FOREST.





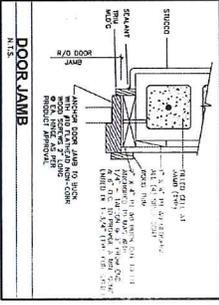
PROPOSED FLOOR PLAN  
SCALE: 1/4" = 1'-0"

**LEGEND (MATERIALS PROVISION)**

SYMBOL	DESCRIPTION
(Symbol)	NEW 6" CBS WALL
(Symbol)	NEW 4" NON-BEARING PARTITION WALL

**BATHROOM FLOOR/FENCLOSURE NOTES**

1. ALL BATHROOM FLOOR/FENCLOSURE SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).  
2. ALL BATHROOM FLOOR/FENCLOSURE SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).  
3. ALL BATHROOM FLOOR/FENCLOSURE SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).



**WINDOWS SCHEDULE**

TYPE	NO.	SIZE	FINISH	GLASS TYPE	GLASS THICKNESS	GLASS WEIGHT
1	1	36" x 48"	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
2	1	36" x 48"	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
3	1	36" x 48"	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
4	1	36" x 48"	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
5	1	36" x 48"	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
6	1	36" x 48"	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
7	1	36" x 48"	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
8	1	36" x 48"	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
9	1	36" x 48"	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
10	1	36" x 48"	ALUMINUM 2	1/2" CLEAR	3/16"	5.8

**DOORS SCHEDULE**

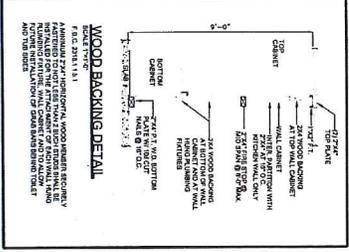
NO.	TYPE	FINISH	GLASS TYPE	GLASS THICKNESS	GLASS WEIGHT
1	1	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
2	1	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
3	1	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
4	1	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
5	1	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
6	1	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
7	1	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
8	1	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
9	1	ALUMINUM 2	1/2" CLEAR	3/16"	5.8
10	1	ALUMINUM 2	1/2" CLEAR	3/16"	5.8

**SECTION ROOM AND SHOWER SPACES**

1. ALL SHOWER SPACES SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).  
2. ALL SHOWER SPACES SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).  
3. ALL SHOWER SPACES SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).

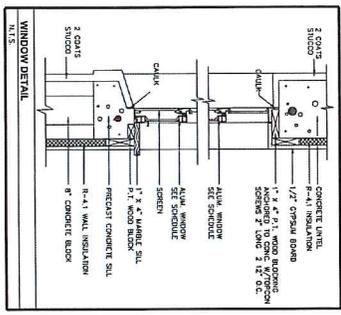
**SPANDRILLS**

1. ALL SPANDRILLS SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).  
2. ALL SPANDRILLS SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).  
3. ALL SPANDRILLS SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).



**HURRICANE SHUTTER NOTES:**

1. HURRICANE SHUTTERS SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).  
2. HURRICANE SHUTTERS SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).  
3. HURRICANE SHUTTERS SHALL BE CONFORM TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).



**ABBREVIATIONS**

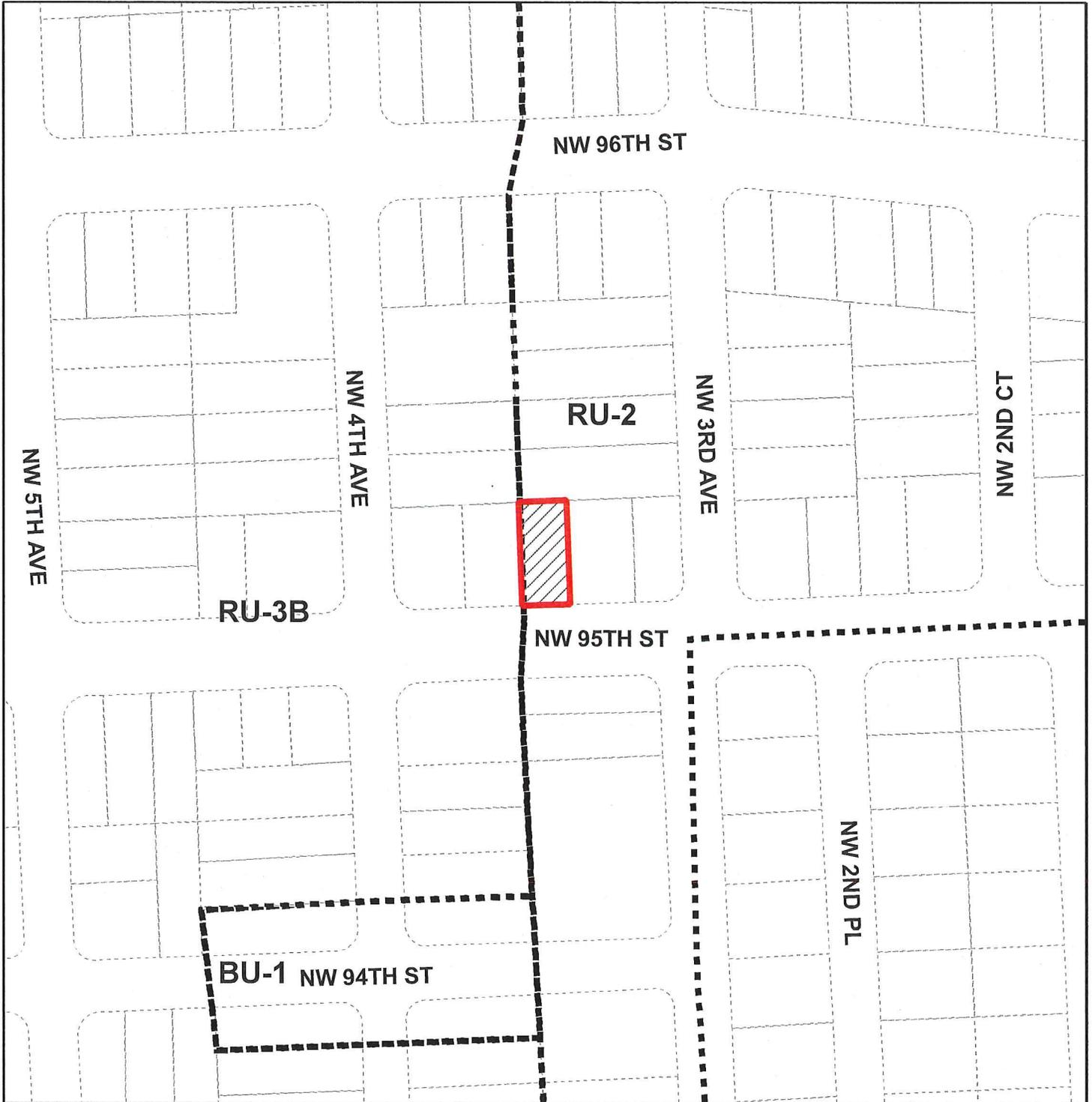
ABBREVIATION	DESCRIPTION
AC	ACRYLIC FINISH FLOOR
AD	ADHESIVE
AG	AGGREGATE
AL	ALUMINUM
AN	ANODIZED ALUMINUM
AP	APPLY
AR	ARCHITECTURAL
AS	ASBESTOS
AT	ATMOSPHERIC
AV	AUTOMATIC
AW	AIRWAY
AX	AXIS
AY	AXIS
AZ	AXIS
BA	BATH
BB	BATH
BC	BATH
BD	BATH
BE	BATH
BF	BATH
BG	BATH
BH	BATH
BI	BATH
BJ	BATH
BK	BATH
BL	BATH
BM	BATH
BN	BATH
BO	BATH
BP	BATH
BQ	BATH
BR	BATH
BS	BATH
BT	BATH
BU	BATH
BV	BATH
BW	BATH
BX	BATH
BY	BATH
BZ	BATH

**RECEIVED**  
215-124  
DEC 07 2015  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
RESOURCES DEVELOPMENT SERVICES  
BY: [Signature]

**PROPOSED NEW SINGLE FAMILY**  
**FOR Mr. ALCE JOSEPH**  
3111 N.W. 95 STREET  
NORTH MIAMI FL. 33168  
TEL: (786) 356-2255

**ENGINEER OF RECORD**  
A2  
[Signature]  
[Stamp]





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2015000126**

Section: 01 Township: 53 Range: 41  
 Applicant: JOSEPH ALCE  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: E.CESPEDES  
 Scale: NTS

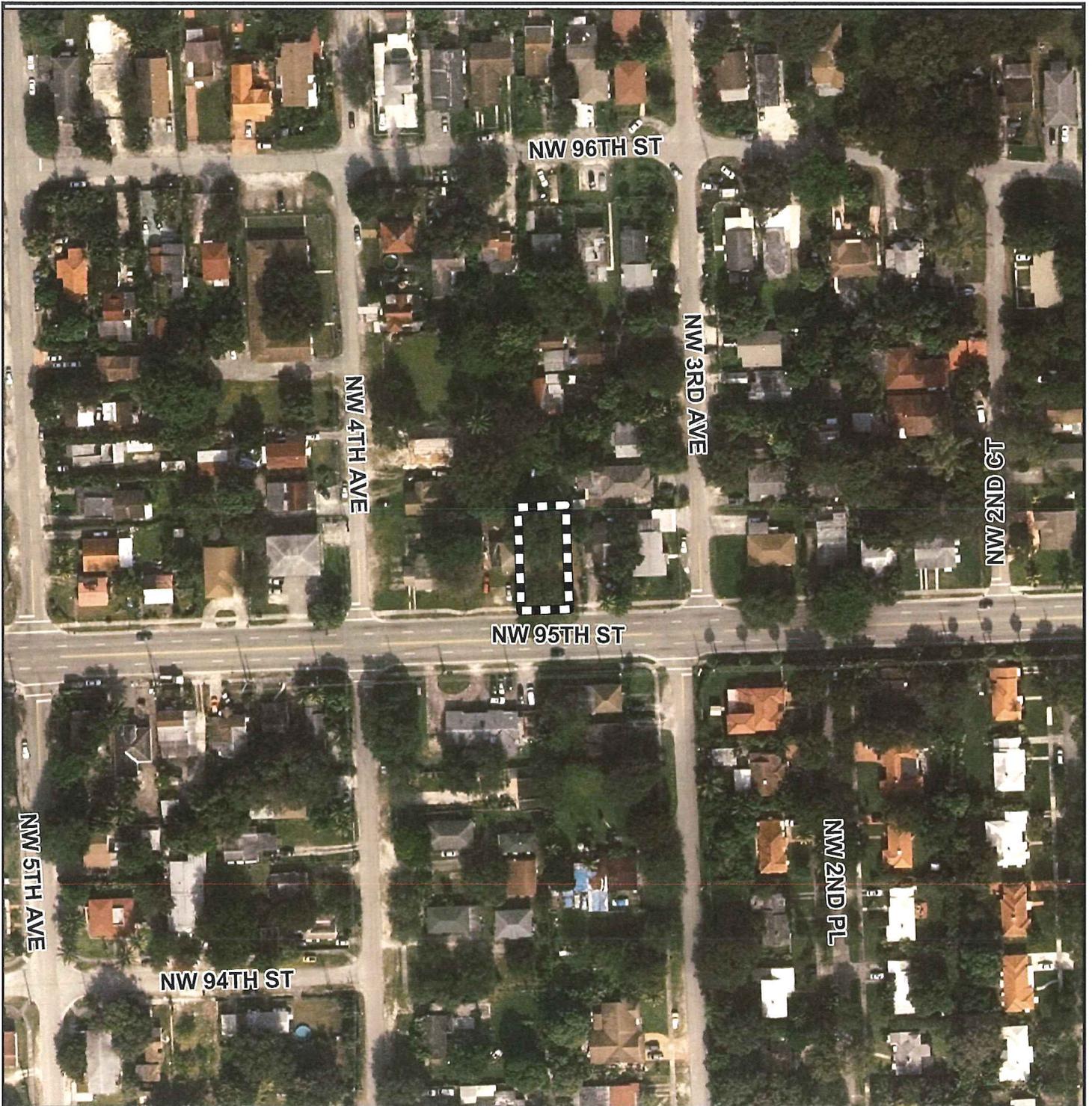
**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, December 15, 2015

