

FINAL AGENDA

12-12-2014 Version # 1



COMMUNITY ZONING APPEALS BOARD 10
RUBEN DARIO MIDDLE SCHOOL
350 NW 97 Avenue, Miami
Thursday, December 18, 2014 at 6:30 p.m.

SPECIAL MEETING

PREVIOUSLY DEFERRED

A.	14-10-CZ10-3	<u>1097 LEJEUNE INVESTMENT, INC. & ALBERTO & LUZ ARAN</u>	14-29	08-54-41	N
B.	14-10-CZ10-4	<u>GAVI INVESTMENTS, INC</u>	14-56	09-54-40	N
C.	14-10-CZ10-6	<u>LEON MEDICAL CENTER, INC.</u>	14-62	03-54-40	N
D.	14-11-CZ10-1	<u>JOSE & LILLIAN PEREA</u>	13-107	17-54-40	N
E.	14-11-CZ10-3	<u>MARIA GONZALEZ-ZAMORA & NOEL ZAMORA</u>	14-64	10-54-39	N



Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 10

MEETING OF THURSDAY, DECEMBER 18, 2014

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 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

I. Approval of Sunset Review

**A. 1097 LE JEUNE INVESTMENT, INC AND (14-10-CZ10-3/14-029)
ALBERTO AND LUZ ARAN**

**08-54-41
Area 10/District 06**

- (1) DISTRICT BOUNDARY CHANGE from RU-2, RU-3 and RU-5A to RU-5A.

OR IN THE ALTERNATIVE, THE FOLLOWING:

- (2) USE VARIANCE to permit a parking lot expansion for an existing medical office use in the RU-3 zone, as would be permitted in the RU-5A zone.
- (3) MODIFICATION of plans approved pursuant to Resolution Z-124-83, passed and adopted by the Board of County Commissioners, last modified by Resolution CZAB10-11-12, passed and adopted by Community Zoning Appeals Board # 10, and reading as follows:

From: That the plans be substantially in accordance with that plan submitted entitled "Proposed Renovations for: Aran Eye Associates" as prepared by Form Group, Inc., dated stamped received 9/30/11, and consisting of 7 sheets.

To: That the plans be substantially in accordance with that plan submitted entitled "Aran Eye Associates" as prepared by MGE Architects, sheet A1.02 dated stamped received 5/16/14, all other sheets dated stamped received March 19, 2014, and consisting of a total of 8 sheets.

- (4) DELETION of a Declaration of Restrictions, recorded in Official Record Book 17072 Pages 1451-1459, last modified in Official Record Book 28857, Pages 4771-4777.

The purpose of Requests #3 & #4 is to allow the applicant to submit plans showing the expansion of a parking lot onto adjacent properties for the existing office use and to proffer a new covenant incorporating all conditions from the previous covenants for the development.

- (5) USE VARIANCE to permit an existing 35 sq. ft. detached sign and to permit setback 1'-6" from the front (west) property line (detached sign not permitted in RU-5A zoning district).

REQUESTS #1 THROUGH #5 ON PARCEL A

- (6) DISTRICT BOUNDARY CHANGE from RU-2 to RU-5A.

OR IN THE ALTERNATIVE, THE FOLLOWING:

- (7) USE VARIANCE to permit a parking lot expansion for an existing medical office use in the RU-2 zone, as would be permitted in the RU-5A zone.

REQUESTS #6 AND #7 ON PARCEL "B"

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

LOCATION: Lying east of SW 42 Avenue, between SW 10 Street and SW 11 Street, a/k/a 1097 & 1099 SW 42 Avenue, 4028 SW 10 Street and 4155, 4173 & 4175 SW 11 Street Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.2 Acres

Department of Regulatory and Economic Resources
Recommendation:

Approval of request #1, subject to the acceptance of the proffered covenant; denial without prejudice of request #2; modified approval of request #3, to remove Parcel B; approval of request #4; and denial without prejudice of requests #5 through #7.

Protests: 304

Waivers: 489

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from 12/11/2014

B. GAVI INVESTMENTS, INC (14-10-CZ10-4/14-056)

**09-54-40
Area 10/District 10**

- (1) SPECIAL EXCEPTION to re-subdivide 3 existing platted lots into 6 proposed lots.
- (2) NON-USE VARIANCE to permit 2 residential lots with a minimum lot frontage of 56.43 feet (75 feet required) and a minimum lot area of 7,388 sq. ft. (7,500 sq. ft. required).

A plan is on file and may be examined in the Department of Regulatory and Economic Resources entitled "Gavicar Villas" as prepared by Jose E. Fuxa, PLS, dated stamped received 5/21/14 and consisting of 1 sheet. Plan may be modified at public hearing.

LOCATION: Lying North of SW 16 Street, West of SW 89 Court & East of SW 90 Avenue, A/K/A 1525 SW 90 Avenue, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 1.35 Acres

- (6) NON-USE VARIANCE to permit the proposed ramp to setback 19'-2" (25' required) from the front (west) property line.
- (7) NON-USE VARIANCE to waive the required 5' high masonry wall, reinforced concrete, precast concrete or wood fence along the interior side (north) and rear (east) property lines.
- (8) NON-USE VARIANCE to permit a landscape buffer with a width of 2'-2" (7' wide required) along the right-of-way of SW 107 Avenue.
- (9) NON-USE VARIANCE to waive the required 5' wide dissimilar land use buffer including a 6' high wall fence or hedge along the interior side (north) and rear (east) property lines.
- (10) NON-USE VARIANCE to permit a two-way drive with a width varying from 16'-0" to 17'-1" (20' minimum width required).
- (11) NON-USE VARIANCE requiring a section-line right-of-way to be 80' in width; to waive same to permit a right-of-way width of 35' (40' wide required) along the East side of SW 107 Avenue.
- (12) NON-USE VARIANCE to permit 5 parking spaces (6 parking spaces required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Remodeling for: Thomas J. Kelly, Surveyors" as prepared by Richard Cortes, P.A. Architects, dated stamped received 7/11/14 and consisting of 5 sheets. Plans may be modified at public hearing.

LOCATION: 3321 SW 107 Avenue, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 0.20 Acre

Department of Regulatory and
Economic Resources
Recommendation:

Denial without prejudice.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred from 12/11/2014

be filed with the Zoning Hearing Section of the Department of Regulatory and Economic Resources (RER), within 14 days after RER has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (RER's posting will be made on a bulletin board located in the office of RER.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

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



**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 10**

PH: Z14-029 (14-10-CZ10-3)

December 18, 2014

Item No. A

Recommendation Summary	
Commission District	6
Applicants	1097 Le Jeune Investment, Inc. and Alberto and Luz Aran
Summary of Requests	The applicants are seeking a district boundary change or use variance to permit semi-professional offices in the RU-2 and RU-3 zones, deletion of agreements and modification of a previously approved resolution. Additionally, the applicants seek approval of an existing detached sign.
Location	Lying east of SW 42 Avenue, between SW 10 Street and SW 11 Street, A/K/A 1097 and 1099 SW 42 Avenue, 4028 SW 10 Street and 4175 SW 11 Street, Miami-Dade County, Florida.
Property Size	1.2 acres
Existing Zoning	RU-2, RU-3 and RU-5A
Existing Land Use	Medical office, Single-family residence and parking lot
2020-2030 CDMP Land Use Designation	Low-Medium Density Residential <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variance, Section 33-311, District Boundary Change, Section 33-311(A)(7) Generalized Modification Standards, Section 33-311 (A)(4)(a) Use Variances from other than airport regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval of request #1, subject to the acceptance of the proffered covenant; denial without prejudice of request #2; modified approval of request #3, to remove Parcel B; approval of request #4; and denial without prejudice of requests #5 through #7.

This item was deferred from the October 30, 2014 Community Zoning Appeals Board (CZAB) #10 meeting due to a lack of time and from the November 13, 2014 due to a lack of quorum. The application was again deferred from the December 11, 2014 CZAB#10 meeting due to a lack of time.

REQUESTS:

- (1) ZONE CHANGE from RU-2, RU-3 and RU-5A to RU-5A.

OR IN THE ALTERNATIVE, THE FOLLOWING:

- (2) USE VARIANCE to permit a parking lot expansion for an existing medical office use in the RU-3 zone, as would be permitted in the RU-5A zone.

- (3) MODIFICATION of plans approved pursuant to Resolution Z-124-83, passed and adopted by the Board of County Commissioners, last modified by Resolution CZAB10-11-12, passed and adopted by Community Zoning Appeals Board #10, and reading as follows:

From: That the plans be substantially in accordance with that plan submitted entitled "Proposed Renovations for: Aran Eye Associates" as prepared by Form Group, Inc., dated stamped received 9/30/11, and consisting of 7 sheets.

To: That the plans be substantially in accordance with that plan submitted entitled "Aran Eye Associates" as prepared by MGE Architects, sheet A1.02 dated stamped received 5/16/14, all other sheets dated stamped received March 19, 2014, and consisting of a total of 8 sheets.

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

- (4) DELETION of Declarations of Restrictions, recorded in Official Record Book 17072 Pages 1451- 1459 and recorded in Official Record Book 28857, Pages 4771-4777.

The purpose of Requests #3 & #4 is to allow the applicant to submit plans showing the expansion of a parking lot onto adjacent properties for the existing office use and to proffer a new covenant incorporating all conditions from the previous covenants for the development.

- (5) Use VARIANCE to permit an existing 35 sq. ft. detached sign and to permit with a setback of 1'-6" from the front (west) property line (detached sign not permitted in RU-5A zoning district).

REQUESTS #1, #2, #3, #4 AND #5 ON PARCEL A

- (6) ZONE CHANGE from RU-2 to RU-5A.

OR IN THE ALTERNATIVE, THE FOLLOWING:

- (7) USE VARIANCE to permit a parking lot expansion for an existing medical office use in the RU-2 zone, as would be permitted in the RU-5A zone.

REQUESTS #6 AND #7 ON PARCEL B

PROJECT DESCRIPTION AND PROJECT HISTORY:

The subject property is comprised of Parcel A and B. Parcel A has several lots zoned RU-5A, Semi-Professional Office District, RU-3, Four Unit Apartments District, and RU-2, Two-Family Residential District, located along SW 42 Avenue and SW 11 Street. Parcel B is comprised of one (1) lot zoned RU-2 and located to the north of Parcel A along SW 10 Street. The submitted plans depict an existing 3-story medical office (1097 SW 42 Avenue) and an existing 1-story single family residence (1099 SW 42 Avenue) that was converted into medical office use and existing surface parking to the east and north on the approximately 1.2-acre parcel. The applicants are now seeking to expand the previously approved office uses into additional property to the north and south. The northern expansion of the office uses will allow for 18 new parking spaces on

Parcel B and the southern expansion of same use will include a newly acquired parcel that is shown in the submitted plans to contain 6 new parking spaces (within Parcel A).

Staff notes that the Parcel A has been granted several approvals with the most recent pursuant to Resolution No. CZAB10-11-12, to permit office uses in the RU-2 and RU-3 zones as would be permitted in the RU-5A zone, along with a rezoning to RU-5A on a portion of said property, pursuant to Resolution No. Z-124-83.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-2, RU-3, RU-5A; parking lot, medical office building and single-family residence	Low Medium Density Residential 6 to 13 dua
North	RU-2 and RU-5A; duplex residences and apartment building	Low Medium Density Residential 6 to 13 dua
South	RU-3 and RU-4M; condo building and duplex residences	Low Medium Density Residential 6 to 13 dua
East	RU-2; single-family residences	Low Medium Density Residential 6 to 13 dua
West	RU-3M; Office and daycare	Low Medium Density Residential 6 to 13 dua

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of several parcels. The surrounding area is characterized by duplex residential, multi-family residential and office uses.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the expansion of the previously approved medical office use onto additional parcels which could potentially generate additional traffic and impact other services in the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The approximately 1.2-acre subject property consists of several contiguous properties described as Parcels A and B and is designated as **Low Medium Density Residential** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map.

Staff notes that Parcel A is zoned RU-5A, RU-3, and RU-2, and most of the property was previously approved for an existing medical office use. The applicant is now seeking approval of a district boundary change or in the alternative, a use variance (requests #1 and #2) to demolish an existing single-family residential structure located on the southern portion of Parcel A along SW 11 Street (4175 SW 11 Street) in order to convert it into a parking lot with six (6) additional parking spaces for the existing medical office complex.

Staff further notes that Parcel A has been granted several approvals to permit office uses in the RU-2 and RU-3 zone as would be permitted in the RU-5A zone, the most recent being pursuant

to Resolution No. CZAB10-11-12. A portion of parcel A located along SW 42 Avenue was also granted a district boundary change to RU-5A.

Staff notes that most of the lots within Parcel A were previously approved for office uses. Staff further notes that the remaining property located on the southern portion of Parcel A along SW 11 Street (4175 SW 11 Street) is surrounded by existing medical office uses within said Parcel. The immediate property located to the north within Parcel A at 1097 SW 42 Avenue was approved for a district boundary change to RU-5A pursuant to Resolution No. Z-124-83. Additionally, staff notes that the properties within Parcel A to the east and west of the property located at 4175 SW 11 Street were also approved to permit office uses in the RU-2 and RU-3 zone as would be permitted in the RU-5A zone, as previously mentioned. In staff's opinion, the southward expansion of the medical office use meets the above listed criteria for Office Uses in Residential Communities, in the CDMP Land Use Element interpretative text and will provide a logical transition to the surrounded properties within Parcel A. Therefore staff opines that the proposed expansion of the medical office use southward along the same block face is **consistent** with the CDMP Land Use Element interpretative text for Office Uses in Residential Communities. Additionally, for the reasons explained in the Zoning Analysis, staff opines that approval of this application would be **compatible** with the surrounding area based on the criteria from Policy LU-4A.

Staff notes that the proposed district boundary change from RU-3 to RU-5A for the parcel located at 4175 SW 11 Street meets the above Land Use Element interpretative text criteria for Office Uses in Residential Communities because the existing residential lot within Parcel A is located along a major roadway, the lot size is less than one acre, the residential area is not zoned, developed or designated on the LUP map for Estate Density Residential nor does the frontage face an Estate Density area. In staff's opinion the proposed medical office use expansion (requests #1 and #2) is **consistent** with the CDMP Land Use Element interpretative text and **compatible** with the surrounding area based on the criteria from Policy LU-4A.

However, staff does not support the proposed northern expansion of the medical office use (requests #6 and #7) on Parcel B. Staff is of the opinion that approval of same will be **inconsistent** with the interpretative text of the CDMP. Staff notes that Parcel B is zoned RU-2. The applicant is seeking approval of a district boundary change or in the alternative a use variance (requests #6 and #7) to demolish an existing single-family residential structure located on the northern Parcel B along SW 10 Street (4028 SW 10 Street) in order to convert it into a parking lot with eighteen (18) additional parking spaces for the existing medical office complex.

Additionally, staff notes that the proposed district boundary change from RU-2 to RU-5A or in the alternative, a use variance to permit office uses in the RU-2 zone as would be permitted in the RU-5A zone for Parcel B, do not meet the Land Use Element interpretative text criteria for Office Uses in Residential Communities. Staff notes that the existing residential lot on Parcel B is not located on a block end or along a heavily trafficked major roadway. Additionally, staff opines that approval of same will be an intrusion of office uses or uses to serve offices along SW 10 Street, where single-family residences currently exist to the north and east of Parcel B. As such, staff opines that the proposed medical use expansion on Parcel B (requests #6 and #7) is **inconsistent** with the CDMP Land Use Element interpretative text, and for the reasons explained in the Zoning Analysis, it is **incompatible** with the abutting area to the north and east, based on the criteria from Policy LU-4A.

ZONING ANALYSIS:

Parcel A:

When analyzing request #1 (Parcel A), a District Boundary Change from RU-2, RU-3 and RU-5A to RU-5A, under Section 33-311 of the Code, staff opines that the approval of this request would be **consistent** with the interpretative text of the CDMP. Staff opines that the applicant's request for a zone change in order to expand the medical use onto the parcel located on the southern portion of Parcel A along SW 11 Street (4175 SW 11 Street) will not have a negative impact on the surrounding area. The abutting property located to the north within Parcel A at 1097 SW 42 Avenue was approved for a district boundary change to RU-5A pursuant to Resolution No. Z-124-83. Additionally, staff notes that the properties within Parcel A to the east and west of the property located at 4175 SW 11 Street were also approved to permit office uses in the RU-2 and RU-3 zone as would be permitted in the RU-5A zone, as previously mentioned. Staff further notes that the applicants have proffered a covenant that among other things restricts the development on the property to the submitted plans, limits hours of operation, restricts parking lighting and requires landscape buffer.

Further, staff notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) memorandum states that the application meets the traffic concurrency criteria for an initial development order. Also, the Division of Environmental Resources Management (DERM) of RER memorandum indicates that approval of this application meets all applicable LOS standards for an initial development order, as specified in the CDMP for potable water service, wastewater disposal, and flood protection. Further, the memorandum from the Miami-Dade Fire Rescue Department (MDFR) does not indicate that the proposed re-zoning of the property will have a negative impact on fire rescue services in the area. Based on the aforementioned memoranda, staff opines that approval of the subject request will not have an unfavorable effect on the economy of Miami-Dade County, Florida. Further, based on the memoranda staff opines that approval would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction. As such, staff opines that approval, subject to the proffered covenant, of the zone change to RU-5A for the property located at 4175 SW 11 Street is **compatible** with the area.

However, in the alternative, when request #2 (Parcel A), a use variance to permit RU-5A uses in the RU-3 zoning district, is analyzed under Section 33-311(A)(4)(a), staff opines that the request should be denied without prejudice. Based on the information provided by the applicant, staff opines that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in an unnecessary hardship. While staff notes that pursuant to Resolution No. CZAB10-11-12, several lots were approved to permit office uses in the RU-2 and RU-3 zones as would be permitted in the RU-5A zone, along with a rezoning to RU-5A on a portion of said property, pursuant to Resolution No. Z-124-83, staff is of the opinion that the rezoning of the parcel to RU-5A (request #1) brings the parcel into harmony with the surrounding area. **As such, staff recommends approval of request #1, subject to the acceptance of the proffered covenant, under Section 33-311 Standards for District Boundary Change, and denial without prejudice of request #2 under Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.**

Staff opines that when requests #3 (modification of previously approved plans) and #4 (deletion of a previously approved covenant) are analyzed under the General Modification Standards, Section 33-311(A)(7), modified approval of said request #3 and approval of request #4 will not generate excessive traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, would be **compatible** with the area and will be consistent with the CDMP. Staff notes that pursuant to Resolution No. Z-104-94 the applicants were approved for parking on two parcels located at 4155 and 4173 SW 11 Street. The site plan submitted for that public hearing application depicted a 3-story medical office building located at 1097 SW 42 Avenue and surface parking on two interior parcels along SW 11 Street. The plans submitted in conjunction with this application will replace those previously submitted and depict the existing single-family residence located at 4175 SW 11 Street to be converted into six (6) additional parking spaces to serve the existing medical office use. As previously mentioned, the applicants have proffered a covenant that among other things restricts the development on the property to the submitted plans, hours of operation, parking lighting and landscape buffer.

Staff notes that the submitted plans also show Parcel B that will be converted to provide eighteen (18) additional parking spaces to the existing medical office uses on Parcel A. As previously stated above, staff opines that the proposed medical office use expansion on Parcel B is inconsistent with the CDMP. For the reasons explained below, staff opines that the requests related to Parcel B are incompatible with the abutting area to the north and east. Staff further notes that requests #3 and #4 are germane to request #1 (district boundary change to RU-5A) and to the alternative request #2 (use variance). Staff opines that the approval of the applicants' requests, as modified to remove Parcel B, would not have negative visual and aural impacts on the surrounding residential uses to the east and north and therefore, would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modifications or in relation to the present and future development of the area. **Therefore, staff recommends modified approval with conditions of request #3, to remove Parcel B, and approval of request #4 under Section 33-311(A)(7) Generalized Modification Standards.**

When request #5, use variance to permit an existing 35 sq. ft. detached sign and setback 1'-6" from the front (west) property line (detached sign not permitted), is analyzed under Section 33-311(A)(4)(a), staff is of the opinion that the approval of the request would be **incompatible** with the surrounding area, and would negatively affect the appearance of the community. The submitted plans indicate that the existing 35 sq. ft. detached sign is located on the northwestern portion of Parcel A along SW 42 Avenue in an area zoned RU-5A. Staff notes that the RU-5A regulations do not allow detached signs. Based on the information provided by the applicant, staff opines that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in an unnecessary hardship. The approval of the detached sign, in staff's opinion, is excessive and overly intensive for the existing office residential district. **As such, staff recommends denial without prejudice of request #5 under Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.**

Parcel B

When analyzing request #6 (Parcel B), District Boundary Change from RU-2 to RU-5A, under Section 33-311 of the Code, or in the alternative request #7, a use variance to permit RU-5A uses in the RU-2 zoning district is analyzed under Section 33-311(A)(4)(a), staff opines that the approval of either one of these requests would be **inconsistent** with the CDMP and **incompatible** with the abutting residential area to the north and east. As previously mentioned, staff notes that

the proposed district boundary change from RU-2 to RU-5A or in the alternative a use variance to permit office uses in the RU-2 zone as would be permitted in the RU-5A zone for Parcel B do not meet the CDMP Land Use Element criteria for Office Uses in Residential Communities. Staff notes that the existing residential lot on Parcel B is not located on a block end or along a heavily trafficked major roadway. Additionally, staff opines that approval of same will be an intrusion of office uses or uses to serve offices along SW 10 Street, where duplex residences currently exist to the north and east of Parcel B. **As such, staff recommends denial without prejudice of request #6 under Section 33-311 Standards for District Boundary Change, and denial without prejudice of request #7 under Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate two (2) existing ingress/egress points along SW 42 Avenue. The applicants have also provided adequate drives to facilitate the flow of traffic within the existing development.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

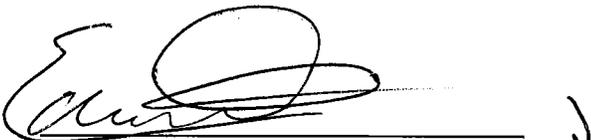
RECOMMENDATION:

Approval of request #1, subject to the acceptance of the proffered covenant; denial without prejudice of request #2; modified approval with conditions of request #3, to remove Parcel B; approval of request #4; and denial without prejudice of requests #5 through #7.

CONDITIONS FOR APPROVAL: For request #3 only.

1. That all the conditions of Resolution No. Z-124-83, as last modified by Resolution No. CZAB10-11-12, remain in full force and effect except as herein modified.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Aran Eye Associates" as prepared by MGE Architects, sheet A1.02 dated stamped received 5/16/14, all other sheets dated stamped received March 19, 2014, and consisting of a total of 8 sheets, except as herein modified to show the removal of Parcel B.
3. That the applicants submit to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

ES:MW:NN:CH:JV



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

ZONING RECOMMENDATION ADDENDUM

1097 Le Jeune Investment, Inc. and Alberto and Luz Aran
Z14-029

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

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

Low Medium Density Residential (Pg. I-29)	<i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Medium Density Residential. 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>
Office/Residential (Page I-42)	<i>Office uses smaller than five acres in size may be approved in areas designated as Residential Communities where other office uses which are not inconsistent already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot.</i>
Land Use Element LU-4A (Pg. I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(7) Generalized Modification Standards.	<i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i>
Section 33-311	<i>(A) The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety,</i>

ZONING RECOMMENDATION ADDENDUM

1097 Le Jeune Investment, Inc. and Alberto and Luz Aran
Z14-029

District Boundary Change	<p><i>morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> (1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i> (2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i> (3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i> (4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i> (5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i>
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>
Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations	<p><i>The Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.</i></p>

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#B

APPLICANT'S NAME: 1097 LeJeune Investment, Inc. & Alberto & Luz Aran

REPRESENTATIVE: MELISA TAPANES LLAHUES/ GRAHAM PENN

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
14-10-CZ10-3(14-029)	December 11, 2014	CZAB10	14

REC: Approval of request #1, subject to the acceptance of the proffered covenant; denial without prejudice of request #2; modified approval of request #3, to remove Parcel B; approval of request #4; and denial without prejudice of requests #5 through #7.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input type="checkbox"/> TO: <u>12/18/14</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER:	Automatically deferred due to lack of time.	

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Omar FERNANDEZ			
VICE CHAIRWOMAN		Miriam PLANAS			
COUNCILMAN		Gerardo RODRIGUEZ			
COUNCILMAN		Robert SUAREZ			
COUNCILMAN		Manuel VALDES			
COUNCILMAN		Toufic ZAKHARIA			
CHAIRMAN		Richard M. GOMEZ			

EXHIBITS: YES NO

COUNTY ATTORNEY: _____

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#B

APPLICANT'S NAME: 1097 LeJeune Investment, Inc. & Alberto & Luz Aran

REPRESENTATIVE: MELISA TAPANES LLAHUES/ GRAHAM PENN

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
14-10-CZ10-3(14-029)	November 13, 2014	CZAB10 14

REC: Approval of request #1, subject to the acceptance of the proffered covenant; denial without prejudice of request #2; modified approval of request #3, to remove Parcel B; approval of request #4; and denial without prejudice of requests #5 through #7.

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: 12/10/14 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
 Deferred due to lack of quorum.

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIRWOMAN		Miriam PLANAS	X		
COUNCILMAN		Gerardo RODRIGUEZ	X		
COUNCILMAN		Robert SUAREZ			X
COUNCILMAN		Manuel VALDES			X
COUNCILMAN		Toufic ZAKHARIA			X
CHAIRMAN		Richard M. GOMEZ	X		
			3		

EXHIBITS: YES NO

COUNTY ATTORNEY: David Hope

11

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#5

APPLICANT'S NAME: 1097 LeJeune Investment, Inc. & Alberto & Luz Aran

REPRESENTATIVE: MELISA TAPANES LLAHUES/ GRAHAM PENN

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
14-10-CZ10-3(14-029)	October 30, 2014	CZAB10 14

REC: Approval of request #1, subject to the acceptance of the proffered covenant; denial without prejudice of request #2; modified approval of request #3, to remove Parcel B; approval of request #4; and denial without prejudice of requests #5 through #7.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input type="checkbox"/> TO: _____ <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input type="checkbox"/> Deferred – ran out of time.		

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIRWOMAN		Miriam PLANAS			
COUNCILMAN		Gerardo RODRIGUEZ			
COUNCILMAN		Robert SUAREZ			
COUNCILMAN		Manuel VALDES			
COUNCILMAN		Toufic ZAKHARIA			
CHAIRMAN		Richard M. GOMEZ			

EXHIBITS: YES NO

COUNTY ATTORNEY: David Hope

**A. 1097 LEJEUNE INVESTMENT, INC. &
ALBERTO & LUZ ARAN**
(Applicant)

14-10-CZ10-3(14-029)
Area 10/District 06
Hearing Date: 12/18/14

Property Owner (if different from applicant) **1097 LEJEUNE INV. INC/A&L ARAN.**

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>
1976	Romano A. Socorro	- Use Variance Real Estate Office in RU-3 (RU-5A use)	BCC	Approved
1983	William I. & Angelica Sabates	- Zone change from RU-3 to RU-5A. - Special Exception 36' 3 story building.	BCC	Approved
1993	Maria Moure	- Non-Use Variances of Lot Frontage & Lot Area required.	ZAB	Approved with Condition(s)
1994	William Sabates, ET AL	- Unusual Use to permit parking in a zone more restrictive.	BCC	Approved In Part
1997	William Sabates, ET AL	- Reformation of Resolution Z-104-94.	BCC	Approved
1997	William Sabates, ET AL	- Reformation of Resolution Z-124-83.	BCC	Approved
2012	1097 LeJeune Inv. Inc.	- Zone change.	C10	Approved with Condition(s)

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

Memorandum



Date: June 20, 2014

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-10 #Z2014000029-1st Revision
Alberto & Luz Aran
1097 and 1099 SW 42nd Avenue, 4155 - 4175 SW 11th Street, and
4028 SW 10th Street, Miami, FL
Zone change from RU-5A, RU-2 and RU-3 to RU-5A;
Use Variance to permit office use in the RU-2 zone, as would be
permitted in the RU-5A zone.
(RU-1)
08-54-41

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

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.

DERM would not object to the interim use of a septic tank and drainfield system provided that the site is connected to the public water supply system and the proposed development meets the sewage loading requirements of Section 24-43.1(4) of the Code. Based upon the available information the proposal meets said requirements. Furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(4)(a) of the Code, which provides that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank.

Stormwater Management

Stormwater should be retained on site utilizing 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

According to the landscape plan submitted with this zoning application, the properties contain a specimen-sized (trunk diameter 18 inches or greater) tree (shown as #2 on the landscape plans) that will be impacted by the proposed project.

However, Tree Removal/Relocation Permit 5312 was issued for these properties on May 14, 2014. All approved tree removal/relocation, replanting and final inspection (a two weeks notice is required prior to the final inspection) must be completed prior to the scheduled expiration date of this permit on May 14, 2016 in order to avoid violation of permit conditions.

Please be advised that an amendment to this permit is required prior to the removal and/or relocation of additional trees on the subject property that are subject to the Tree Preservation and Protection provisions of the Code. Please contact the Tree Permitting Program at 305-372-6574 for information regarding tree permits.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

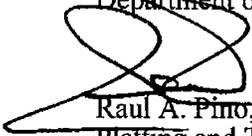
cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: May 29, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2014000029
Name: 1097 LeJeune Inv. Inc./A&L Aran
Location: 1097 & 1099 SW 42 Avenue
Section 08 Township 54 South Range 41 East

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

Directional signage is to be provided throughout the parking lot at time of permitting.

This land complies with Chapter 28 of the Miami-Dade County Code.

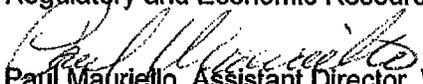
This project meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply.

Memorandum



Date: April 8, 2014

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

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

Subject: 1097 Lejeune Investments, Inc. and A & L Aran (#14_029)

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 of the Fiscal Management and Planning Division, at 305-514-6661. **The PWWM has no objections to the proposed application.**

Application: *1097 Lejeune Investments, Inc. and A & L Aran* are requesting (1) a district boundary change from a (RU-3) four-unit apartment district and (RU-2) two-family residential district to (RU-5A) semi-professional office district, (2) a use variance to permit an RU-5A use in the RU-2 and RU-3 zones, (3) a modification of a previously approved site plan, (4) a modification of an existing Declaration of Restrictions and (5) non-use variances associated with the proposed plan.

Size: The subject property is 0.99 acres.

Location: The subject properties are located at 1097 SW 42nd Avenue, 1099 SW 42nd Avenue, 4175 SW 11th Street, 4173 SW 11th Street 4155 SW 11th Street and 4028 SW 10th Street in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 25, 2013, 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 (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the zoning change from RU-2 and RU-3 to RU-5A will result in land uses that meet the County Code definition of commercial establishments. Per the Code the following is required of commercial establishments located in unincorporated Miami-Dade County:

"Every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Three of the properties are on residential waste collection route 3101 (4155 SW 11th Street, 4175 SW 11th Street and 4028 SW 10th Street), therefore, the landlord or property owner may fulfill the requirement, either through the PWWM, which can provide commercial waste cart service or through a private hauler to provide waste and recycling collection service.

3. Recycling

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

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

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

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

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

- Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- "T" shaped turnaround 60 feet long by 10 feet wide
- 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: May 22, 2014

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

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

Subject: Z2014000029: 1097 LEJEUNE INV.INC/A&L ARAN
Revised Plans Submitted Dated Stamped Received 5/16/2014

Application Name: 1097 LEJEUNE INV.INC/A&L ARAN

Project Location: The site is located at 1097 & 1099 SW 42 AVE, Miami-Dade County.

Proposed Development: The request is for a district boundary change from RU-5A, RU-2& RU-3 TO RU-5A, UV FOR PARKING.

Impact and demand: This application does not generate any new residential population applicable to CDMP Open Space Spatial Standards

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

DATE: 22-APR-14

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

1097 LEJEUNE INVESTMENT.INC.
& ALBERTO & LUZ ARAN

*1097 & 1099 SW 42 AVE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2014000029

HEARING NUMBER

HISTORY:

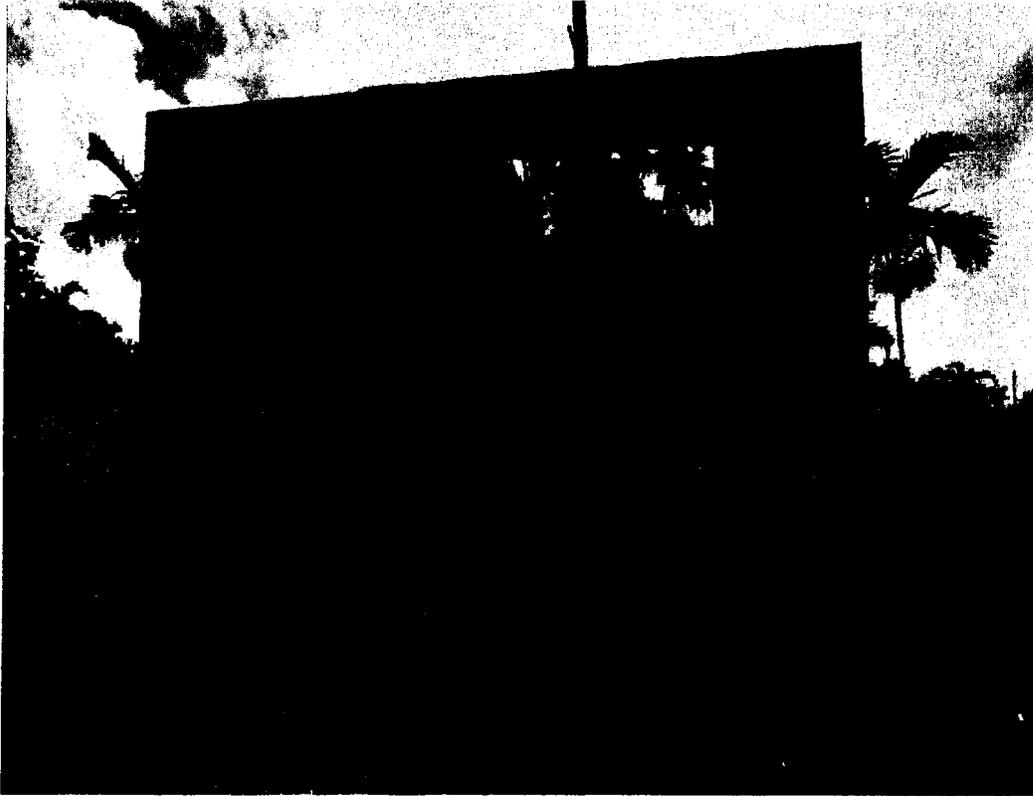
ENFORCEMENT HISTORY: NC: No open cases. BNC: No open cases for the following folios: 3041080380030,3041080380020,3041080380011,3041080360110,304108000010. Folio 3041080380010-BSS case F2010110706-U - 1099 SW 42 Ave opened on May 10, 2013 for Structure A(Bldg-1) is a one story (1359 sq ft) 4 unit residential structure missing 40 yr recertification. Board hearing held on February 19, 2014, board decision is as follow: Repairs to be completed within (180) days from February 19, 2014 - by August 18, 2014. Upon completion a revised engineer's 40 yr recertification report that the structure(s), as repaired can be recertified. Case remains open.

1097 Lejeune Inv Inc/A&L Aran

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

REPORTER NAME:

1097- 1099 SW 42 Ave, 4155 - 4175 SW 11 Street, and 4028 SW 10 Street
Photos



1097 SW 42 Ave: Front Elevation



1099 SW 42 Ave: Front Elevation

RECEIVED
7-14-079
MAR 19 2014

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

1097- 1099 SW 42 Ave, 4155 - 4175 SW 11 Street, and 4028 SW 10 Street
Photos



1099 SW 42 Ave: Side Elevation



4175 SW 11 Street: Front Elevation

RECEIVED
2-14-029
MAR 19 2014

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

23

1097- 1099 SW 42 Ave, 4155 - 4175 SW 11 Street, and 4028 SW 10 Street
Photos



4173-4155 SW 11 Street: Front/Side Elevation



4028 SW 10 Street: Front/Side elevation

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

MAR 19 2014

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: 1097 Lejeune Investment, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Alberto Aran</u>	<u>50%</u>
<u>Luci Aran</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].

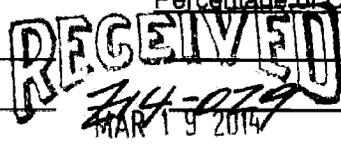
TRUST/ESTATE NAME _____

<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>
_____	_____
_____	_____
_____	_____
_____	_____


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

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

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

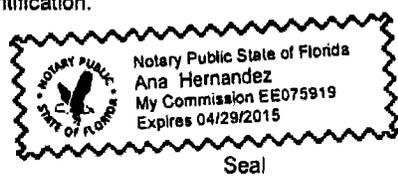
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: _____
(Applicant) Alberto Aran

Sworn to and subscribed before me this 4 day of MARCH 20 14. Affiant is personally know to me or has produced _____ as identification.

(Notary Public)

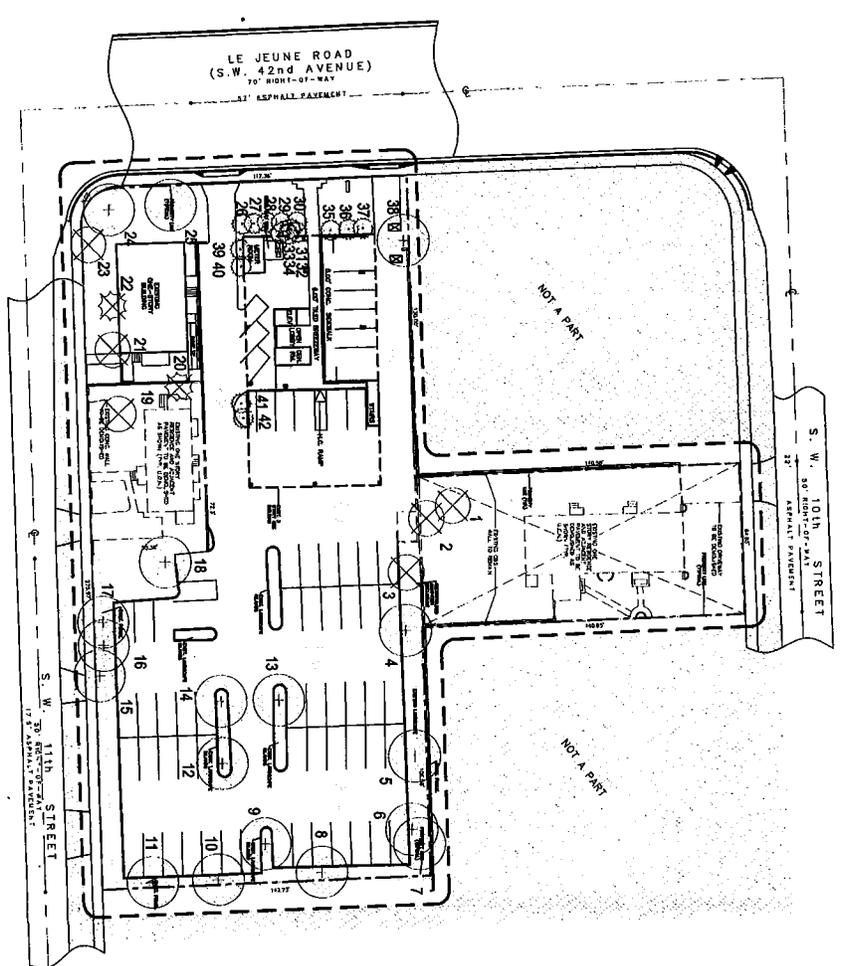


My commission expires: 4/29/15

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



ZONING REVIEW COMMISSION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____



TREE DISPOSITION PLAN
SCALE: 1" = 30'

THESE SPECIFICATIONS SHALL BE SUBJECT TO THE BUILDING DEPARTMENT'S REVIEW AND APPROVAL.

