DATE: SEPTEMBER 30, 2004 #Z-

APPLICANT: #3. H. R. REALTY & INVESTMENTS, INC.

MOTION: DEFERRED TO NOV 4, 2004-no further notice

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Diaz		X		
Ferguson				X
Heyman	S	X		
Martinez		X		
Morales				X
Moss		X		
Rolle		X		
Seijas		X		
Sorenson	M	X		
Sosa		X		
Souto		X		
Chair Carey-Shuler		X		
TOTAL		11	0	2

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Stanley Price & Jerry Proctor

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	APRIL 21, 2004	CZAB15- -04

REQUESTS: 1) EU-M to RU-3M. 2) UU Lake infill 3) waive ROW dedication 4) 15' parking backout 5) Side st. setback. 6) Bldg. height 7) Park/drive w/in 25' row 8) Lawn area

DEPT. REC: APPROVE #1SUBJECT TO COVENANT. APPROVE #2 WITH CONDITIONS. APPROVE #3, 5 – 7 WITH CONDITIONS AS NUV. DENY #4 & 8 WITHOUT PREJUDICE

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☐ INDEFINITELY ☒ TO: June 16, 2004 ☒ 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 STD. CONDITIONS

☒ OTHER: READVERTISE AT APPLICANT'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS			✓
MR.	S	Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
MS.		Alfonsina SERGIO			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 4 to 0

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	MARCH 16, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☐ 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 STD. CONDITIONS

☒ OTHER: (to submit revised plans)

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
MS.	S	Alfonsina SERGIO	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Stephen Stieglitz

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MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	JANUARY 20, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☐ INDEFINITELY ☒ TO: MARCH 16, '04 ☐ 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 STD. CONDITIONS

☐ OTHER:

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY		✓	
MS.		JoAnn BOVA	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 5 to 1

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

5

B. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
BCC/District 8
Hearing Date: 11/18/04

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	DECEMBER 9, 2003	CZAB15- -03

REQUESTS: EU-M to RU-3M

DEPT. REC: DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS:

☒ DEFER: ☐ INDEFINITELY ☒ TO: JAN. 20, '04 ☐ 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 STD. CONDITIONS

☒ OTHER: READVERTISE AT COUNTY'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)			✓

VOTE: 4 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Ron Bernstein

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): DYLAN RANGEL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	SEPTEMBER 23, 2003	CZAB15- -03

DEPT. REC: DENIAL W/OUT PREJUDICE OR DEFERRAL

1) EU-M to RU-3M

MOTION:

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☒ With Leave To Amend

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH STD. CONDITIONS

☒ OTHER: at applicant's expense

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.	S	Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.	M	JoAnn BOVA	✓		
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Bill Riley **Objectors:** NONE

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** June 24, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____ Standard Conditions: ____

Per DIC ____ ✓ Deferred to: Sept. 23, 2003

Approved as Requested ____ Withdrawal ____

Denied Without Prejudice ____

Denied With Prejudice ____

Other: ____

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

		Yes	No	Absent
Al Alvarez		✓		
Daniel L. Adams	S	✓		
Leonard Anthony		✓		
JoAnn Bova	M	✓		
Paul S. Vrooman				✓
Nancy McCue		✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓ County Attorney: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H. R. REALTY & INVESTMENTS, INC.

Representative: Bill Reilly

Objectors: Dana Floyd

Hearing No. 03-1-CZ15-6 (02-305)

Hearing Date: April 28, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____

Per DIC ____

Approved as Requested ____

Denied Without Prejudice ____

Denied With Prejudice ____

Standard Conditions: ____

Deferred to: June 24, 2003

Withdrawal ____

Other: due to omnipoint holdings

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

	Yes	No	Absent
Daniel Adams S	✓		
Leonard Anthony M	✓		
JoAnn Bova	✓		
Paul S. Vrooman	✓		
Nancy McCue	✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓

County Attorney: Steven Stiegler

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor **Objectors:** _____

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** January 30, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: 4/28/03

Per DIC _____ Deferred to: _____

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Ronald Bernstein

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 17-56-40 **DATE:** November 18, 2004

COMMISSION DISTRICT: 8 **ITEM NO.:** B

==========

A. INTRODUCTION

o REQUESTS:

MANUEL DORTA-DUQUE & THE FARM, INC. are appealing the decision on requests #1, #3, #4, #6 & #7 of Community Zoning Appeals Board #15 on H. R. REALTY & INVESTMENTS, INC. which approved the following:

(1) EU-M to RU-3M

(2) Applicant is requesting to permit a townhouse development setback 10' from side street property lines (15' required).

REQUESTS #1 & #2 ON PARCEL #1

(3) EU-M to RU-1M(a)

(4) Applicant is requesting to permit lots with 0' of frontage on a public street (50' required) and access to a public street by means of private drives.

(5) Applicant is requesting to permit single family residences with a rear setback of 15' (15' permitted on a portion only; 25' required for the balance).

REQUESTS #3 - 5 ON PARCEL #2

(6) Applicant is requesting to waive zoning and subdivision requirements for section line roads to be 80' in width; to permit 0' to 25' of dedication (40' required) on the north half of theoretical S.W. 232 Street.

(7) Applicant is requesting to permit parking and driveways within 25' of an official right-of-way (not permitted).

(8) UNUSUAL USE to permit the filling of a lake and a lake excavation.

REQUESTS #6 - #8 ON PARCELS #1 & #2

Upon a demonstration that the applicable standards have been satisfied, approval of requests #4 - #7 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b)(Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

The appellant is appealing this application that will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District and RU-1M(a), Modified Single-Family Residential District. Additional requests will permit the filling and excavation of a lake, less setback area from certain property lines for buildings than required, lots with 0' of frontage on a public street, parking areas and driveways closer than permitted to a right-of-way and the waiver of a portion of the required right-of-way dedication for a section line road.

- **LOCATION:**

Lying on the north side of theoretical S.W. 232 Street and 1,330' east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60.21 Acres

- **IMPACT:**

The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area. The additional requests could visually impact the surrounding area and affect traffic circulation.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning on the subject site.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2005 and 2015 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 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.

2. Uses and Zoning Not Specifically Depicted. Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." (Land Use Element, page I-36).

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant and lake	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture and Urban Development Boundary
EAST: RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST: AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Plant nurseries are active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Acceptable**
Location of Buildings:	**Acceptable**
Compatibility:	**Acceptable**
Landscape Treatment:	**Acceptable**
Open Space:	**Acceptable**
Buffering:	**Acceptable**
Access:	**Acceptable**
Parking Layout/Circulation:	**Acceptable**
Visibility/Visual Screening:	**Acceptable**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**Acceptable**

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into

consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Section 33-311(A)(14)(c)-Alternative Site Development for Single-Family and Duplex Dwellings

The following standard is an alternative to the generalized standards contained in zoning regulations governing specified zoning districts:

Setbacks for a single family or duplex dwelling shall be approved after public hearing upon demonstration of the following:

- the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property; and

- the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and

- the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development to less than 40% of the total net lot area; and

- any area of shadow cast by the proposed alternative development upon an adjoining parcel of land during daylight hours will be no larger than would be cast by a structure constructed pursuant to the underlying district regulations, or will have no more than a *de minimus* impact on the use and enjoyment of the adjoining parcel of land; and

- the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofing structure; and

- the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and

- the architectural design, scale, mass, and building materials of any proposed structure or addition are aesthetically harmonious with that of other existing or proposed structures or buildings on the parcel proposed for alternative development; and

- the wall of any building within a setback area required by the underlying district regulations shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and

- the proposed alternative development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot; and

- total lot coverage shall not be increased by more than twenty percent (20%) of the lot coverage permitted by the underlying district regulations; and

- any structure within an interior side setback required by the underlying district regulations:

  is screened from adjoining property by landscape material of sufficient size and composition to obscure at least sixty percent (60%) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure at time of planting; or

  is screened from adjoining property by an opaque fence or wall at least six (6) feet in height that meets the standards set forth in paragraph (f) herein; and

- any proposed alternative development not attached to a principal building, except canopy carports, is located behind the front building line; and

- any structure not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least three (3) feet: and

- the eighteen (18) inch distance between any swimming pool and any wall or enclosure required by this code is maintained; and

- safe sight distance triangles shall be maintained as required by this code; and

- the parcel proposed for alternative development will continue to provide on-site parking as required by this code; and

- the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth; and

- the proposed development will meet the following:

  side street setbacks shall not be reduced by more than fifty percent (50%) of the underlying district regulations;

  rear setbacks will be at least three (3) feet for detached accessory structures and ten (10) feet for principal structures.

The lot area, **frontage**, or depth for a single family or duplex dwelling shall be approved upon demonstration of the following:

The proposed alternative development will result in open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the underlying district regulations, provided that:

- the density of the proposed alternative development does not exceed that permitted by the underlying district regulations; and

- the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002); and

- each lot's area is not less than eighty percent (80%) of the lot area required by the underlying district regulations; and

- the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

- the parcel proposed for alternative development is not zoned AU of GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

- sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:

- will result in a significant diminution of the value of property in the immediate vicinity; or

- will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or

- will result in materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or

- will combine severable use rights obtained pursuant to Chapter 33B of the code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.

Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

- the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and

- the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

Section 33-311(A)(4)(b) - Non-Use Variances from other than Airport Regulations. 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.

Section 33-311(A)(4)(c) - Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that spirit of the regulations shall be observed and substantial justice done; provided, that the variance 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 non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**Objects**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**57 additional students**

* subject to the conditions stated in their attached memorandum

H. ANALYSIS:

This application was deferred from the September 30, 2004 meeting to allow the applicant time to conduct an archeological survey of the property and provide staff with the findings. The applicant submitted said document to the Department. The application was again deferred from the November 4th meeting at the request of the appellant. Manuel Dorta-Duque & The Farm, Inc. is appealing the Community Zoning Appeals Board-15 (CZAB-15) decision on request # 1, 3, 4, 6 and 7. The CZAB 15 approved the entire application by a vote of 4 to 1 on June 16, 2004. The appellant states that the requests are contrary to the law, not supported by competent substantial evidence, and the proceedings failed to provide due process of law. Although the appellant is appealing only five (5) of the eight (8) requests, the Board can exercise jurisdiction over the entire application. This hearing is a de novo hearing where evidence can be presented by both sides on the entire application. Staff notes that the CDMP states that all existing uses and zoning are consistent with the CDMP. The existing EU-M zoning is consistent with the CDMP, as such, should the Board

desire to retain the existing zoning on the property the decision would also be consistent with the CDMP.

On November 29, 2004, the applicant submitted revised plans to the Department to address public works concerns. This application seeks the rezoning of parcel 1 of the subject property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District, to allow a 197-unit townhome residential development, and the rezoning of parcel 2 from EU-M, Modified Estate District, to RU-1M(a), Modified Single-Family Residential District, to allow a 35-unit single-family residential development, for a 232-unit total for the entire residential development. The applicant is also seeking an unusual use to permit the partial filling and excavation of a lake, the waiver of the required dedication of a portion of the right-of-way for S.W. 232 Street (0' to 25' dedication where 40' is required by the zoning regulations), 10' side street setbacks for certain lots where 15' is required, 15' rear setbacks for single-family residences where 15' is permitted only on a portion and 25' is required for the balance, parking areas and driveways located within 25' of a right-of-way where not permitted and lots with 0' of frontage on a public street where 50' is required and with access to a public street by means of a private drive. The revised plans indicate a 25' dedication for SW 232 street. The applicant has indicated that a covenant tying the application to the plans submitted and limiting the development of the site to a total of 237 units at a density of 3.83 gross dua would be proffered in conjunction with this application. Further, said covenant states that a homeowner's association, a community development district, and/or a special taxing district shall individually or collectively provide for the maintenance of all common areas, and also limits the use of the lake to non-motorized recreational activities.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has no objections to the revised plans indicating a 25' dedication on the north half of the right-of-way for theoretical S.W. 232 Street. Said Department indicates that this application will generate **151** additional **PM** daily peak hour vehicle trips, the addition of which will not exceed the current Level of Service (LOS) which is at LOS "B". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **57 students** to the schools in the area, and that the applicant has proffered a covenant to the School Board in order to provide a monetary donation to mitigate the impacts generated by this application, which will exceed the FISH (Florida Inventory of School Houses) capacity.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre lake. The Land Use Plan (LUP) map of the CDMP designates the site for low density residential use which permits a minimum of 2.5 and a maximum of 6.0 dua. The LUP map would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site. The proposed RU-3M zoning on parcel 1, at a density of 12.9 dua, would permit a total of 611 units on the 47.38 net acre portion of the site (parcel 1). The proposed RU-1M(a) zoning at a density of 6.97 dua, would permit a total of 89 units on the 12.83 net acre portion of the site (parcel 2). The total number of units permitted by the RU-3M and RU-1M(a) rezonings would be 700. As such, the requests to rezone to RU-3M and RU-1M(a) would be inconsistent with the LUP map of the CDMP without a covenant limiting the density to a maximum of 360 units. As mentioned above, the applicant has submitted a rivised site plan showing the development of the site with a maximum of 232 units. The applicant has indicated the intent

to proffer a covenant limiting the development density to a maximum of 232 units. With said covenant, the zone changes to RU-3M (request #1) and RU-1M(a) (request #3) would be **consistent** with the LUP map of the CDMP.

The unusual use to permit the partial filling and excavation of an existing lake (request #8) is supported by staff. This request involves the partial filling of the existing lake to assure that the slopes meet code requirements. The excavation portion of the request is being made to legalize the original excavation of the existing lake, which a research of the records reveals was most likely done for past purposes of state road construction in the area. In staff's opinion, the approval of same would not generate or result in excessive noise or traffic, or cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities.

When analyzing requests #2 and #4 through #7 under the Alternative Site Development Option (ASDO) standards, Section 33-311(A)(14), staff finds that requests #2, #6 and #7 are not addressed under the ASDO standards. As such, said requests cannot be evaluated under same. Requests #4 and #5, the provision of frontage on and access to a public street by means of a private drive and the provision of 15' of rear setback area for certain lots (15' permitted for half the width of the structure and 25' required for the balance), meet some of the ASDO standards since the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property, will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space, will provide sufficient frontage for vehicular access and the rear setbacks will be at least 10' for principal structures. However, request #4 does not meet the ASDO standards for lot frontage since the size and dimensions of certain lots are not sufficient to provide all setbacks, and request #5 does not meet the ASDO standards for setbacks since the parcel proposed for alternative development does not satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth. As such, requests #4 and #5 cannot be approved under the ASDO standards.

When analyzing requests #2, and #4 through #7 under the Non-Use Variance standards, Section 33-311(A)(4)(b), staff finds that the requests meet same by maintaining the basic intent and purpose of the zoning, subdivision and other land use regulations and not adversely affecting the stability and appearance of the community since this property will be a private community enclosed by a subdivision wall.

When requests #2, and #4 through #7 are analyzed under the Alternative Non-Use Variance standards, Section 33-311(A)(4)(c), staff finds that the applicant has not shown that a literal enforcement of the provisions of the Code would result in unnecessary hardship, since the property can be utilized in accordance with the proposed zoning district regulations. As such, this application does not meet those standards.

Staff finds that the revised plans' incorporation of different building types such as townhouses and single-family homes, the arrangement of housing in an interconnected block and street network, the provision of open space in the form of squares, plazas, pocket parks and green focal points, and the reduction of lot sizes on the south side of the lake to create a linear park meets the guidelines for urban form and design. In staff's opinion, the site plan provided, incorporating the guidelines for urban form, and the covenant proffered,

limiting the density of the development and tying the zoning requests to said plan, make this application **consistent** with the CDMP and **compatible** with surrounding uses.

Staff notes that the Office of Historic Preservation has indicated that there is an existing Tequesta and Seminole Indian burial site directly to the south of the subject property. Said Office had recommended that an archeological survey be conducted of the site to ensure that it does not contain any remains or artifacts from this adjacent burial ground. Staff is in receipt of a Report of a Phase I Archeological Survey conducted by Robert Baer, DPA dated October 14, 2004 which indicates that over the course of the Phase I Archaeological Investigation, fourteen shovel tests were performed on the H.R. Realty & Investment property. No prehistoric or historic archaeological resources were found in the tested area, or in the wider reconnaissance area.

Staff recommends denial of the appeal, approval of requests #1 and #3, subject to the Board's acceptance of the proffered covenant, approval with conditions of request #8, approval with conditions of requests #2, #4, #5 and #7 under the Non-Use Variance standards and denial without prejudice under the ASDO and Alternative Non-Use Variance standards, and modified approval with conditions of request # 6 to permit a 25' dedication on the north half of theoretical SW 232 Street under the Non-Use Variance standards, and denial without prejudice under the ASDO and Alternative Non-Use Variance standards.

I. RECOMMENDATION:

Denial of the appeal, approval of requests #1 and #3, subject to the Board's acceptance of the proffered covenant, approval with conditions of request #8, approval with conditions of requests #2 #4, #5 and #7 under Section 33-311(A)(4)(b)(NUV), and denial without prejudice under Sections 33-311(A)(14)(ASDO) and (c)(ANUV), and modified approval with conditions of request # 6 to permit a 25' dedication on the north half of theoretical SW 232 Street under the Non-Use Variance standards, and denial without prejudice under Section 33-311(A)(14)(ASDO) and (c)(ANUV).

J. CONDITIONS:

The following conditions are for requests #2 and #4 through #8:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, 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 "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

The following conditions are for the lakefill:

5. That in addition to any bond required by DERM, the property owner and any and all parties who may have a legal beneficial or equitable interest in the land shall execute a bond agreement with the Department of Planning and Zoning prior to issuance of a CU for a fill project. Such bond agreement shall require that in order to insure compliance with all terms and conditions associated with the fill project permit approval, a cash or surety bond or substantially equivalent instrument meeting with the approval of the Director shall be posted by the applicant with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director and the DERM Director. Said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County. The bond amount will be based on the volume of cut required to conform any remaining excavation to Code approved slope configuration.
6. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

7. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Department of Environmental Resources Management, as set forth herein, shall be used in the fill project.

8. That no fill material or unacceptable fill to be removed shall be permitted to be stored on property abutting the fill project site or within the adjacent rights-of-way at any time during the fill project.

9. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

10. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

11. That the days and hours of the lakefill operation shall be determined by the Director.

12. That the applicant shall record a notice of authorization on a form prescribed by the Director of the excavation fill plan approved by the Director and the Director of the Department of Environmental Resources Management (DERM Director) for the fill project in the public records of Miami-Dade County prior to the issuance of a Certificate of Use (CU) authorizing commencement of the fill project.

13. That the applicant shall submit a detailed written disclosure of the fill project specifying the equipment and methods to be utilized during the fill project, including every aspect of the trucking, dumping, sorting and filling process.

14. That the applicant shall obtain a fill project CU permit, and shall promptly renew the same semi-annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

Failure to commence the fill project within six months of the date of the original CU issuance shall result in an abandonment of the fill project.

15. That prior to each CU renewal, the applicant shall submit a status report indicating the percentage of fill project completion and the estimated time of the fill project's final completion.

16. That if an excavation will be filled in phases, a phase plan shall be submitted with the initial excavation fill plan and permit plan application. The plan and supporting documents shall delineate the area to be filled in each phase and the time frame projected to close out each phase of the fill project.

17. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than nine (9) months from issuance of the CU permit. A time extension may be granted by the Director for good cause shown.

18. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the zoning code requirements and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation.

19. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis during the fill project. In accordance with this requirement, the applicant shall submit "as-built" surveys prepared and sealed by a Florida-licensed surveyor and /or professional engineer annually and at final completion of the fill operation or upon request of either the Director or the DERM Director when it is determined by the Director or the DERM Director that the filling is proceeding contrary to approved plans or in violation of the conditions of the approved excavation fill plan or the permit plan.

20. That the property shall be suitably posted to meet with the approval of the Director and the DERM Director; said postings shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

21. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Department of Environmental Resources Management as well as the Public Works Department for the duration of the fill project.

22. That upon completion of the fill project, the property shall be restored and left in an acceptable condition meeting the approval of the Director and the DERM Director.

23. That the final slope(s) of the remaining excavation shall be in accord with zoning code requirements.

24. That the fill project shall meet all stormwater management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

25. That to the extent possible, the property shall be staked and said stakes shall be maintained in proper position so that the limits of the filling, slopes and grade levels may be easily determined.

26. That the applicant record the resolution of approval for the use in the public records of Miami-Dade County prior to the issuance of a Certificate of Use.

27. That if in the opinion of the Director the lake fill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicant as directed by the Director.

The following conditions are for the lake excavation:

28. That the lake tract be platted; no building permit shall be issued for lots contiguous to the lake tract until the lake excavation is completed and lake as-built drawings submitted to and approved by the Department.

Or in lieu of condition #28 the following:

28a. Prior to the approval of any type of plat on the property, the Owner(s) of the property shall submit a Unity of Title agreement to the Department of Planning and Zoning; said agreement shall encumber the entire property described in the plat. Once the Unity of Title agreement has been reviewed and accepted it shall be recorded in the Public records prior to final plat consideration by the Board of County Commissioners. Upon receipt of a written request to release the Unity of Title agreement, the Department will consider the release only after the issuance of a lake excavation permit and the submittal and final approval of the lake excavation as-builts. The lake excavation area shall be shown as a separate tract and appropriately labeled as such on the final plat.

29. That complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director upon the submittal of an application for a lake excavation permit; said plans

shall be substantially in accordance with that submitted for the hearing entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

30. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the excavation progresses. The applicant will submit "as built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer at final completion of the excavation, or upon request of the Director or the Director of Environmental Resources Management.

31. That the property shall be staked to meet with the approval of the Director and the Director of Environmental Resources Management; said stakes shall be maintained in

proper position so that the limits of the excavation, slopes and grade levels may be easily determined.

32. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director and the Director of Environmental Resources Management.

33. No material shall be removed from the premises and all excavated material shall be used to improve the property described in the application.

34. That the use of explosives shall be strictly prohibited in connection with the lake excavation operation.

35. That the days and hours of the lake excavation operation shall be controlled by the Director.

36. That the lake excavation operation shall be carried on continuously and expeditiously so that the entire project will be completed within nine (9) months from the date of permit issuance for the proposed lake excavation. A time extension may be granted by the Director for good cause shown.

37. If the lake excavation operation is discontinued, abandoned, falls behind schedule or time expires, the existing excavation shall immediately be sloped to conform with the approved plans and the entire operation shall be removed from the premises.

38. That in order to insure compliance with all terms and conditions imposed, a cash or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees, etc.

39. That the applicant obtain an excavation use permit from and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

40. All excavations shall be completely enclosed by a safety barrier, minimum height of 6 feet, consisting of either orange plastic safety fence or wood slat storm fencing installed on 4" x 4" posts spaced every 10 feet. Said barrier shall be installed prior to issuance of the excavation permit and commencement of excavating and shall remain in place until work is complete and the performance bond is released.

41. All excavations shall be posted every 50 feet with warning signs a minimum of 18" x 18" in size.

42. That a hedge(s), 3' high at time of planting, be installed along both sides of the guardrail proposed on those portions of the lake fronting on a right-of-way.

43. That the applicant complies with all applicable conditions and requirements of the Miami-Dade County Department of Environmental Resources Management (DERM).

DATE INSPECTED:	01/06/03
DATE TYPED:	01/22/03
DATE REVISED:	03/27/03, 04/07/03, 04/08/03, 04/22/03, 06/02/03, 06/04/03, 06/16/03, 09/05/03, 09/12/03, 11/24/03, 12/01/03, 12/02/03, 01/09/04, 01/12/04, 03/01/04, 03/04/04, 03/11/04, 03/30/04, 04/05/04, 04/15/04, 05/27/04, 06/07/04, 06/10/04, 09/20/04, 10/20/04
DATE FINALIZED:	11/05/04

DO'QW:AJT:MTF:CR

for

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

RECEIVED
SEP 19 2003
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

DATE: September 12, 2003

SUBJECT: C-15 #Z2002000305-Revised
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Enforcement History:
DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

Item: C
02-305

PH# Z2002000305
CZAB - C15

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: H.R. REALTY & INVESTMENTS, INC.

This Department has no objections to this application subject to the following:

One-way drives shall have a minimum width of 15 feet for fire truck access.

Entrance features are not reviewed under this application and must be filed separately. Gates must be removed.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

A Special Taxing District is to be established for maintenance of common areas and lake.

Lake slopes and typical sections for lakes are not reviewed under this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 151 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	B	B
9594	Old Cutler Rd. sw/o Franjo Rd.	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.

Item: C
02-305

Raul A Pino, P.L.S.
03-NOV-04

Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Rudolph F. Crew, Ed.D.

Ana Rijo-Conde, AICP, Facilities Planning Officer
Facilities Planning

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

October 26, 2004

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue
REVISED

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Centennial Middle School and Miami Southridge Senior High School currently operating at 125% and 138% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Centennial Middle School and Miami Southridge Senior High School to 127% and 139%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on May 22, 2003, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. At its May 19, 2004 meeting, the School Board approved the acceptance of the applicant's proffered covenant.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • arijo@dadeschools.net

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the 237-unit development is estimated to generate approximately $580,176 ($2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good
Coordinator III

PG:am
L-264
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. William W. Riley

REVISED
SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 02-305, H. R. Realty & Investments, Inc. (CC15)
REQUEST:	Zone change from EU-M to RU-3M
ACRES:	60± acres
MSA	7.1
LOCATION:	North of SW 232 Street and East of SW 107 Avenue
UNITS:	92 additional units (145 units currently permitted under existing zoning classification, for a total of 237 units)
ESTIMATED STUDENT POPULATION:	79 additional students *
ELEMENTARY:	36
MIDDLE:	20
SENIOR:	23

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Pine Villa Elementary - 21799 SW 117 Ct.
MIDDLE:	Centennial Middle - 8601 SW 212 St.
SENIOR HIGH:	Miami Southridge Senior - 19355 SW 114 Ave.

All schools are located in Region 6

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2003:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Pine Villa Elem.	630/ 666*	504	125%/ 132%*	186	91%/ 97%*
Centennial Middle	1116/ 1136*	796	140%/ 143%*	99	**125%/ 127%***
Miami Southridge Sr.	3857/ 3880	2536	152%/ 153%*	261	**138%/ 139%***

* increased student population as a result of the proposed development

Note:

1) The cumulative effect of other approved or proposed developments in the vicinity is not included as part of this analysis, however is hereby attached in this package.
2) Figures above reflect the impact of the class size amendment.
3) Pursuant to the Interlocal Agreement, the middle and senior high schools meet the review threshold.

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2003:

Pine Villa Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	FL School Recognition as an "C" School
Special Programs:	After-school care and Magnet programs
Lunch schedule:	Begins at 10:15 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	Computer Lab
Recognition for Academic Achievement:	Various individual awards for academic achievement
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:23 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium, Storage Room and Book Room
Teachers required to float/travel:	None

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	None
Special Programs:	Magnet programs
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	Offices and Book storage rooms
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of October 2004):

School	Status	Projected Occupancy Date
Palm Glade K-8 Center (Pine Villa, Redland and Naranja Elementary Relief; Redland and Mays Middle School Relief) (1604 student stations)	Planning	August 2009
State School "TTT" (South Dade, Homestead and Southridge Sr. High School Relief) (3647 student stations)	Planning	2009

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $460,807.

CAPITAL COSTS: Based on the State's October-2004 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	36	x	$ 13,437	=	$ 483,732
MIDDLE	20	x	$ 15,406	=	$ 308,120
SENIOR	23	x	$ 20,387	=	$ 468,901
Total Potential Capital Cost					$1,260,753

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

ZONING REPORT
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CC14 AND CC15

	Applicant Name & Number	Location Address	Units/Students	Schools	Board District(s)/ Region(s)	Community Council/ Date	Approved/ Denied/ Comments
1	H. D. CROSS TRUSTEE ET AL #02-054	Btwn SW 184 St. to SW 192 St. and W of SW 130 Ave.	144 Units/ 95 Students	S. MIAMI HGTS. ELEM-51 MAYS MID-23 SOUTHRIDGE SR-21	7/6 7/6 9/6	CC14 1/28/03	APPROVED
2	CAULEY PALISADE CORP. #01-242	22010 SW 124 Ave.	18 Units/ 11 Students	CARIBBEAN ELEM-6 MAYS MID-3 SOUTHRIDGE SR-2	9/6 7/6 9/6	CC14 10/10/01	APPROVED
3	JOSEPH TAUBMAN, TRUSTEE & DELCO ENTERPRISES #01-401	N of SW 208 St. btwn SW 133 Ct. and SW 132 Ave.	31 Units/ 20 Students	REDLAND ELEM-11 MAYS MID-5 SOUTH DADE SR-4	7/6 7/6 7/6	CC14 10/16/02 2/25/03	APPROVED
4	ADE INVESTMENT PROPERTIES, INC. #03-181	SEC of SW 292 St. and SW 180 Ave.	5 Units/ 3 Students	AVOCADO ELEM-1 HOMESTEAD MID-1 SOUTH DADE SR-1	7/6 9/6 7/6	CC14 10/28/03	APPROVED
5	OSCAR & MARIA VILLEGAS #03-078	SEC of SW 192 Ave. and SW 316 St.	17 Units/ 11 Students	W HOMESTEAD ELEM-5 HOMESTEAD MID-3 SOUTH DADE SR-3	9/6 9/6 7/6	CC14 10/28/03	DENIED
6	CROSS ET AL #01-218	SW 130 Ave. and btwn SW 192 St. and SW 220 St.	157 Units/ 94 Students	S. MIAMI HGTS. ELEM-51 MAYS MID-23 SOUTHRIDGE SR-20	7/6 7/6 9/6	CC14 11/20/01	APPROVED
7	FRV DEVELOPMENT #03-150	N of SW 184 St. E of SW 109 Ave.	50 Units/ 33 Students	PINE LAKE ELEM-15 RICHMOND HGHTS. MID-8 SOUTHRIDGE SR-10	9/7 7/6 9/6	CC14 5/13/0	APPROVED
8	ANNE DELK TRUSTEE #02-170	Btwn SW 175 and 177 Ave. and N of SW 292 St.	7 Units/ 4 Students	REDONDO ELEM-2 HOMESTEAD MID-1 SOUTH DADE SR-1	9/6 9/6 7/6	CC14 12/17/02	APPROVED
9	STEVE PURDO, ET AL #02-249	S of SW 224 St. btwn SW 128 and 130 Ave.	17 Units/ 3 Students	CARIBBEAN ELEM-21 MAYS MID-9 SOUTHRIDGE SR-8	9/6 7/6 9/6	CC14 12/17/02	APPROVED
10	OPEN BIBLE BAPTIST CHURCH TO FORTY-FIRST HOLDINGS, LLC 01-134	W of SW 137 Ave. and N of SW 173 Terr.	84 Units/ 32 Students	MIAMI HEIGHTS ELEM-17 REDLAND MID-8 SOUTH DADE SR-7	9/6 7/6 7/6	CC14 12/19/01	APPROVED
11	MANGROVE DEVELOPMENT OF MIAMI, INC. #99-101	SWC of Sw 184 St. and SW 127 Ave.	24 Units/ 14 Students	S. MIAMI HGTS. ELEM-8 MAYS MID-3 SOUTHRIDGE SR-3	7/6 7/6 9/6	CC14 2/06/01	APPROVED
12	EFRAIN ARGUELLES #00-323	NEC of SW 300 St. and SW 174 Ave.	8 Units/ 5 Students	AVOCADO ELEM-3 HOMESTEAD MID-1 SOUTH DADE SR-1	7/6 9/6 7/6	CC14 2/21/01	APPROVED
13	AVOCADO ACRE HOMES DEVELOPMENT CORP. #02-302	SEC of SW 272 St. and SW 157 Ave.	46 Units/ 30 Students	REDLAND ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	7/6 7/6 7/6	CC14 2/25/03 9/30/03	APPROVED
14	PATRICIA & JORGE PALENZUELA & CANDAD ZAMORA #01-406	W of SW 167 Ave. and SW 284 St.	11 Units/ 7 Students	AVOCADO ELEM-4 HOMESTEAD MID-2 SOUTH DADE SR-1	7/6 9/6 7/6	CC14 3/06/02	APPROVED
15	VICTOR F. SEIJAS, JR. #99-300	N of SW 184 St. and SW 142 Ave.	17 Units/ 9 Students	REDLAND ELEM-5 REDLAND MID-2 SOUTH DADE SR-2	7/6 7/6 7/6	CC14 4/25/01	APPROVED

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16	ARGUS INVESTMENT GROUP, INC. #02-284	NEC of SW 297 St. and SW 170 Ave.	7 Units/ 5 Students	AVOCADO ELEM-3 HOMESTEAD MID-1 SOUTH DADE SR-1	7/6 9/6 7/6	CC14 5/29/03	APPROVED
17	ROBERT CARTER, TRUSTEE, ET AL #02-303	SWC of SW 164 Ave. and SW 288 St.	21 Units/ 14 Students	LEISURE CITY ELEMID-6/4 SOUTH DADE SR-4	9/6 7/6	CC14 12/18/03	APPROVED
18	PERRY KAYE, TRUSTEE #00-446	Btwn SW 128 Ave. and SW 132 Ave. and btwn SW 211 St. and SW 216 St.	89 Units/ 53 Students	CARIBBEAN ELEM-29 MAYS MID-12 SOUTHRIDGE SR-12	9/6 7/6 9/6	CC14 5/30/01 10/11/01	DENIED REVISED & APPROVED
19	THERESA LAVONNE DONALDSON #03-043	SEC of SW 306 St. & SW 193 Ave.	27 Units/ 18 Students	REDLAND ELEM-8 HOMESTEAD MID-5 SOUTH DADE SR-5	7/6 9/6 7/6	CC14 6/26/03	DENIED
20	ZAMORA CORP. #01-083	N of SW 203 St. btwn SW 125 Ave. and SW 127 Ave.	2 Units/ 1 Students	CARIBBEAN ELEM-1 MAYS MID SOUTHRIDGE SR	9/6 7/6 9/6	CC14 7/24/01 3/25/03	APPROVED
21	BCG PARTNERS, LLC #02-368	SEC of SW 192 Ave. and SW 304 St.	50 Units/ 32 Students	REDONDO ELEM-15 HOMESTEAD MID-8 SOUTH DADE SR-9	9/6 9/6 7/6	CC14 9/11/03 Def. 11/4/04	DENIED PENDING
22	CAULEY PALISADE CORP. #02-162	NWC of SW 218 St. and SW 124 Ave.	7 Units/ 4 Students	CARIBBEAN ELEM-2 MAYS MID-1 SOUTHRIDGE SR-1	9/6 7/6 9/6	CC14 9/25/02	APPROVED
23	PALMA FAMILY TRUST, ET AL #03-209	S of SW 208 St. and btwn SW 132 and 134 Ave.	49 Units/ 32 Students	CARIBBEAN ELEM-15 MAYS MID-8 SOUTHRIDGE SR-9	9/6 7/6 9/6	CC14 1/14/04	APPROVED
24	PALMA FAMILY TRUST, ET AL #03-209b	S of SW 208 St. and btwn SW 132 and 134 Ave.	56 Units/ 44 Students	CARIBBEAN ELEM-20 MAYS MID-11 SOUTHRIDGE SR-13	9/6 7/6 9/6	CC14 9/7/04	APPROVED
25	U-HAUL COMPANY OF FL #03-207	NWC of SW 137 Ave. and SW 169 St.	37 Units/ 21 Students	REDLAND ELEM-10 REDLAND MID-5 SOUTH DADE SR-6	7/6 7/6 7/6	CC14 2/11/04	APPROVED
26	ESTATES OF BISCAYNE, INC. #03-222	NWC of SW 288 St. and 172 Ave.	35 Units/ 23 Students	AVOCADO ELEM-10 HOMESTEAD MID-6 SOUTH DADE SR-7	7/6 9/6 7/6	CC14 Def.-12/16/04	PENDING
27	BCG PARTNERS, LLC #03-316	SEC of SW 192 Ave. and SW 304 St.	47 Units/ 33 Students	REDONDO ELEM-15 HOMESTEAD MID-8 SOUTH DADE SR-10	9/6 9/6 7/6	CC14 5/11/04	DENIED
28	CARDAN OF SOUTH DADE, LLC #03-300	W of SW 194 Ave. and S of SW 304 St.	27 Units/ 19 Students	REDONDO ELEM-9 HOMESTEAD MID-5 SOUTH DADE SR-5	9/6 9/6 7/6	CC14 Def.-11/4/04	PENDING
29	LIVING QUARTERS USA, INC. #03-348	SWC of SW 180 St. and SW 110 Ave.	6 Units/ 3 Students	PINE LAKE ELEM-2 RICHMOND HGHTS. MID-0 SOUTHRIDGE SR-1	9/7 7/6 9/6	CC14 4/14/04	APPROVED
30	UNIVERSAL AMERICAN REALTY CORP. #03-290	SEC of SW 106 Ave. and Marlin Rd.	176 Units/ 108 Students	BEL-AIRE ELEM-50 CUTLER RIDGE MID-27 SOUTHRIDGE SR-31	9/6 9/6 9/6	CC14 4/14/04	DENIED
31	ESTATE OF ELAINE L. EICHLEAY #03-293	SWC of SW 134 Ave. and SW 176 St.	101 Units/ 66 Students	MIAMI HGHTS ELEM-30 RICHMOND HGHTS. MID-17 SOUTHRIDGE SR-19	9/6 7/6 9/6	CC14 4/14/04	APPROVED
32	INTERNATIONAL BOTANICALS LLC #03-386	12801 SW 224 St.	19 Units/ 15 Students	CARIBBEAN ELEM-7 MAYS MID-4 SOUTHRIDGE SR-4	9/6 7/6 9/6	CC14 6/15/04	APPROVED

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33	**FRV DEVELOPMENT #03-366**	18201 SW 109 Ave.	11 Units/ 6 Students	PINE LAKE ELEM-3 RICHMOND HGHTS. MID-1 SOUTHRIDGE SR-2	9/7 7/6 9/6	CC14 9/7/04	APPROVED
34	**DRI INC. #04-035**	NWC of NW 176 Terr. and NW 59 Ave.	249 Units/ 107 Students	S. MIAMI HGTS. ELEM-49 MAYS MID-27 SOUTHRIDGE SR-31	7/6 7/6 9/6	CC14 7/20/04	DENIED
35	**PALMETTO COMMUNITY COVENANT CHURCH, INC. #04-012**	N of SW 184 St. and btwn SW 109 Ave. & SW 110 Ave.	94 Units/ 42 Students	PINE LAKE ELEM-19 RICHMOND HGHTS. MID-11 SOUTHRIDGE SR-12	9/7 7/6 9/6	CC14 10/6/04	APPROVED
36	**ALEX SARDINAS #04-152**	E of SW 202 Ave. and S of SW 204 St.	2 Units/ 1 Student	REDLAND ELEM-1 REDLAND MID-0 SOUTH DADE SR-0	7/6 7/6 7/6	CC14 11/3/04	**PENDING**
37	**MAYA AMERICAN COMMUNITY COUNCIL, INC. #04-164**	SEC of SW 340 St. and SW 194 Ave.	24 Units/ 10 Students	FL CITY ELEM-5 HOMESTEAD MID-2 HOMESTEAD SR-3	9/6 9/6 9/6	CC14 11/3/04	**PENDING**
38	**DEAN COLSON AND HENRY QUINTANA #04-129**	S of SW 288 St. & W of SW 187 Ave.	7 Units/ 4 Students	REDONDO ELEM-2 HOMESTEAD MID-1 SOUTH DADE SR-1	9/6 9/6 7/6	CC14 12/13/04	**PENDING**
39	**SILVER GROUP 137 INC. #04-071**	W of SW 139 Ave. & S of SW 164 St.	8 Units/ 5 Students	JACK GORDON ELEM-2 RICHMOND HGHTS. MID-1 SOUTHRIDGE SR-2	7/6 7/6 9/6	CC14	**PENDING**
40	**F.V. CONSTRUCTION CORP. #03-162**	SWC of SW 280 St. and SW 132 Ave.	54 Units/ 45 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 Def. Indef.	**PENDING**
41	**MALCOLM B. WISEHEART, JR., ET AL #01-408**	SWC of SW 198 St. and Old Cutler Rd.	4 Units/ 2 Students	WHISPERING PINES ELEM-1 CUTLER RIDGE MID-0 SOUTHRIDGE SR-1	9/6 9/6 9/6	CC15 1/20/04	APPROVED
42	**PROVINCIAL REALTY, INC. #02-186**	SW 112 Ave. btwn SW 224 & 232 St.	250 Units/ 154 Students	PINE VILLA ELEM-71 CENTENNIAL MID-38 SOUTHRIDGE SR-45	7/6 9/6 9/6	CC15 11/17/03	APPROVED
43	**ERIC AND NICOLE LEE BERRIOS #01-376**	SWC of SW 184 St. and SW 79 Ct.	1 Unit/ 0 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	9/6 9/6 9/6	CC15 1/28/02	APPROVED
44	**LLOYD AND JOHNNIE CASH #02-230**	SWC of SW 137 Ave. and SW 258 St.	36 Units/ 30 Students	NARANJA ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	9/6 7/6 7/6	CC15 1/30/03	APPROVED
45	**RALPH FEUERRING, ET AL #02-108**	NEC of SW 232 St. and SW 110 Ave.	209 Units/ 119 Students	PINE VILLA ELEM-64 CENTENNIAL MID-29 SOUTHRIDGE SR-26	7/6 9/6 9/6	CC15 10/03/02	APPROVED
46	**ROBERT BOREK ET AL #01-333**	E and W of SW 117 Ave. on the N side of 248 St.	246 Units/ 130 Students	PINE VILLA ELEM-70 REDLAND MID-31 HOMESTEAD SR-29	7/6 7/6 9/6	CC15 10/03/02	APPROVED
47	**GOULDS, LLC #02-326**	W of Sw 112 Ave. and S of SW 224 St.	45 Units/ 28 Students	PINE VILLA ELEM-13 MAYS MID-7 SOUTHRIDGE SR-8	7/6 7/6 9/6	CC15 10/22/03	APPROVED
48	**LUMSDEN OAKS ACQUISITION CORP. #02-250**	W of SW 132 Ave. and S of SW 282 St.	138 Units/ 116 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 10/22/03	APPROVED
49	**SPECIALTY HOUSING CORP. #03-104**	S of SW 268 St. and W of FL Turnpike	33 Units/ 22 Students	CHAPMAN ELEM-10 CENTENNIAL MID-6 HOMESTEAD SR-6	9/6 9/6 9/6	CC15 10/22/03	APPROVED

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50	SVK AIRPORT LAND, LLC #02-200	SEC of SW 276 St. and SW 154 Ave.	41 Units/ 24 Students	REDLAND ELEM-13 REDLAND MID-6 SOUTH DADE SR-5	7/6 7/6 7/6	CC15 11/06/02	APPROVED
51	AIRBASE LANDINGS, LTD. #02-030	S of SW 268 St. and E of SW 122 Ave.	45 Units/ 20 Students	CHAPMAN ELEM-11 CENTENNIAL MID-5 HOMESTEAD SR-4	9/6 9/6 9/6	CC15 11/07/02	APPROVED
52	HABITAT FOR HUMANITY OF GREATER MIAMI, INC. #00-188	15375 SW 288 St.	10 Units/ 7 Students	LEISURE CITY ELEMID-4/2 SOUTH DADE SR-1	9/6 7/6	CC15 11/12/02	APPROVED
53	LEWIS PETERS AND FERGUSON PETERS, TRUSTEE #01-088	NEC of SW 248 St. and Sw 112 Ave.	328 Units/ 168 Students	NARANJA ELEM-91 CENTENNIAL MID-40 HOMESTEAD SR-37	9/6 9/6 9/6	CC15 11/13/01	APPROVED
54	ALLAPATTAH NURSERY, LTD #02-155 #02-228	E of SW 112 Ave. and N of SW 240 St.	477 Units/ 255 Students	PINE VILLA ELEM-138 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED
55	CHARLES AND JO ELLEN CHAMBERS #02-178	NEC of SW 139 Ave. and SW 258 St.	76 Units/ 50 Students	NARANJA ELEM-27 REDLAND MID-12 SOUTH DADE SR-11	9/6 7/6 7/6	CC15 12/11/02	APPROVED
56	CW2, LTD. #02-164	E of SW 139 Ave. and S of SW 260 St.	32 Units/ 21 Students	NARANJA ELEM-11 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 12/11/02	APPROVED
57	DIAZ LANDSCAPING & NURSERY, INC. #02-192	E of SW 112 Ave. and S of SW 240 St.	476 Units/ 254 Students	PINE VILLA ELEM-137 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED
58	JSM HOLDING CORP. INC AND ROYAL GROUP INVESTMENT #01-264	S of SW 268 St. and SW 140 Ave.	24 Units/ 11 Students	CHAPMAN ELEM-6 REDLAND MID-3 HOMESTEAD SR-2	9/6 7/6 9/6	CC15 2/12/02	APPROVED
59	BLACK CREEK BUILDERS GROUP, LLC #02-335	SEC of SW 132 Ave. and SW 284 St.	11 Units/ 7 Students	REDLAND ELEM-4 MAYS MID-2 HOMESTEAD SR-1	7/6 7/6 9/6	CC15 2/25/03	APPROVED
60	HUGO G. MORALES, TRUSTEE #01-203	Eof USA-1, S of Sw 252 St. and W of SW 137 Ave.	380 Units/ 144 Students	NARANJA ELEM-78 REDLAND MID-34 SOUTH DADE SR-32	9/6 7/6 7/6	CC15 3/26/02	APPROVED
61	CAROLE BROCK, TRUSTEE #02-279	NEC of SW 226 St. and SW 112 Ave.	45 Units/ 28 Students	PINE VILLA ELEM-15 CENTENNIAL MID-7 SOUTHRIDGE SR-6	7/6 9/6 9/6	CC15 3/27/03	APPROVED
62	CARMEL INVESTMENT & DEVELOPMENT INC. #01-437	NEC OF SW 160 Ave. and theor. SW 302 St.	6 Units/ 4 Students	PESKOE ELEM-2 CAMPBELL DRIVE MID-1 HOMESTEAD SR-1	9/6 9/6 9/6	CC15 4/23/02	APPROVED
63	ROBERT BOREK ET AL #00-298	S of SW 248 St. btwn SW 117 and 122 Ave.	342 Units/ 214 Students	PINE VILLA ELEM-116 REDLAND MID-51 HOMESTEAD SR-47	7/6 7/6 9/6	CC15 5/01/01	APPROVED $128,400 O/A
64	ALEJANDRO ZAMPIER #02-076	S of Sw 260 St. and W of SW 134 Ave.	20 Units/ 13 Students	NARANJA ELEM-7 REDLAND MID-3 SOUTH DADE SR-3	9/6 7/6 7/6	CC15 6/04/02	APPROVED
65	CLINTON ASSOCIATES, LTD. #02-035	NWC of SW 122 Ave. and SW 256 St.	59 Units/ 38 Students	NARANJA ELEM-21 REDLAND MID-9 HOMESTEAD SR-8	9/6 7/6 9/6	CC15 6/04/02	APPROVED
66	FREDERICK T. PETERS MARTIAL TRUST #01-219	N of SW 208 St. and btwn SW 87 Ave. and SW 92 Ave.	160 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED

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67	SODA PROPERTIES, LLC. #01-348	Btwn SW 87 Ave. and SW 92 Ave. and N of SW 208 St.	232 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
68	LAW PROPERTIES LTD. #02-244	SWC of SW 133 Ave. and SW 280 St.	79 Units/ 66 Students	CHAPMAN ELEM-30 CENTENNIAL MID-17 HOMESTEAD SR-19	9/6 9/6 9/6	CC15 6/24/03	APPROVED
69	SAGA BAY DEVELOPMENT, INC. #96-549	N of SW 210 St. and E of SW 82 Ave.	126 Units/ 78 Students	WHIGHAM ELEM-42 CENTENNIAL MID-19 SOUTHRIDGE SR-17	9/6 9/6 9/6	CC15 6/24/03	APPROVED
70	HENRY C. MORAT, TRUSTEE #02-280	SEC of SW 132 Ave. and SW 284 St.	109 Units/ 92 Students	CHAPMAN ELEM-42 CENTENNIAL MID-23 HOMESTEAD SR-27	9/6 9/6 9/6	CC15 7/24/03	APPROVED
71	SUNRISE VILLAGE MOBILE HOME PARK II #03-031	SEC of SW 147Ave. And SW 280 St.	181 Units/ 152 Students	LEISURE CITY ELEMID-70/38 HOMESTEAD SR-44	9/6 9/6	CC15 7/24/03	APPROVED
72	SVK AIRPORT LAND, LLC #02-201	NEC of SW 137 Ave. and SW 256 St.	58 Units/ 49 Students	NARANJA ELEM-23 REDLAND MID-12 SOUTH DADE SR-14	9/6 7/6 7/6	CC15 7/24/03	APPROVED
73	THE HOUSING TRUST GROUP OF FLORIDA, LLC #01-172	E of SW 87 Ave. and N of SW 216 St.	57 Units/ 35 Students	WHIGHAM ELEM-16 CENTENNIAL MID-9 SOUTHRIDGE SR-10	9/6 9/6 9/6	CC15 7/24/03	APPROVED
74	JOSE A. COSTA, JR., TRUSTEE #03-120	NEC of SW 248 St. & SW 129 Ave.	28 Units/ 17 Students	PINE VILLA ELEM-8 REDLAND MID-4 HOMESTEAD SR-5	7/6 7/6 9/6	CC15 8/21/03	APPROVED
75	PRINCETON SELF STORAGE, INC. #01-181	E of US-1, S fo Canal, btwn SW 244 St and SW 248 St.	160 Units/ 59 Students	MIAMI HEIGHTS ELEM-32 REDLAND MID-14 SOUTH DADE SR-13	9/6 7/6 7/6	CC15 9/04/01	DENIED
76	TOPA INVESTMENTS, LLC #01-161	19200 SW 102 Ave.	58 Units/ 19 Students	BEL-AIRE ELEM-10 CUTLER RIDGE MID-5 SOUTHRIDGE SR-4	9/6 9/6 9/6	CC15 9/04/01	DENIED
77	MARTINA BOREK ET AL #03-018	12110 SW 248 St.	90 Units/ 76 Students	NARANJA ELEM-35 REDLAND MID-19 HOMESTEAD SR-22	9/6 7/6 9/6	CC15 9/11/03	APPROVED
78	MANUEL C. & EMILIA DIAZ, ET AL #02-377	W of Sw 112 Ave. and S of SW 232 St.	1632 Units/ 1069 Students	PINE VILLA ELEM-492 REDLAND MID-267 HOMESTEAD SR-310	7/6 7/6 9/6	CC15 9/23/03 12/04/03	APPROVED
79	H. R. REALTY & INVESTMENTS, INC. #02-305	N of SW 232 St. and E of SW 107 Ave.	37 Units/ 23 Students	WHIGHAM ELEM-11 CENTENNIAL MID-6 SOUTHRIDGE SR-7	9/6 9/6 9/6	CC15 6/16/04	APPROVED
80	SUPERIOR DEVELOPERS CORP. #01-408	W of Old Cutler and S of SW 198 St.	4 Units/ 2 Students	WHISPERING PINES ELEM-1 CUTLER RIDGE MID-0 SOUTHRIDGE SR-1	9/6 9/6 9/6	CC15 1/20/04	APPROVED
81	SUPERIOR DEVELOPERS CORP. #03-245	W of Old Cutler and N of SW 85 Ave.	1 Units/ 1 Students	VINELAND ELEM-1 PALMETTO MID-0 KILLIAN SR-0	7/5 9/5 6/5	CC15 1/20/04	APPROVED
82	ROYALTY INVESTMENT & DEVELOPMENT GROUP, LLC #03-260	NWC of SW 260 St. and SW 137 Ave.	21 Units/ 18 Students	NARANJA ELEM-8 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 2/17/04	APPROVED
83	US1 COMMERCIAL REAL ESTATE INVESTMENT, LLC #03-269	SEC of US1 and SW 284 St.	216 Units/ 182 Students	LEISURE CITY ELEMID-84/45 HOMESTEAD SR-53	9/6 9/6	CC15 2/17/04	APPROVED

ZONING REPORT
(APPLICATIONS REVIEWED SINCE JANUARY 2001)
CC14 AND CC15

84	ALOR INVESTMENT CORP. #03-295	25520 SW 134 Ave.	17 Units/ 14 Students	NARANJA ELEM-6 REDLAND MID-4 SOUTH DADE SR-4	9/6 7/6 7/6	CC15 3/16/04	APPROVED
85	E & D DEVELOPMENT, INC. #03-283	SWC of SW 132 Ave. and SW 279 St.	6 Units/ 5 Students	CHAPMAN ELEM-2 CENTENNIAL MID-1 HOMESTEAD SR-2	9/6 9/6 9/6	CC15 3/16/04	DENIED
86	GREGORY W. WOODS #03-298	18690 Old Cutler Rd.	2 Units/ 1 Students	WHISPERING PINES ELEM-1 CUTLER RIDGE MID-0 SOUTHRIDGE SR-0	9/6 9/6 9/6	CC15 3/16/04	APPROVED
87	PRINCETON PARK HOMES, LLC #03-182	E of US-1 and S of Canal C-102 and S of SW 244 St.	36 Units/ 22 Students	PINE VILLA ELEM-10 REDLAND MID-6 SOUTH DADE SR-6	7/6 7/6 7/6	CC15 Def. Indef. 5/19/04	PENDING
88	GLORIA H. JEFFREY #04-017	NEC of SW 137 Ave. and SW 254 St.	19 Units/ 14 Students	NARANJA ELEM-6 REDLAND MID-4 SOUTH DADE SR-4	9/6 7/6 7/6	CC15 5/19/04	APPROVED
89	DADE INVESTORS, LLC #03-385	25265 SW 134 Ave.	6 Units/ 5 Students	NARANJA ELEM-2 REDLAND MID-1 SOUTH DADE SR-2	9/6 7/6 7/6	CC15 6/16/04	APPROVED
90	SUMMERVILLE DEVELOPMENT, INC. #03-262	24751 SW 117 Ave.	35 Units/ 12 Students	PINE VILLA ELEM-6 REDLAND MID-3 HOMESTEAD SR-3	7/6 7/6 9/6	CC15 Def.-10/12/04	PENDING
91	GOULDS LLC #04-030	11000 SW 224 St.	6 Units/ 4 Students	PINE VILLA ELEM-2 CENTENNIAL MID-1 SOUTHRIDGE SR-1	7/6 9/6 9/6	CC15 Def.-10/12/04	PENDING
92	FL POWER & LIGHT CO. #04-068	NEC of SW 256 St. and SW 132 Ave.	59 Units/ 45 Students	NARANJA ELEM-21 REDLAND MID-11 HOMESTEAD SR-13	9/6 7/6 9/6	CC15 12/14/04	PENDING
93	BAILES COMMON LLC #04-111	SEC of SW 228 St. and SW 115 Ave.	29 Units/ 17 Students	PINE VILLA ELEM-8 MAYS MID-4 SOUTHRIDGE SR-5	7/6 7/6 9/6	CC15 11/15/04	PENDING
94	FUTURE M. INVESTMENTS #04-284	SW Corner of SW 138 Ct. and SW 262 St.	21 Units/ 15 Students	NARANJA ELEM-7 REDLAND MID-4 SOUTH DADE SR-4	9/6 7/6 7/6	CC15	PENDING
95	PALM TOWER, LLC. #04-131	NE Corner of SW 192 Ave. and SW 352 St.	226 Units/ 90 Students	FLORIDA CITY ELEM-41 HOMESTEAD MID-23 HOMESTEAD SR-26	9/6 9/6 9/6	CC15	PENDING
96	BLACK CREEK, LLC #04-161	S of Old Cutler Rd., W of SW 103 Ave. and E of Tmpke Ext.	240 Units/ 144 Students	PINE VILLA ELEM-66 CENTENNIAL MID-36 SOUTHRIDGE SR-42	7/6 9/6 9/6	CC15	PENDING

Note: There are fifteen applications that are pending which would generate 456 students.

ZONING REPORT
(APPLICATIONS REVIEWED SINCE JANUARY 2001)
CC14 AND CC15

SCHOOLS	STUDENT POPULATION	NUMBER OF STUDENTS PER PROJECT APPROVED	CUMULATIVE TOTAL STUDENT POPULATION	STUDENT STATIONS PERMANENT	RELOCATABLE STATIONS	CUMULATIVE % UTILIZATION INCLUDING RELOCATABLE
AVOCADO ELEM	913	11	924	553	66	149%
CARIBBEAN ELEM	903	101	1004	743	22	131%
CHAPMAN, W.A. ELEM	782	152	934	620	108	128%
LEISURE CITY ELEM/MID	1808	164	1972	817	49	228%
MIAMI HEIGHTS ELEM	1237	47	1284	739	152	144%
NARANJA ELEM	778	331	1109	513	138	170%
PESKOE, IRVING & BEATRICE ELEM	1138	2	1140	702	0	162%
PINE LAKE ELEM	651	39	690	647	18	104%
PINE VILLA ELEM	630	1124	1754	504	186	254%
REDLAND ELEM	1102	59	1161	702	0	165%
REDONDO ELEM	719	2	721	510	0	0%
SOUTH MIAMI HEIGHTS ELEM	753	110	863	709	62	112%
VINELAND ELEM	654	1	655	537	112	101%
WHIGHAM, DR. EDWARD L. ELEM	952	157	1109	914	0	121%
WHISPERING PINES ELEM	867	3	870	705	0	123%
ELEMENTARY TOTALS	13887	2303	16190	9915	913	150%
CAMPBELL DRIVE MID	1334	1	1335	1178	0	113%
CENTENNIAL MID	1116	390	1506	796	99	168%
LEISURE CITY ELEM/MID	1808	89	1897	817	49	219%
HOMESTEAD MID	1311	6	1317	871	59	142%
MAYS MID	1114	111	1225	957	40	123%
REDLAND MID	1736	499	2235	991	20	221%
RICHMOND HEIGHTS MID	1633	37	1670	1121	257	121%
MIDDLE TOTALS	10052	1133	11185	6731	524	154%
HOMESTEAD SR	3274	761	4035	2404	0	168%
MIAMI SOUTHRIDGE SR	3857	294	4151	2536	261	148%
SOUTH DADE SR	2716	128	2844	1701	380	137%
SENIOR HIGH TOTALS	9847	1183	11030	6641	641	151%
TOTAL	33786	4619	38405	23287	2078	151%

Miami-Dade County Public Schools
Charter School Operations

xisting Charter School

Archimedean Academy, 10870 SW 113 Place, Miami, FL 33176
ASPIRA Eugenio Maria de Hostos Youth Leadership, 3650 North Miami Avenue, Miami, FL 33127
ASPIRA South Youth Leadership, 14112-14 SW 288 Street, Leisure City, FL 33033
ASPIRA Youth Leadership,13300 Memorial Highway, North Miami, FL 33161
Aventura Charter Elementary School, 3333 NE 188 Street, Miami, FL 33180
Coral Reef Montessori Academy, 10853 SW 216 Street, Miami, FL 33157
Doral Academy, 2450 NW 97 Avenue, Miami, FL 33172
Doral Academy Charter Middle School, 2601 NW 112 Avenue, Miami, FL 33172
Doral Academy High School, 11100 NW 27 Street, Miami, FL 33172
Downtown Miami Charter School, 305 NW 3 Avenue, Miami, FL 33128
Florida International Academy, 7630 Biscayne Boulevard, Miami,FL 33138
Theodore R. & Thelma A. Gibson Charter School, 3634 Grand Avenue, Miami, FL 33133
Keys Gate Charter School, 2000 SE 28 Avenue, Homestead, FL 33035
Liberty City Charter School, 8700 NW 5 Avenue, Miami, FL 33150
Mater Academy, 7700 NW 98 Street, Hialeah Gardens, FL 33016
Mater Academy Charter Middle School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
Mater Academy Charter High School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
Mater Academy East, 450 SW 4 Street, Miami, FL 33130
M/S Barry University Connected Learning Center, 11441 NW 2 Avenue, Miami Shores, FL 33168
North County Charter School, 3400 NW 135 Street, Miami, FL 33054
North Dade Community Charter School, 13850 NW 26 Avenue, Opa-Locka, FL 33054
Northeast Academy, 3400 NW 135 Street, Miami, FL 33054
Pinecrest Preparatory Academy, 14301 SW 42 Street, Miami, FL 33175
Pinecrest Preparatory Academy Charter Middle School, 14301 SW 42 Street, Miami, FL 33175
Rosa Parks Charter School/Florida City, 713 West Palm Drive, Florida City, FL 33034
Rosa Parks Community School/Overtown, 430 NW 9 Street, Miami, FL 33136
Ryder Elementary Charter School, 8360 NW 33 Street, Miami, FL 33122
Sandor Wiener School of Opportunity
Main Campus: 20000 NW 47 Court, Opa-Locka, FL 33055
Kendall Campus: 11025 SW 84 Street, Miami, FL 33173
Spiral Tech Elementary Charter School, 12400 SW 72 Street, Miami, FL 33183
Tinkara Academy Charter School, 13307-11 Alexandria Drive, Opa-Locka, FL 33054
Youth Co-Op, 12051 West Okeechobee Road, Hialeah Gardens, FL 33018

Approved Contracts for 2004 - 2005

Academy of Arts & Minds, 3138 Commodore Plaza, Miami, FL 33133
Alere Language Academy, 10600 Caribbean Blvd., FL 33189 *
International Studies Charter High, 3280 South Miami Avenue, Miami, FL 33127
Las Palmas Charter School, 14250 SW 202 Avenue, Miami, FL 33196
Miami Children's Museum Charter School, 450 SW 4 Street, Miami, FL 33130 (temporary location)

Approved Contracts for 2004 - 2005 (Continued)

37. Miami Community Charter School, 101 SW Redland Road, FL 33034*
38. Pinecrest Preparatory Academy Charter High School (two locations)
    Main Campus (Kendall Greens): SW 80 Street & 150 Avenue, Miami, FL 33193 and
    Holy Cross Campus: 12425 SW 72 Street, Miami, FL 33183
39. School for Integrated Academics and Technologies (SIATech) (two locations)
    Main Campus: 3050 NW 183 Street, Miami, FL 33056, and
    Homestead Campus: 12350 SW 285 Street, Homestead, FL 33033
40. Somerset Academy, 8750 NW 21 Terr., Miami, FL 33172 and
    2601 NW 112 Avenue, Miami, FL 33172 (temporary locations for 2004-2005)
    SW 117 Avenue and 232 Street, Miami, FL 33170 (permanent location)
41. Somerset Academy Charter Middle School
    2601 NW 112 Avenue, Miami, FL 33172 and
    8750 NW 21 Terr, Miami, FL 33172 (temporary locations for 2004-2005)
    SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent)
42. Somerset Academy Charter High School, 11100 NW 27 Street, Miami, FL 33172 and
    2601 NW 112 Avenue, Miami, FL 33172 (temporary locations)
    SW 117 Avenue and SW 232 Street, Miami FL 33170 (permanent location)
43. Sweet Home Charter School, 17201 SW 103 Avenue, Miami, FL 33157 (temporary location)
    SW 190 Street and 112 Avenue, Miami, FL 33157*

* Locations pending final School Board approval.

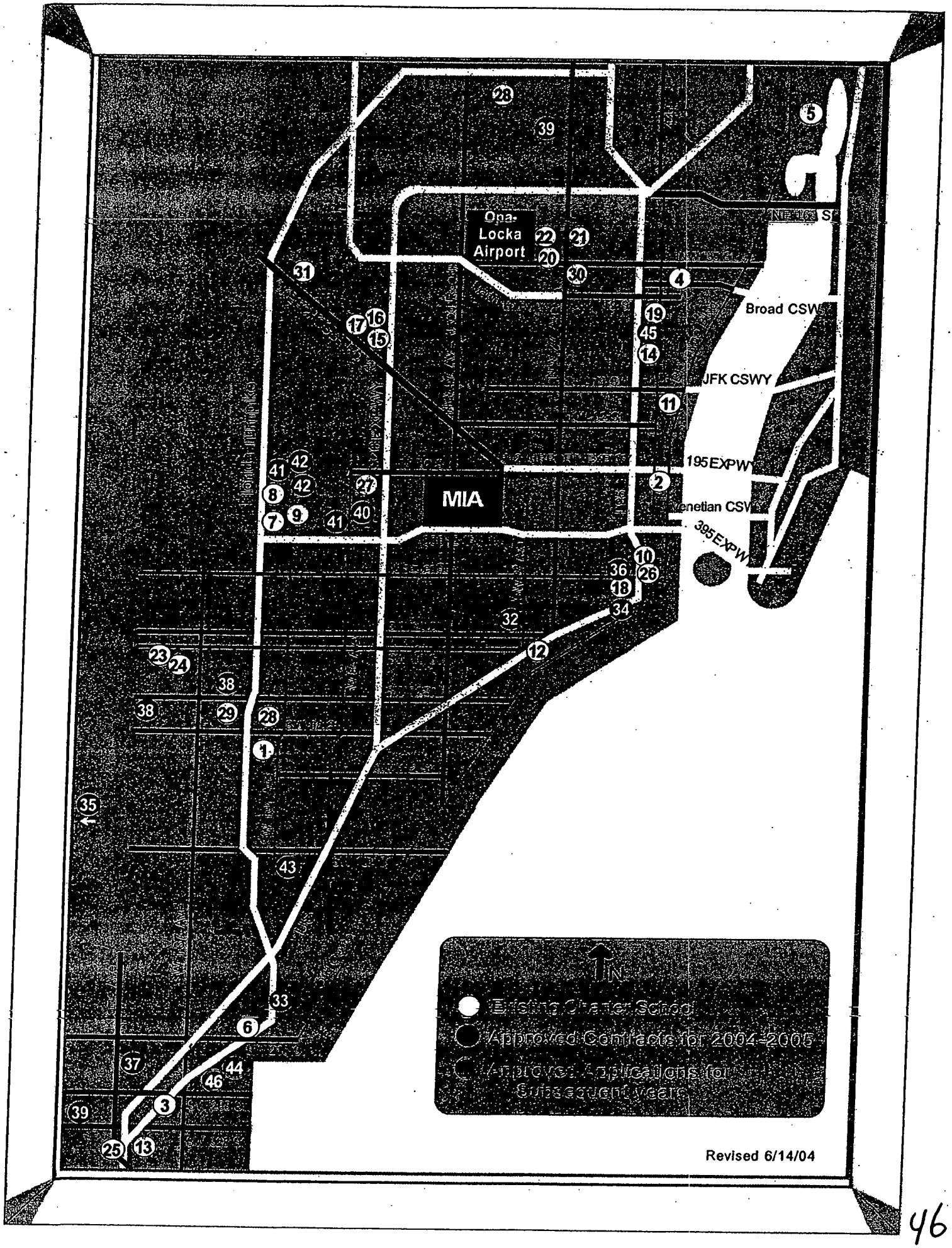
Approved Contracts for Subsequent Years

44. Dr. Joseph Coats Grace Community Charter School, SW 246 Street & 112 Avenue, Miami, FL
45. Miami Shores Charter Middle/Senior High School, NW 11441 NW Second Avenue, Miami Shores, FL 33168
46. Summerville Charter School, SW 246 Street and 117 Avenue, Miami, FL

Approved Applications

47. Mater Academy South Charter School, Sweetwater area
48. Mater Gardens Academy Elementary School, Hialeah Gardens area
49. Mater Gardens Academy Middle School, Hialeah Gardens area
50. Mater Springs Academy Elementary School (location to be determined)
51. Mater Springs Academy Middle School (location to be determined)
52. Miami-Dade Charter Foundation (4 sites - locations to be determined)
53. North Miami/Florida International University Charter Senior High School, NE 151 St. & Biscayne, North Miami, FL
54. Sabal Palm Charter High School, Hialeah area
55. Somerset Academy (6 sites - locations to be determined)
56. Spirit City Academy (location to be determined)
57. Sunset Academy (location to be determined)
58. The City of North Miami/Florida International University Charter School (location to be determined)

45


Opa-Locka Airport
MIA
Broad CSWY
JFK CSWY
195 EXPWY
Venetian CSWY
395 EXPWY
N
Existing Charter School
Approved Contracts for 2004-2005
Approved Applications for Subsequent years
Revised 6/14/04

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY _____ AMOUNT OF FEE $1,324.16

RECEIPT # _____

DATE HEARD: 6/16/04

BY CZAB # 15

RECEIVED
02-305
JUL 06 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
DATE RECEIVED STAMP

****

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z02-305 (03-1-CZ15-6) CZAB151904

Filed in the name of (Applicant) H.R. Realty & Investment, Inc.

Name of Appellant, if other than applicant Manuel Dorta-Duque and The Farm, Inc.

Address/Location of APPELLANT'S property:
Folio No. 30-6020-000 -0020; 76 acre parcel immediately south of and adjacent to applicant's property.

Application, or part of Application being Appealed (Explanation):
Requests 1, 3, 4, 6, 7

Appellant (name): Manuel Dorta-Duque & The Farm, Inc.
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)
See attached letter from attorney for appellant; the requests are contrary to the law, not supported by competent substantial evidence, and the proceedings below failed to provide due process of law.

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APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF Florida

COUNTY OF Miami-Dade

Before me the undersigned authority, personally appeared Kent Harrison Robbins, attorney (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
____ 2. Original Applicant
____ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Signature

MIRIAM DONNER
Print Name

Signature

ARTHUR J MORBURGER
Print Name

Kent Harrison Robbins
Appellant's signature

Kent Harrison Robbins
Print Name

attorney for appellant
Manuel Borta-Duque
& The Farm, Inc

Sworn to and subscribed before me on the 7 day of JULY, year 2004

Appellant ~~is personally know to me or~~ has produced Fla Driver's License as identification.

Notary
(Stamp/Seal)

Arthur J. Morburger
Commission #DD322371
Expires: Jun 07, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Commission Expires:

[b:forms/affidapl.sam(11/03)]

48

APPELLANT MUST SIGN THIS PAGE

Date: 6 day of July, year: 2004

Signed Kent Harrison Robbins, attorney

Kent Harrison Robbins
Print Name

1224 Washington Avenue
Miami Beach Florida 33139
Mailing Address

305-532-0500 305-531-0150
Phone Fax

REPRESENTATIVE'S AFFIDAVIT
If you are filing as representative of an association or other entity, so indicate:

The Farm, Inc and
Manuel Dorta-Duque
Representing

Kent Harrison Robbins
Signature

Kent Harrison Robbins
Print Name

see above
Address

City State Zip

Telephone Number

Subscribed and Sworn to before me on the 6th day of JULY, year 2004

I produced her Florida Driver's License

Arthur J. Morburger
Notary Public

Arthur J. Morburger
Commission #DD322371
Expires: Jun 07, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

(stamp/seal)

Commission expires:

KENT HARRISON ROBBINS
ATTORNEY AT LAW
1224 WASHINGTON AVENUE
MIAMI BEACH, FLORIDA 33139

(305) 532-0500

July 6, 2004

Board of County Commissioners
c/o Public Hearings Section
Miami-Dade County Planning & Zoning Department
11th Floor
111 NW First Street
Miami, Florida 33128

Re: Appeal of the Decision of Community Zoning Appeal Board 15
Hearing No. Z02-305 (03-1-CZ15-6)
Statement of Grounds and Reasons for Reversal
Appellant: Manuel Dorta-Duque and The Farm, Inc.
Applicant: H.R. Realty & Investments, Inc.
Hearing Date: June 16, 2004
Posting Date: June 21, 2004
Appeal Deadline: July 6, 2004

Dear Commissioners:

Pursuant to Section 33-313 of the Zoning Code of Miami-Dade County, Manuel Dorta-Duque and The Farm, Inc. appeal the June 16, 2004 decision (posted June 21, 2004) of the Community Zoning Appeal Board 15 in File No. 03-1-CZ15-6, Applicant H.R. Realty & Investments, Inc. to the Board of County Commissioners. Under the cited code, the County Commission shall conduct a de novo hearing and shall consider why the Community Zoning Appeal Board should or should not be sustained or modified.

In accordance with the instructions of staff, I am enclosing a check in the amount of $1,324.15 to pay for the filing fees and ½ of the cost of the radius fee for sending notices to the adjacent property owners.

I represent Manuel Dorta-Duque and The Farm, Inc. Mr. Dorta-Duque is the fee simple owner of the 76 acre farm immediately south of and adjacent to the property subject to the decision. Mr. Dorta Duque is a farmer and he utilizes his property for agricultural use. The Farm, Inc. is Mr. Dorta-Duque's family owned corporation which farms his property.

The proposed application provides for up-zoning for a housing development on the site immediately to the north of Mr. Dorta-Duque's farm. At the time of the community council hearing, Mr. Dorta-Duque objected to waivers and variances requested by the applicant which would reduce or eliminate required setbacks, frontages and section line roads.

The particular requests presented and approved by the community counsel that are challenged by this appeal are the following:

1. Permitting lots with 0 feet of frontage on a public street where 50 feet is required and permitting access to a public street by means of private drives where such access is prohibited. (See request # 4 before CZAB.)

2. Permitting only 0 feet to 25 feet of dedication on the north half of S.W. 232nd Street for right-of-way where zoning and subdivision requirements for section roads compel that property owners dedicate a 80 foot right-of-way which would require a 40 feet width of the subject property (the north half of S.W. 232nd Street) to be dedicated for such right-of-way. (See request #6 before CZAB.)

3. Permitting parking and driveways within 25 feet of an official right-of- way. (See request #7 before CZAB.)

All three of the approved requests have an adverse impact on the future residents on the applicant's property by removing a buffer that should be created by streets, swales, driveways and setbacks, and placing future residents closer to the agricultural property exposing the new reside to the negative impact of the pesticide and herbicide spraying and dusting from Mr. Dorta-Duque's adjacent farm, an activity that is an established part of the agricultural use of his property. The lack of a buffer is adverse to public health and safety and adversely affects the air that the future residents will breathe. The community counsel failed to consider the character of the area and its peculiar suitability for residential uses immediately abutting land with agricultural

uses. It failed to encourage the most appropriate use of the land and reasonable buffers between different uses.

Moreover, the Miami Dade Public Works Department objected to requests #4, #6, and #7. The requests were adverse to the pubic interest, not compatible with the surrounding land uses, detrimental to the community, and contrary to the law. Further, before the community council, the chairman denied the undersigned's request to cross-examine the representative of the Public Works Department who testified before the board.

The waiver of the requirement to dedicate the right-of-way on all sections lines pursuant to Section 33-133(C) of the Code of Miami-Dade County is contrary to the law. The code requires all section lines to have a minimum right-of-way width of 80 feet. Historically, a road has traversed the south side of the applicant's property which was used by Mr. Dorta-Duque as a means of access to his farm. The denial of the code-required right-of-way and failure of the applicant to dedicate the south 40 feet of the subject property for SW 232nd Street (the north 40 feet of said street) is contrary to the law.[1] Moreover, it adversely affects Mr. Dorta-Duque's transportation to and from his land and adversely affects his access. Further, because the land south of the section line must be encumbered by 232nd Street because the adjoining land north of the section line has been exempted, by the challenged decision, from its required dedication, the decision adversely impacts the agricultural land immediate outside of the Urban Development Boundary. Land within the UDB should not be given preference to the detriment of the land outside the UDB.

Neither the planning staff nor the applicant considered the unfavorable, adverse impact of the rezoning and development on a historic resource, the Black Creek Archaeological Zone, a zone proposed by Miami-Dade County staff, comprised of a tree hammock with evidence of a prehistoric Tequesta Indian Settlement. The 1990 Metropolitan Dade County Historic Preservation Board Designation Report, copy attached, also was concerned with the possibility of burial grounds on the site. The archaeological zone abuts the applicant's property and, the hammock does, in fact,

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[1]Commissioner Sorenson had previously sponsored legislation that amended Section 33-133 to exempt such a right-of-way requirement for SW 102 Avenue between Black Creek Canal and SW 232 Street but that legislation did **not** exempt the right-of-way requirement for SW 232 Street.

overlap the south property line. The development will have an unfavorable impact on the environmental and natural resources of Miami-Dade County.

Additionally the total number of units permitted by the RU-3M and RU-1M(a) rezonings would be 700. The Land Use Plan map of the CDMP designates the site for low density residential use which permits a maximum of 360 units on the site. The rezonings are inconsistent with the comprehensive plan. The use of a covenant to limit the maximum number of units circumvents the zoning process by allowing land uses not contemplated as being within a consistent land development regulation district when the authorities having jurisdiction considered the compatibility of and consistency of those land development regulation districts with respect to the CDMP. Individualized covenants are inconsistent with the statutory requirements for creating land development regulations. The requirements of review by a planning advisory board and legislators with multiple notice, hearing, and other procedural requirements cannot and should not be circumvented by piece-meal zoning by covenant. Further, the proposed covenants may be modified over time without the procedural safeguards that zoning requires.

The decision of the Community Zoning Appeal Board 15 should be reversed and/or modified to provide adequate buffers including dedicated 40 foot right-of-ways, swales, frontage, setbacks, and driveways.

Respectfully submitted,

Kent Harrison Robbins

KENT HARRISON ROBBINS
Enclosures

copy to:
Stanley Price
Attorney for H.R. Realty & Investments, Inc.
Suite 2500
200 South Biscayne Boulevard
Miami, Florida 33131

METROPOLITAN DADE COUNTY HISTORIC PRESERVATION BOARD

DESIGNATION REPORT—ARHCEOLOGICAL ZONE

Designation No.
Date of Filing
Date of Designation

[redacted]

Ownership

Mr. Manuel Dorta-Duque
Masters Landscape
24150 S.W. 120 Avenue
Miami, Florida 33032

Location—Legal description of the zone (attach map with property lines, roads, municipal boundaries, etc.)

A parcel of land lying in Section 20, Township 56 South, Range 40 East in Dade County, Florida described as follows: Commence at the North Quarter Corner of said Section 20; thence run East, as a basis of bearings, along the North boundary of said Section 20 for a distance of 200 feet to a Point of Beginning; thence S. 29° W. for 412 feet; thence N. 54° W. for 308 feet; thence North for 180 feet; thence N. 68° E. for 270 feet; thence S. 62° 51' E. for 223.17 feet to the Point of Beginning, containing 2.9 acres more or less.

Dade County Historic Survey Findings—list known sites in the zone and the survey findings:

The zone encompasses a tree island site situated on the south bank of Black Creek. The site was designated by the State's Master Site file as 8DA1031. The island supports a community of hardwood and ficus trees. Soil is a thin deposit ontop of exposed oolitic limestone bedrock that composes the island substrate. Prior to drainage, the island rose about 2-3 feet above the surrounding wetlands.

6/1/04

Attn: Kent

Current Zoning (describe):

AU - vacant land currently used for cultiv

SIGNIFICANCE

- ☒ Archeology-Prehistoric
- ☒ Archeology-Historic
- ☐ Agriculture
- ☐ Architecture
- ☐ Art
- ☐ Commerce
- ☐ Communications
- ☐ Community Planning
- ☐ Conservation
- ☐ Economics
- ☐ Education
- ☐ Engineering
- ☐ Exploration/Settlement
- ☐ Historical Events
- ☐ Industry
- ☐ Invention
- ☐ Landscape Architecture
- ☐ Law
- ☐ Literature
- ☐ Military
- ☐ Music
- ☐ People
- ☐ Philosophy
- ☐ Politics/Government
- ☐ Religion
- ☐ Science
- ☐ Sculpture
- ☐ Social/Humanitarian
- ☐ Theater
- ☐ Transportation
- ☐ Other (special)

Significance — Brief summary including documentary evidence that indicates the historical, architectural or archeological significance of the site.

This site has both prehistoric and Seminole Indian components. An archaeological survey of the site in December 1978 revealed a surface scatter of marine shell, animal bones, and pottery sherds indicating a prehistoric Tequesta Indian settlement on the island. Prehistoric burials are also a possibility. Historic activity was documented by several black glass bottle fragments dating to the 1840's. A survey by E.S. Fredrick in 1904 refers to the island as an "Old Indian Field."

(Use additional sheets if necessary) SEE CONTINUATION SHEET ☐

Current Use (describe):

Vacant land currently used for trash. Adjacent areas in cultivation.

Current Condition:

☐ Excellent ☒ Good ☐ Fair ☐ Deteriorated ☒ Unexposed

☐ Unaltered ☐ Altered

☐ Original Site ☐ Moved _____

Physical Description of Site (see attached photos):

The site encompasses an area of about 150 feet east-west with about 75 feet north-south on the site's longest axis. Near the southwest end of the island two piles of limestone rocks suggest prior Seminole cultivation. A ficus tree growing ontop one of the piles suggests a date of at least 50 years for these rock piles. Some bulldozing along the island's edge has pushed spoil into the island. Modern trash is also deposited across the island. Today the island is surrounded by agricultural fields. Drainage has dried the surrounding area.

(Use additional sheets if necessary) SEE CONTINUATION SHEET ☐

Impacts—Impact of the designation on proposed public improvements, renewal projects or private development.

No known proposed projects or developments are known for this property.

Staff Recommendation:

Staff recommends designation of this site as Black Creek Archaeological Zone.

Special Standards for Certificate of Appropriateness:

Any special standards will follow the general guidelines as recommended for archaeological zones as detailed in the "Rules and Regulations for Review of Historic Site Designation and Issuance of Certificates of Appropriateness."

Bibliographic References:

Dade County Historic Survey: Archaeology.
1980 Report on file with Metro-Dade County Historic Preservation Division.

Fredrick, E.S.
1904 Platt map for Township 56S, Range 40E, on file in Dade County Public Works.

Title Verification (attach copy): Book	Page No.	Deed Type
13742	3517	

Draft Resolution Designating the Property:

WHEREAS, the Black Creek Archaeological Zone encompasses a prehistoric Tequesta and Seminole site and,

WHEREAS, the Black Creek Archaeological Zone is located:

In a parcel of land lying in Section 20, Township 56 South, Range 40 East in Dade County, Florida described as follows: Commence at the North Quarter Corner of said Section 20; thence run East, as a basis of bearings, along the North boundary of said Section 20 for a distance of 200 feet to a Point of Beginning; thence S. 29° W. for 412 feet; thence N. 54° W. for 308 feet; thence North for 180 feet; thence N. 68° E. for 270 feet; thence S. 62° 51' E. for 223.17 feet to the Point of Beginning, containing 2.9 acres more or less.

NOW, THEREFORE, BE IT RESOLVED, that the Historic Preservation Board on October 17, 1990 has designated the Black Creek Archaeological Zone as an archaeological zone pursuant to the Metropolitan Dade County Historic Preservation Ordinance (81-13) and the Black Creek Archaeological Zone is subject to all rights, privileges and requirements of that ordinance.

Designation is approved as evidenced by the signature of the Historic Preservation Board Chairman.

RESOLUTION NO. CZAB15-19-04

WHEREAS, **H. R. REALTY & INVESTMENTS, INC.** applied for the following:

(1) EU-M to RU-3M

(2) To permit a townhouse development setback 10′ from side street property lines (15′ required).

REQUESTS #1 & #2 ON PARCEL #1

(3) EU-M to RU-1M(a)

(4) To permit lots with 0′ of frontage on a public street (50′ required) and access to a public street by means of a private drives.

(5) To permit single-family residences with a rear setback of 15′ (15′ permitted on a portion only; 25′ required for the balance).

REQUESTS #3 - 5 ON PARCEL #2

(6) To waive zoning and subdivision requirements for section line roads to be 80′ in width; to permit 0′ to 25′ of dedication (40′ required) on the north half of theoretical S.W. 232 Street.

(7) To permit parking and driveways within 25′ of an official right-of-way (not permitted).

(8) UNUSUAL USE to permit the filling of a lake and a lake excavation.

REQUESTS #6 - #8 ON PARCELS #1 & #2

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & 4 - 7 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b)(Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

SUBJECT PROPERTY: PARCEL 1: All of the SE ¼ of the SW ¼ and all of the SW ¼ of the SE ¼ and all of the SE ¼, of the SE ¼ of Section 17, Township 56 South, Range 40 East, lying S/ly & W/ly of the right-of-way of Black Creek Canal (C-1), less and except therefrom the following parcel of land:
Begin at the Southwest corner of the SE ¼, of the SW ¼ of said Section 17; thence N0° 57′7″W for a distance of 180.32′ to a point; thence S88° 59′48″E for a distance of 128.9′ to a point; thence N48° 23′31″E for a distance of 133.66′ to a point; thence S90° 0′0″E for a distance of 242.59′ to a point; thence N79° 37′06″E for a distance of 77.87′ to a point; thence S90° 0′0″E for a distance of 339.22′ to a point; thence N86° 28′06″E for a distance of 217.13′ to a point; thence S85° 24′52″E for a distance of 215.35′ to a point; thence S80° 20′19″E for a distance of 228.13′ to a point; thence

N88° 20'44"E for a distance of 463.96' to a point; thence S88° 45'17"E for a distance of 208.58' to a point; thence N50° 34'24"E for a distance of 43.44' to a point; thence S0° 57'43"E for a distance of 251.19' to a point on the south line of the said SW ¼, of the SE ¼ thence S89° 22'47"W along said line for a distance of 962.83' to the Southwest corner of the SE ¼ of said Section 17; thence S89° 22'47"W along the said south line of the SE ¼ of the SW ¼ for a distance of 1,330.43' to the Point of beginning. AND: PARCEL II: A portion of all of the SE ¼, of the SW ¼ and all of the SW ¼ of the SE ¼ and all of the SE ¼, of the SE ¼ of Section 17, Township 56 South, Range 40 East, lying S/ly & W/ly of the right-of-way of Black Creek Canal (C-1). Said portion being more particularly described as follows:
Begin at the Southwest corner of the SE ¼, of the SW ¼ of said Section 17; thence N0° 57'7"W for a distance of 180.32' to a point; thence S88° 59'48"E for a distance of 128.9' to a point; thence N48° 23'31"E for a distance of 133.66' to a point; thence S90° 0'0"E for a distance of 242.59' to a point; thence N79° 37'06"E for a distance of 77.87' to a point; thence S90° 0'0"E for a distance of 339.22' to a point; thence N86° 28'06"E for a distance of 217.13' to a point; thence S85° 24'52"E for a distance of 215.35' to a point; thence S80° 20'19"E for a distance of 228.13' to a point; thence N88° 20'44"E for a distance of 463.96' to a point; thence S88° 45'17"E for a distance of 208.58' to a point; thence N50° 34'24"E for a distance of 43.44' to a point; thence S0° 57'43"E for a distance of 251.19' to a point on the south line of the said SW ¼, of the SE ¼ thence S89° 22'47"W along said line for a distance of 962.83' to the Southwest corner of the SE ¼ of said Section 17; thence S89° 22'47"W along the said south line of the SE ¼ of the SW ¼ for a distance of 1,330.43' to the Point of beginning.

LOCATION: Lying on the north side of theoretical S.W. 232 Street and 1,330' east of theoretical S.W. 107th Avenue, Miami-Dade County, Florida.

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 15 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

(1) That the Declaration shall become final and shall be recorded in the Public Records of Miami-Dade County upon the approval of the Application by the Board of County Commissioners and/or Community Zoning Appeals Board 15 of Miami-Dade County, Florida and the expiration of all applicable appeal periods.

(2) That said Property shall be developed substantially in accordance with the plans previously submitted to the Miami-Dade County Department of Planning & Zoning, consisting of thirteen (13) sheets prepared by Edward Silva and entitled "Cottage of Silver Palm" (the "Plans"), dated May 10, 2004, said plans being on file with the Miami- Dade County Department of Planning & Zoning, and by reference made a part of the Declaration.

(3) That the residential development of the Property shall be limited to no more than two hundred thirty-seven (237) dwelling units.

(4) That the use of the existing lake, as depicted on the Plans, shall be limited to non-motorized recreational activities, excluding remote controlled hobby crafts.

(5) That the Owner, its heirs, successors or assigns shall, prior to the time of final plat approval, create or cause to be created (1) a homeowners' association for the entire development as a master association, (2) a community development district approved by Miami-Dade County, and/or (3) a special taxing district approved by Miami-Dade County which shall individually or collectively provide for the maintenance of all common areas, the existing lake, and other amenities common to the Property. If a homeowners' association is established as a master association in accordance with this paragraph, it shall not preclude the creation of individual homeowners' association for each phase or stage of development or preclude the same from maintaining their own buildings or their own common areas so long as said associations, or members thereof, are members of the master association and each such association are required hereby, to be members of the master association.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary changes to RU-3M on Parcel 1 (Item #1), and RU-1M(a) on Parcel 2 (Item #3) would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the requests to permit a townhouse development setback 10' from the side street property lines (Item #2), to permit lots with 0' frontage on a public street and access to a public street by means of a private drive (Item #4), to permit single-family residences with a rear setback of 15' (Item #5), to waive zoning and subdivision requirements for section line roads to be 80' in width; to permit 0' to 25' of dedication on the north half of theoretical S.W. 232 Street (Item #6) and to permit parking and driveways within 25' of an official right-of-way (Item #7) would be in harmony with the general purpose and intent of the regulations, compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested unusual use to

permit the filling and excavation of a lake (Item #8), would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested unusual use to permit the filling and excavation of a lake (Item #8) would not have an adverse impact upon the public interest and should be approved, and that the proffered Declaration of Restrictions should be accepted, and that items #2 & 4 - 7 do not meet the criteria for Section 33-311(A)(14) (Alternative Site Development Option) nor Section 33-311(A)(4)(c) (Alternative Non-Use Variance) and should be denied under Sections 33-311(A)(14), and

WHEREAS, a motion to accept the proffered Declaration of Restrictions, to approve Items #1, 3 & 8, and to approve Items #2 & 4 - 7 as non-use variances, and to deny Items #2 & 4 - 7 as alternative site development options and alternative non-use variances, was offered by Paul S. Vrooman, seconded by Alfonsina Sergio, and upon a poll of the members present the vote was as follows:

Daniel L. Adams	absent	JoAnn Bova	absent
Al Alvarez	nay	Alfonsina Sergio	aye
Leonard Anthony	aye	Paul Vrooman	aye

Nancy McCue aye

NOW THEREFORE BE IT RESOLVED, by the Miami-Dade County Community Zoning Appeals Board 15, that the requested district boundary changes to RU-3M on Parcel 1 (Item #1) and RU-1M(a) on Parcel 2 (Item #3) be and the same are hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED, that the requests to permit a townhouse development setback 10′ from the side street property lines (Item #2), to permit lots with 0′ frontage on a public street and access to a public street by means of a private drive (item #4), to permit single-family residences with a rear setback of 15′ (Item #5), to waive zoning and

subdivision requirements for section line roads to be 80′ in width; to permit 0′ to 25′ of dedication on the north half of theoretical S.W. 232 Street (Item #6), to permit parking and driveways within 25′ of an official right-of-way (Item #7) as non-use variances, and the requested unusual use (Item #8) be and the same are hereby approved, subject to the following conditions:

Conditions #1 - 4 applicable to requests #2 and #4 through #7:

1. That a site plan be submitted to and meet with the approval of the Director upon submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, 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 "Cottage of Silver Palm," as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submit to the Department for its review and approval a landscaping 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.

Conditions #5 - 27 applicable to the lake fill:

5. That in addition to any bond required by DERM, the property owner and any and all parties who may have a legal beneficial or equitable interest in the land shall execute a bond agreement with the Department of Planning & Zoning prior to issuance of a CU for a fill project. Such bond agreement shall stipulate that in order to insure compliance with all terms and conditions associated with the fill project permit approval, a cash or surety bond or substantially equivalent instrument meeting with the approval of the Director shall be posted by the applicant with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director and the DERM Director. Said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County. The bond amount will be based on the volume of cut required to conform any remaining excavation to Code approved slope configuration.

6. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project unless the bond has been released

7. That only such clean fill material as allowed by Chapter 24 of this code and approved in writing by the Department of Environmental Resources Management, as set forth herein, shall be used in the fill project.

8. That no fill material or unacceptable fill to be removed shall be permitted to be stored on property abutting the fill project site or within the adjacent rights-of-way at any time during the fill project.

9. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

10. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

11. That the applicant shall be permitted to operate Monday through Sunday, from sunrise to sunset.

12. That the applicant shall record a notice of authorization on a form prescribed by the Director of the excavation fill plan approved by the Director and the Director of the Department of Environmental Resources Management (DERM Director) for the fill project in the public records of Miami-Dade County prior to the issuance of a Certificate of Use (CU) authorizing commencement of the fill project.

13. That the applicant shall submit a detailed written disclosure of the fill project specifying the equipment and methods to be utilized during the fill project, including every aspect of the trucking, dumping, sorting and filling process.

14. That the applicant shall obtain a fill project CU permit, and shall promptly renew the same semi-annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions. Failure to commence the fill project within six months of the date of the original CU issuance shall result in an abandonment of the fill project.

15. That prior to each CU renewal, the applicant shall submit a status report indicating the percentage of fill project completion and the estimated time of the fill project's final completion.

16. That if an excavation will be filled in phases, a phase plan shall be submitted with the initial excavation fill plan and permit plan addition. The plan and supporting documents shall delineate the area to be filled in each phase and the time frame projected to close out each phase of the fill project.

17. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed

within the allocated time, but in no event for any more than nine (9) months from issuance of the CU permit.

18. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the zoning code requirements and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation.

19. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis during the fill project. In accordance with this requirement, the applicant shall submit "as-built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer annually and at final completion of the fill operation or upon request of either the Director or the DERM Director when it is determined by the Director or the DERM Director that the filling is proceeding contrary to approved plans or in violation of the conditions of the approved excavation fill plan or the permit plan.

20. That the property shall be suitably posted to meet with the approval of the Director and the DERM Director; said postings shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

21. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Department of Environmental Resources Management as well as the Public Works Department for the duration of the fill project.

22. That upon completion of the fill project the property shall be restored and left in an acceptable condition meeting the approval of the Director and the DERM Director.

23. That the final slope(s) of the remaining excavation shall be in accord with zoning code requirements.

24. That the fill project shall meet all stormwater management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

25. That to the extent possible, the property shall be staked and said stakes shall be maintained in proper position so that the limits of the filling, slopes and grade levels may be easily determined.

26. That the applicant record the resolution of approval for the use in the public records of Miami-Dade County prior to the issuance of a Certificate of Use.

27. That if in the opinion of the Director the lake fill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicant as directed by the Director.

Conditions #28 - 44 applicable to the lake excavation:

28. That the lake tract be platted; no building permit shall be issued for lots contiguous to the lake tract until the lake excavation is completed and lake as-built drawings submitted to and approved by the Department

Or in lieu of Condition #28 the following:

28a. Prior to the approval of any type of plat on the property, the Owner(s) of the property shall submit a Unity of Title agreement to the Department of Planning and Zoning; said agreement shall encumber the entire property described in the plat. Once the Unity of Title agreement has been reviewed and accepted it shall be recorded in the public records prior to final plat consideration by the Board of County Commissioners. Upon receipt of a written request to release the Unity of Title agreement, the Department will consider the release only after the issuance of a lake excavation permit and the submittal and final approval of the lake excavation as-built. The lake excavation area shall be shown as a separate tract and appropriately labeled as such on the final plat.

29. That complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director upon submittal of an application for a lake excavation permit; said plans shall be substantially in accordance with that submitted for the hearing entitled "Cottage of Silver Palm," as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

30. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the excavation progresses. The applicant will submit "as built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer at final completion of the excavation, or upon request of the Director or the Director of the Department of Environmental Resources Management.

31. That the property shall be staked to meet with the approval of the Director and the Director of the Department of Environmental Resources Management; said stakes shall be maintained in proper position so that the limits of the excavation, slopes and grade levels may be easily determined.

32. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director and the Director of the Department of Environmental Resources Management.

33. No material shall be removed from the premises and all excavated material shall be used to improve the property described in the application.

34. That the use of explosives shall be strictly prohibited in connection with the lake excavation operation.

35. That the hours of the lake excavation operation shall be controlled by the Director, except that the applicant shall be permitted to operate Monday through Sunday, from sunrise to sunset.

36. That the lake excavation operation shall be carried on continuously and expeditiously so that the entire project will be completed within nine (9) months from the date of permit issuance for the proposed lake excavation

37. If the lake excavation operation is discontinued, abandoned, falls behind schedule or time expires, the existing excavation shall immediately be sloped to conform with the approved plans and the entire operation shall be removed from the premises.

38. That in order to insure compliance with all terms and conditions imposed, a cash or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as motgagees, etc.

39. That the applicant obtain an excavation use permit from and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

40. All excavations shall be completely enclosed by a safety barrier, minimum height of 6 feet, consisting of either orange plastic safety fence or wood slat storm fencing installed on 4" x 4" posts spaced every 10 feet. Said barrier shall be installed prior to issuance of the excavation permit and commencement of excavating and shall remain in place until work is complete and the performance bond is released.

41. All excavations shall be posted every 50 feet with warning signs a minimum of 18" x 18" in size.

42. That a hedge, 3' high at time of planting, be installed along both sides of the guardrail proposed on those portions of the lake fronting on a right-of-way.

43. That the applicant complies with all applicable conditions and requirements of the Miami-Dade County Department of Environmental Resources Management (DERM).

44. That the applicant complies with all applicable conditions and requirements of the Miami-Dade County Public Works Department.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, that the approval of the request to waive zoning and subdivision requirements for section line roads to be 80′ in width; to permit 0′ to 25′ of dedication on the north half of theoretical S.W. 232 Street (Item #6) is predicated on the following:

A. That there are special circumstances affecting the property and that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

B. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

C. That the granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the approval herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 16th day of June, 2004.

Hearing No. 03-1-CZ15-6
ls

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 15, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB15-19-04 adopted by said Community Zoning Appeals Board at its meeting held on the 16th day of June, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 28th day of June, 2004.

Luis Salvat, Deputy Clerk (2678)
Miami-Dade County Department of Planning and Zoning

SEAL

ZONING APPEALS BOARD
DADE COUNTY FLORIDA

IAMI-DADE COUNTY, FLORIDA

IAMI-DADE

DP&Z

DEPARTMENT OF PLANNING AND ZONING

IAIN OFFICE
111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

HERBERT S. SAFFIR
PERMITTING AND INSPECTION CENTER
11805 S.W. 26 Street
MIAMI, FLORIDA 33175

☐ IMPACT FEE SECTION
(786) 315-2670 • SUITE 145

☐ ZONING INSPECTION SECTION
(786) 315-2660 • SUITE 223

☐ ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106

☐ ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

H.R. Realty & Investments, Inc.
c/o William Riley Jr., Esquire
Bilzin Sumberg Baena Price & Axelrod LLP
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131-5340

Re: Hearing No. 03-1-CZ15-6 (02-305)
Location: North side of theoretical S.W. 232 Street and 1,330' east of theoretical S.W. 107th Avenue, Miami-Dade County, Florida

Dear Mr. Riley:

Enclosed is Resolution No. CZAB15-19-04, adopted by the Miami-Dade County Community Zoning Appeals Board 15, which accepted your client's Declaration of Restrictions, and approved the requests for district boundary changes to RU-3M & RU-1M(a), unusual use for lake fill and excavation, and related variances on the above described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

If, as stipulated in the resolution, building permits and/or use, occupancy or completion certificates will be required, note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificate(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department, or the Building Department as appropriate. At time of permit application you must provide a copy of this resolution. If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

Please note that any aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11th floor of the Stephen P. Clark Building, 111 N.W. 1st Street, Miami, FL 33128. The date of posting is June 21, 2004. In the event an appeal is filed, any action undertaken during the appeal period is at the applicant's risk.

Sincerely,

L. Salvat

Lou Salvat
Deputy Clerk

Enclosure

MIAMI-DADE FIRE RESCUE
Planning & Capital Improvements Bureau
ZONING COMMENTS

Hearing Number: 202-305 REV #3

Plans: ☐ Yes ☐ No Request: _____

Location: Lying on N Side of Theo. SW 232 St. + E of Theo. SW 107 AVE

Recommendation:
- Approved ✓
- Approved with conditions ____*
- Approved with no change from previous submittal ____
- Denial ____
- Defer to DIC comments ____

*

Estimated number of alarms generated annually by application: _____

If there is an impact, below is the service availability:

Station District _____ Grid _____ DU/SF _____ Occupancy Type _____

Impact of additional calls on closest station:
- ☑ No Impact
- ☐ Minimal Impact
- ☐ Moderate Impact
- ☐ Severe Impact

Planned Service to Mitigate:

Service	Location	Year to be Completed

☑ None

THIS REVIEW IS FOR SERVICE IMPACT AND SERVICE AVAILABILITY ONLY AND DOES NOT CONSTITUTE NOR IMPLY SITE PLAN APPROVAL.

ALL SITE PLANS MUST BE REVIEWED AND APPROVED BY THE MIAMI-DADE FIRE RESCUE FIRE WATER & ENGINEERING BUREAU LOCATED AT 11805 SW 26 ST. BASED UPON THAT REVIEW, SITE PLANS MAY NEED MODIFICATION TO COMPLY WITH LIFE-SAFETY STANDARDS.

Reviewed by: Kathryn Lyon Phone: (786) 331-4546 Date: 5-25-04.

Revised 3/9/04 BJM

72

TEAM METRO
SOUTH OFFICE

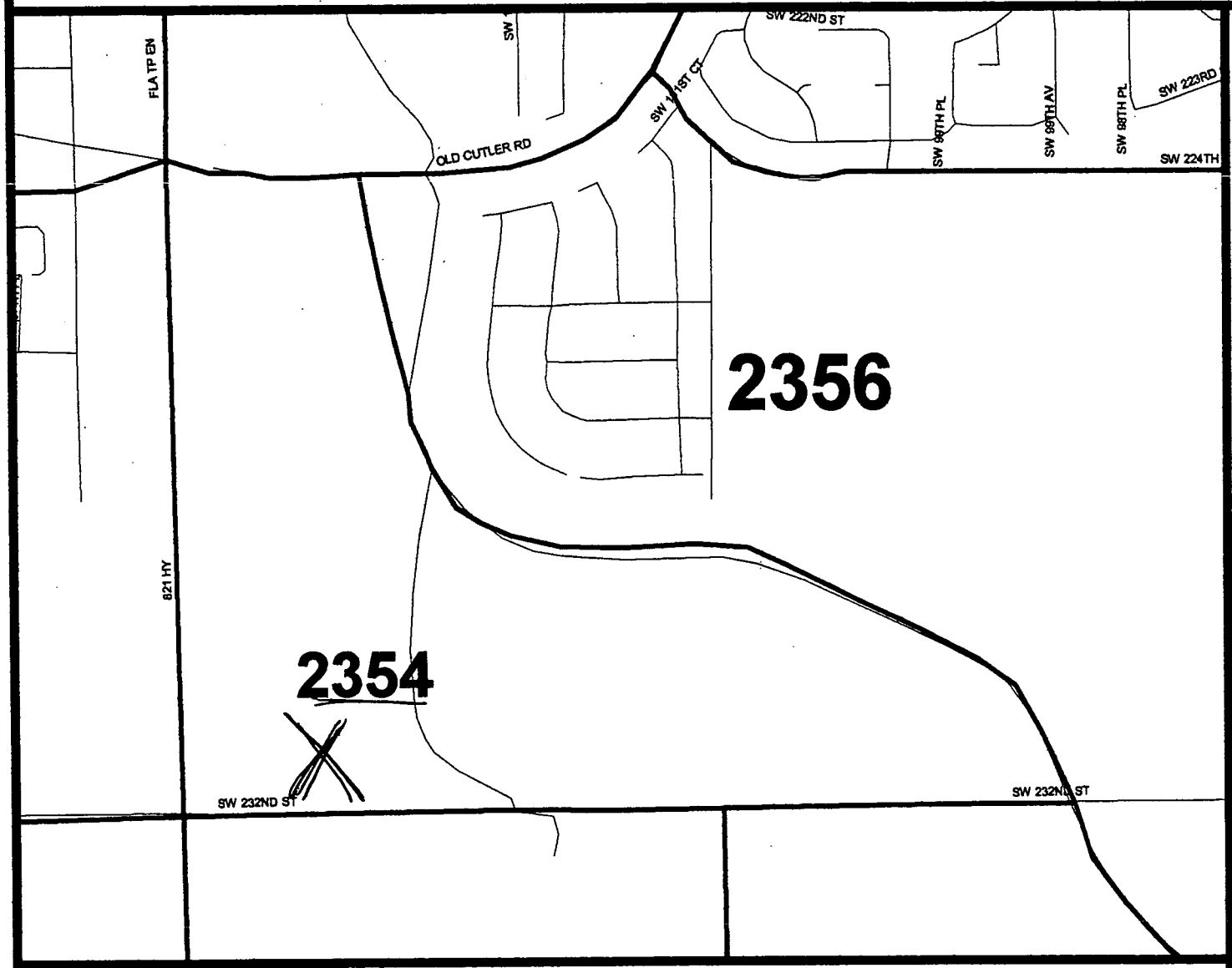
ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
11/18/2004	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of August 13, 2004

Miami-Dade Police Department
Target Area - Police Grid(s): 2354
H.R. Realty & Investments, Inc.; Hearing # 02-305



Police Grids Boundaries
Boundary

MDPD Crime Analysis System
October 13, 2004
Data in this document represents successfully geocoded attributes.

0 0.06 0.12 Miles

Miami-Dade Police Department
Summarized Grid Information By Signal
For Thru

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: (Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01") and (Dis.Grid in ("2354")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")))) and Common and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Grid	Signal Code	Signal Description	Total
2354			

Total Signals for Grid :

Total Reported: **Total Not Reported:**

Total for All Grids : 0

Miami-Dade Police Department
Summarized Grid Information By Signal
For 2003-01-01 Thru 2003-12-31

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: (Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01") and (Dis.Grid in ("2354")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")))) and Common and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Grid	Signal Code	Signal Description	Total
2354	14	CONDUCT INVESTIGATION	1
	15	MEET AN OFFICER	1
	38	SUSPICIOUS PERSON	1
	49	FIRE	1

Total Signals for Grid 2354 : 4

Total Reported: 2 Total Not Reported: 2

Total for All Grids : 4

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
For Specific Grids
From Thru

Miami-Dade Police Department

Crime Information Warehouse

YEAR: 2002

Grid(s): 2354

Crimes	Total Crimes
Grid 2354	
-	
Grid TOTAL	
Total	

Grand Total: 0

Detail Filter: OI.Incident From Date Time >= "2002-01-01" and OI.Incident From Date Time < "2003-01-01" and OI.Offense.Ucr Code In ('090A' , '1200' , '110A' , '110B' , '110C' , '130A' , '130D' , '2200' , '230A' , '230B' , '230C' , '230D' , '230E' , '230F' , '230G' , '2400' , '090C' , '130B' , '130E' , '350A' , '350B' , '5100' , '2700' , '260A' , '260B' , '260D' , '260E' , '260F' , '1000' , '2000') and (OI.Reporting_Agency_Code = substring ("030" , 1 , 3)) and OI.Aoa Agency Code = '000' and OI.Clearance Type Description <> 'UNFOUNDED' and OI.Report Written YN = 'Y' and OI.Grid In ("2354")

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
For Specific Grids
From Thru

Miami-Dade Police Department

Crime Information Warehouse

YEAR: 2003

Grid(s): 2354

Crimes	Total Crimes
Grid 2354	
-	
Grid TOTAL	
Total	

Grand Total: 0

Detail Filter: OI.Incident From Date Time >= "2003-01-01" and OI.Incident From Date Time < "2004-01-01" and OI.Offense.Ucr Code in ('090A', '1200', '110A', '110B', '110C', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000') and (OI.Reporting_Agency_Code = substring ("030", 1, 3)) and OI.Aoa Agency Code = '000' and OI.Clearance Type Description <> 'UNFOUNDED' and OI.Report Written YN = 'Y' and OI.Grid in ("2354")

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the sub,.. of the application is owned or leas y a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, 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 required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799831
EXPIRES: December 28, 2002
Bonded Thru Pichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

ZONING HEARING PLANS REVIEW

☑ PLANS WITHIN THE SCOPE OF AD

☐ PLANS NOT WITHIN THE SCOPE OF AD

REVIEWED BY: [signature]

ON: 5/21/04

ZONING EVALUATOR

☐ PLANS ACCEPTABLE

☐ NOT ACCEPTABLE

By: _____ / / _____

EDWARD SILVA ARCHITECT

EDWARD SILVA, ARCHITECT REG. No. 11131

8900 SW 117 AVENUE, SUITE 107-B, Miami, Florida 33186

(305) 275-8383 / (FAX) 275-8381

E.S.A.

" Meeting the needs of the building industry through innovative design "

COTTAGE OF SILVER PALM

102 AVE & SW 232ND STREET
MIAMI, FLORIDA

H.R. REALTY & INVESTMENTS, INC
705 ARVIDA PKWY
CORAL GABLES, FL 33156

DRAWING INDEX

SP-1	SITE PLAN AND LEGEND
L-1	LANDSCAPE PLAN, LEGEND AND DETAILS
L-2	COMMON AREA CALCS.
D-1	TYPICAL SETBACK DETAILS
D-2	TYPICAL SETBACK DETAILS FOR SINGLE FAMILY HOMES
D-3	TYPICAL SETBACK DETAILS FOR TOWNHOUSES
D-4	TYPICAL SETBACK DETAILS FOR TOWNHOUSES
A-1.1	GAZEBO AND RECREATIONAL CENTER. FLOOR PLAN
A-1	ELEVATIONS. 6 UNIT BUILDING
A-2	OVERALL FLOOR PLAN. 6 UNIT BUILDING
A-1	ELEVATIONS. 7 UNIT BUILDING
A-2	1ST AND 2ND FLOOR PLAN. 7 UNIT BUILDING
A-3	3RD FLOOR PLAN. 7 UNIT BUILDING
A-1	FLOOR PLAN & ELEVATION. MODEL- COURTYARD
A-1	FLOOR PLAN & ELEVATION. MODEL- ADMIRAL

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: [signature]

P:\cottages of silver palm\COVER SHEET.dwg, 05/20/04 06:48:02 PM, HP DesignJet 1(

6/16/04

Item: 5
02-305

83

LEGAL DESCRIPTION

ZONE RU-3M

ALL OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) AND ALL OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) AND ALL OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 17, TOWNSHIP 56 SOUTH, RANGE 40 EAST, LYING SOUTHERLY, AND WESTERLY OF THE RIGHT-OF-WAY OF BLACK CREEK CANAL, C-1 (A/K/A MIAMI-DADE COUNTY, FLORIDA LESS AND EXCEPT THERE FROM THE FOLLOWING PARCEL OF LAND:

BEGIN AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 17, THENCE N 89°16'31" E FOR A DISTANCE OF 213.56 FEET TO A POINT; THENCE S 00°57'07" W FOR A DISTANCE OF 1334.52 FEET TO A POINT; THENCE N 89°22'47" E FOR A DISTANCE OF 1330.43 FEET TO A POINT; THENCE N 00°37'13" W FOR A DISTANCE OF 25.00 FEET TO A POINT; THENCE N 89°22'47" E FOR A DISTANCE OF 1468.19 FEET TO A POINT; THENCE S 00°37'13" E FOR A DISTANCE OF 25.00 FEET TO A POINT; THENCE N 89°22'47" E FOR A DISTANCE OF 1330.43 FEET TO A POINT; THENCE N 00°37'13" W FOR A DISTANCE OF 1334.52 FEET TO A POINT; THENCE S 89°16'31" W FOR A DISTANCE OF 213.56 FEET TO A POINT; THENCE N 00°47'42" E FOR A DISTANCE OF 763.73 FEET TO A POINT; THENCE N 89°06'43" E FOR A DISTANCE OF 415.95 FEET TO A POINT; THENCE S 00°47'42" E FOR A DISTANCE OF 633.98 FEET TO A POINT; THENCE S 89°06'43" W FOR A DISTANCE OF 415.95 FEET TO A POINT; THENCE S 00°47'42" E FOR A DISTANCE OF 763.73 FEET TO A POINT; THENCE S 89°16'31" W FOR A DISTANCE OF 213.56 FEET TO A POINT; THENCE N 00°57'07" W FOR A DISTANCE OF 1334.52 FEET TO A POINT; THENCE S 89°22'47" W ALONG THE SAID SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) FOR A DISTANCE OF 1330.43 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN AND BEING IN MIAMI-DADE COUNTY, FLORIDA, AND LANDS CONTAINING 9.725 ACRES, MORE OR LESS.

ZONE RU-1M(A)

A PORTION OF ALL OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) AND ALL OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) AND ALL OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 17, TOWNSHIP 56 SOUTH, RANGE 40 EAST, LYING SOUTHERLY, AND WESTERLY OF THE RIGHT-OF-WAY OF BLACK CREEK CANAL, C-1 (A/K/A MIAMI-DADE COUNTY, FLORIDA, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 17, THENCE N 89°16'31" E FOR A DISTANCE OF 213.56 FEET TO A POINT; THENCE S 00°57'07" E FOR A DISTANCE OF 1334.52 FEET TO A POINT; THENCE N 89°22'47" E FOR A DISTANCE OF 1330.43 FEET TO A POINT; THENCE N 00°37'13" W FOR A DISTANCE OF 25.00 FEET TO A POINT; THENCE N 89°22'47" E FOR A DISTANCE OF 1468.19 FEET TO A POINT; THENCE S 00°37'13" E FOR A DISTANCE OF 25.00 FEET TO A POINT; THENCE N 89°22'47" E FOR A DISTANCE OF 1330.43 FEET TO A POINT; THENCE N 00°37'13" W FOR A DISTANCE OF 1334.52 FEET TO A POINT; THENCE S 89°16'31" W FOR A DISTANCE OF 213.56 FEET TO A POINT; THENCE N 00°47'42" E FOR A DISTANCE OF 763.73 FEET TO A POINT; THENCE N 89°06'43" E FOR A DISTANCE OF 415.95 FEET TO A POINT; THENCE S 00°47'42" E FOR A DISTANCE OF 633.98 FEET TO A POINT; THENCE S 89°06'43" W FOR A DISTANCE OF 415.95 FEET TO A POINT; THENCE S 00°47'42" E FOR A DISTANCE OF 763.73 FEET TO A POINT; THENCE S 89°16'31" W FOR A DISTANCE OF 213.56 FEET TO A POINT; THENCE N 00°57'07" W FOR A DISTANCE OF 1334.52 FEET TO A POINT; THENCE S 89°22'47" W ALONG THE SAID SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) FOR A DISTANCE OF 1330.43 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN AND BEING IN MIAMI-DADE COUNTY, FLORIDA, SAID LANDS CONTAINING 9.725 ACRES, MORE OR LESS.

ZONE RU-1M(A)

TOTAL GROSS ACRES : [illegible]
TOTAL LAND ACRES : [illegible]
TOTAL NET ACRES FOR ZONE RU-1M(A) : [illegible]
TOTAL OF UNITS : 20
DENSITY PROVIDED : 2.13 UNITS/ACRE

	REQUIRED	ONE STORY UNITS PROPOSED	TWO STORY UNITS PROPOSED
LOT COVERAGE	MAX. 40% OF NET LOT AREA	13,000 SQFT (34.0%)	17,171 SQFT. (35%)
PRINCIPAL BUILDING SETBACKS:			
FRONT SETBACK	30' FOR 50% OF HOUSE WIDTH 25' FOR BALANCE OF HOUSE WIDTH	30'	30'
MINIMUM SIDE SETBACK	5'	5'	5'
SIDE STREET SETBACK	15'	N/A	N/A
REAR SETBACK	30' FOR 50% OF HOUSE WIDTH 25' FOR BALANCE OF HOUSE WIDTH	30'	30'

LOT AREA PER LOT PROVIDED : HOUSE 30'/50' [illegible] SQFT.
LOT AREA PER LOT REQUIRED : HOUSE 30'/50' [illegible] SQFT.

ZONING LEGEND
ZONE RU-3M

TOTAL GROSS ACRES : [illegible]
TOTAL LAND ACRES : [illegible]
TOTAL NET ACRES : [illegible]
RU-3M : 9.6 ACRES
TOTAL OF UNITS : 401
DENSITY PROVIDED : 41.6 UNITS/ACRE 9.725 11-11-04

GROSS COVERED BY BUILDINGS : [illegible]
TOTAL BUILD AREA : [illegible]
TOTAL SIDEWALK AREA : [illegible]

COVERED OPEN SPACE REQUIRED : [illegible]
RU1 OPEN AREA : LAKE + RECREATIONAL AREA : [illegible]
RU3 OPEN AREA : UNDEVELOPED AREA : [illegible]

COVERED OPEN SPACE PROVIDED LANDSCAPE 33.0% RU1 ACRES [illegible]
GROSS AREA 9.6 [illegible] ACRES
TOTAL PROVIDED [illegible] ACRES

MAXIMUM NUMBER OF STORIES : 2
MAXIMUM HEIGHT : 35 FEET

UNITS	BUILDING FIRST FLOOR AREA	BUILDING SECOND FLOOR AREA	BUILDING THIRD FLOOR AREA
1 UNIT	[illegible]	[illegible]	1,402 SQ. FT.
1 UNIT	[illegible]	[illegible]	1,402 SQ. FT.
1 UNIT	[illegible]	[illegible]	1,402 SQ. FT.
1 UNIT	[illegible]	[illegible]	1,402 SQ. FT.
1 UNIT	[illegible]	[illegible]	1,402 SQ. FT.
1 UNIT	[illegible]	[illegible]	1,402 SQ. FT.
1 UNIT	[illegible]	[illegible]	1,402 SQ. FT.
1 UNIT	[illegible]	[illegible]	1,402 SQ. FT.

SETBACKS

	REQUIRED	PROPOSED
FRONT	30'-0"	30'-0"
REAR	25'-0"	25'-0"
SIDE STREET	15'-0"	15'-0"
SIDE	5'-0"	5'-0"

PARKING SPACES PROVIDED : 401 PARKING SPACES
VISITOR PARKING REQUIRED ___/100 PARKING SPACE PER UNIT [illegible]
VISITOR PARKING PROVIDED ___ [illegible]
TOTAL PARKING REQUIRED ___
TOTAL PARKING PROVIDED ___ [illegible]

TOTAL BUILDING LOT COVERAGE AREA

1	[illegible]	2	[illegible]	3	[illegible]	3a	[illegible]
2	[illegible]	2a	[illegible]	3b	[illegible]	3b	[illegible]
3	[illegible]	2b	[illegible]	3c	[illegible]	3c	[illegible]
4	[illegible]	2c	[illegible]	3d	[illegible]	3d	[illegible]
5	[illegible]	2d	[illegible]	3e	[illegible]	3e	[illegible]
6	[illegible]	2e	[illegible]	3f	[illegible]	3f	[illegible]
7	[illegible]	2f	[illegible]	3g	[illegible]	3g	[illegible]
8	[illegible]	2g	[illegible]	3h	[illegible]	3h	[illegible]
9	[illegible]	2h	[illegible]	3i	[illegible]	3i	[illegible]
10	[illegible]	2i	[illegible]	3j	[illegible]	3j	[illegible]
11	[illegible]	2j	[illegible]	3k	[illegible]	3k	[illegible]
12	[illegible]	2k	[illegible]	3l	[illegible]	3l	[illegible]

MAXIMUM BUILDING LOT COVERAGE: [illegible]
AVERAGE BUILDING LOT COVERAGE: [illegible]

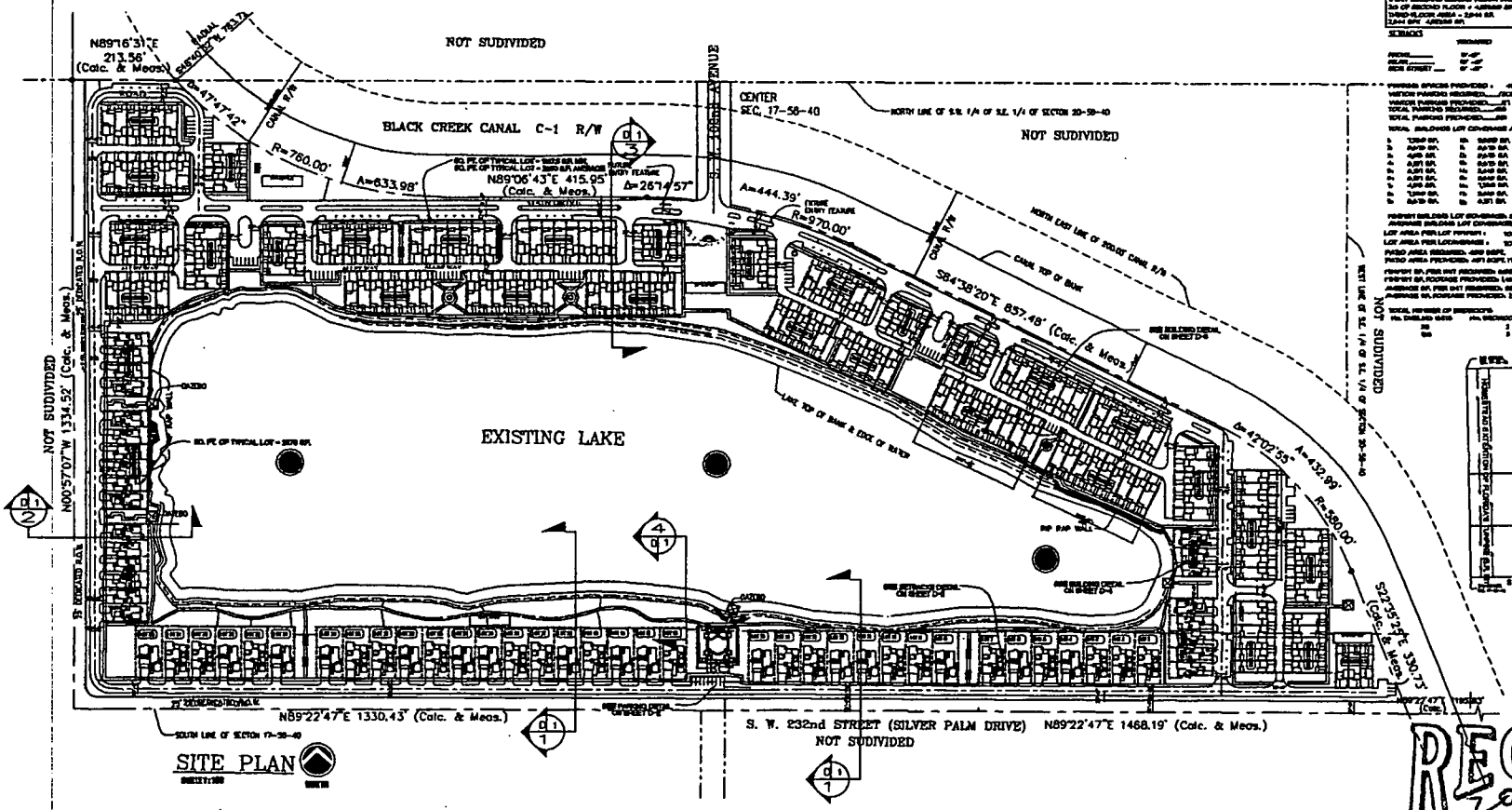
LOT AREA PER LOT PROVIDED : [illegible]
LOT AREA PER LOT REQUIRED : [illegible]

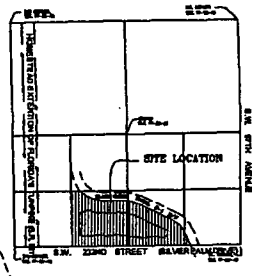
PATIO AREA REMAINED: [illegible]
PATIO AREA PROVIDED: [illegible]

FRONTAGE SF. PER UNIT PROVIDED: [illegible]
FRONTAGE SF. PER UNIT REQUIRED: [illegible]
AVERAGE SF. PER UNIT PROVIDED: [illegible]
AVERAGE SF. PER UNIT REQUIRED: [illegible]

TOTAL NUMBER OF BEDROOMS

NO. BEDROOMS	NO. BEDROOMS/UNITS	TOTAL OF BEDROOMS
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]





Revised

RECEIVED
02-305
NOV 01 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

ISSUANCE FOR
Design Development Drawings

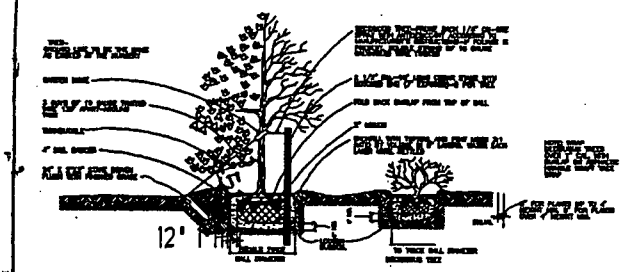
REV	DATE	REV	DATE

Client: COTTAGE OF SILVER PALM
Address: 102 AVE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0809
Fax: SITE PLAN

File No.:
Draw n By:
Scale: As Noted
Date: 05-23-2003
Lot: .
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8300 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

SP-1
of



	REQUIRED	PROVIDED
LANDSCAPE OPEN SPACE (IF APPLICABLE)	30 %	44 %
GREENBELT WIDTH (IF APPLICABLE)	- FT.	- FT.
MAXIMUM LAWN AREA (30 % MAX.)	84,000.01 SF.	84,000.01 SF.

