**1. GENESIS PROPERTY DEVELOPMENT LLC** **06-11-CZ14-1 (05-249)**
**(Applicant)** **BCC/District 8**
**Hearing Date: 5/10/07**

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 |
|---|---|---|---|---|
| | | | | NONE |

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

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

**APPLICANT**: Genesis Property Dev. L.L.C. **PH:** Z05-249 (06-11-CZ14-1)

**SECTION:** 31-56-39 **DATE:** May 10, 2007

**COMMISSION DISTRICT:** 8 **ITEM NO.:** 1

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## A. INTRODUCTION

- **REQUEST:**

  Genesis Property Dev. L.L.C. is appealing the decision of the Community Zoning Appeals Board #14 which denied with prejudice the following:

  AU and EU-1 to EU-1

- **SUMMARY OF REQUEST:**

  The applicant is appealing the decision of Community Zoning Appeals Board #14 which denied a zone change on the subject property from AU, Agricultural District, and EU-1, Single-Family One Acre Estate Residential District, to EU-1. The applicant is appealing this denial.

- **LOCATION:**

  The southeast corner of SW 177 Avenue (Krome Avenue) and theoretical SW 274 Street, Miami-Dade County, Florida.

- **SIZE:** 15.5 Gross Acres

- **IMPACT:**

  The approval of the requested district boundary change would allow the applicant to provide additional housing units to the community. The rezoning of this 15.5-acre site will increase the population in the area, may impact the water and sewer services, will add children to the schools and increase traffic in the area.

## B. ZONING HEARINGS HISTORY: None

## C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Estate Density Residential** use. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.

2. **Uses and Zoning Not Specifically Depicted.** Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such 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." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

3. **Policy LU-9C.** Miami-Dade County shall continue to encourage and promote the transfer of Severable Use Rights (SUR) from lands which are allocated SURs in Chapter 33B, Code of Miami-Dade County, to land located within the Urban Development Boundary (UDB) as designated on the LUP map.

4. **Severable Use Rights.** The entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SUR's) in accordance with provisions of Chapter 33-B, Code of Miami-Dade County. Accordingly, certain developments as specified in Chapter 33-B may be entitled to density or floor area bonuses as authorized by Chapter 33-B. If the existing SUR program is modified pursuant to Land Use Element Policy LU-9C or other transferable development rights programs are established, all rights established by such programs shall be transferable to receiver sites inside the UDB as established in those programs.

5. **Urban Development Boundary.** The Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur. Development orders permitting urban development will generally be approved within the UDB at some time through the year 2015 provided that level-of-service standards for necessary public facilities will be met. Adequate countywide development capacity will be maintained within the UDB by increasing development densities or intensities inside the UDB, or by expanding the UDB, when the need for such change is determined to be necessary through the Plan review and amendment process.

## D. NEIGHBORHOOD CHARACTERISTICS:

| ZONING | LAND USE PLAN DESIGNATION |
|---|---|
| **Subject Property:** | |
| AU (14.5 acres) & EU-1 (1 acre); Vacant | Estate Density Residential, 1 to 2.5 dua |
| **Surrounding Properties:** | |
| **NORTH:** AU; Nursery & single-family residence<br>EU-1; Nursery | Estate Density Residential, 1 to 2.5 dua |
| **SOUTH:** AU; Vacant & nursery<br>EU-1; Vacant | Estate Density Residential, 1 to 2.5 dua |

| | | |
|---|---|---|
| **EAST:** | AU; Vacant | Estate Density Residential, 1 to 2.5 dua |
| **WEST:** | AU; Single-family residence<br>Mango grove | Agricultural |

The 15.5-acre subject property is located on the southeast corner of SW 177 Avenue (Krome Avenue) and theoretical SW 274 Street. The area surrounding the subject property is characterized as rural with single-family residences and agricultural uses. The Urban Development Boundary (UDB) line lies directly west of the subject property (Krome Avenue).

## E. SITE AND BUILDINGS:

| | |
|---|---|
| **Site Plan Review:** | (Site plan submitted.) |
| Scale/Utilization of Site: | **Acceptable*** |
| Location of Buildings: | **Acceptable** |
| Compatibility: | **Acceptable** |
| Landscape Treatment: | **Acceptable** |
| Open Space: | **Acceptable** |
| Buffering: | **N/A** |
| Access: | **Acceptable** |
| Parking Layout/Circulation: | **Acceptable** |
| Visibility/Visual Screening: | **N/A** |
| Energy Considerations: | **N/A** |
| Roof Installations: | **N/A** |
| Service Areas: | **N/A** |
| Signage: | **N/A** |
| Urban Design: | **Acceptable** |

*Subject to the Board's acceptance of the covenant.

## F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change,** Section 33-311 provides that the Board shall take into consideration, among other factors, the extent to which:

(1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;

(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;

(3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;

(4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;

(5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

## G. NEIGHBORHOOD SERVICES:

| | |
|---|---|
| DERM | **No objection*** |
| Public Works | **No objection*** |
| Parks | **No comment** |
| MDT | **No comment** |
| Fire Rescue | **No objection** |
| Police | **No objection** |
| Schools | **No objection / 9 students** |

*Subject to the conditions indicated in their memoranda.

## H. ANALYSIS:

The applicant, Genesis Property Dev. L. L. C., is appealing the decision of the Community Zoning Appeals Board #14 (CZAB-14), which, on November 1, 2006, denied with prejudice their application for a district boundary change from AU, Agricultural District, and EU-1, Single-Family One Acre Estate Residential District, to EU-1, pursuant to Resolution No.CZAB14-36-06. On November 20, 2006, the applicant appealed the CZAB-14's decision to the Board of County Commissioners (BCC) citing that the Board's decision to deny the request to rezone the property was not based on substantial competent evidence introduced on the record but rather on a conclusion that, because the property is located between two agricultural enterprises, the application was "premature". Staff notes that all existing uses and zoning are consistent with the CDMP. As such, the CZAB-14's decision to deny this application and retain the existing AU zoning on the property is consistent with the CDMP.

The subject property is a 15.5-acre parcel of land lying directly to the east of and within the Urban Development Boundary (UDB) at the southeast corner of SW 177 Avenue (Krome Avenue) and theoretical SW 274 Street. The west 175' of the property, which is approximately 1 acre in size, is zoned EU-1 and the balance of the site is zoned AU (approximately 14.5 acres.) The applicant is requesting a district boundary change from AU, Agricultural District, and EU-1, Single-Family One Acre Estate Residential District, to EU-1. Plans submitted by the applicant show the development of the subject site with eighteen (18) residential units developed under the EU-1 zoning regulations with the utilization of Severable Use Rights (SUR's). The development is planned with a system of five (5) blocks with an

interconnected street network. All of the residences comply with the setback and spacing requirements of the Zoning Code, and have been designed with eastern or western facing directionality, except for the two residences along SW 177 Avenue (Krome Avenue), which are not fronting Krome Avenue but aligned to the north or to the south. The eighteen (18) housing units are sited on lots ranging from 34,647 sq. ft. of gross lot area to 43,475 sq. ft. of gross lot area and are to be developed as EU-1 single-family residences with the utilization of SUR's. Three models have been designed for the lots, all of which are two-stories in height, and range from building footprints of 2,805 sq. ft. to 3,603 sq. ft. in size. All units are well-designed, Spanish-style, single-family estates with ample fenestration and architectural embellishments, such as tile roofs, articulated columns and front porches with balustrades and awnings. The applicant has voluntarily proffered a covenant tying the development of the site to the submitted plans and the density to eighteen (18) units with the utilization of SUR's. Rural single-family residences and agricultural uses characterize the surrounding area where the subject property lies.

The Department of Environmental Resources Management **(DERM)** has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM requirements as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application. This application will generate an additional **23** pm daily peak hour **vehicle trips** to the area. However, said trips will not change or exceed the acceptable Levels of Service (LOS) on the area roadways which are currently operating at LOS "A" and "B." The **Miami-Dade Fire Department** has **no objections** to the application, and indicates that any change(s) to the vehicular circulation on the plans dated stamped July 19, 2006, must be resubmitted for review. Miami-Dade County Public Schools **(MDCPS) does not object** to this application and has indicated that the proposed zoning will bring an additional **9 students** into the area's public schools. They indicate that Redland Elementary School, Redland Middle School and South Dade Senior High School are the schools that will be impacted by this development, which are currently operating at 120%, 111% and 131% of FISH (Florida Inventory of School Houses) utilization, respectively. This development will only increase the FISH % utilization of Redland Elementary School to 121%. MDCPS met with the applicant on April 18, 2006 to discuss the impact of the proposed zoning on the area schools. As a result of said meeting, the applicant has voluntarily proffered a covenant to MDCPS in order to provide a monetary donation, over and above impact fees.

The approval of the requested district boundary change would allow the applicant to provide eighteen (18) housing units to the community. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Estate Density Residential** use, which permits a minimum of 1 to a maximum of 2.5 units per gross acre. This would yield a permissible density range of a minimum of fifteen (15) to a maximum of thirty-eight (38) residential units on the 15.5-acre subject site. The interpretative text of the CDMP reads that the entire unincorporated area of Miami-Dade County within the Urban Development Boundary (UDB) is eligible to receive and utilize Severable Use Rights (SUR's) in accordance with provisions of Chapter 33-B, Code of Miami-Dade County. The plans submitted by the applicant reflect the utilization of SUR's and the intended development of eighteen (18) single-family residences, and as such, the proposal is **consistent** with the density range permitted under the Estate Density Residential use designation of the LUP map

of the CDMP. As such, staff is of the opinion that the requested zone change to EU-1 is **consistent** with the LUP map designation of the CDMP and **compatible** with the surrounding area.

