

A. JULIO C. MOLINA
(Applicant)

07-9-CZ14-1 (06-37)
Area 14/District 8
Hearing Date: 10/16/07

Property Owner (if different from applicant) Same.

Is there an option to purchase /lease the property predicated on the approval of the zoning request? Yes No

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1997	Clutilder Dacosta	- Unusual Use to permit a home for the aged. - Non-Use variances.	ZAB	Approved in part w/conds.

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
COMMUNITY ZONING APPEALS BOARD - AREA 14
MOTION SLIP**

APPLICANT'S NAME: JULIO C. MOLINA

1

REPRESENTATIVE: SIMON FERRO

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
07-9-CZ14-1 (06-37)	SEPTEMBER 18, 2007	CZAB14 07

REQ: (1) AU to EU-1 [ON PARCEL "A"]
(2) MOD Reso [ON PARCEL "B"]

REC: APPROVE #1 SUBJECT TO COVENANT
AWC #2 PER (A)(7) & DWOP PER (A)(17)

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>OCT. 16, 2007</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> APPLICANT UNABLE TO PROCURE COVENANT JOINDER PRIOR TO HEARING		

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	M	Wilbur B. BELL	X		
MADAME VICE-CHAIR		Dawn Lee BLAKESLEE	X		
MR.	S	Gary J. DUFEK	X		
DR.		Pat WADE	X		
CHAIRMAN		Curtis LAWRENCE (C.A.)			X
VOTE:			4	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: THOMAS ROBERTSON

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 14

APPLICANT: Julio Molina

PH: Z06-037 (07-9-CZ14-1)

SECTION: 6-57-39

DATE: October 16, 2007

COMMISSION DISTRICT: 8

TEM NO.: A

=====

A. INTRODUCTION

o REQUESTS:

(1) AU to EU-1

REQUEST #1 ON PARCEL "A"

(2) MODIFICATION of Conditions #2 and #9 of Resolution 5-ZAB-201-97, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Assisted Living Facility,' as prepared by Taxis, Inc., consisting of 2 sheets dated October 31, 1998."

TO: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Assisted Living Facility,' as prepared by Taxis, Inc., consisting of 2 sheets dated October 31, 1998 and a plan entitled 'Site Plan,' as prepared by Manuel G. Vera and Associates, Inc., consisting of 1 sheet and dated stamped received 2/2/06."

FROM: "9. That the operator of the facility must be the owner of the property and permanently reside on the property."

TO: "9. That the owner provide full-time staff 24 hours a day, 7 days a week for the facility."

REQUEST #2 ON PARCEL "B"

The purpose of request #2 is to submit a revised site plan showing less property for the previously approved home for the aged and to remove the condition that the owner be the operator of the facility and reside on the site permanently; to allow staffing of the site by other than the owner.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

- o **SUMMARY OF REQUESTS:** The applicant is requesting a zone change on the subject property from AU, Agricultural District, to EU-1, Single-Family One Acre Estate Residential District, on Parcel "A" and also seeks to modify two of the conditions of a previously approved Resolution for a home for the aged.
- o **LOCATION:** 29100 SW 172 Avenue, Miami-Dade County, Florida.
- o **SIZE:** 10 Gross Acres
- o **IMPACT:** The approval of the requested district boundary change would allow the applicant to subdivide the property and provide additional housing units to the community. The rezoning of the property will also eliminate approximately 7.5 acres of agriculturally zoned land in Miami-Dade County and will increase the population in the area, which may impact the water and sewer services, will add children to the public schools and will increase traffic in the area. The approval of the modifications will not, in staff's opinion, negatively impact the area, nor negatively affect the current or future residents of the home for the aged.

B. ZONING HEARINGS HISTORY: In 1997, the subject property was approved with conditions for an unusual use to permit a home for the aged, pursuant to Resolution No. 5-ZAB-201-97. Additionally, non-use variances were granted to permit a 13' wide two-way driveway and to waive the required dedication along a right-of-way (SW 290 Street). Staff notes that the home for the aged is still operational and the applicant wishes it to remain so. Prior to this in 1955, the eastern 330' of the subject property was part of an application that was rezoned from AU, Agricultural District, to EU-1, Single-Family One Acre Estate Residential District, pursuant to Resolution No. 8919.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Estate Density Residential** use. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.
2. **Uses and Zoning Not Specifically Depicted.** Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.
3. **Policy LU-9C.** Miami-Dade County shall continue to encourage and promote the transfer of Severable Use Rights (SUR) from lands which are allocated SURs in Chapter 33B, Code of Miami-Dade County, to land located within the Urban Development Boundary (UDB) as designated on the LUP map.

4. **Severable Use Rights.** The entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SUR's) in accordance with provisions of Chapter 33-B, Code of Miami-Dade County. Accordingly, certain developments as specified in Chapter 33-B may be entitled to density or floor area bonuses as authorized by Chapter 33-B. If the existing SUR program is modified pursuant to Land Use Element Policy LU-9C or other transferable development rights programs are established, all rights established by such programs shall be transferable to receiver sites inside the UDB as established in those programs.
5. **Urban Development Boundary.** The Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur. Development orders permitting urban development will generally be approved within the UDB at some time through the year 2015 provided that level-of-service standards for necessary public facilities will be met. Adequate countywide development capacity will be maintained within the UDB by increasing development densities or intensities inside the UDB, or by expanding the UDB, when the need for such change is determined to be necessary through the Plan review and amendment process.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU (Parcel A) (7.5 gross / 6.78 net acres); Avocado grove	Estate Density Residential, 1 to
EU-1 (Parcel B) (2.5 gross / 2.32 net acres); home for aged	2.5 dua

Surrounding Properties:

<u>NORTH:</u> AU; Single-family residences EU-1; Single-family residences	Estate Density Residential, 1 to 2.5 dua
<u>SOUTH:</u> AU; Single-family residences EU-1; Single-family residence	Estate Density Residential, 1 to 2.5 dua
<u>EAST:</u> EU-1; Vacant	Estate Density Residential, 1 to 2.5 dua
<u>WEST:</u> AU; Avocado grove	Estate Density Residential, 1 to 2.5 dua

The 10 gross acre subject property is a rectangular lot, oriented lengthwise, located at 29100 SW 172 Avenue. The area surrounding the subject property is characterized as rural, established with single-family residences and agricultural uses. An existing home for the aged is located on the easternmost portion of the parcel fronting on SW 172 Avenue. The westernmost portion of the parcel is located approximately 0.5 mile east of the Urban Development Boundary (UDB), which is at the intersection of SW 177 Avenue and SW 288 Street.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plan submitted.)
Scale/Utilization of Site:	Acceptable*
Location of Buildings:	Acceptable
Compatibility:	Acceptable

Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	Acceptable
Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Urban Design:	Acceptable

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

F. PERTINENT REQUIREMENTS/STANDARDS:

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

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

Section 33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to **modify or eliminate** any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or

eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDT	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection/4 students

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

This item was deferred at the September 18, 2007, meeting to allow the applicant an opportunity to provide a properly executed covenant. The 10 gross acre subject property is a rectangular lot, oriented lengthwise, located at 29100 SW 172 Avenue. An existing home for the aged is located on the easternmost portion of the subject property that is zoned EU-1 fronting on SW 172 Avenue, while the balance of the site is currently being utilized as an avocado grove. The westernmost portion of the parcel is located approximately 0.5 mile east of and within the Urban Development Boundary (UDB), which is at the intersection of SW 177 Avenue (Krome Avenue) and SW 288 Street. The east 330' of the property (Parcel "B"), which is approximately 2.5 gross / 2.32 net acres in size, is zoned EU-1, Single-Family One Acre Estate Residential District, and the balance of the site (Parcel "A") is zoned AU, Agricultural District, and is comprised of approximately 7.5 gross / 6.78 net acres. The applicant is requesting a district boundary change from AU to EU-1 on Parcel "A" (request #1). Plans submitted by the applicant show the development of the subject site with eight (8) residential units developed with less lot acreage and lot frontage than required under the EU-1 zoning district. It is the intent of the applicant to utilize Severable Use Rights (SUR's) to obtain the zoning bonuses for lot frontage and lot area to achieve the desired number and configuration of lots. The fully dedicated roadway, SW 290 Street, along the northern property line, will establish access to the proposed lots. The applicant has voluntarily proffered a covenant restricting the development of the site to the submitted plans and limiting the density to a maximum of 8 units with the utilization of SUR's. Additionally, the applicant intends to continue the previously approved home for the aged, but wishes to modify two conditions of the resolution that was passed and adopted by the Zoning Appeals Board on Parcel "B" (request #2), which along with restricting the development of the site to those plans submitted in 1997 for the home for the aged use, also require that the owner operate and live on the subject property. The purpose of request #2 is to submit a revised site plan showing the reduced property size for the previously approved home for the aged and to remove the condition that the owner be the operator of the facility and reside on the site permanently; to allow staffing of the site by other than the owner. Rural single-family residences and agricultural uses characterize the surrounding area where the subject property lies.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicants will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application, particularly as it applies to the removal and preservation of specimen-sized (18" or greater trunk dimension) tree resources. The Public Works Department (**PWD**) has **no objections** to this application and indicates that it will generate an additional **11 pm** daily peak hour **vehicle trips** to the area. However, said trips will not change or exceed the acceptable Levels of Service (LOS) on the area roadways that are currently operating at LOS "A", "B", "C" and "D." The Miami-Dade Fire Rescue Department (**MDFR**) has **no objections** to the application. Additionally, Miami-Dade County Public Schools (**MDCPS**) has **no objections** to this application and has indicated that the proposed zoning will bring an additional **4 students** into the area's public schools. Their memorandum indicates that the applicant and the School Board have held the required dialogue.

The approval of the requested district boundary change would allow the applicant to subdivide the property into 8 residential lots, while maintaining the existing home for the aged use. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Estate Density Residential** use, which permits a minimum of 1 unit per gross acre to a maximum of 2.5 units per gross acre. This would generate a permissible numerical density threshold of a minimum of 7 to a maximum of 18 dwelling units on the 7.5 gross acre portion of the subject site. The interpretative text of the CDMP reads that the entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SUR's) in accordance with provisions of Chapter 33-B, Code of Miami-Dade County. The SUR bonus would reduce the required lot frontage from 125' to 110' and lessen the required lot area from 43,560 sq. ft. (1 acre) to 32,500 sq. ft. (0.75 acre) for EU-1 zoned properties. Staff notes that the plans submitted by the applicant reflect an intended development of 8 lots with the utilization of the SUR bonus granted for lot area and frontage. As such, the applicant's proposal of 8 EU-1 zoned lots utilizing SUR's is within the density range permitted, and would allow for development density at 1.06 dwelling units per acre, which is on the low end of the density range permitted under the Estate Density Residential use designation of the LUP map of the CDMP. Also, it must be noted that to develop the site within full compliance of the EU-1 zoning district requirements pertaining to lot area and lot frontage, without the use of SUR's, would allow the applicant to configure the site with 7 units, which also meets the minimum density threshold of the LUP map designation. As such, staff is of the opinion that the requested zone change from AU to EU-1 on Parcel "A" is **consistent** with the LUP map designation of the CDMP and **compatible** with the surrounding area.

The Department of Planning and Zoning supports the zone change from AU to EU-1, subject to the Board's acceptance of the voluntarily proffered covenant. When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development conforms to the Comprehensive Development Master Plan for Miami-Dade County. As previously mentioned, the proposed development is **consistent** with the Estate Density Residential LUP Map designation of the CDMP and **compatible** with the surrounding area. Staff notes that the Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur. The interpretative text of the CDMP indicates that development orders permitting urban development will generally be approved within the UDB at some time through the year 2015 provided that level-of-service standards for necessary public facilities will be met. This project will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by DERM. Additionally, the proposed development does not unduly burden or affect public transportation facilities as indicated in the PWD's memorandum submitted

for this application, and the proposed residential development will be readily accessible via SW 290 Street and SW 172 Avenue, a half-section line roadway. Furthermore, approval of the application will not overly burden Miami-Dade County Public Schools. Staff notes that the east 330' of the subject property, zoned EU-1, is approximately 2.5 acres in size, and the balance of the site is zoned AU (approximately 7.5 acres). The approval of the district boundary change would rezone the applicant's 10 gross acre property into a uniform zoning district, and allow the applicant to develop the property in accordance with EU-1 zoning regulations utilizing SUR bonuses for lot frontage and lot area. Although there have not been recent approvals for district boundary changes in the surrounding area, staff notes that historically, there have been similar approvals granted in the area for land subdivision similar to that sought within the applicant's proposal. The subject property is neighbored to the north by 6 single-family residences, which pursuant to Resolution No. 4-ZAB-382-93, were approved as buildable sites with lot frontages varying from 178.18' to 194.17' (200 required) and with lot areas varying in size from 1.367 to 1.559 gross acres (5 acres required) in the AU district. Similarly, the western half of the subject property abuts three parcels to the south which were approved, pursuant to Resolution No. 5-ZAB-73-95, for lot areas of 1.52, 1.83 and 1.75 acres. As such, in staff's opinion, the proposed lot frontages of 120' found within this application would be compatible with the sizes of the lot frontages found to the north, across SW 290 Street and to the south. Moreover, in 1990 pursuant to Resolution No. 4-ZAB-302-90, a 10 acre parcel of land was approved for 8 buildable sites with lot frontages varying from 88.11' to 177.54' and with lot areas of 1.3 gross acres each, located along SW 292 Street approximately 325' to the south of the subject property. As such, it is staff's determination that, although a portion the subject property abuts AU zoned property to the north, south and to the west, numerous neighboring zoning hearing approvals have led to a precedent for land subdivision in the immediate vicinity. Therefore, the rezoning of the property on Parcel "A" would be **compatible** with the approximate sizes of the lot areas and lot frontages in the area, and with the subdivision trend that has occurred in the area, between SW 174 Avenue and SW 172 Avenue.