REVISION	DATE	BY
		27



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2015**

**Process Number**  
**Z2015000126**

**Legend**  
 Subject Property

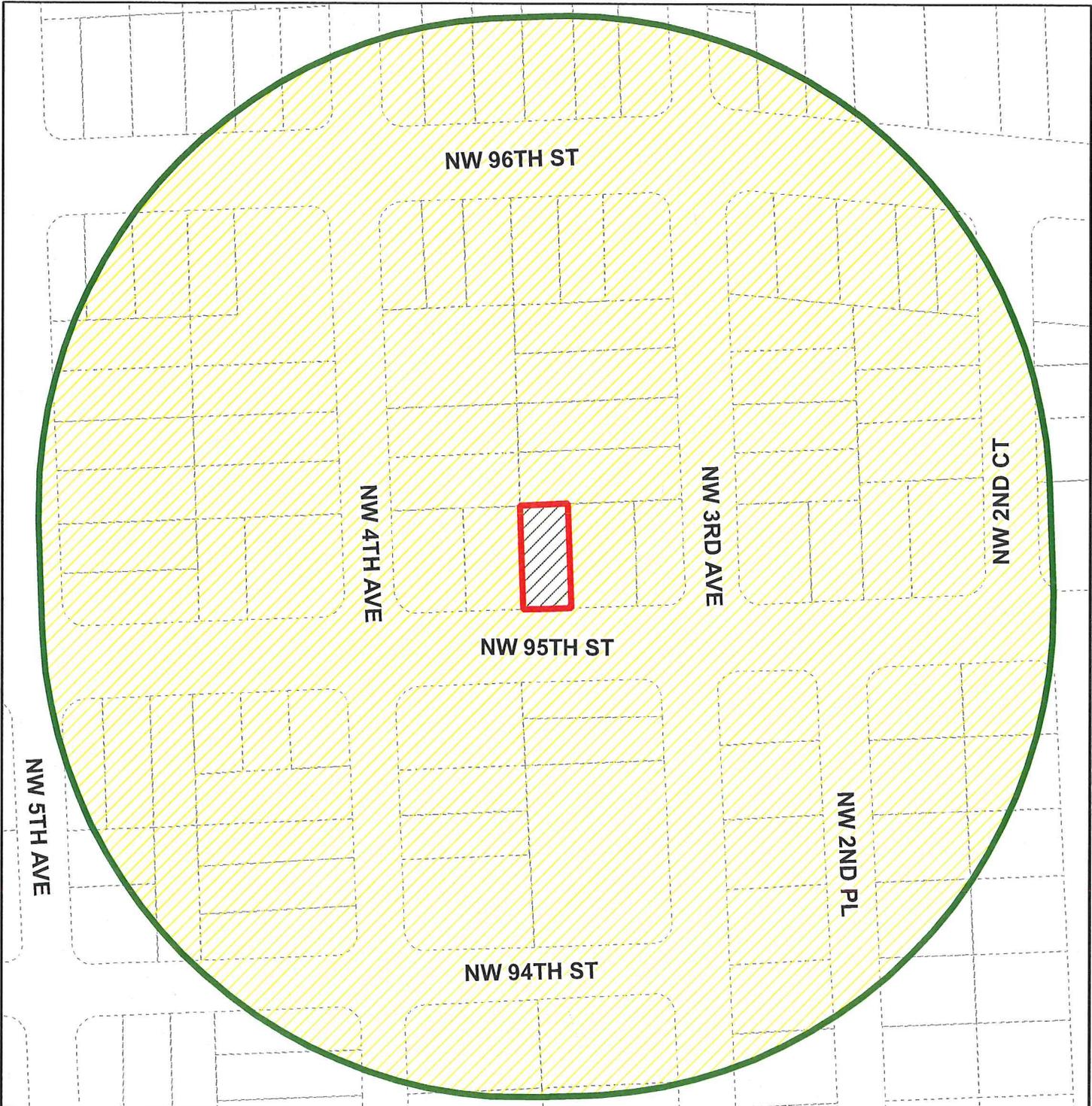


Section: 01 Township: 53 Range: 41  
 Applicant: JOSEPH ALCE  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: E.CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Tuesday, December 15, 2015

REVISION	DATE	BY
		28



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 01 Township: 53 Range: 41  
 Applicant: JOSEPH ALCE  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: E.CESPEDES  
 Scale: NTS

Process Number  
**Z2015000126**  
 RADIUS: 500

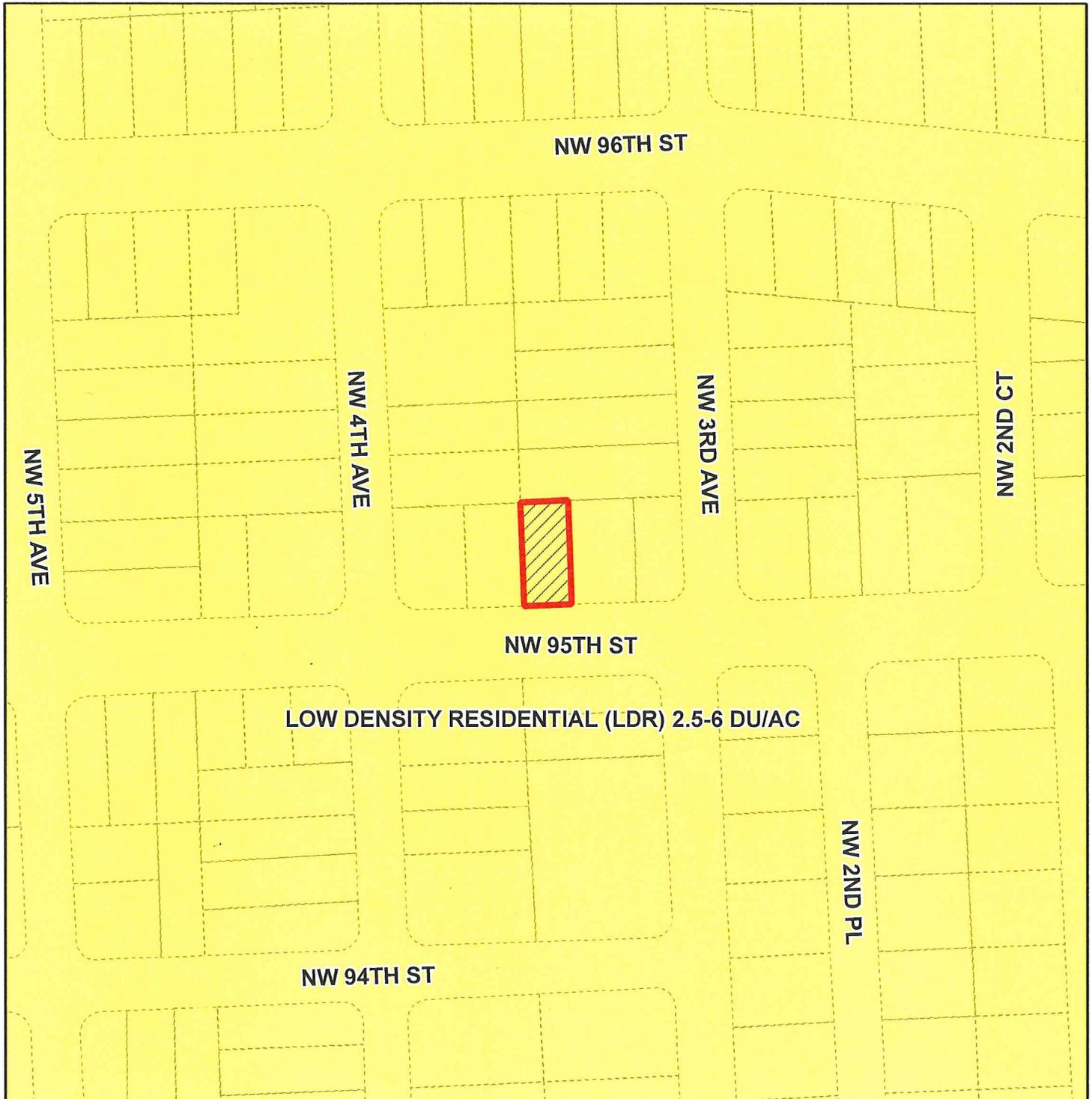
**Legend**

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Tuesday, December 15, 2015

REVISION	DATE	BY
		29



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2015000126**

Section: 01 Township: 53 Range: 41  
 Applicant: JOSEPH ALCE  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: E.CESPEDES  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Tuesday, December 15, 2015

REVISION	DATE	BY

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

**PH: Z16-067 (16-9-CZ8-1)**

**September 29, 2016**

Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	3
<b>Applicant</b>	Legacy Rentals, LLC
<b>Summary of Request</b>	The applicant is seeking to permit a single-family residence on a parcel of land with less lot area and frontage than required along with non-use variances of the setback and lot coverage requirements.
<b>Location</b>	Lying north of NW 69 Terrace and approximately 200 feet west of NW 18 Avenue, AKA 1839 NW 69 Terrace, Miami-Dade County, Florida.
<b>Property Size</b>	3,630 sq. ft.
<b>Existing Zoning</b>	RU-2, Two-Family Residential District
<b>Existing Land Use</b>	Vacant
<b>2020-2030 CDMP Land Use Designation</b>	Low-Medium Density Residential, 6 to 13 dua <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance Standards From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval with conditions.</b>

**REQUESTS:**

- (1) NON-USE VARIANCE to permit a parcel of land with a lot area of 3,436 sq. ft. (7,500 sq. ft. required) with a lot frontage of 40' (75' required).
- (2) NON-USE VARIANCE to permit a proposed single family residence to setback 22.25' (25' required) from the rear (north) property line.
- (3) NON-USE VARIANCE to permit the proposed single family residence with a lot coverage of 35.95% (35% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Proposed Residence at 1839 NW 69<sup>th</sup> Terrace", as prepared by Lorenzo Soto, P.E. Consulting Engineer, dated stamped received 6/6/16 and consisting of 3 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** The site plan depicts the proposed 1,305 sq. ft. single-family residence on a parcel of land with less lot frontage and area than required, along with ancillary non-use variances of the setback and lot coverage requirements.

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

<b>South</b>	RU-2; single-family residence	Low-Medium Density Residential (6 to 13 dua)
<b>East</b>	RU-2; single-family residence	Low-Medium Density Residential (6 to 13 dua)
<b>West</b>	RU-2; single-family residence	Low-Medium Density Residential (6 to 13 dua)

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a substandard interior lot in an area comprised of single-family residences and vacant lots.

**SUMMARY OF THE IMPACTS:**

The approval of this application would have a positive impact on the surrounding neighborhood with the development of affordable housing on a substandard vacant lot. However, the requested variances due to the existing lot area and frontage of the property, could have a negative visual impact on the surrounding area.

**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.* The approval of this application will allow the construction of a proposed single-family residence on a substandard sized lot to setback closer than permitted to property lines and to permit a greater lot coverage than allowed by the Zoning Code.

The proposed single-family residence furthers **Policy LU-1C** which indicates that *Miami-Dade County shall give priority to infill redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.* The subject parcel is located within the West Little River Targeted Urban Area, and as such furthers **Objective LU-12**, which states that *the County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in a built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.*

**Policy LU-4A** of the CDMP Land Use Element requires the County to among other things, consider height, bulk, scale of architectural elements, landscaping and buffering as applicable when evaluating compatibility among proximate land uses. For the reasons explained in the zoning analysis below, staff opines that the 1,305 sq. ft. single-family residence that is now

proposed by the applicant, would be compatible with same, based on the criteria for compatibility outlined in **Policy LU-4A**.

