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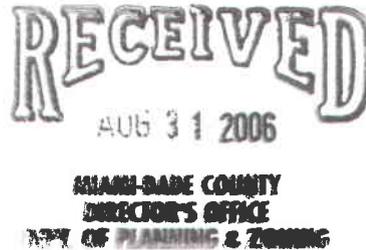
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August 29, 2006

VIA HAND DELIVERY

Ms. Diane O'Quinn Williams
Miami-Dade County
Department of Planning & Zoning
111 N.W. 1st Street, 11th Floor
Miami, Florida 33128



**Re: Application for District Boundary Change Z05-0305;
Norma Strydio and Noeli Sanchez; Shadows for Reduced Setbacks**

Dear Ms. O'Quinn Williams:

The purpose of this letter is to provide you with documentation that specifically addresses the question of the impact of shadows due to the proposed alternative site development options to reduce permissible setbacks on the east, west, and south sides of the subject property. Specifically, Section 33-311(A)(20)(c)4. provides that:

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

You may recall that we are seeking a re-zoning of the parcel from RU-1 to RU-5A, which increases the setback requirements on the east and west from the current 7 feet 6 inches to 15 feet. The existing structure is located 13 feet 8 inches from the east property line and 13 feet 5 inches from the west property line. Thus we are seeking alternative site development option approval to allow the existing setbacks under the RU-5A zoning district.

for requests #2 & #3

Ms. Diane O'Quinn Williams
August 29, 2006
Page 2 of 2

The existing structure is one story in height (13 feet at the gable roof's tallest point). This application does not seek to increase the height of the structure, nor does it seek to decrease the existing setbacks. In fact, only the requirements are increasing. Therefore, approval of the alternative site development will have no impact, not even a *de minimis* impact, on adjacent neighbors in terms of shadows cast by the structure. Further underscoring the fact that there will be no impact is the fact that existing setbacks, which are not being reduced, exceed the height of the roof at the highest point. Finally, since the existing RU-1 zoning permits setbacks of 7 feet 6 inches as well as a total height of 35 feet, current zoning permits as-of-right development that would have a far greater impact on adjoining parcels to the east and west than retaining the existing setbacks and height of the building via condition in connection with this application. Therefore, retaining the existing dimensions of the structure would reduce the possibility of shadows impacting adjoining parcels in the future.

As to the requested setback reduction on the south side, the proposed setback of 24 feet 6 inches far exceeds the maximum height of the structure. Furthermore, the movement of the sun from east to west assures that the impact of shadows to north and south sides are minimal. These facts, combined with the fact that the parcel to the south is separated from the subject property by a four lane divided roadway (Coral Way) measuring 70 feet in width, make clear that there will be no impact whatsoever to the parcel to the south by shadows cast by the structure as proposed.

In support of these assertions, we have attached the architect's affidavit that the reduced setbacks will have at most a *de minimis* effect on the shadows cast by the current building. We hope that this letter and the accompanying affidavit clearly establish how this application meets the criterion for approval of the alternative site development option described in Section 33-311(A)(20)(c)4.

Thank you for your attention to this matter. Please call me if you have any questions.

Very truly yours,



Tony Recio

ESS/ms
Attach.
1214001

cc: Noeli Sanchez
Jorge Vital, Zoning Evaluations

This instrument was prepared by
And after recording return to:
Tony Recio, Esq.
Weiss Scrota Helfman
Pastoriza Cole & Boniske, P.A.
2665 South Bayshore Drive, Suite 420
Miami, FL 33133

AFFIDAVIT

STATE OF FLORIDA)
 SS:
COUNTY OF MIAMI-DADE)

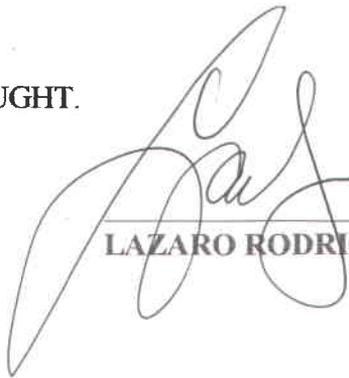
BEFORE ME, the undersigned authority, personally appeared **LAZARO RODRIGUEZ**, an individual (the "Affiant"), who being first duly sworn upon oath, deposes and says:

1. That Affiant is a State of Florida certified architect, AR NO. 9241.
2. The Affiant is the project architect for the property located at 3465 Coral Way (the "Property") that is the subject of a request for zoning approvals to permit office uses on the Property as described in Miami-Dade County Hearing Process No. Z05-0305.
3. The requested zoning approvals will retain the existing one-story building on the Property after some minor renovations which will not increase the height of the building beyond 13 feet.
4. In the Affiant's professional opinion, the shadows produced by the renovated structure will have at most a *de minimis* effect, if any, on neighboring properties to the east, west, and south, as compared to a structure built in conformity with RU-5 setbacks.