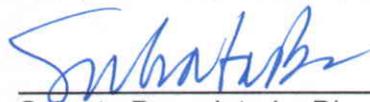
When request #2 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), in staff's opinion, the proposed modification of the conditions will not adversely impact the surrounding area and will be **compatible** with same. Request #2, to modify Conditions #2 and #9 of Resolution 5-ZAB-201-97 will remove the requirement that the owner must operate and live on the property, and will allow the applicant to submit a revised site plan for the previously approved home for the aged use. As previously mentioned, the applicant seeks to continue the previously approved home for the aged use on Parcel "B", but the owner is no longer the operator of the facility and, in staff's opinion, should not be required to reside there. The owner would no longer be living on the premises but would have full time staff at the facility (24 hours a day, 7 days a week); therefore, there is no longer any compelling reason to require the owner to live at the property. Staff recommends as a condition for the approval of the application that the applicant provide full time staff at the facility. As previously mentioned, the existing home for the aged was approved as an unusual use in 1997 and was originally supported by staff. The applicant intends to sever the approximately 6.78 net acres of the site currently being utilized as an avocado grove to accommodate the subdivision on Parcel "A" that is the subject of the zone change. The remaining 2.32 net acres, staff maintains, will be of sufficient size to continue the home for the aged use, which restricts the facility to a maximum of 16 clients, without generating variances pertaining to setbacks or lot coverage and will still be capable of accommodating all the required parking. The 6,000 sq. ft. structure is not proposed to have any additions or alterations, and staff notes that the property fronts on a half-section line minor roadway (SW 172 Avenue). Based on all of the aforementioned, staff is of the opinion that the approval of the modification of Conditions #2 and #9 would be **compatible** with the surrounding area. Therefore, staff recommends approval with conditions of request #2 on Parcel "B" under Section 33-311(A)(7).

The Standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to this application. Due to the lack of information, staff is unable to properly analyze request #2 under said Standards and, as such, staff recommends denial without prejudice under Section 33-311(A)(17).

Based on all of the foregoing, staff opines that the approval of the district boundary change, subject to the Board's acceptance of the proffered covenant restricting the development of the site to the submitted plans and requiring the applicant to utilize SUR's, would be in keeping with the basic intent and purpose of the zoning, land use and subdivision regulations. The requested zone change to from AU to EU-1 on parcel "A" would make the subject property a uniform zoning classification, and is **consistent** with the CDMP and **compatible** with the surrounding area. Therefore, staff recommends approval of the district boundary change from AU to EU-1, subject to the Board's acceptance of the proffered covenant. Additionally, staff recommends approval of the modification of two conditions of Resolution No. 5-ZAB-201-97 (request #2) under Section 33-311(A)(7).

- I. **RECOMMENDATION:** Approval of the district boundary change to EU-1 on Parcel "A" subject to the Board's acceptance of the proffered covenant (request #1), and approval with conditions of request #2 on Parcel "B" under Section 33-311(A)(7) and denial without prejudice of request #2 under Section 33-311(A)(17).
- J. **CONDITIONS:** For request #2:
1. That all the conditions of Resolution No. 5-ZAB-201-97 remain in full force and effect except as herein modified.
 2. That the owner provide full time staffing for the care of the residents 24 hours a day, 7 days a week at the home for the aged on Parcel "B".

DATE INSPECTED: 07/31/07
DATE TYPED: 07/31/07
DATE REVISED: 08/01/31; 08/02/07; 08/13/07; 08/14/07; 08/20/07; 10/05/07
DATE FINALIZED: 10/05/07
SB:MTF:LVT:JGM



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

Memorandum



Date: August 9, 2007

To: Subrata Basu, AIA, AICP, Interim 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 over the printed name in the "From:" field.

Subject: C-14 #Z2006000037-2nd Revision
Julio C. Molina
29100 S.W. 172nd Avenue
District Boundary Change from EU-1 & AU to EU-1
(EU-1/AU) (10 Ac.)
06-57-39

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

The closest public water main is located approximately 1,690 feet from the subject property. Based on the proposed request, the subject property is within feasible distance for connection to public water. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with 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 properties. Consequently, any proposed development would have to be served by septic tanks and drainfields as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield, provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded. Based on available information, the proposed single-family residences served by septic tanks would not exceed the maximum allowable sewage loading for the subject properties.

Stormwater Management

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

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

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

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

Pollution Remediation

The subject property is located within a designated brownfield area. The applicant is advised that there are economic incentives available for development within this area. For further information concerning these incentives, contact the Pollution Remediation Section of DERM at 305-372-6700.

Wetlands

The subject property does not contain jurisdictional wetlands, as defined in 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

The subject property may contain specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact DERM staff for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History

DERM has found no open or closed formal enforcement record for the subject property.

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.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

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: JULIO C. MOLINA

This Department has no objections to this application.

Radius return will be required at the intersection of SW 290 Street and SW 172 Avenue at time of tentative plat submittal. Fences and driveway may need to be relocated.

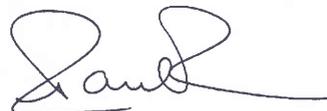
Additional on-site and off-site improvements may be required at time of permitting.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 11 PM daily peak hour vehicle trips. The traffic distributions of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9212	Krome Ave. n/o SW 288 St.	A	A
9862	SW 167 Ave. s/o SW 216 St.	C	C
9932	SW 288 St. w/o US-1	D	D
9936	SW 296 St. w/o US-1	B	B
9938	SW 296 St. e/o SW 197 Ave.	B	B

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



Raul A Pino, P.L.S.

20-JUL-07



Miami-Dade County Public Schools

giving our students the world

C-14

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

Chief Facilities Officer
Rose Diamond

Planning Officer
Ana Rijo-Conde, AICP

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

June 28, 2006

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

C-14

RECEIVED
JUL 29 2006
DEPT. OF PLANNING & ZONING
ZONING EVALUATION SECTION
BY: *[Signature]*

Re: Julio C. Molina - Application No. 06-037
29100 SW 172 Avenue

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Homestead Middle School and South Dade Senior High School currently operating at 120% and 131% of FISH % utilization, respectively (please see attached analysis).

Additionally, at its April 13, 2005 meeting, the Board approved School District criteria that would allow District staff to make recommendations on residential zoning applications that impact public schools beyond the 115% of FISH capacity threshold (Review Criteria). Pursuant to the Interlocal and the recently approved Review Criteria, the District met with the applicant on June 27, 2006, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application.

The District is grateful that the applicant took the time to meet with the School District to discuss possible mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered to the School Board a monetary donation, over and above impact fees. The payment of the required educational impact fees for this proposed development and the proffered monetary donation will provide the full capital cost of student stations for the additional students generated by the proposed development. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

14

Ms. Maria Teresa-Fojo
June 28, 2006
Page Two

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

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

$$\text{New residential unit square footage} \times .90 \text{ (Square Footage Fee)} + \$600.00 \text{ (Base Fee)} + 2\% \text{ administrative fee} = \text{Educational Facilities Impact fee}$$

As an example, assuming the proposed unit is 2,000 square feet, the additional 7 units are estimated to generate approximately \$16,800 (\$2,400 per unit, excluding the 2% administration fee) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,


Patricia Good
Coordinator III

PG:am
L-1467
Attachment

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

PRELIMINARY SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 06-037, Julio C. Molina (CC14)

REQUEST: Zone change from AU to EU-1

ACRES: 10 acres

LOCATION: 29100 SW 172 Avenue

MSA/MULTIPLIER: 7.3/.60

NUMBER OF UNITS: 7 additional units (1 unit currently permitted under existing zoning classification, for a total of 8 units)

ESTIMATED STUDENT POPULATION: 4 students*

ELEMENTARY: 2

MIDDLE: 1

SENIOR: 1

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Avocado Elementary – 16969 SW 294 Street

MIDDLE: Homestead Middle -650 NW 2 Avenue

SENIOR HIGH: South Dade Senior -28401 SW 167 Avenue

All schools are located in Regional Center VI

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2005:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	CUMULATIVE STUDENTS **
Avocado Elem.	1042/ 1044*	869	120%/ 120%*	66	111%/ 112%*	1306
Homestead Middle	1206/ 1207*	848	142%/ 142%*	158	120%/ 120%*	2231
South Dade Sr.	2759/ 2760*	1721	160%/ 160%*	380	131%/ 131%*	3112

* increased student population as a result of the proposed development.

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

Note:

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

PLANNED RELIEF SCHOOLS IN THE AREA

(Information included in proposed 5-Year Capital Plan, 2005-2009, dated April 2005):

Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
State School "SS1" (Redland and Homestead Middle School Relief) (1662 student stations)	Construction	School Opening 2007
State School "CCC1" (South Dade Sr. High School Partial Replacement) (1522 additional student stations)	Construction	School Opening 2009

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	869
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	5748
Estimated Permanent Senior Seats (Current and Proposed in 5-Year Plan)	3243

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

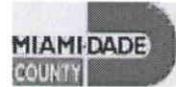
OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$26,196.

CAPITAL COSTS: Based on the State's June-2006 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	Does not meet the threshold
MIDDLE	1 x \$ 16,485 = \$ 16,485
SENIOR	1 x \$ 21,815 = \$ 21,815
Total Potential Capital Cost	\$ 38,300

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

Memorandum



Date: 20-JUN-07
To: Subrata Basu, Interim Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2006000037

Fire Prevention Unit:

This Memo supersedes MDFR Memorandum dated June 12, 2007.
 APPROVAL

Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped May 25, 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.
 This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand:

Development for the above Z2006000037
 located at 29100 S.W. 172 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 2552 is proposed as the following:

8 <u>residential</u>	dwelling units	N/A <u>industrial</u>	square feet
N/A <u>Office</u>	square feet	N/A <u>institutional</u>	square feet
N/A <u>Retail</u>	square feet	N/A <u>nursing home/hospitals</u>	square feet

Based on this development information, estimated service impact is: 2.14 alarms-annually.
 The estimated average travel time is: 6:16 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:
 Station 6 - Modello - 15890 SW 288 Street
 Rescue, BLS Tanker, Battalion.

Planned Service Expansions:

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

Fire Planning Additional Comments:

Current service impact calculated based on plans date stamped May 25, 2007. Substantial changes to the letter of intent will require additional service impact analysis.

TEAM METRO

ENFORCEMENT HISTORY

JULIO C. MOLINA

29100 S.W. 172 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2006000037

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

Current Case history;

Case 200701006021 was opened based on enforcement history request, inspected on 9-26-07 and found no new violations.

Case 200701004484 was re-inspected on 8-9-07, found to be in compliance and case was closed.

Case 200701004487 was re-inspected on 8-2-07, found to be in compliance and case was closed.

SITE PLAN
SCALE 1" = 60'

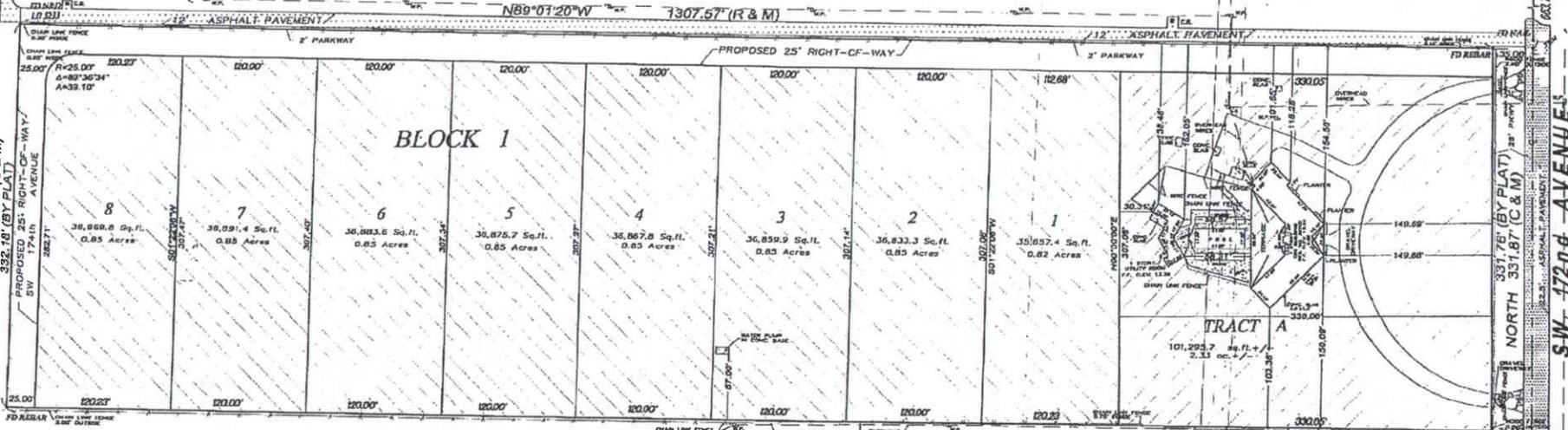


NOT SUBDIVIDED
SW 290th STREET

SW 288th STREET

21

TRACT B
PORVENIR NO. 4, 2nd AMENDED PLAT PB 43 PG 17
S01°22'18" E 933.14' (C & M)
S01°22'18" E 933.14' (C & M)



S89°03'13"E
SOUTH 1/2 TRACT A
PORVENIR NO. 4
2nd AMENDED PLAT
PB 43 PG 17

1315.50' (BY PLAT & M)

PORTION OF TRACT A
PORVENIR NO. 4
2nd AMENDED PLAT
PB 43 PG 17

PORTION OF TRACT A
PORVENIR NO. 4
2nd AMENDED PLAT
PB 43 PG 17

ENTIRE PARCEL

LEGAL DESCRIPTION:

THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NE 1/4 OF THE SW 1/4 OF SECTION 8, TOWNSHIP 31 SOUTH, RANGE 36 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.
ALSO KNOWN AS:
TRACT "A", LESS THAN THE SOUTH 1/2 OF PORVENIR NO. 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 43, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PORTION OF PARCEL ALREADY ZONED EU1

LEGAL DESCRIPTION:

THE EAST 330.00 FEET OF TRACT "A" OF THE SECOND AMENDED PLAT OF A PORTION OF PORVENIR NO. 4, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 43, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE SOUTH 1/2 OF SAID TRACT "A".