As previously noted, the subject property has two zoning designations (AU and EU-1) and, therefore, the approval of the district boundary change would rezone the applicant's 15.5-acre property into a uniform zoning designation. Additionally, approval of the application would allow the applicant to develop the site in accordance with the EU-1 zoning regulations. Plans submitted by the applicant indicate a residential development of eighteen (18) housing units planned over a system of five (5) blocks with an interconnected street network. The two roadways into the development accessible from SW 177 Avenue will be SW 274 Street and SW 275 Street, with five perpendicular north-south roadways between both streets. Four of the five proposed blocks will each contain four residential building sites, while the fifth block will house only two homes; for a total of eighteen (18) single-family residences. As previously mentioned, all of the residences have been designed with eastern or western facing directionality except for the two residences along SW 177 Avenue (Krome Avenue), which have driveways that are aligned to the north and to the south. Landscaping plans indicate that each lot shall contain a minimum of nine shade trees, which may include combinations of Live Oaks, West Indies Mahoganies, Bursera Simarubas, and Cabbage Palms. Additionally, along proposed SW 275 Street, over forty (40) street trees will be provided along the blockfaces and along proposed SW 274 Street, over fifty (50) street trees will be provided along the blockfaces, creating additional scenic beauty and shade in the proposed residential development. Although rural single-family residences and agricultural uses characterize the immediate area where the subject property lies, staff notes that the subject property is located in a section of land (31-56-39), which has seen a trend of development from agricultural as more land is rezoned to accommodate single-family estate residences. The majority of the southern half of this section of land has been either rezoned for, or originally platted to accommodate, single-family residences on one-acre sites. In 1974, a series of four subdivisions were platted within the AU-zoned southern half of the section, prior to the 1974 Zoning Code revision that now requires a minimum of 5 acres for a single-family residence in the AU zone. These Subdivisions, named The Redlands Section One (PB 99-84), Two (PB 99-85), Three (PB 99-86), and Four (PB 99-87), encompass more than half of the land between SW 280 Street and SW 272 Street from SW 177 Avenue to SW 167 Avenue. Furthermore, staff notes that the eastern edge of the subject site abuts The Redlands Section Two (PB 99-85) Subdivision, which is currently undeveloped, but includes nine platted lots, each one-acre in lot area. Additionally, staff is of the opinion that the EU-1 zoning will allow a logical continuum of the rezoning of the AU land to estate residential in the area. Aside from the four abovementioned 1974 subdivisions to one-acre buildable sites, over forty-four acres of land, also located within the southern half of this section of land (31-56-39), have had zoning hearing approvals for either re-subdivision or for zone changes. In 1981, pursuant to Resolution No. 4-ZAB-107-81, a parcel of land containing 5.18 acres was approved to permit the subdivision of the parcel into five proposed building sites with lot areas of approximately one-acre in size, located to the southeast of the subject property. In 1989, pursuant to Resolution No. Z-76-89, a parcel of land containing 10 acres was approved for a district boundary change from AU to EU-M, Modified Estate Residential District, also located to the southeast of the subject property in the same square mile. The EU-M zoning district requires a minimum lot area of 15,000 sq. ft., a minimum lot depth of 115', and a minimum lot width of 120'. Also in 1989, pursuant to Resolution No. Z-168-89, a parcel of land containing 10 acres

was approved for a district boundary change from AU to EU-M, along with non-use variances for lot frontages of 115', located to the east of the subject property in the same square mile. In 1990, pursuant to Resolution No. Z-109-90, a parcel of land containing 5 acres was approved for a district boundary change from AU to EU-1, located to the northeast of the subject property in the same square mile. In 1991, pursuant to Resolution No. Z-210-91, a parcel of land containing 6 acres was approved for a district boundary change from AU to EU-1, also located to the northeast of the subject property in the same square mile. And finally, in 2005, pursuant to Resolution No. CZAB14-10-05, a parcel of land containing 8.56 acres also located to the northeast of the subject property in the same square mile was approved for a district boundary change from AU and EU-1 to EU-1C, Single-Family Two and One-Half Acre Estate District, which requires a minimum of 2.5 acres for a single-family residence.

Staff notes that EU-1 zoning requires lot areas of 43,560 sq. ft. (one gross acre) and lot frontages of 125'. However, with the applicant's utilization of SUR's to develop the property, the minimum gross lot area required would be 32,500 sq. ft. with minimum frontages of 110'. As previously mentioned, the 15.5-acre site is intended to be developed into eighteen (18) building sites, developed with gross lot areas ranging from 34,647 sq. ft. to 43,475 sq. ft. Staff notes that although the applicant is utilizing SUR's to provide less lot area than required, all of the proposed lots have frontages of at least 141 ft., which exceed the 110' allowed with the use of SUR's and the 125' of frontage that is required by the requested EU-1 zoning designation. Additionally, **Policy LU-9C** of the CDMP indicates that Miami-Dade County shall continue to encourage and promote the transfer of SUR's from lands, which are allocated SUR's in Chapter 33B, to land located within the UDB as designated on the LUP map. As a result, approval of the district boundary change and the applicant's intention to utilize SUR's in the development of the site is **consistent** with the interpretative text of the CDMP. As such, the requested zone change to EU-1 and the proposed residential development utilizing SUR's are **compatible** with the current EU-1, EU-1C and EU-M zones and the single-family residential developments in the area and **consistent** with the Estate Residential Density LUP map designation of the CDMP.

The Department of Planning and Zoning supports the zone change from AU and EU-1 to EU-1, subject to the Board's acceptance of the voluntarily proffered covenant. When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development conforms to the Comprehensive Development Master Plan for Miami-Dade County. As previously mentioned, the proposed development is **consistent** with the Estate Density Residential LUP Map designation of the CDMP and **compatible** with the surrounding area; additionally, the UDB is located to the west, along Krome Avenue, of the subject property. Staff notes that the UDB is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur. The interpretative text of the CDMP indicates that development orders permitting urban development will generally be approved within the UDB at some time through the year 2015 provided that level-of-service standards for necessary public facilities will be met. Additionally, when considering district boundary changes the Board shall take into consideration if the development will have a favorable or unfavorable impact on the environmental and natural resources, water, sewer, solid waste disposal or other public services public transportation facilities including mass transit, roads, streets and highways and if the development is or will be accessible by public or private roads, streets or highways. Staff notes that this project will not have an unfavorable impact on the water,

sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by the Department of Environmental Resources Management (DERM). Additionally, the proposed development does not unduly burden or affect public transportation facilities as indicated in the Public Works Department's memorandum submitted for this application and the proposed residential development will be readily accessible by SW 177 Avenue. Furthermore, staff notes that Miami-Dade County Public Schools (MDCPS) does not object to this application stating in their memorandum that the approval of the zone change would only bring 9 additional students into the area's public schools. Staff notes that the west 175' of the subject property, zoned EU-1, is approximately 1 acre in size, and the balance of the site is zoned AU (approximately 14.5 acres). The approval of the district boundary change would rezone the applicants' 15.5-acre property into a uniform EU-1 zoning district, and allow the applicants to develop the property in accordance with EU-1 zoning regulations utilizing SUR's. As previously mentioned, the rezoning of the property would be **compatible** with the zoning trend of the area, with the one-acre sized lots found within the area to the south, and with the platted subdivision abutting the subject property to the east.

Based on all of the foregoing, staff opines that the approval of the district boundary change, subject to the Board's acceptance of the proffered covenant, would be in keeping with the basic intent and purpose of the zoning, land use and subdivision regulations. The requested zone change to EU-1 is **consistent** with the CDMP and **compatible** with the surrounding area. Therefore, staff recommends approval of the appeal and approval of the district boundary change from AU, Agricultural District, and EU-1, Single-Family One Acre Estate Residential District, to EU-1, subject to the Board's acceptance of the proffered covenant.

## I. RECOMMENDATION:

Approval of the appeal and approval of the district boundary change from AU and EU-1 to EU-1, subject to the Board's acceptance of the proffered covenant.

**J. CONDITIONS**: None.

**DATE INSPECTED:** 01/12/06
**DATE TYPED:** 09/08/06
**DATE REVISED:** 09/19/06; 10/02/06; 10/04/06; 10/23/06; 03/19/07; 03/27/07; 03/30/07; 04/30/07
**DATE FINALIZED:** 04/30/07
SB:AJT:MTF:LVT:JGM

for Subrata Basu, Interim Director
Miami-Dade County Department of
Planning and Zoning

# Memorandum

MIAMI-DADE COUNTY

**Date:** September 26, 2005

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

**From:** Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

**Subject:** C-14 #Z2005000249
Genesis Property Development, LLC
SE corner of SW 177th Avenue and SW 274th Street
District Boundary Change from AU to EU-1
(AU) (15 Ac.)
31-56-39

RECEIVED
OCT 06 2005
MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

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The Department of 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 Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Service:
Public water can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with the Code requirements.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Wastewater Disposal:
The closest public sanitary sewer is an 8-inch force main located approximately 1.5 miles from the subject properties; therefore, extension of the public sanitary sewer system to serve these properties is not feasible. Consequently, any proposed development would have to be served by septic tanks and drainfields as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded. In accordance with the Code, the minimum lot size for a single family residence or duplex served by public water and a septic tank shall be 15,000 square feet (gross) or 20,000 square feet (gross), respectively.

Stormwater Management:
A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site development, final plat or public works approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year/1-day storm event with full on-site retention of the 25-year/3-day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

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

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

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

Tree Preservation:
There are no tree resources issues on this property. Therefore, no tree permits will be required.

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

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

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 to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation-P&Z
Ron Connally, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

REVISION 1

PH# Z2005000249
CZAB - C14

## PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: GENESIS PROPERTY DEVELOPMENT L.L.C.

This Department has no objections to 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 23 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 |
|---|---|---|---|
| 9210 | Krome Ave. n/o SW 248 St. | A | A |
| 9212 | Krome Ave. n/o SW 288 St. | A | A |
| 9920 | SW 264 St. e/o Krome Ave. | B | B |

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

Raul A Pino, P.L.S.
04-OCT-06

# Miami-Dade County Public Schools

giving our students the world

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

**Chief Facilities Officer**
*Rose Diamond*

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

**Miami-Dade County School Board**
*Agustin J. Barrera, Chair*
*Perla Tabares Hantman, Vice Chair*
*Frank J. Bolaños*
*Evelyn Langlieb Greer*
*Dr. Robert B. Ingram*
*Dr. Martin Karp*
*Ana Rivas Logan*
*Dr. Marta Pérez*
*Dr. Solomon C. Stinson*

October 2, 2006

Received by
Zoning Agenda Coordinator
OCT 25 2006

RECEIVED
OCT 25 2006
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: Genesis Property Development LLC - Application No. 05-249 (CC14)**
**Southeast Corner of SW 177 Avenue and SW 274 Street**

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 Redland Elementary and South Dade Senior High School currently operating at 120% and 131% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of RedlandElementary School to 121%. (please see attached analysis).

