

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-6-07

WHEREAS, **RENE MIGUEL VALDEZ** applied to Community Zoning Appeals Board 10 for the following:

- (1) RU-1 to RU-5A

OR IN THE ALTERNATIVE:

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

Plans are on file and may be examined in the Zoning Department entitled "Proposed RU-5A Zoning for Rene Miguel Valdes," as prepared by G. J. R. Architects, consisting of 2 sheets, dated 4/22/04.

SUBJECT PROPERTY: Lot 4, Block 8, CORAL WAY HOMESITES, Plat book 46, Page 21.

LOCATION: 2425 S.W. 82 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of 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 upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 10 that the requested district boundary change to RU-5A (Item #1), or in the alternative, the requested use variance to permit RU-5A uses in the RU-1 zone (Item #2) 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 said application was denied by Resolution No. CZAB10-62-06, and

WHEREAS, **RENE MIGUEL VALDEZ** appealed the decision of Community Zoning Appeals Board 10 to the Board of County Commissioners for the following:

(1) RU-1 to RU-5A

OR IN THE ALTERNATIVE:

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

Plans are on file and may be examined in the Zoning Department entitled "Proposed RU-5A Zoning for Rene Miguel Valdes," as prepared by G. J. R. Architects, consisting of 2 sheets, dated 4/22/04. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 4, Block 8, CORAL WAY HOMESITES, Plat book 46, Page 21 AND THE SOUTH ½ OF ALLEY LYING NORTH AND ADJACENT PER R-941-74.

LOCATION: 2425 S.W. 82 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, after reviewing the record and decision of the Metropolitan Dade County Zoning Appeals Board 10 and after having given an opportunity for interested parties to be heard, it was the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that that the grounds and reasons alleged by the appellants specified in the appeal were insufficient to merit a reversal of the ruling made by the Zoning Appeals Board in Resolution No. CZAB10-62-06 and that the appeal should be denied and the decision of Community Zoning Appeals Board 10 should be sustained, 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), or in the alternative, the requested use variance to permit RU-5A uses in the RU-1 zone (Item #2) 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 appeal with prejudice, sustain the decision of Community Zoning Appeals Board 10, and deny the application with prejudice was offered by Commissioner Sen. Javier D. Souto, seconded by Commissioner Dennis C. Moss, and upon a poll of the members present the vote was as follows:

Jose "Pepe" Diaz	aye	Dennis C. Moss	aye
Audrey M. Edmonson	absent	Dorrin D. Rolle	aye
Carlos A. Gimmenez	aye	Natacha Seijas	absent
Sally A. Heyman	absent	Katy Sorenson	aye
Barbara J. Jordan	aye	Rebecca Sosa	aye
Joe A. Martinez	aye	Sen. Javier D. Souto	aye

Bruno A. Barreiro aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby denied with prejudice and the decision of Community Zoning Appeals Board 10 is sustained.

BE IT FURTHER RESOLVED that the requested district boundary change to RU-5A (Item #1), be and the same is hereby denied with prejudice.

BE IT FURTHER RESOLVED that the requested use variance to permit RU-5A uses in the RU-1 zone (Item #2) be and the same is hereby denied with prejudice.

BE IT FURTHER RESOLVED that Resolution No. CZAB10-62-06 remains in full force and effect.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 26th day of April, 2007, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 06-10-CZ10-2

ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By: **KAY SULLIVAN**
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 17TH DAY OF MAY, 2007.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Deputy Clerk's Name, 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 Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-6-07 adopted by said Board of County Commissioners at its meeting held on the 26th day of April, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 17th day of May, 2007.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL





May 17, 2007

Rene Miguel Valdez
c/o Rene Valdez
8225 Miller Dr.
Miami, Florida 33155

Re: Hearing No. 06-10-CZ10-2
Location: 2425 S.W. 82 Avenue,
Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. Z-6-07, adopted by the Board of County Commissioners, which denied your appeal with prejudice, sustain the decision of CZAB 10, and denied your application with prejudice.

Be advised that the decision of the Board may be appealed to Circuit Court within 30 days of the date of the transmittal of the resolution to the Clerk of the County Commission. The date of transmittal is **May 17, 2007**.

Copies of any court filings concerning this matter should be served upon both my office and:

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

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

Sincerely,

Earl Jones
Deputy Clerk

Enclosure

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