PORTION OF PARCEL TO BE ZONED EU1

LEGAL DESCRIPTION:

TRACT "A" OF THE SECOND AMENDED PLAT OF A PORTION OF PORVENIR NO. 4, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 43, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE SOUTH 1/2 OF SAID TRACT "A" AND LESS THE EAST 330.00 FEET THEREOF.

SURVEYOR'S REPORT:

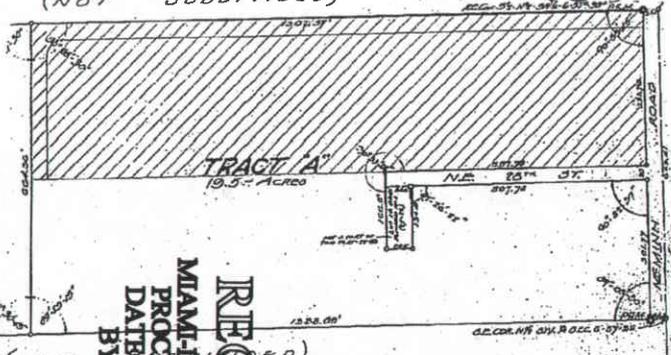
LEGAL DESCRIPTION OF ENTIRE PARCEL, AS SHOWN HEREON, WAS FURNISHED BY THE CLIENT, AND WAS TAKEN FROM WARRANTY DEED RECORDED IN O.P.L.B. 21323 PG. 3659.
THIS SITE PLAN WAS PREPARED FROM INFORMATION FURNISHED BY THE CLIENT.

LOT 14, BLK 41 OF P.B. 25 PG. 28 IS NOT A PART OF SAID TRACT "A" (P.B. 43 PG. 17), IT WAS INCLUDED IN THE SOUTH 1/2 OF SAID TRACT "A" TO AGREE WITH THE DESCRIPTION SUBMITTED BY THE CLIENT AND EXISTING OCCUPATION.

DEVELOPMENT INFORMATION SHOWN
HEREON WAS FURNISHED BY THE CLIENT.

- EXISTING ZONING = AU & EU1
- PROPOSED ZONING = EU1 (SUR)
- TOTAL NUMBER OF SITES: 1 TRACT AND 8 LOTS
- = DENOTES PORTION OF THE PROPERTY ALREADY ZONED EU1 (PROPOSED TRACT "A")
- = DENOTES PORTION OF PROPERTY TO BE ZONED EU1 (SUR) (PROPOSED LOTS 1 THRU 8)

(NOT SUBDIVIDED)



RECEIVED
MIAMI-DADE COUNTY
PROCESS # 706-037
DATE MAY 05 2007
BY: VALDEZY



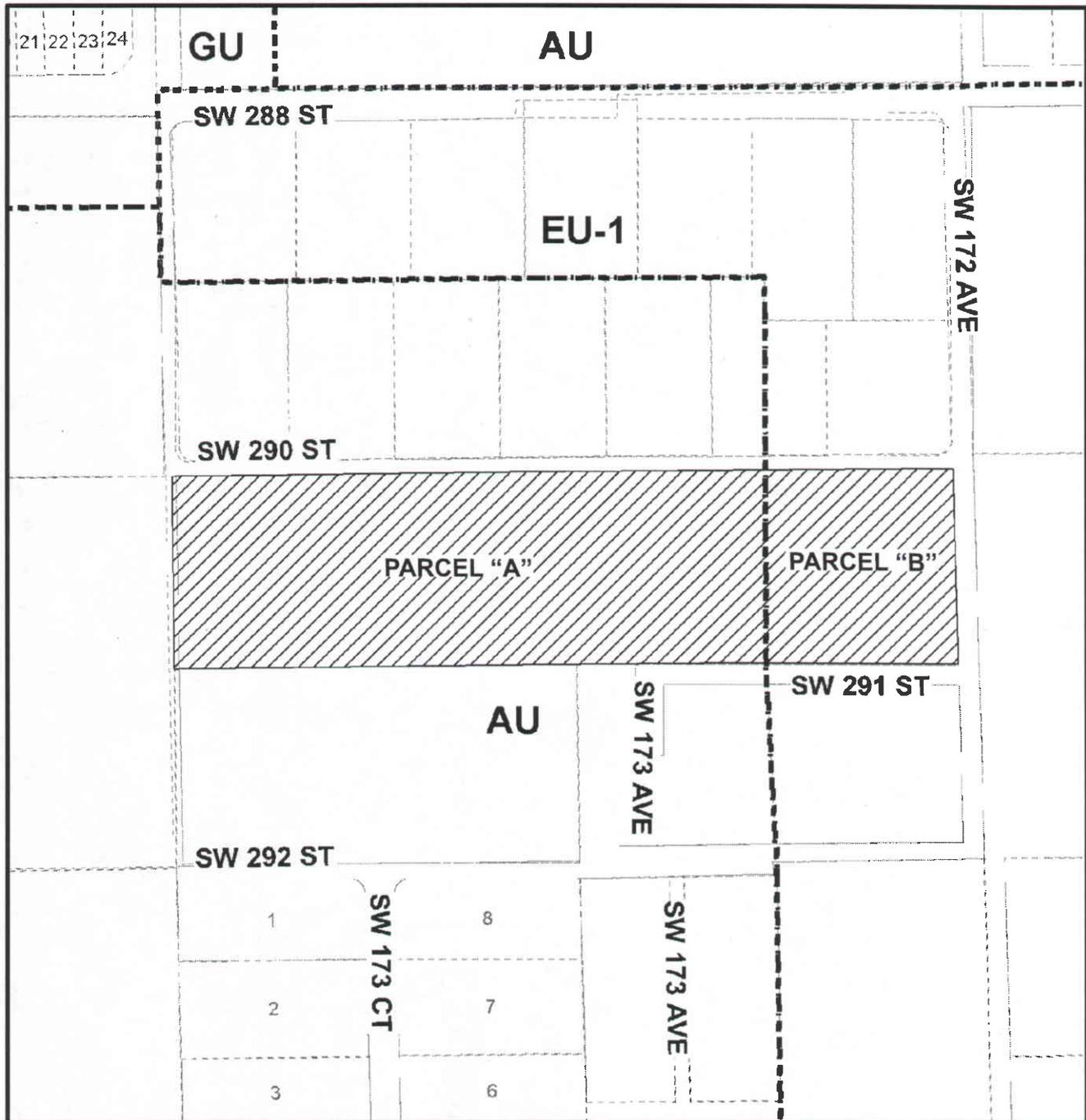
ABBREVIATIONS:

- C - DENOTES CENTER LINE
- ENCR - DENOTES ENCROACHMENT
- ESUT - DENOTES EASEMENT
- R/W - DENOTES RIGHT OF WAY
- SH - DENOTES SHOULDER
- M.H. - DENOTES MAN HOLE
- P.W. - DENOTES PARKWAY
- PAV - DENOTES PAVEMENT
- C.B. - DENOTES CATCH BASIN
- O.W. - DENOTES OVERHEAD WIRES
- W. - DENOTES WATCH WALK
- S.M.H. - DENOTES SANITARY SERVICE MANHOLE
- C.L. - DENOTES CLEAR
- T.B.M. - DENOTES TEMPORARY BENCH MARK
- S.F. - DENOTES SQUARE FEET
- CONC. - DENOTES CONCRETE
- C.B.M. - DENOTES CONCRETE BLOCK STRUCTURE
- F.T. ELEV. - DENOTES FINISH FLOOR ELEVATION
- F.D.P.M. - DENOTES FOUND FIRE ALARM
- F.O.L.M. - DENOTES FOUND 1/2" IRON PIPE (NO LOG)
- SCT. L.P. - DENOTES SET 1/2" (18" LONG) IRON PIPE W/ CAP
- F.D. NAD - DENOTES FOUND NAIL AND DISC
- SET HARD - DENOTES SET HARD AND DISC 2382
- B.L.O.G. - DENOTES BULKHEAD
- C.L.P. - DENOTES CABLE SOLUTION
- FR. - DENOTES FLOOR POWER AND LIGHT
- B.U.L. SO. - DENOTES BULLDOZER BOX
- F.D. SH. - DENOTES FOUND SHIM HOLES
- P.S.D. - DENOTES POINT OF BEGINNING
- P.S.C. - DENOTES POINT OF COMMENCEMENT
- C.O. - DENOTES CURB & GUTTER

MANUEL G. VERA AND ASSOCIATES, INC.
ENGINEERS LAND SURVEYORS PLANNERS LB 2439
13860 S.W. 47th STREET MIAMI, FLORIDA 33175 PHONE: (305) 221-5210 FAX: (305) 221-1295

SITE PLAN

REVISIONS:	PROPERTY OF:			
03-28-06	SHOW PROPOSED R/W LINE FOR SW 290th ST.			
06-30-06	SHOW PROPOSED R/W LINE FOR SW 174th AV.			
DATE	DRAWN BY	SCALE	F.B./PG.	JOB No.
02-02-06	S.N./T.A.	1"=60'	559-17	05-05-60



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number
06-037



SUBJECT PROPERTY

Section: 06 Township: 57 Range: 39
 Applicant: JULIO C. MOLINA
 Zoning Board: C14
 District Number: 08
 Drafter ID: ALFREDO
 Scale: NTS



REVISION	DATE	BY
New zoning file A & B (VOT) received	06/14/07 10/05/07	AJT AJT



MIAMI-DADE COUNTY
AERIAL

Process Number
06-037



Section: 06 Township: 57 Range: 39
 Applicant: JULIO C. MOLINA
 Zoning Board: C14
 District Number: 08
 Drafter ID: ALFREDO
 Scale: NTS


SUBJECT PROPERTY



CREATED ON: 02/23/06

REVISION	DATE	BY
New parcels A & B Lynn's request	08/14/07 10/05/07	AJT AJT

This instrument was prepared by:
Name: Simon Ferro
Address: Greenberg Traurig, P.A.
1221 Brickell Avenue
Miami, Florida 33131
(305)579-0500

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS FOR MIAMI-DADE COUNTY

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the County that the representations made by the owner during consideration of Public Hearing **No. Z06-037** will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by **Manuel G. Vera & Associates**, dated **02-02-06, last revised 06-30-06 and dated stamped received May 25, 2007** (hereinafter referred to as the "Site Plan"), said plans being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement. Tract A of the Site Plan has been previously approved as a home for the aged and may continue to be operated as such; however, if said use is terminated, Tract A may be developed in accordance with EU-1 zoning regulations including the use of SUR's if the owner should desire. ✓
- (2) Prior to final plat approval, owner shall purchase and submit to Miami-Dade County Severable Use Rights (SURs) to develop the Property in accordance with the Site Plan. ✓
- (3) The existing home for the aged located on Tract A of the Site Plan shall be staffed with at least one caregiver 24 hours a day. ✓

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of,

Declaration of Restrictions

Page 2

and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Declaration of Restrictions

Page 3

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

Owner. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

ACKNOWLEDGMENT INDIVIDUAL

Signed, witnessed, executed and acknowledged on this 30 day of August, 2007.

WITNESSES:

[Signature]
Signature
MATINO LINARES
Print Name
[Signature]
Signature
Karins Palacios
Print Name

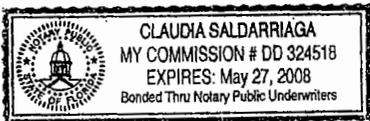
JULIO C. MOLINA
[Signature]
Individual Signature
Address:
29100 S.W. 172 Avenue
Miami, FL 33030

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by JULIO C. MOLINA, who is personally known to me or has produced Driver License, as identification.

Witness my signature and official seal this 30 day of August, 2007, in the County and State aforesaid.