	REQUIRED	PROVIDED
TREES PER LOT: - 3 TREES/ LOT	105	105
STREET TREES: (30' O.C. AVG.)	71	71
TOTAL TREES:	176	176
SHRUBS: (10 SHRUBS PER TREE REQUIRED)	1,760	1,760

PLANT SCHEDULE

SYMB.	QTY.	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS
TREES					
	71	SWIETENIA MAHOGANI	MAHOGANY	YES	12' HGT. X 5' SPRD.
	39	CONOCARPUS ERECTUS	BUTTONWOOD	YES	10'-12' HGT. X 5' SPRD.
	40	QUERCUS VIRGINIANA	LIVE OAK	YES	10'-12' HGT. X 5' SPRD.
	25	SABAL PALMETTO	CABBAGE PALM	YES	10'-12' HGT. X 5' SPRD.
SHRUBS					
	2,160	CALLICARPA AMERICANA	BEAUTY BUSH	YES	24" MIN. HGT.
	5" LAYER MULCH FINISH				
SOD	ST. AUGUSTINE SOD STENOTAPHRUM SECUNDATUM 'FLORATAM'		SOLID SOD, LAID TIGHTLY IN PLACE, 99% WEED AND DISEASE FREE		

NOTE: FOR TREE TRUNK OF 4" IN DIAMETER

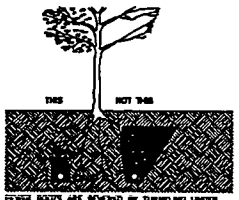
	REQUIRED	PROVIDED
LANDSCAPE OPEN SPACE (IF APPLICABLE)	30 %	30 %
GREENBELT WIDTH (IF APPLICABLE)	- FT.	- FT.
MAXIMUM LAWN AREA (40 % MAX.)	84,000.01 SF.	84,000.01 SF.

	REQUIRED	PROVIDED
TREES PER ACRE: - 30 TREES/ ACRE	224.44	227
STREET TREES: (30' O.C. AVG.)	226	226
TOTAL TREES:	1,346.64	1,371
SHRUBS: (10 SHRUBS PER TREE REQUIRED)	13,466.4	13,710

PLANT SCHEDULE

SYMB.	QTY.	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS
TREES					
	226	SWIETENIA MAHOGANI	MAHOGANY	YES	12' HGT. X 5' SPRD.
	226	CONOCARPUS ERECTUS	BUTTONWOOD	YES	10'-12' HGT. X 5' SPRD.
	226	QUERCUS VIRGINIANA	LIVE OAK	YES	10'-12' HGT. X 5' SPRD.
	226	SABAL PALMETTO	CABBAGE PALM	YES	10'-12' HGT. X 5' SPRD.
SHRUBS					
	8,710	CALLICARPA AMERICANA	BEAUTY BUSH	YES	24" MIN. HGT.
	5" LAYER MULCH FINISH				
SOD	ST. AUGUSTINE SOD STENOTAPHRUM SECUNDATUM 'FLORATAM'		SOLID SOD, LAID TIGHTLY IN PLACE, 99% WEED AND DISEASE FREE		

NOTE: FOR TREE TRUNK OF 4" IN DIAMETER



ROOT TIP TO BE FILLED WITH COUNTY FILLED CRITERIA ELEVATION MAKES AN ELEVATION OF LESS THAN THE HIGHEST APPROVED CROWN ELEVATION OF THE ROAD ADJACENT TO PROPERTY.

AREA ADJACENT TO LAKE OR DRAIN TO BE GRADED SO AS TO PREVENT DIRECT OVERLAND DRAINAGE OF SURROUNDING LAND OR CANAL.

LOT WILL BE GRADED SO AS TO PREVENT DIRECT OVERLAND DRAINAGE OF SURROUNDING LAND ADJACENT PROPERTY. APPLICANT WILL PROVIDE CERTIFICATION PRIOR TO FINAL INSPECTION.

ALL ELECTRICAL, MECHANICAL AND PLUMBING WILL BE PLACED AT OR ABOVE THE BFE FLOOD ELEVATION (BFE).

ALL AREAS BELOW BFE SHALL BE PROVIDED WITH A MINIMUM OF TWO(2) OPENING HAVING A TOTAL NET AREA OF NOT LESS THAN ONE SQUARE FOOT OF OPENING FOR EVERY ONE SQUARE FOOT OF ENCLOSED AREA SUBJECT TO FLOODING. THE BOTTOM OF THE OPENING WILL BE NO HIGHER THAN ONE FOOT ABOVE GRADE. OPENINGS WILL BE EXECUTED BY GRILLES OR LOUVERS. FLOOD RESISTANT MATERIALS WILL BE USED BELOW BFE.

THE SITE WILL BE GRADED IN A MANNER TO PREVENT THE FLOODING OF ADJACENT PROPERTIES. PROTECTIVE BERMS WILL BE CONSTRUCTED ON SITE AND OF ENCROACHING ONTO ADJACENT PROPERTIES.

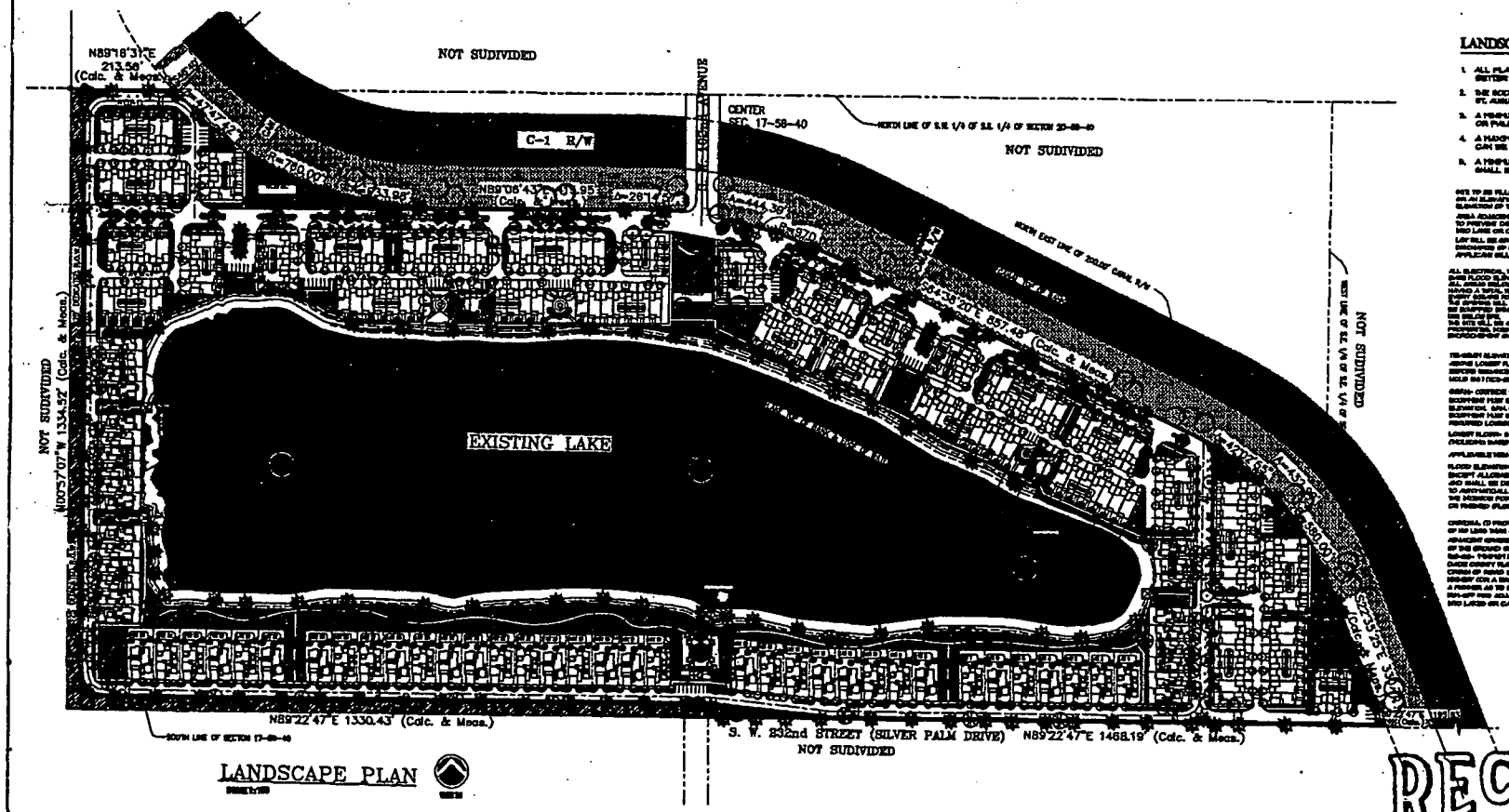
THE MEAN ELEVATION CERTIFICATE IS REQUIRED BEFORE PLACING ANY FIRE PROTECTION CROWN LOWEST FLOOR AND A FINAL ELEVATION CERTIFICATE IS REQUIRED BEFORE ISSUANCE OF CERTIFICATE OF OCCUPANCY OR COMPLETION. COMPLETION MUST BE ISSUED BY DWM.

(NFIP/ CRITERIA SPECIAL FLOOD HAZARD) ALL ELECTRICAL AND MECHANICAL EQUIPMENT MUST BE LOCATED AT OR ABOVE THE REQUIRED LOWEST FLOOR ELEVATION. (NFIP/ CRITERIA FLOOD HAZARD) ALL ELECTRICAL AND MECHANICAL EQUIPMENT MUST BE LOCATED AT OR ABOVE THE NFIP FLOOD ELEVATION OR REQUIRED LOWEST FLOOR ELEVATION, WHICHEVER IS HIGHER.

LOWEST FLOOR- SHALL MEAN THE LOWEST FLOOR OF THE LOWEST ENCLOSED AREA (INCLUDING BASEMENT). AN UNFINISHED OR FLOOD RESISTANT ENCLOSURE, USABLE SOLELY FOR PARKING OF VEHICLES, STORAGE OR ACCESS IN SECTIONS 5-1-4, 5-1-5, 5-1-6.

FLOOD ELEVATION SHALL BE DEFINED TO INCLUDE ENCLOSED LIVING SPACE EXCEPT ALLOWABLE USES for PARKING, LIMITED STORAGE AND BUILDING ACCESS AND SHALL BE DESIGNED TO ALLOW FOR THE ENTRY AND EXIT OF FLOOD WATERS TO AUTOMATICALLY EQUALIZE HYDROSTATIC FLOOD FORCES ON EXTERIOR WALLS. THE MINIMUM PORTION OF EACH ENCLOSED AREA SHALL NOT BE PARTITIONED OFF OR PROVIDED FLOOD RESISTANT MATERIALS OR, IF AND OPENINGS EXISTS OR.

CRITERIA, TO PROVIDE A MINIMUM OF TWO (2) OPENINGS HAVING A TOTAL NET AREA OF NOT LESS THAN ONE SQUARE INCH FOR EVERY SQUARE FOOT OF ENCLOSED AREA ADJACENT GRADE SUBJECT. SHALL MEAN THE HIGHEST FINISHED GRADE ELEVATION OF THE GROUND SURFACE NEXT TO THE PROPOSED WALLS OF THE STRUCTURE, NFIP/ FINISHED GRADE SHALL MEAN THE ELEVATION DESIGNATED IN CODE CURRENT FLOOD CRITERIA MAP AT A SPECIFIC DEVELOPMENT SITE OR CROWN OF ROAD ELEVATION OR ENGINEER ADJACENT ROAD. EXCEPTION IS REQUIRED FOR A SINGLE FAMILY OR DUPLEX. SITE GRADING MAY BE PROVIDED IN A MANNER AS TO RETAIN STORMWATER RUN-OFF WITHIN THE SITE AND PREVENT NON-OFF RUN ADJACENT PROPERTY AS WELL AS DIRECT SURFACE WATER RUN-OFF INTO LAKES OR CANALS.



LANDSCAPE PLAN

LANDSCAPE NOTES:

1. ALL PLANTS MATERIAL SHALL BE FL. No. 1 OR BETTER IN GRADE AND QUALITY.
2. THE SOD MATERIAL TO BE PLANTED SHALL BE ST. AUGUSTINE FLORATAM.
3. A MINIMUM OF 30% OF THE REQUIRED TREES AND OR PALMS SHALL BE NATIVE SPECIES.
4. A MAXIMUM OF 30% OF THE NATIVE TREES CAN BE SABAL PALMETTO, (CABBAGE PALM).
5. A MINIMUM OF 30% OF THE REQUIRED SHRUBS SHALL BE NATIVE SPECIES.

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

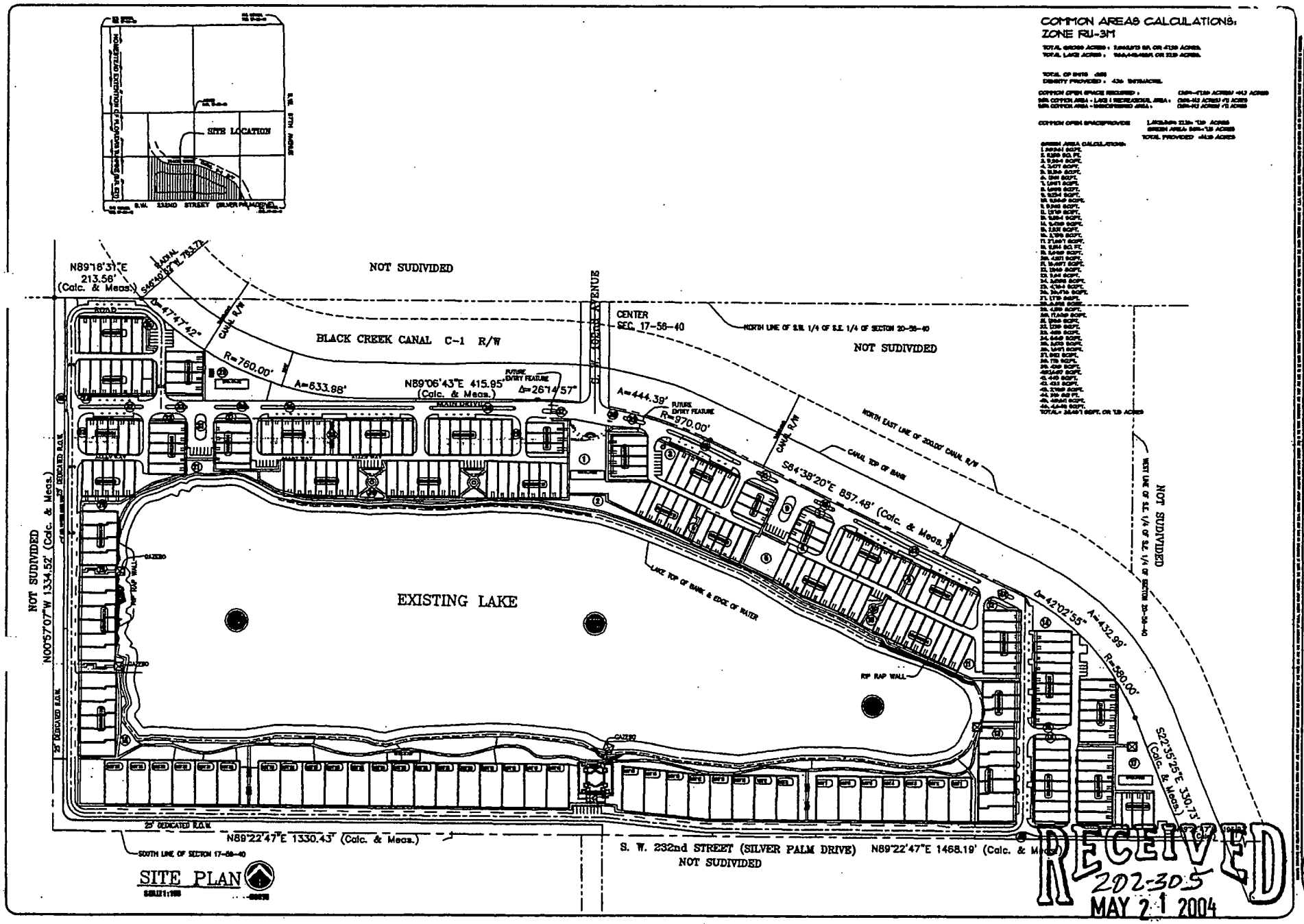
ISSUANCE FOR
Owner Organization Date
AFTER SEAL NOTE

Client: COTTAGE OF SILVER PALM
Address: 102 AVE. & SW 222ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: LANDSCAPE PLAN AND LEGENDS PLAN

Job Size:
Drawn By:
Scale: As Noted
Date: 5-05-2004
Loc:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8800 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

L-1
of



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202-305
MAY 21 2004

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BP

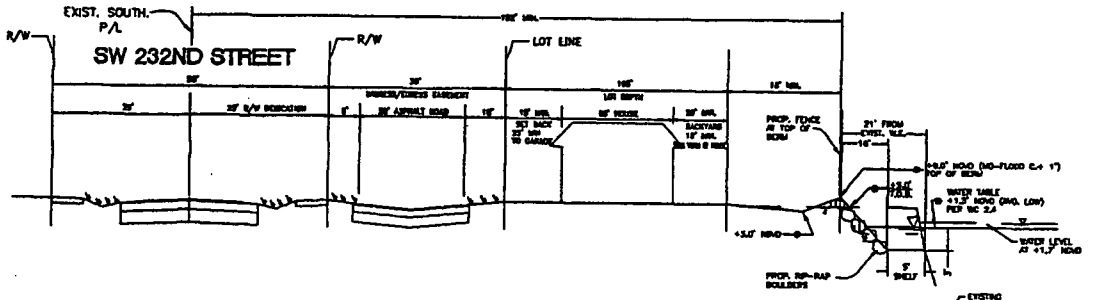
ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: LANDSCAPE PLAN
COMMON AREA CALCULATIONS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-19-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #310, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

L-2
of



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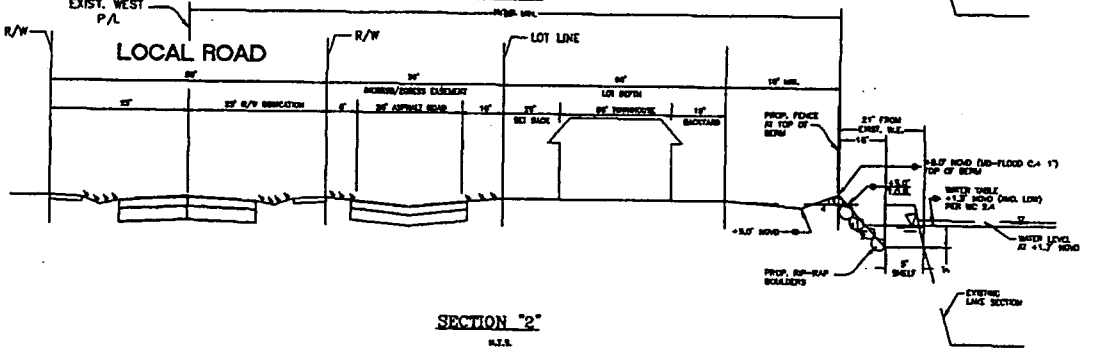

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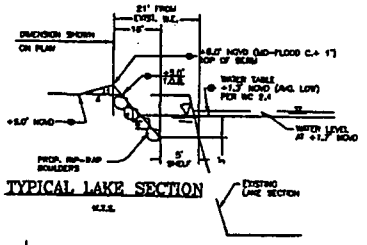
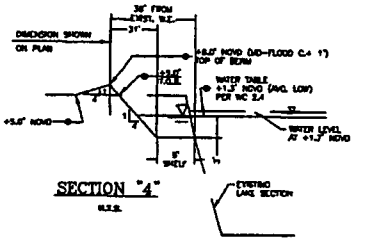


TYPICAL LAKE SECTION



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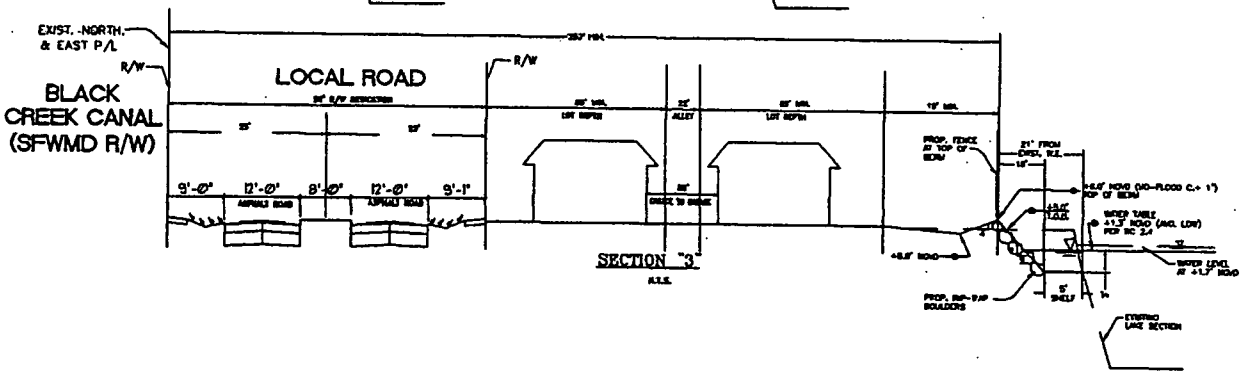

SECTION "3"

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MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 300-571-0009
Plan: DETAILS
TYPICAL SETBACK DETAILS

Job No:
Drawn By:
Scale: As Noted
Date: 05-19-2004
Loc:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 001131
8800 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

D-1
of

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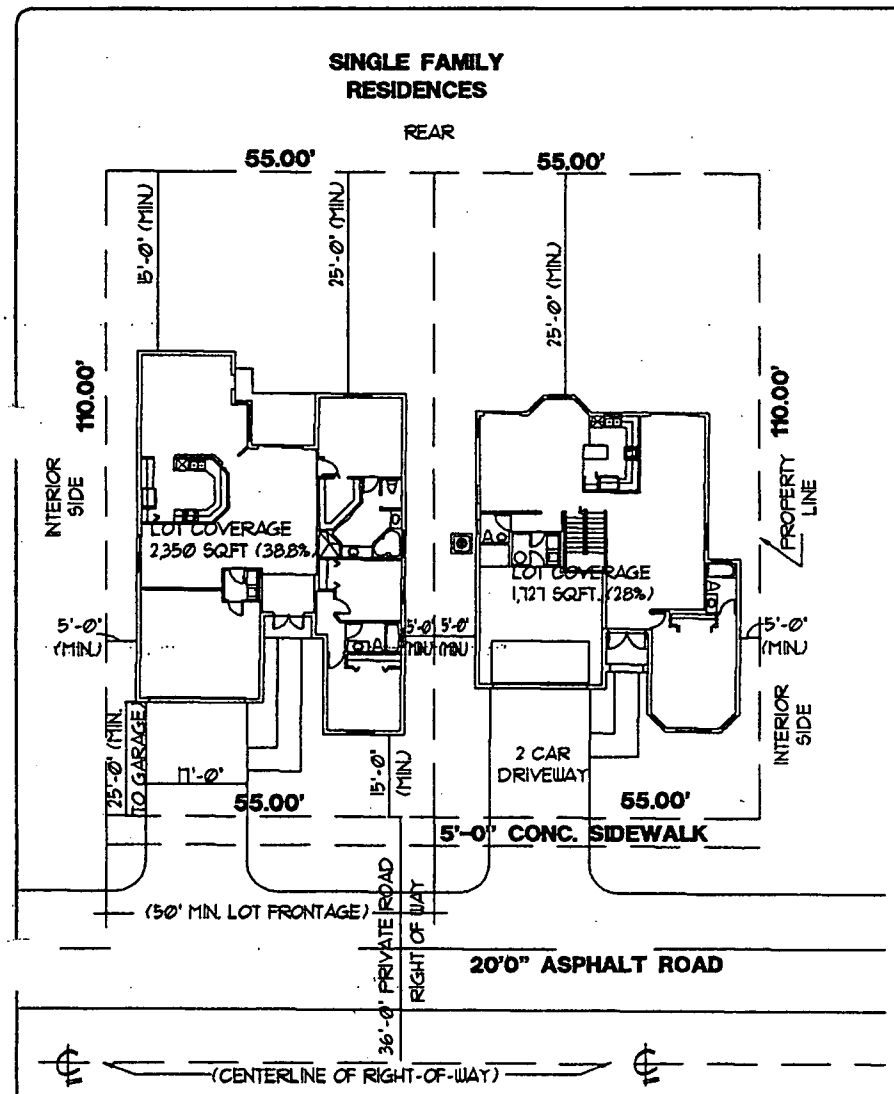

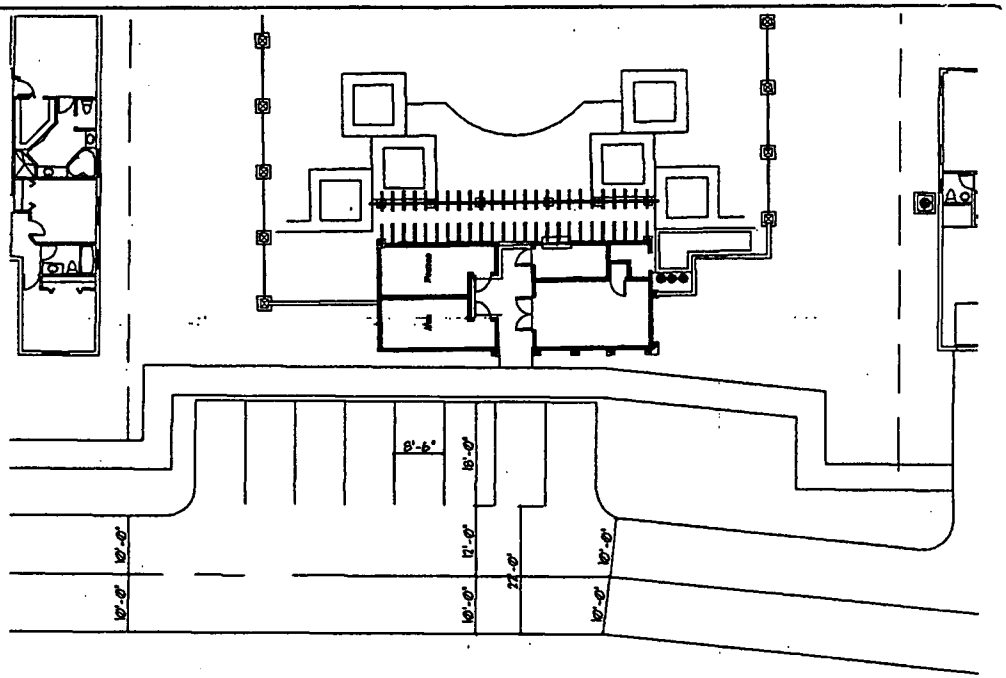

PARKING DETAIL

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202-302
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: DETAILS
SINGLE FAMILY RESIDENCE SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-05-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

E.S.A.

D-2
of

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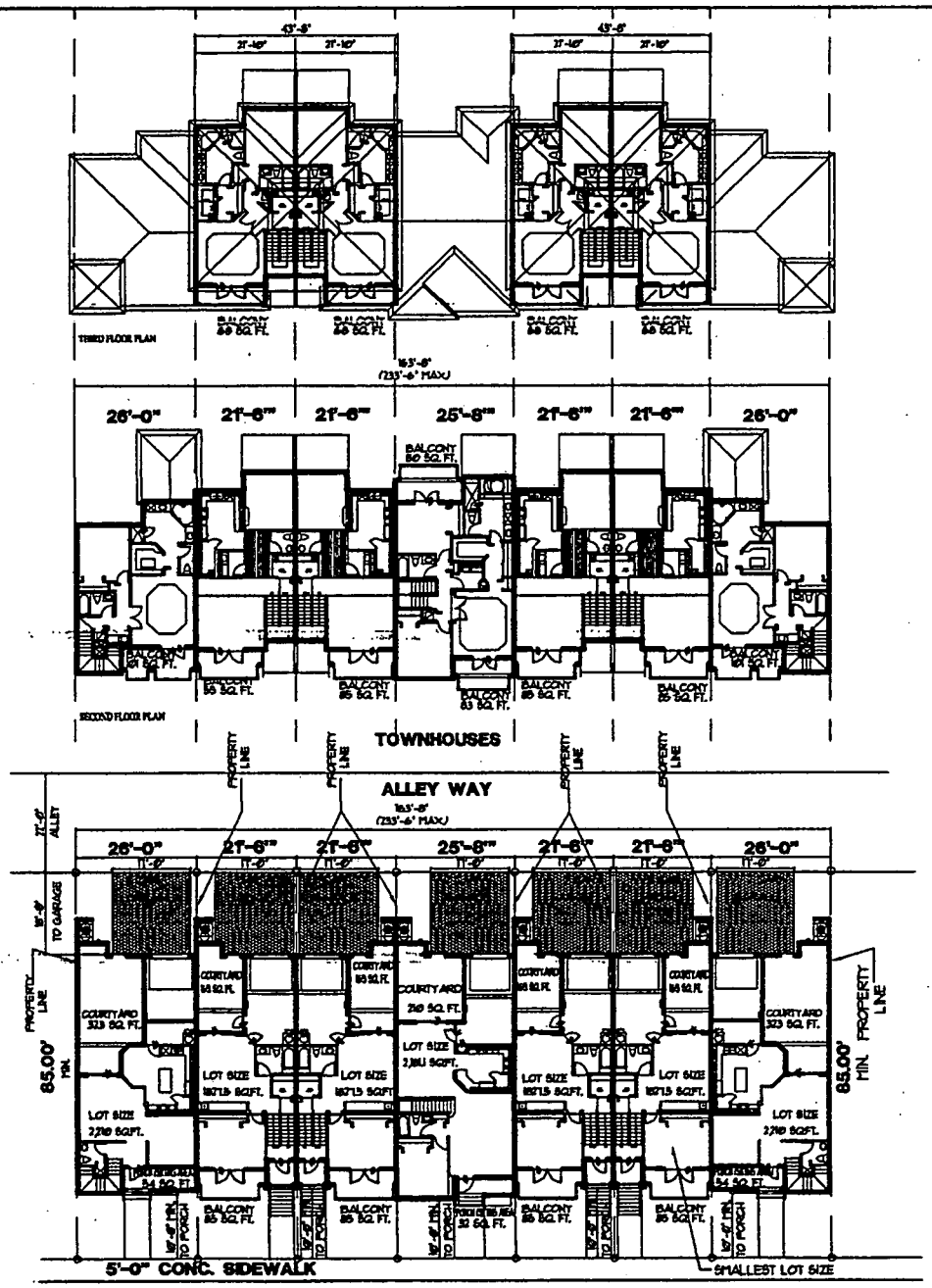


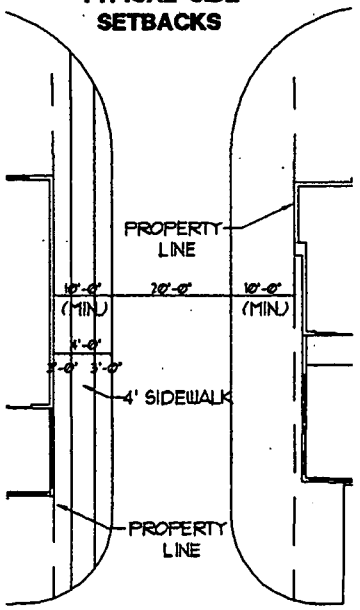
PATIO CALCULATIONS:

MODEL A PATIO PROVIDED:
COURTYARD= 169 SQ.FT.
FIRST FLOOR BALCONY= 85 SQ.FT.
SECOND FLOOR BALCONY= 85 SQ.FT.
THIRD FLOOR BALCONY= 68 SQ.FT.
TOTAL PATIO AREA PROVIDED= 407 SQ.FT.

MODEL B PATIO PROVIDED:
COURTYARD= 323 SQ.FT.
PORCH (SITTING AREA)= 54 SQ.FT.
BALCONY= 101 SQ.FT.
TOTAL PATIO AREA PROVIDED= 478 SQ.FT.

MODEL C PATIO PROVIDED:
COURTYARD= 210 SQ.FT.
PORCH (SITTING AREA)= 32 SQ.FT.
BALCONY (MASTER SUITE)= 83 SQ.FT.
BALCONY (BEDROOM)= 100 SQ.FT.
TOTAL PATIO AREA PROVIDED= 42 SQ.FT.

TOWNHOUSES
TYPICAL SIDE
SETBACKS



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282-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: DETAILS
TOWNHOUSES SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-19-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

B.S.A.

D-3
of

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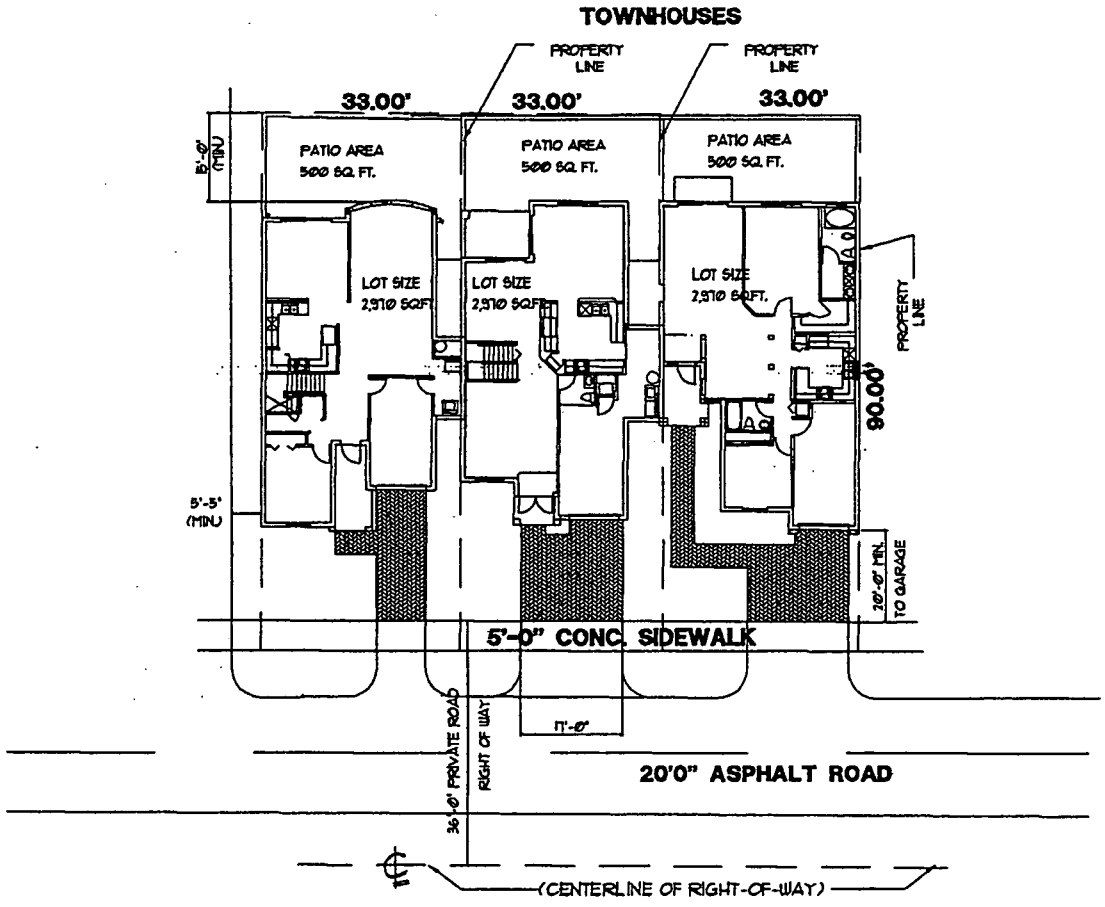

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202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BG

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: DETAILS
TOWNHOUSES SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

E.S.A.

D-4
of

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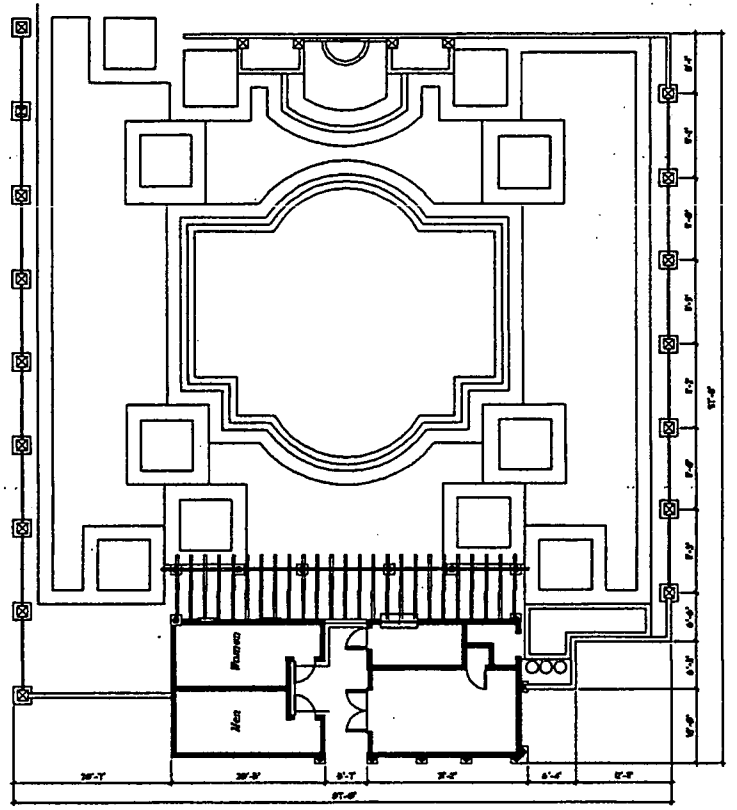
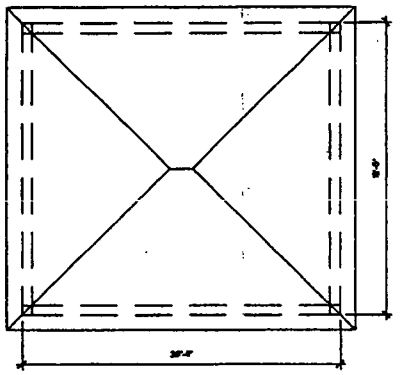
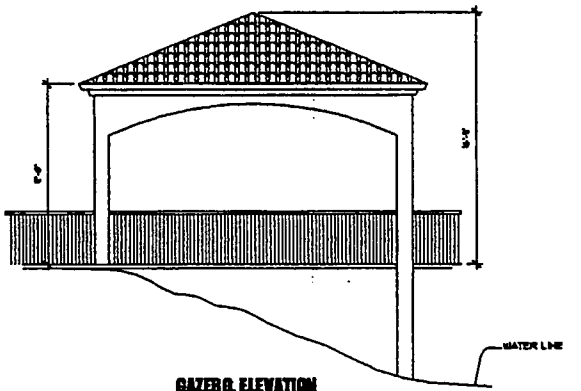


FLOOR PLAN
RECREATION CENTER



GAZEBO. FLOOR PLAN



GAZEBO. ELEVATION

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MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

90

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address: 102 AVE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: GAZEBO AND RECREATIONAL CENTER

Job No.:
Drawn By:
Scale: 3/16" = 1'-0"
Date: 05-06-2004
Loc:

EDWARD SILVA, ARCHITECT
REGI. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

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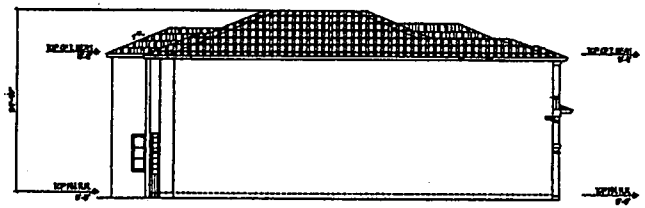
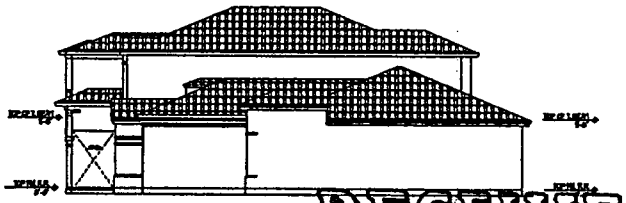
FRONT ELEVATION 1/8"

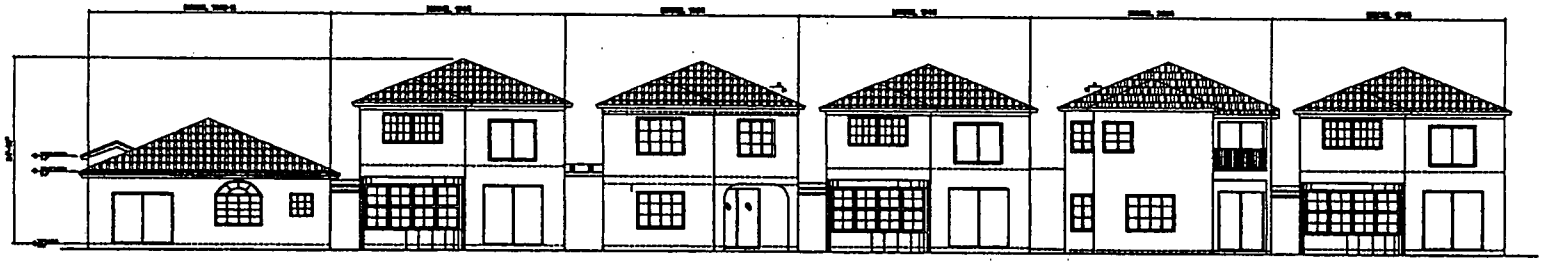


LEFT ELEVATION 1/8"



RIGHT ELEVATION 1/8"

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC



REAR ELEVATION 1/8"

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Phone:
Plan: ELEVATIONS 6 UNIT BUILDING

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 05-10-2004
Lot:
Block:

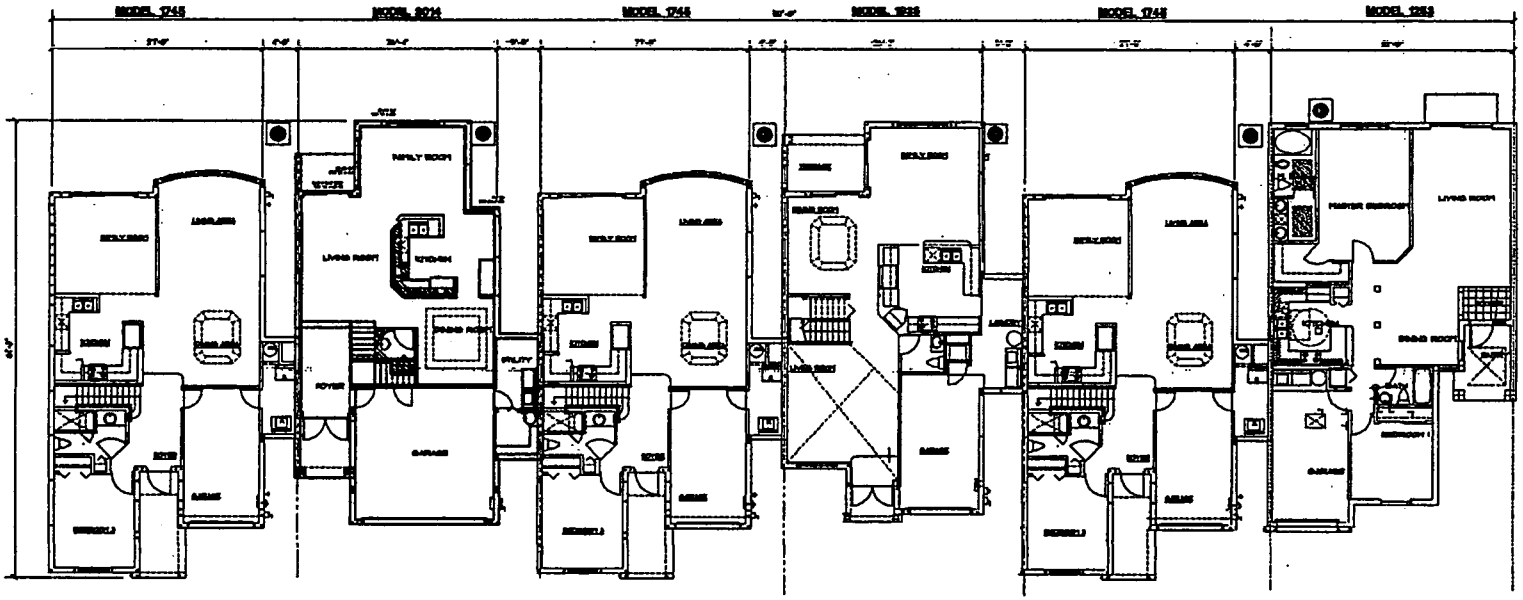
EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

E.S.A.

A-1

P:\cottages of silver palm\LEN CARBBEAN BLK-15 OV-ELEVATION.dwg, 05/20/04

92



9 UNIT BUILDING OVERALL FLOORPLAN

RECEIVED
ZAD-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: OVERALL FLOORPLAN
6 UNIT BUILDING

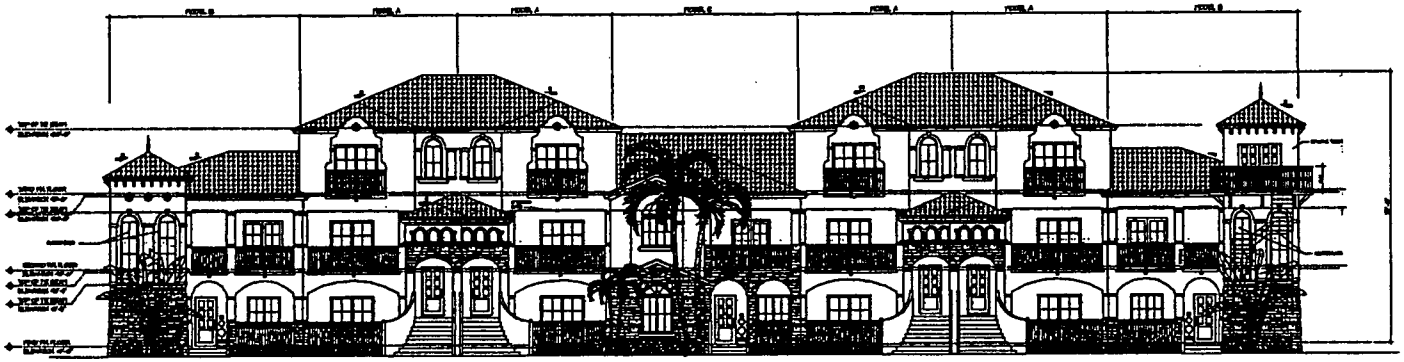
Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 05-03-2004
Loc:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-2

P:\cottages of silver palm\LEN CARBBEAN BLK-15 OV-FLOORPLAN.dwg, 05/20/04

93



FRONT ELEVATION
BUILDING TYPE - 1

FRONT ELEVATION

BUILDING TYPE 1 -REAR ELEVATION

RECEIVED
2D2-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: ELEVATIONS
7 UNIT BUILDING

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 5-18-2004
Loc:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8800 SW 117 AVE. RD 107, MIAMI, FLORIDA 33186
(305) 275-0383 / FAX - (305) 275-8381

E.S.A.

A-1
of

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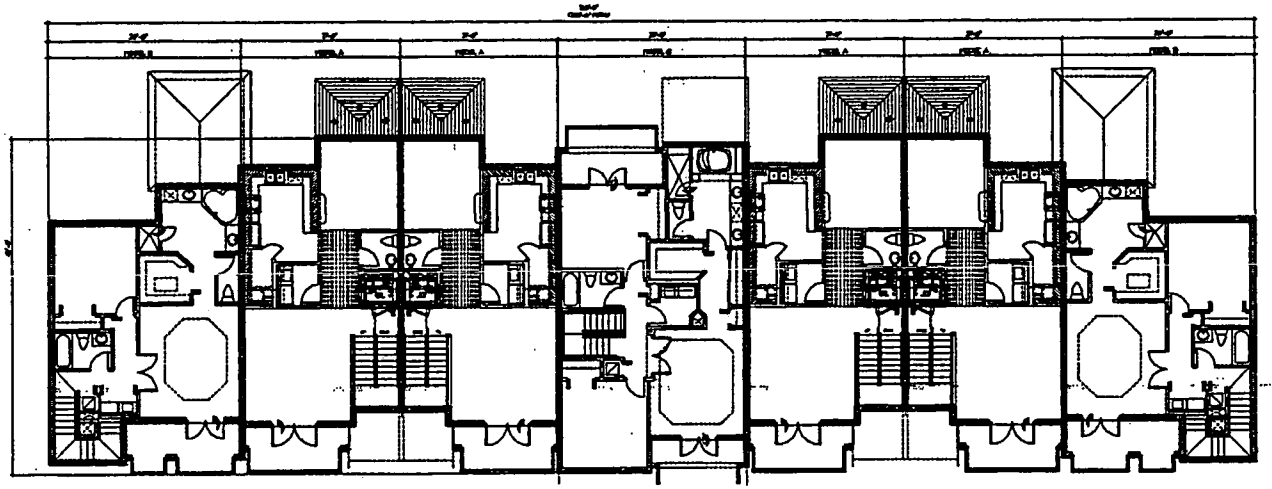
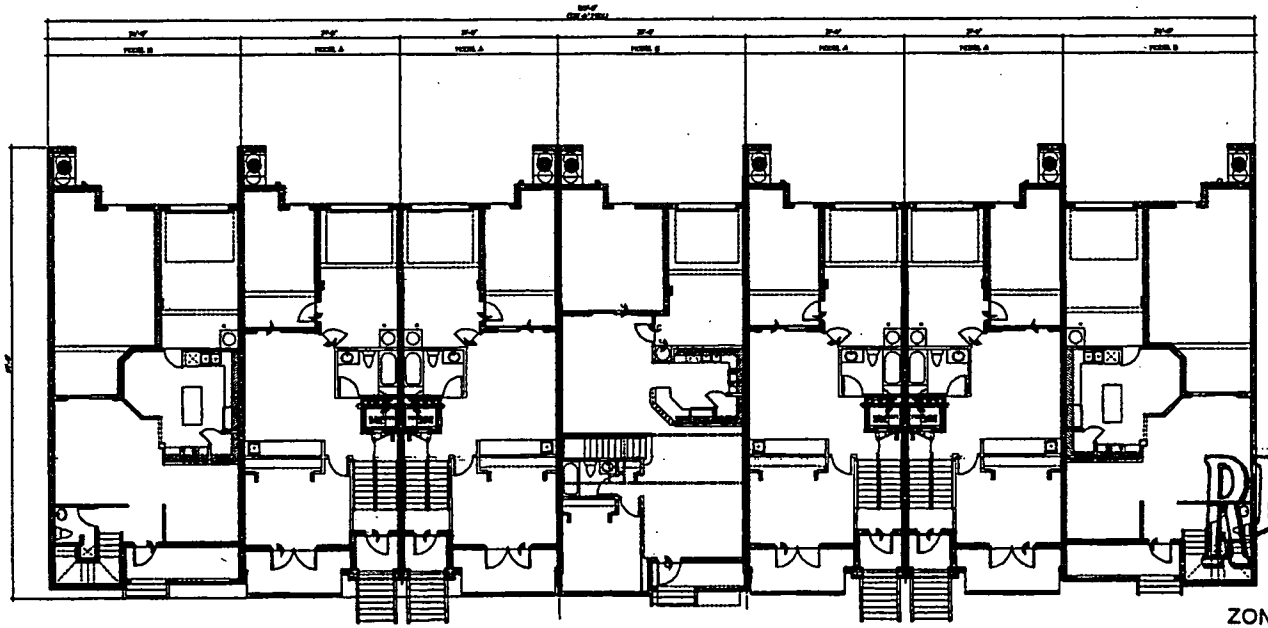
94



SECOND FLOOR PLAN



FIRST FLOOR PLAN

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: FIRST FLOOR OVERALL PLAN
7 UNIT BUILDING

Job No.:
Drawn by:
Scale: 1/8" = 1'-0"
Date: 5-05-04
Lot:
Block:

EDWARD SILVA, ARCHITECT
REGI. No. 0011131
8500 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

A-2
of

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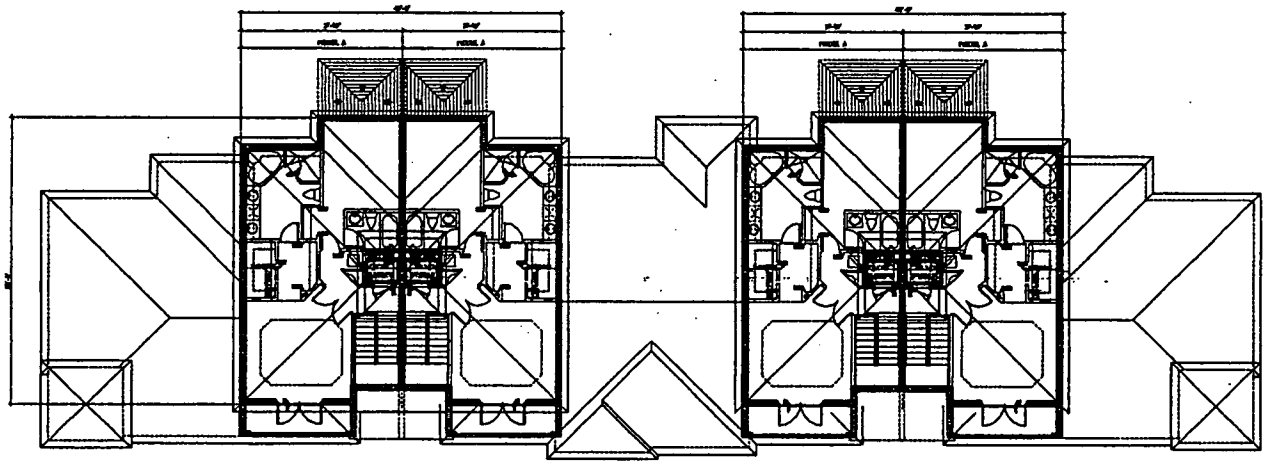
95



THIRD FLOOR PLAN

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: THIRD FLOOR/ROOF OVERALL PLAN
7 UNIT BUILDING

Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-3
of

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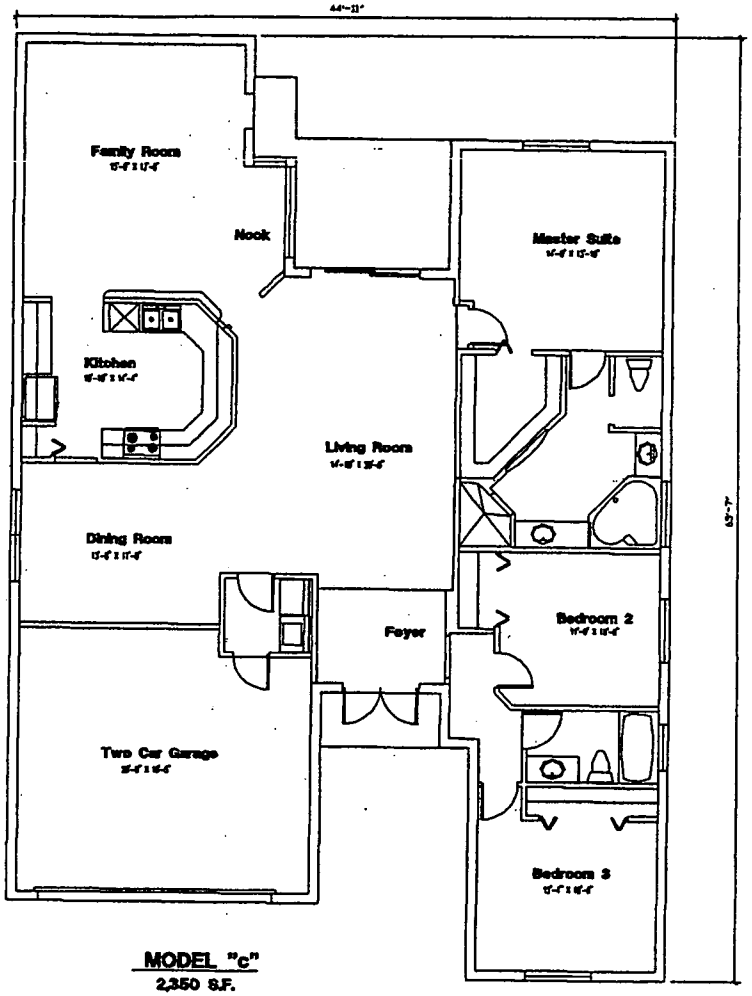

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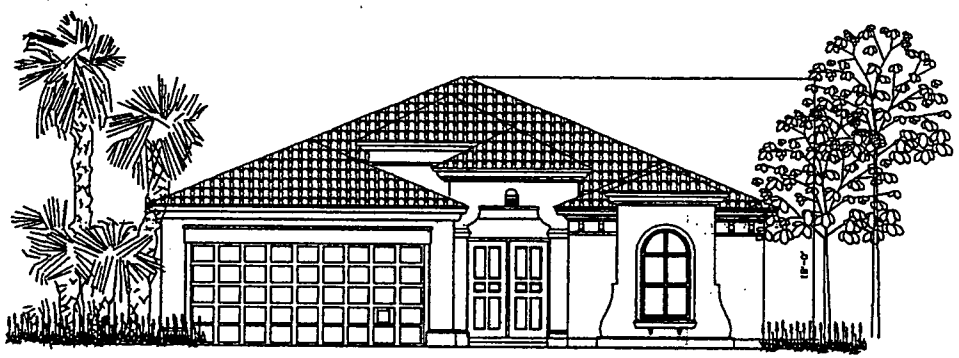
SCALE=1/4"



RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: BROCHURE
MODEL - COURTYARD

Job No.:
Drawn By:
Scale: 1/8"=1'-0"
Date: 5-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

A-1
of

96

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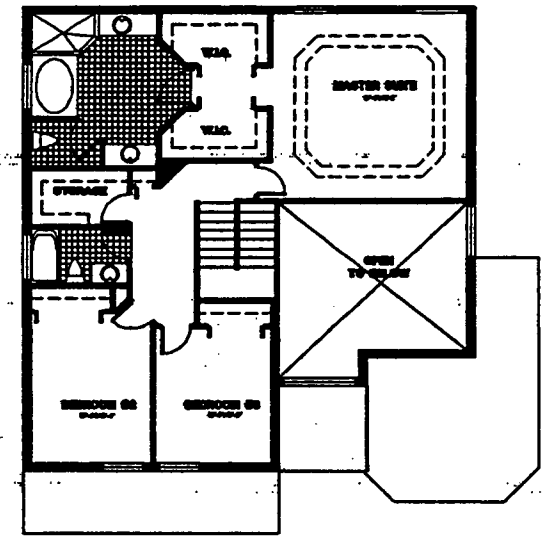
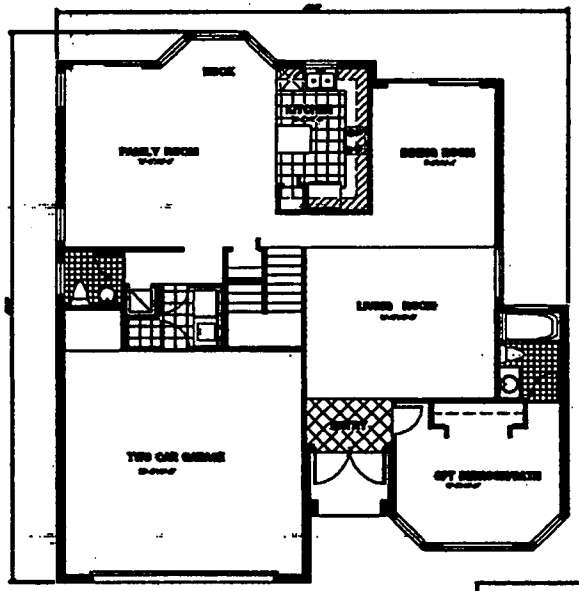


Admiral



Admiral

LIVING AREA	: 2633 SQ.FT
ENTRY	: 46 SQ.FT.
GARAGE	: 476 SQ. FT.
TOTAL	: 3156 SQ.FT.

Admiral

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

97

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: BROCHURE
MODEL - ADMIRAL

Job No.:
Drawn By:
Scale: 3/16" = 1'-0"
Date: 5-18-2004
Lot:
Block:

E.S.A.
EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-1
of

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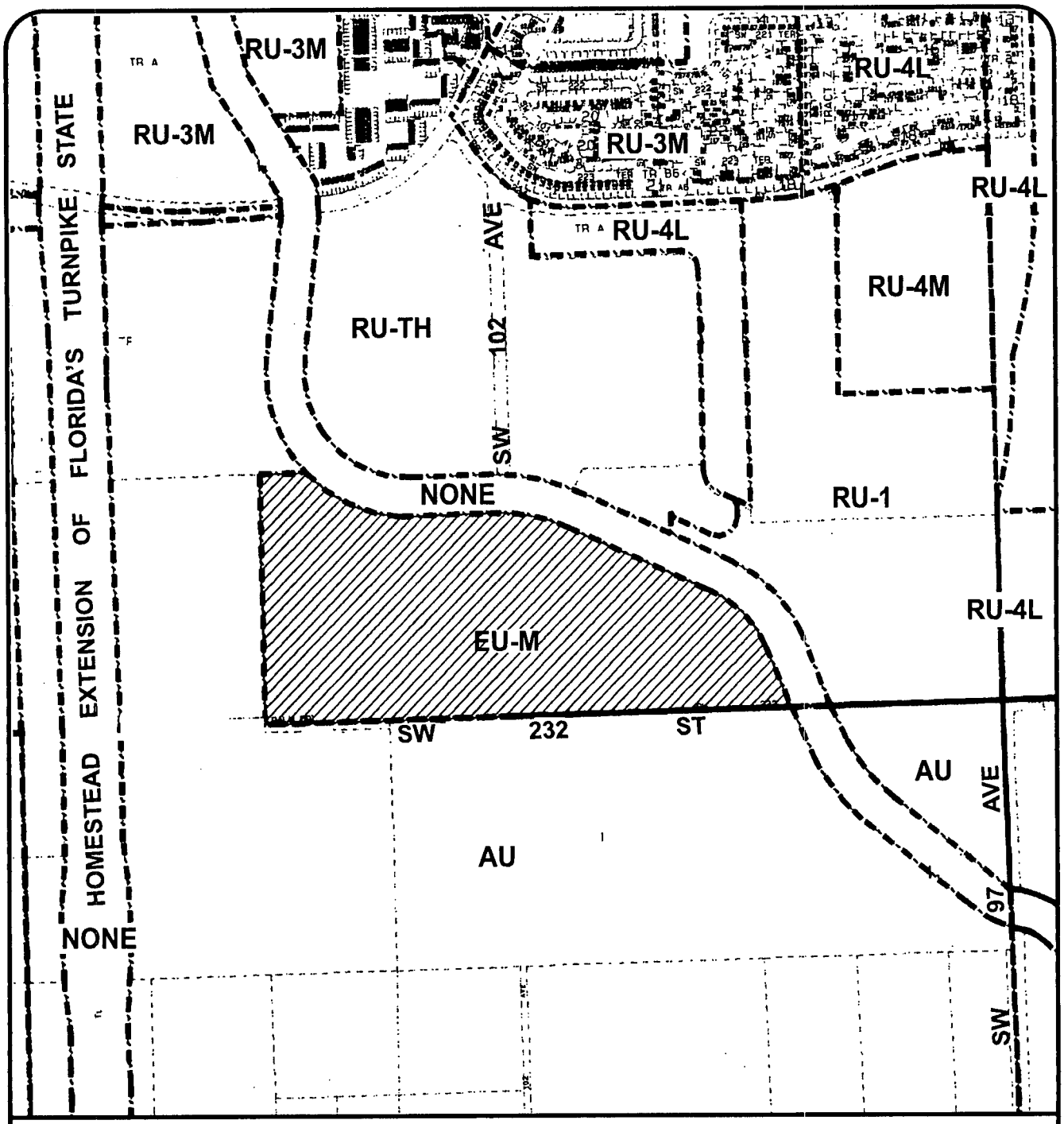


MIAMI-DADE COUNTY

HEARING MAP

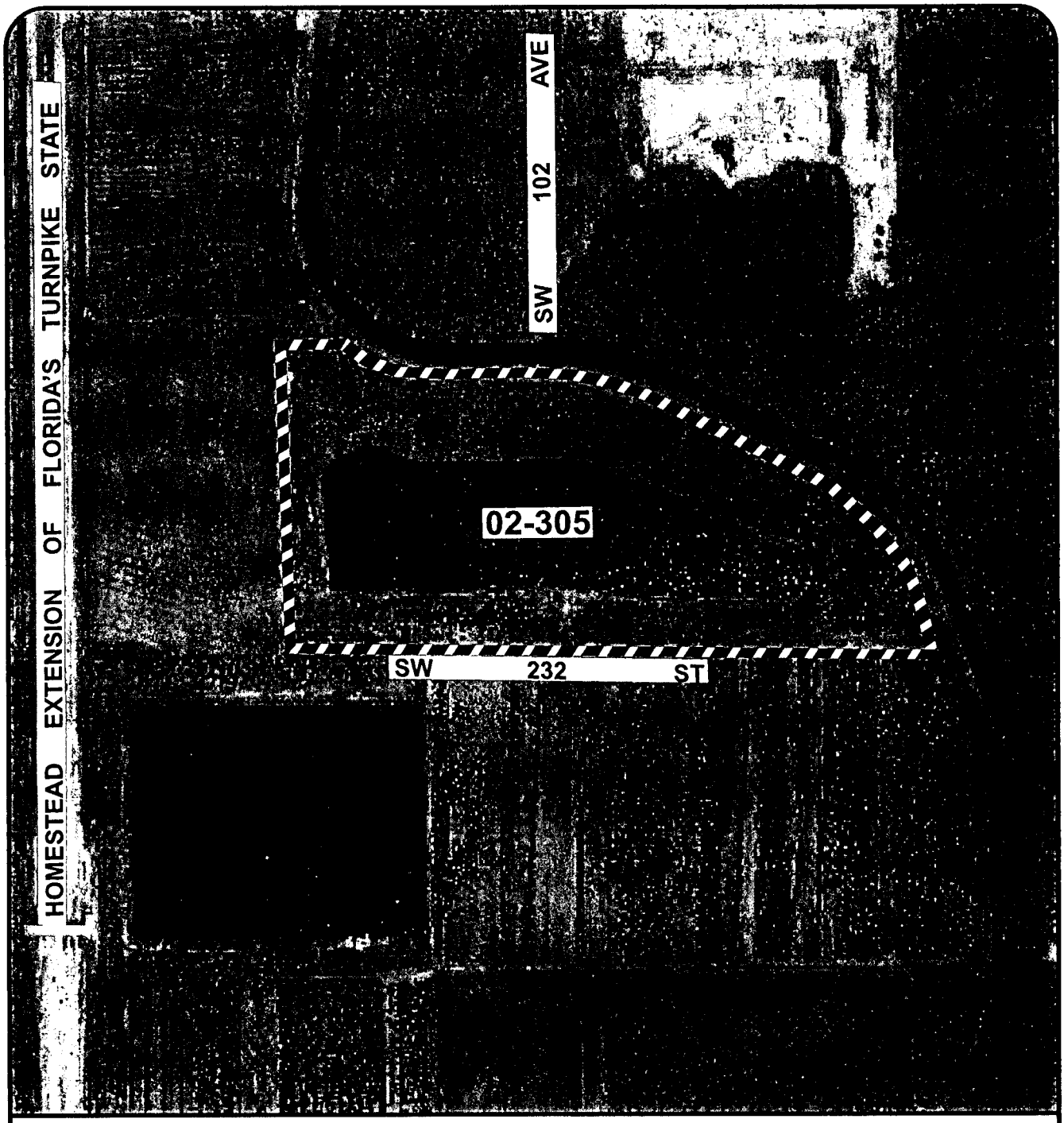
S C A L E 0 800' N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02



MIAMI-DADE COUNTY
AERIAL

S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING, 02-305, 10/02

C. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
BCC/District 8
Hearing Date: 11/4/04

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

DATE: SEPTEMBER 30, 2004 #Z-

APPLICANT: #3. H. R. REALTY & INVESTMENTS, INC.

MOTION: DEFERRED TO NOV 4, 2004-no further notice

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Diaz		X		
Ferguson				X
Heyman	S	X		
Martinez		X		
Morales				X
Moss		X		
Rolle		X		
Seijas		X		
Sorenson	M	X		
Sosa		X		
Souto		X		
Chair Carey-Shuler		X		
TOTAL		11	0	2

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Stanley Price & Jerry Proctor

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	APRIL 21, 2004	CZAB15- -04

REQUESTS: 1) EU-M to RU-3M. 2) UU Lake infill 3) waive ROW dedication 4) 15' parking backout 5) Side st. setback. 6) Bldg. height 7) Park/drive w/in 25' row 8) Lawn area

DEPT. REC: APPROVE #1SUBJECT TO COVENANT. APPROVE #2 WITH CONDITIONS. APPROVE #3, 5 – 7 WITH CONDITIONS AS NUV. DENY #4 & 8 WITHOUT PREJUDICE

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☐ INDEFINITELY ☒ TO: June 16, 2004 ☒ 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 STD. CONDITIONS

☒ OTHER: READVERTISE AT APPLICANT'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS			✓
MR.	S	Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
MS.		Alfonsina SERGIO			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 4 to 0

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	MARCH 16, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☐ 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 STD. CONDITIONS

☒ OTHER: (to submit revised plans)

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
MS.	S	Alfonsina SERGIO	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Stephen Stieglitz

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	JANUARY 20, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS:

☒ DEFER: ☐ INDEFINITELY ☒ TO: MARCH 16, '04 ☐ 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 STD. CONDITIONS

☐ OTHER:

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY		✓	
MS.		JoAnn BOVA	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 5 to 1

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

5

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	DECEMBER 9, 2003	CZAB15- -03

REQUESTS: EU-M to RU-3M

DEPT. REC: DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☐ INDEFINITELY ☒ TO: JAN. 20, '04 ☐ 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 STD. CONDITIONS

☒ OTHER: READVERTISE AT COUNTY'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)			✓

VOTE: 4 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Ron Bernstein

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): DYLAN RANGEL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	SEPTEMBER 23, 2003	CZAB15- -03

DEPT. REC: DENIAL W/OUT PREJUDICE OR DEFERRAL

1) EU-M to RU-3M

MOTION:

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☒ With Leave To Amend

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.
☐ WITH STD. CONDITIONS

☒ OTHER: at applicant's expense

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.	S	Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.	M	JoAnn BOVA	✓		
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Bill Riley

Objectors: NONE

Hearing No. 03-1-CZ15-6 (02-305)

Hearing Date: June 24, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____

Per DIC ____

Approved as Requested ____

Denied Without Prejudice ____

Denied With Prejudice ____

Standard Conditions: ____

✓ Deferred to: Sept. 23, 2003

Withdrawal ____

Other: ____

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

		Yes	No	Absent
Al Alvarez		✓		
Daniel L. Adams	S	✓		
Leonard Anthony		✓		
JoAnn Bova	M	✓		
Paul S. Vrooman				✓
Nancy McCue		✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓

County Attorney: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H. R. REALTY & INVESTMENTS, INC.

Representative: Bill Reilly

Objectors: Dana Floyd

Hearing No. 03-1-CZ15-6 (02-305)

Hearing Date: April 28, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____

Per DIC _____

Approved as Requested _____

Denied Without Prejudice _____

Denied With Prejudice _____

Standard Conditions: _____

Deferred to: June 24, 2003

Withdrawal _____

Other: due to omnipoint holding

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel Adams S	✓		
Leonard Anthony M	✓		
JoAnn Bova	✓		
Paul S. Vrooman	✓		
Nancy McCue	✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓

County Attorney: Steven Stiegler

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor Objectors: _____

Hearing No. 03-1-CZ15-6 (02-305) Hearing Date: January 30, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: 4/28/03

Per DIC _____ Deferred to: _____

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓ County Attorney: Ronald Bernstein

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 17-56-40 **DATE:** November 4, 2004

COMMISSION DISTRICT: 8 **ITEM NO.:** B

==========

A. INTRODUCTION

o REQUESTS:

MANUEL DORTA-DUQUE & THE FARM, INC. are appealing the decision on requests #1, #3, #4, #6 & #7 of Community Zoning Appeals Board #15 on H. R. REALTY & INVESTMENTS, INC. which approved the following:

(1) EU-M to RU-3M

(2) Applicant is requesting to permit a townhouse development setback 10' from side street property lines (15' required).

REQUESTS #1 & #2 ON PARCEL #1

(3) EU-M to RU-1M(a)

(4) Applicant is requesting to permit lots with 0' of frontage on a public street (50' required) and access to a public street by means of private drives.

(5) Applicant is requesting to permit single family residences with a rear setback of 15' (15' permitted on a portion only; 25' required for the balance).

REQUESTS #3 - 5 ON PARCEL #2

(6) Applicant is requesting to waive zoning and subdivision requirements for section line roads to be 80' in width; to permit 0' to 25' of dedication (40' required) on the north half of theoretical S.W. 232 Street.

(7) Applicant is requesting to permit parking and driveways within 25' of an official right-of-way (not permitted).

(8) UNUSUAL USE to permit the filling of a lake and a lake excavation.

REQUESTS #6 - #8 ON PARCELS #1 & #2

Upon a demonstration that the applicable standards have been satisfied, approval of requests #4 - #7 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b)(Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

The appellant is appealing this application that will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District and RU-1M(a), Modified Single-Family Residential District. Additional requests will permit the filling and excavation of a lake, less setback area from certain property lines for buildings than required, lots with 0' of frontage on a public street, parking areas and driveways closer than permitted to a right-of-way and the waiver of a portion of the required right-of-way dedication for a section line road.

- **LOCATION:**

Lying on the north side of theoretical S.W. 232 Street and 1,330' east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60.21 Acres

- **IMPACT:**

The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area. The additional requests could visually impact the surrounding area and affect traffic circulation.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning on the subject site.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2005 and 2015 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 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.

2. Uses and Zoning Not Specifically Depicted. Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." (Land Use Element, page I-36).

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant and lake	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture and Urban Development Boundary
EAST: RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST: AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Plant nurseries are active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Acceptable**
Location of Buildings:	**Acceptable**
Compatibility:	**Acceptable**
Landscape Treatment:	**Acceptable**
Open Space:	**Acceptable**
Buffering:	**Acceptable**
Access:	**Acceptable**
Parking Layout/Circulation:	**Acceptable**
Visibility/Visual Screening:	**Acceptable**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**Acceptable**

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into

consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Section 33-311(A)(14)(c)-Alternative Site Development for Single-Family and Duplex Dwellings

The following standard is an alternative to the generalized standards contained in zoning regulations governing specified zoning districts:

Setbacks for a single family or duplex dwelling shall be approved after public hearing upon demonstration of the following:

- the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property; and

- the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and

- the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development to less than 40% of the total net lot area; and

- any area of shadow cast by the proposed alternative development upon an adjoining parcel of land during daylight hours will be no larger than would be cast by a structure constructed pursuant to the underlying district regulations, or will have no more than a *de minimus* impact on the use and enjoyment of the adjoining parcel of land; and

- the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofing structure; and

- the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and

- the architectural design, scale, mass, and building materials of any proposed structure or addition are aesthetically harmonious with that of other existing or proposed structures or buildings on the parcel proposed for alternative development; and

- the wall of any building within a setback area required by the underlying district regulations shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and

- the proposed alternative development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot; and

- total lot coverage shall not be increased by more than twenty percent (20%) of the lot coverage permitted by the underlying district regulations; and

- any structure within an interior side setback required by the underlying district regulations:

  is screened from adjoining property by landscape material of sufficient size and composition to obscure at least sixty percent (60%) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure at time of planting; or

  is screened from adjoining property by an opaque fence or wall at least six (6) feet in height that meets the standards set forth in paragraph (f) herein; and

- any proposed alternative development not attached to a principal building, except canopy carports, is located behind the front building line; and

- any structure not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least three (3) feet: and

- the eighteen (18) inch distance between any swimming pool and any wall or enclosure required by this code is maintained; and

- safe sight distance triangles shall be maintained as required by this code; and

- the parcel proposed for alternative development will continue to provide on-site parking as required by this code; and

- the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth; and

- the proposed development will meet the following:

  side street setbacks shall not be reduced by more than fifty percent (50%) of the underlying district regulations;

  rear setbacks will be at least three (3) feet for detached accessory structures and ten (10) feet for principal structures.

The lot area, **frontage**, or depth for a single family or duplex dwelling shall be approved upon demonstration of the following:

The proposed alternative development will result in open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the underlying district regulations, provided that:

- the density of the proposed alternative development does not exceed that permitted by the underlying district regulations; and

- the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002); and

- each lot's area is not less than eighty percent (80%) of the lot area required by the underlying district regulations; and

- the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

- the parcel proposed for alternative development is not zoned AU of GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

- sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:

- will result in a significant diminution of the value of property in the immediate vicinity; or

- will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or

- will result in materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or

- will combine severable use rights obtained pursuant to Chapter 33B of the code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.

Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

- the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and

- the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

Section 33-311(A)(4)(b) - Non-Use Variances from other than Airport Regulations. 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.

Section 33-311(A)(4)(c) - Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that spirit of the regulations shall be observed and substantial justice done; provided, that the variance 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 non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**Objects**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**57 additional students**

* subject to the conditions stated in their attached memorandum

H. ANALYSIS:

This application was deferred from the September 30, 2004 meeting to allow the applicant time to conduct an archeological survey of the property and provide staff with the findings. The applicant has submitted said document to the Department. Manuel Dorta-Duque & The Farm, Inc. is appealing the Community Zoning Appeals Board-15 (CZAB-15) decision on request # 1, 3, 4, 6 and 7. The CZAB 15 approved the entire application by a vote of 4 to 1 on June 16, 2004. The appellant states that the requests are contrary to the law, not supported by competent substantial evidence, and the proceedings failed to provide due process of law. Although the appellant is appealing only five (5) of the eight (8) requests, the Board can exercise jurisdiction over the entire application. This hearing is a de novo hearing where evidence can be presented by both sides on the entire application. Staff notes that the CDMP states that all existing uses and zoning are consistent with the CDMP. The existing EU-M zoning is consistent with the CDMP, as such, should the Board desire to

retain the existing zoning on the property the decision would also be consistent with the CDMP.

This application seeks the rezoning of parcel 1 of the subject property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District, to allow a 202-unit townhome residential development, and the rezoning of parcel 2 from EU-M, Modified Estate District, to RU-1M(a), Modified Single-Family Residential District, to allow a 35-unit single-family residential development, for a 237-unit total for the entire residential development. The applicant is also seeking an unusual use to permit the partial filling and excavation of a lake, the waiver of the required dedication of a portion of the right-of-way for S.W. 232 Street (0' to 25' dedication where 40' is required by the zoning regulations), 10' side street setbacks for certain lots where 15' is required, 15' rear setbacks for single-family residences where 15' is permitted only on a portion and 25' is required for the balance, parking areas and driveways located within 25' of a right-of-way where not permitted and lots with 0' of frontage on a public street where 50' is required and with access to a public street by means of a private drive. The applicant has indicated that a covenant tying the application to the plans submitted and limiting the development of the site to a total of 237 units at a density of 3.93 gross dua (5.0 net dua), would be proffered in conjunction with this application. Further, said covenant states that a homeowner's association, a community development district, and/or (3) a special taxing district shall individually or collectively provide for the maintenance of all common areas, and also limits the use of the lake to non-motorized recreational activities.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department objects** to the requests to permit 0' to 25' of dedication for portions of the north half of the right-of-way for theoretical S.W. 232 Street, 0' of frontage on a public street and access to a public street by means of a private and parking spaces and driveways within 25' of a right-of-way. Said Department also indicates that this application will generate **151** additional **PM** daily peak hour vehicle trips, the addition of which will not exceed the current Level of Service (LOS) which is at LOS "B". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **57 students** to the schools in the area, and that the applicant has proffered a covenant to the School Board in order to provide a monetary donation to mitigate the impacts generated by this application, which will exceed the FISH (Florida Inventory of School Houses) capacity.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre lake. The Land Use Plan (LUP) map of the CDMP designates the site for low density residential use which permits a minimum of 2.5 and a maximum of 6.0 dua. The LUP map would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site. The proposed RU-3M zoning on parcel 1, at a density of 12.9 dua, would permit a total of 611 units on the 47.38 net acre portion of the site (parcel 1). The proposed RU-1M(a) zoning at a density of 6.97 dua, would permit a total of 89 units on the 12.83 net acre portion of the site (parcel 2). The total number of units permitted by the RU-3M and RU-1M(a) rezonings would be 700. As such, the requests to rezone to RU-3M and RU-1M(a) would be inconsistent with the LUP map of the CDMP without a covenant limiting the density to a maximum of 360 units. As mentioned above, the applicant has submitted a site plan showing the development of the site with a maximum of 237 units. The applicant has indicated the intent to proffer a

covenant limiting the development density to 3.93 dua (gross) and a maximum of 237 units. With said covenant, the zone changes to RU-3M (request #1) and RU-1M(a) (request #3) would be **consistent** with the LUP map of the CDMP.

The unusual use to permit the partial filling and excavation of an existing lake (request #8) is supported by staff. This request involves the partial filling of the existing lake to assure that the slopes meet code requirements. The excavation portion of the request is being made to legalize the original excavation of the existing lake, which a research of the records reveals was most likely done for past purposes of state road construction in the area. In staff's opinion, the approval of same would not generate or result in excessive noise or traffic, or cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities.

When analyzing requests #2 and #4 through #7 under the Alternative Site Development Option (ASDO) standards, Section 33-311(A)(14), staff finds that requests #2, #6 and #7 are not addressed under the ASDO standards. As such, said requests cannot be evaluated under same. Requests #4 and #5, the provision of frontage on and access to a public street by means of a private drive and the provision of 15' of rear setback area for certain lots (15' permitted for half the width of the structure and 25' required for the balance), meet some of the ASDO standards since the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property, will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space, will provide

sufficient frontage for vehicular access and the rear setbacks will be at least 10' for principal structures. However, request #4 does not meet the ASDO standards for lot frontage since the size and dimensions of certain lots are not sufficient to provide all setbacks, and request #5 does not meet the ASDO standards for setbacks since the parcel proposed for alternative development does not satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth. As such, requests #4 and #5 cannot be approved under the ASDO standards.

When analyzing requests #2, and #4 through #7 under the Non-Use Variance standards, Section 33-311(A)(4)(b), staff finds that the requests meet same by maintaining the basic intent and purpose of the zoning, subdivision and other land use regulations and not adversely affecting the stability and appearance of the community since this property will be a private community enclosed by a subdivision wall.

When requests #2, and #4 through #7 are analyzed under the Alternative Non-Use Variance standards, Section 33-311(A)(4)(c), staff finds that the applicant has not shown that a literal enforcement of the provisions of the Code would result in unnecessary hardship, since the property can be utilized in accordance with the proposed zoning district regulations. As such, this application does not meet those standards.

Staff finds that the revised plans' incorporation of different building types such as townhouses and single-family homes, the arrangement of housing in an interconnected block and street network, the provision of open space in the form of squares, plazas, pocket parks and green focal points, and the reduction of lot sizes on the south side of the lake to create a linear park meets the guidelines for urban form and design. In staff's opinion, the

site plan provided, incorporating the guidelines for urban form, and the covenant proffered, limiting the density of the development and tying the zoning requests to said plan, make this application **consistent** with the CDMP and **compatible** with surrounding uses.

Staff notes that the Office of Historic Preservation has indicated that there is an existing Tequesta and Seminole Indian burial site directly to the south of the subject property. Said Office had recommended that an archeological survey be conducted of the site to ensure that it does not contain any remains or artifacts from this adjacent burial ground. Staff is in receipt of a Report of a Phase I Archeological Survey conducted by Robert Baer, DPA dated October 14, 2004 which indicates that no Indian remains or artifacts were discovered within the survey boundaries of the subject property.

Staff recommends denial of the appeal, approval of requests #1 and #3, subject to the Board's acceptance of the proffered covenant, approval with conditions of request #8, approval with conditions of requests #2, and #4 through #7 under the Non-Use Variance standards and denial without prejudice under the ASDO and Alternative Non-Use Variance standards.

I. RECOMMENDATION:

Denial of the appeal, approval of requests #1 and #3, subject to the Board's acceptance of the proffered covenant, approval with conditions of request #8, approval with conditions of requests #2 and #4 through #7 under Section 33-311(A)(4)(b)(NUV), and denial without prejudice under Sections 33-311(A)(14)(ASDO) and (c)(ANUV).

J. CONDITIONS:

The following conditions are for requests #2 and #4 through #8:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, 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 "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

The following conditions are for the lakefill:

5. That in addition to any bond required by DERM, the property owner and any and all parties who may have a legal beneficial or equitable interest in the land shall execute a bond agreement with the Department of Planning and Zoning prior to issuance of a CU for a fill project. Such bond agreement shall require that in order to insure compliance

with all terms and conditions associated with the fill project permit approval, a cash or surety bond or substantially equivalent instrument meeting with the approval of the Director shall be posted by the applicant with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director and the DERM Director. Said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County. The bond amount will be based on the volume of cut required to conform any remaining excavation to Code approved slope configuration.

6. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

7. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Department of Environmental Resources Management, as set forth herein, shall be used in the fill project.

8. That no fill material or unacceptable fill to be removed shall be permitted to be stored on property abutting the fill project site or within the adjacent rights-of-way at any time during the fill project.

9. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

10. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

11. That the days and hours of the lakefill operation shall be determined by the Director.

12. That the applicant shall record a notice of authorization on a form prescribed by the Director of the excavation fill plan approved by the Director and the Director of the Department of Environmental Resources Management (DERM Director) for the fill project in the public records of Miami-Dade County prior to the issuance of a Certificate of Use (CU) authorizing commencement of the fill project.

13. That the applicant shall submit a detailed written disclosure of the fill project specifying the equipment and methods to be utilized during the fill project, including every aspect of the trucking, dumping, sorting and filling process.

14. That the applicant shall obtain a fill project CU permit, and shall promptly renew the same semi-annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions. Failure to commence the fill project within six months of the date of the original CU issuance shall result in an abandonment of the fill project.

15. That prior to each CU renewal, the applicant shall submit a status report indicating the percentage of fill project completion and the estimated time of the fill project's final

completion.

16. That if an excavation will be filled in phases, a phase plan shall be submitted with the initial excavation fill plan and permit plan application. The plan and supporting documents shall delineate the area to be filled in each phase and the time frame projected to close out each phase of the fill project.

17. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than nine (9) months from issuance of the CU permit. A time extension may be granted by the Director for good cause shown.

18. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the zoning code requirements and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation.

19. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis during the fill project. In accordance with this requirement, the applicant shall submit "as-built" surveys prepared and sealed by a Florida-licensed surveyor and /or professional engineer annually and at final completion of the fill operation or upon request of either the Director or the DERM Director when it is determined by the Director or the DERM Director that the filling is proceeding contrary to approved plans or in violation of the conditions of the approved excavation fill plan or the permit plan.

20. That the property shall be suitably posted to meet with the approval of the Director and the DERM Director; said postings shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

21. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Department of Environmental Resources Management as well as the Public Works Department for the duration of the fill project.

22. That upon completion of the fill project, the property shall be restored and left in an acceptable condition meeting the approval of the Director and the DERM Director.

23. That the final slope(s) of the remaining excavation shall be in accord with zoning code requirements.

24. That the fill project shall meet all stormwater management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

25. That to the extent possible, the property shall be staked and said stakes shall be maintained in proper position so that the limits of the filling, slopes and grade levels may be easily determined.

26. That the applicant record the resolution of approval for the use in the public records of Miami-Dade County prior to the issuance of a Certificate of Use.

27. That if in the opinion of the Director the lake fill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicant as directed by the Director.

The following conditions are for the lake excavation:

28. That the lake tract be platted; no building permit shall be issued for lots contiguous to the lake tract until the lake excavation is completed and lake as-built drawings submitted to and approved by the Department.

Or in lieu of condition #28 the following:

28a. Prior to the approval of any type of plat on the property, the Owner(s) of the property shall submit a Unity of Title agreement to the Department of Planning and Zoning; said agreement shall encumber the entire property described in the plat. Once the Unity of Title agreement has been reviewed and accepted it shall be recorded in the Public records prior to final plat consideration by the Board of County Commissioners. Upon receipt of a written request to release the Unity of Title agreement, the Department will consider the release only after the issuance of a lake excavation permit and the submittal and final approval of the lake excavation as-builts. The lake excavation area shall be shown as a separate tract and appropriately labeled as such on the final plat.

29. That complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director upon the submittal of an application for a lake excavation permit; said plans

    shall be substantially in accordance with that submitted for the hearing entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

30. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the excavation progresses. The applicant will submit "as built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer at final completion of the excavation, or upon request of the Director or the Director of Environmental Resources Management.

31. That the property shall be staked to meet with the approval of the Director and the Director of Environmental Resources Management; said stakes shall be maintained in proper position so that the limits of the excavation, slopes and grade levels may be easily determined.

32. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director and the Director of Environmental Resources Management.

33. No material shall be removed from the premises and all excavated material shall be used to improve the property described in the application.

34. That the use of explosives shall be strictly prohibited in connection with the lake excavation operation.

35. That the days and hours of the lake excavation operation shall be controlled by the Director.

36. That the lake excavation operation shall be carried on continuously and expeditiously so that the entire project will be completed within nine (9) months from the date of permit issuance for the proposed lake excavation. A time extension may be granted by the Director for good cause shown.

37. If the lake excavation operation is discontinued, abandoned, falls behind schedule or time expires, the existing excavation shall immediately be sloped to conform with the approved plans and the entire operation shall be removed from the premises.

38. That in order to insure compliance with all terms and conditions imposed, a cash or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees, etc.

39. That the applicant obtain an excavation use permit from and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

40. All excavations shall be completely enclosed by a safety barrier, minimum height of 6 feet, consisting of either orange plastic safety fence or wood slat storm fencing installed on 4" x 4" posts spaced every 10 feet. Said barrier shall be installed prior to issuance of the excavation permit and commencement of excavating and shall remain in place until work is complete and the performance bond is released.

41. All excavations shall be posted every 50 feet with warning signs a minimum of 18" x 18" in size.

42. That a hedge(s), 3' high at time of planting, be installed along both sides of the guardrail proposed on those portions of the lake fronting on a right-of-way.

43. That the applicant complies with all applicable conditions and requirements of the Miami-Dade County Department of Environmental Resources Management (DERM).

DATE INSPECTED: 01/06/03
DATE TYPED: 01/22/03
DATE REVISED: 03/27/03, 04/07/03, 04/08/03, 04/22/03, 06/02/03, 06/04/03, 06/16/03, 09/05/03, 09/12/03, 11/24/03, 12/01/03, 12/02/03, 01/09/04, 01/12/04, 03/01/04, 03/04/04, 03/11/04, 03/30/04, 04/05/04, 04/15/04, 05/27/04, 06/07/04, 06/10/04, 09/20/04, 10/20/04
DATE FINALIZED: 10/22/04
DO'QW:AJT:MTF:CR

for Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM
DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

RECEIVED
SEP 19 2003
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

DATE: September 12, 2003

SUBJECT: C-15 #Z2002000305-Revised
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O
theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Enforcement History:
DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# 02-305
CZAB-15
Rev. 3

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department objects to this application.

This Department objects to the request to permit lots with 0 feet of frontage on a public street and access to a public street by means of a private drive.

Redesign site plan to eliminate private drives and provide for public roads.

This Department objects to the request to permit 0 to 25 feet of dedication on the north half of theoretical SW 232 St. (40 feet required).

The property owner must dedicate the entire 40 feet for the north half of SW 232 St. This is a section line road and although no extension to the east is foreseen in the near future, this Department feels that the 40 foot dedication should not be waived.

This Department objects to the request to permit parking and driveways within 25 feet of a right-of-way.

One-way drives shall have a minimum width of 15 feet for fire truck access.

Entrance features are not reviewed under this application and must be filed separately. Gates must be removed.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

A Special Taxing District is to be established for maintenance of common areas and lake.

Lake slopes and typical sections for lakes are not reviewed under this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **151 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	B	B
9594	Old Cutler Rd. sw/o Franjo Rd.	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.

Raul A. Pino, P.L.S.

MAY 28 2004

Date

Miami-Dade County Public Schools

giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent
Facilities Operations, Maintenance and Planning

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
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Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

April 21, 2004

RECEIVED
APR 23 2004
DEPT. OF PLANNING & ZONING
ZONING EVALUATION SECTION
BY

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue
REVISED

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Centennial Middle School and Miami Southridge Senior High School currently operating at 123% and 129% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Centennial Middle School and Miami Southridge Senior High School to 124% and 130%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on May 22, 2003, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with them to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board (Board) in order to provide a monetary donation, over and above impact fees. Please be advised that the Board at their August 20, 2003 meeting authorized such a proffer by the applicant. Additionally, the revised covenant will be presented to the Board at its meeting of May 19, 2004 for its approval.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • www.ARijo@facil.dade.k12.fl.us

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the 237-unit development is estimated to generate approximately $580,176 ($2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:am
L-2468
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Ms. Vivian Villaamil
Ms. Patricia Good
Mr. William W. Riley

REVISED
SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 02-305, H. R. Realty & Investments, Inc. (CC15)
REQUEST:	Zone change from EU-M to RU-3M
ACRES:	60± acres
LOCATION:	North of S.W. 232 Street and East of S.W. 107 Avenue
UNITS:	92 additional units as per proffered covenant (145 units currently permitted under existing zoning classification, for a total of 237 units)
ESTIMATED STUDENT POPULATION:	57 students *
ELEMENTARY:	26
MIDDLE:	14
SENIOR:	17

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Pine Villa Elementary - 21799 S.W. 117 Ct.
MIDDLE:	Centennial Middle - 8601 S.W. 212 St.
SENIOR HIGH:	Miami Southridge Senior - 19355 S.W. 114 Ave.

All schools are located in Access Center 6

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2003:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Pine Villa Elem.	630/ 656*	606	104%/ 108%*	210	77%/ 80%*
Centennial Middle	1116/ 1130*	908	123%/ 124%*	0	123%/ 124%*
Miami Southridge Sr.	3857/ 3874*	2670	144%/ 145%*	309	129%/ 130%*

* includes proposed development

Pursuant to the Interlocal Agreement, please note that the elementary school does not meet the review threshold.

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2003:

Pine Villa Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	FL School Recognition as a "C" School
Special Programs:	After-school care and Magnet programs
Lunch schedule:	Begins at 10:15 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	Media Center
Recognition for Academic Achievement:	None
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:05 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium and Resource Rooms
Teachers required to float/travel:	Reading, Math and Science

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements in the past school year:	Classroom addition
Recognition for Academic Achievement:	None
Special Programs:	Vocational and Enrichment classes
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of April 2004):

School	Status	Projected Occupancy Date
Palm Glade K-8 Center (Pine Villa, Redland and Naranja Elementary Relief; Redland and Mays Middle School Relief) (1606 student stations)	Pre-Planning	November 2009
State School "TTT" (unfunded) (South Dade, Homestead and Southridge Sr. High School Relief) (3599 student stations)	Feasibility Study (Funded)	

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $332,481.

CAPITAL COSTS: Based on the State's April-2004 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	26	x	$ 13,365	=	$	105,768
MIDDLE	14	x	$ 15,324	=	$	75,795
SENIOR	17	x	$ 20,278	=	$	100,300
Total Potential Capital Cost					$	281,863

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

1	F.V. CONSTRUCTION CORP. #03-182	SWC of SW 280 St. and SW 132 Ave.	54 Units/ 45 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 1/20/04	DENIED
2	MALCOLM B. WISEHEART, JR., ET AL #01-408	SWC of SW 198 St. and Old Cutler Rd.	4 Units/ 2 Students	WHISPERING PINES ELEM-1 CUTLER RIDGE MID-0 SOUTHRIDGE SR-1	9/6 9/6 9/6	CC15 1/20/04	APPROVED
3	PROVINCIAL REALTY, INC. #02-186	SW 112 Ave. btwn SW 224 & 232 St.	250 Units/ 154 Students	PINE VILLA ELEM-71 CENTENNIAL MID-38 SOUTHRIDGE SR-45	7/6 9/6 9/6	CC15 11/17/03	APPROVED
4	ERIC AND NICOLE LEE BERRIOS #01-376	SWC of SW 184 St. and SW 79 Ct.	1 Unit/ 0 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	9/6 9/6 9/6	CC15 1/28/02	APPROVED
5	LLOYD AND JOHNNIE CASH #02-230	SWC of SW 137 Ave. and SW 258 St.	36 Units/ 30 Students	NARANJA ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	9/6 7/6 7/6	CC15 1/30/03	APPROVED
6	RALPH FEUERRING, ET AL #02-108	NEC of SW 232 St. and SW 110 Ave.	209 Units/ 119 Students	PINE VILLA ELEM-84 CENTENNIAL MID-29 SOUTHRIDGE SR-26	7/6 9/6 9/6	CC15 10/03/02	APPROVED
7	ROBERT BOREK ET AL #01-333	E and W of SW 117 Ave. on the N side of 248 St.	248 Units/ 130 Students	PINE VILLA ELEM-70 REDLAND MID-31 HOMESTEAD SR-29	7/6 7/6 9/6	CC15 10/03/02	APPROVED
8	GOULDS, LLC #02-326	W of Sw 112 Ave. and S of SW 224 St.	45 Units/ 28 Students	PINE VILLA ELEM-13 MAYS MID-7 SOUTHRIDGE SR-8	7/6 7/6 9/6	CC15 10/22/03	APPROVED
9	LUMSDEN OAKS ACQUISITION CORP. #02-250	W of SW 132 Ave. and S of SW 282 St.	136 Units/ 116 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 10/22/03	APPROVED
10	SPECIALTY HOUSING CORP. #03-104	S of SW 268 St. and W of FL Turnpike	33 Units/ 22 Students	CHAPMAN ELEM-10 CENTENNIAL MID-6 HOMESTEAD SR-6	9/6 9/6 9/6	CC15 10/22/03	APPROVED
11	SVK AIRPORT LAND, LLC #02-200	SEC of SW 276 St. and SW 154 Ave.	41 Units/ 24 Students	REDLAND ELEM13 REDLAND MID-(SOUTH DADE SR-5	7/6 7/6 7/6	CC15 11/06/02	APPROVED
12	AIRBASE LANDINGS, LTD. #02-030	S of SW 288 St. and E of SW 122 Ave.	45 Units/ 20 Students	CHAPMAN ELEM-11 CENTENNIAL MID-5 HOMESTEAD SR-4	9/6 9/6 9/6	CC15 11/07/02	APPROVED
13	HABITAT FOR HUMANITY OF GREATER MIAMI, INC. #00-188	15375 SW 288 St.	10 Units/ 7 Students	LEISURE CITY ELEMID-4/2 SOUTH DADE SR-1	9/6 7/6	CC15 11/12/02	APPROVED
14	LEWIS PETERS AND FERGUSON PETERS, TRUSTEE #01-068	NEC of SW 248 St. and Sw 112 Ave.	328 Units/ 168 Students	NARANJA ELEM-91 CENTENNIAL MID-40 HOMESTEAD SR-37	9/6 9/6 9/6	CC15 11/13/01	APPROVED
15	ALLAPATTAH NURSERY, LTD #02-155 #02-228	E of SW 112 Ave. and N of SW 240 St.	477 Units/ 255 Students	PINE VILLA ELEM-138 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED

PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

16	CHARLES AND JO ELLEN CHAMBERS #02-178	NEC of SW 139 Ave. and SW 258 St.	76 Units/ 50 Students	NARANJA ELEM-27 REDLAND MID-12 SOUTH DADE SR-11	9/6 7/6 7/6	CC15 12/11/02	APPROVED
17	CW2, LTD. #02-164	E of SW 139 Ave. and S of SW 260 St.	32 Units/ 21 Students	NARANJA ELEM-11 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 12/11/02	APPROVED
18	DIAZ LANDSCAPING & NURSERY, INC. #02-192	E of SW 112 Ave. and S of SW 240 St.	476 Units/ 254 Students	PINE VILLA ELEM-137 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED
19	JSM HOLDING CORP. INC AND ROYAL GROUP INVESTMENT #01-264	S of SW 288 St. and SW 140 Ave.	24 Units/ 11 Students	CHAPMAN ELEM-6 REDLAND MID-3 HOMESTEAD SR-2	9/6 7/6 9/6	CC15 2/12/02	APPROVED
20	BLACK CREEK BUILDERS GROUP, LLC #02-335	SEC of SW 132 Ave. and SW 284 St.	11 Units/ 7 Students	REDLAND ELEM-4 MAYS MID-2 HOMESTEAD SR-1	7/6 7/6 9/6	CC15 2/25/03	APPROVED
21	HUGO G. MORALES, TRUSTEE #01-203	Eof USA-1, S of Sw 252 St. and W of SW 137 Ave.	380 Units/ 144 Students	NARANJA ELEM-78 REDLAND MID-34 SOUTH DADE SR-32	9/6 7/6 7/6	CC15 3/26/02	APPROVED
22	CAROLE BROCK, TRUSTEE #02-278	NEC of SW 226 St. and SW 112 Ave.	45 Units/ 28 Students	PINE VILLA ELEM-15 CENTENNIAL MID-7 SOUTHRIDGE SR-6	7/6 9/6 9/6	CC15 3/27/03	APPROVED
23	CARMEL INVESTMENT & DEVELOPMENT INC. #01-437	NEC OF SW 160 Ave. and theor. SW 302 St.	6 Units/ 4 Students	PESKOE ELEM-2 CAMPBELL DRIVE MID-1 HOMESTEAD SR-1	9/6 9/6 9/6	CC15 4/23/02	APPROVED
24	ROBERT BOREK ET AL #00-298	S of SW 248 St. btwn SW 117 and 122 Ave.	342 Units/ 214 Students	PINE VILLA ELEM-118 REDLAND MID-51 HOMESTEAD SR-47	7/6 7/6 9/6	CC15 5/01/01	APPROVED $128,400 O/A
25	ALEJANDRO ZAMPIER #02-076	S of Sw 260 St. and W of SW 134 Ave.	20 Units/ 13 Students	NARANJA ELEM-7 REDLAND MID-3 SOUTH DADE SR-3	9/6 7/6 7/6	CC15 6/04/02	APPROVED
26	CLINTON ASSOCIATES, LTD. #02-035	NWC of SW 122 Ave. and SW 256 St.	59 Units/ 38 Students	NARANJA ELEM-21 REDLAND MID-9 HOMESTEAD SR-8	9/6 7/6 9/6	CC15 6/04/02	APPROVED
27	FREDERICK T. PETERS MARTIAL TRUST #01-219	N of SW 208 St. and btwn SW 87 Ave. and SW 92 Ave.	160 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
28	SODA PROPERTIES, LLC. #01-348	Btwn SW 87 Ave. and SW 92 Ave. and N of SW 208 St.	232 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
29	LAW PROPERTIES LTD. #02-244	SWC of SW 133 Ave. and SW 280 St.	79 Units/ 66 Students	CHAPMAN ELEM-30 CENTENNIAL MID-17 HOMESTEAD SR-19	9/6 9/6 9/6	CC15 6/24/03	APPROVED
30	SAGA BAY DEVELOPMENT, INC. #96-549	N of SW 210 St. and E of SW 82 Ave.	126 Units/ 78 Students	WHIGHAM ELEM-42 CENTENNIAL MID-19 SOUTHRIDGE SR-17	9/6 9/6 9/6	CC15 6/24/03	APPROVED

PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

31	HENRY C. MORAT, TRUSTEE #02-280	SEC of SW 132 Ave. and SW 284 St.	109 Units/ 92 Students	CHAPMAN ELEM-42 CENTENNIAL MID-23 HOMESTEAD SR-27	9/6 9/6 9/6	CC15 7/24/03	APPROVED
32	SUNRISE VILLAGE MOBILE HOME PARK II #03-031	SEC of SW 147Ave. And SW 280 St.	181 Units/ 152 Students	LEISURE CITY ELEMID-70/38 HOMESTEAD SR-44	9/6 9/6	CC15 7/24/03	APPROVED
33	SVK AIRPORT LAND, LLC #02-201	NEC of SW 137 Ave. and SW 256 St.	58 Units/ 49 Students	NARANJA ELEM-23 REDLAND MID-12 SOUTH DADE SR-14	9/6 7/6 7/6	CC15 7/24/03	APPROVED
34	THE HOUSING TRUST GROUP OF FLORIDA, LLC #01-172	E of SW 87 Ave. and N of SW 216 St.	57 Units/ 35 Students	WHIGHAM ELEM-16 CENTENNIAL MID-9 SOUTHRIDGE SR-10	9/6 9/6 9/6	CC15 7/24/03	APPROVED
35	JOSE A. COSTA, JR., TRUSTEE #03-120	NEC of SW 248 St. & SW 129 Ave.	28 Units/ 17 Students	PINE VILLA ELEM-8 REDLAND MID-4 HOMESTEAD SR-5	7/6 7/6 9/6	CC15 8/21/03	APPROVED
36	PRINCETON SELF STORAGE, INC. #01-181	E of US-1, S to Canal, btwn SW 244 St and SW 248 St.	160 Units/ 59 Students	MIAMI HEIGHTS ELEM-32 REDLAND MID-14 SOUTH DADE SR-13	9/6 7/6 7/6	CC15 9/04/01	DENIED
37	TOPA INVESTMENTS, LLC #01-161	19200 SW 102 Ave.	58 Units/ 19 Students	BEL-AIRE ELEM-10 CUTLER RIDGE MID-5 SOUTHRIDGE SR-4	9/6 9/6 9/6	CC15 9/04/01	DENIED
38	MARTINA BOREK ET AL #03-018	12110 SW 248 St.	90 Units/ 78 Students	NARANJA ELEM-35 REDLAND MID-19 HOMESTEAD SR-22	9/6 7/6 9/6	CC15 9/11/03	APPROVED
39	MANUEL C. & EMILIA DIAZ, ET AL #02-377	W of Sw 112 Ave. and S of SW 232 St.	1632 Units/ 1069 Students	PINE VILLA ELEM-492 REDLAND MID-267 HOMESTEAD SR-310	7/6 7/6 9/6	CC15 9/23/03 12/04/03	APPROVED
40	H. R. REALTY & INVESTMENTS, INC. #02-305	N of SW 232 St. and E of SW 107 Ave.	92 Units/ 57 Students	WHIGHAM ELEM-26 CENTENNIAL MID-14 SOUTHRIDGE SR-17	9/6 9/6 9/6	CC15 Def. 4/21/04	PENDING
41	ROYALTY INVESTMENT & DEVELOPMENT GROUP, LLC #03-260	NWC of SW 260 St. and SW 137 Ave.	21 Units/ 18 Students	NARANJA ELEM-8 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 2/17/04	APPROVED
42	US1 COMMERCIAL REAL ESTATE INVESTMENT, LLC #03-269	SEC of US1 and SW 284 St.	216 Units/ 182 Students	LEISURE CITY ELEMID-84/45 HOMESTEAD SR-53	9/6 9/6	CC15 2/17/04	APPROVED
43	ALOR INVESTMENT CORP. #03-285	25520 SW 194 Ave.	17 Units/ 14 Students	NARANJA ELEM-6 REDLAND MID-4 SOUTH DADE SR-4	9/6 7/6 7/6	CC15 3/18/04	APPROVED
44	E & D DEVELOPMENT, INC. #03-283	SWC of SW 132 Ave. and SW 279 St.	6 Units/ 5 Students	CHAPMAN ELEM-2 CENTENNIAL MID-1 HOMESTEAD SR-2	9/6 9/6 9/6	CC15 3/18/04	DENIED
45	GREGORY W. WOODS #03-298	18690 Old Cutler Rd.	2 Units/ 1 Students	WHISPERING PINES ELEM-1 CUTLER RIDGE MID-0 SOUTHRIDGE SR-0	9/6 9/6 9/6	CC15 3/18/04	APPROVED

Note: There is one applications that is pending which would generate 57 students.

PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
CHAPMAN, W.A. ELEM	784	89	873	809	64	100%
LEISURE CITY ELEM/MID	1845	158	2003	999	45	192%
NARANJA ELEM	800	323	1123	561	158	156%
PESKOE, IRVING & BEATRICE ELEM	1185	2	1187	840	0	141%
PINE VILLA ELEM	692	1040	1732	561	210	225%
WHIGHAM, DR. EDWARD L. ELEM	996	146	1142	911	0	125%
WHISPERING PINES ELEM	867	2	869	793	0	110%
ELEMENTARY TOTALS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
CAMPBELL DRIVE MID	1334	1	1335	1373	0	97%
CENTENNIAL MID	1110	311	1421	913	114	138%
LEISURE CITY ELEM/MID	1845	85	1930	999	45	185%
REDLAND MID	1748	454	2202	1144	25	188%
MIDDLE TOTALS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
HOMESTEAD SR	3249	720	3969	2569	0	154%
MIAMI SOUTHRIDGE SR	3880	96	3976	2372	309	148%
SOUTH DADE SR	2713	82	2795	1871	283	130%
SENIOR HIGH TOTALS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
TOTAL	23048	3509	26557	16715	1253	148%

CHARTER SCHOOLS
2002-2003

REV. 6-12-03

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
7160	Mater Academy High School 7901 NW 103 St. Hialeah Gardens, FL 33016	80	750	1,000	1,000	9-10	I	4
0100	Mater Center Charter School 7700 NW 98 St. Hialeah Gardens, FL 33016	1,099	1,000	1,050	1,150	K-8	I	4
0110	North County Charter School 3400 NW 135 St. Miami, FL 33054	293	600	600	600	K-5	I	1
5130	North Dade Community Charter School 13850 NW 26 Ave. Opa-Locka, FL 33054	63	575	600	600	K-5	I	1
5710	Sandor Wiener School of Opportunity 20000 NW 47 Ct. Opa-Locka, FL 33055	6	32	34	72	K-2	I	1
6900	Vankara Academy Charter School 13307-11 Alexandria Dr. Opa-Locka, FL 33054	132	175	225	225	6-8	I	1
6050	Youth Co-Op Charter School 12051 W. Okeechobee Rd. Hialeah Gardens, FL 33018	386	525	525	525	K-8	I	4
6020	ASPIRA Youth Leadership Charter School 13300 Memorial Hwy. North Miami, FL 33161	288	450	450	450	6-9	II	1
0120	Northeast Academy 1750 NE 168 St. N. Miami Beach, FL 33162	416	600	600	600	K-5	II	3
6030	Doral Academy 2450 NW 97 Ave. Miami, FL 33172	1212	2,025	2,025	2,025	K-8	III	5
7020	Doral Academy High School 11100 NW 27 St. Miami, FL 33172	456	1,800	1,800	1,800	9-11	III	5
0400	Ryder Elementary Charter School 8360 NW 33 St. Miami, FL 33122	488	500	500	500	K-5	III	5

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
6070	ASPIRA Eugenio Maria de Hostos Charter School 3650 N. Miami Ave. Miami, FL 33127	174	250	300	350	6-8	IV	2
3600	Downtown Miami Charter School 305 NW 3 Ave. Miami, FL 33128	294	650	650	850	K-6	IV	2
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138	260	350	350	350	6-8	IV	2
0040	Liberty City Charter School 8700 NW 5 Ave. Miami, FL 33150	257	400	705	705	K-7	IV	2
3100	Mater East Charter School 450 SW 4 St. Miami, FL 33130	269	650	800	800	K-5	IV	6
6040	Miami Shores/Barry University Connected Learning Center 11441 NW 2 Ave. Miami Shores, FL 33168	180	200	200	200	6-8	IV	2
0500	Rosa Parks Community School/Overtown 430 NW 9 St. Miami, FL 33136	42	425	500	500	K-6	IV	2
0510	Archimedean Academy 10870 SW 113 Place Miami, FL 33176	80	225	325	500	K-3	V	7
0600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175	548	650	700	700	K-6	V	8
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033	160	230	260	260	6-8	VI	9
0070	Coral Reef Montessori Academy 19000 SW 112 Ave. Miami, FL 33157	221	500	500	500	K-8	VI	9
0300	Rosa Parks Charter School/Florida City 713 West Palm Drive Florida City, FL 33034	149	250	300	600	K-7	VI	9

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
0200	Spiral Tech Elementary Charter School 12400 SW 72 St. Miami, FL 33183	59	160	240	290	K-5	VI	7

- Grade levels for school year 2002-2003

NEW CHARTER SCHOOLS APPROVED TO OPEN FOR THE 2003-2004 SCHOOL YEAR:

(Rev. 3/21/03)

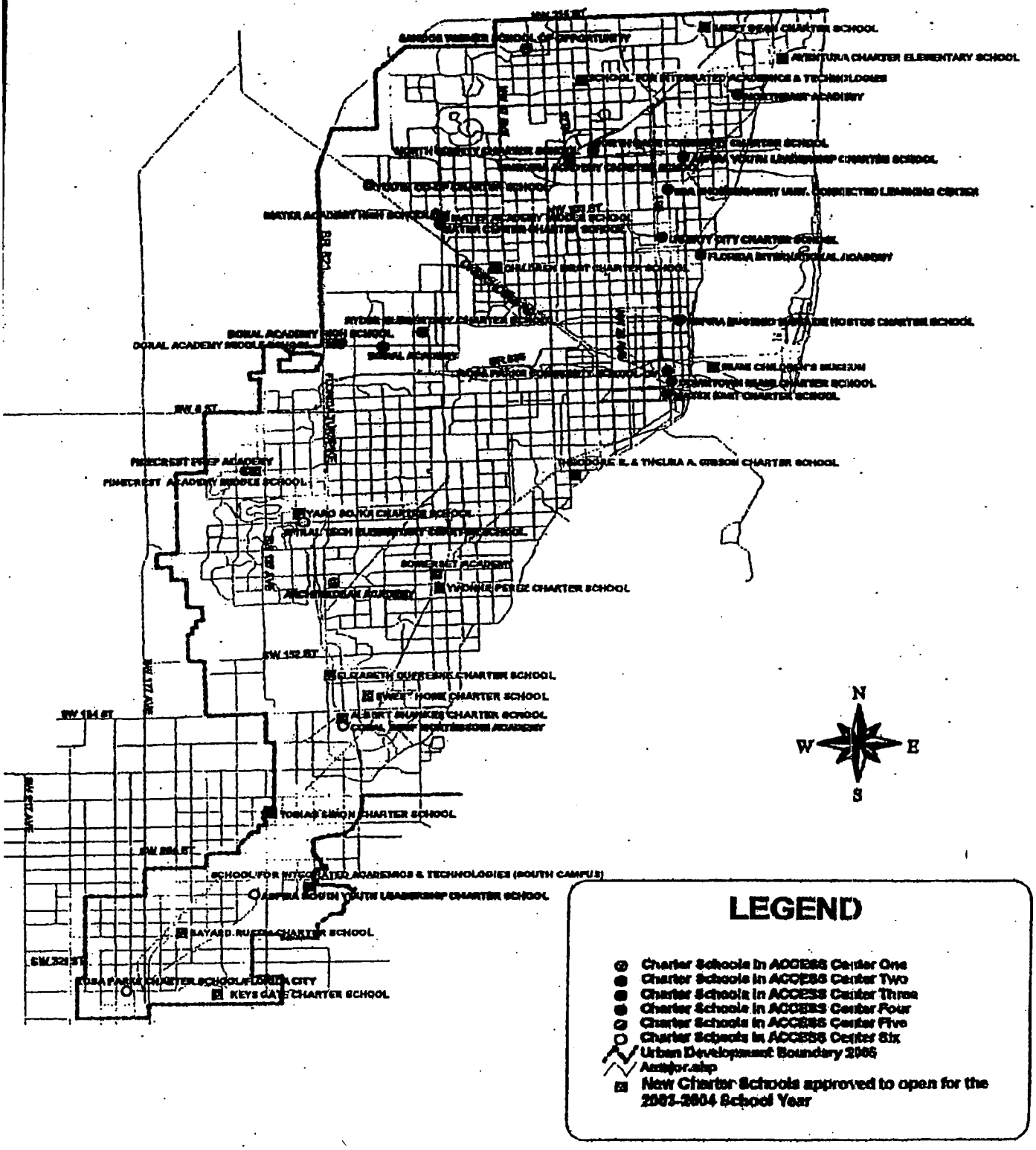
Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Mater Academy Middle School 7901 NW 103 Street Hialeah Gardens, FL 33016	700	800	800	6-8	6-8	I
School for Integrated Academics & Technologies (SIATech) *(A school for high-risk students)* Main: 3050 NW 183 Street Miami, FL 33056	400	600	800	9-10	9-12	I
Aventura Charter Elementary School 3333 NE 188 Street Miami, FL 33180	600	600	600	K-5	K-5	II
Janet Dean Charter School Ives Dairy Rd. between NE 10 & 12 Ave., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	II
Children First Charter School 590 W. 20 Street Hialeah, FL 33010	Deferred to 04-05	250	550	K-3	K-5	III
Doral Academy Middle School 2801 NW 112 Avenue Miami, FL 33172	800	800	800	6-8	6-8	III
Theodore R. & Thelma A. Gibson Charter School 3620 Grand Avenue Miami, FL 33133	575	600	600	K-8	K-8	IV
Miami Children's Museum Watson Island Miami, FL	Deferred to 04-05	350	350	K-5	K-5	IV

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Somerset Academy 11011 SW 80 Avenue Miami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School *17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miami, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE corner of Turnpike & Quail Roost Dr., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobias Simon Charter School 24400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

*temporary location for the first year – the permanent location will be at SW 180 Street & 107 Ave.