Based on the aforementioned, staff opines that approval of the application would be **consistent** with the CDMP Low-Medium Density designation of the LUP map and the CDMP's Land Use Element interpretative text, **Policy LU-1C** and **Objective LU-12**.

### **ZONING ANALYSIS:**

The applicant seeks to permit a residence on a lot with less lot frontage and area than required by Code (request #1), setback 22.25' (25' required) from the rear (north) property line (request #2), along with 35.9% (35% maximum allowed) lot coverage (request #3). When the aforementioned requests are analyzed under the Non-Use Variances From Other Than Airport Regulations Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the requests would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. The subject property is located within the Model City-Brownsville Targeted Urban Area. Staff's research found similar or more intensive approvals of requests for variances of lot frontage and area, setbacks and lot coverage within the aforementioned Targeted Urban Area. For example, pursuant to Resolution #CZAB8-40-10, a property located east of the subject property at 1827 NW 69 Terrace Avenue was approved to permit a parcel with a frontage of 40' where 75' is required, a lot area of 3,600 sq. ft. (7,500 sq. ft. required) and to permit a residence setback 15.3' (25' required) from the rear (north) property line.

Staff opines that the ancillary requests for setback and lot coverage variances (requests #2 and #3), are a result of the substandard lot size and frontage. Staff opines that the approval of the proposed development of this substandard lot with these variances will not be out of character with the surrounding area. Further, staff notes that the approval of the requests will allow new development on a vacant substandard lot that is similar in size and lot frontage to other parcels within the Model City-Brownsville Targeted Urban Area, as identified in the Urban Economic Revitalization Plan for Targeted Urban Areas. However, as a condition for approval staff recommends that the applicant must submit a declaration of use restricting the property to a single-family use only. **As such, staff recommends approval with conditions of the requests #1 through #3 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

### **RECOMMENDATION:**

**Approval with conditions.**

**CONDITIONS FOR APPROVAL:**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Residence at 1839 NW 69<sup>th</sup> Terrace", as prepared by Lorenzo Soto, P.E. Consulting Engineer, dated stamped received 6/6/16 and consisting of 3 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That prior to the issuance of a building permit the applicant submits a Declaration of Use Agreement restricting the use of the subject property only to a single-family residence.

NK:MW:NN:CDH:CH

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

*now*

PLANNING AND ZONING  
AGENDA OFFICE  
2016 SEP 20 A 9:2

# ZONING RECOMMENDATION ADDENDUM

*Legacy Rentals, LLC*  
Z16-067

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

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

<b>Low-Medium Density Residential</b> <i>(Pg. I-29)</i>	<i>The Adopted Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Low-Medium Density Residential</b>. 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>
<b>Land Use Policy 1C</b> <i>(Pg. I-2)</i>	<i>Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.</i>
<b>Land Use Objective LU-12</b> <i>(Pg. I-22)</i>	<i>Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.</i>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b>	<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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**1. LEGACY RENTALS, LLC**  
**(Applicant)**

**16-9-CZ8-1(16-067)**  
**Area 08/District 03**  
**Hearing Date: 09/29/16**

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>
1948	Dade County Zoning Dept.	- Zone change from RU-3B to RU-1B.	BCC	Approved

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

# Memorandum



**Date:** June 24, 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:** #Z2016000067  
Legacy Rentals LLC  
1839 NW 69<sup>th</sup> Terrace  
Setbacks Requirements for New Single Family Residence  
(RU-2) (.083 Acres)  
15-53-41

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name in the "From:" field.

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

The application has been reviewed and is recommended for approval with conditions. A review of the information submitted in support of the application indicates that no tree resources are proposed to be impacted. A recommendation of approval from DERM is conditioned that no specimen trees (trunk diameter equal to or greater than 18 inches) are impacted. Should the applicant require impacts to specimen trees, substantive changes to the site plan pursuant to the specimen tree standards outlined in Section 24-49.2(II)(2) of the Code shall be made.

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 and permits shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code, specifically the specimen tree standards. A recommendation of approval is contingent on the applicant obtaining a tree permit.

It is advised that pursuant to Policy Con-8I of the CDMP and Section 24-49.9 of the Code, should there be exotic pest plant and nuisance species as listed in Section 24-49.9 of the Code present on the subject property, they shall be removed prior to development or redevelopment and developed property shall be maintained to prevent the growth or accumulation of prohibited species.

Please 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.

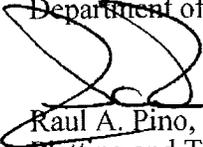
cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** June 7, 2016

**To:** Nathan Kogan, 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:** Z2016000067  
Name: Legacy Rentals, LLC  
Location: 1839 NW 39 Terrace  
Section 15 Township 53 South Range 41 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 26 Block 23, 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:** June 15, 2016

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

**From:**   
Paul Mauriello, Deputy Director, Waste Operations  
Department of Solid Waste Management

**Subject:** Legacy Rentals, LLC (#16\_067)

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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 DSWM has no objections to the proposed application.**

**Application:** *Legacy Rentals, LLC* is requesting non-use variances of lot frontage and area requirements and setback requirements in order to permit construction of a single family home on a vacant lot.

**Location:** The subject property is located at 1839 NW 69 Terrace.

**Size:** The property is approximately .083 acres in size.

## **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 Department of Solid Waste Management (DSWM) 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 DSWM Solid Waste Collection Service Area, along Waste Collection Route No. 2213. Should the requested variances be approved and a single family home subsequently constructed on the property, it would meet the Miami-Dade County Code definition of a "residential unit," (single family, townhome, etc.). According to Chapter 15 of the Code entitled Solid Waste Management, the residential unit on the property will receive DSWM

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 DSWM solid waste collection service area.

### 3. Recycling

The DSWM 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 their recycling carts).

### 4. 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. There should be no "dead-end" alleyways developed. 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:** June 21, 2016

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

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

**Subject:** Zoning Application Comments - Legacy Rentals, LLC.  
Application No. Z2016000067

The Water and Sewer Department (WASD) has reviewed the zoning application for the proposed development. Below, please find the comments for the subject application. The information provided below is preliminary and it 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: Legacy Rentals, LLC.

Location: The proposed project is located at 1839 NW 69<sup>th</sup> Terrace with folio No. 30-3115-005-6680, in unincorporated Miami-Dade County.

Proposed Development: A 1,305 sq.ft. Single Family Residence.

The estimated total water demand for the proposed project will be 220 (gpd).

Water: The proposed development is located within the WASD's water service area. The water supply will be provided by the Hialeah-Preston Water Treatment Plant. Currently, there is adequate treatment and water supply capacity for the proposed project consistent with Policy WS-2 A (1) of the CDMP.

There is an abutting 6-inch water main on N.W. 69<sup>th</sup> Terrace to where the developer may connect to provide water service to the development per Verification Form issued on June 7, 2016. Final points of connections and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.

A Water Supply Certification (WSC) letter was issued on June 7, 2016. The WSC required is consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the WSC Program, please go to <http://www.miamidade.gov/water/water-supply-certification.asp>

In addition, all 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. In addition, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

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

For information concerning the Water-Use Efficiency Standards Manual please go to [http://www.miamidade.gov/conservation/library/WUE\\_standards\\_manual\\_final.pdf](http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.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 Center District Wastewater Treatment Plant (CDWWTP) for treatment and disposal. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity for the proposed project consistent with Policy WS-2 A (2) of the CDMP.

There is an existing 8-inch sanitary gravity sewer system abutting the property along N.W. 69<sup>th</sup> Terrace, to where the developer may connect to provide sewer service to the proposed development. Please note that final points of connections and capacity approval for connection to the sewer system will be provided at the time the applicant request connection to the sewer infrastructure.

The sewage flow from the proposed development will be transmitted to Pump Station (PS) 107 & PS # 1. The projected sanitary sewer flows from this development will increase the NAPOT operating hours from 4.16 hrs. to 4.16 hrs. for PS # 107 and from 8.24 hrs. to 8.24 hrs. for PS # 1. The Moratorium code status for both said pump station is OK.

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 water or 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:** 08-JUL-16

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

**From:** Dave Downey, Fire Chief  
Miami-Dade Fire Rescue Department

**Subject:** Z2016000067

**Recommendation:**

Fire Engineering & Water Supply Bureau reviewed and approved the site plan/survey with a 06/06/2016 R.E.R. received date

**Service Impact/Demand**

Development for the above Z2016000067 located at 1839 NW 69 TERRACE, MIAMI-DADE COUNTY, FLORIDA. in Police Grid \_\_\_\_\_ is proposed as the following:

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

Based on this development information, estimated service impact is: Minimal Impact. \_\_\_ alarms-annually.

**Existing services**

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

**Planned Service Expansions:**

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

**Fire Planning Additional Comments**

# Memorandum



**Date:** June 13, 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:** Z2016000067: LEGACY RENTALS, LLC

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**Application Name:** LEGACY RENTALS, LLC

**Project Location:** The site is located at 1839 NW 69 TERRACE, Miami-Dade County.

**Proposed Development:** The request is for NUV OF LOT AREA, LOT FRONTAGE AND SETBACK for one new single family dwelling unit.

**Impact and demand:** This application for 1 new single family dwelling units 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

**Building and Neighborhood Compliance**

**ENFORCEMENT HISTORY**

LEGACY RENTALS, LLC

LYING NORTH OF NW 69 STREET, APPROX. 200'  
WEST OF NW 18 AVENUE, AKA 1839 NW 69  
TERRACE,  
MIAMI-DADE COUNTY, FLORIDA

---

**APPLICANT**

---

**ADDRESS**

September 29, 2016

Z2016000067

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**DATE**

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**HEARING NUMBER**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

August 5, 2016

**NEIGHBORHOOD REGULATIONS:**

There are no current open or closed cases

**BUILDING SUPPORT REGULATIONS:**

There are no current open or closed cases

**VIOLATOR:**

Legacy Rentals, LLC

**OUTSTANDING LIENS AND FINES:**

As of August 5, 2016, There are no Outstanding Liens, Fines, or Fees

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**DISCLOSURE OF INTEREST\***

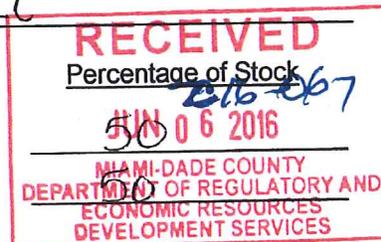
If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural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

CORPORATION NAME: Legacy Rentals LLC

NAME AND ADDRESS

Mildred March 17132 NW 87 ct.