1. GENERAL NOTES: THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE BUILDING DEPARTMENT AND THE CITY ENGINEER'S OFFICE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE BUILDING DEPARTMENT AND THE CITY ENGINEER'S OFFICE.

No.	Description	Quantity	Unit	Notes
1	Excavation	125	cu yd	
2	Concrete	125	cu yd	
3	Reinforcing Steel	125	cu yd	
4	Formwork	125	sq ft	
5	Foundation	125	sq ft	
6	Structural Steel	125	sq ft	
7	Roofing	125	sq ft	
8	Interior Finishes	125	sq ft	
9	Exterior Finishes	125	sq ft	
10	Mechanical	125	sq ft	
11	Electrical	125	sq ft	
12	Plumbing	125	sq ft	
13	Paint	125	sq ft	
14	Landscaping	125	sq ft	
15	Site Work	125	sq ft	
16	Foundation	125	sq ft	
17	Structural Steel	125	sq ft	
18	Roofing	125	sq ft	
19	Interior Finishes	125	sq ft	
20	Exterior Finishes	125	sq ft	
21	Mechanical	125	sq ft	
22	Electrical	125	sq ft	
23	Plumbing	125	sq ft	
24	Paint	125	sq ft	
25	Landscaping	125	sq ft	
26	Site Work	125	sq ft	
27	Foundation	125	sq ft	
28	Structural Steel	125	sq ft	
29	Roofing	125	sq ft	
30	Interior Finishes	125	sq ft	
31	Exterior Finishes	125	sq ft	
32	Mechanical	125	sq ft	
33	Electrical	125	sq ft	
34	Plumbing	125	sq ft	
35	Paint	125	sq ft	
36	Landscaping	125	sq ft	
37	Site Work	125	sq ft	
38	Foundation	125	sq ft	
39	Structural Steel	125	sq ft	

PROPOSED
ZONING DEPARTMENT
MUNICIPAL PLANNING
BY [Signature]
ZONING DEPT.



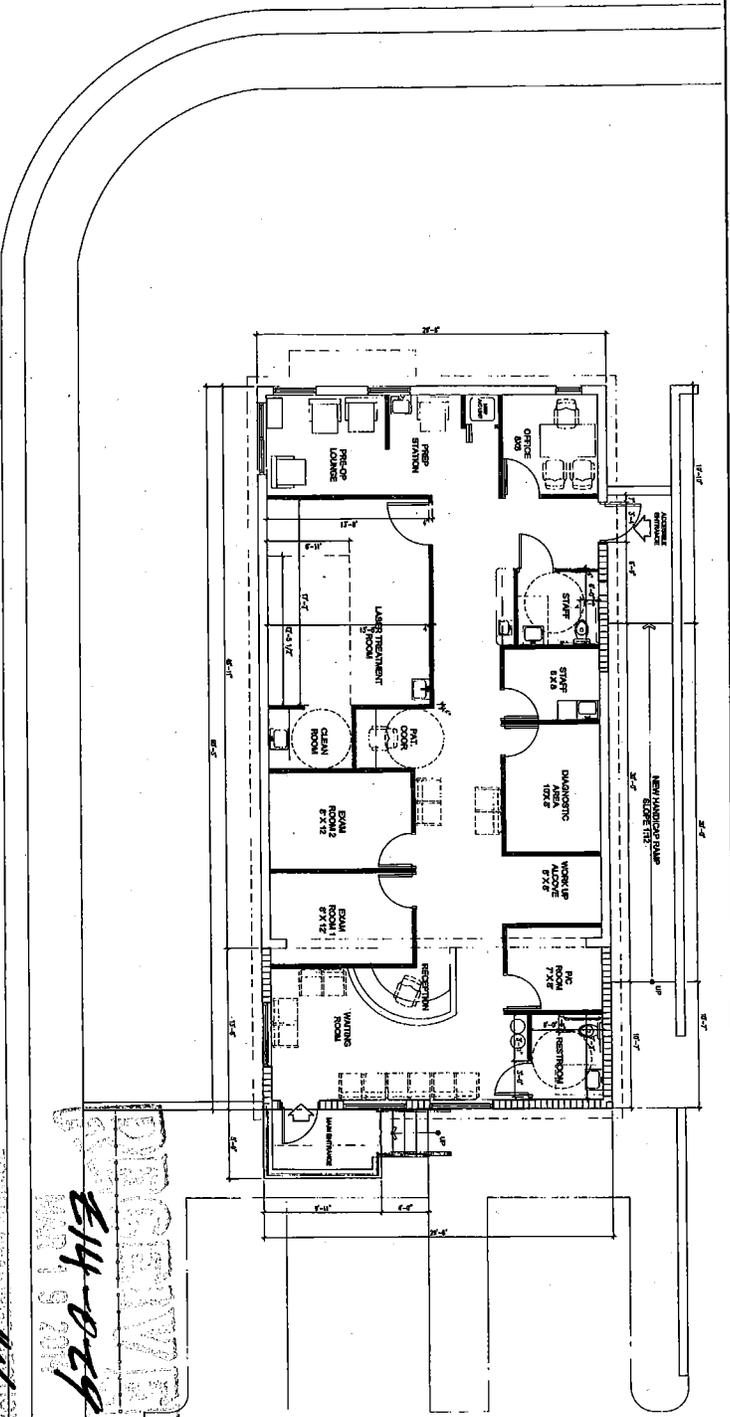
SERRA'S LANDSCAPE ARCHITECTS
1007 SW LEJUNE ROAD, SUITE 100
CORAL GABLES, FLORIDA 33134
PHONE: 305-442-2200



MGE ARCHITECTS
1007 SW LEJUNE ROAD, SUITE 100
CORAL GABLES, FLORIDA 33134
PHONE: 305-442-2200

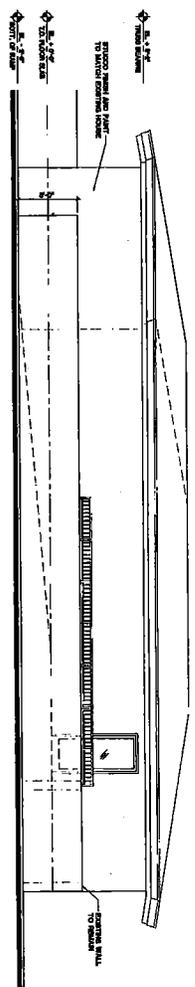
ARRANGEMENT CENTER
PARKING LOT
SERRA'S LANDSCAPE ARCHITECTS
1007 SW LEJUNE ROAD
CORAL GABLES, FLORIDA 33134
PHONE: 305-442-2200

SCALE: 1" = 30'

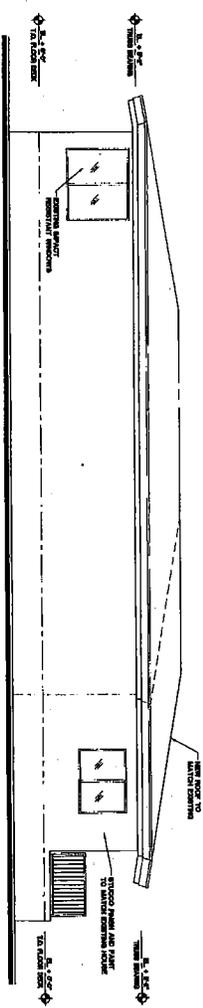


FLOOR PLAN
SCALE: 1/4" = 1'-0"

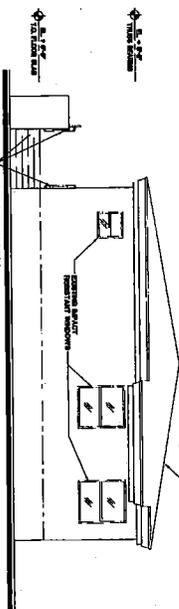
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



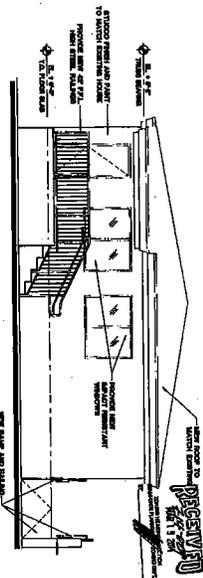
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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



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

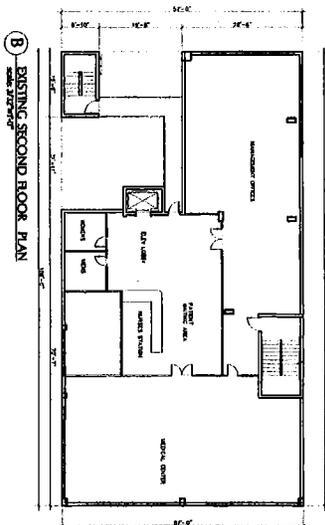


RECEIVED
MAY 19 1979

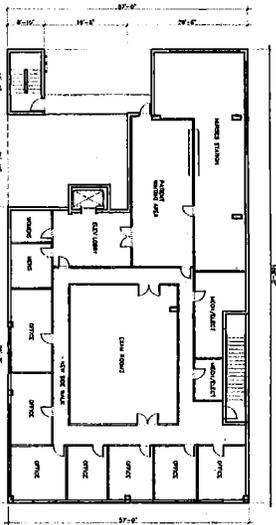
BY *[Signature]*
ARCHITECTS
MIAMI-DADE PLANNING DEPT.

MGE ARCHITECTS
30

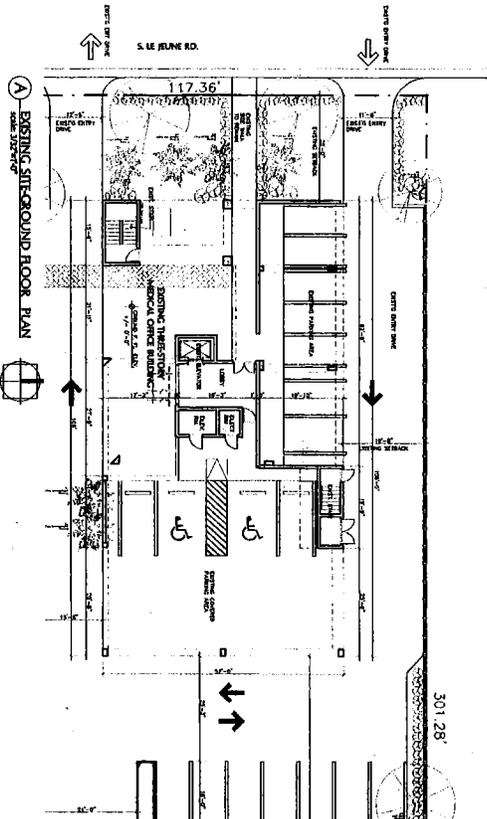
1099 BUILDING
FLOOR PLAN AND
ELEVATIONS
A201



B EXISTING SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



C EXISTING THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"



A EXISTING SITEGROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROTECTED
Z-14-029

ZONING DEPARTMENT
MANAGER'S SIGNATURE
BY _____

RECEIVED
MAY 14 2014

MGE
MCGRAW HILL
CONSTRUCTION

31

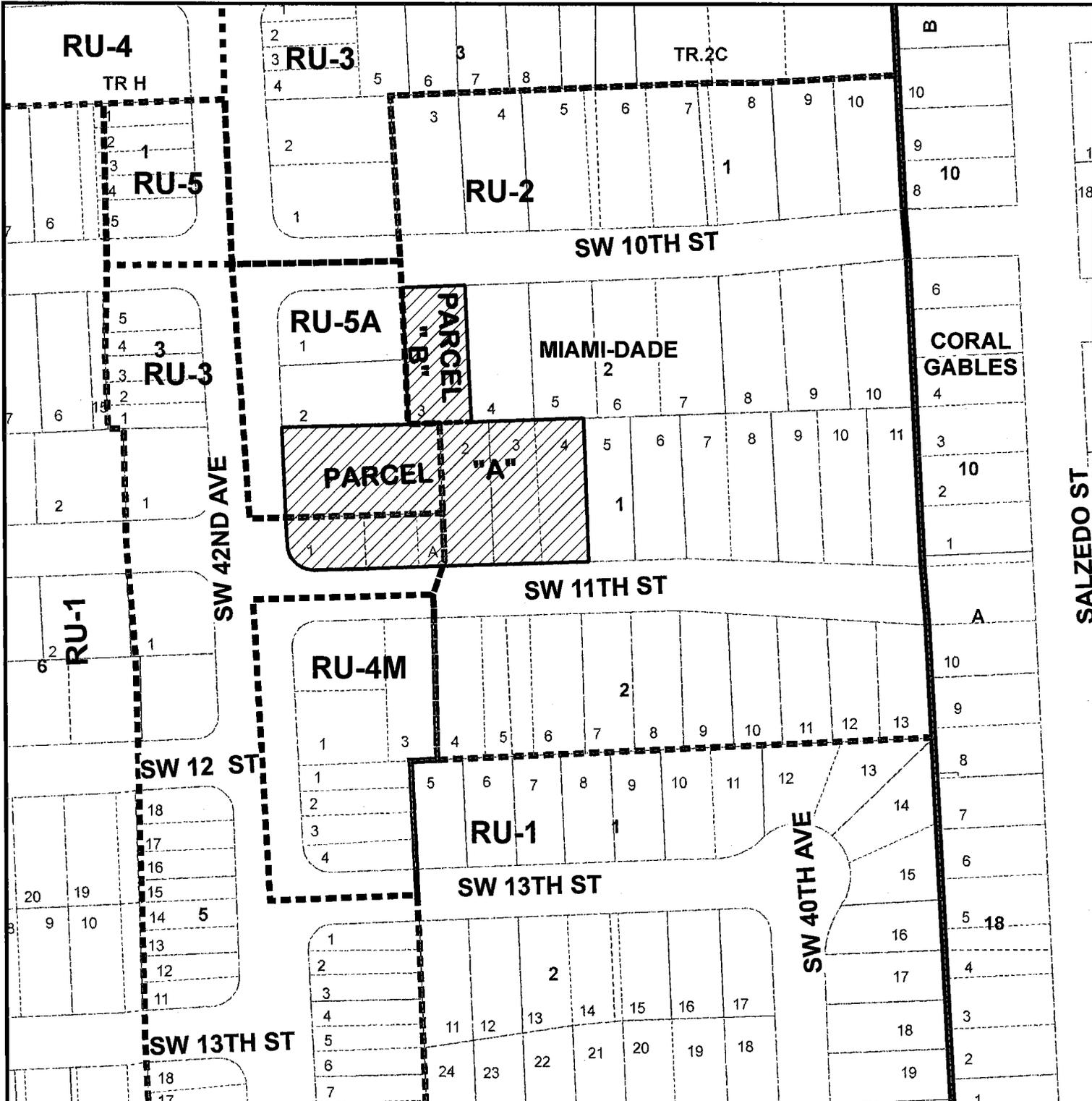
OWNER: ARAN EYE ASSOCIATES
1027 NW LEAVENUE ROAD
POMONA, CA 92464-3000
ARCHITECT: ARAN EYE ASSOCIATES
4028 SW 19 STREET
MIAMI, FLORIDA 33134

DATE: _____
PROJECT NO.: _____
SHEET NO.: _____

EXISTING TITLE:
EXISTING 1097 BLDG.
SITE PLAN AND
FLOOR PLANS

DATE: _____

A2.02



MIAMI-DADE COUNTY
HEARING MAP

Process Number

Z2014000029



Section: 08 Township: 54 Range: 41
 Applicant: 1097 LEJEUNE INV.INC/A&L ARAN
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, April 3, 2014

REVISION	DATE	BY
		34



MIAMI-DADE COUNTY

AERIAL YEAR 2013

Process Number

Z2014000029



Section: 08 Township: 54 Range: 41
Applicant: 1097 LEJEUNE INV.INC/A&L ARAN
Zoning Board: C10
Commission District: 6
Drafter ID: JEFFER GURDIAN
Scale: NTS

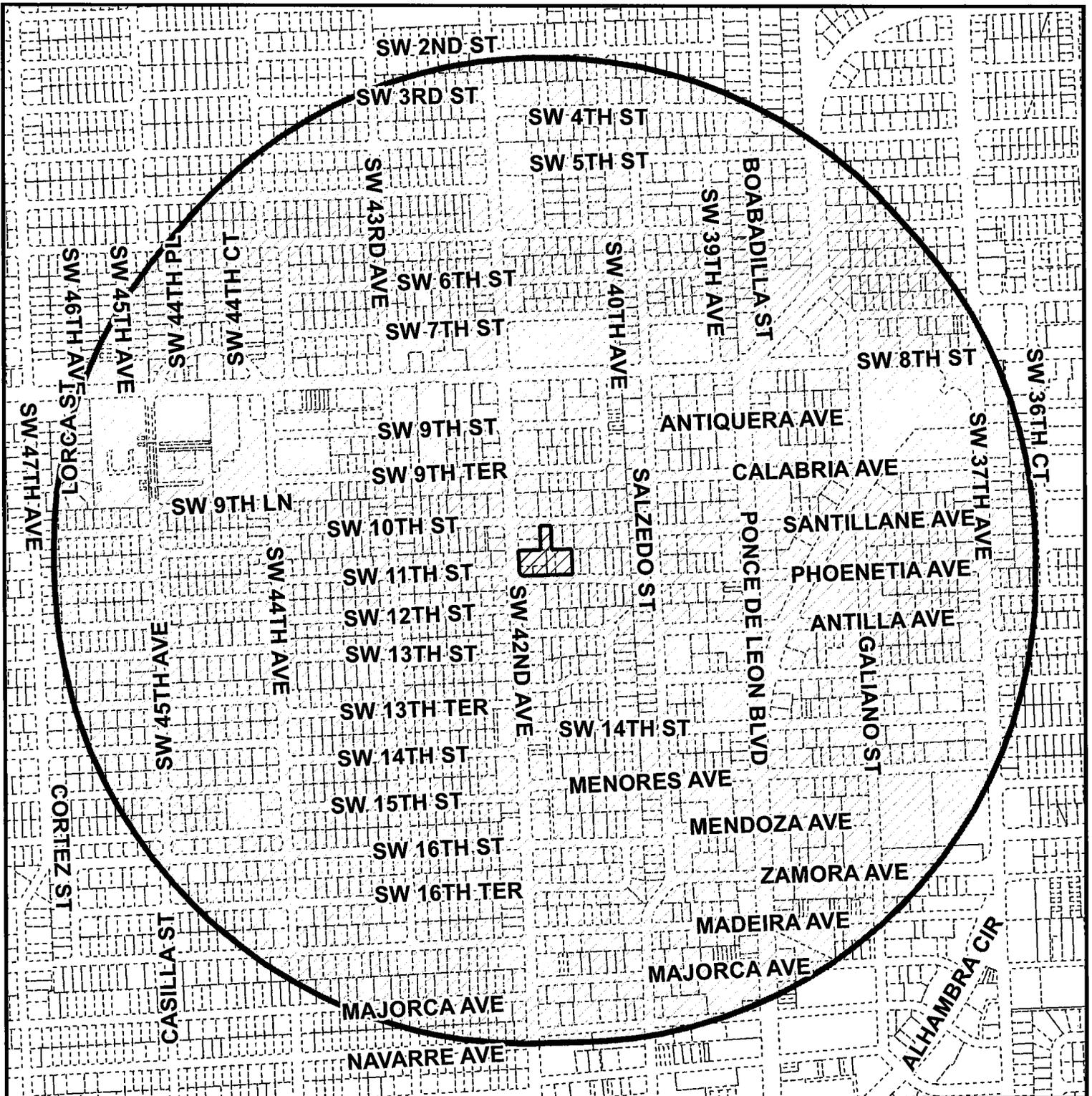
Legend

 Subject Property

**MIAMI-DADE
 COUNTY**

SKETCH CREATED ON: Thursday, April 3, 2014

REVISION	DATE	BY
		35



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z201400029

RADIUS: 2640

Section: 08 Township: 54 Range: 41
 Applicant: 1097 LEJEUNE INV.INC/A&L ARAN
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER GURDIAN
 Scale: NTS



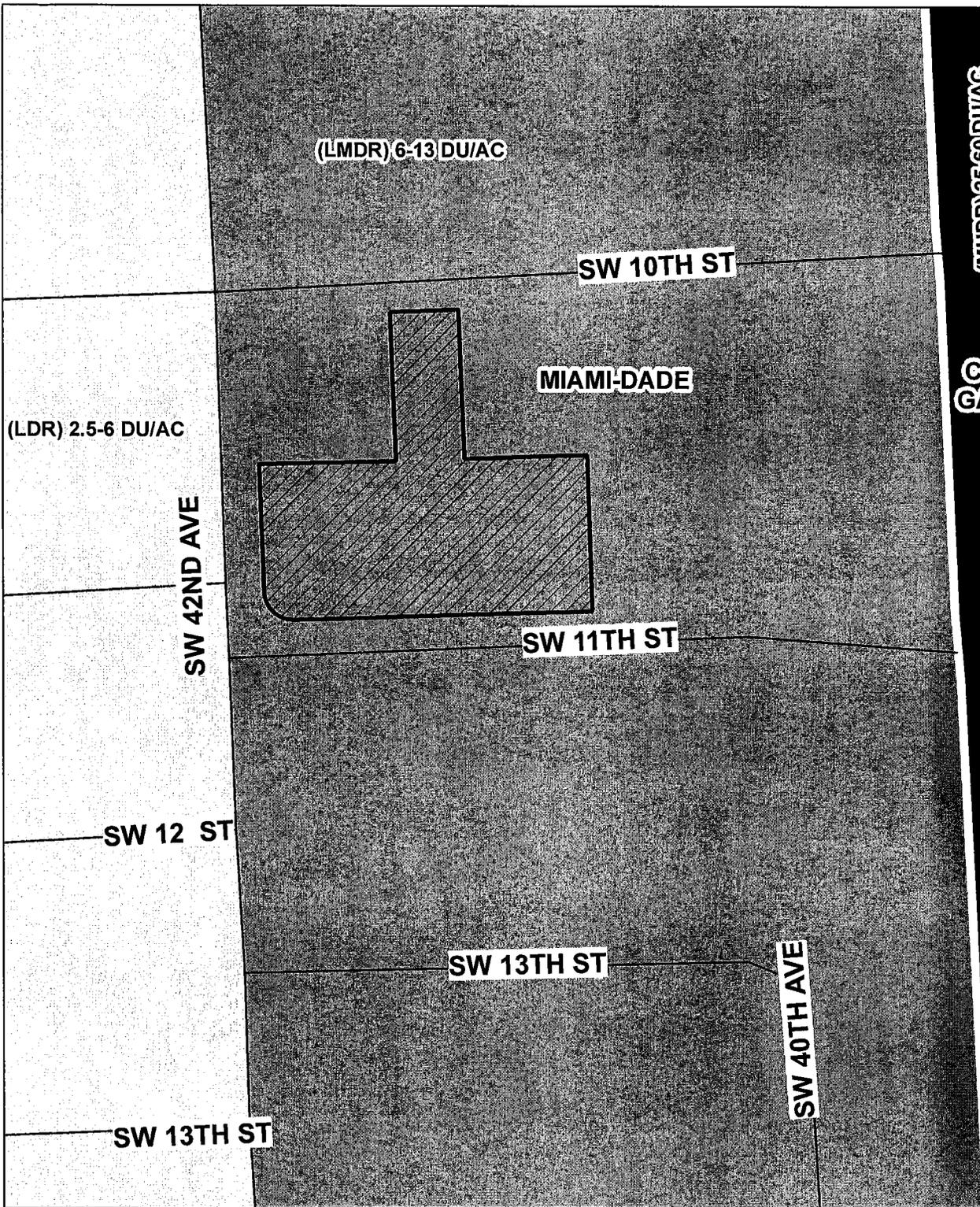
Legend

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, April 3, 2014

REVISION	DATE	BY
		36



(MHDR) 25-60 DU/AC
 CORAL GABLES

SALZEDO ST

MIAMI-DADE COUNTY
 CDMP MAP

Process Number

Z2014000029



Section: 08 Township: 54 Range: 41
 Applicant: 1097 LEJEUNE INV.INC/A&L ARAN
 Zoning Board: C10
 Commission District: 6
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, April 3, 2014

REVISION	DATE	BY

PLANNING AND ZONING
AGENDA OFFICE

1097 LeJeune
Investments &
Alberto & Luz Aran
CZAB10 10/30/14
Z14-029

This instrument was prepared by:

2014 OCT 30 A 8:22

Melissa Tapanes Llahues, Esq.
Bercow Radell & Fernandez, P.A.
200 S. Biscayne Boulevard
Suite 850
Miami, Florida 33131

All Parcels

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner, 1097 LeJeune Investment Inc., a Florida corporation, and Alberto and Luz Aran (collectively, "Owner"), holds fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the affixed attorney's opinion, and

WHEREAS, the Property is comprised of the following six contiguous parcels located on Lejeune Road between SW 11th Street and SW 10th Street: 1097 SW 42 Avenue (Folio No. 30-4108-000-0010), 4173 SW 11 Street (Folio No. 30-4108-038-0011), 4155 SW 11 Street (Folio No. 30-4108-038-0030), 1099 SW 42 Avenue (Folio No. 30-4108-038-0010), 4175 SW 11 Street (Folio No. 30-4108-038-0011), and 4028 SW 10 Street (Folio No. 30-4108-036-0110); and

WHEREAS, in 1976, pursuant to Resolution Z-232-76, the County approved a Use Variance to permit a real estate office, together with various Non-Use Variances for lot frontage, setback requirements, masonry wall and parking requirements on 1099 SW 42 Avenue; and

WHEREAS, in 1977, pursuant to Resolution Z-232-76, a covenant running with the land was recorded in the in the Public Records of Miami-Dade County at Official Records Book 9583, Pages 276-278 ("Original Agreement"), which reiterated the variances approved through Resolution Z-232-76 and limited the use of the property to a one man real estate office; and

Section-Township-Range: 08-54-41

Z14-029

Folio numbers: 30-4108-000-0010, 30-4108-038-0020, 30-4108-038-0030, 30-4108-036-0110,
30-4108-038-0010, 30-4108-038-0011

DK
EK

Declaration of Restrictions

Page 2

WHEREAS, in 1983, pursuant to Resolution No. Z-124-83, the County approved a district boundary change from RU-3 to RU-5A, and accompanying Special Exception and Non-Use Variances for 1097 SW 42 Avenue; and

WHEREAS, in 1985, pursuant to Resolution No. Z-5-85, the County approved a Use Variance in the RU-3 zone as would be permitted in the RU-5A zone for 1099 SW 42 Ave; and

WHEREAS, in 1993, pursuant to Resolution 4-ZAB-379-93, the County approved various Non-Use Variances for lot frontage, lot area and lot coverage to permit a duplex on 4173 SW 11 Street; and

WHEREAS, in 1994, pursuant to Resolution Z-104-94, the County approved an Unusual Use to permit parking in a zone more restrictive than the use it serves, deleted Resolution No. 4-ZAB-379-93, modified the previously approved site plan, and approved several Non-Use variances for 1097 SW 42 Avenue, 4173 SW 11 Street and 4155 SW 11 Street; and

WHEREAS, the objective of Resolution Z-104-94 was to permit parking associated with the office use at 1097 SW 42 Avenue to be located on 4173 SW 11 Street and 4155 SW 11 Street (together, "Parking Area"); and

WHEREAS, in 1996, pursuant to Condition 9 of Resolution No. Z-104-94, a Declaration of Restrictions was recorded in the Public Records of Miami-Dade County at Official Records Book 17072, at Page 1451 ("1996 Declaration of Restrictions") that set forth limitations and requirements related to: (1) hours of operation, (2) demolition of additional floor area, (3) security service for the Little Gables area, (4) garbage pickup, (5) lighting the Parking Area, (6) participation in the Little Gables Neighborhood Association; and

WHEREAS, in 2012, pursuant to Resolution No. CZAB 10-11-12, the County approved (1) modification of the site plan approved pursuant to Resolution No. Z-104-94 to include 1099 SW 42 Avenue and other conditions, (2) a Use Variance to permit RU-5A uses in the RU-3 zoning district for 1099 SW 42 Avenue, (3) deletion of the Original Agreement, (4) modification of the 1996 Declaration of Restrictions, and (5) several Non-Use Variances associated with the site plan; and

WHEREAS, in 2013, pursuant to the conditions of Resolution No. CZAB 10-11-12, a modified Declaration of Restrictions, running with the land was recorded in the Public Records of Miami-Dade County at Official Records Book 28857, pages 4771-

4777 ("2013 Declaration of Restrictions"); which deleted conditions (2), (3), and (5) of the 1996 Declaration of Restrictions; and

WHEREAS, through Public Hearing No. Z14-029 the Owner seeks to expand the site plan approved by Resolution No. CZAB 10-11-12 to include 4175 SW 11 Street and 4028 SW 10 Street to the Parking Area, and to be governed by the covenants herein; and

WHEREAS, the Owners and the County desire that the covenants herein amend, restate, and delete in all previous Declaration of Restrictions (1996 Declaration of Restrictions and 2013 Declaration of Restrictions), and hereinafter control the development and operation of the Property; and

IN ORDER TO ASSURE the County that the representations made during consideration of Public Hearing No. Z14-029 will be abided by the Owners freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) Deletion of Previous Declarations of Restrictions. The covenants herein amend, restate, and delete the 1996 Declaration of Restrictions (ORB 17072/1451-1459) and the 2013 Declaration of Restrictions (ORB 28857/4771-4777).
- (2) Approved Plan. That the Property shall be developed substantially in accordance with the plans submitted entitled, "Aran Eye Center: Overflow Parking Area" as prepared by MGE Architects, Inc. and Curtis and Rogers Design Studio, Inc. sheet A1.02 dated stamped received May 16, 2014, the remaining sheets dated stamped received March 19, 2014 and consisting of eight (8) sheets ("Approved Plan").
- (3) Hours of Operation. The Parking Area shall only be used for parking between the hours of 7 AM and 7 PM.
- (4) Parking Area Lighting. The Parking Area shall not be lighted.
- (5) Garbage Pick-Up. In no event shall garbage or refuse be collected on the Property between the hours of 7 PM and 7 AM.
- (6) Limitation of Use of 1099 SW 42 Avenue. The use of 1099 SW 42 Avenue shall be limited to medical doctors as allowed under the RU-5A zoning district.

- (7) Limitation of Use of 4028 SW 10 Street. The use of the northernmost parcel, identified by Miami Dade County Folio No. 30-4108-036-0110, a/k/a 4028 SW 10 Street, shall be limited to employee parking only.
- (8) Landscape Buffer for 4028 SW 10 Street. The Owners shall plant and maintain a seven (7) foot wide dense landscape buffer abutting SW 10 Street consisting of at least four (4) Pitch Apple trees at least 12 feet in height at the time of planting, a continuous row of Red Tip Cocoplum planted 30 inches on center, and a six (6) foot in height masonry wall. At the east and west perimeter, the Owners shall plant and maintain a five (5) foot wide dense landscape buffer consisting of five (5) Green Buttonwood trees at least 12 feet in height at the time of planting, four (4) Glaucous Cassia trees at least 10 feet in height at the time of planting, a continuous hedge, and a six (6) foot in height masonry wall. The foregoing landscape buffer shall be consistent with the plans prepared by Curtis and Rogers Design Studio Inc., dated February 10, 2014, and consisting of two (2) sheets.
- (9) Each phase, or stage, shall be developed in substantial accordance with the Approved Plan referenced above.
- (10) Each phase, or stage of development, when standing independently or in conjunction with existing, developed, contiguous phases or stages, shall meet all zoning requirements in accordance with the Approved Plan, subject to the variances contained therein.
- (11) In the event multiple ownerships are created subsequent to said development plan approval, each of the subsequent owners, mortgagees, heirs, assigns and other parties in interest shall be bound by the terms, provisions and conditions of this instrument.
- (12) Where necessary, and to the extent necessary, the Owners hereby reserve easements and hereby grant reciprocal cross-easements to the owners of each phase or stage of development, in and over the Property for utilities, water and sewer lines, common parking areas, streets, driveways, entrance and exits, etc., so that the integrity of the Approved Plan shall be maintained.
- (13) The Owners shall provide for permanent and safe access for pedestrian and vehicular traffic within the development and particularly for right of access for fire, police, health, sanitation and other public service personnel vehicles. The streets or access ways shall be installed and maintained by the Owners, including, but not limited to, sidewalks, drainage facilities, water, sewers and fire hydrants.

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized,

Declaration of Restrictions

Page 5

may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owners shall constitute a covenant running with the land and may be recorded, at Owners' expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owners, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owners, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the then-owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the then-owner(s) of the property, including jointers of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, , or the Director as provided by the Miami-Dade County Code of Ordinances. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with applicable procedures.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be

reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owners to a favorable recommendation or

Declaration of Restrictions
Page 7

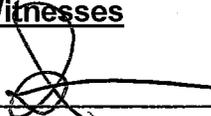
approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

Owner. The term Owners shall include the Owners, and its heirs, successors and assigns.

[Execution Pages Follow]

IN WITNESS WHEREOF, the foregoing have executed this Declaration of Restrictive Covenants, this ____ day of _____, 2014.

Witnesses



Signature
J. MIRABENT

Print Name

1097 LeJeune Investment Inc., a Florida Corporation
1097 SW 42nd Avenue, Miami, FL 33134



Signature
EMILIO BAZVIS

Print Name

By: 

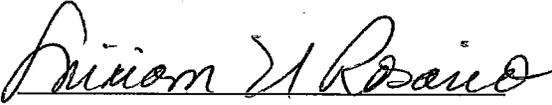
Name: Alberto Aran
Title: President

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing was acknowledged before me this 24 day of October, 2014 by Alberto Aran, M.D., as President of 1097 LeJeune Investment, Inc. on behalf of the corporation. He/She is personally known to me or has produced _____ as identification.

Witness my signature and official seal this 24 day of October, 2014 in the County and State aforesaid.

My Commission Expires:



Notary Public, State of Florida



Miriam U. Rosario

Print Name

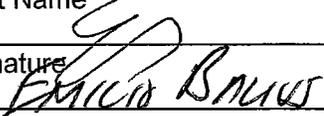
Declaration of Restrictions
Page 9

Signed, witnessed, executed, and acknowledged on this ____ day of _____, 2014.

Witnesses as to Husband:

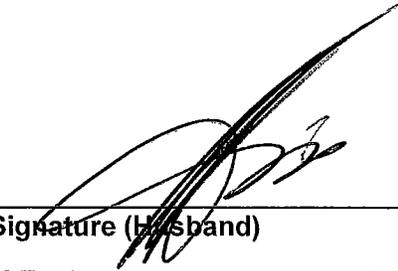


Signature
J. M. MONT

Print Name


Signature
Emilio B. B. B.

Print Name



Signature (Husband)
Alberto Aran
570 Marquesa Drive, Coral Gables, FL 33156

Witnesses as to Wife:



Signature
J. M. MONT

Print Name


Signature
Emilio B. B. B.

Print Name



Signature (Wife)
Luz Aran
570 Marquesa Drive, Coral Gables, FL 33156

NOTARY AS TO HUSBAND:

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by Alberto Aran, MD who is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 24 day of October, 2014, in the County and State aforesaid.



My Commission Expires: 6/13/2016

Miriam U Rosario
Notary Public-State of Florida

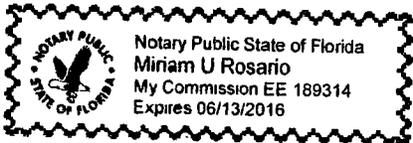
Miriam U. Rosario
Print Name

NOTARY AS TO WIFE:

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by Luz Aran who is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 24 day of October, 2014, in the County and State aforesaid.



My Commission Expires: 6/13/2016

Miriam U Rosario
Notary Public-State of Florida

Miriam U. Rosario
Print Name

Exhibit "A"
Legal Description

Parcel A: The North 92 feet of the West 193 feet of the S ½ of the SW ¼ of the NW ¼ of the NE ¼, Section 8, Township 54 South, Range 41 East, less the West 35 feet thereof and Lots 2, 3 and 4, Block 1 of LE JEUNE ADDITION SECTION ONE, according to the Plat thereof, as recorded in Plat Book 9 at Page 107, of the Public Records of Miami-Dade County, Florida.*

AND

Parcel B: Lot 1 less the East 53 feet thereof, Block 1 of LE JEUNE ADDITION SECTION ONE, according to the Plat thereof, as recorded in Plat Book 9 at Page 107, of the Public Records of Miami-Dade County, Florida.*

AND

Parcel C: Lot 3, Block 2 of SCOVILLE MANOR, according to the Plat thereof, as recorded in Plat Book 43, Page 100 of the Public Records of Miami-Dade County, Florida.†

AND

Parcel D: The East 53 feet, Lot 1 and all of Lot "A", Block 1, LE JEUNE ADDITION SECTION ONE, according to the Plat thereof, as recorded in Plat Book 9 at Page 107, of the Public Records of Miami-Dade County, Florida.*

LOCATION: Lying east of SW 42 Avenue, between SW 10 Street and SW 11 Street, a/k/a 1097 & 1099 SW 42 Avenue, 4028 SW 10 Street and 4155, 4173 & 4175 SW 11 Street MIAMI-DADE COUNTY, FLORIDA.

* It should be noted that Parcels A, B, and D described above correspond with the property described as Parcel A as advertised for Public Hearing.

† It should be noted that Parcel C described above corresponds with the property described as Parcel B as advertised for Public Hearing.

(Space reserved for Clerk)

JOINDER BY MORTGAGEE CORPORATION

The undersigned, Regions Bank, an Alabama corporation and Mortgagee under that certain mortgage from 1097 LeJeune Investments, Inc., a Florida corporation, dated the 25th day of September, 2009 and recorded in Official Records Book 27050, Page 3317 of the Public Records of Miami-Dade County, Florida, covering the portion of the property described as Parcels A and B in the foregoing agreement, and that certain Mortgage from 1097 LeJeune Investments, Inc., a Florida corporation, dated the 30th day of March, 2012 and recorded in Official Records Book 28056, Page 3185, and Corrected in Official Records Book 28146, Page 2245, of the Public Records of Miami-Dade County, Florida, covering the portion of the property described as Parcel A in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this _____ day of _____, 2014.

Witnesses:

[Signature]
Signature
Carlos A Garcia
Print Name

[Signature]
Signature
Victor A Polania
Print Name

REGIONS BANK
Address: 8601 South Dixie Hwy
Miami Florida 33143

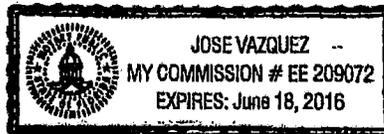
By [Signature]
(President, Vice, President or CEO*)
Print Name: Jorge Morera

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF Florida
COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me by Jorge Morera
(Name)
the V.P. of REGIONS BANK, on behalf of the corporation. He/She is
(Title)
personally known to me or has produced FL D.L., as identification.
Witness my signature and official seal this 29th day of August, 2014.
in the County and State aforesaid.