[Signature]
Notary Public-State of Florida
Claudia Saldarriaga
Print Name

My Commission Expires:

Loan # 908-3011878414

Loan # 116-752334441

(Space reserved for Clerk)

JOINDER BY MORTGAGEE CORPORATION

The undersigned WASHINGTON MUTUAL BANK, a Federal Association, which is organized and existing under the laws of the United States of America, and Mortgagee under the following mortgages:

1. From Julio C. Molina, a married man, joined by his wife, Negui Molina dated the 8th day of December, 2006, and recorded in Official Records Book 25192, Page 1318, of the Public Records of Miami-Dade County, Florida, under loan No. 3011878414, covering all/or a portion of the property described in the foregoing agreement;
2. From Julio Molina, a married man, joined by his wife, Negui Molina dated the 8th day of December, 2006, and recorded in Official Records Book 25192, Page 1341, of the Public Records of Miami-Dade County, Florida, under loan No. 0752334441, covering all/or a portion of the property described in the foregoing agreement.

Washington Mutual Bank does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 14 day of September, 2007.

Witnesses:

Robyn Jones
Signature

Robyn Jones
Print Name

Sharon Clifford
Signature

Sharon Clifford
Print Name

WASHINGTON MUTUAL BANK
2210 ENTERPRISES DR.
FLORENCE SC 29501

By *Wendy A Buchner*
Print Name: Wendy A Buchner, AVP
(President, Vice-President or CEO*)

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF South Carolina
COUNTY OF Florence

The foregoing instrument was acknowledged before me by Catherine Smith the Wendy A Buchner, Assistant Vice President (Name) (Title) of Washington Mutual Bank, on behalf of the bank. He/She is personally known to me or has produced SCDL, as identification.

Witness my signature and official seal this 14 day of September, 2007, in the County and State aforesaid.

Catherine Smith
NOTARY PUBLIC
State of South Carolina

Catherine Smith
Notary Public-State of South Carolina
Catherine Smith
My Commission Expires: 12-29-07

EXHIBIT "A"

ENTIRE PARCEL

ENTIRE LEGAL DESCRIPTION

THE NORTH $\frac{1}{2}$, OF THE SOUTH $\frac{1}{2}$, OF THE NE $\frac{1}{4}$, OF THE SW $\frac{1}{4}$, OF SECTION 6, TOWNSHIP 57 SOUTH, RANGE 39 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

ALSO KNOWN AS:

TRACT "A", LESS THAN THE SOUTH $\frac{1}{2}$, OF PORVENIR NO. 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 43, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA.

A. JULIO C. MOLINA
(Applicant)

07-9-CZ14-1 (06-37)
Area 14/District 8
Hearing Date: 10/16/07

Property Owner (if different from applicant) **Same.**

Is there an option to purchase /lease the property predicated on the approval of the zoning request? Yes No

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1997	Clutilder Dacosta	- Unusual Use to permit a home for the aged. - Non-Use variances.	ZAB	Approved in part w/conds.

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
COMMUNITY ZONING APPEALS BOARD - AREA 14
MOTION SLIP**

1

APPLICANT'S NAME: JULIO C. MOLINA

REPRESENTATIVE: SIMON FERRO

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
07-9-CZ14-1 (06-37)	SEPTEMBER 18, 2007	CZAB14	07

REQ: (1) AU to EU-1 [ON PARCEL "A"]
(2) MOD Reso [ON PARCEL "B"]

REC: APPROVE #1 SUBJECT TO COVENANT
AWC #2 PER (A)(7) & DWOP PER (A)(17)

WITHDRAW: APPLICATION ITEM(S): _____

DEFER: INDEFINITELY TO: OCT. 16, 2007 W/LEAVE TO AMEND

DENY: WITH PREJUDICE WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT ACCEPT REVISED PLANS

APPROVE: PER REQUEST PER DEPARTMENT PER D.I.C.
 WITH CONDITIONS

APPLICANT UNABLE TO PROCURE COVENANT JOINDER PRIOR TO HEARING

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	M	Wilbur B. BELL	X		
MADAME VICE-CHAIR		Dawn Lee BLAKESLEE	X		
MR.	S	Gary J. DUFEK	X		
DR.		Pat WADE	X		
CHAIRMAN		Curtis LAWRENCE (C.A.)			X
VOTE:			4	0	

EXHIBITS: YES NO

COUNTY ATTORNEY: THOMAS ROBERTSON

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 14

APPLICANT: Julio Molina

PH: Z06-037 (07-9-CZ14-1)

SECTION: 6-57-39

DATE: October 16, 2007

COMMISSION DISTRICT: 8

TEM NO.: A

=====

A. INTRODUCTION

o REQUESTS:

(1) AU to EU-1

REQUEST #1 ON PARCEL "A"

(2) MODIFICATION of Conditions #2 and #9 of Resolution 5-ZAB-201-97, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Assisted Living Facility,' as prepared by Taxis, Inc., consisting of 2 sheets dated October 31, 1998."

TO: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Assisted Living Facility,' as prepared by Taxis, Inc., consisting of 2 sheets dated October 31, 1998 and a plan entitled 'Site Plan,' as prepared by Manuel G. Vera and Associates, Inc., consisting of 1 sheet and dated stamped received 2/2/06."

FROM: "9. That the operator of the facility must be the owner of the property and permanently reside on the property."

TO: "9. That the owner provide full-time staff 24 hours a day, 7 days a week for the facility."

REQUEST #2 ON PARCEL "B"

The purpose of request #2 is to submit a revised site plan showing less property for the previously approved home for the aged and to remove the condition that the owner be the operator of the facility and reside on the site permanently; to allow staffing of the site by other than the owner.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

- o **SUMMARY OF REQUESTS:** The applicant is requesting a zone change on the subject property from AU, Agricultural District, to EU-1, Single-Family One Acre Estate Residential District, on Parcel "A" and also seeks to modify two of the conditions of a previously approved Resolution for a home for the aged.
- o **LOCATION:** 29100 SW 172 Avenue, Miami-Dade County, Florida.
- o **SIZE:** 10 Gross Acres
- o **IMPACT:** The approval of the requested district boundary change would allow the applicant to subdivide the property and provide additional housing units to the community. The rezoning of the property will also eliminate approximately 7.5 acres of agriculturally zoned land in Miami-Dade County and will increase the population in the area, which may impact the water and sewer services, will add children to the public schools and will increase traffic in the area. The approval of the modifications will not, in staff's opinion, negatively impact the area, nor negatively affect the current or future residents of the home for the aged.

B. ZONING HEARINGS HISTORY: In 1997, the subject property was approved with conditions for an unusual use to permit a home for the aged, pursuant to Resolution No. 5-ZAB-201-97. Additionally, non-use variances were granted to permit a 13' wide two-way driveway and to waive the required dedication along a right-of-way (SW 290 Street). Staff notes that the home for the aged is still operational and the applicant wishes it to remain so. Prior to this in 1955, the eastern 330' of the subject property was part of an application that was rezoned from AU, Agricultural District, to EU-1, Single-Family One Acre Estate Residential District, pursuant to Resolution No. 8919.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Estate Density Residential** use. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.
2. **Uses and Zoning Not Specifically Depicted.** Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.
3. **Policy LU-9C.** Miami-Dade County shall continue to encourage and promote the transfer of Severable Use Rights (SUR) from lands which are allocated SURs in Chapter 33B, Code of Miami-Dade County, to land located within the Urban Development Boundary (UDB) as designated on the LUP map.

4. **Severable Use Rights.** The entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SUR's) in accordance with provisions of Chapter 33-B, Code of Miami-Dade County. Accordingly, certain developments as specified in Chapter 33-B may be entitled to density or floor area bonuses as authorized by Chapter 33-B. If the existing SUR program is modified pursuant to Land Use Element Policy LU-9C or other transferable development rights programs are established, all rights established by such programs shall be transferable to receiver sites inside the UDB as established in those programs.
5. **Urban Development Boundary.** The Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur. Development orders permitting urban development will generally be approved within the UDB at some time through the year 2015 provided that level-of-service standards for necessary public facilities will be met. Adequate countywide development capacity will be maintained within the UDB by increasing development densities or intensities inside the UDB, or by expanding the UDB, when the need for such change is determined to be necessary through the Plan review and amendment process.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU (Parcel A) (7.5 gross / 6.78 net acres); Avocado grove	Estate Density Residential, 1 to
EU-1 (Parcel B) (2.5 gross / 2.32 net acres); home for aged	2.5 dua

Surrounding Properties:

<u>NORTH:</u> AU; Single-family residences EU-1; Single-family residences	Estate Density Residential, 1 to 2.5 dua
<u>SOUTH:</u> AU; Single-family residences EU-1; Single-family residence	Estate Density Residential, 1 to 2.5 dua
<u>EAST:</u> EU-1; Vacant	Estate Density Residential, 1 to 2.5 dua
<u>WEST:</u> AU; Avocado grove	Estate Density Residential, 1 to 2.5 dua

The 10 gross acre subject property is a rectangular lot, oriented lengthwise, located at 29100 SW 172 Avenue. The area surrounding the subject property is characterized as rural, established with single-family residences and agricultural uses. An existing home for the aged is located on the easternmost portion of the parcel fronting on SW 172 Avenue. The westernmost portion of the parcel is located approximately 0.5 mile east of the Urban Development Boundary (UDB), which is at the intersection of SW 177 Avenue and SW 288 Street.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plan submitted.)
Scale/Utilization of Site:	Acceptable*
Location of Buildings:	Acceptable
Compatibility:	Acceptable

Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	Acceptable
Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Urban Design:	Acceptable

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

F. PERTINENT REQUIREMENTS/STANDARDS:

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

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

Section 33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to **modify or eliminate** any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or

eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDT	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection/4 students

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

This item was deferred at the September 18, 2007, meeting to allow the applicant an opportunity to provide a properly executed covenant. The 10 gross acre subject property is a rectangular lot, oriented lengthwise, located at 29100 SW 172 Avenue. An existing home for the aged is located on the easternmost portion of the subject property that is zoned EU-1 fronting on SW 172 Avenue, while the balance of the site is currently being utilized as an avocado grove. The westernmost portion of the parcel is located approximately 0.5 mile east of and within the Urban Development Boundary (UDB), which is at the intersection of SW 177 Avenue (Krome Avenue) and SW 288 Street. The east 330' of the property (Parcel "B"), which is approximately 2.5 gross / 2.32 net acres in size, is zoned EU-1, Single-Family One Acre Estate Residential District, and the balance of the site (Parcel "A") is zoned AU, Agricultural District, and is comprised of approximately 7.5 gross / 6.78 net acres. The applicant is requesting a district boundary change from AU to EU-1 on Parcel "A" (request #1). Plans submitted by the applicant show the development of the subject site with eight (8) residential units developed with less lot acreage and lot frontage than required under the EU-1 zoning district. It is the intent of the applicant to utilize Severable Use Rights (SUR's) to obtain the zoning bonuses for lot frontage and lot area to achieve the desired number and configuration of lots. The fully dedicated roadway, SW 290 Street, along the northern property line, will establish access to the proposed lots. The applicant has voluntarily proffered a covenant restricting the development of the site to the submitted plans and limiting the density to a maximum of 8 units with the utilization of SUR's. Additionally, the applicant intends to continue the previously approved home for the aged, but wishes to modify two conditions of the resolution that was passed and adopted by the Zoning Appeals Board on Parcel "B" (request #2), which along with restricting the development of the site to those plans submitted in 1997 for the home for the aged use, also require that the owner operate and live on the subject property. The purpose of request #2 is to submit a revised site plan showing the reduced property size for the previously approved home for the aged and to remove the condition that the owner be the operator of the facility and reside on the site permanently; to allow staffing of the site by other than the owner. Rural single-family residences and agricultural uses characterize the surrounding area where the subject property lies.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicants will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application, particularly as it applies to the removal and preservation of specimen-sized (18" or greater trunk dimension) tree resources. The Public Works Department (**PWD**) has **no objections** to this application and indicates that it will generate an additional **11 pm** daily peak hour **vehicle trips** to the area. However, said trips will not change or exceed the acceptable Levels of Service (LOS) on the area roadways that are currently operating at LOS "A", "B", "C" and "D." The Miami-Dade Fire Rescue Department (**MDFR**) has **no objections** to the application. Additionally, Miami-Dade County Public Schools (**MDCPS**) has **no objections** to this application and has indicated that the proposed zoning will bring an additional **4 students** into the area's public schools. Their memorandum indicates that the applicant and the School Board have held the required dialogue.

The approval of the requested district boundary change would allow the applicant to subdivide the property into 8 residential lots, while maintaining the existing home for the aged use. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Estate Density Residential** use, which permits a minimum of 1 unit per gross acre to a maximum of 2.5 units per gross acre. This would generate a permissible numerical density threshold of a minimum of 7 to a maximum of 18 dwelling units on the 7.5 gross acre portion of the subject site. The interpretative text of the CDMP reads that the entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SUR's) in accordance with provisions of Chapter 33-B, Code of Miami-Dade County. The SUR bonus would reduce the required lot frontage from 125' to 110' and lessen the required lot area from 43,560 sq. ft. (1 acre) to 32,500 sq. ft. (0.75 acre) for EU-1 zoned properties. Staff notes that the plans submitted by the applicant reflect an intended development of 8 lots with the utilization of the SUR bonus granted for lot area and frontage. As such, the applicant's proposal of 8 EU-1 zoned lots utilizing SUR's is within the density range permitted, and would allow for development density at 1.06 dwelling units per acre, which is on the low end of the density range permitted under the Estate Density Residential use designation of the LUP map of the CDMP. Also, it must be noted that to develop the site within full compliance of the EU-1 zoning district requirements pertaining to lot area and lot frontage, without the use of SUR's, would allow the applicant to configure the site with 7 units, which also meets the minimum density threshold of the LUP map designation. As such, staff is of the opinion that the requested zone change from AU to EU-1 on Parcel "A" is **consistent** with the LUP map designation of the CDMP and **compatible** with the surrounding area.