Additionally, at its April 13, 2005 meeting, the Board approved School District criteria that would allow District staff to make recommendations on residential zoning applications that impact public schools beyond the 115% of FISH capacity threshold (Review Criteria). Pursuant to the Interlocal, and the recently approved Review Criteria the District met with the applicant on December 15, 2005, 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 mitigation options outlined in the Review Criteria that may accommodate new studentsgenerated by the proposed application

**As such, the applicant has voluntarily proffered to the School Board a monetary donation, over and above impact fees. The payment of the required educational impact fees for this proposed development and the proffered monetary donation will provide the full capital cost of student stations for the additional students generated by the proposed development. Please be advised that the School Board at their April 18, 2006 meeting authorized such a proffer by the applicant.**

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

13

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

Also, attached is a list of approved Charter School Facilities, which may provide relief on a countywide basis.

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 15-unit development is estimated to generate approximately $36,000 ($2,400 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.

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/vgs

Patricia Good
Coordinator III

PG:rr
L-169
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerne
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. Graham Penn

## SCHOOL IMPACT REVIEW ANALYSIS

**APPLICATION:** No. 05-249, Genesis Property Development LLC (CC14)

**REQUEST:** Zone change from AU to EU-1

**ACRES:** 15.5 acres

**MSA/Multiplier:** 7.3/.60

**LOCATION:** Southeast Corner of SW 177 Avenue and SW 274 Street

**NUMBER OF UNITS:** 15 additional single-family units (3 units currently permitted under existing zoning classification, for a total of 18 units)

**ESTIMATED STUDENT POPULATION:** 9 students*

**ELEMENTARY:** 4

**MIDDLE:** 2

**SENIOR:** 3

**SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMENTARY:** Redland Elementary - 24701 SW 162 Ave.

**MIDDLE:** Redland Middle – 16001 SW 248 St.

**SENIOR HIGH:** South Dade Senior - 28401 SW 167 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, 2005:**

| | STUDENT POPULATION | FISH DESIGN CAPACITY PERMANENT | % UTILIZATION FISH DESIGN CAPACITY PERMANENT | NUMBER OF PORTABLE STUDENT STATIONS | % UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE | CUMULATIVE STUDENTS ** |
|---|---|---|---|---|---|---|
| **Redland Elem.** | 1086/ 1090* | 903 | 120%/ 121%* | 0 | **120%/ 121%*** | 1167 |
| **Redland Middle** | 1458/ 1460* | 1230 | 119%/ 119%* | 79 | 111%/ 111%* | 917 |
| **South Dade Sr.** | 2759/ 2762* | 1721 | 160%/ 160%* | 380 | **131%/ 131%*** | 2977 |

*Student population increase as a result of the proposed development
**Estimated number of students (cumulative) based on zoning/land use log (2001- present) and assuming all approved developments are built; also assumes none of the prior cumulative students are figured in current population.
Notes:

1) Figures above reflect the impact of the class size amendment.
2) Pursuant to the Interlocal Agreement, the elementary and senior high schools meet the review threshold.

## PLANNED RELIEF SCHOOLS IN THE AREA
**(information included in proposed 5-Year Capital Plan, 2006-2010, dated July 2006):**

**Projects in Planning, Design or Construction**

| School | Status | Projected Occupancy Date |
|---|---|---|
| State School "A1" (Chapman, Naranja and Redland Elementary School Relief) (826 student stations) | Construction | School Opening 2007 |
| State School "SS1" (Redland and Homestead Middle School Relief) (1662 student stations) | Construction | School Opening 2007 |
| State School "CC1" Palm Glades K-8 (Pine Villa, Redland and Naranja Elem. Schools and Redland and Mays Middle School Relief) (1624 student stations) | Construction | School Opening 2008 |

| | | |
|---|---|---|
| State School "YY1"<br>Jorge Mas Canosa<br>Middle School<br>(Redland, Hammocks, Ammons<br>and Richmond Heights<br>Middle School Relief)<br>(2232 student stations) | Construction | School Opening 2007 |
| State School "CCC1"<br>(South Dade Sr. High School<br>Partial Replacement)<br>(1522 additional student stations) | Construction | School Opening 2008 |

**Proposed Relief Schools**

| **School** | **Funding Year** |
|---|---|
| N/A | |

| | |
|---|---|
| Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan) | 2729 |
| Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan) | 5748 |
| Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan) | 3243 |

Note: Some of the proposed schools will add relief to more than one school and new seats will be assigned based on projected need.

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to $6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total $58,941.

**CAPITAL COSTS:** Based on the State's December-2005 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

| | | | | | |
|---|---|---|---|---|---|
| ELEMENTARY | 4 | x | $ 13,933 | = | $ 55,732 |
| MIDDLE | 2 | x | $ 15,974 | = | $ 31,948 |
| SENIOR | 3 | x | $ 21,139 | = | $ 63,417 |
| Total Potential Capital Cost | | | | | $151,097 |

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

# Charter School Growth in Miami-Dade County

| Existing Charter Schools | | | | |
|---|---|---|---|---|
| School Name | Actual Enrollment (11-18-05) | Projected Enrollment (as per contract) | | |
| | | 2005-2006 | 2006-2007 | Maximum |
| Academy of Arts & Minds | 141 | 400 | 500 | 500 |
| Archimedean Academy | 469 | 525 | 525 | 525 |
| Archimedean Middle Conservatory | 61 | 160 | 240 | 240 |
| ASPIRA Eugenio Maria de Hostos | 365 | 600 | 600 | 600 |
| ASPIRA Youth Leadership | 305 | 450 | 450 | 450 |
| ASPIRA South Youth Leadership | 203 | 210 | 450 | 600 |
| Aventura City of Excellence School | 699 | 900 | 900 | 900 |
| Balere Language Academy | 148 | 175 | 250 | 450 |
| Coral Reef Montessori | 345 | 500 | 500 | 500 |
| Doctors Charter School of Miami Shores | 6040 | 375 | 450 | 525 |
| Doral Academy | 730 | 2,200 | 2200 | 2,200 |
| Doral Academy Middle School | 815 | 1,250 | 1250 | 1,250 |
| Doral Academy High School | 925 | 1,800 | 1800 | 1,800 |
| Doral Performing Arts & Entertainment Academy | 45 | 100 | 150 | 200 |
| Downtown Miami Charter School | 614 | 650 | 650 | 650 |
| Early Beginnings Academy – Civic Center | 43 | 80 | 80 | 80 |
| Early Beginnings Academy – North Shore | 20 | 43 | 43 | 70 |
| Florida International Academy | 261 | 350 | 350 | 350 |
| International Studies Charter High School | 110 | 500 | 750 | 1,000 |
| Keys Gate Charter School | 1,132 | 1,150 | 1,150 | 1,150 |
| Lawrence Academy | 69 | 120 | 250 | 450 |
| Liberty City Charter School | 350 | 705 | 705 | 705 |
| Life Skills Center Miami-Dade County | 62 | 300 | 450 | 600 |
| Mater Academy | 713 | 1,150 | 1,150 | 1,150 |
| Mater Academy Charter High School | 1,165 | 1,300 | 1,300 | 1,300 |
| Mater Academy Charter Middle School | 1,154 | 1,300 | 1,300 | 1,300 |
| Mater Academy East Charter School | 303 | 800 | 800 | 800 |
| Mater Academy East Middle School | 107 | 250 | 250 | 250 |
| Mater Performing Arts & Entertainment Academy | 94 | 100 | 150 | 200 |
| Miami Children's Museum | 79 | 350 | 350 | 350 |
| Miami Community Charter School | 223 | 600 | 600 | 600 |
| Oxford Academy of Miami | 105 | 450 | 450 | 450 |
| Pinecrest Preparatory Academy Middle School | 222 | 750 | 800 | 800 |
| Pinecrest Preparatory Academy | 745 | 1,250 | 1,250 | 1,250 |
| Rosa Parks Charter School/Florida City | 199 | 400 | 600 | 600 |
| Renaissance Elementary Charter School | 452 | 500 | 500 | 500 |
| Renaissance Middle Charter School | 47 | 50 | 700 | 1,600 |
| Sandor Wiener School of Opportunity | 19 | 72 | 72 | 72 |
| Sandor Wiener School of Opportunity, South | 25 | 36 | 36 | 36 |
| School for Integrated Academics & Technologies | 332 | 600 | 800 | 800 |
| Somerset Academy | 525 | 700 | 700 | 700 |
| Somerset Academy Charter Middle School | 74 | 300 | 300 | 300 |
| Somerset Academy Charter High School | 22 | 250 | 375 | 500 |
| Spiral Tech Elementary Charter School | 78 | 290 | 290 | 290 |
| Spirit City Academy | 39 | 250 | 300 | 400 |
| Sunshine Academy | 95 | 150 | 200 | 450 |
| The Charter School at Waterstone | 1,012 | 1,000 | 1,000 | 1,000 |
| Theodore R. and Thelma A. Gibson Charter School | 16 | 500 | 600 | 600 |
| Transitional Learning Academy | 29 | 48 | 48 | 72 |
| Youth Co-Op Charter School | 515 | 525 | 525 | 525 |
| **TOTAL: 50 schools** | **16,713** | **27,514** | **30,139** | **32,690** |

