

2. NORMA STRYDIO AND NOELI SANCHEZ
(Applicant)

06-9-CZ10-4 (05-305)
BCC/District 6
Hearing Date: 12/7/06

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:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
				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: Norma Strydio and Noeli Sanchez

PH: Z05-305 (06-9-CZ10-4)

SECTION: 12-54-40

DATE: December 7, 2006

COMMISSION DISTRICT: 6

ITEM NO.: 2

A. INTRODUCTION

o **REQUESTS:**

The applicants are appealing the decision of Community Zoning Appeals Board #10, which denied without prejudice the following:

- (1) RU-1 to RU-5A
- (2) Applicant is requesting to permit an office building setback 24'6" (25' required) from the front (south) property line.
- (3) Applicant is requesting to permit an office building setback 13'5" from the interior side (west) property line and 13'8" from the interior side (east) property line, (15' required for each side).
- (4) Applicant is requesting to permit two one-way drives, each 10' wide (14' required).
- (5) Applicant is requesting to permit a minimum 1' wide landscape buffer (5' wide required) between dissimilar land uses along portions of the west property line.
- (6) Applicant is requesting to waive the zoning regulations requiring Coral Way (S.W. 24th Street) to be 100' in width; to permit a 35' dedication (50' required) for the north half of Coral Way.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 and #3 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) and approval of requests #2 through #6 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 "Noeli Sanchez," as prepared by Rodriguez-Periera, Architect, dated last revised 5/23/06 and consisting of 5 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicant is appealing the decision of the Community Zoning Appeals Board-10 (CZAB-10) that denied a request to change the zoning on the subject property from RU-1, Single-Family Residential District, to RU-5A, Semi-Professional Office District. Additional requests to allow the existing building

setback closer to the front and interior side property lines, to permit two one-way drives with a lesser width than required, to reduce the required landscaped buffer between dissimilar land uses along portions of the interior side property line and to waive the zoning regulations to reduce the required right-of-way dedication for SW 24 Street.

o **LOCATION:**

6435 S.W. 24 Street (Coral Way), Miami-Dade County, Florida.

o **SIZE:** 75' x 140'

o **IMPACT:**

Approval of this application will allow the property to be utilized for semi-professional office uses to serve the community. However, this application could adversely impact the abutting residential properties and will bring additional traffic and noise to the surrounding area.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential** use. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.
2. 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 CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation 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. **Office uses** smaller than five acres in size may be approved in areas designated as Residential Communities where other office, business or industrial use(s) which are not inconsistent with this plan already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot. Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district

would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area. In applying this provision, the maximum limits of an eligible residentially designated block face along which office uses may be extended shall not extend beyond the first intersecting public or private street, whether existing, platted or projected to be necessary to provide access to other property, or beyond the first railroad right-of-way, utility transmission easement or right-of-way exceeding 60 feet in width, canal, lake, public school, church, park, golf course or major recreational facility.

In addition, office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in this paragraph. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map (Frontage roads are not eligible for consideration); b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does subject frontage face such an Estate Density area. Office use approvals, pursuant to this paragraph may only authorize: a) conversion of an existing residence into an office; b) addition of an office use to an existing residence; or, c) the construction of a new office building on lots which were finally platted prior to March 25, 1991 in a size one acre or smaller. Additionally, such office uses may be approved only if the scale and character of the prospective office use are compatible with the surrounding residential neighborhood and if the site has sufficient dimensions to permit adequate on-site parking and buffering of adjacent residences from the office. Other factors that will be considered in determining compatibility include, but are not limited to traffic, noise, lighting, shadows, access, signage, landscaping, and hours of operation. Signage shall be restricted both in size, style, and location to preclude a commercial appearance. Landscaping and buffering of adjacent residences and rear properties will be required. Emphasis shall be placed on retention of the general architectural style of the area, where the area is sound and attractive. Development Orders authorizing the conversion of existing homes into offices, the addition of offices to existing residences or the construction of new buildings encompassing office uses pursuant to this paragraph may be approved only where compatible and where the intensity and character of the new building including gross floor area, lot coverage and height, will be consistent with the homes which exist or which could be built on the immediately adjacent parcels.

4. **Policy 4C.** Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-1; single family residence

Low Density Residential, 2.5 to 6 dua

Surrounding Properties:

NORTH: RU-1; single family residences

Low Density Residential, 2.5 to 6 dua

SOUTH: RU-1; single family residence

Low Density Residential, 2.5 to 6 dua

EAST: RU-1; real estate office

Low Density Residential, 2.5 to 6 dua

WEST: RU-1; single family residence

Low Density Residential, 2.5 to 6 dua

The subject property is located at 6435 S.W. 24 Street (Coral Way). The area where the subject property lies is characterized by single-family homes and a real estate office to the east.

E. SITE AND BUILDINGS:

Site Plan Review:

(Plans submitted)

Scale/Utilization of Site:

Unacceptable

Location of Buildings:

Unacceptable

Compatibility:

Unacceptable

Landscape Treatment:

Unacceptable

Open Space:

Unacceptable

Buffering:

Unacceptable

Access:

Unacceptable

Parking Layout/Circulation:

Unacceptable

Visibility/Visual Screening:

Unacceptable

Energy Considerations:

N/A

Roof Installations:

N/A

Service Areas:

N/A

Signage:

N/A

Urban Design:

N/A

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.

Section 33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District).

This subsection provides for the establishment of an alternative site development option, after public hearing, for semi-professional office buildings and structures, when such uses are permitted by the underlying district regulations, in the RU-5 and RU-5A zoning districts, in accordance with the standards established herein. In considering any application for approval hereunder, the Community Zoning Appeals Board shall consider the same subject to approval of a site plan or such other plans as necessary to demonstrate compliance with the standards herein.

(c) Setbacks for a principal building, or accessory building or structure in the RU-5A, shall be approved after public hearing upon demonstration of the following:

1. the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining property; and

2. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and
3. the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development by more than 20% of the landscape open space percentage by the applicable district regulations; and
4. 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 minimus* impact on the use and enjoyment of the adjoining parcel of land; and
5. the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofing structure and if located on the roof of such an alternative development shall be screened from ground view and from view at the level in which the installations are located, and shall be designed as an integral part of and harmonious with the building design; and
6. the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and
7. the architectural design, scale, mass, and building materials of any proposed structure(s) or addition(s) are aesthetically harmonious with that of other existing or proposed structure(s) or building(s) on the parcel proposed for alternative development; and
8. the wall(s) of any building within a front, side street or double frontage setback area or within a setback area adjacent to a discordant use, required by the underlying district regulations, shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and
9. the proposed development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot, parcel or tract; and
10. any windows or doors in any building to be located within an interior or rear setback required by the underlying district regulations shall be designed and located so that they are not aligned directly across from facing windows or doors on building(s) located on an adjoining parcel of land; and

11. total lot coverage shall not be increased by more than ten percent (10%) of the lot coverage permitted by the underlying regulations; or a total floor area ratio shall not be increased by more than ten percent (10%) of the floor area ratio permitted by the underlying district regulations; and
12. the area within an interior side setback required by the underlying district regulations located adjacent to a discordant use will not be used for off-street parking except:
 - a. in an enclosed garage where the garage door is located so that it is not aligned directly across from facing windows or doors on buildings of a discordant use located on an adjoining parcel of land; or
 - b. if the off-street parking is buffered from property that abuts the setback area by a solid wall at least six (6) feet in height along the area of pavement and parking, with either:
 - i. articulation to avoid the appearance of a "blank wall" when viewed from the adjoining property, or
 - ii. landscaping that is at least three (3) feet in height at time of planting, located along the length of the wall between the wall and the adjoining property, accompanied by specific provision for the maintenance of the landscaping, such as but not limited to, an agreement regarding its maintenance in recordable form from the adjoining landowner; and
13. any structure within an interior side setback required by the underlying district regulations;
 - a. is screened from adjoining property by landscape material of sufficient size and composition to obscure at least eighty percent (80%) (if located adjoining or adjacent to a discordant use) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure at time of planting; or
 - b. is screened from adjoining property by an opaque fence or wall at least five (5) feet in height, if located adjoining or adjacent to a discordant use, that meets the standards set forth in paragraph (f) herein; and
14. any structure in the RU-5A district not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least 10 feet or the minimum distance to comply with fire safety standards, whichever is greater; and
15. when a principal building, or accessory building in the RU-5A district, is proposed to be located within a setback required by the underlying district regulations, any enclosed portion of the upper floor of such building shall not

extend beyond the first floor of such building to be located within a setback;
and

16. safe sight distance triangles shall be maintained as required by this code; and
17. the parcel proposed for alternative development will continue to provide the required number of on-site parking as required by this code; and
18. the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (July 11, 2003), regulating setbacks, lot area and lot frontage, lot coverage, floor area ratio, landscape open space and structure height; and
19. the proposed development will meet the following:
 - A. interior side setbacks shall not be reduced by more than fifty percent (50%) of the side setbacks required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater when the adjoining parcel of land is a RU-5, RU-5A, BU, IU, or OPD district or use provided, however, interior side setback shall not be reduced by more than twenty-five percent (25%) of the interior side setbacks required by the underlying district regulations when the adjoining parcel of land allows a discordant use.
 - B. side street setbacks shall not be reduced by more than twenty-five percent (25%) of the underlying zoning district regulations;
 - C. front setbacks (including double frontage lots) shall not be reduced by more than twenty five percent (25%) of the setbacks required by the underlying district regulations, whichever is greater;
 - D. Rear setbacks shall not be reduced below fifty percent (50%) of the rear setback required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater, when the adjoining parcel of land is a RU-5, RU-5A, BU, IU, or OPD district or use provided however, rear setbacks shall not be reduced by more than twenty-five percent (25%) of the rear setbacks required by the underlying district regulations when the adjoining parcel of land allows a discordant use.
 - E. setbacks between building(s) shall not be reduced below 10 feet, or the minimum distance required to comply with fire safety standards, whichever is greater.

(k) Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:

1. will result in a significant diminution of the value of property in the immediate vicinity; or
2. will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or
3. will result in materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or

(l) Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

- A. the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and
- B. the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is

required.

Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

On September 19, 2006, the Community Zoning Appeals Board – 10 (CZAB-10) denied without prejudice this application by a vote of 3 to 2, pursuant to Resolution #CZAB10-48-06. On September 29, 2006, the applicant appealed the CZAB-10's decision to the Board of County Commissioners (BCC) citing in the appeal form, among other things, that the Board's conduct of the hearing did not comply with the due process of the law by the premature closure of the public hearing which did not allow members of the public who supported the application to speak and by the temporary absence of one Community Zoning Appeals Board (CZAB) member during the crucial voting phase of the CZAB's consideration. Additionally, the appellant alleges that the CZAB's decision was not supported by substantial competent evidence because it relied on a staff recommendation containing statements concerning development trends in the area and the unsuitability of the property for the proposed office use. Staff notes that all existing uses and zoning are consistent with the CDMP. As such, the CZAB-10's decision to deny this application and retain the existing RU-1 zoning on the property is **consistent** with the CDMP.

The subject property is located at 6435 S.W. 24 Street (Coral Way) in an area characterized by single-family residences. The applicants seek to change the zoning on the subject property from RU-1, Single-Family Residential District, to RU-5A, Semi-Professional Office District. RU-5A uses include, but are not limited to, office buildings for accountants, attorneys, dentists, medical doctors, notary publics, real estate, and travel agencies as well as banks without drive-through teller facilities. The applicants are also

requesting to permit an office building setback 24' 6" from the front property line (request #2); to permit the office building setback 13' 5" from the interior side (west) property line and 13' 8" from the interior side (east) property line (request #3); to permit two one-way drives each 10' wide (request #4); to permit a 1' wide landscape buffer between dissimilar land use (request #5); 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 (request #6). The RU-5A zoning district requires office buildings to setback 25' from the front property line, to setback 15' from the interior side property lines, requires 14' of width for one way drives and requires 5' of landscape buffering between dissimilar land uses. Staff notes that Coral Way (SW 24 Street) is a section line road that, in accordance with the Zoning Code, requires a 50' right-of-way dedication on each side of the road. The plan submitted by the applicants depicts the existing single-family residence that, if approved, will be converted into an office building. Said building is a single-story structure that will maintain the residential appearance of the building. Parking spaces will be provided at the rear of the building with access onto the site by two one-way drives for egress and ingress onto SW 24 Street. A 6' high block wall will run along the interior sides (west and east) and rear (north) property lines mitigating the impact on the adjacent properties.

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 applicants will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to the request to permit the right-of-way for the north half of SW 24 Street (a section-line road) to be 35' in width where 50' is required nor do they object to the two one-way drives with widths of 10' each (14' required). Additionally, the Public Works Department memorandum mentions that road dedications and improvements will be accomplished through the recording of a plat, and that this project meets traffic concurrency because it lies within the Urban Infill Area where traffic concurrency does not apply.

Approval of this application will allow the applicants to provide semi-professional office services for the community. This area is designated for **Low Density Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). The CDMP provides that office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in the CDMP. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map (Frontage roads are not eligible for consideration); b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does the subject frontage face an Estate Density area. Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area.

The subject property meets certain of the aforementioned criteria of the Master Plan including that the subject property is less than one acre in size, is located on a major section line roadway (SW 24 Street), is not zoned, developed or designated on the Land

Use Plan map for Estate Density Residential, and the subject frontage does not face an Estate Density area. The Master Plan also indicates that where other office, business or industrial uses exist on the same block face, approval of similar requests may be granted. The property immediately to the east of the subject property on the same block face was granted a Use Variance to permit RU-5A uses in an RU-1 zone, pursuant to Resolution #Z-148-94. Staff however, had recommended denial without prejudice of said application due to the incompatibility of the proposed use and additional requests with the adjacent residential community. Additionally, in 2005, a parcel located at 6470 SW 24 Street, one lot to the southwest of the subject property, was denied without prejudice a use variance request to permit an office building in the RU-1 zoning district as would be permitted in the RU-5 district, along with requests for reduced lot area, frontage, driveway width, setbacks, right-of-way dedication, landscape buffering and trees, pursuant to Resolution No. CZAB10-15-05. The Community Zoning Appeals Board 10 (CZAB-10) denied without prejudice the application based on incompatibility of the proposed office use with the neighborhood and that it was a conflict with the principle and intent of the plan for the development of Miami-Dade County. Staff notes that although RU-5A uses have been granted on a parcel immediately to the east of the subject property, single family residences still characterize the remaining surrounding properties. Staff is of the opinion that the approval of this application for RU-5A zoning, Semi-Professional Office District, for the establishment of additional office uses in this residential community would be **incompatible** with the surrounding residential properties and approval of same would establish a negative precedent which, in turn, could facilitate the breakdown of an established residential neighborhood into office uses. The CDMP provides that office uses may be approved on residentially designated sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area. Based on the aforementioned, the application is **inconsistent** with the guidelines of the CDMP for considering office uses in Residential Communities.

The Alternative Site Development Option (ASDO) Standards under Section 33-311(A)(20) provide for the approval of a zoning application which can demonstrate at a public hearing that the development requested is in compliance with the applicable alternative site development option standards and does not contravene the enumerated public interest standards as established. Request #2, to permit an office-building setback 24'6" from the front (south) property line, complies with the numerical portion of ASDO Standard Section 33-311(A)(20)(c)(19)(C) which indicates that front setbacks (including double frontage lots) shall not be reduced by more than twenty five percent (25%) of the setbacks required by the underlying district regulations or 18.75' in this case, with which the request complies. Request #3, to permit the office-building setback 13'-5" from the interior side (west) property line and setback 13'-8" from the interior side (east) property line, also complies with the numerical portion of ASDO Standard Section 33-311(A)(20)(c)(19)(A) which indicates that interior side setback not be reduced by more than twenty-five percent (25%) of the interior side setbacks required by the underlying district regulations when the adjoining parcel of land allows a discordant use. Therefore, the minimum setback to be considered under said standard would be 11.25', which request #3 meets. However, the applicants have not provided the required documentation to support consideration of the ASDO standards. For example, the applicants have not provided documentation indicating if 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 minimus* impact on the use and enjoyment of the adjoining parcel of land as indicated by Section 33-311(A)(20)(c)(4). Lacking said documentation, requests #2 and #3 cannot be properly analyzed under Section 33-311(A)(20), and should be denied without prejudice under the ASDO standards.

When requests #2 through #6 are analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **incompatible** with the surrounding area, would affect the appearance of the community as explained more fully below and would be detrimental to the community. As previously mentioned, in 1994, pursuant to Resolution No. Z-148-94, the property located immediately to the east of the subject property on the same block face, was granted a use variance to permit an office building in the RU-1 zoning district as would be permitted in the RU-5A district. Staff however, recommended denial without prejudice of said application due to the incompatibility of the proposed use and the companion requests with the adjacent residential community. In 2005, a parcel located three properties to the east of the subject property was denied without prejudice a similar request to permit an office building in the RU-1 zoning district as would be permitted in the RU-5A district, also with additional non-use variance requests, pursuant to Resolution No. CZAB10-76-05. According to the CZAB-10's Resolution, the application was incompatible with the neighborhood and was in conflict with the principle and intent of the Plan for the development of Miami-Dade County. Staff had recommended denial of those requests and also recommends denial without prejudice of the applicant's requests, as they would also be a detriment to the residential neighborhood. It is evident by the number of requests that the single-family residential site is not of adequate size to support the type of use requested and that the existing character of the area is still residential in nature. The abutting residential properties will be visually and aurally affected by the traffic and activity generated by the proposed use. The lack of the minimum landscaping requirements and the reduced setbacks will negatively impact the abutting properties, as the site is not of sufficient size to provide the minimum requirements for the proposed use. Furthermore, the site does not provide buffering elements to minimize the negative impacts that could be generated. Additionally, although the Public Works Department does not object to request #6, to permit 35' of right-of-way dedication where 50' is required for the north half of SW 24 Street (Coral Way), staff is of the opinion that this request is an integral part of and germane to request #1, and should be denied without prejudice. As such, staff recommends denial without prejudice of requests #2 through #6 under the Non-Use Variance Standards (NUV).

When analyzed under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicants would have to prove that requests #2 through #6 are due to unnecessary hardship and that, should the requests not be granted, such denial would not permit the reasonable use of the premises. However, staff notes that the property can be utilized in accordance with the zoning district regulations, and the applicants have not proven that compliance with same would result in an unnecessary hardship. Therefore these requests cannot be approved under the alternative non-use variance standards. As such, requests #2 through #6 are recommended for denial without prejudice under Section 33-311(A)(4)(c) (ANUV).

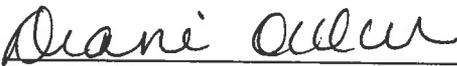
Accordingly, staff recommends denial without prejudice of the appeal and the zone change from RU-1 to RU-5A (request #1) and since the additional requests are germane to and an

integral part of the zone change request, staff recommends that said requests also be denied without prejudice.