Chancellor Charter School at Coral Gables	1	750
Coral Gables Community Charter School	1	600
Miami-Dade Charter Foundation	6	5,400
Miami-Dade Charter Schools, Inc.	2	3,200
Miami-Shores Charter High School	1	600
Somerset Academy	8	8,600
Balere Language Academy	1	450
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School (West Hialeah Academy)	1	800
Charter Academy of Excellence	1	600
Total applications: 14	**27**	**24,150**

Charter Schools by ACCESS Center



PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY _____ AMOUNT OF FEE $1,324.16

RECEIPT # _____

DATE HEARD: 6/16/04

BY CZAB # 15

RECEIVED
02-305
JUL 06 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY
DATE RECEIVED STAMP

****

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z02-305 (03-1-CZ15-6) CZAB151904

Filed in the name of (Applicant) H.R. Realty & Investment, Inc.

Name of Appellant, if other than applicant Manuel Dorta-Duque and The Farm, Inc.

Address/Location of APPELLANT'S property:
Folio No. 30-6020-000 -0020; 76 acre parcel immediately south of and adjacent to applicant's property.

Application, or part of Application being Appealed (Explanation):
Requests 1, 3, 4, 6, 7

Appellant (name): Manuel Dorta-Duque + The Farm, Inc.
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

See attached letter from attorney for appellant; the requests are contrary to the law, not supported by competent substantial evidence, and the proceedings below failed to provide due process of law.

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APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF Florida

COUNTY OF Miami-Dade

Before me the undersigned authority, personally appeared Kent Harrison Robbins, attorney (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
____2. Original Applicant
____3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Signature

MIRIAM DONNER
Print Name

Signature

ARTHUR J MORBURGER
Print Name

Kent Harrison Robbins
Appellant's signature

Kent Harrison Robbins
Print Name

attorney for appellant
Manuel Borta-Duque
& The Farm, Inc

Sworn to and subscribed before me on the 7 day of JULY, year 2004

Appellant ~~is personally know to me or~~ has produced Fla Drivers License as identification.

Notary
(Stamp/Seal)

Arthur J. Morburger
Commission #DD322371
Expires: Jun 07, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Commission Expires:

[b:forms/affidapl.sam(11/03)]

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APPELLANT MUST SIGN THIS PAGE

Date: 6 day of July, year: 2004

Signed Kent Harrison Robbins, attorney

Kent Harrison Robbins
Print Name

1224 Washington Avenue
Miami Beach Florida 33139
Mailing Address

305-532-0500 305-531-0150
Phone Fax

REPRESENTATIVE'S AFFIDAVIT
If you are filing as representative of an association or other entity, so indicate:

The Farm, Inc and
Manuel Dorta-Duque
Representing

Kent Harrison Robbins, PA
Signature

Kent Harrison Robbins
Print Name

see above
Address

City State Zip

Telephone Number

Subscribed and Sworn to before me on the 6th day of JULY, year 2004

& produced her Florida Driver's License Arthur J. Morburger
Notary Public

Arthur J. Morburger
Commission #DD322371
Expires: Jun 07, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

(stamp/seal)

Commission expires:

KENT HARRISON ROBBINS
ATTORNEY AT LAW
1224 WASHINGTON AVENUE
MIAMI BEACH, FLORIDA 33139

(305) 532-0500

July 6, 2004

Board of County Commissioners
c/o Public Hearings Section
Miami-Dade County Planning & Zoning Department
11th Floor
111 NW First Street
Miami, Florida 33128

Re: Appeal of the Decision of Community Zoning Appeal Board 15
Hearing No. Z02-305 (03-1-CZ15-6)
Statement of Grounds and Reasons for Reversal
Appellant: Manuel Dorta-Duque and The Farm, Inc.
Applicant: H.R. Realty & Investments, Inc.
Hearing Date: June 16, 2004
Posting Date: June 21, 2004
Appeal Deadline: July 6, 2004

Dear Commissioners:

Pursuant to Section 33-313 of the Zoning Code of Miami-Dade County, Manuel Dorta-Duque and The Farm, Inc. appeal the June 16, 2004 decision (posted June 21, 2004) of the Community Zoning Appeal Board 15 in File No. 03-1-CZ15-6, Applicant H.R. Realty & Investments, Inc. to the Board of County Commissioners. Under the cited code, the County Commission shall conduct a de novo hearing and shall consider why the Community Zoning Appeal Board should or should not be sustained or modified.

In accordance with the instructions of staff, I am enclosing a check in the amount of $1,324.15 to pay for the filing fees and ½ of the cost of the radius fee for sending notices to the adjacent property owners.

I represent Manuel Dorta-Duque and The Farm, Inc. Mr. Dorta-Duque is the fee simple owner of the 76 acre farm immediately south of and adjacent to the property subject to the decision. Mr. Dorta Duque is a farmer and he utilizes his property for agricultural use. The Farm, Inc. is Mr. Dorta-Duque's family owned corporation which farms his property.

The proposed application provides for up-zoning for a housing development on the site immediately to the north of Mr. Dorta-Duque's farm. At the time of the community council hearing, Mr. Dorta-Duque objected to waivers and variances requested by the applicant which would reduce or eliminate required setbacks, frontages and section line roads.

The particular requests presented and approved by the community counsel that are challenged by this appeal are the following:

1. Permitting lots with 0 feet of frontage on a public street where 50 feet is required and permitting access to a public street by means of private drives where such access is prohibited. (See request # 4 before CZAB.)

2. Permitting only 0 feet to 25 feet of dedication on the north half of S.W. 232nd Street for right-of-way where zoning and subdivision requirements for section roads compel that property owners dedicate a 80 foot right-of-way which would require a 40 feet width of the subject property (the north half of S.W. 232nd Street) to be dedicated for such right-of-way. (See request #6 before CZAB.)

3. Permitting parking and driveways within 25 feet of an official right-of- way. (See request #7 before CZAB.)

All three of the approved requests have an adverse impact on the future residents on the applicant's property by removing a buffer that should be created by streets, swales, driveways and setbacks, and placing future residents closer to the agricultural property exposing the new reside to the negative impact of the pesticide and herbicide spraying and dusting from Mr. Dorta-Duque's adjacent farm, an activity that is an established part of the agricultural use of his property. The lack of a buffer is adverse to public health and safety and adversely affects the air that the future residents will breathe. The community counsel failed to consider the character of the area and its peculiar suitability for residential uses immediately abutting land with agricultural

uses. It failed to encourage the most appropriate use of the land and reasonable buffers between different uses.

Moreover, the Miami Dade Public Works Department objected to requests #4, #6, and #7. The requests were adverse to the pubic interest, not compatible with the surrounding land uses, detrimental to the community, and contrary to the law. Further, before the community council, the chairman denied the undersigned's request to cross-examine the representative of the Public Works Department who testified before the board.

The waiver of the requirement to dedicate the right-of-way on all sections lines pursuant to Section 33-133(C) of the Code of Miami-Dade County is contrary to the law. The code requires all section lines to have a minimum right-of-way width of 80 feet. Historically, a road has traversed the south side of the applicant's property which was used by Mr. Dorta-Duque as a means of access to his farm. The denial of the code-required right-of-way and failure of the applicant to dedicate the south 40 feet of the subject property for SW 232nd Street (the north 40 feet of said street) is contrary to the law.[1] Moreover, it adversely affects Mr. Dorta-Duque's transportation to and from his land and adversely affects his access. Further, because the land south of the section line must be encumbered by 232nd Street because the adjoining land north of the section line has been exempted, by the challenged decision, from its required dedication, the decision adversely impacts the agricultural land immediate outside of the Urban Development Boundary. Land within the UDB should not be given preference to the detriment of the land outside the UDB.

Neither the planning staff nor the applicant considered the unfavorable, adverse impact of the rezoning and development on a historic resource, the Black Creek Archaeological Zone, a zone proposed by Miami-Dade County staff, comprised of a tree hammock with evidence of a prehistoric Tequesta Indian Settlement. The 1990 Metropolitan Dade County Historic Preservation Board Designation Report, copy attached, also was concerned with the possibility of burial grounds on the site. The archaeological zone abuts the applicant's property and, the hammock does, in fact,

---

[1]Commissioner Sorenson had previously sponsored legislation that amended Section 33-133 to exempt such a right-of-way requirement for SW 102 Avenue between Black Creek Canal and SW 232 Street but that legislation did **not** exempt the right-of-way requirement for SW 232 Street.

overlap the south property line. The development will have an unfavorable impact on the environmental and natural resources of Miami-Dade County.

Additionally the total number of units permitted by the RU-3M and RU-1M(a) rezonings would be 700. The Land Use Plan map of the CDMP designates the site for low density residential use which permits a maximum of 360 units on the site. The rezonings are inconsistent with the comprehensive plan. The use of a covenant to limit the maximum number of units circumvents the zoning process by allowing land uses not contemplated as being within a consistent land development regulation district when the authorities having jurisdiction considered the compatibility of and consistency of those land development regulation districts with respect to the CDMP. Individualized covenants are inconsistent with the statutory requirements for creating land development regulations. The requirements of review by a planning advisory board and legislators with multiple notice, hearing, and other procedural requirements cannot and should not be circumvented by piece-meal zoning by covenant. Further, the proposed covenants may be modified over time without the procedural safeguards that zoning requires.

The decision of the Community Zoning Appeal Board 15 should be reversed and/or modified to provide adequate buffers including dedicated 40 foot right-of-ways, swales, frontage, setbacks, and driveways.

Respectfully submitted,

Kent Harrison Robbins

KENT HARRISON ROBBINS
Enclosures

copy to:
Stanley Price
Attorney for H.R. Realty & Investments, Inc.
Suite 2500
200 South Biscayne Boulevard
Miami, Florida 33131

METROPOLITAN DADE COUNTY HISTORIC PRESERVATION BOARD

DESIGNATION REPORT—ARHCEOLOGICAL ZONE

Designation No.
Date of Filing
Date of Designation

[redacted]

Ownership

Mr. Manuel Dorta-Duque
Masters Landscape
24150 S.W. 120 Avenue
Miami, Florida 33032

Location — Legal description of the zone (attach map with property lines, roads, municipal boundaries, etc.)

A parcel of land lying in Section 20, Township 56 South, Range 40 East in Dade County, Florida described as follows: Commence at the North Quarter Corner of said Section 20; thence run East, as a basis of bearings, along the North boundary of said Section 20 for a distance of 200 feet to a Point of Beginning; thence S. 29° W. for 412 feet; thence N. 54° W. for 308 feet; thence North for 180 feet; thence N. 68° E. for 270 feet; thence S. 62° 51' E. for 223.17 feet to the Point of Beginning, containing 2.9 acres more or less.

Dade County Historic Survey Findings — list known sites in the zone and the survey findings:

The zone encompasses a tree island site situated on the south bank of Black Creek. The site was designated by the State's Master Site file as 8DA1031. The island supports a community of hardwood and ficus trees. Soil is a thin deposit ontop of exposed oolitic limestone bedrock that composes the island substrate. Prior to drainage, the island rose about 2-3 feet above the surrounding wetlands.

6/1/04

Attn: Kent

Current Zoning (describe):

AU - vacant land currently used for cultiv

SIGNIFICANCE

- ☒ Archeology-Prehistoric
- ☒ Archeology-Historic
- ☐ Agriculture
- ☐ Architecture
- ☐ Art
- ☐ Commerce
- ☐ Communications
- ☐ Community Planning
- ☐ Conservation
- ☐ Economics
- ☐ Education
- ☐ Engineering
- ☐ Exploration/Settlement
- ☐ Historical Events
- ☐ Industry
- ☐ Invention
- ☐ Landscape Architecture
- ☐ Law
- ☐ Literature
- ☐ Military
- ☐ Music
- ☐ People
- ☐ Philosophy
- ☐ Politics/Government
- ☐ Religion
- ☐ Science
- ☐ Sculpture
- ☐ Social/Humanitarian
- ☐ Theater
- ☐ Transportation
- ☐ Other (special)

Significance — Brief summary including documentary evidence that indicates the historical, architectural or archeological significance of the site.

This site has both prehistoric and Seminole Indian components. An archaeological survey of the site in December 1978 revealed a surface scatter of marine shell, animal bones, and pottery sherds indicating a prehistoric Tequesta Indian settlement on the island. Prehistoric burials are also a possibility. Historic activity was documented by several black glass bottle fragments dating to the 1840's. A survey by E.S. Fredrick in 1904 refers to the island as an "Old Indian Field."

(Use additional sheets if necessary) SEE CONTINUATION SHEET ☐

Current Use (describe):

Vacant land currently used for trash. Adjacent areas in cultivation.

Current Condition:

☐ Excellent ☒ Good ☐ Fair ☐ Deteriorated ☒ Unexposed

☐ Unaltered ☐ Altered

☐ Original Site ☐ Moved _____

Physical Description of Site (see attached photos):

The site encompasses an area of about 150 feet east-west with about 75 feet north-south on the site's longest axis. Near the southwest end of the island two piles of limestone rocks suggest prior Seminole cultivation. A ficus tree growing ontop one of the piles suggests a date of at least 50 years for these rock piles. Some bulldozing along the island's edge has pushed spoil into the island. Modern trash is also deposited across the island. Today the island is surrounded by agricultural fields. Drainage has dried the surrounding area.

(Use additional sheets if necessary) SEE CONTINUATION SHEET ☐

Impacts—Impact of the designation on proposed public improvements, renewal projects or private development.

No known proposed projects or developments are known for this property.

Staff Recommendation:

Staff recommends designation of this site as Black Creek Archaeological Zone.

Special Standards for Certificate of Appropriateness:

Any special standards will follow the general guidelines as recommended for archaeological zones as detailed in the "Rules and Regulations for Review of Historic Site Designation and Issuance of Certificates of Appropriateness."

Bibliographic References:

Dade County Historic Survey: Archaeology.
1980 Report on file with Metro-Dade County Historic Preservation Division.

Fredrick, E.S.
1904 Platt map for Township 56S, Range 40E, on file in Dade County Public Works.

Title Verification (attach copy): Book	Page No.	Deed Type
13742	3517	

Draft Resolution Designating the Property:

WHEREAS, the Black Creek Archaeological Zone encompasses a prehistoric Tequesta and Seminole site and,

WHEREAS, the Black Creek Archaeological Zone is located:

In a parcel of land lying in Section 20, Township 56 South, Range 40 East in Dade County, Florida described as follows: Commence at the North Quarter Corner of said Section 20; thence run East, as a basis of bearings, along the North boundary of said Section 20 for a distance of 200 feet to a Point of Beginning; thence S. 29° W. for 412 feet; thence N. 54° W. for 308 feet; thence North for 180 feet; thence N. 68° E. for 270 feet; thence S. 62° 51' E. for 223.17 feet to the Point of Beginning, containing 2.9 acres more or less.

NOW, THEREFORE, BE IT RESOLVED, that the Historic Preservation Board on October 17, 1990 has designated the Black Creek Archaeological Zone as an archaeological zone pursuant to the Metropolitan Dade County Historic Preservation Ordinance (81-13) and the Black Creek Archaeological Zone is subject to all rights, privileges and requirements of that ordinance.

Designation is approved as evidenced by the signature of the Historic Preservation Board Chairman.

RESOLUTION NO. CZAB15-19-04

WHEREAS, **H. R. REALTY & INVESTMENTS, INC.** applied for the following:

(1) EU-M to RU-3M

(2) To permit a townhouse development setback 10′ from side street property lines (15′ required).

REQUESTS #1 & #2 ON PARCEL #1

(3) EU-M to RU-1M(a)

(4) To permit lots with 0′ of frontage on a public street (50′ required) and access to a public street by means of a private drives.

(5) To permit single-family residences with a rear setback of 15′ (15′ permitted on a portion only; 25′ required for the balance).

REQUESTS #3 - 5 ON PARCEL #2

(6) To waive zoning and subdivision requirements for section line roads to be 80′ in width; to permit 0′ to 25′ of dedication (40′ required) on the north half of theoretical S.W. 232 Street.

(7) To permit parking and driveways within 25′ of an official right-of-way (not permitted).

(8) UNUSUAL USE to permit the filling of a lake and a lake excavation.

REQUESTS #6 - #8 ON PARCELS #1 & #2

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & 4 - 7 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b)(Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

SUBJECT PROPERTY: PARCEL 1: All of the SE ¼ of the SW ¼ and all of the SW ¼ of the SE ¼ and all of the SE ¼, of the SE ¼ of Section 17, Township 56 South, Range 40 East, lying S/ly & W/ly of the right-of-way of Black Creek Canal (C-1), less and except therefrom the following parcel of land:
Begin at the Southwest corner of the SE ¼, of the SW ¼ of said Section 17; thence N0° 57′7″W for a distance of 180.32′ to a point; thence S88° 59′48″E for a distance of 128.9′ to a point; thence N48° 23′31″E for a distance of 133.66′ to a point; thence S90° 0′0″E for a distance of 242.59′ to a point; thence N79° 37′06″E for a distance of 77.87′ to a point; thence S90° 0′0″E for a distance of 339.22′ to a point; thence N86° 28′06″E for a distance of 217.13′ to a point; thence S85° 24′52″E for a distance of 215.35′ to a point; thence S80° 20′19″E for a distance of 228.13′ to a point; thence

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N88° 20'44"E for a distance of 463.96' to a point; thence S88° 45'17"E for a distance of 208.58' to a point; thence N50° 34'24"E for a distance of 43.44' to a point; thence S0° 57'43"E for a distance of 251.19' to a point on the south line of the said SW ¼, of the SE ¼ thence S89° 22'47"W along said line for a distance of 962.83' to the Southwest corner of the SE ¼ of said Section 17; thence S89° 22'47"W along the said south line of the SE ¼ of the SW ¼ for a distance of 1,330.43' to the Point of beginning. AND:
PARCEL II: A portion of all of the SE ¼, of the SW ¼ and all of the SW ¼, of the SE ¼ and all of the SE ¼, of the SE ¼ of Section 17, Township 56 South, Range 40 East, lying S/ly & W/ly of the right-of-way of Black Creek Canal (C-1). Said portion being more particularly described as follows:
Begin at the Southwest corner of the SE ¼, of the SW ¼ of said Section 17; thence N0° 57'7"W for a distance of 180.32' to a point; thence S88° 59'48"E for a distance of 128.9' to a point; thence N48° 23'31"E for a distance of 133.66' to a point; thence S90° 0'0"E for a distance of 242.59' to a point; thence N79° 37'06"E for a distance of 77.87' to a point; thence S90° 0'0"E for a distance of 339.22' to a point; thence N86° 28'06"E for a distance of 217.13' to a point; thence S85° 24'52"E for a distance of 215.35' to a point; thence S80° 20'19"E for a distance of 228.13' to a point; thence N88° 20'44"E for a distance of 463.96' to a point; thence S88° 45'17"E for a distance of 208.58' to a point; thence N50° 34'24"E for a distance of 43.44' to a point; thence S0° 57'43"E for a distance of 251.19' to a point on the south line of the said SW ¼, of the SE ¼ thence S89° 22'47"W along said line for a distance of 962.83' to the Southwest corner of the SE ¼ of said Section 17; thence S89° 22'47"W along the said south line of the SE ¼ of the SW ¼ for a distance of 1,330.43' to the Point of beginning.

LOCATION: Lying on the north side of theoretical S.W. 232 Street and 1,330' east of theoretical S.W. 107th Avenue, Miami-Dade County, Florida.

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 15 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

(1) That the Declaration shall become final and shall be recorded in the Public Records of Miami-Dade County upon the approval of the Application by the Board of County Commissioners and/or Community Zoning Appeals Board 15 of Miami-Dade County, Florida and the expiration of all applicable appeal periods.

(2) That said Property shall be developed substantially in accordance with the plans previously submitted to the Miami-Dade County Department of Planning & Zoning, consisting of thirteen (13) sheets prepared by Edward Silva and entitled "Cottage of Silver Palm" (the "Plans"), dated May 10, 2004, said plans being on file with the Miami- Dade County Department of Planning & Zoning, and by reference made a part of the Declaration.

(3) That the residential development of the Property shall be limited to no more than two hundred thirty-seven (237) dwelling units.

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(4) That the use of the existing lake, as depicted on the Plans, shall be limited to non-motorized recreational activities, excluding remote controlled hobby crafts.

(5) That the Owner, its heirs, successors or assigns shall, prior to the time of final plat approval, create or cause to be created (1) a homeowners' association for the entire development as a master association, (2) a community development district approved by Miami-Dade County, and/or (3) a special taxing district approved by Miami-Dade County which shall individually or collectively provide for the maintenance of all common areas, the existing lake, and other amenities common to the Property. If a homeowners' association is established as a master association in accordance with this paragraph, it shall not preclude the creation of individual homeowners' association for each phase or stage of development or preclude the same from maintaining their own buildings or their own common areas so long as said associations, or members thereof, are members of the master association and each such association are required hereby, to be members of the master association.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary changes to RU-3M on Parcel 1 (Item #1), and RU-1M(a) on Parcel 2 (Item #3) would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the requests to permit a townhouse development setback 10' from the side street property lines (Item #2), to permit lots with 0' frontage on a public street and access to a public street by means of a private drive (Item #4), to permit single-family residences with a rear setback of 15' (Item #5), to waive zoning and subdivision requirements for section line roads to be 80' in width; to permit 0' to 25' of dedication on the north half of theoretical S.W. 232 Street (Item #6) and to permit parking and driveways within 25' of an official right-of-way (Item #7) would be in harmony with the general purpose and intent of the regulations, compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested unusual use to

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permit the filling and excavation of a lake (Item #8), would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested unusual use to permit the filling and excavation of a lake (Item #8) would not have an adverse impact upon the public interest and should be approved, and that the proffered Declaration of Restrictions should be accepted, and that items #2 & 4 - 7 do not meet the criteria for Section 33-311(A)(14) (Alternative Site Development Option) nor Section 33-311(A)(4)(c) (Alternative Non-Use Variance) and should be denied under Sections 33-311(A)(14), and

WHEREAS, a motion to accept the proffered Declaration of Restrictions, to approve Items #1, 3 & 8, and to approve Items #2 & 4 - 7 as non-use variances, and to deny Items #2 & 4 - 7 as alternative site development options and alternative non-use variances, was offered by Paul S. Vrooman, seconded by Alfonsina Sergio, and upon a poll of the members present the vote was as follows:

Daniel L. Adams	absent	JoAnn Bova	absent
Al Alvarez	nay	Alfonsina Sergio	aye
Leonard Anthony	aye	Paul Vrooman	aye

Nancy McCue aye

NOW THEREFORE BE IT RESOLVED, by the Miami-Dade County Community Zoning Appeals Board 15, that the requested district boundary changes to RU-3M on Parcel 1 (Item #1) and RU-1M(a) on Parcel 2 (Item #3) be and the same are hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED, that the requests to permit a townhouse development setback 10′ from the side street property lines (Item #2), to permit lots with 0′ frontage on a public street and access to a public street by means of a private drive (item #4), to permit single-family residences with a rear setback of 15′ (Item #5), to waive zoning and

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subdivision requirements for section line roads to be 80' in width; to permit 0' to 25' of dedication on the north half of theoretical S.W. 232 Street (Item #6), to permit parking and driveways within 25' of an official right-of-way (Item #7) as non-use variances, and the requested unusual use (Item #8) be and the same are hereby approved, subject to the following conditions:

Conditions #1 - 4 applicable to requests #2 and #4 through #7:

1. That a site plan be submitted to and meet with the approval of the Director upon submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, 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 "Cottage of Silver Palm," as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submit to the Department for its review and approval a landscaping 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.

Conditions #5 - 27 applicable to the lake fill:

5. That in addition to any bond required by DERM, the property owner and any and all parties who may have a legal beneficial or equitable interest in the land shall execute a bond agreement with the Department of Planning & Zoning prior to issuance of a CU for a fill project. Such bond agreement shall stipulate that in order to insure compliance with all terms and conditions associated with the fill project permit approval, a cash or surety bond or substantially equivalent instrument meeting with the approval of the Director shall be posted by the applicant with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director and the DERM Director. Said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County. The bond amount will be based on the volume of cut required to conform any remaining excavation to Code approved slope configuration.

6. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project unless the bond has been released

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7. That only such clean fill material as allowed by Chapter 24 of this code and approved in writing by the Department of Environmental Resources Management, as set forth herein, shall be used in the fill project.

8. That no fill material or unacceptable fill to be removed shall be permitted to be stored on property abutting the fill project site or within the adjacent rights-of-way at any time during the fill project.

9. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

10. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

11. That the applicant shall be permitted to operate Monday through Sunday, from sunrise to sunset.

12. That the applicant shall record a notice of authorization on a form prescribed by the Director of the excavation fill plan approved by the Director and the Director of the Department of Environmental Resources Management (DERM Director) for the fill project in the public records of Miami-Dade County prior to the issuance of a Certificate of Use (CU) authorizing commencement of the fill project.

13. That the applicant shall submit a detailed written disclosure of the fill project specifying the equipment and methods to be utilized during the fill project, including every aspect of the trucking, dumping, sorting and filling process.

14. That the applicant shall obtain a fill project CU permit, and shall promptly renew the same semi-annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions. Failure to commence the fill project within six months of the date of the original CU issuance shall result in an abandonment of the fill project.

15. That prior to each CU renewal, the applicant shall submit a status report indicating the percentage of fill project completion and the estimated time of the fill project's final completion.

16. That if an excavation will be filled in phases, a phase plan shall be submitted with the initial excavation fill plan and permit plan addition. The plan and supporting documents shall delineate the area to be filled in each phase and the time frame projected to close out each phase of the fill project.

17. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed

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within the allocated time, but in no event for any more than nine (9) months from issuance of the CU permit.

18. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the zoning code requirements and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation.

19. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis during the fill project. In accordance with this requirement, the applicant shall submit "as-built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer annually and at final completion of the fill operation or upon request of either the Director or the DERM Director when it is determined by the Director or the DERM Director that the filling is proceeding contrary to approved plans or in violation of the conditions of the approved excavation fill plan or the permit plan.

20. That the property shall be suitably posted to meet with the approval of the Director and the DERM Director; said postings shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

21. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Department of Environmental Resources Management as well as the Public Works Department for the duration of the fill project.

22. That upon completion of the fill project the property shall be restored and left in an acceptable condition meeting the approval of the Director and the DERM Director.

23. That the final slope(s) of the remaining excavation shall be in accord with zoning code requirements.

24. That the fill project shall meet all stormwater management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

25. That to the extent possible, the property shall be staked and said stakes shall be maintained in proper position so that the limits of the filling, slopes and grade levels may be easily determined.

26. That the applicant record the resolution of approval for the use in the public records of Miami-Dade County prior to the issuance of a Certificate of Use.

27. That if in the opinion of the Director the lake fill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicant as directed by the Director.

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Conditions #28 - 44 applicable to the lake excavation:

28. That the lake tract be platted; no building permit shall be issued for lots contiguous to the lake tract until the lake excavation is completed and lake as-built drawings submitted to and approved by the Department

Or in lieu of Condition #28 the following:

28a. Prior to the approval of any type of plat on the property, the Owner(s) of the property shall submit a Unity of Title agreement to the Department of Planning and Zoning; said agreement shall encumber the entire property described in the plat. Once the Unity of Title agreement has been reviewed and accepted it shall be recorded in the public records prior to final plat consideration by the Board of County Commissioners. Upon receipt of a written request to release the Unity of Title agreement, the Department will consider the release only after the issuance of a lake excavation permit and the submittal and final approval of the lake excavation as-built. The lake excavation area shall be shown as a separate tract and appropriately labeled as such on the final plat.

29. That complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director upon submittal of an application for a lake excavation permit; said plans shall be substantially in accordance with that submitted for the hearing entitled "Cottage of Silver Palm," as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

30. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the excavation progresses. The applicant will submit "as built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer at final completion of the excavation, or upon request of the Director or the Director of the Department of Environmental Resources Management.

31. That the property shall be staked to meet with the approval of the Director and the Director of the Department of Environmental Resources Management; said stakes shall be maintained in proper position so that the limits of the excavation, slopes and grade levels may be easily determined.

32. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director and the Director of the Department of Environmental Resources Management.

33. No material shall be removed from the premises and all excavated material shall be used to improve the property described in the application.

34. That the use of explosives shall be strictly prohibited in connection with the lake excavation operation.

35. That the hours of the lake excavation operation shall be controlled by the Director, except that the applicant shall be permitted to operate Monday through Sunday, from sunrise to sunset.

36. That the lake excavation operation shall be carried on continuously and expeditiously so that the entire project will be completed within nine (9) months from the date of permit issuance for the proposed lake excavation

37. If the lake excavation operation is discontinued, abandoned, falls behind schedule or time expires, the existing excavation shall immediately be sloped to conform with the approved plans and the entire operation shall be removed from the premises.

38. That in order to insure compliance with all terms and conditions imposed, a cash or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as motgagees, etc.

39. That the applicant obtain an excavation use permit from and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

40. All excavations shall be completely enclosed by a safety barrier, minimum height of 6 feet, consisting of either orange plastic safety fence or wood slat storm fencing installed on 4" x 4" posts spaced every 10 feet. Said barrier shall be installed prior to issuance of the excavation permit and commencement of excavating and shall remain in place until work is complete and the performance bond is released.

41. All excavations shall be posted every 50 feet with warning signs a minimum of 18" x 18" in size.

42. That a hedge, 3' high at time of planting, be installed along both sides of the guardrail proposed on those portions of the lake fronting on a right-of-way.

43. That the applicant complies with all applicable conditions and requirements of the Miami-Dade County Department of Environmental Resources Management (DERM).

44. That the applicant complies with all applicable conditions and requirements of the Miami-Dade County Public Works Department.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

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BE IT FURTHER RESOLVED, that the approval of the request to waive zoning and subdivision requirements for section line roads to be 80′ in width; to permit 0′ to 25′ of dedication on the north half of theoretical S.W. 232 Street (Item #6) is predicated on the following:

A. That there are special circumstances affecting the property and that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

B. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

C. That the granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the approval herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 16th day of June, 2004.

Hearing No. 03-1-CZ15-6
ls

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STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 15, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB15-19-04 adopted by said Community Zoning Appeals Board at its meeting held on the 16th day of June, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 28th day of June, 2004.

Luis Salvat

Luis Salvat, Deputy Clerk (2678)
Miami-Dade County Department of Planning and Zoning

SEAL

ZONING APPEALS BOARD
DADE COUNTY FLORIDA

IAMI-DADE COUNTY, FLORIDA

IAMI-DADE

DP&Z

DEPARTMENT OF PLANNING AND ZONING

IAIN OFFICE
I 111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

HERBERT S. SAFFIR
PERMITTING AND INSPECTION CENTER
11805 S.W. 26 Street
MIAMI, FLORIDA 33175

- IMPACT FEE SECTION (786) 315-2670 • SUITE 145
- ZONING INSPECTION SECTION (786) 315-2660 • SUITE 223
- ZONING PERMIT SECTION (786) 315-2666 • SUITE 106
- ZONING PLANS PROCESSING SECTION (786) 315-2650 • SUITE 113

H.R. Realty & Investments, Inc.
c/o William Riley Jr., Esquire
Bilzin Sumberg Baena Price & Axelrod LLP
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131-5340

Re: Hearing No. 03-1-CZ15-6 (02-305)
Location: North side of theoretical S.W. 232 Street and 1,330' east of theoretical S.W. 107th Avenue, Miami-Dade County, Florida

Dear Mr. Riley:

Enclosed is Resolution No. CZAB15-19-04, adopted by the Miami-Dade County Community Zoning Appeals Board 15, which accepted your client's Declaration of Restrictions, and approved the requests for district boundary changes to RU-3M & RU-1M(a), unusual use for lake fill and excavation, and related variances on the above described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

If, as stipulated in the resolution, building permits and/or use, occupancy or completion certificates will be required, note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificate(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department, or the Building Department as appropriate. At time of permit application you must provide a copy of this resolution. If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

Please note that any aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11th floor of the Stephen P. Clark Building, 111 N.W. 1st Street, Miami, FL 33128. The date of posting is June 21, 2004. In the event an appeal is filed, any action undertaken during the appeal period is at the applicant's risk.

Sincerely,

L. Salvat

Lou Salvat
Deputy Clerk

Enclosure

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MIAMI-DADE FIRE RESCUE
Planning & Capital Improvements Bureau
ZONING COMMENTS

Hearing Number: 202-305 REV #3

Plans: ☐ Yes ☐ No Request: _____

Location: Lying on N Side of Theo. SW 232 St. + E of Theo. SW 107 AVE

Recommendation:
- Approved ✓
- Approved with conditions ____*
- Approved with no change from previous submittal ____
- Denial ____
- Defer to DIC comments ____

*

Estimated number of alarms generated annually by application: _____

If there is an impact, below is the service availability:

Station District _____ Grid _____ DU/SF _____ Occupancy Type _____

Impact of additional calls on closest station:
- ☑ No Impact
- ☐ Minimal Impact
- ☐ Moderate Impact
- ☐ Severe Impact

Planned Service to Mitigate:

Service	Location	Year to be Completed

☑ None

THIS REVIEW IS FOR SERVICE IMPACT AND SERVICE AVAILABILITY ONLY AND DOES NOT CONSTITUTE NOR IMPLY SITE PLAN APPROVAL.

ALL SITE PLANS MUST BE REVIEWED AND APPROVED BY THE MIAMI-DADE FIRE RESCUE FIRE WATER & ENGINEERING BUREAU LOCATED AT 11805 SW 26 ST. BASED UPON THAT REVIEW, SITE PLANS MAY NEED MODIFICATION TO COMPLY WITH LIFE-SAFETY STANDARDS.

Reviewed by: Kathryn Lyon Phone: (786) 331-4546 Date: 5-25-04.

Revised 3/9/04 BJM

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TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
11/4/2004	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of August 13, 2004

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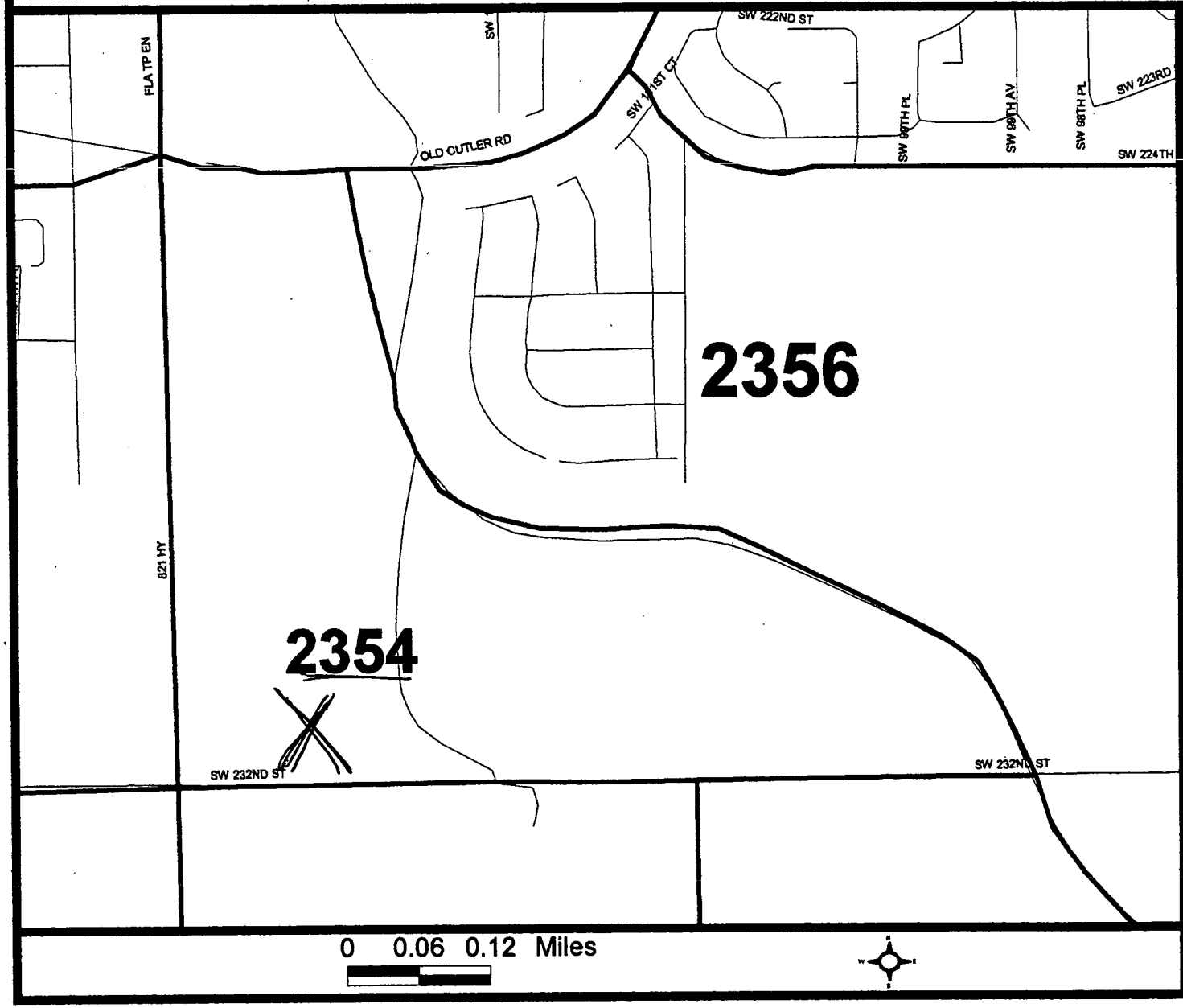
Miami-Dade Police Department
Target Area - Police Grid(s): 2354
H.R. Realty & Investments, Inc.; Hearing # 02-305



Police Grids Boundaries
Boundary

MDPD Crime Analysis System
October 13, 2004
Data in this document represents successfully geocoded attributes.

0 0.06 0.12 Miles

Miami-Dade Police Department
Summarized Grid Information By Signal
For Thru

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: (Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01") and (Dis.Grid in ("2354")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")))) and Common and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Grid	Signal Code	Signal Description	Total
2354			

Total Signals for Grid :

Total Reported: **Total Not Reported:**

Total for All Grids : 0

Miami-Dade Police Department
Summarized Grid Information By Signal
For 2003-01-01 Thru 2003-12-31

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: (Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01") and (Dis.Grid in ("2354")) and ((Dis.Signal Code in ("13" , "14" , "15" , "16" , "17" , "18" , "19" , "20" , "21" , "22" , "23" , "24" , "25" , "26" , "27" , "28" , "29" , "30" , "31" , "32" , "33" , "34" , "35" , "36" , "37" , "38" , "39" , "40" , "41" , "42" , "43" , "44" , "45" , "46" , "47" , "48" , "49" , "50" , "51" , "52" , "53" , "54" , "55") or ('ALL' in ("13" , "14" , "15" , "16" , "17" , "18" , "19" , "20" , "21" , "22" , "23" , "24" , "25" , "26" , "27" , "28" , "29" , "30" , "31" , "32" , "33" , "34" , "35" , "36" , "37" , "38" , "39" , "40" , "41" , "42" , "43" , "44" , "45" , "46" , "47" , "48" , "49" , "50" , "51" , "52" , "53" , "54" , "55")))) and Common and (Dis.Reporting Agency Code = substring ("030" , 1 , 3))

Grid	Signal Code	Signal Description	Total
2354	14	CONDUCT INVESTIGATION	1
	15	MEET AN OFFICER	1
	38	SUSPICIOUS PERSON	1
	49	FIRE	1

Total Signals for Grid 2354 : 4

Total Reported: 2 Total Not Reported: 2

Total for All Grids : 4

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
For Specific Grids
From Thru

Miami-Dade Police Department

Crime Information Warehouse

YEAR: 2002

Grid(s): 2354

Crimes	Total Crimes
Grid 2354	
-	
Grid TOTAL	
Total	

Grand Total: 0

Detail Filter: Ol.Incident From Date Time >= "2002-01-01" and Ol.Incident From Date Time < "2003-01-01" and Ol.Offense.Ucr Code In ('090A', '1200', '110A', '110B', '110C', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000') and (Ol.Reporting_Agency_Code = substring ("030", 1, 3)) and Ol.Aoa Agency Code = '000' and Ol.Clearance Type Description <> 'UNFOUNDED' and Ol.Report Written YN = 'Y' and Ol.Grid In ("2354")

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
For Specific Grids
From Thru

Miami-Dade Police Department

Crime Information Warehouse

YEAR: 2003

Grid(s): 2354

Crimes	Total Crimes
Grid 2354	
-	
Grid TOTAL	
Total	

Grand Total: 0

Detail Filter: OI.Incident From Date Time >= "2003-01-01" and OI.Incident From Date Time < "2004-01-01" and OI.Offense.Ucr Code in ('090A', '1200', '110A', '110B', '110C', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000') and (OI.Reporting_Agency_Code = substring ("030", 1, 3)) and OI.Aoa Agency Code = '000' and OI.Clearance Type Description <> 'UNFOUNDED' and OI.Report Written YN = 'Y' and OI.Grid in ("2354")

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the sub,.. the application is owned or leas a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, 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 required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

80

_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799631
EXPIRES: December 28, 2002
Bonded Thru Pichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

ZONING HEARING PLANS REVIEW

☒ PLANS WITHIN THE SCOPE OF AD

☐ PLANS NOT WITHIN THE SCOPE OF AD

REVIEWED BY: [signature]

ON: 5/21/04

ZONING EVALUATOR

☐ PLANS ACCEPTABLE

☐ NOT ACCEPTABLE

By: _____ __/__/__

28

EDWARD SILVA ARCHITECT

EDWARD SILVA, ARCHITECT REG. No. 11131

8900 SW 117 AVENUE, SUITE 107-B, Miami, Florida 33186

(305) 273-8310 / (FAX) 273-8381

" Meeting the needs of the building industry through innovative design "

COTTAGE OF SILVER PALM

102 AVE & SW 232ND STREET
MIAMI, FLORIDA

H.R. REALTY & INVESTMENTS, INC
705 ARVIDA PKWY
CORAL GABLES, FL 33156

DRAWING INDEX

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L-1	LANDSCAPE PLAN, LEGEND AND DETAILS
L-2	COMMON AREA CALCS.
D-1	TYPICAL SETBACK DETAILS
D-2	TYPICAL SETBACK DETAILS FOR SINGLE FAMILY HOMES
D-3	TYPICAL SETBACK DETAILS FOR TOWNHOUSES
D-4	TYPICAL SETBACK DETAILS FOR TOWNHOUSES
A-1.1	GAZEBO AND RECREATIONAL CENTER. FLOOR PLAN
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A-2	OVERALL FLOOR PLAN. 6 UNIT BUILDING
A-1	ELEVATIONS. 7 UNIT BUILDING
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A-3	3RD FLOOR PLAN. 7 UNIT BUILDING
A-1	FLOOR PLAN & ELEVATION. MODEL- COURTYARD
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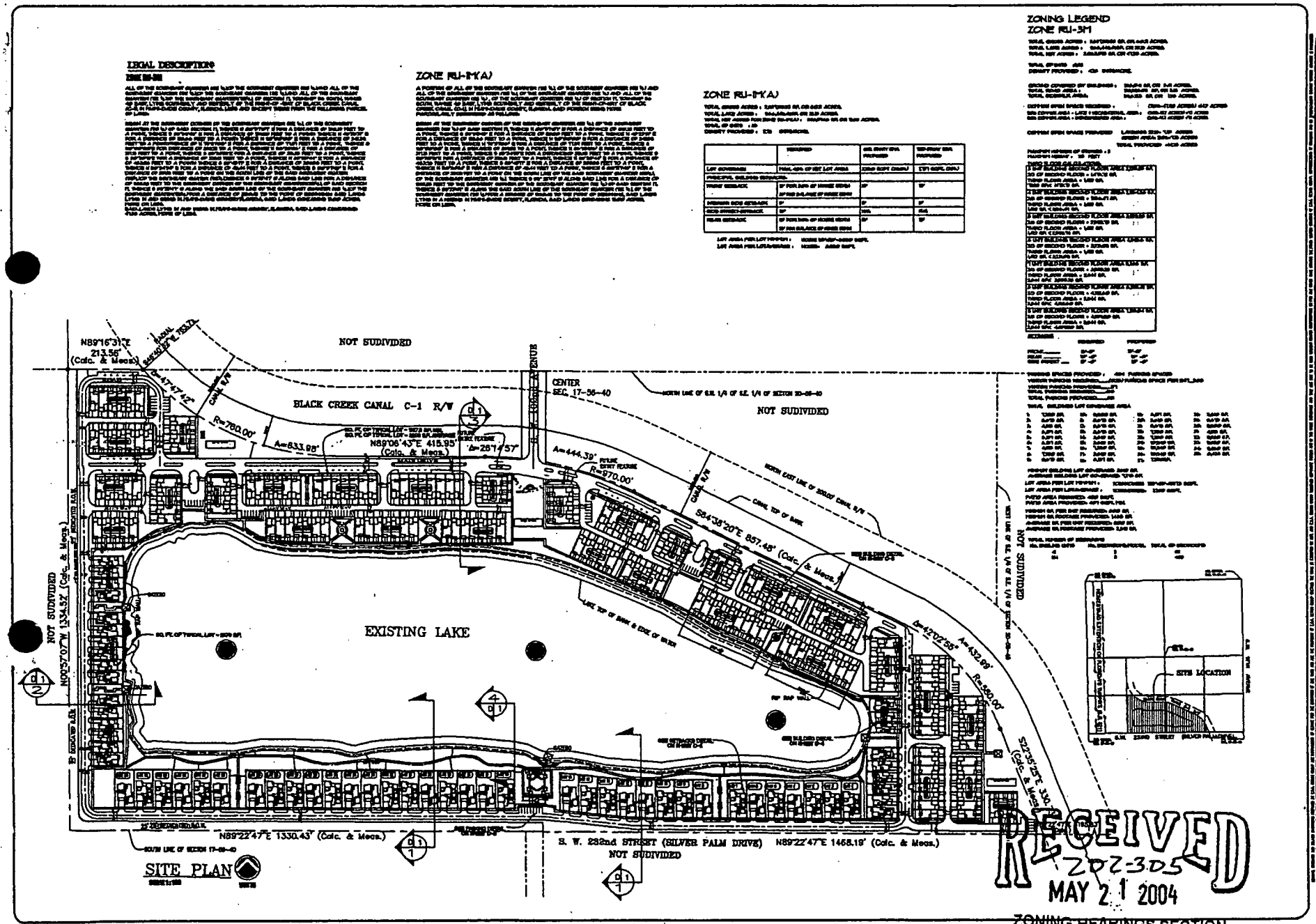

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

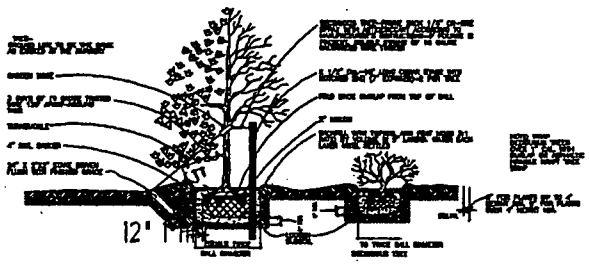
ISSUANCE FOR
Chase Commercial Group

Client: COTTAGE OF SILVER PALM
Address: 102 AVE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: SITE PLAN

Job No.:
Drawn By:
Scale: As Noted
Date: 05-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

SP-1
of



	REQUIRED	PROVIDED
LANDSCAPE OPEN SPACE (IF APPLICABLE)	30 %	64.6 %
GREENBELT WIDTH (IF APPLICABLE)	— FT.	— FT.
MINIMUM LAWN AREA (20 % MAX.)	59,000 SF.	59,000 SF.

	REQUIRED	PROVIDED
TREES PER LOT: - 3 TREES/ LOT	3	3
STREET TREES: (30' O.C. AVG.)	11	11
TOTAL TREES:	17	20
SHRUBS: (10 SHRUBS PER TREE REQUIRED)	170	170

PLANT SCHEDULE

SYMB.	QTY.	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS
TREES					
	11	SWIETENIA MAHOGANY	MAHOGANY	YES	12' HGT. X 5' SPRD.
	10	CONOCARPUS ERECTUS	BUTTONWOOD	YES	10'-12' HGT. X 5' SPRD.
	4	QUERCUS VIRGINIANA	LIVE OAK	YES	10'-12' HGT. X 5' SPRD.
	3	SABAL PALMETTO	CABBAGE PALM	YES	10'-12' HGT. X 5' SPRD.
SHRUBS					
	1,250	CALLICARPA AMERICANA	BEAUTY BUSH	YES	24" MIN. HGT.
	3" LAYER MULCH MINIMUM				
SOD	ST. AUGUSTINE SOD STENOTAPHRUM SECUNDATUM 'FLORATAM'		SOLID SOD, LAID TIGHTLY IN PLACE, 99% WEED AND DISEASE FREE		

NOTE: MIN. TREE TRUNK OF 4" IN DIAMETER

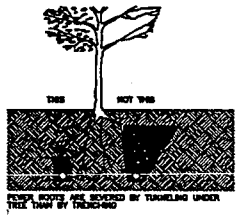
	REQUIRED	PROVIDED
LANDSCAPE OPEN SPACE (IF APPLICABLE)	30 %	30 %
GREENBELT WIDTH (IF APPLICABLE)	— FT.	— FT.
MINIMUM LAWN AREA (40 % MAX.)	40,000 SF.	40,000 SF.

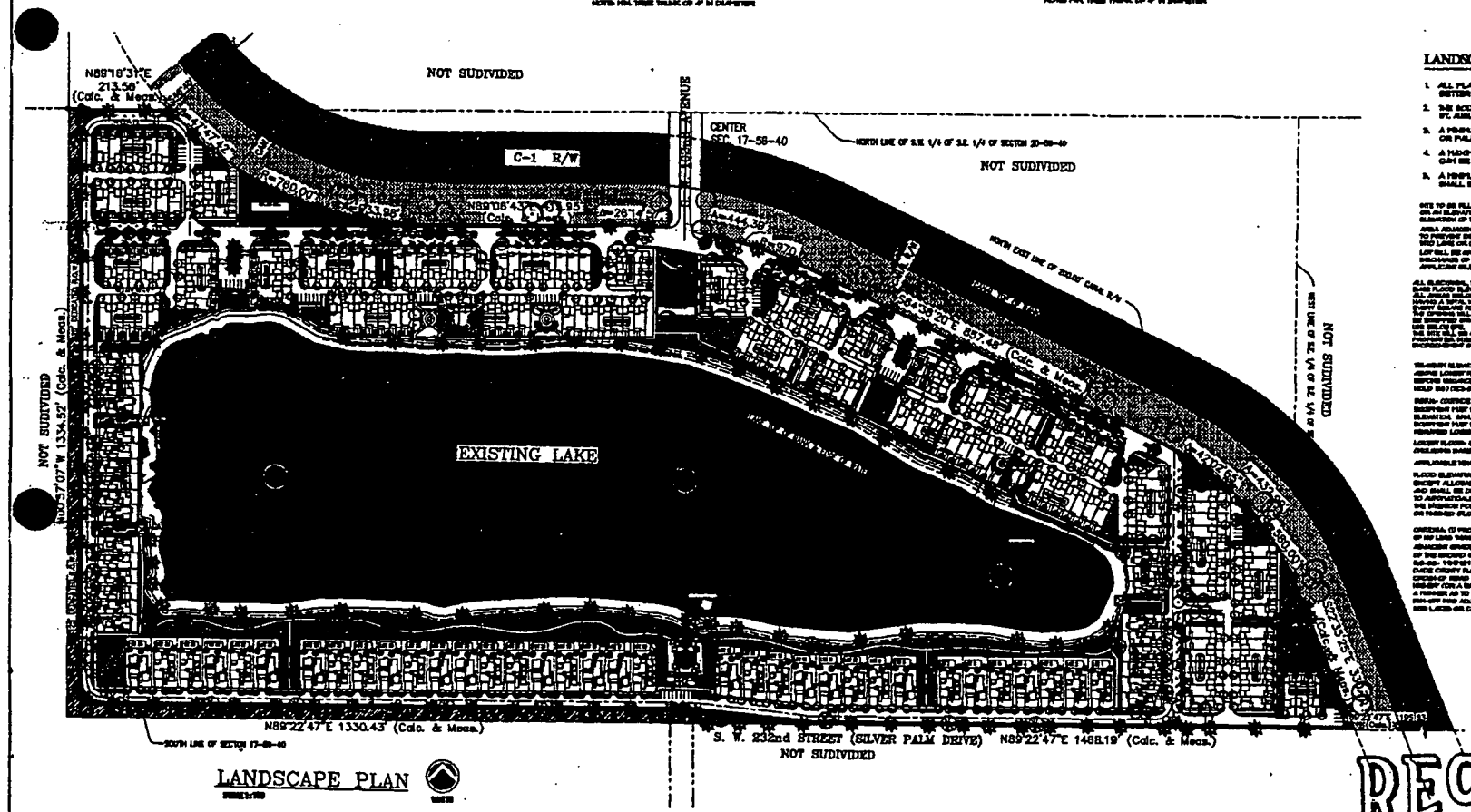
	REQUIRED	PROVIDED
TREES PER ACRE: - 30 TREES/ ACRE	30x4.4	131
STREET TREES: (30' O.C. AVG.)	170	170
TOTAL TREES:	190x4.4	301
SHRUBS: (10 SHRUBS PER TREE REQUIRED)	3,010	3,010

PLANT SCHEDULE

SYMB.	QTY.	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS
TREES					
	110	SWIETENIA MAHOGANY	MAHOGANY	YES	12' HGT. X 5' SPRD.
	100	CONOCARPUS ERECTUS	BUTTONWOOD	YES	10'-12' HGT. X 5' SPRD.
	100	QUERCUS VIRGINIANA	LIVE OAK	YES	10'-12' HGT. X 5' SPRD.
	300	SABAL PALMETTO	CABBAGE PALM	YES	10'-12' HGT. X 5' SPRD.
SHRUBS					
	3,010	CALLICARPA AMERICANA	BEAUTY BUSH	YES	24" MIN. HGT.
	3" LAYER MULCH MINIMUM				
SOD	ST. AUGUSTINE SOD STENOTAPHRUM SECUNDATUM 'FLORATAM'		SOLID SOD, LAID TIGHTLY IN PLACE, 99% WEED AND DISEASE FREE		

NOTE: MIN. TREE TRUNK OF 4" IN DIAMETER





LANDSCAPE PLAN

LANDSCAPE NOTES

1. ALL PLANT MATERIAL SHALL BE FL. No. 1 OR BETTER IN GRADE AND QUALITY.
2. THE SOD MATERIAL TO BE PLANTED SHALL BE ST. AUGUSTINE FLORATAM.
3. A MINIMUM OF 30% OF THE REQUIRED TREES AND OR PALMS SHALL BE NATIVE SPECIES.
4. A MAXIMUM OF 30% OF THE NATIVE TREES CAN BE SABAL PALMETTO, (CABBAGE PALM).
5. A MINIMUM OF 30% OF THE REQUIRED SHRUBS SHALL BE NATIVE SPECIES.

SITE TO BE FILLED TO COUNTY FLOOD CRITERIA ELEVATION HAVING ON AN ELEVATION NO LESS THAN THE HIGHEST APPROVED CROWN ELEVATION OF THE ROAD ABUTTING THE PROPERTY.

AREA ADJACENT TO LAKE OR DRAIN TO BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF SEDIMENTS INTO LAKE OR DRAIN.

LOT WILL BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF PROPERTIES ONTO ADJACENT PROPERTY. APPLICANT WILL PROVIDE CERTIFICATION PRIOR TO FINAL INSPECTION.

ALL ELECTRICAL, MECHANICAL, AND PLUMBING WILL BE PLACED AT OR ABOVE THE BASE FLOOD ELEVATION (BFE). THERE WILL BE PROVIDED WITH A MINIMUM OF TWENTY (20) OPENING PER ENCLOSED AREA EXCEEDING ONE HUNDRED (100) SQUARE FEET OF ENCLOSED AREA SUBJECT TO FLOODING. THE BOTTOM OF THE OPENING WILL BE ONE (1) FOOT ABOVE THE ADJACENT GRADE. OPENINGS WILL BE PROVIDED WITH SCREENS OR LOUVERS. FLOOD RESISTANT MATERIALS WILL BE USED BELOW BFE.

THE SITE WILL BE GRADED IN A MANNER TO PREVENT THE FLOODING OF ADJACENT PROPERTIES OR STRUCTURES DURING CONSTRUCTION AND AFTER THE SITE IS COMPLETED.

TEMPORARY ELEVATION CERTIFICATE IS REQUIRED BEFORE FRAMING AND INSPECTION ABOVE LOWEST FLOOR AND A FINAL ELEVATION CERTIFICATE IS REQUIRED BEFORE ISSUANCE OF CERTIFICATE OF OCCUPANCY OR COMPLETION. INSPECTION HOLLY 305 / 623-2667 CALL 378-5466

BUILDING (OUTSIDE SPECIAL FLOOD HAZARD) ALL ELECTRICAL AND MECHANICAL EQUIPMENT MAY BE LOCATED AT OR ABOVE THE REQUIRED LOWEST FLOOR ELEVATION. NON TEMPORARY FLOOD HAZARD ALL ELECTRICAL AND MECHANICAL EQUIPMENT MAY BE LOCATED AT OR ABOVE THE BASE FLOOD ELEVATION OR REQUIRED LOWEST FLOOR ELEVATION WHICHEVER IS HIGHER.

LOWEST FLOOR- SHALL MEAN THE LOWEST FLOOR OF THE LOWEST ENCLOSED AREA (INCLUDING BASEMENT). AN UNFINISHED OR FLOOD RESISTANT ENCLOSURE, USABLE SOLELY FOR PARKING OF VEHICLES, BUILDING ACCESS OR STORAGE IN AN AREA OTHER THAN A BASEMENT AND WHICH IS SUBJECT TO FLOODING IS NOT CONSIDERED A BUILDING'S LOWEST FLOOR PROVIDED THE ENCLOSURE IS BUILT IN ACCORDANCE WITH THE APPLICABLE NON-ELEVATION DESIGN REQUIREMENTS IN SECTIONS 60-A, 60-4, 60-5.

APPLICABLE NON-ELEVATION DESIGN REQUIREMENTS IN SECTIONS 60-A, 60-4, 60-5.

FLOOD ELEVATIONS SHALL BE DESIGNED TO PRECLUDE FINISHED LIVING SPACE EXCEPT ALLOWABLE USES INCLUDING LIMITED STORAGE AND BUILDING ACCESS AND SHALL BE DESIGNED TO ALLOW FOR THE ENTRY AND EXIT OF FLOOD WATERS TO AUTOMATICALLY EQUALIZE HYDROSTATIC FLOOD FORCES ON EXTERIOR WALLS. THE INTERIOR PORTION OF SUCH ENCLOSED AREA SHALL NOT BE FINISHED OR OR PROVIDED FLOOD RESISTANT MATERIALS ONLY AND SUPPORTED BY OR

CRITERIA (1) PROVIDE A MINIMUM OF TWO (2) OPENINGS HAVING A TOTAL NET AREA OF NOT LESS THAN ONE (1) SQUARE INCH FOR EVERY SQUARE FOOT OF ENCLOSED AREA SUBJECT TO FLOODING. THE BOTTOM OF ALL OPENINGS SHALL BE NO HIGHER THAN ONE (1) FOOT ABOVE THE ADJACENT GRADE. OPENINGS MAY BE EQUIPPED WITH SCREENS, LOUVERS, VALVES OR OTHER COVERINGS OR DEVICES PROVIDED THEY PERMIT THE ENTRY AND EXIT OF FLOODWATERS AUTOMATICALLY.

ISSUANCE FOR

Client: COTTAGE OF SILVER PALM
Address: 102 AVE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: LANDSCAPE PLAN AND LEGENDS PLAN

Job No.:
Dwg. No.:
Scale: As Noted
Date: Sept. 2003
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8800 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
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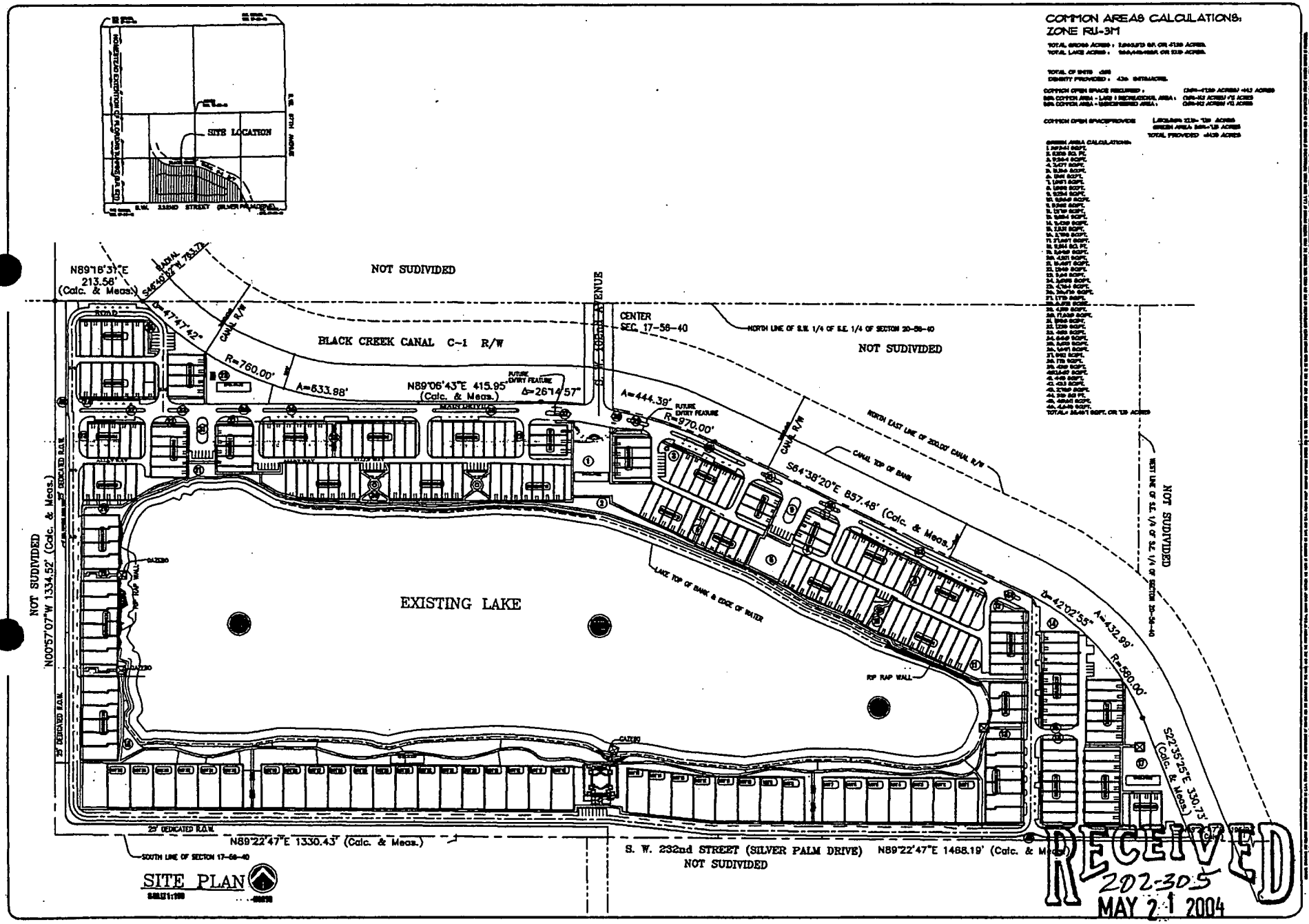

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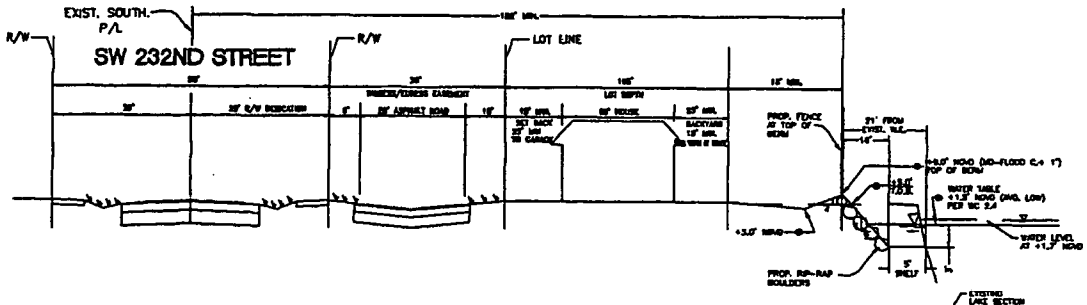

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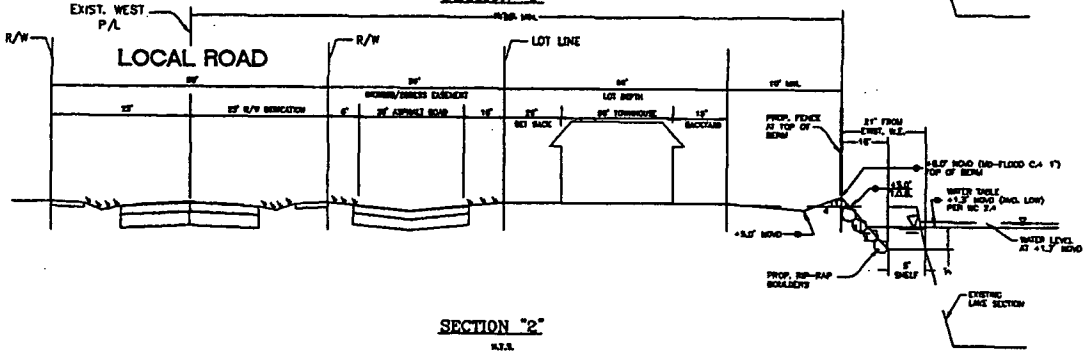

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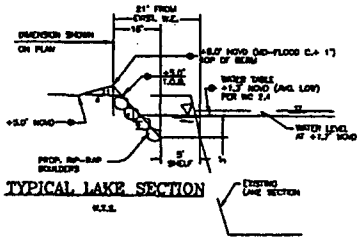

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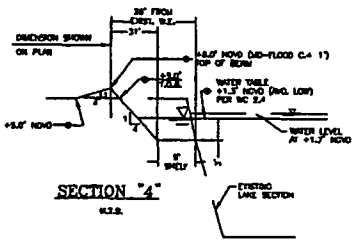

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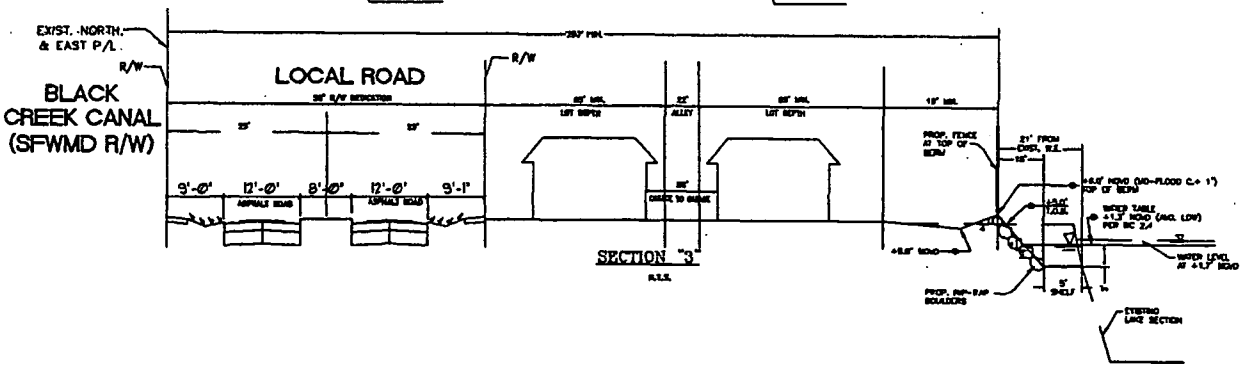

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ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0019
Plan: DETAILS
TYPICAL SETBACK DETAILS

Job No.:
Drawn By:
Date: As Noted
Date: 05-18-2004
Loc:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

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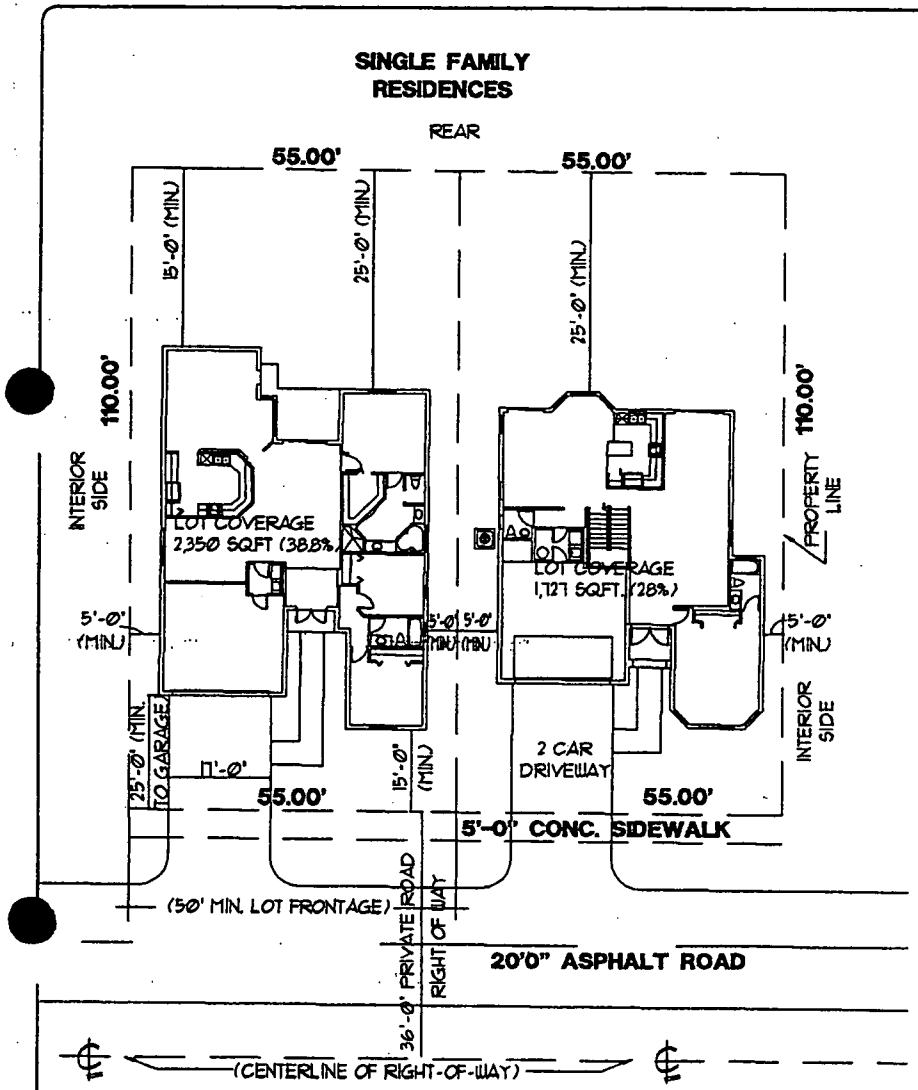

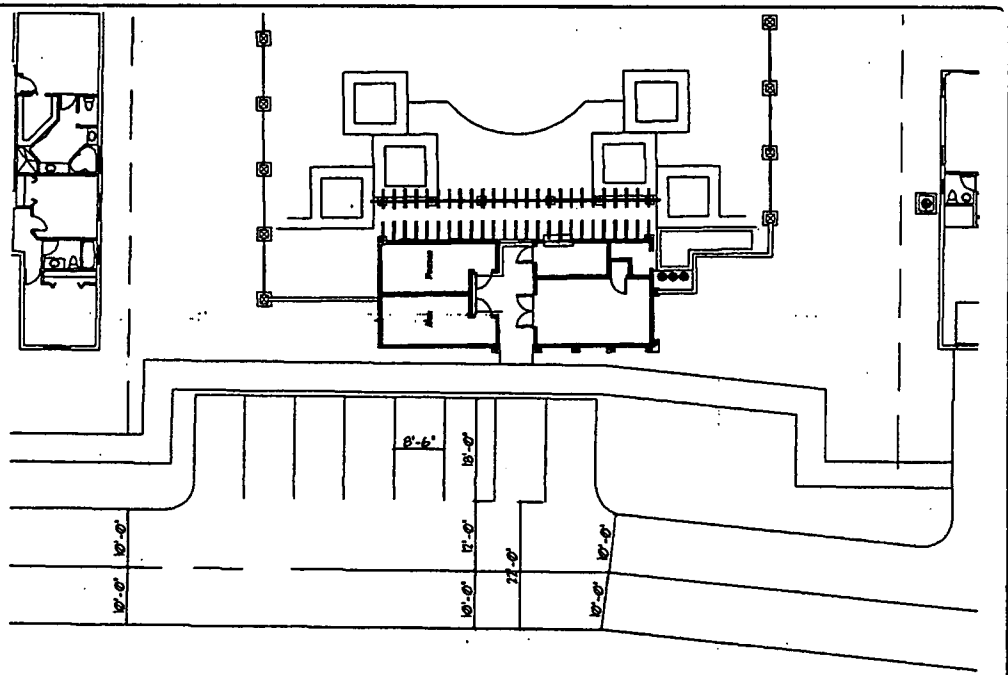

PARKING DETAIL

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BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: DETAILS
SINGLE FAMILY RESIDENCE SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

D-2
of

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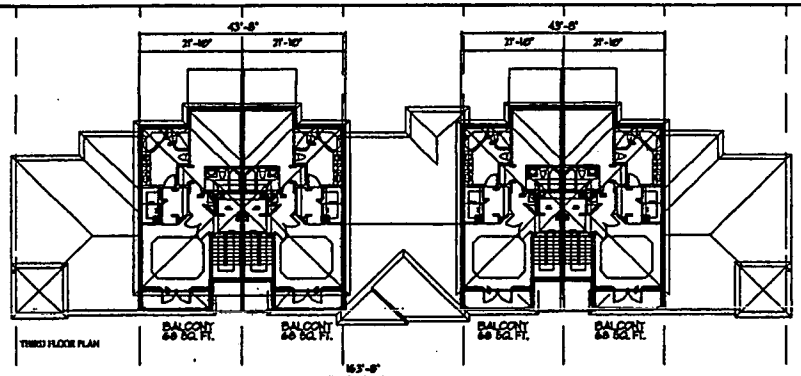
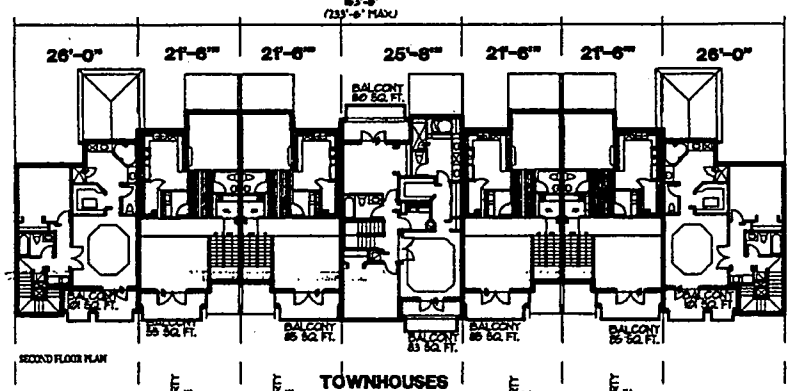
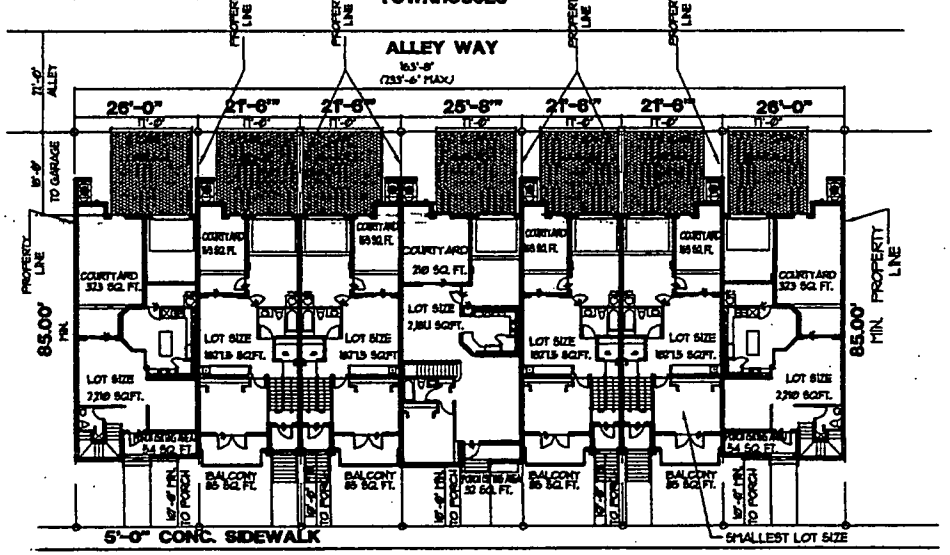




TOWNHOUSES



PATIO CALCULATIONS:

MODEL A PATIO PROVIDED:

COURTYARD=	169 SQ.FT.
FIRST FLOOR BALCONY=	85 SQ.FT.
SECOND FLOOR BALCONY=	85 SQ.FT.
THIRD FLOOR BALCONY=	68 SQ.FT.
TOTAL PATIO AREA PROVIDED=	407 SQ.FT.

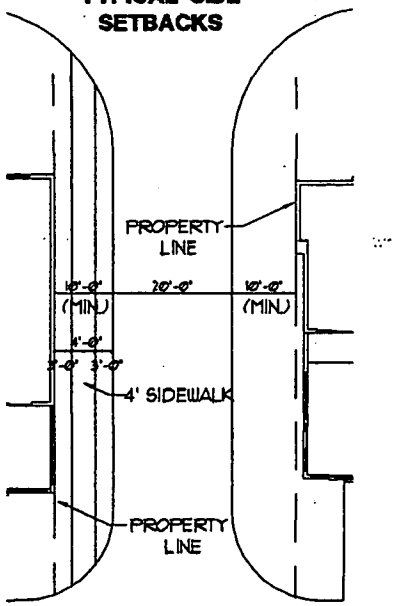
MODEL B PATIO PROVIDED:

COURTYARD=	323 SQ.FT.
PORCH (SITTING AREA)=	54 SQ.FT.
BALCONY=	101 SQ.FT.
TOTAL PATIO AREA PROVIDED=	478 SQ.FT.

MODEL C PATIO PROVIDED:

COURTYARD=	210 SQ.FT.
PORCH (SITTING AREA)=	32 SQ.FT.
BALCONY (MASTER SUITE)=	85 SQ.FT.
BALCONY (BEDROOM)=	100 SQ.FT.
TOTAL PATIO AREA PROVIDED=	407 SQ.FT.

TOWNHOUSES
TYPICAL SIDE
SETBACKS



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BY

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 223ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: DETAILS
TOWNHOUSES SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-20-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE. #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

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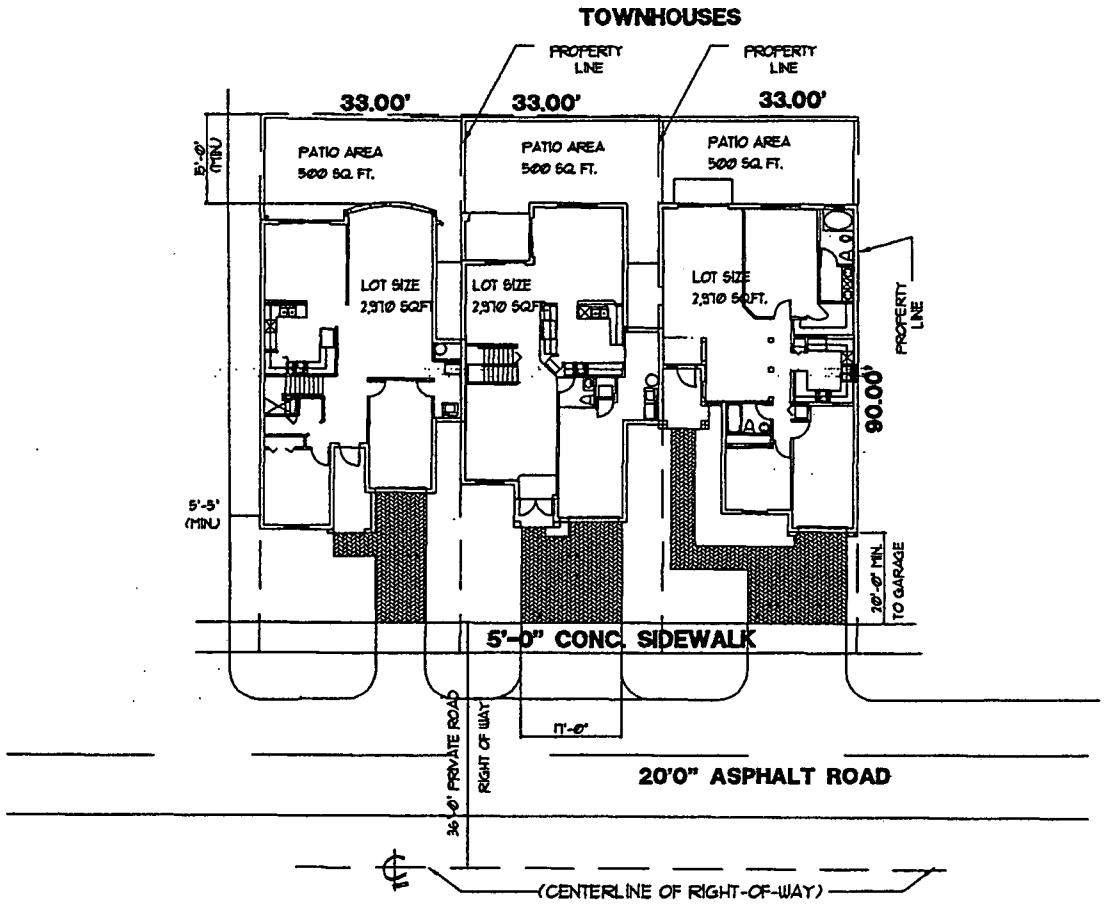
of



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MAY 21 2004
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MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: DETAILS
TOWNHOUSES SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-20-2004
Loc:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE. #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

D-4
of

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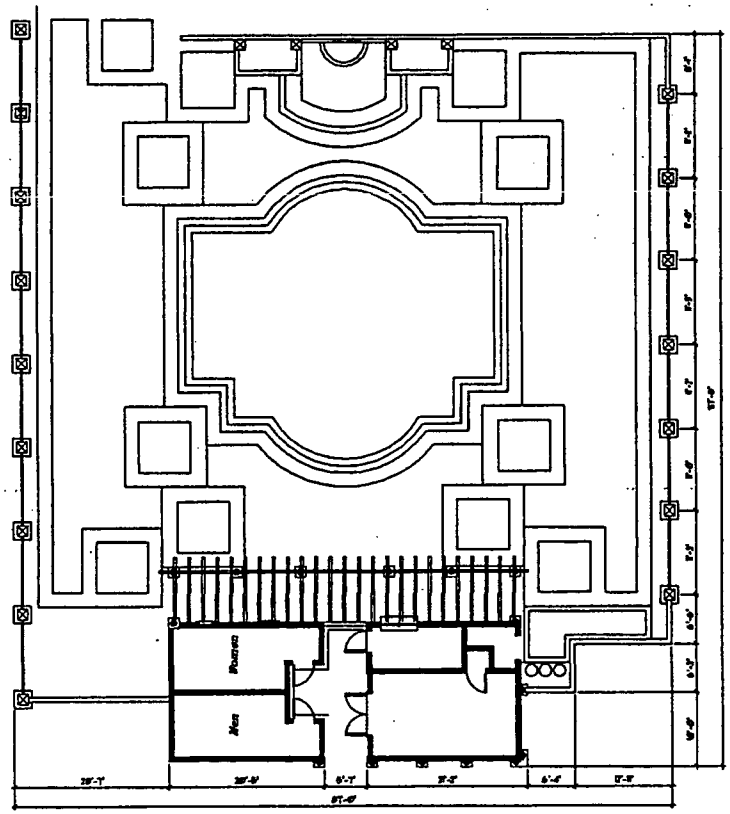
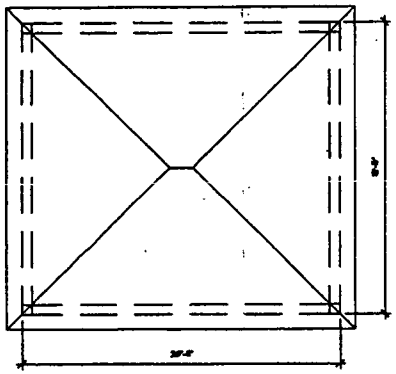
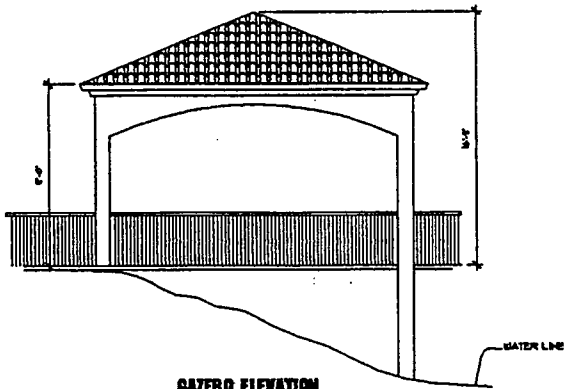


FLOOR PLAN
RECREATION CENTER



GAZEBO. FLOOR PLAN



GAZEBO. ELEVATION

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202-305
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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FO

Client: COTTAGES OF SILVER LAKES
Address: 102 AVE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-571-0909
Plan: GAZEBO AND RECREATIONAL CENTER

Job No.:
Drawn By:
Scale: 3/16" = 1'-0"
Date: 05-05-2004
Loc:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-1.1

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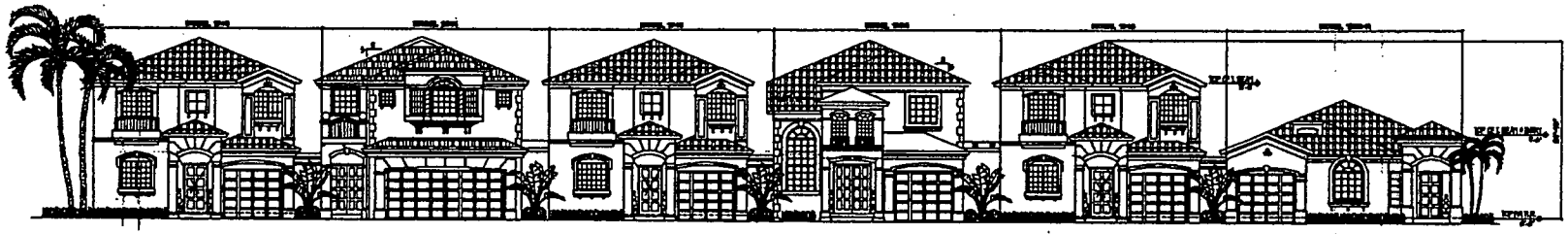
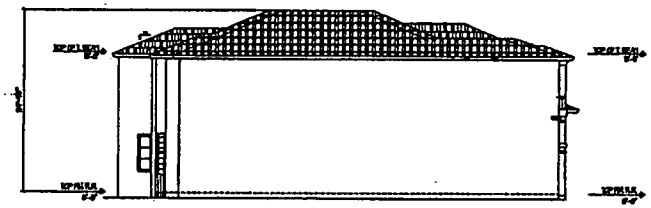
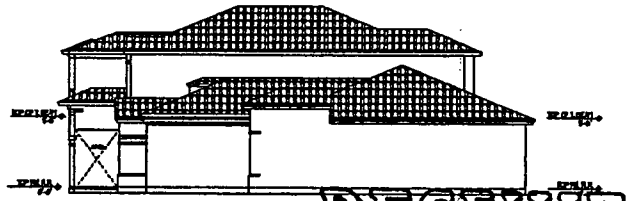


FRONT ELEVATION 1/8"

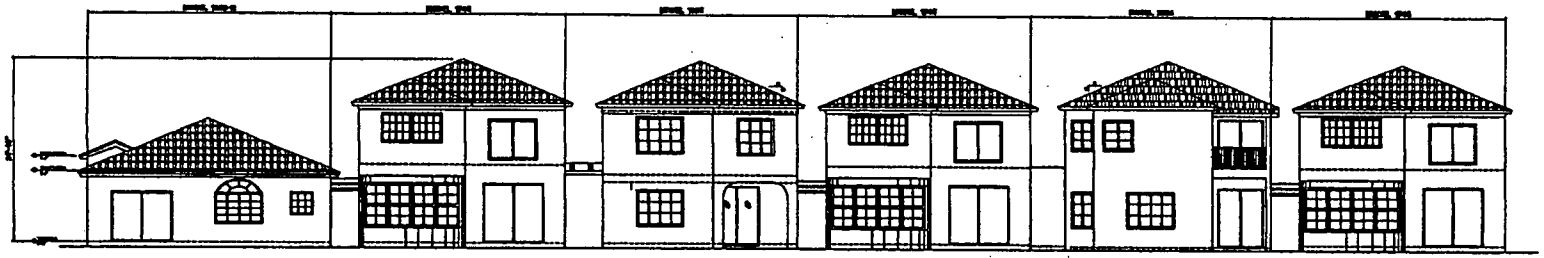


LEFT ELEVATION 1/8"



RIGHT ELEVATION 1/8"

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC



REAR ELEVATION 1/8"

P:\cottages of silver palm\LEN CARBBEAN BLK-15 OV-ELEVATION.dwg, 05/20/04

ISSUANCE FOR

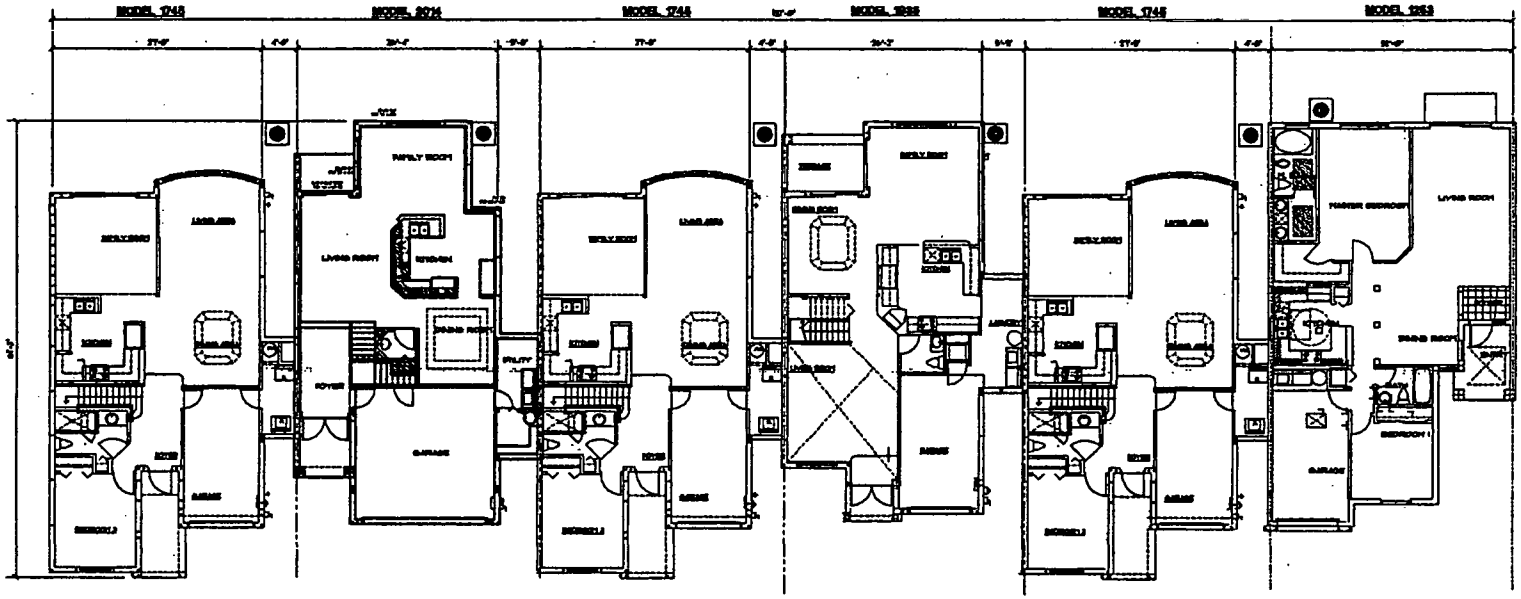
Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: ELEVATIONS 6 UNIT BUILDING

Job No.:
Dwn By:
Scl: 1/8" = 1'-0"
Date: 03-03-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REEL No. 0011131
8300 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

A-1

92



6 UNIT BUILDING OVERALL FLOORPLAN

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FO

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: OVERALL FLOORPLAN

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 05-20-2004
Lot:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

A-2

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93

FRONT ELEVATION
BUILDING TYPE - 1

FRONT ELEVATION

BUILDING TYPE 1 -REAR ELEVATION

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MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: ELEVATIONS 7 UNIT BUILDING

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 5-05-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

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of

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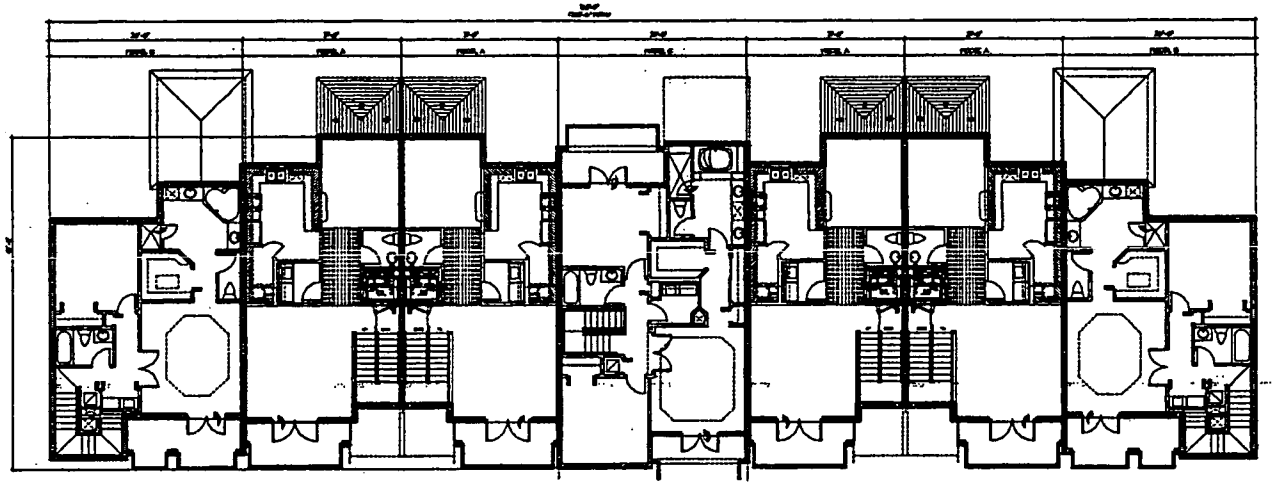
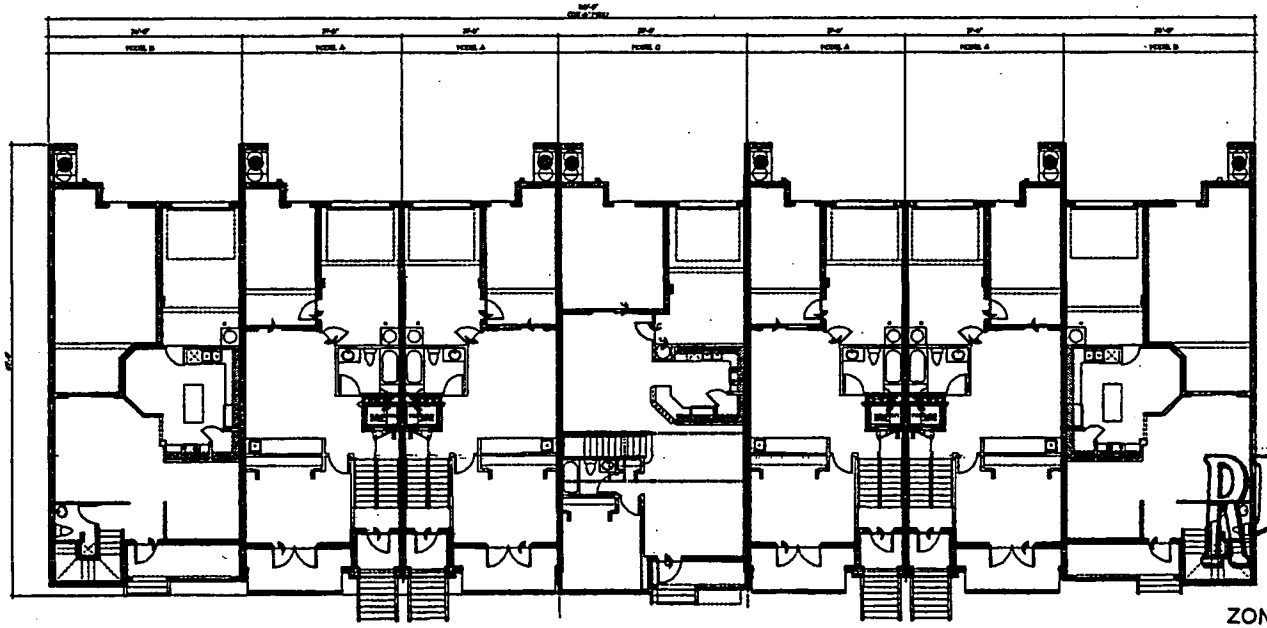
94



SECOND FLOOR PLAN



FIRST FLOOR PLAN

RECEIVED
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MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: FIRST FLOOR OVERALL PLAN
7 UNIT BUILDING

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 5-18-04
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8000 SW 117 AVE #107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

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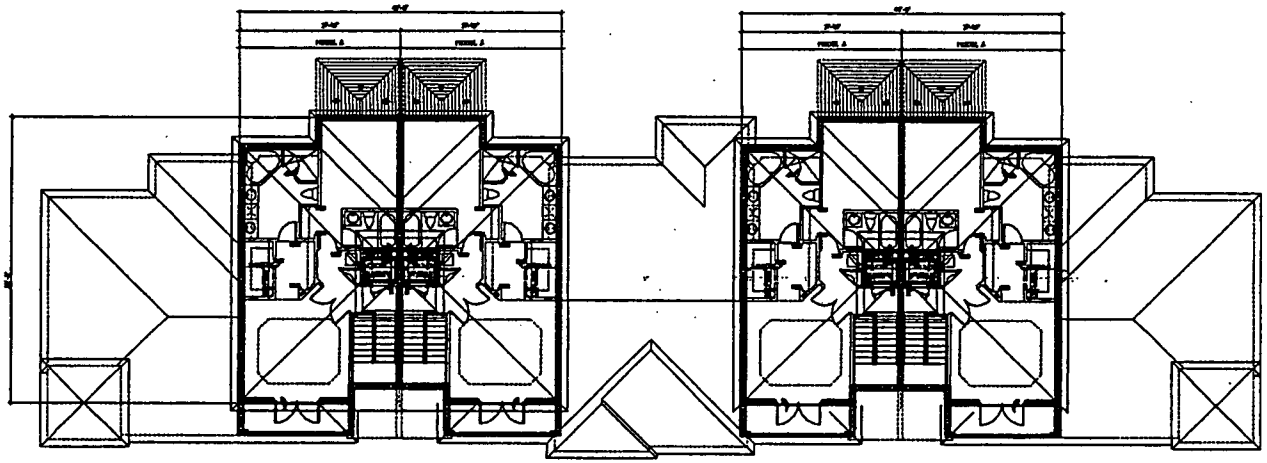
of



THIRD FLOOR PLAN

RECEIVED
ZDZ-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: THIRD FLOOR/ROOF OVERALL PLAN

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

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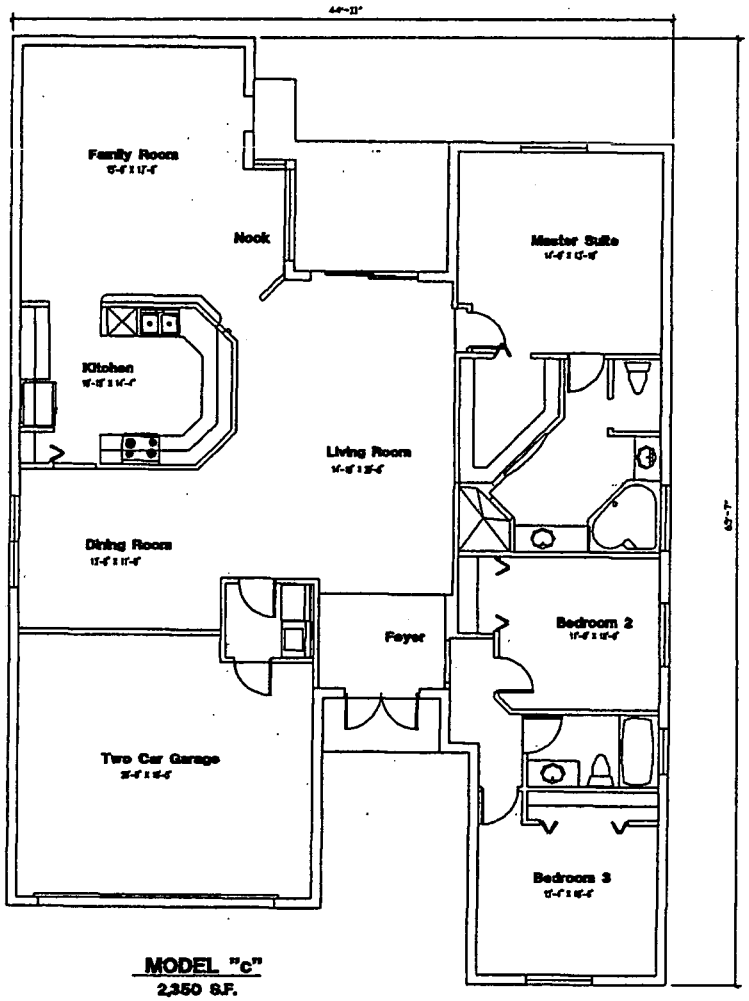
96



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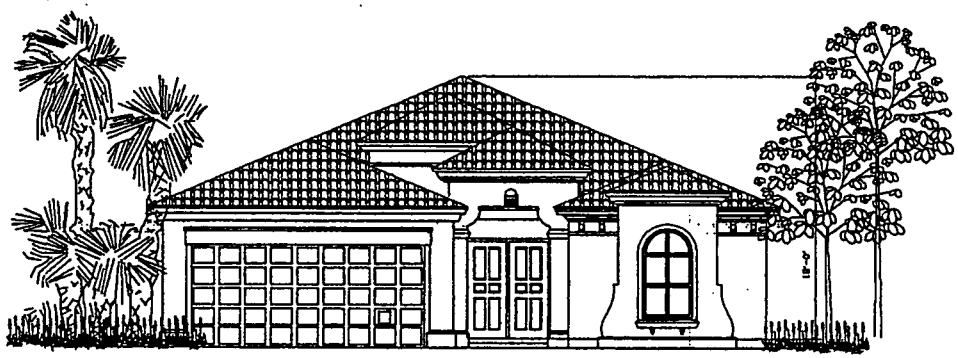
SCALE=1/4"



RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

05/20

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: BROCHURE MODEL - COURTYARD

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 5-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-1
of

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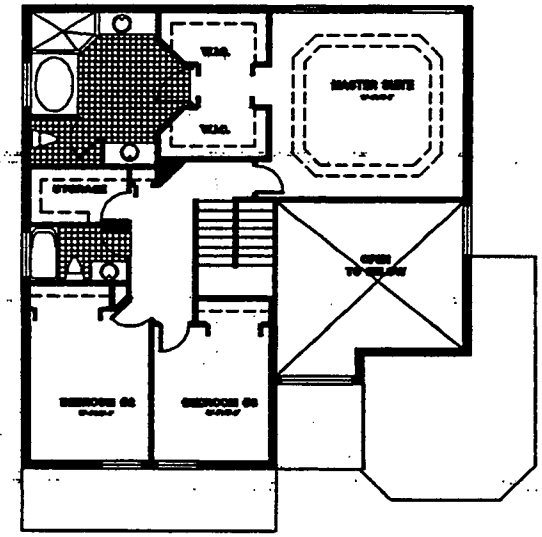
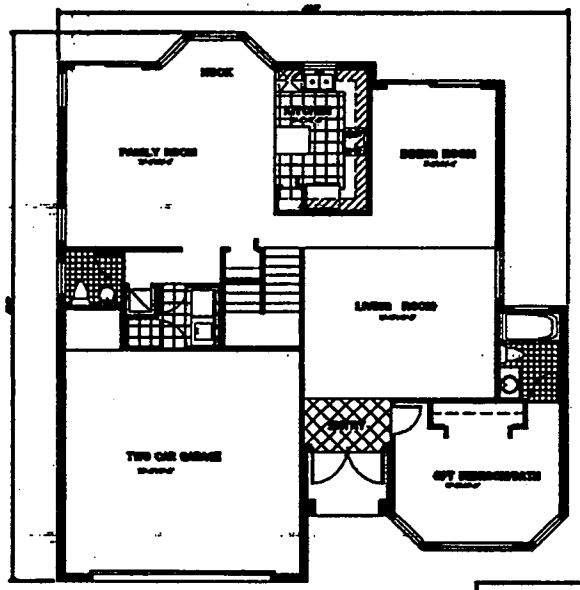
97



Admiral



Admiral

LIVING AREA	: 2633 SQ.FT
ENTRY	: 46 SQ.FT.
GARAGE	: 476 SQ. FT.
TOTAL	: 3156 SQ.FT.

Admiral

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FO

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: BROCHURE

Lot:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

E.S.A.

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of

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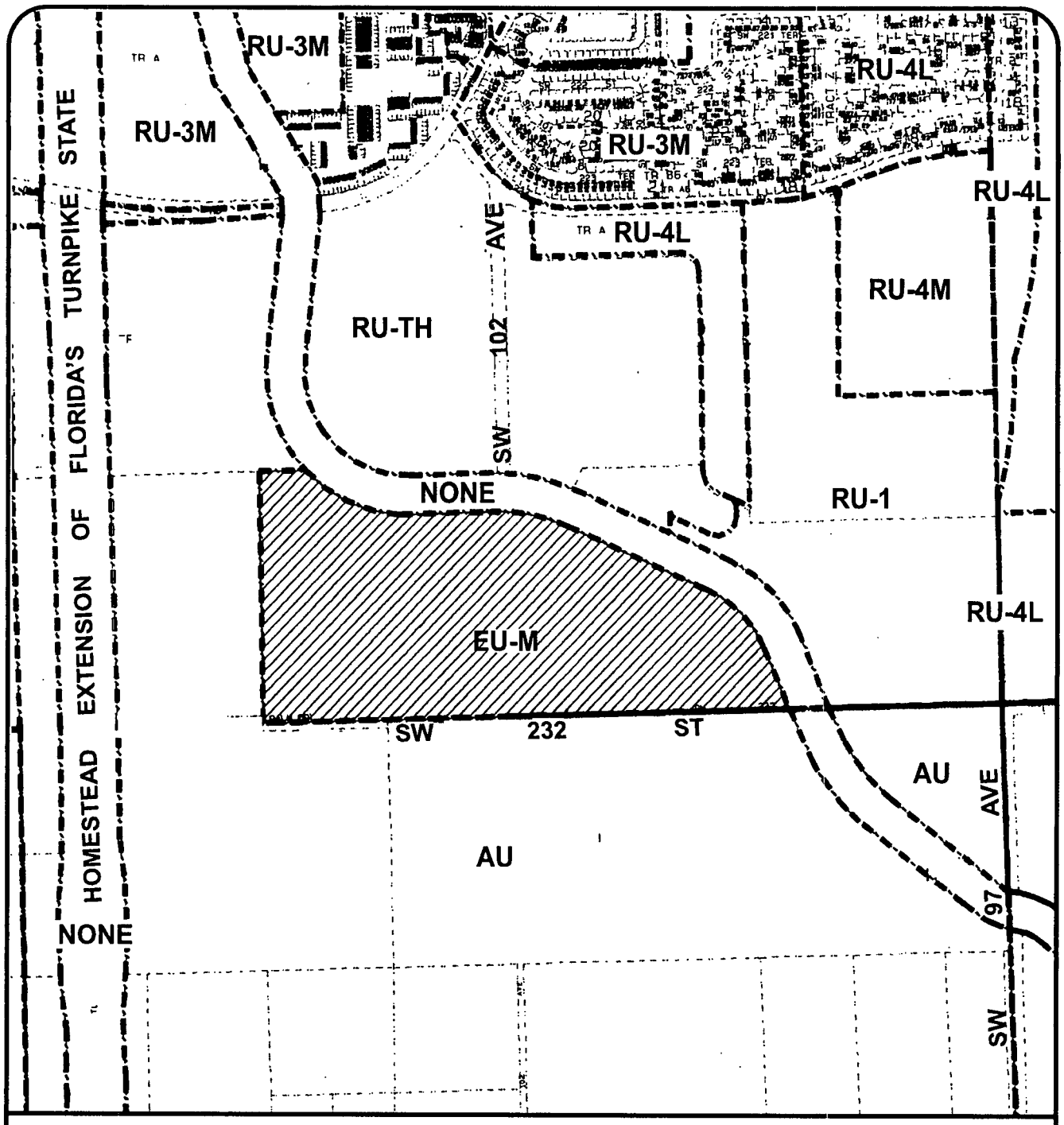


MIAMI-DADE COUNTY
HEARING MAP

S C A L E 0 800' N

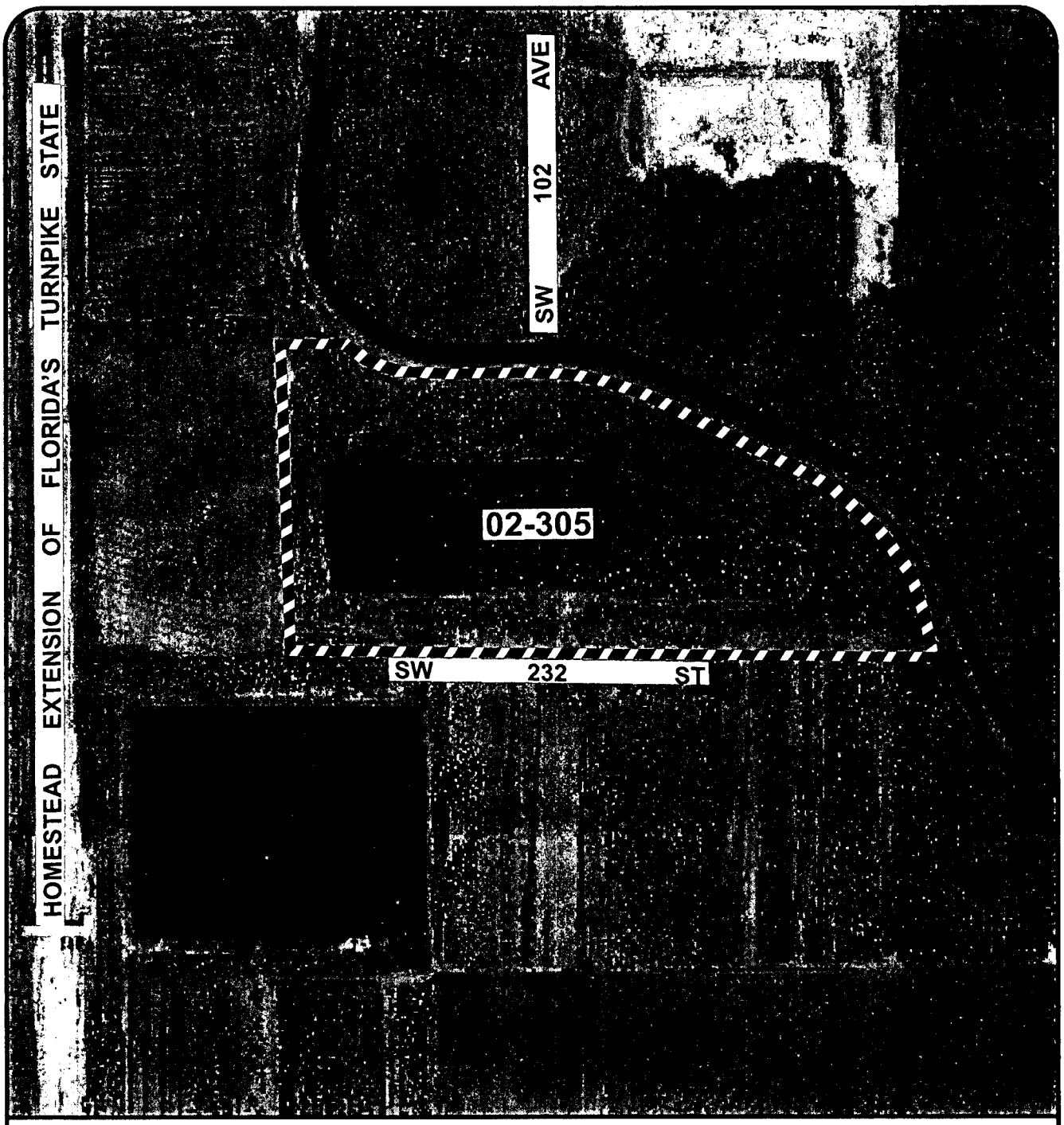
SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

98



MIAMI-DADE COUNTY
AERIAL

S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

3. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
Area 15/District 8
Hearing Date: 9/30/04

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Stanley Price & Jerry Proctor

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	APRIL 21, 2004	CZAB15- -04

REQUESTS: 1) EU-M to RU-3M. 2) UU Lake infill 3) waive ROW dedication 4) 15' parking backout 5) Side st. setback. 6) Bldg. height 7) Park/drive w/in 25' row 8) Lawn area

DEPT. REC: APPROVE #1SUBJECT TO COVENANT. APPROVE #2 WITH CONDITIONS. APPROVE #3, 5 – 7 WITH CONDITIONS AS NUV. DENY #4 & 8 WITHOUT PREJUDICE

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS:

☒ DEFER: ☐ INDEFINITELY ☒ TO: June 16, 2004 ☒ 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 STD. CONDITIONS

☒ OTHER: READVERTISE AT APPLICANT'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS			✓
MR.	S	Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
MS.		Alfonsina SERGIO			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 4 to 0

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	MARCH 16, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☐ 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 STD. CONDITIONS

☒ OTHER: (to submit revised plans)

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
MS.	S	Alfonsina SERGIO	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Stephen Stieglitz

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	JANUARY 20, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS:

☒ DEFER: ☐ INDEFINITELY ☒ TO: MARCH 16, '04 ☐ 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 STD. CONDITIONS

☐ OTHER:

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY		✓	
MS.		JoAnn BOVA	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 5 to 1

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	DECEMBER 9, 2003	CZAB15- -03

REQUESTS: EU-M to RU-3M

DEPT. REC: DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☐ INDEFINITELY ☒ TO: JAN. 20, '04 ☐ 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 STD. CONDITIONS

☒ OTHER: READVERTISE AT COUNTY'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)			✓

VOTE: 4 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Ron Bernstein

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): DYLAN RANGEL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	SEPTEMBER 23, 2003	CZAB15- -03

DEPT. REC: DENIAL W/OUT PREJUDICE OR DEFERRAL

1) EU-M to RU-3M

MOTION:

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☒ With Leave To Amend

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH STD. CONDITIONS

☒ OTHER: at applicant's expense

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.	S	Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.	M	JoAnn BOVA	✓		
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

MI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Bill Riley

Objectors: NONE

Hearing No. 03-1-CZ15-6 (02-305)

Hearing Date: June 24, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____

Per DIC ____

Approved as Requested ____

Denied Without Prejudice ____

Denied With Prejudice ____

Standard Conditions: ____

✓ Deferred to: Sept. 23, 2003

Withdrawal ____

Other: ____

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

		Yes	No	Absent
Al Alvarez		✓		
Daniel L. Adams	S	✓		
Leonard Anthony		✓		
JoAnn Bova	M	✓		
Paul S. Vrooman				✓
Nancy McCue		✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓

County Attorney: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H. R. REALTY & INVESTMENTS, INC.

Representative: Bill Reilly

Objectors: Dana Floyd

Hearing No. 03-1-CZ15-6 (02-305)

Hearing Date: April 28, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____

Per DIC ____

Approved as Requested ____

Denied Without Prejudice ____

Denied With Prejudice ____

Standard Conditions: ____

Deferred to: June 24, 2003

Withdrawal ____

Other: due to omnipoint holding

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

	Yes	No	Absent
Daniel Adams S	✓		
Leonard Anthony M	✓		
JoAnn Bova	✓		
Paul S. Vrooman	✓		
Nancy McCue	✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓

County Attorney: Steven Stiegler

8

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor **Objectors:** _____

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** January 30, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____ Standard Conditions: 4/28/03

Per DIC ____ Deferred to: _____

Approved as Requested ____ Withdrawal _____

Denied Without Prejudice ____

Denied With Prejudice ____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓ County Attorney: Ronald Bernstein

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 17-56-40 **DATE:** September 30, 2004

COMMISSION DISTRICT: 8 **ITEM NO.:** 3

==========

A. INTRODUCTION

- **REQUESTS:**

MANUEL DORTA-DUQUE & THE FARM, INC. are appealing the decision on requests #1, #3, #4, #6 & #7 of Community Zoning Appeals Board #15 on H. R. REALTY & INVESTMENTS, INC. which approved the following:

(1) EU-M to RU-3M

(2) Applicant is requesting to permit a townhouse development setback 10' from side street property lines (15' required).

REQUESTS #1 & #2 ON PARCEL #1

(3) EU-M to RU-1M(a)

(4) Applicant is requesting to permit lots with 0' of frontage on a public street (50' required) and access to a public street by means of private drives.

(5) Applicant is requesting to permit single family residences with a rear setback of 15' (15' permitted on a portion only; 25' required for the balance).

REQUESTS #3 - 5 ON PARCEL #2

(6) Applicant is requesting to waive zoning and subdivision requirements for section line roads to be 80' in width; to permit 0' to 25' of dedication (40' required) on the north half of theoretical S.W. 232 Street.

(7) Applicant is requesting to permit parking and driveways within 25' of an official right-of-way (not permitted).

(8) UNUSUAL USE to permit the filling of a lake and a lake excavation.

REQUESTS #6 - #8 ON PARCELS #1 & #2

Upon a demonstration that the applicable standards have been satisfied, approval of requests #4 - #7 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b)(Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

The appellant is appealing this application that will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District and RU-1M(a), Modified Single-Family Residential District. Additional requests will permit the filling and excavation of a lake, less setback area from certain property lines for buildings than required, lots with 0' of frontage on a public street, parking areas and driveways closer than permitted to a right-of-way and the waiver of a portion of the required right-of-way dedication for a section line road.

- **LOCATION:**

Lying on the north side of theoretical S.W. 232 Street and 1,330' east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60.21 Acres

- **IMPACT:**

The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area. The additional requests could visually impact the surrounding area and affect traffic circulation.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning on the subject site.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2005 and 2015 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 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.

2. Uses and Zoning Not Specifically Depicted. Some existing lawful uses and zoning are not specifically depicted on the LUP map. However, all such existing lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." (Land Use Element, page I-36).

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant and lake	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture and Urban Development Boundary
EAST: RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST: AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Plant nurseries are active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Acceptable***
Location of Buildings:	**Acceptable***
Compatibility:	**Acceptable**
Landscape Treatment:	**Acceptable**
Open Space:	**Acceptable**
Buffering:	**Acceptable**
Access:	**Acceptable**
Parking Layout/Circulation:	**Acceptable**
Visibility/Visual Screening:	**Acceptable**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**Acceptable**

* upon the submittal of an archeological survey indicating that no remains of the existing Indian burial site will be disturbed.

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or

neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Section 33-311(A)(14)(c)-Alternative Site Development for Single-Family and Duplex Dwellings

The following standard is an alternative to the generalized standards contained in zoning regulations governing specified zoning districts:

Setbacks for a single family or duplex dwelling shall be approved after public hearing upon demonstration of the following:

- the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property; and

- the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and

- the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development to less than 40% of the total net lot area; and

- any area of shadow cast by the proposed alternative development upon an adjoining parcel of land during daylight hours will be no larger than would be cast by a structure constructed pursuant to the underlying district regulations, or will have no more than a *de minimus* impact on the use and enjoyment of the adjoining parcel of land; and

- the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofing structure; and

- the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and

- the architectural design, scale, mass, and building materials of any proposed structure or addition are aesthetically harmonious with that of other existing or proposed structures or buildings on the parcel proposed for alternative development; and

- the wall of any building within a setback area required by the underlying district regulations shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and

- the proposed alternative development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot; and

- total lot coverage shall not be increased by more than twenty percent (20%) of the lot coverage permitted by the underlying district regulations; and

- any structure within an interior side setback required by the underlying district regulations:

  is screened from adjoining property by landscape material of sufficient size and composition to obscure at least sixty percent (60%) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure at time of planting; or

  is screened from adjoining property by an opaque fence or wall at least six (6) feet in height that meets the standards set forth in paragraph (f) herein; and

- any proposed alternative development not attached to a principal building, except canopy carports, is located behind the front building line; and

- any structure not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least three (3) feet: and

- the eighteen (18) inch distance between any swimming pool and any wall or enclosure required by this code is maintained; and

- safe sight distance triangles shall be maintained as required by this code; and

- the parcel proposed for alternative development will continue to provide on-site parking as required by this code; and

- the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth; and

- the proposed development will meet the following:

  side street setbacks shall not be reduced by more than fifty percent (50%) of the underlying district regulations;

  rear setbacks will be at least three (3) feet for detached accessory structures and ten (10) feet for principal structures.