18

| Board-Approved Contracts for Schools to Open in Future Years | | | |
|---|---|---|---|
| School Name | Projected Enrollment (as per contract) | | |
| | 2005-2006 | 2006-2007 | Maximum |
| Charter on the Beach Middle School | -0- | 250 | 250 |
| Liceo ENLACE Miami! Charter Academy | -0- | 475 | 775 |
| A Child's Journey Charter School | -0- | 175 | 600 |
| Atlantic Science Academy | -0- | 600 | 840 |
| Cooperative Charter School | -0- | 100 | 200 |
| Dr. Joseph Coats Grace Community Charter School | -0- | 600 | 600 |
| Excelsior Academy of Miami | -0- | 450 | 450 |
| Mosaic Bilingual Academy | -0- | 120 | 365 |
| North Miami/Florida Int'l Univ. Charter Sr. High School | -0- | 800 | 1,600 |
| Pinecrest Academy Charter High School | -0- | 600 | 850 |
| South Dade Charter Elementary School | -0- | 625 | 750 |
| Summerville Charter School | -0- | 600 | 600 |
| **TOTAL: 12 schools** | **-0-** | **5,395** | **7,880** |
| **SUB-TOTAL (EXISTING +APPROVED): 62 schools** | **27,514** | **35,534** | **40,570** |

| Board-Approved applications for schools opening in subsequent years | | |
|---|---|---|
| Applicant | Number of Schools | Maximum Enrollment Capacity |
| Somerset Academy | 6 | 6,400 |
| 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 | 1 | 800 |
| Charter Academy of Excellence | 1 | 600 |
| Palmetto Bay Charter Academy | 1 | 1,600 |
| Princeton Charter Academy | 1 | 1,600 |
| Homestead Charter High School | 1 | 2,000 |
| South Miami-Dade Charter Elementary School | 1 | 600 |
| South Miami-Dade Charter Middle School | 1 | 300 |
| **Total :** | **18 schools** | **17,050** |

19

| Applications Pending Approval | | | |
|---|---|---|---|
| Applicant | Number of Schools | Enrollment Capacity 06-07 | Maximum Enrollment |
| Advantage Academy of Miami | 1 | 750 | 750 |
| Advantage Academy of Miami "B" | 1 | 750 | 750 |
| Advantage Academy of Miami "C" | 1 | 750 | 750 |
| Advantage Career Academy | 1 | 900 | 900 |
| Excel Academy | 1 | 250 | 700 |
| Excel Academy North | 1 | 250 | 700 |
| Kush Academy | 1 | 175 | 500 |
| Life Skills Center – Homestead | 1 | 400 | 700 |
| Life Skills Center – Liberty City | 1 | 400 | 700 |
| Life Skills Center – Opa-locka | 1 | 400 | 700 |
| Mater Academy Lakes Elementary School | 1 | 800 | 800 |
| Mater Academy Lakes Middle School | 1 | 900 | 900 |
| Mater Academy Lakes High School | 1 | 300 | 1,200 |
| Pinecrest Academy South | 1 | 800 | 800 |
| River Cities Community Charter School | 1 | 250 | 250 |
| Romans Charter School | 1 | 130 | 540 |
| South Florida Choir Intermediate/High School | 1 | 120 | 280 |
| The Charter Middle School at Waterstone | 1 | 650 | 650 |
| **Total :** | **18 schools** | **8,975** | **12,570** |

| GRAND TOTALS | |
|---|---|
| Number of Schools | Maximum Enrollment Capacity |
| **98 schools** | **70,190** |

20

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

CHECKED BY GA AMOUNT OF FEE $4,082.84

RECEIPT # I20062125 4

DATE HEARD 11/1/06

BY CZAB # C14

RECEIVED
05-249
NOV 20 2006
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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. 05-249

Filed in the name of (Applicant) Genesis Property Development, L.L.C.

Name of Appellant, if other than applicant see above

Address/location of APPELLANT'S property:

Application, or part of Application being Appealed (Explanation): Entire Application

Appellant (name): Genesis Property Development
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):

The Community Zoning Appeals Board, in denying the requested district boundary change, based its decision, not on substantial competent evidence in the record, but on a conclusion that, because the property is located between two active agricultural enterprises, the application was "premature." The evidence in the record, including a staff recommendation in favor of the application, reflected that the clear majority of the surrounding area was zoned, platted or developed with estate density residential homes. The County Code does not permit a Community Zoning Appeals Board to deny a zoning application based solely on a perception that immediate adjacent lands may still have agricultural potential. The Community Zoning Appeals Board's action was therefore arbitrary and should be reversed.

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

STATE OF FLORIDA

COUNTY OF BROWARD

Before me the undersigned authority, personally appeared Randy Greenfield, Managing Member (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
X_____ 2. Original Applicant
_____ 3. Written objection, waiver or consent

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

Further Appellant says not.

**Witnesses**:

Heidi Mock
Signature

Heidi Mock
Print Name

Carol Brandt
Signature

CAROL BRANDT
Print Name

Appellant's Signature

Randy Greenfield
Print Name

Appellant's Signature

Print Name

Sworn to and subscribed before me on the 10 day of Nov year 2006.

Appellant is personally know to me or has produced _____ as identification.

Maureen Litterio
Notary Public

(stamp/seal)

MAUREEN LITTERIO
Notary Public - State of Florida
My Commission Expires Nov 16, 2009
Commission # DD 491534

Commission Expires:

**APPELLANT MUST SIGN THIS PAGE**

Date 10 day of Nov, year: 2006

Signed _____

Randy Greenfield, Managing Member
Genesis Property Development, L.L.C.
Print Name

751 N.W. 108 Avenue
Fort Lauderdale, Florida 33324

c/o Graham Penn, Bercow and Radell, P.A.
200 S. Biscayne Boulevard, Suite 850
Miami, Florida 33131

305-377-6229 Phone
305-377-6222 Fax

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

_____
Representing

_____
Signature

_____
Print Name

_____
Mailing Address

_____ _____ _____

_____ _____
Phone Fax

Subscribed and Sworn to before me on the 10 day of Nov, year 2006

Maureen Litterio
Notary Public

(stamp/seal)

Commission Expires:

MAUREEN LITTERIO
Notary Public - State of Florida
My Commission Expires Nov 16, 2009
Commission # DD 491534

**RESOLUTION NO. CZAB14-36-06**

*WHEREAS*, **GENESIS PROPERTY DEV. L. L. C.** applied for the following:

AU & EU-1 to EU-1

SUBJECT PROPERTY: The north ½ of the south ½ of the north ½ of the west ¾ of the SW ¼ , all in Section 31, Township 56 South, Range 39 East, less the west 62.5' for right-of-way.

LOCATION: The Southeast corner of S.W. 177 Avenue (Krome Avenue) & theoretical S.W. 274 Street, Miami-Dade County, Florida, 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 at which time the applicant proffered a Declaration of Restrictions, 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 EU-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

*WHEREAS*, a motion to deny the application with prejudice was offered by Dawn Lee Blakeslee, seconded by Wilbur B. Bell, and upon a poll of the members present the vote was as follows:

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

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 14, that the requested district boundary change to EU-1 be and the same is hereby denied with 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 1st day of November, 2006.

Hearing No. 06-11-CZ14-1
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 14, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB14-36-06 adopted by said Community Zoning Appeals Board at its meeting held on the 1st day of November 2006.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 7th day of November 2006.

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

**SEAL**

REVISION 2

# Memorandum

**Date:** 10-AUG-06

**To:** Diane O'Quinn Williams, Director
Department of Planning and Zoning

**From:** Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

**Subject:** Z2005000249

---

## Fire Prevention Unit:

This Memo supersedes MDFR Memorandum dated March 27 2006.
Fire Water & Engineering has no objection to Site plans date stamped July 19 2006. Any changes to the vehicular circulation must be resubmitted for review and approval.

## Service Impact/Demand:

Development for the above Z2005000249
located at THE SOUTHEAST CORNER OF S.W. 177 AVENUE (KROME AVENUE) & S.W. 274 STREET, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2508 is proposed as the following:

| | | | |
|---|---|---|---|
| 18 residential | dwelling units | N/A industrial | square feet |
| N/A Office | square feet | N/A institutional | square feet |
| N/A Retail | square feet | N/A nursing home/hospitals | square feet |

Based on this development information, estimated service impact is: 4.8 alarms-annually.

## Existing services:

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

Station 6 - Modello - 15890 SW 288 Street.
Rescue, Tanker, Battalion.

## Planned Service Expansions:

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

None.

## Fire Planning Additional Comments:

Current service impact calculated based on letter of intent date stamped March 14 2006. Substantial changes to the letter of intent will require additional service impact analysis.

DATE: 04/05/07
REVISION 2

# TEAM METRO

## ENFORCEMENT HISTORY

GENESIS PROPERTY DEVELOPMENT L.L.C.

**APPLICANT**

THE SOUTHEAST CORNER OF S.W. 177 AVENUE (KROME AVENUE) & THEORETICAL S.W. 274 STREET, MIAMI-DADE COUNTY, FLORIDA.

**ADDRESS**

Z2005000249

**HEARING NUMBER**

## CURRENT ENFORCEMENT HISTORY:

4-5-07 No violations.

## DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Genesis Property Development, L.L.C.

| NAME AND ADDRESS | Percentage of Stock |
|---|---|
| Randy Greenfield | 100% |
| 751 N.W. 108 Avenue | |
| Fort Lauderdale, Florida 33324 | |
| | |
| | |
| | |

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

TRUST/ESTATE NAME: _____

| NAME AND ADDRESS | Percentage of Interest |
|---|---|
| | |
| | |
| | |
| | |
| | |

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

| NAME AND ADDRESS | Percent of Ownership |
|---|---|
| | |
| | |
| | |
| | |
| | |

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

NAME OF PURCHASER:_____

| NAME ADDRESS AND OFFICE (if applicable) | Percentage of Interest |
|---|---|
| | |
| | |
| | |
| | |

Date of contract:_____

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

_____

_____

_____

_____

_____

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

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

Signature:_____
(Applicant)

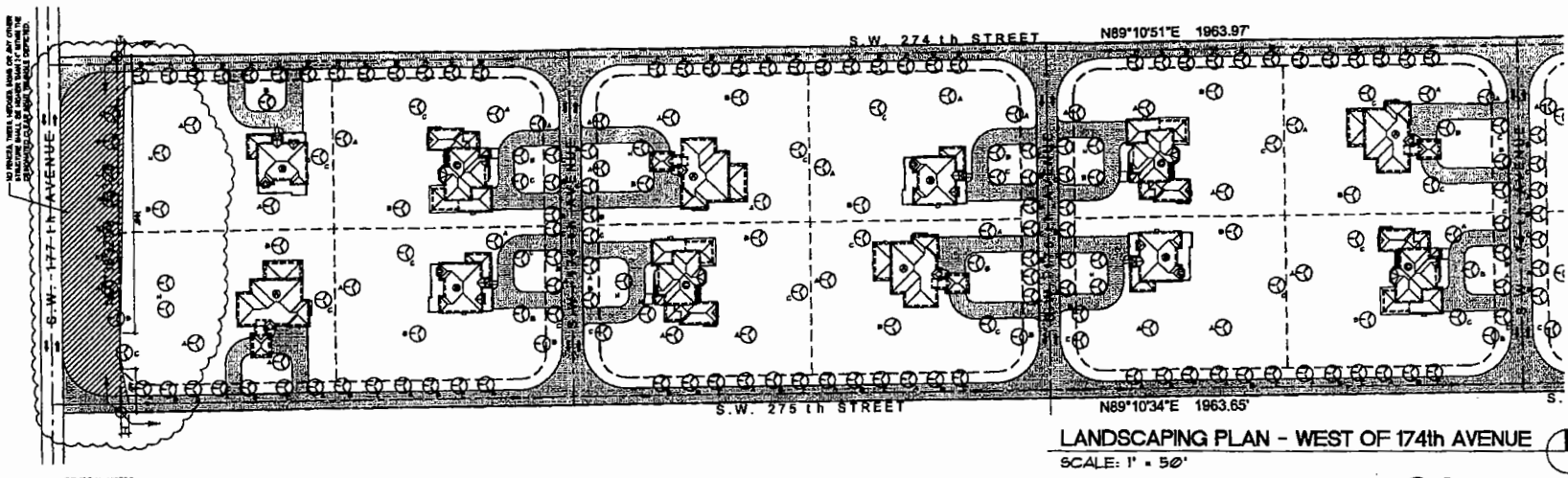
Sworn to and subscribed before me this 16 day of Aug. Affiant is personally known to me or has produced _____ as identification.

(Notary Public)

Carol Brands
My Commission DD222883
Expires June 15, 2007

My commission expires June 15, 2007

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




LANDSCAPING PLAN - WEST OF 174th AVENUE

SCALE: 1" = 50'

GENERAL NOTES:

1. EACH LOT SHALL BE PROVIDED WITH A MINIMUM OF NINE (9) SHADE TREES PER NET ACRE. TREE TYPES A, B, C, + D MAY BE USED BY MIXING DIFFERENT TREE TYPES.

2. STREET TREES AS INDICATED ON SITE PLAN.

EU-1 with SUPs
LANDSCAPING LEGEND

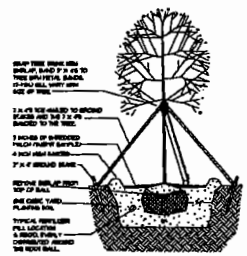
CHAPTER 18A-ORDINANCE 99-222
ZONE DISTRICT: EU-1 with SUPs
NET LAND AREA: 4.41 ACRES (192,156.6 S.F.)

| | REQUIRED | PROVIDED |
|---|---|---|
| STREET TREES (1/35' FRAN) (6,174' TOTAL STREET PERIMETER / 35' = 176 TREES) | 176 | 171 |
| LOT TREES (MIN. 5 PER ACRE) * | 80 | 80 |
| TOTAL NUMBER OF TREES | 256 | 251 |
| SHRUBS (10/TREE REQUIRED) | 2,560 | 2,510 |

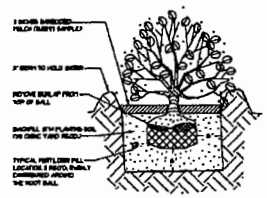
* THE MINIMUM TREE DENSITY REQUIRED IS 5 TREES / NET ACRE. THUS, (16) LOTS REQUIRE AT LEAST (16) TREES EACH, WHILE THE TWO (2) LOTS EXCEEDING 2 FRAN SF. REQUIRE 3 TREES EACH.

| KEY | PLANT NAME | CALIP | HEIGHT | SPREAD | QUANT. |
|---|---|---|---|---|---|
| A | LIVE OAK (QUERCUS VIRGINIANA) | 3" - 4" | 12' | 6' - 8' | 1010 |
| B | WEST INDIES MAHOGANY (SWIETENIA MAHAGONI) | 3" - 4" | 12' | 6' - 8' | 756 |
| C | BURRERIA SIMARUBA (GUMBO LIMBO) | 3" - 4" | 12' | 6' - 8' | 520 |
| D | CABBAGE PALM (SABAL PALMETTO) | 8' | 12' - 16' | 6' - 10' | - |
| E | ROYAL PALM (ROYSTONEA ELATA) | 8' | 12' - 24' | - | - |
| F | QUEEN PALM | 8' - 12' | 12' - 24' | - | - |
| G | WASHINGTON PALM (CLUSIA ROSEA) | 12' | 14' - 24' | - | - |
| H | ROYAL POINCIANA | 6' - 8' | 12' - 24' | - | 11 |

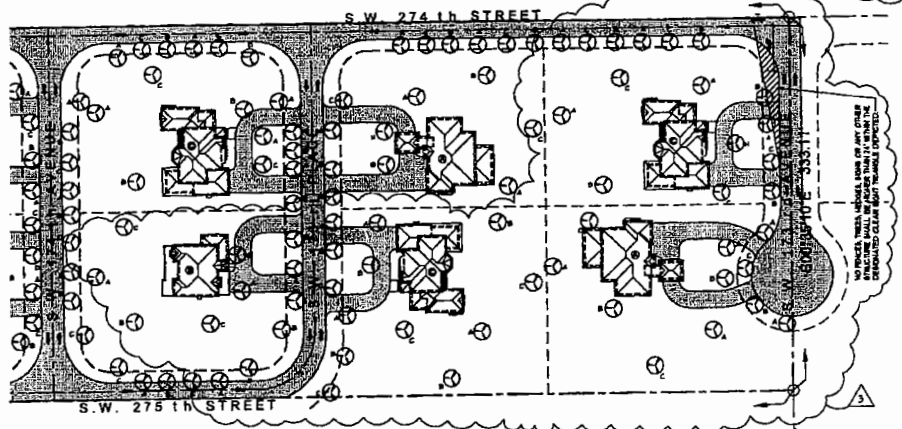
| | SHRUBS + GROUNDCOVERS | DIMENSIONS | QUANT. |
|---|---|---|---|
| 2 | ARECA PALM (CHRYSALIDOCARPUS LUTESCENS) | TWO ROWS 5' H @ 24" O.C. | 1560 |
| 3 | MAN PORTLE DWARF (TURNICA PUMILLA) | 12" x 12" @ 24" O.C. | 1560 |
| 4 | COCOPLUM (CHYSOBALANUS ICACO) | 24" x 24" @ 36" O.C. | 1560 |



TREE PLANTING DETAIL

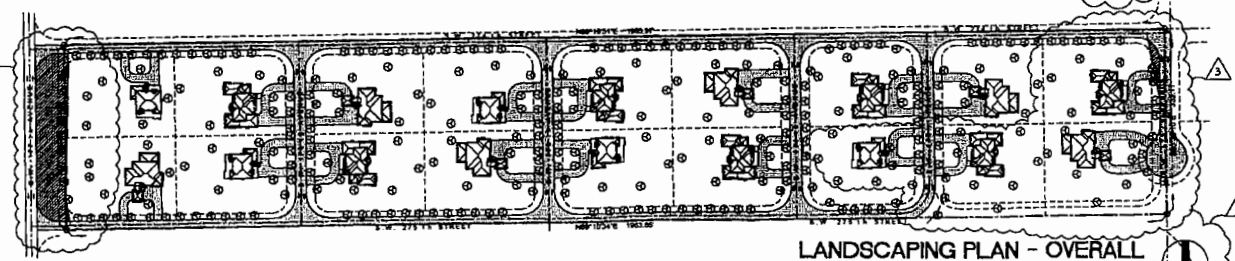


SHRUB PLANTING DETAIL




LANDSCAPING PLAN - EAST OF 174th AVENUE

SCALE: 1" = 50'



LANDSCAPING PLAN - OVERALL

SCALE: 1" = 100'

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AA-0003585
ARCHITECTURE
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CONSTRUCTION MANAGEMENT