I. **RECOMMENDATION:** Denial without prejudice of the appeal and application.

J. **CONDITIONS:** None.

DATE INSPECTED: 08/01/06
DATE TYPED: 08/07/06
DATE REVISED: 08/08/06; 08/16/06; 08/24/06; 10/18/06; 10/30/06; 11/02/06;
11/03/06; 11/16/06; 11/27/06
DATE FINALIZED: 11/27/06
DO'QW:AJT:MTF:LVT:CSE:JV



Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

Memorandum



Date: December 15, 2005

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

RECEIVED
DEC 27 2005

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

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING
Jose Gonzalez

Subject: C-10 #Z2005000305-Revised
Norma Strydio and Noeli Sanchez
6435 Coral Way
District Boundary Change from RU-1 to RU-5A and Non-Use Variance of Setback,
Driveway and Landscaping Requirements
(RU-1) (0.24 Ac.)
12-54-40

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:

Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

DERM would not object to the interim use of a septic tank and drainfield system provided that the site is connected to the public water supply system and the proposed development meets the sewage loading requirements of Section 24-43.1(4) of the Code. Based upon the available information the proposal meets said requirements. Furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(4)(a) of the Code, which provides that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank.

Notwithstanding the foregoing, the applicant is advised that certain land uses such as medical offices utilizing x-ray equipment and others that generate liquid waste other than domestic sewage, cannot be

permitted by DERM since it would violate the aforesaid Code Section and would also violate the covenant. Approval of land uses that are not compatible with the usage of a septic tank and drainfield system as a means for the disposal of the domestic liquid waste would require a variance from the Environmental Quality Control Board (EQCB) from the aforesaid Code Section.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event. 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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: NORMA STRYDIO AND NOELI SANCHEZ

This Department has no objections to this application.

This Department has no objections to the request to permit two one-way drives with a width of 10 feet.

This Department has no objections to the request to permit a section line road to be 35 feet in width to centerline where 50 feet is required. The road is presently constructed and no future widening is planned for SW 24 St.

This land may require 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 project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

19-JUL-06

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

CHECKED BY CAA AMOUNT OF FEE _____

RECEIPT # _____

DATE HEARD: 9/19/06

BY CZAB # 10

RECEIVED
SEP 29 2006 05-305
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY [Signature]
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.: Z2005000305

Filed in the name of (Applicant) Norma Strydio and Noeli Sanchez

Name of Appellant, if other than applicant N/A

Address/Location of APPELLANT'S property: 6435 SW 24 Street, Miami, Florida

Application, or part of Application being Appealed (Explanation): Appellant is appealing Resolution No. CZAB10-48-06 that denied the application.

Appellant (name): Norma Strydio and Noeli Sanchez

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 Board's conduct of the hearing did not comply with due process and other essential requirements of law due to the premature closure of the public hearing which did not allow members of the public who supported the application to speak, interruptions to the presentation due to the public address system at the venue, and the temporary absence of one CZAB member during the crucial voting phase of the CZAB's consideration. Furthermore, the CZAB decision was not supported by substantial competent evidence because it relied on a staff recommendation containing important inaccuracies, including but not limited to inaccurate statements, concerning development trends in the area and the suitability of the property for the proposed office use.

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of September, year:2006

Signed *Norma Strydio*

NORMA STRYDIO

Print Name

1425 Milan Ave, Coral Gables, FL
Mailing Address 33134

305-663-7272 305-662-2056
Phone Fax

Subscribed and Sworn to before me on the 28th day of September, year 2006

Jorge Carriedo
Notary Public
(stamp/seal) #DD 312093
Commission Expires: May 4, 2008



Date: 28th day of September, year:2006

Signed *Noeli Sanchez*

NOELI SANCHEZ

Print Name

11701 SW 68th Pinecrest, FL
Mailing Address 33156

305-962-9282 305-266-5300
Phone Fax

Subscribed and Sworn to before me on the 28th day of September, year 2006

Jorge Carriedo
Notary Public
(stamp/seal) #DD 312093
Commission Expires: May 4, 2008



REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Norma Strydio and Noeli Sanchez

Representing



Signature

Tony Recio, Esq.

Print Name

2665 S. Bayshore Drive, #420

<u>Miami</u>	<u>FL</u>	<u>33133</u>
City	State	Zip

(305)854-0800

Telephone Number

Subscribed and Sworn to before me on the 28 day of September, year 2006


Notary Public

(stamp/seal)

Marilyn Somodevilla
MY COMMISSION # DD 222204
EXPIRES: September 13, 2007
Bonded Thru Budget Notary Services
Commission expires:

APPELLANT'S AFFIDAVIT OF STANDING

(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared NORMA STRYDIO (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
- 2. Original Applicant
- 3. Written objections, waivers or consent

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

Further Appellant says not.

Witnesses:

Maria E Perez
Signature

MARIA E PEREZ
Print Name

Urbano Gonzalez
Signature

URBANO GONZALEZ
Print Name

Norma Strydio
Appellant's signature

NORMA STRYDIO
Print Name

Sworn to and subscribed before me on the 28th day of September, year 2004.

Appellant is personally know to me or has produced identification.

Notary Public Seal for Jorge Carrido, Commission #DD 342093, expires May 1, 2008.

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

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared NOELI SANCHEZ (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
- 2. Original Applicant
- 3. Written objections, waivers or consent

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

Further Appellant says not.

Witnesses:

Maria E Perez
Signature

MARIA E PEREZ
Print Name

[Signature]
Signature

JORDANO GONZALEZ
Print Name

Noeli Sanchez
Appellant's signature

Noeli Sanchez
Print Name

Sworn to and subscribed before me on the 28th day of September, year 2006.

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

[Signature]
Notary
(Stamp/Seal)
Commission #DD 312093
Jorge Carriedo
Notary Public, State of Florida
2006

RESOLUTION NO. CZAB10-48-06

WHEREAS, **NORMA STRYDIO & NOELI SANCHEZ** applied for the following:

- (1) RU-1 to RU-5A
- (2) Applicant is requesting to permit an office-building setback 24'6" (25' required) from the front (south) property line.
- (3) Applicant is requesting to permit the office-building setback 13'5" from the interior side (west) property line and setback 13'8" from the interior side (east) property line (15' required for each).
- (4) Applicant is requesting to permit two one-way drives; each 10' wide (14' wide required).
- (5) Applicant is requesting to permit a minimum 1' wide landscape buffer (5' wide required) between dissimilar land uses along portions of the east and west property lines.
- (6) Applicant is requesting to waive the zoning regulations requiring Coral Way (S.W. 24th Street) to be 100' in width; to permit 35' of dedication (50' required) for the north ½ of Coral Way.

Upon demonstration that the applicable standards have been satisfied, approval of requests #2 - #3 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) and approval of requests #2 - #6 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 "Ms. Noeli Sanchez," as prepared by Rodriguez-Pereira, Architect, dated last revised 5/23/06 and consisting of 5 sheets.

SUBJECT PROPERTY: The west ½ of Lot 18 and all of Lot 19, less the south 10' thereof of TAMIAMI ACRES PLAN 2, Plat book 5, Page 74.

LOCATION: 6435 S.W. 24 Street (Coral Way), Miami-Dade County, Florida, and

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

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request for a district boundary change to RU-5A (Item #1),

would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requests to permit an office-building setback 24'6" from the front (south) property line (Item #2), to permit the office-building setback 13'5" from the interior side (west) property line and setback 13'8" from the interior side (east) property line (Item #3), to permit two one-way drives; each 10' wide (Item #4), to permit a minimum 1' wide landscape buffer between dissimilar land uses along portions of the east and west property lines (Item #5) and to waive the zoning regulations requiring Coral Way (S.W. 24th Street) to be 100' in width; to permit 35' of dedication for the north ½ of Coral Way (Item #6) 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 entire application without prejudice was offered by Javier A. Betancourt, seconded by Julio R. Caceres, and upon a poll of the members present the vote was as follows:

Juan Carlos Acosta	absent	Manuel Casas	nay
Javier A. Betancourt	aye	Jose Garrido	aye
Julio R. Caceres	aye		
	Carlos A. Manrique		nay

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10, that the requested district boundary change to RU-5A (Item #1) be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requests to permit an office-building setback 24'6" from the front (south) property line (Item #2), to permit the office-building setback 13'5" from the interior side (west) property line and setback 13'8" from the interior side (east) property line (Item #3), to permit two one-way drives; each 10' wide (Item #4), to

permit a minimum 1' wide landscape buffer between dissimilar land uses along portions of the east and west property lines (Item #5) and to waive the zoning regulations requiring Coral Way (S.W. 24th Street) to be 100' in width; to permit 35' of dedication for the north ½ of Coral Way (Item #6), 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 19th day of September, 2006.

Hearing No. 06-9-CZ10-4
ls

STATE OF FLORIDA

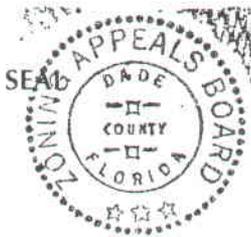
COUNTY OF MIAMI-DADE

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 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-48-06 adopted by said Community Zoning Appeals Board at its meeting held on the 19th day of September 2006.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 26th day of September 2006.



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



Memorandum



Date: 05-OCT-05
To: Diane O'Quinn Williams, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue
Subject: Z2005000305

Fire Prevention Unit:

Fire Water & Engineering has no objection to plans presented with letter of intent dated September 21 2005. Applicant must submit changes to this plan for review and approval.

Service Impact/Demand:

Development for the above Z2005000305
located at 6435 SW 24 ST
in Police Grid 1444 is proposed as the following:

<u>single</u>	dwelling units	<u>industrial</u>	square feet
<u>multifamily</u>	dwelling units	<u>institutional</u>	square feet
<u>1,904 Sq. Ft. commercial</u>	square feet	<u>nursing home</u>	square feet

Based on this development information, estimated service impact is: 0.45 alarms-annually.

Existing services:

The Fire station responding to an alarm in the proposed development will be:
Station 40 - 901 S.W. 62 Avenue, West Miami
Rescue

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 dated September 21 2005. Substantial changes to the letter of intent will require additional service impact analysis.

DATE: 10/27/06

REVISION 1

TEAM METRO

ENFORCEMENT HISTORY

NORMA STRYDIO AND NOELI
SANCHEZ

6435 SW 24 STREET, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

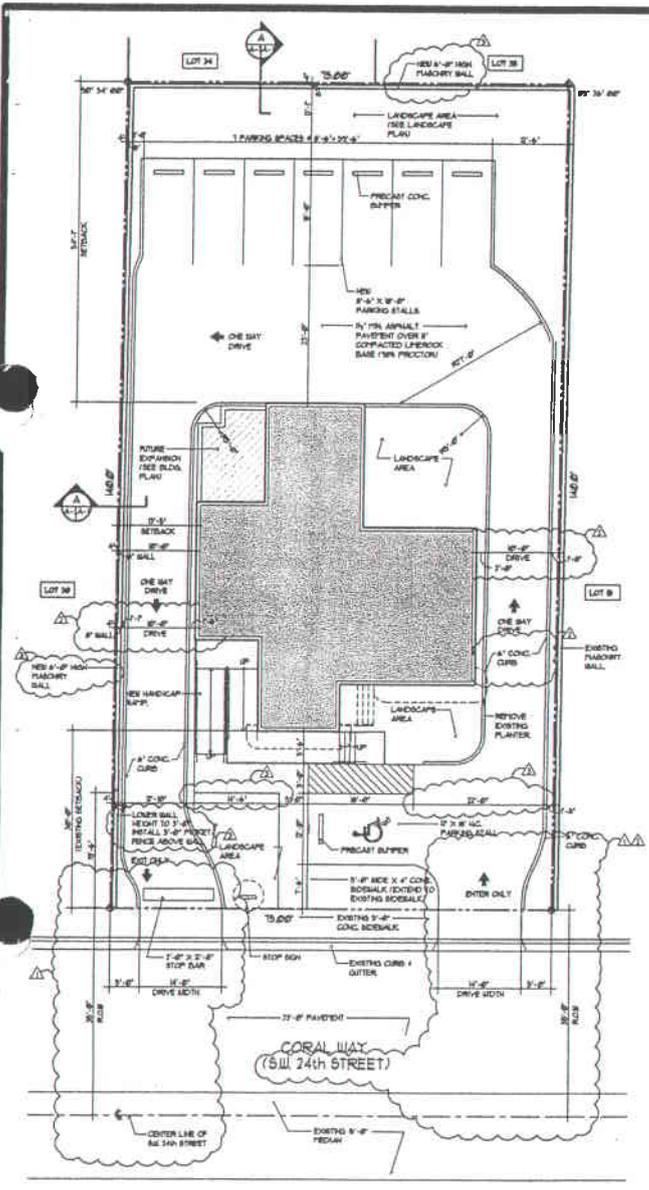
Z2005000305

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

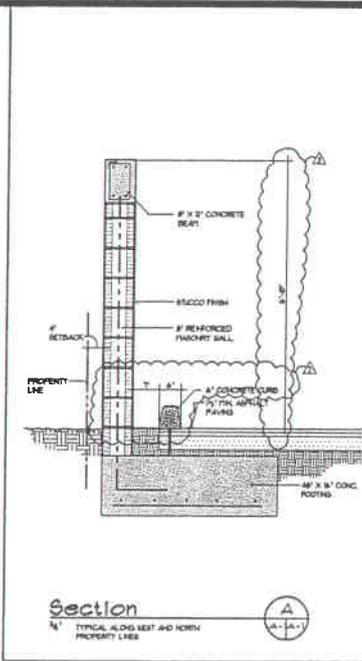
No open cases. No current violations.

L. Cuellar

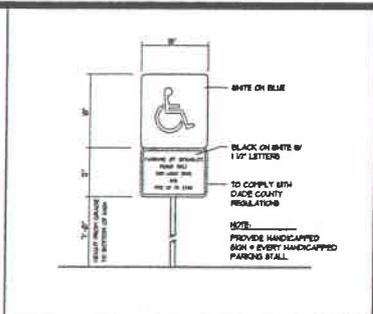


Site Plan 1"=10' NORTH

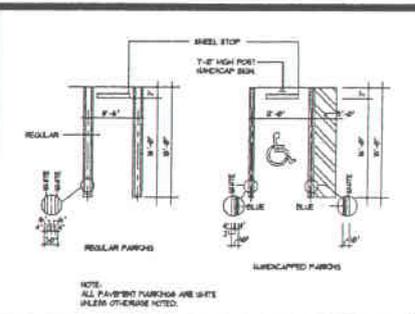
Legal Description:
 THE WEST 1/2 OF LOT 8 AND ALL OF LOT 9 LESS THE SOUTH 10 FEET THEREOF OF PARCELS ACROSS PLAN 27 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8 PAGE 74 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



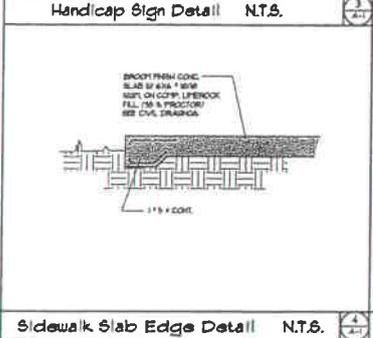
Section A-A-1 TYPICAL ALONG WEST AND NORTH PROPERTY LINES



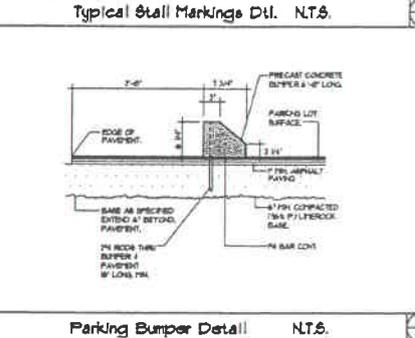
Handicap Sign Detail N.T.S.



Typical Stall Markings Det. N.T.S.



Sidewalk Slab Edge Detail N.T.S.



Parking Bumper Detail N.T.S.



Key Plan N.T.S.

SITE GENERAL INFORMATION	
1. PRESENT ZONING	R-1
2. PROPOSED ZONING	R-3A
3. SITE AREA	8,000 SQ. FT. PROVIDED
4. FRONT LOT WIDTH	75'-0"
5. BUILDING AREA (EXIST.)	136 SQ. FT.
6. BUILDING EXPANSION	349 SQ. FT.
7. TOTAL BLDG. AREA INCLUDING EXP.	485 SQ. FT.
1. RETRACTION	REQUIRED PROVIDED
FRONT (FOOT)	75'-0" 75'-0"
RT. SIDE (FEET)	15'-0" 15'-0"
LT. SIDE (FEET)	15'-0" 15'-0"
REAR (FOOT)	75'-0" 75'-0"
2. PARKING	REQUIRED: 1 PARK SPACE/500 SQ. FT. PROVIDED: 3 PARK SPACES
3. LOT COVERAGE	(MAX. MAX. ALLOWED) 438 SQ. FT. PROVIDED (INCLUDING EXPANSION) 485 SQ. FT. (82%)
4. FLOOR AREA RATIO	(MAX. MAX. ALLOWED) 438 SQ. FT. PROVIDED (INCLUDING EXPANSION) 485 SQ. FT. (61%)
5. OPEN AREA (LANDSCAPE)	REQUIRED: (25% + 10 M ²) PARKING SPACE PROVIDED: 1785 SQ. FT. 1848 SQ. FT.