[Signature] Notary Public - State of Florida
Jose Vazquez
(Print Name)
My Commission Expires: 6/18/2016



1097 LeJeune
Investments &
Alberto & Luz Aran

This instrument was prepared by:

Melissa Tapanes Llahues, Esq.
Bercow Radell & Fernandez, P.A.
200 S. Biscayne Boulevard
Suite 850
Miami, Florida 33131

PLANNING AND ZONING
AGENDA OFFICE

2014 OCT 30 A 8:22

C2AB10 10/30/14

Z14-029

Parcel A Only

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner, 1097 LeJeune Investment Inc., a Florida corporation, and Alberto and Luz Aran (collectively, "Owner"), holds fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the affixed attorney's opinion, and

WHEREAS, the Property is comprised of the following five contiguous parcels located on Lejeune Road between SW 11th Street and SW 10th Street: 1097 SW 42 Avenue (Folio No. 30-4108-000-0010), 4173 SW 11 Street (Folio No. 30-4108-038-0011), 4155 SW 11 Street (Folio No. 30-4108-038-0030), 1099 SW 42 Avenue (Folio No. 30-4108-038-0010), and 4175 SW 11 Street (Folio No. 30-4108-038-0011); and

WHEREAS, in 1976, pursuant to Resolution Z-232-76, the County approved a Use Variance to permit a real estate office, together with various Non-Use Variances for lot frontage, setback requirements, masonry wall and parking requirements on 1099 SW 42 Avenue; and

WHEREAS, in 1977, pursuant to Resolution Z-232-76, a covenant running with the land was recorded in the in the Public Records of Miami-Dade County at Official Records Book 9583, Pages 276-278 ("Original Agreement"), which reiterated the variances approved through Resolution Z-232-76 and limited the use of the property to a one man real estate office; and

WHEREAS, in 1983, pursuant to Resolution No. Z-124-83, the County approved a district boundary change from RU-3 to RU-5A, and accompanying Special Exception and Non-Use Variances for 1097 SW 42 Avenue; and

WHEREAS, in 1985, pursuant to Resolution No. Z-5-85, the County approved a Use Variance in the RU-3 zone as would be permitted in the RU-5A zone for 1099 SW 42 Ave; and

Section-Township-Range: 08-54-41

Folio numbers: 30-4108-000-0010, 30-4108-038-0020, 30-4108-038-0030, 30-4108-038-0010,
30-4108-038-0011

Z14-029

DK
EK

Declaration of Restrictions

Page 2

WHEREAS, in 1993, pursuant to Resolution 4-ZAB-379-93, the County approved various Non-Use Variances for lot frontage, lot area and lot coverage to permit a duplex on 4173 SW 11 Street; and

WHEREAS, in 1994, pursuant to Resolution Z-104-94, the County approved an Unusual Use to permit parking in a zone more restrictive than the use it serves, deleted Resolution No. 4-ZAB-379-93, modified the previously approved site plan, and approved several Non-Use variances for 1097 SW 42 Avenue, 4173 SW 11 Street and 4155 SW 11 Street; and

WHEREAS, the objective of Resolution Z-104-94 was to permit parking associated with the office use at 1097 SW 42 Avenue to be located on 4173 SW 11 Street and 4155 SW 11 Street (together, "Parking Area"); and

WHEREAS, in 1996, pursuant to Condition 9 of Resolution No. Z-104-94, a Declaration of Restrictions was recorded in the Public Records of Miami-Dade County at Official Records Book 17072, at Page 1451 ("1996 Declaration of Restrictions") that set forth limitations and requirements related to: (1) hours of operation, (2) demolition of additional floor area, (3) security service for the Little Gables area, (4) garbage pickup, (5) lighting the Parking Area, (6) participation in the Little Gables Neighborhood Association; and

WHEREAS, in 2012, pursuant to Resolution No. CZAB 10-11-12, the County approved (1) modification of the site plan approved pursuant to Resolution No. Z-104-94 to include 1099 SW 42 Avenue and other conditions, (2) a Use Variance to permit RU-5A uses in the RU-3 zoning district for 1099 SW 42 Avenue, (3) deletion of the Original Agreement, (4) modification of the 1996 Declaration of Restrictions, and (5) several Non-Use Variances associated with the site plan; and

WHEREAS, in 2013, pursuant to the conditions of Resolution No. CZAB 10-11-12, a modified Declaration of Restrictions, running with the land was recorded in the Public Records of Miami-Dade County at Official Records Book 28857, pages 4771-4777 ("2013 Declaration of Restrictions"); which deleted conditions (2), (3), and (5) of the 1996 Declaration of Restrictions; and

WHEREAS, through Public Hearing No. Z14-029 the Owner seeks to expand the site plan approved by Resolution No. CZAB 10-11-12 to include 4175 SW 11 Street to the Parking Area, and to be governed by the covenants herein; and

WHEREAS, the Owners and the County desire that the covenants herein amend, restate, and delete in all previous Declaration of Restrictions (1996 Declaration of Restrictions and 2013 Declaration of Restrictions), and hereinafter control the development and operation of the Property; and

IN ORDER TO ASSURE the County that the representations made during consideration of Public Hearing No. Z14-029 will be abided by the Owners freely,

Section-Township-Range: 08-54-41

Z14-029

Folio numbers: 30-4108-000-0010, 30-4108-038-0020, 30-4108-038-0030, 30-4108-038-0010, 30-4108-038-0011

Declaration of Restrictions

Page 3

voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) Deletion of Previous Declarations of Restrictions. The covenants herein amend, restate, and delete the 1996 Declaration of Restrictions (ORB 17072/1451-1459) and the 2013 Declaration of Restrictions (ORB 28857/4771-4777).
- (2) Approved Plan. That the Property shall be developed substantially in accordance with the plans submitted entitled, "Aran Eye Center: Overflow Parking Area" as prepared by MGE Architects, Inc. and Curtis and Rogers Design Studio, Inc. sheet A1.02 dated stamped received May 16, 2014, the remaining sheets dated stamped received March 19, 2014 and consisting of eight (8) sheets, except as modified to show the removal of Parcel B ("Approved Plan").
- (3) Hours of Operation. The Parking Area shall only be used for parking between the hours of 7 AM and 7 PM.
- (4) Parking Area Lighting. The Parking Area shall not be lighted.
- (5) Garbage Pick-Up. In no event shall garbage or refuse be collected on the Property between the hours of 7 PM and 7 AM.
- (6) Limitation of Use of 1099 SW 42 Avenue. The use of 1099 SW 42 Avenue shall be limited to medical doctors as allowed under the RU-5A zoning district.
- (7) Each phase, or stage, shall be developed in substantial accordance with the Approved Plan referenced above.
- (8) Each phase, or stage of development, when standing independently or in conjunction with existing, developed, contiguous phases or stages, shall meet all zoning requirements in accordance with the Approved Plan, subject to the variances contained therein.
- (9) In the event multiple ownerships are created subsequent to said development plan approval, each of the subsequent owners, mortgagees, heirs, assigns and other parties in interest shall be bound by the terms, provisions and conditions of this instrument.
- (10) Where necessary, and to the extent necessary, the Owners hereby reserve easements and hereby grant reciprocal cross-easements to the owners of each phase or stage of development, in and over the Property for utilities, water and sewer lines, common parking areas, streets, driveways,

entrance and exits, etc., so that the integrity of the Approved Plan shall be maintained.

- (11) The Owners shall provide for permanent and safe access for pedestrian and vehicular traffic within the development and particularly for right of access for fire, police, health, sanitation and other public service personnel vehicles. The streets or access ways shall be installed and maintained by the Owners, including, but not limited to, sidewalks, drainage facilities, water, sewers and fire hydrants.

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owners shall constitute a covenant running with the land and may be recorded, at Owners' expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owners, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owners, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the then-owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the then-owner(s) of the property, including jointers of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, or the Director as provided by the Miami-Dade County Code of Ordinances. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with applicable procedures.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owners to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County

Declaration of Restrictions
Page 6

Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

Owner. The term Owners shall include the Owners, and its heirs, successors and assigns.

[Execution Pages Follow]

IN WITNESS WHEREOF, the foregoing have executed this Declaration of Restrictive Covenants, this 24 day of October, 2014.

Witnesses

[Signature]
Signature
J. Minnsent
Print Name

1097 LeJeune Investment Inc., a Florida Corporation
1097 SW 42nd Avenue, Miami, FL 33134

[Signature]
Signature
Emilio H. Baltes
Print Name

By: [Signature]
Name: ALBERTO ARAN
Title: President

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing was acknowledged before me this 24 day of Oct., 2014 by Alberto Aran, MD, as President of 1097 LeJeune Investment, Inc. on behalf of the corporation. He/She is personally known to me, or has produced _____ as identification.

Witness my signature and official seal this 24 day of October, 2014 in the County and State aforesaid.

My Commission Expires: 6/13/2016

[Signature]
Notary Public, State of Florida

Miriam U. Rosario
Print Name



Exhibit "A"
Legal Description

Parcel A: The North 92 feet of the West 193 feet of the S ½ of the SW ¼ of the NW ¼ of the NE ¼, Section 8, Township 54 South, Range 41 East, less the West 35 feet thereof and Lots 2, 3 and 4, Block 1 of LE JEUNE ADDITION SECTION ONE, according to the Plat thereof, as recorded in Plat Book 9 at Page 107, of the Public Records of Miami-Dade County, Florida.*

AND

Parcel B: Lot 1 less the East 53 feet thereof, Block 1 of LE JEUNE ADDITION SECTION ONE, according to the Plat thereof, as recorded in Plat Book 9 at Page 107, of the Public Records of Miami-Dade County, Florida.*

AND

Parcel C: The East 53 feet, Lot 1 and all of Lot "A", Block 1, LE JEUNE ADDITION SECTION ONE, according to the Plat thereof, as recorded in Plat Book 9 at Page 107, of the Public Records of Miami-Dade County, Florida.*

LOCATION: Lying east of SW 42 Avenue, between SW 10 Street and SW 11 Street, a/k/a 1097 & 1099 SW 42 Avenue, and 4155, 4173 & 4175 SW 11 Street MIAMI-DADE COUNTY, FLORIDA.

* It should be noted that Parcels A, B, and C described above correspond with the property described as Parcel A as advertised for Public Hearing.

(Space reserved for Clerk)

JOINDER BY MORTGAGEE CORPORATION

The undersigned, Regions Bank, an Alabama corporation and Mortgagee under that certain mortgage from 1097 LeJeune Investments, Inc., a Florida corporation, dated the 25th day of September, 2009 and recorded in Official Records Book 27050, Page 3317 of the Public Records of Miami-Dade County, Florida, covering the portion of the property described as Parcels A and B in the foregoing agreement, and that certain Mortgage from 1097 LeJeune Investments, Inc., a Florida corporation, dated the 30th day of March, 2012 and recorded in Official Records Book 28056, Page 3185, and Corrected in Official Records Book 28146, Page 2245, of the Public Records of Miami-Dade County, Florida, covering the portion of the property described as Parcel A in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this ____ day of _____, 2014.

Witnesses:

[Signature]
Signature
Carlos A Garcia
Print Name

[Signature]
Signature
Victor A. Polania
Print Name

REGIONS BANK
Address: 8601 South Dixie Hwy
Miami Florida 33143

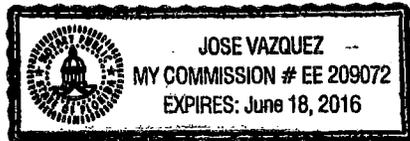
By [Signature]
(President, Vice-President or CEO*)
Print Name: Jorge Morera

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF Florida
COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me by Jorge Morera
(Name)
the V.P. of REGIONS BANK, on behalf of the corporation. He/She is
(Title)
personally known to me or has produced FL D.L., as identification.
Witness my signature and official seal this 24th day of August, 2014,
in the County and State aforesaid.

[Signature]
(Signature) Notary Public - State of Florida
Jose Vazquez
(Print Name)
My Commission Expires: 6/18/2016



**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 10**

PH: Z14-056 (14-10-CZ10-4)

December 18, 2014

Item No. B

Recommendation Summary	
Commission District	10
Applicant	Gavi Investments, Inc.
Summary of Requests	The applicant is seeking to permit the re-subdivision of three (3) lots into six (6) residential lots and to certain permit lots with less lot area and frontage
Location	Lying north of SW 16 Street, west of SW 89 Avenue & east of SW 90 Avenue, A/K/A 1525 SW 90 Avenue, Miami-Dade County, Florida.
Property Size	1.35-acres
Existing Zoning	RU-1 Single-Family Residential District
Existing Land Use	Single-family residence
2020-2030 CDMP Land Use Designation	Low-Density Residential, 2.5 – 6 dua, <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map of the CDMP
Applicable Zoning Code Section(s)	Special Exceptions, Unusual Uses and New uses, Section 33-311(A)(3) Section 33-311(A)(4)(b), Non-Use Variance From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions

This item was deferred from the October 30, 2014 meeting of Community Zoning Appeals Board (CZAB) #10, to allow the applicant to meet with residents in the area. The item was deferred from the November 13, 2014 meeting of CZAB #10 due to a lack of quorum and subsequently, was deferred from the December 11, 2014 meeting of said Board due to a lack of time..

REQUESTS:

1. SPECIAL EXCEPTION to re-subdivide three (3) existing platted lots into six (6) proposed lots.
2. NON-USE VARIANCE to permit two (2) residential lots with a minimum lot frontage of 56.43' (75' required) and a minimum lot area of 7,388 sq. ft. (7,500 sq. ft. required).

A plan is on file and may be examined in the Department of Regulatory and Economic Resources entitled, "Gavicar Villas" as prepared by Jose E. Fuxa, dated stamped received 5/21/14 and consisting of 1 sheet. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

In addition to the number of units allowed by the RU-1, Single-Family Residential District regulations, Section 33B-45 of the Code, allows one (1) dwelling unit for each Severable Use Rights (SUR), provided that among other things, the minimum lot area does not go below 6,000 sq. ft. and the minimum lot frontage does not go below 60'. The RU-1 zoning district regulations would allow the development of the 1.35 acre parcel with a maximum of four (4) residential

units. However, the applicant seeks to re-subdivide three (3) existing platted lots into six (6) lots, with the purchase of SUR's. Four (4) of the proposed lots would meet the minimum lot frontage and lot depth requirement allowed by the SUR standards in the Code and the remaining two (2) lots would be below the minimum. As such, the applicant is seeking to permit the aforementioned lots with less lot frontage and area than allowed.

Pursuant to Resolution #CZAB10-57-05, the subject property was denied for a similar request to re-subdivide and re-face the parcel into six (6) proposed lots with a different lot layout and configuration.

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

NEIGHBORHOOD COMPATIBILITY:

Staff notes that the properties to the north within the block in which the property is located, are also aligned east to west and with dual frontages onto SW 89 Court and SW 90 Avenue. The properties to the west are also aligned east to west, with the rear of the properties abutting SW 90 Avenue.

Apart from the school located to the east, the surrounding area is primarily made up of single-family residences.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to provide additional housing in this section of the County. However, additional residences resulting from the re-subdivision of the existing parcel could have an impact on traffic on the abutting roadways, schools and emergency services in the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is located within the Urban Development Boundary (UDB) and is designated as **Low Density Residential**. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* This would allow the applicant to develop the 1.35 acre parcel with a maximum of 8 residential units which is the maximum allowed under the density threshold of the CDMP Low-Density Residential designation on the LUP map.

The applicant seeks to re-subdivide the three (3) existing lots on the parcel in order to create six (6) residential lots under the RU-1, Single-Family Residential District standards. Approval of the six (6) lots would be within the density threshold allowed for the subject property under the Land Use Element text for properties designated Low-Density Residential on the LUP map. Therefore, staff opines that approval of the application would be **consistent** with the density threshold of the Low-Density Residential designation of the parcel on the CDMP Land Use Plan map.

ZONING ANALYSIS:

When the applicant's request to re-subdivide the three (3) existing RU-1 lots into six (6) proposed lots (request #1) is analyzed under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses, staff opines that approval would be **compatible** with the surrounding area which is primarily developed with single-family residences. Additionally, based on the memoranda from the Departments reviewing the application, including the Platting and Traffic Review Section and the Division of Environmental Resource Management (DERM) of the Department of Regulatory and Economic Resources (RER), approval of this request will not have a negative impact on traffic on the abutting roadways and would not have an unfavorable impact on the environment, the natural resources of the County. Staff notes that the Miami-Dade Fire Rescue Department's (MDFRD) memorandum does not object to the application. Therefore, staff opines that approval of this request will not tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned.

Staff notes that the applicant has indicated in its letter of intent that they intend to purchase SUR's in order to re-subdivide the parcel into six (6) lots. Currently, the subject property could be subdivided into four (4) lots without SUR's that would meet the RU-1 zoning district lot frontage and lot depth requirements. As previously noted, Section 33B-45 of the Code allows the applicant to purchase SUR's to facilitate the development of the parcel, provided the lots meet the minimum lot frontage and lot area requirements. With the purchase of SUR's, the applicant wants to subdivide the property into six (6) lots. Four of the lots would meet the minimum lot frontage requirement of 60', however, the remaining two (2) lots would be below the minimum lot frontage and lot area requirement, which therefore, is the subject of the applicant's request to permit said substandard lots without SUR's (request #2).

Staff recognizes that the subject parcel was previously denied a request to re-subdivide the parcel into six (6) lots. However, unlike the current request, the previous application to subdivide the parcel indicated an alignment of the majority of the lots (four) fronting onto SW 16 Street. Staff was not supportive of that alignment, and the Board, at that time, concurred with staff's recommendation. In the current application, the applicant is proposing an east/west alignment of the six (6) lots. Staff opines that the proposed east/west alignment is similar to that of the remainder of the lots located to the north of the subject property between SW 89 Court and SW 90 Avenue. Further, staff notes that the abutting residences to the south between SW 89 Place and SW 90 Avenue are also aligned east/west. Therefore, staff opines that this configuration of the lots will facilitate the ingress/egress from the proposed residences along SW 89 Court and SW 90 Avenue, and will not have a negative impact on traffic along SW 16 Street, which is the half-section line roadway. **Therefore, staff recommends approval with conditions of request #1 under Section 33-311(A)(3), Special Exceptions, Unusual Uses and New uses.**

When request #2, to permit two (2) of the proposed lots with a minimum lot frontage of 56.43' (75' required) and a minimum lot area of 7,388 sq. ft. (7,500 sq. ft. required) is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that approval of the application would be **compatible** with the surrounding area and would not be detrimental to the neighborhood.

Based on staff's research for similar approvals for requests for variances to the lot area and lot coverage requirements of the RU-1 zoning district in this area, staff opines that approval of the subject request (request #2) would not be out of character with the area, and would be **compatible** with same. Staff notes that pursuant to Resolution #3857, the northernmost lots within the block were rezoned to RU-1. Said resolution, permitted the subdivision of the lots, which allowed the existing lots 1 through 4 that front onto SW 89 Court, with lot frontages of 60' each and lot areas of 5,700 sq. ft. Subsequently, Lot 10 of Block 3 on which the subject property is located was permitted pursuant to Resolution #4-ZAB-146-78, to permit a lot with a 60.47' frontage on the east half of the lot and to re-subdivide leaving a substandard parcel fronting onto SW 89 Court. Therefore, staff opines that approval of the request to permit two (2) of the proposed parcels with 3.67' less frontage than that permitted within the block, and 112 sq. ft. less lot area than required, is very minimal, will not affect the stability and appearance of the community and will not be out of character with same. **Therefore, staff recommends approval with conditions of request #2 under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b) (NUV).**

ACCESS, CIRCULATION AND PARKING: N/A

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, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Gavicar Villas" as prepared by Jose E. Fuxa, dated stamped received 5/21/14 and consisting of 1 sheet.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant complies with all applicable conditions and requirements of the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources.

Gavi Investments, Inc.

Z14-056

Page | 5

ES:MW:NN:EJ:CH



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

NDW

ZONING RECOMMENDATION ADDENDUM

Gavi Investments, Inc.
Z14-056

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

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

Low-Density Residential <i>(Pg. I-29)</i>	<i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
Severable Use Rights <i>(Pg. I-30)</i>	Severable Use Rights (SURs) or Transfer of Development Rights (TDR's) may be transferred to parcels within the Urban Development Boundary. When Severable Use Rights or Transfer of Development Rights are utilized on residentially designated parcels, development will be allowed to exceed the maximum limits designated for the site or affected portions of it; however, this provision does not authorize the granting of a zoning district that, without use of SURs or TDR's, would exceed the Plan density limit.
Policy LU-4A <i>(Page I-11)</i>	When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(3) Special Exception, Unusual and New Uses.	<i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i>
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ZONING RECOMMENDATION ADDENDUM

Gavi Investments, Inc.
Z14-056

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>
Sec. 33B-45. Development of severable use rights	<p><i>(g) Residential use of severable use rights. Except as provided in paragraph (g)(15) below and notwithstanding the provisions of any other code or regulation of Miami-Dade County, the developer of a parcel of land may develop, in addition to the number of dwelling units authorized in each zoning district, one (1) dwelling unit for each severable use right, provided that the total development proposed does not exceed the following limitations:</i></p> <p><i>(6) In the RU-1 District:</i></p> <ul style="list-style-type: none"><i>a. Minimum lot size—Six thousand (6,000) square feet;</i><i>b. Minimum frontage—Sixty (60) feet;</i><i>c. Maximum coverage—Forty (40) percent.</i>

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#C

APPLICANT'S NAME: Gavi Investments, Inc.

REPRESENTATIVE: SIMON FERRO, ESQ.

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
14-10-CZ10-4 (14-056)	December 11, 2014	CZAB10	14

REC: Approval with conditions.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>12/18/14</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/>	OTHER: Automatically deferred due to lack of time.	

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Omar FERNANDEZ			
VICE CHAIRWOMAN		Miriam PLANAS			
COUNCILMAN		Gerardo RODRIGUEZ			
COUNCILMAN		Robert SUAREZ			
COUNCILMAN		Manuel VALDES			
COUNCILMAN		Toufic ZAKHARIA			
CHAIRMAN		Richard M. GOMEZ			

EXHIBITS: YES NO COUNTY ATTORNEY: _____

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#C

APPLICANT'S NAME: Gavi Investments, Inc.

REPRESENTATIVE: SIMON FERRO, ESQ.

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
14-10-CZ10-4 (14-056)	November 13, 2014	CZAB10	14

REC: Approval with conditions.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>12/10/14</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/>	Deferred due to lack of quorum.	

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIRWOMAN		Miriam PLANAS	X		
COUNCILMAN		Gerardo RODRIGUEZ	X		
COUNCILMAN		Robert SUAREZ			X
COUNCILMAN		Manuel VALDES			X
COUNCILMAN		Toufic ZAKHARIA			X
CHAIRMAN		Richard M. GOMEZ	X		
			3		

EXHIBITS: YES NO

COUNTY ATTORNEY: David Hope

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#3

APPLICANT'S NAME: Gavi Investments, Inc.

REPRESENTATIVE: SIMON FERRO, ESQ.

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
14-10-CZ10-4 (14-056)	October 30, 2014	CZAB10 14

REC: Approval with conditions.

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: 11/13/14 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

Deferred to 11/13/14 with no re-advertisement.

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIRWOMAN	S	Miriam PLANAS	X		
COUNCILMAN		Gerardo RODRIGUEZ	X		
COUNCILMAN		Robert SUAREZ			X
COUNCILMAN	M	Manuel VALDES	X		
COUNCILMAN		Toufic ZAKHARIA	X		
CHAIRMAN		Richard M. GOMEZ		X	
			4	1	

EXHIBITS: YES NO

COUNTY ATTORNEY: David Hope

B. GAVI INVESTMENTS, INC
(Applicant)

14-10-CZ10-4(14-056)
Area 10/District 10
Hearing Date: 12/18/14

Property Owner (if different from applicant) **Same.**

Is there an option to purchase /lease the property predicated on the approval of the zoning request? Yes No

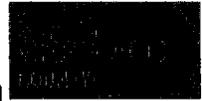
Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
No History				

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

Memorandum



Date: June 19, 2014

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-10 #Z2014000056
Gavi Investments, Inc., A Florida Corporation
1525 SW 90th Avenue, Miami-Dade County, Florida 33165
Non-Use Variance of lot area and lot frontage
(RU-1) (1.35 Acres)
09-54-40

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.

Be advised that the required water main extension permit is issued by the Florida Department of Health. Civil drawings for the water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Environmental Permitting Section of DERM.

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

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

According to the site plan submitted with this zoning application, the proposal for a non use variance of the frontage and lot area required will not impact tree resources. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

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

Concurrency Review Summary

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

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

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

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

cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: July 10, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: 72014000056
Name: Gavi Investments, Inc.
Location: 1525 SW 90 Avenue
Section 09 Township 54 South Range 40 East

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

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

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **8 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of these new trips **does not** exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9698	SW 97 Ave s/o SW 8 St to SW 24 St	D	D
F-1074	SW 87 Ave n/o SW 132 St bet US 1 to SW 112 St	C	C
F-42	SW 87 Ave s/o SW 24 St to SW 40 St	C	C
9699	SW 97 Ave s/o SW 24 St to SW 40 St	D	D
9126	SW 24 St w/o SW 97 Ave to SW 107 Ave	B	B

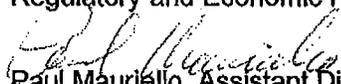
The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Memorandum

MIAMI-DADE
COUNTY

Date: June 6, 2014

To: Eric Silva, Development Coordinator
Regulatory and Economic Resources Department

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

Subject: Gavi Investments, Inc. (#14_054)

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 of the Fiscal Management and Planning Division, at 305-514-6661. **The PWWM has no objections to the proposed application.**

Application: *Gavi Investments, Inc.* is requesting a non-use variance of frontage and lot area requirements and a Special Exception to re-subdivide and reface three platted lots into six proposed lots. The property is currently zoned Single Family Residential District (RU-1).

Size: The subject property is 1.35 acres.

Location: The subject property is located at 1525 S.W. 90th Avenue, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. 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 25, 2013, 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 (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management the single family residence currently on the property and subsequent single family residential development will meet the County Code definition of residential units. As such, according to the Code, the residential units 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 by calling the Department's Public Information & Outreach Division at 305-594-1500 or 305-514-6714.

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

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: June 17, 2014

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

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

Subject: Z2014000056: GAVI INVESTMENTS, INC

Application Name: GAVI INVESTMENTS, INC

Project Location: The site is located at 1525 SW 90 AVE, Miami-Dade County.

Proposed Development: The request is for non-use variance of lot frontage and area requirements and special exception to re-subdivide and reface 3 platted lots into 6 lots.

Impact and demand: This application generates 6 single family units with an estimated population of 19 which generates a local park space need, based on 2.75 acres per 1,000 population, of approximately .05 acre.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in Park Benefit District 2 (PBD) which has a surplus capacity of 504.72 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA. County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park.

**Table A - County Parks (local only)
Within a 3 Mile Radius of Application Area.**

Park Facility	Classification	Acreage
Banyan Park	NEIGHBORHOOD PARK	3.14
Blue Lakes Park	NEIGHBORHOOD PARK	6.00
Brothers To The Rescue Memorial Park	SINGLE PURPOSE PARK	5.70
Concord Park	NEIGHBORHOOD PARK	10.00
Coral Estates Park	COMMUNITY PARK	5.15
Coral Villas Park	MINI-PARK	0.37
Francisco Human Rights Park	MINI-PARK	3.78
Humble Mini Park	MINI-PARK	0.50
Miller Drive Park	COMMUNITY PARK	4.07
Rockway Park	COMMUNITY PARK	2.52
Ruben Dario Park	COMMUNITY PARK	15.29
Sunset Heights Park	MINI-PARK	0.32
Tamiami Canal Park	NEIGHBORHOOD PARK	1.80
Tropical Estates Park	COMMUNITY PARK	9.07
Westbrook Park	NEIGHBORHOOD PARK	2.45

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 Property Management Supervisor

Memorandum



Date: 10-JUN-14
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2014000056

Fire Prevention Unit:

No objection to site plan with a Zoning received date of May 21, 2014.

Service Impact/Demand

Development for the above Z2014000056
located at 1525 SW 90 AVE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1395 is proposed as the following:

<u>6</u>	dwelling units	<u>N/A</u>	square feet
<u>residential</u>		<u>industrial</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Office</u>		<u>institutional</u>	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
<u>Retail</u>		<u>nursing home/hospitals</u>	

Based on this development information, estimated service impact is: 1.7 alarms-annually.
The estimated average travel time is: 6:12 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 47 - Westchester - 9361 Coral Way
Rescue, ALS Engine

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received May 21, 2014.



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Perla Tabares Hantman, Chair
Dr. Lawrence S. Feldman, Vice Chair
Dr. Dorothy Bendross-Mindingall
Susie V. Castillo
Carlos L. Curbelo
Dr. Wilbert "Tee" Holloway
Dr. Martin Karp
Dr. Marta Pérez
Raquel A. Regalado

August 1, 2014

VIA ELECTRONIC MAIL

Mr. Simon Ferro, Esquire
Gunster
2 South Biscayne Boulevard, Suite 3400
Miami, FL 33131
sferro@gunster.com

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS
GAVI INVESTMENTS, INC- Z2014000056
LOCATED AT 1525 SW 90 AVENUE
PH3014071501057 – FOLIO Nos.: 3040090020130**

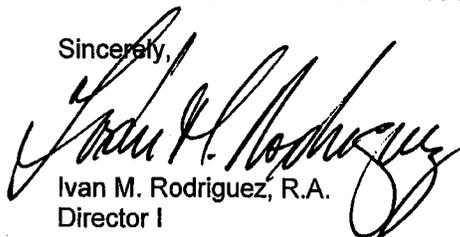
Dear Applicant:

Pursuant to State Statutes and the Interlocal Agreement for Public School Facility Planning, the above-referenced application was reviewed for compliance with Public School Concurrency. Accordingly, the School District's Preliminary Concurrency Analysis (Schools Planning Level Review) revealed the applicable Level of Service (LOS) standards of 100% Florida Inventory of School Housing (FISH) have not been impacted by the proposed development of six (6) residential units.

Therefore, the application has complied with the requirements of public school concurrency and no further action is required at this time. If in the future, there is an increase in the number of residential units in this property, a new public school concurrency determination must be obtained prior to Miami-Dade County issuing any Development Order (D.O.)

Should you have any questions, please feel free to contact me at 305-995-4501

Sincerely,



Ivan M. Rodriguez, R.A.
Director I

IMR:ir
L062

Enclosure

cc: Ms. Ana Rijo-Conde, AICP
Mr. Mike A. Levine
Ms. Vivian G. Villaamil
Miami-Dade County
School Concurrency Master File

Ana Rijo-Conde, Deputy Chief Facilities & Eco-Sustainability Officer • Planning, Design & Sustainability
School Board Administration Building • 1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132
305-995-7285 • 305-995-4760 (FAX) • arijo@dadeschools.net



Concurrency Management System (CMS)

Miami Dade County Public Schools

Miami-Dade County Public Schools

Concurrency Management System Preliminary Concurrency Analysis

MDCPS Application Number: PH3014071501057 Local Government (LG): Miami-Dade
 Date Application Received: 7/15/2014 12:15:19 PM LG Application Number: Z2014000056
 Type of Application: Public Hearing Sub Type: Zoning

Applicant's Name: GAVI INVESTMENTS, INC
 Address/Location: 8754 SW 8 ST
 Master Folio Number: 3040090020130
 Additional Folio Number(s):

PROPOSED # OF UNITS 6

SINGLE-FAMILY DETACHED UNITS: 0

SINGLE-FAMILY ATTACHED UNITS: 6

MULTIFAMILY UNITS: 0

CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
1721	EVERGLADES K-8 CENTER (ELEM COMP)	1	0	0	YES	Current CSA
1722	EVERGLADES K-8 CENTER (MID COMP)	-42	0	0	YES	Current CSA
7271	MIAMI CORAL PARK SENIOR	486	0	0	YES	Current CSA

ADJACENT SERVICE AREA SCHOOLS

*An Impact reduction of 21.13% included for charter and magnet schools (Schools of Choice).

MDCPS has conducted a preliminary public school concurrency review of this application; please see results above. A final determination of public school concurrency and capacity reservation will be made at the time of approval of plat, site plan or functional equivalent. **THIS ANALYSIS DOES NOT CONSTITUTE PUBLIC SCHOOL CONCURRENCY APPROVAL.**

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7634 / 305-995-4760 fax / concurrency@dadeschools.net

DATE: 12-JUN-14

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

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

GAVI INVESTMENTS, INC

1525 SW 90 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2014000056

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: Case 201403002349 was opened on March 14, 2014 for right of way violation. Status still pending. BNC: No bss cases open/closed.

Gavi Investments

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

REPORTER NAME:

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Gavi Investments, Inc., a Florida corporation

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
Gabriel Canales	100%
9902 S.W. 30 Terrace	
Miami-Dade County, Florida 33165	

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>
<i>2/4-056</i>	
RECEIVED	
MAY 21 2014	
ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT BY _____	

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.

RECEIVED MAY 21 2014 ZONING HEARINGS SECTION MIAMI-DADE PLANNING AND ZONING DEPT BY: _____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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) Gavi Investment, Inc., a Florida Corporation

Sworn to and subscribed before me this 21 day of May, 2014. Affiant is personally know to me or has produced _____ as identification.

(Notary Public)



My commission expires: _____

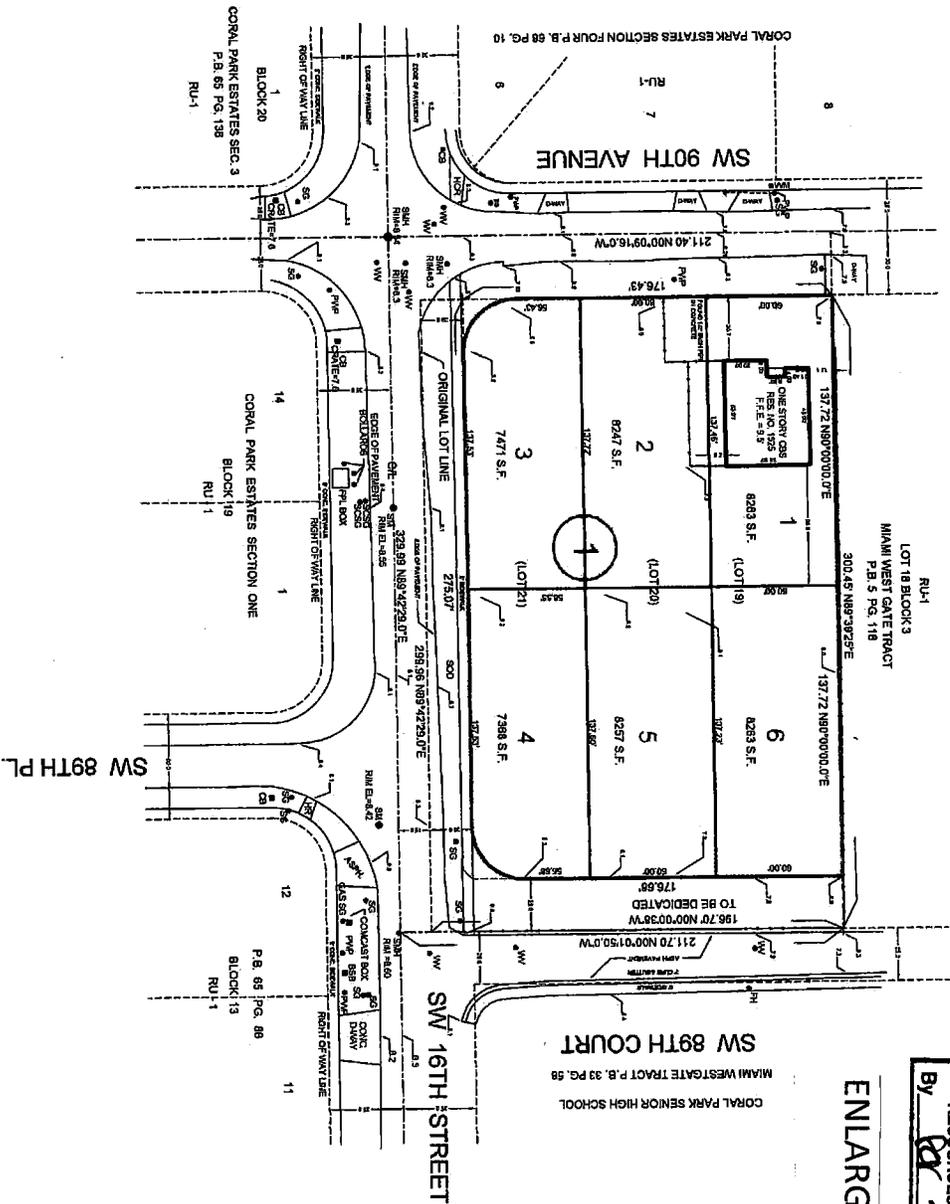
Seal

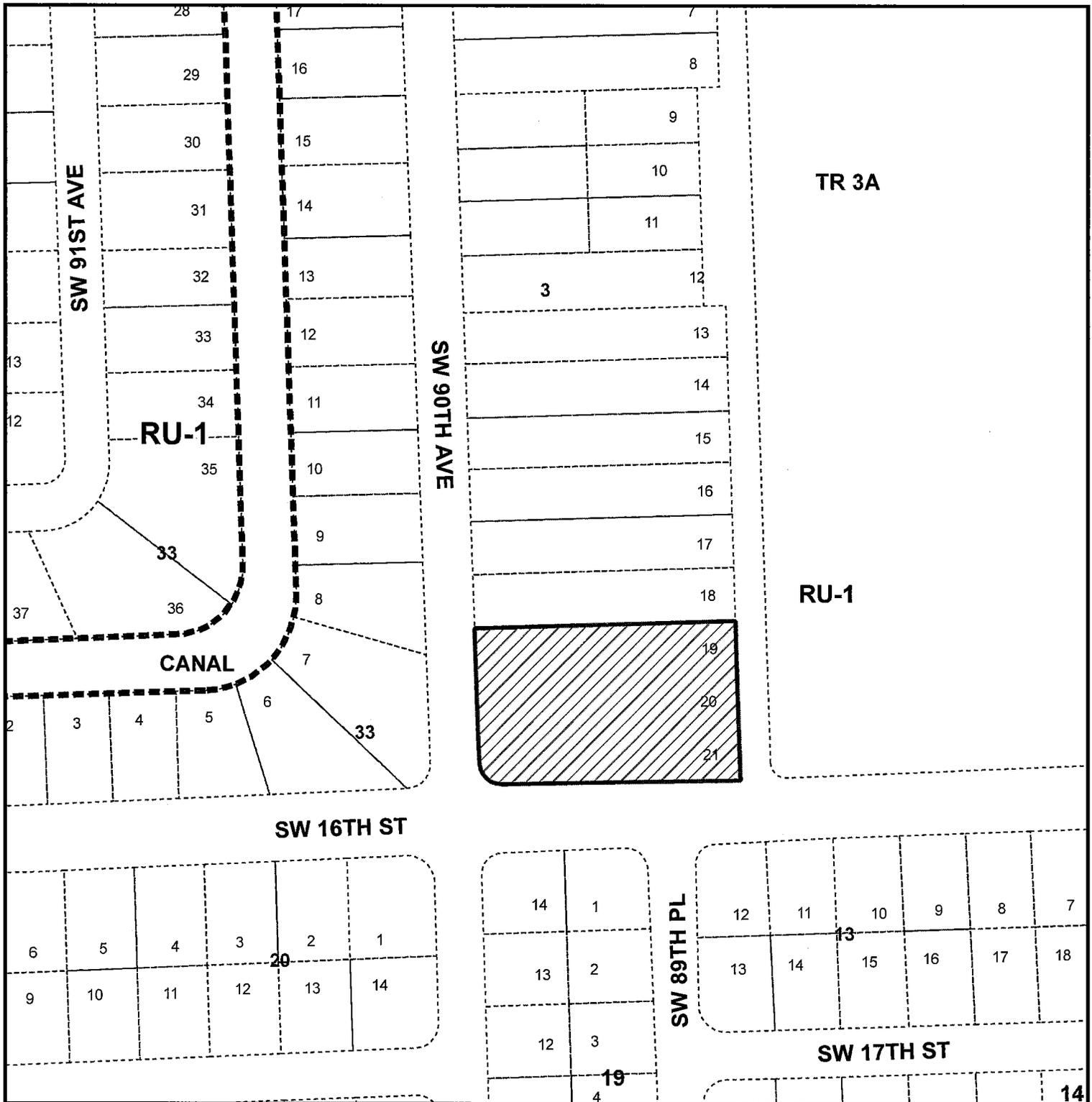
*Disclosure shall not be required of: 1) any ownership interests in which are regularly traded on an established securities market in the United States or other country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests 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
 2/4/2016
 MAY 21 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *PC*