GENESIS PARCEL
SW. 177 AVENUE AND 274 STREET
MIAMI-DADE, FLORIDA

DATE:
DRAWN: Jorge RF
CHECKED: AM
PROJ. NO:
1 10-07-2005
2 05-04-2006
3 06-23-2006

LEOPOLDO BELLON, AIA
AR-006737

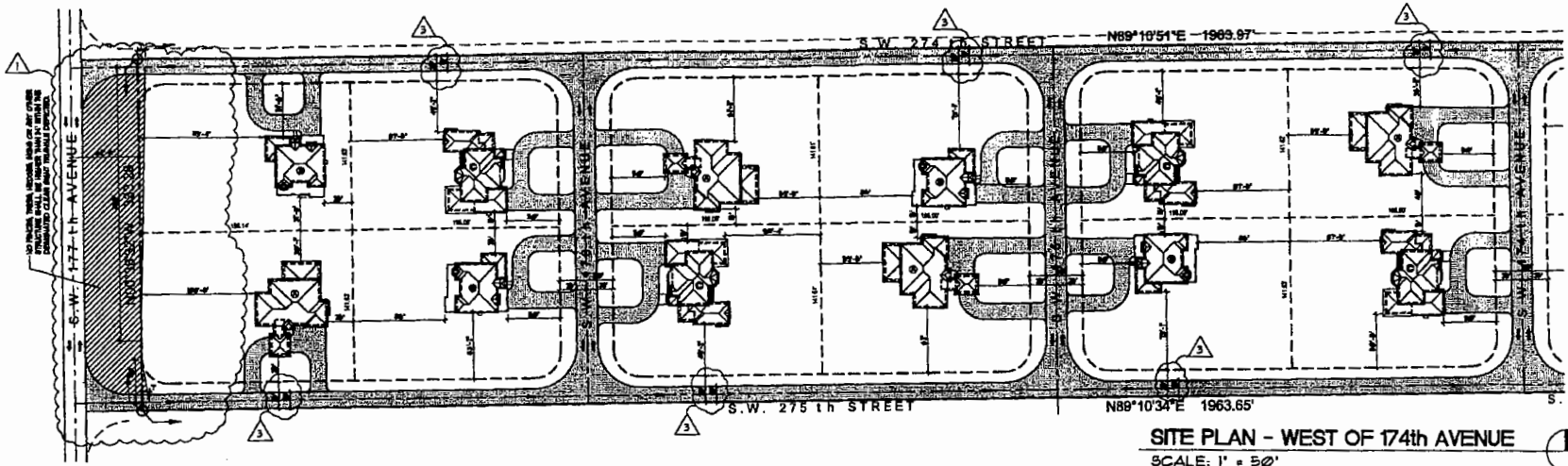
ANGEL MILANES, AIA
AR-0013845

LANDSCAPING PLAN

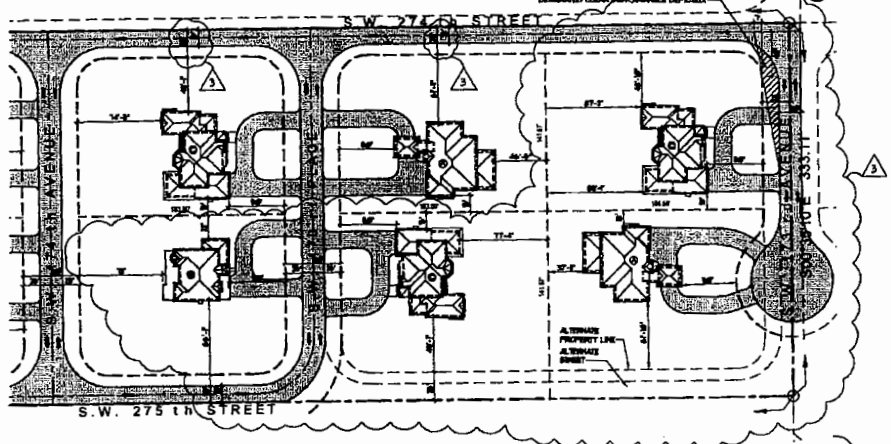
L-1
- OF -

7-14-06

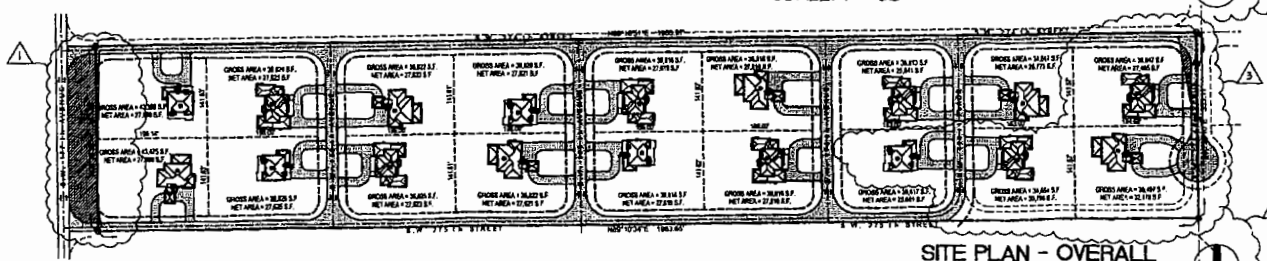
32




SITE PLAN - WEST OF 174th AVENUE
SCALE: 1" = 50'




SITE PLAN - EAST OF 174th AVENUE
SCALE: 1" = 50'



SITE PLAN - OVERALL
SCALE: 1" = 100'

## ZONING INFORMATION

| | |
|---|---|
| ZONING DISTRICT | EU-1 with SUPs |
| GROSS SITE AREA | 679,180 S.F. (15.59 ACRES) |
| LESS R.O.W. | 175,616 S.F. (4.03 ACRES) |
| LESS LAKES | 0 S.F. |
| LESS OTHER | 0 S.F. |
| NET LAND AREA | 503,564 S.F. (11.57 ACRES) |
| TOTAL NUMBER OF DWELLING UNITS | 18 UNITS |
| GROSS DENSITY | 1.16 UNITS / ACRE |
| NET DENSITY | 1.67 UNITS / ACRE |

## LOT SIZES

| | PROVIDED | MIN. REQUIRED |
|---|---|---|
| MINIMUM GROSS AREA | 34,947 Sq. Ft. | 32,500 Sq. Ft. |
| MAXIMUM GROSS AREA | 43,475 Sq. Ft. | |
| AVERAGE GROSS AREA | 37,808 Sq. Ft. | |

| | PROVIDED | MAX. ALLOWED |
|---|---|---|
| MAXIMUM LOT COVERAGE * | 13.88 % | 15 % |
| NUMBER OF STORIES | 2 | 2 |
| MAXIMUM HEIGHT | 29'-0" | 35' |

* NOTE:

- MAXIMUM LOT COVERAGE SHOWN IS CALCULATED ON THE WORST-CASE SCENARIO, WHICH IS THE ONE OF MODEL "C" ON THE SMALLEST LOT (3,563 S.F. / 25,641 S.F. = 13.88 %)

## DWELLING UNIT BREAKDOWN

| UNIT MODEL | QUANTITY | UNIT FOOTPRINT | UNIT COMBT. AREA | BEDROOM / BATHS |
|---|---|---|---|---|
| A | 5 | 3,280 | 5,149 | 5 / 3-1/2 |
| B | 5 | 2,805 | 4,848 | 4 / 4 |
| C | 7 | 3,563 | 4,742 | 3 / 3 |

TOTAL NUMBER OF UNITS — 18

## SETBACKS

| | PROVIDED | MIN. REQUIRED |
|---|---|---|
| FRONT | 50 FEET | 30 FEET |
| REAR | 30.33 FEET | 25 FEET |
| INTERIOR SIDE | 15 FEET | 10 FEET |
| SIDE STREET | 73.06 FEET | 25 FEET |
| STREET PERIMETER (FOR TREE CALC.) | 9,841 FEET | |

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GENESIS PARCEL
S.W. 177 AVENUE AND 274 STREET
MIAMI-DADE, FLORIDA

DATE:
DRAWN: Jorge M
CHECKED: AM
PROJ. NO:

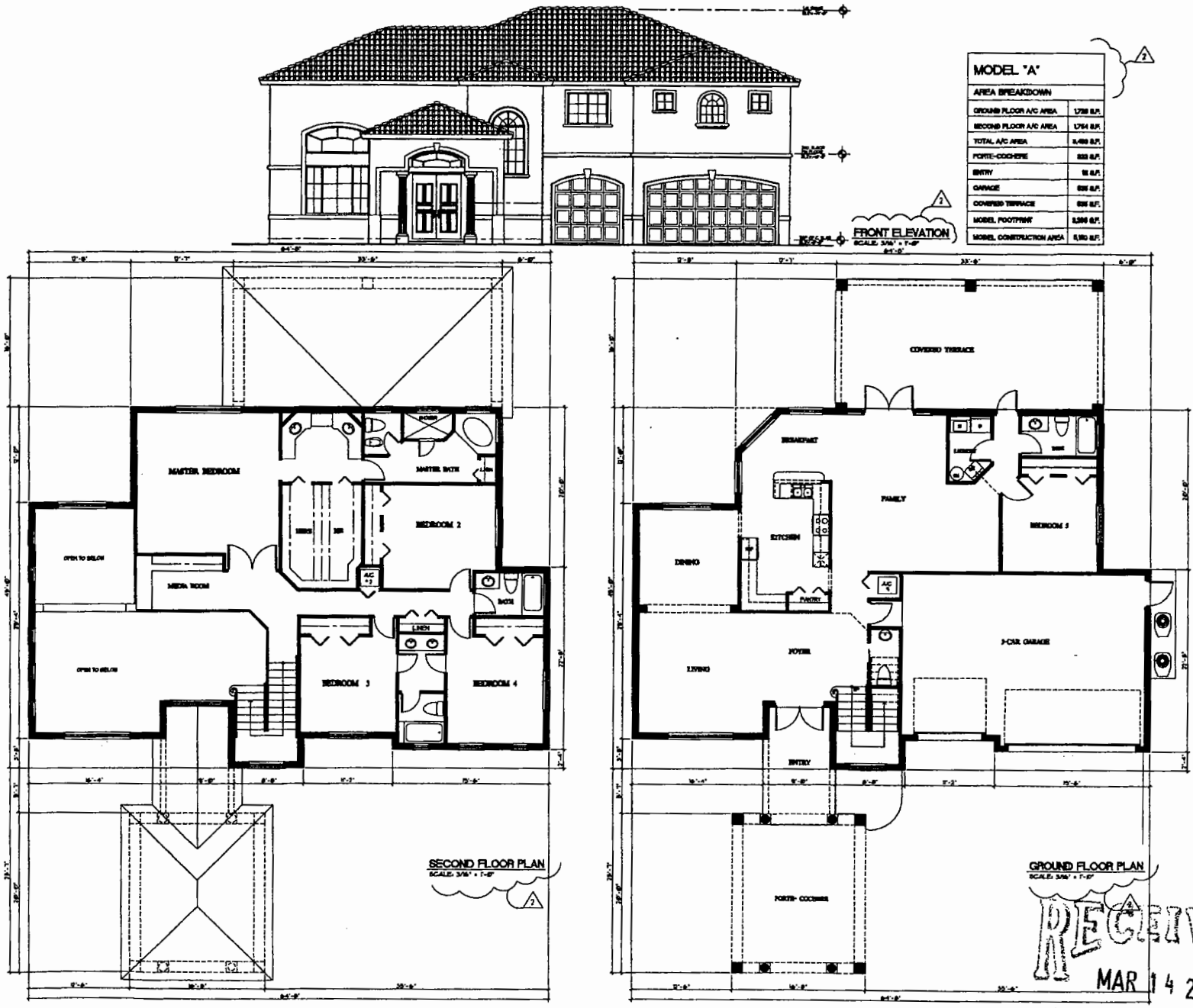
LEOPOLDO BELLON, AIA
AA-0007377

ANGEL MILANES, AIA
AA-0015845

SP-1
- OF -

714.6

33

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12801 S.W. 132 AVENUE
MIAMI, FLORIDA 33186

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MIAMI-DADE, FLORIDA

MODEL "A" - FLOOR PLANS AND FRONT ELEVATION

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3.