RECEIVED
 205-305
 JUN 5 2006

MAY 25 2006
 [Signature]

ZONING HEARINGS SECTION
 MIAMI-DADE PLANNING AND ZONING DEPT
 BY: [Signature]

Rodriguez Pereira Architects, Inc.
 Architecture Planning & Urban Design
 2601 N.W. 85th Court • Miami, FL 33172
 Phone: (305) 592-8045 • Fax: (305) 592-5756
 WWW.RODRIGUEZPEREIRA.COM

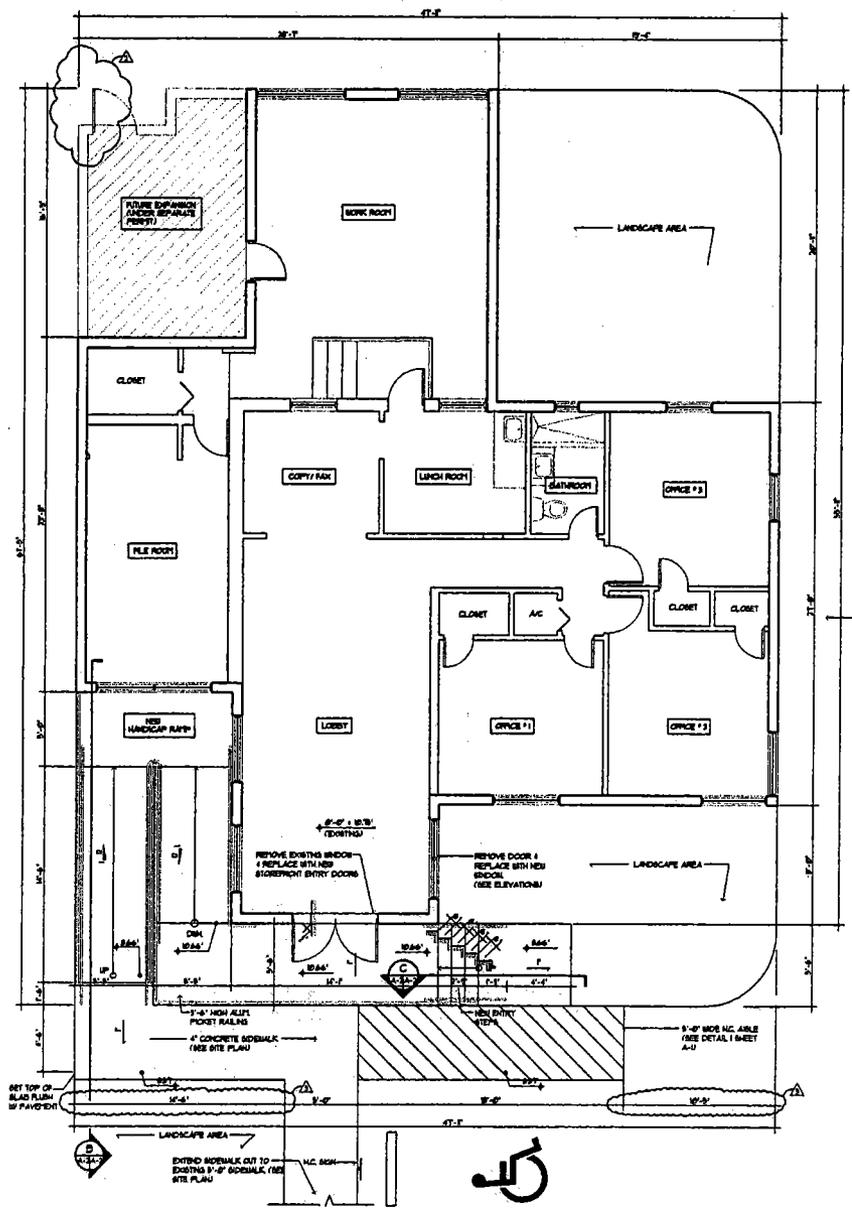
Approved for
MS. NOELI SANCHEZ
 6435 CORAL WAY, SUITE 103
 MIAMI, FL 33143
 PHONE: (305) 663 1272

REVISIONS	BY
10-26-05	
11-07-05	
03-23-06	

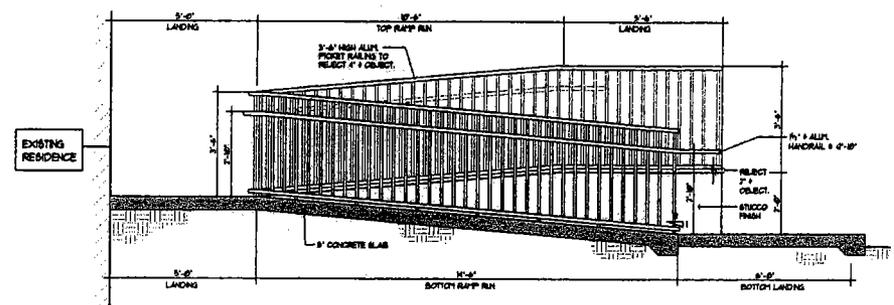
Date	By
9-14-05	
05058	

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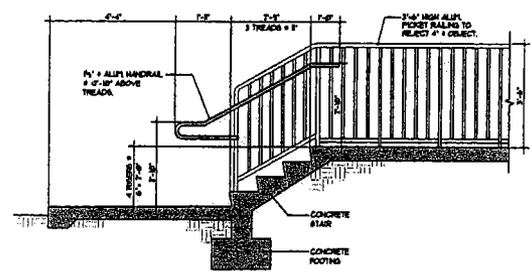
AR NO 9241



Building Floor Plan 1/4" (EXISTING BUILDING)



Section 1/4" (HANDICAP RAMP)



Section 1/4" (ENTRY STEPS)

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205-205
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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

MAY 25 2006
ARNOLD
ARNO 9241

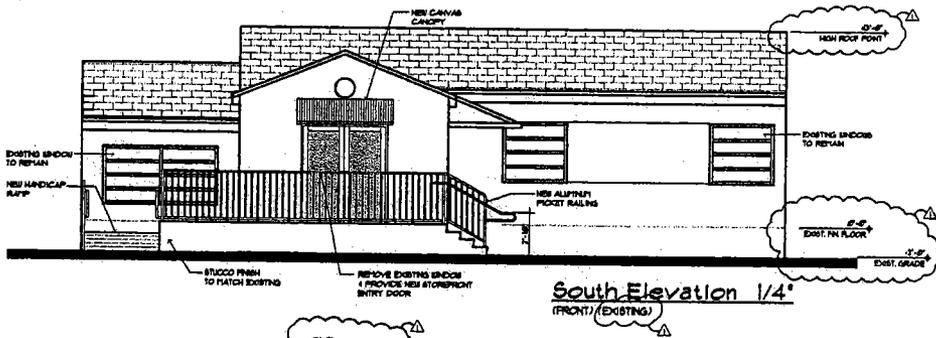
Architecture
Planning &
Urban Design
Space Planning
Interior Design
Comp. Lic. # A-0011984

Rodriguez Pereira Architects, Inc.
2001 N.W. 88th Court Miami, FL 33172
Phone (305) 552-8045 Fax (305) 552-5756
WWW.RODRIGUEZPEREIRA.COM

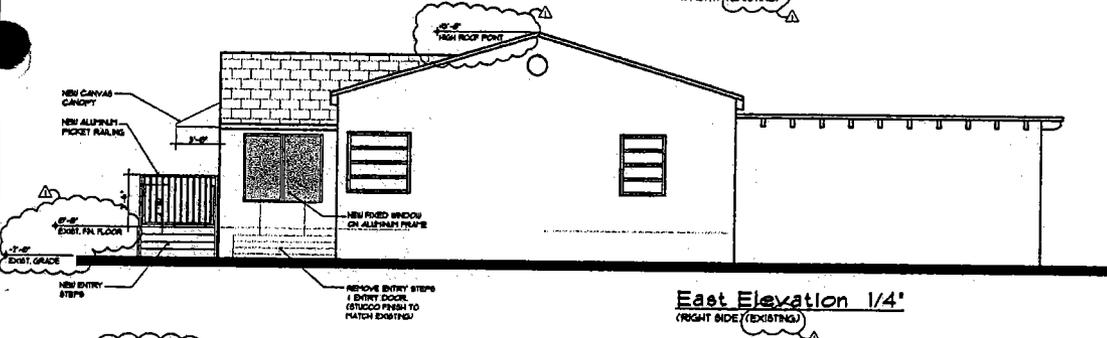
Architect for
MS. NOELI SANCHEZ
6435 CORAL WAY
MIAMI, FL 33141
PHONE: (305) 663-7272

REVISIONS	BY
11-07-05	
05-23-06	

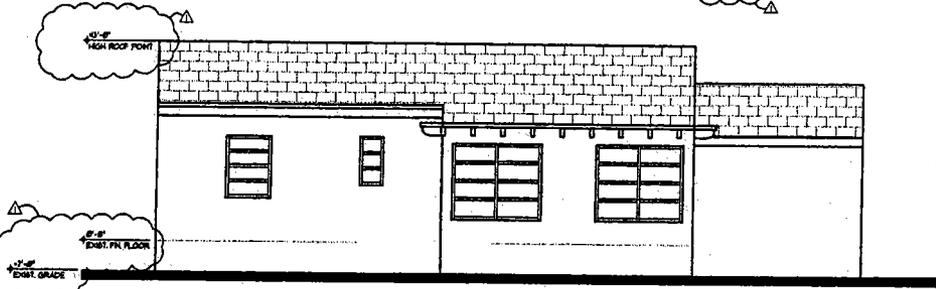
Date: 9-14-05
Scale:
Drawn:
Job: 05058
Sheet:
A-2



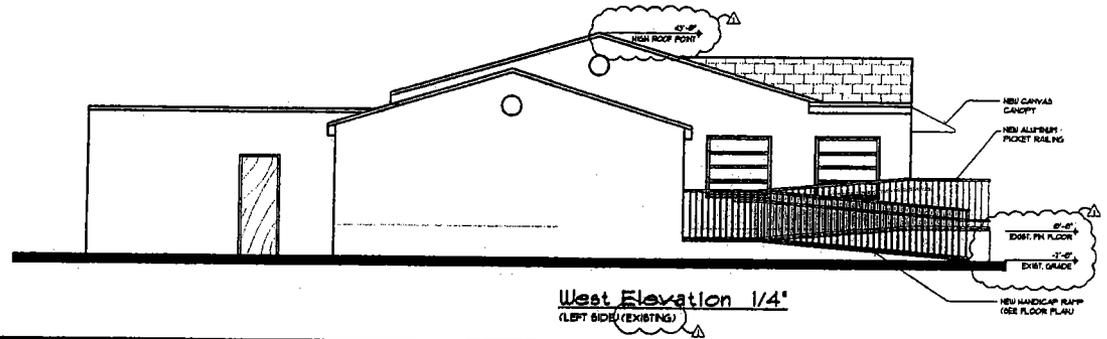
South Elevation 1/4'
(FRONT) (EXISTING)



East Elevation 1/4'
(RIGHT SIDE) (EXISTING)



North Elevation 1/4'
(REAR) (EXISTING)



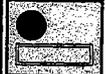
West Elevation 1/4'
(LEFT SIDE) (EXISTING)

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305-305
JUN 09 2006

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY *RS*

Architecture
Planning &
Urban Design
Space Planning
Interior Design
Cap. It. / A-300396

Rodriguez Pereira
Architects, Inc.
2603 N.W. 89th Court • Miami, FL 33172
Phone: (305) 592-3045 • Fax: (305) 592-3756
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REVISIONS BY

MS. NOELI SANCHEZ
6436 CORAL WAY
MIAMI, FLORIDA 33155
PHONE: (305) 663-7272

REVISIONS	BY
Δ10-28-05	

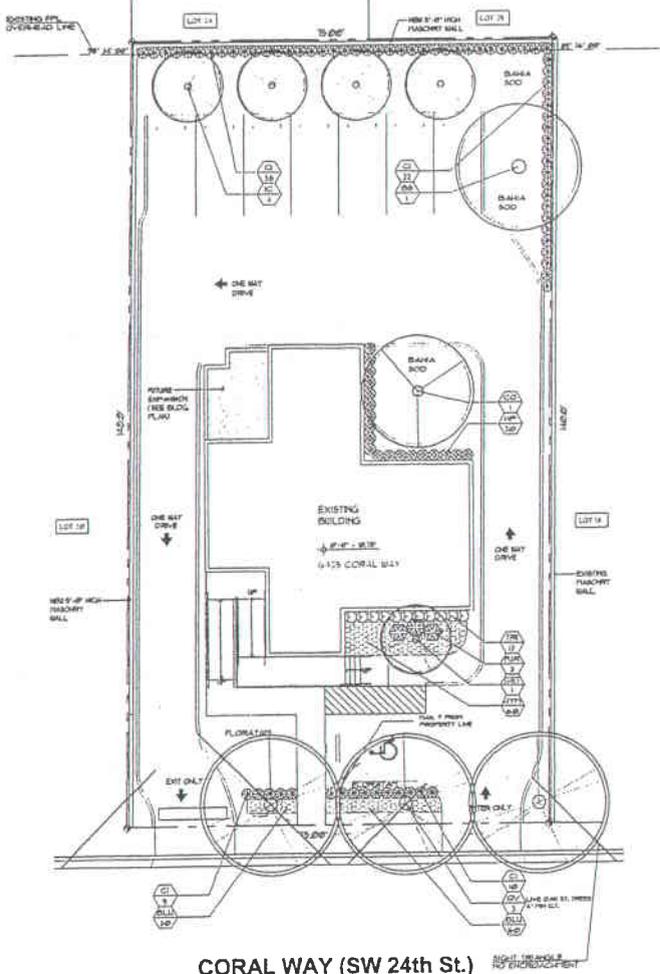
MAY 23 2006
LAZARO RODRIGUEZ
AR/NO 0241

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED & SEALED BY THE ARCHITECT

Date _____
Scale _____
Drawn _____
Job _____
Sheet _____
A-3
Of _____ Sheets

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JUN 8 2005

ZONING HEARING SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY FR



CORAL WAY (SW 24th St.)

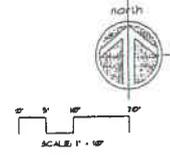
**LANDSCAPE LEGEND - CHAPTER 18A
SITE DATA**

EXISTING CONDR. #1-1	NET LAND #24 - ACRES	10,500 SF
PROPOSED RESIDING: RA-5A		
OPEN SPACE	REQUIRED	PROVIDED
A. Square feet of open space required by Chapter 22, as indicated on site plan for lot area = 30,500 - 12,418.31 = 18,081.69	1,815	1,186
B. Square feet of parking lot open space required by Chapter 22, on site plan & SURFACE SPACES 1/4 @ 300' SPACES	00	00
C. Total sq. ft. of open space required by Chapter 22, A + B =	1,815	1,186
LAWN AREA CALCULATION	REQUIRED	PROVIDED
1. Area required by Chapter 22	1,816	1,816
2. Maximum lawn area (total permitted) required by Chapter 22, on site plan = 3,128.17	00	00
DROUGHT TOLERANT 800 INDICATED ON PLAN		
TREES: 18 per Acre		
A. No. trees required per net lot area space Lawn setting fee of trees meeting req. required	1	1
B. 5' Palms Allowed No. of trees provided 50 x 30% =	15	0
C. 5' Palms Prohibited No. of trees provided to make 18 street trees in 1/2 acre = 30%	3	0
D. Street Trees (minimum average spacing of 18' @ 3' linear feet along street 75')	3	3
E. Street Trees (located directly beneath street trees, 75' linear spacing @ 18' @ 3')	0	0

NO.	DATE	REVISION
1	4/20/05	Site street tree added per address 18000
2	4/20/05	Revised site plan per Project #05-10

STREET TREE TABULATIONS			
	REQUIRED	PROVIDED	
CORAL WAY (SW 24th St.) 75' W of 1/2 of 30' W	3	3	

STYL	HATIVE	NAME	BOTANICAL NAME	SPECIFICATION
06	YES	1	CARDINAL LIMBO	Bursera simaruba 12' x 6" tr. 1 1/2" dia.
07	YES	1	BATHUR	Chrysopsis acutifera 12' x 6" tr. 2 1/2" dia.
08	YES	1	SILVER BUTTWOOD	Conocarpus wrightii 'Serotina' 12' x 6" tr. 2 1/2" dia.
09	YES	3	LIVE OAKS	Quercus virginiana 12' x 6" tr. 3 1/2" dia.
10	YES	4	DAWSON HOLLY	Ilex coccinea 12' x 6" tr. 3" dia.
11	YES	18	COCONUTS	Chytocarpus indica 24' x 24" tr. 6" dia. 1 1/2" gal.
12	YES	18	GLORIBERT PLAX L.T.	Daniella laevis 24' x 24" tr. 6" dia. 2 gal.
13	YES	1	GIANT PALM AGAVE	Agave spicata 3' x 3' 1/2" gal. full specimen
14	YES	30	PIRENESE	Isatis patens 24' x 24" tr. 6" dia. 1 1/2" gal.
15	YES	60	SPIDER L.T.	Hydrangea latifolia 24' x 24" tr. 6" dia. 1 1/2" gal.
16	YES	1	'INSETTE' ANDROICOLA	Schottia 'Insetta' 24' x 24" tr. 6" dia. 1 1/2" gal.



LANDSCAPE PLAN

33

JFS Design Inc.
LANDSCAPE ARCHITECTURE
LC 000393
Landscape Design
Highland Design
jfsdesign@bellsouth.net

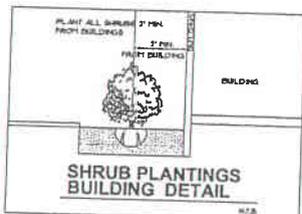
JFS
J.F. Sanchez, Inc.
14000 SW 24th St.
MIAMI, FL 33187
TEL: 781-441-4411-1800
FAX: 781-441-4412

MS. NOELI SANCHEZ
6435 CORAL WAY
MIAMI-DADE, FL. 33155

designed: J.F. SOCASH
drawn: B. DIAZ
checked: G. CATLIN
approved: J.F. SOCASH
project #: 05-10
scale: 1"=10'
date: Sep 14, 2005
cad by: [Signature]

SEE SHEET L-1, FOR LANDSCAPE DETAILS, NOTES, SPECIFICATIONS, ETC.
A WRITTEN TREE REMOVAL PERMIT IS REQUIRED FROM DADE CO. BEFORE REMOVAL OF ANY NON-PROHIBITED TREE REMOVAL OR RELOCATION.

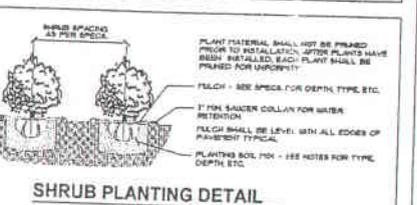
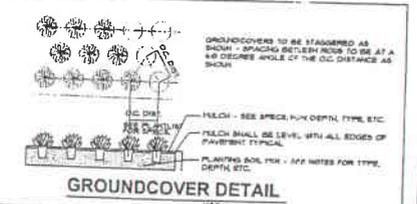
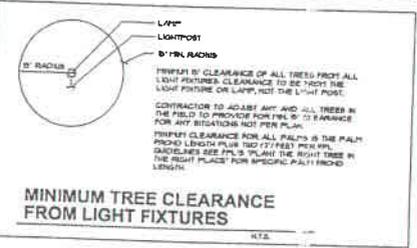
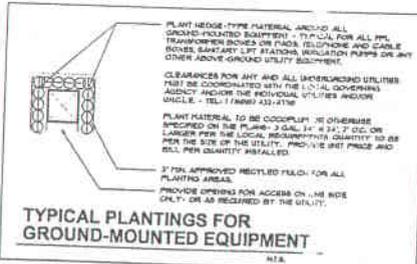
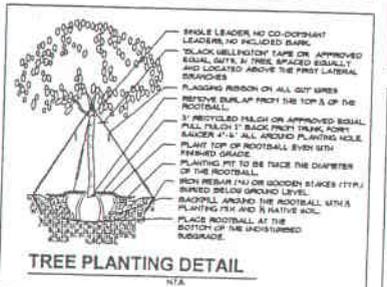
L-1



PLANTING SOIL:
NOTE: ALL LANDSCAPED AREAS INCLUDING LANDSCAPE ISLANDS SHALL BE SOLOVATED TO A DEPTH OF 24 INCHES PER PERSONAL OF ALL CONTRACTED MATERIAL, LIME ROCK, ETC. AND BACKFILLED WITH A CLEAN, APPROVED BACKFILL. BACKFILL SHALL BE APPLIED TO A DEPTH OF 4" FOR ALL PLANTING BEDS AND A 3" DEPTH FOR ALL SOO AREAS. THE CONTRACTOR SHALL CALCULATE AND PROVIDE A UNIT AND AN EXTENDED PRICE FOR THIS ITEM.