The lot area, **frontage**, or depth for a single family or duplex dwelling shall be approved upon demonstration of the following:

The proposed alternative development will result in open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the underlying district regulations, provided that:

- the density of the proposed alternative development does not exceed that permitted by the underlying district regulations; and

- the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002); and

- each lot's area is not less than eighty percent (80%) of the lot area required by the underlying district regulations; and

- the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

- the parcel proposed for alternative development is not zoned AU of GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

- sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:

- will result in a significant diminution of the value of property in the immediate vicinity; or

- will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or

- will result in materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or

- will combine severable use rights obtained pursuant to Chapter 33B of the code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.

Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

- the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and

- the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

Section 33-311(A)(4)(b) - Non-Use Variances from other than Airport Regulations. 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.

Section 33-311(A)(4)(c) - Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that spirit of the regulations shall be observed and substantial justice done; provided, that the variance 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 non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**Objects**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**57 additional students**

* subject to the conditions stated in their attached memorandum

H. ANALYSIS:

Manuel Dorta-Duque & The Farm, Inc. is appealing the Community Zoning Appeals Board-15 (CZAB-15) decision which approved this application by a vote of 4 to 1 on June 16, 2004. The appellant states that the requests are contrary to the law, not supported by competent substantial evidence, and the proceedings failed to provide due process of law. Staff notes that the CDMP states that all existing uses and zoning are consistent with the CDMP. The existing EU-M zoning is consistent with the CDMP, as such, should the Board desire to retain the existing zoning on the property the decision would also be consistent with the CDMP.

This application seeks the rezoning of parcel 1 of the subject property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District, to allow a 202-unit townhome residential development, and the rezoning of parcel 2 from EU-M, Modified Estate District, to RU-1M(a), Modified Single-Family Residential District, to allow a 35-unit single-family

residential development, for a 237-unit total for the entire residential development. The applicant is also seeking an unusual use to permit the partial filling and excavation of a lake, the waiver of the required dedication of a portion of the right-of-way for S.W. 232 Street (0' to 25' dedication where 40' is required), 10' side street setbacks for certain lots where 15' is required, 15' rear setbacks for single-family residences where 15' is permitted only on a portion and 25' is required for the balance, parking areas and driveways located within 25' of a right-of-way where not permitted and lots with 0' of frontage on a public street where 50' is required and with access to a public street by means of a private drive. The applicant has indicated that a covenant tying the application to the plans submitted and limiting the development of the site to a total of 237 units at a density of 3.93 gross dua (5.0 net dua), would be proffered in conjunction with this application.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department objects** to the requests to permit 0' to 25' of dedication for portions of the north half of the right-of-way for theoretical S.W. 232 Street, 0' of frontage on a public street and access to a public street by means of a private and parking spaces and driveways within 25' of a right-of-way. Said Department also indicates that this application will generate **151 PM** daily peak hour vehicle trips, the addition of which will not exceed the current Level of Service (LOS) which is at LOS "B". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **57 students** to the schools in the area, and that the applicant has proffered a covenant to the School Board in order to provide a monetary donation to mitigate the impacts generated by this application, which will exceed the FISH (Florida Inventory of School Houses) capacity.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre lake. The Land Use Plan (LUP) map of the CDMP designates the site for low density residential use which permits a minimum of 2.5 and a maximum of 6.0 dua. The LUP map would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site. The proposed RU-3M zoning on parcel 1, at a density of 12.9 dua, would permit a total of 611 units on the 47.38 net acre portion of the site (parcel 1). The proposed RU-1M(a) zoning at a density of 6.97 dua, would permit a total of 89 units on the 12.83 net acre portion of the site (parcel 2). The total number of units permitted by the RU-3M and RU-1M(a) rezonings would be 700. As such, the requests to rezone to RU-3M and RU-1M(a) would be inconsistent with the LUP map of the CDMP without a covenant limiting the density to a maximum of 360 units. As mentioned above, the applicant has submitted a site plan showing the development of the site with a maximum of 237 units. The applicant has indicated the intent to proffer a covenant limiting the development density to 3.93 dua (gross) and a maximum of 237 units. With said covenant, the zone changes to RU-3M (request #1) and RU-1M(a) (request #3) would be **consistent** with the LUP map of the CDMP.

The unusual use to permit the partial filling and excavation of an existing lake (request #8) is supported by staff. This request involves the partial filling of the existing lake to assure that the slopes meet code requirements. The excavation portion of the request is being made to legalize the original excavation of the existing lake, which a research of the records reveals was most likely done for past purposes of state road construction in the area. In staff's opinion, the approval of same would not generate or result in excessive noise or traffic, or

cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities.

When analyzing requests #2 and #4 through #7 under the Alternative Site Development Option (ASDO) standards, Section 33-311(A)(14), staff finds that requests #2, #6 and #7 are not addressed under the ASDO standards. As such, said requests cannot be evaluated under same. Requests #4 and #5, the provision of frontage on and access to a public street by means of a private drive and the provision of 15' of rear setback area for certain lots (15' permitted for half the width of the structure and 25' required for the balance), meet some of the ASDO standards since the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property, will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space, will provide sufficient frontage for vehicular access and the rear setbacks will be at least 10' for principal structures. However, request #4 does not meet the ASDO standards for lot frontage since the size and dimensions of certain lots are not sufficient to provide all setbacks, and request #5 does not meet the ASDO standards for setbacks since the parcel proposed for alternative development does not satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth. As such, requests #4 and #5 cannot be approved under the ASDO standards.

When analyzing requests #2, and #4 through #7 under the Non-Use Variance standards, Section 33-311(A)(4)(b), staff finds that the requests meet same by maintaining the basic intent and purpose of the zoning, subdivision and other land use regulations and not adversely affecting the stability and appearance of the community since this property will be a private community enclosed by a subdivision wall.

When requests #2, and #4 through #7 are analyzed under the Alternative Non-Use Variance standards, Section 33-311(A)(4)(c), staff finds that the applicant has not shown that a literal enforcement of the provisions of the Code would result in unnecessary hardship, since the property can be utilized in accordance with the proposed zoning district regulations. As such, this application does not meet those standards.

Staff finds that the revised plans' incorporation of different building types such as townhouses and single-family homes, the arrangement of housing in an interconnected block and street network, the provision of open space in the form of squares, plazas, pocket parks and green focal points, and the reduction of lot sizes on the south side of the lake to create a linear park meets the guidelines for urban form and design.

Staff notes that the Office of Historic Preservation has indicated that there is an existing Tequesta and Seminole Indian burial site directly to the south of the subject property. Said Office has recommended that an archeological survey be conducted of the site to ensure that it does not contain any remains or artifacts from this adjacent burial ground. In the absence of the aforementioned, staff cannot ensure that the plan proposed does not interfere or disturb these Indian remains. As such, staff recommends that this application be deferred in order for the applicant to conduct an archeological survey of the site.

I. **RECOMMENDATION:** Deferral

J. **CONDITIONS:** None

DATE INSPECTED: 01/06/03
DATE TYPED: 01/22/03
DATE REVISED: 03/27/03, 04/07/03, 04/08/03, 04/22/03, 06/02/03, 06/04/03, 06/16/03, 09/05/03, 09/12/03, 11/24/03, 12/01/03, 12/02/03, 01/09/04, 01/12/04, 03/01/04, 03/04/04, 03/11/04, 03/30/04, 04/05/04, 04/15/04, 05/27/04, 06/07/04, 06/10/04, 09/20/04
DATE FINALIZED: 09/21/04
DO'QW:AJT:MTF:CR

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM
DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

RECEIVED
SEP 19 2003
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

DATE: September 12, 2003

SUBJECT: C-15 #Z2002000305-Revised
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O
theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Enforcement History:
DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# 02-305
CZAB-15
Rev. 3

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department objects to this application.

This Department objects to the request to permit lots with 0 feet of frontage on a public street and access to a public street by means of a private drive.

Redesign site plan to eliminate private drives and provide for public roads.

This Department objects to the request to permit 0 to 25 feet of dedication on the north half of theoretical SW 232 St. (40 feet required).

The property owner must dedicate the entire 40 feet for the north half of SW 232 St. This is a section line road and although no extension to the east is foreseen in the near future, this Department feels that the 40 foot dedication should not be waived.

This Department objects to the request to permit parking and driveways within 25 feet of a right-of-way.

One-way drives shall have a minimum width of 15 feet for fire truck access.

Entrance features are not reviewed under this application and must be filed separately. Gates must be removed.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

A Special Taxing District is to be established for maintenance of common areas and lake.

Lake slopes and typical sections for lakes are not reviewed under this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **151 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	B	B
9594	Old Cutler Rd. sw/o Franjo Rd.	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.

Raul A. Pino, P.L.S.

MAY 28 2004

Date

Miami-Dade County Public Schools

giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent
Facilities Operations, Maintenance and Planning

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

April 21, 2004

RECEIVED
APR 2 3 2004
DEPT. OF PLANNING & ZONING
ZONING EVALUATION SECTION
BY

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue
REVISED

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Centennial Middle School and Miami Southridge Senior High School currently operating at 123% and 129% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Centennial Middle School and Miami Southridge Senior High School to 124% and 130%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on May 22, 2003, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with them to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board (Board) in order to provide a monetary donation, over and above impact fees. Please be advised that the Board at their August 20, 2003 meeting authorized such a proffer by the applicant. Additionally, the revised covenant will be presented to the Board at its meeting of May 19, 2004 for its approval.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

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305-995-7285 • FAX 305-995-4760 • www.ARijo@facil.dade.k12.fl.us

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the 237-unit development is estimated to generate approximately $580,176 ($2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:am
L-2468
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Ms. Vivian Villaamil
Ms. Patricia Good
Mr. William W. Riley

REVISED
SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 02-305, H. R. Realty & Investments, Inc. (CC15)
REQUEST:	Zone change from EU-M to RU-3M
ACRES:	60± acres
LOCATION:	North of S.W. 232 Street and East of S.W. 107 Avenue
UNITS:	92 additional units as per proffered covenant (145 units currently permitted under existing zoning classification, for a total of 237 units)
ESTIMATED STUDENT POPULATION:	57 students *
ELEMENTARY:	26
MIDDLE:	14
SENIOR:	17

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Pine Villa Elementary - 21799 S.W. 117 Ct.
MIDDLE:	Centennial Middle - 8601 S.W. 212 St.
SENIOR HIGH:	Miami Southridge Senior - 19355 S.W. 114 Ave.

All schools are located in Access Center 6

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2003:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Pine Villa Elem.	630/ 656*	606	104%/ 108%*	210	77%/ 80%*
Centennial Middle	1116/ 1130*	908	123%/ 124%*	0	**123%/ 124%***
Miami Southridge Sr.	3857/ 3874*	2670	144%/ 145%*	309	**129%/ 130%***

* includes proposed development

Pursuant to the Interlocal Agreement, please note that the elementary school does not meet the review threshold.

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2003:

Pine Villa Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	FL School Recognition as a "C" School
Special Programs:	After-school care and Magnet programs
Lunch schedule:	Begins at 10:15 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	Media Center
Recognition for Academic Achievement:	None
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:05 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium and Resource Rooms
Teachers required to float/travel:	Reading, Math and Science

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements in the past school year:	Classroom addition
Recognition for Academic Achievement:	None
Special Programs:	Vocational and Enrichment classes
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of April 2004):

School	Status	Projected Occupancy Date
Palm Glade K-8 Center (Pine Villa, Redland and Naranja Elementary Relief; Redland and Mays Middle School Relief) (1606 student stations)	Pre-Planning	November 2009
State School "TTT" (unfunded) (South Dade, Homestead and Southridge Sr. High School Relief) (3599 student stations)	Feasibility Study (Funded)	

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $332,481.

CAPITAL COSTS: Based on the State's April-2004 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	26	x	$ 13,365	=	$ 105,768
MIDDLE	14	x	$ 15,324	=	$ 75,795
SENIOR	17	x	$ 20,278	=	$ 100,300
Total Potential Capital Cost					$ 281,863

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

1	F.V. CONSTRUCTION CORP. #03-162	SWC of SW 280 St. and SW 132 Ave.	54 Units/ 45 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 1/20/04	DENIED
2	MALCOLM B. WISEHEART, JR., ET AL #01-408	SWC of SW 196 St. and Old Cutler Rd.	4 Units/ 2 Students	WHISPERING PINES ELEM-1 CUTLER RIDGE MID-0 SOUTHRIDGE SR-1	9/6 9/6 9/6	CC15 1/20/04	APPROVED
3	PROVINCIAL REALTY, INC. #02-186	SW 112 Ave. btwn SW 224 & 232 St.	250 Units/ 154 Students	PINE VILLA ELEM-71 CENTENNIAL MID-38 SOUTHRIDGE SR-45	7/6 9/6 9/6	CC15 11/17/03	APPROVED
4	ERIC AND NICOLE LEE BERRIOS #01-376	SWC of SW 184 St. and SW 79 Ct.	1 Unit/ 0 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	9/6 9/6 9/6	CC15 1/28/02	APPROVED
5	LLOYD AND JOHNNIE CASH #02-230	SWC of SW 137 Ave. and SW 258 St.	36 Units/ 30 Students	NARANJA ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	9/6 7/6 7/6	CC15 1/30/03	APPROVED
6	RALPH FEUERRING, ET AL #02-108	NEC of SW 232 St. and SW 110 Ave.	209 Units/ 119 Students	PINE VILLA ELEM-84 CENTENNIAL MID-29 SOUTHRIDGE SR-26	7/6 9/6 9/6	CC15 10/03/02	APPROVED
7	ROBERT BOREK ET AL #01-333	E and W of SW 117 Ave. on the N side of 248 St.	248 Units/ 130 Students	PINE VILLA ELEM-70 REDLAND MID-31 HOMESTEAD SR-29	7/6 7/6 9/6	CC15 10/03/02	APPROVED
8	GOULDS, LLC #02-326	W of Sw 112 Ave. and S of SW 224 St.	45 Units/ 28 Students	PINE VILLA ELEM-13 MAYS MID-7 SOUTHRIDGE SR-8	7/6 7/6 9/6	CC15 10/22/03	APPROVED
9	LUMSDEN OAKS ACQUISITION CORP. #02-250	W of SW 132 Ave. and S of SW 282 St.	138 Units/ 116 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 10/22/03	APPROVED
10	SPECIALTY HOUSING CORP. #03-104	S of SW 268 St. and W of FL Turnpike	33 Units/ 22 Students	CHAPMAN ELEM-10 CENTENNIAL MID-6 HOMESTEAD SR-6	9/6 9/6 9/6	CC15 10/22/03	APPROVED
11	SVK AIRPORT LAND, LLC #02-200	SEC of SW 276 St. and SW 154 Ave.	41 Units/ 24 Students	REDLAND ELEM13 REDLAND MID-(SOUTH DADE SR-5	7/6 7/6 7/6	CC15 11/06/02	APPROVED
12	AIRBASE LANDINGS, LTD. #02-030	S of SW 268 St. and E of SW 122 Ave.	45 Units/ 20 Students	CHAPMAN ELEM-11 CENTENNIAL MID-5 HOMESTEAD SR-4	9/6 9/6 9/6	CC15 11/07/02	APPROVED
13	HABITAT FOR HUMANITY OF GREATER MIAMI, INC. #00-188	15375 SW 288 St.	10 Units/ 7 Students	LEISURE CITY ELEMID-4/2 SOUTH DADE SR-1	9/6 7/6	CC15 11/12/02	APPROVED
14	LEWIS PETERS AND FERGUSON PETERS, TRUSTEE #01-068	NEC of SW 248 St. and Sw 112 Ave.	328 Units/ 168 Students	NARANJA ELEM-91 CENTENNIAL MID-40 HOMESTEAD SR-37	9/6 9/6 9/6	CC15 11/13/01	APPROVED
15	ALLAPATTAH NURSERY, LTD #02-155 #02-228	E of SW 112 Ave. and N of SW 240 St.	477 Units/ 255 Students	PINE VILLA ELEM-138 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED

PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

16	CHARLES AND JO ELLEN CHAMBERS #02-178	NEC of SW 139 Ave. and SW 258 St.	78 Units/ 50 Students	NARANJA ELEM-27 REDLAND MID-12 SOUTH DADE SR-11	9/6 7/6 7/6	CC16 12/11/02	APPROVED
17	CW2, LTD. #02-164	E of SW 139 Ave. and S of SW 260 St.	32 Units/ 21 Students	NARANJA ELEM-11 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 12/11/02	APPROVED
18	DIAZ LANDSCAPING & NURSERY, INC. #02-192	E of SW 112 Ave. and S of SW 240 St.	476 Units/ 254 Students	PINE VILLA ELEM-137 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED
19	JSM HOLDING CORP. INC AND ROYAL GROUP INVESTMENT #01-264	S of SW 288 St. and SW 140 Ave.	24 Units/ 11 Students	CHAPMAN ELEM-6 REDLAND MID-3 HOMESTEAD SR-2	9/6 7/6 9/6	CC15 2/12/02	APPROVED
20	BLACK CREEK BUILDERS GROUP, LLC #02-335	SEC of SW 132 Ave. and SW 284 St.	11 Units/ 7 Students	REDLAND ELEM-4 MAYS MID-2 HOMESTEAD SR-1	7/6 7/6 9/6	CC15 2/25/03	APPROVED
21	HUGO G. MORALES, TRUSTEE #01-203	Eof USA-1, S of Sw 252 St. and W of SW 137 Ave.	380 Units/ 144 Students	NARANJA ELEM-78 REDLAND MID-34 SOUTH DADE SR-32	9/6 7/6 7/6	CC15 3/26/02	APPROVED
22	CAROLE BROCK, TRUSTEE #02-278	NEC of SW 226 St. and SW 112 Ave.	45 Units/ 28 Students	PINE VILLA ELEM-15 CENTENNIAL MID-7 SOUTHRIDGE SR-6	7/6 9/6 9/6	CC15 3/27/03	APPROVED
23	CARMEL INVESTMENT & DEVELOPMENT INC. #01-437	NEC OF SW 160 Ave. and theor. SW 302 St.	6 Units/ 4 Students	PESKOE ELEM-2 CAMPBELL DRIVE MID-1 HOMESTEAD SR-1	9/6 9/6 9/6	CC15 4/23/02	APPROVED
24	ROBERT BOREK ET AL #00-298	S of SW 248 St. btwn SW 117 and 122 Ave.	342 Units/ 214 Students	PINE VILLA ELEM-116 REDLAND MID-51 HOMESTEAD SR-47	7/6 7/6 9/6	CC15 5/01/01	APPROVED $128,400 O/A
25	ALEJANDRO ZAMPIER #02-076	S of Sw 280 St. and W of SW 134 Ave.	20 Units/ 13 Students	NARANJA ELEM-7 REDLAND MID-3 SOUTH DADE SR-3	9/6 7/6 7/6	CC15 6/04/02	APPROVED
26	CLINTON ASSOCIATES, LTD. #02-035	NWC of SW 122 Ave. and SW 256 St.	59 Units/ 38 Students	NARANJA ELEM-21 REDLAND MID-9 HOMESTEAD SR-8	9/6 7/6 9/6	CC15 6/04/02	APPROVED
27	FREDERICK T. PETERS MARTIAL TRUST #01-219	N of SW 208 St. and btwn SW 87 Ave. and SW 92 Ave.	160 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
28	SODA PROPERTIES, LLC. #01-348	Btwn SW 87 Ave. and SW 92 Ave. and N of SW 208 St.	232 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
29	LAW PROPERTIES LTD. #02-244	SWC of SW 133 Ave. and SW 280 St.	79 Units/ 66 Students	CHAPMAN ELEM-30 CENTENNIAL MID-17 HOMESTEAD SR-19	9/6 9/6 9/6	CC15 6/24/03	APPROVED
30	SAGA BAY DEVELOPMENT, INC. #98-549	N of SW 210 St. and E of SW 82 Ave.	126 Units/ 78 Students	WHIGHAM ELEM-42 CENTENNIAL MID-19 SOUTHRIDGE SR-17	9/6 9/6 9/6	CC15 6/24/03	APPROVED

PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

31	HENRY C. MORAT, TRUSTEE #02-280	SEC of SW 132 Ave. and SW 284 St.	109 Units/ 92 Students	CHAPMAN ELEM-42 CENTENNIAL MID-23 HOMESTEAD SR-27	9/6 9/6 9/6	CC15 7/24/03	APPROVED
32	SUNRISE VILLAGE MOBILE HOME PARK II #03-031	SEC of SW 147Ave. And SW 280 St.	181 Units/ 152 Students	LEISURE CITY ELEMID-70/38 HOMESTEAD SR-44	9/6 9/6	CC15 7/24/03	APPROVED
33	SVK AIRPORT LAND, LLC #02-201	NEC of SW 137 Ave. and SW 256 St.	58 Units/ 49 Students	NARANJA ELEM-23 REDLAND MID-12 SOUTH DADE SR-14	9/6 7/6 7/6	CC15 7/24/03	APPROVED
34	THE HOUSING TRUST GROUP OF FLORIDA, LLC #01-172	E of SW 87 Ave. and N of SW 216 St.	57 Units/ 35 Students	WHIGHAM ELEM-16 CENTENNIAL MID-9 SOUTHRIDGE SR-10	9/6 9/6 9/6	CC15 7/24/03	APPROVED
35	JOSE A. COSTA, JR., TRUSTEE #03-129	NEC of SW 248 St. & SW 129 Ave.	28 Units/ 17 Students	PINE VILLA ELEM-8 REDLAND MID-4 HOMESTEAD SR-5	7/6 7/6 9/6	CC15 8/21/03	APPROVED
36	PRINCETON SELF STORAGE, INC. #01-181	E of US-1, S to Canal, btwn SW 244 St and SW 248 St.	160 Units/ 59 Students	MIAMI HEIGHTS ELEM-32 REDLAND MID-14 SOUTH DADE SR-13	9/6 7/6 7/6	CC15 9/04/01	DENIED
37	TOPA INVESTMENTS, LLC #01-161	19200 SW 102 Ave.	58 Units/ 19 Students	BEL-AIRE ELEM-10 CUTLER RIDGE MID-5 SOUTHRIDGE SR-4	9/6 9/6 9/6	CC15 9/04/01	DENIED
38	MARTINA BOREK ET AL #03-018	12110 SW 248 St.	90 Units/ 76 Students	NARANJA ELEM-35 REDLAND MID-19 HOMESTEAD SR-22	9/6 7/6 9/6	CC15 9/11/03	APPROVED
39	MANUEL C. & EMILIA DIAZ, ET AL #02-377	W of Sw 112 Ave. and S of SW 232 St.	1632 Units/ 1089 Students	PINE VILLA ELEM-492 REDLAND MID-267 HOMESTEAD SR-310	7/6 7/6 9/6	CC15 9/23/03 12/04/03	APPROVED
40	H. R. REALTY & INVESTMENTS, INC. #02-305	N of SW 232 St. and E of SW 107 Ave.	92 Units/ 57 Students	WHIGHAM ELEM-26 CENTENNIAL MID-14 SOUTHRIDGE SR-17	9/6 9/6 9/6	CC15 Def. 4/21/04	PENDING
41	ROYALTY INVESTMENT & DEVELOPMENT GROUP, LLC #03-260	NWC of SW 260 St. and SW 137 Ave.	21 Units/ 18 Students	NARANJA ELEM-8 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 2/17/04	APPROVED
42	US1 COMMERCIAL REAL ESTATE INVESTMENT, LLC #03-269	SEC of US1 and SW 284 St.	216 Units/ 182 Students	LEISURE CITY ELEMID-84/45 HOMESTEAD SR-53	9/6 9/6	CC15 2/17/04	APPROVED
43	ALOR INVESTMENT CORP. #03-295	25520 SW 134 Ave.	17 Units/ 14 Students	NARANJA ELEM-6 REDLAND MID-4 SOUTH DADE SR-4	9/6 7/6 7/6	CC15 3/18/04	APPROVED
44	E & D DEVELOPMENT, INC. #03-283	SWC of SW 132 Ave. and SW 279 St.	8 Units/ 5 Students	CHAPMAN ELEM-2 CENTENNIAL MID-1 HOMESTEAD SR-2	9/6 9/6 9/6	CC15 3/18/04	DENIED
45	GREGORY W. WOODS #03-298	18690 Old Cutler Rd.	2 Units/ 1 Students	WHISPERING PINES ELEM-1 CUTLER RIDGE MID-0 SOUTHRIDGE SR-0	9/6 9/6 9/6	CC15 3/18/04	APPROVED

Note: There is one applications that is pending which would generate 57 students.

PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

SCHOOL	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
CHAPMAN, W.A. ELEM	784	89	873	809	64	100%
LEISURE CITY ELEM/MID	1845	158	2003	999	45	192%
NARANJA ELEM	800	323	1123	561	158	156%
PESKOE, IRVING & BEATRICE ELEM	1185	2	1187	840	0	141%
PINE VILLA ELEM	692	1040	1732	561	210	225%
WHIGHAM, DR. EDWARD L. ELEM	996	146	1142	911	0	125%
WHISPERING PINES ELEM	867	2	869	793	0	110%
ELEMENTARY TOTALS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
CAMPBELL DRIVE MID	1334	1	1335	1373	0	97%
CENTENNIAL MID	1110	311	1421	913	114	138%
LEISURE CITY ELEM/MID	1845	85	1930	999	45	185%
REDLAND MID	1748	454	2202	1144	25	188%
MIDDLE TOTALS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
HOMESTEAD SR	3249	720	3969	2569	0	154%
MIAMI SOUTHRIDGE SR	3880	96	3976	2372	309	148%
SOUTH DADE SR	2713	82	2795	1871	283	130%
SENIOR HIGH TOTALS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
TOTAL	23048	3509	26557	16715	1253	148%

CHARTER SCHOOLS
2002-2003

REV. 6-12-03

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
7160	Mater Academy High School 7901 NW 103 St. Hialeah Gardens, FL 33016	80	750	1,000	1,000	9-10	I	4
0100	Mater Center Charter School 7700 NW 98 St. Hialeah Gardens, FL 33016	1,099	1,000	1,050	1,150	K-8	I	4
0110	North County Charter School 3400 NW 135 St. Miami, FL 33054	293	600	600	600	K-5	I	1
5130	North Dade Community Charter School 13850 NW 26 Ave. Opa-Locka, FL 33054	63	575	600	600	K-5	I	1
5710	Sandor Wiener School of Opportunity 20000 NW 47 Ct. Opa-Locka, FL 33055	6	32	34	72	K-2	I	1
6900	Vankara Academy Charter School 13307-11 Alexandria Dr. Opa-Locka, FL 33054	132	175	225	225	6-8	I	1
6050	Youth Co-Op Charter School 12061 W. Okeechobee Rd. Hialeah Gardens, FL 33018	386	525	525	525	K-8	I	4
6020	ASPIRA Youth Leadership Charter School 13300 Memorial Hwy. North Miami, FL 33161	288	450	450	450	6-9	II	1
0120	Northeast Academy 1750 NE 168 St. N. Miami Beach, FL 33162	416	600	600	600	K-5	II	3
6030	Doral Academy 2450 NW 97 Ave. Miami, FL 33172	1212	2,025	2,025	2,025	K-8	III	5
7020	Doral Academy High School 11100 NW 27 St. Miami, FL 33172	456	1,800	1,800	1,800	9-11	III	5
0400	Ryder Elementary Charter School 8360 NW 33 St. Miami, FL 33122	488	500	500	500	K-5	III	5

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
6070	ASPIRA Eugenio Maria de Hostos Charter School 3650 N. Miami Ave. Miami, FL 33127	174	250	300	350	6-8	IV	2
3600	Downtown Miami Charter School 305 NW 3 Ave. Miami, FL 33128	294	650	650	650	K-6	IV	2
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138	260	350	350	350	6-8	IV	2
0040	Liberty City Charter School 8700 NW 5 Ave. Miami, FL 33150	257	400	705	705	K-7	IV	2
3100	Mater East Charter School 450 SW 4 St. Miami, FL 33130	269	650	800	800	K-5	IV	6
6040	Miami Shores/Barry University Connected Learning Center 11441 NW 2 Ave. Miami Shores, FL 33168	180	200	200	200	6-8	IV	2
0500	Rosa Parks Community School/Overtown 430 NW 9 St. Miami, FL 33136	42	425	500	500	K-6	IV	2
0510	Archimedean Academy 10870 SW 113 Place Miami, FL 33176	80	225	325	500	K-3	V	7
0600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175	548	650	700	700	K-6	V	8
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033	160	230	260	260	6-8	VI	9
0070	Coral Reef Montessori Academy 19000 SW 112 Ave. Miami, FL 33157	221	500	500	500	K-8	VI	9
0300	Rosa Parks Charter School/Florida City 713 West Palm Drive Florida City, FL 33034	149	250	300	600	K-7	VI	9

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
0200	Spiral Tech Elementary Charter School 12400 SW 72 St. Miami, FL 33183	59	160	240	290	K-5	VI	7

- Grade levels for school year 2002-2003

NEW CHARTER SCHOOLS APPROVED TO OPEN FOR THE 2003-2004 SCHOOL YEAR:

(Rev. 3/21/03)

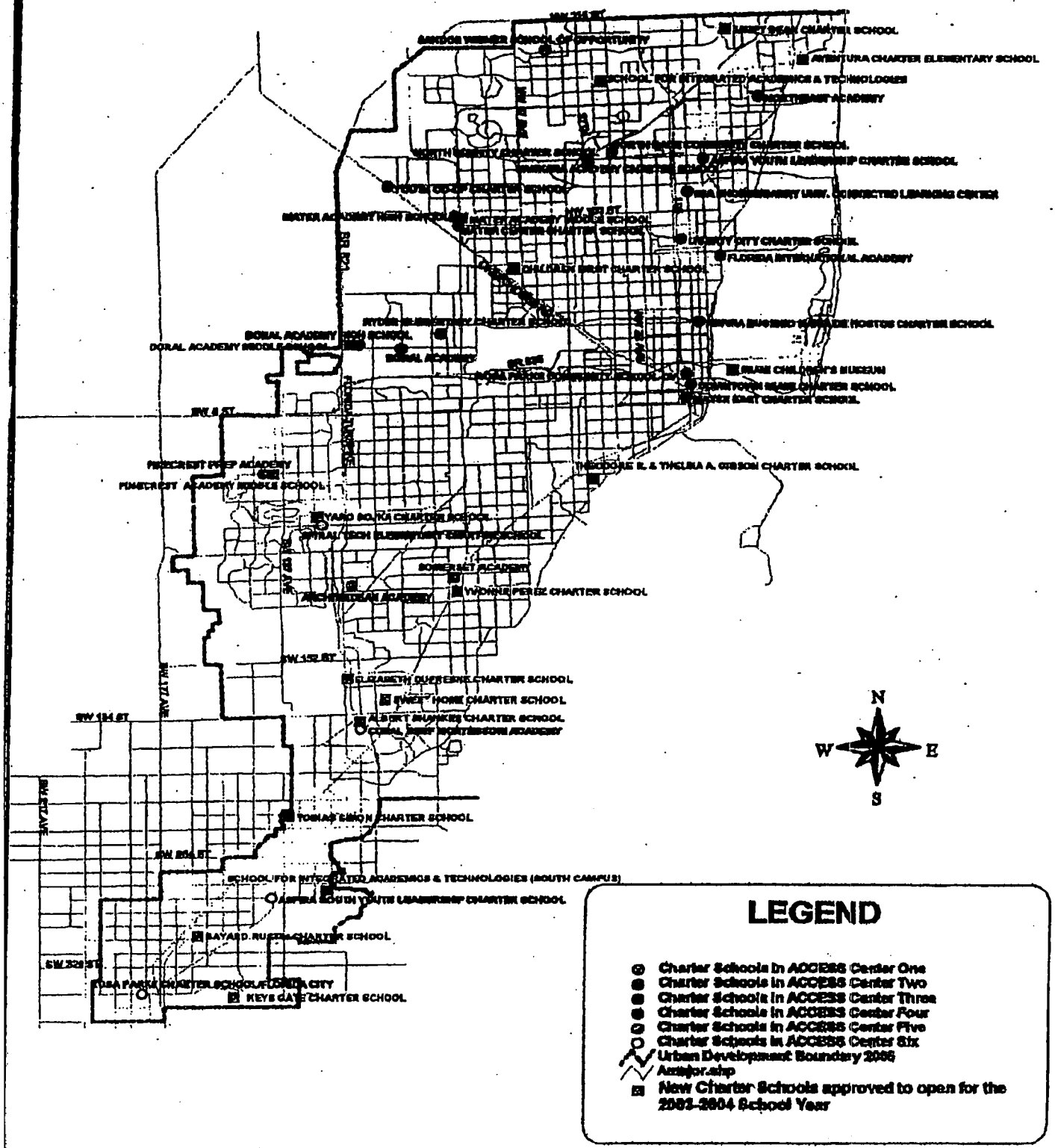
Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Mater Academy Middle School 7901 NW 103 Street Hialeah Gardens, FL 33016	700	800	800	6-8	6-8	I
School for Integrated Academics & Technologies (SIATech) *(A school for high-risk students)* Main: 3050 NW 183 Street Miami, FL 33056	400	600	800	9-10	9-12	I
Aventura Charter Elementary School 3333 NE 188 Street Miami, FL 33180	600	600	600	K-5	K-5	II
Janet Dean Charter School Ives Dairy Rd. between NE 10 & 12 Ave., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	II
Children First Charter School 590 W. 20 Street Hialeah, FL 33010	Deferred to 04-05	250	550	K-3	K-5	III
Doral Academy Middle School 2801 NW 112 Avenue Miami, FL 33172	800	800	800	6-8	6-8	III
Theodore R. & Thelma A. Gibson Charter School 3620 Grand Avenue Miami, FL 33133	575	600	600	K-8	K-8	IV
Miami Children's Museum Watson Island Miami, FL	Deferred to 04-05	350	350	K-5	K-5	IV

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Somerset Academy 11011 SW 80 Avenue Miami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School *17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miami, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE corner of Turnpike & Quail Roost Dr., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobias Simon Charter School 24400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

*temporary location for the first year – the permanent location will be at SW 180 Street & 107 Ave.

Chancellor Charter School at Coral Gables	1	750
Coral Gables Community Charter School	1	600
Miami-Dade Charter Foundation	6	5,400
Miami-Dade Charter Schools, Inc.	2	3,200
Miami-Shores Charter High School	1	600
Somerset Academy	8	8,600
Balere Language Academy	1	450
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School (West Hialeah Academy)	1	800
Charter Academy of Excellence	1	600
Total applications: 14	**27**	**24,150**

Charter Schools by ACCESS Center



PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY _____ AMOUNT OF FEE $1,324.16

RECEIPT # _____

DATE HEARD: 6/16/04

BY CZAB # 15

RECEIVED
02-305
JUL 06 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

DATE RECEIVED STAMP

****

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z02-305 (03-1-CZ15-6) CZAB151904

Filed in the name of (Applicant) H.R. Realty & Investment, Inc.

Name of Appellant, if other than applicant Manuel Dorta-Duque and The Farm, Inc.

Address/Location of APPELLANT'S property:
Folio No. 30-6020-000 -0020; 76 acre parcel immediately south of and adjacent to applicant's property.

Application, or part of Application being Appealed (Explanation):
Requests 1, 3, 4, 6, 7

Appellant (name): Manuel Dorta-Duque & The Farm, Inc.
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)
See attached letter from attorney for appellant; the requests are contrary to the law, not supported by competent substantial evidence, and the proceedings below failed to provide due process of law.

APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF Florida

COUNTY OF Miami-Dade

Before me the undersigned authority, personally appeared Kent Harrison Robbins, attorney (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
____ 2. Original Applicant
____ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Signature

MIRIAM DONNER
Print Name

Signature

ARTHUR J MORBURGER
Print Name

Kent Harrison Robbins
Appellant's signature

Kent Harrison Robbins
Print Name

attorney for appellant
Manuel Borta-Duque
+ The Farm, Inc

Sworn to and subscribed before me on the 7 day of JULY, year 2004

Appellant ~~is personally know to me or~~ has produced Fla Driver's License as identification.

Notary
(Stamp/Seal)

Arthur J. Morburger
Commission #DD322371
Expires: Jun 07, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Commission Expires:

[b:forms/affidapl.sam(11/03)]

APPELLANT MUST SIGN THIS PAGE

Date: 6 day of July, year: 2004

Signed Kent Harrison Robbins, attorney

Kent Harrison Robbins
Print Name

1224 Washington Avenue
Miami Beach Florida 33139
Mailing Address

305-532-0500 305-531-0150
Phone Fax

REPRESENTATIVE'S AFFIDAVIT
If you are filing as representative of an association or other entity, so indicate:

The Farm, Inc and
Manuel Dorta-Duque
Representing

Kent Harrison Robbins
Signature

Kent Harrison Robbins
Print Name

see above
Address

City State Zip

Telephone Number

Subscribed and Sworn to before me on the 6th day of JULY, year 2004

nd produced her Florida Driver's License

Arthur J. Morburger
Notary Public

Arthur J. Morburger
Commission #DD322371
Expires: Jun 07, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

(stamp/seal)

Commission expires:

KENT HARRISON ROBBINS
ATTORNEY AT LAW
1224 WASHINGTON AVENUE
MIAMI BEACH, FLORIDA 33139

(305) 532-0500

July 6, 2004

Board of County Commissioners
c/o Public Hearings Section
Miami-Dade County Planning & Zoning Department
11th Floor
111 NW First Street
Miami, Florida 33128

Re: Appeal of the Decision of Community Zoning Appeal Board 15
Hearing No. Z02-305 (03-1-CZ15-6)
Statement of Grounds and Reasons for Reversal
Appellant: Manuel Dorta-Duque and The Farm, Inc.
Applicant: H.R. Realty & Investments, Inc.
Hearing Date: June 16, 2004
Posting Date: June 21, 2004
Appeal Deadline: July 6, 2004

Dear Commissioners:

Pursuant to Section 33-313 of the Zoning Code of Miami-Dade County, Manuel Dorta-Duque and The Farm, Inc. appeal the June 16, 2004 decision (posted June 21, 2004) of the Community Zoning Appeal Board 15 in File No. 03-1-CZ15-6, Applicant H.R. Realty & Investments, Inc. to the Board of County Commissioners. Under the cited code, the County Commission shall conduct a de novo hearing and shall consider why the Community Zoning Appeal Board should or should not be sustained or modified.

In accordance with the instructions of staff, I am enclosing a check in the amount of $1,324.15 to pay for the filing fees and ½ of the cost of the radius fee for sending notices to the adjacent property owners.

I represent Manuel Dorta-Duque and The Farm, Inc. Mr. Dorta-Duque is the fee simple owner of the 76 acre farm immediately south of and adjacent to the property subject to the decision. Mr. Dorta Duque is a farmer and he utilizes his property for agricultural use. The Farm, Inc. is Mr. Dorta-Duque's family owned corporation which farms his property.

The proposed application provides for up-zoning for a housing development on the site immediately to the north of Mr. Dorta-Duque's farm. At the time of the community council hearing, Mr. Dorta-Duque objected to waivers and variances requested by the applicant which would reduce or eliminate required setbacks, frontages and section line roads.

The particular requests presented and approved by the community counsel that are challenged by this appeal are the following:

1. Permitting lots with 0 feet of frontage on a public street where 50 feet is required and permitting access to a public street by means of private drives where such access is prohibited. (See request # 4 before CZAB.)

2. Permitting only 0 feet to 25 feet of dedication on the north half of S.W. 232nd Street for right-of-way where zoning and subdivision requirements for section roads compel that property owners dedicate a 80 foot right-of-way which would require a 40 feet width of the subject property (the north half of S.W. 232nd Street) to be dedicated for such right-of-way. (See request #6 before CZAB.)

3. Permitting parking and driveways within 25 feet of an official right-of- way. (See request #7 before CZAB.)

All three of the approved requests have an adverse impact on the future residents on the applicant's property by removing a buffer that should be created by streets, swales, driveways and setbacks, and placing future residents closer to the agricultural property exposing the new reside to the negative impact of the pesticide and herbicide spraying and dusting from Mr. Dorta-Duque's adjacent farm, an activity that is an established part of the agricultural use of his property. The lack of a buffer is adverse to public health and safety and adversely affects the air that the future residents will breathe. The community counsel failed to consider the character of the area and its peculiar suitability for residential uses immediately abutting land with agricultural

uses. It failed to encourage the most appropriate use of the land and reasonable buffers between different uses.

Moreover, the Miami Dade Public Works Department objected to requests #4, #6, and #7. The requests were adverse to the pubic interest, not compatible with the surrounding land uses, detrimental to the community, and contrary to the law. Further, before the community council, the chairman denied the undersigned's request to cross-examine the representative of the Public Works Department who testified before the board.

The waiver of the requirement to dedicate the right-of-way on all sections lines pursuant to Section 33-133(C) of the Code of Miami-Dade County is contrary to the law. The code requires all section lines to have a minimum right-of-way width of 80 feet. Historically, a road has traversed the south side of the applicant's property which was used by Mr. Dorta-Duque as a means of access to his farm. The denial of the code-required right-of-way and failure of the applicant to dedicate the south 40 feet of the subject property for SW 232nd Street (the north 40 feet of said street) is contrary to the law.[1] Moreover, it adversely affects Mr. Dorta-Duque's transportation to and from his land and adversely affects his access. Further, because the land south of the section line must be encumbered by 232nd Street because the adjoining land north of the section line has been exempted, by the challenged decision, from its required dedication, the decision adversely impacts the agricultural land immediate outside of the Urban Development Boundary. Land within the UDB should not be given preference to the detriment of the land outside the UDB.

Neither the planning staff nor the applicant considered the unfavorable, adverse impact of the rezoning and development on a historic resource, the Black Creek Archaeological Zone, a zone proposed by Miami-Dade County staff, comprised of a tree hammock with evidence of a prehistoric Tequesta Indian Settlement. The 1990 Metropolitan Dade County Historic Preservation Board Designation Report, copy attached, also was concerned with the possibility of burial grounds on the site. The archaeological zone abuts the applicant's property and, the hammock does, in fact,

---

[1]Commissioner Sorenson had previously sponsored legislation that amended Section 33-133 to exempt such a right-of-way requirement for SW 102 Avenue between Black Creek Canal and SW 232 Street but that legislation did **not** exempt the right-of-way requirement for SW 232 Street.

overlap the south property line. The development will have an unfavorable impact on the environmental and natural resources of Miami-Dade County.

Additionally the total number of units permitted by the RU-3M and RU-1M(a) rezonings would be 700. The Land Use Plan map of the CDMP designates the site for low density residential use which permits a maximum of 360 units on the site. The rezonings are inconsistent with the comprehensive plan. The use of a covenant to limit the maximum number of units circumvents the zoning process by allowing land uses not contemplated as being within a consistent land development regulation district when the authorities having jurisdiction considered the compatibility of and consistency of those land development regulation districts with respect to the CDMP. Individualized covenants are inconsistent with the statutory requirements for creating land development regulations. The requirements of review by a planning advisory board and legislators with multiple notice, hearing, and other procedural requirements cannot and should not be circumvented by piece-meal zoning by covenant. Further, the proposed covenants may be modified over time without the procedural safeguards that zoning requires.

The decision of the Community Zoning Appeal Board 15 should be reversed and/or modified to provide adequate buffers including dedicated 40 foot right-of-ways, swales, frontage, setbacks, and driveways.

Respectfully submitted,

Kent Harrison Robbins

KENT HARRISON ROBBINS
Enclosures

copy to:
Stanley Price
Attorney for H.R. Realty & Investments, Inc.
Suite 2500
200 South Biscayne Boulevard
Miami, Florida 33131

Black Creek Archaeological Zone

METROPOLITAN DADE COUNTY HISTORIC PRESERVATION BOARD

DESIGNATION REPORT—ARHCEOLOGICAL ZONE

Designation No.
Date of Filing
Date of Designation

[redacted]

Ownership

Mr. Manuel Dorta-Duque
Masters Landscape
24150 S.W. 120 Avenue
Miami, Florida 33032

Location — Legal description of the zone (attach map with property lines, roads, municipal boundaries, etc.)

A parcel of land lying in Section 20, Township 56 South, Range 40 East in Dade County, Florida described as follows: Commence at the North Quarter Corner of said Section 20; thence run East, as a basis of bearings, along the North boundary of said Section 20 for a distance of 200 feet to a Point of Beginning; thence S. 29° W. for 412 feet; thence N. 54° W. for 308 feet; thence North for 180 feet; thence N. 68° E. for 270 feet; thence S. 62° 51' E. for 223.17 feet to the Point of Beginning, containing 2.9 acres more or less.

Dade County Historic Survey Findings — list known sites in the zone and the survey findings:

The zone encompasses a tree island site situated on the south bank of Black Creek. The site was designated by the State's Master Site file as 8DA1031. The island supports a community of hardwood and ficus trees. Soil is a thin deposit ontop of exposed oolitic limestone bedrock that composes the island substrate. Prior to drainage, the island rose about 2-3 feet above the surrounding wetlands.

6/1/04

Attn: Kent

Current Zoning (describe):

AU - vacant land currently used for cultiv

SIGNIFICANCE

- ☒ Archeology-Prehistoric
- ☒ Archeology-Historic
- ☐ Agriculture
- ☐ Architecture
- ☐ Art
- ☐ Commerce
- ☐ Communications
- ☐ Community Planning
- ☐ Conservation
- ☐ Economics
- ☐ Education
- ☐ Engineering
- ☐ Exploration/Settlement
- ☐ Historical Events
- ☐ Industry
- ☐ Invention
- ☐ Landscape Architecture
- ☐ Law
- ☐ Literature
- ☐ Military
- ☐ Music
- ☐ People
- ☐ Philosophy
- ☐ Politics/Government
- ☐ Religion
- ☐ Science
- ☐ Sculpture
- ☐ Social/Humanitarian
- ☐ Theater
- ☐ Transportation
- ☐ Other (special)

Significance — Brief summary including documentary evidence that indicates the historical, architectural or archeological significance of the site.

This site has both prehistoric and Seminole Indian components. An archaeological survey of the site in December 1978 revealed a surface scatter of marine shell, animal bones, and pottery sherds indicating a prehistoric Tequesta Indian settlement on the island. Prehistoric burials are also a possibility. Historic activity was documented by several black glass bottle fragments dating to the 1840's. A survey by E.S. Fredrick in 1904 refers to the island as an "Old Indian Field."

(Use additional sheets if necessary) SEE CONTINUATION SHEET ☐

Current Use (describe):

Vacant land currently used for trash. Adjacent areas in cultivation.

Current Condition:

☐ Excellent ☒ Good ☐ Fair ☐ Deteriorated ☒ Unexposed

☐ Unaltered ☐ Altered

☐ Original Site ☐ Moved _____

Physical Description of Site (see attached photos):

The site encompasses an area of about 150 feet east-west with about 75 feet north-south on the site's longest axis. Near the southwest end of the island two piles of limestone rocks suggest prior Seminole cultivation. A ficus tree growing ontop one of the piles suggests a date of at least 50 years for these rock piles. Some bulldozing along the island's edge has pushed spoil into the island. Modern trash is also deposited across the island. Today the island is surrounded by agricultural fields. Drainage has dried the surrounding area.

(Use additional sheets if necessary) SEE CONTINUATION SHEET ☐

Impacts—Impact of the designation on proposed public improvements, renewal projects or private development.

No known proposed projects or developments are known for this property.

Staff Recommendation:

Staff recommends designation of this site as Black Creek Archaeological Zone.

Special Standards for Certificate of Appropriateness:

Any special standards will follow the general guidelines as recommended for archaeological zones as detailed in the "Rules and Regulations for Review of Historic Site Designation and Issuance of Certificates of Appropriateness."

Bibliographic References:

Dade County Historic Survey: Archaeology.
1980 Report on file with Metro-Dade County Historic Preservation Division.

Fredrick, E.S.
1904 Platt map for Township 56S, Range 40E, on file in Dade County Public Works.

Title Verification (attach copy): Book	Page No.	Deed Type
13742	3517	

Draft Resolution Designating the Property:

WHEREAS, the Black Creek Archaeological Zone encompasses a prehistoric Tequesta and Seminole site and,

WHEREAS, the Black Creek Archaeological Zone is located:

In a parcel of land lying in Section 20, Township 56 South, Range 40 East in Dade County, Florida described as follows: Commence at the North Quarter Corner of said Section 20; thence run East, as a basis of bearings, along the North boundary of said Section 20 for a distance of 200 feet to a Point of Beginning; thence S. 29° W. for 412 feet; thence N. 54° W. for 308 feet; thence North for 180 feet; thence N. 68° E. for 270 feet; thence S. 62° 51' E. for 223.17 feet to the Point of Beginning, containing 2.9 acres more or less.

NOW, THEREFORE, BE IT RESOLVED, that the Historic Preservation Board on October 17, 1990 has designated the Black Creek Archaeological Zone as an archaeological zone pursuant to the Metropolitan Dade County Historic Preservation Ordinance (81-13) and the Black Creek Archaeological Zone is subject to all rights, privileges and requirements of that ordinance.

Designation is approved as evidenced by the signature of the Historic Preservation Board Chairman.

RESOLUTION NO. CZAB15-19-04

WHEREAS, **H. R. REALTY & INVESTMENTS, INC.** applied for the following:

(1) EU-M to RU-3M

(2) To permit a townhouse development setback 10′ from side street property lines (15′ required).

REQUESTS #1 & #2 ON PARCEL #1

(3) EU-M to RU-1M(a)

(4) To permit lots with 0′ of frontage on a public street (50′ required) and access to a public street by means of a private drives.

(5) To permit single-family residences with a rear setback of 15′ (15′ permitted on a portion only; 25′ required for the balance).

REQUESTS #3 - 5 ON PARCEL #2

(6) To waive zoning and subdivision requirements for section line roads to be 80′ in width; to permit 0′ to 25′ of dedication (40′ required) on the north half of theoretical S.W. 232 Street.

(7) To permit parking and driveways within 25′ of an official right-of-way (not permitted).

(8) UNUSUAL USE to permit the filling of a lake and a lake excavation.

REQUESTS #6 - #8 ON PARCELS #1 & #2

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & 4 - 7 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b)(Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

SUBJECT PROPERTY: PARCEL 1: All of the SE ¼, of the SW ¼ and all of the SW ¼ of the SE ¼ and all of the SE ¼, of the SE ¼ of Section 17, Township 56 South, Range 40 East, lying S/ly & W/ly of the right-of-way of Black Creek Canal (C-1), less and except therefrom the following parcel of land:
Begin at the Southwest corner of the SE ¼, of the SW ¼ of said Section 17; thence N0° 57′7″W for a distance of 180.32′ to a point; thence S88° 59′48″E for a distance of 128.9′ to a point; thence N48° 23′31″E for a distance of 133.66′ to a point; thence S90° 0′0″E for a distance of 242.59′ to a point; thence N79° 37′06″E for a distance of 77.87′ to a point; thence S90° 0′0″E for a distance of 339.22′ to a point; thence N86° 28′06″E for a distance of 217.13′ to a point; thence S85° 24′52″E for a distance of 215.35′ to a point; thence S80° 20′19″E for a distance of 228.13′ to a point; thence

N88° 20'44"E for a distance of 463.96' to a point; thence S88° 45'17"E for a distance of 208.58' to a point; thence N50° 34'24"E for a distance of 43.44' to a point; thence S0° 57'43"E for a distance of 251.19' to a point on the south line of the said SW ¼, of the SE ¼ thence S89° 22'47"W along said line for a distance of 962.83' to the Southwest corner of the SE ¼ of said Section 17; thence S89° 22'47"W along the said south line of the SE ¼ of the SW ¼ for a distance of 1,330.43' to the Point of beginning. AND: PARCEL II: A portion of all of the SE ¼, of the SW ¼ and all of the SW ¼, of the SE ¼ and all of the SE ¼, of the SE ¼ of Section 17, Township 56 South, Range 40 East, lying S/ly & W/ly of the right-of-way of Black Creek Canal (C-1). Said portion being more particularly described as follows:
Begin at the Southwest corner of the SE ¼, of the SW ¼ of said Section 17; thence N0° 57'7"W for a distance of 180.32' to a point; thence S88° 59'48"E for a distance of 128.9' to a point; thence N48° 23'31"E for a distance of 133.66' to a point; thence S90° 0'0"E for a distance of 242.59' to a point; thence N79° 37'06"E for a distance of 77.87' to a point; thence S90° 0'0"E for a distance of 339.22' to a point; thence N86° 28'06"E for a distance of 217.13' to a point; thence S85° 24'52"E for a distance of 215.35' to a point; thence S80° 20'19"E for a distance of 228.13' to a point; thence N88° 20'44"E for a distance of 463.96' to a point; thence S88° 45'17"E for a distance of 208.58' to a point; thence N50° 34'24"E for a distance of 43.44' to a point; thence S0° 57'43"E for a distance of 251.19' to a point on the south line of the said SW ¼, of the SE ¼ thence S89° 22'47"W along said line for a distance of 962.83' to the Southwest corner of the SE ¼ of said Section 17; thence S89° 22'47"W along the said south line of the SE ¼ of the SW ¼ for a distance of 1,330.43' to the Point of beginning.

LOCATION: Lying on the north side of theoretical S.W. 232 Street and 1,330' east of theoretical S.W. 107th Avenue, Miami-Dade County, Florida.

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 15 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

(1) That the Declaration shall become final and shall be recorded in the Public Records of Miami-Dade County upon the approval of the Application by the Board of County Commissioners and/or Community Zoning Appeals Board 15 of Miami-Dade County, Florida and the expiration of all applicable appeal periods.

(2) That said Property shall be developed substantially in accordance with the plans previously submitted to the Miami-Dade County Department of Planning & Zoning, consisting of thirteen (13) sheets prepared by Edward Silva and entitled "Cottage of Silver Palm" (the "Plans"), dated May 10, 2004, said plans being on file with the Miami- Dade County Department of Planning & Zoning, and by reference made a part of the Declaration.

(3) That the residential development of the Property shall be limited to no more than two hundred thirty-seven (237) dwelling units.

(4) That the use of the existing lake, as depicted on the Plans, shall be limited to non-motorized recreational activities, excluding remote controlled hobby crafts.

(5) That the Owner, its heirs, successors or assigns shall, prior to the time of final plat approval, create or cause to be created (1) a homeowners' association for the entire development as a master association, (2) a community development district approved by Miami-Dade County, and/or (3) a special taxing district approved by Miami-Dade County which shall individually or collectively provide for the maintenance of all common areas, the existing lake, and other amenities common to the Property. If a homeowners' association is established as a master association in accordance with this paragraph, it shall not preclude the creation of individual homeowners' association for each phase or stage of development or preclude the same from maintaining their own buildings or their own common areas so long as said associations, or members thereof, are members of the master association and each such association are required hereby, to be members of the master association.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary changes to RU-3M on Parcel 1 (Item #1), and RU-1M(a) on Parcel 2 (Item #3) would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the requests to permit a townhouse development setback 10' from the side street property lines (Item #2), to permit lots with 0' frontage on a public street and access to a public street by means of a private drive (Item #4), to permit single-family residences with a rear setback of 15' (Item #5), to waive zoning and subdivision requirements for section line roads to be 80' in width; to permit 0' to 25' of dedication on the north half of theoretical S.W. 232 Street (Item #6) and to permit parking and driveways within 25' of an official right-of-way (Item #7) would be in harmony with the general purpose and intent of the regulations, compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested unusual use to

permit the filling and excavation of a lake (Item #8), would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested unusual use to permit the filling and excavation of a lake (Item #8) would not have an adverse impact upon the public interest and should be approved, and that the proffered Declaration of Restrictions should be accepted, and that items #2 & 4 - 7 do not meet the criteria for Section 33-311(A)(14) (Alternative Site Development Option) nor Section 33-311(A)(4)(c) (Alternative Non-Use Variance) and should be denied under Sections 33-311(A)(14), and

WHEREAS, a motion to accept the proffered Declaration of Restrictions, to approve Items #1, 3 & 8, and to approve Items #2 & 4 - 7 as non-use variances, and to deny Items #2 & 4 - 7 as alternative site development options and alternative non-use variances, was offered by Paul S. Vrooman, seconded by Alfonsina Sergio, and upon a poll of the members present the vote was as follows:

Daniel L. Adams	absent	JoAnn Bova	absent
Al Alvarez	nay	Alfonsina Sergio	aye
Leonard Anthony	aye	Paul Vrooman	aye

Nancy McCue aye

NOW THEREFORE BE IT RESOLVED, by the Miami-Dade County Community Zoning Appeals Board 15, that the requested district boundary changes to RU-3M on Parcel 1 (Item #1) and RU-1M(a) on Parcel 2 (Item #3) be and the same are hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED, that the requests to permit a townhouse development setback 10′ from the side street property lines (Item #2), to permit lots with 0′ frontage on a public street and access to a public street by means of a private drive (item #4), to permit single-family residences with a rear setback of 15′ (Item #5), to waive zoning and

subdivision requirements for section line roads to be 80' in width; to permit 0' to 25' of dedication on the north half of theoretical S.W. 232 Street (Item #6), to permit parking and driveways within 25' of an official right-of-way (Item #7) as non-use variances, and the requested unusual use (Item #8) be and the same are hereby approved, subject to the following conditions:

Conditions #1 - 4 applicable to requests #2 and #4 through #7:

1. That a site plan be submitted to and meet with the approval of the Director upon submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, 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 "Cottage of Silver Palm," as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submit to the Department for its review and approval a landscaping 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.

Conditions #5 - 27 applicable to the lake fill:

5. That in addition to any bond required by DERM, the property owner and any and all parties who may have a legal beneficial or equitable interest in the land shall execute a bond agreement with the Department of Planning & Zoning prior to issuance of a CU for a fill project. Such bond agreement shall stipulate that in order to insure compliance with all terms and conditions associated with the fill project permit approval, a cash or surety bond or substantially equivalent instrument meeting with the approval of the Director shall be posted by the applicant with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director and the DERM Director. Said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County. The bond amount will be based on the volume of cut required to conform any remaining excavation to Code approved slope configuration.

6. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project unless the bond has been released

7. That only such clean fill material as allowed by Chapter 24 of this code and approved in writing by the Department of Environmental Resources Management, as set forth herein, shall be used in the fill project.

8. That no fill material or unacceptable fill to be removed shall be permitted to be stored on property abutting the fill project site or within the adjacent rights-of-way at any time during the fill project.

9. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

10. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

11. That the applicant shall be permitted to operate Monday through Sunday, from sunrise to sunset.

12. That the applicant shall record a notice of authorization on a form prescribed by the Director of the excavation fill plan approved by the Director and the Director of the Department of Environmental Resources Management (DERM Director) for the fill project in the public records of Miami-Dade County prior to the issuance of a Certificate of Use (CU) authorizing commencement of the fill project.

13. That the applicant shall submit a detailed written disclosure of the fill project specifying the equipment and methods to be utilized during the fill project, including every aspect of the trucking, dumping, sorting and filling process.

14. That the applicant shall obtain a fill project CU permit, and shall promptly renew the same semi-annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions. Failure to commence the fill project within six months of the date of the original CU issuance shall result in an abandonment of the fill project.

15. That prior to each CU renewal, the applicant shall submit a status report indicating the percentage of fill project completion and the estimated time of the fill project's final completion.

16. That if an excavation will be filled in phases, a phase plan shall be submitted with the initial excavation fill plan and permit plan addition. The plan and supporting documents shall delineate the area to be filled in each phase and the time frame projected to close out each phase of the fill project.

17. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed

within the allocated time, but in no event for any more than nine (9) months from issuance of the CU permit.

18. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the zoning code requirements and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation.

19. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis during the fill project. In accordance with this requirement, the applicant shall submit "as-built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer annually and at final completion of the fill operation or upon request of either the Director or the DERM Director when it is determined by the Director or the DERM Director that the filling is proceeding contrary to approved plans or in violation of the conditions of the approved excavation fill plan or the permit plan.

20. That the property shall be suitably posted to meet with the approval of the Director and the DERM Director; said postings shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

21. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Department of Environmental Resources Management as well as the Public Works Department for the duration of the fill project.

22. That upon completion of the fill project the property shall be restored and left in an acceptable condition meeting the approval of the Director and the DERM Director.

23. That the final slope(s) of the remaining excavation shall be in accord with zoning code requirements.

24. That the fill project shall meet all stormwater management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

25. That to the extent possible, the property shall be staked and said stakes shall be maintained in proper position so that the limits of the filling, slopes and grade levels may be easily determined.

26. That the applicant record the resolution of approval for the use in the public records of Miami-Dade County prior to the issuance of a Certificate of Use.

27. That if in the opinion of the Director the lake fill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicant as directed by the Director.

Conditions #28 - 44 applicable to the lake excavation:

28. That the lake tract be platted; no building permit shall be issued for lots contiguous to the lake tract until the lake excavation is completed and lake as-built drawings submitted to and approved by the Department

Or in lieu of Condition #28 the following:

28a. Prior to the approval of any type of plat on the property, the Owner(s) of the property shall submit a Unity of Title agreement to the Department of Planning and Zoning; said agreement shall encumber the entire property described in the plat. Once the Unity of Title agreement has been reviewed and accepted it shall be recorded in the public records prior to final plat consideration by the Board of County Commissioners. Upon receipt of a written request to release the Unity of Title agreement, the Department will consider the release only after the issuance of a lake excavation permit and the submittal and final approval of the lake excavation as-built. The lake excavation area shall be shown as a separate tract and appropriately labeled as such on the final plat.

29. That complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director upon submittal of an application for a lake excavation permit; said plans shall be substantially in accordance with that submitted for the hearing entitled "Cottage of Silver Palm," as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

30. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the excavation progresses. The applicant will submit "as built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer at final completion of the excavation, or upon request of the Director or the Director of the Department of Environmental Resources Management.

31. That the property shall be staked to meet with the approval of the Director and the Director of the Department of Environmental Resources Management; said stakes shall be maintained in proper position so that the limits of the excavation, slopes and grade levels may be easily determined.

32. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director and the Director of the Department of Environmental Resources Management.

33. No material shall be removed from the premises and all excavated material shall be used to improve the property described in the application.

34. That the use of explosives shall be strictly prohibited in connection with the lake excavation operation.

35. That the hours of the lake excavation operation shall be controlled by the Director, except that the applicant shall be permitted to operate Monday through Sunday, from sunrise to sunset.

36. That the lake excavation operation shall be carried on continuously and expeditiously so that the entire project will be completed within nine (9) months from the date of permit issuance for the proposed lake excavation

37. If the lake excavation operation is discontinued, abandoned, falls behind schedule or time expires, the existing excavation shall immediately be sloped to conform with the approved plans and the entire operation shall be removed from the premises.

38. That in order to insure compliance with all terms and conditions imposed, a cash or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as motgagees, etc.

39. That the applicant obtain an excavation use permit from and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

40. All excavations shall be completely enclosed by a safety barrier, minimum height of 6 feet, consisting of either orange plastic safety fence or wood slat storm fencing installed on 4" x 4" posts spaced every 10 feet. Said barrier shall be installed prior to issuance of the excavation permit and commencement of excavating and shall remain in place until work is complete and the performance bond is released.

41. All excavations shall be posted every 50 feet with warning signs a minimum of 18" x 18" in size.

42. That a hedge, 3' high at time of planting, be installed along both sides of the guardrail proposed on those portions of the lake fronting on a right-of-way.

43. That the applicant complies with all applicable conditions and requirements of the Miami-Dade County Department of Environmental Resources Management (DERM).

44. That the applicant complies with all applicable conditions and requirements of the Miami-Dade County Public Works Department.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, that the approval of the request to waive zoning and subdivision requirements for section line roads to be 80′ in width; to permit 0′ to 25′ of dedication on the north half of theoretical S.W. 232 Street (Item #6) is predicated on the following:

A. That there are special circumstances affecting the property and that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

B. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

C. That the granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the approval herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 16th day of June, 2004.

Hearing No. 03-1-CZ15-6
ls

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 15, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB15-19-04 adopted by said Community Zoning Appeals Board at its meeting held on the 16th day of June, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 28th day of June, 2004.

Luis Salvat

Luis Salvat, Deputy Clerk (2678)
Miami-Dade County Department of Planning and Zoning

SEAL

ZONING APPEALS BOARD
DADE COUNTY FLORIDA

MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE

DP&Z

DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE
☐ 111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

HERBERT S. SAFFIR
PERMITTING AND INSPECTION CENTER
11805 S.W. 26 Street
MIAMI, FLORIDA 33175

☐ IMPACT FEE SECTION
(786) 315-2670 • SUITE 145

☐ ZONING INSPECTION SECTION
(786) 315-2660 • SUITE 223

☐ ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106

☐ ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

H.R. Realty & Investments, Inc.
c/o William Riley Jr., Esquire
Bilzin Sumberg Baena Price & Axelrod LLP
200 South Biscayne Boulevard, Suite 2500
Miami, Florida 33131-5340

Re: Hearing No. 03-1-CZ15-6 (02-305)
Location: North side of theoretical S.W. 232 Street and 1,330' east of theoretical S.W. 107th Avenue, Miami-Dade County, Florida

Dear Mr. Riley:

Enclosed is Resolution No. CZAB15-19-04, adopted by the Miami-Dade County Community Zoning Appeals Board 15, which accepted your client's Declaration of Restrictions, and approved the requests for district boundary changes to RU-3M & RU-1M(a), unusual use for lake fill and excavation, and related variances on the above described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

If, as stipulated in the resolution, building permits and/or use, occupancy or completion certificates will be required, note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificate(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department, or the Building Department as appropriate. At time of permit application you must provide a copy of this resolution. If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

Please note that any aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11th floor of the Stephen P. Clark Building, 111 N.W. 1st Street, Miami, FL 33128. The date of posting is June 21, 2004. In the event an appeal is filed, any action undertaken during the appeal period is at the applicant's risk.

Sincerely,

L. Salvat

Lou Salvat
Deputy Clerk

Enclosure

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MIAMI-DADE FIRE RESCUE
Planning & Capital Improvements Bureau
ZONING COMMENTS

Hearing Number: 202-305 REV #3

Plans: ☐ Yes ☐ No Request: _____

Location: Lying on N Side of Theo. SW 232 St. & E of Theo. SW 107 AVE

Recommendation:
- Approved ✓
- Approved with conditions ____*
- Approved with no change from previous submittal ____
- Denial ____
- Defer to DIC comments ____

*_____

Estimated number of alarms generated annually by application: _____

If there is an impact, below is the service availability:

Station District _____ Grid _____ DU/SF _____ Occupancy Type _____

Impact of additional calls on closest station:
- ☑ No Impact
- ☐ Minimal Impact
- ☐ Moderate Impact
- ☐ Severe Impact

Planned Service to Mitigate:

Service	Location	Year to be Completed

☑ None

THIS REVIEW IS FOR SERVICE IMPACT AND SERVICE AVAILABILITY ONLY AND DOES NOT CONSTITUTE NOR IMPLY SITE PLAN APPROVAL.

ALL SITE PLANS MUST BE REVIEWED AND APPROVED BY THE MIAMI-DADE FIRE RESCUE FIRE WATER & ENGINEERING BUREAU LOCATED AT 11805 SW 26 ST. BASED UPON THAT REVIEW, SITE PLANS MAY NEED MODIFICATION TO COMPLY WITH LIFE-SAFETY STANDARDS.

Reviewed by: K. Lyon Kathryn Lyon Phone: (786) 331-4546 Date: 5-25-04.

Revised 3/9/04 BJM

66

TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
09/30/2004	02-305
DATE	**HEARING NUMBER**

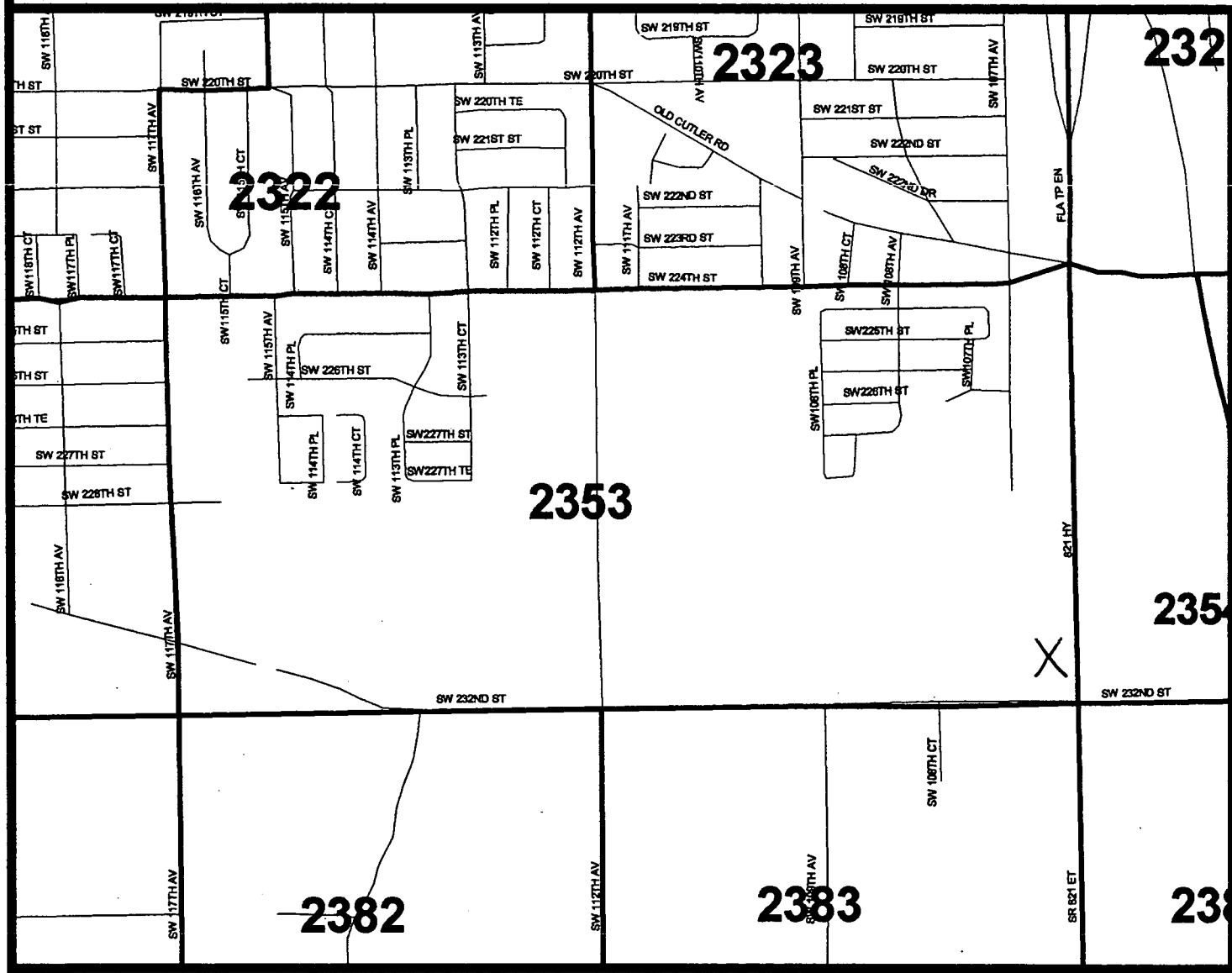
ENFORCEMENT HISTORY:

No Violations as of August 13, 2004

89

Miami-Dade Police Department
Target Area - Police Grid(s): 2353
H.R. Realty & Investment, Inc.; Hearing # 02-305

C-15



Police Grids Boundaries
Boundary

MDPD Crime Analysis System
April 6, 2004
Data in this document represents successfully geocoded attributes.

0 0.1 0.2 Miles

Miami-Dade Police Department
Summarized Grid Information By Signal
For 1/1/02 Thru 2002-12-31

Detail Filter: (Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01") and (Dis.Grid in ("2353")) and (Dis.Signal Code in ("13" , "14" , "15" , "16" , "17" , "18" , "19" , "20" , "21" , "22" , "23" , "24" , "25" , "26" , "27" , "28" , "29" , "30" , "31" , "32" , "33" , "34" , "35" , "36" , "37" , "38" , "39" , "40" , "41" , "42" , "43" , "44" , "45" , "46" , "47" , "48" , "49" , "50" , "51" , "52" , "53" , "54" , "55")) and (Dis.Primary Unit not contains '0000') and (Dis.Primary Unit not contains 'SB') and (Dis.Reporting Agency Code = substring ("030" , 1 , 3))

Grid	Signal Code	Signal Description	Total
2353	13	SPECIAL INFORMATION/ASSIGNMENT	124
	14	CONDUCT INVESTIGATION	156
	15	MEET AN OFFICER	606
	16	D.U.I.	1
	17	TRAFFIC ACCIDENT	11
	18	HIT AND RUN	3
	19	TRAFFIC STOP	103
	20	TRAFFIC DETAIL	37
	21	LOST OR STOLEN TAG	15
	22	AUTO THEFT	24
	25	BURGLAR ALARM RINGING	105
	26	BURGLARY	62
	27	LARCENY	14
	28	VANDALISM	28
	29	ROBBERY	6
	32	ASSAULT	121
	33	SEX OFFENSE	14
	34	DISTURBANCE	172
	36	MISSING PERSON	30
	37	SUSPICIOUS VEHICLE	5
	38	SUSPICIOUS PERSON	5
	39	PRISONER	159

Miami-Dade Police Department
Summarized Grid Information By Signal
For 1/1/02 Thru 2002-12-31

Detail Filter: (Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01") and (Dis.Grid in ("2353")) and (Dis.Signal Code in ("13" , "14" , "15" , "16" , "17" , "18" , "19" , "20" , "21" , "22" , "23" , "24" , "25" , "26" , "27" , "28" , "29" , "30" , "31" , "32" , "33" , "34" , "35" , "36" , "37" , "38" , "39" , "40" , "41" , "42" , "43" , "44" , "45" , "46" , "47" , "48" , "49" , "50" , "51" , "52" , "53" , "54" , "55")) and (Dis.Primary Unit not contains '0000') and (Dis.Primary Unit not contains 'SB') and (Dis.Reporting Agency Code = substring ("030" , 1 , 3))

Grid	Signal Code	Signal Description	Total
2353.	41	SICK OR INJURED PERSON	20
	43	BAKER ACT	12
	44	ATTEMPTED SUICIDE	4
	45	DEAD ON ARRIVAL	2
	49	FIRE	4
	52	NARCOTICS INVESTIGATION	160
	54	FRAUD	6

Total Signals for Grid 2353 : 2009

Total Reported: 1195 Total Not Reported: 814

Total for All Grids : 2009

Miami-Dade Police Department
Summarized Grid Information By Signal
For 1/1/03 Thru 2003-12-31

Detail Filter: (Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01") and (Dis.Grid in ("2353")) and (Dis.Signal Code in ("13" , "14" , "15" , "16" , "17" , "18" , "19" , "20" , "21" , "22" , "23" , "24" , "25" , "26" , "27" , "28" , "29" , "30" , "31" , "32" , "33" , "34" , "35" , "36" , "37" , "38" , "39" , "40" , "41" , "42" , "43" , "44" , "45" , "46" , "47" , "48" , "49" , "50" , "51" , "52" , "53" , "54" , "55")) and (Dis.Primary Unit not contains '0000') and (Dis.Primary Unit not contains 'SB') and (Dis.Reporting Agency Code = substring ("030" , 1 , 3))

Grid	Signal Code	Signal Description	Total
2353	13	SPECIAL INFORMATION/ASSIGNMENT	130
	14	CONDUCT INVESTIGATION	147
	15	MEET AN OFFICER	531
	17	TRAFFIC ACCIDENT	14
	18	HIT AND RUN	2
	19	TRAFFIC STOP	101
	20	TRAFFIC DETAIL	15
	21	LOST OR STOLEN TAG	16
	22	AUTO THEFT	52
	25	BURGLAR ALARM RINGING	47
	26	BURGLARY	44
	27	LARCENY	24
	28	VANDALISM	14
	29	ROBBERY	1
	32	ASSAULT	101
	33	SEX OFFENSE	5
	34	DISTURBANCE	166
	36	MISSING PERSON	19
	37	SUSPICIOUS VEHICLE	5
	38	SUSPICIOUS PERSON	9
	39	PRISONER	120
	41	SICK OR INJURED PERSON	23

Miami-Dade Police Department
Summarized Grid Information By Signal
For 1/1/03 Thru 2003-12-31

Detail Filter: (Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01") and (Dis.Grid in ("2353")) and (Dis.Signal Code in ("13" , "14" , "15" , "16" , "17" , "18" , "19" , "20" , "21" , "22" , "23" , "24" , "25" , "26" , "27" , "28" , "29" , "30" , "31" , "32" , "33" , "34" , "35" , "36" , "37" , "38" , "39" , "40" , "41" , "42" , "43" , "44" , "45" , "46" , "47" , "48" , "49" , "50" , "51" , "52" , "53" , "54" , "55")) and (Dis.Primary Unit not contains '0000') and (Dis.Primary Unit not contains 'SB') and (Dis.Reporting Agency Code = substring ("030" , 1 , 3))

Grid	Signal Code	Signal Description	Total
2353.	43	BAKER ACT	7
	44	ATTEMPTED SUICIDE	3
	45	DEAD ON ARRIVAL	1
	47	BOMB OR EXPLOSIVE ALERT	1
	49	FIRE	5
	52	NARCOTICS INVESTIGATION	129
	54	FRAUD	3

Total Signals for Grid 2353 : 1735

Total Reported: 1111 Total Not Reported: 624

Total for All Grids : 1735

Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o A(
Reporting Agency: MDPD
From 1/1/02 Thru 1/1/03
YEAR: 2002

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 2353

PART I Crimes	Total Crimes
110A - RAPE	2
110B - SODOMY	2
110C - FONDLING	2
1200 - ROBBERY	4
130A - AGGRAVATED ASSAULT	26
2200 - BURGLARY	29
230F - SHOPLIFTING FROM A MOTOR VEHICLE	17
230G - SHOPLIFTING ALL OTHERS	21
2400 - MOTOR VEHICLE THEFT	5

Prompt Variable Used: All County: N

Grid(s): 2353

PART II Crimes	Total Crimes
1000 - KIDNAPPING - ABDUCTION	1
130B - SIMPLE ASSAULT	44
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	36
350B - ILLEGAL DRUG EQUIPMENT	19
260A - FRAUD CON/SWINDLE/FALSE PRET.	1
260B - FRAUD CREDIT CARD/ATM	3
260D - IMPERSONATION	1

Grand Total: 213

Detail Filter: OI.Incident From Date Time >= "2002-01-01" and OI.Incident From Date Time < "2003-01-01" and OI.Offense.Ucr Code in ('090A' , '1200' , '130A' , '130D' , '2200' , '230A' , '230B' , '230C' , '230D' , '230E' , '230F' , '230G' , '2400' , '090C' , '130B' , '130E' , '350A' , '350B' , '5100' , '2700' , '260A' , '260B' , '260D' , '260E' , '260F' , '1000' , '2000' , '110A' , '110B' , '110C') and OI.Aoa Agency Code = '000' and OI.Clearance Type Description <> 'UNFOUNDED' and OI.Report Written YN = 'Y' and (All County = 'Y' or All County = 'N' and OI.Grid in ("2353")) and OI.Reporting_Agency_Code = "030"

Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o A(
Reporting Agency: MDPD
From 1/1/03 Thru 1/1/04
YEAR: 2003

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 2353

PART I Crimes	Total Crimes
110A - RAPE	1
1200 - ROBBERY	1
130A - AGGRAVATED ASSAULT	14
2200 - BURGLARY	18
230C - SHOPLIFTING	1
230F - SHOPLIFTING FROM A MOTOR VEHICLE	13
230G - SHOPLIFTING ALL OTHERS	19
2400 - MOTOR VEHICLE THEFT	6

Prompt Variable Used: All County: N

Grid(s): 2353

PART II Crimes	Total Crimes
2000 - ARSON	2
130B - SIMPLE ASSAULT	27
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	27
350B - ILLEGAL DRUG EQUIPMENT	28
260B - FRAUD CREDIT CARD/ATM	1

Grand Total: 158

Detail Filter: OI.Incident From Date Time >= "2003-01-01" and OI.Incident From Date Time < "2004-01-01" and OI.Offense.Ucr Code in ('090A' , '1200' , '130A' , '130D' , '2200' , '230A' , '230B' , '230C' , '230D' , '230E' , '230F' , '230G' , '2400' , '090C' , '130B' , '130E' , '350A' , '350B' , '5100' , '2700' , '260A' , '260B' , '260D' , '260E' , '260F' , '1000' , '2000' , '110A' , '110B' , '110C') and OI.Aoa Agency Code = '000' and OI.Clearance Type Description <> 'UNFOUNDED' and OI.Report Written YN = 'Y' and (All County = 'Y' or All County = 'N' and OI.Grid in ("2353")) and OI.Reporting_Agency_Code = "030"

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the sub[illegible] of the application is owned or leas[illegible] a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals [illegible]he partnership, including general an[illegible]nited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799631
EXPIRES: December 28, 2002
Bonded Thru Fichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

ZONING HEARING PLANS REVIEW
☒ PLANS WITHIN THE SCOPE OF AD
☐ PLANS NOT WITHIN THE SCOPE OF AD
REVIEWED BY: [signature]
ON: 5/21/04
ZONING EVALUATOR
☐ PLANS ACCEPTABLE
☐ NOT ACCEPTABLE
By: ____ __/__/__

80

EDWARD SILVA ARCHITECT
EDWARD SILVA, ARCHITECT REG. No. 11131
8900 SW 117 AVENUE, SUITE 107-B, Miami, Florida 33186
(305) 275-8383 / (FAX) 275-8381
E.S.A. Design Group, Inc.

" Meeting the needs of the building industry through innovative design "

COTTAGE OF SILVER PALM

102 AVE & SW 232ND STREET
MIAMI, FLORIDA

H.R. REALTY & INVESTMENTS, INC
705 ARVIDA PKWY
CORAL GABLES, FL 33156

DRAWING INDEX

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L-1	LANDSCAPE PLAN, LEGEND AND DETAILS
L-2	COMMON AREA CALCS.
D-1	TYPICAL SETBACK DETAILS
D-2	TYPICAL SETBACK DETAILS FOR SINGLE FAMILY HOMES
D-3	TYPICAL SETBACK DETAILS FOR TOWNHOUSES
D-4	TYPICAL SETBACK DETAILS FOR TOWNHOUSES
A-1.1	GAZEBO AND RECREATIONAL CENTER. FLOOR PLAN
A-1	ELEVATIONS. 6 UNIT BUILDING
A-2	OVERALL FLOOR PLAN. 6 UNIT BUILDING
A-1	ELEVATIONS. 7 UNIT BUILDING
A-2	1ST AND 2ND FLOOR PLAN. 7 UNIT BUILDING
A-3	3RD FLOOR PLAN. 7 UNIT BUILDING
A-1	FLOOR PLAN & ELEVATION. MODEL- COURTYARD
A-1	FLOOR PLAN & ELEVATION. MODEL- ADMIRAL

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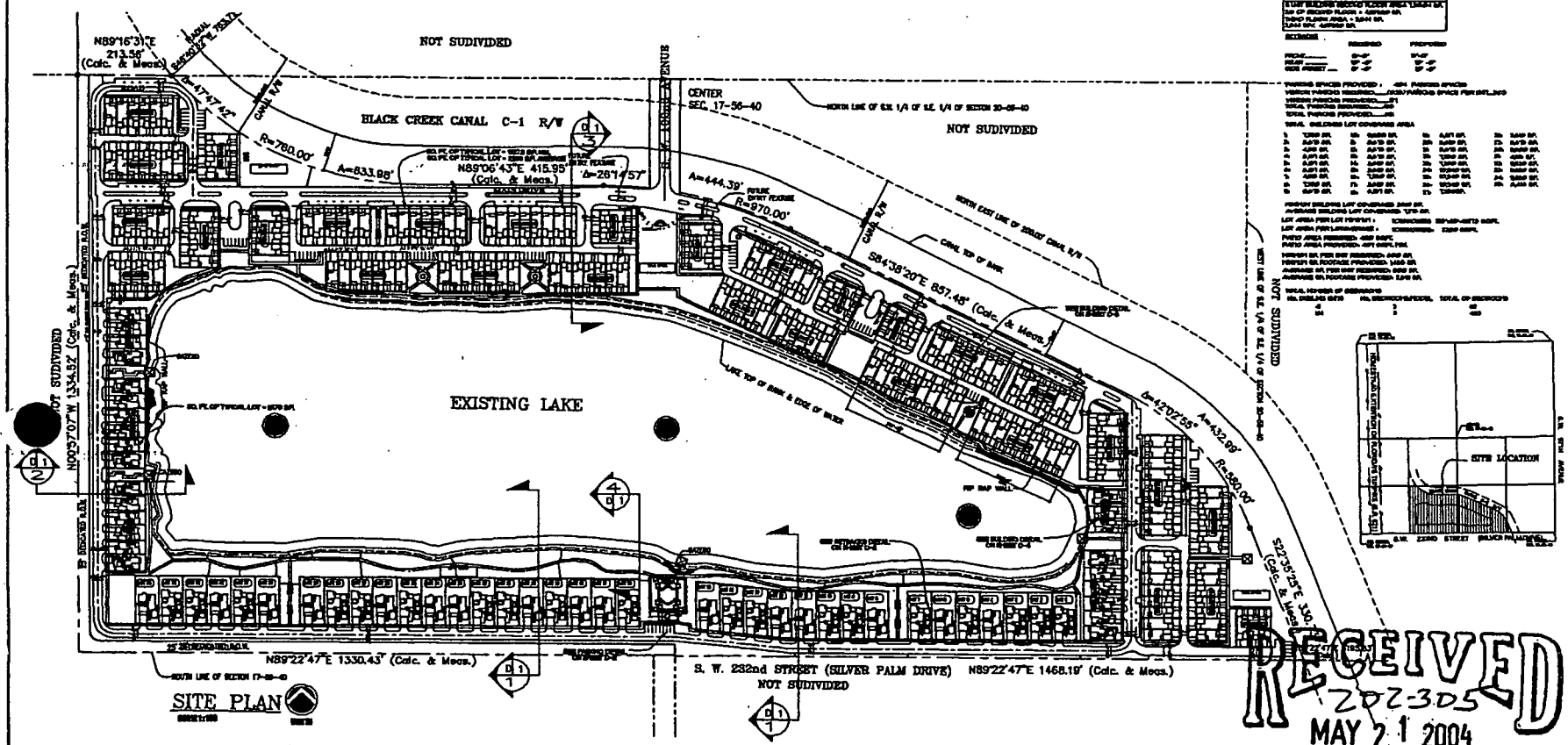
LEGAL DESCRIPTION

ZONE RU-3M

ZONE RU-1M(A)

ZONE RU-1M(A)

ZONING LEGEND
ZONE RU-3M



SITE PLAN

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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ISSUANCE FOR
Chairman Commission Chairman

Client: COTTAGE OF SILVER PALM
Address: 102 AVE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: SITE PLAN

Job No.:
Drawn By:
Scale: As Noted
Date: 05-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

SP-1
of

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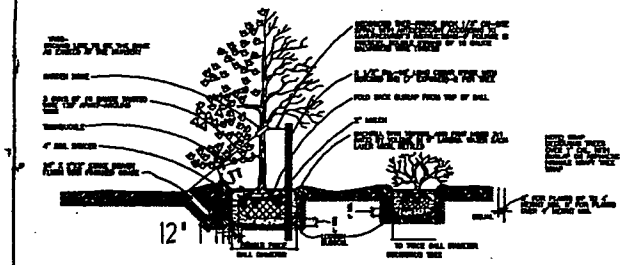


	REQUIRED	PROVIDED
LANDSCAPE OPEN SPACE (IF APPLICABLE)	30 %	44.4 %
GREENBELT WIDTH (IF APPLICABLE)	- FT.	- FT.
MAXIMUM LAWN AREA (30 % MAX)	44,447 SF.	44,447 SF.

	REQUIRED	PROVIDED
TREES PER LOT/ - 3 TREES/ LOT	180	180
STREET TREES (1SF O.C. AVG.)	71	71
TOTAL TREES	251	251
SHRUBS (10 SHRUBS PER TREE REQUIRED)	1,510	1,710

PLANT SCHEDULE

SYM.	QTY.	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS
TREES					
	71	SWIETENIA MAHOGANY	MAHOGANY	YES	12' HGT. X 5' SPRD.
	180	CONOCARPUS ERECTUS	BUTTONWOOD	YES	10'-12' HGT. X 5' SPRD.
	40	QUERCUS VIRGINIANA	LIVE OAK	YES	10'-12' HGT. X 5' SPRD.
	30	SABAL PALMETTO	CABBAGE PALM	YES	10'-12' HGT. X 5' SPRD.
SHRUBS					
	1,710	CALLICARPA AMERICANA	BEAUTY BUSH	YES	24" HGH. HGT.
	3" LAYER MULCH MINIMUM		NURSE SP		
SOD	ST. AUGUSTINE SOD STENOTAPHRUM SECUNDATUM 'FLORATAM'		SOLID SOD, LAID TIGHTLY IN PLACE, 10% SEED AND DISEASE FREE		

NOTE: MIN. TREE TRUNK OF 4" IN DIAMETER

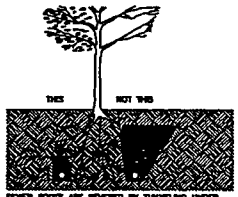
	REQUIRED	PROVIDED
LANDSCAPE OPEN SPACE (IF APPLICABLE)	30 %	30 %
GREENBELT WIDTH (IF APPLICABLE)	- FT.	- FT.
MAXIMUM LAWN AREA (40 % MAX)	44,447 SF.	44,447 SF.

	REQUIRED	PROVIDED
TREES PER ACRE - 30 TREES/ ACRE	224.44	171
STREET TREES (1SF O.C. AVG.)	279	279
TOTAL TREES	504.44	451
SHRUBS (10 SHRUBS PER TREE REQUIRED)	5,044	5,110

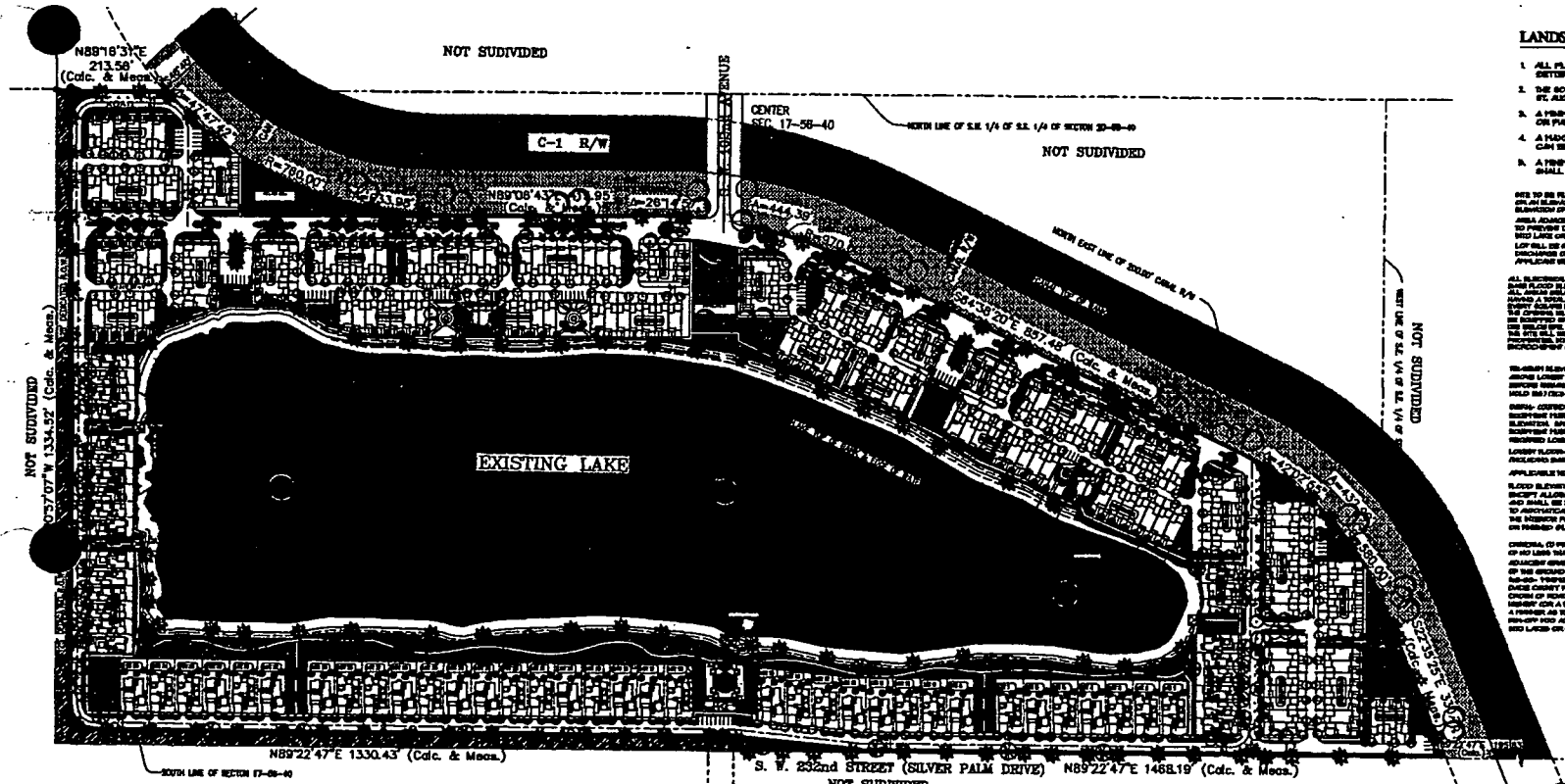
PLANT SCHEDULE

SYM.	QTY.	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS
TREES					
	40	SWIETENIA MAHOGANY	MAHOGANY	YES	12' HGT. X 5' SPRD.
	180	CONOCARPUS ERECTUS	BUTTONWOOD	YES	10'-12' HGT. X 5' SPRD.
	250	QUERCUS VIRGINIANA	LIVE OAK	YES	10'-12' HGT. X 5' SPRD.
	180	SABAL PALMETTO	CABBAGE PALM	YES	10'-12' HGT. X 5' SPRD.
SHRUBS					
	5,110	CALLICARPA AMERICANA	BEAUTY BUSH	YES	24" HGH. HGT.
	3" LAYER MULCH MINIMUM		NURSE SP		
SOD	ST. AUGUSTINE SOD STENOTAPHRUM SECUNDATUM 'FLORATAM'		SOLID SOD, LAID TIGHTLY IN PLACE, 10% SEED AND DISEASE FREE		

NOTE: MIN. TREE TRUNK OF 4" IN DIAMETER



FEWER ROOTS ARE SEVERED BY TUNNELING UNDER TREE THAN BY TRENCHING



LANDSCAPE PLAN

LANDSCAPE NOTES

1. ALL PLANTS MATERIAL SHALL BE FL. No. 1 OR BETTER IN GRADE AND QUALITY.
2. THE SOD MATERIAL TO BE PLANTED SHALL BE ST. AUGUSTINE FLORATAM.
3. A MINIMUM OF 50% OF THE REQUIRED TREES AND OR PALMS SHALL BE NATIVE SPECIES.
4. A MAXIMUM OF 30% OF THE NATIVE TREES CAN BE SABAL PALMETTO, (CABBAGE PALM).
5. A MINIMUM OF 50% OF THE REQUIRED SHRUBS SHALL BE NATIVE SPECIES.

FILL TO BE FILLED TO COUNTY FLOOD CRITERIA ELEVATION AWARD, OR AN ELEVATION 300 LESS THAN THE HIGHEST APPROVED CROWN ELEVATION OF THE ROAD ADJACENT THE PROPERTY.

AREA ADJACENT TO LAKE OR CANAL TO BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORMWATER INTO LAKE OR CANAL.

LOT WILL BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORMWATER ONTO ADJACENT PROPERTY. APPLICANT WILL PROVIDE CERTIFICATION PRIOR TO FINAL INSPECTION.

ALL ELECTRICAL, MECHANICAL AND PLUMBING WILL BE PLACE AT OR ABOVE THE BASE FLOOD ELEVATION (BFE).

ALL AREAS BELOW BFE WILL BE PROVIDED WITH A SYSTEM OF FLOOD VENTS HAVING A TOTAL NET AREA OF NOT LESS THAN ONE SQUARE INCH OF VENTING PER SQUARE FOOT OF ENCLOSED AREA SUBJECT TO FLOODING. AS SUCH VENTS OR OPENING WILL BE NO HIGHER THAN ONE FOOT ABOVE GRADE. AS SUCH VENTS OR OPENINGS WILL BE NO HIGHER OR LOWER FLOOD RESISTANT MATERIALS WILL BE USE BELOW BFE.

THE SITE WILL BE GRADED IN A MANNER TO PREVENT THE FLOODING OF ADJACENT PROPERTIES. DRAINAGE PLAN WILL BE CONTRACTED ON-SITE SO NOT DISCHARGE ONTO ADJACENT PROPERTIES.

FIN-HEIGHT ELEVATION CERTIFICATE IS REQUIRED BEFORE FRAMING ANY INSPECTION ABOVE LOWEST FLOOR AND A FINAL ELEVATION CERTIFICATE IS REQUIRED BEFORE ISSUANCE OF CERTIFICATE OF OCCUPANCY OR COMPLETION (COMPLETION HOLD 561/233-3337 CALL 375-2429

ZONE: COASTAL SPECIAL FLOOD HAZARD: ALL ELECTRICAL AND MECHANICAL SERVICES MUST BE LOCATED AT OR ABOVE THE REQUIRED LOWEST FLOOR ELEVATION. NON SPECIAL FLOOD HAZARD: ALL ELECTRICAL AND MECHANICAL SERVICES MUST BE LOCATED AT OR ABOVE THE BASE FLOOD ELEVATION OR REQUIRED LOWEST FLOOR ELEVATION, WHICHEVER IS HIGHER.

LOWEST FLOOR: SHALL MEAN THE LOWEST FLOOR OF THE LOWEST ENCLOSED AREA INCLUDING BASEMENT. AN UNFINISHED OR FLOOD RESISTANT ENCLOSURE, USABLE

APPLICABLE NON-ELEVATION DESIGN REQUIREMENTS IN SECTION 5-4, 5-4, 5-4.

FLOOD ELEVATIONS SHALL BE DESIGNED TO PRECLUDE FINISHED LIVING SPACE EXCEPT ALLOWABLE FEES IN PRESCRIBED FLOOD ZONES AND BELOW ACCESS AND SHALL BE DESIGNED TO ALLOW FOR THE ENTRY AND EXIT OF FLOOD WATERS TO AUTOMATICALLY EQUALIZE HYDROSTATIC FLOOD FORCES ON EXTERIOR WALLS. THE INTERIOR PORTION OF SUCH ENCLOSED AREA SHALL NOT BE PARTITIONED OR OR FINISHED (FLOOD RESISTANT MATERIALS ONLY) NOR REPAIRED ROOMS OR

CRITERIA (2 PROVIDE A TOTAL OF 100 (2) OPENINGS HAVING A TOTAL NET AREA OF NO LESS THAN 2 SQUARE INCH FOR EVERY SQUARE FOOT OF ENCLOSED AREA, ADJACENT GRADE SHALL BE 3- "SHALL MEAN THE HIGHEST FINISHED GROUND ELEVATION OF THE GROUND SURFACE NEXT TO THE PROPOSED WALLS OF THE STRUCTURE. 5-4-3- "FINISHED FLOOR ELEVATION SHALL MEAN THE ELEVATION DESIGNATED IN DADE COUNTY FLOOD CRITERIA MAP AT A SPECIFIC DEVELOPMENT SITE OR CROWN OF ROAD ELEVATION OF AN ENTRANCE ADJACENT ROAD, WHICHEVER IS HIGHER (OR A HIGHER THAT THE ORDINANCE) SITE GRADING THAT WILL BE PROVIDED IS A PROVISION AS TO RETAIN STORMWATER RUN-OFF WITHIN THE SITE AND PREVENT RUN-OFF INTO ADJACENT PROPERTY AS WELL AS DIRECT SURFACE WATER RUN-OFF INTO LAKES OR CANALS.

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ISSUANCE FOR

Clearance Permit Other

DATE REVISED

AFTER SEAL NOTE

Client: COTTAGE OF SILVER PALM
Address: 102 AVE & SW 222ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: LANDSCAPE PLAN AND LEGENDS PLAN

Job No.:
Drawn By:
Scale: As Noted
Date: 5-05-2003
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8800 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

L-1
of

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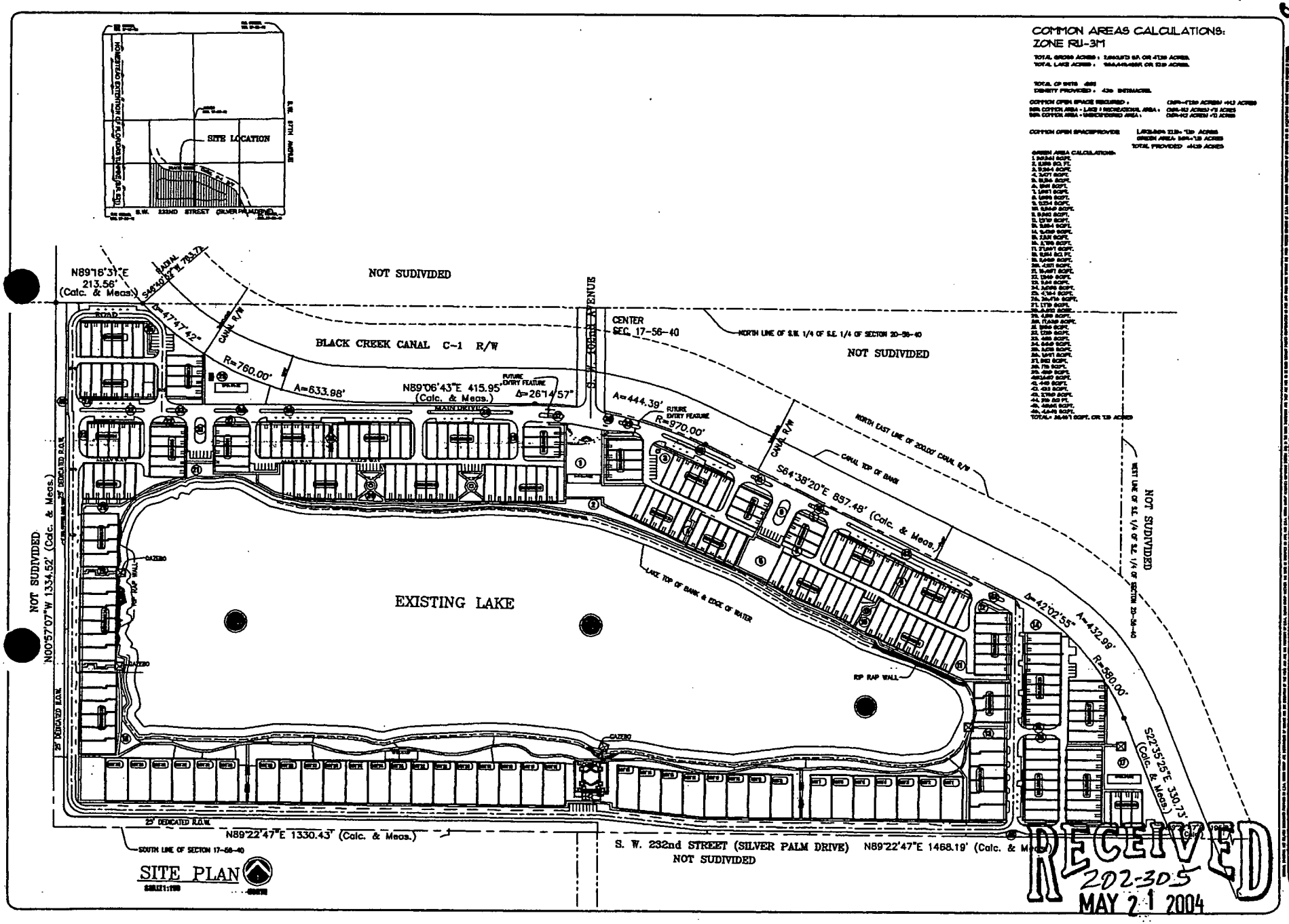

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: LANDSCAPE PLAN
COMMON AREA CALCULATIONS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

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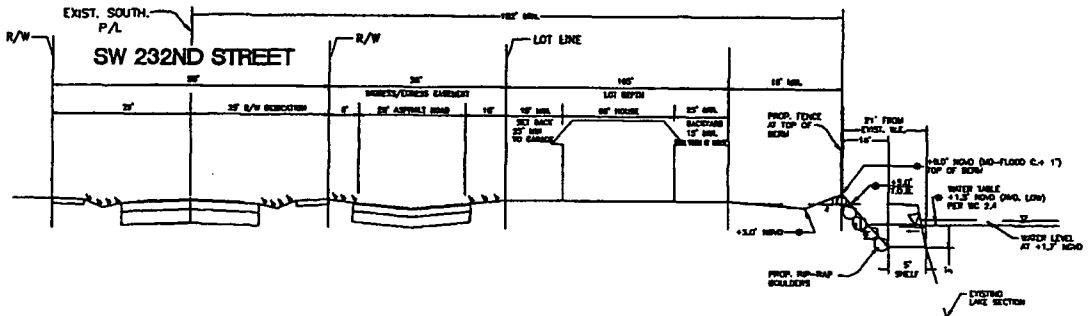

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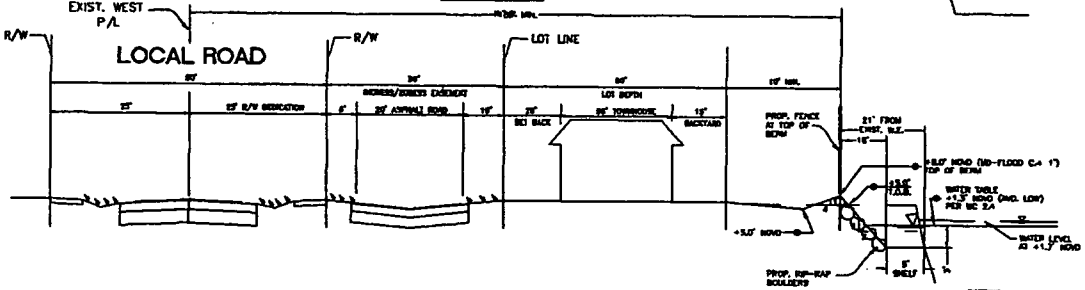

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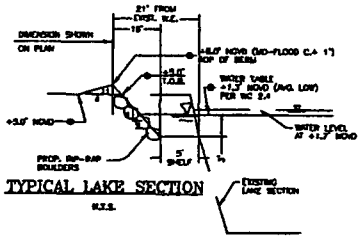

TYPICAL LAKE SECTION

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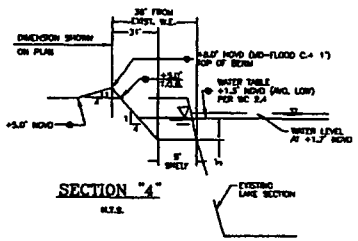

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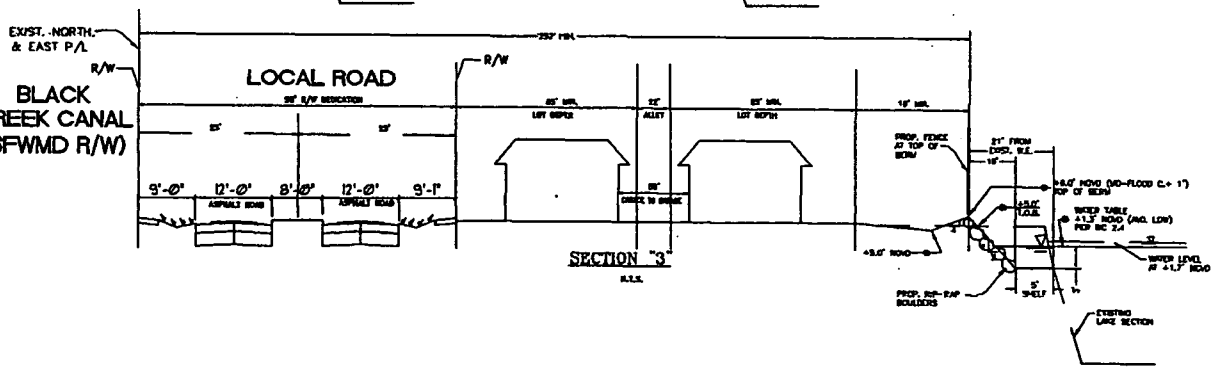

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ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
MIAMI, FLORIDA
Phone: 302-377-0909
Plan: DETAILS
TYPICAL SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-18-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE FB107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

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of

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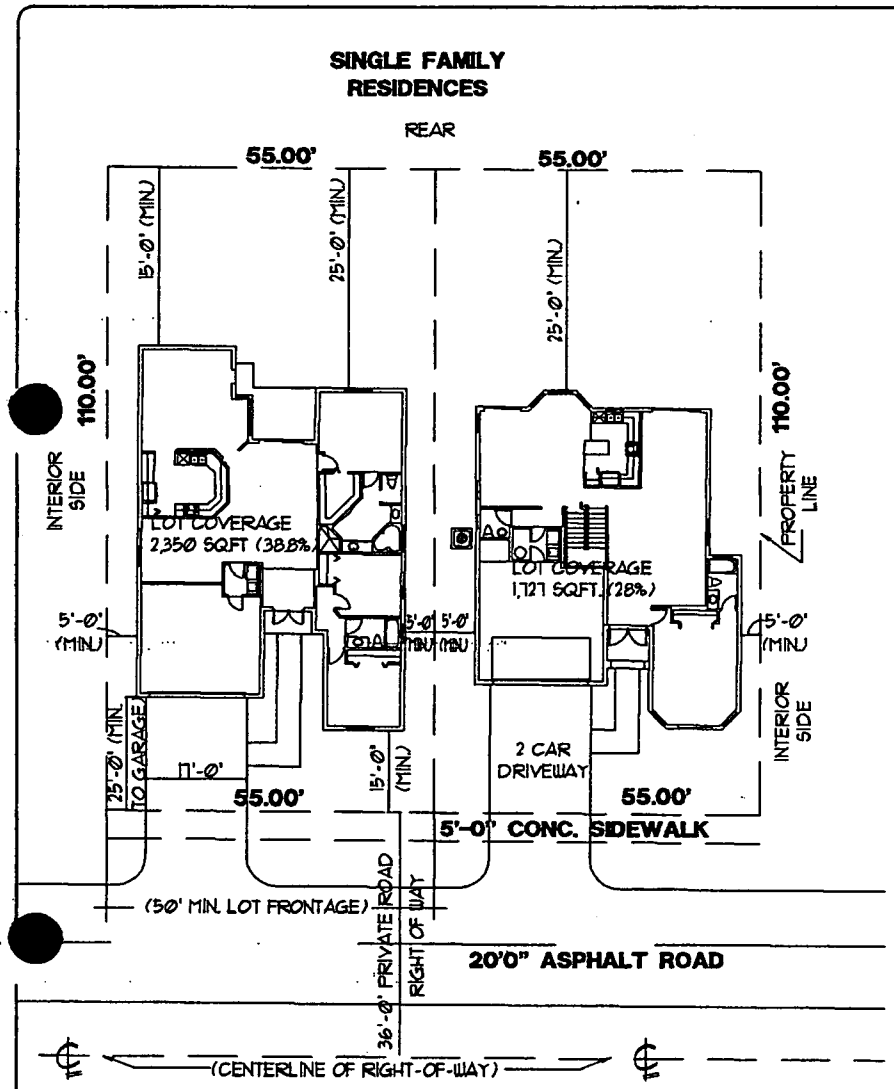

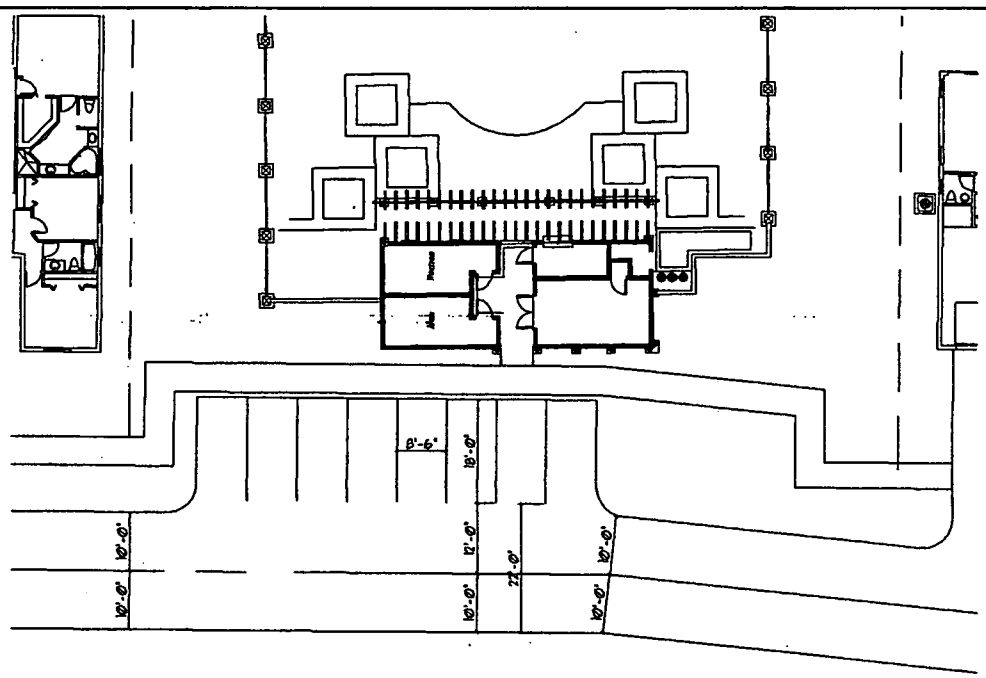

PARKING DETAIL

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ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: DETAILS
SINGLE FAMILY RESIDENCE SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-19-2004
Log:
Block:

EDWARD SILVA, ARCHITECT
REGI. No. 0011131
8000 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

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of

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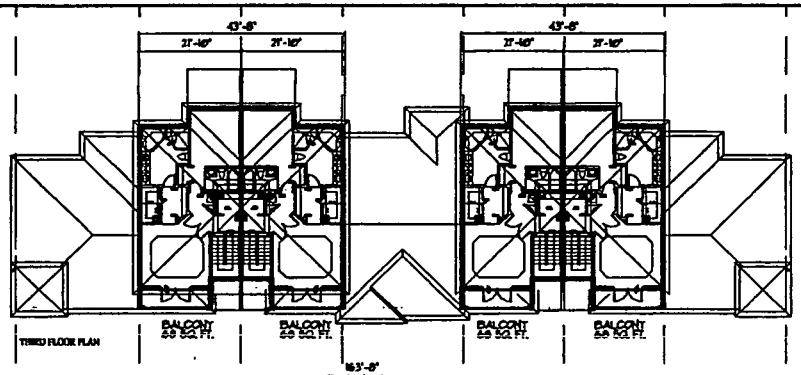
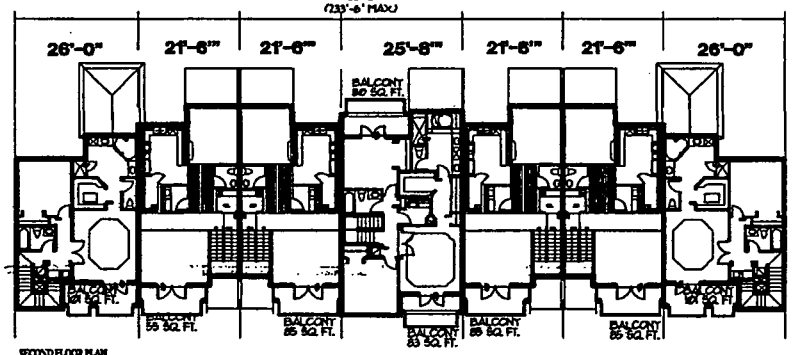
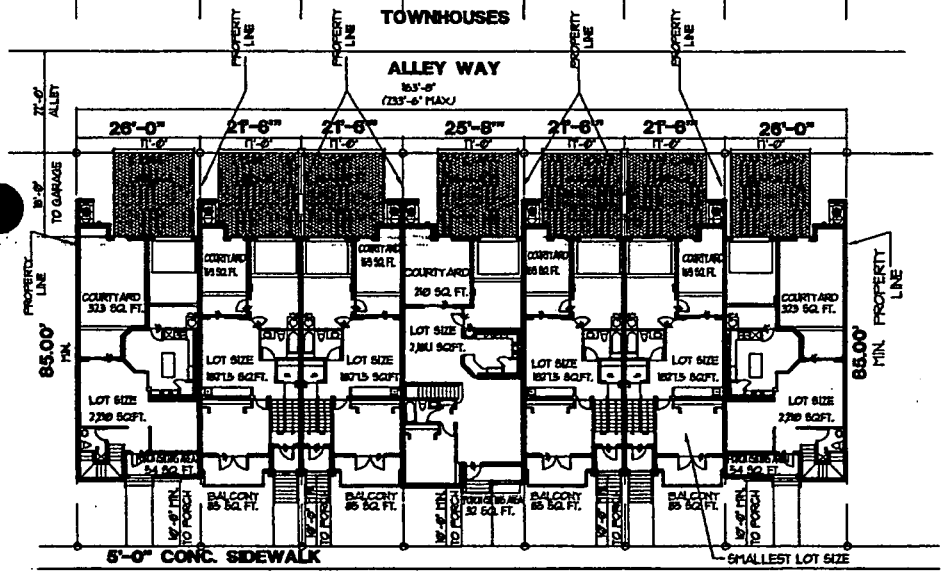






PATIO CALCULATIONS:

MODEL A PATIO PROVIDED:

COURTYARD=	169 SQ.FT.
FIRST FLOOR BALCONY=	85 SQ.FT.
SECOND FLOOR BALCONY=	85 SQ.FT.
THIRD FLOOR BALCONY=	68 SQ.FT.
TOTAL PATIO AREA PROVIDED=	407 SQ.FT.

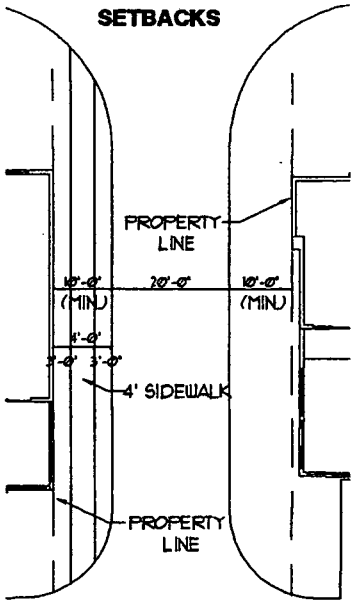
MODEL B PATIO PROVIDED:

COURTYARD=	323 SQ.FT.
PORCH /SITTING AREA=	54 SQ.FT.
BALCONY=	101 SQ.FT.
TOTAL PATIO AREA PROVIDED=	478 SQ.FT.

MODEL C PATIO PROVIDED:

COURTYARD=	210 SQ.FT.
PORCH /SITTING AREA=	32 SQ.FT.
BALCONY (MASTER SUITE)=	83 SQ.FT.
BALCONY (BEDROOM)=	169 SQ.FT.
TOTAL PATIO AREA PROVIDED=	492 SQ.FT.