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AR-0015645

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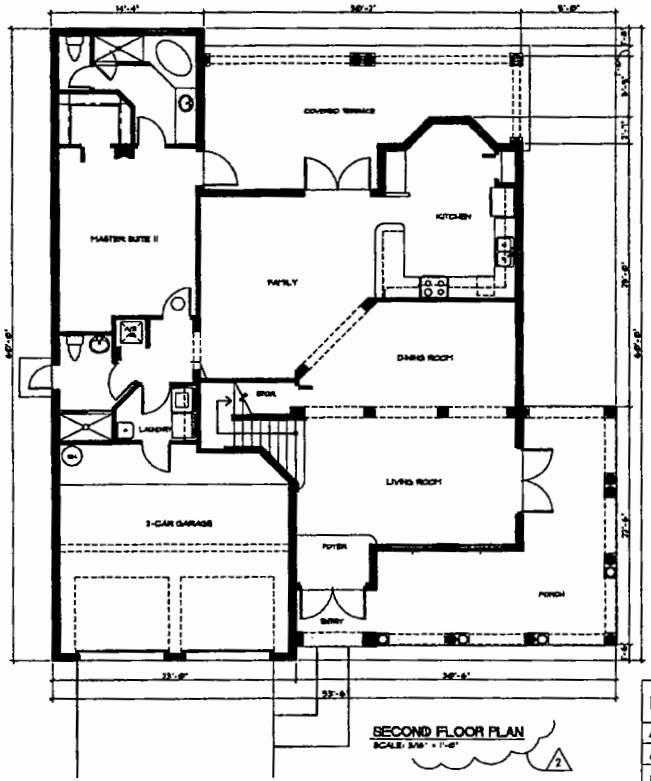
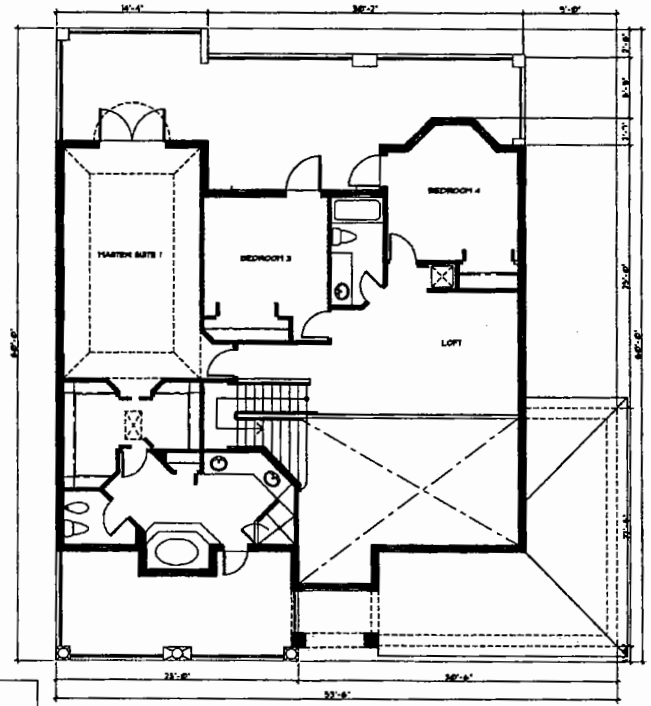
FRONT ELEVATION
SCALE: 3/16" = 1'-0"




SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"




GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"

| MODEL "B" | |
|---|---|
| AREA BREAKDOWN | |
| GROUND FLOOR A/C AREA | 1,945 S.F. |
| SECOND FLOOR A/C AREA | 1,055 S.F. |
| TOTAL A/C AREA | 3,000 S.F. |
| ENTRY / PORCH | 564 S.F. |
| GARAGE | 45 S.F. |
| COVERED TERRACE | 545 S.F. |
| FRONT TERRACE AT 2nd FLOOR | 530 S.F. |
| REAR TERRACE AT 2nd FLOOR | 488 S.F. |
| MODEL FOOTPRINT | 2,095 S.F. |
| MODEL CONSTRUCTION AREA | 4,848 S.F. |

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F. (305) 278-7473
WWW.BELLONMILANES.COM
AA-0003505
ARCHITECTURE
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GENESIS PARCEL
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MIAMI-DADE, FLORIDA

MODEL "B" - FLOOR PLANS AND FRONT ELEVATION

DATE: [illegible]
DRAWN: Jorge M
CHECKED: A/L
PROJ. NO: [illegible]
1.
2. [illegible]
3.


LEOPOLDO BELLON, AIA
AR-006737
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A-2
OF


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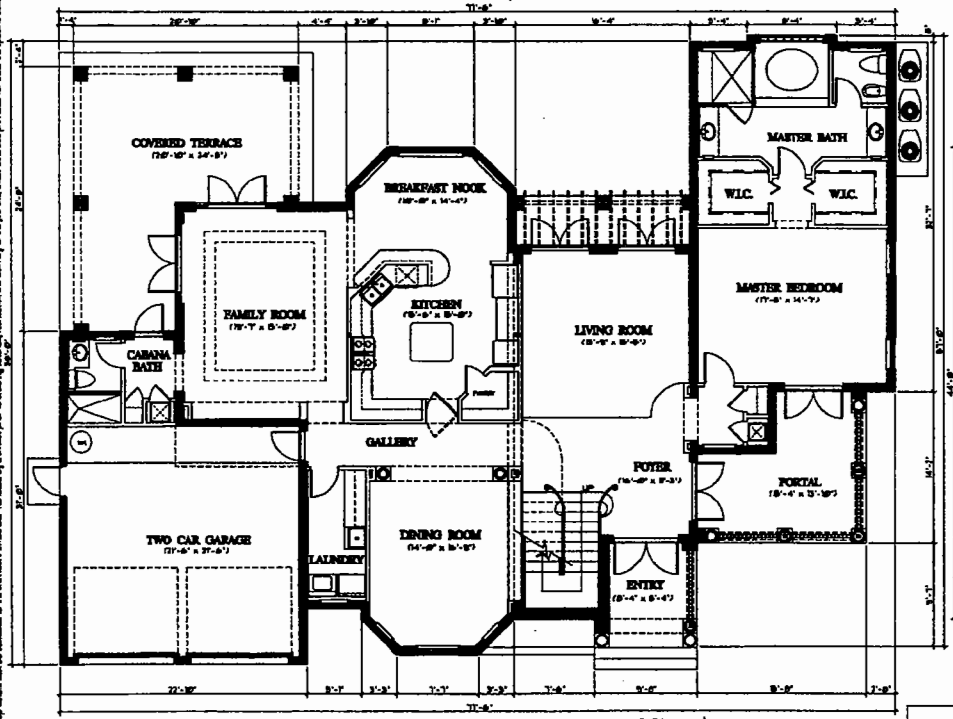
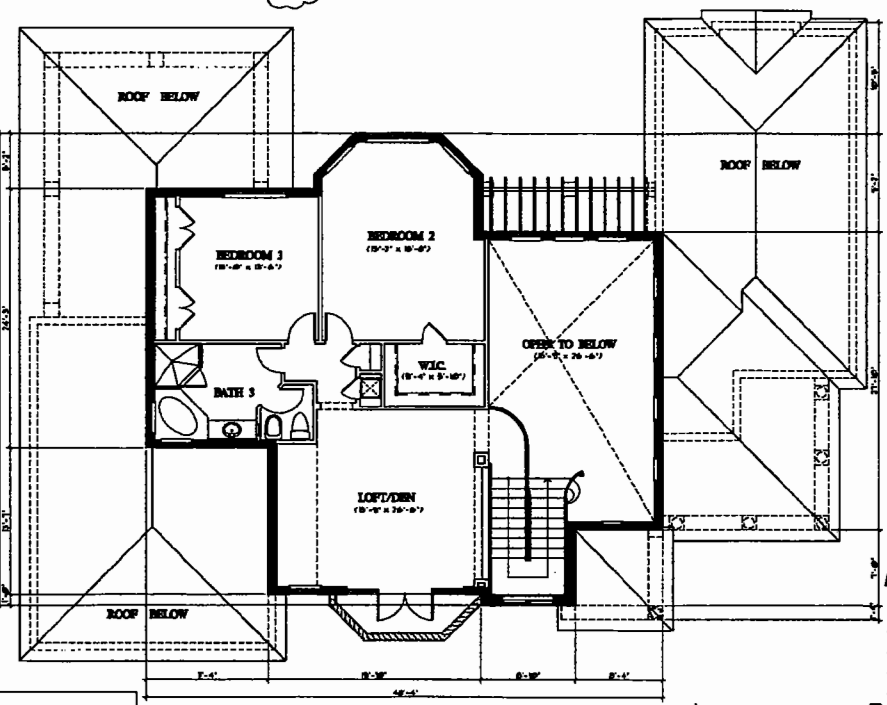
35

FRONT ELEVATION
SCALE: 3/16" = 1'-0"




SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"




GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"

| MODEL "C" | |
|---|---|
| AREA BREAKDOWN | |
| GROUND FLOOR A/C AREA | [illegible] S.F. |
| SECOND FLOOR A/C AREA | [illegible] S.F. |
| TOTAL A/C AREA | [illegible] S.F. |
| ENTRY | [illegible] S.F. |
| PORTAL | [illegible] S.F. |
| GARAGE | [illegible] S.F. |
| COVERED TERRACE | [illegible] S.F. |
| BALCONY | [illegible] S.F. |
| MODEL FOOTPRINT | [illegible] S.F. |
| MODEL CONSTRUCTION AREA | [illegible] S.F. |

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F. (305) 279-7473
WWW.BELLONMILANES.COM
AA-0003505
ARCHITECTURE
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GENESIS PARCEL
S.W. 177 AVENUE AND 274 STREET
MIAMI-DADE, FLORIDA

DATE: [illegible]
DRAWN: Jorge [illegible]
CHECKED: AM
PROJ. NO: [illegible]
1.
2. [illegible]
3.