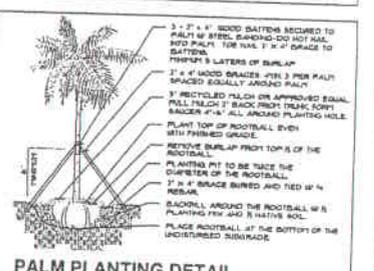
FERTILIZATION:
ONE COMPLETE APPLICATION OF GRANULAR FERTILIZER SHALL BE APPLIED PRIOR TO FINAL ACCEPTANCE AND APPROVAL BY THE LANDSCAPE ARCHITECT. AN ADDITIONAL FERTILIZATION PROGRAM SHALL BE SUBMITTED TO THE PROJECT MANAGER FOR AN ANNUAL FERTILIZATION APPLICATION PROGRAM. FERTILIZERS SHALL BE PER ATLANTIC LIME FERTILIZER 4 GROSS POUNDS OR AN APPROVED EQUAL. CONTRACTOR SHALL SUBMIT FERTILIZATION AS A SEPARATE ITEM IN THE BID.

FERTILIZATION SHALL BE AS FOLLOWS: TREES 2-1/2 IN. DIA. (APR) 2500 LBS. RATE; 15 LBS. PER BAG OF DIA. 4 INCH PALM TREES (APR) 1500 LBS. RATE; 15 LBS. PER BAG OF DIA. 4 INCH PALM TREES (APR) 1500 LBS. RATE; 15 LBS. PER BAG OF DIA. 4 INCH PALM TREES (APR) 1500 LBS. RATE.



LANDSCAPE NOTES

1. ALL PLANT MATERIAL SHALL BE FLORIDA NATIVE OR BETTER.
2. CONTRACTOR SHALL FURNISH AND INSTALL ALL PLANTING MATERIAL WITH THE LOCATION OF AND AROUND AND PROTECT UTILITY LINES, BURIED CABLES, AND OTHER UTILITIES WHICH BE COORDINATED WITH THE LOCAL GOVERNING AGENCY AND/OR THE INDIVIDUAL UTILITIES AND/OR UTILITY OWNERS.
3. TREE, PALM, ACCENT AND BED LINES ARE TO BE LOCATED IN THE FIELD AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
4. PLANTING SOIL SHALL BE BASED TOPSOIL AND FREE OF CLAY, STONES, ROCKS OR OTHER FOREIGN MATERIAL. ANY BACKFILL SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT. ALL PLANTING BEDS SHALL BE BACKFILLED WITH 3:1:1 RATIO OF SOIL, SAND, AND FERTILIZER. THE CONTRACTOR FOR ALL PLANTING BEDS AND SURVEY AN EXTENDED PRICE FOR THIS BED PREPARATION. FOUNDATION SHALL HAVE ALL ROCKS, DEBRIS, ETC. REMOVED TO A DEPTH OF 3" AND A WIDTH OF 4". BACKFILL SHALL CORRECT TO 2" OF MOIST TOPSOIL AND FIX WITH THE REMAINING BACKFILL AS APPROVED BY THE L.A.
5. CONTRACTOR SHALL COORDINATE WITH THE IRRIGATION CONTRACTOR AND LEAVE PROVISIONS FOR ALL:
 - A. ALL PLANTING BEDS SHALL BE FLOODED TO A DEPTH OF 3" WITH AN APPROVED RETICULATED PULCH OR AN APPROVED SOGAL.
 - B. SOG SHALL BE 3" INDIANITE "FLORIDIAN" SYNTHETIC ROOTED AND FREE FROM LEAD, PHTHATE, PHOSPHATE AND CHLORINE. CONTRACTOR SHALL SOO ALL AREAS AS INDICATED ON THE PLAN OR AS DIRECTED. PATIENT SHALL BE PER THE LOCAL GOVERNING AGENCY AND/OR UTILITY OWNERS.
 - C. SOG SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AS DIRECTED BY FOOT. SOG SHALL CARRY A 3-INCH WARRANTY.
 - D. ALL TREES 1" PALMS SHALL CARRY A 1-YEAR WARRANTY. ALL SHRUBS 1" SHALL CARRY A 3-MONTH WARRANTY FROM THE DATE OF FINAL ACCEPTANCE BY THE FLORIDA NURSERYMEN & GROWERS ASSOCIATION (FNA).
 - E. ALL TREE AND PALM SHALL BE STAKED FOR ACCEPTED STANDARDS BY THE FLORIDA NURSERYMEN & GROWERS ASSOCIATION (FNA).
 - F. THE PLANT LIST IS INTENDED ONLY AS AN AID TO BIDDING. ANY DISCREPANCIES SHOULD BETWEEN THE QUANTITIES ON THE PLAN AND PLANT LIST THE QUANTITIES ON THE PLAN SHALL BE HELD VALID.
6. IRRIGATION SHALL PROVIDED FOR A SOO COVERAGE OF A 50% OVERLAP AUTOMATIC SYSTEM BY PALM PRODUCE KNOW AS PER FLORIDA NURSERYMEN & GROWERS ASSOCIATION. NO OVERLAY SHALL FALL ONTO PAVED SURFACES. ALL DISCREPANCIES ARE QUALIFIED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) SHALL BE STRICTLY ADHERED.
7. EXISTING IRRIGATION SYSTEM (IF APPLICABLE) SHALL BE IDENTIFIED TO CORRECT WITH THESE SPECIFICATIONS AS OUTLINED ABOVE.
8. CONTRACTOR SHALL PROVIDE A WATER TRUCK DURING PLANTING TO MAINTAIN PROPER WATERSHED DURING INSTALLATION AND WILL BE RESPONSIBLE FOR CONTINUAL WATERING UNTIL FINAL ACCEPTANCE BY THE OWNER.
9. ALL TREES AND PLANT MATERIAL TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION. CONTRACTOR SHALL INSTALL PROTECTIVE BARRIERS SUCH AS "ORANGE SAFETY FENCING OR BELLS" TO BE INSTALLED AT THE DUMP LINE OF THE TREE, PALM, AND PLANT MATERIAL. THE CONTRACTOR SHALL TAKE EXTRA CAUTION TO PREVENT ANY DAMAGE TO THE TRUNK, ROOT ZONES AND GRADE.
10. EXISTING TREES TO REMAIN SHALL BE TRIMMED PER ANSI-300 STANDARDS. EXTENSION OF THE TRIMMING SHALL BE PERFORMED BY A CERTIFIED ARBORIST TO MAINTAIN QUALITY SOO.
11. REMOVAL OF ANY TREES OR PALMS WILL REQUIRE A WRITTEN TRIMMING REPORT FROM THE LOCAL GOVERNING AGENCY PRIOR TO REMOVAL. INDIVIDUAL TREES CLASSIFIED AS "LANDSCAPE TREES" MAY BE EXEMPT FROM THE PERMIT.



SEE L-1 FOR LANDSCAPE PLAN LAYOUT DESIGN, ETC.

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205-305
JUN 09 2003

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT

JFS Design Inc.
LANDSCAPE ARCHITECTURE
LC 000393

JFS

Landscaper/Designer
Irrigation Designer
jfsdesign@bellsouth.net

DATE: 04/20/03
PROJECT: 10-2003
TEL: (754) 447-8822
FAX: (754) 447-8825

MS. NOELI SANCHEZ
6435 CORAL WAY
MIAMI-DADE, FL. 33155

No.	Date	Revision
1.	04/20/03	One sheet was added per sheet schedule.
2.	04/20/03	Revised sheet title from Project Job.

DESIGNED BY: J.F. SOCCASH
DRAWN BY: B. DIAZ
CHECKED BY: G. CATHLIN
APPROVED BY: J.F. SOCCASH
PROJECT NO.: 05-10
SCALE: AS SHOWN
DATE: 04/20/03
SHEET NO.: 05-10-02

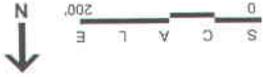
NOTES, DETAILS, SPECIFICATIONS, ETC.

L-2

35



SUBJECT PROPERTY



MIAMI-DADE COUNTY HEARING MAP

Section: 12 Township: 54 Range: 40

Process Number: 05-305

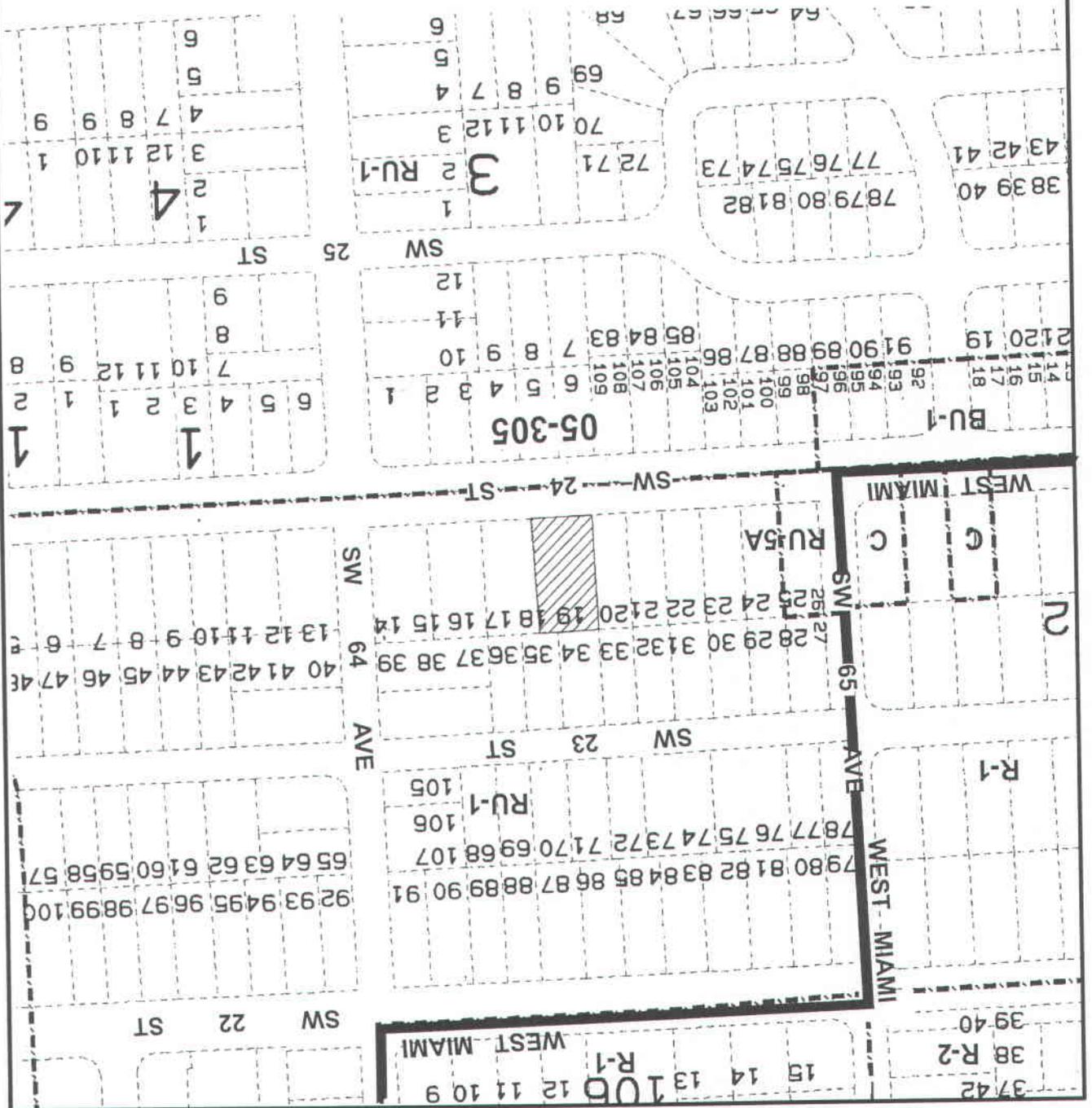
Applicant: NORMA STRYDIO & NOELI SANCHEZ

District Number: 06

Zoning Board: C10

Drafter: ALFREDO

Scale: 1:200





MIAMI-DADE COUNTY
AERIAL

Section: 12 Township: 54 Range: 40
Process Number: 05-305
Applicant: NORMA STRYDIO & NOELI SANCHEZ
District Number: 06
Zoning Board: C10
Drafter: ALFREDO
Scale: NTS



4. NORMA STRYDIO AND NOELI SANCHEZ
(Applicant)

06-9-CZ10-4 (05-305)
Area 10/District 6
Hearing Date: 9/19/06

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:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
				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 COMMUNITY COUNCIL No. 10**

APPLICANT: Norma Strydio and Noeli Sanchez

PH: Z05-305 (06-9-CZ10-4)

SECTION: 12-54-40

DATE: September 19, 2006

COMMISSION DISTRICT: 6

ITEM NO.: 4

A. INTRODUCTION

o REQUESTS:

- (1) RU-1 to RU-5A
- (2) Applicant is requesting to permit an office building setback 24'6" (25' required) from the front (south) property line.
- (3) Applicant is requesting to permit an office building setback 13'5" from the interior side (west) property line and 13'8" from the interior side (east) property line, (15' required for each side).
- (4) Applicant is requesting to permit two one-way drives, each 10' wide (14' required).
- (5) Applicant is requesting to permit a minimum 1' wide landscape buffer (5' wide required) between dissimilar land uses along portions of the west property line.
- (6) Applicant is requesting to waive the zoning regulations requiring Coral Way (S.W. 24th Street) to be 100' in width; to permit a 35' dedication (50' required) for the north half of Coral Way.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 and #3 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) and approval of requests #2 through #6 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 "Noeli Sanchez," as prepared by Rodriguez-Periera, Architect, dated last revised 5/23/06 and consisting of 5 sheets. Plans may be modified at public hearing.

o SUMMARY OF REQUESTS:

The applicant seeks to change the zoning on the subject property from RU-1, Single-Family Residential District, to RU-5A, Semi-Professional Office District. Additional requests to allow the existing building setback closer to the front and interior side property lines, to permit two one-way drives with a lesser width than required, to reduce the required landscaped buffer between dissimilar land uses along portions of the interior side property line and to waive the zoning regulations to reduce the required right-of-way dedication for SW 24 Street.

o **LOCATION:**

6435 S.W. 24 Street (Coral Way), Miami-Dade County, Florida.

o **SIZE:** 75' x 140'

o **IMPACT:**

Approval of this application will allow the applicants to provide semi-professional office services for the community. However, this application could adversely impact the abutting residential properties and will bring additional traffic and noise to the surrounding area.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential** use. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.
2. 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 CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation 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. **Office uses** smaller than five acres in size may be approved in areas designated as Residential Communities where other office, business or industrial use(s) which are not inconsistent with this plan already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot. Office uses may be approved on such sites only if consistent with the objectives and policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the

neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area. In applying this provision, the maximum limits of an eligible residentially designated block face along which office uses may be extended shall not extend beyond the first intersecting public or private street, whether existing, platted or projected to be necessary to provide access to other property, or beyond the first railroad right-of-way, utility transmission easement or right-of-way exceeding 60 feet in width, canal, lake, public school, church, park, golf course or major recreational facility.

In addition, office uses may be approved along the frontage of major roadways in residential community areas where residences have become less desirable due to inadequate setbacks from roadway traffic and noise, or due to a mixture of nonresidential uses or activities in the vicinity in accordance with the limitations set forth in this paragraph. These office uses may occur in combination with or independent of residential use. Such limited office uses may be approved on such sites in residential community areas only where: a) the residential lot fronts directly on a Major Roadway as designated on the Land Use Plan map (Frontage roads are not eligible for consideration); b) the lot or site size does not exceed one acre; and c) the residential area is not zoned, developed or designated on the Land Use Plan map for Estate Density Residential, nor does subject frontage face such an Estate Density area. Office use approvals, pursuant to this paragraph may only authorize: a) conversion of an existing residence into an office; b) addition of an office use to an existing residence; or, c) the construction of a new office building on lots which were finally platted prior to March 25, 1991 in a size one acre or smaller. Additionally, such office uses may be approved only if the scale and character of the prospective office use are compatible with the surrounding residential neighborhood and if the site has sufficient dimensions to permit adequate on-site parking and buffering of adjacent residences from the office. Other factors that will be considered in determining compatibility include, but are not limited to traffic, noise, lighting, shadows, access, signage, landscaping, and hours of operation. Signage shall be restricted both in size, style, and location to preclude a commercial appearance. Landscaping and buffering of adjacent residences and rear properties will be required. Emphasis shall be placed on retention of the general architectural style of the area, where the area is sound and attractive. Development Orders authorizing the conversion of existing homes into offices, the addition of offices to existing residences or the construction of new buildings encompassing office uses pursuant to this paragraph may be approved only where compatible and where the intensity and character of the new building including gross floor area, lot coverage and height, will be consistent with the homes which exist or which could be built on the immediately adjacent parcels.

4. **Policy 4C.** Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-1; single family residence

Low Density Residential, 2.5 to 6 dua

Surrounding Properties:

NORTH: RU-1; single family residences

Low Density Residential, 2.5 to 6 dua

SOUTH: RU-1; single family residence

Low Density Residential, 2.5 to 6 dua

EAST: RU-1; real estate office

Low Density Residential, 2.5 to 6 dua

WEST: RU-1; single family residence

Low Density Residential, 2.5 to 6 dua

The subject property is located at 6435 S.W. 24 Street (Coral Way). The area where the subject property lies is characterized by single-family homes and a real estate office to the east.

E. SITE AND BUILDINGS:

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

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(F): In evaluating an application for a **district boundary change** 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.

Section 33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District).

This subsection provides for the establishment of an alternative site development option, after public hearing, for semi-professional office buildings and structures, when such uses are permitted by the underlying district regulations, in the RU-5 and RU-5A zoning districts, in accordance with the standards established herein. In considering any application for approval hereunder, the Community Zoning Appeals Board shall consider the same subject to approval of a site plan or such other plans as necessary to demonstrate compliance with the standards herein.