The Department of Planning and Zoning supports the zone change from AU to EU-1, subject to the Board's acceptance of the voluntarily proffered covenant. When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development conforms to the Comprehensive Development Master Plan for Miami-Dade County. As previously mentioned, the proposed development is **consistent** with the Estate Density Residential LUP Map designation of the CDMP and **compatible** with the surrounding area. Staff notes that the Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur. The interpretative text of the CDMP indicates that development orders permitting urban development will generally be approved within the UDB at some time through the year 2015 provided that level-of-service standards for necessary public facilities will be met. This project will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by DERM. Additionally, the proposed development does not unduly burden or affect public transportation facilities as indicated in the PWD's memorandum submitted

for this application, and the proposed residential development will be readily accessible via SW 290 Street and SW 172 Avenue, a half-section line roadway. Furthermore, approval of the application will not overly burden Miami-Dade County Public Schools. Staff notes that the east 330' of the subject property, zoned EU-1, is approximately 2.5 acres in size, and the balance of the site is zoned AU (approximately 7.5 acres). The approval of the district boundary change would rezone the applicant's 10 gross acre property into a uniform zoning district, and allow the applicant to develop the property in accordance with EU-1 zoning regulations utilizing SUR bonuses for lot frontage and lot area. Although there have not been recent approvals for district boundary changes in the surrounding area, staff notes that historically, there have been similar approvals granted in the area for land subdivision similar to that sought within the applicant's proposal. The subject property is neighbored to the north by 6 single-family residences, which pursuant to Resolution No. 4-ZAB-382-93, were approved as buildable sites with lot frontages varying from 178.18' to 194.17' (200 required) and with lot areas varying in size from 1.367 to 1.559 gross acres (5 acres required) in the AU district. Similarly, the western half of the subject property abuts three parcels to the south which were approved, pursuant to Resolution No. 5-ZAB-73-95, for lot areas of 1.52, 1.83 and 1.75 acres. As such, in staff's opinion, the proposed lot frontages of 120' found within this application would be compatible with the sizes of the lot frontages found to the north, across SW 290 Street and to the south. Moreover, in 1990 pursuant to Resolution No. 4-ZAB-302-90, a 10 acre parcel of land was approved for 8 buildable sites with lot frontages varying from 88.11' to 177.54' and with lot areas of 1.3 gross acres each, located along SW 292 Street approximately 325' to the south of the subject property. As such, it is staff's determination that, although a portion the subject property abuts AU zoned property to the north, south and to the west, numerous neighboring zoning hearing approvals have led to a precedent for land subdivision in the immediate vicinity. Therefore, the rezoning of the property on Parcel "A" would be **compatible** with the approximate sizes of the lot areas and lot frontages in the area, and with the subdivision trend that has occurred in the area, between SW 174 Avenue and SW 172 Avenue.

When request #2 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), in staff's opinion, the proposed modification of the conditions will not adversely impact the surrounding area and will be **compatible** with same. Request #2, to modify Conditions #2 and #9 of Resolution 5-ZAB-201-97 will remove the requirement that the owner must operate and live on the property, and will allow the applicant to submit a revised site plan for the previously approved home for the aged use. As previously mentioned, the applicant seeks to continue the previously approved home for the aged use on Parcel "B", but the owner is no longer the operator of the facility and, in staff's opinion, should not be required to reside there. The owner would no longer be living on the premises but would have full time staff at the facility (24 hours a day, 7 days a week); therefore, there is no longer any compelling reason to require the owner to live at the property. Staff recommends as a condition for the approval of the application that the applicant provide full time staff at the facility. As previously mentioned, the existing home for the aged was approved as an unusual use in 1997 and was originally supported by staff. The applicant intends to sever the approximately 6.78 net acres of the site currently being utilized as an avocado grove to accommodate the subdivision on Parcel "A" that is the subject of the zone change. The remaining 2.32 net acres, staff maintains, will be of sufficient size to continue the home for the aged use, which restricts the facility to a maximum of 16 clients, without generating variances pertaining to setbacks or lot coverage and will still be capable of accommodating all the required parking. The 6,000 sq. ft. structure is not proposed to have any additions or alterations, and staff notes that the property fronts on a half-section line minor roadway (SW 172 Avenue). Based on all of the aforementioned, staff is of the opinion that the approval of the modification of Conditions #2 and #9 would be **compatible** with the surrounding area. Therefore, staff recommends approval with conditions of request #2 on Parcel "B" under Section 33-311(A)(7).

The Standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to this application. Due to the lack of information, staff is unable to properly analyze request #2 under said Standards and, as such, staff recommends denial without prejudice under Section 33-311(A)(17).

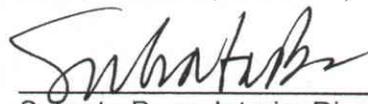
Based on all of the foregoing, staff opines that the approval of the district boundary change, subject to the Board's acceptance of the proffered covenant restricting the development of the site to the submitted plans and requiring the applicant to utilize SUR's, would be in keeping with the basic intent and purpose of the zoning, land use and subdivision regulations. The requested zone change to from AU to EU-1 on parcel "A" would make the subject property a uniform zoning classification, and is **consistent** with the CDMP and **compatible** with the surrounding area. Therefore, staff recommends approval of the district boundary change from AU to EU-1, subject to the Board's acceptance of the proffered covenant. Additionally, staff recommends approval of the modification of two conditions of Resolution No. 5-ZAB-201-97 (request #2) under Section 33-311(A)(7).

I. **RECOMMENDATION:** Approval of the district boundary change to EU-1 on Parcel "A" subject to the Board's acceptance of the proffered covenant (request #1), and approval with conditions of request #2 on Parcel "B" under Section 33-311(A)(7) and denial without prejudice of request #2 under Section 33-311(A)(17).

J. **CONDITIONS:** For request #2:

1. That all the conditions of Resolution No. 5-ZAB-201-97 remain in full force and effect except as herein modified.
2. That the owner provide full time staffing for the care of the residents 24 hours a day, 7 days a week at the home for the aged on Parcel "B".

DATE INSPECTED: 07/31/07
DATE TYPED: 07/31/07
DATE REVISED: 08/01/31; 08/02/07; 08/13/07; 08/14/07; 08/20/07; 10/05/07
DATE FINALIZED: 10/05/07
SB:MTF:LVT:JGM


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

Memorandum



Date: August 9, 2007

To: Subrata Basu, AIA, AICP, Interim 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 over the printed name in the "From:" field.

Subject: C-14 #Z2006000037-2nd Revision
Julio C. Molina
29100 S.W. 172nd Avenue
District Boundary Change from EU-1 & AU to EU-1
(EU-1/AU) (10 Ac.)
06-57-39

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

The closest public water main is located approximately 1,690 feet from the subject property. Based on the proposed request, the subject property is within feasible distance for connection to public water. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with 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 properties. Consequently, any proposed development would have to be served by septic tanks and drainfields as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield, provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded. Based on available information, the proposed single-family residences served by septic tanks would not exceed the maximum allowable sewage loading for the subject properties.

Stormwater Management

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

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

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

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

Pollution Remediation

The subject property is located within a designated brownfield area. The applicant is advised that there are economic incentives available for development within this area. For further information concerning these incentives, contact the Pollution Remediation Section of DERM at 305-372-6700.

Wetlands

The subject property does not contain jurisdictional wetlands, as defined in 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

The subject property may contain specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact DERM staff for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History

DERM has found no open or closed formal enforcement record for the subject property.

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.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

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: JULIO C. MOLINA

This Department has no objections to this application.

Radius return will be required at the intersection of SW 290 Street and SW 172 Avenue at time of tentative plat submittal. Fences and driveway may need to be relocated.

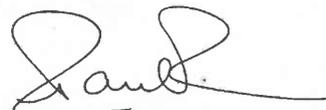
Additional on-site and off-site improvements may be required at time of permitting.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 11 PM daily peak hour vehicle trips. The traffic distributions of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9212	Krome Ave. n/o SW 288 St.	A	A
9862	SW 167 Ave. s/o SW 216 St.	C	C
9932	SW 288 St. w/o US-1	D	D
9936	SW 296 St. w/o US-1	B	B
9938	SW 296 St. e/o SW 197 Ave.	B	B

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



Raul A Pino, P.L.S.

20-JUL-07



Miami-Dade County Public Schools

giving our students the world

C-14

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

Chief Facilities Officer
Rose Diamond

Planning Officer
Ana Rijo-Conde, AICP

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

June 28, 2006

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

C-14

RECEIVED
JUL 20 2006

Re: Julio C. Molina - Application No. 06-037
29100 SW 172 Avenue

DEPT. OF PLANNING & ZONING
ZONING EVALUATION SECTION
BY [Signature]

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Homestead Middle School and South Dade Senior High School currently operating at 120% and 131% of FISH % utilization, respectively (please see attached analysis).

Additionally, at its April 13, 2005 meeting, the Board approved School District criteria that would allow District staff to make recommendations on residential zoning applications that impact public schools beyond the 115% of FISH capacity threshold (Review Criteria). Pursuant to the Interlocal and the recently approved Review Criteria, the District met with the applicant on June 27, 2006, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application.

The District is grateful that the applicant took the time to meet with the School District to discuss possible mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered to the School Board a monetary donation, over and above impact fees. The payment of the required educational impact fees for this proposed development and the proffered monetary donation will provide the full capital cost of student stations for the additional students generated by the proposed development. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

14

Ms. Maria Teresa-Fojo
June 28, 2006
Page Two

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

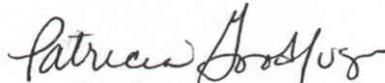
Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

New residential unit square footage X .90 (Square Footage Fee) + \$600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the additional 7 units are estimated to generate approximately \$16,800 (\$2,400 per unit, excluding the 2% administration fee) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,


Patricia Good
Coordinator III

PG:am
L-1467
Attachment

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

PRELIMINARY SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 06-037, Julio C. Molina (CC14)

REQUEST: Zone change from AU to EU-1

ACRES: 10 acres

LOCATION: 29100 SW 172 Avenue

MSA/MULTIPLIER: 7.3/.60

NUMBER OF UNITS: 7 additional units (1 unit currently permitted under existing zoning classification, for a total of 8 units)

ESTIMATED STUDENT POPULATION: 4 students*

ELEMENTARY: 2

MIDDLE: 1

SENIOR: 1

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Avocado Elementary – 16969 SW 294 Street

MIDDLE: Homestead Middle -650 NW 2 Avenue

SENIOR HIGH: South Dade Senior -28401 SW 167 Avenue

All schools are located in Regional Center VI

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2005:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	CUMULATIVE STUDENTS **
Avocado Elem.	1042/ 1044*	869	120%/	66	111%/	1306
Homestead Middle	1206/ 1207*	848	142%/	158	120%/	2231
South Dade Sr.	2759/ 2760*	1721	160%/	380	131%/	3112

* increased student population as a result of the proposed development.

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

Note:

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

PLANNED RELIEF SCHOOLS IN THE AREA

(Information included in proposed 5-Year Capital Plan, 2005-2009, dated April 2005):

Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
State School "SS1" (Redland and Homestead Middle School Relief) (1662 student stations)	Construction	School Opening 2007
State School "CCC1" (South Dade Sr. High School Partial Replacement) (1522 additional student stations)	Construction	School Opening 2009

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	869
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	5748
Estimated Permanent Senior Seats (Current and Proposed in 5-Year Plan)	3243

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

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$26,196.

CAPITAL COSTS: Based on the State's June-2006 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	Does not meet the threshold
MIDDLE	1 x \$ 16,485 = \$ 16,485
SENIOR	1 x \$ 21,815 = \$ 21,815
Total Potential Capital Cost	\$ 38,300

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



Memorandum

Date: 20-JUN-07
To: Subrata Basu, Interim Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2006000037

Fire Prevention Unit:

This Memo supersedes MDRF Memorandum dated June 12, 2007.

APPROVAL

Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped May 25, 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with the MDRF Access Road Requirements for zoning hearing applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDRF requirements.

Service Impact/Demand:

Development for the above Z2006000037
 located at 29100 S.W. 172 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 2552 is proposed as the following:

8 residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	N/A institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 2.14 alarms-annually.
 The estimated average travel time is: 6:16 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:
 Station 6 - Modello - 15890 SW 288 Street
 Rescue, BLS Tanker, Battalion.

Planned Service Expansions:

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

Fire Planning Additional Comments:

Current service impact calculated based on plans date stamped May 25, 2007. Substantial changes to the letter of intent will require additional service impact analysis.

TEAM METRO

ENFORCEMENT HISTORY

JULIO C. MOLINA

29100 S.W. 172 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2006000037

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

Current Case history;

Case 200701006021 was opened based on enforcement history request, inspected on 9-26-07 and found no new violations.

Case 200701004484 was re-inspected on 8-9-07, found to be in compliance and case was closed.

Case 200701004487 was re-inspected on 8-2-07, found to be in compliance and case was closed.