LEOPOLDO BELLON, AIA
AR-[illegible]

ANGEL MILANES, AIA
AR-0013845

MODEL "C"
FLOOR PLANS AND FRONT ELEVATION

A-3
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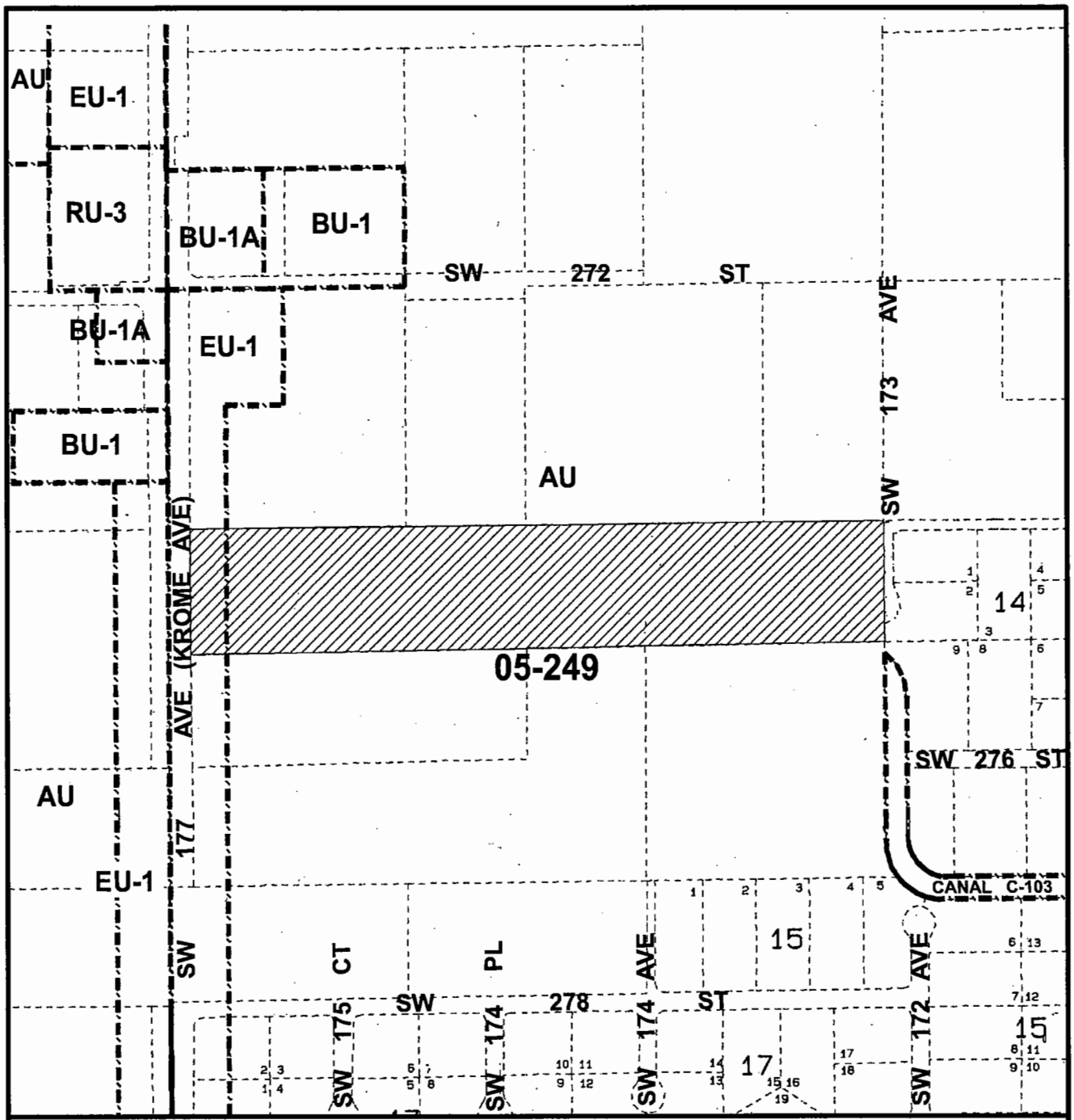



MIAMI-DADE COUNTY

**HEARING MAP**

S C A L E 0 NTS

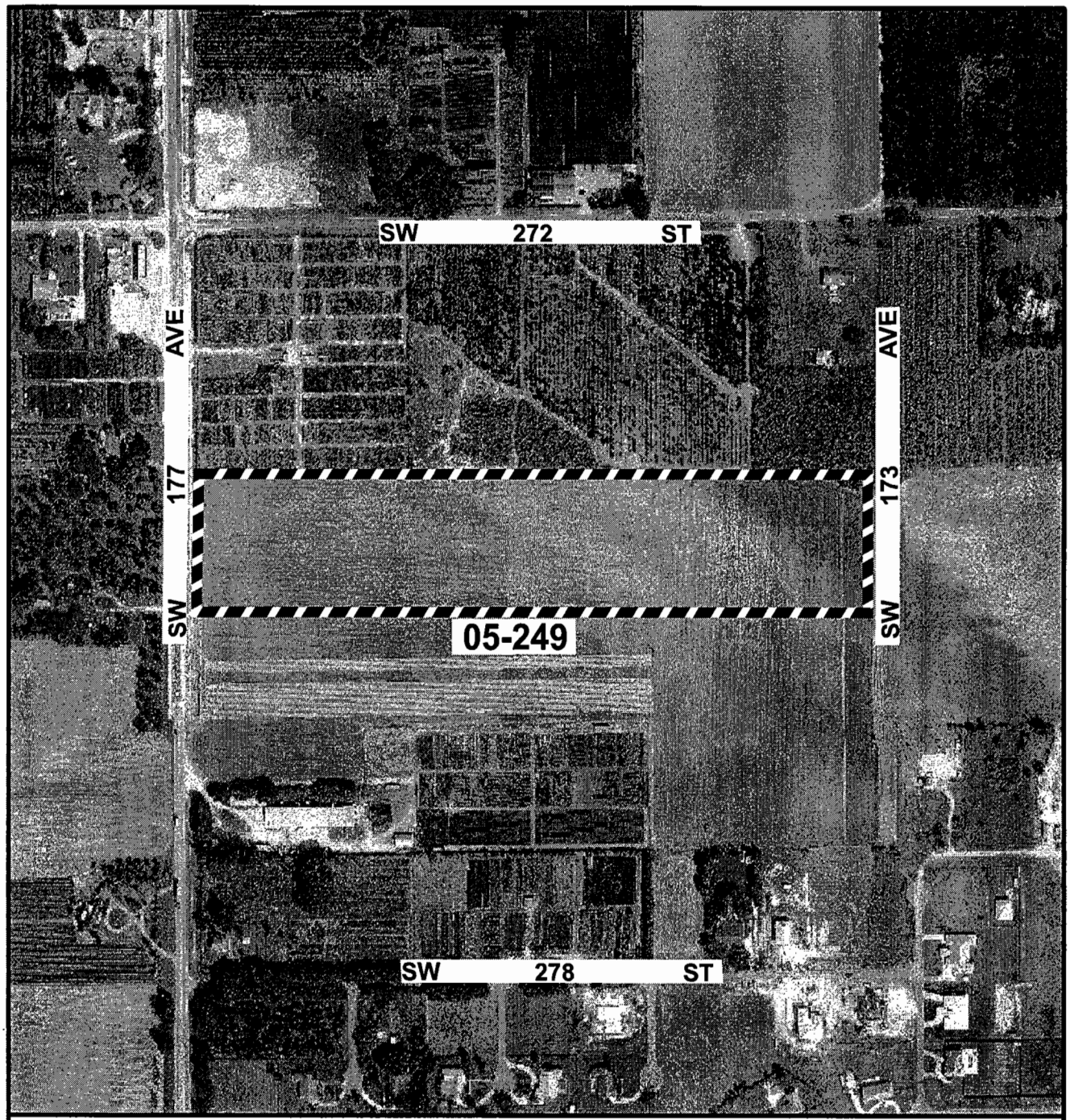
N

SUBJECT PROPERTY

**Section: 31 Township: 56 Range: 39**
**Process Number: 05-249**
**Applicant: GENESIS PROPERTY DEVELOPMENT LLC.**
**Zoning Board: C14**
**District Number: 08**
**Drafter ID: ERIC**
**Scale: 1:200'**

MIAMI-DADE COUNTY

G: ZONING DRAFTING. 05-249. 08/05.




MIAMI-DADE COUNTY

**AERIAL**

S C A L E
0 NTS

N

SUBJECT PROPERTY

**Section: 31 Township: 56 Range: 39**
**Process Number: 05-249**
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**Zoning Board: C14**
**District Number: 08**
**Drafter ID: ERIC**
**Scale: NTS**

MIAMI-DADE

G: ZONING DRAFTING. 05-249. 08/05