TOWNHOUSES TYPICAL SIDE SETBACKS



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BY

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-571-0909
Plan: DETAILS
TOWNHOUSES SETBACK DETAILS

Job No.:
Dwn By:
Scale: As Noted
Date: 05-18-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

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of

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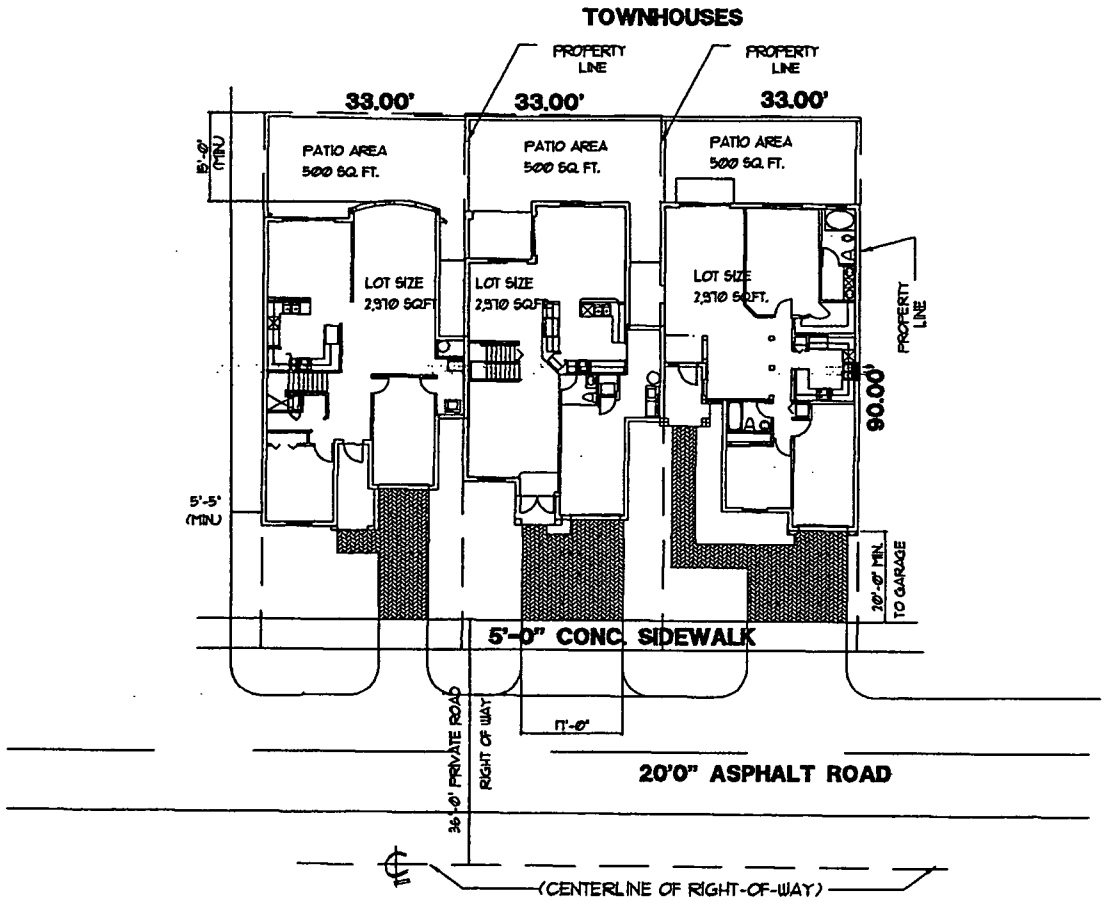


RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BG

ISSUANCE FOR

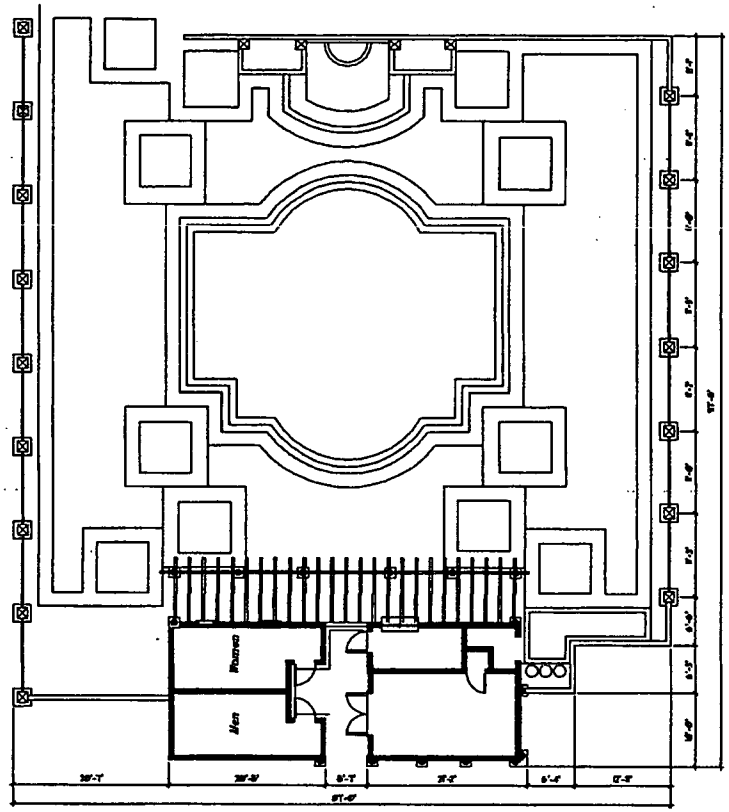
Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: DETAILS
TOWNHOUSES SETBACK DETAILS

Job No.:
Draw By:
Scale: As Noted
Date: 05-05-2004
Lot:
Block:

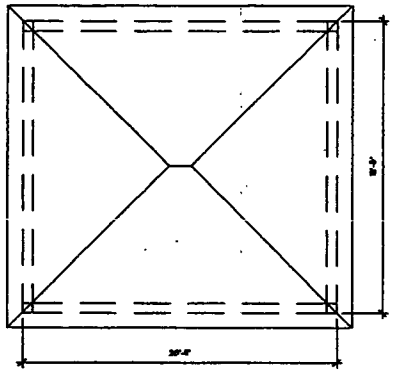
EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

D4
of

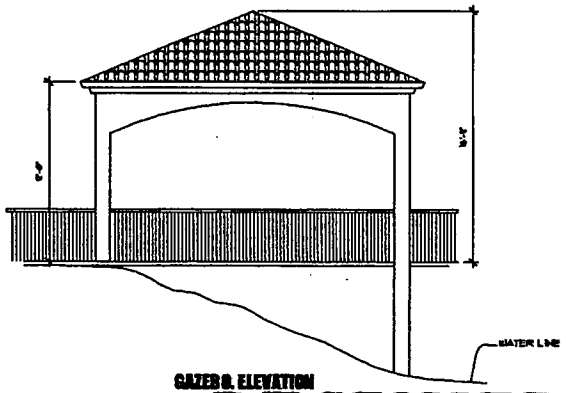
P:\cottages of silver palm\SP-1SITE PLAN.dwg, 05/20/04 06:33:41 PM, HP DesignJet 1



FLOOR PLAN
RECREATION CENTER



GAZEBO FLOOR PLAN



GAZEBO ELEVATION

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

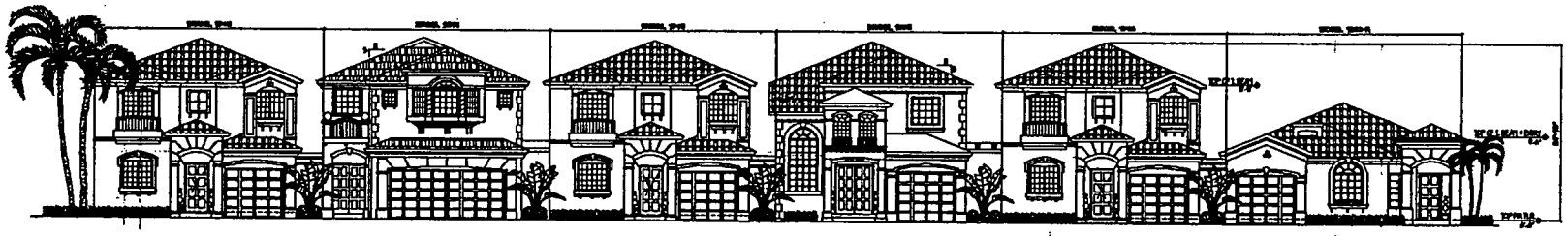
Client: COTTAGES OF SILVER LAKES
Address: 102 AVE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-4909
Plan: GAZEBO AND RECREATIONAL CENTER

Job No.:
Drawn By:
Scale: 3/16" = 1'-0"
Date: 05-20-2004
Lot:
Block:

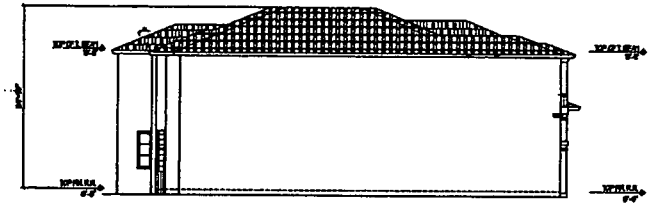
EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-1.1

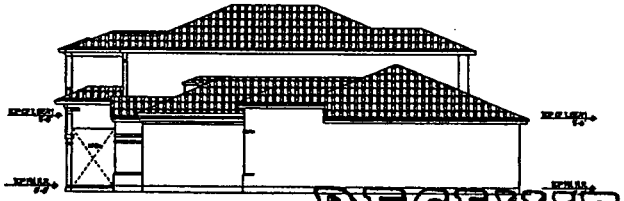
P:\cottages of silver palm\GAZEBO.dwg, 05/20/04 06:14:06 PM, HP DesignJet 1050C b



FRONT ELEVATION 1/8"

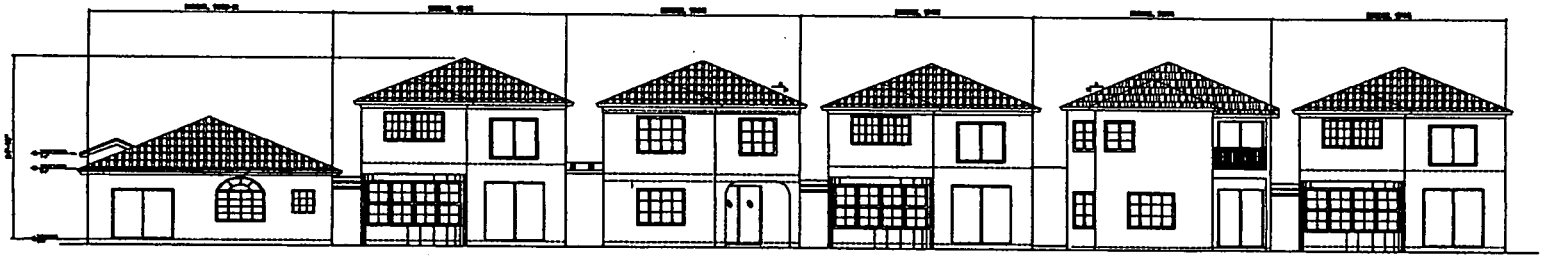


LEFT ELEVATION 1/8"



RIGHT ELEVATION 1/8"

RECEIVED
ZAZ-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC



REAR ELEVATION 1/8"

89

ISSUANCE FOR

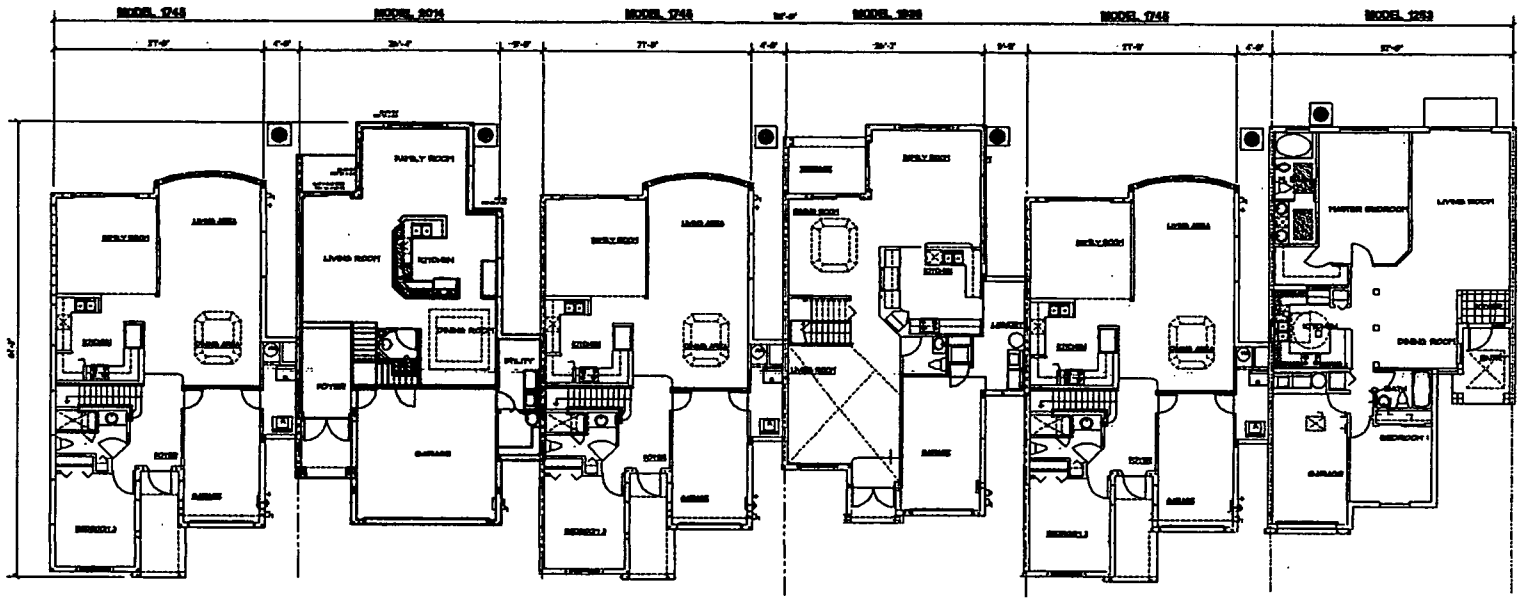
Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: ELEVATIONS 6 UNIT BUILDING

Job No.:
Dwn By:
Scale: 1/8" = 1'-0"
Date: 05-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8800 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-1

P:\cottages of silver palm\LEN CARBBEAN BLK-15 OV-ELEVATION.dwg, 05/20/04



6 UNIT BUILDING OVERALL FLOORPLAN

RECEIVED
ZDZ-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: OVERALL FLOORPLAN
6 UNIT BUILDING

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 05-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

E.S.A.

A-2

P:\cottages of silver palm\LEN CARBBEAN BLK-15 OV-FLOORPLAN.dwg, 05/20/04

FRONT ELEVATION
BUILDING TYPE - 1

FRONT ELEVATION

BUILDING TYPE 1 -REAR ELEVATION

RECEIVED
ZD2-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

91.

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: ELEVATIONS 7 UNIT BUILDING

Job No.:
Dwn By:
Scale: 1/8" = 1'-0"
Date: 3-18-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 001131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

A-1
of

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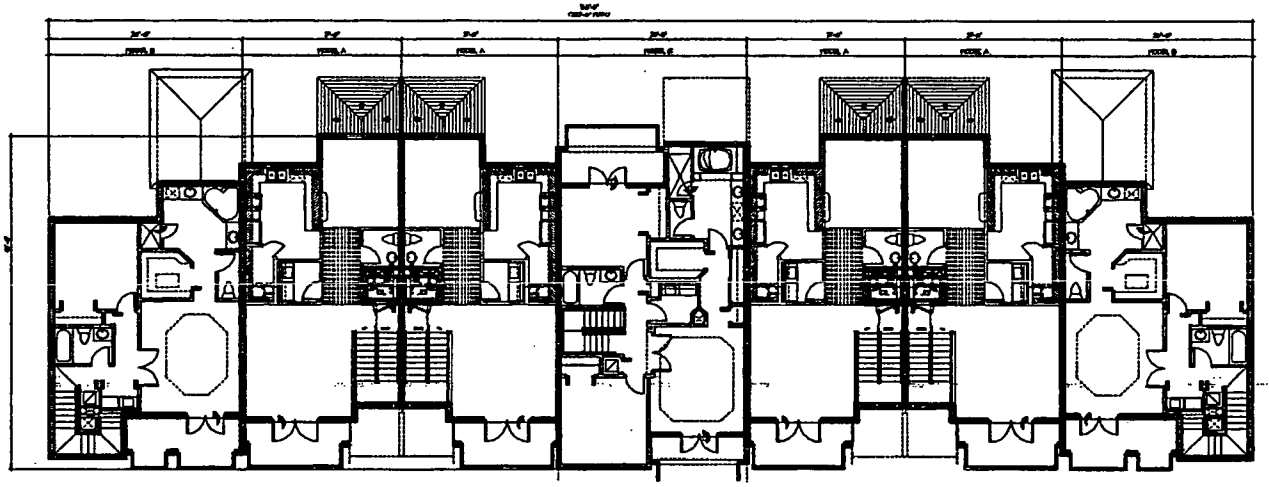
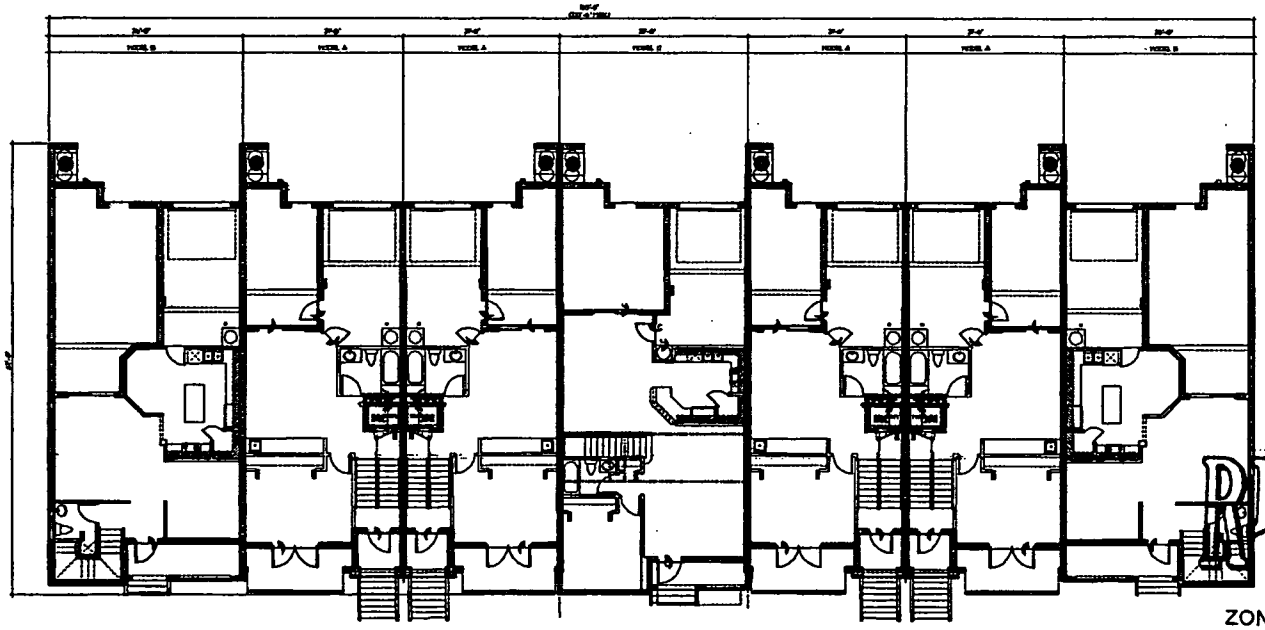


SECOND FLOOR PLAN



FIRST FLOOR PLAN

RECEIVED
ZD2-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: FIRST FLOOR OVERALL PLAN
7 UNIT BUILDING

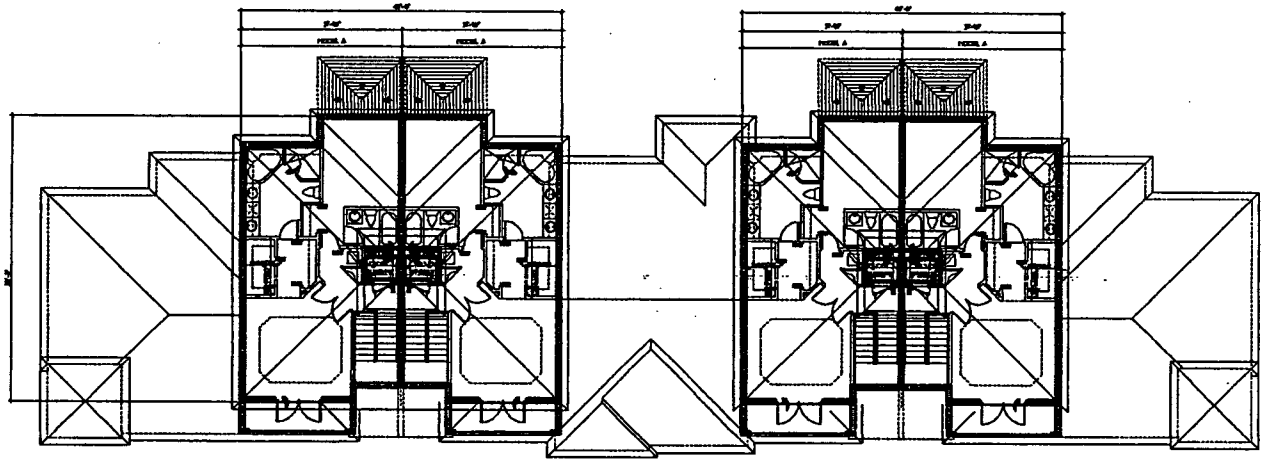
Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 3-15-2004
Lot:
Block:

E.S.A.
EDWARD SILVA, ARCHITECT
REGI. No. 0011131
8000 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-3383 / FAX - (305) 275-3381

A-2
of

P:\cottages of silver palm\BUILDING1.dwg, 05/20/04 06:01:12 PM, HP DesignJet 1050

93



THIRD FLOOR PLAN

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

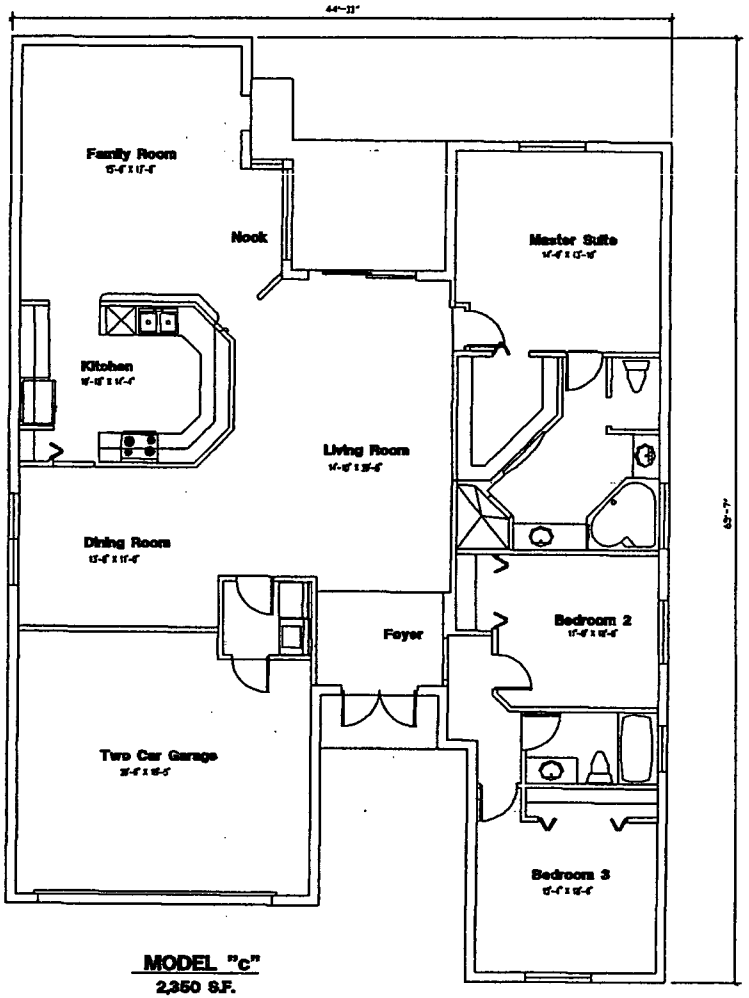
Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: THIRD FLOOR/ROOF OVERALL PLAN
7 UNIT BUILDING

Job No.:
Drawn By:
Scale: 1 1/4" = 1'-0"
Date: 5-10-2004
Lot:
Block:

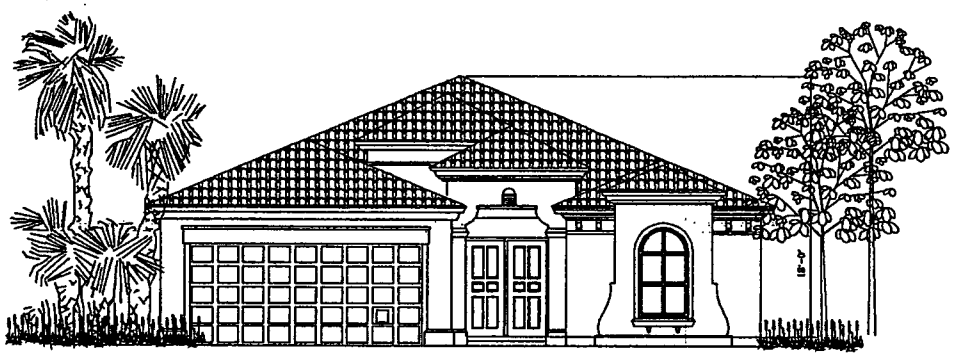
EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-3
of

P:\cottages of silver palm\BUILDING1.dwg, 05/20/04 06:00:16 PM, HP DesignJet 1050



MODEL "c"
2,350 S.F.
SCALE=1/4"



RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: BROCHURE
MODEL - COURTYARD

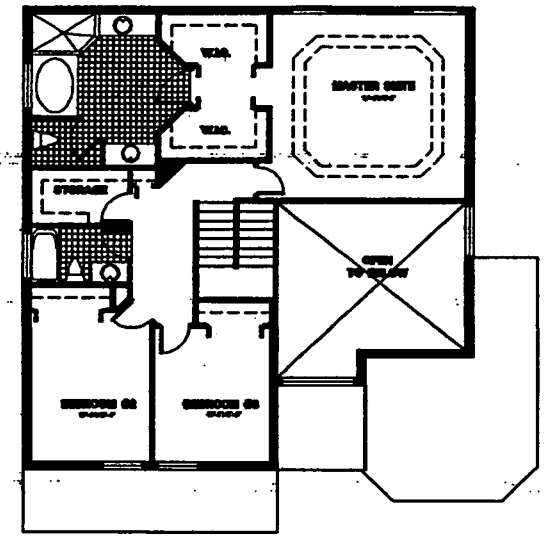
Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 5-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011151
8800 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

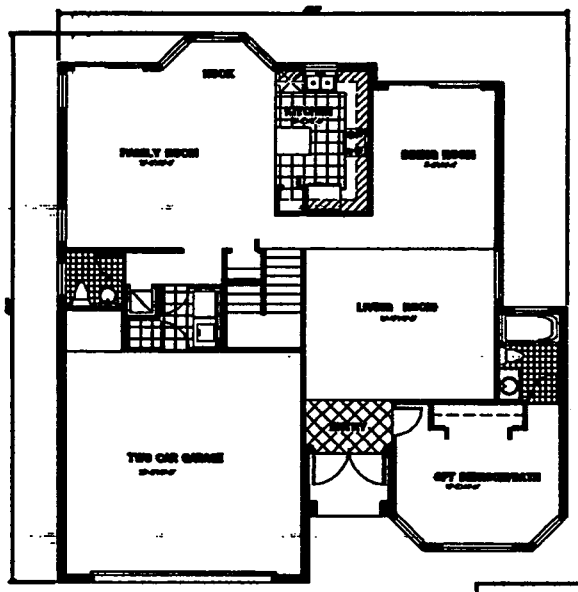
E.S.A.

A-1
of

95



Admiral



Admiral

LIVING AREA	: 2633 SQ.FT
ENTRY	: 46 SQ.FT.
GARAGE	: 476 SQ. FT.
TOTAL	: 3156 SQ.FT.

Admiral

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY Bc

ISSUANCE FOR

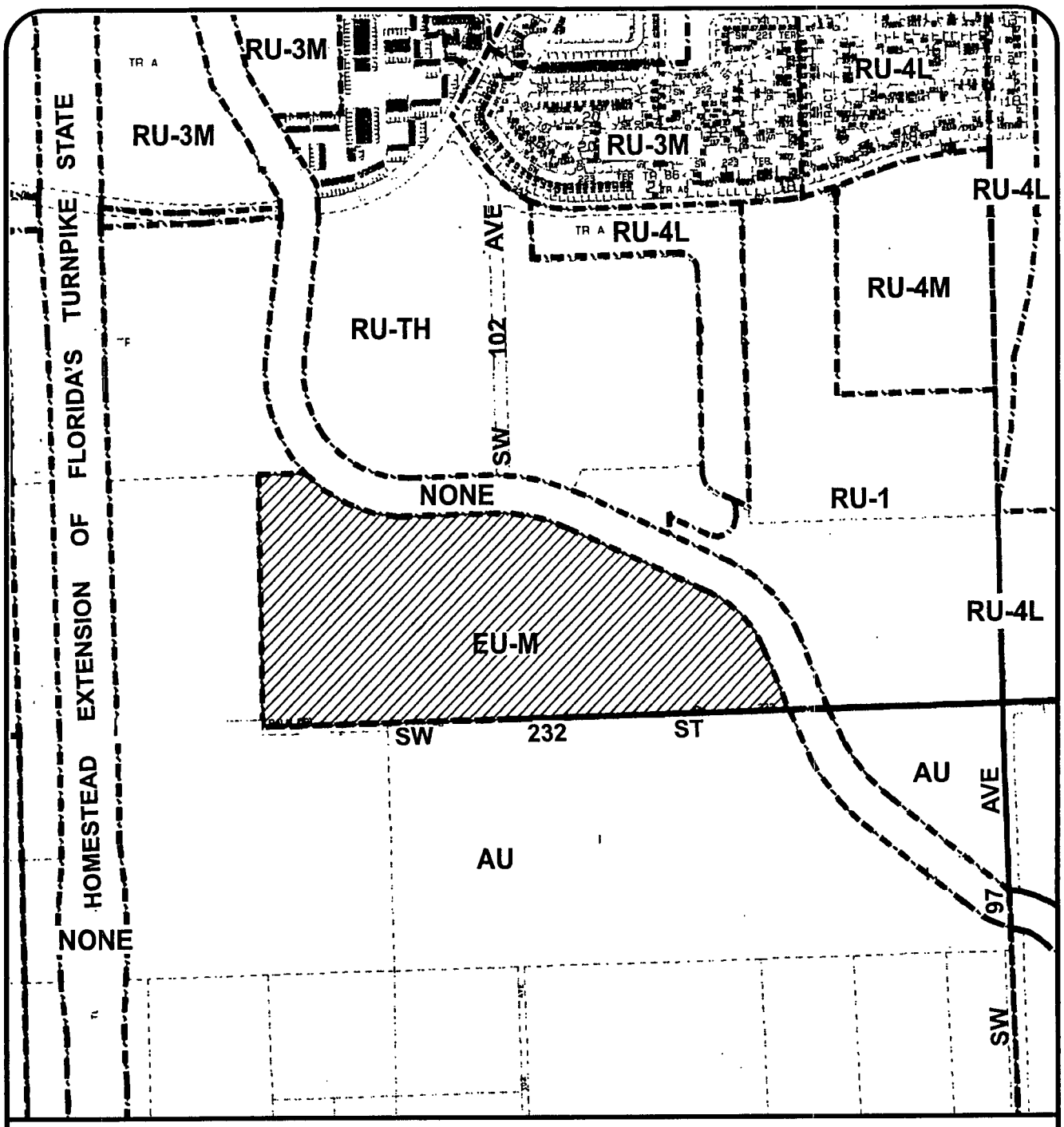
Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: BROCHURE MODEL - ADMIRAL

Job No.:
Drawn By:
Scale: 3/16" = 1'-0"
Date: 5-18-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

A-1
of

P:\cottages of silver palm\ADMIRAL.dwg, 05/20/04 06:03:11 PM, HP DesignJet 1050C



MIAMI-DADE COUNTY

HEARING MAP

S C A L E 0 800' N

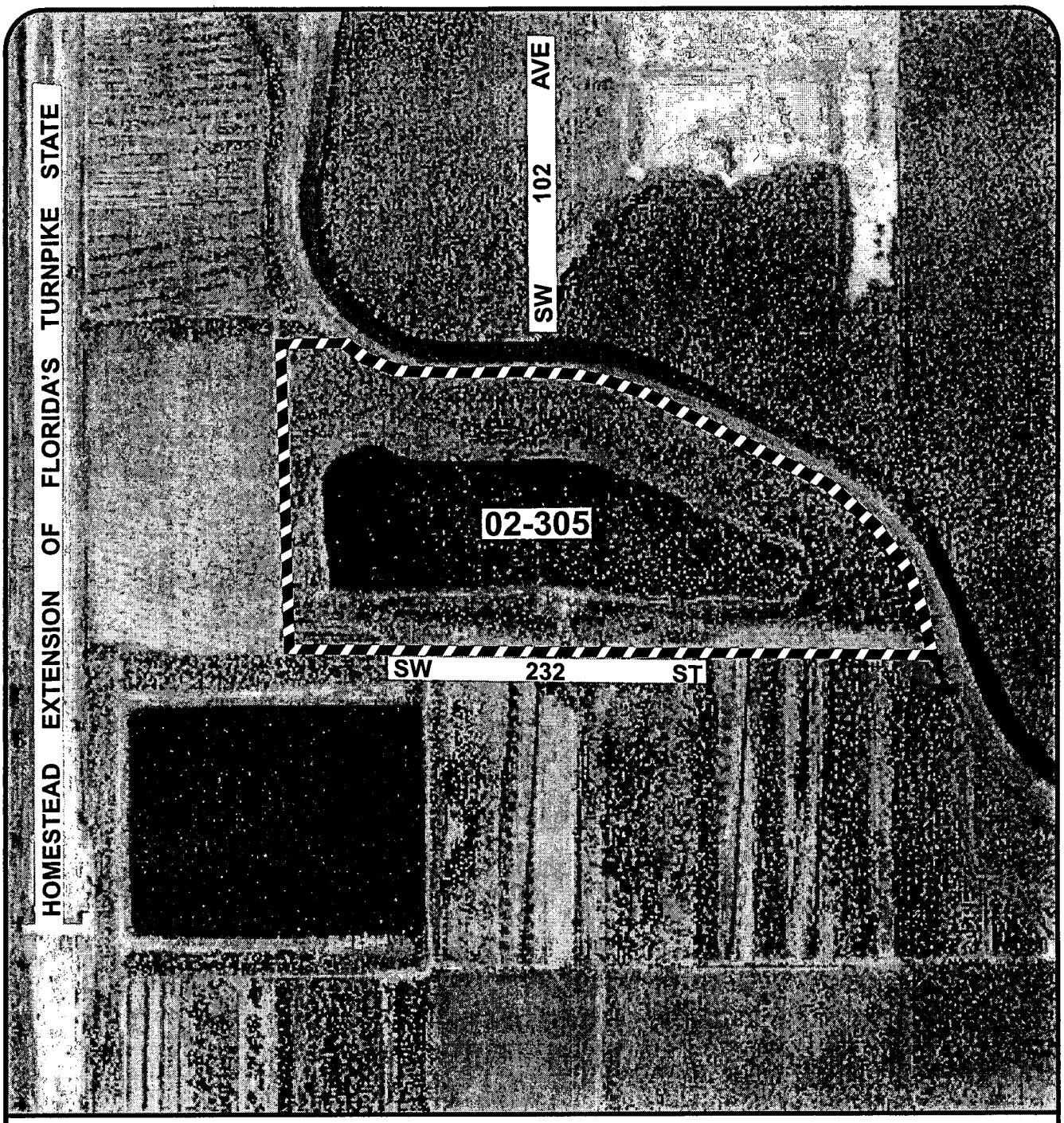
SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

96



MIAMI-DADE COUNTY

AERIAL

S C A L E
0 NTS

N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

A. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
Area 15/District 8
Hearing Date: 6/16/04

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Stanley Price & Jerry Proctor

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	APRIL 21, 2004	CZAB15- -04

REQUESTS: 1) EU-M to RU-3M. 2) UU Lake infill 3) waive ROW dedication 4) 15' parking backout 5) Side st. setback. 6) Bldg. height 7) Park/drive w/in 25' row 8) Lawn area

DEPT. REC: APPROVE #1SUBJECT TO COVENANT. APPROVE #2 WITH CONDITIONS. APPROVE #3, 5 – 7 WITH CONDITIONS AS NUV. DENY #4 & 8 WITHOUT PREJUDICE

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☐ INDEFINITELY ☒ TO: June 16, 2004 ☒ 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 STD. CONDITIONS

☒ OTHER: READVERTISE AT APPLICANT'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS			✓
MR.	S	Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
MS.		Alfonsina SERGIO			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 4 to 0

EXHIBITS: ☒ YES ☐ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	JANUARY 20, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS:

☒ DEFER: ☐ INDEFINITELY ☒ TO: MARCH 16, '04 ☐ 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 STD. CONDITIONS

☐ OTHER:

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY		✓	
MS.		JoAnn BOVA	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 5 to 1

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	DECEMBER 9, 2003	CZAB15- -03

REQUESTS: EU-M to RU-3M

DEPT. REC: DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☑ DEFER: ☐ INDEFINITELY ☑ TO: JAN. 20, '04 ☐ 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 STD. CONDITIONS

☑ OTHER: READVERTISE AT COUNTY'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)			✓

VOTE: 4 to 0

EXHIBITS: ☐ YES ☑ NO

COUNTY ATTORNEY: Ron Bernstein

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): DYLAN RANGEL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	SEPTEMBER 23, 2003	CZAB15- -03

DEPT. REC: DENIAL W/OUT PREJUDICE OR DEFERRAL

1) EU-M to RU-3M

MOTION:

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☒ With Leave To Amend

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH STD. CONDITIONS

☒ OTHER: at applicant's expense

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.	S	Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.	M	JoAnn BOVA	✓		
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Bill Riley

Objectors: NONE

Hearing No. 03-1-CZ15-6 (02-305)

Hearing Date: June 24, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____

Per DIC ____

Approved as Requested ____

Denied Without Prejudice ____

Denied With Prejudice ____

Standard Conditions: ____

✓ Deferred to: Sept. 23, 2003

Withdrawal ____

Other: ____

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

		Yes	No	Absent
Al Alvarez		✓		
Daniel L. Adams	S	✓		
Leonard Anthony		✓		
JoAnn Bova	M	✓		
Paul S. Vrooman				✓
Nancy McCue		✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓

County Attorney: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

Applicant Name: H. R. REALTY & INVESTMENTS, INC.

Representative: Bill Reilly **Objectors:** Lana Floyd

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** April 28, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: _____

Per DIC _____ Deferred to: June 24, 2003

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: due to omnipoint holdings

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel Adams S	✓		
Leonard Anthony M	✓		
JoAnn Bova	✓		
Paul S. Vrooman	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ___ NO ✓ **County Attorney:** Steven Stiegler

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor **Objectors:** _____

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** January 30, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: 4/28/03

Per DIC _____ Deferred to: _____

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Ronald Bernstein

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	MARCH 16, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☐ 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 STD. CONDITIONS

☒ OTHER: (to submit revised plans)

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
MS.	S	Alfonsina SERGIO	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Stephen Stieglitz

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 15

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 17-56-40 **DATE:** June 16, 2004

COMMISSION DISTRICT: 8 **ITEM NO.:** A

==========

A. INTRODUCTION

o **REQUESTS:**

(1) EU-M to RU-3M

(2) Applicant is requesting to permit a townhouse development setback 10' from side street property lines (15' required).

REQUESTS #1 & #2 ON PARCEL #1

(3) EU-M to RU-1M(a)

(4) Applicant is requesting to permit lots with 0' of frontage on a public street (50' required) and access to a public street by means of a private drives.

(5) Applicant is requesting to permit single family residences with a rear setback of 15' (15' permitted on a portion only; 25' required for the balance).

REQUESTS #3 - 5 ON PARCEL #2

(6) Applicant is requesting to waive zoning and subdivision requirements for section line roads to be 80' in width; to permit 0' to 25' of dedication (40' required) on the north half of theoretical S.W. 232 Street.

(7) Applicant is requesting to permit parking and driveways within 25' of an official right-of-way (not permitted).

(8) UNUSUAL USE to permit the filling of a lake and a lake excavation.

REQUESTS #6 - #8 ON PARCELS #1 & #2

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 & #4 - #7 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b)(Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

  The requests will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District and RU-1M(a), Modified Single-Family Residential District, additional requests will permit the filling and excavation of a lake, less setback area from certain property lines for buildings than required, lots with 0' of frontage on and access to a public street by means of a private drive, parking areas and driveways closer than permitted to a right-of-way and the waiver of a portion of the required right-of-way dedication for a section line road.

- **LOCATION:**

  Lying on the north side of theoretical S.W. 232 Street and 1,330' east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60.21 Acres

- **IMPACT:**

  The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area. The additional requests could visually impact the surrounding area and affect traffic circulation.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning on the subject site.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 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 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant and lake	Residential, 2.5 to 6.0 dua

Surrounding Property:

NORTH:	RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH:	AU; plant nurseries	Agriculture and Urban Development Boundary
EAST:	RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST:	AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Plant nurseries are active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Acceptable**
Location of Buildings:	**Acceptable**
Compatibility:	**Acceptable**
Landscape Treatment:	**Acceptable**
Open Space:	**Acceptable**
Buffering:	**Acceptable**
Access:	**Acceptable**
Parking Layout/Circulation:	**Acceptable**
Visibility/Visual Screening:	**Acceptable**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**Acceptable**

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation,

education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and **unusual uses** which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Section 33-311(A)(14)(c)-Alternative Site Development for Single-Family and Duplex Dwellings

The following standard is an alternative to the generalized standards contained in zoning regulations governing specified zoning districts:

Setbacks for a single family or duplex dwelling shall be approved after public hearing upon demonstration of the following:

- the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property; and

- the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and

- the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development to less than 40% of the total net lot area; and

- any area of shadow cast by the proposed alternative development upon an adjoining parcel of land during daylight hours will be no larger than would be cast by a structure constructed pursuant to the underlying district regulations, or will have no more than a *de minimus* impact on the use and enjoyment of the adjoining parcel of land; and

- the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofing structure; and

- the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and

- the architectural design, scale, mass, and building materials of any proposed structure or addition are aesthetically harmonious with that of other existing or proposed structures or buildings on the parcel proposed for alternative development; and

- the wall of any building within a setback area required by the underlying district regulations shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and

- the proposed alternative development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot; and

- total lot coverage shall not be increased by more than twenty percent (20%) of the lot coverage permitted by the underlying district regulations; and

- any structure within an interior side setback required by the underlying district regulations:

  is screened from adjoining property by landscape material of sufficient size and composition to obscure at least sixty percent (60%) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure at time of planting; or

  is screened from adjoining property by an opaque fence or wall at least six (6) feet in height that meets the standards set forth in paragraph (f) herein; and

- any proposed alternative development not attached to a principal building, except canopy carports, is located behind the front building line; and

- any structure not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least three (3) feet: and

- the eighteen (18) inch distance between any swimming pool and any wall or enclosure required by this code is maintained; and

- safe sight distance triangles shall be maintained as required by this code; and

- the parcel proposed for alternative development will continue to provide on-site parking as required by this code; and

- the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth; and

- the proposed development will meet the following:

  side street setbacks shall not be reduced by more than fifty percent (50%) of the underlying district regulations;

  rear setbacks will be at least three (3) feet for detached accessory structures and ten (10) feet for principal structures.

The lot area, **frontage**, or depth for a single family or duplex dwelling shall be approved upon demonstration of the following:

The proposed alternative development will result in open space, community design, amenities or preservation of natural resources that enhances the function or aesthetic character of the immediate vicinity in a manner not otherwise achievable through application of the underlying district regulations, provided that:

- the density of the proposed alternative development does not exceed that permitted by the underlying district regulations; and

- the size and dimensions of each lot in the proposed alternative development are sufficient to provide all setbacks required by the underlying district regulations, or, if applicable, any prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002); and

- each lot's area is not less than eighty percent (80%) of the lot area required by the underlying district regulations; and

- the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity; and

- the parcel proposed for alternative development is not zoned AU of GU, nor is it designated agricultural or open land under the Comprehensive Development Master Plan; and

- sufficient frontage shall be maintained to permit vehicular access to all resulting lots.

Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:

- will result in a significant diminution of the value of property in the immediate vicinity; or

- will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or

- will result in materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or

- will combine severable use rights obtained pursuant to Chapter 33B of the code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.

Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

- the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and

- the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

Section 33-311(A)(4)(b) - Non-Use Variances from other than Airport Regulations. 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.

Section 33-311(A)(4)(c) - Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and

subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that spirit of the regulations shall be observed and substantial justice done; provided, that the variance 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 non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**Objects**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**57 additional students**

* subject to the conditions stated in their attached memorandum

H. ANALYSIS:

This application was deferred from the meeting of April 21, 2004, to allow time for the applicant to meet with Public Works staff and for re-advertisement, deferred indefinitely from the meeting of March 16, 2004, to allow time for the applicant to submit revised plans and meet with the neighbors, from the meeting of January 20, 2004, to allow time for the applicant to submit revised plans, from the meeting of December 9, 2003, due to an error in the advertisement, from the meeting of September 23, 2003, at the applicant's request, with leave tc amend, from the meeting of June 24, 2003, to allow the applicant time to submit plans and a covenant, and from the meetings of April 28, 2003 and January 30, 2003, with leave to amend.

The re-advertised application now seeks the rezoning of parcel 1 of the subject property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District, to allow a 202-unit townhome residential development, and the rezoning of parcel 2 from EU-M, Modified Estate District, to RU-1M(a), Modified Single-Family Residential District, to allow a 35-unit single-family residential development, for a 237-unit total for the entire residential development. The applicant is also seeking an unusual use to permit the partial filling and excavation of a lake, the waiver of the required dedication of a portion of the right-of-way for S.W. 232 Street (0' to 25' dedication where 40' is required), 10' side street setbacks for certain lots where 15' is required, 15' rear setbacks for single-family residences where 15' is permitted only on a portion and 25' is required for the balance, parking areas and driveways located within 25' of a right-of-way where not permitted and lots with 0' of frontage on a public street where 50' is required and with access to a public street by means of a private drive. The applicant has indicated that a covenant tying the requests to the new plans submitted and limiting the development density on the site to a total of 237 units at 3.93 gross dua (5.0 net dua), would be proffered in conjunction with this application.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department objects** to the requests to permit 0' to 25' of dedication for portions of the north half of the right-of-way for theoretical S.W. 232 Street, 0' of frontage on a public street and access to a public street by means of a private and parking spaces and driveways within 25' of a right-of-way. Said Department also indicates that this application will generate **151 PM** daily peak hour vehicle trips, the addition of which will not exceed the current Level of Service (LOS) which is at LOS "B". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **57 students** to the schools in the area, and that the applicant has proffered a covenant to the School Board in order to provide a monetary donation to mitigate the impacts generated by this application, which will exceed the FISH (Florida Inventory of School Houses) capacity.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre lake. The Land Use Plan (LUP) map of the CDMP designates the site for low density residential use which permits a minimum of 2.5 and a maximum of 6.0 dua. The LUP map would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site. The proposed RU-3M zoning on parcel 1, at a density of 12.9 dua, would permit a total of 611 units on the 47.38 net acre portion of the site (parcel 1). The proposed RU-1M(a) zoning at a density of 6.97 dua, would permit a total of 89 units on the 12.83 net acre portion of the site (parcel 2). The total number of units permitted by the RU-3M and RU-1M(a) rezonings would be 700. As such, the requests to rezone to RU-3M and RU-1M(a) would be inconsistent with the LUP map of the CDMP without a covenant limiting the density to a maximum of 360 units. As mentioned above, the applicant has submitted a site plan showing the development of the site with a maximum of 237 units. The applicant has indicated the intent to proffer a covenant limiting the development density to 3.93 dua (gross) and a maximum of 237 units. With said covenant, the zone changes to RU-3M (request #1) and RU-1M(a) (request #3) would be **consistent** with the LUP of the CDMP.

The unusual use to permit the partial filling and excavation of an existing lake (request #8) is supported by staff. This request involves the partial filling of the existing lake to assure that the slopes meet code requirements. The excavation portion of the request is being made to legalize the original excavation of the existing lake, which a research of the records reveals was most likely done for past purposes of state road construction in the area. In staff's opinion, the approval of same would not generate or result in excessive noise or traffic, or cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities.

When analyzing requests #2 and #4 through #7 under the Alternative Site Development Option (ASDO) standards, Section 33-311(A)(14), staff finds that requests #2, #6 and #7 are not addressed under the ASDO standards. As such, said requests cannot be evaluated under same. Requests #4 and #5, the provision of frontage on and access to a public street by means of a private drive and the provision of 15' of rear setback area for certain lots (15' permitted for half the width of the structure and 25' required for the balance), meet some of the ASDO standards since the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property, will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space, will provide

sufficient frontage for vehicular access and the rear setbacks will be at least 10' for principal structures. However, request #4 does not meet the ASDO standards for lot frontage since the size and dimensions of certain lots are not sufficient to provide all setbacks, and request #5 does not meet the ASDO standards for setbacks since the parcel proposed for alternative development does not satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (August 2, 2002), regulating lot area, frontage and depth. As such, requests #4 and #5 cannot be approved under the ASDO standards.

When analyzing requests #2, and #4 through #7 under the Non-Use Variance standards, Section 33-311(A)(4)(b), staff finds that the requests meet same by maintaining the basic intent and purpose of the zoning, subdivision and other land use regulations and not adversely affecting the stability and appearance of the community since this property will be a private community enclosed by a subdivision wall.

When requests #2, and #4 through #7 are analyzed under the Alternative Non-Use Variance standards, Section 33-311(A)(4)(c), staff finds that the applicant has not shown that a literal enforcement of the provisions of the Code would result in unnecessary hardship, since the property can be utilized in accordance with the proposed zoning district regulations. As such, this application does not meet those standards.

Staff finds that the revised plans' incorporation of different building types such as townhouses and single-family homes, the arrangement of housing in an interconnected block and street network, the provision of open space in the form of squares, plazas, pocket parks and green focal points, and the reduction of lot sizes on the south side of the lake to create a linear park meets the guidelines for urban form and design. In staff's opinion, the site plan provided, incorporating the guidelines for urban form, and the covenant proffered, limiting the density of the development and tying the zoning requests to said plan, make this application **consistent** with the CDMP and **compatible** with surrounding uses. Therefore, staff recommends approval of requests #1 and #3, subject to the Board's acceptance of the proffered covenant, approval with conditions of request #8, approval with conditions of requests #2, and #4 through #7 under the Non-Use Variance standards and denial without prejudice under the ASDO and Alternative Non-Use Variance standards.

I. RECOMMENDATION:

Approval of requests #1 and #3, subject to the Board's acceptance of the proffered covenant, approval with conditions of request #8, approval with conditions of requests #2 and #4 through #7 under Section 33-311(A)(4)(b), and denial without prejudice under Sections 33-311(A)(14) and (c).

J. CONDITIONS:

The following conditions are for requests #2 and #4 through #7:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, 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 "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.

The following conditions are for the lakefill:

5. That in addition to any bond required by DERM, the property owner and any and all parties who may have a legal beneficial or equitable interest in the land shall execute a bond agreement with the Department of Planning and Zoning prior to issuance of a CU for a fill project. Such bond agreement shall stipulate that in order to insure compliance with all terms and conditions associated with the fill project permit approval, a cash or surety bond or substantially equivalent instrument meeting with the approval of the Director shall be posted by the applicant with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director and the DERM Director. Said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County. The bond amount will be based on the volume of cut required to conform any remaining excavation to Code approved slope configuration.

6. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

7. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Department of Environmental Resources Management, as set forth herein, shall be used in the fill project.

8. That no fill material or unacceptable fill to be removed shall be permitted to be stored on property abutting the fill project site or within the adjacent rights-of-way at any time during the fill project.

9. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

10. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

11. That the applicant shall be permitted to operate no longer than between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

12. That the applicant shall record a notice of authorization on a form prescribed by the Director of the excavation fill plan approved by the Director and the Director of the Department of Environmental Resources Management (DERM Director) for the fill project in the public records of Miami-Dade County prior to the issuance of a Certificate of Use (CU) authorizing commencement of the fill project.

13. That the applicant shall submit a detailed written disclosure of the fill project specifying the equipment and methods to be utilized during the fill project, including every aspect of the trucking, dumping, sorting and filling process.

14. That the applicant shall obtain a fill project CU permit, and shall promptly renew the same semi-annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions. Failure to commence the fill project within six months of the date of the original CU issuance shall result in an abandonment of the fill project.

15. That prior to each CU renewal, the applicant shall submit a status report indicating the percentage of fill project completion and the estimated time of the fill project's final completion.

16. That if an excavation will be filled in phases, a phase plan shall be submitted with the initial excavation fill plan and permit plan application. The plan and supporting documents shall delineate the area to be filled in each phase and the time frame projected to close out each phase of the fill project.

17. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than nine (9) months from issuance of the CU permit.

18. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the zoning code requirements and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation.

19. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis during the fill project. In accordance with this requirement, the applicant shall submit "as-built" surveys prepared and sealed by a Florida-licensed surveyor and /or professional engineer annually and at final completion of the fill operation or upon request of either the Director or the DERM Director when it is determined by the Director or the DERM Director that the filling is proceeding contrary to approved plans or in violation of the conditions of the approved excavation fill plan or the permit plan.

20. That the property shall be suitably posted to meet with the approval of the Director and the DERM Director; said postings shall denote the fill project and shall warn the public

concerning the possible hazards prior to commencement and for the duration of the fill project.

21. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Department of Environmental Resources Management as well as the Public Works Department for the duration of the fill project.

22. That upon completion of the fill project, the property shall be restored and left in an acceptable condition meeting the approval of the Director and the DERM Director.

23. That the final slope(s) of the remaining excavation shall be in accord with zoning code requirements.

24. That the fill project shall meet all stormwater management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

25. That to the extent possible, the property shall be staked and said stakes shall be maintained in proper position so that the limits of the filling, slopes and grade levels may be easily determined.

26. That the applicant record the resolution of approval for the use in the public records of Miami-Dade County prior to the issuance of a Certificate of Use.

27. That if in the opinion of the Director the lake fill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicant as directed by the Director.

The following conditions are for the lake excavation:

28. That the lake tract be platted; no building permit shall be issued for lots contiguous to the lake tract until the lake excavation is completed and lake as-built drawings submitted to and approved by the Department.

Or in lieu of condition #28 the following:

28a. Prior to the approval of any type of plat on the property, the Owner(s) of the property shall submit a Unity of Title agreement to the Department of Planning and Zoning; said agreement shall encumber the entire property described in the plat. Once the Unity of Title agreement has been reviewed and accepted it shall be recorded in the Public records prior to final plat consideration by the Board of County Commissioners. Upon receipt of a written request to release the Unity of Title agreement, the Department will consider the release only after the issuance of a lake excavation permit and the submittal and final approval of the lake excavation as-builts. The lake excavation area shall be shown as a separate tract and appropriately labeled as such on the final plat.

29. That complete lake excavation plans prepared and sealed by a Florida-licensed surveyor and/or professional engineer be submitted to and meet with the approval of the Director upon the submittal of an application for a lake excavation permit; said plans

shall be substantially in accordance with that submitted for the hearing entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 5/10/04 and consisting of 13 sheets.

30. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the excavation progresses. The applicant will submit "as built" surveys prepared and sealed by a Florida-licensed surveyor and/or professional engineer at final completion of the excavation, or upon request of the Director or the Director of Environmental Resources Management.

31. That the property shall be staked to meet with the approval of the Director and the Director of Environmental Resources Management; said stakes shall be maintained in proper position so that the limits of the excavation, slopes and grade levels may be easily determined.

32. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director and the Director of Environmental Resources Management.

33. No material shall be removed from the premises and all excavated material shall be used to improve the property described in the application.

34. That the use of explosives shall be strictly prohibited in connection with the lake excavation operation.

35. That the hours of the lake excavation operation shall be controlled by the Director, except that the applicant shall be permitted to operate between the hours of 7:00 A.M. and 5:00 P.M. on weekdays, Sunday operation and/or other hours of operation than 7:00 A.M. to 5:00 P.M., may be permitted by the Director only if the same does not become a nuisance to the surrounding area.

36. That the lake excavation operation shall be carried on continuously and expeditiously so that the entire project will be completed within nine (9) months from the date of permit issuance for the proposed lake excavation.

37. If the lake excavation operation is discontinued, abandoned, falls behind schedule or time expires, the existing excavation shall immediately be sloped to conform with the approved plans and the entire operation shall be removed from the premises.

38. That in order to insure compliance with all terms and conditions imposed, a cash or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees, etc.

39. That the applicant obtain an excavation use permit from and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

40. All excavations shall be completely enclosed by a safety barrier, minimum height of 6 feet, consisting of either orange plastic safety fence or wood slat storm fencing installed on 4" x 4" posts spaced every 10 feet. Said barrier shall be installed prior to issuance of the excavation permit and commencement of excavating and shall remain in place until work is complete and the performance bond is released.

41. All excavations shall be posted every 50 feet with warning signs a minimum of 18" x 18" in size.

42. That a hedge(s), 3' high at time of planting, be installed along both sides of the guardrail proposed on those portions of the lake fronting on a right-of-way.

43. That the applicant complies with all applicable conditions and requirements of the Miami-Dade County Department of Environmental Resources Management (DERM).

44. That the applicant complies with all applicable conditions and requirements of the Miami-Dade County Public Works Department.

DATE INSPECTED:	01/06/03
DATE TYPED:	01/22/03
DATE REVISED:	03/27/03, 04/07/03, 04/08/03, 04/22/03, 06/02/03, 06/04/03, 06/16/03, 09/05/03, 09/12/03, 11/24/03, 12/01/03, 12/02/03, 01/09/04, 01/12/04, 03/01/04, 03/04/04, 03/11/04, 03/30/04, 04/05/04, 04/15/04, 05/27/04, 06/07/04, 06/10/04
DATE FINALIZED:	06/10/04

DO'QW:AJT:MTF:TLR

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM

TO:	Diane O' Quinn-Williams, Director Department of Planning and Zoning	DATE:	September 12, 2003
		SUBJECT:	C-15 #Z2002000305-Revised H.R. Realty & Investments, Inc. NS of SW 232nd Street and E/O theoretical SW 107th Avenue DBC from EU-M to RU-3M (EU-M) (60 Ac.) 17-56-40
FROM:	Alyce M. Robertson, Assistant Director Environmental Resources Management		

RECEIVED SEP 19 2003 MIAMI-DADE COUNTY PLANNING & ZONING DIR. OF PLANNING & ZONING

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Enforcement History:
DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# 02-305
CZAB-15
Rev. 3

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department objects to this application.

This Department objects to the request to permit lots with 0 feet of frontage on a public street and access to a public street by means of a private drive.

Redesign site plan to eliminate private drives and provide for public roads.

This Department objects to the request to permit 0 to 25 feet of dedication on the north half of theoretical SW 232 St. (40 feet required).

The property owner must dedicate the entire 40 feet for the north half of SW 232 St. This is a section line road and although no extension to the east is foreseen in the near future, this Department feels that the 40 foot dedication should not be waived.

This Department objects to the request to permit parking and driveways within 25 feet of a right-of-way.

One-way drives shall have a minimum width of 15 feet for fire truck access.

Entrance features are not reviewed under this application and must be filed separately. Gates must be removed.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

A Special Taxing District is to be established for maintenance of common areas and lake.

Lake slopes and typical sections for lakes are not reviewed under this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **151 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	B	B
9594	Old Cutler Rd. sw/o Franjo Rd.	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.

Raul A. Pino, P.L.S.

MAY 28 2004

Date

Miami-Dade County Public Schools

giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent
Facilities Operations, Maintenance and Planning

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

April 21, 2004

RECEIVED
APR 23 2004
DEPT. OF PLANNING & ZONING
ZONING EVALUATION SECTION
BY

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue
REVISED

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Centennial Middle School and Miami Southridge Senior High School currently operating at 123% and 129% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Centennial Middle School and Miami Southridge Senior High School to 124% and 130%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on May 22, 2003, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with them to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board (Board) in order to provide a monetary donation, over and above impact fees. Please be advised that the Board at their August 20, 2003 meeting authorized such a proffer by the applicant. Additionally, the revised covenant will be presented to the Board at its meeting of May 19, 2004 for its approval.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • www.ARijo@facil.dade.k12.fl.us

Ms. Maria Teresa Fojo
April 21, 2004
Page Two.

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the 237-unit development is estimated to generate approximately $580,176 ($2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:am
L-2468
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Ms. Vivian Villaamil
Ms. Patricia Good
Mr. William W. Riley

REVISED
SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 02-305, H. R. Realty & Investments, Inc. (CC15)

REQUEST: Zone change from EU-M to RU-3M

ACRES: 60± acres

LOCATION: North of S.W. 232 Street and East of S.W. 107 Avenue

UNITS: 92 additional units as per proffered covenant (145 units currently permitted under existing zoning classification, for a total of 237 units)

ESTIMATED STUDENT POPULATION: 57 students *

ELEMENTARY: 26

MIDDLE: 14

SENIOR: 17

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Pine Villa Elementary - 21799 S.W. 117 Ct.

MIDDLE: Centennial Middle - 8601 S.W. 212 St.

SENIOR HIGH: Miami Southridge Senior - 19355 S.W. 114 Ave.

All schools are located in Access Center 6

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2003:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Pine Villa Elem.	630/ 656*	606	104%/ 108%*	210	77%/ 80%*
Centennial Middle	1116/ 1130*	908	123%/ 124%*	0	**123%/ 124%***
Miami Southridge Sr.	3857/ 3874*	2670	144%/ 145%*	309	**129%/ 130%***

* includes proposed development

Pursuant to the Interlocal Agreement, please note that the elementary school does not meet the review threshold.

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2003:

Pine Villa Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	FL School Recognition as a "C" School
Special Programs:	After-school care and Magnet programs
Lunch schedule:	Begins at 10:15 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	Media Center
Recognition for Academic Achievement:	None
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:05 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium and Resource Rooms
Teachers required to float/travel:	Reading, Math and Science

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements in the past school year:	Classroom addition
Recognition for Academic Achievement:	None
Special Programs:	Vocational and Enrichment classes
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of April 2004):

School	Status	Projected Occupancy Date
Palm Glade K-8 Center (Pine Villa, Redland and Naranja Elementary Relief; Redland and Mays Middle School Relief) (1606 student stations)	Pre-Planning	November 2009
State School "TTT" (unfunded) (South Dade, Homestead and Southridge Sr. High School Relief) (3599 student stations)	Feasibility Study (Funded)	

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $332,481.

CAPITAL COSTS: Based on the State's April-2004 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	26	x	$ 13,365	=	$ 105,768
MIDDLE	14	x	$ 15,324	=	$ 75,795
SENIOR	17	x	$ 20,278	=	$ 100,300
Total Potential Capital Cost					$ 281,863

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

1	F.V. CONSTRUCTION CORP. #03-182	SWC of SW 280 St. and SW 132 Ave.	54 Units/ 45 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 1/20/04	DENIED
2	MALCOLM B. WISEHEART, JR., ET AL #01-408	SWC of SW 198 St. and Old Cutler Rd.	4 Units/ 2 Students	WHISPERING PINES ELEM-1 CUTLER RIDGE MID-0 SOUTHRIDGE SR-1	9/6 9/6 9/6	CC15 1/20/04	APPROVED
3	PROVINCIAL REALTY, INC. #02-188	SW 112 Ave. btwn SW 224 & 232 St.	250 Units/ 154 Students	PINE VILLA ELEM-71 CENTENNIAL MID-38 SOUTHRIDGE SR-45	7/6 9/6 9/6	CC15 11/17/03	APPROVED
4	ERIC AND NICOLE LEE BERRIOS #01-376	SWC of SW 184 St. and SW 79 Ct.	1 Unit/ 0 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	9/6 9/6 9/6	CC15 1/28/02	APPROVED
5	LLOYD AND JOHNNIE CASH #02-230	SWC of SW 137 Ave. and SW 258 St.	38 Units/ 30 Students	NARANJA ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	9/6 7/6 7/6	CC15 1/30/03	APPROVED
6	RALPH FEUERRING, ET AL #02-108	NEC of SW 232 St. and SW 110 Ave.	209 Units/ 119 Students	PINE VILLA ELEM-64 CENTENNIAL MID-29 SOUTHRIDGE SR-26	7/6 9/6 9/6	CC15 10/03/02	APPROVED
7	ROBERT BOREK ET AL #01-333	E and W of SW 117 Ave. on the N side of 248 St.	248 Units/ 130 Students	PINE VILLA ELEM-70 REDLAND MID-31 HOMESTEAD SR-29	7/6 7/6 9/6	CC15 10/03/02	APPROVED
8	GOULDS, LLC #02-326	W of Sw 112 Ave. and S of SW 224 St.	45 Units/ 28 Students	PINE VILLA ELEM-13 MAYS MID-7 SOUTHRIDGE SR-8	7/6 7/6 9/6	CC15 10/22/03	APPROVED
9	LUMSDEN OAKS ACQUISITION CORP. #02-250	W of SW 132 Ave. and S of SW 282 St.	138 Units/ 116 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 10/22/03	APPROVED
10	SPECIALTY HOUSING CORP. #03-104	S of SW 268 St. and W of FL Turnpike	33 Units/ 22 Students	CHAPMAN ELEM-10 CENTENNIAL MID-6 HOMESTEAD SR-6	9/6 9/6 9/6	CC15 10/22/03	APPROVED
11	SVK AIRPORT LAND, LLC #02-200	SEC of SW 278 St. and SW 154 Ave.	41 Units/ 24 Students	REDLAND ELEM13 REDLAND MID-(SOUTH DADE SR-5	7/6 7/6 7/6	CC15 1 ,/06/02	APPROVED
12	AIRBASE LANDINGS, LTD. #02-030	S of SW 288 St. and E of SW 122 Ave.	45 Units/ 20 Students	CHAPMAN ELEM-11 CENTENNIAL MID-5 HOMESTEAD SR-4	9/6 9/6 9/6	CC15 11/07/02	APPROVED
13	HABITAT FOR HUMANITY OF GREATER MIAMI, INC. #00-188	15375 SW 288 St.	10 Units/ 7 Students	LEISURE CITY ELEMID-4/2 SOUTH DADE SR-1	9/6 7/6	CC15 11/12/02	APPROVED
14	LEWIS PETERS AND FERGUSON PETERS, TRUSTEE #01-068	NEC of SW 248 St. and Sw 112 Ave.	328 Units/ 188 Students	NARANJA ELEM-91 CENTENNIAL MID-40 HOMESTEAD SR-37	9/6 9/6 9/6	CC15 11/13/01	APPROVED
15	ALLAPATTAH NURSERY, LTD #02-155 #02-228	E of SW 112 Ave. and N of SW 240 St.	477 Units/ 255 Students	PINE VILLA ELEM-138 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED

PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

16	CHARLES AND JO ELLEN CHAMBERS #02-178	NEC of SW 139 Ave. and SW 258 St.	78 Units/ 50 Students	NARANJA ELEM-27 REDLAND MID-12 SOUTH DADE SR-11	9/6 7/6 7/6	CC16 12/11/02	APPROVED
17	CW2, LTD. #02-164	E of SW 139 Ave. and S of SW 280 St.	32 Units/ 21 Students	NARANJA ELEM-11 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 12/11/02	APPROVED
18	DIAZ LANDSCAPING & NURSERY, INC. #02-192	E of SW 112 Ave. and S of SW 240 St.	476 Units/ 254 Students	PINE VILLA ELEM-137 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED
19	JSM HOLDING CORP. INC AND ROYAL GROUP INVESTMENT #01-284	S of SW 288 St. and SW 140 Ave.	24 Units/ 11 Students	CHAPMAN ELEM-6 REDLAND MID-3 HOMESTEAD SR-2	9/6 7/6 9/6	CC15 2/12/02	APPROVED
20	BLACK CREEK BUILDERS GROUP, LLC #02-335	SEC of SW 132 Ave. and SW 284 St.	11 Units/ 7 Students	REDLAND ELEM-4 MAYS MID-2 HOMESTEAD SR-1	7/6 7/6 9/6	CC15 2/25/03	APPROVED
21	HUGO G. MORALES, TRUSTEE #01-203	Eof USA-1, S of Sw 252 St. and W of SW 137 Ave.	380 Units/ 144 Students	NARANJA ELEM-78 REDLAND MID-34 SOUTH DADE SR-32	9/6 7/6 7/6	CC15 3/26/02	APPROVED
22	CAROLE BROCK, TRUSTEE #02-278	NEC of SW 226 St. and SW 112 Ave.	45 Units/ 28 Students	PINE VILLA ELEM-15 CENTENNIAL MID-7 SOUTHRIDGE SR-6	7/6 9/6 9/6	CC15 3/27/03	APPROVED
23	CARMEL INVESTMENT & DEVELOPMENT INC. #01-437	NEC OF SW 160 Ave. and theor. SW 302 St.	6 Units/ 4 Students	PESKOE ELEM-2 CAMPBELL DRIVE MID-1 HOMESTEAD SR-1	9/6 9/6 9/6	CC15 4/23/02	APPROVED
24	ROBERT BOREK ET AL #00-298	S of SW 248 St. btwn SW 117 and 122 Ave.	342 Units/ 214 Students	PINE VILLA ELEM-118 REDLAND MID-51 HOMESTEAD SR-47	7/6 7/6 9/6	CC15 5/01/01	APPROVED $128,400 O/A
25	ALEJANDRO ZAMPIER #02-076	S of Sw 260 St. and W of SW 134 Ave.	20 Units/ 13 Students	NARANJA ELEM-7 REDLAND MID-3 SOUTH DADE SR-3	9/6 7/6 7/6	CC15 6/04/02	APPROVED
26	CLINTON ASSOCIATES, LTD. #02-035	NWC of SW 122 Ave. and SW 256 St.	59 Units/ 38 Students	NARANJA ELEM-21 REDLAND MID-9 HOMESTEAD SR-8	9/6 7/6 9/6	CC15 6/04/02	APPROVED
27	FREDERICK T. PETERS MARTIAL TRUST #01-219	N of SW 208 St. and btwn SW 87 Ave. and SW 92 Ave.	160 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
28	SODA PROPERTIES, LLC. #01-348	Btwn SW 87 Ave. and SW 92 Ave. and N of SW 208 St.	232 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
29	LAW PROPERTIES LTD. #02-244	SWC of SW 133 Ave. and SW 280 St.	79 Units/ 88 Students	CHAPMAN ELEM-30 CENTENNIAL MID-17 HOMESTEAD SR-19	9/6 9/6 9/6	CC15 6/24/03	APPROVED
30	SAGA BAY DEVELOPMENT, INC. #96-549	N of SW 210 St. and E of SW 82 Ave.	126 Units/ 78 Students	WHIGHAM ELEM-42 CENTENNIAL MID-19 SOUTHRIDGE SR-17	9/6 9/6 9/6	CC15 6/24/03	APPROVED

PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

31	HENRY C. MORAT, TRUSTEE #02-280	SEC of SW 132 Ave. and SW 284 St.	109 Units/ 92 Students	CHAPMAN ELEM-42 CENTENNIAL MID-23 HOMESTEAD SR-27	9/6 9/6 9/6	CC15 7/24/03	APPROVED
32	SUNRISE VILLAGE MOBILE HOME PARK II #03-031	SEC of SW 147Ave. And SW 280 St.	181 Units/ 152 Students	LEISURE CITY ELEMID-70/38 HOMESTEAD SR-44	9/6 9/6	CC15 7/24/03	APPROVED
33	SVK AIRPORT LAND, LLC #02-201	NEC of SW 137 Ave. and SW 256 St.	58 Units/ 49 Students	NARANJA ELEM-23 REDLAND MID-12 SOUTH DADE SR-14	9/6 7/6 7/6	CC15 7/24/03	APPROVED
34	THE HOUSING TRUST GROUP OF FLORIDA, LLC #01-172	E of SW 87 Ave. and N of SW 216 St.	57 Units/ 35 Students	WHIGHAM ELEM-16 CENTENNIAL MID-9 SOUTHRIDGE SR-10	9/6 9/6 9/6	CC15 7/24/03	APPROVED
35	JOSE A. COSTA, JR., TRUSTEE #03-120	NEC of SW 248 St. & SW 129 Ave.	28 Units/ 17 Students	PINE VILLA ELEM-8 REDLAND MID-4 HOMESTEAD SR-5	7/6 7/6 9/6	CC15 8/21/03	APPROVED
36	PRINCETON SELF STORAGE, INC. #01-181	E of US-1, S to Canal, btwn SW 244 St and SW 248 St.	160 Units/ 59 Students	MIAMI HEIGHTS ELEM-32 REDLAND MID-14 SOUTH DADE SR-13	9/6 7/6 7/6	CC15 9/04/01	DENIED
37	TOPA INVESTMENTS, LLC #01-161	19200 SW 102 Ave.	58 Units/ 19 Students	BEL-AIRE ELEM-10 CUTLER RIDGE MID-5 SOUTHRIDGE SR-4	9/6 9/6 9/6	CC15 9/04/01	DENIED
38	MARTINA BOREK ET AL #03-018	12110 SW 248 St.	90 Units/ 78 Students	NARANJA ELEM-35 REDLAND MID-19 HOMESTEAD SR-22	9/6 7/6 9/6	CC15 9/11/03	APPROVED
39	MANUEL C. & EMILIA DIAZ, ET AL #02-377	W of Sw 112 Ave. and S of SW 232 St.	1632 Units/ 1089 Students	PINE VILLA ELEM-492 REDLAND MID-267 HOMESTEAD SR-310	7/6 7/6 9/6	CC15 9/23/03 12/04/03	APPROVED
40	H. R. REALTY & INVESTMENTS, INC. #02-305	N of SW 232 St. and E of SW 107 Ave.	92 Units/ 57 Students	WHIGHAM ELEM-26 CENTENNIAL MID-14 SOUTHRIDGE SR-17	9/6 9/6 9/6	CC15 Def. 4/21/04	PENDING
41	ROYALTY INVESTMENT & DEVELOPMENT GROUP, LLC #03-260	NWC of SW 260 St. and SW 137 Ave.	21 Units/ 18 Students	NARANJA ELEM-8 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 2/17/04	APPROVED
42	US COMMERCIAL REAL ESTATE INVESTMENT, LLC #03-269	SEC of US1 and SW 284 St.	216 Units/ 182 Students	LEISURE CITY ELEMID-84/45 HOMESTEAD SR-53	9/6 9/6	CC15 2/17/04	APPROVED
43	ALOR INVESTMENT CORP. #03-295	25520 SW 134 Ave.	17 Units/ 14 Students	NARANJA ELEM-6 REDLAND MID-4 SOUTH DADE SR-4	9/6 7/6 7/6	CC15 3/18/04	APPROVED
44	E & D DEVELOPMENT, INC. #03-283	SWC of SW 132 Ave. and SW 279 St.	6 Units/ 5 Students	CHAPMAN ELEM-2 CENTENNIAL MID-1 HOMESTEAD SR-2	9/6 9/6 9/6	CC15 3/18/04	DENIED
45	GREGORY W. WOODS #03-296	18690 Old Cutler Rd.	2 Units/ 1 Students	WHISPERING PINES ELEM-1 CUTLER RIDGE MID-0 SOUTHRIDGE SR-0	9/6 9/6 9/6	CC15 3/18/04	APPROVED

Note: There is one applications that is pending which would generate 57 students.

PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

SCHOOLS	STUDENTS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
CHAPMAN, W.A. ELEM	784	89	873	809	64	100%
LEISURE CITY ELEM/MID	1845	158	2003	999	45	192%
NARANJA ELEM	800	323	1123	561	158	156%
PESKOE, IRVING & BEATRICE ELEM	1185	2	1187	840	0	141%
PINE VILLA ELEM	692	1040	1732	561	210	225%
WHIGHAM, DR. EDWARD L. ELEM	996	146	1142	911	0	125%
WHISPERING PINES ELEM	867	2	869	793	0	110%
ELEMENTARY TOTALS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
CAMPBELL DRIVE MID	1334	1	1335	1373	0	97%
CENTENNIAL MID	1110	311	1421	913	114	138%
LEISURE CITY ELEM/MID	1845	85	1930	999	45	185%
REDLAND MID	1748	454	2202	1144	25	188%
MIDDLE TOTALS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
HOMESTEAD SR	3249	720	3969	2589	0	154%
MIAMI SOUTHRIDGE SR	3880	96	3976	2372	309	148%
SOUTH DADE SR	2713	82	2795	1871	283	130%
SENIOR HIGH TOTALS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
TOTAL	23048	3509	26557	16715	1253	148%

CHARTER SCHOOLS
2002-2003

REV. 6-12-03

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
7160	Mater Academy High School 7901 NW 103 St. Hialeah Gardens, FL 33016	80	750	1,000	1,000	9-10	I	4
0100	Mater Center Charter School 7700 NW 98 St. Hialeah Gardens, FL 33016	1,099	1,000	1,050	1,150	K-8	I	4
0110	North County Charter School 3400 NW 135 St. Miami, FL 33054	293	600	600	600	K-5	I	1
5130	North Dade Community Charter School 13850 NW 26 Ave. Opa-Locka, FL 33054	63	575	600	600	K-5	I	1
5710	Sandor Wiener School of Opportunity 20000 NW 47 Ct. Opa-Locka, FL 33055	6	32	34	72	K-2	I	1
6900	Venkara Academy Charter School 13307-11 Alexandria Dr. Opa-Locka, FL 33054	132	175	225	225	6-8	I	1
6050	Youth Co-Op Charter School 12051 W. Okeechobee Rd. Hialeah Gardens, FL 33018	386	525	525	525	K-8	I	4
6020	ASPIRA Youth Leadership Charter School 13300 Memorial Hwy. North Miami, FL 33161	288	450	450	450	6-9	II	1
0120	Northeast Academy 1750 NE 168 St. N. Miami Beach, FL 33162	416	600	600	600	K-5	II	3
6030	Doral Academy 2450 NW 97 Ave. Miami, FL 33172	1212	2,025	2,025	2,025	K-8	III	5
7020	Doral Academy High School 11100 NW 27 St. Miami, FL 33172	456	1,800	1,800	1,800	9-11	III	5
0400	Ryder Elementary Charter School 8360 NW 33 St. Miami, FL 33122	488	500	500	500	K-5	III	5

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
6070	ASPIRA Eugenio Maria de Hostos Charter School 3650 N. Miami Ave. Miami, FL 33127	174	250	300	350	6-8	IV	2
3600	Downtown Miami Charter School 305 NW 3 Ave. Miami, FL 33128	294	650	650	650	K-6	IV	2
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138	260	350	350	350	6-8	IV	2
0040	Liberty City Charter School 6700 NW 5 Ave. Miami, FL 33150	257	400	705	705	K-7	IV	2
3100	Mater East Charter School 450 SW 4 St. Miami, FL 33130	269	650	800	800	K-5	IV	6
6040	Miami Shores/Barry University Connected Learning Center 11441 NW 2 Ave. Miami Shores, FL 33168	180	200	200	200	6-8	IV	2
0500	Rosa Parks Community School/Overtown 430 NW 9 St. Miami, FL 33136	42	425	500	500	K-6	IV	2
0510	Archimedean Academy 10870 SW 113 Place Miami, FL 33176	80	225	325	500	K-3	V	7
0600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175	548	650	700	700	K-6	V	8
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033	160	230	260	260	6-8	VI	9
0070	Coral Reef Montessori Academy 19000 SW 112 Ave. Miami, FL 33157	221	500	500	500	K-8	VI	9
0300	Rosa Parks Charter School/Florida City 713 West Palm Drive Florida City, FL 33034	149	250	300	600	K-7	VI	9

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
0200	Spiral Tech Elementary Charter School 12400 SW 72 St. Miami, FL 33183	59	160	240	290	K-5	VI	7

- Grade levels for school year 2002-2003

NEW CHARTER SCHOOLS APPROVED TO OPEN FOR THE 2003-2004 SCHOOL YEAR:

(Rev. 3/21/03)

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Mater Academy Middle School 7901 NW 103 Street Hialeah Gardens, FL 33016	700	800	800	6-8	6-8	I
School for Integrated Academics & Technologies (SIATech) *(A school for high-risk students)* Main: 3050 NW 183 Street Miami, FL 33056	400	600	800	9-10	9-12	I
Aventura Charter Elementary School 3333 NE 188 Street Miami, FL 33180	600	600	600	K-5	K-5	II
Janet Dean Charter School Ives Dairy Rd. between NE 10 & 12 Ave., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	II
Children First Charter School 590 W. 20 Street Hialeah, FL 33010	Deferred to 04-05	250	550	K-3	K-5	III
Doral Academy Middle School 2601 NW 112 Avenue Miami, FL 33172	800	800	800	6-8	6-8	III
Theodore R. & Thelma A. Gibson Charter School 3829 Grand Avenue Miami, FL 33133	575	600	600	K-8	K-8	IV
Miami Children's Museum Watson Island Miami, FL	Deferred to 04-05	350	350	K-5	K-5	IV

42

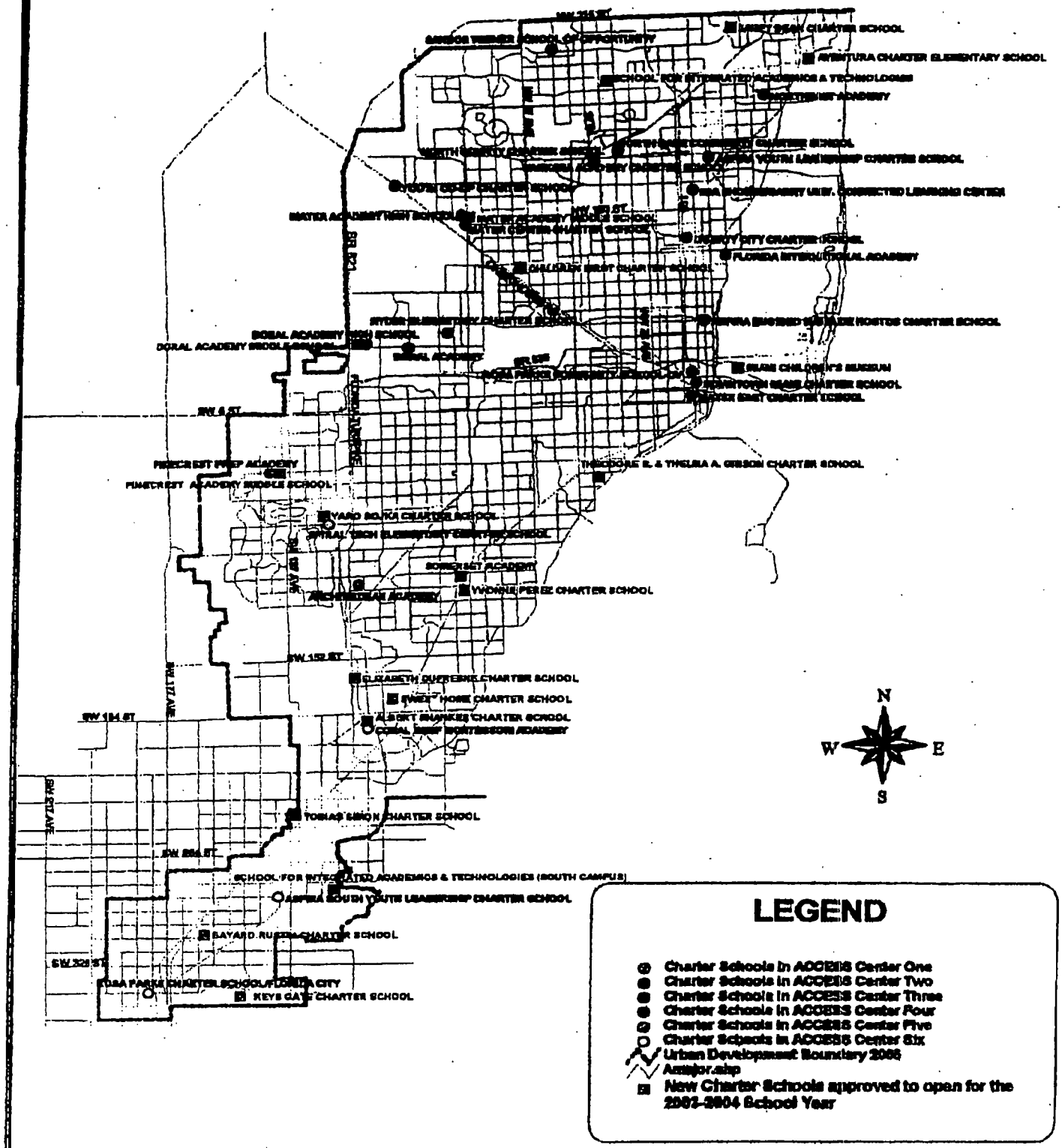
Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Somerset Academy 11011 SW 80 Avenue Miami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School *17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miami, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE corner of Turnpike & Quail Roost Dr., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobias Simon Charter School 24400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

*temporary location for the first year – the permanent location will be at SW 180 Street & 107 Ave.

43

Chancellor Charter School at Coral Gables	1	750
Coral Gables Community Charter School	1	600
Miami-Dade Charter Foundation	6	5,400
Miami-Dade Charter Schools, Inc.	2	3,200
Miami-Shores Charter High School	1	600
Somerset Academy	8	8,600
Balere Language Academy	1	450
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School (West Hialeah Academy)	1	800
Charter Academy of Excellence	1	600
Total applications: 14	**27**	**24,150**

Charter Schools by ACCESS Center



G-15

MIAMI-DADE FIRE RESCUE
Planning & Capital Improvements Bureau
ZONING COMMENTS

Hearing Number: 202-305 REV #3

Plans: ☐ Yes ☐ No Request: _____

Location: Lying on N Side of Theo. SW 232 St. + E of Theo. SW 107 AVE

Recommendation:
- Approved ✓
- Approved with conditions ____*
- Approved with no change from previous submittal ____
- Denial ____
- Defer to DIC comments ____

*_____

Estimated number of alarms generated annually by application: _____

If there is an impact, below is the service availability:

Station District _____ Grid _____ DU/SF _____ Occupancy Type _____

Impact of additional calls on closest station:
- ☑ No Impact
- ☐ Minimal Impact
- ☐ Moderate Impact
- ☐ Severe Impact

Planned Service to Mitigate:

Service	Location	Year to be Completed

☑ None

THIS REVIEW IS FOR SERVICE IMPACT AND SERVICE AVAILABILITY ONLY AND DOES NOT CONSTITUTE NOR IMPLY SITE PLAN APPROVAL.

ALL SITE PLANS MUST BE REVIEWED AND APPROVED BY THE MIAMI-DADE FIRE RESCUE FIRE WATER & ENGINEERING BUREAU LOCATED AT 11805 SW 26 ST. BASED UPON THAT REVIEW, SITE PLANS MAY NEED MODIFICATION TO COMPLY WITH LIFE-SAFETY STANDARDS.

Reviewed by: K Lyon Kathryn Lyon Phone: (786) 331-4546 Date: 5-25-04.

Revised 3/9/04 BJM

TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
06/16/2004	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of May 24, 2004

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the sub[illegible] of the application is owned or leas[illegible]y a PARTNERSHIP or LIMITED PARTNERSHIP, list the principal[illegible] the partnership, including general a[illegible]limited partners. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799831
EXPIRES: December 28, 2002
Bonded Thru Richard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

ZONING HEARING PLANS REVIEW
☒ PLANS WITHIN THE SCOPE OF AD
☐ PLANS NOT WITHIN THE SCOPE OF AD
REVIEWED BY: [signature]
ON: 5/21/04
ZONING EVALUATOR
☐ PLANS ACCEPTABLE
☐ NOT ACCEPTABLE
By: _____ / /

50

EDWARD SILVA ARCHITECT
EDWARD SILVA, ARCHITECT REG. No. 11131
8900 SW 117 AVENUE, SUITE 107-B, Miami, Florida 33186
(305) 275-8383 / (FAX) 275-8381
E.S.A.

" Meeting the needs of the building industry through innovative design "

COTTAGE OF SILVER PALM

102 AVE & SW 232ND STREET
MIAMI, FLORIDA

H.R. REALTY & INVESTMENTS, INC
705 ARVIDA PKWY
CORAL GABLES, FL 33156

DRAWING INDEX

SP-1	SITE PLAN AND LEGEND
L-1	LANDSCAPE PLAN, LEGEND AND DETAILS
L-2	COMMON AREA CALCS.
D-1	TYPICAL SETBACK DETAILS
D-2	TYPICAL SETBACK DETAILS FOR SINGLE FAMILY HOMES
D-3	TYPICAL SETBACK DETAILS FOR TOWNHOUSES
D-4	TYPICAL SETBACK DETAILS FOR TOWNHOUSES
A-1.1	GAZEBO AND RECREATIONAL CENTER. FLOOR PLAN
A-1	ELEVATIONS. 6 UNIT BUILDING
A-2	OVERALL FLOOR PLAN. 6 UNIT BUILDING
A-1	ELEVATIONS. 7 UNIT BUILDING
A-2	1ST AND 2ND FLOOR PLAN. 7 UNIT BUILDING
A-3	3RD FLOOR PLAN. 7 UNIT BUILDING
A-1	FLOOR PLAN & ELEVATION. MODEL- COURTYARD
A-1	FLOOR PLAN & ELEVATION. MODEL- ADMIRAL

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY [signature]

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6/16/04
CC #15

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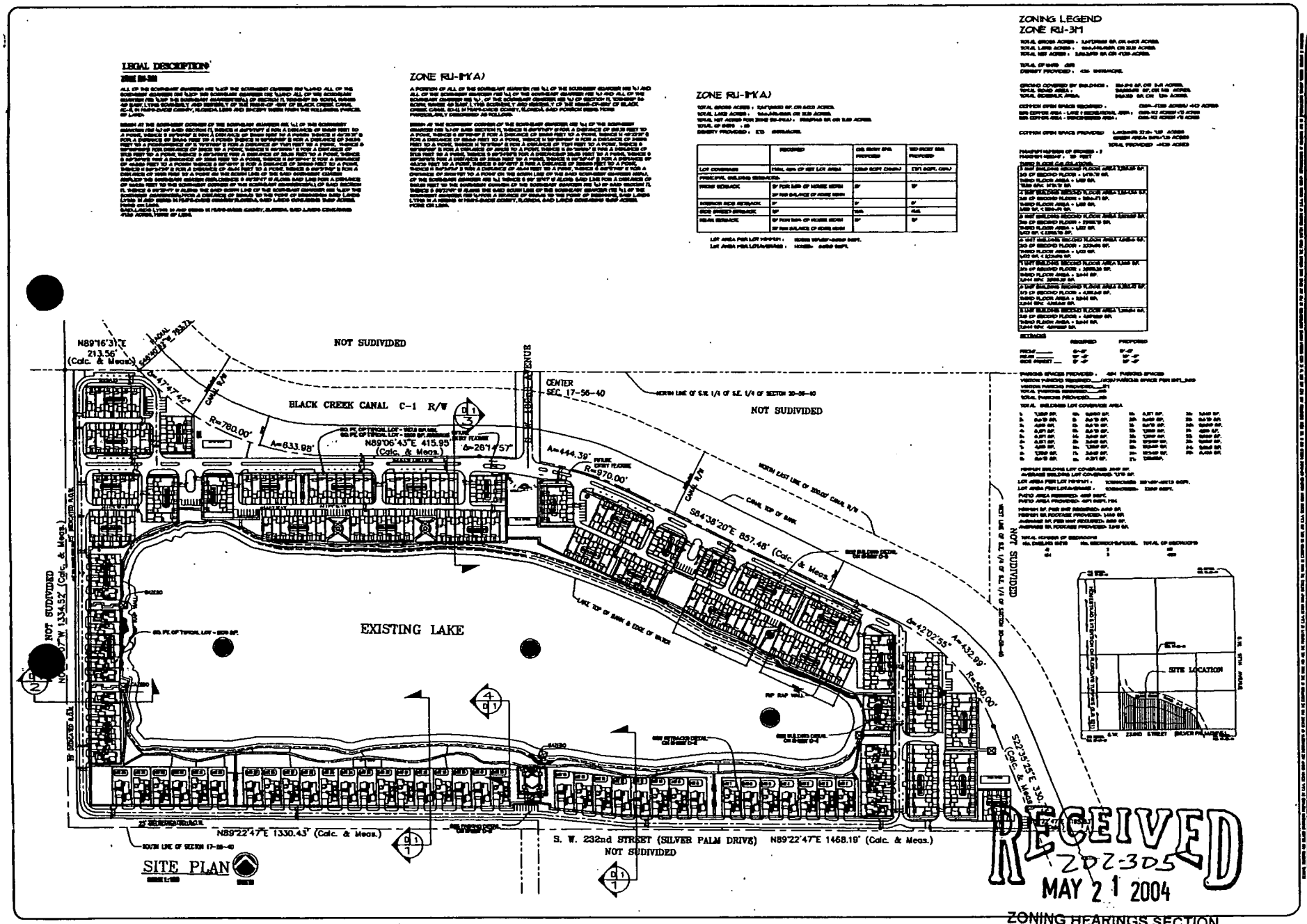


RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

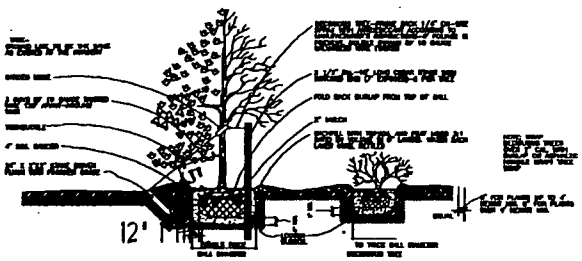
ISSUANCE FOR

Client: COTTAGE OF SILVER PALM
Address: 102 AVE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: SITE PLAN

Job No.:
Drawn By:
Scale: As Noted
Date: 05-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

SP-1
of



	REQUIRED	PROVIDED
LANDSCAPE OPEN SPACE: (IF APPLICABLE)	30 %	64.6 %
GREENBELT WIDTH: (IF APPLICABLE)	— FT.	— FT.
MAXIMUM LAWN AREA: (70 % MAX)	[illegible] SF.	[illegible] SF.

	REQUIRED	PROVIDED
TREES PER LOT: - 3 TREES/ LOT	[illegible]	[illegible]
STREET TREES: (30' O.C. AVG.)	71	71
TOTAL TREES:	[illegible]	[illegible]
SHRUBS: (10 SHRUBS PER TREE REQUIRED)	1,090	1,090

	REQUIRED	PROVIDED
LANDSCAPE OPEN SPACE: (IF APPLICABLE)	30 %	30 %
GREENBELT WIDTH: (IF APPLICABLE)	— FT.	— FT.
MAXIMUM LAWN AREA: (50 % MAX)	[illegible] SF.	[illegible] SF.

	REQUIRED	PROVIDED
TREES PER ACRE: - 20 TREES/ ACRE	[illegible]	1571
STREET TREES: (30' O.C. AVG.)	370	370
TOTAL TREES:	[illegible]	1571
SHRUBS: (10 SHRUBS PER TREE REQUIRED)	[illegible]	15,710

PLANT SCHEDULE

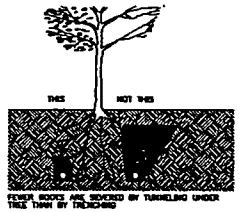
SYMB.	QTY.	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS
TREES					
	71	SWIETENIA MAHOGANY	MAHOGANY	YES	12' HGT. X 5' SPRD.
	19	CONOCARPUS ERECTUS	BUTTONWOOD	YES	16'-12' HGT. X 5' SPRD.
	40	QUERCUS VIRGINIANA	LIVE OAK	YES	16'-12' HGT. X 5' SPRD.
	39	SABAL PALMETTO	CABBAGE PALM	YES	16'-12' HGT. X 5' SPRD.
SHRUBS					
	2,259	CALLICARPA AMERICAN	BEAUTY BUSH	YES	24" MAX. HGT.
		3" LAYER MULCH FINISH			14,384 SF
SOD		ST. AUGUSTINE SOD STENOTAPHRUM SECUNDATUM 'FLORATAM'			SOLID SOD, LAID TIGHTLY IN PLACE, 100% WEED AND DISEASE FREE

NOTE: MIN. THREE TRUNK OF 4" IN DIAMETER

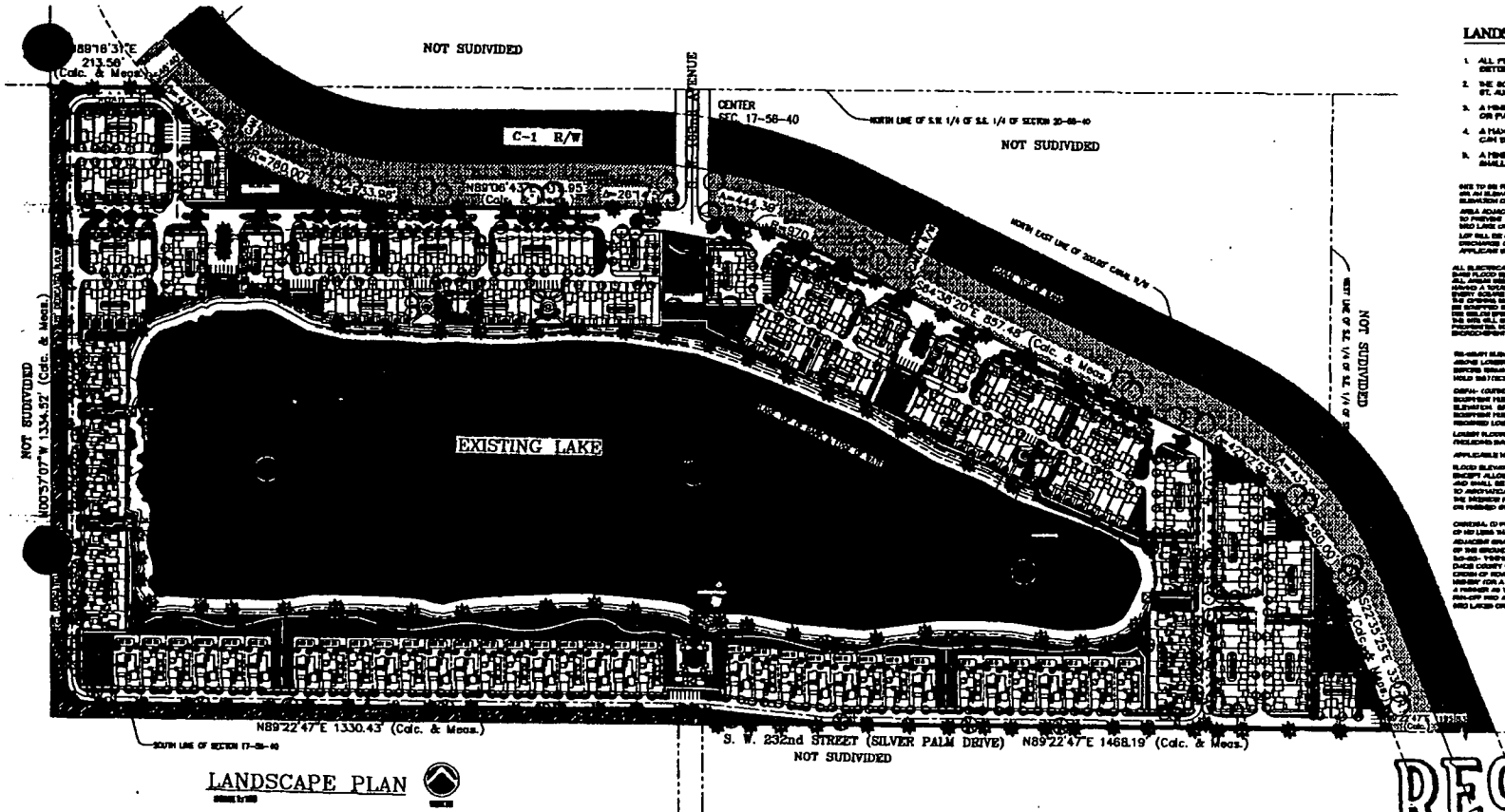
PLANT SCHEDULE

SYMB.	QTY.	BOTANICAL NAME	COMMON NAME	NATIVE	REMARKS
TREES					
	440	SWIETENIA MAHOGANY	MAHOGANY	YES	12' HGT. X 5' SPRD.
	105	CONOCARPUS ERECTUS	BUTTONWOOD	YES	16'-12' HGT. X 5' SPRD.
	250	QUERCUS VIRGINIANA	LIVE OAK	YES	16'-12' HGT. X 5' SPRD.
	245	SABAL PALMETTO	CABBAGE PALM	YES	16'-12' HGT. X 5' SPRD.
SHRUBS					
	8,710	CALLICARPA AMERICAN	BEAUTY BUSH	YES	24" MAX. HGT.
		3" LAYER MULCH FINISH			14,384 SF
SOD		ST. AUGUSTINE SOD STENOTAPHRUM SECUNDATUM 'FLORATAM'			SOLID SOD, LAID TIGHTLY IN PLACE, 100% WEED AND DISEASE FREE

NOTE: MIN. THREE TRUNK OF 4" IN DIAMETER



FEWER ROOTS ARE SEVERED BY TUNNELING UNDER TREE THAN BY TRENCHING



LANDSCAPE PLAN

LANDSCAPE NOTES:

1. ALL PLANTS MATERIAL SHALL BE FL. No. 1 OR BETTER IN GRADE AND QUALITY.
2. THE SOD MATERIAL TO BE PLANTED SHALL BE ST. AUGUSTINE FLORATAM.
3. A MINIMUM OF 50% OF THE REQUIRED TREES AND OR PALMS SHALL BE NATIVE SPECIES.
4. A MAXIMUM OF 30% OF THE NATIVE TREES CAN BE SABAL PALMETTO, (CABBAGE PALM).
5. A MINIMUM OF 30% OF THE REQUIRED SHRUBS SHALL BE NATIVE SPECIES.

NOTE TO BE FILLED TO COUNTY FLOOD CRITERIA ELEVATION HAVE AN AN ELEVATION NO LESS THAN THE HIGHEST APPROVED CROWN ELEVATION OF THE ROAD ADJACENT TO THE PROPERTY.

AREA ADJACENT TO LAKE OR CANAL TO BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF SUBSTANCES INTO LAKE OR CANAL.

LOT WILL BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF POLLUTANTS OVER ADJACENT PROPERTY. APPLICANT WILL PROVIDE CERTIFICATION PRIOR TO FINAL INSPECTION.

ALL ELECTRICAL, MECHANICAL AND PLUMBING WILL BE PLACED AT OR ABOVE THE BASE FLOOD ELEVATION [illegible]

ALL AREAS BELOW THE WALLS WILL BE PROVIDED WITH A MINIMUM OF [illegible] OPENING HAVING A TOTAL NET AREA OF NO LESS THAN ONE SQUARE INCH OF OPENING FOR EVERY SQUARE FOOT OF ENCLOSED AREA SUBJECT TO FLOODING. THE BOTTOM OF THE OPENING WILL BE NO HIGHER THAN ONE FOOT ABOVE GRADE. OPENINGS WILL BE PROVIDED WITH SCREENS OR LOUVERS. FLOOD DAMAGE MATERIALS WILL BE THE BELOW THE.

THE SITE WILL BE GRADED IN A MANNER TO PREVENT THE FLOODING OF ADJACENT PROPERTIES. EXCEPTIONS SHALL BE BE DOCUMENTED ON SITE AND NO DAMAGE TO ADJACENT PROPERTIES.

THE MINIMUM ELEVATION CERTIFICATE IS REQUIRED BEFORE FRAMING AND INSPECTION ABOVE LOWEST FLOOR AND A FINAL ELEVATION CERTIFICATE IS REQUIRED BEFORE ISSUANCE OF CERTIFICATE OF OCCUPANCY OR COMPLETION ACCEPTANCE HOLD 305/(305-305) CALL 375-6400

DERM- (OUTSIDE SPECIAL FLOOD HAZARD) ALL ELECTRICAL AND MECHANICAL EQUIPMENT MUST BE LOCATED AT OR ABOVE THE REQUIRED LOWEST FLOOR ELEVATION. DPA (SPECIAL FLOOD HAZARD) ALL ELECTRICAL AND MECHANICAL EQUIPMENT MUST BE LOCATED AT OR ABOVE THE BASE FLOOD ELEVATION OR REQUIRED LOWEST FLOOR ELEVATION WHICHEVER IS HIGHER.

LOWEST FLOOR: MEANS THE LOWEST FLOOR OF THE LOWEST ENCLOSED AREA (INCLUDING BASEMENT). AN UNFINISHED OR FLOOD RESISTANT ENCLOSURE, USABLE

APPLICABLE NON-ELEVATION DESIGN REQUIREMENTS IN SECTIONS 5-A, 5-A-1, 5-A-2.

FLOOD ELEVATIONS SHALL BE DESIGNED TO PRECLUDE FINISHED LIVING SPACE EXCEPT ALLOWABLE AREA IN PARKING, LIMITED STORAGE, AND BUILDING ACCESS AND SHALL BE DESIGNED TO ALLOW FOR THE ENTRY AND EXIT OF FLOOD WATERS TO AUTOMATICALLY EQUALIZE HYDROSTATIC FLOOD FORCES ON EXTERIOR WALLS THE HIGHER POINTS OF ANY ENCLOSED AREA SHALL NOT BE PERMITTED OR ON FINISHED FLOOD RESISTANT MATERIALS ONLY) AND EXTERIOR ROOTS OR.

GENERAL (1) PROVIDE A MINIMUM OF 300 (1) OPENINGS HAVING A TOTAL NET AREA OF NO LESS THAN (1) SQUARE INCH FOR EVERY SQUARE FOOT OF ENCLOSED AREA.

ADJACENT GRADE NO-3- "SHALL MEAN THE HIGHEST FINISHED GRADED ELEVATION OF THE GROUND SURFACE RIGHT TO THE PROPOSED WALLS OF THE STRUCTURE". NO-40- "FINISHED GRADE SHALL MEAN THE ELEVATION ESTABLISHED IN DADE COUNTY FLOOD CRITERIA MAP AT A SPECIFIC DEVELOPMENT SITE OR CROWN OF ROAD ELEVATION OF AS SUPPED ADJACENT ROAD, WHICHEVER IS HIGHER FOR A SINGLE FAMILY RESIDENCE). SITE GRADING MUST BE PROVIDED IN A MANNER AS TO RETAIN PROPERTIES RUN-OFF WITHIN THE SITE AND PREVENT RUN-OFF INTO ADJACENT PROPERTY AS WELL AS DIRECT SURFACE WATER RUN-OFF INTO LAKES OR CANALS.

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

Job No:
Drawn By:
Scale: As Noted
Date: 5-05-2004
Lot:
Block:

ISSUANCE FOR

Date	Description	Date	Description

Client: COTTAGE OF SILVER PALM
Address: 102 AVE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: LANDSCAPE PLAN AND LEGENDS PLAN

L-1
of

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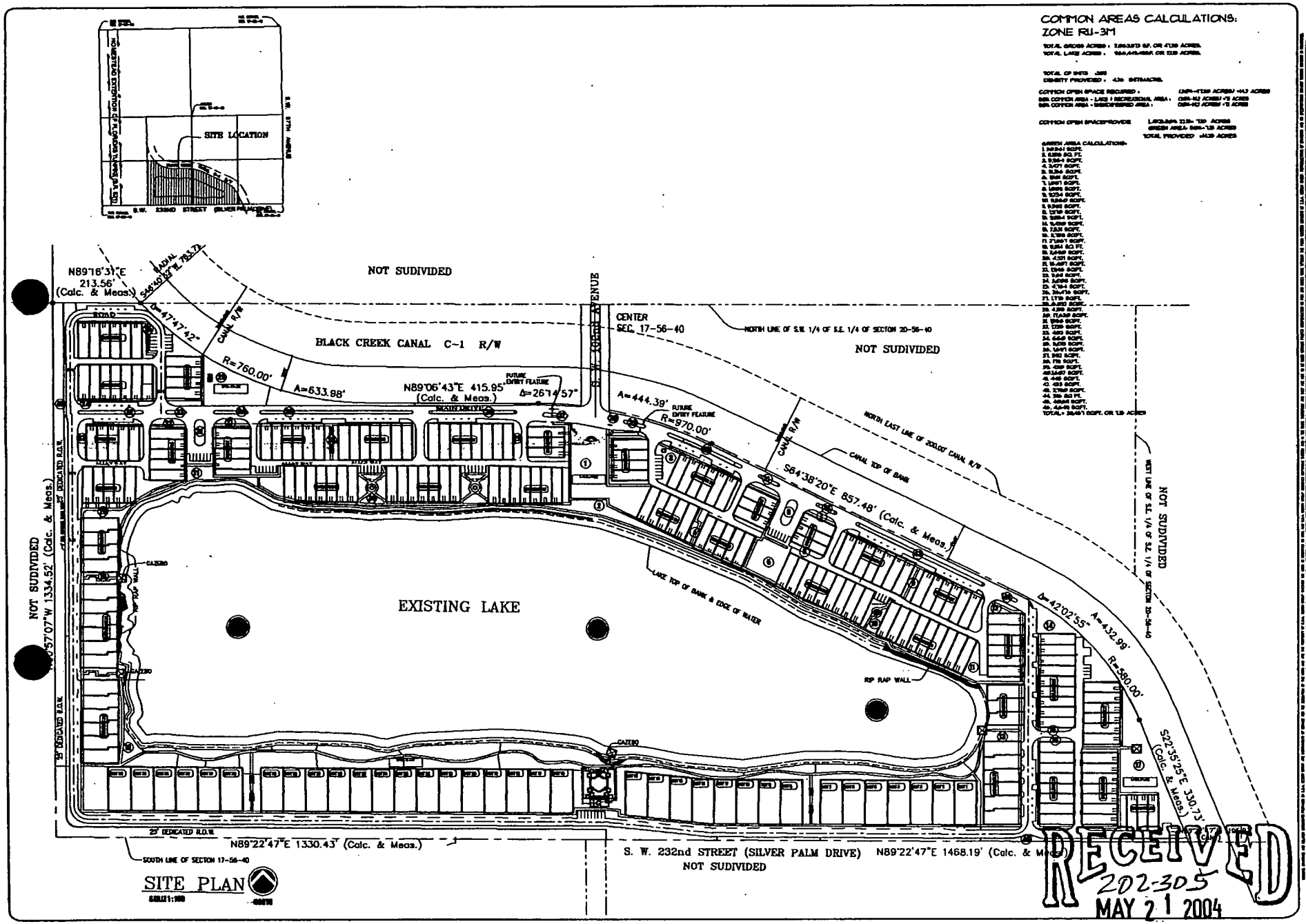
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

53



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MAY 21 2004

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: LANDSCAPE PLAN
COMMON AREA CALCULATIONS

EDWARD SILVA, ARCHITECT
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(305) 275-8383 / FAX - (305) 275-8381
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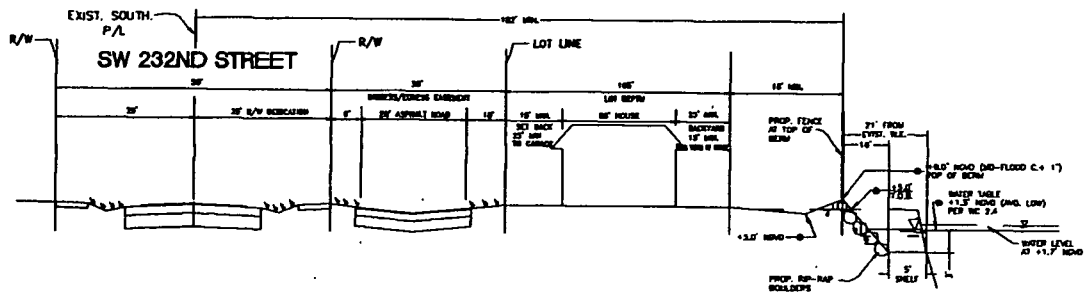
Job No.:
Drawn By:
Scale: AS NOTED
Date: 05-18-2004
Lot:
Block:

L-2
of



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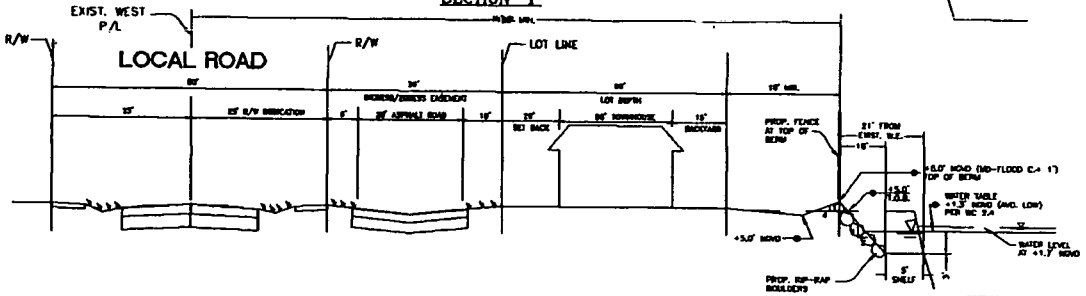

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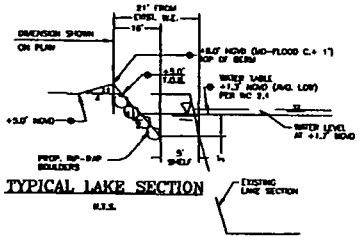

TYPICAL LAKE SECTION

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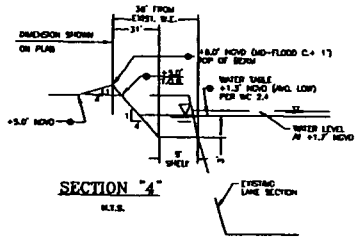

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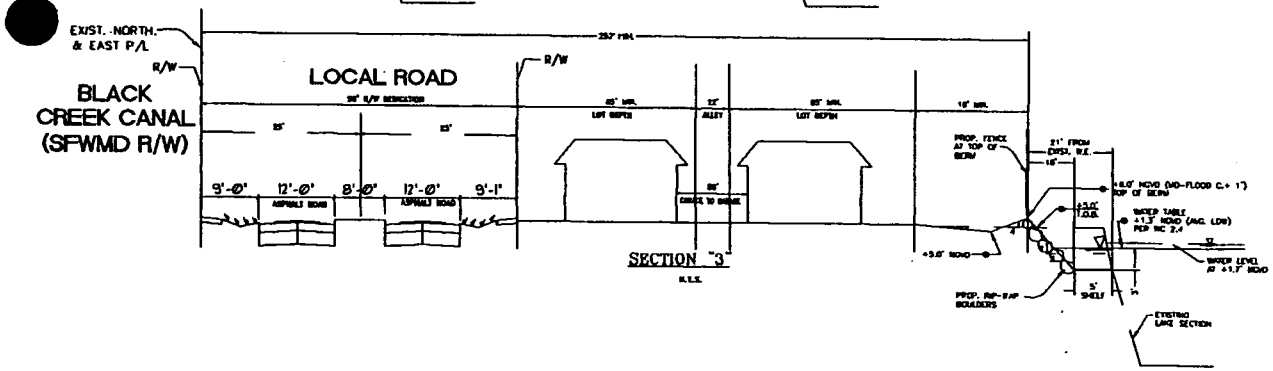

SECTION "3"

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 112 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: DETAILS
TYPICAL SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-18-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

E.S.A.

D-1
of

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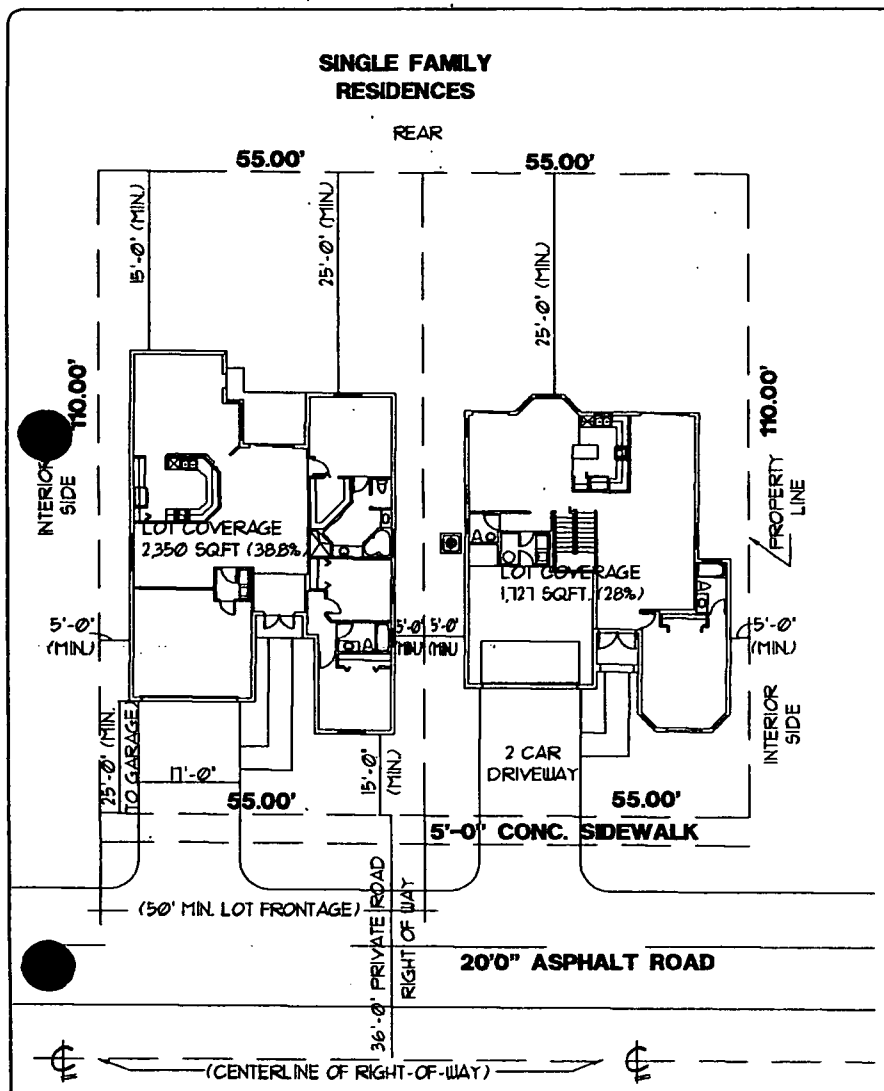

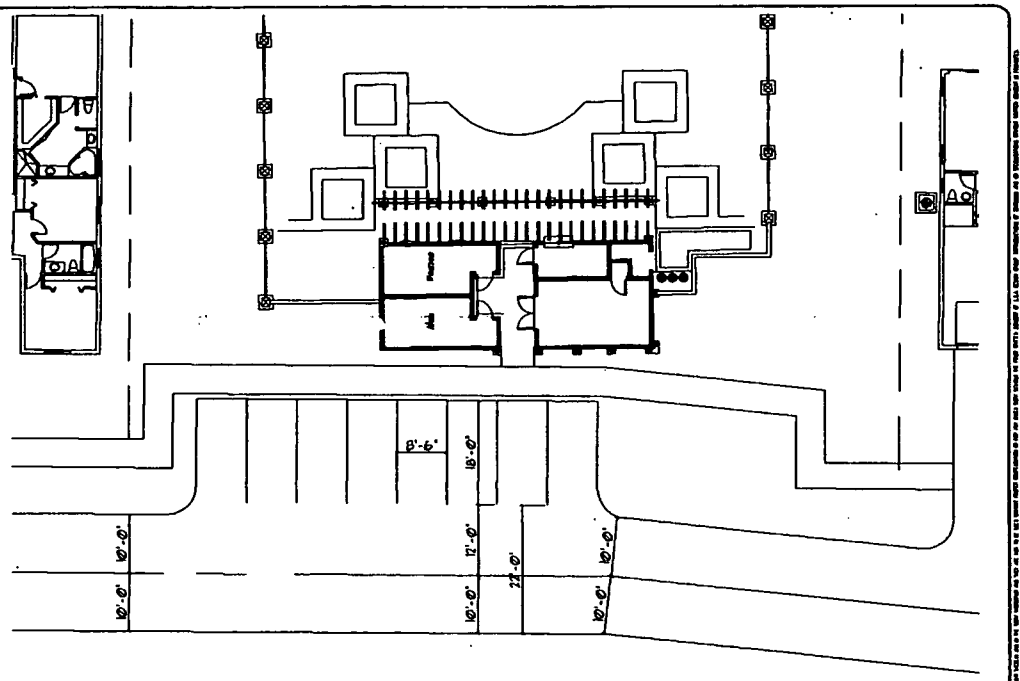

PARKING DETAIL

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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55

ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: DETAILS
SINGLE FAMILY RESIDENCE SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

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D-2
of

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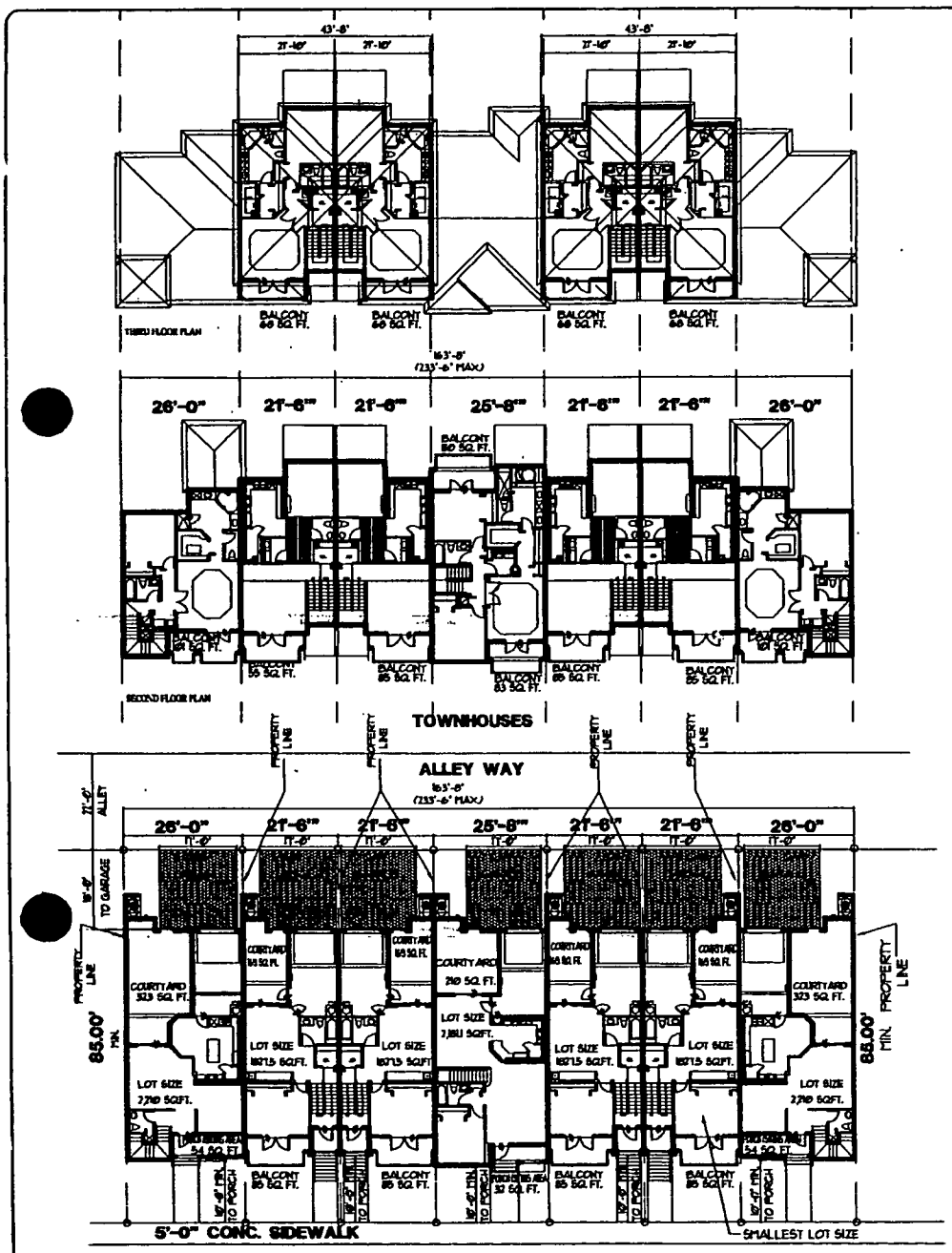


PATIO CALCULATIONS:

MODEL A PATIO PROVIDED:

COURTYARD=	169 SQ.FT.
FIRST FLOOR BALCONY=	85 SQ.FT.
SECOND FLOOR BALCONY=	85 SQ.FT.
THIRD FLOOR BALCONY=	68 SQ.FT.
TOTAL PATIO AREA PROVIDED=	407 SQ.FT.

