

RESOLUTION NO. CZAB10-76-05

WHEREAS, **6425 CORP.** applied for the following:

- (1) RU-1 to RU-5A
- (2) Applicant is requesting to permit an office building setback 10' (15' required) from the interior side (west) property line.
- (3) Applicant is requesting to waive the zoning regulations requiring that no fence or wall exceed 2.5' in height when located within 10' of the edge of a driveway leading to a public right-of-way; to permit a 6' high wall and ornamental fence along the side street (east) property line up to the edge of a driveway.
- (4) Applicant is requesting to waive the zoning regulations requiring Coral Way to be 100' in width; to permit a 35' dedication (50' required) for the north half of S.W. 24th Street.
- (5) Applicant is requesting to waive the dissimilar land use buffer along a portion of the interior side (west) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) and approval of requests #2 through #5 may be considered 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 "Proposed Site Plan for Mr. Danny Masso," as prepared by Nestor J. Cifuentes, and consisting of 4 sheets: Sheet "A-2" dated stamped received 5/2/05 and the balance of the sheets dated stamped received 3/14/05. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 14, less the south 10' for road and the east 30' of Lot 15, less the south 10' for road, TAMAMI ACRES PLAN 2, Plat book 5, Page 74.

LOCATION: 6425 S.W. 24 Street (Coral Way), Miami-Dade County, Florida

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and it was noted that the applicant had previously submitted revised plans within the scope of the advertisement entitled. Plan for Mr. Danny Masso," as prepared by Nestor J. Cifuentes, and consisting of 2 sheets dated stamped received 10/20/05, and at which time the applicant requested permission to

withdraw the requests to waive the zoning regulations requiring that no fence or wall exceed 2.5' in height when located within 10' of the edge of a driveway leading to a public right-of-way; to permit a 6' high wall and ornamental fence along the side street (east) property line up to the edge of a driveway (Item #3) and to waive the dissimilar land use buffer along a portion of the interior side (west) property line (Item #5), 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 RU-5A 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 the requests to permit an office building setback 10' from the interior side (west) property line (Item #2), to waive the zoning regulations requiring that no fence or wall exceed 2.5' in height when located within 10' of the edge of a driveway leading to a public right-of-way; to permit a 6' high wall and ornamental fence along the side street (east) property line up to the edge of a driveway (Item #3), to waive the zoning regulations requiring Coral Way to be 100' in width; to permit a 35' dedication for the north half of S.W. 24th Street (Item #4), and to waive the dissimilar land use buffer along a portion of the interior side (west) property line (Item #5) 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

WHEREAS, a motion to deny Items #1 through 5 without prejudice was offered by Juan Carlos Acosta, seconded by Jose Garrido, and upon a poll of the members present the vote was as follows:

Juan Carlos Acosta	aye	Jose Garrido	aye
Julio R. Caceres	aye	Carlos A. Manrique	aye
Manuel Casas	aye		
	George A. Alvarez	absent	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10, that the requested district boundary change to RU-5A be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requests to permit an office building setback 10' from the interior side (west) property line (Item #2), to waive the zoning regulations requiring that no fence or wall exceed 2.5' in height when located within 10' of the edge of a driveway leading to a public right-of-way; to permit a 6' high wall and ornamental fence along the side street (east) property line up to the edge of a driveway (Item #3), to waive the zoning regulations requiring Coral Way to be 100' in width; to permit a 35' dedication for the north half of S.W. 24th Street (Item #4), and to waive the dissimilar land use buffer along a portion of the interior side (west) property line (Item #5) be and the same are hereby denied without prejudice.

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

PASSED AND ADOPTED this 20th day of October, 2005.

Hearing No. 05-10CZ10-1
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, 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 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-76-05 adopted by said Community Zoning Appeals Board at its meeting held on the 20th day of October, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 4th day of November, 2005.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL





Department of Planning and Zoning

Stephen P. Clark Center
111 NW 1st Street • Suite 1210
Miami, Florida 33128-1902
T 305-375-2800

miamidade.gov

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- Vizcaya Museum And Gardens
- Water & Sewer

November 7, 2005

6425 Corp.
c/o Erik Fressen
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

Re: Hearing No. 05-10CZ10-1
Location: 6425 S.W. 24 Street (Coral Way),
Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. CZAB10-76-05, adopted by the Miami-Dade County Community Zoning Appeals Board 10, which denied Items #1 through 5 without prejudice.

Please note that the decision of the Board of County Commissioners can be appealed, 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 **October 28, 2005**.

Sincerely,

Earl Jones
Deputy Clerk

Enclosure