Robinson Guzman 17132 NW 87 ct



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)

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) Mikhael March \_\_\_\_\_ (Print Applicant name)

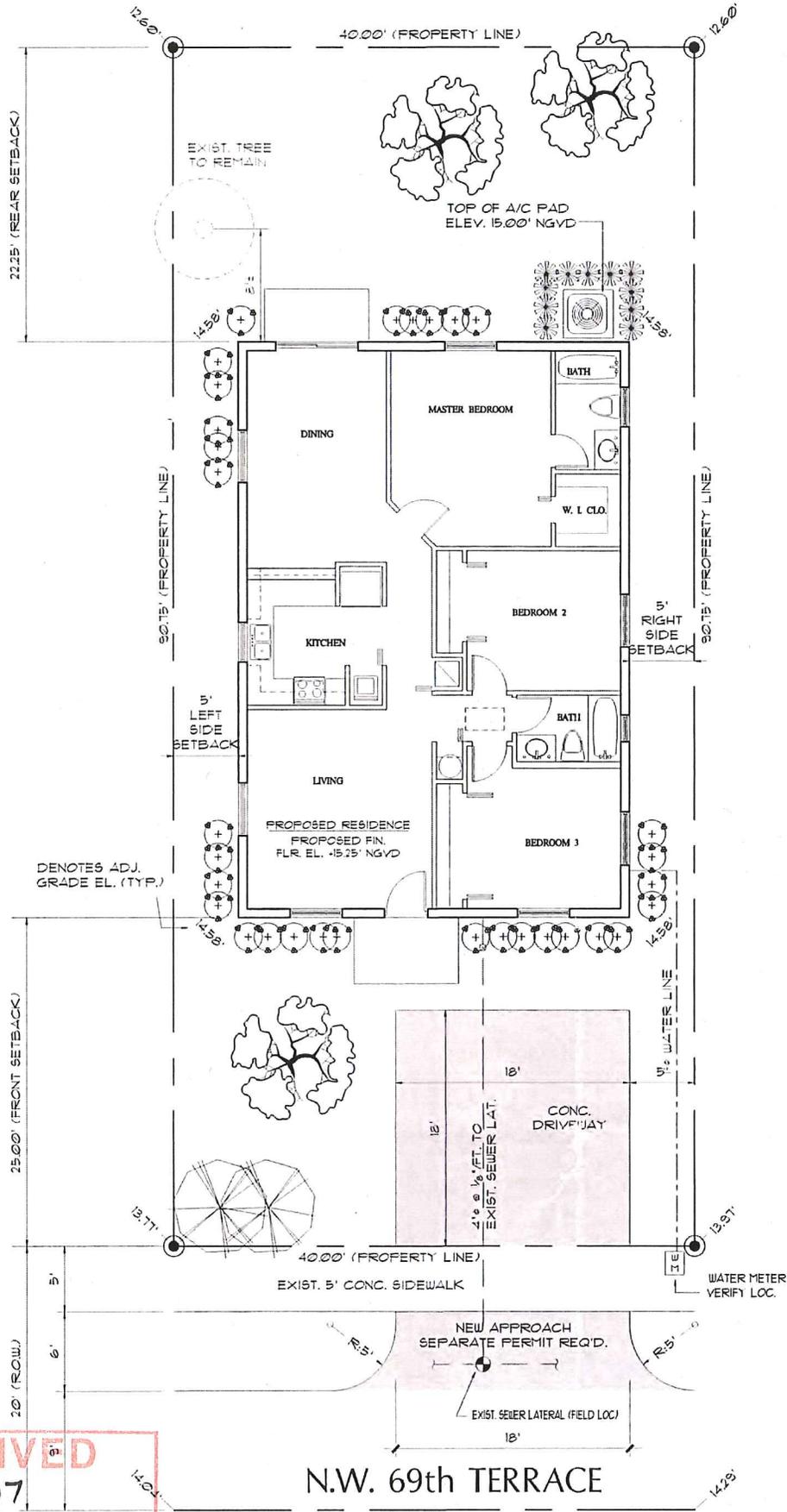
Sworn to and subscribed before me this 7 day of June, 20 16. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.



My commission expires: \_\_\_\_\_

Seal

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



**RECEIVED**  
 216-007  
 JUN 06 2016  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 By *AB*

"enlarged site plan"

SITE PLAN

20

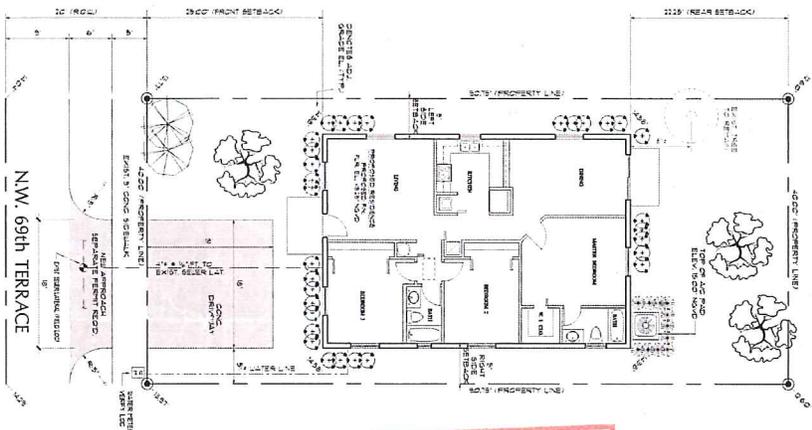
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216-067

JUN 06 2016

MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATOR AND ECONOMIC  
RESOURCES

By *JAH*



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

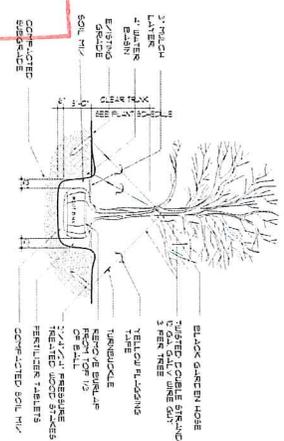


**LEGAL DESCRIPTION:**  
LOT 26, BLOCK 22, 21ST AVENUE UNIT, RECORDED IN PLAT BOOK 1,377 PAGES 1-10, PALM BEACH COUNTY, FLORIDA.  
PROJECT ADDRESS: 1534 NW 69TH TERRACE MIAMI, FLORIDA 33157

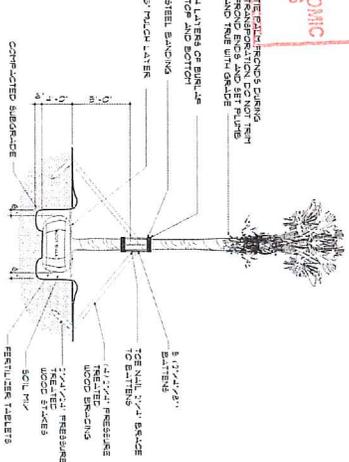
**ROOF GUTTER NOTE:**  
ROOF GUTTERS SHALL BE INSTALLED AND MAINTAINED TO PREVENT WATER INTRUSION INTO THE BUILDING.

**EXISTING TREE PROTECTION:**  
ALL EXISTING TREES TO BE REMOVED SHALL BE RECORDED IN THE PLAT BOOK AND GROWN SHALL BE AT LEAST 6" IN DIAMETER AT 4.5' HIGH.

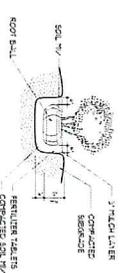
**CANOPY TREE PLANTING DETAIL N.T.S.**



**PALM PLANTING DETAIL N.T.S.**



**SHRUB PLANTING DETAIL N.T.S.**



**LANDSCAPE PLANTING LIST**

SYMB	QTY	NEW	EXIST	BOTANICAL NAME	COTYON NAME	NATIVE	REMARKS
TREES							
1	1	1	0	CERESUS MEXICANA	LIFF OAK	YES	6" H. x 8" DBH
2	1	1	0	CERESUS MEXICANA	GERBER TREE	YES	6" H. x 8" DBH
3	1	1	0	NOT KNOWN	NOT KNOWN	N/A	TO BE REPLACED WITH SAME SPECIES
SHRUBS							
4	1	1	0	COMPOSITA MEXICANA	SILVER BUTTWOOD	YES	30" H. HIGHEST
5	1	1	0	SPERMATOPHYTES	PLANT BUTTERFLY	NO	20" H. HIGHEST
6	1	1	0	2" MULCH			

5/23/16

**ZONING LEGEND:**

ZONING	REQUIREMENTS
RM-1	MIN. LOT AREA OF 5000 SQ. FT.
RM-2	MIN. LOT AREA OF 5000 SQ. FT.
RM-3	MIN. LOT AREA OF 5000 SQ. FT.
RM-4	MIN. LOT AREA OF 5000 SQ. FT.
RM-5	MIN. LOT AREA OF 5000 SQ. FT.
RM-6	MIN. LOT AREA OF 5000 SQ. FT.
RM-7	MIN. LOT AREA OF 5000 SQ. FT.
RM-8	MIN. LOT AREA OF 5000 SQ. FT.
RM-9	MIN. LOT AREA OF 5000 SQ. FT.
RM-10	MIN. LOT AREA OF 5000 SQ. FT.
RM-11	MIN. LOT AREA OF 5000 SQ. FT.
RM-12	MIN. LOT AREA OF 5000 SQ. FT.
RM-13	MIN. LOT AREA OF 5000 SQ. FT.
RM-14	MIN. LOT AREA OF 5000 SQ. FT.
RM-15	MIN. LOT AREA OF 5000 SQ. FT.
RM-16	MIN. LOT AREA OF 5000 SQ. FT.
RM-17	MIN. LOT AREA OF 5000 SQ. FT.
RM-18	MIN. LOT AREA OF 5000 SQ. FT.
RM-19	MIN. LOT AREA OF 5000 SQ. FT.
RM-20	MIN. LOT AREA OF 5000 SQ. FT.
RM-21	MIN. LOT AREA OF 5000 SQ. FT.
RM-22	MIN. LOT AREA OF 5000 SQ. FT.
RM-23	MIN. LOT AREA OF 5000 SQ. FT.
RM-24	MIN. LOT AREA OF 5000 SQ. FT.
RM-25	MIN. LOT AREA OF 5000 SQ. FT.
RM-26	MIN. LOT AREA OF 5000 SQ. FT.
RM-27	MIN. LOT AREA OF 5000 SQ. FT.
RM-28	MIN. LOT AREA OF 5000 SQ. FT.
RM-29	MIN. LOT AREA OF 5000 SQ. FT.
RM-30	MIN. LOT AREA OF 5000 SQ. FT.
RM-31	MIN. LOT AREA OF 5000 SQ. FT.
RM-32	MIN. LOT AREA OF 5000 SQ. FT.
RM-33	MIN. LOT AREA OF 5000 SQ. FT.
RM-34	MIN. LOT AREA OF 5000 SQ. FT.
RM-35	MIN. LOT AREA OF 5000 SQ. FT.
RM-36	MIN. LOT AREA OF 5000 SQ. FT.
RM-37	MIN. LOT AREA OF 5000 SQ. FT.
RM-38	MIN. LOT AREA OF 5000 SQ. FT.
RM-39	MIN. LOT AREA OF 5000 SQ. FT.
RM-40	MIN. LOT AREA OF 5000 SQ. FT.
RM-41	MIN. LOT AREA OF 5000 SQ. FT.
RM-42	MIN. LOT AREA OF 5000 SQ. FT.
RM-43	MIN. LOT AREA OF 5000 SQ. FT.
RM-44	MIN. LOT AREA OF 5000 SQ. FT.
RM-45	MIN. LOT AREA OF 5000 SQ. FT.
RM-46	MIN. LOT AREA OF 5000 SQ. FT.
RM-47	MIN. LOT AREA OF 5000 SQ. FT.
RM-48	MIN. LOT AREA OF 5000 SQ. FT.
RM-49	MIN. LOT AREA OF 5000 SQ. FT.
RM-50	MIN. LOT AREA OF 5000 SQ. FT.

**LANDSCAPE LEGEND:**

LANDSCAPE	REQUIRED	PROVIDED
1	1	1
2	1	1
3	1	1
4	1	1
5	1	1
6	1	1
7	1	1
8	1	1
9	1	1
10	1	1
11	1	1
12	1	1
13	1	1
14	1	1
15	1	1
16	1	1
17	1	1
18	1	1
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39	1	1
40	1	1
41	1	1
42	1	1
43	1	1
44	1	1
45	1	1
46	1	1
47	1	1
48	1	1
49	1	1
50	1	1

**LANDSCAPE NOTES:**

1. ALL PLANTING MATERIAL SHALL BE 100% LOCAL.
2. THE SOIL MATERIAL TO BE PLANTED SHALL BE 5% ADJUSTIVE FERTILIZER.
3. A MINIMUM OF 10% OF THE REQUIRED TREES AND SHRUBS SHALL BE PLANTED IN THE FRONT YARD.
4. A MINIMUM OF 10% OF THE REQUIRED TREES AND SHRUBS SHALL BE PLANTED IN THE REAR YARD.
5. A MINIMUM OF 10% OF THE REQUIRED TREES AND SHRUBS SHALL BE PLANTED IN THE SIDE YARD.