(c) Setbacks for a principal building, or accessory building or structure in the RU-5A, shall be approved after public hearing upon demonstration of the following:

1. the character and design of the proposed alternative development will not result in a material diminution of the privacy of adjoining property; and
2. the proposed alternative development will not result in an obvious departure from the aesthetic character of the immediate vicinity, taking into account existing structures and open space; and
3. the proposed alternative development will not reduce the amount of open space on the parcel proposed for alternative development by more than 20% of

the landscape open space percentage by the applicable district regulations;
and

4. 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 minimus* impact on the use and enjoyment of the adjoining parcel of land; and
5. the proposed alternative development will not involve the installation or operation of any mechanical equipment closer to the adjoining parcel of land than any other portion of the proposed alternative development, unless such equipment is located within an enclosed, soundproofing structure and if located on the roof of such an alternative development shall be screened from ground view and from view at the level in which the installations are located, and shall be designed as an integral part of and harmonious with the building design; and
6. the proposed alternative development will not involve any outdoor lighting fixture that casts light on an adjoining parcel of land at an intensity greater than permitted by this code; and
7. the architectural design, scale, mass, and building materials of any proposed structure(s) or addition(s) are aesthetically harmonious with that of other existing or proposed structure(s) or building(s) on the parcel proposed for alternative development; and
8. the wall(s) of any building within a front, side street or double frontage setback area or within a setback area adjacent to a discordant use, required by the underlying district regulations, shall be improved with architectural details and treatments that avoid the appearance of a "blank wall"; and
9. the proposed development will not result in the destruction or removal of mature trees within a setback required by the underlying district regulations, with a diameter at breast height of greater than ten (10) inches, unless the trees are among those listed in section 24-60(4)(f) of this code, or the trees are relocated in a manner that preserves the aesthetic and shade qualities of the same side of the lot, parcel or tract; and
10. any windows or doors in any building to be located within an interior or rear setback required by the underlying district regulations shall be designed and located so that they are not aligned directly across from facing windows or doors on building(s) located on an adjoining parcel of land; and
11. total lot coverage shall not be increased by more than ten percent (10%) of the lot coverage permitted by the underlying regulations; or a total floor area ratio shall not be increased by more than ten percent (10%) of the floor area ratio permitted by the underlying district regulations; and

12. the area within an interior side setback required by the underlying district regulations located adjacent to a discordant use will not be used for off-street parking except:
 - a. in an enclosed garage where the garage door is located so that it is not aligned directly across from facing windows or doors on buildings of a discordant use located on an adjoining parcel of land; or
 - b. if the off-street parking is buffered from property that abuts the setback area by a solid wall at least six (6) feet in height along the area of pavement and parking, with either:
 - i. articulation to avoid the appearance of a "blank wall" when viewed from the adjoining property, or
 - ii. landscaping that is at least three (3) feet in height at time of planting, located along the length of the wall between the wall and the adjoining property, accompanied by specific provision for the maintenance of the landscaping, such as but not limited to, an agreement regarding its maintenance in recordable form from the adjoining landowner; and
13. any structure within an interior side setback required by the underlying district regulations;
 - a. is screened from adjoining property by landscape material of sufficient size and composition to obscure at least eighty percent (80%) (if located adjoining or adjacent to a discordant use) of the proposed alternative development to a height of the lower fourteen (14) feet of such structure at time of planting; or
 - b. is screened from adjoining property by an opaque fence or wall at least five (5) feet in height, if located adjoining or adjacent to a discordant use, that meets the standards set forth in paragraph (f) herein; and
14. any structure in the RU-5A district not attached to a principal building and proposed to be located within a setback required by the underlying district regulations shall be separated from any other structure by at least 10 feet or the minimum distance to comply with fire safety standards, whichever is greater; and
15. when a principal building, or accessory building in the RU-5A district, is proposed to be located within a setback required by the underlying district regulations, any enclosed portion of the upper floor of such building shall not extend beyond the first floor of such building to be located within a setback; and
16. safe sight distance triangles shall be maintained as required by this code; and

17. the parcel proposed for alternative development will continue to provide the required number of on-site parking as required by this code; and
18. the parcel proposed for alternative development shall satisfy underlying district regulations or, if applicable, prior zoning actions or administrative decisions issued prior to the effective date of this ordinance (July 11, 2003), regulating setbacks, lot area and lot frontage, lot coverage, floor area ratio, landscape open space and structure height; and
19. the proposed development will meet the following:
 - A. interior side setbacks shall not be reduced by more than fifty percent (50%) of the side setbacks required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater when the adjoining parcel of land is a RU-5, RU-5A, BU, IU, or OPD district or use provided, however, interior side setback shall not be reduced by more than twenty-five percent (25%) of the interior side setbacks required by the underlying district regulations when the adjoining parcel of land allows a discordant use.
 - B. side street setbacks shall not be reduced by more than twenty-five percent (25%) of the underlying zoning district regulations;
 - C. front setbacks (including double frontage lots) shall not be reduced by more than twenty five percent (25%) of the setbacks required by the underlying district regulations, whichever is greater;
 - D. Rear setbacks shall not be reduced below fifty percent (50%) of the rear setback required by the underlying district regulations, or the minimum distance required to comply with fire safety standards, whichever is greater, when the adjoining parcel of land is a RU-5, RU-5A, BU, IU, or OPD district or use provided however, rear setbacks shall not be reduced by more than twenty-five percent (25%) of the rear setbacks required by the underlying district regulations when the adjoining parcel of land allows a discordant use.
 - E. setbacks between building(s) shall not be reduced below 10 feet, or the minimum distance required to comply with fire safety standards, whichever is greater.

(k) Notwithstanding the foregoing, no proposed alternative development shall be approved upon demonstration that the proposed alternative development:

1. will result in a significant diminution of the value of property in the immediate vicinity; or

2. will have substantial negative impact on public safety due to unsafe automobile movements, heightened vehicular-pedestrian conflicts, or heightened risk of fire; or
3. will result in materially greater adverse impact on public services and facilities than the impact that would result from development of the same parcel pursuant to the underlying district regulations; or

(I) Proposed alternative development under this subsection shall provide additional amenities or buffering to mitigate the impacts of the development as approved, where the amenities or buffering expressly required by this subsection are insufficient to mitigate the impacts of the development. The purpose of the amenities or buffering elements shall be to preserve and protect the quality of life of the residents of the approved development and the immediate vicinity in a manner comparable to that ensured by the underlying district regulations. Examples of such amenities include but are not limited to: active or passive recreational facilities, common open space, additional trees or landscaping, convenient covered bus stops or pick-up areas for transportation services, sidewalks (including improvements, linkages, or additional width), bicycle paths, buffer areas or berms, street furniture, undergrounding of utility lines, and decorative street lighting. In determining which amenities or buffering elements are appropriate for a proposed development, the following shall be considered:

- A. the types of needs of the residents of the parcel proposed for development and the immediate vicinity that would likely be occasioned by the development, including but not limited to recreational, open space, transportation, aesthetic amenities, and buffering from adverse impacts; and
- B. the proportionality between the impacts on residents of the proposed alternative development and the immediate vicinity and the amenities or buffering required. For example, a reduction in lot area for numerous lots may warrant the provision of additional common open space. A reduction in a particular lot's interior side setback may warrant the provision of additional landscaping.

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations

the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

The subject property is located at 6435 S.W. 24 Street (Coral Way) in an area characterized by single-family residences. The applicants seek to change the zoning on the subject property from RU-1, Single-Family Residential District, to RU-5A, Semi-Professional Office District. RU-5A uses include, but are not limited to, office buildings for accountants, attorneys, dentists, medical doctors, notary publics, real estate, and travel agencies as well as banks without drive-thru teller facilities. The applicants are also requesting to permit an office building setback 24' 6" from the front property line (request #2); to permit the office building setback 13' 5" from the interior side (west) property line and 13' 8" from the interior side (east) property line (request #3); to permit two one-way drives each 10' wide (request #4); to permit a 1' wide landscape buffer between dissimilar land use (request #5); 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 (request #6). The RU-5A zoning district requires office buildings to setback 25' from the front property line, to setback 15' from the interior side property lines, requires 14' of width for one way drives and requires 5' of landscape buffering between dissimilar land uses. Staff notes that Coral Way (SW 24 Street) is a section line road that requires 50' of right-of-way dedication on each side of the road. The plan submitted by the applicants depicts the existing single-family residence that, if approved, will be converted into an office building. Said building is a single-story structure that will maintain the residential appearance of the building. Parking spaces will be provided at the rear of the building with access onto the site by two one-way drives for egress and ingress onto SW 24 Street. A 6' high block wall will run along the interior sides (west and east) and rear (north) property lines mitigating the impact on the adjacent properties.

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 Alternative Site Development Option (ASDO) Standards under Section 33-311(A)(20) provide for the approval of a zoning application which can demonstrate at a public hearing that the development requested is in compliance with the applicable alternative site development option standards and does not contravene the enumerated public interest standards as established. Request #2, to permit an office-building setback 24'6" from the front (south) property line, complies with the numerical portion of ASDO Standard Section 33-311(A)(20)(c)(19)(C) which indicates that front setbacks (including double frontage lots) shall not be reduced by more than twenty five percent (25%) of the setbacks required by the underlying district regulations or 18.75' in this case which the request complies with. Request #3, to permit the office-building setback 13' 5" from the interior side (west) property line and setback 13' 8" from the interior side (east) property line, also complies

the breakdown of an established residential neighborhood into office uses. and approval of same would establish a negative precedent which, in turn, could facilitate the proposed rezoning to RU-5A would be **incompatible** with the surrounding properties residences still characterize the remaining surrounding properties. As such, approval of been granted on a parcel immediately to the east of the subject property, single family the interpretative text of the CDMF. However, staff notes that although RU-5A uses have Resolution #Z-148-94. Therefore, the proposed zone change would be **consistent** with face was granted a Use Variance to permit RU-5A uses in an RU-1 zone, pursuant to granted. The property immediately to the east of the subject property on the same block or industrial uses exist on the same block face, approval of similar requests may be an Estate Density area. The Master Plan also indicates that where other office, business Land Use Plan map for Estate Density Residential, and the subject frontage does not face a major section line roadway (SW 24 Street), is not zoned, developed or designated on the criteria of the Master Plan. The subject property is less than one acre in size, is located on frontage face an Estate Density area. The subject property meets the aforementioned designated on the Land Use Plan map for Estate Density Residential, nor does the subject site size does not exceed one acre; and c) the residential area is not zoned, developed or on the Land Use Plan map (Frontage roads are not eligible for consideration); b) the lot or areas only where: a) the residential lot fronts directly on a Major Roadway as designated use. Such limited office uses may be approved on such sites in residential community the CDMF. These office uses may occur in combination with or independent of residential nonresidential uses or activities in the vicinity in accordance with the limitations set forth in due to inadequate setbacks from roadway traffic and noise, or due to a mixture of roadways in residential community areas where residences have become less desirable The CDMF provides that office uses may be approved along the frontage of major the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMF). Approval of this application will allow the applicants to provide semi-professional office services for the community. This area is designated for **Low Density Residential** use on

the Code of Miami-Dade County. However, the applicants will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to the request to permit the right-of-way for the north 1/2 of SW 24 Street (a section-line road) to be 35' in width where 50' is required nor do they object to the two one-way drives with widths of 10' each (14' required). Additionally, road dedications and improvements will be accomplished through the recording of a plat. This project meets traffic concurrency because it lies within the Urban Infill Area where traffic concurrency does not apply.

with the numerical portion of ASDO Standard Section 33-311(A)(20)(c)(19)(A) which indicates that interior side setback not be reduced by more than twenty-five percent (25%) of the interior side setbacks required by the underlying district regulations when the adjoining parcel of land allows a discordant use. Therefore, the minimum setback to be considered under said standard would be 11.25', which request #3 meets. However, the applicants have not provided documentation indicating if 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 minimus* impact on the use and enjoyment of the adjoining parcel of land as indicated by Section 33-311(A)(20)(c)(4). As such, requests #2 and #3 cannot be approved under ASDO standards Section 33-311(A)(20), and should be denied without prejudice under same.

When requests #2 through #6 are analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **incompatible** with the surrounding area, would affect the appearance of the community as explained more fully below and would be detrimental to the community. As previously mentioned, in 1994, pursuant to Resolution No. Z-148-94, the property located immediately to the east of the subject property on the same block face, was granted a use variance to permit an office building in the RU-1 zoning district as it would be permitted in the RU-5A district. Staff however, recommended denial without prejudice of said application due to the incompatibility of the proposed use and additional requests with the adjacent residential community. Additionally, in 2004, a parcel located three properties to the east of the subject property was denied without prejudice a similar request to permit an office building in the RU-1 zoning district as would be permitted in the RU-5A district, also with additional non-use variance requests, pursuant to Resolution No. CZAB10-76-05. According to the CZAB-10's Resolution, the application was incompatible with the neighborhood and was in conflict with the principle and intent of the plan for the development of Miami-Dade County. Staff also recommends denial without prejudice of the applicant's requests, as they would also be a detriment to the residential neighborhood. It is evident by the number of requests for the site that the single-family residential site is not of adequate size to support the type of use requested and that the trend of development of the area is still residential in nature. The abutting residential properties will be visually and aurally affected by the traffic and activity generated by the proposed uses. The requested variances of the minimum zoning district regulations will cause a burden to the abutting neighbors and the community. The lack of the minimum landscape requirements and the reduced setbacks will be a burden to the abutting properties as the site is not of sufficient size to provide the minimum requirements for the proposed use. The site does not provide buffering elements to minimize the negative impacts that could be generated. And although the Public Works Department does not object to request #6, to permit a 35' of right-of-way dedication where 50' is required for the north half of SW 24 Street (Coral Way), staff is of the opinion that this request is an integral part of and germane to request #1, and should be denied without prejudice. As such, staff recommends denial without prejudice of requests #2 through #6 under the Non-Use Variance Standards.

When analyzed under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicants would have to prove that requests #2 through #6 are due to unnecessary hardship and that, should the requests not be granted, such denial would not

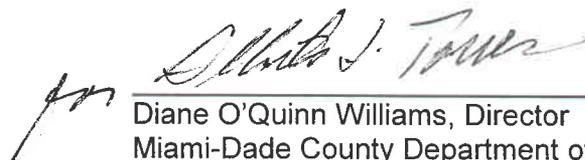
permit the reasonable use of the premises. However, staff notes that the property can be utilized in accordance with RU-1 zoning district regulations, and the applicants have not proven that compliance with same would result in an unnecessary hardship, therefore these requests cannot be approved under the alternative non-use variance standards. As such, requests #2 through #6 are recommended for denial without prejudice under Section 33-311(A)(4)(c) (ANUV).

Accordingly, staff recommends denial without prejudice of the zone change from RU-1 to RU-5A (request #1) and since the additional requests are germane to and an integral part of the zone change request, staff recommends that said requests also be denied without prejudice.

I. **RECOMMENDATION:** Denial without prejudice.

J. **CONDITIONS:** None.

DATE INSPECTED: 08/01/06
DATE TYPED: 08/07/06
DATE REVISED: 08/08/06; 08/16/06; 08/24/06
DATE FINALIZED: 08/24/06
DO'QW:AJT:MTF:LVT:CSE:JV



Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

Memorandum



Date: December 15, 2005

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written in a cursive style.

Subject: C-10 #Z2005000305-Revised
Norma Strydio and Noeli Sanchez
6435 Coral Way
District Boundary Change from RU-1 to RU-5A and Non-Use Variance of Setback,
Driveway and Landscaping Requirements
(RU-1) (0.24 Ac.)
12-54-40

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:

Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

DERM would not object to the interim use of a septic tank and drainfield system provided that the site is connected to the public water supply system and the proposed development meets the sewage loading requirements of Section 24-43.1(4) of the Code. Based upon the available information the proposal meets said requirements. Furthermore, since the request is for a non-residential land use, the property owner has submitted a properly executed covenant running with the land in favor of Miami-Dade County as required by Section 24-43.1(4)(a) of the Code, which provides that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank.

Notwithstanding the foregoing, the applicant is advised that certain land uses such as medical offices utilizing x-ray equipment and others that generate liquid waste other than domestic sewage, cannot be

permitted by DERM since it would violate the aforesaid Code Section and would also violate the covenant. Approval of land uses that are not compatible with the usage of a septic tank and drainfield system as a means for the disposal of the domestic liquid waste would require a variance from the Environmental Quality Control Board (EQCB) from the aforesaid Code Section.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event. 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

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: NORMA STRYDIO AND NOELI SANCHEZ

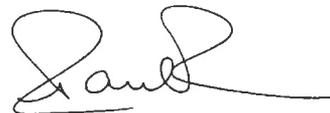
This Department has no objections to this application.

This Department has no objections to the request to permit two one-way drives with a width of 10 feet.

This Department has no objections to the request to permit a section line road to be 35 feet in width to centerline where 50 feet is required. The road is presently constructed and no future widening is planned for SW 24 St.

This land may require 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 project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

19-JUL-06

Memorandum



Date: 05-OCT-05
To: Diane O'Quinn Williams, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue
Subject: Z2005000305

Fire Prevention Unit:

Fire Water & Engineering has no objection to plans presented with letter of intent dated September 21 2005. Applicant must submit changes to this plan for review and approval.

Service Impact/Demand:

Development for the above Z2005000305
located at 6435 SW 24 ST
in Police Grid 1444 is proposed as the following:

<u>single</u>	dwelling units	<u>Industrial</u>	square feet
<u>multifamily</u>	dwelling units	<u>institutional</u>	square feet
<u>1,904 Sq. Ft. commercial</u>	square feet	<u>nursing home</u>	square feet

Based on this development information, estimated service impact is: 0.45 alarms-annually.