SITE PLAN
SCALE 1" = 60'

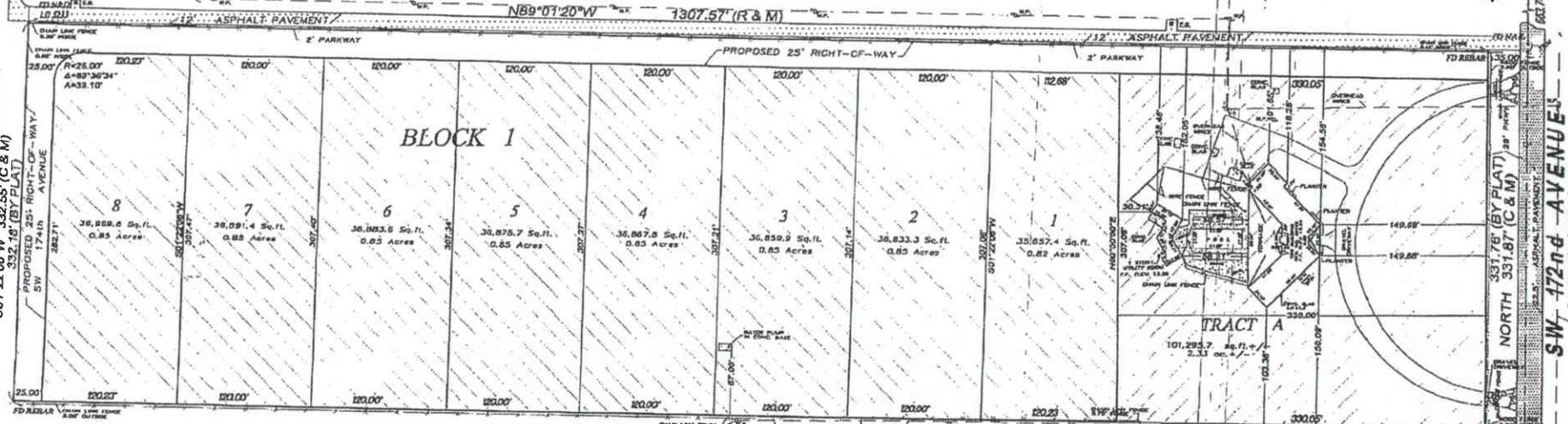


NOT SUBDIVIDED
SW 290th STREET

SW 288th STREET

21

TRACT B
PORVENIR NO. 4, 2nd AMENDED PLAT PB 43 PG 17
S01°22'06"W 332.55' (C & M)
S52°19' (BY PLAT)



SOUTH 1/2 TRACT A
PORVENIR NO. 4
2nd AMENDED PLAT
PB 43 PG 17

PORTION OF TRACT A
PORVENIR NO. 4
2nd AMENDED PLAT
PB 43 PG 17

PORTION OF TRACT A
PORVENIR NO. 4
2nd AMENDED PLAT
PB 43 PG 17

**ENTIRE PARCEL
LEGAL DESCRIPTION:**

THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NE 1/4 OF THE SW 1/4 OF SECTION 6, TOWNSHIP 31 SOUTH, RANGE 38 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.
ALSO KNOWN AS:
TRACT "A", LESS THAN THE SOUTH 1/2 OF PORVENIR NO. 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 43, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI COUNTY, FLORIDA.

**PORTION OF PARCEL ALREADY ZONED EU1
LEGAL DESCRIPTION:**

THE EAST 330.00 FEET OF TRACT "A" OF THE SECOND AMENDED PLAT OF A PORTION OF PORVENIR No. 4, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 43, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE SOUTH 1/2 OF SAID TRACT "A".

**PORTION OF PARCEL TO BE ZONED EU1
LEGAL DESCRIPTION:**

TRACT "A" OF THE SECOND AMENDED PLAT OF A PORTION OF PORVENIR No. 4, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 43, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE SOUTH 1/2 OF SAID TRACT "A" AND LESS THE EAST 330.00 FEET THEREOF.

SURVEYOR'S REPORT:

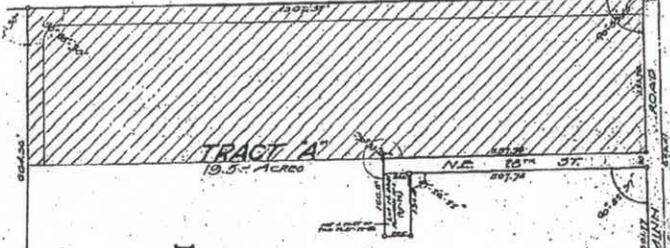
LEGAL DESCRIPTION OF ENTIRE PARCEL AS SHOWN HEREON, WAS FURNISHED BY THE CLIENT, AND WAS TAKEN FROM WARRANTY DEED RECORDED IN O.R.B. 21323 PG. 3650.
THIS SITE PLAN WAS PREPARED FROM INFORMATION FURNISHED BY THE CLIENT.

LOT 14, BLK. 41 OF P.B. 25 PG. 28 IS NOT A PART OF SAID TRACT "A" (P.B. 43 PG. 17). IT WAS INCLUDED IN THE SOUTH 1/2 OF SAID TRACT "A" TO AGREE WITH THE DESCRIPTION SUBMITTED BY THE CLIENT AND EXISTING OCCUPATION.

**DEVELOPMENT INFORMATION SHOWN
HEREON WAS FURNISHED BY THE CLIENT.**

- EXISTING ZONING = AU & EU1
PROPOSED ZONING = EU1 (SU1)
TOTAL NUMBER OF SITES:
1 TRACT AND 8 LOTS
- ▭ DENOTES PORTION OF THE PROPERTY ALREADY ZONED EU1 (PROPOSED TRACT "A")
 - ▨ DENOTES PORTION OF PROPERTY TO BE ZONED EU1 (SU1) (PROPOSED LOTS 1 THRU 8)

(NOT SUBDIVIDED)



(NOT SUBDIVIDED)

RECEIVED
MIAMI-DADE COUNTY
PLANNING DEPARTMENT
PROCESS #: 2006-037
DATE: MAY 05 2007
BY: VALDREY



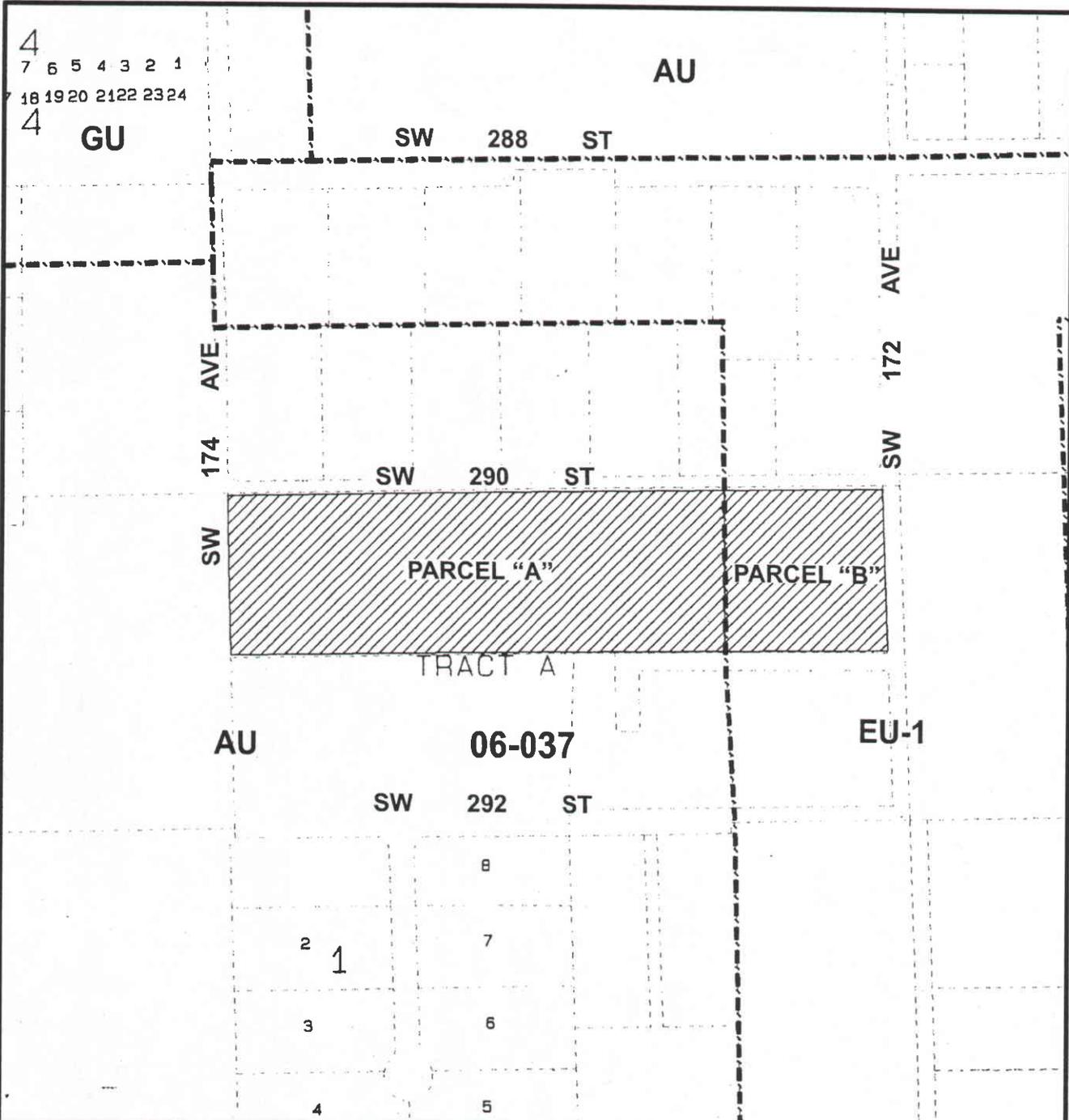
SW 292nd STREET

ABBREVIATIONS:

- | | | | |
|----------|-------------------------------|------------|---|
| S | DENOTES CENTER LINE | CONC | DENOTES CONCRETE |
| CHDR | DENOTES CHOCOLADE | C.B.L. | DENOTES CONCRETE BLOCK STUCCO |
| ESUT | DENOTES EASEMENT | F.F. ELEV. | DENOTES FINISH FLOOR ELEVATION |
| R/W | DENOTES RIGHT OF WAY | FD.P.A.C. | DENOTES FOUND FUL. NAIL |
| SW | DENOTES SWEETWATER | FD.L.P. | DENOTES FOUND 1/2" IRON PIPE (NO L.S.) |
| M.H. | DENOTES MAN HOLE | SET L.P. | DENOTES SET 1/2"(18") LONG) IRON PIPE W/CH. 12" |
| PAV | DENOTES PAVEMENT | FD. NAD | DENOTES FOUND NAIL AND DISC |
| PHI | DENOTES PAVEMENT | SET HEAD | DENOTES SET NAIL AND DISC 3/8" |
| C.B. | DENOTES CATCH BASIN | BLK. | DENOTES BULKING |
| OVHD | DENOTES OVERHEAD WARES | CITY | DENOTES CABLE TELEVISION |
| W.V. | DENOTES WATER VALVE | TR. | DENOTES FLORIDA POWER AND LIGHT |
| S.S.H.H. | DENOTES SANITARY MANHOLE | CELL. SO. | DENOTES CELL SOUTH BOX |
| CL | DENOTES CLEAR | FD SW | DENOTES FOUND HILL, HOLE |
| T.S.M. | DENOTES TEMPORARY SURVEY MARK | P.D.C. | DENOTES POINT OF BEGINNING |
| SO. FT. | DENOTES SQUARE FEET | C/O | DENOTES POINT OF COMMENCEMENT |
| | | | DENOTES CURB & GUTTER |

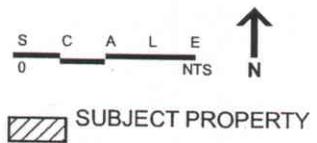
MANUEL G. VERA AND ASSOCIATES, INC.
ENGINEERS LAND SURVEYORS PLANNERS LB 2439
13860 S.W. 47th STREET MIAMI, FLORIDA 33175 PHONE: (305) 221-5210 FAX: (305) 221-1295