**NOTE**

ALL PLANT MATERIAL SHALL BE RECORDED BY HOSE BIB IN 2" BRASSER BY 2" HOSE IS PROVIDED HOSE SHALL BE 50' LONG. HOSE SHALL BE 1/2" HOSE. HOSE SHALL BE 1/2" HOSE.

**FLOOD LEGEND**

**Residential New Construction**

ADDRESS: 1534 NW 69TH TERRACE MIAMI, FL 33147

LOT: 26, BLOCK 22, 21ST AVENUE UNIT, RECORDED IN PLAT BOOK 1,377 PAGES 1-10, PALM BEACH COUNTY, FLORIDA.

PROJECT ADDRESS: 1534 NW 69TH TERRACE MIAMI, FLORIDA 33157

CONSTRUCTION	CONSTRUCTION ELEVATION	FINISH FLOOR ELEVATION	FINISH FLOOR ELEVATION
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
9	9	9	9
10	10	10	10
11	11	11	11
12	12	12	12
13	13	13	13
14	14	14	14
15	15	15	15
16	16	16	16
17	17	17	17
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37	37	37	37
38	38	38	38
39	39	39	39
40	40	40	40
41	41	41	41
42	42	42	42
43	43	43	43
44	44	44	44
45	45	45	45
46	46	46	46
47	47	47	47
48	48	48	48
49	49	49	49
50	50	50	50

**PROPOSED RESIDENCE**

1534 NW 69TH TERRACE MIAMI, FL  
FOR LEASOR REVIEWS LLC 1534 NW 69TH CT MIAMI FL 33157  
5/23/16

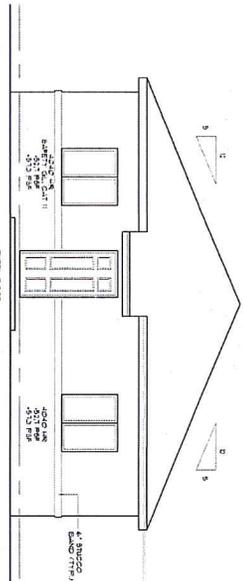
RECEIVED  
JUN 06 2016  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATOR AND ECONOMIC  
RESOURCES

PROJECT ADDRESS: 1534 NW 69TH TERRACE MIAMI, FLORIDA 33157  
PROJECT NO: 1534 NW 69TH TERRACE MIAMI, FLORIDA 33157  
DATE: 5/23/16  
SCALE: 1/8"=1'-0"

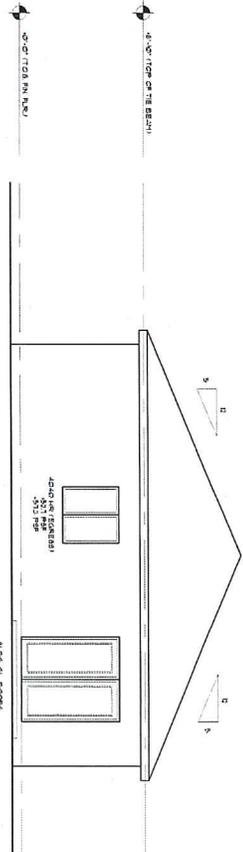
DESIGNED BY: JAH  
CHECKED BY: JAH  
DATE: 5/23/16  
SCALE: 1/8"=1'-0"

SP-1 OF 1

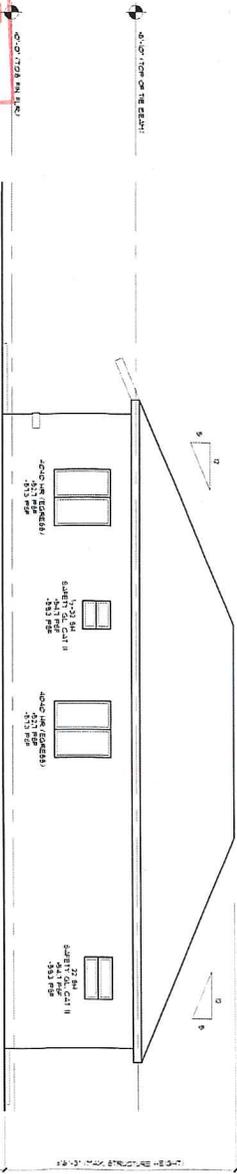




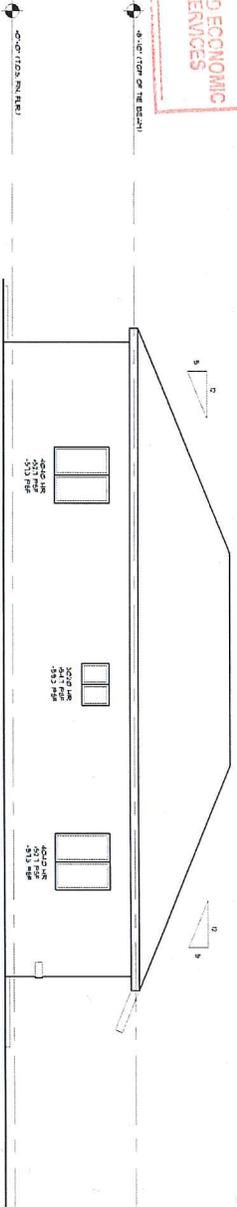
FRONT (SOUTH) ELEVATION  
SCALE: 1/4"=1'-0"



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



RIGHT SIDE (EAST) ELEVATION  
SCALE: 1/4"=1'-0"

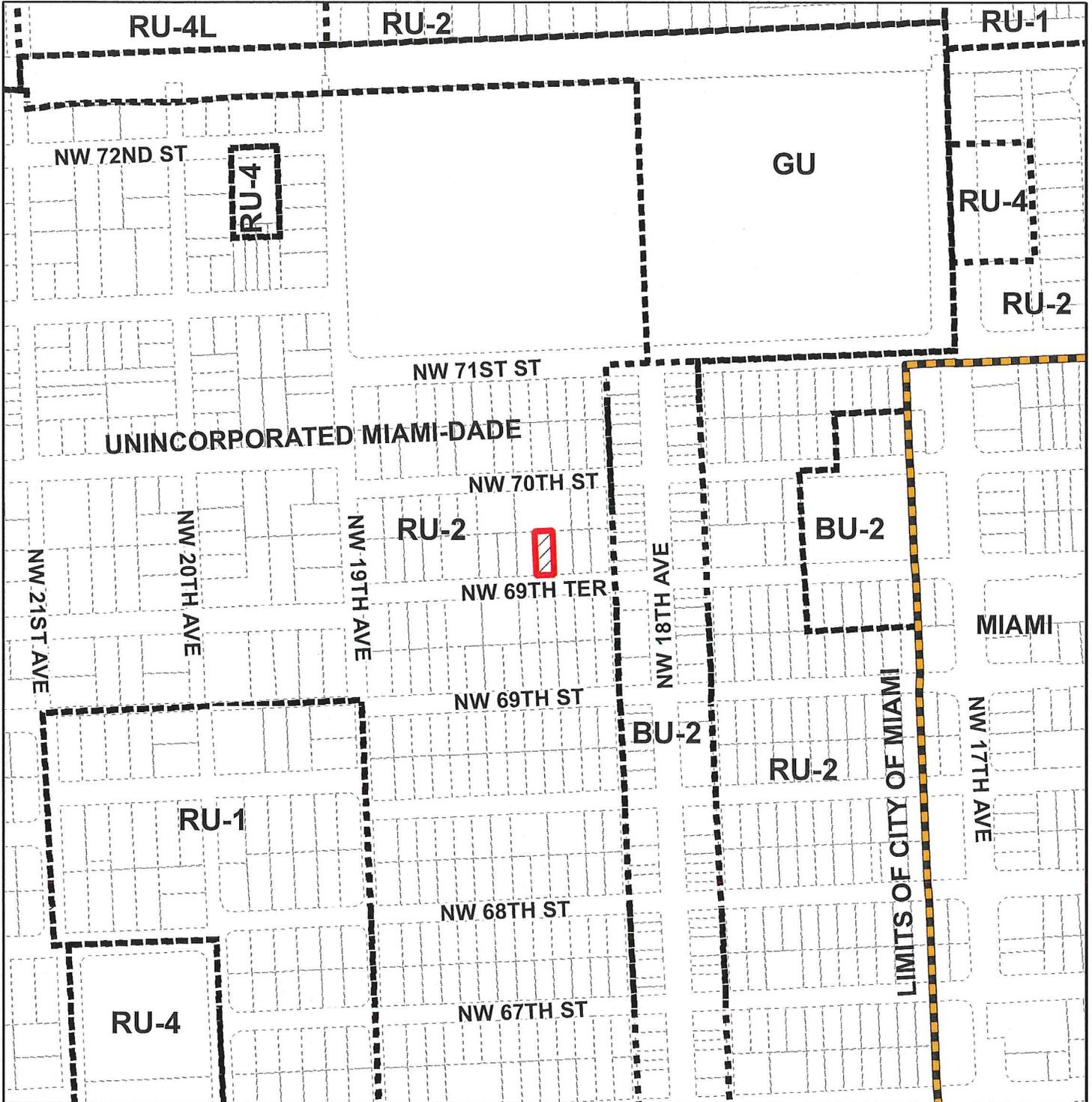


LEFT SIDE (WEST) ELEVATION  
SCALE: 1/4"=1'-0"

**RECEIVED**  
 216-067  
 JUN 06 2016  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES  
 BY: *[Signature]*

**RECEIVED**  
 216-067  
 JUN 06 2016  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND ECONOMIC  
 RESOURCES DEVELOPMENT SERVICES

8/29/16		PROJECTED RESIDENCE # 1091 NW 69th TERRACE, MIAMI, FL FOR LEBACY RENOVIS LLC, 1132 NW 37th Ct, MIAMI, FL 33135-2025	
SCALE: AS SHOWN	DESIGNED BY: JLS	DATE: 8/20/16	PROJECT MANAGER: JLS
PROJECT: 1091 NW 69th Terrace	CLIENT: LEBACY RENOVIS LLC	DATE: 8/20/16	PROJECT MANAGER: JLS
PROJECT: 1091 NW 69th Terrace	CLIENT: LEBACY RENOVIS LLC	DATE: 8/20/16	PROJECT MANAGER: JLS
PROJECT: 1091 NW 69th Terrace	CLIENT: LEBACY RENOVIS LLC	DATE: 8/20/16	PROJECT MANAGER: JLS
PROJECT: 1091 NW 69th Terrace	CLIENT: LEBACY RENOVIS LLC	DATE: 8/20/16	PROJECT MANAGER: JLS
PROJECT: 1091 NW 69th Terrace	CLIENT: LEBACY RENOVIS LLC	DATE: 8/20/16	PROJECT MANAGER: JLS
PROJECT: 1091 NW 69th Terrace	CLIENT: LEBACY RENOVIS LLC	DATE: 8/20/16	PROJECT MANAGER: JLS
PROJECT: 1091 NW 69th Terrace	CLIENT: LEBACY RENOVIS LLC	DATE: 8/20/16	PROJECT MANAGER: JLS
PROJECT: 1091 NW 69th Terrace	CLIENT: LEBACY RENOVIS LLC	DATE: 8/20/16	PROJECT MANAGER: JLS



