

**RESOLUTION NO. CZAB14-46-05**

*WHEREAS*, **EMILIO GARCELL** applied for the following:

Applicant is requesting to permit a single-family residence on a lot with an area of 7.78 gross acres (40 gross acres required).

Upon a demonstration that the applicable standards have been satisfied, approval of this request 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).

A plan is on file and may be examined in the Zoning Department entitled "Proposed Legalization Residence for: Mr. & Mrs. Emilio & Caridad Garcell," as prepared by Miami Engineering Co. consisting of 1 sheet and dated stamped received 2/9/05. Plan may be modified at public hearing.

**SUBJECT PROPERTY:** The north ½ of the NE ¼ of the SW ¼ of the NE ¼ and the south ½ of the south ½ of the SE ¼ of the NW ¼ of the NE ¼, all in Section 15, Township 55 South, Range 38 East.

**LOCATION:** 12350 & 12400 S.W. 199 Avenue, Miami-Dade County, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 14 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*, 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 request to permit a single-family residence on a lot with an area of 7.78 gross acres 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

*WHEREAS*, a motion to approve the application was offered by Curtis Lawrence, seconded by Rose L. Evans-Coleman, and upon a poll of the members present, the vote was as follows:

Samuel Ballinger	absent	Rose L. Evans-Coleman	aye
Wilbur B. Bell	aye	Don Jones	absent
Dawn Lee Blakeslee	absent	Curtis Lawrence	aye
Dr. Pat Wade		nay	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 14 that the request to permit a single-family residence on a lot with an area of 7.78 gross acres be and the same is hereby approved.

*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 notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

*PASSED AND ADOPTED* this 15<sup>th</sup> day of November, 2005.

Hearing No. 05-7-CZ14-7  
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**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 22<sup>ND</sup> DAY OF NOVEMBER, 2005.**

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 14, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB14-46-05 adopted by said Community Zoning Appeals Board at its meeting held on the 15<sup>th</sup> day of November 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 22<sup>nd</sup> day of November, 2005.



Luis Salvat, Deputy Clerk (2678)

Miami-Dade County Department of Planning and Zoning

SEAL



November 22, 2005

miamidade.gov

Emilio Garcell  
c/o Freddy Saballos  
6301 S.W. 151 Court  
Miami, FL 33193

Re: Hearing No. 05-7-CZ14-7 (05-37)  
Location: 12400 S.W. 199 Avenue, Miami-Dade County, Florida

Dear Mr. Garcell:

Enclosed is Resolution No. CZAB14-46-05, adopted by Miami-Dade County's Community Zoning Appeals Board 14, which approved your application on the above noted location. Please note the conditions of approval as failure to comply with said conditions, if any, will result in issuance of civil violation notice for each condition violated, requiring payment of a daily fine.

If stipulated in the resolution that building permits and/or use, occupancy or completion certificates will be required, please 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. 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 changes from any plan submitted for the hearing, a plot plan is to be submitted to this Department in triplicate before detailed plans are prepared, as building permits will not be issued prior to approval of said plan.

The Board's decision may be appealed to Circuit Court by any aggrieved party within 30 days of transmittal of the resolution to the Clerk of the County Commission. Transmittal date is November 22, 2005. If an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of court filings concerning this matter should be served upon both my office and:

Murray A. Greenberg, County Attorney  
111 N.W. 1st Street, Suite 2810  
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

Lou Salvat  
Deputy Clerk

Enclosure

- ADA Coordination
- Agenda Coordination
- Animal Services
- Art in Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvements Construction Coordination
- Citizens' Independent Transportation Trust
- Commission on Ethics and Public Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Empowerment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Assessment Center
- Medical Examiner
- Metro-Miami Action Plan
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning**
- Police
- Procurement Management
- Property Appraiser
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Task Force on Urban Economic Revitalization
- Vizcaya Museum And Gardens
- Water & Sewer