RESOLUTION NO. CZAB10-45-06

WHEREAS, **IDALBERTO & ELOISA RODRIGUEZ** applied for the following:

(1) RU-1 to RU-5A

OR IN THE ALTERNATIVE TO REQUEST #1:

(2) USE VARIANCE to permit RU-5A uses in the RU-1 zoning district.

AND WITH EITHER REQUEST:

(3) Applicant is requesting to permit a two-way drive 16′ in width (20′ required).

(4) Applicant is requesting to permit an office building setback a minimum of 7.73′ (15′ required) from the interior side (west) property line.

(5) Applicant is requesting to permit 4 buffer trees (9 required) and provide a 3′ wide landscaped strip of 3′ (5′ required) between dissimilar land uses along the east and south property lines.

(6) Applicant is requesting to permit 80 shrubs (140 required).

(7) Applicant is requesting to waive the zoning regulations requiring S.W. 24 Street to be 100′ in width; to permit 40′ of dedication (50′ required) for the south half of Coral Way.

(8) Applicant is requesting to permit a lot frontage of 66.67′ street (75′ required) and a lot area of 8,067.07 sq. ft. (10,000 sq. ft. required).

(9) Applicant is requesting to permit 23% landscaped open space (25% required).

OR IN THE ALTERNATIVE TO REQUESTS #7 - #9, THE FOLLOWING:

(10) Applicant is requesting to permit a lot frontage of 66.67′ street (75′ required) and a lot area of 7,400 sq. ft. (10,000 sq. ft. required).

(11) Applicant is requesting to permit 20% landscaped open space (25% required).

(12) Applicant is requesting to waive the 2 required street trees and to permit a 1′ wide landscaped buffer (7′ required) along the right-of-way.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #4 and #8 - #11 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) and approval of requests #3 - #12 under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Proposed Building Remodeling," as prepared by Ruben J. Pujol, A. I. A., dated 8/8/05 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: West 16.67' of Lot 3 & all of Lot 4, less the north 15' for street, Block 2 of CORAL VILLAS REVISED, Plat book 8, Page 27.

LOCATION: 6422 S.W. 24 Street, 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 requested 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 requested use variance (Item #2), and the requests to permit a two-way drive 16' in width (Item #3), to permit an office building setback a minimum of 7.73' from the interior side (west) property line (Item #4), to permit 4 buffer trees and provide a 3' wide landscaped strip of 3' between dissimilar land uses along the east and south property lines (Item #5), to permit 80 shrubs (Item #6), to waive the zoning regulations requiring S.W. 24 Street to be 100' in width; to permit 40' of dedication for the south half of Coral Way (Item #7), to permit a lot frontage of 66.67' street and a lot area of 8,067.07 sq. ft. (Item #8), to permit 23% landscaped open space (Item #9), to permit a lot frontage of 66.67' street and a lot area of 7,400 sq. ft. (Item #10), to permit 20% landscaped open space (Item #11), and to waive the 2 required street trees and to permit a 1' wide landscaped buffer along the right-of-way (Item #12) 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 Carlos A. Manrique, seconded by Javier A. Betancourt, and upon a poll of the members present the vote was as follows:

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

Carlos A. Manrique aye

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 requested use variance (Item #2), and the requests to permit a two-way drive 16′ in width (Item #3), to permit an office building setback a minimum of 7.73′ from the interior side (west) property line (Item #4), to permit 4 buffer trees and provide a 3′ wide landscaped strip of 3′ between dissimilar land uses along the east and south property lines (Item #5), to permit 80 shrubs (Item #6), to waive the zoning regulations requiring S.W. 24 Street to be 100′ in width; to permit 40′ of dedication for the south half of Coral Way (Item #7), to permit a lot frontage of 66.67′ street and a lot area of 8,067.07 sq. ft. (Item #8), to permit 23% landscaped open space (Item #9), to permit a lot frontage of 66.67′ street and a lot area of 7,400 sq. ft. (Item #10), to permit 20% landscaped open space (Item #11), and to waive the 2 required street trees and to permit a 1′ wide landscaped buffer along the right-of-way (Item #12) 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 11th day of July, 2006.

Hearing No. 06-6-CZ10-2
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. CZAB10-45-06 adopted by said Community Zoning Appeals Board at its meeting held on the 11th day of July 2006.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 21st day of July 2006.

SEAL

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

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

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Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Task Force on Urban Economic Revitalization
Vizcaya Museum And Gardens
Water & Sewer

July 21, 2006

Idalberto & Eloisa Rodriguez
c/o Herminio San Roman, Esq.
12515 S.W. 88 Street, Suite 222
Miami, FL 33186

Re: Hearing No. 06-6-CZ10-2 (05-322)
Location: 6422 S.W. 24 Street, Miami-Dade County, Florida

Dear Mr. San Roman:

Enclosed herewith is Resolution No. CZAB10-45-06 adopted by Miami-Dade County's Community Zoning Appeals Board 10, which denied, without prejudice, your client's application on the above-noted location.

As you know, any aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11th floor of the Stephen P. Clark Building, 111 N.W. 1st Street, Miami, FL 33128. The date of posting is July 17, 2006.

For information as to appeals, please contact the Zoning Hearings office at the address noted above or call (305) 375-2640.

Sincerely,

Lou Salvat
Deputy Clerk

Enclosure