ENLARGED SITE PLAN

MIAMI WESTGATE TRACT P.B. 33 PG. 58
 CORAL PARK SENIOR HIGH SCHOOL
 SW 89TH COURT





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2014000056



Section: 09 Township: 54 Range: 40
 Applicant: GAVI INVESTMENTS, INC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 11, 2014

REVISION	DATE	BY
		27



MIAMI-DADE COUNTY
AERIAL YEAR 2013

Process Number
Z2014000056

Legend

-  MDC STL Index Poly
-  Subject Property
-  Zoning

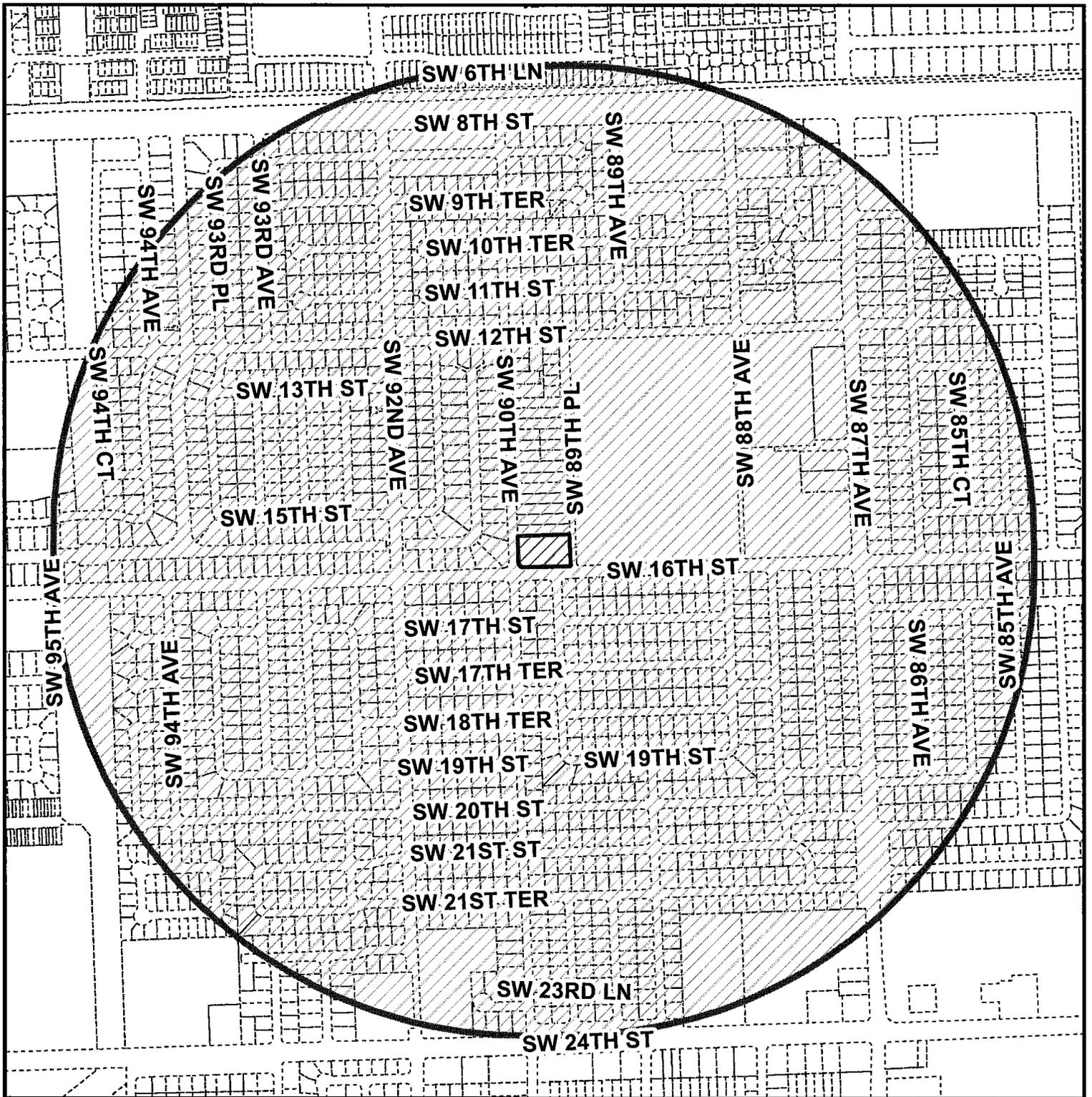


Section: 09 Township: 54 Range: 40
 Applicant: GAVI INVESTMENTS, INC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS



SKETCH CREATED ON: Wednesday, June 11, 2014

REVISION	DATE	BY
		28



**MIAMI-DADE COUNTY
RADIUS MAP**

Section: 09 Township: 54 Range: 40
 Applicant: GAVI INVESTMENTS, INC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number
Z2014000056
 RADIUS: 2640

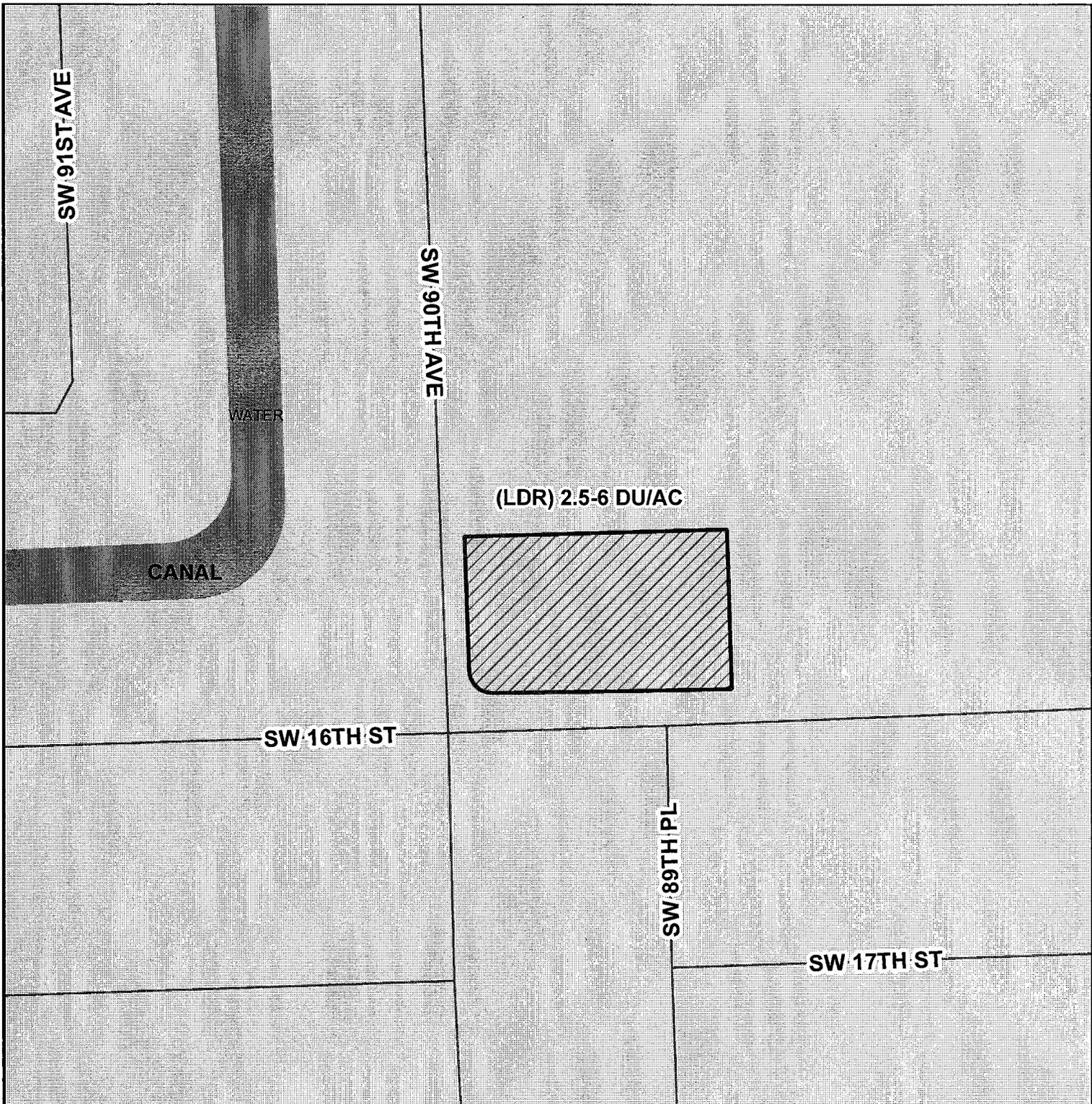
Legend

-  Subject Property
-  Buffer
-  Street (Centerline)
-  Property Boundary



SKETCH CREATED ON: Wednesday, June 11, 2014

REVISION	DATE	BY
		29



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2014000056



Section: 09 Township: 54 Range: 40
 Applicant: GAVI INVESTMENTS, INC
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Wednesday, June 11, 2014

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 10**

PH: Z14-062 (14-10-CZ10-6)

December 18, 2014

Item No. C

Recommendation Summary	
Commission District	6
Applicants	Leon Medical Center, Inc.
Summary of Requests	The applicant is seeking modification of a previously approved Resolution and Declaration of Restrictions in order to show a new plan depicting a detached parking structure for the previously approved medical office site. Additionally, the applicant seeks approval of reduced setbacks and to permit additional wall signs.
Location	7950 NW 2 Street, Miami-Dade County, Florida.
Property Size	5.2 acres
Existing Zoning	BU-2, Special Business District
Existing Land Use	Medical office
2020-2030 CDMP Land Use Designation	Business and Office <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variance, Section 33-311(A)(7) Generalized Modification Standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions of requests #1 through #4, and modified approval of request #5.

This item was deferred from the October 30, 2014 Community Zoning Appeals Board (CZAB) #10 meeting due to a lack of time and from the November 13, 2014 due to a lack of quorum. The application was again deferred from the December 11, 2014 CZAB#10 meeting due to a lack of time.

REQUESTS:

- (1) MODIFICATION of Condition #2 of Resolution CZAB10-7-09, passed and adopted by the Community Zoning Appeals Board #10, reading as follows:

From: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Leon Medical Center" as prepared by MGE Architects, sheet L2.1 dated stamped received 10/14/08, sheet A1.01 dated stamped received 10/31/08 and the remaining sheets dated stamped received 9/16/08 for a total of 11 sheets."

To: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Leon Medical Centers" as prepared by MGE Architects, dated stamped received 7/16/14 and consisting of 19 sheets, with sheet L2.00 dated stamped received 7/28/14."

- (2) MODIFICATION of Paragraph #1 of Declaration of Restrictions, recorded in Official Record Book 26789, Pages 2560-2565, reading as follows:

From: "2. That said property shall be developed substantially in accordance with the plans previously submitted, as prepared by MGE Architects entitled "Leon Medical Centers", sheet L2.1 dated stamped received 10/14/08, sheet A1.1 dated stamped received 10/31/08 and the remaining sheets dated stamped received 9/16/08 for a total of 11 sheets."

To: "2. That said property shall be developed substantially in accordance with the plans previously submitted, prepared "Leon Medical Centers" as prepared by MGE Architects, dated stamped received 7/16/14 and consisting of 19 sheets, with sheet L2.00 dated stamped received 7/28/14."

The purpose of Requests #1 & #2 is to allow the applicant to submit a revised site plan showing a detached parking structure for the previously approved medical office site

- (3) NON-USE VARIANCE to permit a detached parking garage setback 10'-8" (29' required) from the side street (north) property line.
- (4) NON-USE VARIANCE of zoning regulations requiring a generator to be located behind the front building line of the principal building; to waive same to permit a generator to be located in front of the principal building.
- (5) NON-USE VARIANCE to permit 2 additional wall signs for a total of 6 wall signs (3 wall signs and 1 detached sign permitted/4 wall signs, 2 detached signs previously approved).

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

In 1969, pursuant to Resolution No. Z-122-69, the subject site was part of a larger tract of land that was granted a zone change from RU-2, Two-Family Residential District, to BU-2, Special Business District, subject to conditions, one of which restricted development of the site to a submitted site plan. In 1972, the subject site remained part of a larger tract of land that was granted approval of a request to modify Condition #1 of Resolution No. Z-122-69 to require approval of a plot use plan by the Directors of the Building and Zoning Department and the Planning Department and to delete a Condition #2 of Resolution No. Z-122-69 that restricted development of the site to a previously approved plan. Staff notes that since 1979, there have been several approvals on the subject property regarding an automobile dealership and ancillary uses for a paint shop, major mechanical repair shop and top and body shop in connection with said automobile dealership.

In October 2009, pursuant to Resolution No. CZAB10-7-09, the subject property was approved to allow the deletion of the site plans approved pursuant to the previously mentioned Resolutions,

approved in 1979 and 1995, regarding an automobile dealership, to allow the development of a medical office building on the site. Said resolution also allowed the applicant to develop the site with 2 detached signs. In May 2010, pursuant to Resolution No. CZAB10-19-10, the subject property was approved to allow the applicant a 4th wall sign, which is one more than the maximum of 3 wall signs permitted on this site.

The subject site is "L" shaped and has dual frontage on both NW 2 Street and NW 79 Avenue. The submitted plans depict an existing 4-story medical office building that is centrally located on the subject site. A 6-level parking garage with 419 parking spaces is being proposed on the northern portion of the site adjacent to NW 2 Street. The applicant is now seeking approval of two (2) additional wall signs; a wall sign will be located on said proposed parking garage on the northern façade, and another wall sign currently exists on the façade of the existing medical building.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-2; medical office building	Business and Office
North	BU-2; Religious facility and shopping center	Business and Office
South	BU-2; Fast-food restaurants	Business and Office
East	BU-2; Religious facility and Shopping Mall	Business and Office
West	BU-2; Automobile dealership	Business and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property consists of two interior lots containing a 4-story office building, located at 150 NW 79 Avenue. The surrounding area is characterized by a myriad of commercial uses such as fast food restaurants, an automobile dealership and a shopping center. A major regional shopping mall, Mall of the Americas, is located immediately to the east of the subject site, across NW 79 Avenue.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to provide additional parking spaces and signage for the existing medical office building. However, the increased signage could contribute to visual clutter and have a negative visual impact in the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Business and Office**. *This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and*

availability of highway capacity, ease of access and availability of other public services and facilities. The existing site is comprised of an existing 4-story medical office building that is centrally located and a proposed 6-level parking garage with 419 parking spaces is being proposed on the northern portion of the site adjacent to NW 2 Street. The applicant has proffered a covenant that among other things restricts the uses on the property to medical office, including but not limited to: doctors' offices, diagnostic services, pharmacy, durable medical equipment, ambulatory outpatient services and the like, and that the use of the parking garage by buses be limited to buses serving the property only. The surrounding area is characterized by a myriad of commercial uses such as fast food restaurants, an automobile dealership and a shopping center. A major regional shopping mall, Mall of the Americas, is located immediately to the east of the subject site, across NW 79 Avenue. The approval of this application will allow the applicant to provide additional parking spaces for the existing medical office building. As such, the existing medical office building use with the proposed parking garage is **consistent** with the CDMP LUP map designation of Business and Office and the uses allowed under that designation. Additionally, for the reasons explained in the Zoning Analysis, staff opines that approval of this application would be **compatible** with the surrounding area based on the criteria from Policy LU-4A.

ZONING ANALYSIS:

When requests #1 and #2 are analyzed under the General Modification Standards, Section 33-311(A)(7), approval of same, in staff's opinion, will not generate excessive traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, and would be **compatible** with the area. The applicant is requesting to modify a previously approved resolution and declaration of restrictions in order to show a new plan depicting a detached parking structure for the previously approved medical office site. Staff notes that the submitted plans depict an existing 4-story medical office building and a proposed 6-level parking garage with 419 parking spaces to be seated on the northern portion of the site adjacent to NW 2 Street. Access to the proposed parking garage will be provided at the center of the property in close proximity to the existing 4-story medical office building. Additionally, the location of the proposed parking garage, in staff's opinion, would provide for efficient traffic and pedestrian circulation. Staff notes that the applicant has submitted a covenant that among other things restricts the uses on the property to medical office, including but not limited to: doctors' offices, diagnostic services, pharmacy, durable medical equipment, ambulatory outpatient services and the like, and that the use of the parking garage by buses be limited to buses serving the property only. Staff also notes that the proposed 78' high parking garage will be in compliance with the height regulations in the BU-2 zoning district, which allows for a maximum height of 80' in this instance. Additionally, staff notes that the existing 4-story medical office building has a similar height of 79'-9". Staff further notes that the parking garage elevations show a proposed building with architecture designs and fenestration details that, in staff's opinion, are visually pleasing.

Staff notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) memorandum states that the application meets the traffic concurrency criteria for an initial development order. Also, the Division of Environmental Resources Management (DERM) of RER memorandum indicates that approval of this application meets all applicable LOS standards for an initial development order, as specified in the CDMP for potable water service, wastewater disposal, and flood protection. Additionally, the memorandum from the Miami-Dade Fire Rescue Department (MDFR) does not indicate that the proposed rezoning of the property will have a negative impact on fire rescue services in the area. Based on the aforementioned memoranda, staff opines that approval of the subject request will not have an

unfavorable effect on the economy of Miami-Dade County, Florida. Further, approval would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction. However, as previously mentioned, staff is not supportive of the additional signage. Therefore, staff opines that modified approval of the requests to remove the requested signage would not have a negative impact on the surrounding area which is characterized by fast food restaurants, an automobile dealership and a shopping center and would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modification or in relation to the present and future development of the area. **As such, staff recommends modified approval with conditions of requests #1 and #2, subject to the acceptance of the proffered covenant, under Section 33-311(A)(7), Generalized Modification Standards, to show the removal of the additional signage.**

Staff notes that requests #3, to permit a detached parking garage setback 10'-8" (29' required) from the side street (north) property line, and #4, to permit a generator to be located in front of the principal building, are contingent upon approval of requests #1 and #2 (modification of previously approved site plan of which staff is supportive). When requests #3 and #4 are analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff opines that approval with conditions of these requests would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that in order to mitigate any visual impact generated from the proposed parking garage, the landscape plan depicts ample landscaping along the proposed north 10'-8" setback area. Additionally, staff notes that the proposed setback encroachment will be further mitigated by an existing 80' wide right-of-way (NW 2 Street) and abuts a parking lot located to the north of the subject property across said right-of-way within an existing shopping center. As such, staff opines that approval of request #3 will not have a negative visual impact on the property located to the north.

Regarding request #4, staff opines that the requested variance to permit a generator to be located in front of the principal building represents the existing condition on the subject site. Staff notes that said generator is located towards the east property line along NW 79 Avenue. Staff further notes that the site plan depicts abundant landscaping surrounding the existing generator which, in staff's opinion, will mitigate any negative visual impacts generated by same on the abutting properties to the east or passerby along NW 79 Avenue. Staff further opines the requested non-use variances will have minimal impact on the surrounding area and would be **compatible** with same. **As such, staff recommends approval with conditions of requests #3 and #4 under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.**

However, when request #5, to permit 2 additional wall signs for a total of 6 wall signs (3 wall signs and 1 detached sign permitted/4 wall signs, 2 detached signs previously approved), is analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the request for the wall sign on the garage would be **incompatible** with the surrounding area, and would negatively affect the appearance of the community. The subject site was previously approved in October 2009, pursuant to Resolution No. CZAB10-7-09, and in May 2010, pursuant to Resolution No. CZAB10-19-10, to allow for additional signage to include 4 wall signs and 2 detached signs. The applicant is now seeking approval of two (2) additional wall signs. The submitted plans for this application indicate that the property currently has one (1) additional existing 78 sq. ft. wall sign attached to the canopy overhang of the patient pick-up and drop-off area on the west side of the 4-story medical office building. Another wall sign measuring 67 sq. ft. is being proposed on the northern façade of the proposed parking garage. Staff notes

that the BU-2 regulations allow the applicant three (3) wall signs. Additionally, staff opines that said regulation allowance is adequate and avoids the appearance of visual clutter due to excessive signage. However, as previously mentioned, staff is not supportive of the applicant's request for an additional wall sign on the garage in excess of the three (3) allowed by the existing zoning regulations and 4 wall signs previously approved. Staff is supportive of the additional canopy overhang sign. This sign does not front on a right-of-way and is buffered by landscaping. **Therefore, staff recommends modified approval of request #5; denial without prejudice of the garage sign and approval of the canopy overhang sign under Section 33-311(A)(4)(b) (NUV).**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate two (2) ingress/egress points; one along NW 2 Street and another one along NW 79 Avenue. The applicant has provided a total of 643 parking spaces where 312 is required by the zoning code. The applicant has also provided adequate drives to facilitate the flow of traffic within the development.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

RECOMMENDATION:

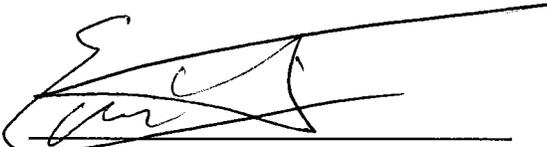
Modified approval with conditions of requests #1 and #2, subject to the acceptance of the proffered covenant, to show the removal of the additional signage; approval with conditions of requests #3 and #4, and denial without prejudice of request #5.

CONDITIONS FOR APPROVAL: For requests #1 through #4 only.

1. That all other paragraphs of Declaration of Restrictions, recorded in Official Records Book 26789, Pages 2560-2565 remain in full force and effect except as herein modified.
2. That all the conditions of Resolution #CZAB10-7-09 remain in full force and effect, except as herein modified.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Leon Medical Centers" as prepared by MGE Architects, dated stamped received 7/16/14 and consisting of 19 sheets, with sheet L2.00 dated stamped received 7/28/14, except as herein modified to show the removal of the additional signage; one (1) additional existing 78 sq. ft. wall sign attached to the canopy overhang of the patient pick-up and drop-off area on the west side of the 4-story medical office building; and another wall sign measuring 67 sq. ft. located on the northern façade of the proposed parking garage.
4. That the applicant secure a building permit for the generator from the Building Department within 90 days of the expiration of the appeal period for this application, unless a time extension is granted by the Director of the Department of Regulatory and Economic Resources.
5. That the applicant shall install all the required landscaping along the property lines prior to obtaining a Certificate of Occupancy.

6. That a Declaration of Restrictions be submitted to and meet the approval of the Director within 30 days of the final approval showing a revised plan description addressing the removal of the additional signage; one (1) additional existing 78 sq. ft. wall sign attached to the canopy overhang of the patient pick-up and drop-off area on the west side of the 4-story medical office building; and another wall sign measuring 67 sq. ft. located on the northern façade of the proposed parking garage.

ES:MW:NN:CH:JV



ES

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

NW

ZONING RECOMMENDATION ADDENDUM

Leon Medical Center, Inc.
Z14-062

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

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

Business and Office (Pg. I-40)	<i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Business and Office. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.</i>
Policy LU-4A (Page I-9)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(7) Generalized Modification Standards.	<i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i>
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#D

APPLICANT'S NAME: Leon Medical Center, Inc.

REPRESENTATIVE: MELISSA TAPANES LLAHUES

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
14-10-CZ10-6 (14-062)	December 11, 2014	CZAB10 14

REC: Modified approval with conditions of requests #1 and #2, subject to the acceptance of the proffered covenant, to show removal of the additional signage; approval with conditions of requests #2 and #4, and denial without prejudice of request #5.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>12/18/14</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER:	Automatically deferred due to lack of time.	

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Omar FERNANDEZ			
VICE CHAIRWOMAN		Miriam PLANAS			
COUNCILMAN		Gerardo RODRIGUEZ			
COUNCILMAN		Robert SUAREZ			
COUNCILMAN		Manuel VALDES			
COUNCILMAN		Toufic ZAKHARIA			
CHAIRMAN		Richard M. GOMEZ			

EXHIBITS: YES NO

COUNTY ATTORNEY: _____

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#D

APPLICANT'S NAME: Leon Medical Center, Inc.

REPRESENTATIVE: MELISSA TAPANES LLAHUES

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
14-10-CZ10-6 (14-062)	November 13, 2014	CZAB10	14

REC: Modified approval with conditions of requests #1 and #2, subject to the acceptance of the proffered covenant, to show removal of the additional signage; approval with conditions of requests #2 and #4, and denial without prejudice of request #5.

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: 12/10/14 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
 Deferred due to lack of quorum.

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIRWOMAN		Miriam PLANAS	X		
COUNCILMAN		Gerardo RODRIGUEZ	X		
COUNCILMAN		Robert SUAREZ			X
COUNCILMAN		Manuel VALDES			X
COUNCILMAN		Toufic ZAKHARIA			X
CHAIRMAN		Richard M. GOMEZ	X		
			3		

EXHIBITS: YES NO

COUNTY ATTORNEY: David Hope

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#6

APPLICANT'S NAME: Leon Medical Center, Inc.

REPRESENTATIVE: MELISSA TAPANES LLAHUES

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
14-10-CZ10-6 (14-062)	October 30, 2014	CZAB10	14

REC: Modified approval with conditions of requests #1 and #2, subject to the acceptance of the proffered covenant, to show removal of the additional signage; approval with conditions of requests #2 and #4, and denial without prejudice of request #5.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input type="checkbox"/> TO: _____ <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input type="checkbox"/> Deferred – ran out of time.		

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIRWOMAN		Miriam PLANAS			
COUNCILMAN		Gerardo RODRIGUEZ			
COUNCILMAN		Robert SUAREZ			
COUNCILMAN		Manuel VALDES			
COUNCILMAN		Toufic ZAKHARIA			
CHAIRMAN		Richard M. GOMEZ			

EXHIBITS: YES NO

COUNTY ATTORNEY: David Hope

C. LEON MEDICAL CENTER, INC
(Applicant)

14-10-CZ10-6(14-062)
Area 10/District 06
Hearing Date: 12/18/14

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>
1969	Herbert Sadkin, Trustee	- Zone change from RU-2 to BU-2 & GU to BU-2.	BCC	Approved with Condition(s)
1969	Herbert Sadkin	- Zone change from IU-2, GU to BU-2.	ZAB	Recommended for Approval
1972	City National Bank of Miami, Tr.	- Modification of Condition of resolution.	ZAB	Approved
1979	City National Bank of Miami	- Special Exception to Modify a Site Plan and a paint, top & body shop and repair shop.	ZAB	Approved with Condition(s)
1995	Midway Realty	- Modification of Condition of Resolution. - Non-Use Variance of zoning regulations, setback, spacing, landscape and open space. - Special Exception for Car Rental.	ZAB	Approved with Condition(s)
2009	Leon Flagler Holdings, LLC	- Deletion of Resolution CZAB10-07-09. - Non-Use Variance of Signage.	C10	Approved with Condition(s)
2010	Leon Flagler Holding LLC	- Non-Use Variance of Signage.	C10	Approved with Condition(s)

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

Memorandum



Date: July 24, 2014

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-10 #Z2014000062-1st Revision
Leon Medical Centers, Inc.
7950 NW 2nd Street, Miami, FL 33126
Modification of a previous Resolution & Agreement to permit a
parking structure for a previously approved office building; Non-Use
Variance to permit additional walls signs than permitted.
(BU-2) (5.2 Acres)
03-54-40

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

The proposed project was approved under the Surface Water Management General Permit No. 13-04459-P (Application No. 081015-2), which expired on November 19, 2013. A new Surface Water Management General Permit from the Water Control Section of DERM shall be required for the construction and operation of the required surface water management system. This permit shall be

obtained prior to any future development order approval. The applicant is advised to contact the Water Control Section for further information regarding permitting procedures and requirements.

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

Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

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

Pollution Remediation

There are no records of current contamination assessment/remediation issues on the subject site. There is one record of a current contaminated site directly abutting the subject property under Ford Midway Mall, Inc (UT-745), 8155 West Flagler Street. This Petroleum contaminated site is not in any state administered cleanup program.

Tree Preservation

The subject property contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

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

Enforcement History

The subject property has no open and three (3) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

Concurrency Review Summary

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

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

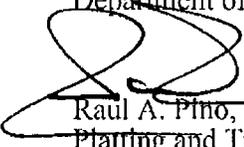
cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: August 1, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2014000062
Name: Leon Medical Center, Inc.
Location: 7950 NW 2 Street
Section 03 Township 54 South Range 40 East

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 Tract A, Plat Book 114, Page 44 and a portion under Waiver of Plat D-15992.

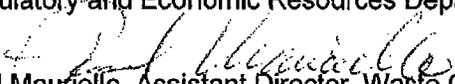
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Memorandum



Date: July 1, 2014

To: Eric Silva, Development Coordinator
Regulatory and Economic Resources Department

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

Subject: Leon Medical Centers (#14_062)

The Public Works and Waste Management Department, Waste Operations (PWWM) has no objections to the proposed application.

The application requests a non-use variance and modifications to resolutions and restrictive covenant to allow the construction of a parking structure with one illuminated sign, in association with an existing medical center on the property. The property is currently zoned Special Business District (BU-2) and located at 7950 NW 2nd Street, in Miami-Dade County, Florida. The application will have no PWWM impact or any associated costs.

If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager of the Fiscal Management and Planning Division at 305-514-6661.

Memorandum



Date: August 5, 2014

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

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

Subject: Z2014000062: LEON MEDICAL CENTER
Revised plans submitted dated stamped received 7/16/2014

Application Name: LEON MEDICAL CENTER

Project Location: The site is located at 7950 NW 2 ST, Miami-Dade County.

Proposed Development: The request is for approval of modification of a previous resolution for a medical center.

Impact and demand: This application does not generate any residential population applicable to CDMP Open Space Spatial Standards.

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor



Memorandum

Date: 04-AUG-14
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2014000062

Fire Prevention Unit:

No objections to site plan with Zoning received date of July 16, 2014

Service Impact/Demand

Development for the above Z2014000062
 located at 7950 NW 2 ST, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1296 is proposed as the following:

<u>N/A</u>	dwelling units	<u>78,000</u>	square feet
residential		industrial	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Office		institutional	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 1.40 alarms-annually.
 The estimated average travel time is: 8:01 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 48 - Fontainebleau - 8825 NW 18 Terrace
 Rescue, ALS Engine, TRT Heavy Rescue, Battalion 12.

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Current service impact calculated based on site plan

Memorandum



Date: 11-JUN-14
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2014000062

Fire Prevention Unit:

Service Impact/Demand

Development for the above Z2014000062
located at 7950 NW 2 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid _____ is proposed as the following:

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

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

Existing services

The Fire station responding to an alarm in the proposed development will be:

Planned Service Expansions:

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

None

Fire Planning Additional Comments

DATE: 07-OCT-14

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

LEON MEDICAL CENTER, INC.

7950 NW 2 ST, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2014000062

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No opened cases. BNC: No bss cases

Leon medical Center, INC

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

REPORTER NAME:

Leon Medical Centers, Inc. - Flagler
7950 NW 2 Street, Miami, Florida 33126
Folio No. 30-4003-017-0010

RECEIVED
214-062
JUN 13 2011
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY *jt*



View SOUTHEAST to proposed Parking Structure site and Leon Medical Centers building.

Leon Medical Centers, Inc. - Flagler
7950 NW 2 Street, Miami, Florida 33126
Folio No. 30-4003-017-0010



View NORTHEAST to proposed Parking Structure site.

214-002
JUN 13 2009
ZONING DEPARTMENT
MIAMI-DADE COUNTY PLANNING AND ZONING DEPT.
BY: *AD*

Leon Medical Centers, Inc. - Flagler
7950 NW 2 Street, Miami, Florida 33126
Folio No. 30-4003-017-0010



View NORTH to proposed Parking Structure site.

RECEIVED
214-062
MAY 13 2014
ZONING DEPARTMENT
MIAMI DEPARTMENT OF CITY PLANNING & ADMIN. DEPT.
BY: *[Signature]*

Leon Medical Centers, Inc. - Flagler
7950 NW 2 Street, Miami, Florida 33126
Folio No. 30-4003-017-0010

RECEIVED
214-002
FEB 24 2004

ZONING DEPARTMENT
MIAMI-DADE PLANNING AND ZONING DEPT
BY: *ZH*



View SOUTHEAST to Leon Medical Centers Building (North Facade) from proposed Parking Structure Site.

Leon Medical Centers, Inc. - Flagler
7950 NW 2 Street, Miami, Florida 33126
Folio No. 30-4003-017-0010

RECEIVED
214-062
FEB 29 2007

ZONING DEPARTMENT
MIAMI DEPARTMENT OF ZONING DEPT.
BY: *AT*



View EAST to Leon Medical Centers Building (West Facade).

Leon Medical Centers, Inc. - Flagler
7950 NW 2 Street, Miami, Florida 33126
Folio No. 30-4003-017-0010

RECEIVED
214-062
MAY 21 1966
ZONING DEPARTMENT
MICHIGAN STATE UNIVERSITY
BY *At*



View NORTHWEST to Leon Medical Centers Building (South Facade).

Leon Medical Centers, Inc. - Flagler
7950 NW 2 Street, Miami, Florida 33126
Folio No. 30-4003-017-0010

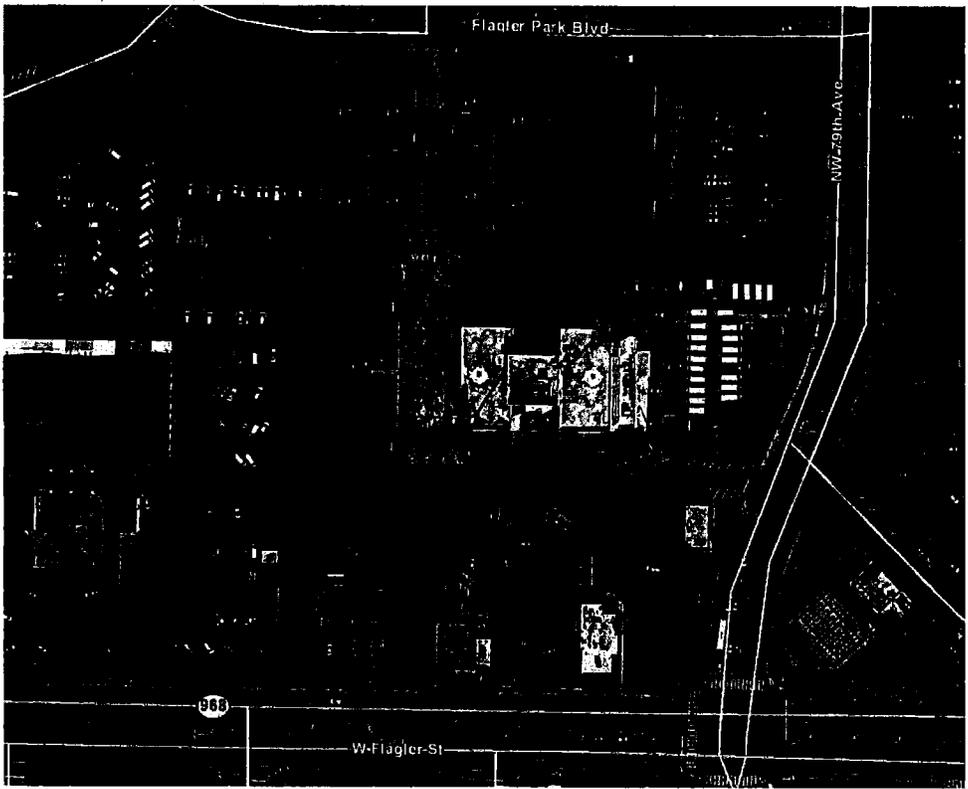
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APR 12 2004
ZONING DEPARTMENT
MIAMI-DADE COUNTY
BY: *Att*



View NORTHWEST to Leon Medical Centers Building (East Facade).

Leon Medical Centers, Inc. - Flagler
7950 NW 2 Street, Miami, Florida 33126
Folio No. 30-4003-017-0010

RECEIVED
214-002
MAY 13 2004
ZULFIKAR H. ALI, DIRECTOR
MIAMI-DASH PLANNING AND ZONING DEPT
BY: AH



Aerial photograph of Property with proposed Parking Structure site delineated in red.

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: Leon Medical Centers, Inc. (100.000%)

<u>NAME AND ADDRESS</u>		<u>Percentage of Stock</u>
<u>Benjamin Leon Jr. (62.000%)</u>	<u>Benjamin Leon III (10.000%)</u>	<u>Lourdes Leon (10.000%)</u>
<u>Silvia Maury (10.000%)</u>	<u>Albert Maury (6.000%)</u>	<u>Silvia Leon (2.000%)</u>
<u>11501 SW 40th Street, Second Floor</u>		<u>Miami, Florida 33165</u>

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

TRUST/ESTATE NAME N/A

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

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

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

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214-062
JUN 03 2014

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

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

NAME OF PURCHASER: N/A

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

Date of contract: _____

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

N/A

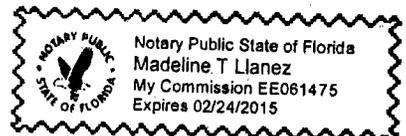
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: [Signature]
Benjamin Leon Jr., Chairman of Leon Medical Centers, Inc. (Applicant)

Sworn to and subscribed before me this 2nd day of June, 2014. Affiant is personally know to me or has produced _____ as identification.