Existing services:

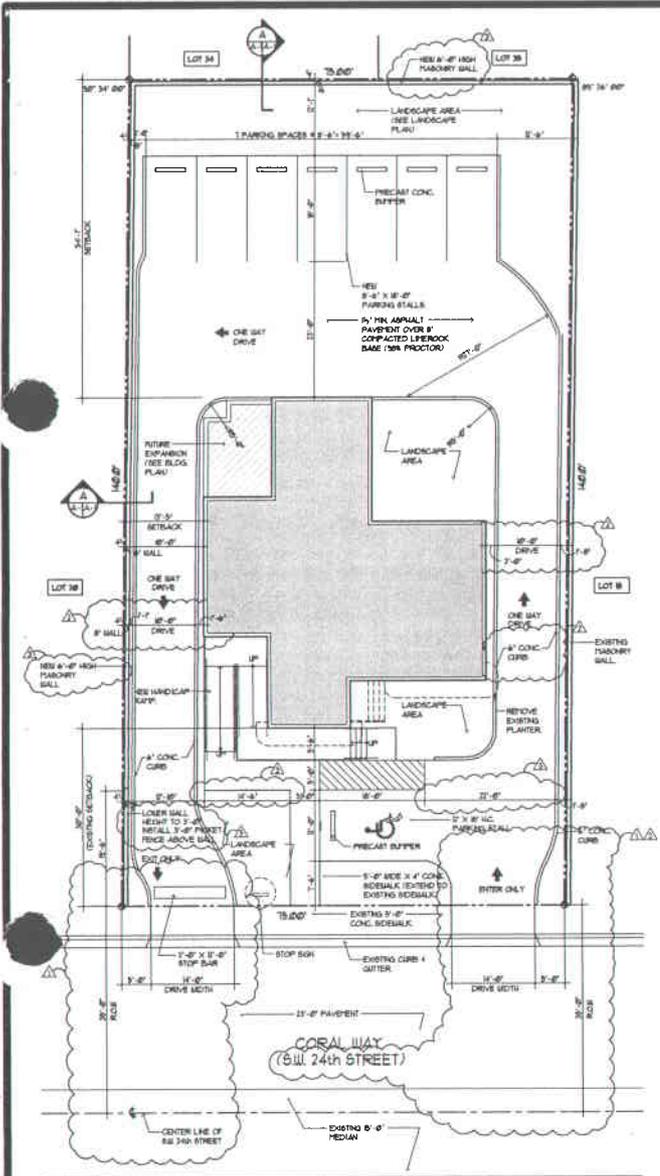
The Fire station responding to an alarm in the proposed development will be:
Station 40 - 901 S.W. 62 Avenue, West Miami
Rescue

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None

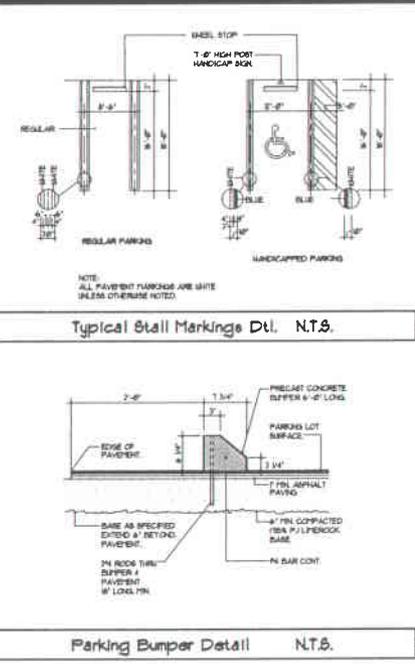
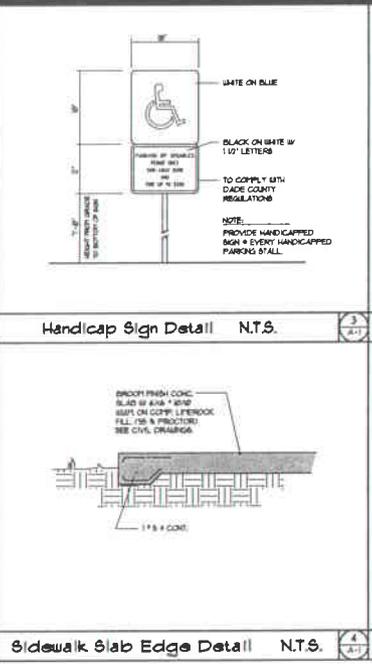
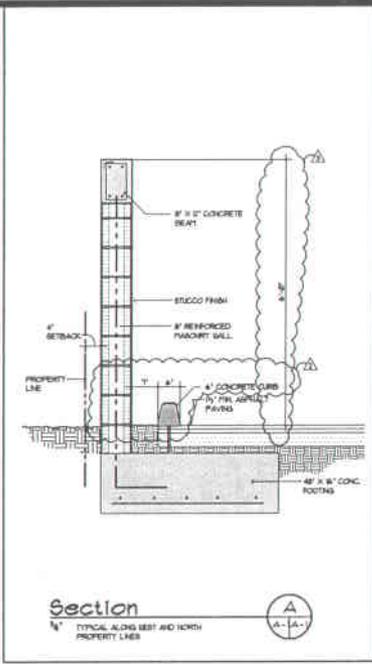
Fire Planning Additional Comments:

Current service impact calculated based on letter of intent dated September 21 2005. Substantial changes to the letter of intent will require additional service impact analysis.



Site Plan 1"=10'
NORTH

Legal Description:
THE WEST 1/4 OF LOT 18 AND ALL OF LOT 18 LEM THE SOUTH 1/2 FEET THEREOF OF TARPINE ACRES PLAN 27 ACCORDING TO THE PLAN THEREOF AS RECORDED IN PLAT BOOK 8 PAGE 14 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



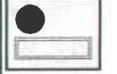
SITE GENERAL INFORMATION

1. PRESENT ZONING	RS-1
2. PROPOSED ZONING	MSA
3. SITE AREA	REQUIRED: 10000 SF PROVIDED: 8500 SF
4. PARKING LOT WIDTH	75'-0"
5. BUILDING AREA (COVER)	176 SQ. FT.
6. TOTAL BLDG. AREA INCLUDING EXP.	88 SQ. FT.
7. RETENARDS	REQUIRED: 30'-0" PROVIDED: 30'-0"
8. PARKING	REQUIRED: 1 PARK SPACE/100 SQ. FT. PROVIDED: 8 PARK SPACES
9. LOT COVERAGE	REQUIRED: 4000 SQ. FT. PROVIDED (INCLUDING EXPANSION): 1024 SQ. FT. (11.82%)
10. FLOOR AREA RATIO	REQUIRED: 4000 SQ. FT. PROVIDED (INCLUDING EXPANSION): 1024 SQ. FT. (10.24%)
11. OPEN AREA (LANDSCAPE)	REQUIRED: (10% - 100% PARKING SPACE) PROVIDED: (7%)

RECEIVED
205-305
JUN 9 9 2006

MAY 20 2006
L. RODRIGUEZ
AR NO 9241

Rodriguez Pereira Architects, Inc.
2601 W. 89th Court • Miami, FL 33172
Phone: (305) 592-8045 • FAX: (305) 592-5756
WWW.RODRIGUEZPEREIRA.COM



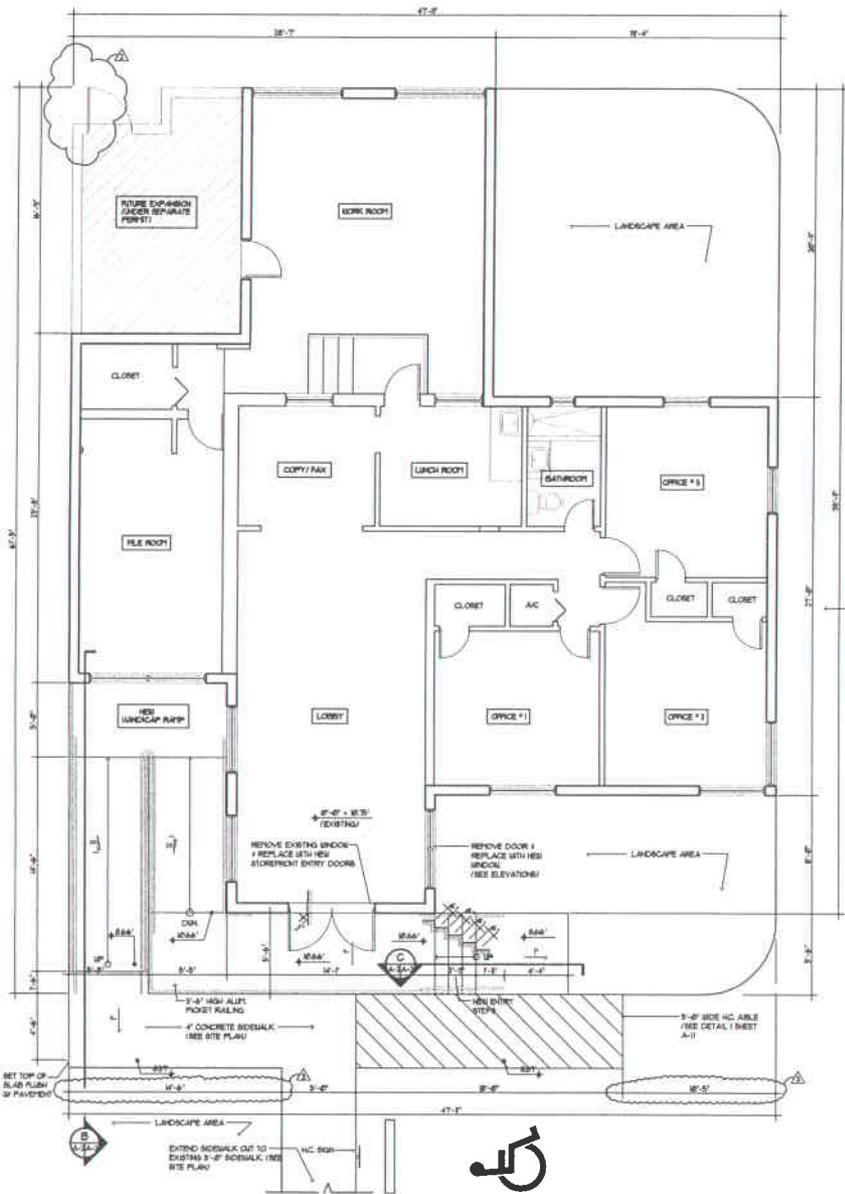
MS. NOELI SANCHEZ
6435 CORAL WAY 3155
PHONE: (305) 663.7272

REVISIONS

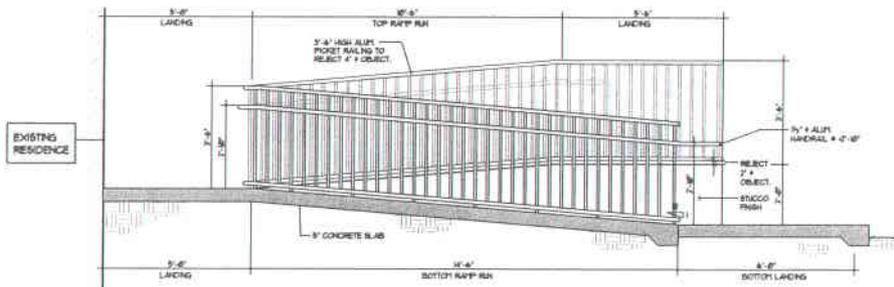
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2	11-07-05	
3	05-23-06	

DATE 9-14-05
DATE
DRAWN
CHKD 05058
SCALE
BY A-1

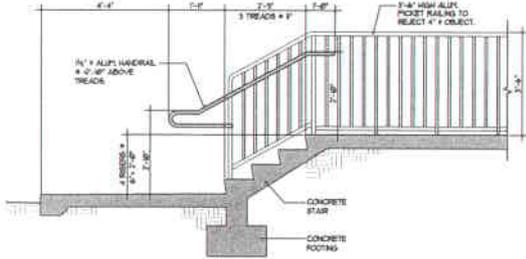
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY



Building Floor Plan 1/4" (EXISTING BUILDING)



Section B 1/4" (HANDICAP RAMP)



Section C 1/4" (ENTRY STEPS)

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

MAY 25 2006
AR NO 0241

Architecture
Planning &
Urban Design
Space Planning
Interior Design

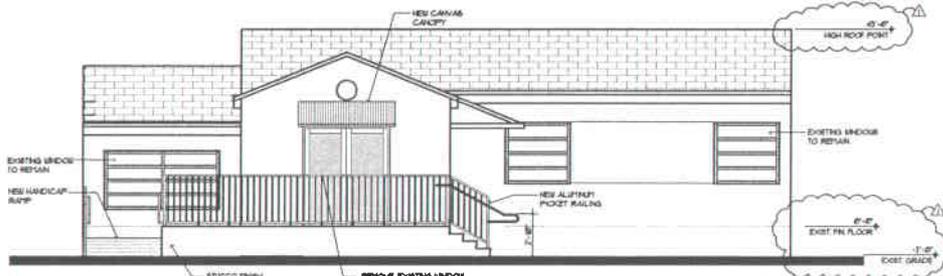
Rodriguez Pereira
Architects, Inc.
2801 N.W. 88th Court, Miami, FL 33172
Phone: (305) 592-8045 Fax: (305) 592-0136
WWW.RODRIGUEZPEREIRA.COM



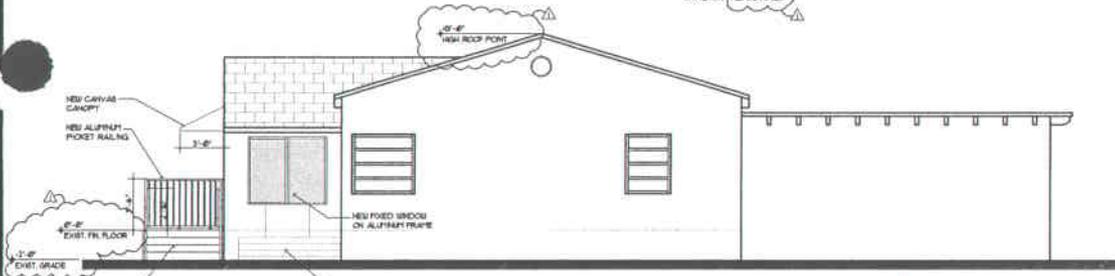
Attention to
MS. NOELI SANCHEZ
6435 CORRAL WAY
MIAMI, FL 33155
PHONE: (305) 663 7272

REVISIONS	BY
11-07-05	
05-23-06	

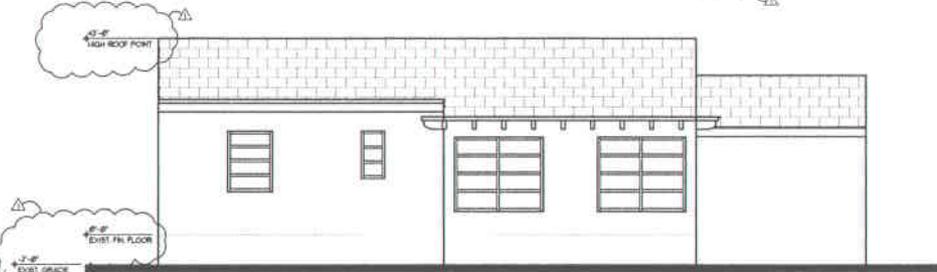
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Job	05058
Sheet	A-2
Of Sheets	



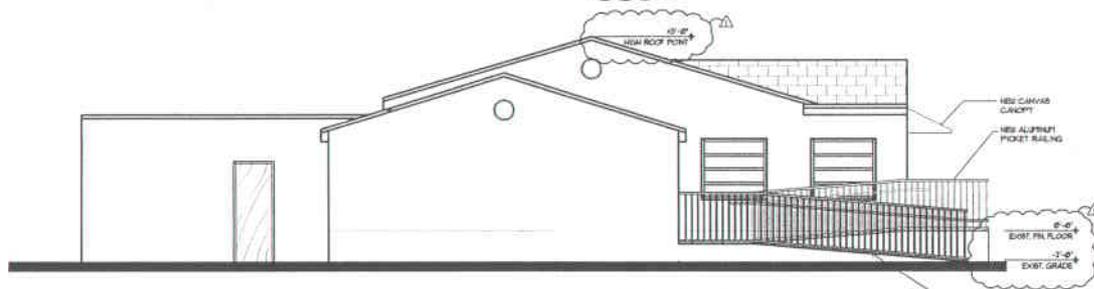
South Elevation 1/4'
(FRONT) / (EXISTING)



East Elevation 1/4'
(RIGHT SIDE) / (EXISTING)



North Elevation 1/4'
(REAR) / (EXISTING)



West Elevation 1/4'
(LEFT SIDE) / (EXISTING)

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY *RB*

MAY 23 2006
LAZARO RODRIGUEZ
ARCHITECT

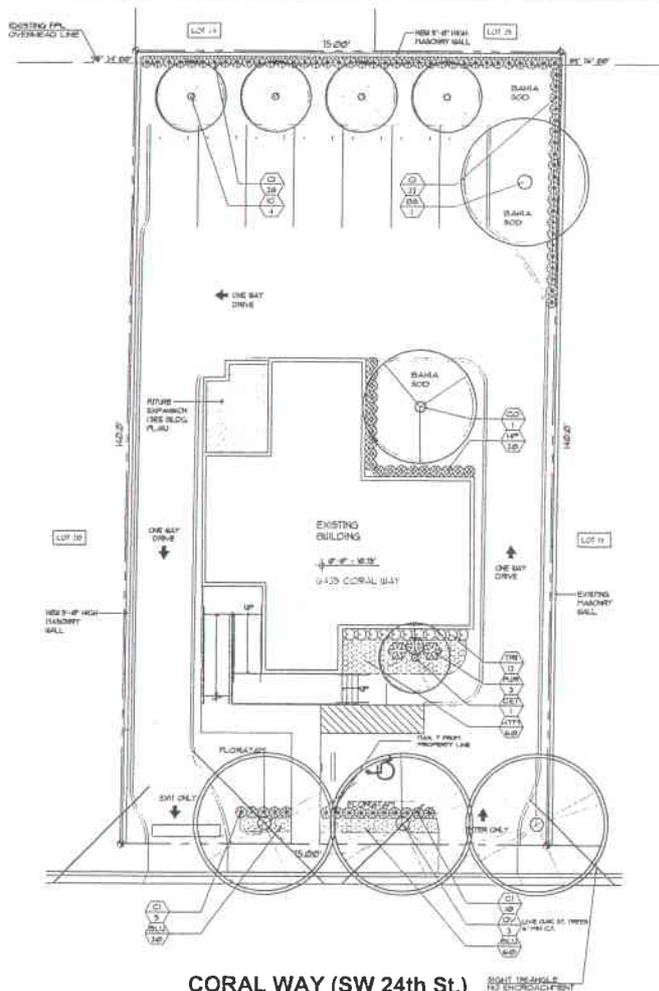
Architecture
Planning &
Urban Design
Space Planning
Interior Design
Rodriguez Pereira
Architects, Inc.
2601 NW 88th Court • Miami, FL 33172
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MS. NOELI SANCHEZ
6455 OCEAN WAY
MIAMI, FLORIDA 33155
PHONE: (305) 663-7272

REVISIONS	BY
1	06-28-05

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A-3	
OF SHEETS	

22



CORAL WAY (SW 24th St.)

PLANTLIST

SYM	NATIVE	#	NAME	BOTANICAL NAME	SPECIFICATION
BS	YES	1	GAMBINO LYMBIO	Bursaria sinensis	12" x 18" 1/2" cal.
CO	YES	1	BATHELEAF	Oryzopsis latifolia	12" x 18" 3/4" cal.
CEY	YES	1	SILVER BUTTWOOD	Conocarpus wrightii	12" x 18" STANDARD
OV	YES	3	LIVE OAK	Quercus virginiana	12" x 18" 3/4" cal.
IC	YES	4	DAKHOA HOLLY	Ilex sinensis	12" x 18" 3/4" cal.
CI	YES	15	COCOPLUM	Chytobalanus icadisi	14" x 24" 14" cal. 3 gal.
BLI	NO	15	BLUBERRY PLAX LILY	Clanella lananica	12" x 18" 3/4" cal.
PLM	NO	3	GIANT PALM AGAVE	Agave foveata	3" x 3" 15 gal. full specimen
UP	YES	20	PURSHIUM	Hemelia patens	14" x 24" 14" cal. 3 gal.
HTL	YES	40	SPIDER LILY	Hymenocallis latifolia	12" x 18" 3/4" cal. 1 gal.
TRJ	NO	1	TRINNETT ARBORECOLA	Scaevola tinnifolia	14" x 24" 14" cal. 3 gal.

