

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-29-01

WHEREAS, CENTURY CAPITAL GOUP, INC. applied for the following:

- (1) RU-2 to BU-1A
- (2) SPECIAL EXCEPTION to permit site plan approval for a commercial development.
- (3) NON-USE VARIANCE OF ZONING REGULATIONS requiring a 5' high decorative masonry wall where a business lot abuts a residential district; to waive same to permit a 6' high chain link fence with privacy slats along the rear (north) property line.

A plan is on file and may be examined in the Zoning Department entitled "Century Capital Group, Inc.," as prepared by D.F. Consultants, Inc., dated January 30, 2001 and consisting of 5 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of Lots 12, 13 & 14, Block 13, SECOND ADDITION TO ACME GULFAIR, Plat book 44, Page 68, being more particularly described as follows: Beginning at the Northwest corner of said Lot 14, Block 13; thence N90°0'0"E on the north line of Lots 14, 13 & 12, a distance of 210' to the intersection with a line lying 5' west of and parallel with the east line of Lot 12; thence S1°7'14"W on said parallel line, a distance of 85.48' to the beginning of a tangent curve concave NW/ly; thence SW/ly on the arc of said curve having a radius of 25', a central angle of 88°52'46" for an arc distance of 38.78' to a Point of tangency, said point being on a line lying 15' north of and parallel with the south line of Lots 12, 13 & 14; thence S90°0'0"W on said parallel line, a distance of 159.99' to the beginning of a tangent curve concave NE/ly; thence NW/ly on the arc of said curve having a radius of 25', a central angle of 91°7'14" for an arc distance of 39.76' to a Point of tangency, said point being on the west line of Lot 14; thence N1°7'14"E on said west line, a distance of 84.5' to the Point of beginning.

LOCATION: 3215 N.W. 103 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 8 was advertised and held, as required by law, on September 24, 2001, and all interested parties concerned in the matter were given an opportunity to be heard, and it was the opinion of the Zoning Appeals Board that the requested district boundary change to BU-1A (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-

Dade County, Florida, and that the special exception (Item #2) and the non-use variance of zoning regulations (Item #3) would not be compatible with the area and its development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and that the requested special exception (Item #2) would have an adverse impact upon the public interest and that the refiling period should be waived, and said application was denied without prejudice and the refiling period was waived by Resolution No. CZAB8-23-01, and

WHEREAS, CENTURY CAPITAL GROUP, INC. appealed the decision of the Community Zoning Appeals Board 8 to the Board of County Commissioners for the following:

- (1) RU-2 to BU-1A
- (2) SPECIAL EXCEPTION to permit site plan approval for a commercial development.
- (3) NON-USE VARIANCE OF ZONING REGULATIONS requiring a 5' high decorative masonry wall where a business lot abuts a residential district; to waive same to permit a 6' high chain link fence with privacy slats along the rear (north) property line.

A plan is on file and may be examined in the Zoning Department entitled "Century Capital Group, Inc.," as prepared by D.F. Consultants, Inc., dated January 30, 2001 and consisting of 5 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of Lots 12, 13 & 14, Block 13, SECOND ADDITION TO ACME GULFAIR, Plat book 44, Page 68, being more particularly described as follows: Beginning at the Northwest corner of said Lot 14, Block 13; thence N90°0'0"E on the north line of Lots 14, 13 & 12, a distance of 210' to the intersection with a line lying 5' west of and parallel with the east line of Lot 12; thence S1°7'14"W on said parallel line, a distance of 85.48' to the beginning of a tangent curve concave NW/ly; thence SW/ly on the arc of said curve having a radius of 25', a central angle of 88°52'46" for an arc distance of 38.78' to a Point of tangency, said point being on a line lying 15' north of and parallel with the south line of Lots 12, 13 & 14; thence S90°0'0"W on said parallel line, a distance of 159.99' to the beginning of a tangent curve concave NE/ly; thence NW/ly on the arc of said curve having a radius of 25', a central angle of 91°7'14" for an arc distance of 39.76' to a Point of tangency, said point being on the west line of Lot 14; thence N1°7'14"E on said west line, a distance of 84.5' to the Point of beginning.