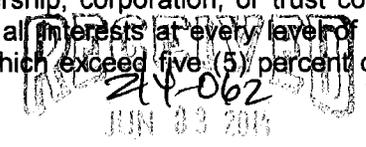
Madeline T. Llanez
(Notary Public)



My commission expires: _____

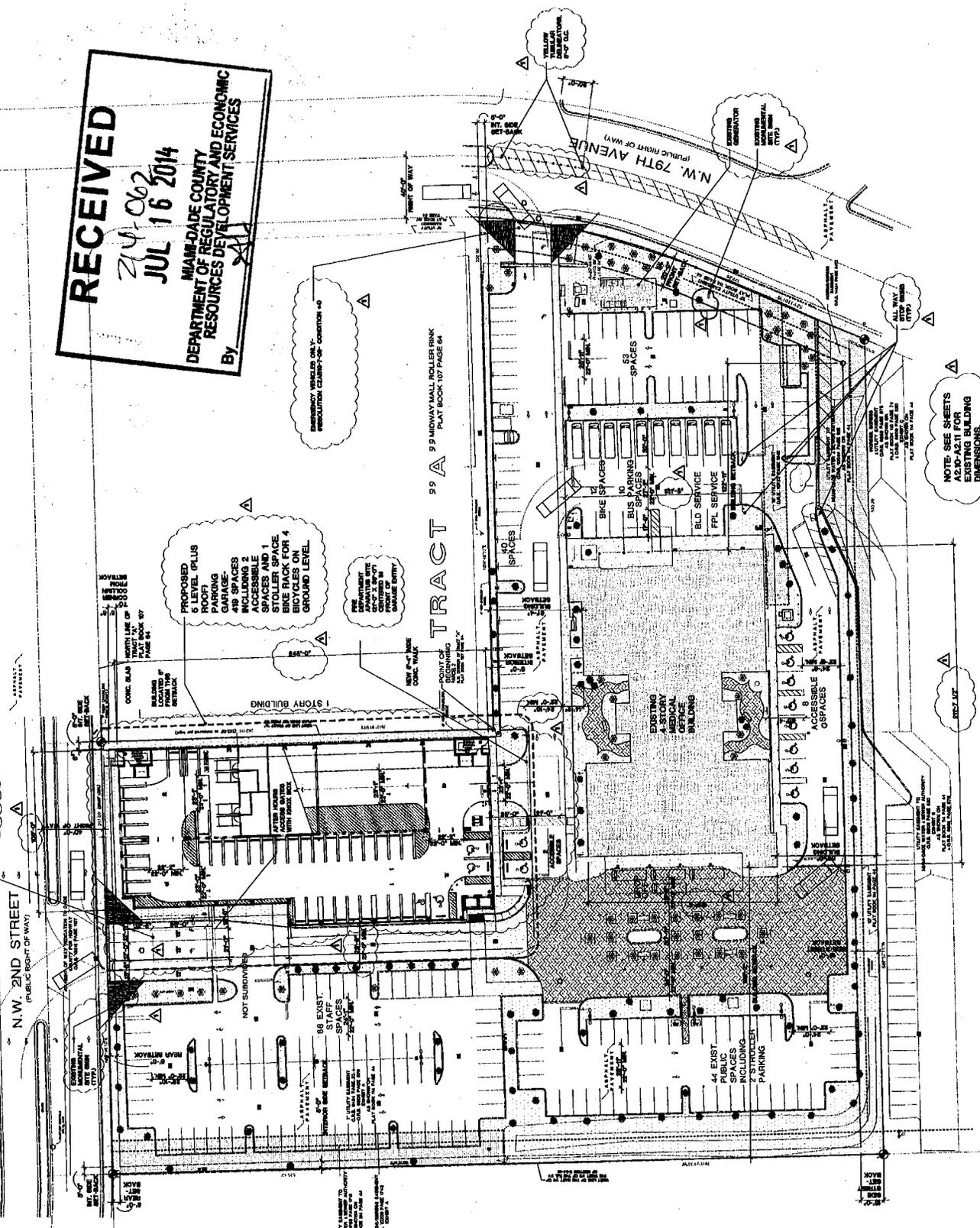
Seal

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



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

RECEIVED
 24-062
 JUL 16 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By



N.W. 2ND STREET
 (PUBLIC RIGHT OF WAY)

TRACT A
 59 MIDWAY MALL ROLLER RINK
 PLAT BOOK 107 PAGE 84

N.W. 79TH AVENUE
 (PUBLIC RIGHT OF WAY)

PROPOSED 5 LEVEL PLUS GARAGE
 INCLUDING 2 ACCESSIBLE STALLER SPACE
 BICYCLE RACK FOR 4 BICYCLES ON GROUND LEVEL

THE APPLICANT HAS AGREED TO PROVIDE A GUARANTEE BATTERY

EXISTING 4-STORY MEDICAL OFFICE BUILDING

44 EXIST PUBLIC SPACES INCLUDING PARKING

NOTE: SEE SHEETS A-20-0-31 FOR EXISTING BUILDING DIMENSIONS.

Tree #	Common Name	Height (ft)	DBH (in)	Height (ft)	Spread (ft)	Health	Notes	Tagging
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Tree #	Common Name	Height (ft)	DBH (in)	Height (ft)	Spread (ft)	Health	Notes	Tagging
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RECEIVED
 214-062
 JUL 16 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By _____

RECEIVED
 214-062
 JUL 16 2014

TREE IDENTIFICATION

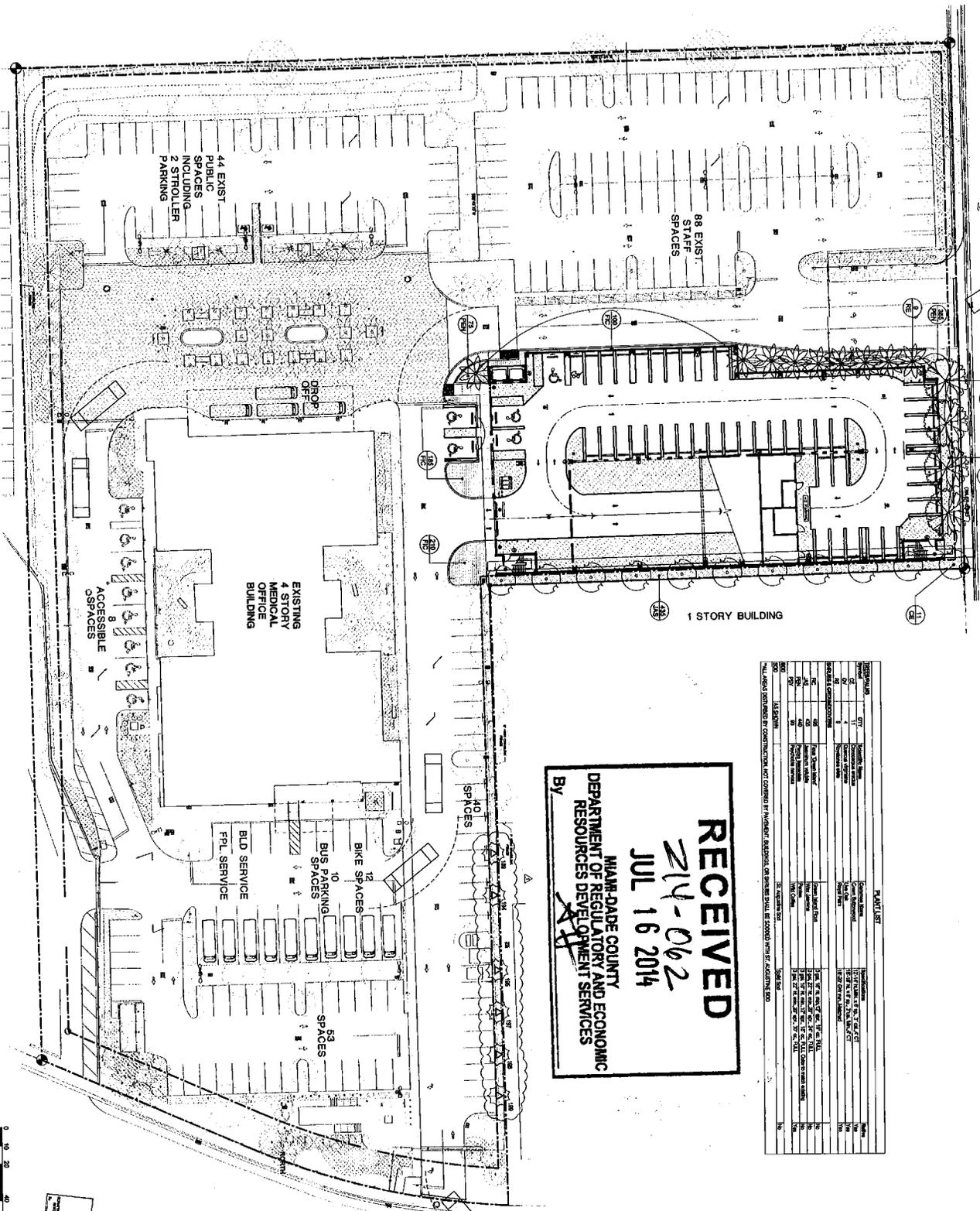
A. The contractor shall provide all necessary permits to complete all of the work.
 B. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 C. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 D. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 E. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 F. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
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 I. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 J. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 K. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 L. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
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 O. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 P. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 Q. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 R. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 S. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 T. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 U. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 V. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 W. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 X. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 Y. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.
 Z. The contractor shall be responsible for providing all work to meet the minimum standards of the applicable codes and regulations.

TREE DISPOSITION LIST/TOTALS

TD2.00

LEON ARCHITECTS
 1000 N.W. 10th Ave., Suite 1000
 Miami, FL 33136
 Phone: (305) 571-1111
 Fax: (305) 571-1112
 Email: info@leonarchitects.com

LEON MEDICAL HOLDINGS, LLC
 1907 S.W. 40th Street
 Miami, Florida 33135



NO.	DESCRIPTION	DATE	BY	REVISIONS
1	ISSUED FOR PERMIT	07/16/2014	MM	
2	ISSUED FOR PERMIT	07/16/2014	MM	
3	ISSUED FOR PERMIT	07/16/2014	MM	
4	ISSUED FOR PERMIT	07/16/2014	MM	
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100	ISSUED FOR PERMIT	07/16/2014	MM	

RECEIVED
 214-062
 JUL 16 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *[Signature]*



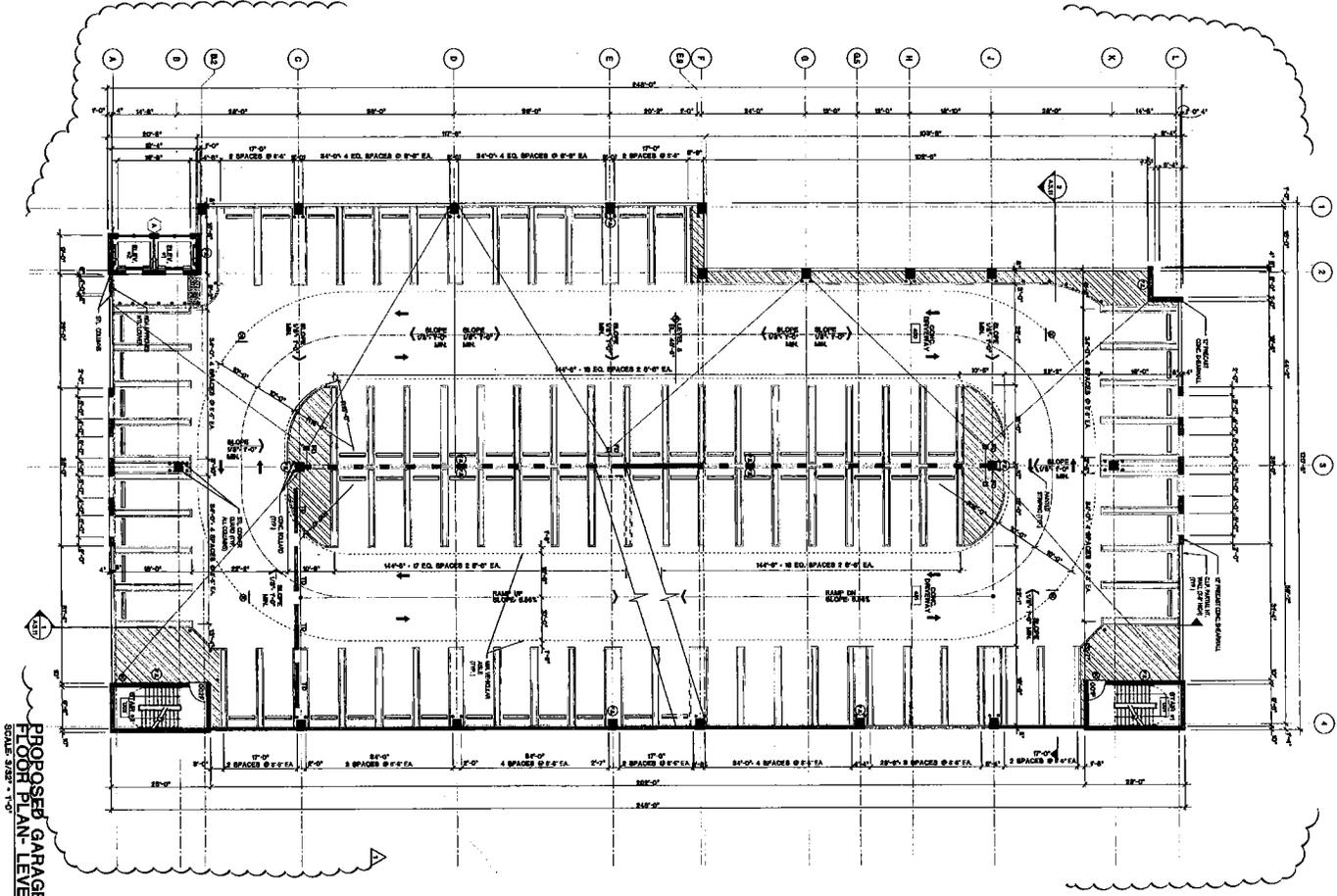
RECEIVED
 214-062
 JUL 16 2014

MGE ARCHITECTS
 38

LEON FLAGLER HOLDINGS, LLC
 100 N.W. 70TH AVE.
 MIAMI, FL 33157-3528

LEON MEDICAL CENTERS - FLAGLER
 100 N.W. 70TH AVE.
 MIAMI, FL 33157-3528

PLANNING PLAN L1.00
 SCALE IN FEET
 SUBMISSION
 DATE: 07/16/2014
 TIME: 10:00 AM
 PROJECT: LEON MEDICAL CENTERS - FLAGLER
 DRAWING: PLANNING PLAN L1.00
 DRAWING TITLE: PLANNING PLAN L1.00
 DRAWING NO.: PLANNING PLAN L1.00



PROPOSED GARAGE FLOOR PLAN - LEVEL 5

FLOOR PLAN LEGEND	
[Symbol]	DOOR
[Symbol]	WINDOW
[Symbol]	STAIR
[Symbol]	ELEVATOR
[Symbol]	MECHANICAL ROOM
[Symbol]	RESTROOM
[Symbol]	STORAGE
[Symbol]	STRUCTURAL COLUMN
[Symbol]	STRUCTURAL BEAM
[Symbol]	STRUCTURAL WALL
[Symbol]	STRUCTURAL SLAB
[Symbol]	STRUCTURAL GIRDER
[Symbol]	STRUCTURAL JOIST
[Symbol]	STRUCTURAL TRUSS
[Symbol]	STRUCTURAL BRACE
[Symbol]	STRUCTURAL DIAPHRAGM
[Symbol]	STRUCTURAL SHEAR WALL
[Symbol]	STRUCTURAL CORE
[Symbol]	STRUCTURAL PERIMETER WALL
[Symbol]	STRUCTURAL CURB
[Symbol]	STRUCTURAL FINISH
[Symbol]	STRUCTURAL PAINT
[Symbol]	STRUCTURAL GLASS
[Symbol]	STRUCTURAL METAL
[Symbol]	STRUCTURAL WOOD
[Symbol]	STRUCTURAL CONCRETE
[Symbol]	STRUCTURAL MASONRY
[Symbol]	STRUCTURAL BRICK
[Symbol]	STRUCTURAL BLOCK
[Symbol]	STRUCTURAL TILE
[Symbol]	STRUCTURAL CARPET
[Symbol]	STRUCTURAL FLOORING
[Symbol]	STRUCTURAL CEILING
[Symbol]	STRUCTURAL LIGHTING
[Symbol]	STRUCTURAL VENTILATION
[Symbol]	STRUCTURAL MECHANICAL
[Symbol]	STRUCTURAL ELECTRICAL
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[Symbol]	STRUCTURAL DATA
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[Symbol]	STRUCTURAL EGRESS
[Symbol]	STRUCTURAL EXIT

LEVEL 5 PARKING COUNT	
AVAILABLE SPACES	42
RESERVED SPACES	0
TOTAL SPACES THIS FLOOR	42

RECEIVED
 7/14/2014
 JUL 16 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 BY *[Signature]*

RECEIVED
 7/16/2014
 JUL 16 2014

LEON MEDICAL CENTERS
 LEON MEDICAL CLINICS, INC.
 3501 S.W. 40TH STREET
 MIAMI, FLORIDA 33135

NEW PARKING GARAGE
 LEON MEDICAL CENTERS - FLAGLER
 30 N.W. 79TH AVE.
 MIAMI, FLORIDA 33155

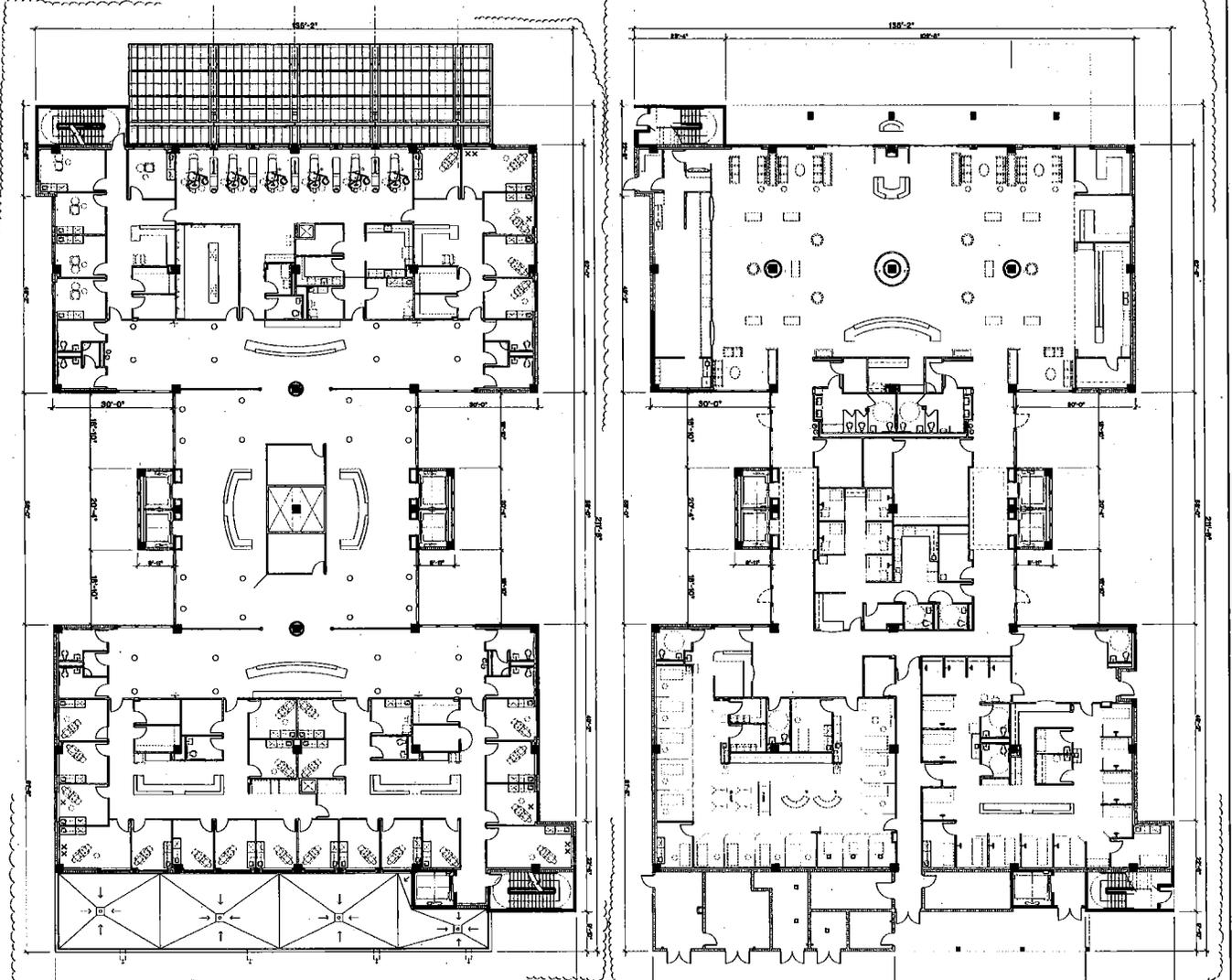
ZONING SITE PLAN APPLICATION
 20140000000000000000

CONTRACTOR
 MGE PROJECTS
 1101 N.W. 11TH STREET
 MIAMI, FLORIDA 33136
 (305) 571-1100

DATE
 7/16/2014

PROJECT TITLE
 PROPOSED GARAGE FLOOR PLAN - LEVEL 5

SCALE
 AS SHOWN



FLOOR PLAN - LEVEL 1
EXISTING BUILDING
SCALE: 3/8" = 1'-0"

EXISTING FIRST FLOOR
2382 SQ. FT.

FLOOR PLAN - LEVEL 2
EXISTING BUILDING
SCALE: 3/8" = 1'-0"

EXISTING SECOND FLOOR
18722 SQ. FT.

NOTE
EXISTING BUILDING
NOT FOR CONSTRUCTION
OR FOR INFORMATIONAL PURPOSE
ONLY.

RECEIVED
JUL 16 2014
MCE/REG/DES/STAFF

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214-062
JUL 16 2014
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC
RESOURCES DEVELOPMENT SERVICES
By *[Signature]*

MCE/REG/DES/STAFF
CONSULTANTS:
GARDNER AND GARDNER
ARCHITECTS
3000 N.W. 40TH STREET
MIAMI, FLORIDA 33142
305.575.1100
WWW.GARDNERANDGARDNER.COM

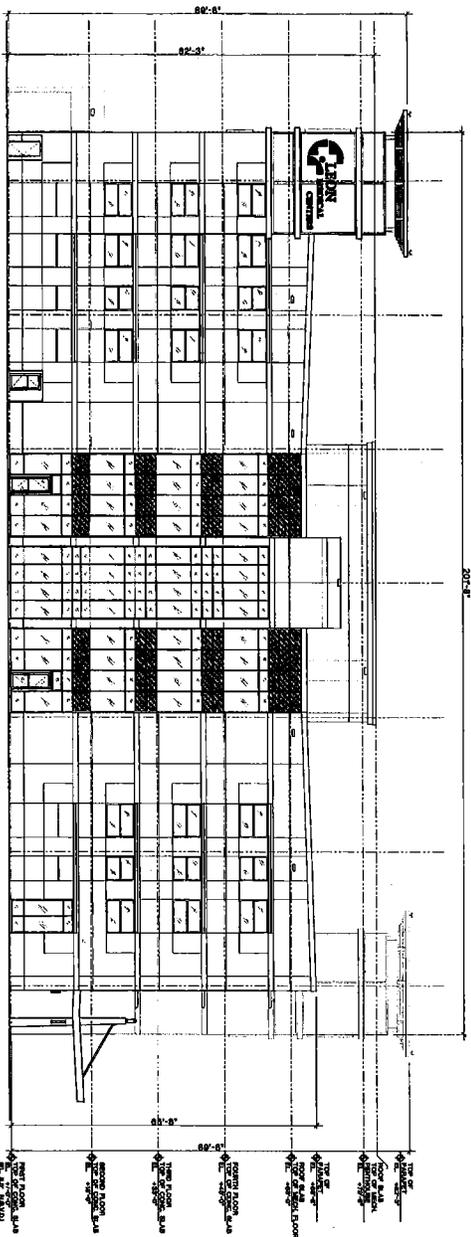


LEON MEDICAL
CLINICS, INC.
1801 S.W. 40TH STREET
MIAMI, FLORIDA 33135

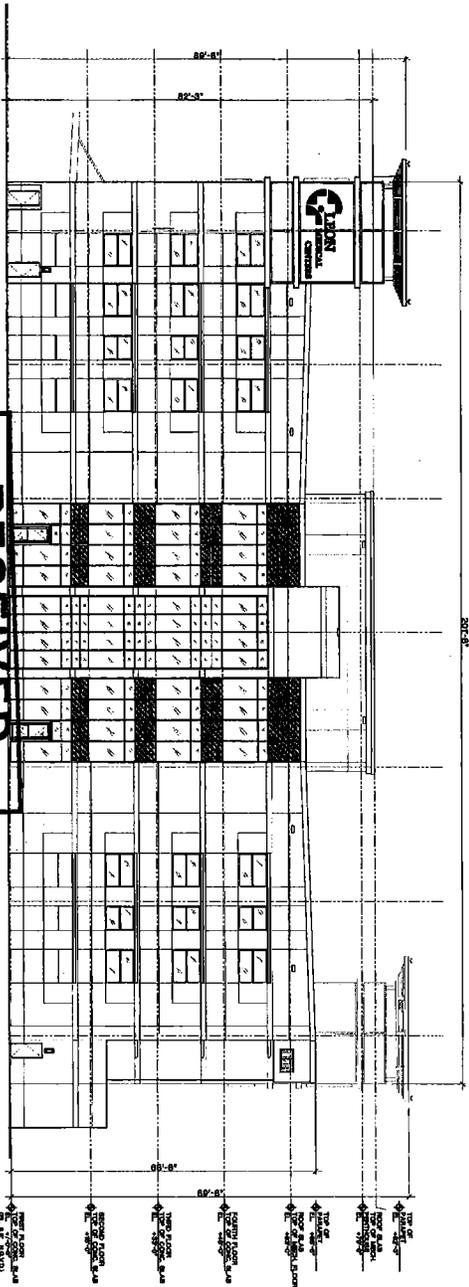
NEW PARKING GARAGE
FOR MEDICAL
CENTERS
LEON MEDICAL
CLINICS, INC.
1801 S.W. 40TH STREET
MIAMI, FLORIDA 33135
ZONING SITE PLAN APPLICATION
PACKAGE

REVISION	DATE	BY	DESCRIPTION
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

DATE: 07/16/2014
DRAWN BY: *[Signature]*
CHECKED BY: *[Signature]*
SCALE: AS SHOWN
SHEET TITLE:
EXISTING BLDG
FLOOR PLANS
LEVELS 1-2



EXISTING BUILDING NORTH ELEVATION



EXISTING BUILDING SOUTH ELEVATION

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 214-062
 JUL 16 2014

MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES

By *[Signature]*

RECEIVED
 JUL 16 2014

MTE

50

MGE ARCHITECTS
 1325 S.W. 15TH AVENUE, SUITE 200
 MIAMI, FL 33135
 TEL: 305.375.1100
 WWW.MGEARCHITECTS.COM

CONSULTANTS:
 ARCHITECT: MGE ARCHITECTS
 ENGINEER: [Blank]
 LANDSCAPE ARCHITECT: [Blank]
 CIVIL ENGINEER: [Blank]
 ELECTRICAL ENGINEER: [Blank]
 MECHANICAL ENGINEER: [Blank]
 PLUMBING ENGINEER: [Blank]
 STRUCTURAL ENGINEER: [Blank]
 TRAFFIC ENGINEER: [Blank]
 ENVIRONMENTAL ENGINEER: [Blank]



**LEON MEDICAL
 CLINICS, INC.**
 800 S.W. 30TH STREET
 MIAMI, FL 33135

NEW PARKING GARAGE
**LEON MEDICAL
 CENTERS - FLAGLER**
 80 N.W. 70TH AVE
 MIAMI, FL 33135
 ZONING SITE PLAN APPLICATION
 PACKAGE

SUBMISSION

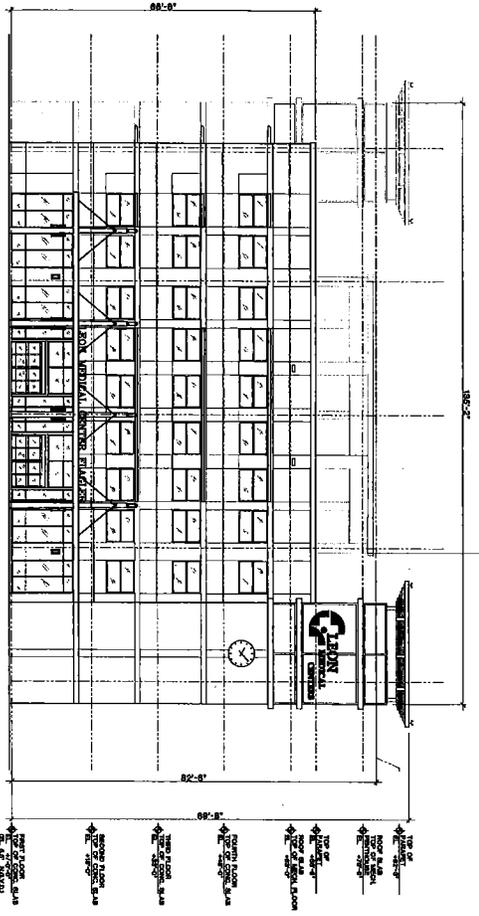
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2	PRELIMINARY SITE PLAN		
3	PRELIMINARY ZONING APPLICATION		
4	PRELIMINARY TRAFFIC STUDY		
5	PRELIMINARY ENVIRONMENTAL STUDY		
6	PRELIMINARY ENGINEERING STUDIES		
7	PRELIMINARY ARCHITECTURAL ELEVATIONS		
8	PRELIMINARY SIGNAGE		
9	PRELIMINARY LANDSCAPE ARCHITECTURE		
10	PRELIMINARY CIVIL ENGINEERING		
11	PRELIMINARY ELECTRICAL ENGINEERING		
12	PRELIMINARY MECHANICAL ENGINEERING		
13	PRELIMINARY PLUMBING ENGINEERING		
14	PRELIMINARY STRUCTURAL ENGINEERING		
15	PRELIMINARY TRAFFIC ENGINEERING		
16	PRELIMINARY ENVIRONMENTAL ENGINEERING		
17	PRELIMINARY ZONING APPLICATION PACKAGE		

[Signature]
 ARCHITECT

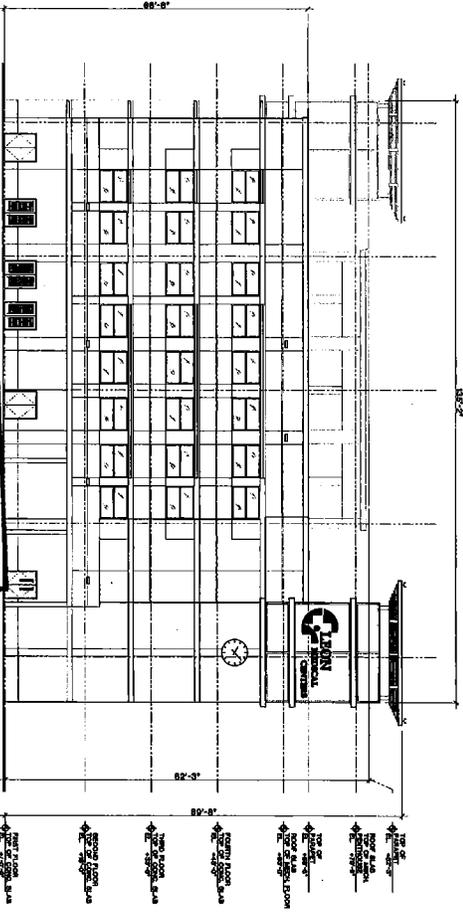
**EXISTING BLDG
 EXTERIOR
 ELEVATIONS**

PLANNING NO.

A.2.12



EXISTING BUILDING WEST ELEVATION



EXISTING BUILDING EAST ELEVATION

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 2014-07-16
 JUL 16 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *[Signature]*

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 2014 JUL 16 10:30 AM
 2014 JUL 16 10:30 AM

Handwritten signature/initials

MGE PROJECTS
 1400 S.W. 40TH STREET
 MIAMI, FL 33135
 (305) 441-1111

COMMENTS:
 ALL COMMENTS MUST BE
 SUBMITTED TO THE
 ENGINEER AND ARCHITECT
 BEFORE ANY WORK IS
 COMMENCED. ALL COMMENTS
 MUST BE SUBMITTED WITHIN
 THE SPECIFIED TIME FRAME.



**LEON MEDICAL
 CLINICS, INC.**
 1400 S.W. 40TH STREET
 MIAMI, FLORIDA 33135

**NEW PARKING GARAGE
 LEON MEDICAL
 CENTERS - FLAGLER**
 1400 S.W. 40TH AVENUE
 MIAMI, FLORIDA 33135
 ZONING CODE: OS-1
 PROJECT NO. 14-000001

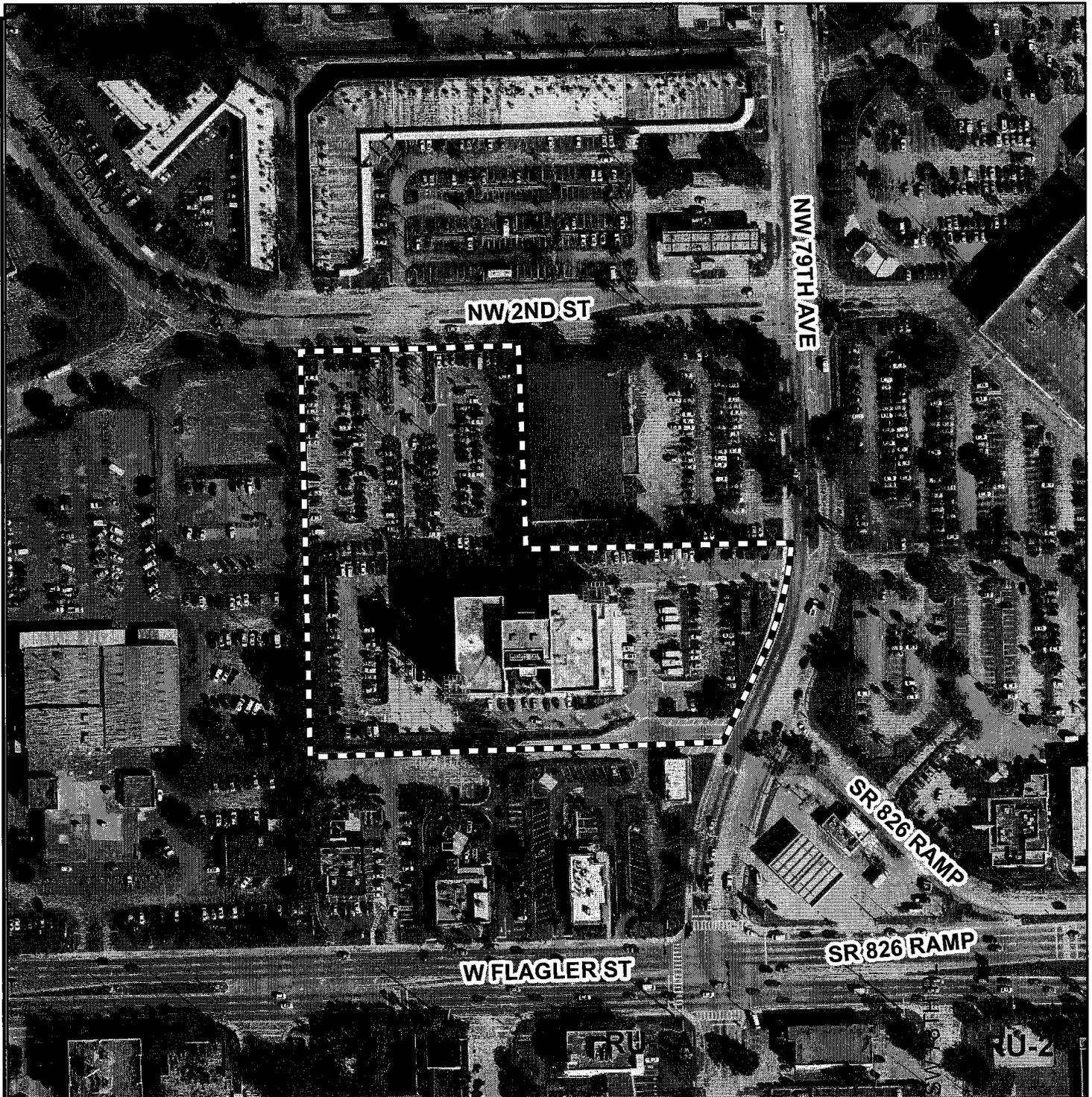
SUBMISSION

NO.	DESCRIPTION	DATE
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2	FINAL SUBMISSION	
3	REVISIONS	
4	REVISIONS	
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6	REVISIONS	
7	REVISIONS	
8	REVISIONS	
9	REVISIONS	
10	REVISIONS	

Handwritten signature/initials

**EXISTING BLDG
 EXTERIOR
 ELEVATIONS**

A2.13



MIAMI-DADE COUNTY

AERIAL YEAR 2013

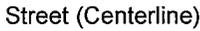
Section: 03 Township: 54 Range: 40
Applicant: LEON MEDICAL CENTER INC
Zoning Board: C10
Commission District: 6
Drafter ID: FRANCISCO ARENCIBIA

Scale: NTS

Process Number

Z2014000062

Legend

-  MDC STL Index Poly
-  Subject Property
-  Street (Centerline)
-  Zoning



SKETCH CREATED ON: Wednesday, June 23, 2014

REVISION	DATE	BY
		53

PARKBLVD

NW2NDST

NW79THAVE

PARKBLVD

BUSINESSANDOFFICE

BUSINESSANDOFFICE

OFFICE/RESIDENTIAL

OFFICE/RESIDENTIAL

MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2014000062



Section: 03 Township: 54 Range: 40
Applicant: LEON MEDICAL CENTER INC
Zoning Board: C10
Commission District: 6
Drafter ID:
Scale: NTS

Legend

 Subject Property Case

 Zoning



SKETCH CREATED ON: Thursday, June 26, 2014

REVISION	DATE	BY

This instrument was prepared by:

Melissa Tapanes Llahues, Esq.
Bercow Radell & Fernandez, P.A.
200 S. Biscayne Boulevard
Suite 850
Miami, Florida 33131

Leon Medical Center
CZAB10 10/30/14
Z14-062

(Space reserved for Clerk)

MODIFICATION TO DECLARATION OF RESTRICTIONS

KNOW ALL BY THESE PRESENTS that the undersigned Owner, Leon Medical Centers Inc., a Florida corporation, hereby make, declare and impose on the land herein described, these covenants running with the land, which shall be binding on the Owner, all heirs, successors and assigns, personal representatives, mortgagees, lessees, and against all persons claiming by, through or under them;

WHEREAS, the undersigned Owner holds fee simple title to the land in Miami-Dade County, Florida ("County"), described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the affixed attorney's opinion;

WHEREAS, in 1969, pursuant to Resolution Z-122-69, the County approved a district boundary change from "RU-2" (Two Family Residential) to "BU-2" (Special Business);

WHEREAS, in 1972, pursuant to Resolution 4-ZAB-447-72, the County approved a modification to the previously approved site plan pursuant to Resolution No. Z-122-69, to allow a phased development;

WHEREAS, in 1979, pursuant to Resolution No. 4-ZAB-142-79, the County approved a special exception to modify the previously approved site plan pursuant to Resolution No. 4-ZAB-447-72, and a special exception to permit a paint shop, major mechanical repair shop and top and body shop in order to allow a car dealership;

WHEREAS, in 1995, pursuant to Resolution No. 5-ZAB-113-95, the County approved a modification to the previously approved site plan pursuant to Resolution No. 4-ZAB-142-79, a special exception, and several non-use variances associated with the site plan to allow an update to facade of the car dealership showroom;

WHEREAS, in 2009, pursuant to Resolution No. CZAB10-7-09, the County approved the deletion of Resolutions No. 4-ZAB-142-79 and 5-ZAB-113-95 tying the site to the automobile dealership, to allow the development of a medical office building.

DK

Declaration of Restrictions

Page 2

A non-use variance was also approved to permit 2 detached signs, where 1 detached sign was permitted;

WHEREAS, in 2009, pursuant to Resolution No. CZAB10-7-09, a Declaration of Restrictions was recorded in the Public Records of Miami-Dade County at Official Records Book 26789, Pages 2560 – 2565 (the “Existing Covenant”).

WHEREAS, the Existing Covenant requires that the Property be developed substantially in accordance with the spirit and intent of a certain site plan referenced therein and that only certain uses may be permitted on the Property.

WHEREAS, in 2010, pursuant to Resolution No. CZAB10-19-10, the County approved a non-use variance to permit a 4th additional wall sign for the medical office building;

WHEREAS, through Public Hearing No. Z14-062 the Owner seeks to modify the Existing Covenant for the construction of a detached parking structure for the previously approved medical office site;

WHEREAS, the Owner and the County desire that the covenants herein amend, restate, and modify the Existing Covenant, and hereinafter control the development and operation of the Property;

IN ORDER TO ASSURE the County that the representations made during consideration of Public Hearing No. Z14-062 will be abided by, the Owner freely, voluntarily and without duress covenants the following:

- (1) The foregoing recitations are true and correct, and incorporated herein, and are made a part hereof for all purposes.
- (2) Paragraph One of the Existing Covenant is hereby amended as follows:

FROM: “That said Property shall be substantially developed in accordance with the plans previously submitted, prepared by MGE Architects entitled “Leon Medical Centers,” Sheet “L2.1” dated stamped received 10/14/08, Sheet “A1.01,” dated stamped received 10/31/08 and the remaining sheets dated stamped received 9/16/08 for a total of 11 sheets.”