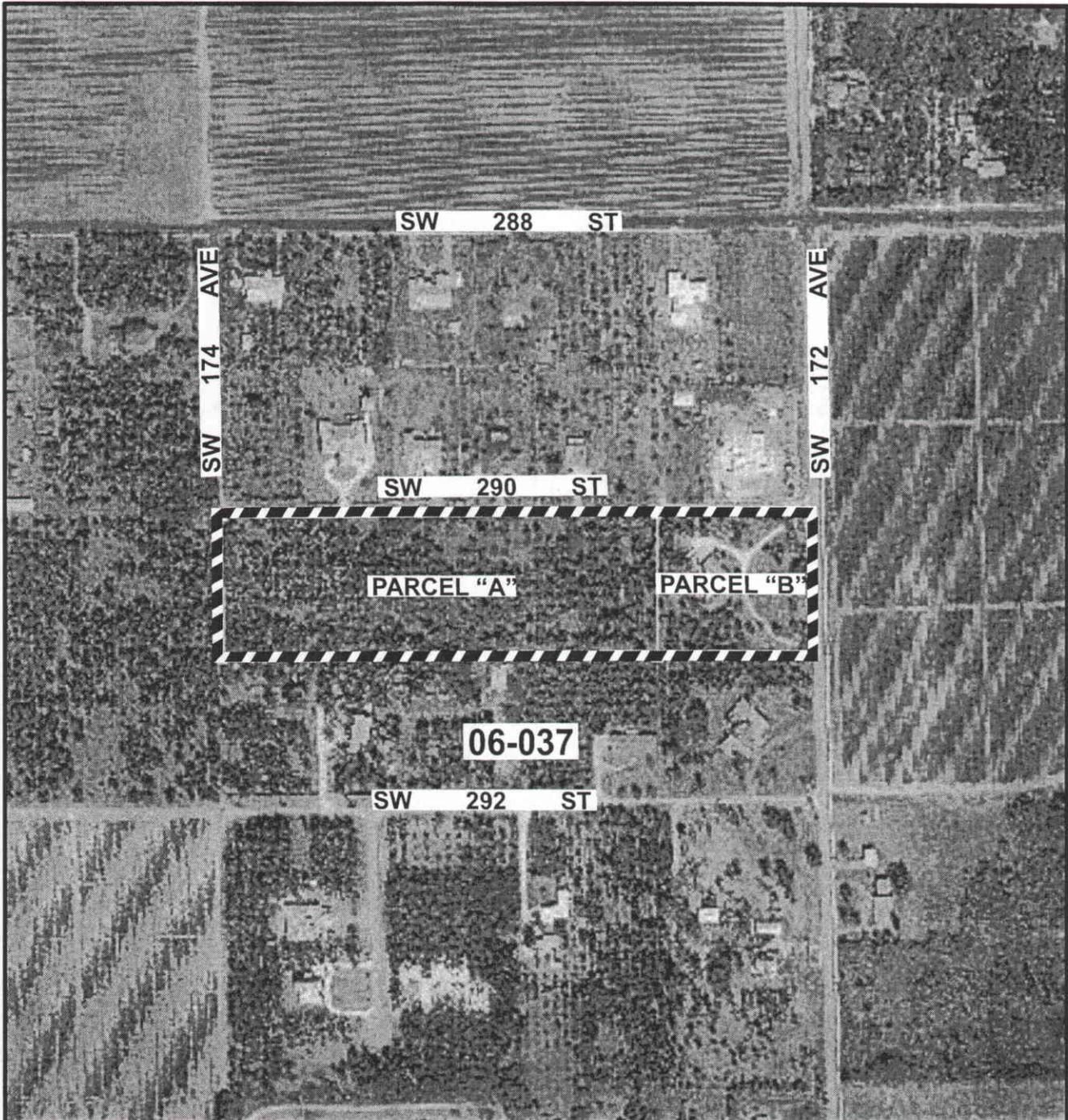
SITE PLAN				
REVISIONS:	PROPERTY OF:			
03-28-06	SHOW PROPOSED R/W LINE FOR SW 290 ST.			
06-30-06	SHOW PROPOSED R/W LINE FOR SW 174th AV.			
DATE	DRAWN BY	SCALE	F.B./PG.	JOB No.
02-02-06	S.N./T.A.	1"=60'	559-17	05-05-60



**MIAMI-DADE COUNTY
HEARING MAP**

**Section: 06 Township: 57 Range: 39
 Process Number: 06-037
 Applicant: JULIO C. MOLINA
 Zoning Board: C14
 District Number: 08
 Drafter ID: ALFREDO
 Scale: 1:200'**





MIAMI-DADE COUNTY
AERIAL

Section: 06 Township: 57 Range: 39
Process Number: 06-037
Applicant: JULIO C. MOLINA
Zoning Board: C14
District Number: 08
Drafter ID: ALFREDO
Scale: NTS



1. JULIO C. MOLINA
(Applicant)

07-9-CZ14-1 (06-37)
Area 14/District 8
Hearing Date: 9/18/07

Property Owner (if different from applicant) **Same.**

Is there an option to purchase /lease the property predicated on the approval of the zoning request? Yes No

Disclosure of interest form attached? Yes No

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1997	Clutilder Dacosta	- Unusual Use to permit a home for the aged. - Non-Use variances.	ZAB	Approved in part w/conds.

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. 14

APPLICANT: Julio Molina

PH: Z06-037 (07-9-CZ14-1)

SECTION: 6-57-39

DATE: September 18, 2007

COMMISSION DISTRICT: 8

TEM NO.: 1

=====

A. INTRODUCTION

o REQUESTS:

(1) AU to EU-1

REQUEST #1 ON PARCEL "A"

(2) MODIFICATION of Conditions #2 and #9 of Resolution 5-ZAB-201-97, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Assisted Living Facility,' as prepared by Taxis, Inc., consisting of 2 sheets dated October 31, 1998."

TO: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled 'Assisted Living Facility,' as prepared by Taxis, Inc., consisting of 2 sheets dated October 31, 1998 and a plan entitled 'Site Plan,' as prepared by Manuel G. Vera and Associates, Inc., consisting of 1 sheet and dated stamped received 2/2/06."

FROM: "9. That the operator of the facility must be the owner of the property and permanently reside on the property."

TO: "9. That the owner provide full-time staff 24 hours a day, 7 days a week for the facility."

REQUEST #2 ON PARCEL "B"

The purpose of request #2 is to submit a revised site plan showing less property for the previously approved home for the aged and to remove the condition that the owner be the operator of the facility and reside on the site permanently; to allow staffing of the site by other than the owner.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

- o **SUMMARY OF REQUESTS:** The applicant is requesting a zone change on the subject property from AU, Agricultural District, to EU-1, Single-Family One Acre Estate Residential District, on Parcel "A" and also seeks to modify two of the conditions of a previously approved Resolution for a home for the aged.
- o **LOCATION:** 29100 SW 172 Avenue, Miami-Dade County, Florida.
- o **SIZE:** 10 Gross Acres
- o **IMPACT:** The approval of the requested district boundary change would allow the applicant to subdivide the property and provide additional housing units to the community. The rezoning of the property will also eliminate approximately 7.5 acres of agriculturally zoned land in Miami-Dade County and will increase the population in the area, which may impact the water and sewer services, will add children to the public schools and will increase traffic in the area. The approval of the modifications will not, in staff's opinion, negatively impact the area, nor negatively affect the current or future residents of the home for the aged.

B. ZONING HEARINGS HISTORY: In 1997, the subject property was approved with conditions for an unusual use to permit a home for the aged, pursuant to Resolution No. 5-ZAB-201-97. Additionally, non-use variances were granted to permit a 13' wide two-way driveway and to waive the required dedication along a right-of-way (SW 290 Street). Staff notes that the home for the aged is still operational and the applicant wishes it to remain so. Prior to this in 1955, the eastern 330' of the subject property was part of an application that was rezoned from AU, Agricultural District, to EU-1, Single-Family One Acre Estate Residential District, pursuant to Resolution No. 8919.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Estate Density Residential** use. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.
2. **Uses and Zoning Not Specifically Depicted.** Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.
3. **Policy LU-9C.** Miami-Dade County shall continue to encourage and promote the transfer of Severable Use Rights (SUR) from lands which are allocated SURs in Chapter 33B, Code of Miami-Dade County, to land located within the Urban Development Boundary (UDB) as designated on the LUP map.

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

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

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU (Parcel A) (7.5 gross / 6.78 net acres); Avocado grove	Estate Density Residential, 1 to
EU-1 (Parcel B) (2.5 gross / 2.32 net acres); home for aged	2.5 dua

Surrounding Properties:

<u>NORTH:</u> AU; Single-family residences	Estate Density Residential, 1 to 2.5 dua
EU-1; Single-family residences	
<u>SOUTH:</u> AU; Single-family residences	Estate Density Residential, 1 to 2.5 dua
EU-1; Single-family residence	
<u>EAST:</u> EU-1; Vacant	Estate Density Residential, 1 to 2.5 dua
<u>WEST:</u> AU; Avocado grove	Estate Density Residential, 1 to 2.5 dua

The 10 gross acre subject property is a rectangular lot, oriented lengthwise, located at 29100 SW 172 Avenue. The area surrounding the subject property is characterized as rural, established with single-family residences and agricultural uses. An existing home for the aged is located on the easternmost portion of the parcel fronting on SW 172 Avenue. The westernmost portion of the parcel is located approximately 0.5 mile east of the Urban Development Boundary (UDB), which is at the intersection of SW 177 Avenue and SW 288 Street.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plan submitted.)
Scale/Utilization of Site:	Acceptable*
Location of Buildings:	Acceptable
Compatibility:	Acceptable

Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	Acceptable
Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Urban Design:	Acceptable

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

F. PERTINENT REQUIREMENTS/STANDARDS:

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

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

Section 33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to **modify or eliminate** any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or

eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDT	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection/4 students

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The 10 gross acre subject property is a rectangular lot, oriented lengthwise, located at 29100 SW 172 Avenue. An existing home for the aged is located on the easternmost portion of the subject property that is zoned EU-1 fronting on SW 172 Avenue, while the balance of the site is currently being utilized as an avocado grove. The westernmost portion of the parcel is located approximately 0.5 mile east of and within the Urban Development Boundary (UDB), which is at the intersection of SW 177 Avenue (Krome Avenue) and SW 288 Street. The east 330' of the property (Parcel "B"), which is approximately 2.5 gross / 2.32 net acres in size, is zoned EU-1, Single-Family One Acre Estate Residential District, and the balance of the site (Parcel "A") is zoned AU, Agricultural District, and is comprised of approximately 7.5 gross / 6.78 net acres. The applicant is requesting a district boundary change from AU to EU-1 on Parcel "A" (request #1). Plans submitted by the applicant show the development of the subject site with eight (8) residential units developed with less lot acreage and lot frontage than required under the EU-1 zoning district. It is the intent of the applicant to utilize Severable Use Rights (SUR's) to obtain the zoning bonuses for lot frontage and lot area to achieve the desired number and configuration of lots. The fully dedicated roadway, SW 290 Street, along the northern property line, will establish access to the proposed lots. The applicant has voluntarily proffered a covenant restricting the development of the site to the submitted plans and limiting the density to a maximum of 8 units with the utilization of SUR's. Additionally, the applicant intends to continue the previously approved home for the aged, but wishes to modify two conditions of the resolution that was passed and adopted by the Zoning Appeals Board on Parcel "B" (request #2), which along with restricting the development of the site to those plans submitted in 1997 for the home for the aged use, also require that the owner operate and live on the subject property. The purpose of request #2 is to submit a revised site plan showing the reduced property size for the previously approved home for the aged and to remove the condition that the owner be the operator of the facility and reside on the site permanently; to allow staffing of the site by other than the owner. Rural single-family residences and agricultural uses characterize the surrounding area where the subject property lies.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicants will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application, particularly as it applies to the removal and preservation of specimen-sized (18" or greater trunk dimension) tree resources. The Public Works Department (**PWD**) has **no objections** to this application and indicates that it will generate an additional **11 pm** daily peak hour **vehicle trips** to the area. However, said trips will not change or exceed the acceptable Levels of Service (LOS) on the area roadways that are currently operating at LOS "A", "B", "C" and "D." The Miami-Dade Fire Rescue Department (**MDFR**) has **no objections** to the application. Additionally, Miami-Dade County Public Schools (**MDCPS**) has **no objections** to this application and has indicated that the proposed zoning will bring an additional **4 students** into the area's public schools. Their memorandum indicates that the applicant and the School Board have held the required dialogue.

The approval of the requested district boundary change would allow the applicant to subdivide the property into 8 residential lots, while maintaining the existing home for the aged use. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Estate Density Residential** use, which permits a minimum of 1 unit per gross acre to a maximum of 2.5 units per gross acre. This would generate a permissible numerical density threshold of a minimum of 7 to a maximum of 18 dwelling units on the 7.5 gross acre portion of the subject site. The interpretative text of the CDMP reads that the entire unincorporated area within the UDB is eligible to receive and utilize Severable Use Rights (SUR's) in accordance with provisions of Chapter 33-B, Code of Miami-Dade County. The SUR bonus would reduce the required lot frontage from 125' to 110' and lessen the required lot area from 43,560 sq. ft. (1 acre) to 32,500 sq. ft. (0.75 acre) for EU-1 zoned properties. Staff notes that the plans submitted by the applicant reflect an intended development of 8 lots with the utilization of the SUR bonus granted for lot area and frontage. As such, the applicant's proposal of 8 EU-1 zoned lots utilizing SUR's is within the density range permitted, and would allow for development density at 1.06 dwelling units per acre, which is on the low end of the density range permitted under the Estate Density Residential use designation of the LUP map of the CDMP. Also, it must be noted that to develop the site within full compliance of the EU-1 zoning district requirements pertaining to lot area and lot frontage, without the use of SUR's, would allow the applicant to configure the site with 7 units, which also meets the minimum density threshold of the LUP map designation. As such, staff is of the opinion that the requested zone change from AU to EU-1 on Parcel "A" is **consistent** with the LUP map designation of the CDMP and **compatible** with the surrounding area.