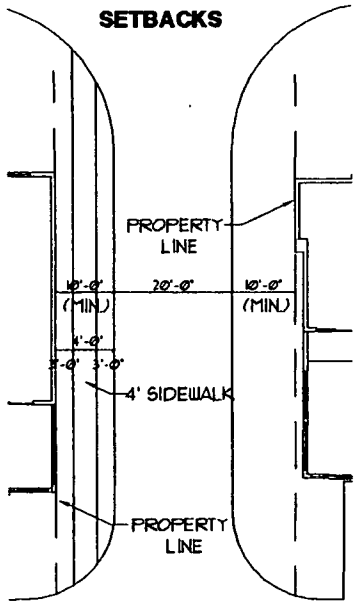
MODEL B PATIO PROVIDED:

COURTYARD=	323 SQ.FT.
PORCH (SITTING AREA)=	54 SQ.FT.
BALCONY=	101 SQ.FT.
TOTAL PATIO AREA PROVIDED=	478 SQ.FT.

MODEL C PATIO PROVIDED:

COURTYARD=	210 SQ.FT.
PORCH (SITTING AREA)=	32 SQ.FT.
BALCONY (MASTER SUITE)=	83 SQ.FT.
BALCONY (BEDROOM)=	100 SQ.FT.
TOTAL PATIO AREA PROVIDED=	42 SQ.FT.

TOWNHOUSES TYPICAL SIDE SETBACKS



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MIAMI-DADE PLANNING AND ZONING DEPT.
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ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 302-577-0909
Plan: DETAILS
TOWNHOUSES SETBACK DETAILS

Job No.:
Drawn By:
Scale: As Noted
Date: 05-18-2004
Lot:
Block:

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REG. No. 0011131
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of

56

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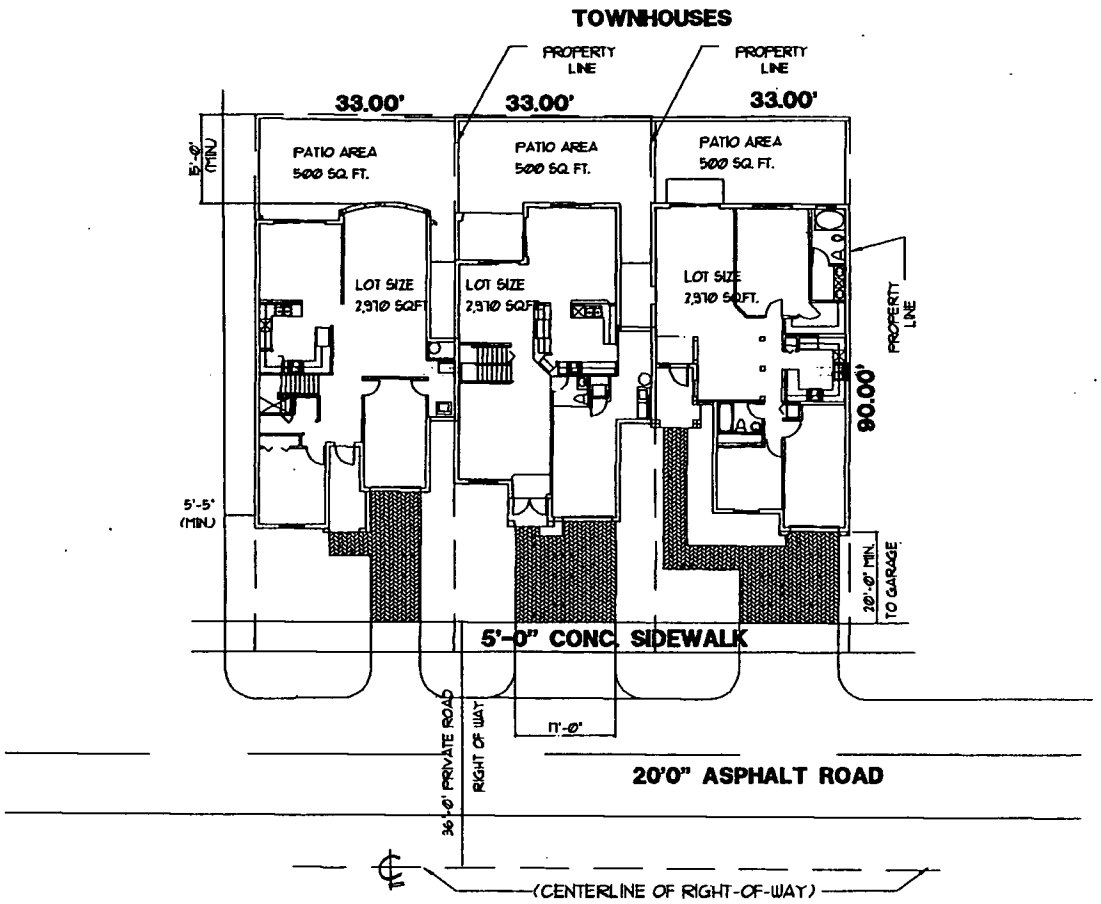

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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ISSUANCE FOR

Client: COTTAGES OF SILVER PALM
Address: 102 AVENUE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0909
Plan: DETAILS
TOWNHOUSES SETBACK DETAILS

Job No.:
Draw By:
Scale: As Noted
Date: 05-19-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

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of

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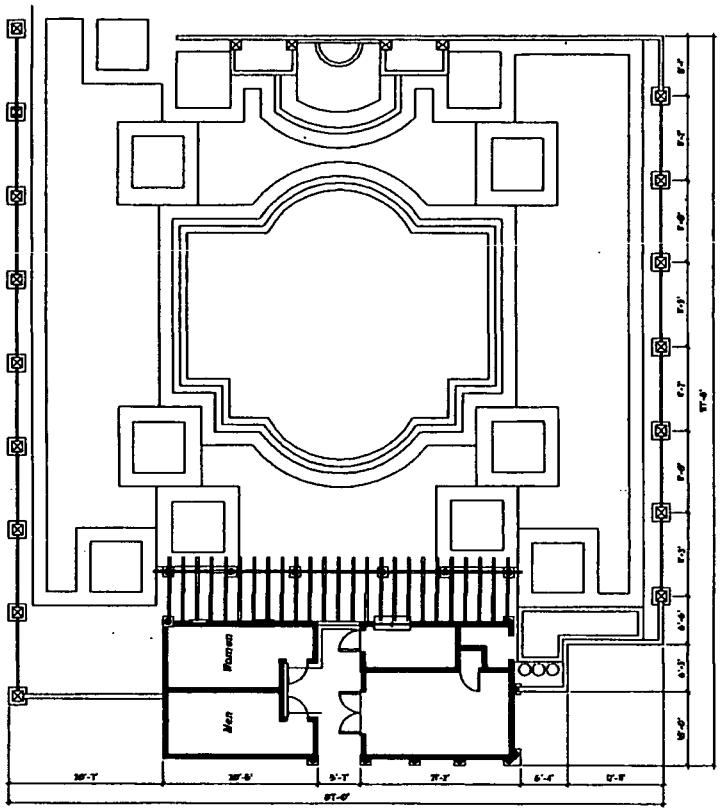
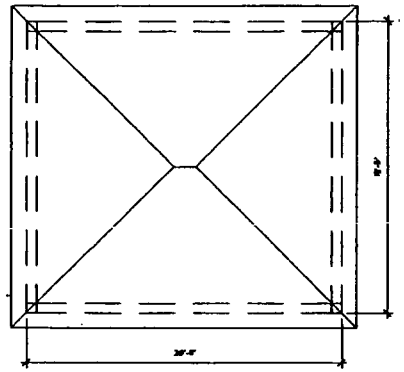
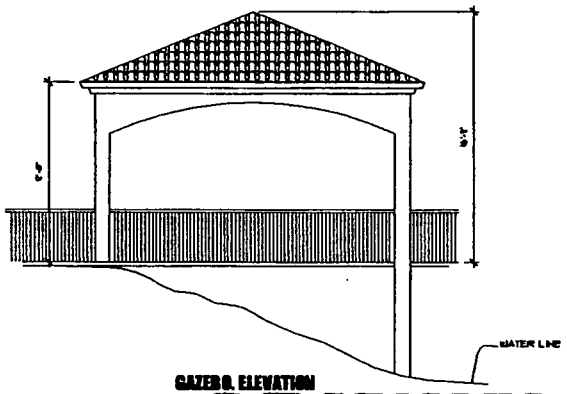


FLOOR PLAN
RECREATION CENTER



GAZEBO FLOOR PLAN



GAZEBO ELEVATION

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

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address: 102 AVE & SW 232ND STREET
Address: MIAMI, FLORIDA
Phone: 305-577-0609
Plan: GAZEBO AND RECREATIONAL CENTER

Job No.:
Drawn By:
Scale: 3/16" = 1'-0"
Date: 05-10-2004
Loc:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-1.1

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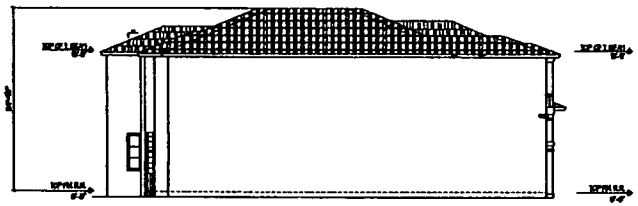
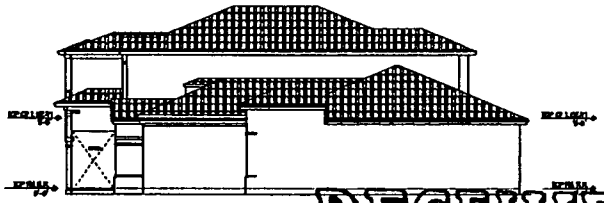
FRONT ELEVATION 1/8"



LEFT ELEVATION 1/8"



RIGHT ELEVATION 1/8"

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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REAR ELEVATION 1/8"

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59

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: ELEVATIONS 6 UNIT BUILDING

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 05-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

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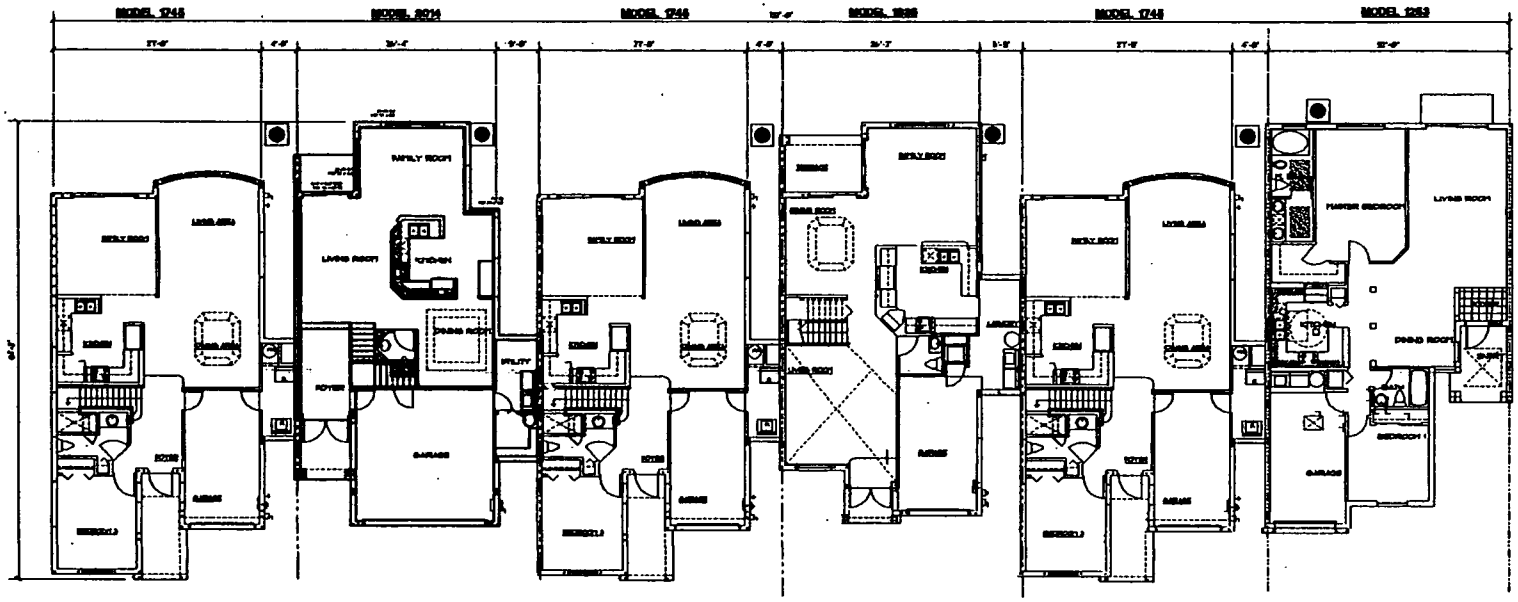
A-1



6 UNIT BUILDING OVERALL FLOORPLAN

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ZDZ-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: OVERALL FLOORPLAN
6 UNIT BUILDING

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 05-19-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

E.S.A.

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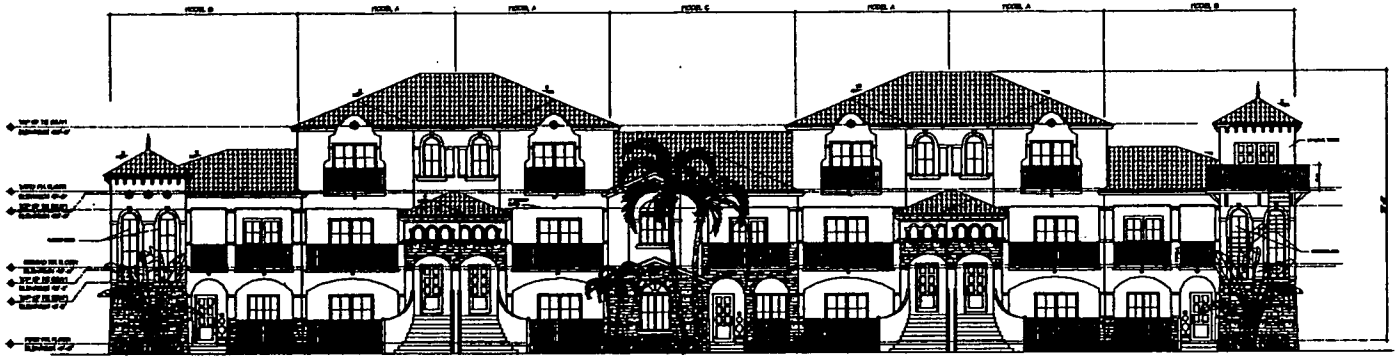

FRONT ELEVATION
BUILDING TYPE - 1

FRONT ELEVATION

BUILDING TYPE 1 -REAR ELEVATION

RECEIVED
2D2-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: ELEVATIONS 7 UNIT BUILDING

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 3-19-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-1
of

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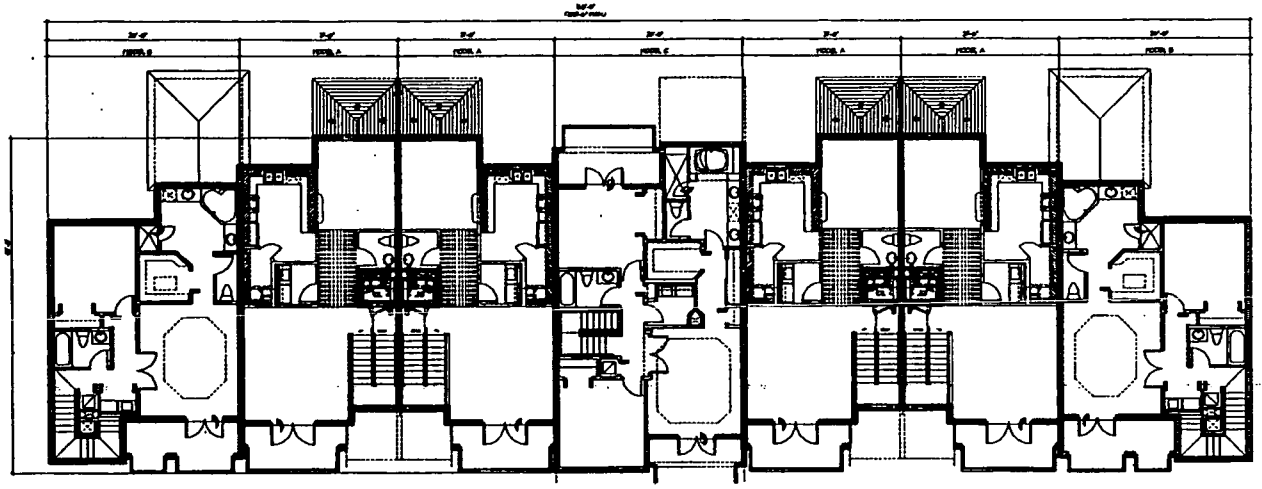
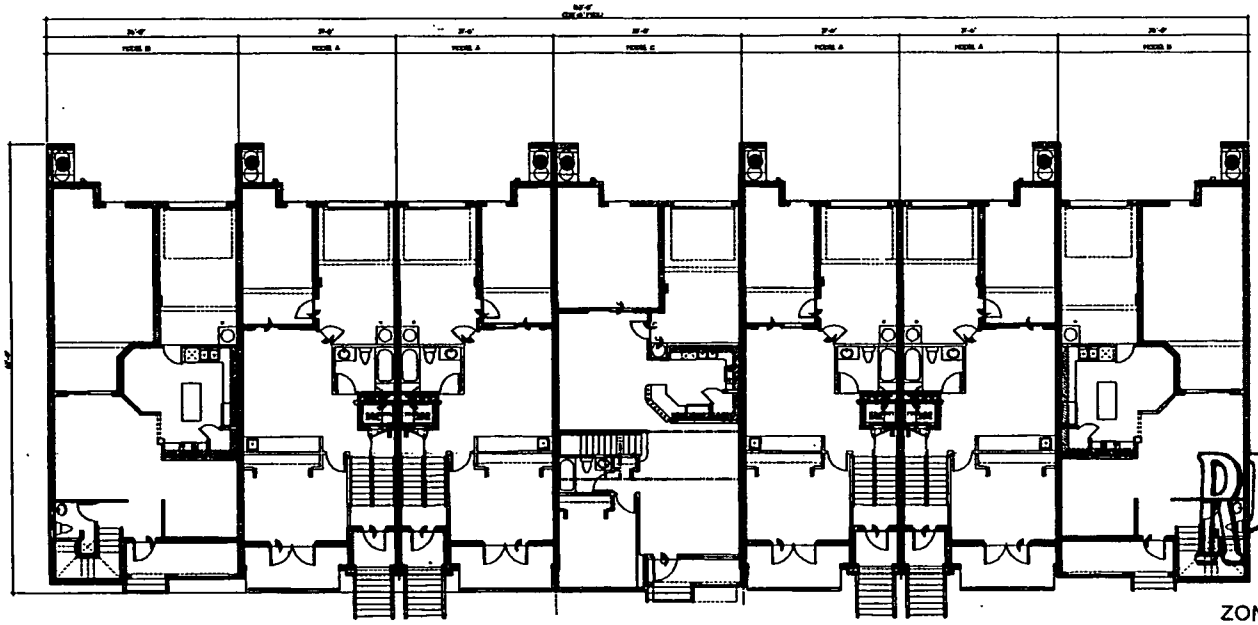
62



SECOND FLOOR PLAN



FIRST FLOOR PLAN

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Phone:
Plan: FIRST FLOOR OVERALL PLAN
7 UNIT BUILDING

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 3-05-03
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8000 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-2
of

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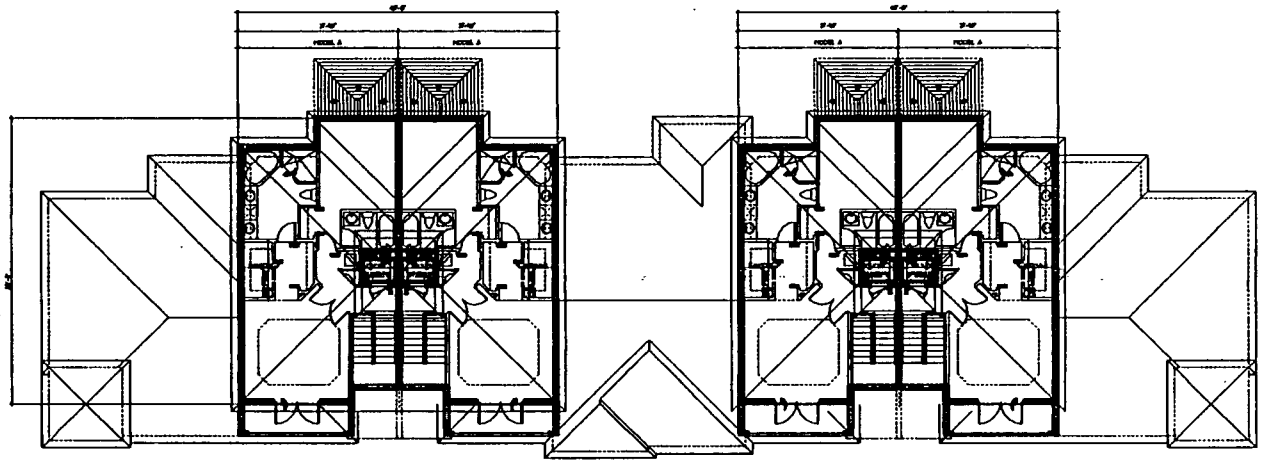
63



THIRD FLOOR PLAN

RECEIVED
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MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Phone:
Plan: THIRD FLOOR/ROOF OVER-ALL PLAN
7 UNIT BUILDING

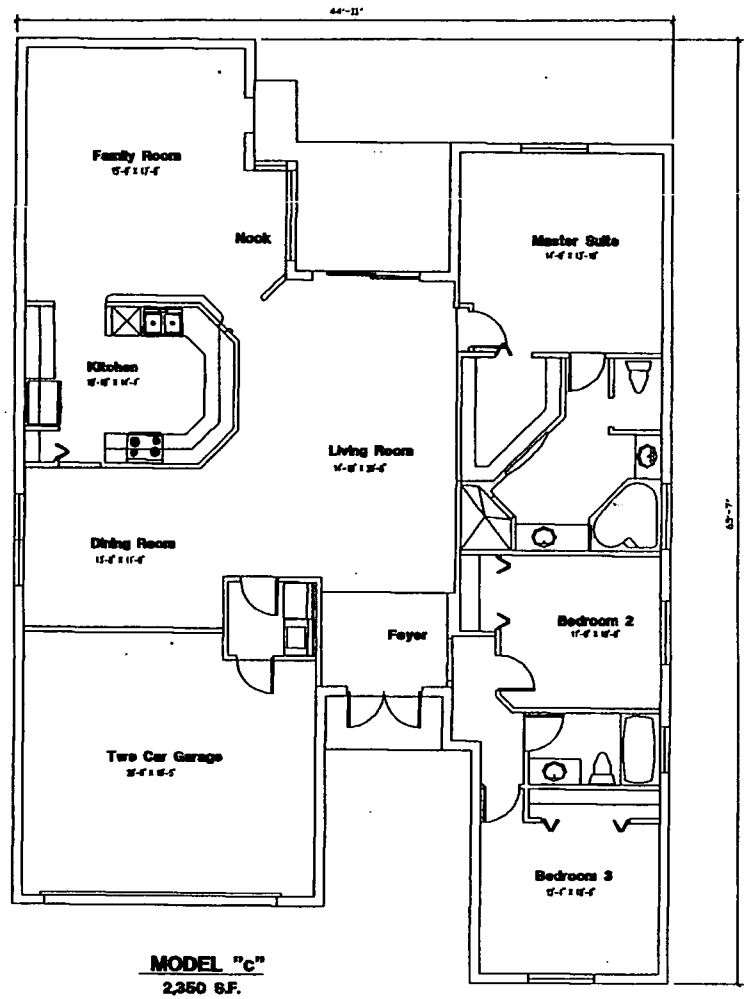
Job No.:
Drawn By:
Scale: 1/8"=1'-0"
Date: 5-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8000 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-3
of

P:\cottages of silver palm\BUILDING1.dwg, 05/20/04 06:00:16 PM, HP DesignJet 1050

64



MODEL "c"
2,350 S.F.
SCALE=1/4"

RECEIVED
202-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR
Chrome Construction Chrome

05/20/04

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: BROCHURE
MODEL - COURTYARD

Job No.:
Drawn By:
Scale: 1/8" = 1'-0"
Date: 5-10-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381
E.S.A.

A-1
of

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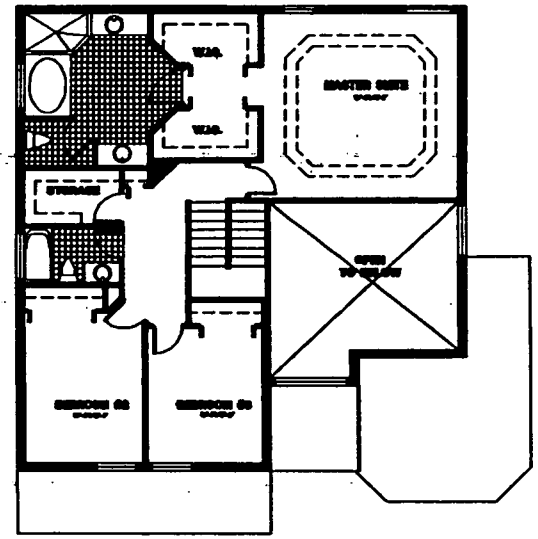
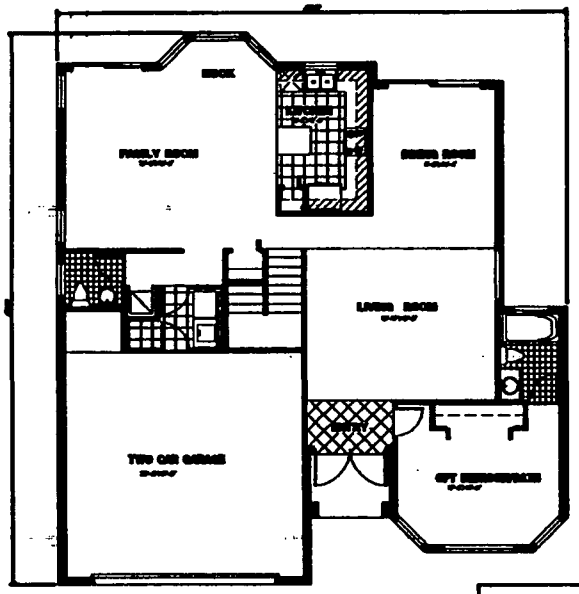
65



Admiral



Admiral

LIVING AREA	: 2633 SQ.FT
ENTRY	: 46 SQ.FT.
GARAGE	: 476 SQ. FT.
TOTAL	: 3156 SQ.FT.

Admiral

RECEIVED
ZD2-305
MAY 21 2004
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY BC

ISSUANCE FOR

Client: COTTAGES OF SILVER LAKES
Address:
Address:
Phone:
Plan: BROCHURE
MODEL - ADMIRAL

Job No.:
Dwn By:
Scale: 3/16" = 1'-0"
Date: 5-18-2004
Lot:
Block:

EDWARD SILVA, ARCHITECT
REG. No. 0011131
8900 SW 117 AVE #B107, MIAMI, FLORIDA 33186
(305) 275-8383 / FAX - (305) 275-8381

A-1
of

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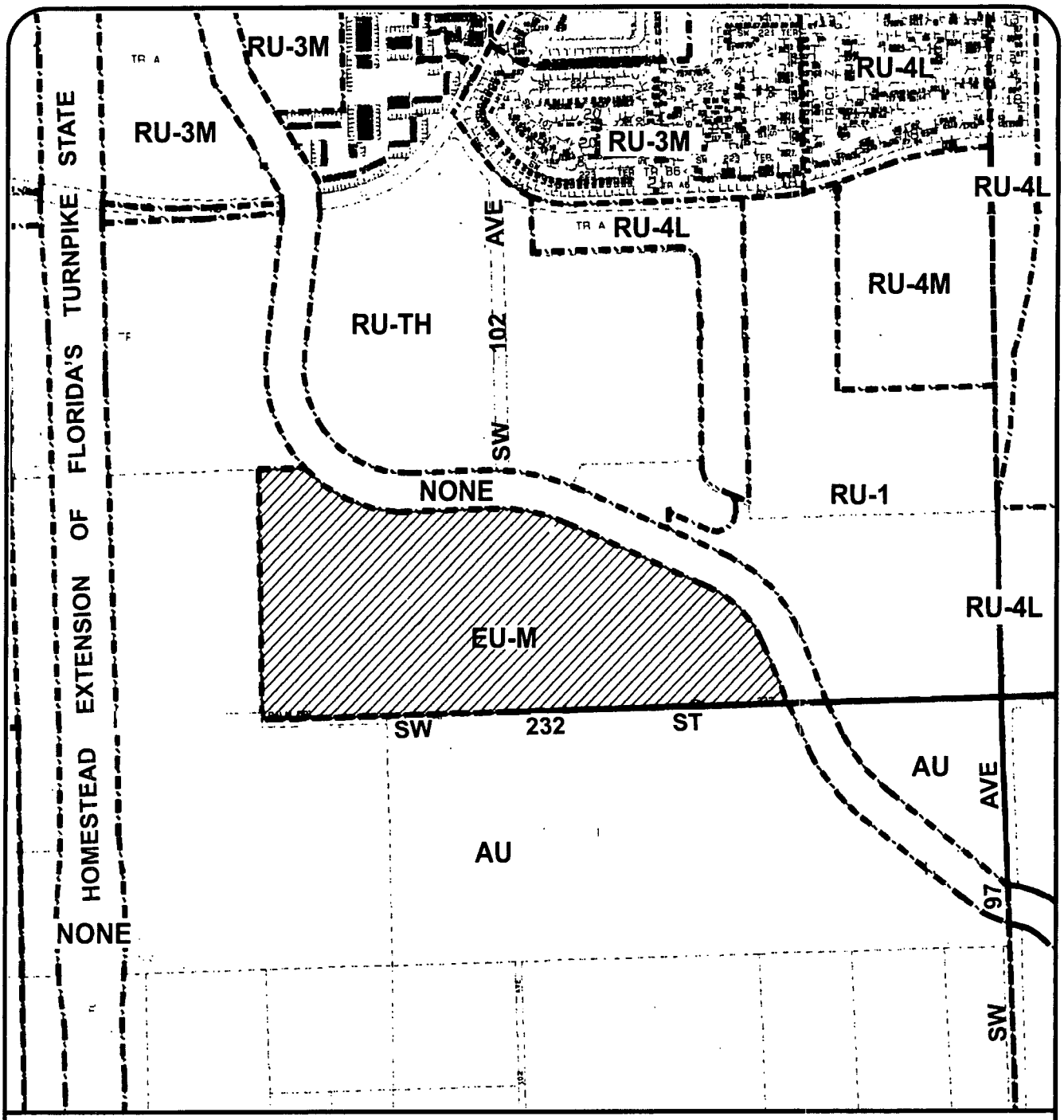


MIAMI-DADE COUNTY

HEARING MAP

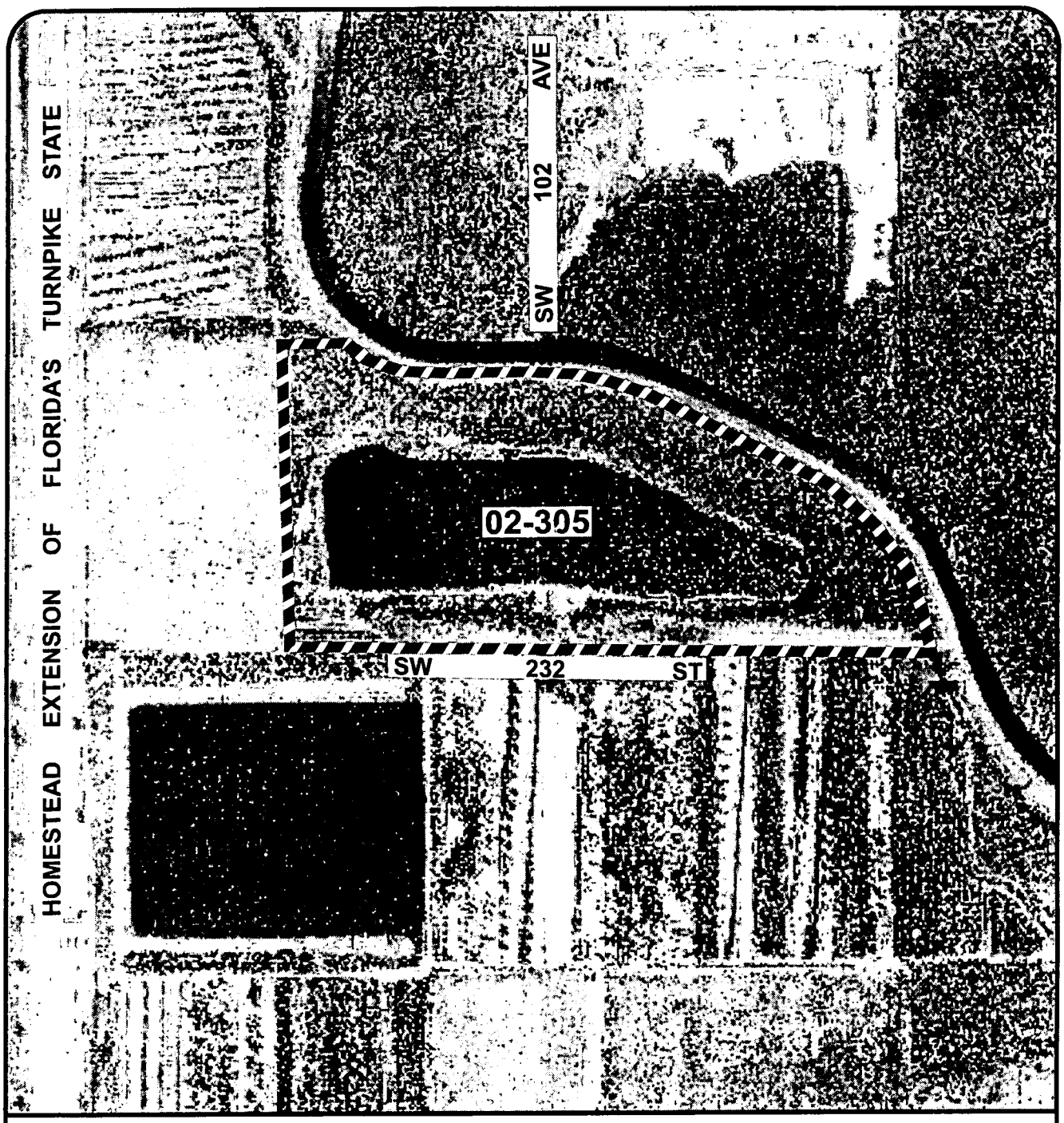
S C A L E 0 800' N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02



MIAMI-DADE COUNTY

AERIAL

S C A L E
0 NTS

N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

C. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
Area 15/District 8
Hearing Date: 4/21/04

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	MARCH 16, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☐ 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 STD. CONDITIONS

☒ OTHER: (to submit revised plans)

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
MS.	S	Alfonsina SERGIO	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Stephen Stieglitz

2

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor **Objectors:** _____

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** January 30, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____ Standard Conditions: 4/28/03

Per DIC ____ Deferred to: _____

Approved as Requested ____ Withdrawal _____

Denied Without Prejudice ____

Denied With Prejudice ____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Ronald Bernstein

3

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H. R. REALTY & INVESTMENTS, INC.

Representative: Bill Reilly **Objectors:** Lana Floyd

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** April 28, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: _____

Per DIC _____ Deferred to: June 24, 2003

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: due to omnipoint holding

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel Adams S	✓		
Leonard Anthony M	✓		
JoAnn Bova	✓		
Paul S. Vrooman	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Steven Stieglitz

4

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Bill Riley

Objectors: NONE

Hearing No. 03-1-CZ15-6 (02-305)

Hearing Date: June 24, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____

Per DIC ____

Approved as Requested ____

Denied Without Prejudice ____

Denied With Prejudice ____

Standard Conditions: ____

✓ Deferred to: Sept. 23, 2003

Withdrawal ____

Other: ____

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

		Yes	No	Absent
Al Alvarez		✓		
Daniel L. Adams	S	✓		
Leonard Anthony		✓		
JoAnn Bova	M	✓		
Paul S. Vrooman				✓
Nancy McCue		✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓

County Attorney: Jay Williams

5

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	DECEMBER 9, 2003	CZAB15- -03

REQUESTS: EU-M to RU-3M

DEPT. REC: DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS:

☒ DEFER: ☐ INDEFINITELY ☒ TO: JAN. 20, '04 ☐ 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 STD. CONDITIONS

☒ OTHER: READVERTISE AT COUNTY'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)			✓

VOTE: 4 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Ron Bernstein

6

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): DYLAN RANGEL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	SEPTEMBER 23, 2003	CZAB15- -03

DEPT. REC: DENIAL W/OUT PREJUDICE OR DEFERRAL

1) EU-M to RU-3M

MOTION:

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☒ With Leave To Amend

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH STD. CONDITIONS

☒ OTHER: at applicant's expense

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.	S	Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.	M	JoAnn BOVA	✓		
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	JANUARY 20, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS:

☒ DEFER: ☐ INDEFINITELY ☒ TO: MARCH 16, '04 ☐ 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 STD. CONDITIONS

☐ OTHER:

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY		✓	
MS.		JoAnn BOVA	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 5 to 1

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

8

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 15

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 17-56-40 **DATE:** April 21, 2004

COMMISSION DISTRICT: 8 **ITEM NO.:** C

==========

A. INTRODUCTION

- **REQUESTS:**

(1) EU-M to RU-3M

(2) UNUSUAL USE to permit the filling of a lake.

(3) Applicant is requesting to waive zoning and subdivision requirements for section line roads to be 80' in width; to permit a minimum of 0' of dedication (40' required) for a portion of the north half of theoretical S.W. 232 Street.

(4) Applicant is requesting to permit 15' of parking back out (22' required).

(5) Applicant is requesting to permit buildings to setback 10' from side street property lines (15' required).

(6) Applicant is requesting to permit a building height of 37'4" (35' maximum permitted).

(7) Applicant is requesting to permit parking and driveways within 25' of a right-of-way (not permitted).

(8) Applicant is requesting a lawn area of 60.01% (60% permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #3-#8 may be considered under §33-311(A)(15) (Alternative Site Development Option for Multiple-Family use) or under §33-311(A)(4)(b)(Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 3/22/04 and consisting of 13 sheets. Plans may be modified at public hearing.

- **SUMMARY OF REQUESTS:**

The requests will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District, and additional requests will permit the filling of a lake, less parking back out space than required, less setback area from certain property lines for buildings than required, a

greater building height than permitted, a greater lawn area than permitted, parking areas and driveways closer than permitted to a right-of-way and the waiver of a portion of the required right-of-way dedication for a section line road.

- **LOCATION:**

  Lying on the north side of theoretical S.W. 232 Street and east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60± Acres

- **IMPACT:**

  The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area. The additional requests could visually impact the surrounding area and affect parking circulation on the site.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 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 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture and Urban Development Boundary

EAST:	RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST:	AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Although this area is zoned mostly for residential development, there is currently no indication of any active development. Plant nurseries are still active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Acceptable***
Location of Buildings:	**Acceptable**
Compatibility:	**Acceptable**
Landscape Treatment:	**Acceptable**
Open Space:	**Acceptable**
Buffering:	**Acceptable**
Access:	**Acceptable**
Parking Layout/Circulation:	**Acceptable**
Visibility/Visual Screening:	**Acceptable**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**Acceptable**

*except as related to requests #4 and #8

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and

11

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.

Section 33-311(A)(15) - Alternative Site Development Option for Three-unit or Four-unit Apartment House, Multiple-Family Apartment House Use and Multiple-Family Housing Developments.

This subsection provides for the establishment of an alternative site development option, after public hearing, for three-unit or four-unit apartment house, multiple-family apartment house use and multiple-family housing developments, when such uses are permitted by the applicable district regulations, in the RU-3, RU-3M, RU-4L, RU-4M, RU-4, RU-4A, and RU-5 zoning districts, in accordance with the standards established herein. In considering any application for approval hereunder, the Community Zoning Appeals Board shall consider the same subject to approval of a site plan or such other plans as necessary to demonstrate compliance with the standards herein.

Setbacks for a three-unit or four-unit apartment house, multiple-family apartment house use or multiple-family housing development shall be approved after public hearing upon demonstration of the following:

- the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining residential property; and

- the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and

- the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development to less than 20% of the total net lot area; and

- any area of shadow cast by the proposed alternative development upon an adjoining parcel of land during daylight hours will be no larger than would be cast by a structure constructed pursuant to the underlying district regulations, or will have no more than a *de minimus* impact on the use and enjoyment of the adjoining parcel of land; and

- the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofing structure and if located on the roof of such an alternative development shall screened from ground view and from view at the level in which the installations are located, and shall be designed as an integral part of and harmonious with the building design; and

- the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and

- the architectural design, scale, mass, and building materials of any proposed structure(s) or addition(s) are aesthetically harmonious with that of other existing or proposed structure(s) or building(s) on the parcel proposed for alternative development; and

- the wall(s) of any building within a setback area required by the underlying district regulations shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and

- the proposed alternative development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot, parcel or tract; and

- total lot coverage shall not be increased by more than twenty percent (20%) of the lot coverage permitted by the applicable district regulations; and

- any proposed alternative development not attached to a principal building(s), except canopy carports, is located behind the front building line; and

- any structure(s) not attached to a principal building(s) and proposed to be located within a setback required by the applicable district regulations shall be separated from any other structure(s) by at least five (5) feet; and

- safe sight distance triangles shall be maintained as required by this code; and

- the parcel proposed for alternative development will continue to provide on-site parking as required by this code; and

- the parcel proposed for alternative development shall satisfy applicable district regulations or, if applicable, prior zoning actions for similar uses issued prior to the effective date of this ordinance May 16, 2003, regulating setbacks, lot area and frontage, lot coverage, floor area ratio, common open space, private open space, structure height and densities; and

- the proposed development will meet the following:

  side street setbacks shall not be reduced by more than twenty-five percent (25%) of the setbacks required by the applicable district regulations.

Common **open space** for a multiple-family apartment house use or multiple-family housing development shall be approved upon demonstration of the following:

- common open space shall not be decreased by more than twenty percent (10%) of the common open space required by the applicable district regulations; and

- the proposed alternative development will not result in the destruction or removal of mature trees on the lot with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the lot; and

- the common open space provided shall be used to shade and cool, direct wind movements, enhance architectural features, relate structure design to site, visually screen non-compatible uses and block noise generated by major roadways and intense use areas; and

- the common open space provided shall relate to any natural characteristics in such a way as to preserve and enhance their scenic and functional qualities to the fullest extent possible; and

- the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity.

Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:

- will result in a significant diminution of the value of property in the immediate vicinity; or

- will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or

- will result in a materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or

- will combine severable use rights obtained pursuant to Chapter 33B of this code in conjunction with the approval sought hereunder so as to exceed the limitations imposed by section 33B-45 of this code.

Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the

development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

- the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and

- the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot, parcel or tract's interior side setback may warrant the provision of additional landscaping.

Section 33-311(A)(4)(b) - Non-Use Variances from other than Airport Regulations. 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.

Section 33-311(A)(4)(c) - Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance 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 non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM **No objection***

Public Works	**Objects***
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**23 additional students**

* subject to the conditions stated in their attached memoranda

H. ANALYSIS:

This application was deferred indefinitely from the meeting of March 16, 2004, to allow time for the applicant to submit revised plans and meet with the neighbors, from the meeting of January 20, 2004, to allow time for the applicant to submit revised plans, from the meeting of December 9, 2003, due to an error in the advertisement, from the meeting of September 23, 2003, at the applicant's request, with leave to amend, from the meeting of June 24, 2003, to allow the applicant time to submit plans and a covenant, and from the meetings of April 28, 2003 and January 30, 2003, with leave to amend. Although not required to do so in connection with a request for a zone change only, the applicant originally submitted a site plan showing the development of the subject property with a 174-unit single-family development, and indicated the intent to proffer a covenant limiting the development density to 174 units and tying the rezoning request to the plan submitted. However, said plan was found to not to be in accordance with the design guidelines for urban form as contained in the Land Use Element of the CDMP.

Staff notes that the applicant submitted revised plans on March 23, 2004. The amended application now requests the rezoning of the subject property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District, to allow a 202-unit residential development, an unusual use to permit the partial filling of a lake, the waiver of the required dedication of a portion of the right-of-way for S.W. 232 Street (0' minimum dedication where 40' is required), 15' of back out space for certain parking spaces where 22' is required, 10' side street setbacks for certain lots where 15' is required, a building height of 37' 4" for certain townhouse buildings where 35' maximum is permitted, parking areas and driveways located within 25' of a right-of-way where not permitted and a lawn area of 60.01% where 60% is permitted. The applicant has indicated that a revised covenant, tying the requests to the new plans submitted and limiting the development density on the site to 202 units at 7.9 dua, would be proffered in conjunction with this application.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department objects** to the request to permit 0' of dedication for a portion of the north half of the right-of-way for theoretical S.W. 232 Street and to permit 15' of parking space back-out. Said Department also indicates that this application will generate **151 PM** daily peak hour vehicle trips, the addition of which will not exceed the current Level of Service (LOS) which is at LOS "B". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **23 students** to the schools in the area, and that the applicant has proffered a covenant to the School Board in order to provide a monetary donation to mitigate the impacts generated by this application, which will exceed the FISH (Florida Inventory of School Houses) capacity.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre rock pit. The CDMP designates the site for low density residential use which permits a minimum of 2.5 and a maximum of 6.0 dua. As such, the CDMP would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site, which would be consistent with the CDMP. The proposed RU-3M zoning, at a density of 12.9 dua would permit a total of 774 units on this site if the lake is filled, or 490 units if the lake excavation remains. As such, the request to rezone to RU-3M would be inconsistent with the CDMP without a covenant limiting the density to a maximum of 360 units. As mentioned above, the applicant has submitted for staff's review, a site plan showing the development of the site with a maximum of 202 units. Additionally, the applicant has indicated the intent to proffer a covenant limiting the development density to 7.9 dua and a maximum of 202 units. As such, staff finds that, with said covenant, the zone change to RU-3M (request #1) would be **consistent** with the CDMP.

The unusual use to permit the filling of an existing lake (request #2) is supported by staff. This request involves the partial filling of the existing lake to assure that the slopes meet code requirements. In staff's opinion, the approval of same would not generate or result in excessive noise or traffic, or cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities.

When analyzing requests #3 through #8 under the Alternative Site Development Option (ASDO) standards, Section 33-311(A)(15), staff finds that the character and design of the proposed alternative development resulting from the waiver of the 40' dedication (request #3) for the section line road (S.W. 232 Street) and the location of parking areas and driveways within 25' of a right-of-way (request #7), will not result in a material diminution of the privacy of adjoining residential property and will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space. Staff finds that S.W. 232 Street abuts the Urban Development Boundary (UDB) line to the south and that it also dead-ends at the right-of-way of the Black Creek Canal (C-1) to the east, and that the small portion of the site where the dedication will be waived will become a private drive, as traffic from east bound S.W. 232 Street is continued northward via a private drive to provide street interconnectivity within the site. Additionally, staff finds that the location of parking areas and driveways within 25' of a right-of-way will be buffered by the adequate landscaping provided. There area no ASDO standards under which to analyze request #4, as such, said request cannot be evaluated under same. Although requests #5 and #6 meet the ASDO standards by not resulting in a material diminution of the privacy of adjoining residential property or in an obvious departure from the aesthetic character of the immediate vicinity, and not reducing the amount of open space on the parcel proposed for alternative development to less than 20% of the total net lot area, they do not meet the ASDO standards for setbacks since some side street setbacks are being reduced by more than 25% and since the height of the townhomes will not satisfy applicable district regulations which limit the height of structures to 35'. Request #8 is not supported by staff since maximum lawn area requirements have been established as a water conservation measure.

When analyzing requests #3 through #8 under the Non-Use Variance standards, Section 33-311(A)(4)(b), staff finds that requests #3 and #5 through #7 meet same by maintaining the basic intent and purpose of the zoning, subdivision and other land use regulations and

not adversely affecting the stability and appearance of the community. However, requests #4 and #8 do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and do adversely affect the stability of the community. Staff suggests that the townhome sections of the development with parking space backouts less than 22' be redesigned by moving the buildings forward to provide the required width for the alley ways. In the case of the townhome buildings which abut the Main Drive, it is suggested that the median be deleted to compensate for the building shift toward the street.

When analyzed under the Alternative Non-Use Variance, Section 33-311(A)(4)(c), staff finds that the applicant has not shown that a literal enforcement of the provisions of the Code would result in unnecessary hardship, since the property can be utilized in accordance with the underlying zoning district regulations, and, as such, this application does not meet those standards.

Staff finds that the revised plans' incorporation of different building types such as townhouses and single-family homes, the arrangement of housing in an interconnected block and street network, the provision of open space in the form of squares, plazas, pocket parks and green focal points, and the reduction of lot sizes on the south side of the lake to create a linear park meets the guidelines for urban form and design. In staff's opinion, the site plan provided, incorporating the guidelines for urban form, and the covenant proffered, limiting the density of the development and tying the zoning requests to said plan, make this application **consistent** with the CDMP and **compatible** with surrounding uses. Therefore, staff recommends approval of request #1, subject to the Board's acceptance of the proffered covenant, approval with conditions of request #2, approval with conditions of requests #3,and #5 through #7 under the non-use variance standards, and denial without prejudice of requests #4 and #8.

I. RECOMMENDATION:

Approval of request #1, subject to the Board's acceptance of the proffered covenant, approval with conditions of request #2, approval with conditions of requests #3, and #5 through #7 under the non-use variance standards, and denial without prejudice of requests #4 and #8.

J. CONDITIONS:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, 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 "Cottage of Silver Palm, as prepared by Edward Silva, Architect, dated 3/22/04 and consisting of 13 sheets. Except as modified herein to move the townhome buildings forward to provide the required width for the alleyways, and to show the deletion of the median to compensate for the buildings shifted toward the street where the townhome buildings abut the Main Drive.

3. That the use be established and maintained in accordance with the approved plan.

4. That in addition to any bond required by DERM, the property owner and any and all parties who may have a legal beneficial or equitable interest in the land shall execute a bond agreement with the Department of Planning and Zoning prior to issuance of a CU for a fill project. Such bond agreement shall stipulate that in order to insure compliance with all terms and conditions associated with the fill project permit approval, a cash or surety bond or substantially equivalent instrument meeting with the approval of the Director shall be posted by the applicant with the Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director and the DERM Director. Said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County. The bond amount will be based on the volume of cut required to conform any remaining excavation to Code approved slope configuration.

5. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

6. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Department of Environmental Resources Management, as set forth herein, shall be used in the fill project.

7. That no fill material or unacceptable fill to be removed shall be permitted to be stored on property abutting the fill project site or within the adjacent rights-of-way at any time during the fill project.

8. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

9. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

10. That the applicant shall be permitted to operate no longer than between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

11. That the applicant shall record a notice of authorization on a form prescribed by the Director of the excavation fill plan approved by the Director and the Director of the Department of Environmental Resources Management (DERM Director) for the fill project in the public records of Miami-Dade County prior to the issuance of a Certificate of Use (CU) authorizing commencement of the fill project.

12. That the applicant shall submit a detailed written disclosure of the fill project specifying the equipment and methods to be utilized during the fill project, including every aspect of the trucking, dumping, sorting and filling process.

13. That the applicant shall obtain a fill project CU permit, and shall promptly renew the same semi-annually with the Department, upon compliance with all terms and conditions, the

same subject to cancellation upon violation of any of the conditions. Failure to commence the fill project within six months of the date of the original CU issuance shall result in an abandonment of the fill project.

14. That prior to each CU renewal, the applicant shall submit a status report indicating the percentage of fill project completion and the estimated time of the fill project's final completion.

15. That if an excavation will be filled in phases, a phase plan shall be submitted with the initial excavation fill plan and permit plan application. The plan and supporting documents shall delineate the area to be filled in each phase and the time frame projected to close out each phase of the fill project.

16. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than nine (9) months from issuance of the CU permit.

17. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the zoning code requirements and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation.

18. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis during the fill project. In accordance with this requirement, the applicant shall submit "as-built" surveys prepared and sealed by a Florida-licensed surveyor and /or professional engineer annually and at final completion of the fill operation or upon request of either the Director or the DERM Director when it is determined by the Director or the DERM Director that the filling is proceeding contrary to approved plans or in violation of the conditions of the approved excavation fill plan or the permit plan.

19. That the property shall be suitably posted to meet with the approval of the Director and the DERM Director; said postings shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

20. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Department of Environmental Resources Management as well as the Public Works Department for the duration of the fill project.

21. That upon completion of the fill project, the property shall be restored and left in an acceptable condition meeting the approval of the Director and the DERM Director.

22. That the final slope(s) of the remaining excavation shall be in accord with zoning code requirements.

23. That the fill project shall meet all stormwater management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

24. That to the extent possible, the property shall be staked and said stakes shall be maintained in proper position so that the limits of the filling, slopes and grade levels may be easily determined.

25. That the applicant record the resolution of approval for the use in the public records of Miami-Dade County prior to the issuance of a Certificate of Use.

26. That if in the opinion of the Director the lake fill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicant as directed by the Director.

DATE INSPECTED: 01/06/03
DATE TYPED: 01/22/03
DATE REVISED: 03/27/03, 04/07/03, 04/08/03, 04/22/03, 06/02/03, 06/04/03, 06/16/03, 09/05/03, 09/12/03, 11/24/03, 12/01/03, 12/02/03, 01/09/04, 01/12/04, 03/01/04, 03/04/04, 03/11/04, 03/30/04, 04/05/04, 04/15/04
DATE FINALIZED: 04/15/04
DO'QW:AJT:MTF:TLR

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM
DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: September 12, 2003

SUBJECT: C-15 #Z2002000305-Revised
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O
theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Enforcement History:
DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# 02-305
CZAB-15
Rev. 2

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department objects to this application.

Redesign site plan to eliminate private drives and provide for public roads.

This Department objects to the request to permit a minimum of 0 feet of dedication for a portion of the north half of theoretical SW 232 St. (40 feet required).

This Department objects to the request to permit 15 feet of parking back-out (22 feet required).

Entrance features are not reviewed under this application and must be filed separately. Gates must be removed.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

Special Taxing District to be established for maintenance of common areas.

This Department has no objections to the request to permit parking and driveways within 25 feet of a right-of-way.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **151 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT.	B	B
9594	Old Cutler Rd. sw/o Franjo Rd.	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.

Raul A. Pino, P.L.S.

APR. 07 2004

Date

25

Miami-Dade County Public Schools

giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent
Facilities Operations, Maintenance and Planning

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

March 16, 2004

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue
UPDATED

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Centennial Middle School and Miami Southridge Senior High School currently operating at 123% and 129% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Centennial Middle School and Miami Southridge Senior High School to 124% and 130%, respectively (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on May 22, 2003, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that the School Board at their August 20, 2003 meeting authorized such a proffer by the applicant.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • www.ARijo@facil.dade.k12.fl.us

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the 182-unit development is estimated to generate approximately $445,536 ($2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good
Coordinator III

PG:am
L-2301
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. William W. Riley

UPDATED
SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 02-305, H. R. Realty & Investments, Inc. (CC15)

REQUEST: Zone change from EU-M to RU-3M

ACRES: 60± acres

LOCATION: North of SW 232 Street and East of SW 107 Avenue

UNITS: 37 additional units (145 units currently permitted under existing zoning classification, for a total of 182 units)

ESTIMATED STUDENT POPULATION: 23 students *

ELEMENTARY: 10

MIDDLE: 6

SENIOR: 7

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Pine Villa Elementary - 21799 SW 117 Ct.

MIDDLE: Centennial Middle - 8601 SW 212 St.

SENIOR HIGH: Miami Southridge Senior - 19355 SW 114 Ave.

All schools are located in Access Center 6

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2003:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Pine Villa Elem.	630/ 640*	606	104%/ 106%*	210	77%/ 78%*
Centennial Middle	1116/ 1122*	908	123%/ 124%*	0	**123%/ 124%***
Miami Southridge Sr.	3857/ 3864	2670	144%/ 145%*	309	**129%/ 130%***

* includes proposed development

Pursuant to the Interlocal Agreement, please note that the elementary school does not meet the review threshold.

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2003:

Pine Villa Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	FL School Recognition as an "C" School
Special Programs:	After-school care and Magnet programs
Lunch schedule:	Begins at 10:15 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	Computer Lab
Recognition for Academic Achievement:	Various individual awards for academic achievement
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:23 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium, Storage Room and Book Room
Teachers required to float/travel:	None

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	None
Special Programs:	Magnet programs
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	Offices and Book storage rooms
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of February 2004):

School	Status	Projected Occupancy Date
Palm Glade K-8 Center (Pine Villa, Redland and Naranja Elementary Relief; Redland and Mays Middle School Relief) (1606 student stations)	Pre-Planning	November 2009
State School "TTT" (unfunded) (South Dade, Homestead and Southridge Sr. High School Relief) (3599 student stations)	Feasibility Study (Funded)	

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $134,159.

CAPITAL COSTS: Based on the State's February-2004 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	10	x	$ 13,380	=	$	133,800
MIDDLE	6	x	$ 15,340	=	$	92,040
SENIOR	7	x	$ 20,300	=	$	142,100
Total Potential Capital Cost					$	367,940

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

	Applicant Name & Number	Location/ Address	Units/Students	Schools	Board District(s)/ Region(s)	Community Council/Date	Approved/ Denied/ Comments
1	F.V. CONSTRUCTION CORP. #03-162	SWC of SW 280 St. and SW 132 Ave.	54 Units/ 45 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 1/20/04	DENIED
2	MALCOLM B. WISEHEART, JR., ET AL #01-408	SWC of SW 198 St. and Old Cutler Rd.	4 Units/ 2 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	9/6 9/6 9/6	CC15	PENDING
3	PROVINCIAL REALTY, INC. #02-186	SW 112 Ave. btwn SW 224 & 232 St.	250 Units/ 154 Students	PINE VILLA ELEM-71 CENTENNIAL MID-38 SOUTHRIDGE SR-45	7/6 9/6 9/6	CC15 11/17/03	APPROVED
4	ERIC AND NICOLE LEE BERRIOS #01-376	SWC of SW 184 St. and SW 79 Ct.	1 Unit/ 0 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	9/6 9/6 9/6	CC15 1/28/02	APPROVED
5	LLOYD AND JOHNNIE CASH #02-230	SWC of SW 137 Ave. and SW 258 St.	36 Units/ 30 Students	NARANJA ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	9/6 7/6 7/6	CC15 1/30/03	APPROVED
6	RALPH FEUERRING, ET AL #02-108	NEC of SW 232 St. and SW 110 Ave.	209 Units/ 119 Students	PINE VILLA ELEM-64 CENTENNIAL MID-29 SOUTHRIDGE SR-26	7/6 9/6 9/6	CC15 10/03/02	APPROVED
7	ROBERT BOREK ET AL #01-333	E and W of SW 117 Ave. on the N side of 248 St.	246 Units/ 130 Students	PINE VILLA ELEM-70 REDLAND MID-31 HOMESTEAD SR-29	7/6 7/6 9/6	CC15 10/03/02	APPROVED
8	GOULDS, LLC #02-326	W of Sw 112 Ave. and S of SW 224 St.	45 Units/ 28 Students	PINE VILLA ELEM-13 MAYS MID-7 SOUTHRIDGE SR-8	7/6 7/6 9/6	CC15 10/22/03	APPROVED
9	LUMSDEN OAKS ACQUISITION CORP. #02-250	W of SW 132 Ave. and S of SW 282 St.	138 Units/ 116 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 10/22/03	APPROVED
10	SPECIALTY HOUSING CORP. #03-104	S of SW 268 St. and W of FL Turnpike	33 Units/ 22 Students	CHAPMAN ELEM-10 CENTENNIAL MID-6 HOMESTEAD SR-6	9/6 9/6 9/6	CC15 10/22/03	APPROVED
11	SVK AIRPORT LAND, LLC #02-200	SEC of SW 276 St. and SW 154 Ave.	41 Units/ 24 Students	REDLAND ELEM13 REDLAND MID-6 SOUTH DADE SR-5	7/6 7/6 7/6	CC15 11/06/02	APPROVED
12	AIRBASE LANDINGS, LTD. #02-030	S of SW 268 St. and E of SW 122 Ave.	45 Units/ 20 Students	CHAPMAN ELEM-11 CENTENNIAL MID-5 HOMESTEAD SR-4	9/6 9/6 9/6	CC15 11/07/02	APPROVED
13	HABITAT FOR HUMANITY OF GREATER MIAMI, INC. #00-188	15375 SW 288 St.	10 Units/ 7 Students	LEISURE CITY ELEMID-4/2 SOUTH DADE SR-1	9/6 7/6	CC15 11/12/02	APPROVED
14	LEWIS PETERS AND FERGUSON PETERS, TRUSTEE #01-088	NEC of SW 248 St. and Sw 112 Ave.	328 Units/ 168 Students	NARANJA ELEM-91 CENTENNIAL MID-40 HOMESTEAD SR-37	9/6 9/6 9/6	CC15 11/13/01	APPROVED
15	ALLAPATTAH NURSERY, LTD #02-155 #02-228	E of SW 112 Ave. and N of SW 240 St.	477 Units/ 255 Students	PINE VILLA ELEM-138 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED

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PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

16	CHARLES AND JO ELLEN CHAMBERS #02-178	NEC of SW 139 Ave. and SW 258 St.	76 Units/ 50 Students	NARANJA ELEM-27 REDLAND MID-12 SOUTH DADE SR-11	9/6 7/6 7/6	CC15 12/11/02	APPROVED
17	CW2, LTD. #02-164	E of SW 139 Ave. and S of SW 260 St.	32 Units/ 21 Students	NARANJA ELEM-11 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 12/11/02	APPROVED
18	DIAZ LANDSCAPING & NURSERY, INC. #02-192	E of SW 112 Ave. and S of SW 240 St.	476 Units/ 254 Students	PINE VILLA ELEM-137 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED
19	JSM HOLDING CORP. INC AND ROYAL GROUP INVESTMENT #01-264	S of SW 268 St. and SW 140 Ave.	24 Units/ 11 Students	CHAPMAN ELEM-6 REDLAND MID-3 HOMESTEAD SR-2	9/6 7/6 9/6	CC15 2/12/02	APPROVED
20	BLACK CREEK BUILDERS GROUP, LLC #02-335	SEC of SW 132 Ave. and SW 284 St.	11 Units/ 7 Students	REDLAND ELEM-4 MAYS MID-2 HOMESTEAD SR-1	7/6 7/6 9/6	CC15 2/25/03	APPROVED
21	HUGO G. MORALES, TRUSTEE #01-203	Eof USA-1, S of Sw 252 St. and W of SW 137 Ave.	380 Units/ 144 Students	NARANJA ELEM-78 REDLAND MID-34 SOUTH DADE SR-32	9/6 7/6 7/6	CC15 3/26/02	APPROVED
22	CAROLE BROCK, TRUSTEE #02-279	NEC of SW 226 St. and SW 112 Ave.	45 Units/ 28 Students	PINE VILLA ELEM-15 CENTENNIAL MID-7 SOUTHRIDGE SR-6	7/6 9/6 9/6	CC15 3/27/03	APPROVED
23	CARMEL INVESTMENT & DEVELOPMENT INC. #01-437	NEC OF SW 160 Ave. and theor. SW 302 St.	6 Units/ 4 Students	PESKOE ELEM-2 CAMPBELL DRIVE MID-1 HOMESTEAD SR-1	9/6 9/6 9/6	CC15 4/23/02	APPROVED
24	ROBERT BOREK ET AL #00-298	S of SW 248 St. btwn SW 117 and 122 Ave.	342 Units/ 214 Students	PINE VILLA ELEM-116 REDLAND MID-51 HOMESTEAD SR-47	7/6 7/6 9/6	CC15 5/01/01	APPROVED $128,400 O/A
25	ALEJANDRO ZAMPIER #02-076	S of Sw 260 St. and W of SW 134 Ave.	20 Units/ 13 Students	NARANJA ELEM-7 REDLAND MID-3 SOUTH DADE SR-3	9/6 7/6 7/6	CC15 6/04/02	APPROVED
26	CLINTON ASSOCIATES, LTD: #02-035	NWC of SW 122 Ave. and SW 256 St.	59 Units/ 38 Students	NARANJA ELEM-21 REDLAND MID-9 HOMESTEAD SR-8	9/6 7/6 9/6	CC15 6/04/02	APPROVED
27	FREDERICK T. PETERS MARTIAL TRUST #01-219	N of SW 208 St. and btwn SW 87 Ave. and SW 92 Ave.	160 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
28	SODA PROPERTIES, LLC. #01-348	Btwn SW 87 Ave. and SW 92 Ave. and N of SW 208 St.	232 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
29	LAW PROPERTIES LTD. #02-244	SWC of SW 133 Ave. and SW 280 St.	79 Units/ 66 Students	CHAPMAN ELEM-30 CENTENNIAL MID-17 HOMESTEAD SR-19	9/6 9/6 9/6	CC15 6/24/03	APPROVED
30	SAGA BAY DEVELOPMENT, INC. #96-549	N of SW 210 St. and E of SW 82 Ave.	126 Units/ 78 Students	WHIGHAM ELEM-42 CENTENNIAL MID-19 SOUTHRIDGE SR-17	9/6 9/6 9/6	CC15 6/24/03	APPROVED

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PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

31	HENRY C. MORAT, TRUSTEE #02-280	SEC of SW 132 Ave. and SW 284 St.	109 Units/ 92 Students	CHAPMAN ELEM-42 CENTENNIAL MID-23 HOMESTEAD SR-27	9/6 9/6 9/6	CC15 7/24/03	APPROVED
32	SUNRISE VILLAGE MOBILE HOME PARK II #03-031	SEC of SW 147Ave. And SW 280 St.	181 Units/ 152 Students	LEISURE CITY ELEMID-70/38 HOMESTEAD SR-44	9/6 9/6	CC15 7/24/03	APPROVED
33	SVK AIRPORT LAND, LLC #02-201	NEC of SW 137 Ave. and SW 256 St.	58 Units/ 49 Students	NARANJA ELEM-23 REDLAND MID-12 SOUTH DADE SR-14	9/6 7/6 7/6	CC15 7/24/03	APPROVED
34	THE HOUSING TRUST GROUP OF FLORIDA, LLC #01-172	E of SW 87 Ave. and N of SW 216 St.	57 Units/ 35 Students	WHIGHAM ELEM-16 CENTENNIAL MID-9 SOUTHRIDGE SR-10	9/6 9/6 9/6	CC15 7/24/03	APPROVED
35	JOSE A. COSTA, JR., TRUSTEE #03-120	NEC of SW 248 St. & SW 129 Ave.	28 Units/ 17 Students	PINE VILLA ELEM-8 REDLAND MID-4 HOMESTEAD SR-5	7/6 7/6 9/6	CC15 8/21/03	APPROVED
36	PRINCETON SELF STORAGE, INC. #01-181	E of US-1, S fo Canal, btwn SW 244 St and SW 248 St.	160 Units/ 59 Students	MIAMI HEIGHTS ELEM-32 REDLAND MID-14 SOUTH DADE SR-13	9/6 7/6 7/6	CC15 9/04/01	DENIED
37	TOPA INVESTMENTS, LLC #01-161	19200 SW 102 Ave.	58 Units/ 19 Students	BEL-AIRE ELEM-10 CUTLER RIDGE MID-5 SOUTHRIDGE SR-4	9/6 9/6 9/6	CC15 9/04/01	DENIED
38	MARTINA BOREK ET AL #03-018	12110 SW 248 St.	90 Units/ 76 Students	NARANJA ELEM-35 REDLAND MID-19 HOMESTEAD SR-22	9/6 7/6 9/6	CC15 9/11/03	APPROVED
39	MANUEL C. & EMILIA DIAZ, ET AL #02-377	W of Sw 112 Ave. and S of SW 232 St.	1632 Units/ 1069 Students	PINE VILLA ELEM-492 REDLAND MID-267 HOMESTEAD SR-310	7/6 7/6 9/6	CC15 9/23/03 12/04/03	APPROVED
40	H. R. REALTY & INVESTMENTS, INC. #02-305	N of SW 232 St. and E of SW 107 Ave.	37 Units/ 23 Students	WHIGHAM ELEM-11 CENTENNIAL MID-6 SOUTHRIDGE SR-7	9/6 9/6 9/6	CC15 Def.-3/16/04	PENDING
41	ROYALTY INVESTMENT & DEVELOPMENT GROUP, LLC #03-260	NWC of SW 260 St. and SW 137 Ave.	21 Units/ 18 Students	NARANJA ELEM-8 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 2/17/04	APPROVED
42	US1 COMMERCIAL REAL ESTATE INVESTMENT, LLC #03-269	SEC of US1 and SW 284 St.	216 Units/ 182 Students	LEISURE CITY ELEMID-84/45 HOMESTEAD SR-53	9/6 9/6	CC15 2/17/04	APPROVED
43	ALOR INVESTMENT CORP. #03-295	25520 SW 134 Ave.	17 Units/ 14 Students	NARANJA ELEM-6 REDLAND MID-4 SOUTH DADE SR-4	9/6 7/6 7/6	CC15 Def. 3/16/04	PENDING

Note: There are three applications that are pending which would generate 39 students.

PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

SCHOOLS	STUDENT POPULATION	NUMBER OF STUDENTS PER PROJECT APPROVED	CUMULATIVE TOTAL STUDENT POPULATION	STUDENT STATIONS PERMANENT	RELOCATABLE STATIONS	CUMULATIVE % UTILIZATION INCLUDING RELOCATABLE
CHAPMAN, W.A. ELEM	784	89	873	809	64	100%
LEISURE CITY ELEM/MID	1845	158	2003	999	45	192%
NARANJA ELEM	800	317	1117	561	158	155%
PESKOE, IRVING & BEATRICE ELEM	1185	2	1187	840	0	141%
PINE VILLA ELEM	692	1040	1732	561	210	225%
WHIGHAM, DR. EDWARD L. ELEM	996	146	1142	911	0	125%
ELEMENTARY TOTALS	6302	1752	8054	4681	477	156%
CAMPBELL DRIVE MID	1334	1	1335	1373	0	97%
CENTENNIAL MID	1110	311	1421	913	114	138%
LEISURE CITY ELEM/MID	1845	85	1930	999	45	185%
REDLAND MID	1748	450	2198	1144	25	188%
MIDDLE TOTALS	6037	847	6884	4429	184	149%
HOMESTEAD SR	3249	720	3969	2569	0	154%
MIAMI SOUTHRIDGE SR	3880	95	3975	2372	309	148%
SOUTH DADE SR	2713	78	2791	1871	283	130%
SENIOR HIGH TOTALS	9842	893	10735	6812	592	145%
TOTAL	22181	3492	25673	15922	1253	149%

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CHARTER SCHOOLS
2002-2003

REV. 6-12-03

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
7160	Mater Academy High School 7901 NW 103 St. Hialeah Gardens, FL 33016	80	750	1,000	1,000	9-10	I	4
0100	Mater Center Charter School 7700 NW 98 St. Hialeah Gardens, FL 33016	1,099	1,000	1,050	1,150	K-8	I	4
0110	North County Charter School 3400 NW 135 St. Miami, FL 33054	293	600	600	600	K-5	I	1
5130	North Dade Community Charter School 13850 NW 26 Ave. Opa-Locka, FL 33054	63	575	600	600	K-5	I	1
5710	Sandor Wiener School of Opportunity 20000 NW 47 Ct. Opa-Locka, FL 33055	6	32	34	72	K-2	I	1
6900	Vankara Academy Charter School 13307-11 Alexandria Dr. Opa-Locka, FL 33054	132	175	225	225	6-8	I	1
6050	Youth Co-Op Charter School 12051 W. Okeechobee Rd. Hialeah Gardens, FL 33018	386	525	525	525	K-8	I	4
6020	ASPIRA Youth Leadership Charter School 13300 Memorial Hwy. North Miami, FL 33161	288	450	450	450	6-9	II	1
0120	Northeast Academy 1750 NE 168 St. N. Miami Beach, FL 33162	416	600	600	600	K-5	II	3
6030	Doral Academy 2450 NW 97 Ave. Miami, FL 33172	1212	2,025	2,025	2,025	K-8	III	5
7020	Doral Academy High School 11100 NW 27 St. Miami, FL 33172	456	1,800	1,800	1,800	9-11	III	5
0400	Ryder Elementary Charter School 8360 NW 33 St. Miami, FL 33122	488	500	500	500	K-5	III	5

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
6070	ASPIRA Eugenio Maria de Hostos Charter School 3650 N. Miami Ave. Miami, FL 33127	174	250	300	350	6-8	IV	2
3600	Downtown Miami Charter School 305 NW 3 Ave. Miami, FL 33128	294	650	650	650	K-6	IV	2
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138	260	350	350	350	6-8	IV	2
0040	Liberty City Charter School 8700 NW 5 Ave. Miami, FL 33150	257	400	705	705	K-7	IV	2
3100	Mater East Charter School 450 SW 4 St. Miami, FL 33130	269	650	800	800	K-5	IV	6
6040	Miami Shores/Barry University Connected Learning Center 11441 NW 2 Ave. Miami Shores, FL 33168	180	200	200	200	6-8	IV	2
0500	Rosa Parks Community School/Overtown 430 NW 9 St. Miami, FL 33136	42	425	500	500	K-6	IV	2
0510	Archimedean Academy 10870 SW 113 Place Miami, FL 33176	80	225	325	500	K-3	V	7
0600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175	548	650	700	700	K-6	V	8
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033	160	230	260	260	6-8	VI	9
0070	Coral Reef Montessori Academy 19000 SW 112 Ave. Miami, FL 33157	221	500	500	500	K-8	VI	9
0300	Rosa Parks Charter School/Florida City 713 West Palm Drive Florida City, FL 33034	149	250	300	600	K-7	VI	9

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
0200	Spiral Tech Elementary Charter School 12400 SW 72 St. Miami, FL 33183	59	160	240	290	K-5	VI	7

- Grade levels for school year 2002-2003

NEW CHARTER SCHOOLS APPROVED TO OPEN FOR THE 2003-2004 SCHOOL YEAR:

(Rev. 3/21/03)

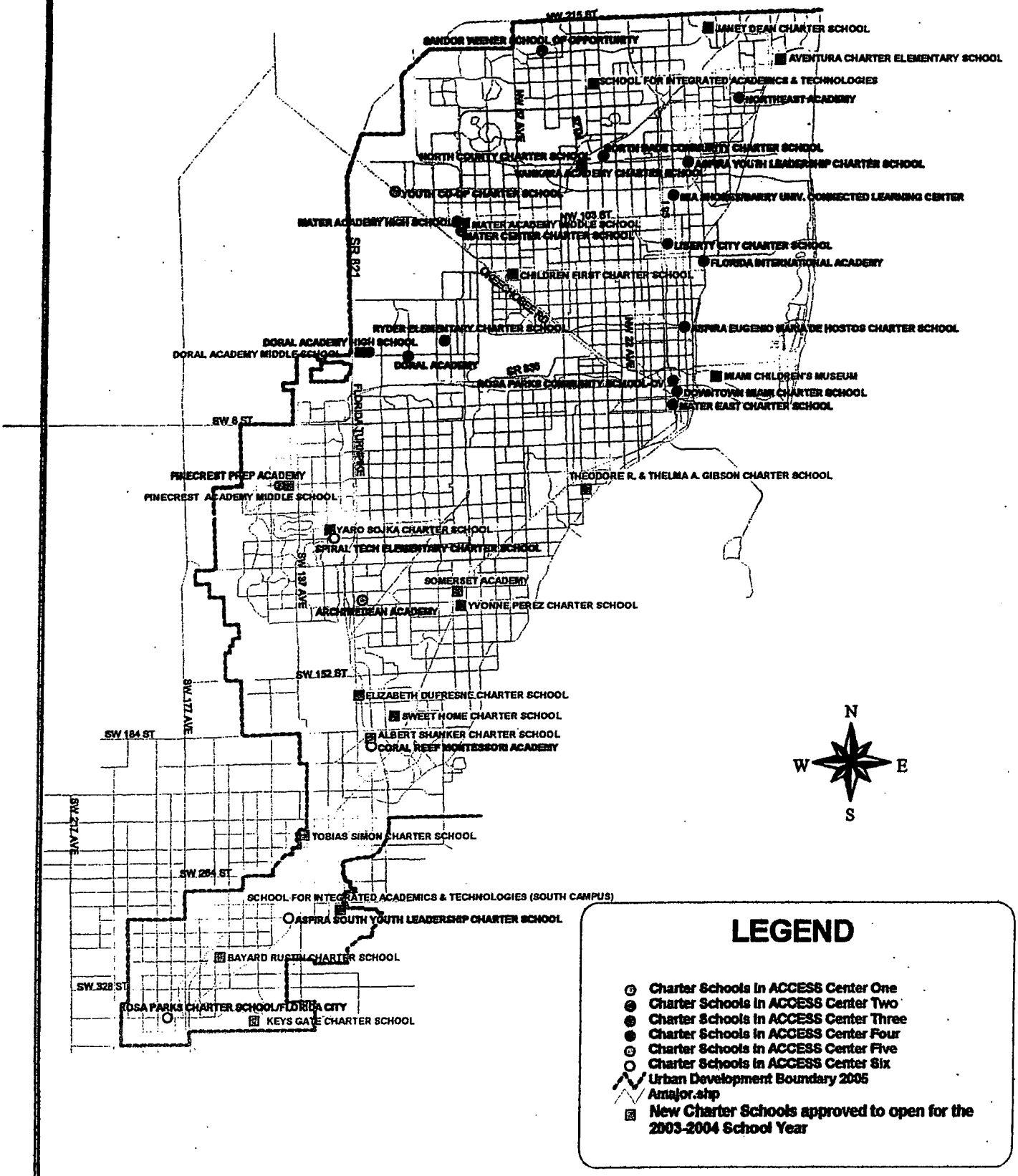
Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Mater Academy Middle School 7901 NW 103 Street Hialeah Gardens, FL 33016	700	800	800	6-8	6-8	I
School for Integrated Academics & Technologies (SIATech) *(A school for high-risk students)* Main: 3050 NW 183 Street Miami, FL 33056	400	600	800	9-10	9-12	I
Aventura Charter Elementary School 3333 NE 188 Street Miami, FL 33180	600	600	600	K-5	K-5	II
Janet Dean Charter School Ives Dairy Rd. between NE 10 & 12 Ave., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	II
Children First Charter School 590 W. 20 Street Hialeah, FL 33010	Deferred to 04-05	250	550	K-3	K-5	III
Doral Academy Middle School 2601 NW 112 Avenue Miami, FL 33172	800	800	800	6-8	6-8	III
Theodore R. & Thelma A. Gibson Charter School 3629 Grand Avenue Miami, FL 33133	575	600	600	K-8	K-8	IV
Miami Children's Museum Watson Island Miami, FL	Deferred to 04-05	350	350	K-5	K-5	IV

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Somerset Academy 11011 SW 80 Avenue Miami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School *17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miami, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE corner of Turnpike & Quail Roost Dr., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobias Simon Charter School 24400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

*temporary location for the first year – the permanent location will be at SW 180 Street & 107 Ave.

Applications approved to open in subsequent years		
Applicant	Number of Schools	Maximum Enrollment Capacity
Chancellor Charter School at Coral Gables	1	750
Coral Gables Community Charter School	1	600
Miami-Dade Charter Foundation	6	5,400
Miami-Dade Charter Schools, Inc.	2	3,200
Miami-Shores Charter High School	1	600
Somerset Academy	8	8,600
Balere Language Academy	1	450
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School (West Hialeah Academy)	1	800
Charter Academy of Excellence	1	600
Total applications: 14	**27**	**24,150**

Charter Schools by ACCESS Center



MIAMI-DADE FIRE RESCUE DEPARTMENT
ZONING COMMENTS

Hearing Number: 02-305

Service Impact: ☑ Yes ☐ No

Location: N. OF SW 232 ST. & 1,330' E. OF SW 107 AVE.

Recommendation: No objection ____
No objection with condition(s) ____
Denial ____

Plans: ☐ Yes ☑ No

EU-M TO RU-3M
60 AC.

Estimated number of alarms generated annually by application: 33

If there is an impact, below is the service availability:

Station District 34 Grid 2354 DU/SF 195 Occupancy Type 2

Impact of additional calls on closest station: ☐ Minimal Impact.

☐ Moderate Impact. Planned station(s) will mitigate impact.

Planned Service to Mitigate:

Service	Location	Year to be Completed

☐ None

ACCESS:
Description of Concern(s):

- ☐ Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.
- ☐ Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.
- ☐ Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)
- ☐ **Fire Engineering & Water Supply Bureau site plan review and approval required.**

OTHER CONCERN(S):

Reviewed by: Carlos Heredia Phone: (786) 331-4544 Date: January 13, 2003

Revised 4/18/02

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TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
04/21/2004	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of March 26, 2004

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the sub[illegible] of the application is owned or leas[illegible]y a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, 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 required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

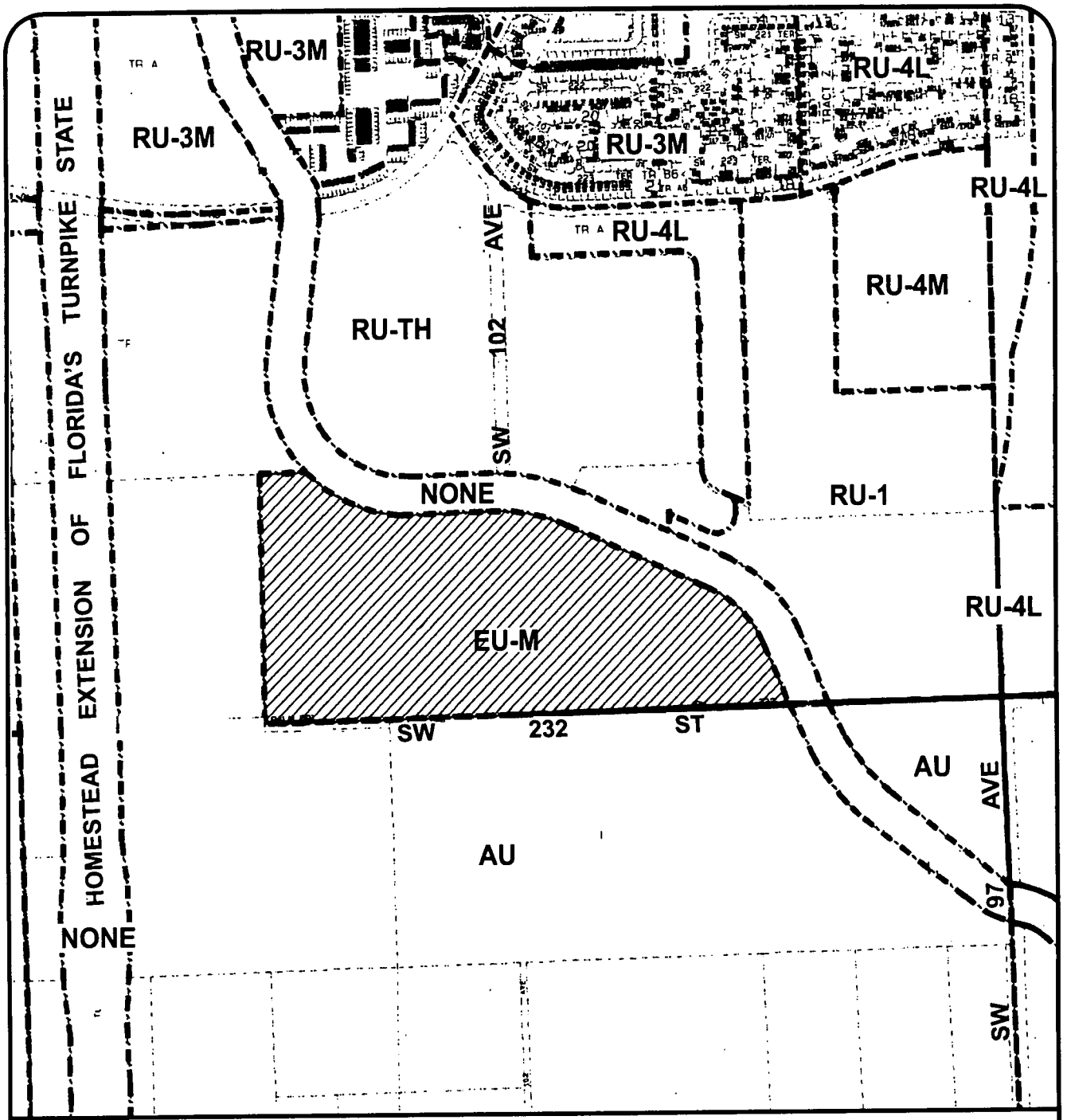
Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799631
EXPIRES: December 28, 2002
Bonded Thru Pichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.



MIAMI-DADE COUNTY
HEARING MAP

S C A L E 0 800' N

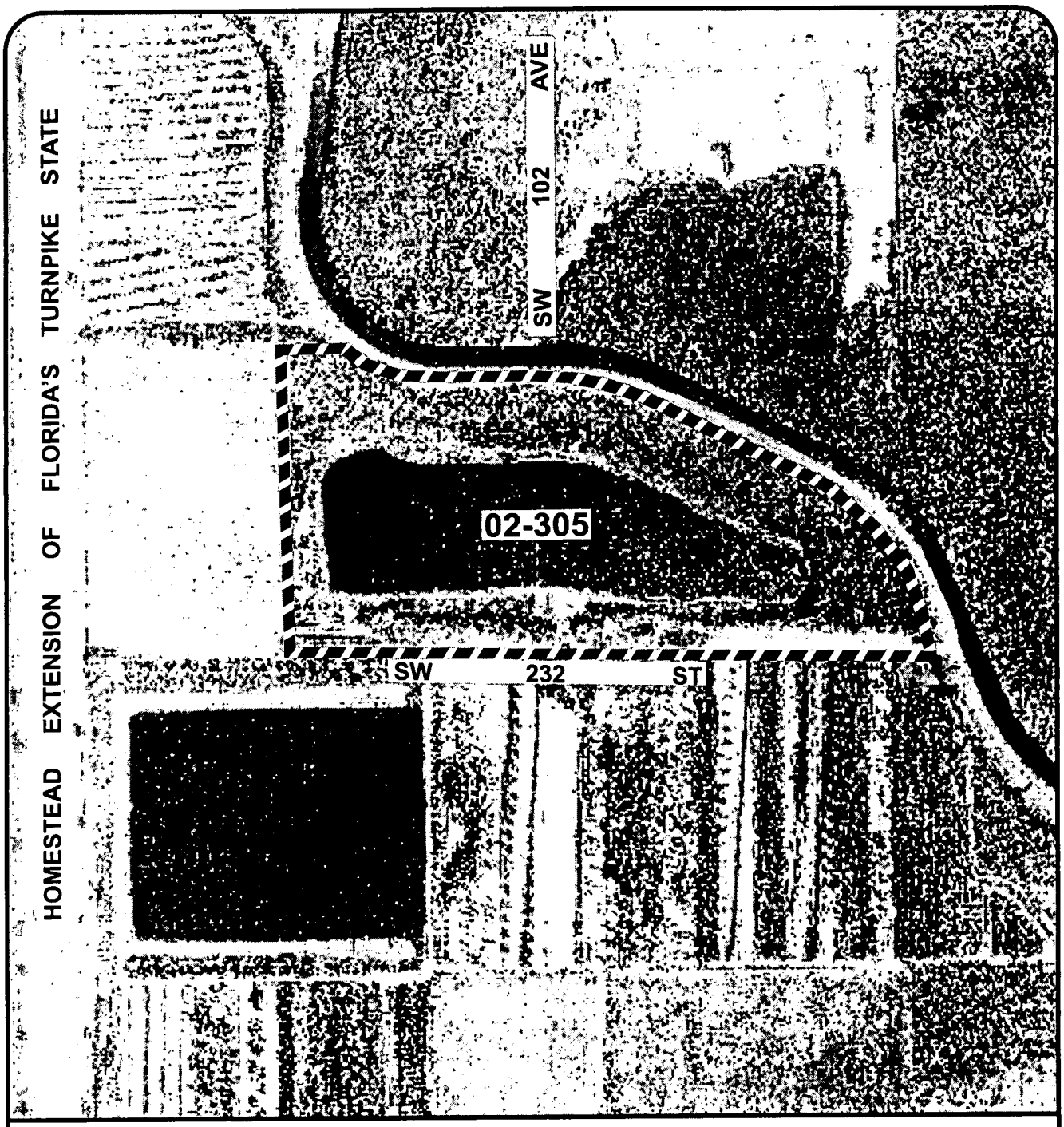
SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

47



MIAMI-DADE COUNTY
AERIAL

S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

B. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
Area 15/District 8
Hearing Date: 3/16/04

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor **Objectors:** _____

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date: January 30, 2003**

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: 4/28/03

Per DIC _____ Deferred to: _____

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ___ NO ✓ **County Attorney:** Ronald Bernstein

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MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H. R. REALTY & INVESTMENTS, INC.

Representative: Bill Reilly **Objectors:** Dana Floyd

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** April 28, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: _____

Per DIC _____ Deferred to: June 24, 2003

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: due to omnipoint holdings

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel Adams S	✓		
Leonard Anthony M	✓		
JoAnn Bova	✓		
Paul S. Vrooman	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Steven Stiegler

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MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Bill Riley

Objectors: NONE

Hearing No. 03-1-CZ15-6 (02-305)

Hearing Date: June 24, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____

Per DIC ____

Approved as Requested ____

Denied Without Prejudice ____

Denied With Prejudice ____

Standard Conditions: ____

✓ Deferred to: Sept. 23, 2003

Withdrawal ____

Other: ____

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

		Yes	No	Absent
Al Alvarez		✓		
Daniel L. Adams	S	✓		
Leonard Anthony		✓		
JoAnn Bova	M	✓		
Paul S. Vrooman				✓
Nancy McCue		✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓

County Attorney: Jay Williams

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MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	DECEMBER 9, 2003	CZAB15- -03

REQUESTS: EU-M to RU-3M

DEPT. REC: DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☐ INDEFINITELY ☒ TO: JAN. 20, '04 ☐ 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 STD. CONDITIONS

☒ OTHER: READVERTISE AT COUNTY'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)			✓

VOTE: 4 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Ron Bernstein

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MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): DYLAN RANGEL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	SEPTEMBER 23, 2003	CZAB15- -03

DEPT. REC: DENIAL W/OUT PREJUDICE OR DEFERRAL

1) EU-M to RU-3M

MOTION:

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☒ With Leave To Amend

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH STD. CONDITIONS

☒ OTHER: at applicant's expense

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.	S	Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.	M	JoAnn BOVA	✓		
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

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MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	JANUARY 20, 2004	CZAB15- -04

REQUESTS: EU-M to RU-3M

DEPT. REC: DENIAL WITHOUT PREJUDICE OR DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS:

☒ DEFER: ☐ INDEFINITELY ☒ TO: MARCH 16, '04 ☐ 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 STD. CONDITIONS

☐ OTHER:

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.		Leonard ANTHONY		✓	
MS.		JoAnn BOVA	✓		
VICE-CHAIRMAN	M	Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 5 to 1

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

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MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 15

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 17-56-40 **DATE:** March 16, 2004

COMMISSION DISTRICT: 8 **ITEM NO.:** B

==========

A. INTRODUCTION

- **REQUEST:**

  EU-M to RU-3M

- **SUMMARY OF REQUEST:**

  This request will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District.

- **LOCATION:**

  Lying on the north side of theoretical S.W. 232 Street and east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60± Acres

- **IMPACT:**

  The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 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 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture and Urban Development Boundary
EAST: RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST: AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Although this area is zoned mostly for residential development, there is currently no indication of any active development. Plant nurseries are still active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Unacceptable**
Location of Buildings:	**N/A**
Compatibility:	**Unacceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**N/A**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**Unacceptable**

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or

neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**No objection***
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**23 additional students**

* subject to the conditions stated in their attached memoranda

H. ANALYSIS:

This application was deferred from the meeting of January 20, 2004, to allow time for the applicant to submit revised plans, from the meeting of December 9, 2003, due to an error in the advertisement, from the meeting of September 23, 2003, at the applicant's request, with leave to amend, from the meeting of June 24, 2003, to allow the applicant time to submit plans and a covenant, and from the meetings of April 28, 2003 and January 30, 2003, with leave to amend. However, staff notes that no revised plans had been submitted at the time of this writing. The request will allow the applicant to rezone the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District. The applicant is not required to submit a site plan in conjunction with this application, and is not requesting variances of the RU-3M zoning district. As such, all lots should meet RU-3M lot area, frontage, setback and landscaping requirements. Although not required to do so, the applicant originally submitted a site plan showing the development of the subject property with a 174-unit single-family development, and indicated the intent to proffer a covenant limiting the development density to 174 units and tying the rezoning request to the plan submitted. However, said plan was found to not to be in accordance with the design guidelines for urban form as contained in the Land Use Element of the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has **no objections** to this

application and indicates that this application will generate **125 PM** daily peak hour vehicle trips, the addition of which will not exceed the current Levels of Service (LOS) which are at LOS "B" and "C". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **23 students** to the schools in the area, and that the applicant has proffered a covenant to the School Board in order to provide a monetary donation to mitigate the impacts generated by this application, which will exceed the FISH (Florida Inventory of School Houses) capacity.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre rock pit. The CDMP designates the site for low density residential which permits a minimum of 2.5 and a maximum of 6.0 dua. As such, the CDMP would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site, which would be consistent with the CDMP. The proposed RU-3M zoning, at a density of 12.9 dua would permit a total of 774 units on this site if the lake is filled, or 490 units if the lake excavation remains. As such, the request to rezone to RU-3M would be inconsistent with the CDMP without a covenant limiting the density to a maximum of 360 units. As mentioned above, the applicant has submitted for staff's review, a site plan showing the development on the site to a maximum of 174 units. However, the plan submitted was found to lack certain urban design principles, and is not acceptable to staff. Staff finds that the plans could be improved by the incorporation of different building types such as townhouses and single-family homes, the arrangement of housing in an interconnected block and street network, the provision of open space in the form of squares, plazas, pocket parks and green focal points, and the reduction of lot sizes on the south side of the lake to create a linear park. In staff's opinion, the provision of a site plan incorporating the guidelines for urban form and a covenant limiting the density of the development and tying the zoning request to said plan, would make this application consistent with the CDMP and compatible with surrounding uses. Therefore, staff recommends denial without prejudice or deferral of this application.

I. RECOMMENDATION:

Denial without prejudice or deferral.

J. CONDITIONS: None.

DATE INSPECTED: 01/06/03
DATE TYPED: 01/22/03
DATE REVISED: 03/27/03, 04/07/03, 04/08/03, 04/22/03, 06/02/03, 06/04/03, 06/16/03, 09/05/03, 09/12/03, 11/24/03, 12/01/03, 12/02/03, 01/09/04, 01/12/04, 03/01/04, 03/04/04, 03/11/04
DATE FINALIZED: 03/11/04
DO'QW:AJT:MTF:TLR

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM

TO:	Diane O' Quinn-Williams, Director Department of Planning and Zoning	DATE:	September 12, 2003
		SUBJECT:	C-15 #Z2002000305-Revised H.R. Realty & Investments, Inc. NS of SW 232nd Street and E/O theoretical SW 107th Avenue DBC from EU-M to RU-3M (EU-M) (60 Ac.) 17-56-40
FROM:	Alyce M. Robertson, Assistant Director Environmental Resources Management		

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

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surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Enforcement History:
DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# 02-305
CZAB-15
Rev. 1

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department has no objections to this application.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

Special Taxing District to be established for maintenance of common areas.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **125 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	B	B
9594	Old Cutler Rd. sw/o Franjo Rd.	C	C

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.

(*)Traffic concurrency is based on development information provided by the applicant where the number of peak hour vehicle trips may fluctuate.

Raul A. Pino, P.L.S.

JUN. 16 2003

Date

15

Miami-Dade County Public Schools
giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent
Facilities Operations, Maintenance and Planning

Miami-Dade County School Board
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Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
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Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

December 9, 2003

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue
REVISED

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that only one school facility meets the referenced review threshold. The proposed residential development will impact Miami Southridge Senior High School currently operating at 124% of FISH % utilization (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on May 22, 2003, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • www.ARijo@facil.dade.k12.fl.us

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the 182-unit development is estimated to generate approximately $445,536 ($2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good
Coordinator III

PG:am
L-2015
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. William W. Riley

REVISED
SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 02-305, H. R. Realty & Investments, Inc. (CC15)
REQUEST:	Zone change from EU-M to RU-3M
ACRES:	60± acres
LOCATION:	North of SW 232 Street and East of SW 107 Avenue
UNITS:	37 additional units as per proffered covenant (145 units currently permitted under existing zoning classification)
ESTIMATED STUDENT POPULATION:	23 students *
ELEMENTARY:	10
MIDDLE:	6
SENIOR:	7

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Pine Villa Elementary - 21799 SW 117 Ct.
MIDDLE:	Centennial Middle - 8601 SW 212 St.
SENIOR HIGH:	Miami Southridge Senior - 19355 SW 114 Ave.

All schools are located in Access Center 6

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of opening of schools, August, 2003:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Pine Villa Elem.	692/ 702*	561	123%/ 125%*	210	90%/ 91%*
Centennial Middle	1110/ 1116*	913	122%/ 122%*	114	108%/ 109%*
Miami Southridge Sr.	3880/ 3887	2811	138%/ 138%*	325	**124%/ 124%***

* includes proposed development

Pursuant to the Interlocal Agreement, please note that the elementary and middle schools do not meet the review threshold.

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2003:

Pine Villa Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	FL School Recognition as an "C" School
Special Programs:	After-school care and Magnet programs
Lunch schedule:	Begins at 10:15 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	Computer Lab
Recognition for Academic Achievement:	Various individual awards for academic achievement
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:23 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium, Storage Room and Book Room
Teachers required to float/travel:	None

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	None
Special Programs:	Magnet programs
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	Offices and Book storage rooms
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of October 2003):

School	Status	Projected Occupancy Date
Palm Glades K-8 (1506 student stations)	Pre-Planning	N/A
Addition @ Centennial Mid. (286 student stations)	Planning	N/A

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $134,159.

CAPITAL COSTS: Based on the State's October-2003 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	10	x	$ 13,294	=	$	132,940
MIDDLE	6	x	$ 15,242	=	$	91,452
SENIOR	7	x	$ 20,169	=	$	141,183
Total Potential Capital Cost					$	365,575

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

Item No.	Applicant Name & Number	Location Address	Units/Students	Schools	Board District(s)/ Region(s)	Community Council/Date	Approved/ Denied/ Comments
1	PROVINCIAL REALTY, INC. #02-186	SW 112 Ave. btwn SW 224 & 232 St.	250 Units/ 154 Students	PINE VILLA ELEM-71 CENTENNIAL MID-38 SOUTHRIDGE SR-45	7/6 9/6 9/6	CC15	PENDING
2	ERIC AND NICOLE LEE BERRIOS #01-376	SWC of SW 184 St. and SW 79 Ct.	1 Unit/ 0 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	9/6 9/6 9/6	CC15 1/28/02	APPROVED
3	LLOYD AND JOHNNIE CASH #02-230	SWC of SW 137 Ave. and SW 258 St.	36 Units/ 30 Students	NARANJA ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	9/6 7/6 7/6	CC15 1/30/03	APPROVED
4	RALPH FEUERRING, ET AL #02-108	NEC of SW 232 St. and SW 110 Ave.	209 Units/ 119 Students	PINE VILLA ELEM-64 CENTENNIAL MID-29 SOUTHRIDGE SR-26	7/6 9/6 9/6	CC15 10/03/02	APPROVED
5	ROBERT BOREK ET AL #01-333	E and W of SW 117 Ave. on the N side of 248 St.	246 Units/ 130 Students	PINE VILLA ELEM-70 REDLAND MID-31 HOMESTEAD SR-29	7/6 7/6 9/6	CC15 10/03/02	APPROVED
6	GOULDS, LLC #02-326	W of Sw 112 Ave. and S of SW 224 St.	45 Units/ 28 Students	PINE VILLA ELEM-13 MAYS MID-7 SOUTHRIDGE SR-8	7/6 7/6 9/6	CC15 10/22/03	APPROVED
7	LUMSDEN OAKS ACQUISITION CORP. #02-250	W of SW 132 Ave. and S of SW 282 St.	138 Units/ 116 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 10/22/03	APPROVED
8	SPECIALTY HOUSING CORP. #03-104	S of SW 268 St. and W of FL Turnpike	33 Units/ 22 Students	CHAPMAN ELEM-10 CENTENNIAL MID-6 HOMESTEAD SR-6	9/6 9/6 9/6	CC15 10/22/03	APPROVED
9	AIRBASE LANDINGS, LTD. #02-030	S of SW 268 St. and E of SW 122 Ave.	45 Units/ 20 Students	CHAPMAN ELEM-11 CENTENNIAL MID-5 HOMESTEAD SR-4	9/6 9/6 9/6	CC15 11/07/02	APPROVED
10	HABITAT FOR HUMANITY OF GREATER MIAMI, INC. #00-188	15375 SW 288 St.	10 Units/ 7 Students	LEISURE CITY ELEMID-4/2 SOUTH DADE SR-1	9/6 7/6	CC15 11/12/02	APPROVED
11	LEWIS PETERS AND FERGUSON PETERS, TRUSTEE #01-088	NEC of SW 248 St. and Sw 112 Ave.	328 Units/ 168 Students	NARANJA ELEM-91 CENTENNIAL MID-40 HOMESTEAD SR-37	9/6 9/6 9/6	CC15 11/13/01	APPROVED
12	ALLAPATTAH NURSERY, LTD #02-155 #02-228	E of SW 112 Ave. and N of SW 240 St.	477 Units/ 255 Students	PINE VILLA ELEM-138 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED
13	CHARLES AND JO ELLEN CHAMBERS #02-178	NEC of SW 139 Ave. and SW 258 St.	76 Units/ 50 Students	NARANJA ELEM-27 REDLAND MID-12 SOUTH DADE SR-11	9/6 7/6 7/6	CC15 12/11/02	APPROVED
14	CW2, LTD. #02-164	E of SW 139 Ave. and S of SW 260 St.	32 Units/ 21 Students	NARANJA ELEM-11 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 12/11/02	APPROVED
15	DIAZ LANDSCAPING & NURSERY, INC. #02-192	E of SW 112 Ave. and S of SW 240 St.	476 Units/ 254 Students	PINE VILLA ELEM-137 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED

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PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

16	JSM HOLDING CORP. INC AND ROYAL GROUP INVESTMENT #01-264	S of SW 268 St. and SW 140 Ave.	24 Units/ 11 Students	CHAPMAN ELEM-6 REDLAND MID-3 HOMESTEAD SR-2	9/6 7/6 9/6	CC15 2/12/02	APPROVED
17	HUGO G. MORALES, TRUSTEE #01-203	Eof USA-1, S of Sw 252 St. and W of SW 137 Ave.	380 Units/ 144 Students	NARANJA ELEM-78 REDLAND MID-34 SOUTH DADE SR-32	9/6 7/6 7/6	CC15 3/26/02	APPROVED
18	CAROLE BROCK, TRUSTEE #02-279	NEC of SW 226 St. and SW 112 Ave.	45 Units/ 28 Students	PINE VILLA ELEM-15 CENTENNIAL MID-7 SOUTHRIDGE SR-6	7/6 9/6 9/6	CC15 3/27/03	APPROVED
19	CARMEL INVESTMENT & DEVELOPMENT INC. #01-437	NEC OF SW 160 Ave. and theor. SW 302 St.	6 Units/ 4 Students	PESKOE ELEM-2 CAMPBELL DRIVE MID-1 HOMESTEAD SR-1	9/6 9/6 9/6	CC15 4/23/02	APPROVED
20	ROBERT BOREK ET AL #00-298	S of SW 248 St. btwn SW 117 and 122 Ave.	342 Units/ 214 Students	PINE VILLA ELEM-116 REDLAND MID-51 HOMESTEAD SR-47	7/6 7/6 9/6	CC15 5/01/01	APPROVED $128,400 O/A
21	ALEJANDRO ZAMPIER #02-076	S of Sw 260 St. and W of SW 134 Ave.	20 Units/ 13 Students	NARANJA ELEM-7 REDLAND MID-3 SOUTH DADE SR-3	9/6 7/6 7/6	CC15 6/04/02	APPROVED
22	CLINTON ASSOCIATES, LTD. #02-035	NWC of SW 122 Ave. and SW 256 St.	59 Units/ 38 Students	NARANJA ELEM-21 REDLAND MID-9 HOMESTEAD SR-8	9/6 7/6 9/6	CC15 6/04/02	APPROVED
23	FREDERICK T. PETERS MARTIAL TRUST #01-219	N of SW 208 St. and btwn SW 87 Ave. and SW 92 Ave.	160 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
24	SODA PROPERTIES, LLC. #01-348	Btwn SW 87 Ave. and SW 92 Ave. and N of SW 208 St.	232 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
25	LAW PROPERTIES LTD. #02-244	SWC of SW 133 Ave. and SW 280 St.	79 Units/ 66 Students	CHAPMAN ELEM-30 CENTENNIAL MID-17 HOMESTEAD SR-19	9/6 9/6 9/6	CC15 6/24/03	APPROVED
26	SAGA BAY DEVELOPMENT, INC. #96-549	N of SW 210 St. and E of SW 82 Ave.	126 Units/ 78 Students	WHIGHAM ELEM-42 CENTENNIAL MID-19 SOUTHRIDGE SR-17	9/6 9/6 9/6	CC15 6/24/03	APPROVED
27	HENRY C. MORAT, TRUSTEE #02-280	SEC of SW 132 Ave. and SW 284 St.	109 Units/ 92 Students	CHAPMAN ELEM-42 CENTENNIAL MID-23 HOMESTEAD SR-27	9/6 9/6 9/6	CC15 7/24/03	APPROVED
28	SUNRISE VILLAGE MOBILE HOME PARK II #03-031	SEC of SW 147Ave. And SW 280 St.	181 Units/ 152 Students	LEISURE CITY ELEMID-70/38 HOMESTEAD SR-44	9/6 9/6	CC15 7/24/03	APPROVED
29	SVK AIRPORT LAND, LLC #02-201	NEC of SW 137 Ave. and SW 256 St.	58 Units/ 49 Students	NARANJA ELEM-23 REDLAND MID-12 SOUTH DADE SR-14	9/6 7/6 7/6	CC15 7/24/03	APPROVED
30	THE HOUSING TRUST GROUP OF FLORIDA, LLC #01-172	E of SW 87 Ave. and N of SW 216 St.	57 Units/ 35 Students	WHIGHAM ELEM-16 CENTENNIAL MID-9 SOUTHRIDGE SR-10	9/6 9/6 9/6	CC15 7/24/03	APPROVED

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PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

31	JOSE A. COSTA, JR., TRUSTEE #03-120	NEC of SW 248 St. & SW 129 Ave.	28 Units/ 17 Students	PINE VILLA ELEM-8 REDLAND MID-4 HOMESTEAD SR-5	7/6 7/6 9/6	CC15 8/21/03	APPROVED
32	PRINCETON SELF STORAGE, INC. #01-181	E of US-1, S fo Canal, btwn SW 244 St and SW 248 St.	160 Units/ 59 Students	MIAMI HEIGHTS ELEM-32 REDLAND MID-14 SOUTH DADE SR-13	9/6 7/6 7/6	CC15 9/04/01	DENIED
33	TOPA INVESTMENTS, LLC #01-161	19200 SW 102 Ave.	58 Units/ 19 Students	BEL-AIRE ELEM-10 CUTLER RIDGE MID-5 SOUTHRIDGE SR-4	9/6 9/6 9/6	CC15 9/04/01	DENIED
34	MARTINA BOREK ET AL #03-018	12110 SW 248 St.	90 Units/ 76 Students	NARANJA ELEM-35 REDLAND MID-19 HOMESTEAD SR-22	9/6 7/6 9/6	CC15 9/11/03	APPROVED
35	MANUEL C. & EMILIA DIAZ, ET AL #02-377	W of Sw 112 Ave. and S of SW 232 St.	1735 Units/ 1069 Students	PINE VILLA ELEM-492 REDLAND MID-267 HOMESTEAD SR-310	7/6 7/6 9/6	CC15 9/23/03	DENIED
36	H. R. REALTY & INVESTMENTS, INC. #02-305	N of SW 232 St. and E of SW 107 Ave.	37 Units/ 23 Students	WHIGHAM ELEM-11 CENTENNIAL MID-6 SOUTHRIDGE SR-7	9/6 9/6 9/6	CC15 Def. Indef.	PENDING

Note: There are two applications that are pending which would generate 177 students.

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PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC15 (JANUARY '01-SEPTEMBER '03)

SCHOOLS	STUDENT POPULATION	NUMBER OF STUDENTS PER PROJECT APPROVED	CUMULATIVE TOTAL STUDENT POPULATION	STUDENT STATIONS PERMANENT	RELOCATABLE STATIONS	CUMULATIVE UTILIZATION INCLUDING RELOCATABLE
CHAPMAN, W.A. ELEM	784	89	873	809	64	100%
LEISURE CITY ELEM/MID	1845	74	1919	999	45	184%
NARANJA ELEM	800	309	1109	561	158	154%
PESKOE, IRVING & BEATRICE ELEM	1185	2	1187	840	0	141%
PINE VILLA ELEM	692	548	1240	561	210	161%
WHIGHAM, DR. EDWARD L. ELEM	996	146	1142	911	0	125%
ELEMENTARY TOTALS	6302	1168	7470	4681	477	145%
CAMPBELL DRIVE MID	1334	1	1335	1373	0	97%
CENTENNIAL MID	1110	311	1421	913	114	138%
LEISURE CITY ELEM/MID	1845	40	1885	999	45	181%
REDLAND MID	1748	178	1926	1144	25	165%
MIDDLE TOTALS	6037	530	6567	4429	184	142%
HOMESTEAD SR	3249	357	3606	2569	0	140%
MIAMI SOUTHRIDGE SR	3880	95	3975	2372	309	148%
SOUTH DADE SR	2713	73	2786	1871	283	129%
SENIOR HIGH TOTALS	9842	525	10367	6812	592	140%
TOTAL	22181	2223	24404	15922	1253	142%

NOTE: MODULAR CLASSROOM ADDITIONS

Leisure City Elem.	275 student stations
Peskoe Elem.	275 student stations
Redland Middle	330 student stations
Centennial Middle	(Pre-Programming)
Homestead Sr.	660 student stations

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CHARTER SCHOOLS
2002-2003

REV. 6-12-03

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
7160	Mater Academy High School 7901 NW 103 St. Hialeah Gardens, FL 33016	80	750	1,000	1,000	9-10	I	4
0100	Mater Center Charter School 7700 NW 98 St. Hialeah Gardens, FL 33016	1,099	1,000	1,050	1,150	K-8	I	4
0110	North County Charter School 3400 NW 135 St. Miami, FL 33054	293	600	600	600	K-5	I	1
5130	North Dade Community Charter School 13850 NW 26 Ave. Opa-Locka, FL 33054	63	575	600	600	K-5	I	1
5710	Sandor Wiener School of Opportunity 20000 NW 47 Ct. Opa-Locka, FL 33055	6	32	34	72	K-2	I	1
6900	Vankara Academy Charter School 13307-11 Alexandria Dr. Opa-Locka, FL 33054	132	175	225	225	6-8	I	1
6050	Youth Co-Op Charter School 12051 W. Okeechobee Rd. Hialeah Gardens, FL 33018	386	525	525	525	K-8	I	4
6020	ASPIRA Youth Leadership Charter School 13300 Memorial Hwy. North Miami, FL 33161	288	450	450	450	6-9	II	1
0120	Northeast Academy 1750 NE 168 St. N. Miami Beach, FL 33162	416	600	600	600	K-5	II	3
6030	Doral Academy 2450 NW 97 Ave. Miami, FL 33172	1212	2,025	2,025	2,025	K-8	III	5
7020	Doral Academy High School 11100 NW 27 St. Miami, FL 33172	456	1,800	1,800	1,800	9-11	III	5
0400	Ryder Elementary Charter School 8360 NW 33 St. Miami, FL 33122	488	500	500	500	K-5	III	5

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
6070	ASPIRA Eugenio Maria de Hostos Charter School 3650 N. Miami Ave. Miami, FL 33127	174	250	300	350	6-8	IV	2
3600	Downtown Miami Charter School 305 NW 3 Ave. Miami, FL 33128	294	650	650	650	K-6	IV	2
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138	260	350	350	350	6-8	IV	2
0040	Liberty City Charter School 6700 NW 5 Ave. Miami, FL 33150	257	400	705	705	K-7	IV	2
3100	Mater East Charter School 450 SW 4 St. Miami, FL 33130	269	650	800	800	K-5	IV	6
6040	Miami Shores/Barry University Connected Learning Center 11441 NW 2 Ave. Miami Shores, FL 33168	180	200	200	200	6-8	IV	2
0500	Rosa Parks Community School/Overtown 430 NW 9 St. Miami, FL 33136	42	425	500	500	K-6	IV	2
0510	Archimedean Academy 10870 SW 113 Place Miami, FL 33176	80	225	325	500	K-3	V	7
0600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175	548	650	700	700	K-6	V	8
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033	160	230	260	260	6-8	VI	9
0070	Coral Reef Montessori Academy 19000 SW 112 Ave. Miami, FL 33157	221	500	500	500	K-8	VI	9
0300	Rosa Parks Charter School/Florida City 713 West Palm Drive Florida City, FL 33034	149	250	300	600	K-7	VI	9

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
0200	Spiral Tech Elementary Charter School 12400 SW 72 St. Miami, FL 33183	59	160	240	290	K-5	VI	7

- Grade levels for school year 2002-2003

NEW CHARTER SCHOOLS APPROVED TO OPEN FOR THE 2003-2004 SCHOOL YEAR:

(Rev. 3/21/03)

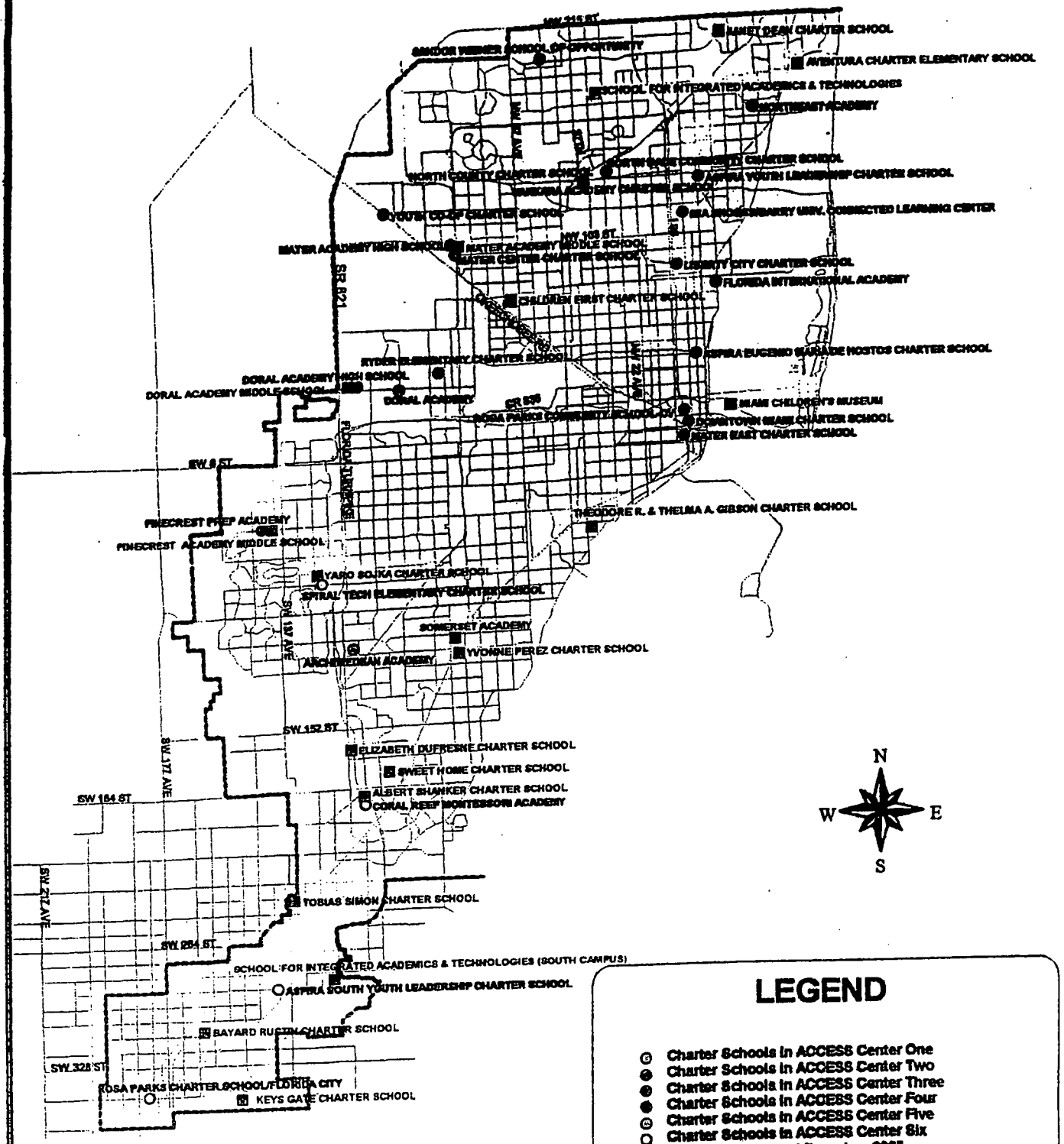
Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Mater Academy Middle School 7901 NW 103 Street Hialeah Gardens, FL 33016	700	800	800	6-8	6-8	I
School for Integrated Academics & Technologies (SIATech) *(A school for high-risk students)* Main: 3050 NW 183 Street Miami, FL 33056	400	600	800	9-10	9-12	I
Aventura Charter Elementary School 3333 NE 188 Street Miami, FL 33180	600	600	600	K-5	K-5	II
Janet Dean Charter School Ives Dairy Rd. between NE 10 & 12 Ave., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	II
Children First Charter School 590 W. 20 Street Hialeah, FL 33010	Deferred to 04-05	250	550	K-3	K-5	III
Doral Academy Middle School 2601 NW 112 Avenue Miami, FL 33172	800	800	800	6-8	6-8	III
Theodore R. & Thelma A. Gibson Charter School 3629 Grand Avenue Miami, FL 33133	575	600	600	K-8	K-8	IV
Miami Children's Museum Watson Island Miami, FL	Deferred to 04-05	350	350	K-5	K-5	IV

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Somerset Academy 11011 SW 80 Avenue Miami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School *17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miami, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE corner of Turnpike & Quail Roost Dr., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobias Simon Charter School 24400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

*temporary location for the first year – the permanent location will be at SW 180 Street & 107 Ave.