TO: “That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by MGE Architects entitled “Leon Medical Centers,” dated stamped received 7/16/14, consisting of 18 sheets, with sheet “L2.00,” dated stamped received 07/28/14.”

Declaration of Restrictions

Page 3

- (3) Paragraph Three is hereby added to the Existing Covenant and shall read as follows:

Bus Use of Parking Garage. That the use of the parking garage by buses be limited to buses serving the Property only.

- (4) All terms of the Existing Covenant not amended herein shall remain in full force and effect.

[Execution Pages Follow]

ACKNOWLEDGMENT BY A FLORIDA CORPORATION

Signed, witnessed, executed and acknowledged on
this _____ day of _____, 2014.

IN WITNESS WHEREOF, LEON MEDICAL CENTERS, INC., a Florida Corporation, has caused these presents to be signed in its name by the proper officials.

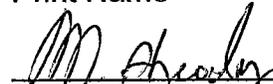
LEON MEDICAL CENTERS, INC.
11501 SW 40th Street, Second Floor
Miami, Florida 33165



Witness Signature

PATRICIA E. ROCHA

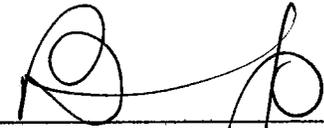
Print Name



Witness Signature

Michael Shealy

Print Name

By: 

Name: Benjamin Leon, Jr.
Title: Chairman

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by BENJAMIN LEON^{JR} who is personally known to me or has produced _____ as identification.

Witness my signature and official seal this 25 day of SEPTEMBER, 2014, in the County and State aforesaid.

Notary Public State of Florida



My Commission Expires: _____

Print Name
PATRICIA E ROCHA

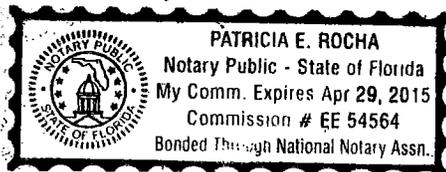


Exhibit "A"
Legal Description

PARCEL 1: All of Tract "A" of MIDWAY REALTY, according to the Plat thereof, as recorded in Plat Book 114, at Page 44, of the Public Records of Miami-Dade County, Florida, and

PARCEL 2: A portion of the West 1/2 of the Northeast 1/4 of Section 3, Township 54 South, Range 40 East, being more particularly described as follows:
Begin at the Southwest corner of Tract A, as Shown on the Plat of "MIDWAY MALL ROLLER RINK" as recorded in Plat Book 107, at Page 64, of the Public Records of Miami-Dade County, Florida; thence South 88 Degrees 48 minutes 10 seconds West along the Westerly prolongation of the South line of said Tract A for 288.52 feet to the Point on the West line of the East 1/2 of the West 1/2 of the Northeast 1/4 of Said Section 3; thence North 01 Degree 21 minutes 34 seconds West along said West line of the East 1/2 of the West 1/2 of the Northeast 1/4 of Section 3 for 262.00 feet; thence North 88 Degrees 48 minutes 10 seconds East along the Westerly Prolongation of the North line of said Plat of "MIDWAY MALL ROLLER RINK" for 286.87 feet; thence South 01 degree 40 minutes 19 seconds East, along the west line of the aforementioned Tract A (and its Northerly Prolongation) for 262.01 feet to the POINT OF BEGINNING, said lands lying and being in Miami-Dade County, Florida.

(Space reserved for Clerk)

JOINDER BY MORTGAGEE CORPORATION

The undersigned City National Bank of Florida, as administrative agent for itself and other lenders and Mortgagee under that certain Mortgage, Assignment of Rents and Security Agreement from Leon Medical Centers, Inc., a Florida corporation, dated October 3, 2011, recorded in Official Records Book 27850, Pages 2785 through 2812, of the Public Records of Miami-Dade County, Florida; modified by Notice of Future Advance, Mortgage Modification and Spreader Agreement, dated December 20, 2011, and recorded in Official Records Book 27938, Pages 1704 through 1711, of the Public Records of Miami-Dade County, Florida; and further modified by Second Notice of Future Advance, Mortgage Modification and Spreader Agreement, dated March 26, 2014, recorded in Official Records Book 29088, Pages 458 through 469, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, does hereby acknowledge that the terms of the agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 1st day of October, 2014.

Witnesses:

J. Reyes
Signature

Yvette Reyes
Print Name

Christina Clark
Signature

Ana Maria Chayne
Print Name

City National Bank of Florida
National Association
25 West Flagler Street
Miami, Florida 33130

By: [Signature]

(President, Vice-President or CEO*)
Print Name: Michael A. McCormack

[*Note: All others require attachment of original corporate resolution of authorization]

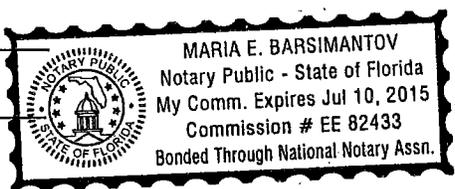
STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by Michael A. McCormack a VICE PRESIDENT of City National Bank of Florida, as administrative agent for itself and other lenders on behalf of the banking association. She/he is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 1st day of October, 2014, in the County and State aforesaid.

[Signature]
(Signature) Notary Public-State of FLORIDA

MARIA E. BARSIMANTOV
(Print Name)
My Commission Expires: _____



**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 10**

PH: Z13-107 (14-11-CZ10-1)

December 18, 2014

Item No. D

Recommendation Summary	
Commission District	10
Applicants	Jose and Lillian Perea
Summary of Requests	The applicants are seeking a district boundary change to RU-5A or use variance to permit semi-professional office uses in the RU-1 zone, along with several ancillary variances for lot frontage, lot area, setback, and landscape buffer, among others.
Location	3321 SW 107 Avenue, Miami-Dade County, Florida.
Property Size	0.20 Acre
Existing Zoning	RU-1
Existing Land Use	Single-family residence
2020-2030 CDMP Land Use Designation	Low Density Residential <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variance, Section 33-311, District Boundary Change, Section 33-311 (A)(4)(a) Use Variances from other than airport regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Denial without prejudice.

This item was deferred from the November 13, 2014 Community Zoning Appeals Board (CZAB) #10 meeting due to a lack of quorum. The application was again deferred from the December 11, 2014 CZAB#10 meeting due to a lack of time.

REQUESTS:

(1) ZONE CHANGE from RU-1 to RU-5A.

OR IN THE ALTERNATIVE TO REQUEST #1, THE FOLLOWING REQUEST:

(2) USE VARIANCE to permit semi-professional office uses in the RU-1 zone, as would be permitted in the RU-5A district.

AND WITH EITHER REQUEST #1 OR #2, THE FOLLOWING REQUESTS:

(3) NON-USE VARIANCE to permit a lot with a frontage 74.69' (75' required) and to permit a lot area of 7,842 sq. ft. (10,000 sq. ft. minimum required).

(4) NON-USE VARIANCE to permit the existing building setback 24'-10" (25' required) from the front (west) property line and setback 7'-10" (15' required) from the interior side (south) property line.

- (5) NON-USE VARIANCE to permit a 2nd office building setback 5' (25' required) from the rear (east) property line.
- (6) NON-USE VARIANCE to permit the proposed ramp to setback 19'-2" (25' required) from the front (west) property line.
- (7) NON-USE VARIANCE to waive the required 5' high masonry wall, reinforced concrete, precast concrete or wood fence along the interior side (north) and rear (east) property lines.
- (8) NON-USE VARIANCE to permit a landscape buffer with a width of 2'-2" (7' wide required) along the right-of-way of SW 107 Avenue.
- (9) NON-USE VARIANCE to waive the required 5' wide dissimilar land use buffer including a 6' high wall fence or hedge along the interior side (north) and rear (east) property lines.
- (10) NON-USE VARIANCE to permit a two-way drive with a width varying from 16'-0" to 17'-1" (20' minimum width required).
- (11) NON-USE VARIANCE requiring a section-line right-of-way to be 80'; to waive same to permit a right-of-way width of 35' (40' wide required) along the East side of SW 107 Avenue.
- (12) NON-USE VARIANCE to permit 5 parking spaces (6 parking spaces required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Remodeling for: Thomas J. Kelly, Surveyors" as prepared by Richard Cortes, P.A. Architects, dated stamped received 7/11/14 and consisting of 5 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

The subject property is an internal lot located at 3321 SW 107 Avenue, along a heavily traveled section line road (SW 107 Avenue). The submitted plans show an existing single-family residence, which the applicants are seeking to convert into an office. Additionally, there is an existing building located in the rear of the property that will also be converted into an office. Parking is being proposed at the front and rear of the property with a drive way along the north portion of the site.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; single-family residence	Low Density Residential 2.5 to 6 dua
North	RU-1; single-family residence	Low Density Residential 2.5 to 6 dua
South	RU-1; office	Low Density Residential 2.5 to 6 dua
East	RU-1; single-family residence	Low Density Residential 2.5 to 6 dua

West	RU-1; single-family residence	Low Density Residential 2.5 to 6 dua
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NEIGHBORHOOD COMPATIBILITY:

The subject property is an interior lot, located at 3321 SW 107 Avenue, on the east side of SW 107 Avenue. Single-family residences and office uses characterize the surrounding area where the subject property lies.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to provide an additional office use to the community. However, approval of same could potentially impact traffic flow and impact other services in the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates this site as ***Low Density Residential*** on the Adopted 2020-2030 Land Use Plan (LUP) map. This designation permits a density range of a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre.

The applicants are seeking a district boundary change from RU-1, Single Family Residential District, to RU-5A, Semi-Professional Office, (request #1), or in the alternative, a use variance to permit semi-professional office uses in the RU-1 zone, as would be permitted in the RU-5A district, along with non-use variances related to the proposed office use.

The CDMP provides that office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in the CDMP. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map; b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does the subject frontage face such an Estate Density area. The subject property meets the aforementioned criteria of the Master Plan including that the subject property is located on a section-line-roadway (SW 107 Avenue) also designated as a "major roadway" on the Land Use Plan map, the site is less than one acre in size, is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential use, and the subject frontage does not face an Estate Density area. Furthermore, the Master Plan also indicates that where other office, business or industrial uses exist on the same block face, approval of office uses on sites smaller than 1 acre may be granted. Research reveals that similar approvals have been granted on properties within the same block face as the subject property. Specifically, in 1993, the property that abuts the subject property to the south, located at 3331 SW 107 Avenue, was granted a use variance to permit semi-professional office uses in the RU-1 district as would be permitted in the RU-5A district as well as non-use variances to permit a lot area of 7,875 sq. ft. (10,000 sq. ft. required), to permit 35' of right-of-way dedication (40' required) for SW 107 Avenue, and to permit the office building setback closer to the front, side street and interior side property lines, among others, pursuant to Resolution #5-ZAB-10-93.

However, the interpretive text of the CDMP also provides that *office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area.* Staff opines that for the reasons that will be expanded upon in the zoning analysis, approval of the subject application would be incompatible with the area. Additionally, staff opines that requests #3 thru #12 are evidence of the over-intensification and incompatibility of the proposed development within a residential neighborhood based on the criteria mentioned above. Therefore, incompatibility of the proposed use with the above criteria makes it **inconsistent** with the CDMP LUP map designation of **Low Density Residential**.

ZONING ANALYSIS:

When the applicants' request for a District Boundary Change to RU-5A (request #1), is analyzed under Section 33-311 of the Code, staff opines that the approval of this request would be **inconsistent** with the interpretative text of the CDMP and should be denied. This district boundary change would allow the applicants to establish an office use; Office use is not allowed under the current zoning designation, RU-1. Section 33-311 of the Code states that the purpose of the Code is to provide a comprehensive plan and design to among other things, lessen congestion on the highways and promote health, safety, morals, convenience and general welfare, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses. As such, staff opines that the applicants' request for a zone change in order to establish an office use would have a negative impact on the existing residential neighborhood. Currently, the subject site is located within a residential neighborhood and is flanked by single-family residences to the north, east and west. Staff opines that approval of the request would be out of character with and **incompatible** with the single-family homes located to the north, east and west of the subject property.

Additionally, although most departments including the Division of Environmental Resources Management (DERM) of RER and the Miami-Dade Fire Rescue Department (MDFR) support the subject application, staff notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER) **objects** to this application. Although no additional new trips will be generated, the Platting and Traffic Review Section memorandum states that the two-way driveway must have a minimum width of 20 feet, the handicap space is inaccessible for vehicles traveling north from SW 107 Avenue, the sidewalk adjacent to asphalt must have a minimum width of 6 feet, and that additional improvements may be required at the time of permitting. Further, staff opines that this is evidence of the overutilization of the site as explained below. **As such, staff recommends denial without prejudice of request #1 under Section 33-311 Standards for District Boundary Change.**

In the alternative, when request #2, a use variance to permit RU-5A uses in the RU-1 zoning district, is analyzed under Section 33-311(A)(4)(a), staff opines that the request should also be denied without prejudice. Section 33-311(A)(4)(a) provides that a **use variance** permits a use of

land other than that which is prescribed by the zoning regulations. The standard stipulates that **to prove an unnecessary hardship, the applicants must demonstrate that under applicable zoning regulations, the applicants are deprived of all reasonable use or benefit from the property in question.** Based on the information provided by the applicants, staff opines that the applicants have not demonstrated any unnecessary hardship. Additionally, staff recognizes that the area east of SW 107 Avenue is in transition where some of the houses have been converted to office uses. However, staff notes that the properties to the north, east and west of the subject property are still single-family residential properties. Therefore, staff finds no unnecessary hardship. **As such, staff recommends denial without prejudice of request #2 under Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.**

When requests #3 through #12 are analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **incompatible** with the surrounding area, and would negatively affect the appearance of the community. Staff notes that these requests for less lot frontage, lot area, setback, and landscape buffer than required, among others, are germane to requests #1 and #2, which staff does not support. Staff opines that these requests are excessive and overly intensive, and represent an over utilization of the subject site. Staff notes that these variances are not required for the existing single-family home use in the current RU-1 zoning district. Staff further notes that many of these variances are exacerbated by the existing second office building shown in the submitted plans located at the rear of the site, which in staff's opinion creates a more intense development in this small residential lot. In staff's opinion, approval of requests #3 through #12 would result in an over-intensification of use of the subject property that would be out of character with the present development of the area, and would result in the degradation of the residential community. Specifically, staff opines that due to the inadequate width of the driveway and the inaccessibility of the handicapped parking space, negative impacts to the flow of traffic are likely because vehicles attempting to enter and exit the property could cause traffic to back-up into the street. Furthermore, staff opines that approval of the requests would not maintain the basic intent and purpose of the zoning regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and would be **incompatible** with same. **Therefore, staff recommends denial without prejudice of requests #3 through #12 under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standard.**

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate one (1) existing ingress/egress point along SW 107 Avenue. The applicants have not provided adequate drives and parking to facilitate the flow of traffic within the proposed development.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

RECOMMENDATION:

Denial without prejudice.

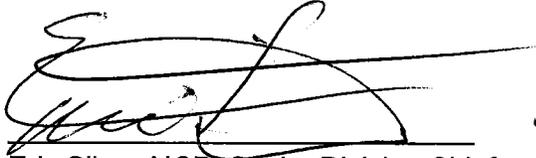
CONDITIONS FOR APPROVAL: None.

ES:MW:NN:CH:JV

Jose and Lillian Perea

Z13-107

Page | 6

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

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

NSW

ZONING RECOMMENDATION ADDENDUM

Jose and Lillian Perea
Z13-107

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Platting and Traffic Review Section (RER)	Objects
Public Works and Waste Management	No objection
Parks, Recreation and Open Space	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

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

<p>Low Density Residential (Pg. I-31)</p>	<p><i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
<p>Office Uses in Residential Communities (Page I-35)</p>	<p><i>Office uses smaller than five acres in size may be approved in areas designated as Residential Communities where other office uses which are not inconsistent already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot. Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area. In applying this provision, the maximum limits of an eligible residentially designated block face along which office uses may be extended shall not extend beyond the first intersecting public or private street, whether existing, platted or projected to be necessary to provide access to other property, or beyond the first railroad right-of-way, utility transmission easement or right-of-way exceeding 60 feet in width, canal, lake, public school, church, park, golf course or major recreational facility.</i></p>
<p>Land Use Element LU-4A (Pg. I-11)</p>	<p><i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i></p>

ZONING RECOMMENDATION ADDENDUM

Jose and Lillian Perea
Z13-107

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311 District Boundary Change</p>	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> (1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i> (2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i> (3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i> (4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i> (5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i>
<p>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i></p>
<p>Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations</p>	<p><i>The Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.</i></p>

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#E

APPLICANT'S NAME: Jose & Lillian Perea

REPRESENTATIVE: Juan Mayol

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
14-11-CZ10-1 (13-107)	December 11, 2014	CZAB10	14

REC: Denial without prejudice

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>12/18/14</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/>	Defer to 12/18/14 at applicant's expense.	

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Omar FERNANDEZ	X		
VICE CHAIRWOMAN		Miriam PLANAS	X		
COUNCILMAN		Gerardo RODRIGUEZ	X		
COUNCILMAN	S	Robert SUAREZ	X		
COUNCILMAN	M	Manuel VALDES	X		
COUNCILMAN		Toufic ZAKHARIA*			Late 8:51 pm
CHAIRMAN		Richard M. GOMEZ	X		
			6	0	

*NOTE: Councilman Zakharia arrived after the public hearing had opened; therefore he could not participate in this hearing.

EXHIBITS: YES NO

COUNTY ATTORNEY: David Hope

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#1

APPLICANT'S NAME: Jose & Lillian Perea

REPRESENTATIVE: Juan Mayol

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
14-11-CZ10-1 (13-107)	November 13, 2014	CZAB10	14

REC: Denial without prejudice

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: 12/10/14 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

Deferred due to lack of quorum.

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIRWOMAN		Miriam PLANAS	X		
COUNCILMAN		Gerardo RODRIGUEZ	X		
COUNCILMAN		Robert SUAREZ			X
COUNCILMAN		Manuel VALDES			X
COUNCILMAN		Toufic ZAKHARIA			X
CHAIRMAN		Richard M. GOMEZ	X		
			3		

EXHIBITS: YES NO

COUNTY ATTORNEY: David Hope

D. JOSE & LILLIAN PEREA
(Applicant)

14-11-CZ10-1(13-107)
Area 10/District 10
Hearing Date: 12/18/14

Property Owner (if different from applicant) **Same.**

Is there an option to purchase /lease the property predicated on the approval of the zoning request? Yes No

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

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

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

Memorandum



Date: July 30, 2014

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

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

Subject: C-10 #Z2013000107-2nd Revision
Jose A. Perea and Lillian M. Perea
3321 SW 107th Avenue, Miami, FL 33165
Use Variance to permit a semi-professional office use in the RU-1
zone, as would be permitted in the RU-5A district.
(RU-1) (.20 Acres)
17-54-40

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.

Wellfield Protection

The subject property is located within the Maximum Day Pumpage Wellfield Protection Area for the Alexander Orr Wellfield Complex. Development of the subject property shall be in accordance with the regulations established in Section 24-43 of the Code.

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. DERM would not object to the interim use of a septic tank and drainfield, provided that the following items are satisfied:

1. The proposed development shall not exceed the maximum sewage loading allowed by Section 24-43.1(4)(b) of the Code. Based on available information, the maximum sewage loading for this site would allow the proposed development.

2. Additionally, the owner of the property has submitted properly executed covenants running with the land in favor of Miami-Dade County as required by Sections 24-43.1(4)(a) and 24-43.1(6)(h) of the Code. Consequently, DERM may approve the subject application and the same may be scheduled for public hearing.

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.

Wetland

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetlands Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305) 526-7181, the Florida Department of Environmental Protection (561) 681-6600 and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

The subject property contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

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

Enforcement History

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

Concurrency Review Summary

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

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

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

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

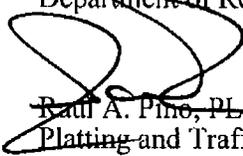
cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: August 13, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2013000107
Name: Jose & Lillian Perea
Location: 3321 SW 107 Avenue
Section 17 Township 54 South Range 40 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and objects for the following reasons:

Two-way driveway must have a minimum width of 20 feet.

Handicap space is inaccessible for vehicles traveling north from SW 107 Avenue.

Sidewalk adjacent to asphalt must have a minimum width of 6 feet.

This Department has no objection to the request to permit 35 feet of dedication on the east side of SW 107 Ave. Similar variances have been granted on several properties in the area.

Driveway to SW 107 Ave. must meet current F.D.O.T. access management requirements; contact the district office at 305-470-5367 for driveway and drainage permits.

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 10 Block 6 of Plat Book 67, Page 99.

Additional improvements may be required at time of permitting.

The proposed use of this application for a Semi-Professional Office generates the same number of vehicle trips as the existing use of a Single Family Residence; therefore this application will not generate any new vehicle trips and meets the Initial Traffic Concurrency Criteria.

Memorandum



Date: December 17, 2013

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

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

Subject: Jose A. Perea and Lillian M. Perea (#13_107)

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 of the Fiscal Management and Planning Division, at 305-514-6661. **The PWWM has no objections to the proposed application.**

Application: *Jose A. Perea and Lillian M. Perea* are requesting a series of non-use variances and a use variance to permit offices on the property as in the RU-5A District. The property is zoned in a Single-family Residential District (RU-1).

Size: The subject property is 0.20 acres.

Location: The subject property is located at 3321 S.W. 107 Avenue in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. 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 25, 2013, 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 (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the conversion of a single-family residence to a semi-professional office use facility on the property meets the County Code definition of commercial establishments. Per the

Code the following is required of commercial establishments located in unincorporated Miami-Dade County:

"Every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." This property is on residential waste collection route 4126, therefore, the landlord or property owner may fulfill the requirement, either through the PWWM, which can provide commercial waste cart service or through a private hauler to provide waste and recycling collection service.

3. Recycling

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

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

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

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

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

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

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

Memorandum



Date: August 5, 2014

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

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

Subject: Z2013000107: JOSE & LILLIAN PEREA
Revised plans submitted dated stamped received 7/11/2014

Application Name: JOSE & LILLIAN PEREA.

Project Location: The site is located at 3321 SW 107 AVE, Miami-Dade County.

Proposed Development: The applicant is requesting approval for a use variance to permit an office and associated non-use variances.

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

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

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

MN:jb

Cc: John M. Bowers



Memorandum

Date: 24-JUL-14
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2013000107

Fire Prevention Unit:

No objections with site plan with Zoning received date of July 11, 2014.

Service Impact/Demand

Development for the above Z2013000107
 located at 3321 SW 107 AVE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 1522 is proposed as the following:

<u>N/A</u>	dwelling units	<u>N/A</u>	square feet
residential		industrial	
<u>1527</u>	square feet	<u>N/A</u>	square feet
Office		institutional	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 0.33 alarms-annually.
 The estimated average travel time is: 7:07 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 47 - Westchester - 9361 Coral Way
 Rescue, ALS Engine

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

Current service impact calculated based on site plan date stamped received July 11, 2014.

DATE: 24-JUL-14
REVISION 1

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

JOSE & LILLIAN PEREA

3321 SW 107 AVE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000107

HEARING NUMBER

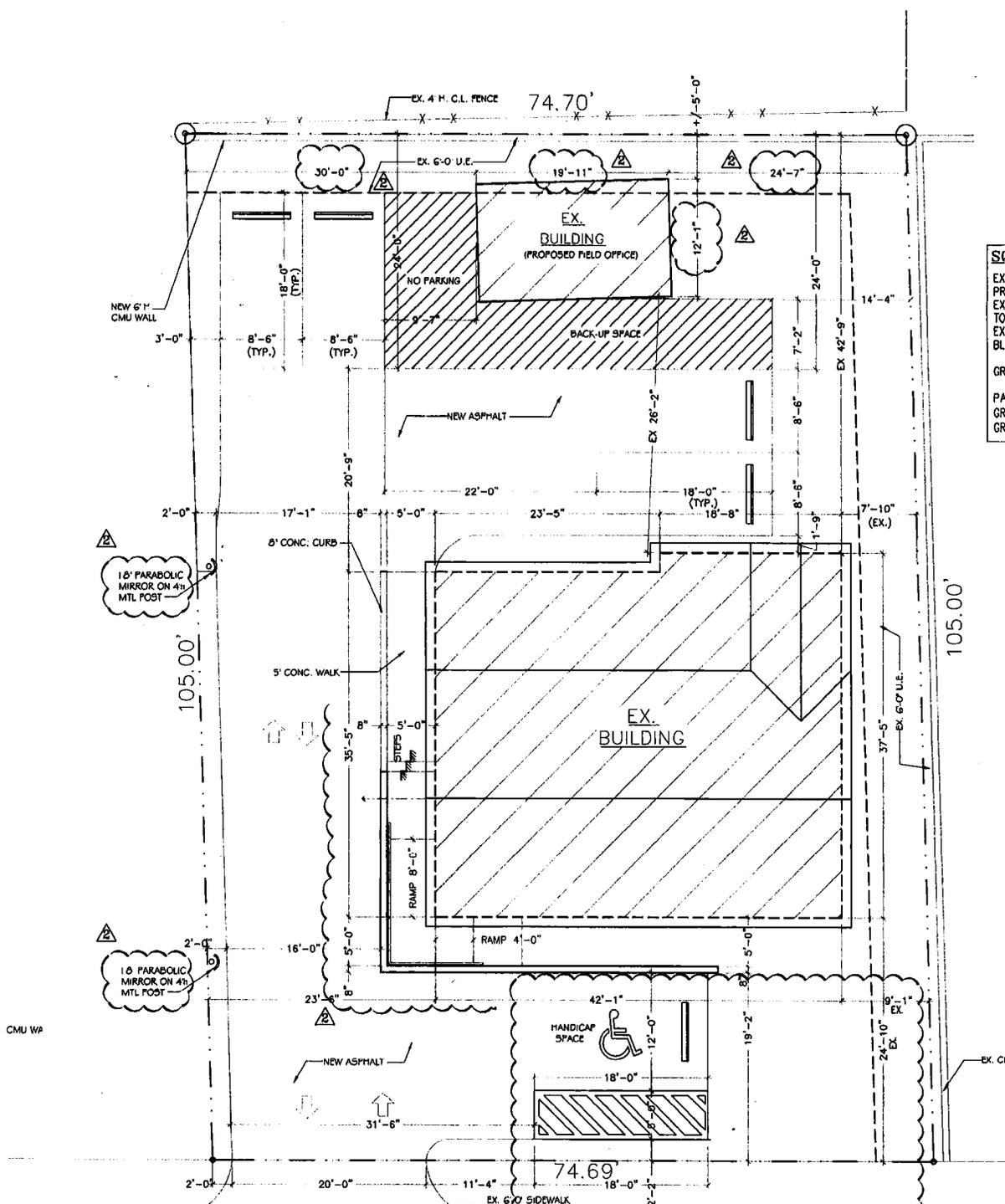
HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: No bss cases open/closed.

Jose & Lillian Perea

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

REPORTER NAME:



RECEIVED
215-107
JUL 11 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *[Signature]*

S.W. 107th Ave.

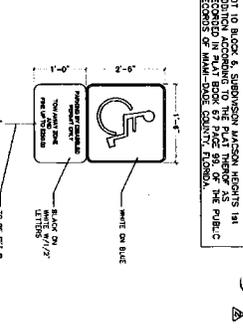
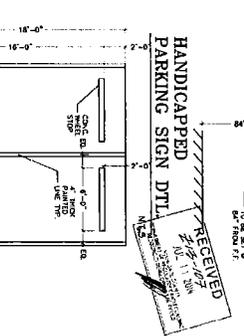
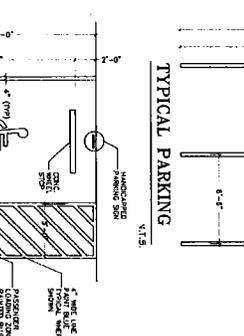
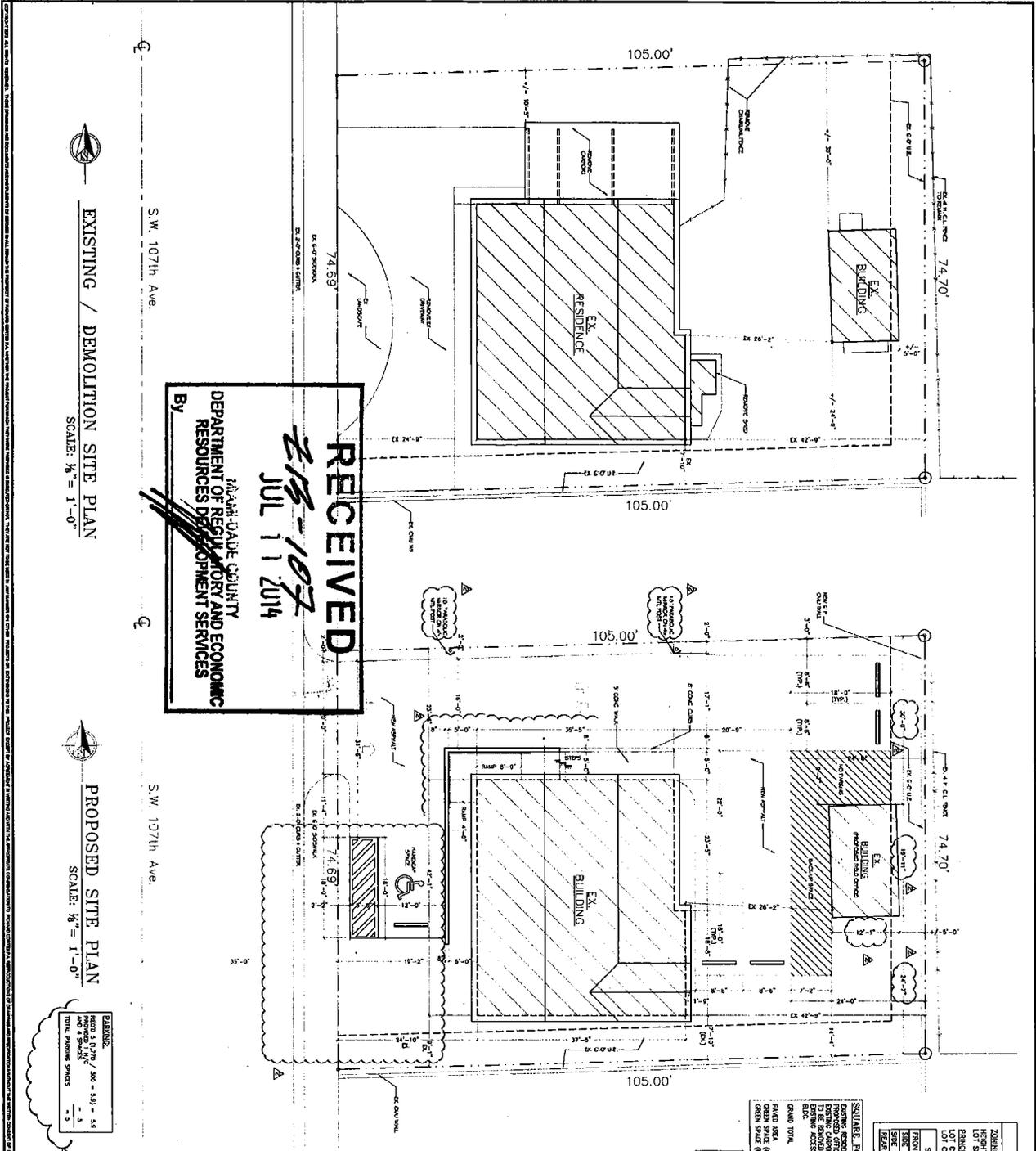
N



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

PARKING:	
REQ'D 5 (1,770 / 300 = 5.9) =	
PROVIDED 1 H/C	=
AND 4 SPACES	=
TOTAL PARKING SPACES	5

ENLARGED SITE PLAN



BUILDING/LOT INFORMATION

ZONING: RU-1 (PROPOSED RU-5A)
 HEIGHT TO ROOF OR ROOF: 7.442 SQ. FT.
 FINISHED BUILDING: 7.442 SQ. FT.
 LOT COVERAGE (INCLUDING UNDER ROOF) = 1,327 SQ. FT. (18.5%)
 LOT COVERAGE ALLOWED FOR X 7.442 X 3,188.8 SQ. FT. (RU-5A)

SQUARE FOOT CALCULATIONS

EXISTING OFFICE	1,287 SQ. FT.
EXISTING GARAGE	212 SQ. FT.
EXISTING ACCESSORY	2,613 SQ. FT.
GRAND TOTAL	4,112 SQ. FT.

PARKING CALCULATIONS

EXISTING GARAGE	1,287 SQ. FT.
EXISTING OFFICE	1,287 SQ. FT.
EXISTING ACCESSORY	2,613 SQ. FT.
GRAND TOTAL	5,187 SQ. FT.

LEGAL DESCRIPTION:
 LOT 10 IN BLOCK 8, SUBDIVISION JAMES WARDEN'S 1st RECORDS IN PLAT BOOK 57 PAGE 58 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

REMODELING FOR:

THOMAS J. KELLY, SURVEYORS
 3321 S.W. 107th AVE.
 MIAMI, FL. 33165

SECRET NAME:

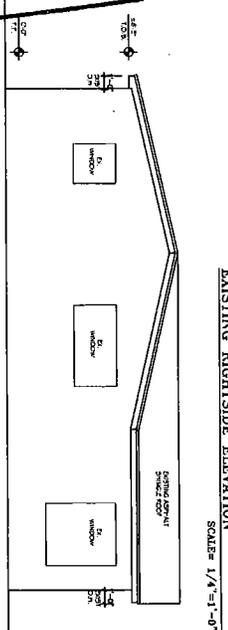
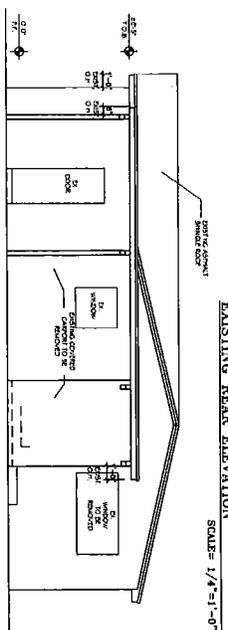
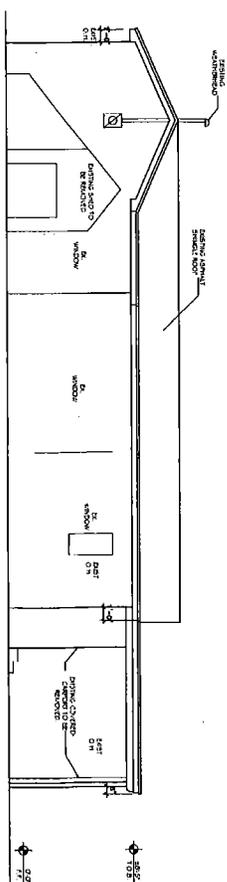
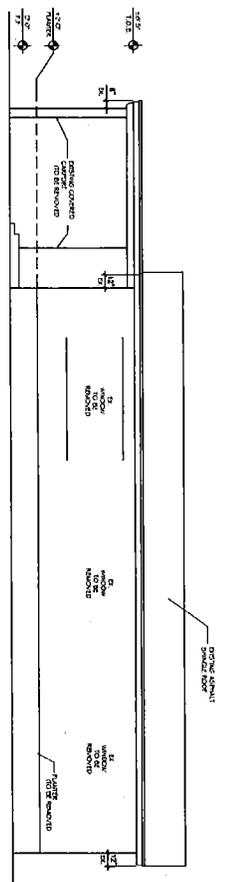
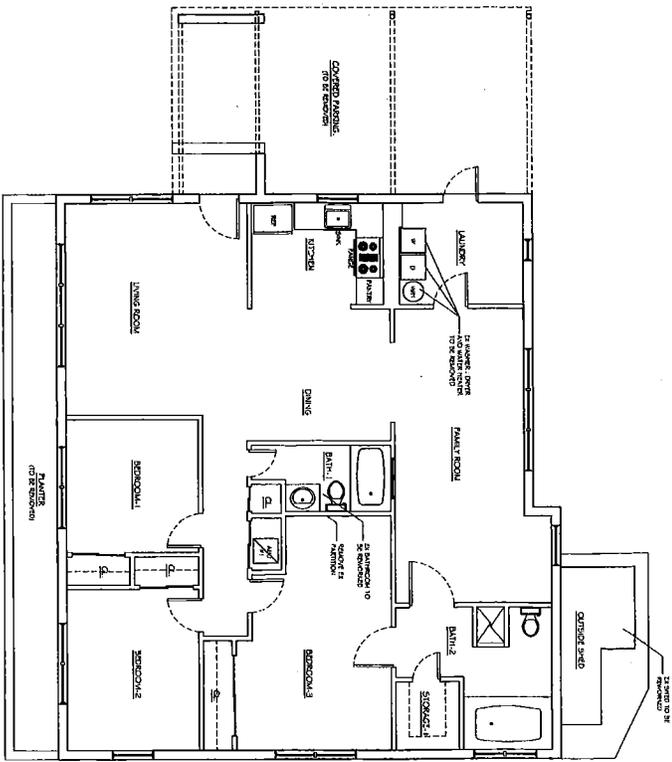
EXISTING SITE PLAN

DATE: 12-03-13
 DRAWN BY: D.C.
 SCALE: AS SHOWN
 PROJECT N°: A-1

SEAL

RICHARD CORTEZ, P.A.
 ARCHITECTS
 7700 SW 115 ST
 PINECREST, FL 33166
 (813) 234-4444

RECEIVED
 JUL 11 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF PERMITTING AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By



RECEIVED
JUL 11 2014
MIAMI-DADE COUNTY
DEPARTMENT OF REGULATION AND ECONOMIC RESOURCES

REMODELING FOR:
THOMAS J. KELLY, SURVEYORS
3321 S.W. 107th AVE.
MIAMI, FL. 33165

SEAL
7/11/14

RICHARD CORTESE, P.A.
ARCHITECTS
7700 SW 115 ST
PINEBLUFF, FL 33156
PH: 305.354.4444 FAX: 305.354.4444

DATE: 12-03-13
DRAWN BY: D.C.
SCALE: AS SHOWN
PROJECT NO.:

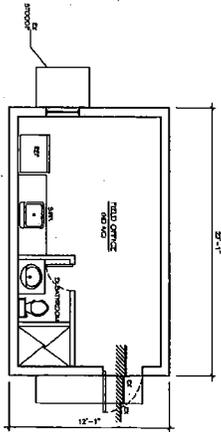
SHEET NAME:
EXISTING FLOOR PLAN & ELEVATIONS

DATE: 12-03-13
DRAWN BY: D.C.
SCALE: AS SHOWN
PROJECT NO.:

SCALE: 1/4" = 1'-0"

BY: [Signature]

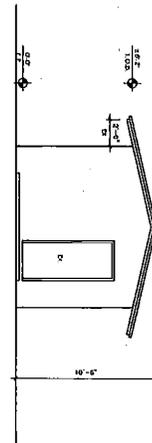
A-3



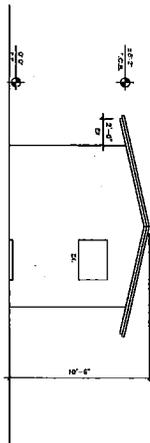
EXISTING FLOOR PLAN
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2/13-107
 JUL 11 2014