[Notary Acknowledgement on following page]

FURTHER AFFIANT SAYETH NAUGHT.

DATED this 28 day of AUGUST, 2006



LAZARO RODRIGUEZ

Sworn to and subscribed before me this 28th day of Aug, 2006, by **LAZARO RODRIGUEZ**. He is personally known to me or has produced _____ as identification.



Notary Public, State of Florida

JEAN ACEVEDO

My commission expires:

Print or Type Name of Notary Public



(Seal)

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STEPHANIE DEUTSCH*

November 21, 2005

VIA HAND DELIVERY

Mr. Federico Endara
Miami-Dade County
Department of Planning & Zoning
111 N.W. 1st Street
11th Floor
Miami, Florida 33128

Re: Application for District Boundary Change Z05-0305; Norma Strydio and Noeli Sanchez (the "Applicants")

Dear Mr. Federico Endara:

Attached please find the revision pages to the hearing plans as directed by the enclosed deficiency letter. In addition to the revisions made to address the findings in your deficiency letter, these revisions also address comments from Public Works staff.

In accordance with our discussions with Public Works staff, we are hereby amending the application to include non-use variances of minimum interior driveway width, parking lot landscape buffer regulations, and to waive the right-of-way width requirement for Coral Way. The first two variances requested are minimal in nature and are necessary to accommodate the intended use on the property in light of the retention of the existing building. The request to waive the right-of-way width is de minimis in that the no other property within the subject section or the section to the south has been required to effect the necessary dedication and Public Works has no plans, current or future, to expand the Coral Way right-of-way.

Please update the file accordingly.

Mr. Federico Endara
November 21, 2005
Page 2 of 2

Thank you for your attention to this matter. Please call me if you have any questions.

Very truly yours,



Tony Recio

TR/ms
Attach.
1214001

cc: Noeli Sanchez

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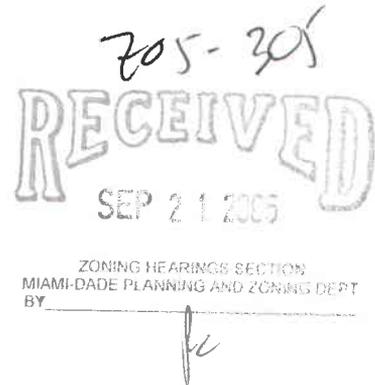
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*OF COUNSEL

September 21, 2005

VIA HAND DELIVERY

Ms. Diane O'Quinn Williams
Director
Miami-Dade County
Department of Planning & Zoning
111 N.W. 1st Street
11th Floor
Miami, Florida 33128



**Re: Application for District Boundary Change; Norma Strydio and Noeli Sanchez
(the "Applicants")**

Dear Ms. O'Quinn Williams:

Our firm represents the Applicants in connection with the captioned application. The Applicants own the property legally described in the attached Exhibit "A" (the "Property"). The Property is located at 6435 Coral Way in unincorporated Miami-Dade County.

The Property is approximately 0.24 acres and contains a single family home. It is designated Low Density Residential in the County's Adopted 2005 and 2015 Land Use Plan (the "Plan") and is zoned RU-1.

The Applicant is requesting a district boundary change from RU-1 to RU-5A (the "Rezoning"). In addition to the Rezoning, the Applicant is requesting alternative site development approval to permit interior side setbacks for the east and west sides of 13 feet 8 inches and 13 feet five inches, respectively, where the Zoning Code requires 15 feet. The

Ms. Diane O'Quinn Williams
September 21, 2005
Page 2 of 2

applicant is also requesting variances to permit the location of a parking space for the disabled within 25 feet of the right-of-way and to permit a reduction in the 5-foot landscape buffer required between interior drives and the perimeter wall.

The Rezoning is consistent with the Plan's provisions for limited commercial uses in Residential Communities in that the Property fronts on Coral Way, a major roadway designated on the future land use map, the lot size is less than one acre, the land use designation is not Estate Density Residential, and the Rezoning will permit conversion of an existing structure to office uses on a lot platted prior to March 25, 1991. See Page I-14 of the Plan. Furthermore, at only 18.2% of lot coverage, the scale and character of the proposed office building is compatible with the neighboring single family residential neighborhood, contains all required parking on site, and provides for a concrete wall and landscape buffering for the benefit of the adjacent residences. Lastly, other office uses lawfully exist on the same block face, thereby rendering the Rezoning consistent with the developing character of the Coral way corridor.

The requested side setback development options are de minimis in that they are requesting reductions of less than two feet each. The requested non-use variances are compatible with the neighborhood which includes both offices and residences and will further the intent of the Zoning Code by accommodating all required parking on-site and providing a handicapped space in the most accessible portion of the proposed office.

We look forward to your favorable review of this application. Please do not hesitate to contact the undersigned if you have any questions or require additional information.

Very truly yours,



Tony Recio

TR/ms
Attach.
1214001