LOCATION: 3215 N.W. 103 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners, Miami-Dade County, Florida was advertised and held, upon notice, as required by the Zoning Procedure Ordinance, and at which time the applicant requested permission to withdraw in its entirety, the original application to Community Zoning Appeals Board 8, and requested that the refiling period be waived, and

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 8 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board that the grounds and reasons specified in the appeal were sufficient to vacate the ruling made by Community Zoning Appeals Board 8 in Resolution No. CZAB8-23-01, and that the requested withdrawal in its entirety of the original application to Community Zoning Appeals Board 8 and the requested waiver of the refiling period should be granted, and

WHEREAS, a motion to vacate Resolution No. CZAB8-23-01, to withdraw in its entirety the original application to Community Zoning Appeals Board 8 and to waive the refiling period with the understanding that the subsequent application will not consist of a gas station was offered by Commissioner Natacha Siejas, seconded by Commissioner Gwen Margolis, and upon a poll of the members present the vote was as follows:

Miriam A. Alonso	aye	Dennis C. Moss	aye
Bruno A. Barreiro	absent	Dorrin D. Rolle	aye
Barbara M. Carey-Shuler	aye	Natacha Seijas	aye
Betty T. Ferguson	absent	Katy Sorenson	aye
Joe A. Martinez	aye	Rebeca Sosa	absent
Jimmy L. Morales	aye	Javier D. Souto	aye
		Chairperson Gwen Margolis	aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that Resolution No. CZAB8-23-01 is vacated and said Resolution is hereby null and void.

BE IT FURTHER RESOLVED that the request to withdraw in its entirety the original application to Community Zoning Appeals Board 8 be and the same is hereby granted and said application is hereby withdrawn without prejudice.

BE IT FURTHER RESOLVED that the request to waive the refiling period be and the same is hereby granted and the refiling period is hereby waived with the understanding that the subsequent application will not consist of a gas station.

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

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 6th day of December, 2001, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 01-9-CZ8-1
eo

MIAMI-DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS
KAY SULLIVAN

by Harvey Ruvin, Clerk
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 16TH DAY OF APRIL, 2002.

WHEREAS, CENTURY CAPITAL GROUP, INC. applied for the following:

- (1) RU-2 to BU-1A ~~_____~~
- (2) SPECIAL EXCEPTION to permit site plan approval for a commercial development.
- (3) NON-USE VARIANCE OF ZONING REGULATIONS requiring a 5' high decorative masonry wall where a business lot abuts a residential district; to waive same to permit a 6' high chain link fence with privacy slats along the rear (north) property line.

A plan is on file and may be examined in the Zoning Department entitled "Century Capital Group, Inc.," as prepared by D.F. Consultants, Inc., dated January 30, 2001 and consisting of 5 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of Lots 12, 13 & 14, Block 13, SECOND ADDITION TO ACME GULFAIR, Plat book 44, Page 68, being more particularly described as follows: Beginning at the Northwest corner of said Lot 14, Block 13; thence N90°0'0"E on the north line of Lots 14, 13 & 12, a distance of 210' to the intersection with a line lying 5' west of and parallel with the east line of Lot 12; thence S1°7'14"W on said parallel line, a distance of 85.48' to the beginning of a tangent curve concave NW/ly; thence SW/ly on the arc of said curve having a radius of 25', a central angle of 88°52'46" for an arc distance of 38.78' to a Point of tangency, said point being on a line lying 15' north of and parallel with the south line of Lots 12, 13 & 14; thence S90°0'0"W on said parallel line, a distance of 159.99' to the beginning of a tangent curve concave NE/ly; thence NW/ly on the arc of said curve having a radius of 25', a central angle of 91°7'14" for an arc distance of 39.76' to a Point of tangency, said point being on the west line of Lot 14; thence N1°7'14"E on said west line, a distance of 84.5' to the Point of beginning.

LOCATION: 3215 N.W. 103 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, 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 change to BU-1A (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that special exception (Item #2) and non-use variance of zoning regulations (Item #3) would not be compatible with the area and its

development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and that the requested special exception (Item #2) would have an adverse impact upon the public interest and should be denied without prejudice, and

WHEREAS, a motion to deny without prejudice Items #1 - 3 was offered by Billy Hester, seconded by Margaret Rudolph, and upon a poll of the members present the vote was as follows:

Winifred C. Beacham	aye	Billy Hester	aye
Kerly Cileli	absent	Arthemon Johnson	aye
Bennie Dawson	aye	Margaret Rudolph	aye
Bertha M. Carswell		absent	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 8, that the requested district boundary change to BU-1A (Item #1) be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requested special exception (Item#2) and non-use variance of zoning regulations (Item #3) be and the same are hereby denied without prejudice.

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

PASSED AND ADOPTED this 24th day of September, 2001.

Hearing No. 01-9-CZ8-1
eo