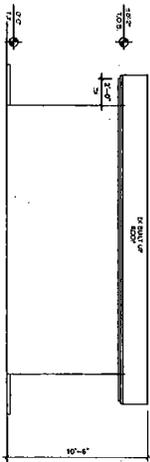
HANDICAPPED COUNTY
 DEPARTMENT OF REGISTRATION AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *[Signature]*



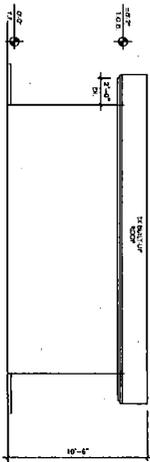
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EX REAR ELEVATION
SCALE= 1/4"=1'-0"



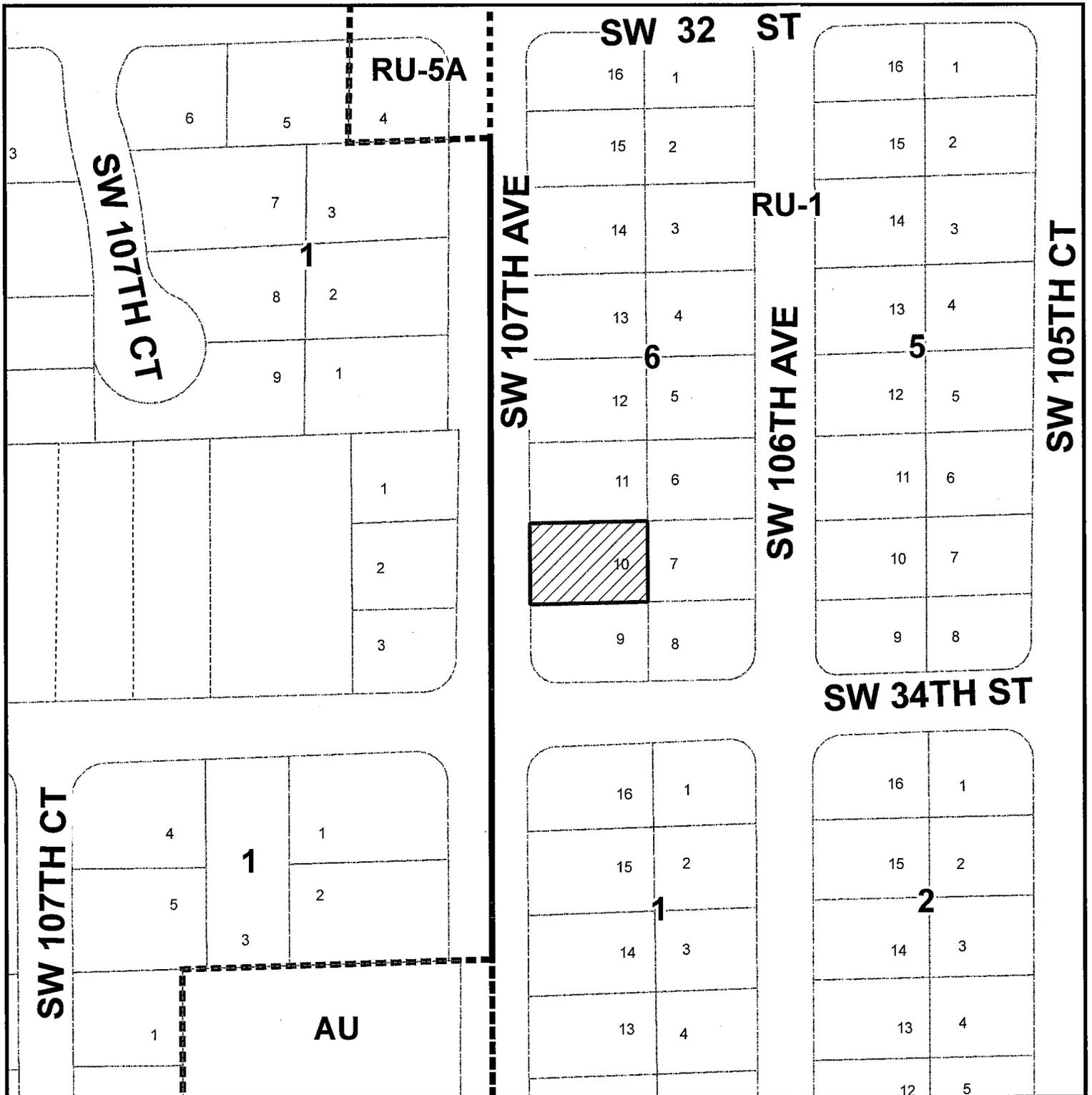
EX RIGHTSIDE ELEVATION
SCALE= 1/4"=1'-0"



EX LEFTSIDE ELEVATION
SCALE= 1/4"=1'-0"

RECEIVED
2/13-107
 JUL 11 2014

 A-5	<p>REMODELING FOR: THOMAS J. KELLY, SURVEYORS 3321 S.W. 107th AVE. MIAMI, FL 33165</p>	SEAL 	<p>RICHARD CORTES, P.A. ARCHITECTS 7700 SW 115 ST PINECREST, FL 33156 PHONE: 305-426-2144 FAX: 305-426-2145</p>
<p>DATE: 12-09-13 DRAWN BY: D.C. SCALE: AS SHOWN</p>	<p>SHEET NAME: EXISTING ACCESSORY BLDG.</p>		



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000107



Section: 17 Township: 54 Range: 40
 Applicant: JOSE & LILLIAN PEREA
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



REVISION	DATE	BY
		27

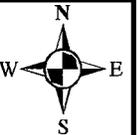


MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2013000107



Section: 17 Township: 54 Range: 40
 Applicant: JOSE & LILLIAN PEREA
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

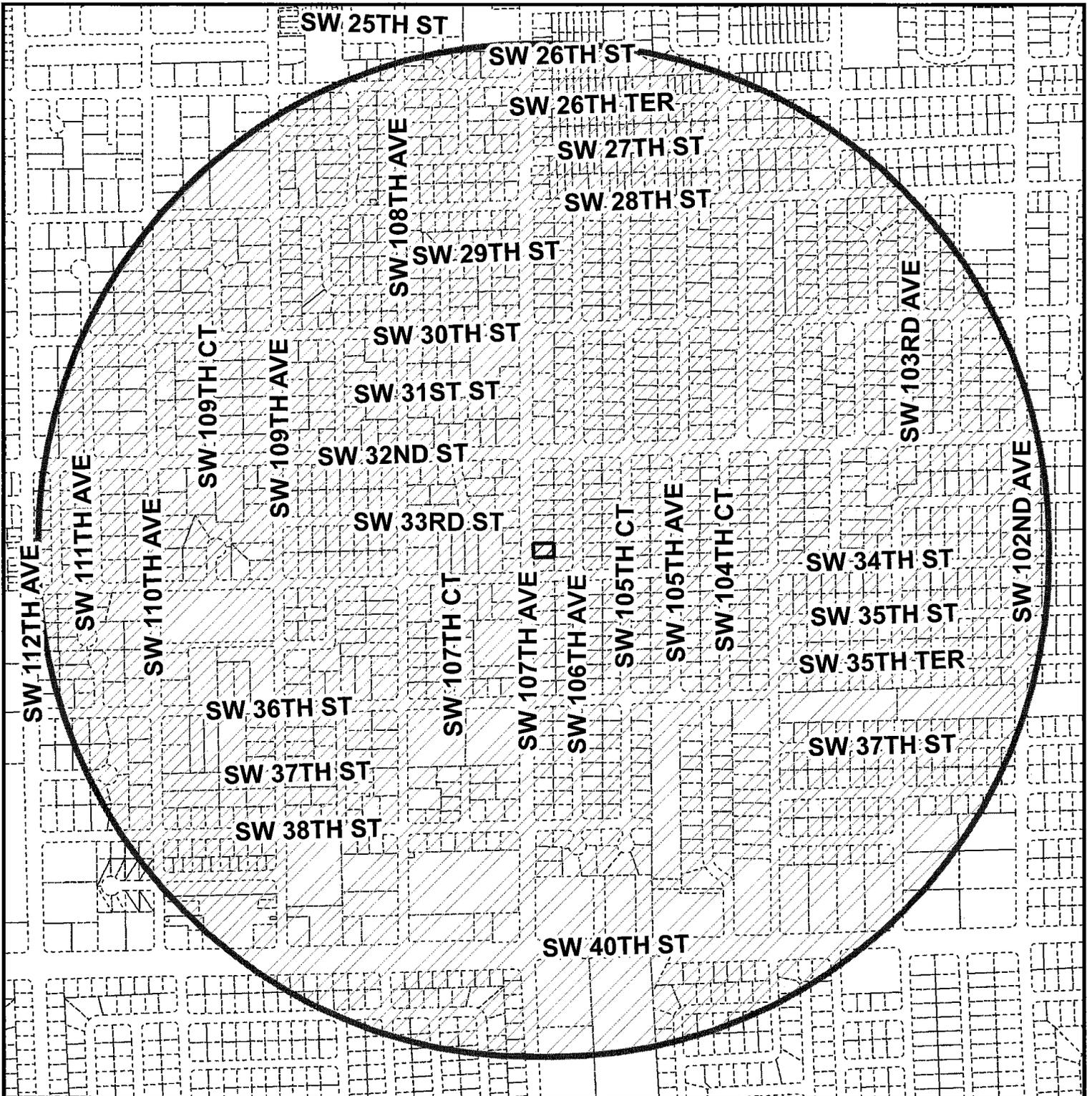
Legend

 Subject Property



SKETCH CREATED ON: Wednesday, December 18, 2013

REVISION	DATE	BY
		28



MIAMI-DADE COUNTY
RADIUS MAP

Section: 17 Township: 54 Range: 40
 Applicant: JOSE & LILLIAN PEREA
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Process Number
Z2013000107
 RADIUS: 2640

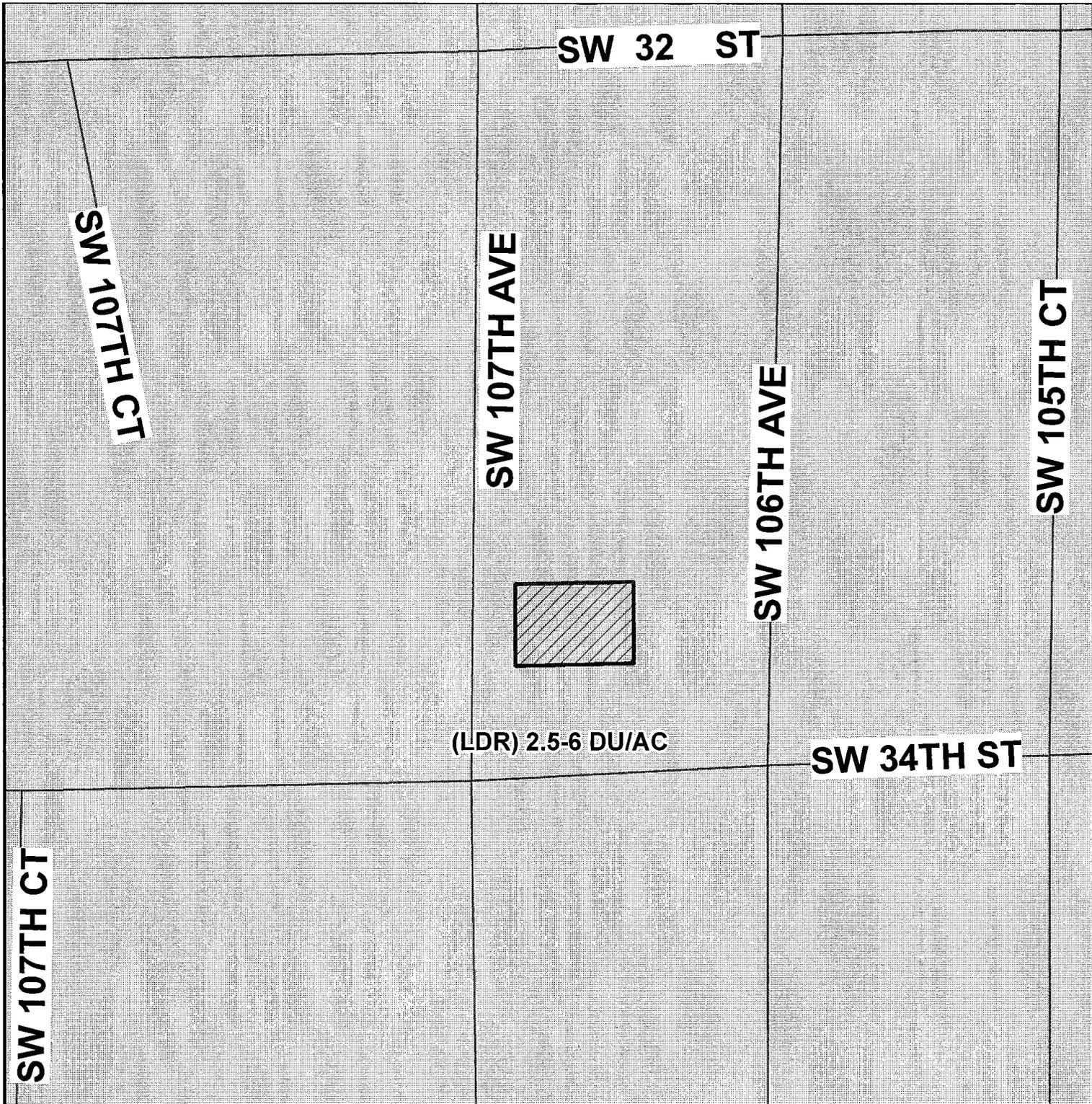
Legend

-  Subject Property
-  Buffer
-  Street (Centerline)
-  Property Boundary



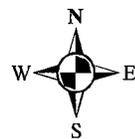
SKETCH CREATED ON: Wednesday, December 18, 2013

REVISION	DATE	BY
		29



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000107



Section: 17 Township: 54 Range: 40
 Applicant: JOSE & LILLIAN PEREA
 Zoning Board: C10
 Commission District: 10
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, December 18, 2013

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 10**

PH: Z14-064 (14-11-CZ10-3)

December 18, 2014

Item No. E

Recommendation Summary	
Commission District	11
Applicants	Noel Zamora and Maria Gonzalez-Zamora
Summary of Requests	The applicants are seeking to permit a single-family residence with more lot coverage than permitted by the zoning district regulations.
Location	Lying south of SW 19 Terrace, approximately 62' west of theoretical SW 142 Place, A/K/A 14260 SW 19 Terrace, Miami-Dade County, Florida.
Property Size	83.73' x 107'
Existing Zoning	RU-1, Single-Family Residential District
Existing Land Use	vacant
2020-2030 CDMP Land Use Designation	Low-Density Residential, 2.5 to 6 dua <i>(see attached Zoning Recommendation Addendum)</i>
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b), Non-Use Variance standards <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Denial without prejudice of request #1 and approval with conditions of request #2.

This item was deferred from the November 13, 2014 meeting of Community Zoning Appeals Board (CZAB) #10 due to a lack of quorum, and subsequently, the item was deferred from the December 11, 2014 hearing due to a lack of time.

REQUESTS:

1. NON-USE VARIANCE to permit a proposed single-family residence with a lot coverage of 44% (35% permitted, 38.48% previously approved).

OR IN THE ALTERNATIVE

2. NON-USE VARIANCE to permit a proposed single-family residence with a lot coverage of 39% (35% permitted, 38.48% previously approved).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled, "The Zamora Residence" as prepared by Noel Zamora, P.E., dated stamped received 6/4/14 and consisting of 8 sheets. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

Staff notes that pursuant to Administrative Variance #V2002000103, the subject property was approved to permit a residence with a lot coverage of 38.48% and among other things, to permit the residence setback 20' from the front (north) property line and 20.5' (25' required for both) from the rear (south) property line. Said Administrative Variance also permitted a proposed swimming pool for the residence setback 6' (7.5' required) from the rear (south) and setback 7.5' (10' required) from the interior side (east) property lines.

The applicants have submitted plans with a proposed 3,947 sq. ft. single-family residence, including a 444.49 sq. ft. covered patio that would result in a 44% lot coverage on the 0.20 net acre lot. Alternatively, the applicants also submitted a plan showing a 3,535.91 sq. ft. house and a 444.49 sq. ft. trellis area in lieu of the covered patio. The plans also depict the proposed residence and swimming pool setback in accordance with the aforementioned Administrative Variance approval (#V2002000103).

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RU-1; vacant	Low-Density Residential (2.5 to 6 dua)
North	RU-1; single-family residence	Low-Density Residential (2.5 to 6 dua)
South	RU-1; single-family residence	Low-Density Residential (2.5 to 6 dua)
East	RU-1; single-family residence	Low-Density Residential (2.5 to 6 dua)
West	RU-1; single-family residence	Low-Density Residential (2.5 to 6 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is a 0.20-net acre, RU-1, Single-Family Residential District lot, located south of SW 19 Terrace, approximately 62' west of theoretical SW 142 Place, A/K/A 14260 SW 19 Terrace. The applicant submitted plans showing the proposed residence with the covered terrace and alternatively, with the trellis in lieu of the covered terrace on the 0.20-net acre parcel. The area surrounding the subject property is primarily characterized by single-family residences developed under the RU-1 zoning district regulations

SUMMARY OF THE IMPACTS:

Approval of the applicants' request to permit the single-family residence with 44% lot coverage will provide the applicants with additional living area along with a completely sheltered recreational space. However, staff opines that approval of the alternative request to permit the parcel with a 39% lot coverage, would be more in character with the approvals of similar requests for increased lot coverage in the surrounding area and would not have any visual impact on the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the site for **Low Density Residential**. *This category allows a range in density from a minimum of 2.5 to a maximum of 6 dwelling units per gross acre and is characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses.* The approval of the request sought in the application will not add additional dwelling units to the site beyond what is allowed by the LUP map of the CDMP. Since the applicant is not requesting to add additional

dwelling units, approval of the application with conditions is **consistent** with the density threshold of Low Density Residential Communities map of the CDMP LUP map designation.

ZONING ANALYSIS:

When request #1, to permit the proposed residence with a 44% (35% maximum permitted, 38.48% previously approved) lot coverage is analyzed under the Non-Use Variance (NUV) Standards From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff is of the opinion that approval would be **incompatible** with the surrounding area and would be out of character with previous approvals in the surrounding area.

Staff notes that the subject property was previously approved to allow a single-family residence with a lot coverage that was 3.48% more than the maximum 35% allowed. Additionally, staff's research of approvals for lot coverage requests indicated that properties located in the surrounding area were approved for variances of the lot coverage requirements ranging from 36.9% to a maximum of 40%. For example, pursuant to Administrative Variance #V1993000060, a property located southeast of the subject property along SW 21 Terrace, was approved to allow a residence with a lot coverage of 36.9%, where a maximum of 35% is permitted; and pursuant to Administrative Variance #1993000392, a property located to the north of the subject property at 14301 SW 18 Street, was among other things, approved to allow the residence with a lot coverage of 40% (35% maximum permitted). As such, staff opines that the approval of this request to permit the residence with 9% more lot coverage than the maximum allowed by the zoning regulations would be excessive and would not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. **Therefore, staff recommends that request #1 should be denied without prejudice under the NUV Standards, From Other Than Airport Regulations, Section 33-311(A)(4)(b).**

However, when the alternative request to permit the property with a lot coverage of 39% where a maximum of 35% is permitted, and 38.38% was previously approved (request #2), is similarly analyzed under the aforementioned NUV Standards From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff opines that approval would be **compatible** with the surrounding area. Based on the foregoing analysis of request #1, staff opines that the approval of this request that would allow a lot coverage of 39%, is similar to prior approvals in the area. Moreover, staff opines that this amounts to only a 0.52% increase in lot coverage beyond the previously approved 38.48% lot coverage for the subject property. However, as a condition for approval, staff recommends that the trellis shall remain open and not be enclosed in any manner except by approved insect screen materials. **As such, staff recommends approval of the alternative request, request #2, under the Non-Use Variance (NUV) Standards From Other Than Airport Regulations, Section 33-311(A)(4)(b).**

ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Denial without prejudice of request #1 and approval with conditions of request #2.

CONDITIONS FOR APPROVAL: (For request #2 only).

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, "The Zamora Residence" as prepared by Noel Zamora, P.E., dated stamped received 6/4/14 and consisting of 8 sheets. Except any future additions on the property which conform to zoning code requirements will not require further public hearing action.
3. That the trellis not be roofed or enclosed in any manner except by an approved insect screen material.
4. That the use be established and maintained in accordance with the approved plan.

ES:MW:NN:JV:CH



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

NNN

ZONING RECOMMENDATION ADDENDUM

Noel Zamora & Maria Gonzalez-Zamora
Z14-056

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

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

<p>Low-Density Residential (Pg. I-31)</p>	<p><i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
--	--

PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required</i></p>
--	--

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#G

APPLICANT'S NAME: Maria Gonzalez-Zamora & Noel Zamora

REPRESENTATIVE: Noel Zamora

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
14-11-CZ10-3 (14-064)	December 11, 2014	CZAB10	14

REC: Denial without prejudice of request #1 and approval with conditions of request #2.

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: 12/18/14 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
 Deferred due to lack of time.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILMAN		Omar FERNANDEZ			
VICE CHAIRWOMAN		Miriam PLANAS			
COUNCILMAN		Gerardo RODRIGUEZ			
COUNCILMAN		Robert SUAREZ			
COUNCILMAN		Manuel VALDES			
COUNCILMAN		Toufic ZAKHARIA			
CHAIRMAN		Richard M. GOMEZ			

EXHIBITS: YES NO COUNTY ATTORNEY: _____

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

#3

APPLICANT'S NAME: Maria Gonzalez-Zamora & Noel Zamora

REPRESENTATIVE: Noel Zamora

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
14-11-CZ10-3 (14-064)	November 13, 2014	CZAB10 14

REC: Denial without prejudice of request #1 and approval with conditions of request #2.

WITHDRAW: APPLICATION ITEM(S): _____
 DEFER: INDEFINITELY TO: 12/10/14 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
 Deferred due to lack of quorum.

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIRWOMAN		Miriam PLANAS	X		
COUNCILMAN		Gerardo RODRIGUEZ	X		
COUNCILMAN		Robert SUAREZ			X
COUNCILMAN		Manuel VALDES			X
COUNCILMAN		Toufic ZAKHARIA			X
CHAIRMAN		Richard M. GOMEZ	X		
			3		

EXHIBITS: YES NO

COUNTY ATTORNEY: David Hope

**E. MARIA GONZALEZ-ZAMORA &
NOEL ZAMORA**
(Applicant)

**14-11-CZ10-3(14-064)
Area 10/District 11
Hearing Date: 12/18/14**

Property Owner (if different from applicant) **Noel & Maria Gonzalez-Zamora.**

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>
2002	Noel Zamora	- Non-Use Variance for front and rear setbacks. - Lot coverage 38% (35% required).	ACC	Approved with Condition(s)

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

Memorandum



Date: July 2, 2014

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-10 #Z2014000064
Noel & Maria Gonzalez-Zamora
14260 SW 19th Terrace
Non-Use Variance to permit a residence setback less than required
and lot coverage more than permitted.
(RU-1) (0.2056 Acres)
10-54-39

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.

Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

Since the subject request is for a residential zoning district a covenant prohibiting hazardous materials is not required. However, all development shall comply with the requirements of Section 24-43 of the Code.

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. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Existing public water and public sanitary 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 of 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.

Wetlands

The subject property is located within the East Bird Drive Wetlands Basin, in an area that generally contains wetlands. However, this property has already been included as part of a larger project, under Class IV Wetlands Permit FW90-089. All Class IV Wetlands Permit requirements for this property have been completed under the previously issued permit.

The applicant is advised that permits from the Army Corps of Engineers (305) 526-7181, the Florida Department of Environmental Protection (561) 681-6600 and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

The subject property contains tree resources along the right of way. Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

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

Enforcement History

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

Concurrency Review Summary

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

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

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

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

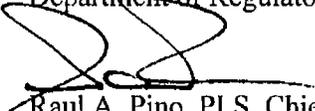
cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: August 1, 2014

To: Eric Silva, Development Coordinator
Department of Regulatory and Economic Resources

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

Subject: Z2014000064
Name: Noel & Maria Gonzalez-Zamora
Location: 14260 SW 19 Terrace
Section 10 Township 54 South Range 39 East

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 1, Block 2, Plat Book 150, Page 88.

This application **does** meet the traffic concurrency criteria for an Initial Development Order. It will generate **1 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveals that the addition of these new trips **does not** exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9800	SW 137 Ave s/o SW 8 St to SW 26 St	EE	EE

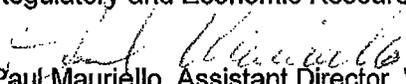
The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

Memorandum



Date: June 13, 2014

To: Eric Silva, Development Coordinator
Regulatory and Economic Resources Department

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

Subject: Noel Zamora and Maria Gonzalez-Zamora (#14_064)

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 of the Fiscal Management and Planning Division, at 305-514-6661. **The PWWM has no objections to the proposed application.**

Application: *Noel Zamora and Maria Gonzalez-Zamora* are requesting non-use variances for setbacks to permit a house to be constructed on a vacant lot. The property is zoned Single Family Residential District (RU-1).

Size: The subject property is 0.20 acre.

Location: The subject property is located at 14260 SW 19th Terrace, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 25, 2013, 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 (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

Pursuant to Chapter 15 of the Miami-Dade County Code (Code), entitled Solid Waste Management, the single family residence to be constructed on the property will meet the County Code definition of residential unit.

As such, according to the Code, the residential unit 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 by calling the Department's Public Information & Outreach Division at 305-594-1500 or 305-514-6714.

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

4. Waste Storage/Setout Considerations

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

5. Site Circulation Considerations

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

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

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

Memorandum



Date: October 20, 2014

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

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

Subject: Z2014000064: NOEL & MARIA GONZALEZ-ZAMORA
Revised Plans Submitted Dated Stamped Received 10/02/2014

Application Name: NOEL & MARIA GONZALEZ-ZAMORA

Project Location: The site is located at 14260 SW 19 TERR, Miami-Dade County.

Proposed Development: The request is for approval of non-use variances for setbacks and lot coverage for a vacant single-family lot.

Impact and demand: This application proposes a development not to exceed 1 single family dwelling unit resulting in a de minimis impact to Level of Service. The site is located in Park Benefit District 2 which has a surplus of 504.72 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District.

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 Property Management Supervisor

Memorandum



Date: 24-JUN-14
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2014000064

Fire Prevention Unit:

No objection on survey with Zoning received date June 4, 2014.

Service Impact/Demand

Development for the above Z2014000064
located at 14260 SW 19 TERR, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1385 is proposed as the following:

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

Based on this development information, estimated service impact is: ___ alarms-annually.
The estimated average travel time is: 5:15 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 61 - Trail - 15155 SW 10 Street
ALS Engine.

Planned Service Expansions:

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

None.

Fire Planning Additional Comments

N/A

DATE: 23-OCT-14

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

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

MARIA GONZALEZ-ZAMORA &
NOEL ZAMORA

14260 SW 19 TERR, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2014000064

HEARING NUMBER

HISTORY:

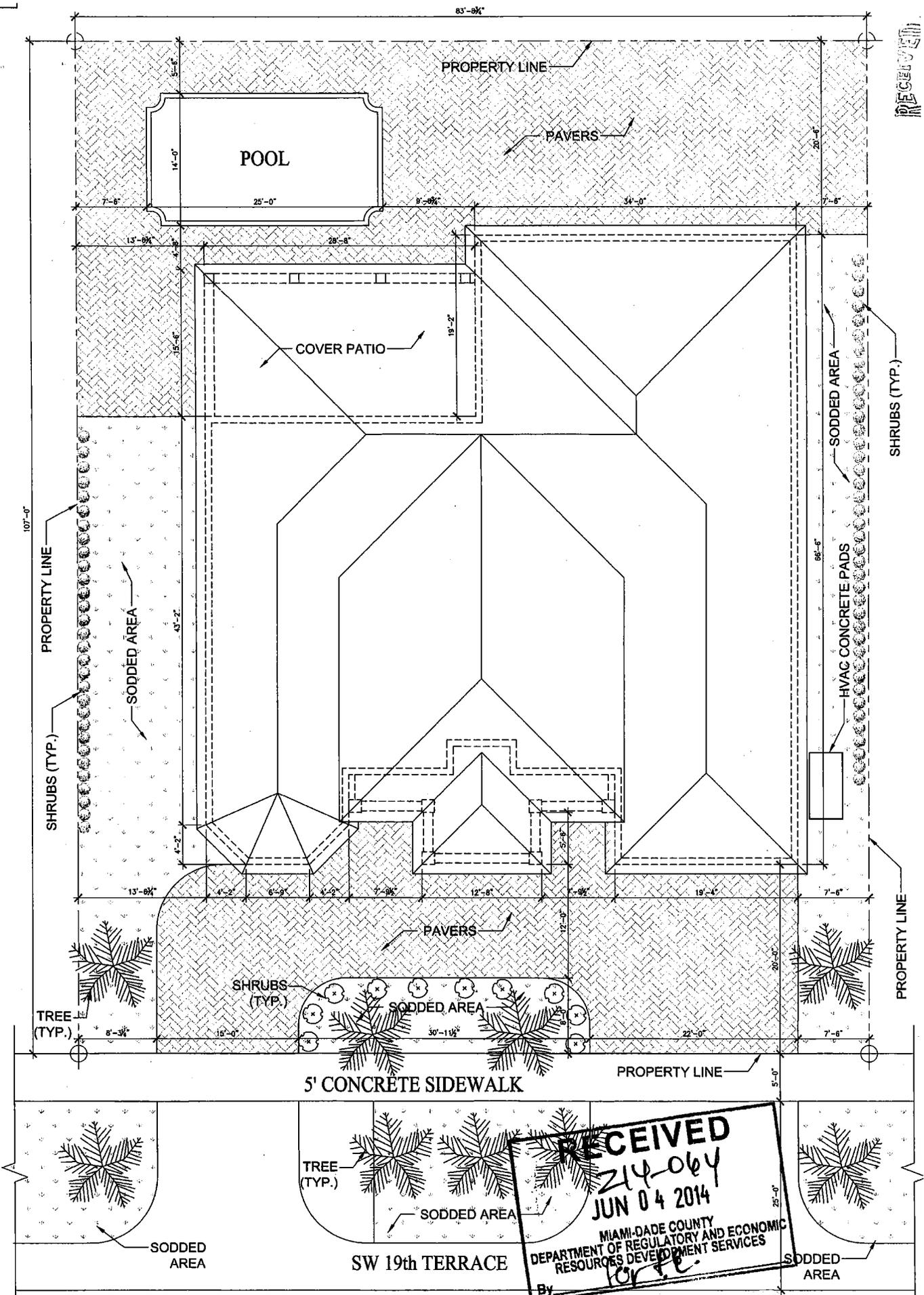
ENFORCEMENT HISTORY: NC: No cases open BNC: No bss cases open

Maria Gonzalez-Zamora & Noel Zamora

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

REPORTER NAME:

RECEIVED



RECEIVED
 214-064
 JUN 04 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *[Signature]*

ENLARGED SITE PLAN

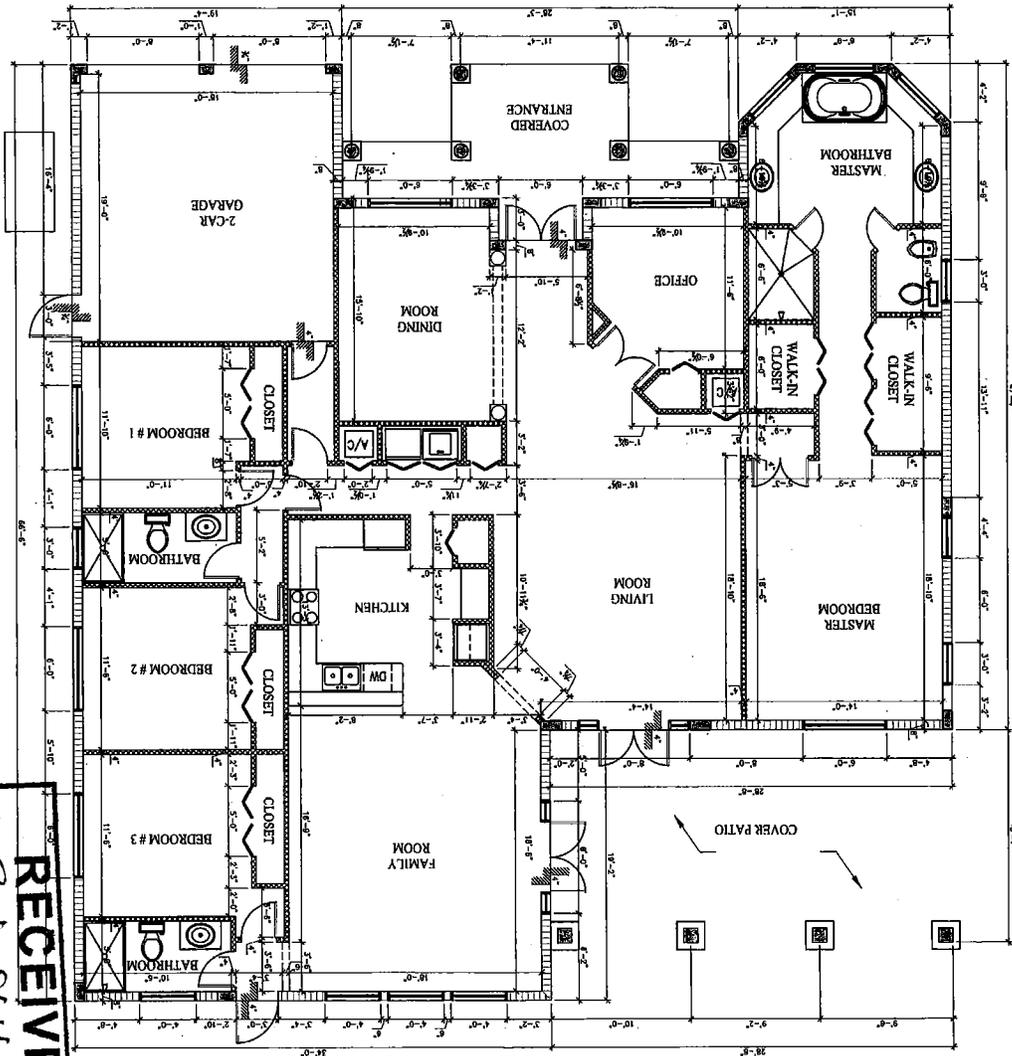
18

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

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 JUN 04 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATION AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By: *[Signature]*

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 JUN 4 2014
 24-064

SHEET NUMBER
A-300

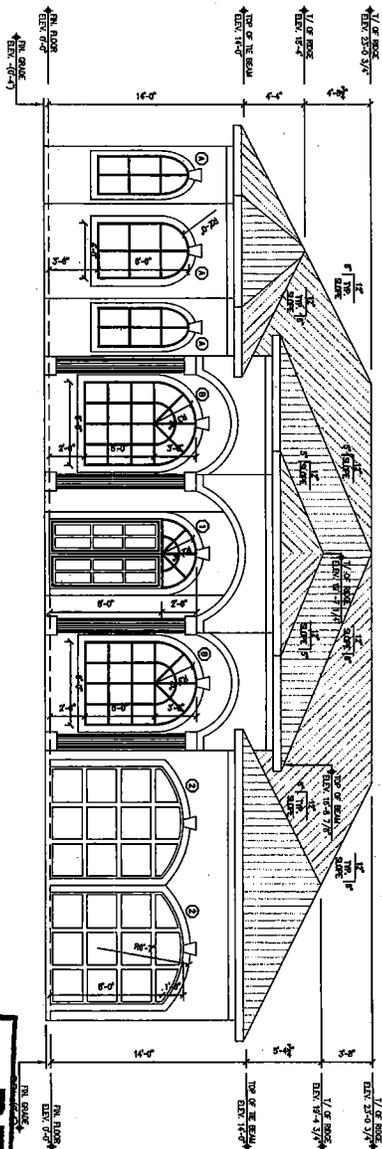


JOB NUMBER
 ISSUE DATE
 DRAWN BY
 DESIGNED BY
 REVISIONS

PROJECT
THE ZAMORA'S RESIDENCE
FOLIO # 30-4910-092-0010
MIAMI, FLORIDA 33175

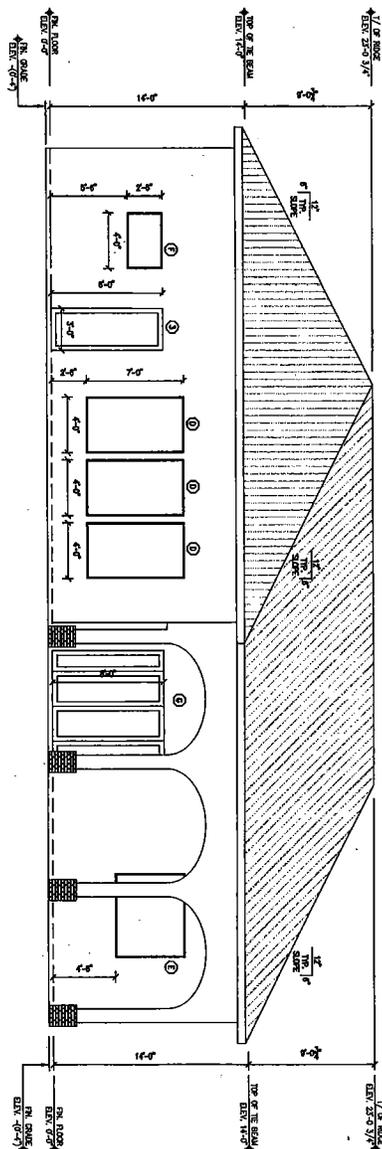
NZ STRUCTURAL ENGINEERS.
 1783 SW 110 COURT
 MIAMI, FL 33175
 PHONE: (786) 371-7888
 FAX: (786) 462-4837
 FLORIDA FC #74572

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAN COMplies WITH THE APPLICABLE MIAMI BUILDING CODES.