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2016000067**

**Legend**

-  Subject Property Case
-  Zoning



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



SKETCH CREATED ON: Thursday, June 9, 2016

REVISION	DATE	BY
		24



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2015**

**Process Number**  
**Z2016000067**

**Legend**  
 Subject Property  
 Municipalities

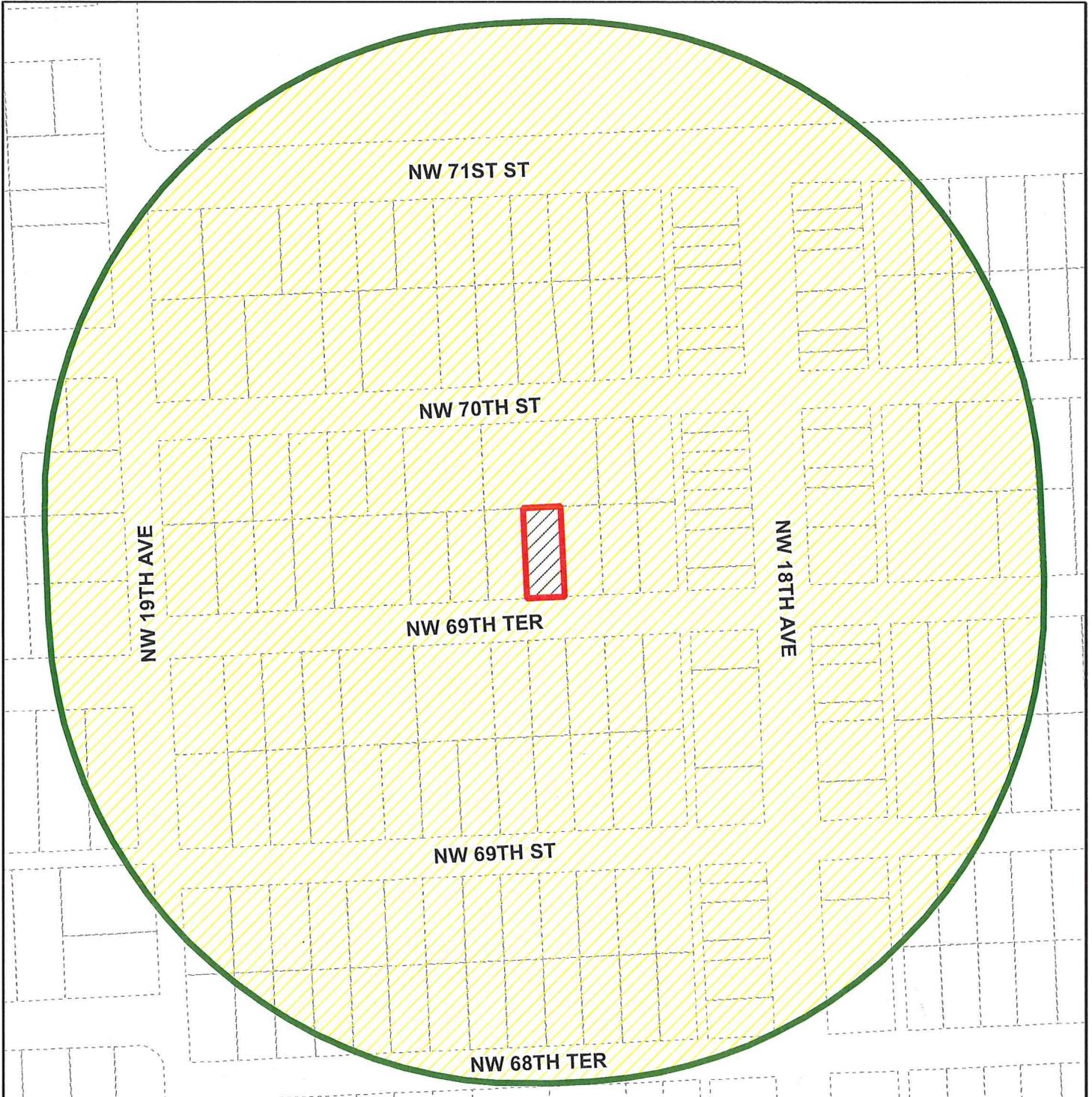


Section: 15 Township: 53 Range: 41  
 Applicant: LEGACY RENTALS, LLC  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: E.CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Thursday, June 9, 2016

REVISION	DATE	BY
		25



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

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

Process Number  
**Z2016000067**  
 RADIUS: 500

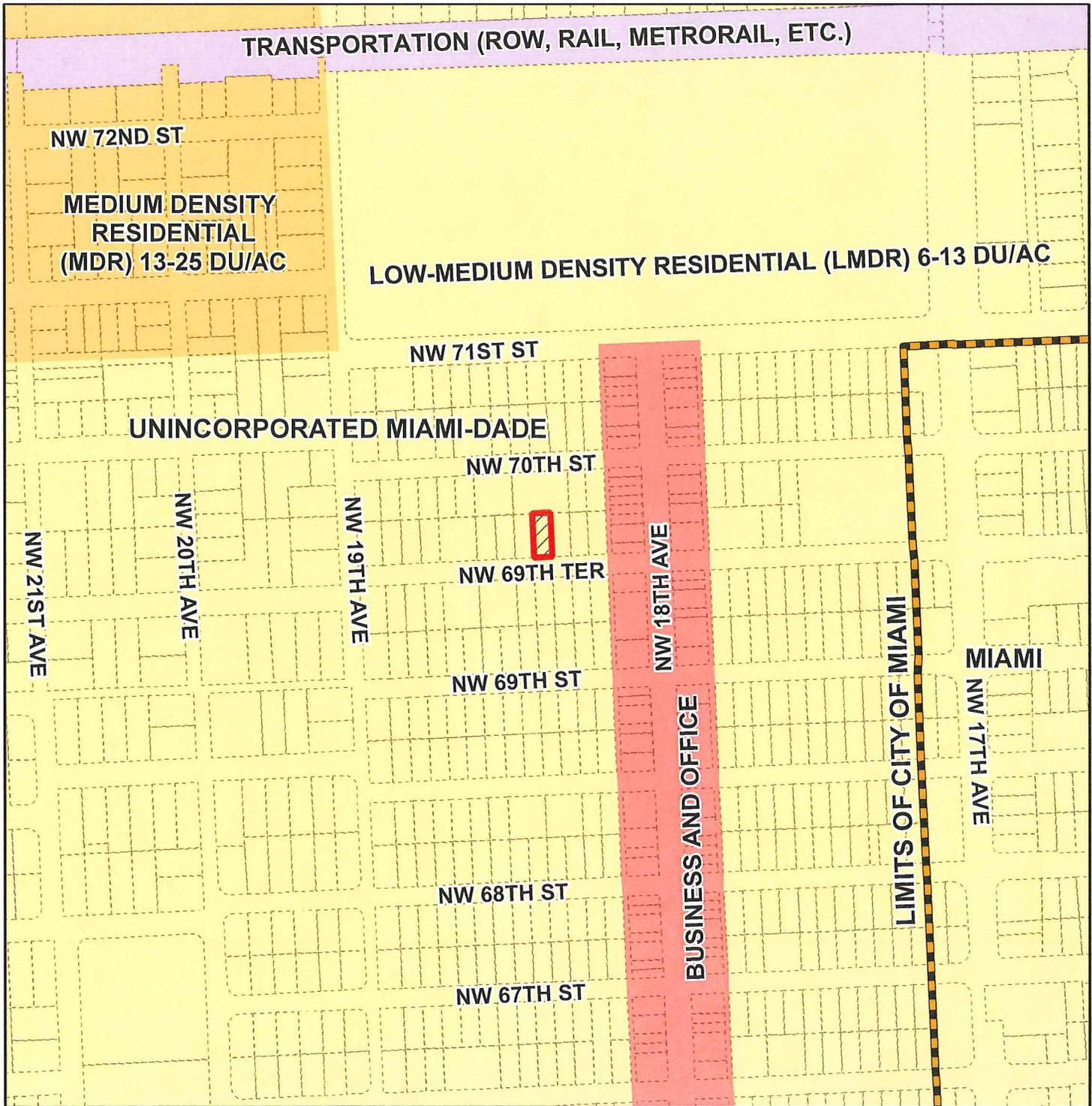
**Legend**

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Wednesday, June 15, 2016

REVISION	DATE	BY
		26



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2016000067**

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

**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, June 9, 2016

REVISION	DATE	BY

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

PH: Z16-068 (16-9-CZ8-2)

September 29, 2016

Item No. 2

<b>Recommendation Summary</b>	
<b>Commission District</b>	3
<b>Applicant</b>	Legacy Rentals, LLC
<b>Summary of Request</b>	The applicant is seeking to permit a single-family residence on a parcel of land with less lot area and frontage than required along with non-use variances of the setback and lot coverage requirements.
<b>Location</b>	The NE corner of NW 31 Avenue and NW 44 Street, AKA 3099 NW 44 Street, Miami-Dade County, Florida.
<b>Property Size</b>	3,436 sq. ft.
<b>Existing Zoning</b>	RU-2, Two-Family Residential District
<b>Existing Land Use</b>	Vacant
<b>2020-2030 CDMP Land Use Designation</b>	Low-Medium Density Residential, 6 to 13 dua ( <i>see attached Zoning Recommendation Addendum</i> )
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(b), Non-Use Variance Standards From Other Than Airport Regulations ( <i>see attached Zoning Recommendation Addendum</i> )
<b>Recommendation</b>	<b>Approval with conditions.</b>

**REQUESTS:**

- (1) NON-USE VARIANCE to permit a parcel of land with a lot area of 3,436 sq. ft. (7,500 sq. ft. required) with a lot frontage of 39.34' (75' required).
- (2) NON-USE VARIANCE to permit a proposed single family residence to setback 12.5' (25' required) from the rear (north) property line and to setback 7.5' (15' required) from the side street (west) property line.
- (3) NON-USE VARIANCE to permit the proposed single family residence with a lot coverage of 39.5% (35% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Legacy Rentals, LLC" as prepared by Lorenzo Soto, P.E. Consulting Engineer, dated stamped received 6/6/16 and consisting of 3 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION:** A proposed 1,234 sq. ft. single-family residence.

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	RU-2; vacant	Low-Medium Density Residential (6 to 13 dua)
<b>North</b>	RU-2; vacant	Low-Medium Density Residential (6 to 13 dua)

<b>South</b>	RU-2; vacant	Low-Medium Density Residential (6 to 13 dua)
<b>East</b>	RU-2; single-family residence	Low-Medium Density Residential (6 to 13 dua)
<b>West</b>	RU-2; single-family residences	Low-Medium Density Residential (6 to 13 dua)

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is a substandard corner lot in an area comprised of single-family residences and vacant lots.

**SUMMARY OF THE IMPACTS:**

The approval of this application would have a positive impact on the surrounding neighborhood with the development of infill housing on a substandard vacant lot. However, the requested variances due to the existing lot area and frontage of the property, could have a negative visual impact on the surrounding area.

**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.* The approval of this application will allow the construction of a proposed single-family residence on a substandard sized lot to setback closer than permitted to property lines, and to permit a greater lot coverage than allowed by the Zoning Code.

The proposed single-family residence furthers **Policy LU-1C**, which indicates that *Miami-Dade County shall give priority to infill redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.* The subject parcel is located within the West Little River Targeted Urban Area, and as such furthers **Objective LU-12**, which indicates that the County *shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in a built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.*

**Policy LU-4A** of the CDMP Land Use Element requires the County to among other things, consider height, bulk, scale of architectural elements, landscaping and buffering as applicable when evaluating compatibility among proximate land uses. For the reasons explained in the zoning analysis below, staff opines that the proposed 1,234 sq. ft. single-family residence that is

now proposed by the applicant, would be compatible with same, based on the criteria for compatibility outlined in **Policy LU-4A**.

Based on the aforementioned, staff opines that approval of the application would be **consistent** with the CDMP Low-Medium Density designation of the LUP map and the CDMP's Land Use Element interpretative text, **Policy LU-1C** and **Objective LU-12**.