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY: F.

LANDSCAPE LEGEND - CHAPTER 18A
SITE DATA

EXISTING ZONING: R-1	PROPOSED ZONING: R-1.5A	NET LAND ACRES	10,500 SF
OPEN SPACE		REQUIRED	PROVIDED
A. Square feet of open space required by Chapter 33, as indicated on site plan.		2,675	2,166
B. Square feet of parking lot open space required by Chapter 18A, as indicated on site plan.		50	50
C. Total sq. ft. of open space required by Chapter 33, A + B.		2,725	2,216
LAWN AREA CALCULATION		2,216	2,216
A. Maximum lawn area (sqd) permitted required by Chapter 18A, as indicated on site plan.		2,216	2,216
B. Maximum lawn area (sqd) permitted required by Chapter 18A, as indicated on site plan.		2,216	2,216
D. Street Trees (Maximum average spacing of 15' o.c.) linear feet along street 75'.		3	3
E. Street Trees located directly beneath power lines, 15' ave. spacing of 15' o.c.		3	3
SHRUBS:		300	307
A. No. trees required as % of No. of shrubs allowed		300	307
B. No. shrubs allowed as 30% of No. of Native shrubs required		300	307

DATE	BY	REVISION
1/20/05	J.F.S.	Site plan tree table per code requirements
1/20/05	J.F.S.	Revised site plan from Project Arch

STREET TREE TABULATIONS

STREET	REQUIRED	PROVIDED
CORAL WAY (SW 24th St.) 15 1/2' linear 35 ft	3	3



SEE SHEET L-3 FOR LANDSCAPE DETAILS, NOTES, SPECIFICATIONS, ETC.
A WRITTEN TREE REMOVAL PERMIT IS REQUIRED FROM DADE CO DEPT PRIOR TO ANY NON-PROHIBITED TREE REMOVAL OR RELOCATION.

LANDSCAPE PLAN

JFS Design Inc.
LANDSCAPE ARCHITECTURE
L.C. 000393
Landscape Design
Irrigation Design
jfsdesign@bellsouth.net

JFS
6435 Coral Way
Miami, FL 33157
TEL: (305) 447-1890
FAX: (305) 447-9025

MS. NOELI SANCHEZ
6435 CORAL WAY
MIAMI-DADE, FL. 33155

No.	Date	Revision
1.	1/20/05	Site plan tree table per code requirements
2.	1/20/05	Revised site plan from Project Arch

Designed: J.F. SOGASH
Drawn: B. DIAZ
Checked: G. CATLIN
Approved: J.F. SOGASH
Project #: 05-10
Scale: 1"=10'
Date: Sep 14, 2005
Add Ref: 75-1000

(Signature)
DRAWN

L-1

23

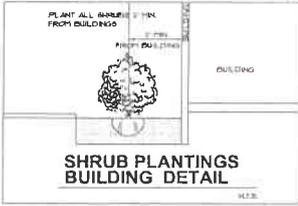
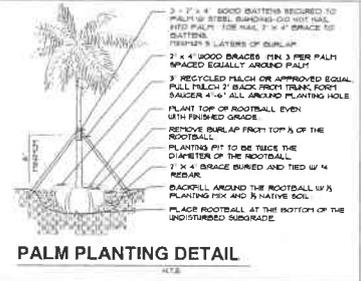
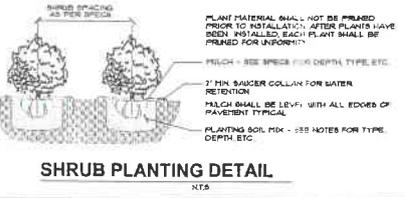
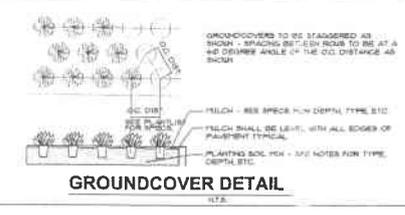
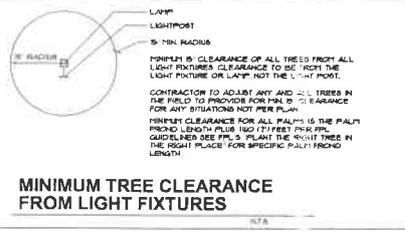
Rev.	Date	Revision
1.	01/08/08	Check and use 2008 code book
2.	01/08/08	Revised site plan from Michael Adams

designed: J.F. SOCCASH
drawn: B. DIAZ
checked: G. CATLIN
approved: J.F. SOCCASH
project #: 05-10
scale: 1/8" = 1'-0"
date: 06/14/2005
sheet #: 05-02

L-2

LANDSCAPE NOTES

1. ALL PLANT MATERIAL SHALL BE SPECIFIED FOR METHOD.
2. CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE LOCATION OF AND AVOID AND PROTECT UTILITY LINES BURIED CABLES AND OTHER UTILITIES.
3. TREE PALM ACCENT AND BED LINES ARE TO BE LOCATED IN THE FIELD AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
4. PLANTING SOIL SHALL BE AS PER TOPSOIL SAND FREE OF ALL STONES, ROCKS OR OTHER FOREIGN MATTER. ANY BACKFILL SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT. ALL PLANTING BEDS SHALL BE BACKFILLED WITH 50% TOPSOIL SAND TO A DEPTH OF 8" THROUGHOUT. THE CONTRACTOR SHALL CALCULATE AND NOTIFY AN IRRIGATOR PRIOR TO THE BED PREPARATION FOR ALL PLANTING BEDS. ALL PLANTING AREAS ADJACENT TO BUILDING FOUNDATIONS SHALL HAVE ALL ROCKS DEBRIS ETC. REMOVED TO A DEPTH OF 12" AND A WIDTH OF 4". BACKFILL SHALL CONSIST OF 50% 50/10 SAND 50% 10/20 WITH THE REMAINING SANDFILL AS APPROVED BY THE L.A. ARCHITECT.
5. CONTRACTOR SHALL COORDINATE WITH THE IRRIGATION CONTRACTOR AND LEAVE PROVISIONS FOR ALL.
6. ALL PLANTING BEDS SHALL BE MULCHED TO A DEPTH OF 3" WITH AN APPROVED RECYCLED MULCH OR AN APPROVED EQUAL.
7. SOO SHALL BE AT AN ANGLE FROM PLANT STEM AND FREE FROM WEED FUNGUS INSECTS AND DISEASE. CONTRACTOR SHALL ADD ALL AREAS AS INDICATED ON THE PLAN OR AS DIRECTED. PAYMENT SHALL BE PER THE TOTAL BODDED AREA X THE UNIT PRICE BIDDING FIELD VERIFIED.
8. SOO SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AS DERIVED BY FOOT. SOO SHALL CARRY A 12 MONTH WARRANTY.
9. ALL TREES & PALMS SHALL CARRY A 1 YEAR WARRANTY. ALL SHRUBS & GROUNDCOVERS 3 MONTH WARRANTY FROM THE DATE OF FINAL ACCEPTANCE.
10. ALL TREES AND PALMS SHALL BE STAKED PER ACCEPTED STANDARDS BY THE FLORIDA NURSERYMEN & GROWERS ASSOCIATION (FNGA).
11. THE PLANT LIST IS INTENDED ONLY AS AN AID TO ORDERING. ANY DISCREPANCIES FOUND BETWEEN THE QUANTITIES ON THE PLAN AND PLANT LIST THE QUANTITIES ON THE PLAN SHALL BE HELD VALID.
12. IRRIGATION SHALL PROVIDED FOR A 100% COVERAGE BY A 50% OVERLAP AUTOMATIC SYSTEM BY MAIN FEEDLINE MINOR AS PER FLORIDA LANDSCAPE LAW REQUIREMENTS. NO OVERWATER SHALL FALL ONCE PAVED SURFACES ALL DISCREPANCIES AS OBTAINED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) SHALL BE STRICTLY ADHERED.
13. EXISTING IRRIGATION SYSTEM (IF APPLICABLE) SHALL BE IDENTIFIED TO COMPLY WITH THESE SPECIFICATIONS AS OBTAINED ABOVE.
14. CONTRACTOR SHALL PROVIDE A WATER TRUCK DURING PLANTING TO MAINT PROPER BATTERIES. IN DURING INSTALLATION SHALL BE RESPONSIBLE FOR CONTINUAL BATTERIES WITH FINAL ACCEPTANCE BY THE OWNER.
15. ALL TREES AND PLANT MATERIAL TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION. CONTRACTOR SHALL INSTALL PROTECTIVE BARRIERS SUCH AS YELLOW ORANGE SAFETY TAPINGS OR SIMILAR TO BE INSTALLED AT THE BEGINNING OF THE PROJECT. BARRIERS SHALL BE LOCATED TO INCLUDE THE SHIP LINE OF THE TREES, PALMS AND PLANT MATERIAL. THE CONTRACTOR SHALL TAKE EXTRA CARE TO REMOVE ANY DAMAGE TO THE TRUNK, ROOT ZONES AND GRASS.
16. EXISTING TREES TO REMAIN SHALL BE TRIMMED FOR ANTI-WIND STANDARDS. SUPERVISION OF THE TRIMMING SHALL BE PROVIDED BY A CERTIFIED ARBORIST TO MAINTAIN QUALITY WORK.
17. REMOVAL OF ANY TREES OR PALMS WILL REQUIRE A WRITTEN TREE REMOVAL PERMIT FROM THE LOCAL GOVERNING AGENCY PRIOR TO REMOVAL. NEGATIVE TREES CLASSIFIED AS HAZARDOUS TREES MAY BE EXEMPT FROM THIS PERMIT.

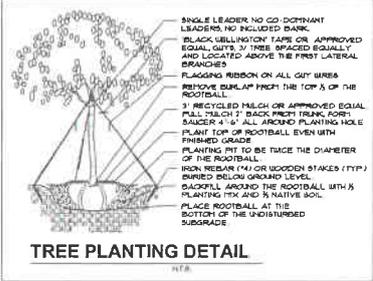


SHRUB PLANTINGS BUILDING DETAIL

PLANTING SOIL:
NOTE: ALL LANDSCAPE AREAS INCLUDING LANDSCAPE ISLANDS SHALL BE ENHANCED TO A DEPTH OF 2.0 FEET FOR REMOVAL OF ALL COMPACTED MATERIAL LIME ROCK, ETC. AND BACKFILLED WITH A CLEAN APPROVED SANDFILL 50% TOPSOIL SHALL BE APPLIED TO A DEPTH OF 8" FOR ALL PLANTING BEDS AND A DEPTH OF 4" FOR ALL SOO AREAS. THE CONTRACTOR SHALL CALCULATE AND PROVIDE A UNIT AND AN EXTENDED PRICE FOR THIS ITEM.

FERTILIZATION:
ONE COMPLETE APPLICATION OF GRANULAR FERTILIZER SHALL BE APPLIED PRIOR TO FINAL ACCEPTANCE AND APPROVAL BY THE LANDSCAPE ARCHITECT. AN ADDITIONAL FERTILIZATION PROGRAM SHALL BE SUBMITTED TO THE PROJECT MANAGER FOR AN ANNUAL FERTILIZATION APPLICATION. FERTILIZERS SHALL BE PER ATLANTIC (APCO) FERTILIZER 1 (GRANULAR) (APCO) OR AN APPROVED EQUAL. CONTRACTOR SHALL SUBMIT FERTILIZATION AS A SEPARATE ITEM IN THE BIDDING.

FERTILIZATION SHALL BE AS FOLLOWS: TREES: 17-48 (48) (APCO) 1 (23%) RATE IS 1.00 INCH OF DIA. 8 (8) (APCO) 1 (24%) RATE IS 1.00 INCH OF DIA. 4 (4) (APCO) 1 (24%) RATE IS 0.50 FT OF HEIGHT



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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT

NOTES, DETAILS, SPECIFICATIONS, ETC.

SEE L-1 FOR LANDSCAPE PLAN, LAYOUT DESIGN, ETC.

TEAM METRO

ENFORCEMENT HISTORY

NORMA STRYDIO AND NOELI
SANCHEZ

6435 SW 24 ST

APPLICANT

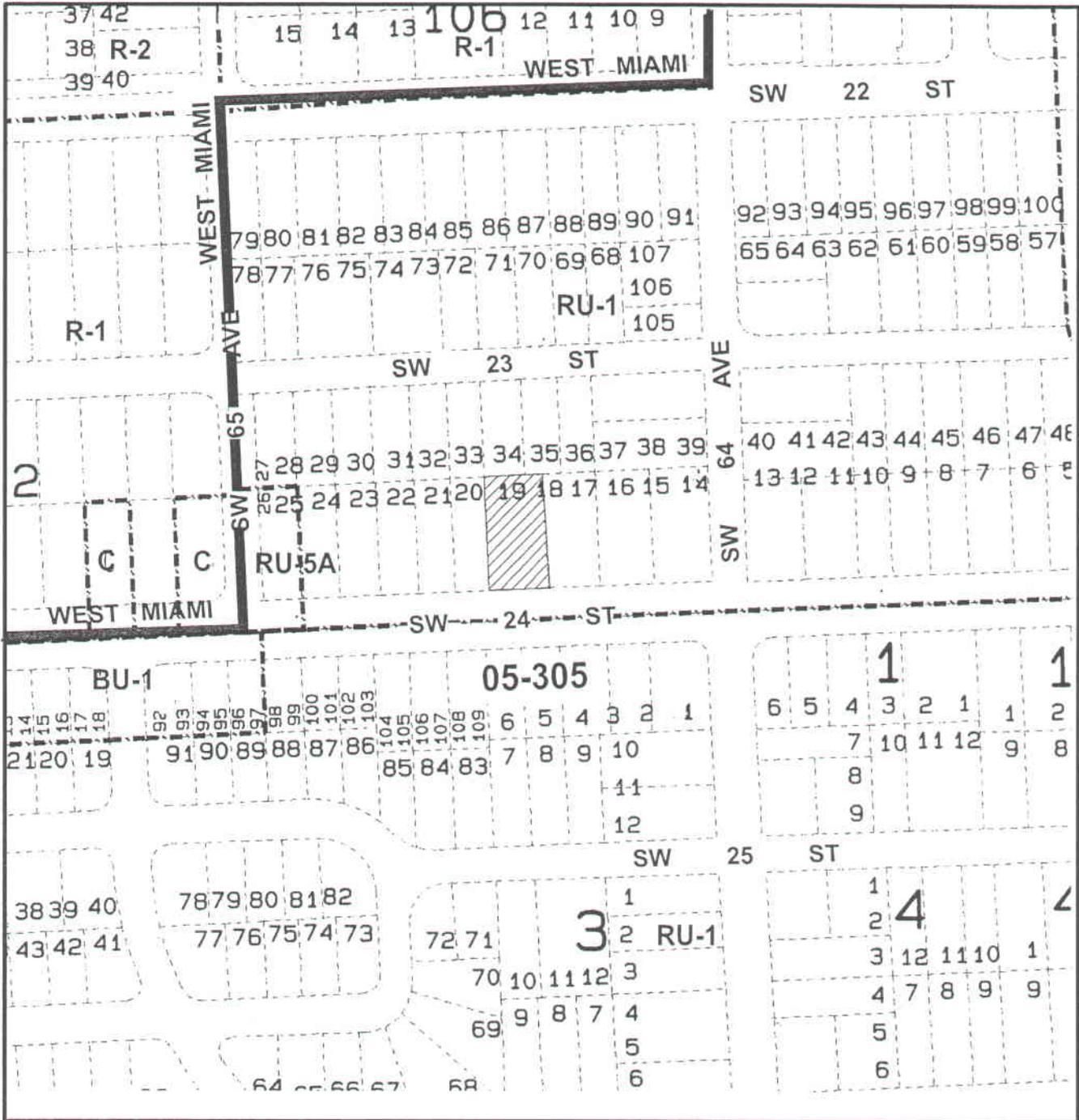
ADDRESS

Z2005000305

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

09/30/2005 Inspection conducted
09/30/2005 No current violations



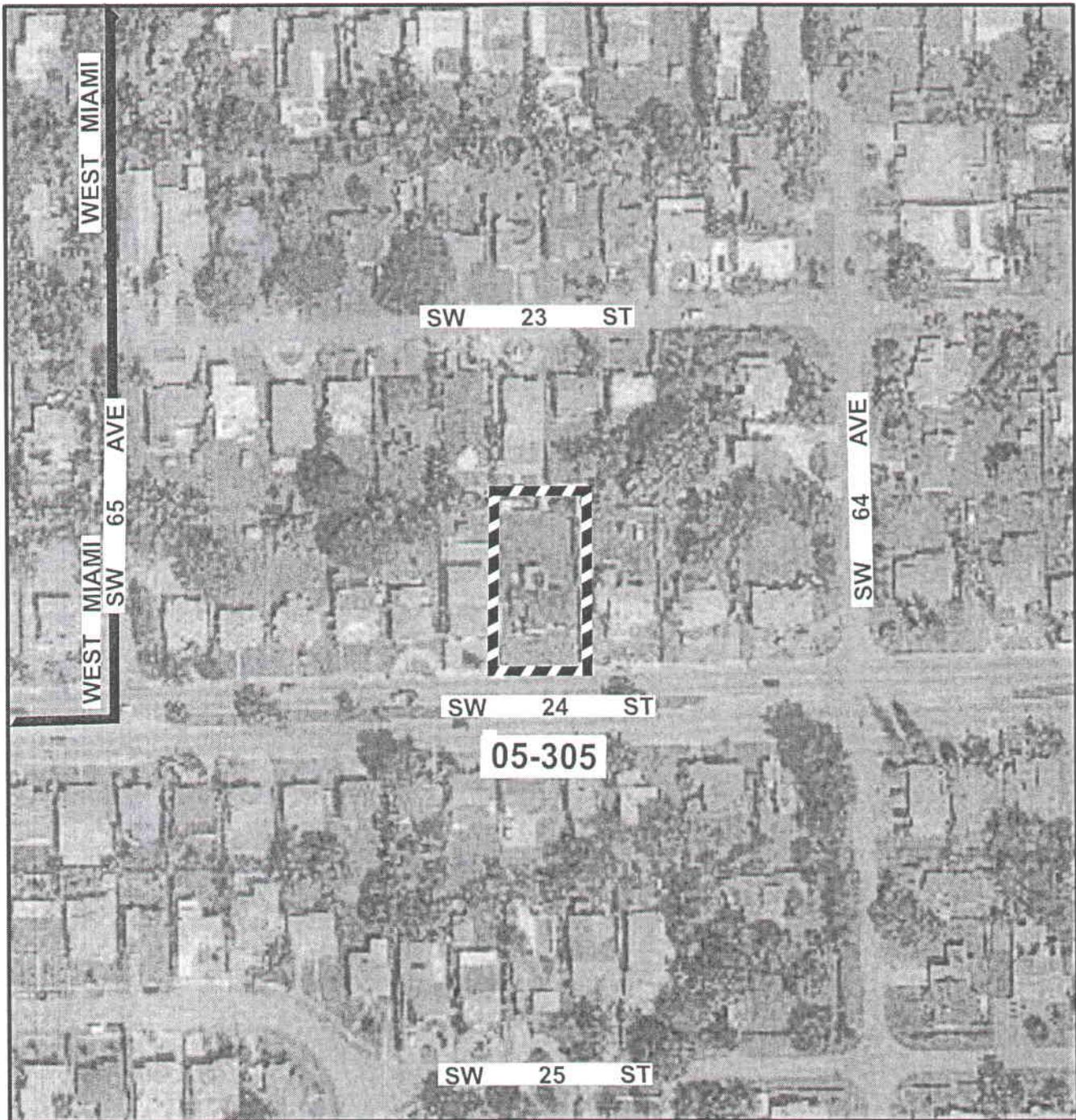
MIAMI-DADE COUNTY
HEARING MAP

Section: 12 Township: 54 Range: 40
 Process Number: 05-305
 Applicant: NORMA STRYDIO & NOELI SANCHEZ
 District Number: 06
 Zoning Board: C10
 Drafter: ALFREDO
 Scale: 1:200'



SUBJECT PROPERTY





MIAMI-DADE COUNTY
AERIAL

Section: 12 Township: 54 Range: 40
Process Number: 05-305
Applicant: NORMA STRYDIO & NOELI SANCHEZ
District Number: 06
Zoning Board: C10
Drafter: ALFREDO
Scale: NTS



Memorandum



Date: October 12, 2006

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

From: Roosevelt Bradley, Director
Miami-Dade Transit

Subject: FY-07 Blanket Concurrency Approval for Transit

A handwritten signature in black ink, appearing to read "Roosevelt Bradley", written over the printed name in the "From:" field.