NORTH ELEVATION

SCALE: 1/4" = 1'-0"



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

RECEIVED
 214-064
 JUN 04 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *CV*

RECEIVED
 JUN 11 2014
 214-064

SHEET NUMBER
A-400

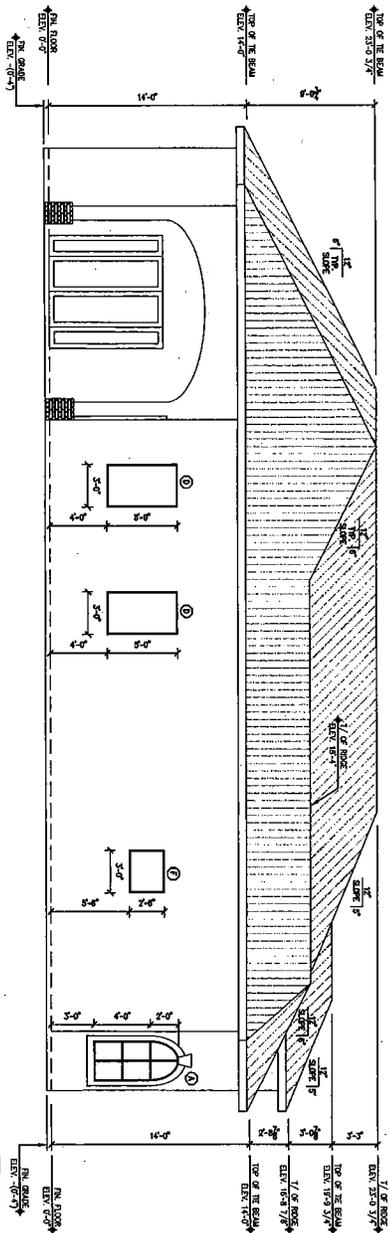


REVISIONS

JOB NUMBER
 DATE DATE
 02-06-14
 DRAWN BY
 NC
 DESIGNED BY
 NC

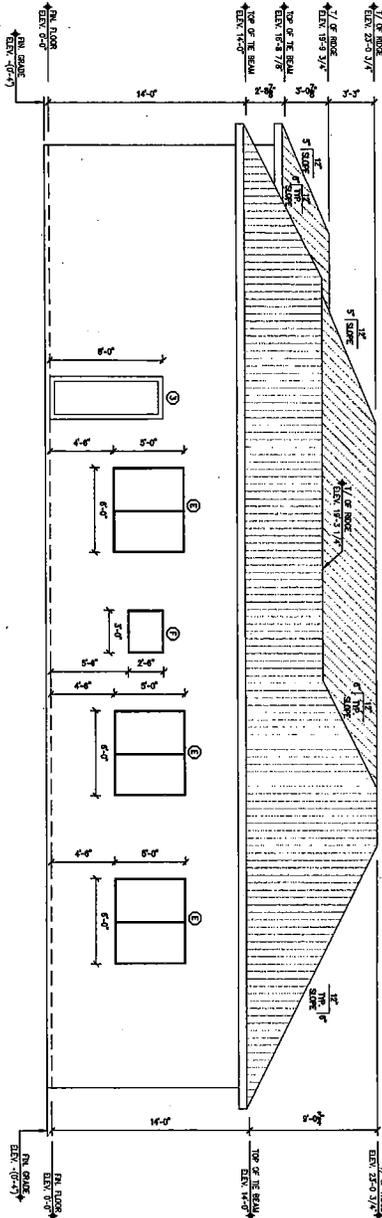
PROJECT
THE ZAMORA'S RESIDENCE
 FOLIO # 30-4910-092-0010
 MIAMI, FLORIDA 33175

NZ STRUCTURAL ENGINEERS.
 1783 S.W. 140 COURT
 MIAMI, FL 33175
 PHONE: (305) 371-7880
 FAX: (305) 371-7881
 FLORIDA PE #19072



EAST ELEVATION

SCALE: 1/4" = 1'-0"



WEST ELEVATION

SCALE: 1/4" = 1'-0"

RECEIVED
 214-004
 JUN 04 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *[Signature]*

RECEIVED
 214 2014
 JUN 1 2014

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE COMPLETED STRUCTURAL DESIGN MEETS ALL REQUIREMENTS SET BY THE APPLICABLE MINIMUM BUILDING CODES.

	PROJECT THE ZAMORA'S RESIDENCE FOLIO # 30-4910-092-0010 MIAMI, FLORIDA 33175	<p>1795 S.W. 440 COURT MIAMI, FL 33175 PHONE: (781) 571-0188 FAX: (305) 462-6287 FLORIDA PE #74672</p>
	JOB NUMBER ISSUE DATE DRAWN BY DESIGNED BY CHECKED BY REVISIONS	
SHEET NUMBER A-401		

ZONING LEGEND

1. ZONING: R-1
2. LOT SIZE: 107'2" x 83'3" = 8931.1 SQ. FT.

LOT COVERAGE

1. REQUIRED: 8499 SQ. FT. x .33% = 2826.27 SQ. FT.
2. PROVIDED: 9785 SQ. FT. / 8939 SQ. FT. = 42%

HOUSE SETBACKS

1. FRONT REQUIRED: 25'-0"
2. FRONT PROVIDED: 28'-0"
3. REAR REQUIRED: 25'-0"
4. REAR PROVIDED: 25'-0"
5. SIDE REQUIRED: 7'-6"
6. SIDE PROVIDED: 13'-6" (1/4" AND 7'-6")

POOL SETBACKS

1. REAR REQUIRED: 7'-6"
2. REAR PROVIDED: 7'-6"
3. SIDE REQUIRED: 10'-0"
4. SIDE PROVIDED: 10'-0"
5. SET REQUIRED: 10'-0"
6. SET PROVIDED: 10'-0"

VARIANCE REQUIRED

1. TO PROVIDE A REAR SET BACK OF 25'-0" AND A FRONT SETBACK OF 25'-0" FOR THE HOUSE INSTEAD OF THE 28'-0" REQUIRED FOR THE REAR AND THE FRONT.
2. TO PROVIDE A REAR SETBACK OF 5'-6" AND A SIDE 7'-6" REQUIRED FOR THE REAR AND THE 10'-0" REQUIRED FOR THE SIDE.
3. TO PROVIDE A 42% LOT COVERAGE INSTEAD OF THE 33% REQUIRED.

TREE CALCULATION

1. REQUIRED TREES - 3 TREES PER LOT PLUS 5 STREET TREES FOR A TOTAL OF 8 TREES

STREET TREE CALCULATION

1. SPACED AT AN AVERAGE OF 25' FT. ON CENTER FOR EACH LANE FT. - 2.4 FOR A TOTAL OF 3 TREES

MAXIMUM LAWN AREA CALCULATION

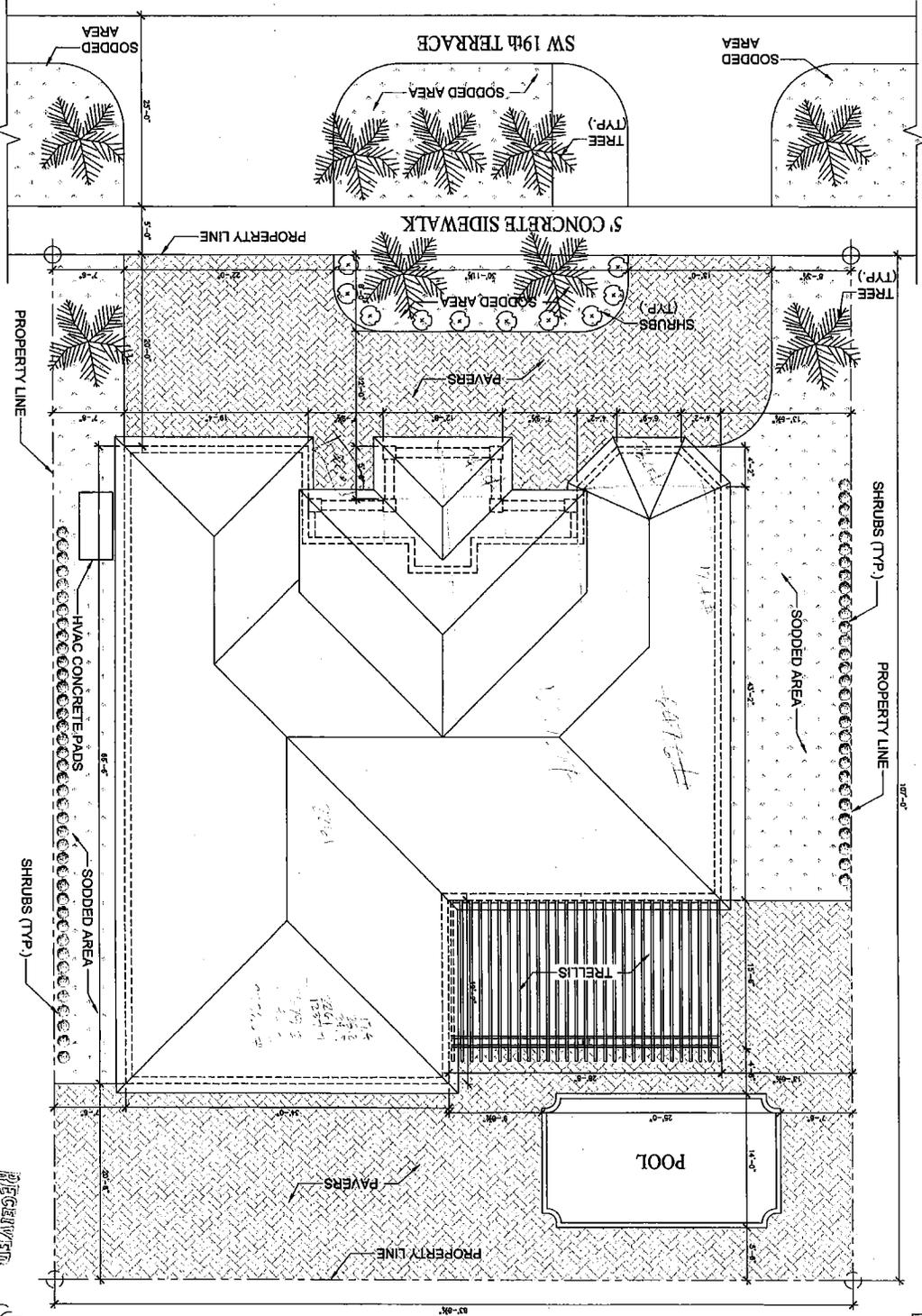
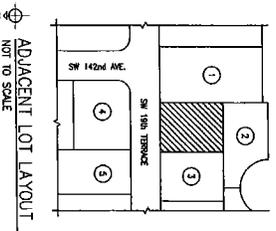
1. MAXIMUM LAWN AREA IS 50% OF THE NET LOT AREA.
2. LAWN AREA PROVIDED IS 4,800 SQ. FT.
3. LAWN AREA REQUIRED IS 1,700 SQ. FT.

SHRUB REQUIREMENT

1. REQUIRED TREES X 10 = SHRUB REQUIREMENT
2. REQUIRED SHRUBS = 10 X 8 = 80 SHRUBS

NO. THE APPLICANT, HAVE NO OBJECTION TO THESE DATA, WHICH ON BEING SUBMITTED FOR AN ADMINISTRATIVE VARIANCE APPLICATION.

1	Signature: <i>[Signature]</i>	Type Name: <i>[Name]</i>	Date: <i>[Date]</i>
2	Signature: <i>[Signature]</i>	Type Name: <i>[Name]</i>	Date: <i>[Date]</i>
3	Signature: <i>[Signature]</i>	Type Name: <i>[Name]</i>	Date: <i>[Date]</i>
4	Signature: <i>[Signature]</i>	Type Name: <i>[Name]</i>	Date: <i>[Date]</i>
5	Signature: <i>[Signature]</i>	Type Name: <i>[Name]</i>	Date: <i>[Date]</i>



SITE PLAN
SCALE: 3/8" = 1'-0"

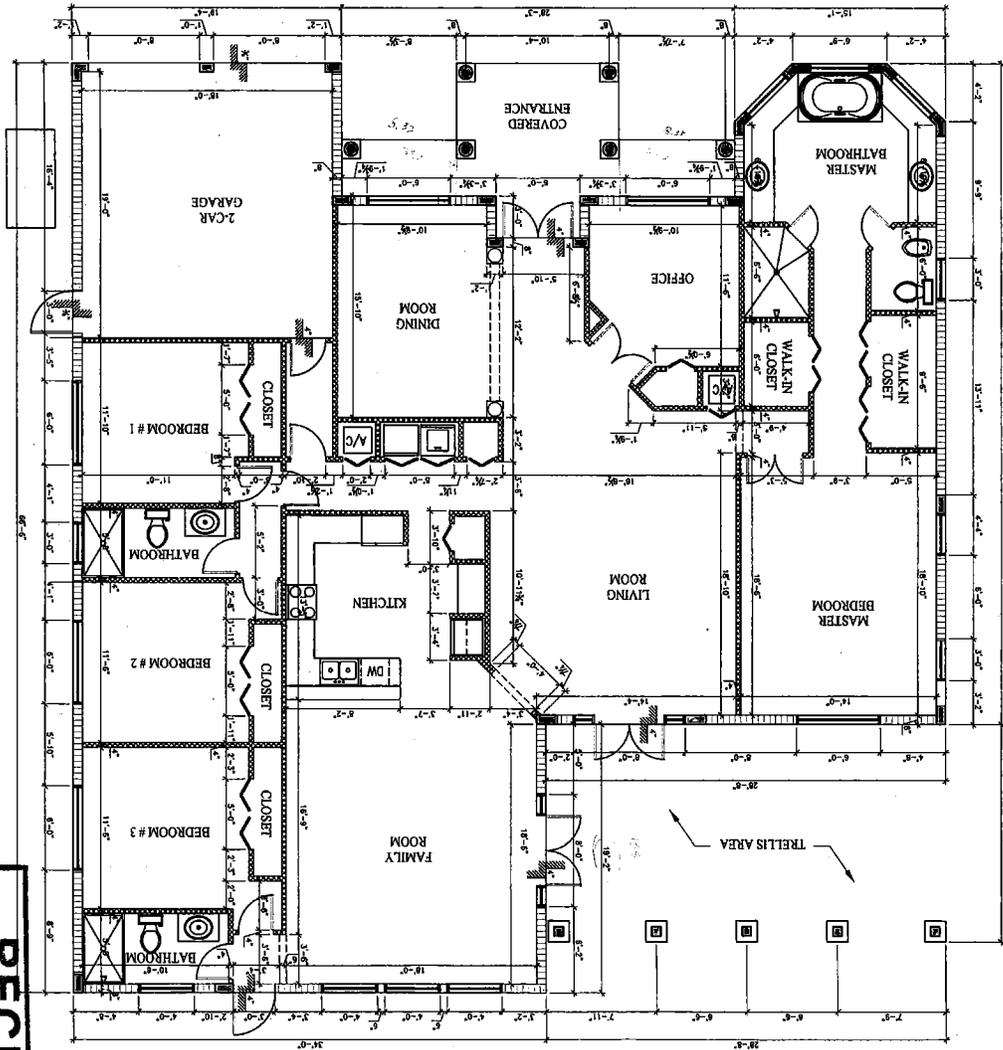
RECEIVED
214-064
JUN 04 2014
MIAMI DADE COUNTY
DEPARTMENT OF REGULATORY AND ECONOMIC
RESOURCES DEVELOPMENT SERVICES
By: *[Signature]*

SHEET NUMBER
A-200

PROJECT
THE ZAMORA'S RESIDENCE
FOLIO # 30-4910-092-0010
MIAMI, FLORIDA 33175

DATE: 02-06-14
DRAWN BY: NZ
DESIGNED BY: NZ
CHECKED BY: NZ

NZ STRUCTURAL ENGINEERS
1783 S.W. 140 COURT
MIAMI, FL 33175
PHONE: (781) 371-1888
FAX: (305) 462-8267
FLORIDA REG. #14572




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

RECEIVED
 244.064
 JUN 04 2014

MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 By *[Signature]*

RECEIVED
 JUN 7 4 28 PM
 2014

SHEET NUMBER
A-300

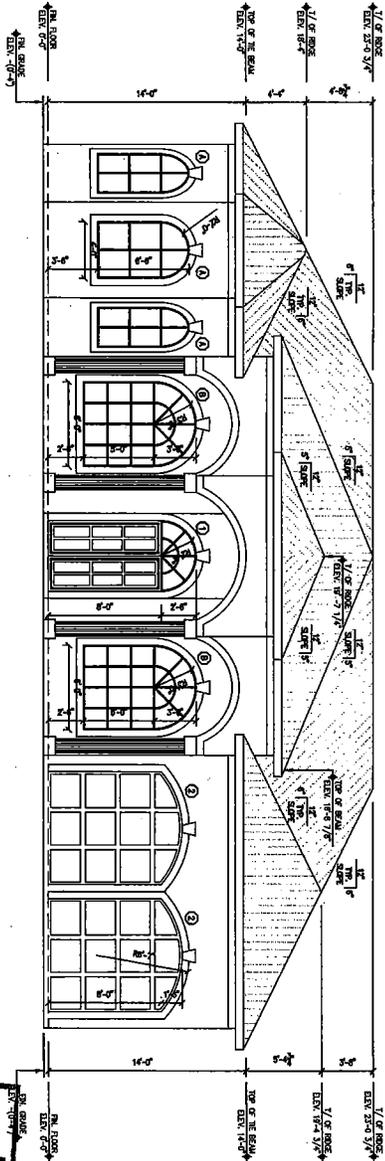


REVISIONS	
NO. 1	ISSUE DATE: 05-05-14
	DRAWN BY: NZ
	DESIGNED BY: NZ
	CHECKED BY: NZ

PROJECT
THE ZAMORA'S RESIDENCE
FOLIO # 30-4910-092-0010
 MIAMI, FLORIDA 33175

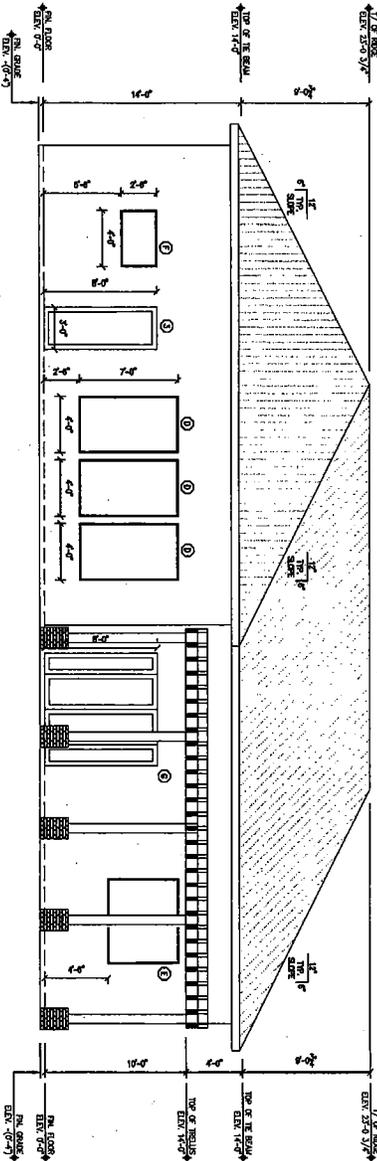
NZ STRUCTURAL ENGINEERS.
 1783 S.W. 140 COURT
 MIAMI, FL 33175
 PHONE: (784) 311-7888
 FAX: (305) 462-8827
 FLORIDA P.E. #14572

TO THE BEST OF MY KNOWLEDGE AND
 BELIEF, THE CHARTERED STRUCTURE
 ENGINEER HAS PREPARED THESE PLANS
 IN ACCORDANCE WITH THE APPLICABLE
 FLORIDA BUILDING CODE.



NORTH ELEVATION

SCALE: 1/4" = 1'-0"



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

RECEIVED
 214-064
 JUN 04 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATION AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 BY [Signature]

RECEIVED
 JUN 1 2014
 [Signature]

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND I AM NOT PROVIDING ANY OTHER SERVICE.

SHEET NUMBER
A-400



SEAL

REVISIONS

DESIGNED BY

ISSUE DATE
 05-05-14

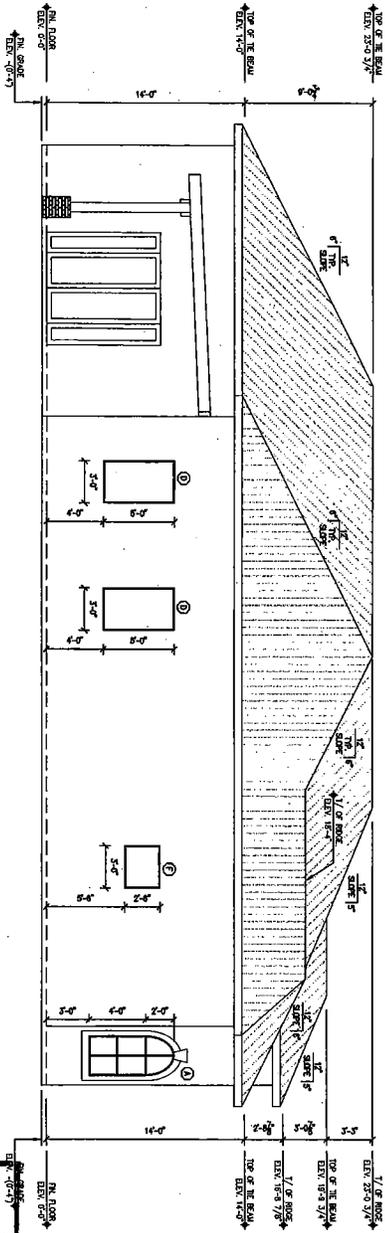
PROJECT
THE ZAMORA'S RESIDENCE

FOLO # 30-4910-092-0010

MIAMI, FLORIDA 33175

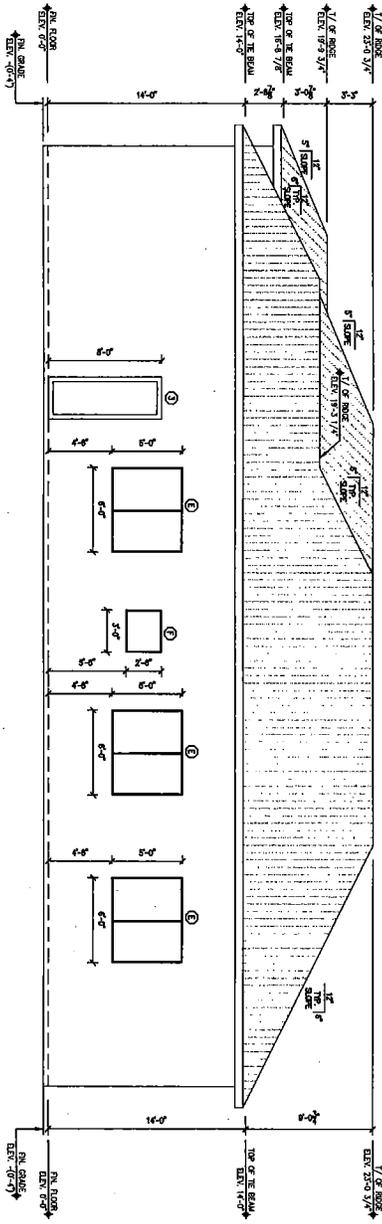
NZ STRUCTURAL ENGINEERS.

1783 S.W. 140 COURT
 MIAMI, FL 33175
 PHONE: (786) 371-7885
 FAX: (786) 371-7887
 FLORIDA P.E. #14672



EAST ELEVATION

SCALE: 1/4" = 1'-0"



WEST ELEVATION

SCALE: 1/4" = 1'-0"

RECEIVED
 214-004
 JUN 04 2014
 MIAMI-DADE COUNTY
 DEPARTMENT OF REGULATORY AND ECONOMIC
 RESOURCES DEVELOPMENT SERVICES
 BY *[Signature]*

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE COMPLETED STRUCTURAL DESIGN OF THIS PLANNED CONSTRUCTION MEETS THE APPLICABLE MINIMUM BUILDING CODES.

RECEIVED
 JUN 14 2014
 1799-0014

SEAL

SHEET NUMBER
A-401

REVISIONS

NO. _____

DATE _____

BY _____

DESIGNED BY _____

DATE _____

PROJECT

THE ZAMORA'S RESIDENCE
 FOLIO # 30-4910-092-0010
 MIAMI, FLORIDA 33175

JOB NUMBER _____

ISSUE DATE 05-06-14

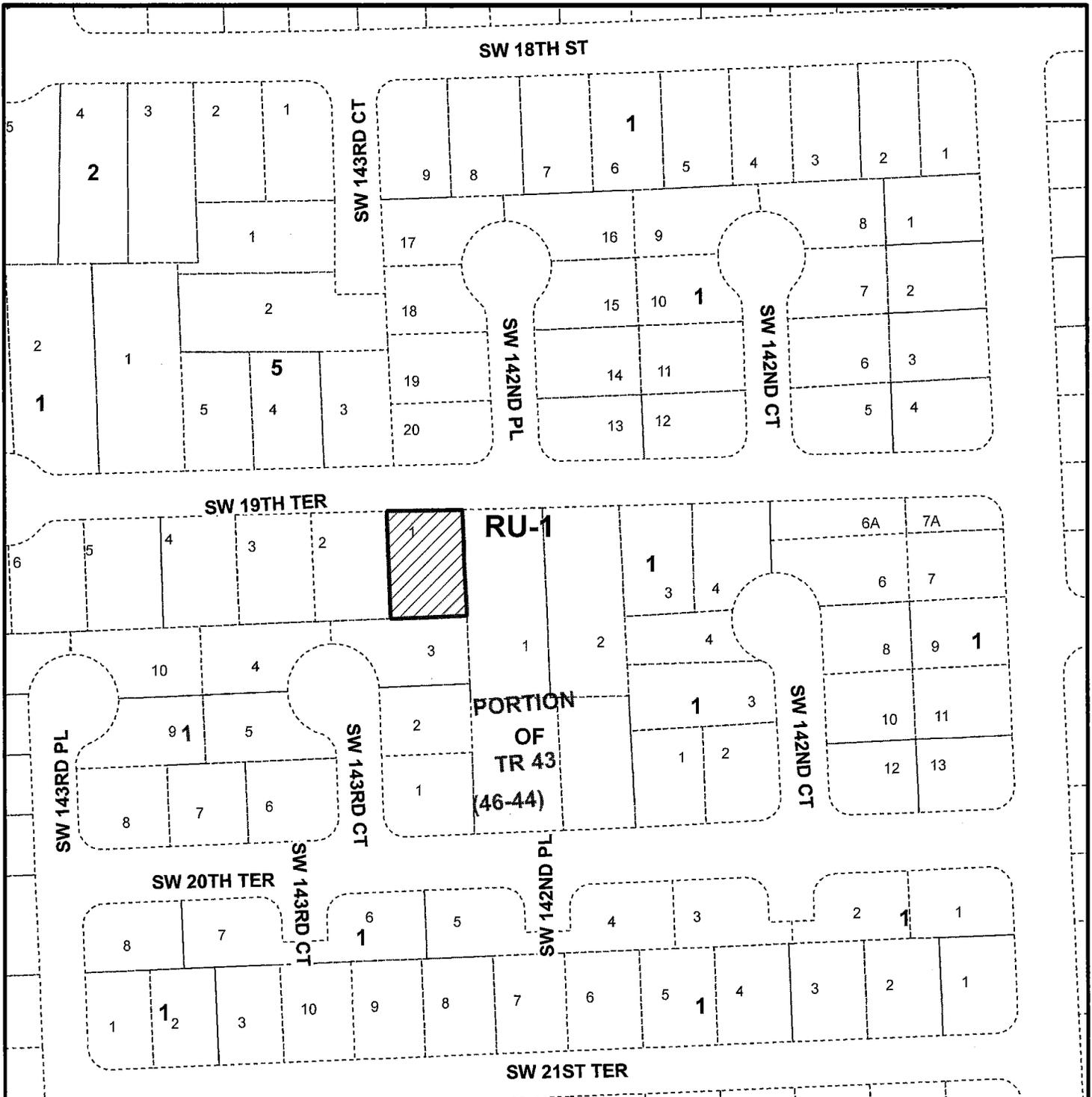
DRAWN BY _____

DESIGNED BY _____

DATE _____

NZ STRUCTURAL ENGINEERS.

1785 S.W. 140 COURT
 MIAMI, FL 33175
 PHONE: (781) 374-7688
 FAX: (305) 462-4187
 FLORIDA-PE #74972



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2014000064



Section: 10 Township: 54 Range: 39
 Applicant: NOEL & MARIA GONZALEZ-ZAMORA
 Zoning Board: C10
 Commission District: 11
 Drafter ID:
 Scale: NTS

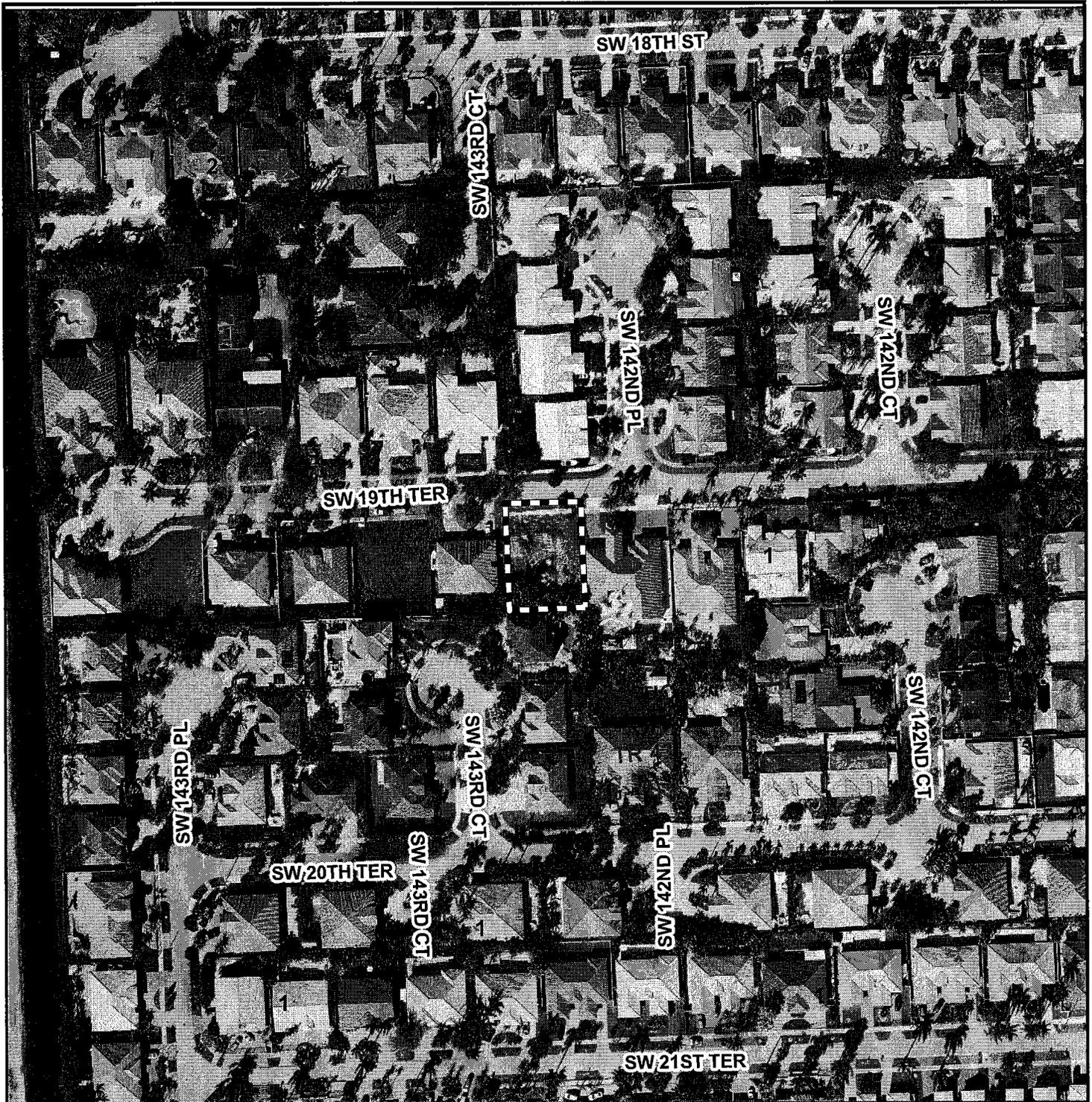
Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 11, 2014

REVISION	DATE	BY
		27



MIAMI-DADE COUNTY

AERIAL YEAR 2013

Process Number

Z2014000064

Legend

-  MDC STL Index Poly
-  Subject Property
-  Zoning

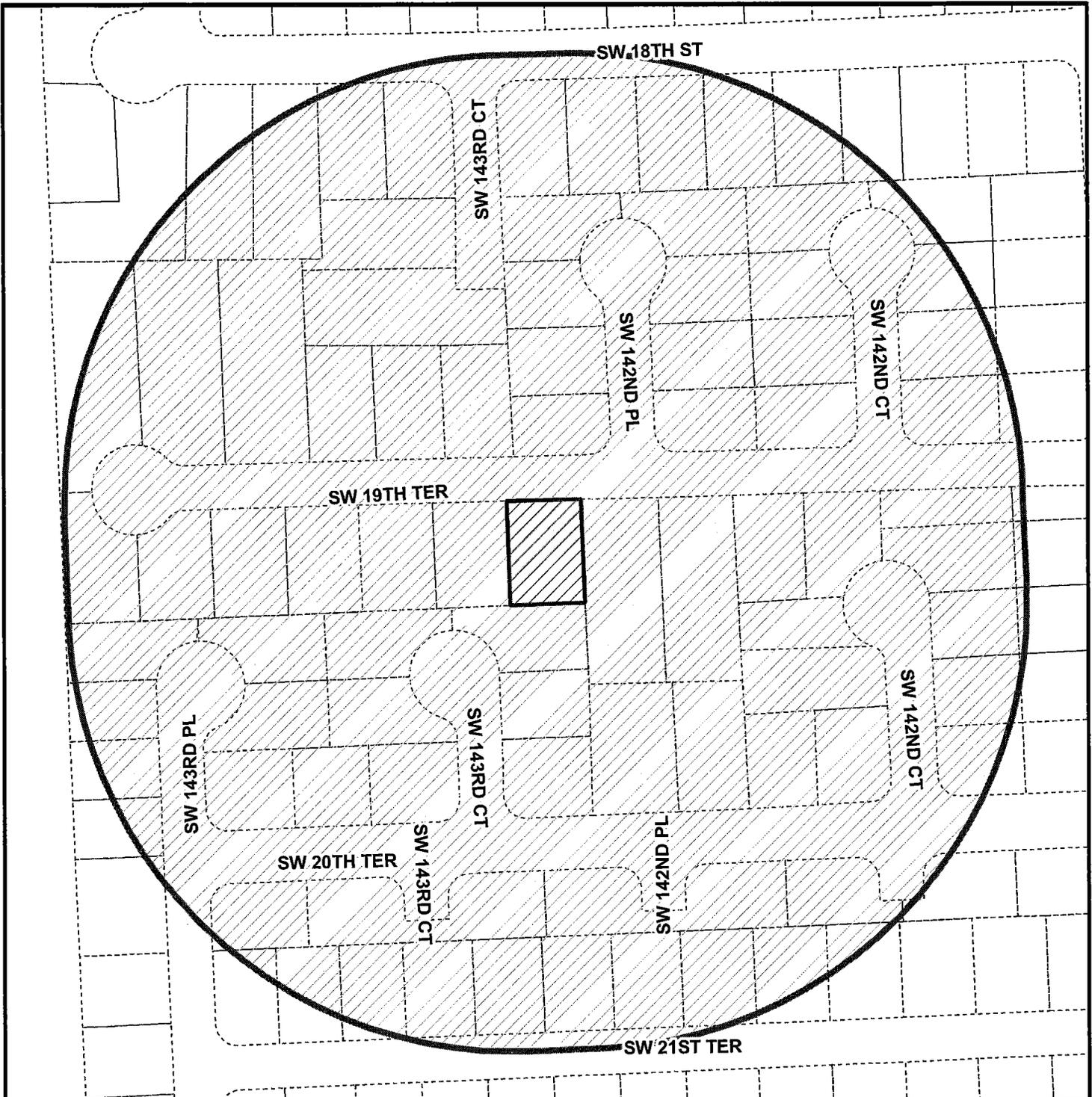


Section: 10 Township: 54 Range: 39
 Applicant: NOEL & MARIA GONZALEZ-ZAMORA
 Zoning Board: C10
 Commission District: 11
 Drafter ID:
 Scale: NTS



SKETCH CREATED ON: Wednesday, June 11, 2014

REVISION	DATE	BY
		28



MIAMI-DADE COUNTY
RADIUS MAP

Process Number
Z2014000064
 RADIUS: 500

Section: 10 Township: 54 Range: 39
 Applicant: NOEL & MARIA GONZALEZ-ZAMORA
 Zoning Board: C10
 Commission District: 11
 Drafter ID:
 Scale: NTS

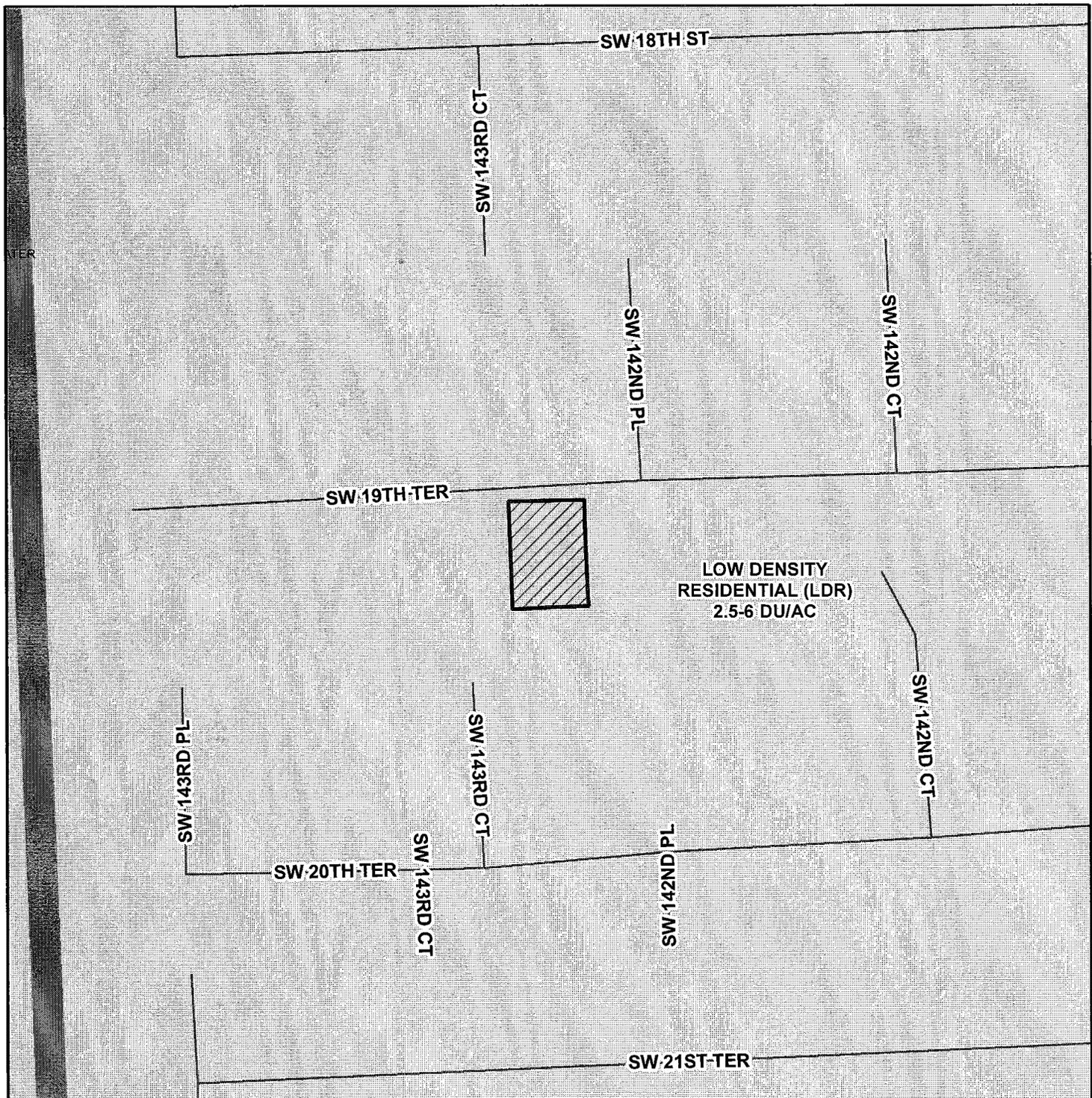
Legend

-  Subject Property
-  Buffer
-  Street (Centerline)
-  Property Boundary



SKETCH CREATED ON: Wednesday, June 11, 2014

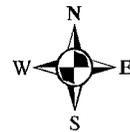
REVISION	DATE	BY
		29



MIAMI-DADE COUNTY
CDMP MAP

Process Number

Z2014000064



Section: 10 Township: 54 Range: 39
 Applicant: NOEL & MARIA GONZALEZ-ZAMORA
 Zoning Board: C10
 Commission District: 11
 Drafter ID:
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, June 11, 2014

REVISION	DATE	BY