### **ZONING ANALYSIS:**

The applicant seeks to permit a residence on a lot with less lot frontage and area than required by Code (request #1), and setback 12.5' (25' required) from the rear (north) property line and 7.5' (15' required) from the side street (west) property line (request #2), along with 4.5% more lot coverage than allowed (request #3). When the aforementioned requests are analyzed under the Non-Use Variances From Other Than Airport Regulations Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the requests would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. The subject property is located within the Model City-Brownsville Targeted Urban Area. Staff's research found similar or more intensive approvals of requests for variances of lot frontage and area, setbacks and lot coverage within the aforementioned Targeted Urban Area. For example, pursuant to Resolution #CZAB8-18-08, a property located northeast of the subject property at 4501 NW 30 Avenue was approved to allow the parcel with a lot frontage of 39.33' where 75' is required and a lot area of 3,435.47 sq. ft. (7,500 sq. ft. required).

Staff opines that the ancillary requests for setback variances and the increased lot coverage (requests #2 and #3), are a result of the substandard lot size and frontage. Staff opines that the approval of the proposed development of this substandard lot with these variances will not be out of character with the surrounding area. Further, staff notes that the approval of the requests will allow new development on a vacant substandard lot that is similar in size and lot frontage to other parcels within the Model City-Brownsville Targeted Urban Area as identified in the Urban Economic Revitalization Plan for Targeted Urban Areas. However, as a condition for approval staff recommends that the applicant be required to submit a declaration of use restricting the property to a single-family use only. **As such, staff recommends approval with conditions of the requests #1 through #3 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

**ACCESS, CIRCULATION AND PARKING:** Not applicable.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.

**OTHER:** Not applicable.

### **RECOMMENDATION:**

**Approval with conditions.**

**CONDITIONS FOR APPROVAL:**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Legacy Rentals, LLC" as prepared by Lorenzo Soto, P.E. Consulting Engineer, dated stamped received 6/6/16 and consisting of 3 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That prior to the issuance of a building permit the applicant submits a Declaration of Use Agreement restricting the use of the subject property only to a single-family residence.

NK:MW:NN:CDH:CH

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

*NK*

2016 SEP 20 A 9:2  
PLANNING AND ZONING  
AGENDA OFFICE

# ZONING RECOMMENDATION ADDENDUM

Legacy Rentals, LLC  
Z16-068

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

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

<b>Low-Medium Density Residential</b> (Pg. I-29)	<i>The Adopted Land Use Plan designates the subject property as being within the Urban Development Boundary for <b>Low-Medium Density Residential</b>. 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>
<b>Land Use Policy 1C</b> (Pg. I-2)	<i>Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.</i>
<b>Land Use Objective LU-12</b> (Pg. I-22)	<i>Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.</i>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b>	<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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5

**2. LEGACY RENTALS, LLC**  
**(Applicant)**

**16-9-CZ8-2(16-068)**  
**Area 08/District 03**  
**Hearing Date: 09/29/16**

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:**

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

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

# Memorandum



**Date:** June 24, 2016

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

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

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

**Subject:** #Z2016000068  
Legacy Rentals LLC  
3099 NW 44<sup>th</sup> Street  
Non-Use Variance to permit a parcel of land with lesser lot frontage and lot area than required; and Non-Use Variance to permit a single-family residence setback less than required from property lines and with a greater lot coverage than allowed.  
(RU-2) (.078 Acres)  
21-53-41

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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

An aerial review of the subject property does not indicate the presence of tree resources. Should tree resources be present 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 (CDMP).

Finally, in accordance with Section 24-49.9 of the Code and CON8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species.

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.

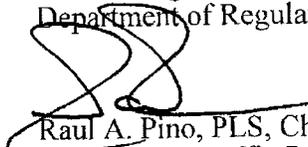
cc: Nathan Kogon, Department of Regulatory and Economic Resources

# Memorandum



**Date:** June 30, 2016

**To:** Nathan Kogan, 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:** Z2016000068  
Name: Legacy Rentals, LLC  
Location: 3099 NW 44 Street  
Section 21 Township 53 South Range 41 East

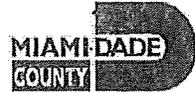
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The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections subject to the condition below:

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 21, Block 8, Plat Book 9, Page 165.

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

# Memorandum



**Date:** June 15, 2016

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

**From:**   
Paul Mauriello, Deputy Director, Waste Operations  
Department of Solid Waste Management

**Subject:** Legacy Rentals, LLC (#16\_068)

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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 DSWM has no objections to the proposed application.**

**Application:** *Legacy Rentals, LLC* is requesting non-use variances of lot frontage and area requirements and setback requirements in order to permit construction of a single family home on a vacant parcel.

**Location:** The subject property is located at 3099 NW 44<sup>th</sup> Street.

**Size:** The property is approximately .078 acres in size.

## **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 Department of Solid Waste Management (DSWM) 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 DSWM Solid Waste Collection Service Area, along Waste Collection Route No. 2217. Should the requested variances be approved and a single family home subsequently constructed on the property, it would meet the Miami-Dade County Code definition of a "residential unit," (single family, townhome, etc.). According to Chapter 15 of the Code entitled Solid Waste Management, the residential unit on the property will receive DSWM

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 DSWM solid waste collection service area.

### 3. Recycling

The DSWM 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 their recycling carts).

### 4. 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. There should be no "dead-end" alleyways developed. 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:** July 21, 2016

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

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

**Subject:** Zoning Application Comments - Legacy Rentals, LLC.  
Application No. Z2016000068 – REVISION # 1

The Water and Sewer Department (WASD) has reviewed the zoning application for the proposed development. Below, please find the comments for the subject application. The information provided below is preliminary and it 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: Legacy Rentals, LLC.

Location: The proposed project is located at 3099 NW 44<sup>th</sup> Street with folio No. 30-3121-028-0520, in unincorporated Miami-Dade County.

Proposed Development: A 1,214 sq.ft. Single Family Residence.

The estimate total water demands for the proposed project will be 220 (gpd).

Water: The proposed development is located within the WASD's water service area. The water supply will be provided by the Hialeah-Preston Water Treatment Plant. Currently, there is adequate treatment and water supply capacity for the proposed project consistent with Policy WS-2 A (1) of the CDMP.

There is an existing 6-inch water main abutting the property along N.W. 44<sup>th</sup> Street and along N.W. 31<sup>th</sup> Avenue to where the developer may connect to provide water service to the development per Verification Form issued on December 3, 2015. Final points of connections and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.

A Water Supply Certification (WSC) letter was issued on December 4, 2015. The WSC required is consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the WSC Program, please go to <http://www.miamidadegov/water/water-supply-certification.asp>

In addition, all 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. In addition, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

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

For information concerning the Water-Use Efficiency Standards Manual please go to [http://www.miamidadegov/conservation/library/WUE\\_standards\\_manual\\_final.pdf](http://www.miamidadegov/conservation/library/WUE_standards_manual_final.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 Center District Wastewater Treatment Plant (CDWWTP) for treatment and disposal. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity for the proposed project consistent with Policy WS-2 A (2) of the CDMP.

There is an existing 8-inch sanitary gravity sewer system abutting the property along N.W. 44<sup>th</sup> Street to where the developer may connect to provide sewer service to the proposed development. Please note that final points of connections and capacity approval for connection to the sewer system will be provided at the time the applicant request connection to the sewer infrastructure.

The sewage flow from the proposed development will be transmitted to Pump Stations (PS) 104 & PS # 1. The Moratorium code status for both said pump station is OK. The projected sanitary sewer flows from this development will increase the NAPOT operating hours from 6.79 hrs. to 6.79 hrs. for PS # 104 and from 8.22 hrs. to 8.22 hrs. for PS # 1.

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 water or 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:** 08-JUL-16  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2016000068

**Recommendation:**

Fire Engineering & Water Supply Bureau reviewed and approved the site plan dated 06/06/16.

**Service Impact/Demand**

Development for the above Z2016000068 located at The northeast corner of NW 31 Avenue and NW 44 Street, aka 3099 NW 44 STREET, MIAMI-DADE COUNTY, FLORIDA.

in Police Grid \_\_\_\_\_ is proposed as the following:

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

Based on this development information, estimated service impact is: Minimal Impact. \_\_\_ alarms-annually.

**Existing services**

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

**Planned Service Expansions:**

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

**Fire Planning Additional Comments**

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

# Memorandum



**Date:** June 13, 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:** Z2016000068: LEGACY RENTALS, LLC

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**Application Name:** LEGACY RENTALS, LLC

**Project Location:** The site is located at 3099 NW 44 STREET, Miami-Dade County.

**Proposed Development:** The request is for NUV OF LOT AREA, LOT FRONTAGE AND SETBACK for one new single family dwelling unit.

**Impact and demand:** This application for 1 new single family dwelling units 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

***Building and Neighborhood Compliance***

**ENFORCEMENT HISTORY**

LEGACY RENTALS, LLC

THE NORTHEAST CORNER OF NW 31 AVENUE  
AND NW 44 STREET, AKA 3099 NW 44 STREET,  
MIAMI-DADE COUNTY, FLORIDA

---

**APPLICANT**

**ADDRESS**

September 29, 2016

Z2016000068

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**DATE**

**HEARING NUMBER**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

August 5, 2016

**NEIGHBORHOOD REGULATIONS:**

There are no current open or closed cases

**BUILDING SUPPORT REGULATIONS:**

There are no current open or closed cases

**VIOLATOR:**

Legacy Rentals, LLC

**OUTSTANDING LIENS AND FINES:**

As of August 5, 2016, There are no Outstanding Liens, Fines, or Fees

PHOTO  
FRONT



SIDE



REAR



RECEIVED  
890-068  
JUN 06 2016  
For info  
MIAMI-DADE COUNTY  
DEPARTMENT OF REGULATORY AND  
ECONOMIC RESOURCES  
DEVELOPMENT SERVICES  
R. J. [Signature]

**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: Legacy Rentals LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Mildred March 17132 NW 87 Ct</u>	<u>50</u>
<u>Robinson Guzman 17132 NW 87 Ct</u>	<u>50</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: \_\_\_\_\_

<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: \_\_\_\_\_

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____

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  Mildred March  
 (Applicant) (Print Applicant name)

Sworn to and subscribed before me this 2 day of June, 20 16. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

  
 (Notary Public)

 Samantha Diaz  
 NOTARY PUBLIC  
 STATE OF FLORIDA  
 Comm# FF970284  
 Expires 3/10/2020

My commission expires: \_\_\_\_\_ Seal

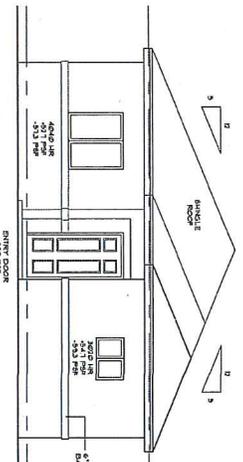
\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership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

**RECEIVED**  
216-069  
**JUN 06 2016**  
 MIAMI-DADE COUNTY  
 DEPARTMENT OF REGULATORY AND  
 ECONOMIC RESOURCES  
 DEVELOPMENT SERVICES