This memorandum serves as a blanket authorization for the Department of Planning and Zoning to continue to approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85 and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area included in the 2005 Transit Development Program (TDP) update (Figure IV-3, page IV-23), we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues to advance the development process for the North Corridor transit project along NW 27th Avenue from 62nd Street to the Broward County Line. Please ask your staff to continue to signal any application whose address is on NW 27th Avenue, between these two points, so that they may be reviewed by MDT Staff.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period of October 1, 2006 to September 30, 2007, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at (305) 375-1193. Your continued cooperation on these important matters is greatly appreciated.

Cc: Albert Hernandez, Deputy Director
MDT Planning and Engineering
Mario G. Garcia, Chief
MDT System Planning Division
Helen A. Brown, Concurrency Administrator
Department of Planning and Zoning

✓ H. Brown

Memorandum



Date: December 2, 2004
To: Dianne O'Quinn-Williams, Director
Department of Planning and Zoning
From: Vivian Donnell Rodriguez, Director
Park and Recreation Department *VR*
Subject: Update for Blanket Concurrency Approval

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DEC 14 2004

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

This memorandum updates the blanket concurrency approval memo of September 18, 2003. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2005. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD

Memorandum



Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning
Department of Planning and Zoning

From: Manuel C. Mena, Chief
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File

Memorandum



Date: September 15, 2006

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

From: *Kathleen Woods Richardson*
Kathleen Woods-Richardson, Director, Department of Solid Waste Management

Subject: Solid Waste Disposal Concurrency Determination

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of ten (10) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements, long term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2013 or two (2) years beyond the minimum standard (five years capacity). This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2007), at which time a new determination will be issued. If, however, a significant event occurs which substantially alters the projection, the Department will issue an updated determination.

Attachment

cc: Vicente Castro, Deputy Director, Operations
Dana M. Moss, Sr., Deputy Director, Administration and Finance
James Bostic, Assistant Director, Operations
Asok Ganguli, Assistant Director, Technical Services
David Ritchey, Assistant Director, Administration

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**MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING**

**Department of Solid Waste Management (DSWM)
Solid Waste Management Disposal Facility Available Capacity
From Fiscal Year 2006-07 Through Fiscal Year 2015-16**

FISCAL YEAR PERIOD	WASTE PROJECTION	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****	TOTAL TO BE LANDFILLED	TO BE INCINERATED AND RECYCLED
		Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	CONTRACT DISPOSAL		
OCT. 1, 2006 TO SEPT. 30, 2007	1,776,000	783,085	167,000	616,085	2,499,001	180,000	2,319,001	1,896,521	354,000	1,542,521	250,000	951,000	825,000
OCT. 1, 2007 TO SEPT. 30, 2008	1,776,000	616,085	167,000	449,085	2,319,001	180,000	2,139,001	1,542,521	354,000	1,188,521	250,000	951,000	825,000
OCT. 1, 2008 TO SEPT. 30, 2009	1,776,000	449,085	167,000	282,085	2,139,001	180,000	1,959,001	1,188,521	354,000	834,521	250,000	951,000	825,000
OCT. 1, 2009 TO SEPT. 30, 2010	1,776,000	282,085	167,000	115,085	1,959,001	180,000	1,779,001	834,521	354,000	480,521	250,000	951,000	825,000
OCT. 1, 2010 TO SEPT. 30, 2011	1,776,000	115,085	115,085	0	1,779,001	231,915	1,547,086	480,521	354,000	126,521	250,000	951,000	825,000
OCT. 1, 2011 TO SEPT. 30, 2012	1,776,000	0	0	0	1,547,086	574,479	972,607	126,521	126,521	0	250,000	951,000	825,000
OCT. 1, 2012 TO SEPT. 30, 2013	1,776,000	0	0	0	972,607	701,000	271,607	0	0	0	250,000	521,607	825,000
OCT. 1, 2013 TO SEPT. 30, 2014	1,776,000	0	0	0	271,607	271,607	0	0	0	0	250,000	250,000	825,000
OCT. 1, 2014 TO SEPT. 30, 2015	1,776,000	0	0	0	0	0	0	0	0	0	250,000	250,000	825,000
OCT. 1, 2015 TO SEPT. 30, 2016	1,776,000	0	0	0	0	0	0	0	0	0	0	0	825,000
REMAINING YEARS				4			7			5			

ANNUAL DISPOSAL RATE (in tons)	
RESOURCES RECOVERY ASHFILL	167,000
SOUTH DADE LANDFILL	180,000
NORTH DADE LANDFILL	354,000
WMI CONTRACT	250,000
TOTAL TO BE LANDFILLED	<u>951,000</u>

- Ashfill capacity for Cell 19 (Cell 20 is not included). When Cell 19 is depleted Resources Recovery Plant Ash and Okeelanta Ash will go to South Dade Landfill and WMI.
- ** South Dade includes Cells 3 and 4 (Cell 5 is not included). Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.
- *** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes to South Dade Landfill and WMI.
- **** Maximum Contractual Tonnage per year to WMI is 500,000 tons. WMI disposal contract ends September 30, 2015.
- All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated August, 2006.



MEMORANDUM

*Original to Helen Brown
cy to Al Jones*

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

DATE: September 12, 2003

SUBJECT: Solid Waste Disposal
Concurrency Determination

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager
Victoria Garland, Acting Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

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SEP 18 2003

ZONING SERVICES DIVISION, DADE COUNTY
DEPT. OF PLANNING & ZONING

BY _____

Department of Solid Waste Management (DSWM)
Solid Waste Facility Capacity Analysis
Fiscal Year 2002-2003

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R Ashfill	Tonnage	SOUTH DADE Garbage	NORTH DADE Trash	WMI Garbage & Trash	Trash	Total
					[1]	[2]			[3]	[4]	[5]	[6]	[7]	[8]	[1]-[8]
2003 *	1,837,000	936,000	196,000	17,000	119,000	604,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
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RESOURCES RECOVERY		GARBAGE	TRASH	TIRES	TOTAL										
* TOTAL @ 1.84M		853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)		270,000 (RTI)								
** TOTAL @ 1.72M		853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)		270,000 (RTI)								
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TOTAL WASTE STREAM PERCENTAGES @ 1.84 MILLIONS TONS															
GARBAGE 54.3%		997,000													
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Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	WMI **** Disposed
Base Capacity	207,000	4,352,000	3,130,000	148,000
2003	61,000	3,942,000	2,797,000	100,000
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2017	0	0	0	0
2018	0	0	0	0
Total Remaining Years	0	12	6	

* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).
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2	520,177	23,003	543,180	1,493.75	1,476.12	461.33	139.79	2,077.24	583.49	1.390
3	141,699	38,253	179,952	494.86	578.93	177.20	6.90	763.03	268.17	1.541
TOT:	994,272	90,652	1,084,924	2,983.53	3,099.54	1,129.55	232.01	4,461.10	1,477.57	1.520

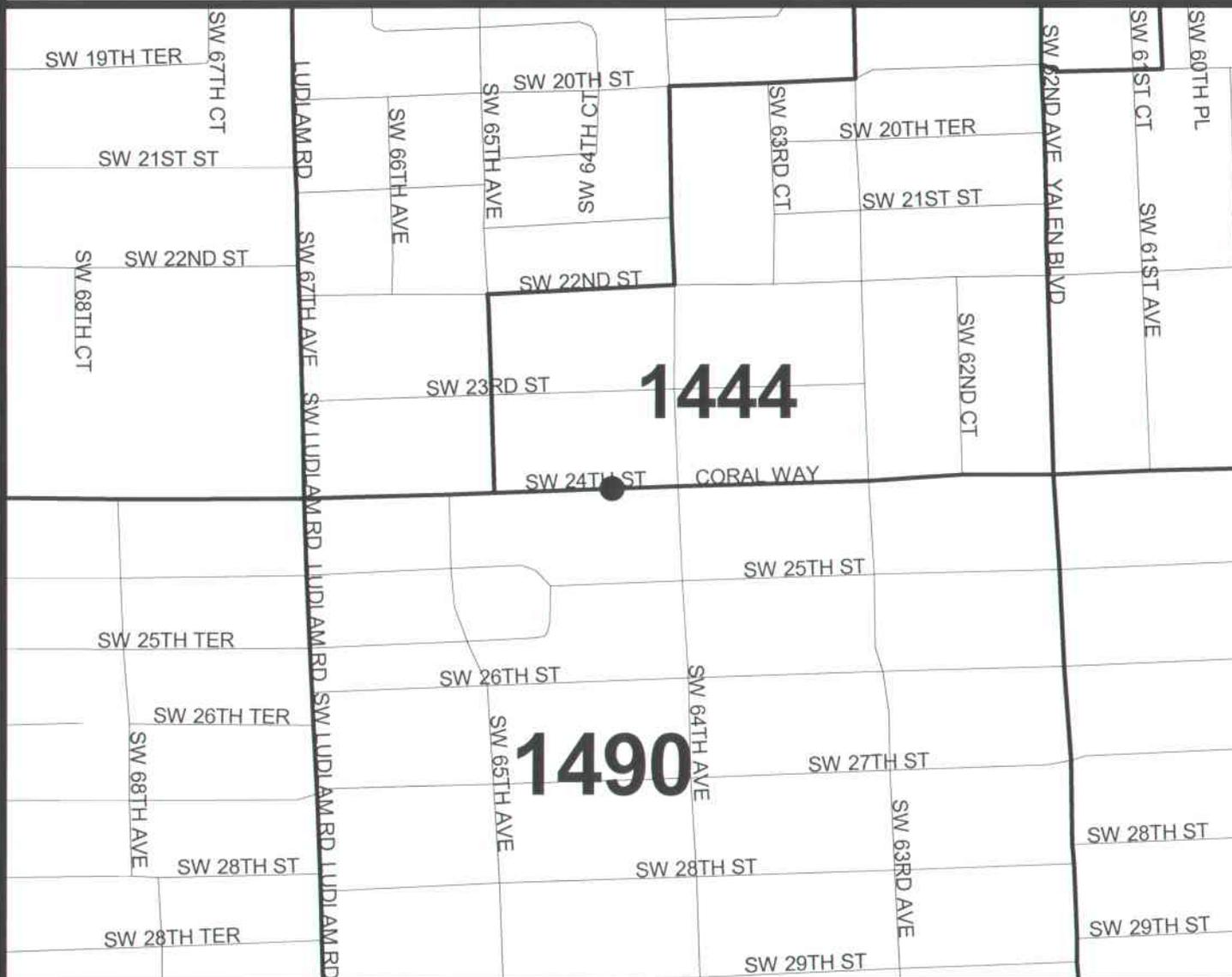


Miami-Dade Police Department

Address

Norma Strydio and Noeli Sanchez; Hearing # 05-305

C-10



Police Grids Boundaries

MDPD Crime Analysis System
December 6, 2005
Data in this document represents
successfully geocoded attributes.





Miami-Dade Police Department Address Query for Events occurring at 6435 SW 24 For 2003-11-15 Thru 2005-11-15

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2003-11-15" and Dis.Complaint Date < "2005-11-16" and Dis.Police District Code in ("A", "B", "C", "D", "E", "G", "H", "I", "K", "L", "M", "N", "P", "O", "R", "ZZ") and Dis.Incident Address contains "6435 SW 24" and Dis.Reporting Agency Code = substring ("030", 1, 3) and Common and Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")

Incident Address	Dis	Grid	A O P	Complaint Date	Day of Wk	Call Rcvd Time	Complaint Name	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit	Event Number	Rp Wr YN
6435 SW 24TH ST	D	1444	3	09/12/2005	MON	17:55:31	CHRIS	PD050912036518		25A	17:55:31	18:08:44	18:34:52	D3306	PD050912058629	Y
6435 SW 24TH ST	D	1444	3	10/14/2005	FRI	19:04:04	OPR SABINO	PD051014092242		25A	19:04:04	19:10:54			PD051014146947	N



Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("0225", "0864", "0898", "1231", "1444", "1587", "1713", "1716", "1762", "1952", "2079", "2139", "2236", "2353")) and ((Dis.Signal Code in ("13", "14", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55"))) and Common

		2003	2004	
Grid	Signal Code	Signal Description		
1444	13	SPECIAL INFORMATION/ASSIGNMENT	12	10
	14	CONDUCT INVESTIGATION	43	38
	15	MEET AN OFFICER	101	87
	16	D.U.I.	1	0
	17	TRAFFIC ACCIDENT	16	16
	18	HIT AND RUN	3	1
	19	TRAFFIC STOP	0	1
	20	TRAFFIC DETAIL	1	0
	21	LOST OR STOLEN TAG	6	3
	22	AUTO THEFT	4	2
	25	BURGLAR ALARM RINGING	21	19
	26	BURGLARY	19	17
	27	LARCENY	5	0
	28	VANDALISM	3	7
	29	ROBBERY	1	0
	32	ASSAULT	4	8
	33	SEX OFFENSE	1	0
	34	DISTURBANCE	32	38
	36	MISSING PERSON	3	1
	37	SUSPICIOUS VEHICLE	0	3
38	SUSPICIOUS PERSON	1	2	
39	PRISONER	1	0	
41	SICK OR INJURED PERSON	12	8	
43	BAKER ACT	1	1	
44	ATTEMPTED SUICIDE	1	1	
45	DEAD ON ARRIVAL	1	2	



Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

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			2003	2004
Grid	Signal Code	Signal Description		
1444	49	FIRE	0	1
	52	NARCOTICS INVESTIGATION	0	1
	54	FRAUD	3	4
Total Signals for Grid 1444 :			296	271



MIAMI-DADE POLICE DEPARTMENT
Zoning Hearing Report Part I and Part II Crimes w/o AOA
For Specific Grids
For 2003 and 2004



Miami-Dade Police Department

Grid(s): 0225, 0864, 0898, 1131, 1444, 1587, 1713, 1716, 1762, 1952, 2079, 2139, 2236, 2353

2003 2004

Grid 1444				
Part I				
130A		AGGRAVATED ASSAULT	0	4
2200		BURGLARY	7	3
2400		MOTOR VEHICLE THEFT	3	1
110A		RAPE	1	0
1200		ROBBERY	1	0
230G		SHOPLIFTING ALL OTHERS	8	3
230F		SHOPLIFTING FROM A MOTOR VEHICLE	13	7
Part I TOTAL			33	18
Part II				
260A		FRAUD CON/SWINDLE/FALSE PRET.	0	1
260B		FRAUD CREDIT CARD/ATM	1	2
260D		IMPERSONATION	1	0
350A		NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	0	1
130B		SIMPLE ASSAULT	3	1
Part II TOTAL			5	5
Grid 1444 TOTAL			38	23

Memorandum



Date: September 30, 2005

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

From: Roosevelt Bradley, Director
Miami-Dade Transit

Subject: FY-06 Blanket Concurrency Approval for Transit

This memo serves as a blanket authorization for the Department of Planning and Zoning to continue to approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues with the development process for the North Corridor transit project along NW 27th Avenue from 62nd Street to the Broward County Line. Please ask your staff to continue to signal any application whose address is on NW 27th Avenue, between these two points, so that they may be reviewed by MDT Staff.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period of October 1, 2005 to September 30, 2006, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at (305) 375-1193. Your continued cooperation on these important matters is greatly appreciated.

Cc: Albert Hernandez, Deputy Director
MDT Planning and Engineering
Mario G. Garcia, Chief
MDT Systems Planning Division
Helen A. Brown, Concurrency Administrator
Department of Planning and Zoning

✓ H. Brown

Memorandum



Date: December 2, 2004

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

From: Vivian Donnell Rodriguez, Director
Park and Recreation Department *[Signature]*

Subject: Update for Blanket Concurrency Approval

RECEIVED
DEC 14 2004

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

This memorandum updates the blanket concurrency approval memo of September 18, 2003. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2005. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD

Memorandum

MIAMI-DADE
COUNTY

Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning
Department of Planning and Zoning

From: Manuel C. Mena, Chief
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File



MEMORANDUM

*Original to Helen Proun
by to Al Jones*

107.07-17A METRO-DADE/GSA/MAT. MGT

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

DATE: September 12, 2003

SUBJECT: Solid Waste Disposal
Concurrency Determination

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

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Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

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SEP 18 2003

ZONING SERVICES DIVISION, COUNTY OF MIAMI-DADE
DEPT. OF PLANNING & ZONING

BY _____

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1	332,396	29,396	361,792	994.92	1,044.49	491.02	85.32	1,620.83	625.91	1.629
2	520,177	23,003	543,180	1,493.75	1,476.12	461.33	139.79	2,077.24	583.49	1.390
3	141,699	38,253	179,952	494.86	578.93	177.20	6.90	763.03	268.17	1.541
TOT:	994,272	90,652	1,084,924	2,983.53	3,099.54	1,129.55	232.01	4,461.10	1,477.57	1.520