Applicant	Number of Schools	Maximum Enrollment Capacity
Chancellor Charter School at Coral Gables	1	750
Coral Gables Community Charter School	1	600
Miami-Dade Charter Foundation	6	5,400
Miami-Dade Charter Schools, Inc.	2	3,200
Miami-Shores Charter High School	1	600
Somerset Academy	8	8,600
Balere Language Academy	1	450
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School (West Hialeah Academy)	1	800
Charter Academy of Excellence	1	600
Total applications: 14	**27**	**24,150**

Charter Schools by ACCESS Center



MIAMI-DADE FIRE RESCUE DEPARTMENT
ZONING COMMENTS

Hearing Number: 02-305

Service Impact: ☑ Yes ☐ No

Location: N. OF SW 232 ST. & 1,330' E. OF SW 107 AVE.

Recommendation: No objection ____
No objection with condition(s) ____
Denial ____

Plans: ☐ Yes ☑ No

EU-M TO RU-3M
60 AC.

Estimated number of alarms generated annually by application: 33

If there is an impact, below is the service availability:

Station District 34 Grid 2354 (DU)/SF 195 Occupancy Type 2

Impact of additional calls on closest station: ☐ Minimal Impact.

☐ Moderate Impact. Planned station(s) will mitigate impact.

Planned Service to Mitigate:

Service	Location	Year to be Completed

☐ None

ACCESS:
Description of Concern(s):

- ☐ Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.
- ☐ Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.
- ☐ Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)
- ☐ **Fire Engineering & Water Supply Bureau site plan review and approval required.**

OTHER CONCERN(S):

Reviewed by: Carlos Heredia Phone: (786) 331-4544 Date: January 13, 2003

Revised 4/18/02

32

TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
03/16/2004	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of December 29, 2003

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the sub[illegible] of the application is owned or leas[illegible] a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, 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 required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

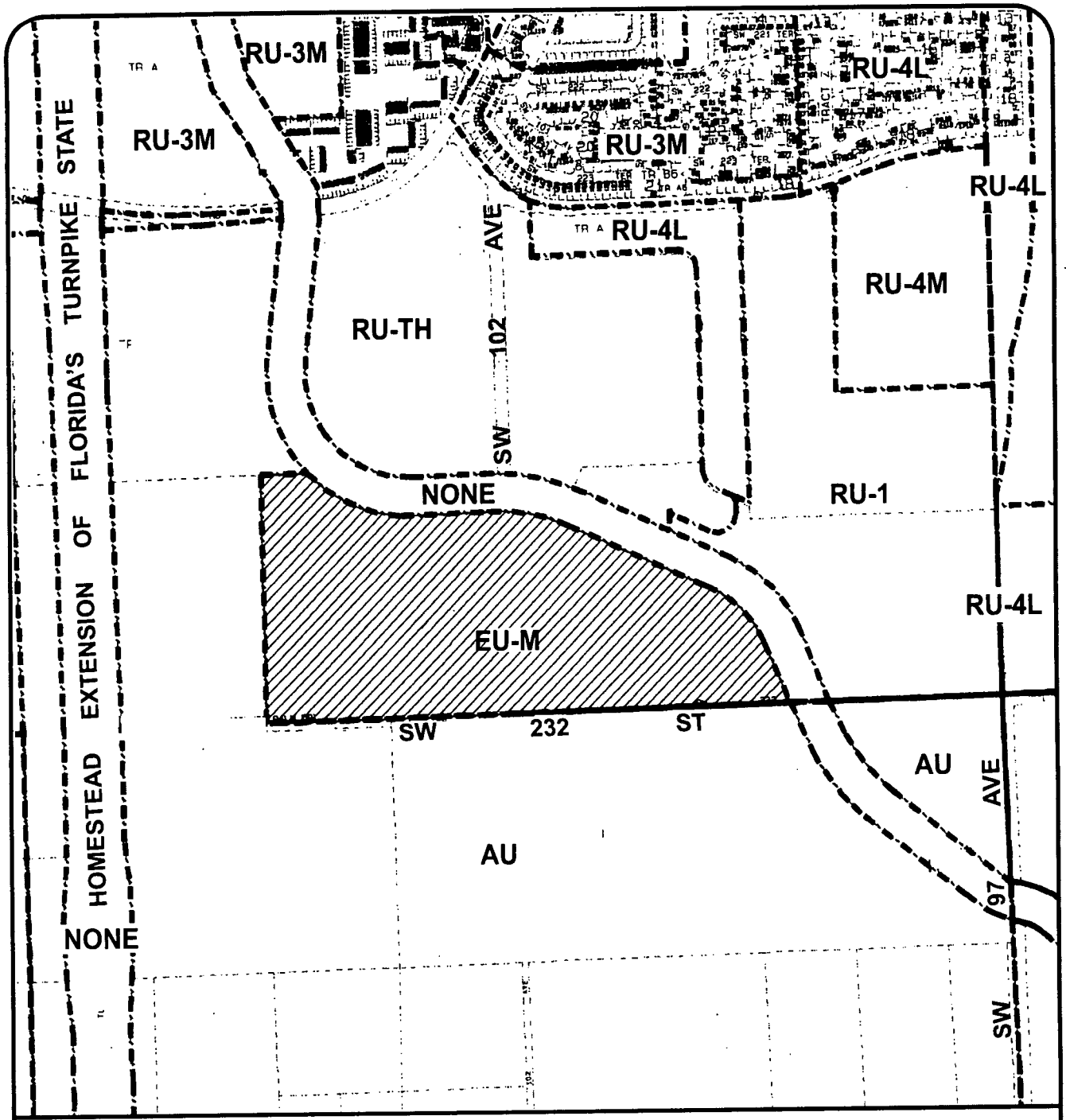
Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799831
EXPIRES: December 28, 2002
Bonded Thru Pichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.



MIAMI-DADE COUNTY

HEARING MAP

S C A L E 0 800' N

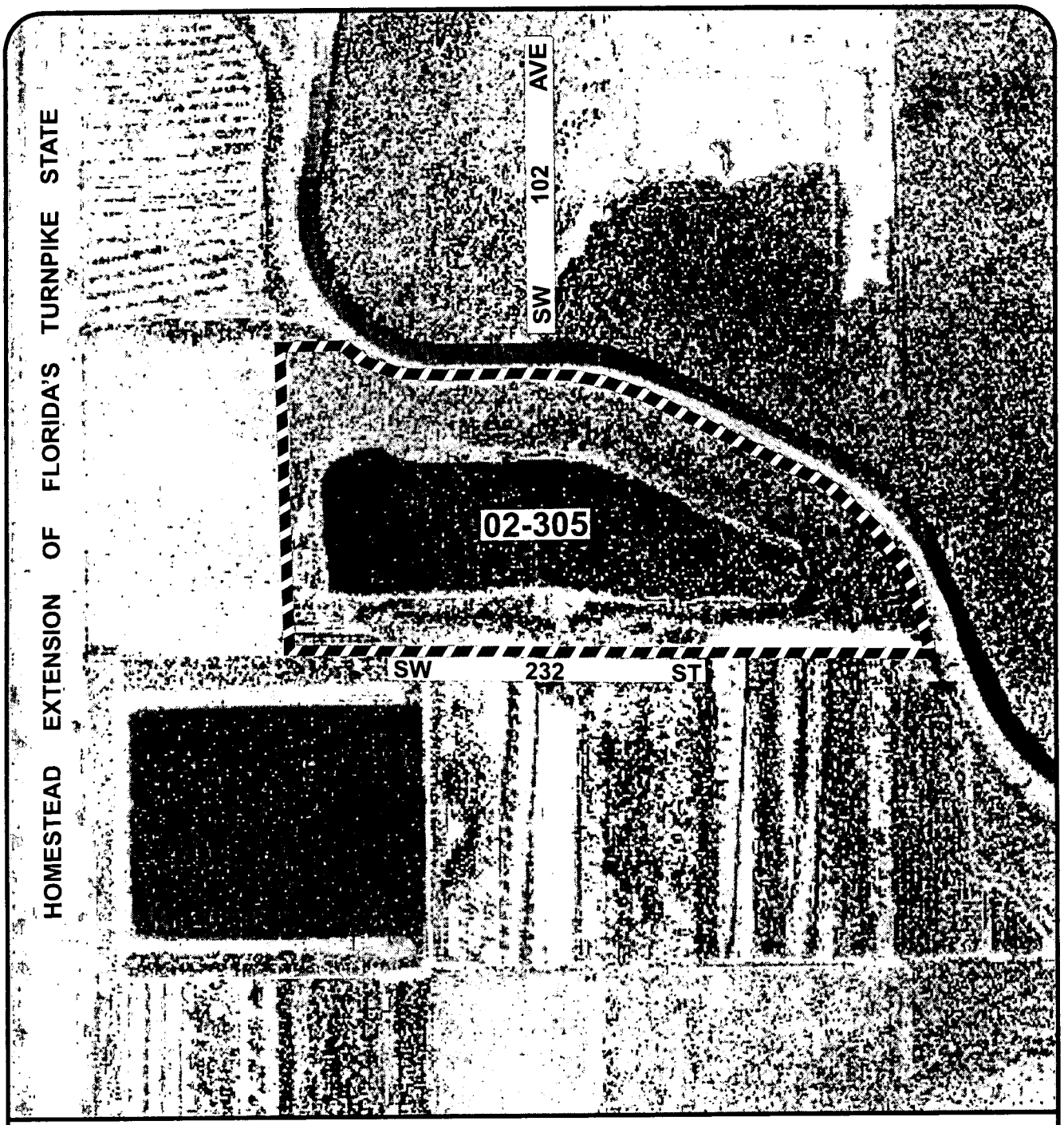
SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

37



MIAMI-DADE COUNTY

AERIAL

S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

D. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
Area 15/District 8
Hearing Date: 1/20/04

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor **Objectors:** _____

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** January 30, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: 4/28/03

Per DIC _____ Deferred to: _____

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ___ NO ✓ **County Attorney:** Ronald Bernstein

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H. R. REALTY & INVESTMENTS, INC.

Representative: Bill Reilly **Objectors:** Dana Floyd

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** April 28, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: _____

Per DIC _____ Deferred to: June 24, 2003

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: due to omnipoint holding

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel Adams S	✓		
Leonard Anthony M	✓		
JoAnn Bova	✓		
Paul S. Vrooman	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Steven Stiegler

3

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Bill Riley

Objectors: NONE

Hearing No. 03-1-CZ15-6 (02-305)

Hearing Date: June 24, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____

Per DIC ____

Approved as Requested ____

Denied Without Prejudice ____

Denied With Prejudice ____

Standard Conditions: ____

✓ Deferred to: Sept. 23, 2003

Withdrawal ____

Other: ____

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

		Yes	No	Absent
Al Alvarez		✓		
Daniel L. Adams	S	✓		
Leonard Anthony		✓		
JoAnn Bova	M	✓		
Paul S. Vrooman				✓
Nancy McCue		✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓

County Attorney: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): DYLAN RANGEL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	SEPTEMBER 23, 2003	CZAB15- -03

DEPT. REC: DENIAL W/OUT PREJUDICE OR DEFERRAL

1) EU-M to RU-3M

MOTION:

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☒ With Leave To Amend

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH STD. CONDITIONS

☒ OTHER: at applicant's expense

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.	S	Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.	M	JoAnn BOVA	✓		
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): Bill Riley

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	DECEMBER 9, 2003	CZAB15- -03

REQUESTS: EU-M to RU-3M

DEPT. REC: DEFERRAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☑ DEFER: ☐ INDEFINITELY ☑ TO: JAN. 20, '04 ☐ 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 STD. CONDITIONS

☑ OTHER: READVERTISE AT COUNTY'S EXPENSE

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Daniel L. ADAMS	✓		
MR.		Al ALVAREZ	✓		
MR.	M	Leonard ANTHONY	✓		
MS.		JoAnn BOVA			✓
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)			✓

VOTE: 4 to 0

EXHIBITS: ☐ YES ☑ NO

COUNTY ATTORNEY: Ron Bernstein

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 15

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 17-56-40 **DATE:** January 20, 2004

COMMISSION DISTRICT: 8 **ITEM NO.:** D

==========

A. INTRODUCTION

- **REQUEST:**

  EU-M to RU-3M

- **SUMMARY OF REQUEST:**

  This request will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District.

- **LOCATION:**

  Lying on the north side of theoretical S.W. 232 Street and east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60± Acres

- **IMPACT:**

  The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 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 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture and Urban Development Boundary
EAST: RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST: AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Although this area is zoned mostly for residential development, there is currently no indication of any active development. Plant nurseries are still active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Unacceptable**
Location of Buildings:	**N/A**
Compatibility:	**Unacceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**N/A**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**Unacceptable**

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or

neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**23 additional students**

H. ANALYSIS:

This application was deferred from the meeting of December 9, 2003, due to an error in the advertisement, from the meeting of September 23, 2003, at the applicant's request, with leave to amend, from the meeting of June 24, 2003, to allow the applicant time to submit plans and a covenant, and from the meetings of April 28, 2003 and January 30, 2003, with leave to amend. The request will allow the applicant to rezone the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District. The applicant is not required to submit a site plan in conjunction with this application, and is not requesting variances of the RU-3M zoning district. As such, all lots should meet RU-3M lot area, frontage, setback and landscaping requirements. Although not required to do so, the applicant submitted a site plan showing the development of the subject property with a 174-unit single-family development, and intends to proffer a covenant limiting the development density to 174 units and tying the rezoning request to the plan submitted. However, said plan was found to not to be in accordance with the design guidelines for urban form as contained in the Land Use Element of the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has **no objections** to this application and indicates that this application will generate **125 PM** daily peak hour vehicle trips, the addition of which will not exceed the current Levels of Service (LOS) which are at LOS "B" and "C". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **23 students** to the schools in the area, and that the

applicant has proffered a covenant to the School Board in order to provide a monetary donation to mitigate the impacts and accommodate the new students generated by this application, which will exceed the FISH (Florida Inventory of School Houses) capacity.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre rock pit. The CDMP designates the site for low density residential which permits a minimum of 2.5 and a maximum of 6.0 dua. As such, the CDMP would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site, which would be consistent with the CDMP. The proposed RU-3M zoning, at a density of 12.9 dua would permit a total of 774 units on this site if the lake is filled, or 490 units if the lake excavation remains. As such, the request to rezone to RU-3M would be inconsistent with the CDMP without a covenant limiting the density to a maximum of 360 units. As mentioned above, the applicant has submitted for staff's review, a site plan showing the development on the site to a maximum of 174 units. However, the plan submitted was found to lack certain urban design principles, and is not acceptable to staff. Staff finds that the plans could be improved by the incorporation of different building types such as townhouses and single-family homes, the arrangement of housing in an interconnected block and street network, the provision of open space in the form of squares, plazas, pocket parks and green focal points, and the reduction of lot sizes on the south side of the lake to create a linear park. In staff's opinion, the provision of a site plan incorporating the guidelines for urban form and a covenant limiting the density of the development and tying the zoning request to said plan, would make this application consistent with the CDMP and compatible with surrounding uses. Therefore, staff recommends denial without prejudice or deferral of this application.

I. RECOMMENDATION:

Denial without prejudice or deferral.

J. CONDITIONS: None.

DATE INSPECTED: 01/06/03
DATE TYPED: 01/22/03
DATE REVISED: 03/27/03, 04/07/03, 04/08/03, 04/22/03, 06/02/03, 06/04/03, 06/16/03, 09/05/03, 09/12/03, 11/24/03, 12/01/03, 12/02/03, 01/09/04, 01/12/04
DATE FINALIZED: 01/12/04
DO'QW:AJT:MTF:TLR

Diane O'Quinn

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM
DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: September 12, 2003

SUBJECT: C-15 #Z2002000305-Revised
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O
theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Enforcement History:
DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# 02-305
CZAB-15
Rev. 1

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department has no objections to this application.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

Special Taxing District to be established for maintenance of common areas.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **125 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	B	B
9594	Old Cutler Rd. sw/o Franjo Rd.	C	C

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.

(*)Traffic concurrency is based on development information provided by the applicant where the number of peak hour vehicle trips may fluctuate.

Raul A. ~~Pino, P.L.~~S.

JUN. 16 2003

Date

MIAMI-DADE FIRE RESCUE DEPARTMENT
ZONING COMMENTS

Hearing Number: 02-305

Service Impact: ☑ Yes ☐ No

Location: N. OF SW 232 ST. & 1,330' E. OF SW 107 AVE.

Recommendation: No objection ____ No objection with condition(s) ____* Denial ____

Plans: ☐ Yes ☑ No EU-M TO RU-3M 60 AC.

*

Estimated number of alarms generated annually by application: 33

If there is an impact, below is the service availability:

Station District 34 Grid 2354 (DU)/SF 195 Occupancy Type 2

Impact of additional calls on closest station: ☐ Minimal Impact.

☐ Moderate Impact. Planned station(s) will mitigate impact.

Planned Service to Mitigate:

Service	Location	Year to be Completed

☐ None

ACCESS:
Description of Concern(s):

- ☐ Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.
- ☐ Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.
- ☐ Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)
- ☐ **Fire Engineering & Water Supply Bureau site plan review and approval required.**

OTHER CONCERN(S):

Reviewed by: Carlos Heredia Phone: (786) 331-4544 Date: January 13, 2003
Revised 4/18/02

Miami-Dade County Public Schools

giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent
Facilities Operations, Maintenance and Planning

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

December 9, 2003

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue
REVISED

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that only one school facility meets the referenced review threshold. The proposed residential development will impact Miami Southridge Senior High School currently operating at 124% of FISH % utilization (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on May 22, 2003, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • www.ARijo@facil.dade.k12.fl.us

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the 182-unit development is estimated to generate approximately $445,536 ($2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good
Coordinator III

PG:am
L-2015
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. William W. Riley

REVISED
SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 02-305, H. R. Realty & Investments, Inc. (CC15)
REQUEST:	Zone change from EU-M to RU-3M
ACRES:	60± acres
LOCATION:	North of SW 232 Street and East of SW 107 Avenue
UNITS:	37 additional units as per proffered covenant (145 units currently permitted under existing zoning classification)
ESTIMATED STUDENT POPULATION:	23 students *
ELEMENTARY:	10
MIDDLE:	6
SENIOR:	7

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Pine Villa Elementary - 21799 SW 117 Ct.
MIDDLE:	Centennial Middle - 8601 SW 212 St.
SENIOR HIGH:	Miami Southridge Senior - 19355 SW 114 Ave.

All schools are located in Access Center 6

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of opening of schools, August, 2003:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Pine Villa Elem.	692/ 702*	561	123%/ 125%*	210	90%/ 91%*
Centennial Middle	1110/ 1116*	913	122%/ 122%*	114	108%/ 109%*
Miami Southridge Sr.	3880/ 3887	2811	138%/ 138%*	325	**124%/ 124%***

* includes proposed development

Pursuant to the Interlocal Agreement, please note that the elementary and middle schools do not meet the review threshold.

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2003:

Pine Villa Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	FL School Recognition as an "C" School
Special Programs:	After-school care and Magnet programs
Lunch schedule:	Begins at 10:15 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	Computer Lab
Recognition for Academic Achievement:	Various individual awards for academic achievement
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:23 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium, Storage Room and Book Room
Teachers required to float/travel:	None

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	None
Special Programs:	Magnet programs
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	Offices and Book storage rooms
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of October 2003):

School	Status	Projected Occupancy Date
Palm Glades K-8 (1506 student stations)	Pre-Planning	N/A
Addition @ Centennial Mid. (286 student stations)	Planning	N/A

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $134,159.

CAPITAL COSTS: Based on the State's October-2003 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	10	x	$ 13,294	=	$	132,940
MIDDLE	6	x	$ 15,242	=	$	91,452
SENIOR	7	x	$ 20,169	=	$	141,183
Total Potential Capital Cost					$	365,575

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

Item No.	Applicant Name & Number	Location Address	Units/Students	Schools	Board District(s)/ Region(s)	Community Council/Date	Approved/ Denied/ Comments
1	PROVINCIAL REALTY, INC. #02-186	SW 112 Ave. btwn SW 224 & 232 St.	250 Units/ 154 Students	PINE VILLA ELEM-71 CENTENNIAL MID-38 SOUTHRIDGE SR-45	7/6 9/6 9/6	CC15	PENDING
2	ERIC AND NICOLE LEE BERRIOS #01-376	SWC of SW 184 St. and SW 79 Ct.	1 Unit/ 0 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	9/6 9/6 9/6	CC15 1/28/02	APPROVED
3	LLOYD AND JOHNNIE CASH #02-230	SWC of SW 137 Ave. and SW 258 St.	36 Units/ 30 Students	NARANJA ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	9/6 7/6 7/6	CC15 1/30/03	APPROVED
4	RALPH FEUERRING, ET AL #02-108	NEC of SW 232 St. and SW 110 Ave.	209 Units/ 119 Students	PINE VILLA ELEM-64 CENTENNIAL MID-29 SOUTHRIDGE SR-26	7/6 9/6 9/6	CC15 10/03/02	APPROVED
5	ROBERT BOREK ET AL #01-333	E and W of SW 117 Ave. on the N side of 248 St.	246 Units/ 130 Students	PINE VILLA ELEM-70 REDLAND MID-31 HOMESTEAD SR-29	7/6 7/6 9/6	CC15 10/03/02	APPROVED
6	GOULDS, LLC #02-326	W of Sw 112 Ave. and S of SW 224 St.	45 Units/ 28 Students	PINE VILLA ELEM-13 MAYS MID-7 SOUTHRIDGE SR-8	7/6 7/6 9/6	CC15 10/22/03	APPROVED
7	LUMSDEN OAKS ACQUISITION CORP. #02-250	W of SW 132 Ave. and S of SW 282 St.	138 Units/ 116 Students	CHAPMAN ELEM-53 CENTENNIAL MID-29 HOMESTEAD SR-34	9/6 9/6 9/6	CC15 10/22/03	APPROVED
8	SPECIALTY HOUSING CORP. #03-104	S of SW 268 St. and W of FL Turnpike	33 Units/ 22 Students	CHAPMAN ELEM-10 CENTENNIAL MID-6 HOMESTEAD SR-6	9/6 9/6 9/6	CC15 10/22/03	APPROVED
9	AIRBASE LANDINGS, LTD. #02-030	S of SW 268 St. and E of SW 122 Ave.	45 Units/ 20 Students	CHAPMAN ELEM-11 CENTENNIAL MID-5 HOMESTEAD SR-4	9/6 9/6 9/6	CC15 11/07/02	APPROVED
10	HABITAT FOR HUMANITY OF GREATER MIAMI, INC. #00-188	15375 SW 288 St.	10 Units/ 7 Students	LEISURE CITY ELEMID-4/2 SOUTH DADE SR-1	9/6 7/6	CC15 11/12/02	APPROVED
11	LEWIS PETERS AND FERGUSON PETERS, TRUSTEE #01-088	NEC of SW 248 St. and Sw 112 Ave.	328 Units/ 168 Students	NARANJA ELEM-91 CENTENNIAL MID-40 HOMESTEAD SR-37	9/6 9/6 9/6	CC15 11/13/01	APPROVED
12	ALLAPATTAH NURSERY, LTD #02-155 #02-228	E of SW 112 Ave. and N of SW 240 St.	477 Units/ 255 Students	PINE VILLA ELEM-138 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED
13	CHARLES AND JO ELLEN CHAMBERS #02-178	NEC of SW 139 Ave. and SW 258 St.	76 Units/ 50 Students	NARANJA ELEM-27 REDLAND MID-12 SOUTH DADE SR-11	9/6 7/6 7/6	CC15 12/11/02	APPROVED
14	CW2, LTD. #02-164	E of SW 139 Ave. and S of SW 260 St.	32 Units/ 21 Students	NARANJA ELEM-11 REDLAND MID-5 SOUTH DADE SR-5	9/6 7/6 7/6	CC15 12/11/02	APPROVED
15	DIAZ LANDSCAPING & NURSERY, INC. #02-192	E of SW 112 Ave. and S of SW 240 St.	476 Units/ 254 Students	PINE VILLA ELEM-137 CENTENNIAL MID-61 HOMESTEAD SR-56	7/6 9/6 9/6	CC15 12/11/02	APPROVED

16	JSM HOLDING CORP. INC AND ROYAL GROUP INVESTMENT #01-264	S of SW 268 St. and SW 140 Ave.	24 Units/ 11 Students	CHAPMAN ELEM-6 REDLAND MID-3 HOMESTEAD SR-2	9/6 7/6 9/6	CC15 2/12/02	APPROVED
17	HUGO G. MORALES, TRUSTEE #01-203	Eof USA-1, S of Sw 252 St. and W of SW 137 Ave.	380 Units/ 144 Students	NARANJA ELEM-78 REDLAND MID-34 SOUTH DADE SR-32	9/6 7/6 7/6	CC15 3/26/02	APPROVED
18	CAROLE BROCK, TRUSTEE #02-279	NEC of SW 226 St. and SW 112 Ave.	45 Units/ 28 Students	PINE VILLA ELEM-15 CENTENNIAL MID-7 SOUTHRIDGE SR-6	7/6 9/6 9/6	CC15 3/27/03	APPROVED
19	CARMEL INVESTMENT & DEVELOPMENT INC. #01-437	NEC OF SW 160 Ave. and theor. SW 302 St.	6 Units/ 4 Students	PESKOE ELEM-2 CAMPBELL DRIVE MID-1 HOMESTEAD SR-1	9/6 9/6 9/6	CC15 4/23/02	APPROVED
20	ROBERT BOREK ET AL #00-298	S of SW 248 St. btwn SW 117 and 122 Ave.	342 Units/ 214 Students	PINE VILLA ELEM-116 REDLAND MID-51 HOMESTEAD SR-47	7/6 7/6 9/6	CC15 5/01/01	APPROVED $128,400 O/A
21	ALEJANDRO ZAMPIER #02-076	S of Sw 260 St. and W of SW 134 Ave.	20 Units/ 13 Students	NARANJA ELEM-7 REDLAND MID-3 SOUTH DADE SR-3	9/6 7/6 7/6	CC15 6/04/02	APPROVED
22	CLINTON ASSOCIATES, LTD. #02-035	NWC of SW 122 Ave. and SW 256 St.	59 Units/ 38 Students	NARANJA ELEM-21 REDLAND MID-9 HOMESTEAD SR-8	9/6 7/6 9/6	CC15 6/04/02	APPROVED
23	FREDERICK T. PETERS MARTIAL TRUST #01-219	N of SW 208 St. and btwn SW 87 Ave. and SW 92 Ave.	160 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
24	SODA PROPERTIES, LLC. #01-348	Btwn SW 87 Ave. and SW 92 Ave. and N of SW 208 St.	232 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	9/6 9/6 9/6	CC15 6/04/02	APPROVED
25	LAW PROPERTIES LTD. #02-244	SWC of SW 133 Ave. and SW 280 St.	79 Units/ 66 Students	CHAPMAN ELEM-30 CENTENNIAL MID-17 HOMESTEAD SR-19	9/6 9/6 9/6	CC15 6/24/03	APPROVED
26	SAGA BAY DEVELOPMENT, INC. #96-549	N of SW 210 St. and E of SW 82 Ave.	126 Units/ 78 Students	WHIGHAM ELEM-42 CENTENNIAL MID-19 SOUTHRIDGE SR-17	9/6 9/6 9/6	CC15 6/24/03	APPROVED
27	HENRY C. MORAT, TRUSTEE #02-280	SEC of SW 132 Ave. and SW 284 St.	109 Units/ 92 Students	CHAPMAN ELEM-42 CENTENNIAL MID-23 HOMESTEAD SR-27	9/6 9/6 9/6	CC15 7/24/03	APPROVED
28	SUNRISE VILLAGE MOBILE HOME PARK II #03-031	SEC of SW 147Ave. And SW 280 St.	181 Units/ 152 Students	LEISURE CITY ELEMID-70/38 HOMESTEAD SR-44	9/6 9/6	CC15 7/24/03	APPROVED
29	SVK AIRPORT LAND, LLC #02-201	NEC of SW 137 Ave. and SW 256 St.	58 Units/ 49 Students	NARANJA ELEM-23 REDLAND MID-12 SOUTH DADE SR-14	9/6 7/6 7/6	CC15 7/24/03	APPROVED
30	THE HOUSING TRUST GROUP OF FLORIDA, LLC #01-172	E of SW 87 Ave. and N of SW 216 St.	57 Units/ 35 Students	WHIGHAM ELEM-16 CENTENNIAL MID-9 SOUTHRIDGE SR-10	9/6 9/6 9/6	CC15 7/24/03	APPROVED

23

31	JOSE A. COSTA, JR., TRUSTEE #03-120	NEC of SW 248 St. & SW 129 Ave.	28 Units/ 17 Students	PINE VILLA ELEM-8 REDLAND MID-4 HOMESTEAD SR-5	7/6 7/6 9/6	CC15 8/21/03	APPROVED
32	PRINCETON SELF STORAGE, INC. #01-181	E of US-1, S fo Canal, btwn SW 244 St and SW 248 St.	160 Units/ 59 Students	MIAMI HEIGHTS ELEM-32 REDLAND MID-14 SOUTH DADE SR-13	9/6 7/6 7/6	CC15 9/04/01	DENIED
33	TOPA INVESTMENTS, LLC #01-161	19200 SW 102 Ave.	58 Units/ 19 Students	BEL-AIRE ELEM-10 CUTLER RIDGE MID-5 SOUTHRIDGE SR-4	9/6 9/6 9/6	CC15 9/04/01	DENIED
34	MARTINA BOREK ET AL #03-018	12110 SW 248 St.	90 Units/ 76 Students	NARANJA ELEM-35 REDLAND MID-19 HOMESTEAD SR-22	9/6 7/6 9/6	CC15 9/11/03	APPROVED
35	MANUEL C. & EMILIA DIAZ, ET AL #02-377	W of Sw 112 Ave. and S of SW 232 St.	1735 Units/ 1069 Students	PINE VILLA ELEM-492 REDLAND MID-267 HOMESTEAD SR-310	7/6 7/6 9/6	CC15 9/23/03	DENIED
36	H. R. REALTY & INVESTMENTS, INC. #02-305	N of SW 232 St. and E of SW 107 Ave.	37 Units/ 23 Students	WHIGHAM ELEM-11 CENTENNIAL MID-6 SOUTHRIDGE SR-7	9/6 9/6 9/6	CC15 Def. Indef.	PENDING

Note: There are two applications that are pending which would generate 177 students.

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PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC15 (JANUARY '01-SEPTEMBER '03)

SCHOOLS	STUDENT POPULATION	NUMBER OF STUDENTS PER PROJECT APPROVED	CUMULATIVE TOTAL STUDENT POPULATION	STUDENT STATIONS PERMANENT	RELOCATABLE STATIONS	CUMULATIVE % UTILIZATION INCLUDING RELOCATABLE
CHAPMAN, W.A. ELEM	784	89	873	809	64	100%
LEISURE CITY ELEM/MID	1845	74	1919	999	45	184%
NARANJA ELEM	800	309	1109	561	158	154%
PESKOE, IRVING & BEATRICE ELEM	1185	2	1187	840	0	141%
PINE VILLA ELEM	692	548	1240	561	210	161%
WHIGHAM, DR. EDWARD L. ELEM	996	146	1142	911	0	125%
ELEMENTARY TOTALS	6302	1168	7470	4681	477	145%
CAMPBELL DRIVE MID	1334	1	1335	1373	0	97%
CENTENNIAL MID	1110	311	1421	913	114	138%
LEISURE CITY ELEM/MID	1845	40	1885	999	45	181%
REDLAND MID	1748	178	1926	1144	25	165%
MIDDLE TOTALS	6037	530	6567	4429	184	142%
HOMESTEAD SR	3249	357	3606	2569	0	140%
MIAMI SOUTHRIDGE SR	3880	95	3975	2372	309	148%
SOUTH DADE SR	2713	73	2786	1871	283	129%
SENIOR HIGH TOTALS	9842	525	10367	6812	592	140%
TOTAL	22181	2223	24404	15922	1253	142%

NOTE: MODULAR CLASSROOM ADDITIONS

Leisure City Elem.	275 student stations
Peskoe Elem.	275 student stations
Redland Middle	330 student stations
Centennial Middle	(Pre-Programming)
Homestead Sr.	660 student stations

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REV. 6-12-03

CHARTER SCHOOLS
2002-2003

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
7160	Mater Academy High School 7901 NW 103 St. Hialeah Gardens, FL 33016	80	750	1,000	1,000	9-10	I	4
0100	Mater Center Charter School 7700 NW 98 St. Hialeah Gardens, FL 33016	1,099	1,000	1,050	1,150	K-8	I	4
0110	North County Charter School 3400 NW 135 St. Miami, FL 33054	293	600	600	600	K-5	I	1
5130	North Dade Community Charter School 13850 NW 26 Ave. Opa-Locka, FL 33054	63	575	600	600	K-5	I	1
5710	Sandor Wiener School of Opportunity 20000 NW 47 Ct. Opa-Locka, FL 33055	6	32	34	72	K-2	I	1
6900	Vankara Academy Charter School 13307-11 Alexandria Dr. Opa-Locka, FL 33054	132	175	225	225	6-8	I	1
6050	Youth Co-Op Charter School 12051 W. Okeechobee Rd. Hialeah Gardens, FL 33018	386	525	525	525	K-8	I	4
6020	ASPIRA Youth Leadership Charter School 13300 Memorial Hwy. North Miami, FL 33161	288	450	450	450	6-9	II	1
0120	Northeast Academy 1750 NE 168 St. N. Miami Beach, FL 33162	416	600	600	600	K-5	II	3
6030	Doral Academy 2450 NW 97 Ave. Miami, FL 33172	1212	2,025	2,025	2,025	K-8	III	5
7020	Doral Academy High School 11100 NW 27 St. Miami, FL 33172	456	1,800	1,800	1,800	9-11	III	5
0400	Ryder Elementary Charter School 8360 NW 33 St. Miami, FL 33122	488	500	500	500	K-5	III	5

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Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
6070	ASPIRA Eugenio Maria de Hostos Charter School 3650 N. Miami Ave. Miami, FL 33127	174	250	300	350	6-8	IV	2
3600	Downtown Miami Charter School 305 NW 3 Ave. Miami, FL 33128	294	650	650	650	K-6	IV	2
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138	260	350	350	350	6-8	IV	2
0040	Liberty City Charter School 8700 NW 5 Ave. Miami, FL 33150	257	400	705	705	K-7	IV	2
3100	Mater East Charter School 450 SW 4 St. Miami, FL 33130	269	650	800	800	K-5	IV	6
6040	Miami Shores/Barry University Connected Learning Center 11441 NW 2 Ave. Miami Shores, FL 33168	180	200	200	200	6-8	IV	2
0500	Rosa Parks Community School/Overtown 430 NW 9 St. Miami, FL 33136	42	425	500	500	K-6	IV	2
0510	Archimedean Academy 10870 SW 113 Place Miami, FL 33176	80	225	325	500	K-3	V	7
0600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175	548	650	700	700	K-6	V	8
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033	160	230	260	260	6-8	VI	9
0070	Coral Reef Montessori Academy 19000 SW 112 Ave. Miami, FL 33157	221	500	500	500	K-8	VI	9
0300	Rosa Parks Charter School/Florida City 713 West Palm Drive Florida City, FL 33034	149	250	300	600	K-7	VI	9

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
0200	Spiral Tech Elementary Charter School 12400 SW 72 St. Miami, FL 33183	59	160	240	290	K-5	VI	7

- Grade levels for school year 2002-2003

NEW CHARTER SCHOOLS APPROVED TO OPEN FOR THE 2003-2004 SCHOOL YEAR:

(Rev. 3/21/03)

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Mater Academy Middle School 7901 NW 103 Street Hialeah Gardens, FL 33016	700	800	800	6-8	6-8	I
School for Integrated Academics & Technologies (SIATech) *(A school for high-risk students)* Main: 3050 NW 183 Street Miami, FL 33056	400	600	800	9-10	9-12	I
Aventura Charter Elementary School 3333 NE 188 Street Miami, FL 33180	600	600	600	K-5	K-5	II
Janet Dean Charter School Ives Dairy Rd. between NE 10 & 12 Ave., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	II
Children First Charter School 590 W. 20 Street Hialeah, FL 33010	Deferred to 04-05	250	550	K-3	K-5	III
Doral Academy Middle School 2601 NW 112 Avenue Miami, FL 33172	800	800	800	6-8	6-8	III
Theodore R. & Thelma A. Gibson Charter School 3629 Grand Avenue Miami, FL 33133	575	600	600	K-8	K-8	IV
Miami Children's Museum Watson Island Miami, FL	Deferred to 04-05	350	350	K-5	K-5	IV

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Somerset Academy 11011 SW 80 Avenue Miami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School *17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miami, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE corner of Turnpike & Quail Roost Dr., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobias Simon Charter School 24400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

*temporary location for the first year – the permanent location will be at SW 180 Street & 107 Ave.

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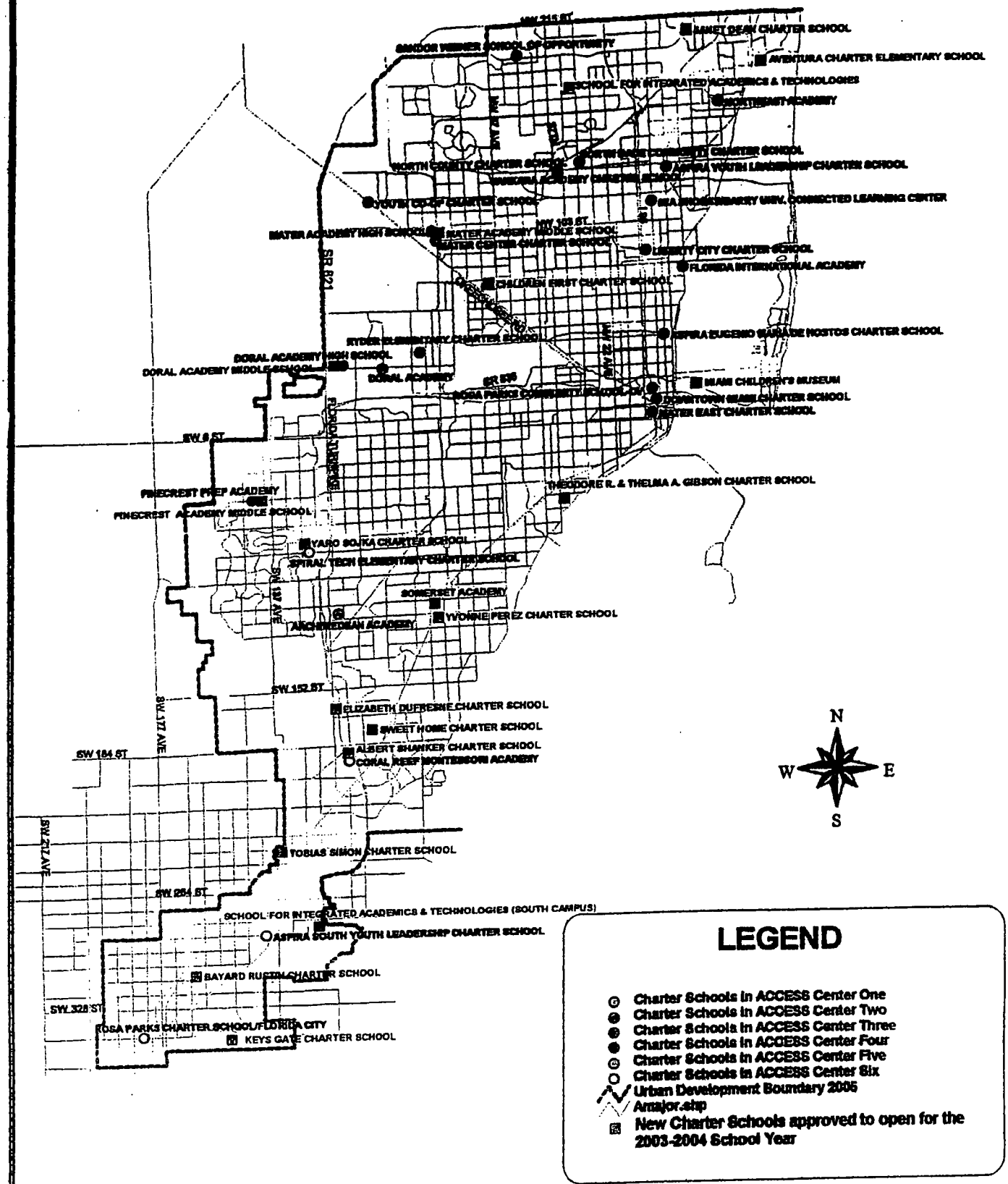
Applications approved to open in subsequent years		
Applicant	Number of Schools	Maximum Enrollment Capacity
Chancellor Charter School at Coral Gables	1	750
Coral Gables Community Charter School	1	600
Miami-Dade Charter Foundation	6	5,400
Miami-Dade Charter Schools, Inc.	2	3,200
Miami-Shores Charter High School	1	600
Somerset Academy	8	8,600
Balere Language Academy	1	450
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School (West Hialeah Academy)	1	800
Charter Academy of Excellence	1	600
Total applications: 14	**27**	**24,150**

Charter Schools by ACCESS Center



TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
01/20/2004	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of December 29, 2003

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the sub[illegible] of the application is owned or leas[illegible]y a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, 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 required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

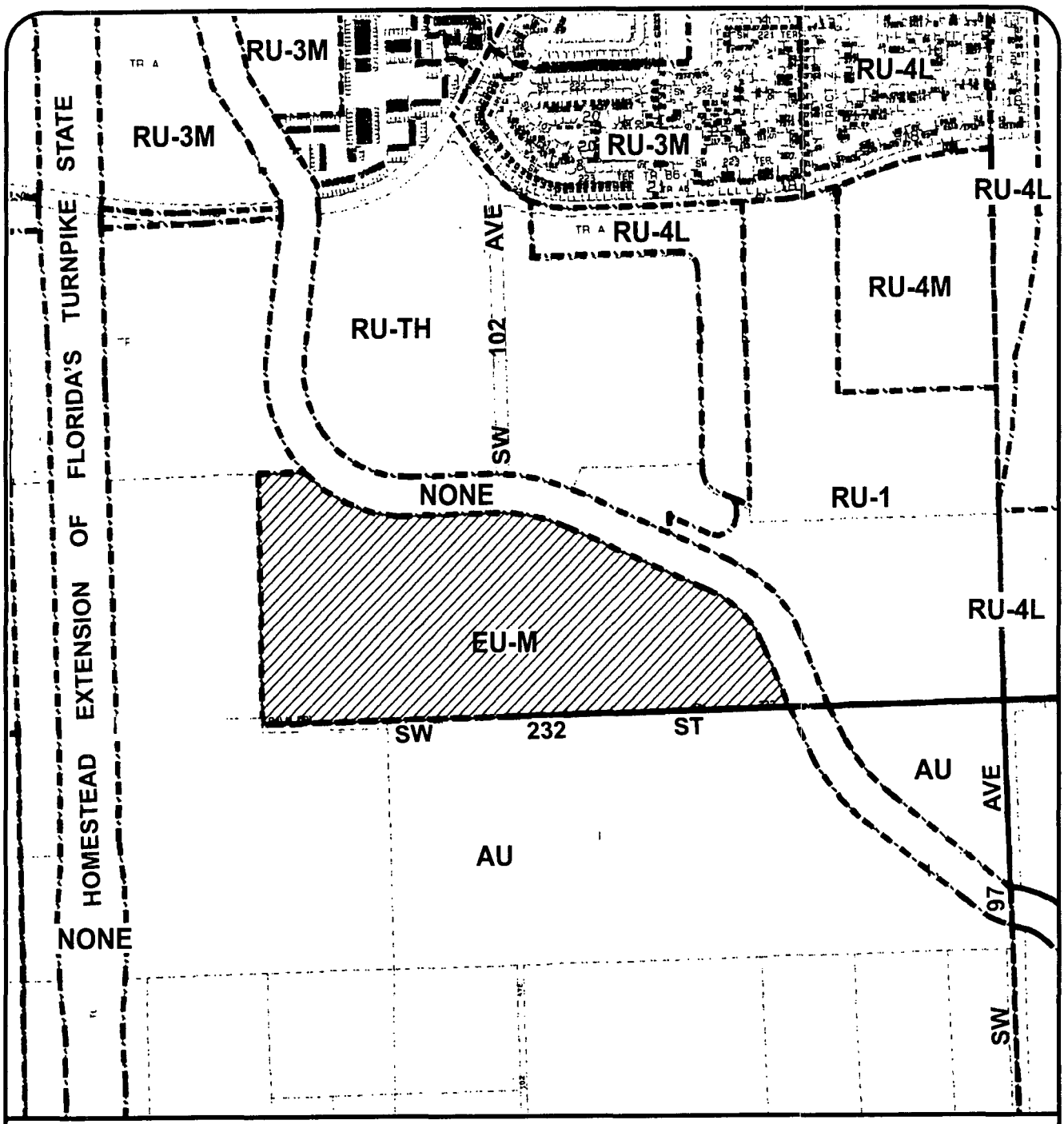
Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799631
EXPIRES: December 28, 2002
Bonded Thru Pichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.



MIAMI-DADE COUNTY
HEARING MAP

S C A L E 0 800' N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

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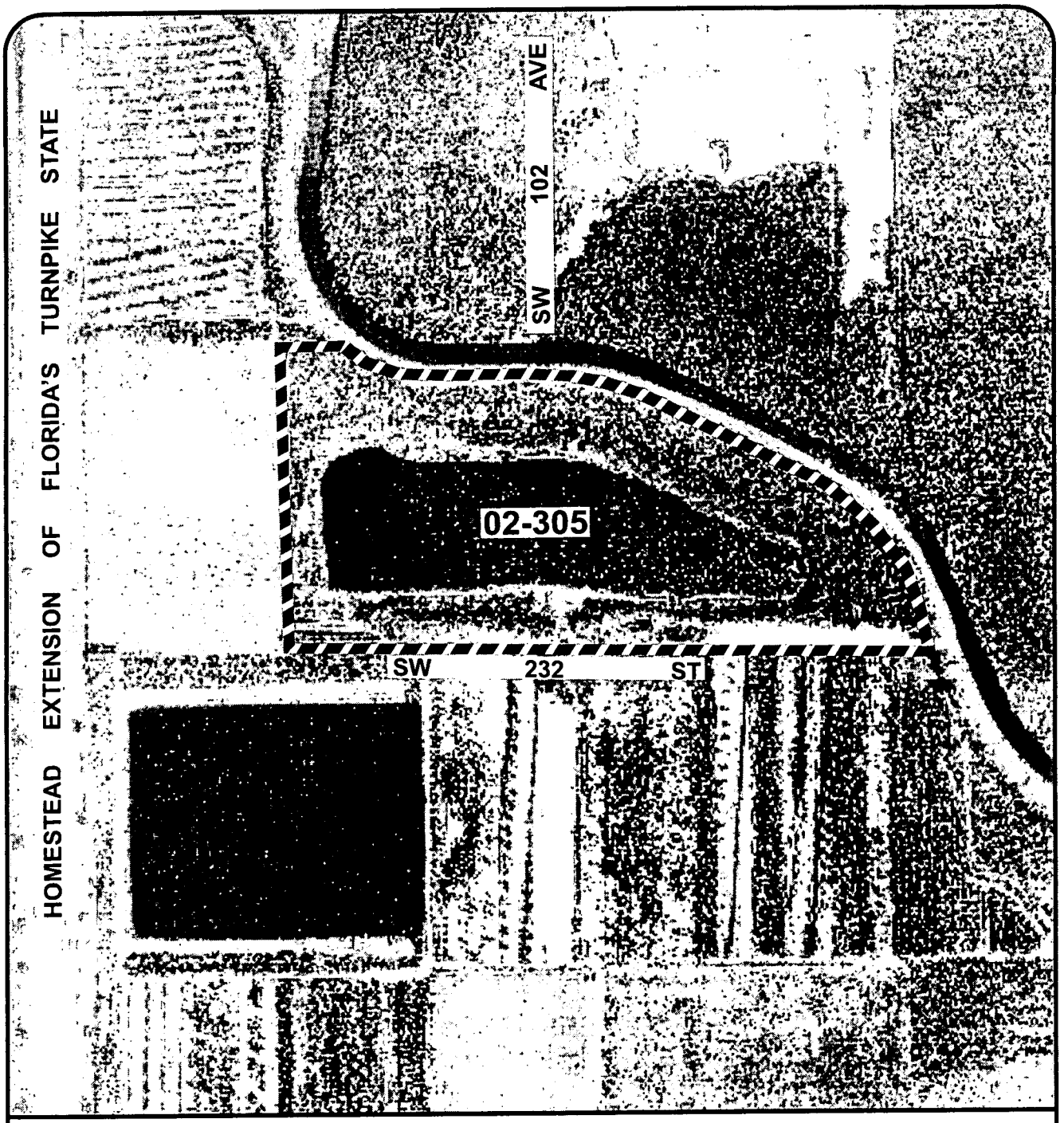

MIAMI-DADE COUNTY
AERIAL

S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

B. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
Area 15/District 8
Hearing Date: 12/9/03

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor **Objectors:** _____

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** January 30, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: 4/28/03

Per DIC _____ Deferred to: _____

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ___ NO ✓ **County Attorney:** Ronald Bernstein

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MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H. R. REALTY & INVESTMENTS, INC.

Representative: Bill Reilly **Objectors:** Dana Floyd

Hearing No. 03-1-CZ15-6 (02-305), **Hearing Date:** April 28, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: _____

Per DIC _____ Deferred to: June 24, 2003

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: due to omnipoint holding

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel Adams S	✓		
Leonard Anthony M	✓		
JoAnn Bova	✓		
Paul S. Vrooman	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ___ NO ✓ **County Attorney:** Steven Stiegler

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MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Bill Riley **Objectors:** NONE

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** June 24, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____ Standard Conditions: ____

Per DIC ____ ✓ Deferred to: Sept. 23, 2003

Approved as Requested ____ Withdrawal ____

Denied Without Prejudice ____

Denied With Prejudice ____

Other: ____

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

		Yes	No	Absent
Al Alvarez		✓		
Daniel L. Adams	S	✓		
Leonard Anthony		✓		
JoAnn Bova	M	✓		
Paul S. Vrooman				✓
Nancy McCue		✓		

VOTE: 5 TO 0

EXHIBITS: YES ____ NO ✓ County Attorney: Jay Williams

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

APPLICANT'S NAME: H.R. REALTY & INVESTMENTS, INC.

REPRESENTATIVE(S): DYLAN RANGEL

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
03-1-CZ15-6 (02-305)	SEPTEMBER 23, 2003	CZAB15- -03

DEPT. REC: DENIAL W/OUT PREJUDICE OR DEFERRAL

1) EU-M to RU-3M

MOTION:

☐ WITHDRAW: ☐ APPLICATION ☐ ITEMS: _____

☒ DEFER: ☒ INDEFINITELY ☐ TO: _____ ☒ With Leave To Amend

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

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

☐ WITH STD. CONDITIONS

☒ OTHER: at applicant's expense

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Daniel L. ADAMS	✓		
MR.	S	Al ALVAREZ	✓		
MR.		Leonard ANTHONY	✓		
MS.	M	JoAnn BOVA	✓		
VICE-CHAIRMAN		Paul S. VROOMAN	✓		
MADAME CHAIRPERSON		Nancy MCCUE (C.A.)	✓		

VOTE: 6 to 0

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: Jay Williams

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MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 15

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 17-56-40 **DATE:** December 9, 2003

COMMISSION DISTRICT: 8 **ITEM NO.:** B

==========

A. INTRODUCTION

- **REQUEST:**

  EU-M to RU-3M

- **SUMMARY OF REQUEST:**

  This request will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District.

- **LOCATION:**

  Lying on the north side of theoretical S.W. 232 Street and east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60± Acres

- **IMPACT:**

  The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 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 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture and Urban Development Boundary
EAST: RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST: AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Although this area is zoned mostly for residential development, there is currently no indication of any active development. Plant nurseries are still active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Unacceptable**
Location of Buildings:	**N/A**
Compatibility:	**Unacceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**N/A**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**Unacceptable**

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or

neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**23 additional students**

H. ANALYSIS:

This application was deferred at the applicant's request from the meeting of September 23, 2003, with leave to amend, from the meeting of June 24, 2003, to allow the applicant time to submit plans and a covenant, and from the meetings of April 28, 2003 and January 30, 2003, with leave to amend. The request will allow the applicant to rezone the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District. The applicant is not required to submit a site plan in conjunction with this application, and is not requesting variances of the RU-3M zoning district. As such, all lots should meet RU-3M lot area, frontage, setback and landscaping requirements. Although not required to do so, the applicant submitted a site plan showing the development of the subject property with a 174-unit single-family development, and intends to proffer a covenant limiting the development density to 174 units and tying the rezoning request to the plan submitted. However, said plan was found to not to be in accordance with the design guidelines for urban form as contained in the Land Use Element of the CDMP.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has **no objections** to this application and indicates that this application will generate **125 PM** daily peak hour vehicle trips, the addition of which will not exceed the current Levels of Service (LOS) which are at LOS "B" and "C". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **23 students** to the schools in the area, and that the applicant has proffered a covenant to the School Board in order to provide a monetary

donation to mitigate the impacts and accommodate the new students generated by this application, which will exceed the FISH (Florida Inventory of School Houses) capacity.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre rock pit. The CDMP designates the site for low density residential which permits a minimum of 2.5 and a maximum of 6.0 dua. As such, the CDMP would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site, which would be consistent with the CDMP. The proposed RU-3M zoning, at a density of 12.9 dua would permit a total of 774 units on this site if the lake is filled, or 490 units if the lake excavation remains. As such, the request to rezone to RU-3M would be inconsistent with the CDMP without a covenant limiting the density to a maximum of 360 units. As mentioned above, the applicant has submitted for staff's review, a site plan showing the development on the site to a maximum of 174 units. However, the plan submitted was found to lack certain urban design principles, and is not acceptable to staff. Staff finds that the plans could be improved by the incorporation of different building types such as townhouses and single-family homes, the arrangement of housing in an interconnected block and street network, the provision of open space in the form of squares, plazas, pocket parks and green focal points, and the reduction of lot sizes on the south side of the lake to create a linear park. In staff's opinion, the provision of a site plan incorporating the guidelines for urban form and a covenant limiting the density of the development and tying the zoning request to said plan, would make this application consistent with the CDMP and compatible with surrounding uses. Notwithstanding, staff notes that this application must be deferred until January 20, 2004, due to an error in the advertisement.

I. RECOMMENDATION:

Deferral.

J. CONDITIONS: None.

DATE INSPECTED: 01/06/03
DATE TYPED: 01/22/03
DATE REVISED: 03/27/03, 04/07/03, 04/08/03, 04/22/03, 06/02/03, 06/04/03, 06/16/03, 09/05/03, 09/12/03, 11/24/03, 12/01/03, 12/02/03
DATE FINALIZED: 12/03/03
DO'QW:AJT:MTF:TLR

Diane O'Quinn

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM
DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: September 12, 2003

SUBJECT: C-15 #Z2002000305-Revised
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O
theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:

The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# 02-305
CZAB-15
Rev. 1

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department has no objections to this application.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

Special Taxing District to be established for maintenance of common areas.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **125 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	B	B
9594	Old Cutler Rd. sw/o Franjo Rd.	C	C

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.

(*)Traffic concurrency is based on development information provided by the applicant where the number of peak hour vehicle trips may fluctuate.

Raul A. Pino, P.L.S.

JUN. 16 2003

Date

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MIAMI-DADE FIRE RESCUE DEPARTMENT
ZONING COMMENTS

Hearing Number: 02-305

Service Impact: ☑ Yes ☐ No

Location: N. OF SW 232 ST. & 1,330' E. OF SW 107 AVE.

Recommendation: No objection ____
No objection with condition(s) ____
Denial ____

Plans: ☐ Yes ☑ No

EU-M TO RU-3M
60 AC.

Estimated number of alarms generated annually by application: 33

If there is an impact, below is the service availability:

Station District 34 Grid 2354 (DU)/SF 195 Occupancy Type 2

Impact of additional calls on closest station: ☐ Minimal Impact.

☐ Moderate Impact. Planned station(s) will mitigate impact.

Planned Service to Mitigate:

Service	Location	Year to be Completed

☐ None

ACCESS:
Description of Concern(s):

- ☐ Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.
- ☐ Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.
- ☐ Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)
- ☐ **Fire Engineering & Water Supply Bureau site plan review and approval required.**

OTHER CONCERN(S):

Reviewed by: Carlos Heredia Phone: (786) 331-4544 Date: January 13, 2003

Revised 4/18/02

Miami-Dade County Public Schools
giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent
Facilities Operations, Maintenance and Planning

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

July 17, 2003

Ms. Ruth Ellis Myers, Acting Supervisor
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 N.W. 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue
UPDATED

Dear Ms. Myers:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that only two school facilities meet the referenced review threshold. The proposed residential development will impact Centennial Middle School and Miami Southridge Senior High School currently operating at 117% and 156% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the additional student impact generated by the proposed residential development will increase the FISH % utilization of Centennial Middle School to 118% (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on May 22, 2003, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at a upcoming meeting.

Please note that a new high school (S/S "HHH") is being constructed at 18180 S.W. 122 Ave.; the anticipated completion date for same is Fall 2003. However, although it is possible that this school may serve a portion of this general area, the facility is a modified school of choice with no attendance boundaries.

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School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • www.ARijo@facil.dade.k12.fl.us

Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the 182-unit development is estimated to generate approximately $445,536 ($2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good
Coordinator III

PG:am
L-1535
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. William W. Riley

UPDATED
SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 02-305, H. R. Realty & Investments, Inc. (CC15)

REQUEST: Zone change from EU-M to RU-3M

ACRES: 60± acres

LOCATION: North of SW 232 Street and East of SW 107 Avenue

UNITS: 37 additional units as per proffered covenant (145 units currently permitted under existing zoning classification)

ESTIMATED STUDENT POPULATION: 23 student *

ELEMENTARY: 11

MIDDLE: 6

SENIOR: 7

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Pine Villa Elementary - 21799 SW 117 Ct.

MIDDLE: Centennial Middle - 8601 SW 212 St.

SENIOR HIGH: Miami Southridge Senior - 19355 SW 114 Ave.

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

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The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2002:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Pine Villa Elem.	711/ 722*	561	127%/ 129%*	210	92%/ 94%*
Centennial Middle	1203/ 1209*	913	132%/ 132%*	114	**117%/ 118%***
Miami Southridge Sr.	4184/ 4191	2372	176%/ 177%*	309(p)	**156%/ 156%***

* includes proposed development

(p) Please note that in Fiscal Year 02/03, modular classrooms (330 student stations) are proposed on site, 11 existing relocatables are targeted for removal.

Pursuant to the Interlocal Agreement, please note that the elementary school does not meet the review threshold.

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2002:

Pine Villa Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	"C" School
Special Programs:	After-school care, and Magnet Program
Lunch schedule:	Begins at 10:15 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	Computer Lab
Recognition for Academic Achievement::	Various individual awards for academic achievement
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:23 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium, Storage Room and Book Room
Teachers required to float/travel:	None

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	None
Special Programs:	Magnet programs
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	Offices and Book storage rooms
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of June 2003):

School	Status	Projected Occupancy Date
*State School "HHH" at Robert Morgan Vocational Tech. 18180 SW 122 Avenue Miami, FL 33177	Construction	Fall/2003

*Note: The attendance boundaries for S/S "HHH" have not been established

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $134,159.

CAPITAL COSTS: Based on the State's June-2003 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	12	x	$ 13,221	=	$ 158,220
MIDDLE	6	x	$ 15,159	=	$ 90,708
SENIOR	5	x	$ 20,060	=	$ 100,025
Total Potential Capital Cost					$ 348,953

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC14 AND CC15 (JANUARY '01-MARCH '03)

	Applicant Name & Number	Location Address	Units/Students	Schools	Community Council Date	Approved/ Denied/ Comments
1	EFRAIN ARGUELLES #00-323	NEC of SW 300 St. and SW 174 Ave.	8 Units/ 5 Students	AVOCADO ELEM-3 HOMESTEAD MID-1 SOUTH DADE SR-1	CC14 2/21/01	APPROVED
2	PATRICIA & JORGE PALENZUELA & CANDAD ZAMORA #01-406	W of SW 167 Ave. and SW 284 St.	11 Units/ 7 Students	AVOCADO ELEM-4 HOMESTEAD MID-2 SOUTH DADE SR-1	CC14 3/06/02	APPROVED
3	CAULEY PALISADE CORP. #02-162	NWC of SW 218 St. and SW 124 Ave.	7 Units/ 4 Students	CARIBBEAN ELEM-2 MAYS MID-1 SOUTHRIDGE SR-1	CC14 9/25/02	APPROVED
4	PERRY KAYE, TRUSTEE #00-446	Btwn SW 128 Ave. and SW 132 Ave. and btwn SW 211 St. and SW 216 St.	89 Units/ 53 Students	CARIBBEAN ELEM-29 MAYS MID-12 SOUTHRIDGE SR-12	CC14 5/30/01 10/11/01	APPROVED
5	CAULEY PALISADE CORP. #01-242	22010 SW 124 Ave.	18 Units/ 11 Students	CARIBBEAN ELEM-6 MAYS MID-3 SOUTHRIDGE SR-2	CC14 10/10/01	APPROVED
6	OPEN BIBLE BAPTIST CHURCH TO FORTY-FIRST HOLDINGS, LLC 01-134	W of SW 137 Ave. and N of SW 173 Terr.	84 Units/ 32 Students	MIAMI HEIGHTS ELEM-17 REDLAND MID-8 SOUTH DADE SR-7	CC14 12/19/01	APPROVED
7	VICTOR F. SEIJAS, JR. #99-300	N of SW 184 St. and SW 142 Ave.	17 Units/ 9 Students	REDLAND ELEM-5 REDLAND MID-2 SOUTH DADE SR-2	CC14 4/25/01	APPROVED
8	CROSS ET AL #01-218	SW 130 Ave. and btwn SW 192 St. and SW 220 St.	157 Units/ 94 Students	S. MIAMI HGTS. ELEM-51 MAYS MID-23 SOUTHRIDGE SR-20	CC14 11/20/01	APPROVED
9	MANGROVE DEVELOPMENT OF MIAMI, INC. #99-101	SWC of Sw 184 St. and SW 127 Ave.	24 Units/ 14 Students	S. MIAMI HGTS. ELEM-8 MAYS MID-3 SOUTHRIDGE SR-3	CC14 2/06/01	APPROVED
10	SVK AIRPORT LAND, LLC #02-200	SEC of SW 276 St. and SW 154 Ave.	41 Units/ 24 Students	REDLAND ELEM-13 REDLAND MID-6 SOUTH DADE SR-5	CC14 11/06/02	APPROVED
11	ANNE DELK TRUSTEE #02-170	Btwn SW 175 and 177 Ave. and N of SW 292 St.	7 Units/ 4 Students	REDONDO ELEM-2 HOMESTEAD MID-1 SOUTH DADE SR-1	CC14 12/17/02	APPROVED
12	STEVE PURDO, ET AL #02-249	S of SW 224 St. btwn SW 128 and 130 Ave.	64 Units/ 38 Students	CARIBBEAN ELEM-21 MAYS MID-9 SOUTHRIDGE SR-8	CC14 12/17/02	APPROVED
13	H. D. CROSS TRUSTEE ET AL #02-054	Btwn SW 184 St. to SW 192 St. and W of SW 130 Ave. to SW 134	154 Units/ 95 Students	S. MIAMI HGTS. ELEM-51 MAYS MID-23 SOUTHRIDGE SR-21	CC14 1/28/03	APPROVED
14	JOSEPH TAUBMAN, TRUSTEE & DELCO ENTERPRISES #01-401	N of SW 208 St. btwn SW 133 Ct. and SW 132 Ave.	31 Units/ 20 Students	REDLAND ELEM-11 MAYS MID-5 SOUTH DADE SR-4	CC14 10/16/02 2/25/03	APPROVED
15	AVOCADO ACRE HOMES DEVELOPMENT CORP. #02-302	SEC of SW 272 St. and SW 157 Ave.	46 Units/ 30 Students	REDLAND ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	CC14 2/25/03	APPROVED
16	BLACK CREEK BUILDERS GROUP, LLC #02-335	SEC of SW 132 Ave. and SW 284 St.	11 Units/ 7 Students	REDLAND ELEM-4 MAYS MID-2 HOMESTEAD SR-1	CC14 2/25/03	APPROVED

Note: There are three applications that are pending which would generate 38 students.

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PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC14 AND CC15 (JANUARY '01-MARCH '03)

	Applicant Name & Number	Location Address	Units/ Students	Schools	Community Council/ Date	Approved/ Denied/ Comments
1	ALEJANDRO ZAMPIER #02-076	S of Sw 260 St. and W of SW 134 Ave.	20 Units/ 13 Students	NARANJA ELEM-7 REDLAND MID-3 SOUTH DADE SR-3	CC15 6/04/02	APPROVED
2	CARMEL INVESTMENT & DEVELOPMENT INC. #01-437	NEC OF SW 160 Ave. and theor. SW 302 St.	6 Units/ 4 Students	PESKOE ELEM-2 CAMPBELL DRIVE MID-1 HOMESTEAD SR-1	CC15 4/23/02	APPROVED
3	CLINTON ASSOCIATES, LTD. #02-035	NWC of SW 122 Ave. and SW 256 St.	59 Units/ 38 Students	NARANJA ELEM-21 REDLAND MID-9 HOMESTEAD SR-8	CC15 6/04/02	APPROVED
4	ERIC AND NICOLE LEE BERRIOS #01-376	SWC of SW 184 St. and SW 79 Ct.	1 Unit/ 0 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	CC15 1/28/02	APPROVED
5	FREDERICK T. PETERS MARTIAL TRUST #01-219	N of SW 208 St. and btwn SW 87 Ave. and SW 92 Ave.	160 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	CC15 6/04/02	APPROVED
6	JSM HOLDING CORP. INC AND ROYAL GROUP INVESTMENT #01-264	S of SW 268 St. and SW 140 Ave.	24 Units/ 11 Students	CHAPMAN ELEM-6 REDLAND MID-3 HOMESTEAD SR-2	CC15 2/12/02	APPROVED
7	LEWIS PETERS AND FERGUSON PETERS, TRUSTEE #01-088	NEC of SW 248 St. and Sw 112 Ave.	328 Units/ 168 Students	NARANJA ELEM-91 CENTENNIAL MID-40 HOMESTEAD SR-37	CC15 11/13/01	APPROVED
8	SODA PROPERTIES, LLC. #01-348	Btwn SW 87 Ave. and SW 92 Ave. and N of SW 208 St.	232 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	CC15 6/04/02	APPROVED
9	ROBERT BOREK ET AL #00-298	S of SW 248 St. btwn SW 117 and 122 Ave.	342 Units/ 214 Students	PINE VILLA ELEM-116 REDLAND MID-51 HOMESTEAD SR-47	CC15 5/01/01	APPROVED $128,400 O/A
10	HUGO G. MORALES, TRUSTEE #01-203	Eof USA-1, S of Sw 252 St. and W of SW 137 Ave.	380 Units/ 144 Students	NARANJA ELEM-78 REDLAND MID-34 SOUTH DADE SR-32	CC15 3/26/02	APPROVED
11	ROBERT BOREK ET AL #01-333	E and W of Sw 117 Ave. on the N side of 248 St.	246 Units/ 130 Students	PINE VILLA ELEM-70 REDLAND MID-31 HOMESTEAD SR-29	CC15 10/03/02	APPROVED
12	RALPH FEUERRING, ET AL #02-108	NEC of SW 232 St. and SW 110 Ave.	209 Units/ 119 Students	PINE VILLA ELEM-64 CENTENNIAL MID-29 SOUTHRIDGE SR-26	CC15 10/03/02	APPROVED
13	AIRBASE LANDINGS, LTD. #02-030	S of SW 268 St. and E of SW 122 Ave.	45 Units/ 20 Students	CHAPMAN ELEM-11 CENTENNIAL MID-5 HOMESTEAD SR-4	CC15 11/07/02	APPROVED
14	HABITAT FOR HUMANITY OF GREATER MIAMI, INC. #00-188	15375 SW 288 St.	10 Units/ 7 Students	LEISURE CITY ELEMID-4/2 SOUTH DADE SR-1	CC15 11/12/02	APPROVED
15	DIAZ LANDSCAPING & NURSERY, INC. #02-192	E of SW 112 Ave. and S of SW 240 St.	476 Units/ 254 Students	PINE VILLA ELEM-137 CENTENNIAL MID-61 HOMESTEAD SR-56	CC15 12/11/02	APPROVED

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PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC14 AND CC15 (JANUARY '01-MARCH '03)

16	ALLAPATTAH NURSERY, LTD #02-155 #02-228	E of SW 112 Ave. and N of SW 240 St.	477 Units/ 255 Students	PINE VILLA ELEM-138 CENTENNIAL MID-61 HOMESTEAD SR-56	CC15 12/11/02	APPROVED
17	CHARLES AND JO ELLEN CHAMBERS #02-178	NEC of SW 139 Ave. and SW 258 St.	76 Units/ 50 Students	NARANJA ELEM-27 REDLAND MID-12 SOUTH DADE SR-11	CC15 12/11/02	APPROVED
18	CW2, LTD. #02-164	E of SW 139 Ave. and S of SW 260 St.	32 Units/ 21 Students	NARANJA ELEM-11 REDLAND MID-5 SOUTH DADE SR-5	CC15 12/11/02	APPROVED
19	LLOYD AND JOHNNIE CASH #02-230	SWC of SW 137 Ave. and SW 258 St.	36 Units/ 30 Students	NARANJA ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	CC15 1/30/03	APPROVED
20	PRINCETON SELF STORAGE, INC. #01-181	E of US-1, S fo Canal, btwn SW 244 St and SW 248 St.	160 Units/ 59 Students	MIAMI HEIGHTS ELEM-32 REDLAND MID-14 SOUTH DADE SR-13	CC15 9/04/01	DENIED
21	TOPA INVESTMENTS, LLC #01-161	19200 SW 102 Ave.	58 Units/ 19 Students	BEL-AIRE ELEM-10 CUTLER RIDGE MID-5 SOUTHRIDGE SR-4	CC15 9/04/01	DENIED
22	HENRY C. MORAT, TRUSTEE #02-280	SEC of SW 132 Ave. and SW 284 St.	120 Units/ 101 Students	CHAPMAN ELEM-55 CENTENNIAL MID-24 HOMESTEAD SR-22	CC15 2/27/03	DENIED

Note: There are nine applications that are pending which would generate 591 students.

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PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC14 AND CC15 (JANUARY '01-MARCH '03)

SCHOOLS	STUDENT POPULATION	NUMBER OF STUDENTS PER PROJECT APPROVED	CUMULATIVE TOTAL STUDENT POPULATION	STUDENT STATIONS PERMANENT	RELOCATABLE STATIONS	CUMULATIVE % UTILIZATION INCLUDING RELOCATABLE
AVOCADO ELEM	937	7	944	591	0	160%
CARIBBEAN ELEM	944	58	1002	927	24	105%
CHAPMAN, W.A. ELEM	883	17	900	809	64	103%
LEISURE CITY ELEM/MID	1841	4	1845	999	45	177%
MIAMI HEIGHTS ELEM	1297	17	1314	836	158	132%
NARANJA ELEM	850	251	1101	561	158	153%
PESKOE, IRVING & BEATRICE ELEM	1151	2	1153	840	0	137%
PINE VILLA ELEM	711	525	1236	561	210	160%
REDLAND ELEM	1072	49	1121	829	0	135%
REDONDO ELEM	736	2	738	581		0%
SOUTH MIAMI HEIGHTS ELEM	821	110	931	828	71	104%
WHIGHAM, DR. EDWARD L. ELEM	1009	88	1097	911	0	120%
ELEMENTARY TOTALS	12252	1130	13382	9273	730	134%
CAMPBELL DRIVE MID	1359	1	1360	1373	0	99%
CENTENNIAL MID	1203	236	1439	913	114	140%
CUTLER RIDGE MID	1459	0	1459	995	131	130%
LEISURE CITY ELEM/MID	1841	2	1843	999	45	177%
HOMESTEAD MID	1385	4	1389	1029	45	129%
MAYS MID	1095	81	1176	1023	45	110%
REDLAND MID	1763	178	1941	1144	25	166%
MIDDLE TOTALS	10105	502	10607	7476	405	135%
HOMESTEAD SR	3315	241	3556	2569	0	138%
MIAMI SOUTHRIDGE SR	4184	129	4313	2372	309	161%
SOUTH DADE SR	2824	87	2911	1871	283	135%
SENIOR HIGH TOTALS	10323	457	10780	6812	592	146%
TOTAL	32680	2089	34769	23561	1727	137%

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REV. 6-12-03

CHARTER SCHOOLS
2002-2003

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
7160	Mater Academy High School 7901 NW 103 St. Hialeah Gardens, FL 33016	80	750	1,000	1,000	9-10	I	4
0100	Mater Center Charter School 7700 NW 98 St. Hialeah Gardens, FL 33016	1,099	1,000	1,050	1,150	K-8	I	4
0110	North County Charter School 3400 NW 135 St. Miami, FL 33054	293	600	600	600	K-5	I	1
5130	North Dade Community Charter School 13850 NW 26 Ave. Opa-Locka, FL 33054	63	575	600	600	K-5	I	1
5710	Sandor Wiener School of Opportunity 20000 NW 47 Ct. Opa-Locka, FL 33055	6	32	34	72	K-2	I	1
6900	Vankara Academy Charter School 13307-11 Alexandria Dr. Opa-Locka, FL 33054	132	175	225	225	6-8	I	1
6050	Youth Co-Op Charter School 12051 W. Okeechobee Rd. Hialeah Gardens, FL 33018	386	525	525	525	K-8	I	4
6020	ASPIRA Youth Leadership Charter School 13300 Memorial Hwy. North Miami, FL 33161	288	450	450	450	6-9	II	1
0120	Northeast Academy 1750 NE 168 St. N. Miami Beach, FL 33162	416	600	600	600	K-5	II	3
6030	Doral Academy 2450 NW 97 Ave. Miami, FL 33172	1212	2,025	2,025	2,025	K-8	III	5
7020	Doral Academy High School 11100 NW 27 St. Miami, FL 33172	456	1,800	1,800	1,800	9-11	III	5
0400	Ryder Elementary Charter School 8360 NW 33 St. Miami, FL 33122	488	500	500	500	K-5	III	5

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
6070	ASPIRA Eugenio Maria de Hostos Charter School 3650 N. Miami Ave. Miami, FL 33127	174	250	300	350	6-8	IV	2
3600	Downtown Miami Charter School 305 NW 3 Ave. Miami, FL 33128	294	650	650	650	K-6	IV	2
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138	260	350	350	350	6-8	IV	2
0040	Liberty City Charter School 8700 NW 5 Ave. Miami, FL 33150	257	400	705	705	K-7	IV	2
3100	Mater East Charter School 450 SW 4 St. Miami, FL 33130	269	650	800	800	K-5	IV	6
6040	Miami Shores/Barry University Connected Learning Center 11441 NW 2 Ave. Miami Shores, FL 33168	180	200	200	200	6-8	IV	2
0500	Rosa Parks Community School/Overtown 430 NW 9 St. Miami, FL 33136	42	425	500	500	K-6	IV	2
0510	Archimedean Academy 10870 SW 113 Place Miami, FL 33176	80	225	325	500	K-3	V	7
0600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175	548	650	700	700	K-6	V	8
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033	160	230	260	260	6-8	VI	9
0070	Coral Reef Montessori Academy 19000 SW 112 Ave. Miami, FL 33157	221	500	500	500	K-8	VI	9
0300	Rosa Parks Charter School/Florida City 713 West Palm Drive Florida City, FL 33034	149	250	300	600	K-7	VI	9

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
0200	Spiral Tech Elementary Charter School 12400 SW 72 St. Miami, FL 33183	59	160	240	290	K-5	VI	7

- Grade levels for school year 2002-2003

NEW CHARTER SCHOOLS APPROVED TO OPEN FOR THE 2003-2004 SCHOOL YEAR: (Rev. 3/21/03)

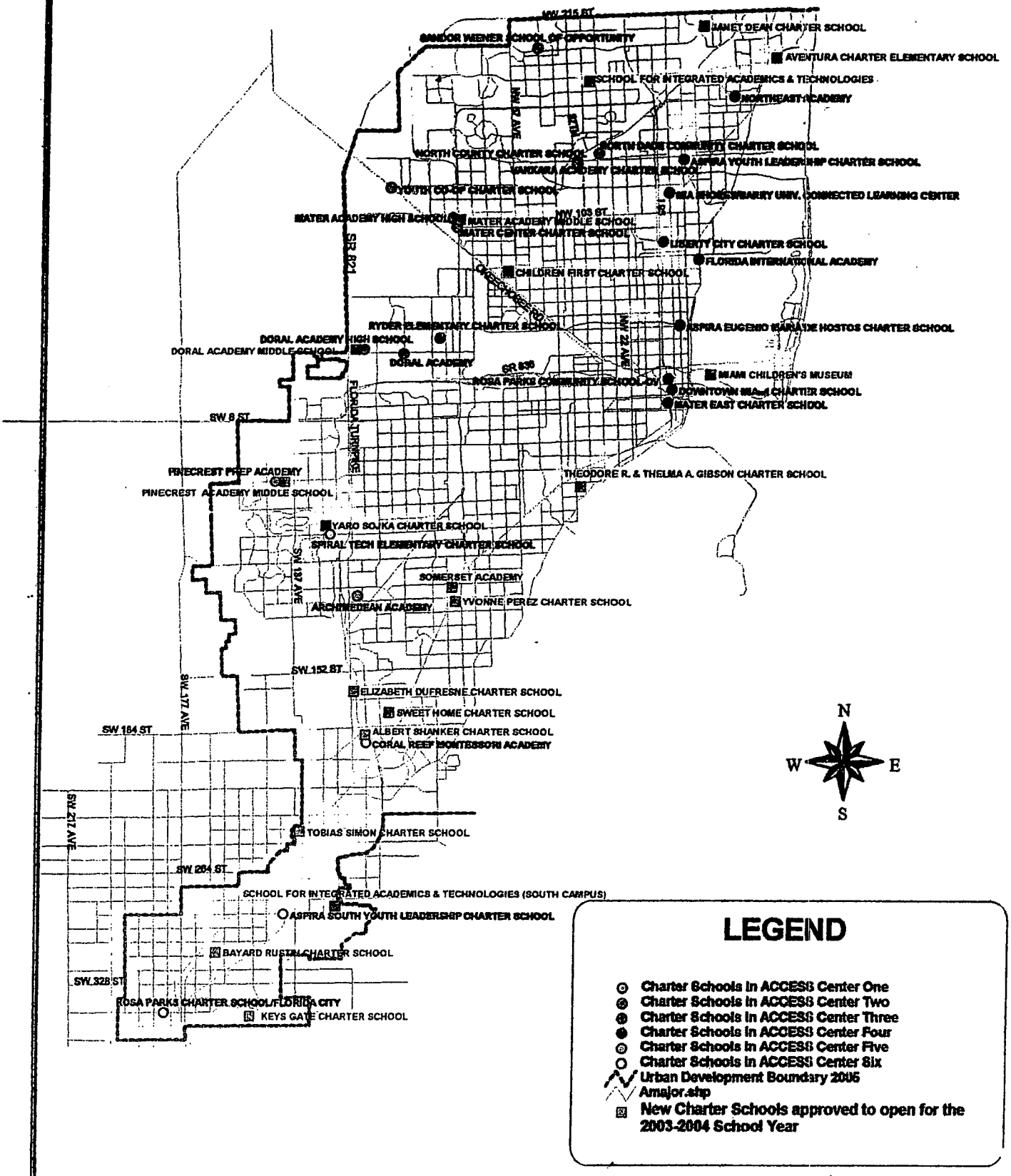
Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Mater Academy Middle School 7901 NW 103 Street Hialeah Gardens, FL 33016	700	800	800	6-8	6-8	I
School for Integrated Academics & Technologies (SIATech) *(A school for high-risk students)* Main: 3050 NW 183 Street Miami, FL 33056	400	600	800	9-10	9-12	I
Aventura Charter Elementary School 3333 NE 188 Street Miami, FL 33180	600	600	600	K-5	K-5	II
Janet Dean Charter School Ives Dairy Rd. between NE 10 & 12 Ave., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	II
Children First Charter School 590 W. 20 Street Hialeah, FL 33010	Deferred to 04-05	250	550	K-3	K-5	III
Doral Academy Middle School 2601 NW 112 Avenue Miami, FL 33172	800	800	800	6-8	6-8	III
Theodore R. & Thelma A. Gibson Charter School 3629 Grand Avenue Miami, FL 33133	575	600	600	K-8	K-8	IV
Miami Children's Museum Watson Island Miami, FL	Deferred to 04-05	350	350	K-5	K-5	IV

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Somerset Academy 11011 SW 80 Avenue Miami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School *17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miami, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE corner of Turnpike & Quail Roost Dr., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobias Simon Charter School 24400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

*temporary location for the first year – the permanent location will be at SW 180 Street & 107 Ave.

Applications approved to open in subsequent years		
Applicant	Number of Schools	Maximum Enrollment Capacity
Chancellor Charter School at Coral Gables	1	750
Coral Gables Community Charter School	1	600
Miami-Dade Charter Foundation	6	5,400
Miami-Dade Charter Schools, Inc.	2	3,200
Miami-Shores Charter High School	1	600
Somerset Academy	8	8,600
Balere Language Academy	1	450
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School (West Hialeah Academy)	1	800
Charter Academy of Excellence	1	600
Total applications: 14	**27**	**24,150**

Charter Schools by ACCESS Center



TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
12/09/03	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of November 14, 2003

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DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the sub[illegible] of the application is owned or leas[illegible]y a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, 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 required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

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_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

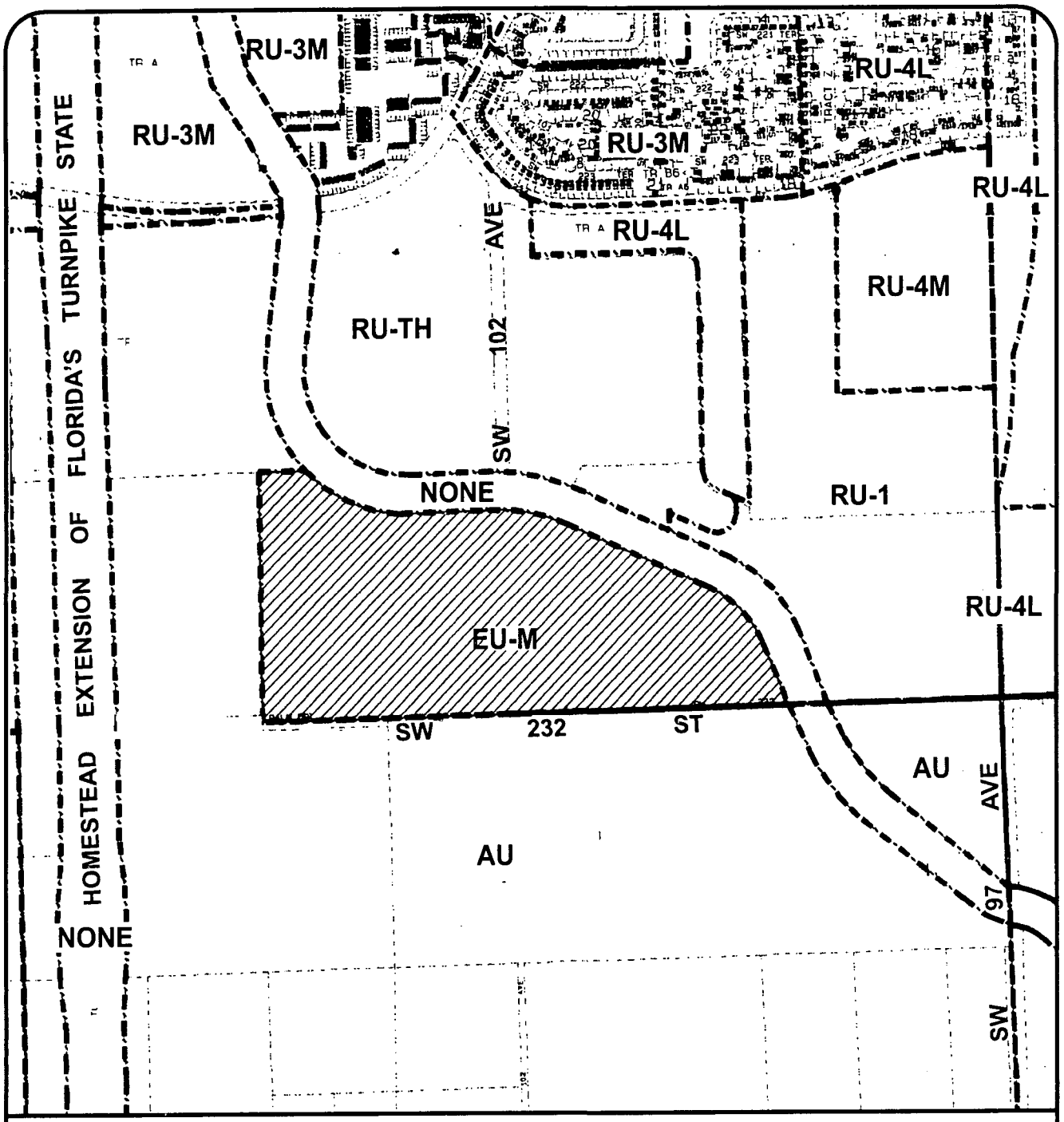
Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799631
EXPIRES: December 28, 2002
Bonded Thru Pichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.



MIAMI-DADE COUNTY

HEARING MAP

S C A L E 0 800' N

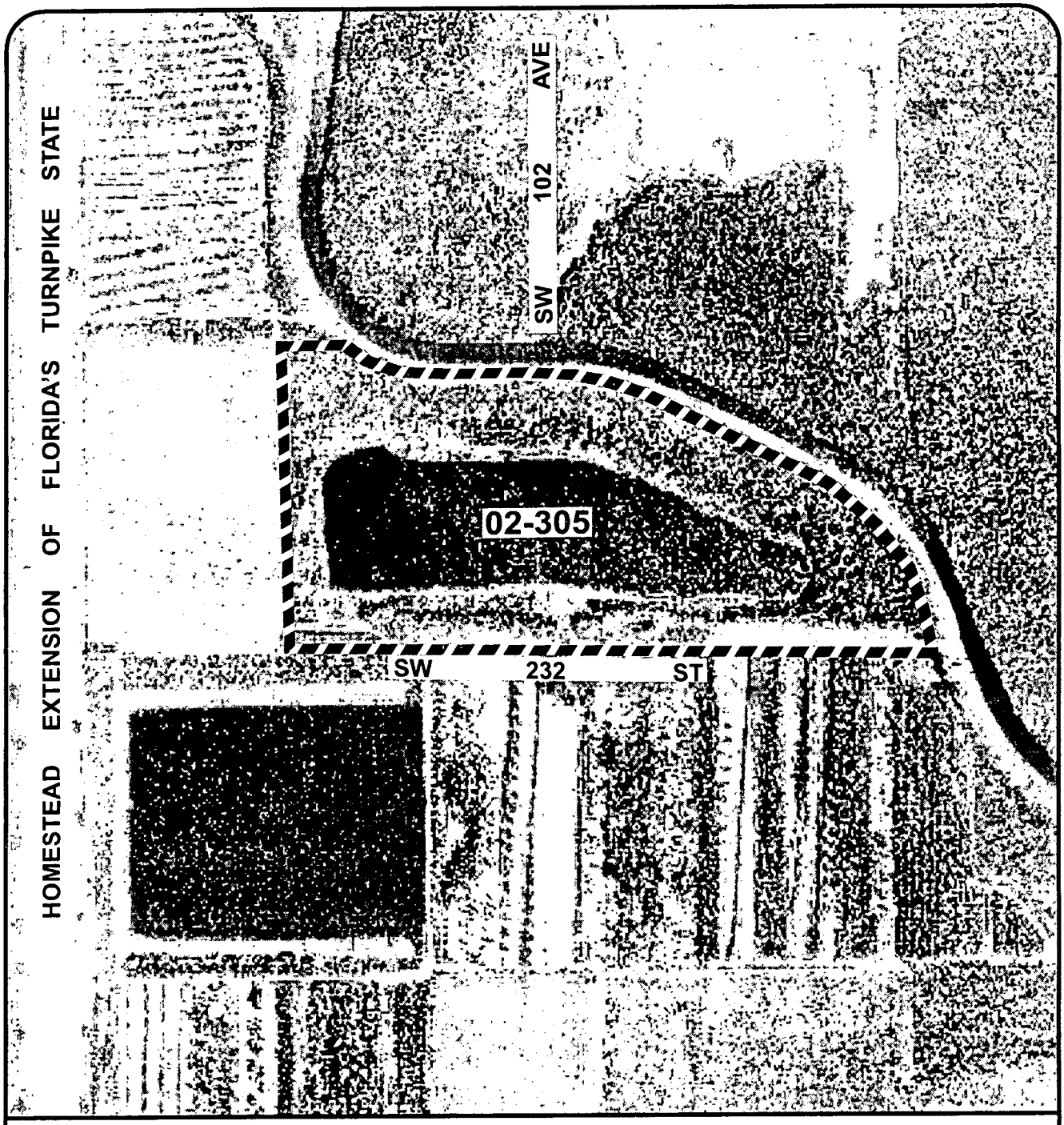
SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

35

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02



MIAMI-DADE COUNTY
AERIAL

S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

36

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

E. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
Area 15/District 8
Hearing Date: 9/23/03

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor **Objectors:** _____

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** January 30, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: 4/28/03

Per DIC _____ Deferred to: _____

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Ronald Bernstein

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H. R. REALTY & INVESTMENTS, INC.

Representative: Bill Reilly **Objectors:** Dana Floyd

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** April 28, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: _____

Per DIC _____ Deferred to: June 24, 2003

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: due to omnipoint holding

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel Adams S	✓		
Leonard Anthony M	✓		
JoAnn Bova	✓		
Paul S. Vrooman	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Steven Stiegler

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Bill Riley **Objectors:** NONE

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date: June 24, 2003**

Resolution No. CZAB15-____-03

Motion:

Per Department ____ Standard Conditions: ____

Per DIC ____ ✓ Deferred to: Sept. 23, 2003

Approved as Requested ____ Withdrawal ____

Denied Without Prejudice ____

Denied With Prejudice ____

Other: ____

Revised plans accepted? YES ____ ____

Covenant accepted? YES ____ ____

		Yes	No	Absent
Al Alvarez		✓		
Daniel L. Adams	S	✓		
Leonard Anthony		✓		
JoAnn Bova	M	✓		
Paul S. Vrooman				✓
Nancy McCue		✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Jay Williams

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MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 15

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 17-56-40 **DATE:** September 23, 2003

COMMISSION DISTRICT: 9 **ITEM NO.:** E

==========

A. INTRODUCTION

- **REQUEST:**

  EU-M to RU-3M

- **SUMMARY OF REQUEST:**

  This request will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District.

- **LOCATION:**

  Lying on the north side of theoretical S.W. 232 Street and east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60± Acres

- **IMPACT:**

  The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 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 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture and Urban Development Boundary
EAST: RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST: AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Although this area is zoned mostly for multifamily development, there is currently no indication of any active development. Plant nurseries are still active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Unacceptable**
Location of Buildings:	**N/A**
Compatibility:	**Unacceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**N/A**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**23 additional students**

H. ANALYSIS:

This application was deferred at the applicant's request from the meeting of June 24, 2003, to allow the applicant time to submit plans and a covenant, and from the meetings of April 28, 2003 and January 30, 2003, with leave to amend. The request will allow the applicant to rezone the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District. The applicant is not required to submit a site plan in conjunction with this application, and is not requesting variances of the RU-3M zoning district. As such, all lots should meet RU-3M lot area, frontage, setback and landscaping requirements. Although not required to do so, the applicant had originally submitted a site plan showing the development of the subject property with a 182-unit single-family development, and indicated the intent to proffer a covenant tying this rezoning request to same. However, said plan was found to not be within the scope of the request since it did not meet all zoning requirements.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has **no objections** to this application and indicates that this application will generate **125 PM** daily peak hour vehicle trips, the addition of which will not exceed the current Levels of Service (LOS) which are at

LOS "B" and "C". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **23 students** to the schools in the area, and that the applicant has proffered a covenant to the School Board in order to provide a monetary donation to mitigate the impacts and accommodate the new students generated by this application, which will exceed the FISH (Florida Inventory of School Houses) capacity.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre rock pit. The CDMP designates the site for low density residential which permits a minimum of 2.5 and a maximum of 6.0 dua. As such, the CDMP would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site, which would be consistent with the CDMP. The proposed RU-3M zoning, at a density of 12.9 dua would permit a total of 774 units on this site, which would be **inconsistent** with the CDMP. At the time of this writing, a covenant had not been submitted for staff's review. Consistency with the CDMP can only be ensured with a covenant limiting the development of the site to a maximum of 360 units. Without a covenant, the proposed RU-3M zoning is inconsistent with the CDMP. As such, staff recommends denial without prejudice or deferral to allow time for the applicant to submit plans and a covenant if the applicant desires.

I. RECOMMENDATION:

Denial without prejudice or deferral.

J. CONDITIONS: None.

DATE INSPECTED: 01/06/03
DATE TYPED: 01/22/03
DATE REVISED: 03/27/03, 04/07/03, 04/08/03, 04/22/03, 06/02/03, 06/04/03, 06/16/03, 09/05/03, 09/12/03
DATE FINALIZED: 09/12/03
DO'QW:AJT:MTF:REM:TLR

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: September 12, 2003

SUBJECT: C-15 #Z2002000305-Revised
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O
theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Enforcement History:
DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# 02-305
CZAB-15
Rev. 1

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department has no objections to this application.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

Special Taxing District to be established for maintenance of common areas.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **125 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	B	B
9594	Old Cutler Rd. sw/o Franjo Rd.	C	C

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.

(*)Traffic concurrency is based on development information provided by the applicant where the number of peak hour vehicle trips may fluctuate.

Raul A. Pino, P.L.S.

JUN. 16 2003

Date

MIAMI-DADE FIRE RESCUE DEPARTMENT
ZONING COMMENTS

Hearing Number: 02-305

Service Impact: ☑ Yes ☐ No

Location: N. OF SW 232 ST. & 1,330' E. OF SW 107 AVE.

Recommendation: No objection ____
No objection with condition(s) ____ *
Denial ____

Plans: ☐ Yes ☑ No

EU-M TO RU-3M
60 AC.

*

Estimated number of alarms generated annually by application: 33

If there is an impact, below is the service availability:

Station District 34 Grid 2354 (DU)SF 195 Occupancy Type 2

Impact of additional calls on closest station: ☐ Minimal Impact.

☐ Moderate Impact. Planned station(s) will mitigate impact.

Planned Service to Mitigate:

Service	Location	Year to be Completed

☐ None

ACCESS:
Description of Concern(s):

- ☐ Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.
- ☐ Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.
- ☐ Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)
- ☐ **Fire Engineering & Water Supply Bureau site plan review and approval required.**

OTHER CONCERN(S):

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Reviewed by: Carlos Heredia Phone: (786) 331-4544 Date: January 13, 2003

Revised 4/18/02

Miami-Dade County Public Schools
giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent
Facilities Operations, Maintenance and Planning

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

July 17, 2003

Ms. Ruth Ellis Myers, Acting Supervisor
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 N.W. 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue
UPDATED

Dear Ms. Myers:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that only two school facilities meet the referenced review threshold. The proposed residential development will impact Centennial Middle School and Miami Southridge Senior High School currently operating at 117% and 156% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the additional student impact generated by the proposed residential development will increase the FISH % utilization of Centennial Middle School to 118% (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on May 22, 2003, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered a covenant to the School Board in order to provide a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at a upcoming meeting.

Please note that a new high school (S/S "HHH") is being constructed at 18180 S.W. 122 Ave.; the anticipated completion date for same is Fall 2003. However, although it is possible that this school may serve a portion of this general area, the facility is a modified school of choice with no attendance boundaries.

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Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the 182-unit development is estimated to generate approximately $445,536 ($2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good
Coordinator III

PG:am
L-1535
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. William W. Riley

UPDATED
SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 02-305, H. R. Realty & Investments, Inc. (CC15)
REQUEST:	Zone change from EU-M to RU-3M
ACRES:	60± acres
LOCATION:	North of SW 232 Street and East of SW 107 Avenue
UNITS:	37 additional units as per proffered covenant (145 units currently permitted under existing zoning classification)
ESTIMATED STUDENT POPULATION:	23 student *
ELEMENTARY:	11
MIDDLE:	6
SENIOR:	7

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Pine Villa Elementary - 21799 SW 117 Ct.
MIDDLE:	Centennial Middle - 8601 SW 212 St.
SENIOR HIGH:	Miami Southridge Senior - 19355 SW 114 Ave.

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2002:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Pine Villa Elem.	711/ 722*	561	127%/ 129%*	210	92%/ 94%*
Centennial Middle	1203/ 1209*	913	132%/ 132%*	114	**117%/ 118%***
Miami Southridge Sr.	4184/ 4191	2372	176%/ 177%*	309(p)	**156%/ 156%***

* includes proposed development

(p) Please note that in Fiscal Year 02/03, modular classrooms (330 student stations) are proposed on site, 11 existing relocatables are targeted for removal.

Pursuant to the Interlocal Agreement, please note that the elementary school does not meet the review threshold.

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2002:

Pine Villa Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	"C" School
Special Programs:	After-school care, and Magnet Program
Lunch schedule:	Begins at 10:15 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	Computer Lab
Recognition for Academic Achievement::	Various individual awards for academic achievement
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:23 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium, Storage Room and Book Room
Teachers required to float/travel:	None

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	None
Special Programs:	Magnet programs
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	Offices and Book storage rooms
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of June 2003):

School	Status	Projected Occupancy Date
*State School "HHH" at Robert Morgan Vocational Tech. 18180 SW 122 Avenue Miami, FL 33177	Construction	Fall/2003

*Note: The attendance boundaries for S/S "HHH" have not been established

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $134,159.

CAPITAL COSTS: Based on the State's June-2003 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	12	x	$ 13,221	=	$	158,220
MIDDLE	6	x	$ 15,159	=	$	90,708
SENIOR	5	x	$ 20,060	=	$	100,025
Total Potential Capital Cost					$	348,953

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC14 AND CC15 (JANUARY '01-MARCH '03)

	Applicant Name & Number	Location Address	Units/Students	Schools	Community Council/ Date	Approved/ Denied/ Comments
1	EFRAIN ARGUELLES #00-323	NEC of SW 300 St. and SW 174 Ave.	8 Units/ 5 Students	AVOCADO ELEM-3 HOMESTEAD MID-1 SOUTH DADE SR-1	CC14 2/21/01	APPROVED
2	PATRICIA & JORGE PALENZUELA & CANDAD ZAMORA #01-406	W of SW 167 Ave. and SW 284 St.	11 Units/ 7 Students	AVOCADO ELEM-4 HOMESTEAD MID-2 SOUTH DADE SR-1	CC14 3/06/02	APPROVED
3	CAULEY PALISADE CORP. #02-162	NWC of SW 218 St. and SW 124 Ave.	7 Units/ 4 Students	CARIBBEAN ELEM-2 MAYS MID-1 SOUTHRIDGE SR-1	CC14 9/25/02	APPROVED
4	PERRY KAYE, TRUSTEE #00-446	Btwn SW 128 Ave. and SW 132 Ave. and btwn SW 211 St. and SW 216 St.	89 Units/ 53 Students	CARIBBEAN ELEM-29 MAYS MID-12 SOUTHRIDGE SR-12	CC14 5/30/01 10/11/01	APPROVED
5	CAULEY PALISADE CORP. #01-242	22010 SW 124 Ave.	18 Units/ 11 Students	CARIBBEAN ELEM-6 MAYS MID-3 SOUTHRIDGE SR-2	CC14 10/10/01	APPROVED
6	OPEN BIBLE BAPTIST CHURCH TO FORTY-FIRST HOLDINGS, LLC 01-134	W of SW 137 Ave. and N of SW 173 Terr.	84 Units/ 32 Students	MIAMI HEIGHTS ELEM-17 REDLAND MID-8 SOUTH DADE SR-7	CC14 12/19/01	APPROVED
7	VICTOR F. SEIJAS, JR. #99-300	N of SW 184 St. and SW 142 Ave.	17 Units/ 9 Students	REDLAND ELEM-5 REDLAND MID-2 SOUTH DADE SR-2	CC14 4/25/01	APPROVED
8	CROSS ET AL #01-218	SW 130 Ave. and btwn SW 192 St. and SW 220 St.	157 Units/ 94 Students	S. MIAMI HGTS. ELEM-51 MAYS MID-23 SOUTHRIDGE SR-20	CC14 11/20/01	APPROVED
9	MANGROVE DEVELOPMENT OF MIAMI, INC. #99-101	SWC of Sw 184 St. and SW 127 Ave.	24 Units/ 14 Students	S. MIAMI HGTS. ELEM-8 MAYS MID-3 SOUTHRIDGE SR-3	CC14 2/06/01	APPROVED
10	SVK AIRPORT LAND, LLC #02-200	SEC of SW 276 St. and SW 154 Ave.	41 Units/ 24 Students	REDLAND ELEM-13 REDLAND MID-6 SOUTH DADE SR-5	CC14 11/06/02	APPROVED
11	ANNE DELK TRUSTEE #02-170	Btwn SW 175 and 177 Ave. and N of SW 292 St.	7 Units/ 4 Students	REDONDO ELEM-2 HOMESTEAD MID-1 SOUTH DADE SR-1	CC14 12/17/02	APPROVED
12	STEVE PURDO, ET AL #02-249	S of SW 224 St. btwn SW 128 and 130 Ave.	64 Units/ 38 Students	CARIBBEAN ELEM-21 MAYS MID-9 SOUTHRIDGE SR-8	CC14 12/17/02	APPROVED
13	H. D. CROSS TRUSTEE ET AL #02-054	Btwn SW 184 St. to SW 192 St. and W of SW 130 Ave. to SW 134	154 Units/ 95 Students	S. MIAMI HGTS. ELEM-51 MAYS MID-23 SOUTHRIDGE SR-21	CC14 1/28/03	APPROVED
14	JOSEPH TAUBMAN, TRUSTEE & DELCO ENTERPRISES #01-401	N of SW 208 St. btwn SW 133 Ct. and SW 132 Ave.	31 Units/ 20 Students	REDLAND ELEM-11 MAYS MID-5 SOUTH DADE SR-4	CC14 10/16/02 2/25/03	APPROVED
15	AVOCADO ACRE HOMES DEVELOPMENT CORP. #02-302	SEC of SW 272 St. and SW 157 Ave.	46 Units/ 30 Students	REDLAND ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	CC14 2/25/03	APPROVED
16	BLACK CREEK BUILDERS GROUP, LLC #02-335	SEC of SW 132 Ave. and SW 284 St.	11 Units/ 7 Students	REDLAND ELEM-4 MAYS MID-2 HOMESTEAD SR-1	CC14 2/25/03	APPROVED

Note: There are three applications that are pending which would generate 38 students.

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PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC14 AND CC15 (JANUARY '01-MARCH '03)

	Applicant Name & Number	Location Address	Units/ Students	Schools	Community Council/ Date	Approved/ Denied/ Comments
1	ALEJANDRO ZAMPIER #02-076	S of Sw 260 St. and W of SW 134 Ave.	20 Units/ 13 Students	NARANJA ELEM-7 REDLAND MID-3 SOUTH DADE SR-3	CC15 6/04/02	APPROVED
2	CARMEL INVESTMENT & DEVELOPMENT INC. #01-437	NEC OF SW 160 Ave. and theor. SW 302 St.	6 Units/ 4 Students	PESKOE ELEM-2 CAMPBELL DRIVE MID-1 HOMESTEAD SR-1	CC15 4/23/02	APPROVED
3	CLINTON ASSOCIATES, LTD. #02-035	NWC of SW 122 Ave. and SW 256 St.	59 Units/ 38 Students	NARANJA ELEM-21 REDLAND MID-9 HOMESTEAD SR-8	CC15 6/04/02	APPROVED
4	ERIC AND NICOLE LEE BERRIOS #01-376	SWC of SW 184 St. and SW 79 Ct.	1 Unit/ 0 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	CC15 1/28/02	APPROVED
5	FREDERICK T. PETERS MARTIAL TRUST #01-219	N of SW 208 St. and btwn SW 87 Ave. and SW 92 Ave.	160 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	CC15 6/04/02	APPROVED
6	JSM HOLDING CORP. INC AND ROYAL GROUP INVESTMENT #01-264	S of SW 268 St. and SW 140 Ave.	24 Units/ 11 Students	CHAPMAN ELEM-6 REDLAND MID-3 HOMESTEAD SR-2	CC15 2/12/02	APPROVED
7	LEWIS PETERS AND FERGUSON PETERS, TRUSTEE #01-088	NEC of SW 248 St. and Sw 112 Ave.	328 Units/ 168 Students	NARANJA ELEM-91 CENTENNIAL MID-40 HOMESTEAD SR-37	CC15 11/13/01	APPROVED
8	SODA PROPERTIES, LLC. #01-348	Btwn SW 87 Ave. and SW 92 Ave. and N of SW 208 St.	232 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	CC15 6/04/02	APPROVED
9	ROBERT BOREK ET AL #00-298	S of SW 248 St. btwn SW 117 and 122 Ave.	342 Units/ 214 Students	PINE VILLA ELEM-116 REDLAND MID-51 HOMESTEAD SR-47	CC15 5/01/01	APPROVED $128,400 O/A
10	HUGO G. MORALES, TRUSTEE #01-203	Eof USA-1, S of Sw 252 St. and W of SW 137 Ave.	380 Units/ 144 Students	NARANJA ELEM-78 REDLAND MID-34 SOUTH DADE SR-32	CC15 3/26/02	APPROVED
11	ROBERT BOREK ET AL #01-333	E and W of Sw 117 Ave. on the N side of 248 St.	246 Units/ 130 Students	PINE VILLA ELEM-70 REDLAND MID-31 HOMESTEAD SR-29	CC15 10/03/02	APPROVED
12	RALPH FEUERRING, ET AL #02-108	NEC of SW 232 St. and SW 110 Ave.	209 Units/ 119 Students	PINE VILLA ELEM-64 CENTENNIAL MID-29 SOUTHRIDGE SR-26	CC15 10/03/02	APPROVED
13	AIRBASE LANDINGS, LTD. #02-030	S of SW 268 St. and E of SW 122 Ave.	45 Units/ 20 Students	CHAPMAN ELEM-11 CENTENNIAL MID-5 HOMESTEAD SR-4	CC15 11/07/02	APPROVED
14	HABITAT FOR HUMANITY OF GREATER MIAMI, INC. #00-188	15375 SW 288 St.	10 Units/ 7 Students	LEISURE CITY ELEMID-4/2 SOUTH DADE SR-1	CC15 11/12/02	APPROVED
15	DIAZ LANDSCAPING & NURSERY, INC. #02-192	E of SW 112 Ave. and S of SW 240 St.	476 Units/ 254 Students	PINE VILLA ELEM-137 CENTENNIAL MID-61 HOMESTEAD SR-56	CC15 12/11/02	APPROVED

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PREVIOUSLY APPROVED DEVELOPMENT REPORT

CC14 AND CC15 (JANUARY '01-MARCH '03)

16	ALLAPATTAH NURSERY, LTD #02-155 #02-228	E of SW 112 Ave. and N of SW 240 St.	477 Units/ 255 Students	PINE VILLA ELEM-138 CENTENNIAL MID-61 HOMESTEAD SR-56	CC15 12/11/02	APPROVED
17	CHARLES AND JO ELLEN CHAMBERS #02-178	NEC of SW 139 Ave. and SW 258 St.	76 Units/ 50 Students	NARANJA ELEM-27 REDLAND MID-12 SOUTH DADE SR-11	CC15 12/11/02	APPROVED
18	CW2, LTD. #02-164	E of SW 139 Ave. and S of SW 260 St.	32 Units/ 21 Students	NARANJA ELEM-11 REDLAND MID-5 SOUTH DADE SR-5	CC15 12/11/02	APPROVED
19	LLOYD AND JOHNNIE CASH #02-230	SWC of SW 137 Ave. and SW 258 St.	36 Units/ 30 Students	NARANJA ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	CC15 1/30/03	APPROVED
20	PRINCETON SELF STORAGE, INC. #01-181	E of US-1, S fo Canal, btwn SW 244 St and SW 248 St.	160 Units/ 59 Students	MIAMI HEIGHTS ELEM-32 REDLAND MID-14 SOUTH DADE SR-13	CC15 9/04/01	DENIED
21	TOPA INVESTMENTS, LLC #01-161	19200 SW 102 Ave.	58 Units/ 19 Students	BEL-AIRE ELEM-10 CUTLER RIDGE MID-5 SOUTHRIDGE SR-4	CC15 9/04/01	DENIED
22	HENRY C. MORAT, TRUSTEE #02-280	SEC of SW 132 Ave. and SW 284 St.	120 Units/ 101 Students	CHAPMAN ELEM-55 CENTENNIAL MID-24 HOMESTEAD SR-22	CC15 2/27/03	DENIED

Note: There are nine applications that are pending which would generate 591 students.

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PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC14 AND CC15 (JANUARY '01-MARCH '03)

SCHOOLS	STUDENT POPULATION	NUMBER OF STUDENTS PER PROJECT APPROVED	CUMULATIVE TOTAL STUDENT POPULATION	STUDENT STATIONS PERMANENT	RELOCATABLE STATIONS	CUMULATIVE % UTILIZATION INCLUDING RELOCATABLE
AVOCADO ELEM	937	7	944	591	0	160%
CARIBBEAN ELEM	944	58	1002	927	24	105%
CHAPMAN, W.A. ELEM	883	17	900	809	64	103%
LEISURE CITY ELEM/MID	1841	4	1845	999	45	177%
MIAMI HEIGHTS ELEM	1297	17	1314	836	158	132%
NARANJA ELEM	850	251	1101	561	158	153%
PESKOE, IRVING & BEATRICE ELEM	1151	2	1153	840	0	137%
PINE VILLA ELEM	711	525	1236	561	210	160%
REDLAND ELEM	1072	49	1121	829	0	135%
REDONDO ELEM	736	2	738	581		0%
SOUTH MIAMI HEIGHTS ELEM	821	110	931	828	71	104%
WHIGHAM, DR. EDWARD L. ELEM	1009	88	1097	911	0	120%
ELEMENTARY TOTALS	12252	1130	13382	9273	730	134%
CAMPBELL DRIVE MID	1359	1	1360	1373	0	99%
CENTENNIAL MID	1203	236	1439	913	114	140%
CUTLER RIDGE MID	1459	0	1459	995	131	130%
LEISURE CITY ELEM/MID	1841	2	1843	999	45	177%
HOMESTEAD MID	1385	4	1389	1029	45	129%
MAYS MID	1095	81	1176	1023	45	110%
REDLAND MID	1763	178	1941	1144	25	166%
MIDDLE TOTALS	10105	502	10607	7475	405	135%
HOMESTEAD SR	3315	241	3556	2569	0	138%
MIAMI SOUTHRIDGE SR	4184	129	4313	2372	309	161%
SOUTH DADE SR	2624	87	2911	1871	283	135%
SENIOR HIGH TOTALS	10323	457	10780	6812	592	148%
TOTAL	32680	2089	34769	23561	1727	137%

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REV. 6-12-03

CHARTER SCHOOLS
2002-2003

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
7160	Mater Academy High School 7901 NW 103 St. Hialeah Gardens, FL 33016	80	750	1,000	1,000	9-10	I	4
0100	Mater Center Charter School 7700 NW 98 St. Hialeah Gardens, FL 33016	1,099	1,000	1,050	1,150	K-8	I	4
0110	North County Charter School 3400 NW 135 St. Miami, FL 33054	293	600	600	600	K-5	I	1
5130	North Dade Community Charter School 13850 NW 26 Ave. Opa-Locka, FL 33054	63	575	600	600	K-5	I	1
5710	Sandor Wiener School of Opportunity 20000 NW 47 Ct. Opa-Locka, FL 33055	6	32	34	72	K-2	I	1
6900	Vankara Academy Charter School 13307-11 Alexandria Dr. Opa-Locka, FL 33054	132	175	225	225	6-8	I	1
6050	Youth Co-Op Charter School 12051 W. Okeechobee Rd. Hialeah Gardens, FL 33018	386	525	525	525	K-8	I	4
6020	ASPIRA Youth Leadership Charter School 13300 Memorial Hwy. North Miami, FL 33161	288	450	450	450	6-9	II	1
0120	Northeast Academy 1750 NE 168 St. N. Miami Beach, FL 33162	416	600	600	600	K-5	II	3
6030	Doral Academy 2450 NW 97 Ave. Miami, FL 33172	1212	2,025	2,025	2,025	K-8	III	5
7020	Doral Academy High School 11100 NW 27 St. Miami, FL 33172	456	1,800	1,800	1,800	9-11	III	5
0400	Ryder Elementary Charter School 8360 NW 33 St. Miami, FL 33122	488	500	500	500	K-5	III	5

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
6070	ASPIRA Eugenio Maria de Hostos Charter School 3650 N. Miami Ave. Miami, FL 33127	174	250	300	350	6-8	IV	2
3600	Downtown Miami Charter School 305 NW 3 Ave. Miami, FL 33128	294	650	650	650	K-6	IV	2
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138	260	350	350	350	6-8	IV	2
0040	Liberty City Charter School 8700 NW 5 Ave. Miami, FL 33150	257	400	705	705	K-7	IV	2
3100	Mater East Charter School 450 SW 4 St. Miami, FL 33130	269	650	800	800	K-5	IV	6
6040	Miami Shores/Barry University Connected Learning Center 11441 NW 2 Ave. Miami Shores, FL 33168	180	200	200	200	6-8	IV	2
0500	Rosa Parks Community School/Overtown 430 NW 9 St. Miami, FL 33136	42	425	500	500	K-6	IV	2
0510	Archimedean Academy 10870 SW 113 Place Miami, FL 33176	80	225	325	500	K-3	V	7
0600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175	548	650	700	700	K-6	V	8
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033	160	230	260	260	6-8	VI	9
0070	Coral Reef Montessori Academy 19000 SW 112 Ave. Miami, FL 33157	221	500	500	500	K-8	VI	9
0300	Rosa Parks Charter School/Florida City 713 West Palm Drive Florida City, FL 33034	149	250	300	600	K-7	VI	9

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
0200	Spiral Tech Elementary Charter School 12400 SW 72 St. Miami, FL 33183	59	160	240	290	K-5	VI	7

- Grade levels for school year 2002-2003

NEW CHARTER SCHOOLS APPROVED TO OPEN FOR THE 2003-2004 SCHOOL YEAR:

(Rev. 3/21/03)

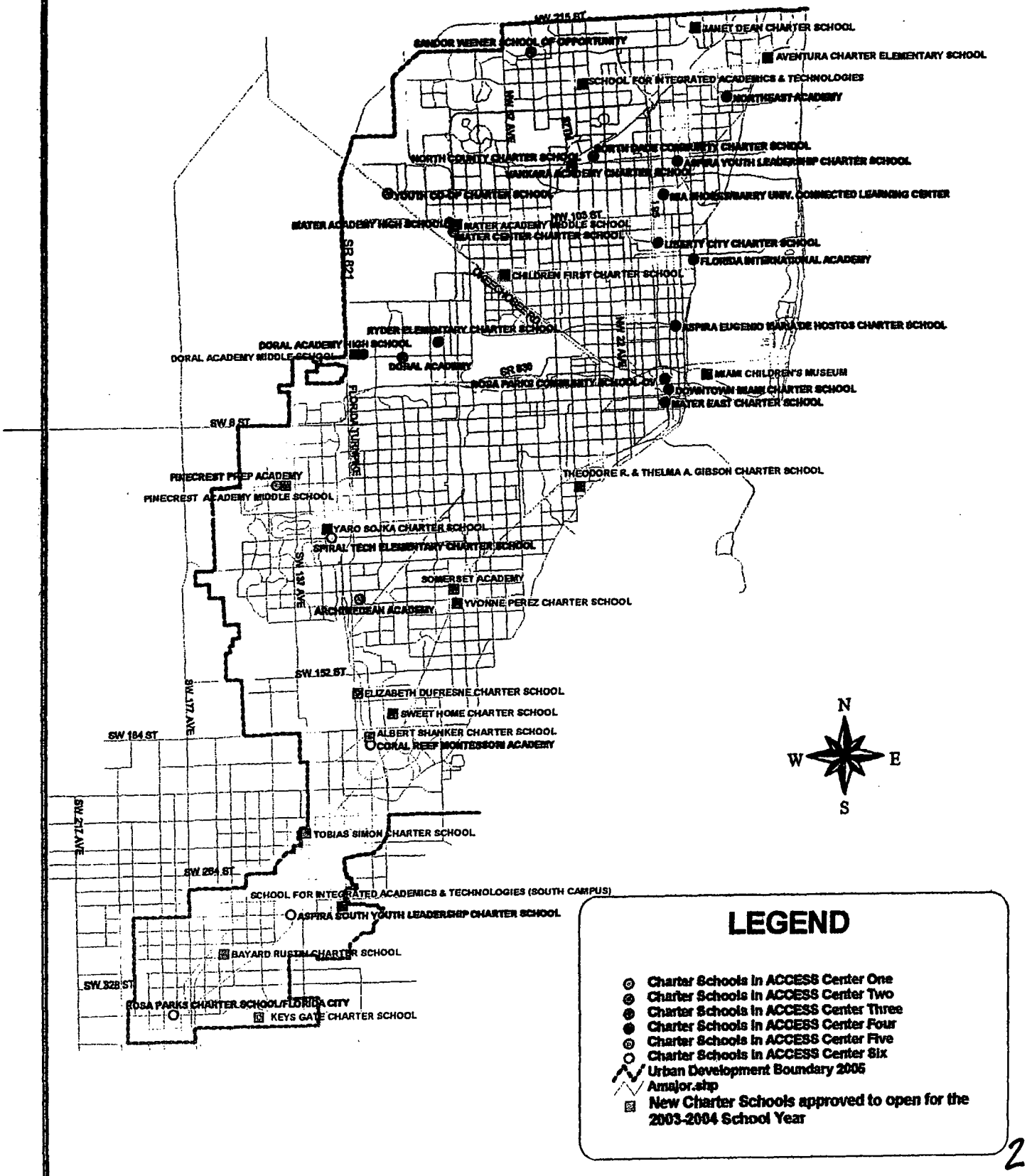
Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Mater Academy Middle School 7901 NW 103 Street Hialeah Gardens, FL 33016	700	800	800	6-8	6-8	I
School for Integrated Academics & Technologies (SIATech) *(A school for high-risk students)* Main: 3050 NW 183 Street Miami, FL 33056	400	600	800	9-10	9-12	I
Aventura Charter Elementary School 3333 NE 188 Street Miami, FL 33180	600	600	600	K-5	K-5	II
Janet Dean Charter School Ives Dairy Rd. between NE 10 & 12 Ave., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	II
Children First Charter School 590 W. 20 Street Hialeah, FL 33010	Deferred to 04-05	250	550	K-3	K-5	III
Doral Academy Middle School 2601 NW 112 Avenue Miami, FL 33172	800	800	800	6-8	6-8	III
Theodore R. & Thelma A. Gibson Charter School 3629 Grand Avenue Miami, FL 33133	575	600	600	K-8	K-8	IV
Miami Children's Museum Watson Island Miami, FL	Deferred to 04-05	350	350	K-5	K-5	IV

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Somerset Academy 11011 SW 80 Avenue Miami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School *17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miami, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE corner of Turnpike & Quail Roost Dr., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobias Simon Charter School 24400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

*temporary location for the first year – the permanent location will be at SW 180 Street & 107 Ave.