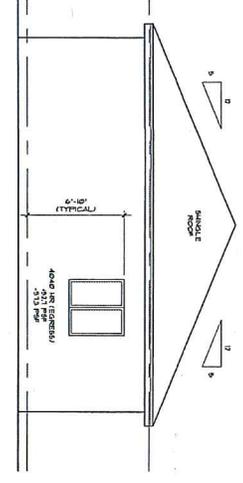
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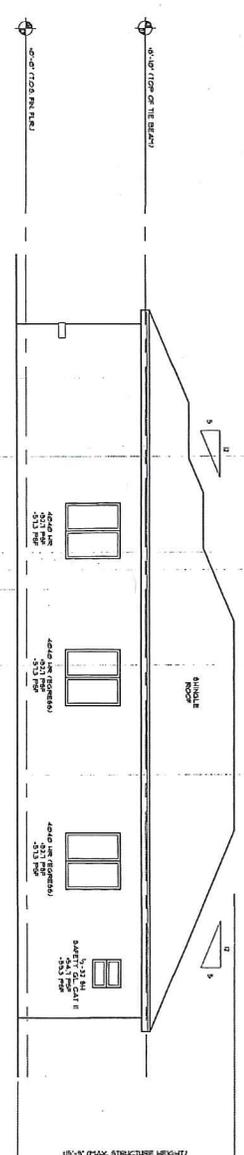




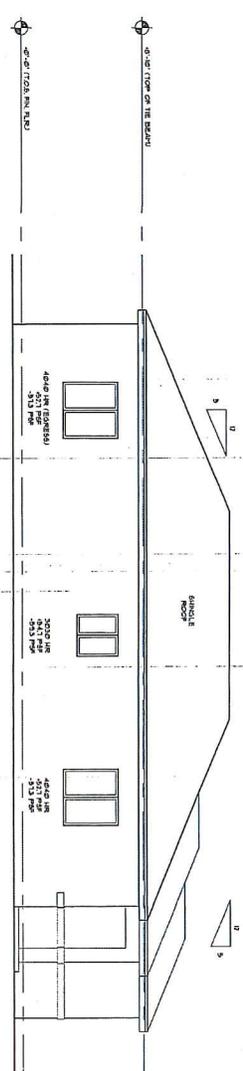
FRONT (SOUTH) ELEVATION  
SCALE 1/4"=1'-0"



REAR (NORTH) ELEVATION  
SCALE 1/4"=1'-0"



RIGHT SIDE (EAST) ELEVATION  
SCALE 1/4"=1'-0"

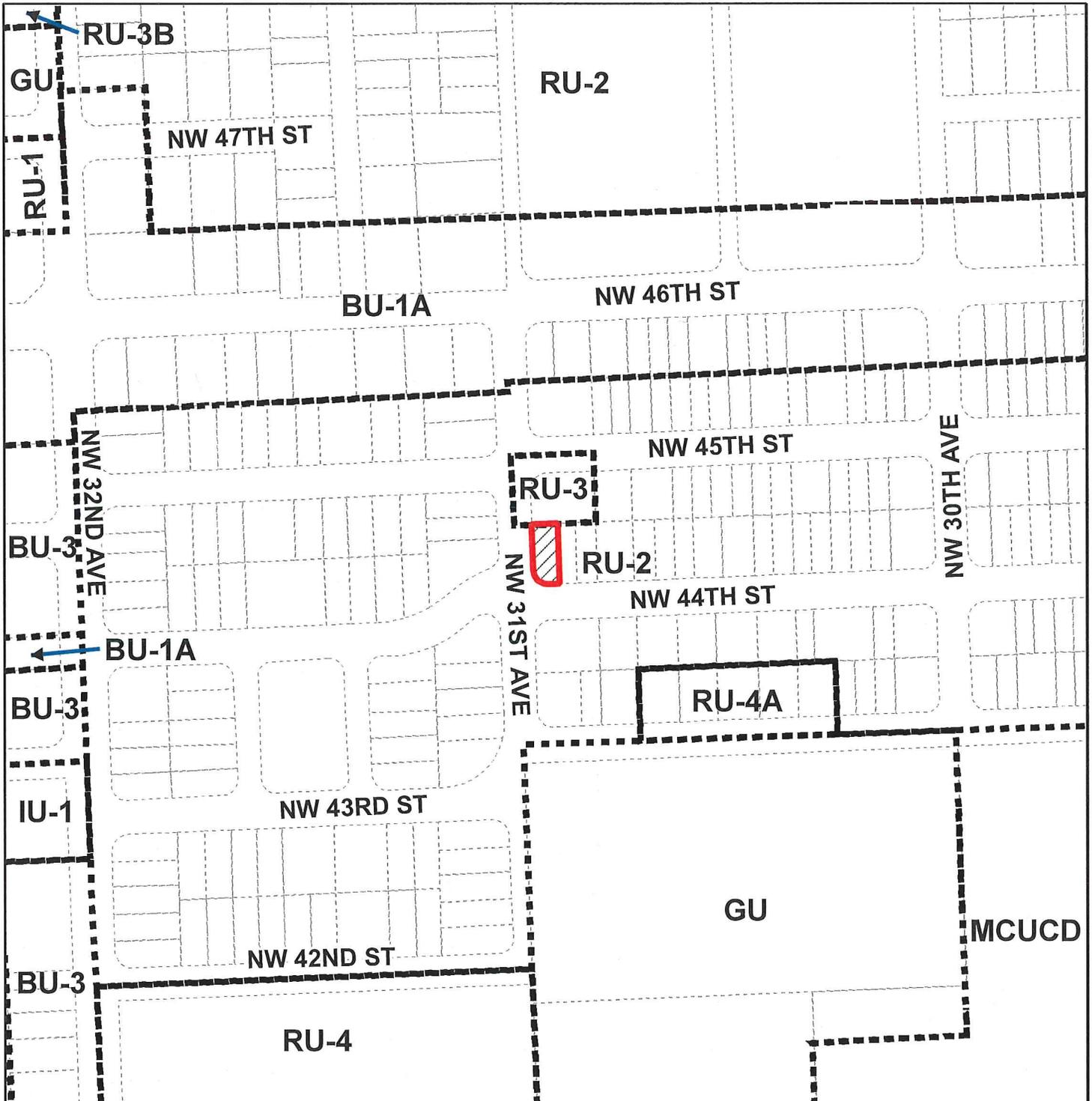


LEFT SIDE (WEST) ELEVATION  
SCALE 1/4"=1'-0"

Final Italo County Department of Regulatory And Economic Resources  
101157820 - 12/18/2015 1:11:19 PM  
2-11-92015.pdf  
Date Time Stamp  
User: Vazquez 12/18/2015 9:18:55 AM  
Disp. Trade Stamp Name  
BDDG Approved

**RECEIVED**  
216-068  
JUN 06 2016  
Italo-Grade County  
DEPARTMENT OF REGULATORY AND ECONOMIC  
RESOURCES DEVELOPMENT SERVICES

		PROPOSED RESIDENCE @ 3044 NW 44th STREET, MIAMI, FL FOR LEADY RIVALS LLC, 7833 NW 87th Ct, MIAMI, FL 33208-5685 SCALE: AS NOTED DATE: 10/20/15 License No. P.E. Consulting Engineer Italo-Grade County, Florida State of Florida, No. 54324	DRAWN BY: JLS REVIEWED BY: JLS CHECKED BY: JLS DATE: 10/20/15
drawing number A-2 OF 3	drawing title 216-068	drawing date 10/20/15	drawing scale AS NOTED



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2016000068**

Section: 21 Township: 53 Range: 41  
 Applicant: LEGACY RENTALS, LLC  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: E.CESPEDES  
 Scale: NTS

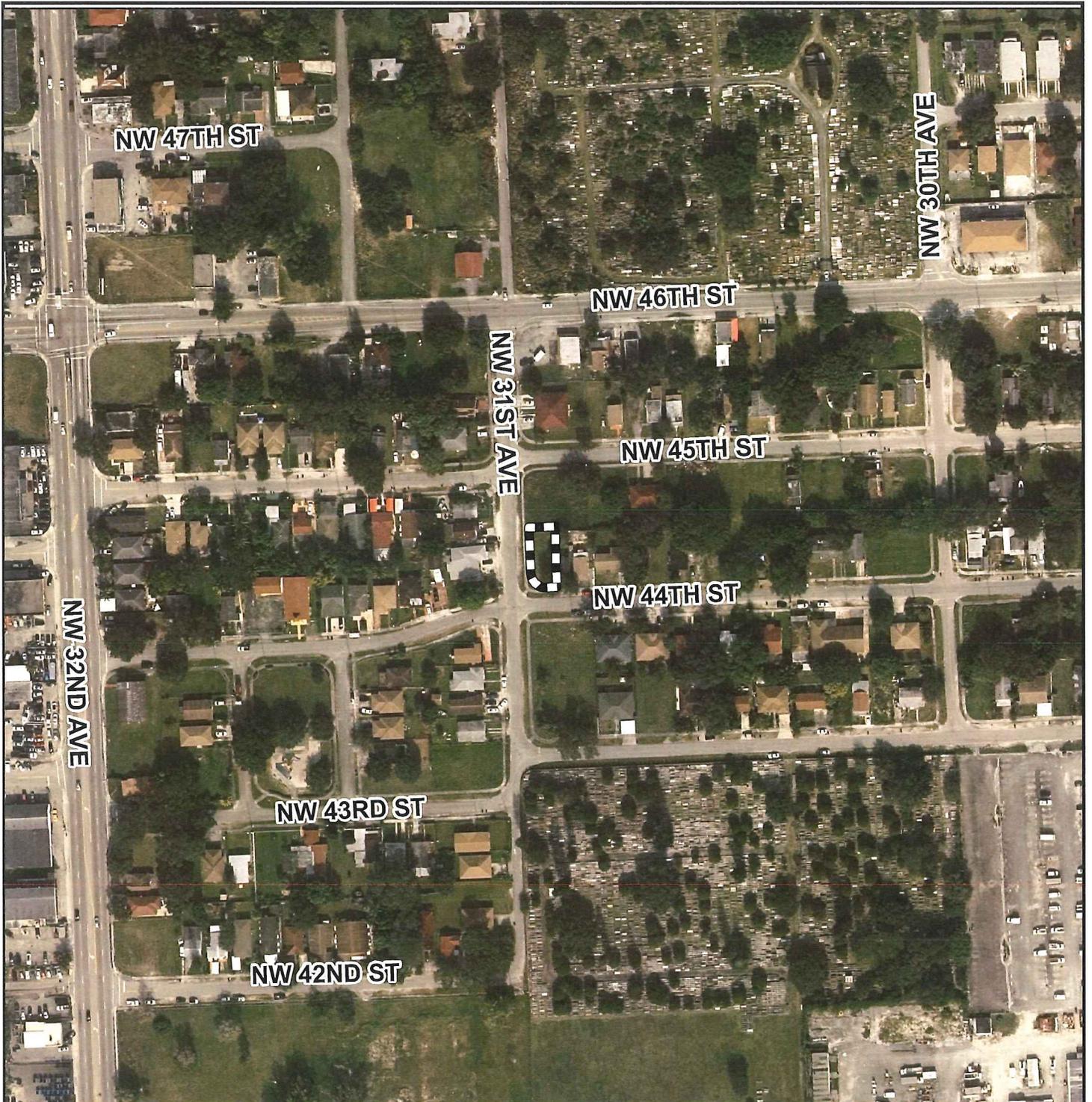
**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 8, 2016

REVISION	DATE	BY
		24



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2015**

Process Number  
**Z2016000068**

**Legend**  
 Subject Property



Section: 21 Township: 53 Range: 41  
 Applicant: LEGACY RENTALS, LLC  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: E.CESPEDES  
 Scale: NTS



SKETCH CREATED ON: Wednesday, June 8, 2016

REVISION	DATE	BY
		25



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 21 Township: 53 Range: 41  
 Applicant: LEGACY RENTALS, LLC  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: E.CESPEDES  
 Scale: NTS

Process Number  
**Z2016000068**  
 RADIUS: 500

**Legend**

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Thursday, June 16, 2016

REVISION	DATE	BY
		26



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2016000068**

Section: 21 Township: 53 Range: 41  
 Applicant: LEGACY RENTALS, LLC  
 Zoning Board: C8  
 Commission District: 3  
 Drafter ID: E.CESPEDES  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 8, 2016

REVISION	DATE	BY