Applications approved to open in subsequent years		
Applicant	Number of Schools	Maximum Enrollment Capacity
Chancellor Charter School at Coral Gables	1	750
Coral Gables Community Charter School	1	600
Miami-Dade Charter Foundation	6	5,400
Miami-Dade Charter Schools, Inc.	2	3,200
Miami-Shores Charter High School	1	600
Somerset Academy	8	8,600
Balere Language Academy	1	450
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School (West Hialeah Academy)	1	800
Charter Academy of Excellence	1	600
Total applications: 14	**27**	**24,150**

Charter Schools by ACCESS Center



TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
09/23/2003	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of January 3, 2003

POLICE

ENFORCEMENT HISTORY

WILL BE DISTRIBUTED

AT A LATER DATE

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the sub[illegible] of the application is owned or leas[illegible] a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, 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 required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

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_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

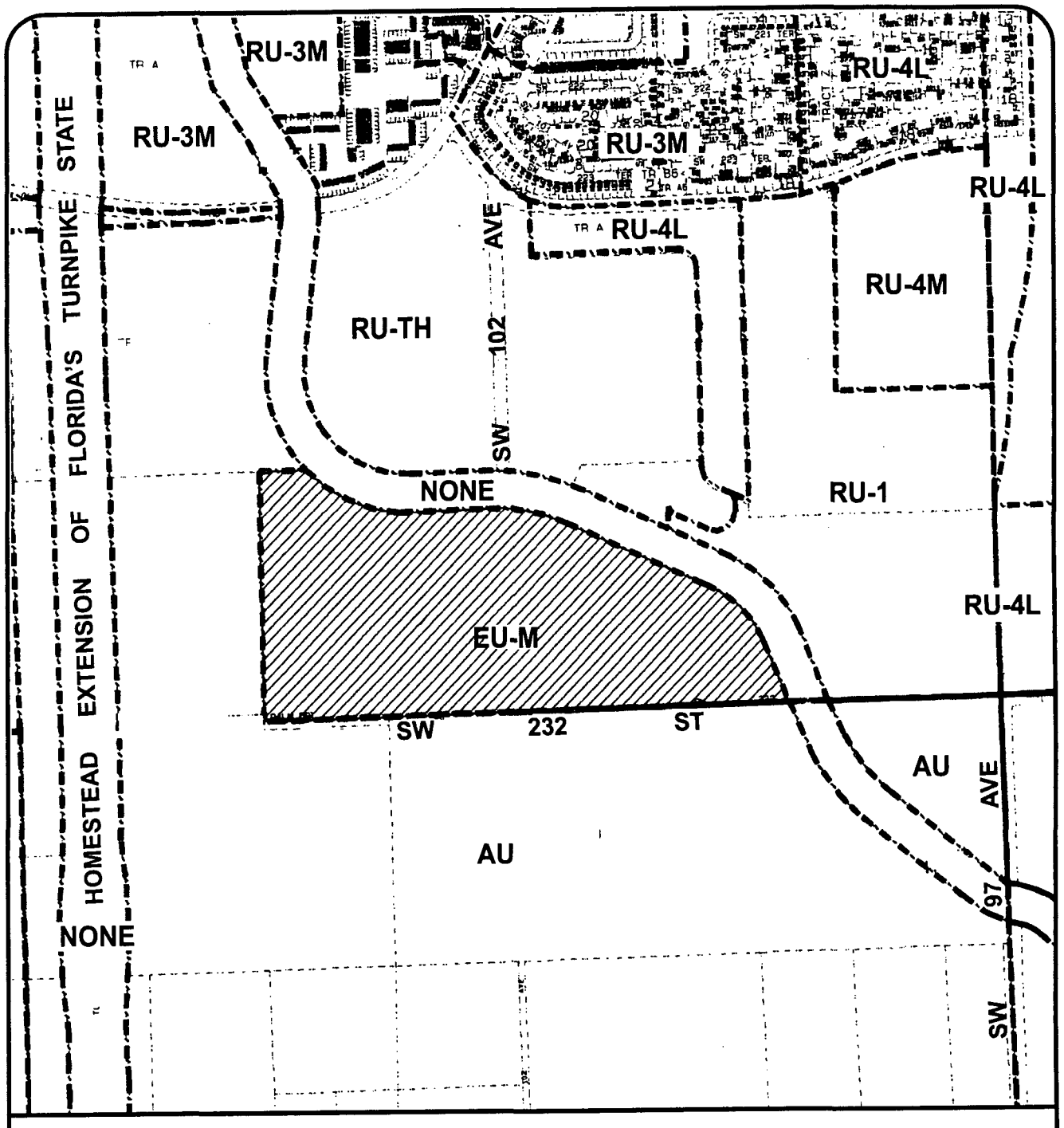
Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799631
EXPIRES: December 28, 2002
Bonded Thru Pichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.



MIAMI-DADE COUNTY

HEARING MAP

S C A L E 0 800' N

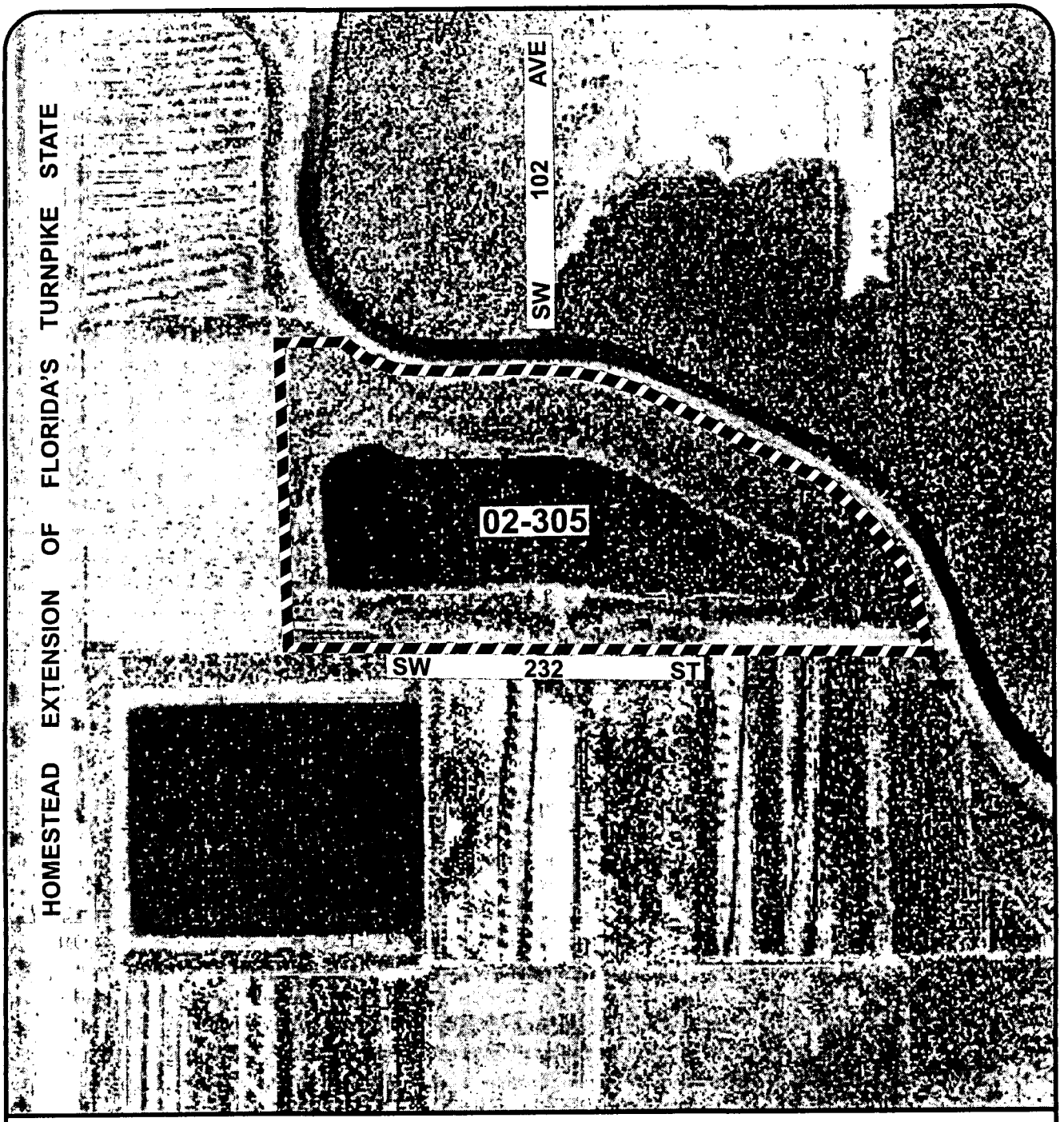
SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

35



MIAMI-DADE COUNTY
AERIAL

S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

C. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
Area 15/District 8
Hearing Date: 6/24/03

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor **Objectors:** _____

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** January 30, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: 4/28/03

Per DIC _____ Deferred to: _____

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Ronald Bernstein

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MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H. R. REALTY & INVESTMENTS, INC.

Representative: Bill Reilly **Objectors:** Dana Floyd

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date: April 28, 2003**

Resolution No. CZAB15-____-03

Motion:

Per Department _____ Standard Conditions: _____

Per DIC _____ Deferred to: June 24, 2003

Approved as Requested _____ Withdrawal _____

Denied Without Prejudice _____

Denied With Prejudice _____

Other: due to omnipoint holding

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel Adams S	✓		
Leonard Anthony M	✓		
JoAnn Bova	✓		
Paul S. Vrooman	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Steven Stiegler

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 15

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 17-56-40 **DATE:** June 24, 2003

COMMISSION DISTRICT: 9 **ITEM NO.:** C

==========

A. INTRODUCTION

- **REQUEST:**

  EU-M to RU-3M

- **SUMMARY OF REQUEST:**

  This request will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District.

- **LOCATION:**

  Lying on the north side of theoretical S.W. 232 Street and east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60± Acres

- **IMPACT:**

  The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 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 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture and Urban Development Boundary
EAST: RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST: AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Although this area is zoned mostly for multifamily development, there is currently no indication of any active development. Plant nurseries are still active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Unacceptable**
Location of Buildings:	**N/A**
Compatibility:	**Unacceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**N/A**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**No objection**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**23 additional students**

H. ANALYSIS:

This application was deferred at the applicant's request from the meetings of April 28, 2003 and January 30, 2003, with leave to amend. The request will allow the applicant to rezone the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District. The applicant is not required to submit a site plan in conjunction with this application, and is not requesting variances of the RU-3M zoning district. As such, all lots should meet RU-3M lot area, frontage, setback and landscaping requirements. Although not required to do so, the applicant had originally submitted a site plan showing the development of the subject property with a 182-unit single-family development, and indicated the intent to proffer a covenant tying this rezoning request to same. However, said plans were found to not be within the scope of the request due to conditions indicated which would generate additional non-use variances.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department** has **no objections** to this application and indicates that this application will generate **125 PM** daily peak hour vehicle trips, the addition of which will not exceed the current Levels of Service (LOS) which are at

LOS "A", "B" and "C". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **23 students** to the schools in the area.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre rock pit. The CDMP designates the site for low density residential which permits a minimum of 2.5 and a maximum of 6.0 dua. As such, the CDMP would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site, which would be consistent with the CDMP. The proposed RU-3M zoning, at a density of 12.9 dua would permit a total of 774 units on this site, which would be **inconsistent** with the CDMP. As mentioned previously, the applicant intends to proffer a covenant limiting the development of the site to 182 dwelling units, which would be **consistent** with the CDMP. Although documents have been submitted to amend this application, no revised plans have been submitted, nor a covenant proffered. Without a covenant, the proposed RU-3M zoning is inconsistent with the CDMP. As such, staff recommends denial without prejudice or deferral to allow time for the applicant to submit plans and a covenant if the applicant desires.

I. RECOMMENDATION:

Denial without prejudice or deferral.

J. CONDITIONS: None.

DATE INSPECTED: 01/06/03
DATE TYPED: 01/22/03
DATE REVISED: 03/27/03, 04/07/03, 04/08/03, 04/22/03, 06/02/03, 06/04/03
DATE FINALIZED: 06/04/03
DO'QW:AJT:MTF:REM:TLR

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: October 29, 2002

SUBJECT: C-15 #Z2002000305
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O
theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PH# 02-305
CZAB-15
Rev. 1

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department has no objections to this application.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

Special Taxing District to be established for maintenance of common areas.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **125 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	B	B
9594	Old Cutler Rd. sw/o Franjo Rd.	C	C

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.

(*)Traffic concurrency is based on development information provided by the applicant where the number of peak hour vehicle trips may fluctuate.

Raul A. Pino, P.L.S.

JUN. 16 2003

Date

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Miami-Dade County Public Schools

giving our students the world

Ana Rijo-Conde, Interim Assistant Superintendent
Facilities Operations, Maintenance and Planning

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

June 16, 2003

Ms. Ruth Ellis Myers, Acting Supervisor
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 N.W. 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue
UPDATED

Dear Ms. Myers:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that only two school facilities meet the referenced review threshold. The proposed residential development will impact Centennial Middle School and Miami Southridge Senior High School currently operating at 117% and 156% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the additional student impact generated by the proposed residential development will increase the FISH % utilization of Centennial Middle School to 118% (please see attached analysis).

Pursuant to the Interlocal, the District met with the applicant's legal counsel on May 22, 2003, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the District to discuss possible options that may accommodate new students generated by the proposed application. The District will advise the County in writing in the event the applicant and the District formalize a mitigation option to address school issues. Please be advised that any options proffered are subject to School Board approval.

Please note that a new high school (S/S "HHH") is being constructed at 18180 S.W. 122 Ave.; the anticipated completion date for same is Fall 2003. However, although it is possible that this school may serve a portion of this general area, the facility is a modified school of choice with no attendance boundaries.

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Also, attached is a list of approved Charter School Facilities countywide, which may provide relief to the area of impact, as well as a report depicting previously approved applications in the area of impact.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

> New residential unit square footage X .90 (Square Footage Fee) + $600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the 182-unit development is estimated to generate approximately $445,536 ($2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good
Coordinator III

PG:am
L-1362
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. Stan Price

UPDATED
SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 02-305, H. R. Realty & Investments, Inc. (CC15)
REQUEST:	Zone change from EU-M to RU-3M
ACRES:	60± acres
LOCATION:	North of SW 232 Street and East of SW 107 Avenue
UNITS:	37 additional units as per proffered covenant (145 units currently permitted under existing zoning classification)
ESTIMATED STUDENT POPULATION:	23 student *
ELEMENTARY:	11
MIDDLE:	6
SENIOR:	7

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Pine Villa Elementary - 21799 SW 117 Ct.
MIDDLE:	Centennial Middle - 8601 SW 212 St.
SENIOR HIGH:	Miami Southridge Senior - 19355 SW 114 Ave.

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2002:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Pine Villa Elem.	711/ 722*	561	127%/ 129%*	210	92%/ 94%*
Centennial Middle	1203/ 1209*	913	132%/ 132%*	114	**117%/ 118%***
Miami Southridge Sr.	4184/ 4191	2372	176%/ 177%*	309(p)	**156%/ 156%***

* includes proposed development

(p) Please note that in Fiscal Year 02/03, modular classrooms (330 student stations) are proposed on site, 11 existing relocatables are targeted for removal.

Pursuant to the Interlocal Agreement, please note that the elementary school does not meet the review threshold.

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2002:

Pine Villa Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	"C" School
Special Programs:	After-school care, and Magnet Program
Lunch schedule:	Begins at 10:15 a.m.
Non-instructional space utilized for instructional purposes:	None
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements in the past school year:	Computer Lab
Recognition for Academic Achievement::	Various individual awards for academic achievement
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:23 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium, Storage Room and Book Room
Teachers required to float/travel:	None

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements in the past school year:	None
Recognition for Academic Achievement:	None
Special Programs:	Magnet programs
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	Offices and Book storage rooms
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of June 2003):

School	Status	Projected Occupancy Date
*State School "HHH" at Robert Morgan Vocational Tech. 18180 SW 122 Avenue Miami, FL 33177	Construction	Fall/2003

*Note: The attendance boundaries for S/S "HHH" have not been established

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $134,159.

CAPITAL COSTS: Based on the State's June-2003 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	12	x	$ 13,221	=	$	158,220
MIDDLE	6	x	$ 15,159	=	$	90,708
SENIOR	5	x	$ 20,060	=	$	100,025
Total Potential Capital Cost					$	348,953

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC14 AND CC15 (JANUARY '01-MARCH '03)

1	EFRAIN ARGUELLES #00-323	NEC of SW 300 St. and SW 174 Ave.	8 Units/ 5 Students	AVOCADO ELEM-3 HOMESTEAD MID-1 SOUTH DADE SR-1	CC14 2/21/01	APPROVED
2	PATRICIA & JORGE PALENZUELA & CANDAD ZAMORA #01-406	W of SW 167 Ave. and SW 284 St.	11 Units/ 7 Students	AVOCADO ELEM-4 HOMESTEAD MID-2 SOUTH DADE SR-1	CC14 3/06/02	APPROVED
3	CAULEY PALISADE CORP. #02-162	NWC of SW 218 St. and SW 124 Ave.	7 Units/ 4 Students	CARIBBEAN ELEM-2 MAYS MID-1 SOUTHRIDGE SR-1	CC14 9/25/02	APPROVED
4	PERRY KAYE, TRUSTEE #00-446	Btwn SW 128 Ave. and SW 132 Ave. and btwn SW 211 St. and SW 216 St.	89 Units/ 53 Students	CARIBBEAN ELEM-29 MAYS MID-12 SOUTHRIDGE SR-12	CC14 5/30/01 10/11/01	APPROVED
5	CAULEY PALISADE CORP. #01-242	22010 SW 124 Ave.	18 Units/ 11 Students	CARIBBEAN ELEM-6 MAYS MID-3 SOUTHRIDGE SR-2	CC14 10/10/01	APPROVED
6	OPEN BIBLE BAPTIST CHURCH TO FORTY-FIRST HOLDINGS, LLC 01-134	W of SW 137 Ave. and N of SW 173 Terr.	84 Units/ 32 Students	MIAMI HEIGHTS ELEM-17 REDLAND MID-8 SOUTH DADE SR-7	CC14 12/19/01	APPROVED
7	VICTOR F. SEIJAS, JR. #99-300	N of SW 184 St. and SW 142 Ave.	17 Units/ 9 Students	REDLAND ELEM-5 REDLAND MID-2 SOUTH DADE SR-2	CC14 4/25/01	APPROVED
8	CROSS ET AL #01-218	SW 130 Ave. and btwn SW 192 St. and SW 220 St.	157 Units/ 94 Students	S. MIAMI HGTS. ELEM-51 MAYS MID-23 SOUTHRIDGE SR-20	CC14 11/20/01	APPROVED
9	MANGROVE DEVELOPMENT OF MIAMI, INC. #99-101	SWC of Sw 184 St. and SW 127 Ave.	24 Units/ 14 Students	S. MIAMI HGTS. ELEM-8 MAYS MID-3 SOUTHRIDGE SR-3	CC14 2/06/01	APPROVED
10	SVK AIRPORT LAND, LLC #02-200	SEC of SW 276 St. and SW 154 Ave.	41 Units/ 24 Students	REDLAND ELEM-13 REDLAND MID-6 SOUTH DADE SR-5	CC14 11/06/02	APPROVED
11	ANNE DELK TRUSTEE #02-170	Btwn SW 175 and 177 Ave. and N of SW 292 St.	7 Units/ 4 Students	REDONDO ELEM-2 HOMESTEAD MID-1 SOUTH DADE SR-1	CC14 12/17/02	APPROVED
12	STEVE PURDO, ET AL #02-249	S of SW 224 St. btwn SW 128 and 130 Ave.	64 Units/ 38 Students	CARIBBEAN ELEM-21 MAYS MID-9 SOUTHRIDGE SR-8	CC14 12/17/02	APPROVED
13	H. D. CROSS TRUSTEE ET AL #02-054	Btwn SW 184 St. to SW 192 St. and W of SW 130 Ave. to SW 134	154 Units/ 95 Students	S. MIAMI HGTS. ELEM-51 MAYS MID-23 SOUTHRIDGE SR-21	CC14 1/28/03	APPROVED
14	JOSEPH TAUBMAN, TRUSTEE & DELCO ENTERPRISES #01-401	N of SW 208 St. btwn SW 133 Ct. and SW 132 Ave.	31 Units/ 20 Students	REDLAND ELEM-11 MAYS MID-5 SOUTH DADE SR-4	CC14 10/16/02 2/25/03	APPROVED
15	AVOCADO ACRE HOMES DEVELOPMENT CORP. #02-302	SEC of SW 272 St. and SW 157 Ave.	46 Units/ 30 Students	REDLAND ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	CC14 2/25/03	APPROVED
16	BLACK CREEK BUILDERS GROUP, LLC #02-335	SEC of SW 132 Ave. and SW 284 St.	11 Units/ 7 Students	REDLAND ELEM-4 MAYS MID-2 HOMESTEAD SR-1	CC14 2/25/03	APPROVED

Note: There are three applications that are pending which would generate 38 students.

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PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC14 AND CC15 (JANUARY '01-MARCH '03)

	Applicant Name & Number	Location Address	Units/ Students	Schools	Community Council Date	Approved Deferred Comments
1	ALEJANDRO ZAMPIER #02-076	S of Sw 260 St. and W of SW 134 Ave.	20 Units/ 13 Students	NARANJA ELEM-7 REDLAND MID-3 SOUTH DADE SR-3	CC15 6/04/02	APPROVED
2	CARMEL INVESTMENT & DEVELOPMENT INC. #01-437	NEC OF SW 160 Ave. and theor. SW 302 St.	6 Units/ 4 Students	PESKOE ELEM-2 CAMPBELL DRIVE MID-1 HOMESTEAD SR-1	CC15 4/23/02	APPROVED
3	CLINTON ASSOCIATES, LTD. #02-035	NWC of SW 122 Ave. and SW 256 St.	59 Units/ 38 Students	NARANJA ELEM-21 REDLAND MID-9 HOMESTEAD SR-8	CC15 6/04/02	APPROVED
4	ERIC AND NICOLE LEE BERRIOS #01-376	SWC of SW 184 St. and SW 79 Ct.	1 Unit/ 0 Students	WHISPERING PINES ELEM CUTLER RIDGE MID SOUTHRIDGE SR	CC15 1/28/02	APPROVED
5	FREDERICK T. PETERS MARTIAL TRUST #01-219	N of SW 208 St. and btwn SW 87 Ave. and SW 92 Ave.	160 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	CC15 6/04/02	APPROVED
6	JSM HOLDING CORP. INC AND ROYAL GROUP INVESTMENT #01-264	S of SW 268 St. and SW 140 Ave.	24 Units/ 11 Students	CHAPMAN ELEM-6 REDLAND MID-3 HOMESTEAD SR-2	CC15 2/12/02	APPROVED
7	LEWIS PETERS AND FERGUSON PETERS, TRUSTEE #01-088	NEC of SW 248 St. and Sw 112 Ave.	328 Units/ 168 Students	NARANJA ELEM-91 CENTENNIAL MID-40 HOMESTEAD SR-37	CC15 11/13/01	APPROVED
8	SODA PROPERTIES, LLC. #01-348	Btwn SW 87 Ave. and SW 92 Ave. and N of SW 208 St.	232 Units/ 82 Students	WHIGHAM ELEM-44 CENTENNIAL MID-20 SOUTHRIDGE SR-18	CC15 6/04/02	APPROVED
9	ROBERT BOREK ET AL #00-298	S of SW 248 St. btwn SW 117 and 122 Ave.	342 Units/ 214 Students	PINE VILLA ELEM-116 REDLAND MID-51 HOMESTEAD SR-47	CC15 5/01/01	APPROVED $128,400 O/A
10	HUGO G. MORALES, TRUSTEE #01-203	Eof USA-1, S of Sw 252 St. and W of SW 137 Ave.	380 Units/ 144 Students	NARANJA ELEM-78 REDLAND MID-34 SOUTH DADE SR-32	CC15 3/26/02	APPROVED
11	ROBERT BOREK ET AL #01-333	E and W of Sw 117 Ave. on the N side of 248 St.	246 Units/ 130 Students	PINE VILLA ELEM-70 REDLAND MID-31 HOMESTEAD SR-29	CC15 10/03/02	APPROVED
12	RALPH FEUERRING, ET AL #02-108	NEC of SW 232 St. and SW 110 Ave.	209 Units/ 119 Students	PINE VILLA ELEM-64 CENTENNIAL MID-29 SOUTHRIDGE SR-26	CC15 10/03/02	APPROVED
13	AIRBASE LANDINGS, LTD. #02-030	S of SW 268 St. and E of SW 122 Ave.	45 Units/ 20 Students	CHAPMAN ELEM-11 CENTENNIAL MID-5 HOMESTEAD SR-4	CC15 11/07/02	APPROVED
14	HABITAT FOR HUMANITY OF GREATER MIAMI, INC. #00-188	15375 SW 288 St.	10 Units/ 7 Students	LEISURE CITY ELEMID-4/2 SOUTH DADE SR-1	CC15 11/12/02	APPROVED
15	DIAZ LANDSCAPING & NURSERY, INC. #02-192	E of SW 112 Ave. and S of SW 240 St.	476 Units/ 254 Students	PINE VILLA ELEM-137 CENTENNIAL MID-61 HOMESTEAD SR-56	CC15 12/11/02	APPROVED

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PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC14 AND CC15 (JANUARY '01-MARCH '03)

16	ALLARATTAH NURSERY, LTD #02-165 #02-228	E of SW 112 Ave. and N of SW 240 St.	477 Units/ 255 Students	PINE VILLA ELEM-186 CENTENNIAL MID-61 HOMESTEAD SR-56	CC15 12/11/02	APPROVED
17	CHARLES AND JO ELLEN CHAMBERS #02-178	NEC of SW 139 Ave. and SW 258 St.	78 Units/ 50 Students	NARANJA ELEM-27 REDLAND MID-12 SOUTH DADE SR-11	CC15 12/11/02	APPROVED
18	CW2, LTD. #02-164	E of SW 139 Ave. and S of SW 260 St.	32 Units/ 21 Students	NARANJA ELEM-11 REDLAND MID-5 SOUTH DADE SR-5	CC15 12/11/02	APPROVED
19	LLOYD AND JOHNNIE CASH #02-230	SWC of SW 137 Ave. and SW 258 St.	36 Units/ 30 Students	NARANJA ELEM-16 REDLAND MID-7 SOUTH DADE SR-7	CC15 1/30/03	APPROVED
20	PRINCETON SELF STORAGE, INC. #01-181	E of US-1, S fo Canal, btwn SW 244 St and SW 248 St.	160 Units/ 59 Students	MIAMI HEIGHTS ELEM-32 REDLAND MID-14 SOUTH DADE SR-13	CC15 9/04/01	DENIED
21	TOPA INVESTMENTS, LLC #01-161	19200 SW 102 Ave.	58 Units/ 19 Students	BEL-AIRE ELEM-10 CUTLER RIDGE MID-5 SOUTHRIDGE SR-4	CC15 9/04/01	DENIED
22	HENRY C. MORAT, TRUSTEE #02-280	SEC of SW 132 Ave. and SW 284 St.	120 Units/ 101 Students	CHAPMAN ELEM-55 CENTENNIAL MID-24 HOMESTEAD SR-22	CC15 2/27/03	DENIED

Note: There are nine applications that are pending which would generate 591 students.

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PREVIOUSLY APPROVED DEVELOPMENT REPORT
CC14 AND CC15 (JANUARY '01-MARCH '03)

SCHOOLS	STUDENT POPULATION	NUMBER OF STUDENTS PER PROJECT APPROVED	CUMULATIVE TOTAL STUDENT POPULATION	STUDENT STATIONS PERMANENT	RELOCATABLE STATIONS	CUMULATIVE % UTILIZATION INCLUDING RELOCATABLE
AVOCADO ELEM	937	7	944	591	0	160%
CARIBBEAN ELEM	944	58	1002	927	24	105%
CHAPMAN, W.A. ELEM	883	17	900	809	64	103%
LEISURE CITY ELEM/MID	1841	4	1845	999	45	177%
MIAMI HEIGHTS ELEM	1297	17	1314	836	158	132%
NARANJA ELEM	850	251	1101	561	158	153%
PESKOE, IRVING & BEATRICE ELEM	1151	2	1153	840	0	137%
PINE VILLA ELEM	711	525	1236	561	210	160%
REDLAND ELEM	1072	49	1121	829	0	135%
REDONDO ELEM	736	2	738	561		0%
SOUTH MIAMI HEIGHTS ELEM	821	110	931	828	71	104%
WHIGHAM, DR. EDWARD L. ELEM	1009	88	1097	911	0	120%
ELEMENTARY TOTALS	12252	1130	13382	9273	730	134%
CAMPBELL DRIVE MID	1359	1	1360	1373	0	99%
CENTENNIAL MID	1203	236	1439	913	114	140%
CUTLER RIDGE MID	1459	0	1459	995	131	130%
LEISURE CITY ELEM/MID	1841	2	1843	999	45	177%
HOMESTEAD MID	1385	4	1389	1029	45	129%
MAYS MID	1095	81	1176	1023	45	110%
REDLAND MID	1763	178	1941	1144	25	166%
MIDDLE TOTALS	10105	502	10607	7476	405	135%
HOMESTEAD SR	3315	241	3556	2569	0	138%
MIAMI SOUTHRIDGE SR	4184	129	4313	2372	309	161%
SOUTH DADE SR	2824	87	2911	1671	283	135%
SENIOR HIGH TOTALS	10323	457	10780	6612	592	148%
TOTAL	32680	2089	34769	23561	1727	137%

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CHARTER SCHOOLS
2002-2003

REV. 6-12-03

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
7160	Mater Academy High School 7901 NW 103 St. Hialeah Gardens, FL 33016	80	750	1,000	1,000	9-10	I	4
0100	Mater Center Charter School 7700 NW 98 St. Hialeah Gardens, FL 33016	1,099	1,000	1,050	1,150	K-8	I	4
[illegible]110	North County Charter School 3400 NW 135 St. Miami, FL 33054	293	600	600	600	K-5	I	1
5130	North Dade Community Charter School 13850 NW 26 Ave. Opa-Locka, FL 33054	63	575	600	600	K-5	I	1
5710	Sandor Wiener School of Opportunity 20000 NW 47 Ct. Opa-Locka, FL 33055	6	32	34	72	K-2	I	1
6900	Vankara Academy Charter School 13307-11 Alexandria Dr. Opa-Locka, FL 33054	132	175	225	225	6-8	I	1
6050	Youth Co-Op Charter School 12051 W. Okeechobee Rd. Hialeah Gardens, FL 33018	386	525	525	525	K-8	I	4
6020	ASPIRA Youth Leadership Charter School 13300 Memorial Hwy. North Miami, FL 33161	288	450	450	450	6-9	II	1
[illegible]0120	Northeast Academy 1750 NE 168 St. N. Miami Beach, FL 33162	416	600	600	600	K-5	II	3
6030	Doral Academy 2450 NW 97 Ave. Miami, FL 33172	1212	2,025	2,025	2,025	K-8	III	5
7020	Doral Academy High School 11100 NW 27 St. Miami, FL 33172	456	1,800	1,800	1,800	9-11	III	5
0400	Ryder Elementary Charter School 8360 NW 33 St. Miami, FL 33122	488	500	500	500	K-5	III	5

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Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
6070	ASPIRA Eugenio Maria de Hostos Charter School 3650 N. Miami Ave. Miami, FL 33127	174	250	300	350	6-8	IV	2
3600	Downtown Miami Charter School 305 NW 3 Ave. Miami, FL 33128	294	650	650	650	K-6	IV	2
6010	Florida International Academy 7630 Biscayne Blvd. Miami, FL 33138	260	350	350	350	6-8	IV	2
0040	Liberty City Charter School 8700 NW 5 Ave. Miami, FL 33150	257	400	705	705	K-7	IV	2
3100	Mater East Charter School 450 SW 4 St. Miami, FL 33130	269	650	800	800	K-5	IV	6
6040	Miami Shores/Barry University Connected Learning Center 11441 NW 2 Ave. Miami Shores, FL 33168	180	200	200	200	6-8	IV	2
0500	Rosa Parks Community School/Overtown 430 NW 9 St. Miami, FL 33136	42	425	500	500	K-6	IV	2
0510	Archimedean Academy 10870 SW 113 Place Miami, FL 33176	80	225	325	500	K-3	V	7
0600	Pinecrest Preparatory Academy 14301 SW 42 St. Miami, FL 33175	548	650	700	700	K-6	V	8
6060	ASPIRA South Youth Leadership Charter School 14112-14114 SW 288 St. Leisure City, FL 33033	160	230	260	260	6-8	VI	9
0070	Coral Reef Montessori Academy 19000 SW 112 Ave. Miami, FL 33157	221	500	500	500	K-8	VI	9
0300	Rosa Parks Charter School/Florida City 713 West Palm Drive Florida City, FL 33034	149	250	300	600	K-7	VI	9

Mail Code	Name and Address Of Charter School	Actual Enrollment (10-04-02)	Projected Enrollment			Grade Levels*	ACCESS Center	Voting District
			2003-2004	2004-2005	Maximum			
0200	Spiral Tech Elementary Charter School 12400 SW 72 St. Miami, FL 33183	59	160	240	290	K-5	VI	7

- Grade levels for school year 2002-2003

NEW CHARTER SCHOOLS APPROVED TO OPEN FOR THE 2003-2004 SCHOOL YEAR: **(Rev. 3/21/03)**

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Mater Academy Middle School 7901 NW 103 Street Hialeah Gardens, FL 33016	700	800	800	6-8	6-8	I
School for Integrated Academics & Technologies (SIATech) *(A school for high-risk students)* Main: 3050 NW 183 Street Miami, FL 33056	400	600	800	9-10	9-12	I
Aventura Charter Elementary School 3333 NE 188 Street Miami, FL 33180	600	600	600	K-5	K-5	II
Janet Dean Charter School Ives Dairy Rd. between NE 10 & 12 Ave., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	II
Children First Charter School 590 W. 20 Street Hialeah, FL 33010	Deferred to 04-05	250	550	K-3	K-5	III
Doral Academy Middle School 2601 NW 112 Avenue Miami, FL 33172	800	800	800	6-8	6-8	III
Theodore R. & Thelma A. Gibson Charter School 3629 Grand Avenue Miami, FL 33133	575	600	600	K-8	K-8	IV
Miami Children's Museum Watson Island Miami, FL	Deferred to 04-05	350	350	K-5	K-5	IV

Name and Address Of Charter School	Projected Enrollment			03-04 Grade Level	Max Grade Level	ACCESS Center
	2003-2004	2004-2005	Maximum			
Somerset Academy 11011 SW 80 Avenue Miami, FL 33156	Deferred to 04-05	650	800	K-5	K-8	V
Pinecrest Academy Middle School 14301 SW 42 Street Miami, FL 33175	650	700	800	6-8	6-8	V
Yvonne Perez Charter School SW 112 Street & US1 Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	V
Sweet Home Charter School *17201 SW 103 Avenue Miami, FL	Deferred to 04-05	775	1,075	Kindergarten	K-8	V
Elizabeth duFresne Charter School SW 117 Ave. &164 Terrace Miami, FL	Deferred to 04-05	1,000	1,000	K-5	K-5	VI
Yaro Sojka Charter School SW 127 Ave. & 72 Street Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Albert Shanker Charter School SE corner of Turnpike & Quail Roost Dr., Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Bayard Rustin Charter School SW 312 St. & 167 Avenue Homestead, FL	Deferred to 04-05	1,600	1,600	K-8	K-8	VI
Tobias Simon Charter School 14400 SW 137 Avenue Miami, FL	Deferred to 04-05	1,200	1,200	K-8	K-8	VI
Keys Gate Charter School SW 152 Ave. & SE 24 Street Homestead, FL	1,150	1,150	1,150	K-8	K-8	VI

*temporary location for the first year – the permanent location will be at SW 180 Street & 107 Ave.

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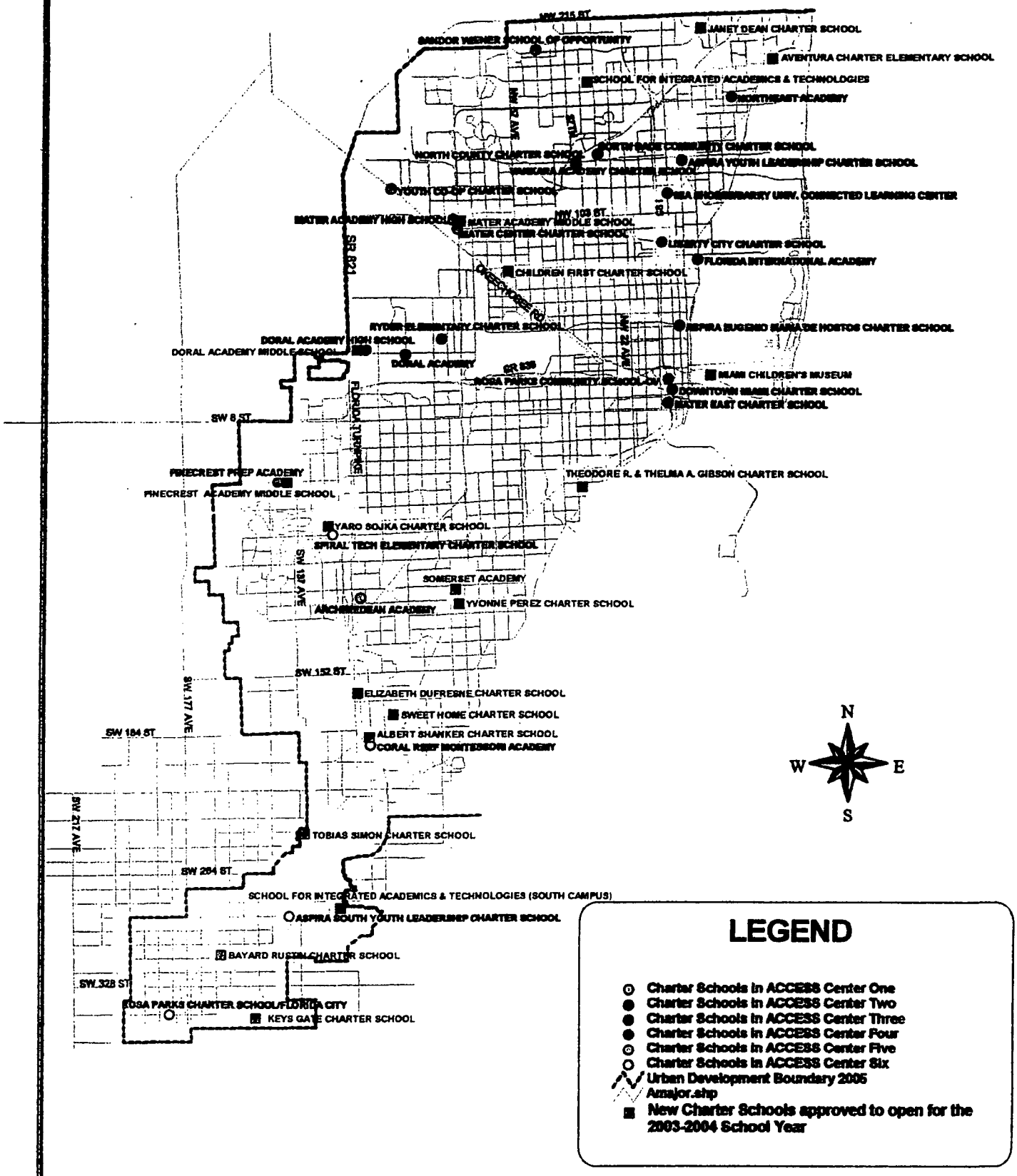
Applicant	Number of Schools	Maximum Enrollment Capacity
Chancellor Charter School at Coral Gables	1	750
Coral Gables Community Charter School	1	600
Miami-Dade Charter Foundation	6	5,400
Miami-Dade Charter Schools, Inc.	2	3,200
Miami-Shores Charter High School	1	600
Somerset Academy	8	8,600
Balere Language Academy	1	450
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School (West Hialeah Academy)	1	800
Charter Academy of Excellence	1	600
Total applications: 14	**27**	**24,150**

Charter Schools by ACCESS Center



TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
06/24/2003	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of January 3, 2003

MIAMI-DADE FIRE RESCUE DEPARTMENT
ZONING COMMENTS

Hearing Number: 02-305

Service Impact: ☑ Yes ☐ No

Location: N. OF SW 232 ST. & 1,330' E. OF SW 107 AVE.

Recommendation: No objection ____
No objection with condition(s) ____ *
Denial ____

Plans: ☐ Yes ☑ No

EU-M TO RU-3M
60 AC.

*

Estimated number of alarms generated annually by application: 33

If there is an impact, below is the service availability:

Station District 34 Grid 2354 (DU)/SF 195 Occupancy Type 2

Impact of additional calls on closest station: ☐ Minimal Impact.

☐ Moderate Impact. Planned station(s) will mitigate impact.

Planned Service to Mitigate:

Service	Location	Year to be Completed

☐ None

ACCESS:
Description of Concern(s):

- ☐ Gated entrances must have a minimum 15' width and must provide an elevator lock box containing a switch or lever to activate the gate for fire department use.
- ☐ Access lanes are to be a minimum of 20 feet wide with a vertical clearance of 13 feet 6 inches.
- ☐ Turnabout for fire apparatus shall have a minimum centerline radius of 50 feet. (T or Y turnaround acceptable to the AHJ shall be permitted) (Florida Fire Prevention Code)
- ☐ **Fire Engineering & Water Supply Bureau site plan review and approval required.**

OTHER CONCERN(S):

Reviewed by: Carlos Heredia Phone: (786) 331-4544 Date: January 13, 2003

Revised 4/18/02

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, 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 required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

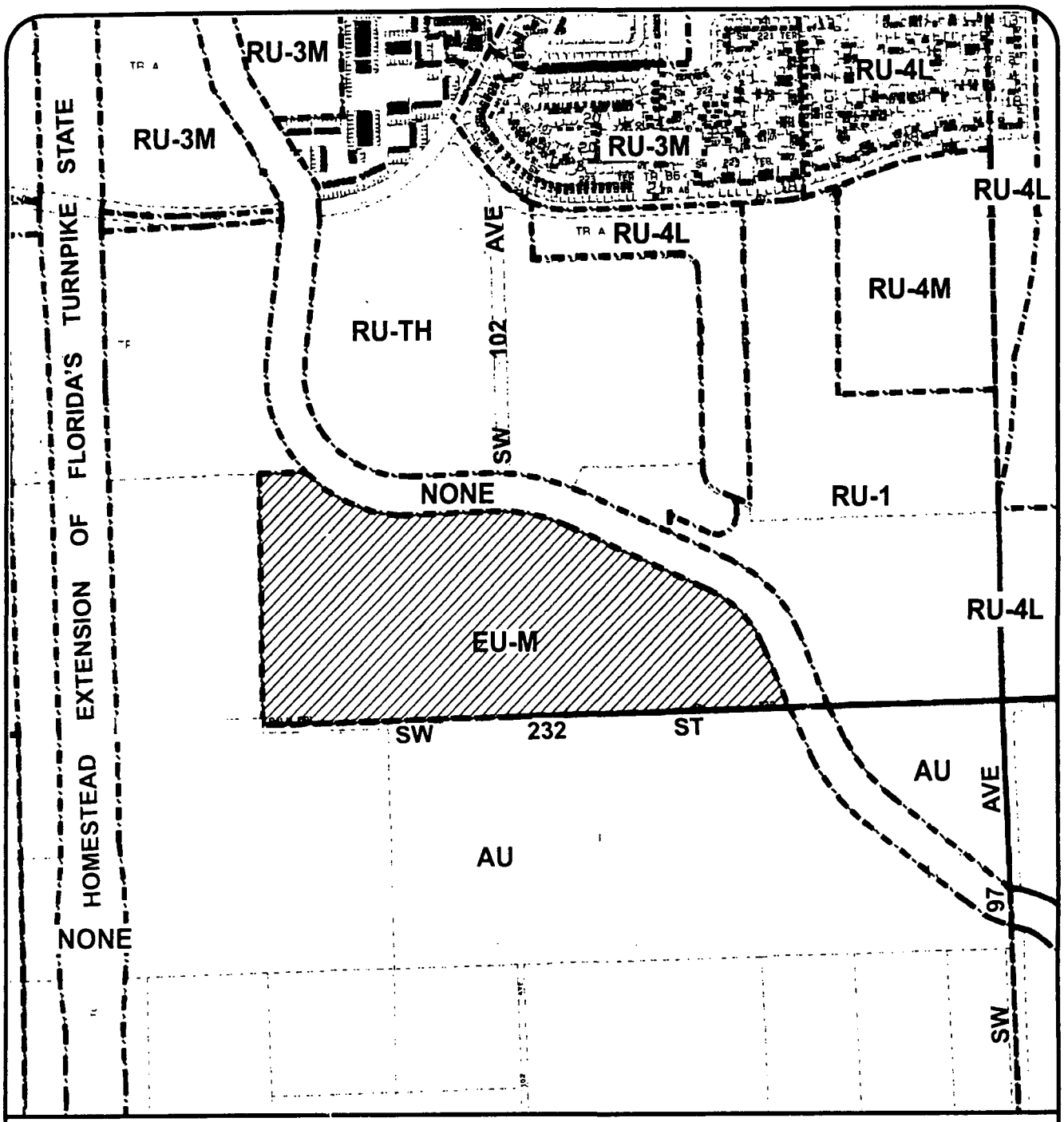
Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799631
EXPIRES: December 28, 2002
Bonded Thru Pichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.



MIAMI-DADE COUNTY

HEARING MAP

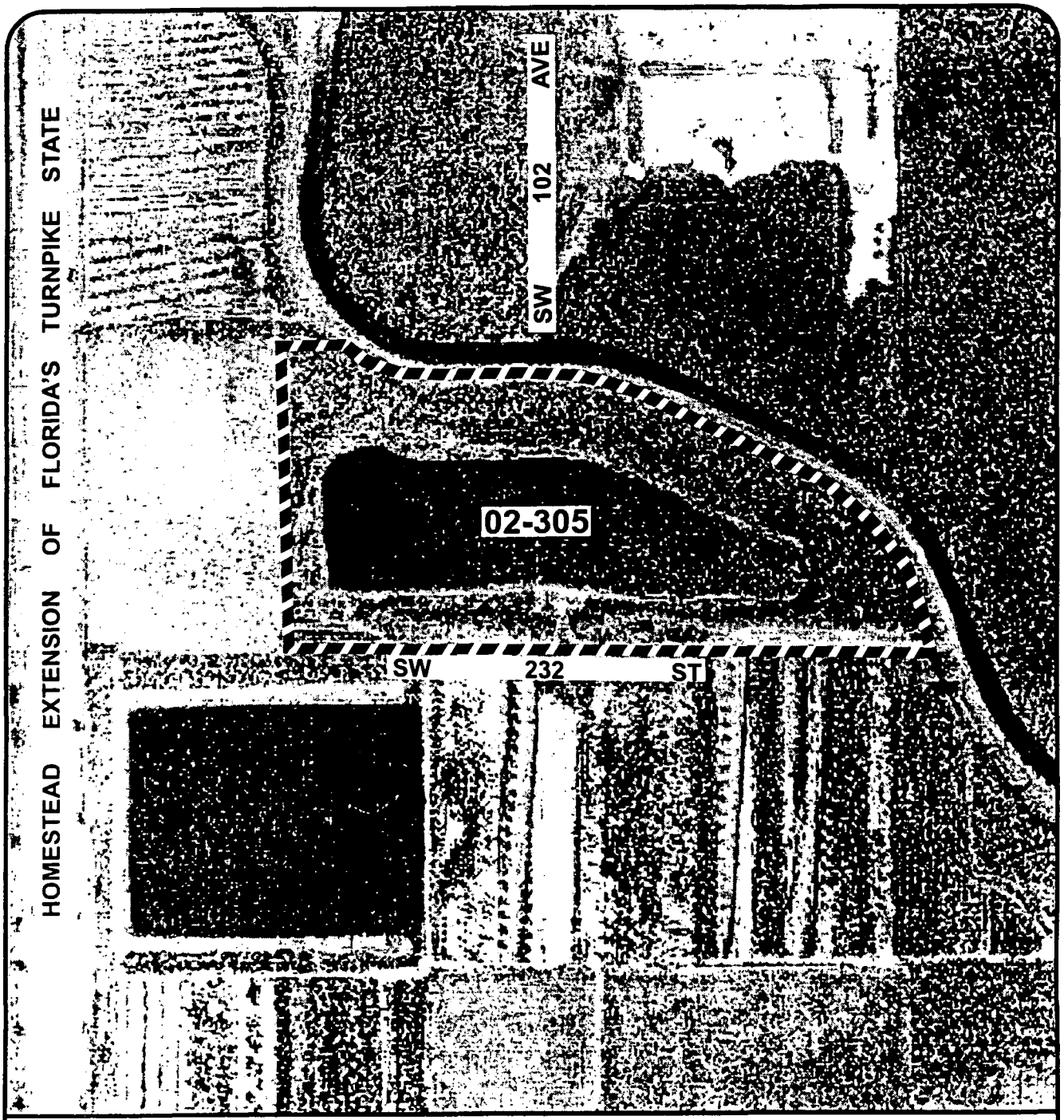
S C A L E 0 800' N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02



MIAMI-DADE COUNTY

AERIAL

S C A L E
0 NTS

N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

A. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
Area 15/District 8
Hearing Date: 4/28/03

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
4/28/2003	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of January 3, 2003

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 15
MOTION SLIP

Applicant Name: H.R. REALTY & INVESTMENTS, INC.

Representative: Jerry Proctor **Objectors:** _____

Hearing No. 03-1-CZ15-6 (02-305) **Hearing Date:** January 30, 2003

Resolution No. CZAB15-____-03

Motion:

Per Department ____ Standard Conditions: 4/28/03

Per DIC ____ Deferred to: _____

Approved as Requested ____ Withdrawal _____

Denied Without Prejudice ____

Denied With Prejudice ____

Other: At applicant's request, with leave to amend, and at applicant's expense.

Revised plans accepted? YES _____ _____

Covenant accepted? YES _____ _____

	Yes	No	Absent
Daniel L. Adams S	✓		
Leonard Anthony	✓		
JoAnn Bova	✓		
Paul S. Vrooman M	✓		
Nancy McCue	✓		

VOTE: 5 **TO** 0

EXHIBITS: YES ____ NO ✓ **County Attorney:** Ronald Bernstein

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 15

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 33-56-39 **DATE:** April 28, 2003

COMMISSION DISTRICT: 9 **ITEM NO.:** A

==========

A. INTRODUCTION

- **REQUESTS:**

  EU-M to RU-3M

- **SUMMARY OF REQUEST:**

  This request will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District.

- **LOCATION:**

  Lying on the north side of theoretical S.W. 232 Street and east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60± Acres

- **IMPACT:**

  The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 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 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.

MIAMI-DADE

MEMORANDUM

DERM

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: October 29, 2002

SUBJECT: C-15 #Z2002000305
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O
theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture and Urban Development Boundary
EAST: RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST: AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Although this area is zoned mostly for multifamily development, there is currently no indication of any active development. Plant nurseries are still active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Unacceptable**
Location of Buildings:	**N/A**
Compatibility:	**Unacceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**N/A**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**Objects**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**23 additional students**

H. ANALYSIS:

This application was deferred at the applicant's request from the meeting of January 30, 2003, with leave to amend. The request will allow the applicant to rezone the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District. The applicant is not required to submit a site plan in conjunction with this application, and is not requesting variances of the RU-3M zoning district. As such, all lots should meet RU-3M lot area, frontage, setback and landscaping requirements. Although not required to do so, the applicant submitted a site plan showing the development of the subject property with a 182-unit single-family development, and indicated the intent to proffer a covenant tying this rezoning request to same. However, said plans were found to not be within the scope of the request due to conditions indicated which would generate additional non-use variances. On April 4, 2003, documentation was submitted to amend the application, but not in time to be processed for the pending April 28, 2003, hearing date. No plans were submitted with the aforementioned documentation.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department objects** to this application and indicates that the site plan must be redesigned so that lots do not face the section line road

(S. W. 232 St.) and double frontage lots are avoided. Said Department also indicates that this application will generate **125 PM** daily peak hour vehicle trips, the addition of which will not exceed the current Levels of Service (LOS) which are at LOS "A", "B" and "C". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **23 students** to the schools in the area.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre rock pit. The CDMP designates the site for low density residential which permits a minimum of 2.5 and a maximum of 6.0 dua. As such, the CDMP would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site, which would be consistent with the CDMP. The proposed RU-3M zoning, at a density of 12.9 dua would permit a total of 774 units on this site, which would be **inconsistent** with the CDMP. As mentioned previously, the applicant intended to proffer a covenant tying development of the subject property to the aforementioned site plans, thereby limiting the development of the site to 182 dwelling units, which would be **consistent** with the CDMP. However, again, those plans were found to not be within the scope of the request, and as such, are not a part of this application. The applicant indicates in the letter of intent that the proposed development will be designed in accordance with the proposed RU-3M zoning standards, with no variances, and in a manner that will enhance the surrounding neighborhood. Notwithstanding, as mentioned above, the applicant intends to amend this application and staff notes that at the time of this writing, the documentation submitted on April 4, 2003, was pending staff processing. Moreover, although documents were submitted to amend the application, no revised plans had been submitted, nor a covenant proffered. Without a covenant, the proposed RU-3M zoning is inconsistent with the CDMP. As such, staff recommends denial without prejudice or deferral to allow time for the amended application to be processed and for the applicant to submit plans and a covenant if the applicant desires.

I. RECOMMENDATION:

Denial without prejudice or deferral.

J. CONDITIONS: None.

DATE INSPECTED: 01/06/03
DATE TYPED: 01/22/03
DATE REVISED: 03/27/03, 04/07/03, 04/08/03, 04/22/03
DATE FINALIZED: 04/22/03
DO'QW:AJT:MTF:REM:TLR

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: October 29, 2002

SUBJECT: C-15 #Z2002000305
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O
theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department objects to this application.

Redesign site plan so that lots do not face the section line road (SW 232 St.).

Provide a 35 foot dedication along the western border of property to provide for a two lane road.

Lots with double frontage are to be avoided.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

Special Taxing District to be established for maintenance of common areas.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **125 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	A	B
9594	Old Cutler Rd. sw/o Franjo Rd.	B	C

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.

Raul A. Pino, P.L.S.

JAN. 21 2003
Date

Miami-Dade County Public Schools

giving our students the world

RECEIVED
JAN 2 6 2003
PLANNING & ZONING
APPLICATION SECTION

January 24, 2003

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Perez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

Ms. Ruth Ellis Myers, Acting Supervisor
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 N.W. 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue

Dear Ms. Myers:

Please accept this letter as an expression of concern from the Miami-Dade County Public Schools (School District), over the impact of the above referenced development on the School District's public schools. Based on current attendance boundaries, the proposed development would be served by Dr. Edward L. Whigham Elementary, Centennial Middle and Miami Southridge Senior High. **All of the impacted schools are over capacity.** Please see attached analysis.

Please note that high school relief (S/S "HHH") is being constructed at 18180 S.W. 122 Ave.; the anticipated completion date for same is Fall 2003. However, although it is possible that this school will serve all or a portion of this general area, the attendance boundary have not yet been established. As such, assurances cannot be provided by the School District that the proposed school will help to alleviate the impacts of the proposed development.

In accordance with established School Board policy, this letter should not be construed as commentary on the merits of the pending zoning application. Rather, it is an attempt to provide relevant information to the Community Council on the public schools that will likely serve the proposed development.

School Board Administration Building • 1450 N.E. 2nd Avenue • Miami, Florida 33132
*305-995-1430 • FAX 305-995-1488 • **www.dadeschools.net***

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good
Coordinator III

PG:am
L-799
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Ms. Vivian Villaamil

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 02-305, H. R. Realty & Investments, Inc. (CC15)
REQUEST:	Zone change from EU-M to RU-3M
ACRES:	60± acres
LOCATION:	North of SW 232 Street and East of SW 107 Avenue
UNITS:	37 additional units as per proffered covenant (145 units currently permitted under existing zoning classification)
ESTIMATED STUDENT POPULATION:	23 student *
ELEMENTARY:	12
MIDDLE:	6
SENIOR:	5

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Dr. Edward L. Whigham Elementary - 21545 SW 87 Ave.
MIDDLE:	Centennial Middle - 8601 SW 212 St.
SENIOR HIGH:	Miami Southridge Senior - 19355 SW 114 Ave.

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2002:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS
Dr. E. L. Whigham Elem.	1009	911	111%	0
Centennial Middle	1203	913	132%	114
Miami Southridge Sr.	4184	2372	176%	309

ADDITIONAL SCHOOL INFORMATION: The following information was provided by school site personnel or other data sources in October 2002:

Dr. Edward L. Whigham Elementary:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements since 1990:	None
Recognition for Academic Achievement:	None
Special Programs:	Before/After-school care, and Enrichment Classes
Lunch schedule:	Begins at 10:10 a.m.
Non-instructional space utilized for instructional purposes:	Teacher's Planning Room
Teachers required to float/travel:	None

Centennial Middle:

Access to computers:	In each classroom, in special computer labs and media center
Capital Improvements since 1990:	Computer Lab
Recognition for Academic Achievement::	Various individual awards for academic achievement
Special Programs:	Enrichment Classes
Lunch schedule:	Begins at 11:23 a.m.
Non-instructional space utilized for instructional purposes:	Auditorium, Storage Room and Book Room
Teachers required to float/travel:	None

Miami Southridge Senior High:

Access to computers:	In each classroom, in special computer labs and in the Media Center
Capital Improvements since 1990:	None
Recognition for Academic Achievement:	None
Special Programs:	Magnet programs
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	Offices and Book storage rooms
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of January 2003):

School	Status	Projected Occupancy Date
*State School "HHH" at Robert Morgan Vocational Tech. 18180 SW 122 Avenue Miami, FL 33177	Construction	Fall/2003

*Note: The attendance boundaries for S/S "HHH" have not been established

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $134,159.

CAPITAL COSTS: Based on the State's January-2003 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	12	x	$ 13,063	=	$	156,756
MIDDLE	6	x	$ 14,978	=	$	89,868
SENIOR	5	x	$ 19,820	=	$	99,100
Total Potential Capital Cost					$	345,724

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting.

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, 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 required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

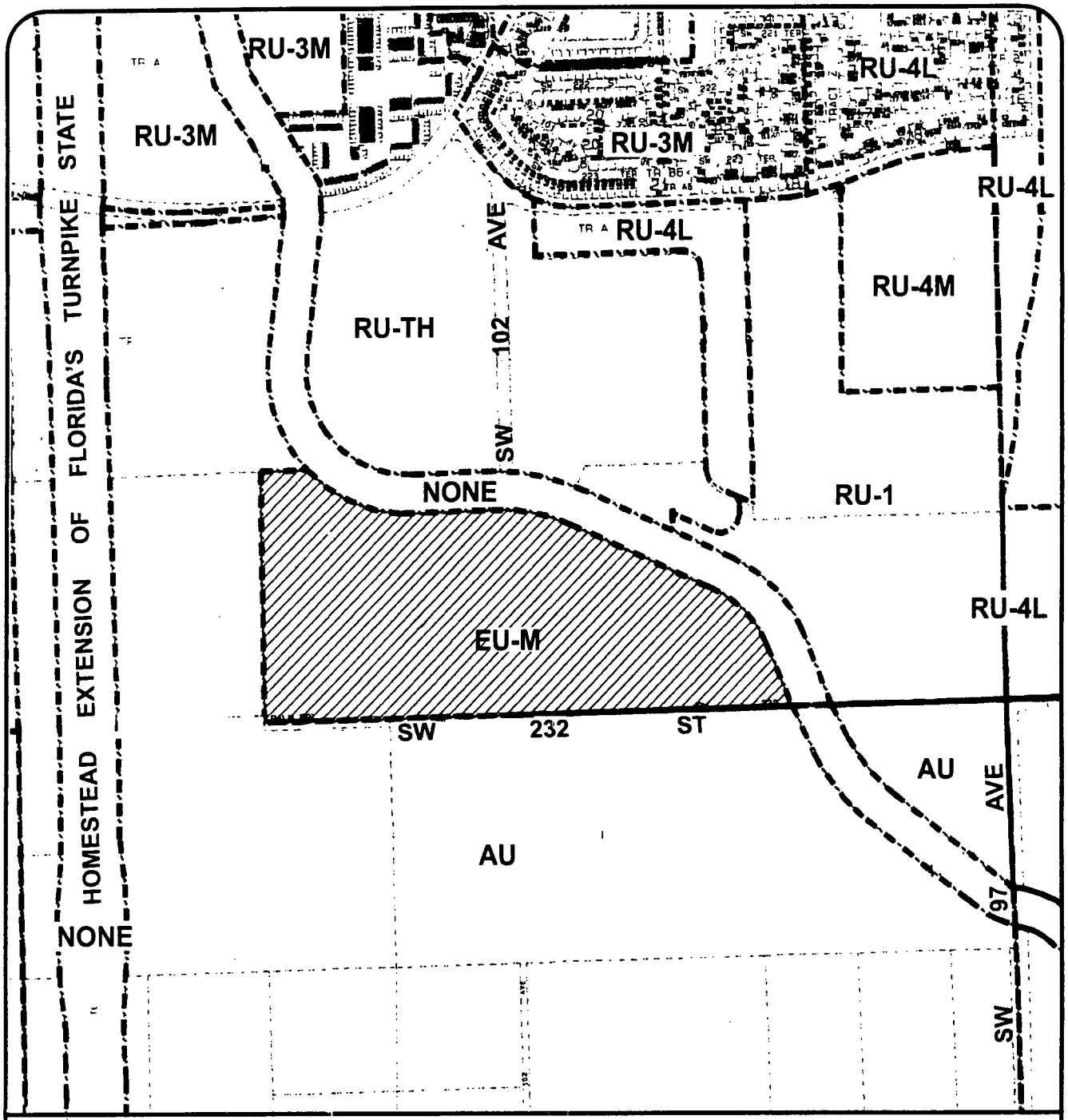
Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799631
EXPIRES: December 28, 2002
Bonded Thru Pichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.



MIAMI-DADE COUNTY

HEARING MAP

S C A L E 0 800' N

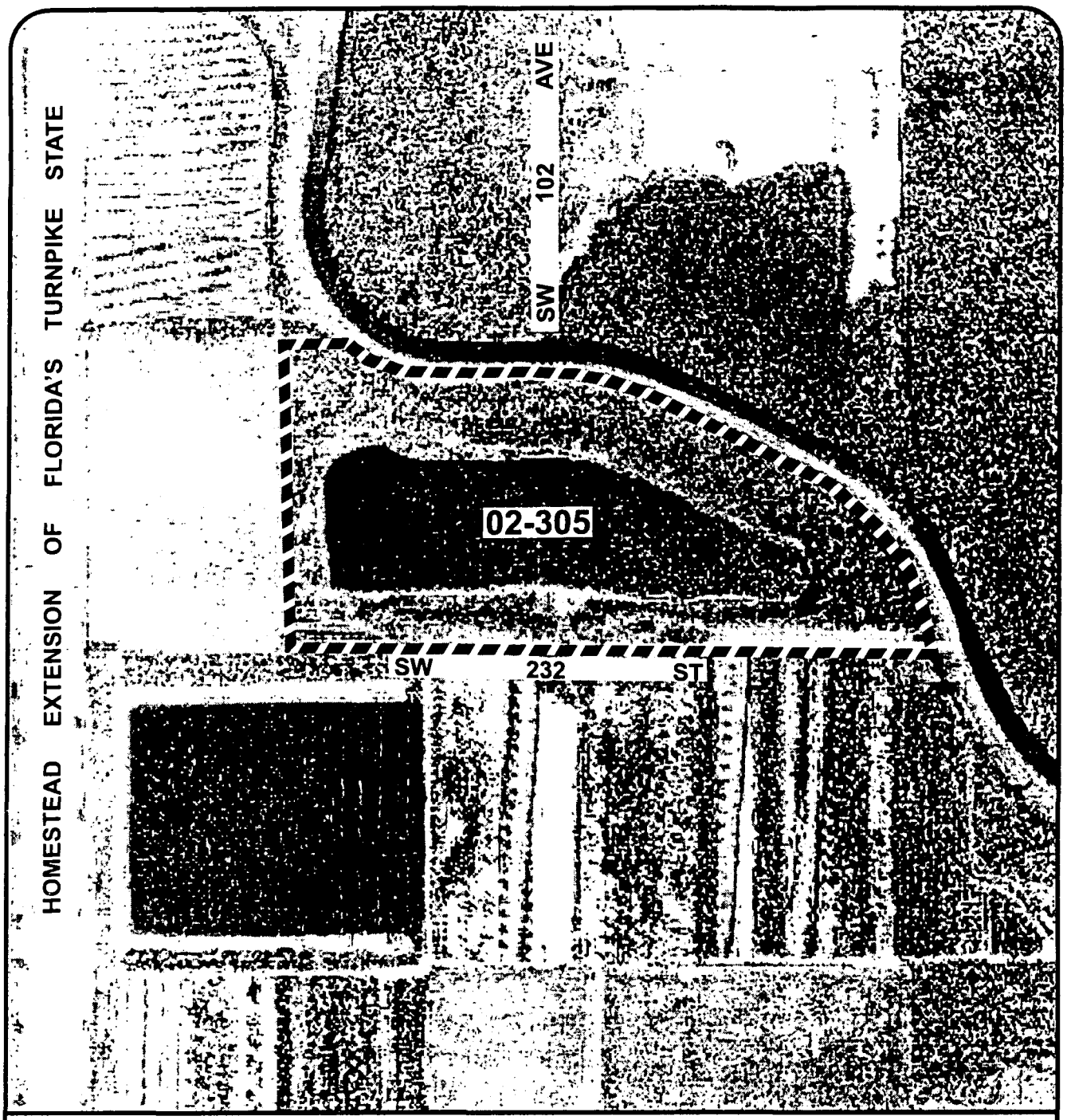
SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: 1:800'

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

21



MIAMI-DADE COUNTY

AERIAL

S C A L E
0 NTS
N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING. 02-305. 10/02

6. H. R. REALTY & INVESTMENTS, INC.
(Applicant)

03-1-CZ15-6 (02-305)
Area 15/District 8
Hearing Date: 1/30/03

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:

Year	Applicant	Request	Board	Decision
1976	Balboa Enterprises	Zone change from AU to EU-M.	CZAB-15	Approved

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

TEAM METRO
SOUTH OFFICE

ENFORCEMENT HISTORY

H.R. Realty & Investments, Inc.	Lying north of Theoretical SW 232 ST and east of theoretical SW 107 AVE, Miami-Dade County. FL
APPLICANT	**ADDRESS**
1/30/2003	02-305
DATE	**HEARING NUMBER**

ENFORCEMENT HISTORY:

No Violations as of January 3, 2003

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 15

APPLICANT: H. R. Realty & Investments, Inc. **PH:** Z02-305 (03-1-CZ15-6)

SECTION: 33-56-39 **DATE:** January 30, 2003

COMMISSION DISTRICT: 9 **ITEM NO.:** 6

==========

A. INTRODUCTION

- **REQUEST:**

  EU-M to RU-3M

- **SUMMARY OF REQUEST:**

  This request will allow the applicant to change the zoning on the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District.

- **LOCATION:**

  Lying on the north side of theoretical S.W. 232 Street and east of theoretical S.W. 107 Avenue, Miami-Dade County, Florida.

- **SIZE:** 60± Acres

- **IMPACT:**

  The rezoning of the property would allow the applicant to provide additional housing for the community. However, the rezoning will add to the population in the area, will impact water and sewer services, and will increase traffic in the area.

B. ZONING HEARINGS HISTORY:

Resolution Z-11-76 approved a zone change from AU, Agricultural District to EU-M, Modified Estate District, in lieu of the requested RU-1, Single-Family Residential District zoning.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 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 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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
EU-M; vacant	Residential, 2.5 to 6.0 dua
Surrounding Property:	
NORTH: RU-TH; vacant	Residential, 2.5 to 6.0 dua
SOUTH: AU; plant nurseries	Agriculture
EAST: RU-1; vacant	Residential, 2.5 to 6.0 dua
WEST: AU; plant nurseries	Residential, 2.5 to 6.0 dua

The subject parcel is located on the north side of S.W. 232 Street, which is the Urban Development Boundary, and east and west of S.W. 102 Avenue. Although this area is zoned mostly for multifamily development, there is currently no indication of any active development. Plant nurseries are still active to the south of S.W. 232 Street.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	**Unacceptable**
Location of Buildings:	**N/A**
Compatibility:	**Unacceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**N/A**
Energy Considerations:	**N/A**
Roof Installations	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**N/A**

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development 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. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection**
Public Works	**Objects**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**23 additional students**

H. ANALYSIS:

This request will allow the applicant to rezone the property from EU-M, Modified Estate District, to RU-3M, Minimum Apartment House District. The applicant is not required to submit a site plan in conjunction with this application, and is not requesting variances of the RU-3M zoning district. As such, all lots should meet RU-3M lot area, frontage, setback and landscaping requirements. Although not required to do so, the applicant submitted a site plan showing the development of the subject property with a 182-unit single-family development, and has indicated that a covenant will be proffered tying this rezoning request to same. However, said plans do not meet all RU-3M zoning requirements and would generate non-use variances.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in the Master Plan. The **Public Works Department objects** to this application and indicates that the site plan must be redesigned so that lots do not face the section line road (S. W. 232 St.) and double frontage lots are avoided. Said Department also indicates that

this application will generate **125 PM** daily peak hour vehicle trips, the addition of which will result in Levels of Service (LOS) at levels "A", "B" and "C". **Miami-Dade County Public Schools** has indicated that the proposed rezoning will bring an additional **23 students** to the schools in the area.

The subject property is a 60±-acre tract of land zoned EU-M, which contains an approximately 22-acre rock pit. The CDMP designates the site for low density residential which permits a minimum of 2.5 and a maximum of 6.0 dua. As such, the CDMP would permit a maximum of 360 units on the subject site. The current EU-M zoning, at 2.42 dua, would permit a total of 145 units on the site, which would be consistent with the CDMP. The proposed RU-3M zoning, at a density of 12.9 dua would permit a total of 774 units on this site, which would be **inconsistent** with the CDMP without a covenant limiting the development density. As mentioned previously, the applicant intended to proffer a covenant tying the development of the subject property to the aforementioned site plans, thereby limiting the development of the site to 182 dwelling units, which would be **consistent** with the CDMP. The applicant indicates in the letter of intent that the proposed development will be designed in accordance with the proposed RU-3M zoning standards, with no variances, and in a manner that will enhance the surrounding neighborhood. However, as previously noted, the submitted plans generate non-use variances. At the time of this writing, no revised plans had been submitted. Staff is of the opinion that the applicant must demonstrate how the proposed 182-unit single-family development would comply with the requirements of the proposed RU-3M zoning district. Said plans and covenant would assure compliance with the zoning, land use and subdivision regulations and the compatibility of the proposed development with the single-family, townhouse and agriculturally zoned properties in the surrounding areas. As such, staff recommends denial without prejudice or deferral to allow time for the applicant to submit plans if the applicant desires.

I. RECOMMENDATION:

Denial without prejudice or deferral.

J. CONDITIONS: None.

DATE INSPECTED: 01/06/03
DATE TYPED: 01/22/03
DATE REVISED: 01/24/03
DATE FINALIZED: 01/24/03
DO'QW:AJT:MTF:REM:TLR

Diane O' Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

MIAMI-DADE

MEMORANDUM

DERM

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: October 29, 2002

SUBJECT: C-15 #Z2002000305
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O
theoretical SW 107th Avenue
DBC from EU-M to RU-3M
(EU-M) (60 Ac.)
17-56-40

FROM: Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application and it may be scheduled for public hearing. DERM has also evaluated the request insofar as the general environmental impact that may derive from it, and based upon the available information offers no objection to its approval.

Potable Water Supply and Wastewater Disposal:
Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

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, 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 until adequate capacity becomes available. Consequently, final development orders for this site may not be granted unless adequate capacity in the sanitary sewer collection/transmission and treatment system is available at the point in time when the project will be contributing sewage to the system or if approval for alternative means of sewage disposal can be obtained. Use of an alternative means of sewage disposal 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:
All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a

surface water management system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:
Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:
The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, if wetlands are present at the site, permits from both the South Florida Water Management District and the U.S. Army Corps of Engineers may be required for work in wetland areas. It is the permittee's responsibility to contact these agencies for permitting requirements.

In addition the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:
The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater or coastal wetland area according to the Environmental Protection Ordinance of Miami-Dade County, Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands.

Additionally, the subject property may contain jurisdictional coastal wetlands, and therefore may require a Class I Coastal Permit with appropriate mitigation prior to work in jurisdictional coastal wetlands. This application has been forwarded to the Coastal Resources Section for their review.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Concurrency Review Summary:
The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval as required by the Code. Additionally, DERM has also evaluated the application so as to determine its general environmental impact and after reviewing the available information offers no objections to the approval of the request.

cc: Ruth Ellis-Myers, Zoning Evaluation-P&Z
Lynne Talleda, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Name: H.R. Realty & Investments, Inc.

This Department objects to this application.

Redesign site plan so that lots do not face the section line road (SW 232 St.).

Provide a 35 foot dedication along the western border of property to provide for a two lane road.

Lots with double frontage are to be avoided.

The property owner must build the bridge along SW 102 Ave. for the canal cross over.

Special Taxing District to be established for maintenance of common areas.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements 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 **125 PM** daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal 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
9896	SW 216 St. e/o HEFT	A	B
9594	Old Cutler Rd. sw/o Franjo Rd.	B	C

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.

Raul A. Pino, P.L.S.

JAN. 21 2003
Date

Miami-Dade County Public Schools

giving our students the world

Miami-Dade County School Board
Dr. Michael M. Krop, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Frank J. Bolaños
Frank J. Cobo
Perla Tabares Hantman
Betsy H. Kaplan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Superintendent of Schools
Merrett R. Stierheim

January 24, 2003

Ms. Ruth Ellis Myers, Acting Supervisor
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 N.W. 1 Street, Suite 1110
Miami, Florida 33128

Re: H. R. Realty & Investments, Inc. - Application No. 02-305 (CC15)
North of SW 232 Street and East of SW 107 Avenue

Dear Ms. Myers:

Please accept this letter as an expression of concern from the Miami-Dade County Public Schools (School District), over the impact of the above referenced development on the School District's public schools. Based on current attendance boundaries, the proposed development would be served by Dr. Edward L. Whigham Elementary, Centennial Middle and Miami Southridge Senior High. **All of the impacted schools are over capacity.** Please see attached analysis.

Please note that high school relief (S/S "HHH") is being constructed at 18180 S.W. 122 Ave.; the anticipated completion date for same is Fall 2003. However, although it is possible that this school will serve all or a portion of this general area, the attendance boundary have not yet been established. As such, assurances cannot be provided by the School District that the proposed school will help to alleviate the impacts of the proposed development.

In accordance with established School Board policy, this letter should not be construed as commentary on the merits of the pending zoning application. Rather, it is an attempt to provide relevant information to the Community Council on the public schools that will likely serve the proposed development.

Ms. Ruth Ellis Myers
January 24, 2003
Page Two.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,

Patricia Good
Coordinator III

PG:am
L-799
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Ms. Vivian Villaamil

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SENIOR: 5

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SENIOR HIGH: Miami Southridge Senior - 19355 SW 114 Ave.

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Teachers required to float/travel:	None

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Lunch schedule:	Begins at 11:23 a.m.
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Recognition for Academic Achievement:	None
Special Programs:	Magnet programs
Lunch schedule:	Begins at 10:35 a.m.
Non-instructional space utilized for instructional purposes:	Offices and Book storage rooms
Teachers required to float/travel:	None

PLANNED RELIEF SCHOOLS IN THE AREA (information as of January 2003):

School	Status	Projected Occupancy Date
*State School "HHH" at Robert Morgan Vocational Tech. 18180 SW 122 Avenue Miami, FL 33177	Construction	Fall/2003

*Note: The attendance boundaries for S/S "HHH" have not been established

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to $5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total $134,159.

CAPITAL COSTS: Based on the State's January-2003 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	12	x	$ 13,063	=	$	156,756
MIDDLE	6	x	$ 14,978	=	$	89,868
SENIOR	5	x	$ 19,820	=	$	99,100
Total Potential Capital Cost					$	345,724

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting.

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

H.R. Realty & Investments, Inc., a Florida corporation
CORPORATION NAME

NAME, ADDRESS, AND OFFICE	Percentage of Stock
Farajollah Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%
Badrozaman Saedi, President, 705 Arvida Parkway Miami, Florida 33156	50%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME

NAME AND ADDRESS	Percentage of Interest

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, 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 required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

_____
PARTNERSHIP OR LIMITED PARTNERSHIP NAME

NAME AND ADDRESS	Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Not Applicable _____
NAME

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.

_____ _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

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

Signature: _____

Farajollah Saedi, President
H.R. Realty & Investments, Inc.

Sworn to and subscribed before me,

this 3rd day of October, 2002.

(SEAL)

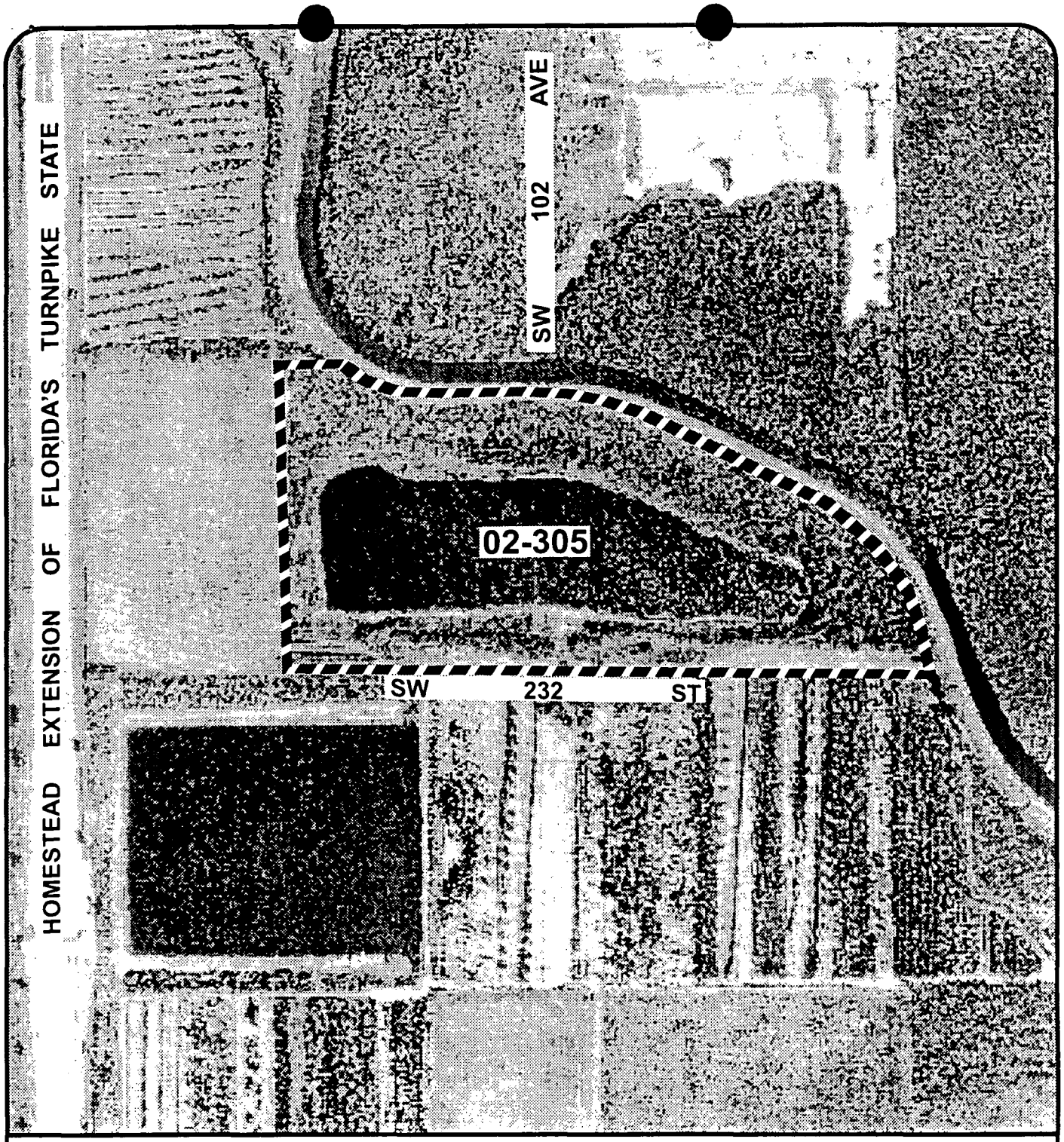
Carol Arlene Hall Bonnema

Notary Public, State of Florida at Large

My Commission Expires:

CAROL ARLENE HALL BONNEMA
MY COMMISSION # CC 799631
EXPIRES: December 28, 2002
Bonded Thru Pichard Insurance Agency

* Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or any other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no person or entity holds more than a total of 5% of the ownership interest in the limited partnership.



MIAMI-DADE COUNTY

AERIAL

S C A L E
0 NTS

N

SUBJECT PROPERTY

Section: 17 Township: 56 Range: 40
Process Number: 02000305
Applicant: H.R. REALTY & INV. INC
District Number: 08
Zoning Board: C15
Drafter ID: DIONNE
Scale: NTS

MIAMI-DADE

G: ZONING DRAFTING 02-305. 10/02

C-15
#02-305

107.07-17A

MEMORANDUM

TO: Diane O'Quinn Williams, Director
Department of Planning and Zoning
ATTN: Franklin Gutierrez, Agenda Coordinator

DATE: December 4, 2003

SUBJECT: Enforcement Histories for Community Council Board #15 Zoning Meeting on December 9, 2003

FROM: Carlos Alvarez, Director
Miami-Dade Police Department

The following information is furnished pursuant to your request for various police statistics, i.e., Calls-for-Service (CFS) data and Part I & II Crimes information for uniform and non-uniform police units for four locations. These locations are situated in the police grids listed below. Police grids are approximately one-half-mile by one-half-mile in diameter. Therefore, the information provided for the grids corresponding to the following locations may include information from other locations within the grid.

- Grid 2435 — Iglesia Casa De Adoracion; Hearing **# 02-60**
  Location: 13580 SW 252 Street
- Grid 2354 — H.R. Realty & Investments, Inc.; Hearing **# 02-305**
  Location: Lying north of theoretical SW 232 Street and east of theoretical SW 107 Avenue
- Grid 6537 — F.V. Construction Corp.; Hearing **# 03-162**
  Location: Southwest corner of SW 280 Street and SW 132 Avenue
- Grid 2409 — Summerville Development, Inc.; Hearing **# 03-262**
  Location: 24751 SW 117 Avenue

There are four attachments which represent the above four hearings; each has a grid-map cover sheet showing the locations with their respective grids highlighted. Data provided is for calendar year 2002, and January through September of 2003, and is inclusive of Unincorporated Miami-Dade County. CFS data and Part I & II Crimes information were extracted from the Crime Information Warehouse on November 28, 2003, and are subject to change due to cases being reconciled based on the most current information. CFS data includes police dispatch signals 13 through 55. Part I Crimes include the crime categories of murder/non-negligent manslaughter, forcible sex offenses, robbery, aggravated assault/stalking, burglary, larceny/thefts, motor vehicle theft, and arson.

A summary of the information requested is shown below on the next page:

Diane O'Quinn Williams, Director

December 4, 2003

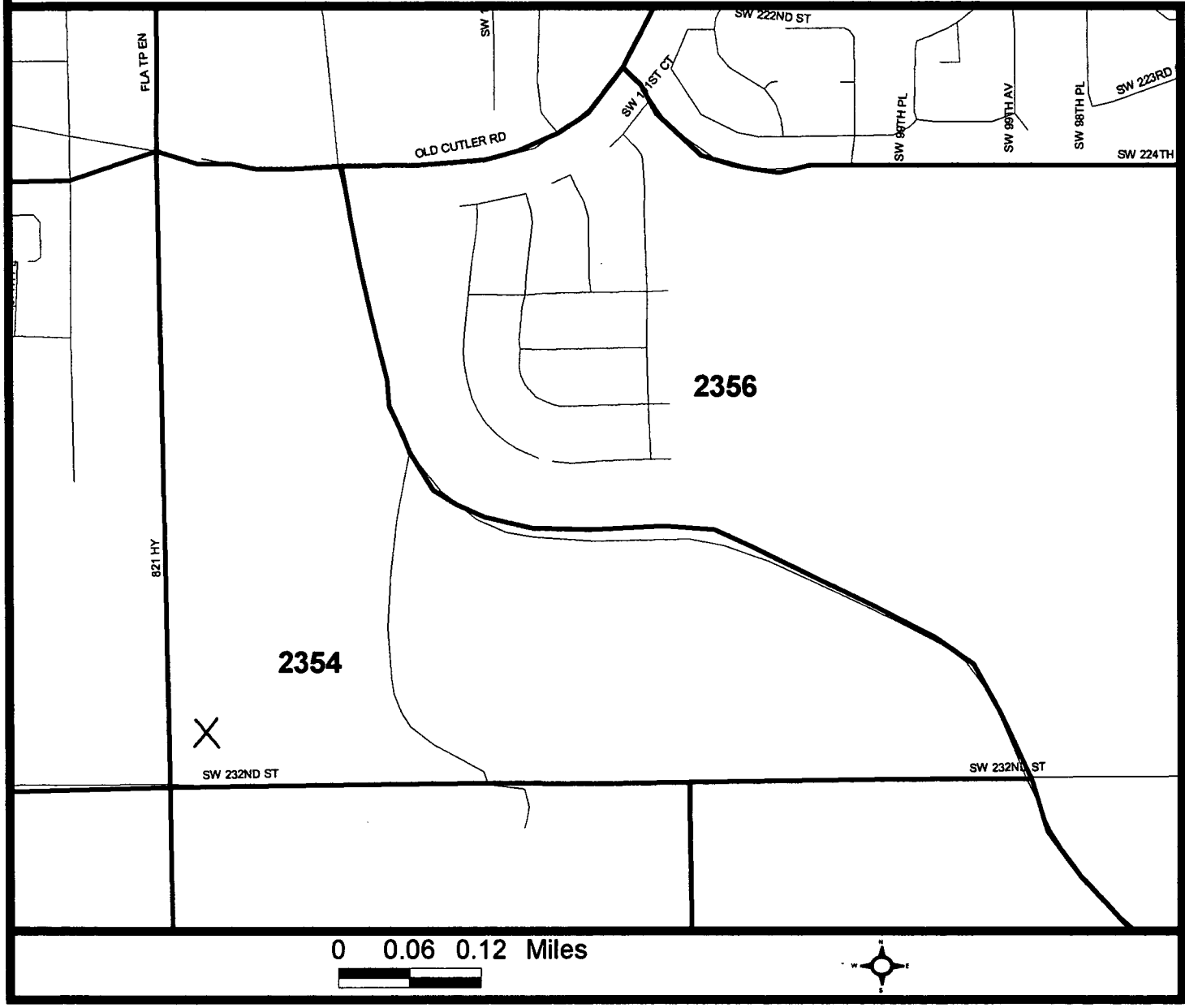
Grid Numbers (Address*)	**Hearing Numbers**	Total Calls-For-Service 2002	2003 (Jan-Oct)	Total Part I & II Crimes 2002	2003 (Jan-Oct)
2435 13580 SW 252 St*	**02-60**	697 9*	633 12*	65	71
2354	**02-305**	0	4	0	0
6537	**03-162**	452	547	48	36
2409 24751 SW 117 Av*	**03-262**	131 0*	337 1*	29	38

*Note: When hearing sites have an existing, complete address, specific CFS can be attributed to it as reflected above.

Should you require additional information or assistance, please contact Major Charles L. Thompson, Police Administrative Bureau, at 305-471-3530.

CA/par
Attachments (4)

Miami-Dade Police Department
Target Area - Police Grid(s): 2354
H.R. Realty & Investments, Inc.; Hearing # 02-305



Police Grids Boundaries
Boundary

MDPD Crime Analysis System
November 28, 2003
Data in this document represents successfully geocoded attributes.

0 0.06 0.12 Miles

Miami-Dade Police Department
Summarized Grid Information By Signal
For 1/1/02 Thru

Detail Filter: (Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01") and (Dis.Grid in ("2354")) and (Dis.Signal Code in ("13" , "14" , "15" , "16" , "17" , "18" , "19" , "20" , "21" , "22" , "23" , "24" , "25" , "26" , "27" , "28" , "29" , "30" , "31" , "32" , "33" , "34" , "35" , "36" , "37" , "38" , "39" , "40" , "41" , "42" , "43" , "44" , "45" , "46" , "47" , "48" , "49" , "50" , "51" , "52" , "53" , "54" , "55")) and (Dis.Primary Unit not contains '0000') and (Dis.Primary Unit not contains 'SB') and (Dis.Reporting Agency Code = substring ('030' , 1 , 3))

Grid	Signal Code	Signal Description	Total

Total Signals for Grid : 0

Total Reported: **Total Not Reported:**

Total for All Grids :

Miami-Dade Police Department
Summarized Grid Information By Signal
For 1/1/03 Thru 2003-10-31

Detail Filter: (Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2003-11-01") and (Dis.Grid in ("2354")) and (Dis.Signal Code in ("13" , "14" , "15" , "16" , "17" , "18" , "19" , "20" , "21" , "22" , "23" , "24" , "25" , "26" , "27" , "28" , "29" , "30" , "31" , "32" , "33" , "34" , "35" , "36" , "37" , "38" , "39" , "40" , "41" , "42" , "43" , "44" , "45" , "46" , "47" , "48" , "49" , "50" , "51" , "52" , "53" , "54" , "55")) and (Dis.Primary Unit not contains '0000') and (Dis.Primary Unit not contains 'SB') and (Dis.Reporting Agency Code = substring ('030' , 1 , 3))

Grid	Signal Code	Signal Description	Total
2354	14	CONDUCT INVESTIGATION	1
	15	MEET AN OFFICER	1
	38	SUSPICIOUS PERSON	1
	49	FIRE	1

Total Signals for Grid 2354 : 4

Total Reported: 2 Total Not Reported: 2

Total for All Grids : 4

Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
Reporting Agency: MDPD
From 1/1/02 Thru 1/1/03
YEAR:

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 2354

Crimes	Total Crimes
-	

Grand Total: 0

Detail Filter: OI.Incident From Date Time >= "2002-01-01" and OI.Incident From Date Time < "2003-01-01" and OI.Offense.Ucr Code in ('090A' , '1200' , '130A' , '130D' , '2200' , '230A' , '230B' , '230C' , '230D' , '230E' , '230F' , '230G' , '2400' , '090C' , '130B' , '130E' , '350A' , '350B' , '5100' , '2700' , '260A' , '260B' , '260D' , '260E' , '260F' , '1000' , '2000' , '110A' , '110B' , '110C') and OI.Aoa Agency Code = '000' and OI.Clearance Type Description <> 'UNFOUNDED' and OI.Report Written YN = 'Y' and (All County = 'Y' or All County = 'N' and OI.Grid in ("2354")) and OI.Reporting_Agency_Code = "030"

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
Reporting Agency: MDPD
From 1/1/03 Thru 11/1/03
YEAR:

Miami-Dade Police Department

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 2354

Crimes	Total Crimes
-	

Grand Total: 0

Detail Filter: OI.Incident From Date Time >= "2003-01-01" and OI.Incident From Date Time < "2003-11-01" and OI.Offense.Ucr Code in ('090A' , '1200' , '130A' , '130D' , '2200' , '230A' , '230B' , '230C' , '230D' , '230E' , '230F' , '230G' , '2400' , '090C' , '130B' , '130E' , '350A' , '350B' , '5100' , '2700' , '260A' , '260B' , '260D' , '260E' , '260F' , '1000' , '2000' , '110A' , '110B' , '110C') and OI.Aoa Agency Code = '000' and OI.Clearance Type Description <> 'UNFOUNDED' and OI.Report Written YN = 'Y' and (All County = 'Y' or All County = 'N' and OI.Grid in ("2354")) and OI.Reporting_Agency_Code = "030"

MEMORANDUM

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

FROM: Roosevelt Bradley, Director
Miami Dade Transit

DATE: October 14, 2003

SUBJECT: FY04 Blanket Concurrency Approval for Transit

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your Department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your Department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the level-of-service standards (LOS) for mass transit established in the above referenced County rules and regulations.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period October 1, 2003 to September 30, 2004, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

CC: Aurelio Rodriguez, P.E.
Mario G. Garcia

03 OCT 17 PM 4:
MIAMI-DADE COUNTY
FLORIDA

RECEIVED
OCT 21 2003
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

MEMORANDUM

Helen B.

TO:	Dianne O'Quinn-Williams, Director Department of Planning and Zoning	***DATE:***	September 18, 2003
FROM:	Vivian Donnell Rodriguez, Director Park and Recreation Department	***SUBJECT:***	Concurrency Approval

This memorandum updates the blanket concurrency approval memo of August 6, 2002. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2004. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD

Original to Helen Brown
Copy to Al Torres

107.07-17A METRO-DADE/GSA-MAT. MGT.

MEMORANDUM

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

DATE: September 12, 2003

SUBJECT: Solid Waste Disposal Concurrency Determination

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager
Victoria Garland, Acting Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

RECEIVED
SEP 18 2003
ZONING SERVICES DIVISION, DADE COUNTY
DEPT. OF PLANNING & ZONING
BY_____

MEMORANDUM

TO: Guillermo E. Olmedillo. Director
Building & Zoning Department

DATE: May 3rd. 1999

SUBJECT: Concurrency Approval

FROM: Earl L. Carlton, Captain
Fire Engineering & Water Supply Bureau

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied.

ELC/ser

Department of Solid Waste Management (DSWM)

Solid Waste Facility Capacity Analysis

Fiscal Year 2002-2003

		RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	
Year	Waste Projections (tons)	On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill [1]	Net Tonnage [2]	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill [3]	Tonnage [4]	SOUTH DADE Garbage [5]	NORTH DADE Trash [6]	WMI Garbage &Trash [7]	Trash [8]	Total [1]-[8]
2003 *	1,837,000	936,000	196,000	17,000	119,000	604,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2006 ***	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2007	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2008	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2009	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500

RESOURCES RECOVERY	GARBAGE	TRASH	TIRES	TOTAL	
* TOTAL @ 1.84M	853,000	69,000 270,000	14,000	936,000 270,000	(91% Garbage; 9% Trash, includes Tires) (RTI)
** TOTAL @ 1.72M	853,000	69,000 270,000	14,000	936,000 270,000	(91% Garbage; 9% Trash, includes Tires) (RTI)
*** TOTAL @ 1.71M	853,000	69,000 270,000	14,000	936,000 270,000	(91% Garbage; 9% Trash, includes Tires) (RTI)

TOTAL WASTE STREAM PERCENTAGES @1.84 MILLIONS TONS

GARBAGE 54.3%	997,000
TRASH 44.4%	816,000
SPECIAL (includes Tires) 1.3%	24,000
TOTAL	1,837,000

REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR

Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	WMI **** Disposed
Base Capacity	207,000	4,352,000	3,130,000	146,000
2003	61,000	3,942,000	2,797,000	100,000
2004	0	3,668,500	2,402,000	188,000
2005	0	3,395,000	2,007,000	249,000
2006	0	3,131,500	1,612,000	249,000
2007	0	2,888,000	1,217,000	249,000
2008	0	2,604,500	822,000	249,000
2009	0	2,341,000	427,000	249,000
2010	0	2,077,500	32,000	249,000
2011	0	1,702,000	0	500,000
2012	0	1,294,500	0	500,000
2013	0	887,000	0	500,000
2014	0	479,500	0	500,000
2015	0	72,000	0	500,000
2016	0	0	0	
2017	0	0	0	
2018	0	0	0	
Total Remaining Years	0	12	6	

* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).

** South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.

*** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.

**** Maximum Contractual Tonnage per year to WMI is 500,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After WMI disposal contract ends tonnage goes to South Dade Landfill.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

2003 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space: Park Acres	Existing Local Open Space: School field Acres	Existing Local Open Space: 1/2 Private Acres	Total Local Open Space	Surplus (Deficit) Acres	Level of Service
1	476,880	25,585	502,465	1,381.77	1,198.25	702.34	85.32	1,985.91	604.14	1.437
2	563,033	19,245	582,278	1,601.24	1,564.11	508.33	139.79	2,212.23	610.99	1.381
3	141,699	24,607	166,306	457.33	578.93	177.20	6.90	763.03	305.70	1.668
T[illegible]:	1,181,612	69,437	1,251,049	3,440.34	3,341.29	1,387.87	232.01	4,961.17	1,520.83	1.495

107.07-17A METRO-DADE/GSA-MAT MGT

MEMORANDUM

TO: Guillermo E. Olmedillo
Director
Department of Planning and Zoning

DATE: September 22, 2000

SUBJECT: Solid Waste Disposal Concurrency Determination

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of nearly 40 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2011 or nearly five (5) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2003), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Steve Spratt, Senior Assistant to the County Manager
Jim Bostic, Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Kathie G. Brooks. Assistant Director for Finance and Planning, DSWM
Paul Mauriello, Executive Assistant to the Director, DSWM

Department of Solid Waste Management (DSWM)
Solid Waste Facility Capacity Analysis
Fiscal Year 1999-2000

28-Aug-00

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					TRASH-TO-FUEL FACILITY				SOUTH DADE	NORTH DADE	WMI	WTI	Total
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to North Dade	Ash to Ashfill [1]	Net Tonnage [2]	RTI Gross Tonnage	Non-processables to North Dade	Processed Residue to South Dade	Net Tonnage [3]	Landfill Garbage [4]	Landfill Trash [5]	Landfill Garbage/Trash [6]	Waste to energy Trash [7]	[1]-[7]
2000 *	1,746,000	936,000	152,000	12,000	147,000	625,000	196,000	18,000	22,000	156,000	323,000	272,000	140,000	83,000	1,746,000
2001 **	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	100,000	1,687,000
2002	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	100,000	1,687,000
2003 ***	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000
2004	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000
2005	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000
2006	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000
2007	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000
2008	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000

RESOURCES	GARBAGE	TRASH	TOTAL	
* TOTAL @ 1.75M	870,000	66,000	936,000	(93%G/7%T)
		196,000	196,000	(RTI)
** TOTAL @ 1.69M	870,000	66,000	936,000	(93%G/7%T)
		270,000	270,000	(RTI)
*** TOTAL @ 1.69M	870,000	66,000	936,000	(93%G/7%T)
w/o 100,000 to WTI		270,000	270,000	(RTI)
TOTAL WASTE STREAM PERCENTAGES				
@1.69 MILLIONS TONS				
GARBAGE 56.4%			952,000	
TRASH 43.3%			730,000	
SPECIAL 0.3%			5,000	
TOTAL			1,687,000	

REMAINING CAPACITY BY FACILITY Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	South Dade (w/o cell 5) (w less 4.4 m tons)
Base Capacity	3,150,000	9,148,000	3,943,000	4,748,000
2000	3,003,000	8,825,000	3,671,000	4,425,000
2001	2,865,000	8,595,000	3,407,000	4,195,000
2002	2,727,000	8,365,000	3,143,000	3,965,000
2003	2,589,000	8,135,000	2,779,000	3,735,000
2004	2,451,000	7,905,000	2,415,000	3,505,000
2005	2,313,000	7,675,000	2,051,000	3,275,000
2006	2,175,000	7,445,000	1,687,000	3,045,000
2007	2,037,000	7,215,000	1,323,000	2,815,000
2008	1,899,000	6,985,000	959,000	2,585,000
2009	1,761,000	6,755,000	595,000	2,355,000
2010	1,623,000	6,525,000	231,000	2,125,000
2011	1,485,000	6,295,000	0	1,895,000
2012	1,347,000	6,065,000	0	1,665,000
2013	1,209,000	5,835,000	0	1,435,000
2014	1,071,000	5,605,000	0	1,205,000
2015	933,000	5,375,000	0	975,000
2016	795,000	5,145,000	0	745,000
2017	657,000	4,915,000	0	515,000
2018	519,000	4,685,000	0	285,000
2019	381,000	4,455,000	0	55,000
2020	243,000	4,225,000	0	-175,000
2021	105,000	3,995,000	0	-405,000
2022	0	3,732,000	0	-668,000
2023	0	3,364,000	0	-1,036,000
2024	0	2,996,000	0	-1,404,000
2025	0	2,628,000	0	-1,772,000
2026	0	2,260,000	0	-2,140,000
2027	0	1,892,000	0	-2,508,000
2028	0	1,524,000	0	-2,876,000
2029	0	1,156,000	0	-3,244,000
2030	0	788,000	0	-3,612,000
2031	0	420,000	0	-3,980,000
2032	0	52,000	0	-4,348,000
2033	0	-316,000	0	-4,716,000
2034	0	-684,000	0	-5,084,000
2035	0	-1,052,000	0	-5,452,000
2036	0	-1,420,000	0	-5,820,000
2037	0	-1,788,000	0	-6,188,000
2038	0	-2,156,000	0	-6,556,000
2039	0	-2,524,000	0	-6,924,000
Total Remaining Years	21	32	10	19

*Ashfill capacity includes cell 17-20 cells 19-20 have not been constructed
**South Dade includes cells 3, 4 and 5 cell 5 has not been constructed Once ashfill capacity is used up ash goes to South Dade Assumes all unders consumes capacity whether or not it is used as cover
***North Dade capacity represents buildout of the facility When North Dade landfill capacity is depleted trash is exported
All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Engineering Division of the Department of Solid Waste Management Dated October 1999

MEMORANDUM

Helen B.

TO:	Dianne O'Quinn-Williams, Director Department of Planning and Zoning	*DATE:*	September 18, 2003
FROM:	Vivian Donnell Rodriguez, Director Park and Recreation Department	*SUBJECT:*	Concurrency Approval

This memorandum updates the blanket concurrency approval memo of August 6, 2002. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2004. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD

2003 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space: Park Acres	Existing Local Open Space: School field Acres	Existing Local Open Space: 1/2 Private Acres	Total Local Open Space	Surplus (Deficit) Acres	Level of Service
1	476,880	25,585	502,465	1,381.77	1,198.25	702.34	85.32	1,985.91	604.14	1.437
2	563,033	19,245	582,278	1,601.24	1,564.11	508.33	139.79	2,212.23	610.99	1.381
3	141,699	24,607	166,306	457.33	578.93	177.20	6.90	763.03	305.70	1.668
TOT:	1,181,612	69,437	1,251,049	3,440.34	3,341.29	1,387.87	232.01	4,961.17	1,520.83	1.495

MEMORANDUM

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

FROM: Roosevelt Bradley, Director
Miami Dade Transit

DATE: October 14, 2003

SUBJECT: FY04 Blanket Concurrency Approval for Transit

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your Department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your Department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the level-of-service standards (LOS) for mass transit established in the above referenced County rules and regulations.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period October 1, 2003 to September 30, 2004, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

CC: Aurelio Rodriguez, P.E.
Mario G. Garcia

RECEIVED
OCT 21 2003
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

Original to Helen Brown
cy to Al Torres

107.07-17A METRO-DADE/GSA-MAT MGT

MEMORANDUM

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

DATE: September 12, 2003

SUBJECT: Solid Waste Disposal Concurrency Determination

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager
Victoria Garland, Acting Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

RECEIVED
SEP 16 2003

Department of Solid Waste Management (DSWM)

Solid Waste Facility Capacity Analysis

Fiscal Year 2002-2003

		RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	
Year	Waste Projections (tons)	On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill [1]	Net Tonnage [2]	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill [3]	Tonnage [4]	SOUTH DADE Garbage [5]	NORTH DADE Trash [6]	WMI Garbage &Trash [7]	Trash [8]	Total [1]-[8]
2003 *	1,837,000	936,000	196,000	17,000	119,000	604,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2006 ***	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2007	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2008	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2009	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500

RESOURCES RECOVERY	GARBAGE	TRASH	TIRES	TOTAL	
* TOTAL @ 1.84M	853,000	69,000	14,000	936,000	(91% Garbage; 9% Trash, includes Tires)
		270,000		270,000	(RTI)
** TOTAL @ 1.72M	853,000	69,000	14,000	936,000	(91% Garbage; 9% Trash, includes Tires)
		270,000		270,000	(RTI)
*** TOTAL @ 1.71M	853,000	69,000	14,000	936,000	(91% Garbage; 9% Trash, includes Tires)
		270,000		270,000	(RTI)

TOTAL WASTE STREAM PERCENTAGES @1.84 MILLIONS TONS

GARBAGE 54.3%	997,000
TRASH 44.4%	816,000
SPECIAL (includes Tires) 1.3%	24,000
TOTAL	1,837,000

REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR

Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	WMI **** Disposed
Base Capacity	207,000	4,352,000	3,130,000	146,000
2003	61,000	3,942,000	2,797,000	100,000
2004	0	3,668,500	2,402,000	188,000
2005	0	3,395,000	2,007,000	249,000
2006	0	3,131,500	1,612,000	249,000
2007	0	2,868,000	1,217,000	249,000
2008	0	2,604,500	822,000	249,000
2009	0	2,341,000	427,000	249,000
2010	0	2,077,500	32,000	249,000
2011	0	1,702,000	0	500,000
2012	0	1,294,500	0	500,000
2013	0	887,000	0	500,000
2014	0	479,500	0	500,000
2015	0	72,000	0	500,000
2016	0	0	0	
2017	0	0	0	
2018	0	0	0	
Total Remaining Years	0	12	6	

* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).

** South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.

*** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.

**** Maximum Contractual Tonnage per year to WMI is 500,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After WMI disposal contract ends tonnage goes to South Dade Landfill.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

MEMORANDUM

TO: Guillermo E. Olmedillo. Director
Building & Zoning Department

DATE: May 3rd. 1999

SUBJECT: Concurrency Approval

FROM: Earl L. Carlton. Captain
Fire Engineering & Water Supply Bureau

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami Dade County Code. blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied.

ELC/ser

MEMORANDUM

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

DATE: September 27, 2002

FROM: Danny Alvarez, Director
Miami-Dade Transit

SUBJECT: FY03 Blanket Concurrency Concurrency Approval for Transit

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your Department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your Department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the level-of-service standards (LOS) for mass transit established in the above referenced County rules and regulations.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period of October 1, 2002 to September 30, 2003; unless canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief MDT, Transit System Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

Cc: Aurelio Rodriguez, Assistant Director
Mario G. Garcia, Chief

MEMORANDUM

TO: Guillermo E. Olmedillo. Director
Building & Zoning Department

DATE: May 3rd. 1999

SUBJECT: Concurrency Approval

FROM: Earl L. Carlton, Captain
Fire Engineering & Water Supply Bureau

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami Dade County Code. blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied.

ELC/ser

107.07-17A METRO-DADE/GSA-MAT MGT

MEMORANDUM

TO: Guillermo E. Olmedillo
Director
Department of Planning and Zoning

DATE: September 22, 2000

SUBJECT: Solid Waste Disposal Concurrency Determination

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of nearly 40 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2011 or nearly five (5) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2003), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Steve Spratt, Senior Assistant to the County Manager
Jim Bostic, Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Kathie G. Brooks, Assistant Director for Finance and Planning, DSWM
Paul Mauriello, Executive Assistant to the Director, DSWM

Department of Solid Waste Management (DSWM)
Solid Waste Facility Capacity Analysis
Fiscal Year 1999-2000

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY: On-site Gross Tonnage	Unders to South Dade	Shredded Tires to North Dade	Ash to Ashfill [1]	Net Tonnage [2]	TRASH-TO-FUEL FACILITY: RTI Gross Tonnage	Non-processables to North Dade	Processed Residue to South Dade	Net Tonnage [3]	SOUTH DADE Landfill: Garbage [4]	NORTH DADE Landfill: Trash [5]	WMI Landfill: Garbage/Trash [6]	WTI Waste to energy: Trash [7]	Total [1]-[7]
2000 *	1,746,000	936,000	152,000	12,000	147,000	625,000	196,000	18,000	22,000	156,000	323,000	272,000	140,000	83,000	1,746,000
2001 **	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	100,000	1,687,000
2002	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	100,000	1,687,000
2003 ***	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000
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2007	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000
2008	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000

RESOURCES	GARBAGE	TRASH	TOTAL
* TOTAL @ 1.75M	870,000	66,000	936,000 (93%G/7%T)
		196,000	196,000 (RTI)
** TOTAL @ 1.69M	870,000	66,000	936,000 (93%G/7%T)
		270,000	270,000 (RTI)
*** TOTAL @ 1.69M	870,000	66,000	936,000 (93%G/7%T)
w/o 100,000 to WTI		270,000	270,000 (RTI)

TOTAL WASTE STREAM PERCENTAGES
@1.69 MILLIONS TONS

GARBAGE 56.4%	952,000
TRASH 43.3%	730,000
SPECIAL 0.3%	5,000
TOTAL	1,687,000

REMAINING CAPACITY BY FACILITY Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	South Dade (w/o cell 5) (in tons 4.4 m tons)
Base Capacity	3,150,000	9,148,000	3,943,000	4,748,000
2000	3,003,000	8,825,000	3,671,000	4,425,000
2001	2,865,000	8,595,000	3,407,000	4,185,000
2002	2,727,000	8,365,000	3,143,000	3,955,000
2003	2,589,000	8,135,000	2,779,000	3,735,000
2004	2,451,000	7,905,000	2,415,000	3,505,000
2005	2,313,000	7,675,000	2,051,000	3,275,000
2006	2,175,000	7,445,000	1,687,000	3,045,000
2007	2,037,000	7,215,000	1,323,000	2,815,000
2008	1,899,000	6,985,000	959,000	2,585,000
2009	1,761,000	6,755,000	595,000	2,355,000
2010	1,623,000	6,525,000	231,000	2,125,000
2011	1,485,000	6,295,000	0	1,895,000
2012	1,347,000	6,065,000	0	1,665,000
2013	1,209,000	5,835,000	0	1,435,000
2014	1,071,000	5,605,000	0	1,205,000
2015	933,000	5,375,000	0	975,000
2016	795,000	5,145,000	0	745,000
2017	657,000	4,915,000	0	515,000
2018	519,000	4,685,000	0	285,000
2019	381,000	4,455,000	0	55,000
2020	243,000	4,225,000	0	-175,000
2021	105,000	3,995,000	0	-405,000
2022	0	3,732,000	0	-668,000
2023	0	3,364,000	0	-1,036,000
2024	0	2,996,000	0	-1,404,000
2025	0	2,628,000	0	-1,772,000
2026	0	2,260,000	0	-2,140,000
2027	0	1,892,000	0	-2,508,000
2028	0	1,524,000	0	-2,876,000
2029	0	1,156,000	0	-3,244,000
2030	0	788,000	0	-3,612,000
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2032	0	52,000	0	-4,348,000
2033	0	-316,000	0	-4,716,000
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2037	0	-1,788,000	0	-6,188,000
2038	0	-2,156,000	0	-6,556,000
2039	0	-2,524,000	0	-6,924,000
Total Remaining Years	21	32	10	19

*Ashfill capacity includes cell 17-20 cells 19-20 have not been constructed
**South Dade includes cells 3, 4 and 5 cell 5 has not been constructed Once ashfill capacity is used up ash goes to South Dade Assumes all unders consumes capacity whether or not it is used as cover
***North Dade capacity represents buildout of the facility When North Dade landfill capacity is depleted trash is exported
All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Engineering Division of the Department of Solid Waste Management Dated October 1999

MEMORANDUM

TO: Dianne O'Quinn-Williams, Director
Department of Planning and Zoning

DATE: August 6, 2002

FROM: Vivian Donnell Rodriguez
Director
Park and Recreation Department

SUBJECT: Concurrency Approval

This memorandum updates the blanket concurrency approval memo of September 5, 2001. There is an adequate level of service for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year.

This approval is valid until September 30, 2003. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD

RECEIVED
AUG 07 2002
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

2002 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	1995 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space: Park Acres	Existing Local Open Space: School field Acres	Existing Local Open Space: 1/2 Private Acres	Total Local Open Space	Surplus (Deficit) Acres	Level of Service
1	454,457	64,558	519,015	1,427.28	1,198.25	702.34	85.32	1,985.91	558.63	1.391
2	495,397	64,277	559,674	1,539.09	1,598.06	508.33	139.79	2,246.18	707.09	1.459
3	136,815	24,777	161,592	444.37	578.93	177.20	6.90	763.03	318.66	1.717
[illegible]	[illegible],086,669	153,612	1,240,281	3,410.74	3,375.24	1,387.87	232.01	4,995.12	1,584.38	1.522

MEMORANDUM

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

DATE: September 3, 2002

SUBJECT: FY04 Blanket Concurrency Approval for Transit

FROM: Danny Alvarez, Executive Director
Office of Public Transportation Management

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Based on the latest socio-economic information provided by your Department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your Department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the level-of-service standards (LOS) for mass transit established in the above referenced County rules and regulations.

However, be aware that the Office of Public Transportation Management (OPTM) has initiated the development process for the North Corridor transit project along NW 27th Avenue from 62 Street to the Broward County Line. I am requesting that any application whose address is on NW 27th Avenue between those two points be flagged for review by OPTM staff.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period October 1, 2003 to September 30, 2004, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief OPTM System Planning Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

cc: Pepe Valdes
Mario G. Garcia

107.07-17A METRO-DADE/GSA-MAT MGT

MEMORANDUM

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

DATE: September 12, 2003

SUBJECT: Solid Waste Disposal Concurrency Determination

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager
Victoria Garland, Acting Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

Department of Solid Waste Management (DSWM)

Solid Waste Facility Capacity Analysis

Fiscal Year 2002-2003

		RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	
Year	Waste Projections (tons)	On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill [1]	Net Tonnage [2]	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill [3]	Tonnage [4]	SOUTH DADE Garbage [5]	NORTH DADE Trash [6]	WMI Garbage &Trash [7]	Trash [8]	Total [1]-[8]
2003 *	1,837,000	936,000	196,000	17,000	119 000	604,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2006 ***	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2007	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2008	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2009	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500

RESOURCES RECOVERY	GARBAGE	TRASH	TIRES	TOTAL	
* TOTAL @ 1.84M	853,000	69,000 270,000	14,000	936,000 270,000	(91% Garbage; 9% Trash, includes Tires) (RTI)
** TOTAL @ 1.72M	853,000	69,000 270,000	14,000	936,000 270,000	(91% Garbage; 9% Trash, includes Tires) (RTI)
*** TOTAL @ 1.71M	853,000	69,000 270,000	14,000	936,000 270,000	(91% Garbage; 9% Trash, includes Tires) (RTI)

TOTAL WASTE STREAM PERCENTAGES @1.84 MILLIONS TONS

GARBAGE 54.3%	997,000
TRASH 44.4%	816,000
SPECIAL (includes Tires) 1.3%	24,000
TOTAL	1,837,000

REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR

Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	WMI **** Disposed
Base Capacity	207,000	4,352,000	3,130,000	146,000
2003	61,000	3,942,000	2,797,000	100,000
2004	0	3,668,500	2,402,000	188,000
2005	0	3,395,000	2,007,000	249,000
2006	0	3,131,500	1,612,000	249,000
2007	0	2,868,000	1,217,000	249,000
2008	0	2,604,500	822,000	249,000
2009	0	2,341,000	427,000	249,000
2010	0	2,077,500	32,000	249,000
2011	0	1,702,000	0	500,000
2012	0	1,294,500	0	500,000
2013	0	887,000	0	500,000
2014	0	479,500	0	500,000
2015	0	72,000	0	500,000
2016	0	0	0	
2017	0	0	0	
2018	0	0	0	
Total Remaining Years	0	12	6	

* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).

** South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.

*** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.

**** Maximum Contractual Tonnage per year to WMI is 500,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After WMI disposal contract ends tonnage goes to South Dade Landfill.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

MEMORANDUM

TO: Guillermo E. Olmedillo. Director
Building & Zoning Department

DATE: May 3rd. 1999

SUBJECT: Concurrency Approval

FROM: Earl L. Carlton. Captain
Fire Engineering & Water Supply Bureau

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami Dade County Code. blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied.

ELC/ser

107.07-17A METRO-DADE/GSA-MAT MGT

MEMORANDUM

TO: Guillermo E. Olmedillo
Director
Department of Planning and Zoning

DATE: September 22, 2000

SUBJECT: Solid Waste Disposal Concurrency Determination

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of nearly 40 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2011 or nearly five (5) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2003), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Steve Spratt, Senior Assistant to the County Manager
Jim Bostic, Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Kathie G. Brooks, Assistant Director for Finance and Planning, DSWM
Paul Mauriello, Executive Assistant to the Director, DSWM

Department of Solid Waste Management (DSWM)
Solid Waste Facility Capacity Analysis
Fiscal Year 1999-2000

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					TRASH-TO-FUEL FACILITY				SOUTH DADE	NORTH DADE	WMI	WTI	Total
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to North Dade	Ash to Ashfill [1]	Net Tonnage [2]	RTI Gross Tonnage	Non-processables to North Dade	Processed Residue to South Dade	Net Tonnage [3]	Landfill Garbage [4]	Landfill Trash [5]	Landfill Garbage/Trash [6]	Waste to energy Trash [7]	[1]-[7]
2000 *	1,746,000	936,000	152,000	12,000	147,000	625,000	196,000	18,000	22,000	156,000	323,000	272,000	140,000	83,000	1,746,000
2001 **	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	100,000	1,687,000
2002	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	264,000	140,000	100,000	1,687,000
2003 ***	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000
2004	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000
2005	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000
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2008	1,687,000	936,000	167,000	11,000	138,000	620,000	270,000	48,000	27,000	195,000	230,000	364,000	140,000	0	1,687,000

RESOURCES	GARBAGE	TRASH	TOTAL	
* TOTAL @ 1.75M	870,000	66,000	936,000	(93%G/7%T)
		196,000	196,000	(RTI)
** TOTAL @ 1.69M	870,000	66,000	936,000	(93%G/7%T)
		270,000	270,000	(RTI)
*** TOTAL @ 1.69M	870,000	66,000	936,000	(93%G/7%T)
w/o 100,000 to WTI		270,000	270,000	(RTI)

TOTAL WASTE STREAM PERCENTAGES
@1.69 MILLIONS TONS

GARBAGE 56.4%	952,000
TRASH 43.3%	730,000
SPECIAL 0.3%	5,000
TOTAL	1,687,000

REMAINING CAPACITY BY FACILITY Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	South Dade (w/o cell 5) (w less 4.4 m tons)
Base Capacity	3,150,000	9,148,000	3,943,000	4,748,000
2000	3,003,000	8,825,000	3,671,000	4,425,000
2001	2,865,000	8,595,000	3,407,000	4,195,000
2002	2,727,000	8,365,000	3,143,000	3,965,000
2003	2,589,000	8,135,000	2,779,000	3,735,000
2004	2,451,000	7,905,000	2,415,000	3,505,000
2005	2,313,000	7,675,000	2,051,000	3,275,000
2006	2,175,000	7,445,000	1,687,000	3,045,000
2007	2,037,000	7,215,000	1,323,000	2,815,000
2008	1,899,000	6,985,000	959,000	2,585,000
2009	1,761,000	6,755,000	595,000	2,355,000
2010	1,623,000	6,525,000	231,000	2,125,000
2011	1,485,000	6,295,000	0	1,895,000
2012	1,347,000	6,065,000	0	1,665,000
2013	1,209,000	5,835,000	0	1,435,000
2014	1,071,000	5,605,000	0	1,205,000
2015	933,000	5,375,000	0	975,000
2016	795,000	5,145,000	0	745,000
2017	657,000	4,915,000	0	515,000
2018	519,000	4,685,000	0	285,000
2019	381,000	4,455,000	0	55,000
2020	243,000	4,225,000	0	-175,000
2021	105,000	3,995,000	0	-405,000
2022	0	3,732,000	0	-668,000
2023	0	3,364,000	0	-1,036,000
2024	0	2,996,000	0	-1,404,000
2025	0	2,628,000	0	-1,772,000
2026	0	2,260,000	0	-2,140,000
2027	0	1,892,000	0	-2,508,000
2028	0	1,524,000	0	-2,876,000
2029	0	1,156,000	0	-3,244,000
2030	0	788,000	0	-3,612,000
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All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the
Engineering Division of the Department of Solid Waste Management Dated October 1999

MEMORANDUM

TO: Dianne O'Quinn-Williams, Director
Department of Planning and Zoning

DATE: August 6, 2002

FROM: Vivian Donnell Rodriguez
Director
Park and Recreation Department

SUBJECT: Concurrency Approval

This memorandum updates the blanket concurrency approval memo of September 5, 2001. There is an adequate level of service for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year.

This approval is valid until September 30, 2003. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD

RECEIVED
AUG 07 2002
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

2002 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	1995 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space: Park Acres	Existing Local Open Space: School field Acres	Existing Local Open Space: 1/2 Private Acres	Total Local Open Space	Surplus (Deficit) Acres	Level of Service
1	454,457	64,558	519,015	1,427.28	1,198.25	702.34	85.32	1,985.91	558.63	1.391
2	495,397	64,277	559,674	1,539.09	1,598.06	508.33	139.79	2,246.18	707.09	1.459
3	136,815	24,777	161,592	444.37	578.93	177.20	6.90	763.03	318.66	1.717
T:	1,086,669	153,612	1,240,281	3,410.74	3,375.24	1,387.87	232.01	4,995.12	1,584.38	1.522