The Department of Planning and Zoning supports the zone change from AU to EU-1, subject to the Board's acceptance of the voluntarily proffered covenant. When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development conforms to the Comprehensive Development Master Plan for Miami-Dade County. As previously mentioned, the proposed development is **consistent** with the Estate Density Residential LUP Map designation of the CDMP and **compatible** with the surrounding area. Staff notes that the Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur. The interpretative text of the CDMP indicates that development orders permitting urban development will generally be approved within the UDB at some time through the year 2015 provided that level-of-service standards for necessary public facilities will be met. This project will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by DERM. Additionally, the proposed development does not unduly burden or affect public transportation facilities as indicated in the PWD's memorandum submitted

for this application, and the proposed residential development will be readily accessible via SW 290 Street and SW 172 Avenue, a half-section line roadway. Furthermore, approval of the application will not overly burden Miami-Dade County Public Schools. Staff notes that the east 330' of the subject property, zoned EU-1, is approximately 2.5 acres in size, and the balance of the site is zoned AU (approximately 7.5 acres). The approval of the district boundary change would rezone the applicant's 10 gross acre property into a uniform zoning district, and allow the applicant to develop the property in accordance with EU-1 zoning regulations utilizing SUR bonuses for lot frontage and lot area. Although there have not been recent approvals for district boundary changes in the surrounding area, staff notes that historically, there have been similar approvals granted in the area for land subdivision similar to that sought within the applicant's proposal. The subject property is neighbored to the north by 6 single-family residences, which pursuant to Resolution No. 4-ZAB-382-93, were approved as buildable sites with lot frontages varying from 178.18' to 194.17' (200 required) and with lot areas varying in size from 1.367 to 1.559 gross acres (5 acres required) in the AU district. Similarly, the western half of the subject property abuts three parcels to the south which were approved, pursuant to Resolution No. 5-ZAB-73-95, for lot areas of 1.52, 1.83 and 1.75 acres. As such, in staff's opinion, the proposed lot frontages of 120' found within this application would be compatible with the sizes of the lot frontages found to the north, across SW 290 Street and to the south. Moreover, in 1990 pursuant to Resolution No. 4-ZAB-302-90, a 10 acre parcel of land was approved for 8 buildable sites with lot frontages varying from 88.11' to 177.54' and with lot areas of 1.3 gross acres each, located along SW 292 Street approximately 325' to the south of the subject property. As such, it is staff's determination that, although a portion the subject property abuts AU zoned property to the north, south and to the west, numerous neighboring zoning hearing approvals have led to a precedent for land subdivision in the immediate vicinity. Therefore, the rezoning of the property on Parcel "A" would be **compatible** with the approximate sizes of the lot areas and lot frontages in the area, and with the subdivision trend that has occurred in the area, between SW 174 Avenue and SW 172 Avenue.

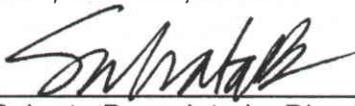
When request #2 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), in staff's opinion, the proposed modification of the conditions will not adversely impact the surrounding area and will be **compatible** with same. Request #2, to modify Conditions #2 and #9 of Resolution 5-ZAB-201-97 will remove the requirement that the owner must operate and live on the property, and will allow the applicant to submit a revised site plan for the previously approved home for the aged use. As previously mentioned, the applicant seeks to continue the previously approved home for the aged use on Parcel "B", but the owner is no longer the operator of the facility and, in staff's opinion, should not be required to reside there. The owner would no longer be living on the premises but would have full time staff at the facility (24 hours a day, 7 days a week); therefore, there is no longer any compelling reason to require the owner to live at the property. Staff recommends as a condition for the approval of the application that the applicant provide full time staff at the facility. As previously mentioned, the existing home for the aged was approved as an unusual use in 1997 and was originally supported by staff. The applicant intends to sever the approximately 6.78 net acres of the site currently being utilized as an avocado grove to accommodate the subdivision on Parcel "A" that is the subject of the zone change. The remaining 2.32 net acres, staff maintains, will be of sufficient size to continue the home for the aged use, which restricts the facility to a maximum of 16 clients, without generating variances pertaining to setbacks or lot coverage and will still be capable of accommodating all the required parking. The 6,000 sq. ft. structure is not proposed to have any additions or alterations, and staff notes that the property fronts on a half-section line minor roadway (SW 172 Avenue). Based on all of the aforementioned, staff is of the opinion that the approval of the modification of Conditions #2 and #9 would be **compatible** with the surrounding area. Therefore, staff recommends approval with conditions of request #2 on Parcel "B" under Section 33-311(A)(7).

The Standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to this application. Due to the lack of information, staff is unable to properly analyze request #2 under said Standards and, as such, staff recommends denial without prejudice under Section 33-311(A)(17).

Based on all of the foregoing, staff opines that the approval of the district boundary change, subject to the Board's acceptance of the proffered covenant restricting the development of the site to the submitted plans and requiring the applicant to utilize SUR's, would be in keeping with the basic intent and purpose of the zoning, land use and subdivision regulations. The requested zone change to from AU to EU-1 on parcel "A" would make the subject property a uniform zoning classification, and is **consistent** with the CDMP and **compatible** with the surrounding area. Therefore, staff recommends approval of the district boundary change from AU to EU-1, subject to the Board's acceptance of the proffered covenant. Additionally, staff recommends approval of the modification of two conditions of Resolution No. 5-ZAB-201-97 (request #2) under Section 33-311(A)(7).

- I. **RECOMMENDATION:** Approval of the district boundary change to EU-1 on Parcel "A" subject to the Board's acceptance of the proffered covenant (request #1), and approval with conditions of request #2 on Parcel "B" under Section 33-311(A)(7) and denial without prejudice of request #2 under Section 33-311(A)(17).
- J. **CONDITIONS:** For request #2:
 - 1. That all the conditions of Resolution No. 5-ZAB-201-97 remain in full force and effect except as herein modified.
 - 2. That the owner provide full time staffing for the care of the residents 24 hours a day, 7 days a week at the home for the aged on Parcel "B".

DATE INSPECTED: 07/31/07
DATE TYPED: 07/31/07
DATE REVISED: 08/01/31; 08/02/07; 08/13/07; 08/14/07; 08/20/07
DATE FINALIZED: 08/20/07
SB:MTF:LVT:JGM



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

Memorandum



Date: August 9, 2007

To: Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

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

Subject: C-14 #Z2006000037-2nd Revision
Julio C. Molina
29100 S.W. 172nd Avenue
District Boundary Change from EU-1 & AU to EU-1
(EU-1/AU) (10 Ac.)
06-57-39

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

The closest public water main is located approximately 1,690 feet from the subject property. Based on the proposed request, the subject property is within feasible distance for connection to public water. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with 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 properties. Consequently, any proposed development would have to be served by septic tanks and drainfields as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield, provided that the maximum sewage loading allowed by Section 24-43.1(3) of the Code is not exceeded. Based on available information, the proposed single-family residences served by septic tanks would not exceed the maximum allowable sewage loading for the subject properties.

Stormwater Management

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

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

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

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

Pollution Remediation

The subject property is located within a designated brownfield area. The applicant is advised that there are economic incentives available for development within this area. For further information concerning these incentives, contact the Pollution Remediation Section of DERM at 305-372-6700.

Wetlands

The subject property does not contain jurisdictional wetlands, as defined in 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

The subject property may contain specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact DERM staff for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History

DERM has found no open or closed formal enforcement record for the subject property.

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.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

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: JULIO C. MOLINA

This Department has no objections to this application.

Radius return will be required at the intersection of SW 290 Street and SW 172 Avenue at time of tentative plat submittal. Fences and driveway may need to be relocated.

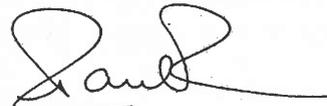
Additional on-site and off-site improvements may be required at time of permitting.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 11 PM daily peak hour vehicle trips. The traffic distributions of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9212	Krome Ave. n/o SW 288 St.	A	A
9862	SW 167 Ave. s/o SW 216 St.	C	C
9932	SW 288 St. w/o US-1	D	D
9936	SW 296 St. w/o US-1	B	B
9938	SW 296 St. e/o SW 197 Ave.	B	B

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



Raul A Pino, P.L.S.

20-JUL-07



Miami-Dade County Public Schools

giving our students the world

C-14

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

Chief Facilities Officer
Rose Diamond

Planning Officer
Ana Rijo-Conde, AICP

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

June 28, 2006

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

C-14

RECEIVED
JUL 20 2006

Re: Julio C. Molina - Application No. 06-037
29100 SW 172 Avenue

DEPT. OF PLANNING & ZONING
ZONING EVALUATION SECTION
BY [Signature]

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Homestead Middle School and South Dade Senior High School currently operating at 120% and 131% of FISH % utilization, respectively (please see attached analysis).

Additionally, at its April 13, 2005 meeting, the Board approved School District criteria that would allow District staff to make recommendations on residential zoning applications that impact public schools beyond the 115% of FISH capacity threshold (Review Criteria). Pursuant to the Interlocal and the recently approved Review Criteria, the District met with the applicant on June 27, 2006, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application.

The District is grateful that the applicant took the time to meet with the School District to discuss possible mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered to the School Board a monetary donation, over and above impact fees. The payment of the required educational impact fees for this proposed development and the proffered monetary donation will provide the full capital cost of student stations for the additional students generated by the proposed development. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

13

Ms. Maria Teresa-Fojo
June 28, 2006
Page Two

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

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

New residential unit square footage X .90 (Square Footage Fee) + \$600.00 (Base Fee) + 2% administrative fee = Educational Facilities Impact fee

As an example, assuming the proposed unit is 2,000 square feet, the additional 7 units are estimated to generate approximately \$16,800 (\$2,400 per unit, excluding the 2% administration fee) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,


Patricia Good
Coordinator III

PG:am
L-1467
Attachment

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

PRELIMINARY SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 06-037, Julio C. Molina (CC14)

REQUEST: Zone change from AU to EU-1

ACRES: 10 acres

LOCATION: 29100 SW 172 Avenue

MSA/MULTIPLIER: 7.3/60

NUMBER OF UNITS: 7 additional units (1 unit currently permitted under existing zoning classification, for a total of 8 units)

ESTIMATED STUDENT POPULATION: 4 students*

ELEMENTARY: 2

MIDDLE: 1

SENIOR: 1

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: Avocado Elementary – 16969 SW 294 Street

MIDDLE: Homestead Middle -650 NW 2 Avenue

SENIOR HIGH: South Dade Senior -28401 SW 167 Avenue

All schools are located in Regional Center VI

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2005:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	CUMULATIVE STUDENTS **
Avocado Elem.	1042/ 1044*	869	120%/ 120%*	66	111%/ 112%*	1306
Homestead Middle	1206/ 1207*	848	142%/ 142%*	158	120%/ 120%*	2231
South Dade Sr.	2759/ 2760*	1721	160%/ 160%*	380	131%/ 131%*	3112

* increased student population as a result of the proposed development.

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

Note:

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

PLANNED RELIEF SCHOOLS IN THE AREA

(Information included in proposed 5-Year Capital Plan, 2005-2009, dated April 2005):

Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
State School "SS1" (Redland and Homestead Middle School Relief) (1662 student stations)	Construction	School Opening 2007
State School "CCC1" (South Dade Sr. High School Partial Replacement) (1522 additional student stations)	Construction	School Opening 2009

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	869
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	5748
Estimated Permanent Senior Seats (Current and Proposed in 5-Year Plan)	3243

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

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$26,196.

CAPITAL COSTS: Based on the State's June-2006 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	Does not meet the threshold
MIDDLE	1 x \$ 16,485 = \$ 16,485
SENIOR	1 x \$ 21,815 = \$ 21,815
Total Potential Capital Cost	
	\$ 38,300

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



Memorandum

Date: 20-JUN-07
To: Subrata Basu, Interim Director
 Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2006000037

Fire Prevention Unit:

This Memo supersedes MDRF Memorandum dated June 12, 2007.

APPROVAL

Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped May 25, 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with the MDRF Access Road Requirements for zoning hearing applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDRF requirements.

Service Impact/Demand:

Development for the above Z2006000037
 located at 29100 S.W. 172 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
 in Police Grid 2552 is proposed as the following:

<u>8</u>	dwelling units	<u>N/A</u>	square feet
residential		industrial	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Office		institutional	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 2.14 alarms-annually.
 The estimated average travel time is: 6:16 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:
 Station 6 - Modello - 15890 SW 288 Street
 Rescue, BLS Tanker, Battalion.

Planned Service Expansions:

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

Fire Planning Additional Comments:

Current service impact calculated based on plans date stamped May 25, 2007. Substantial changes to the letter of intent will require additional service impact analysis.

TEAM METRO

ENFORCEMENT HISTORY

JULIO C. MOLINA

29100 S.W. 172 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2006000037

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

7-30-07

Current Case # 200701004484 opened based on enforcement history request. Inspected on 7-27-07 warning notice personally served for a violation of Ch 33-12, improper pool barrier. Re-inspection will occur after correction date of 7-30-07 expires.

Current Case # 200701004487 opened based on enforcement history request. Inspected on 7-27-07 Warning notice personally served for a Ch 19-8 (A) violation, junk vehicle. Re-inspection will be conducted after correction date 8-11-07 expires.

Previous Case history;

Case # 200601006867 opened based on enforcement history request. Inspection conducted on 12-26-06 and found no violations on property.

Case # 200601006736 opened based on enforcement history request. Inspection conducted on 12-1-06 and found no violations on property.

Case # 200601000704 opened based on Anonymous complaint of a bathroom remodeling without a permit. Inspection conducted on 3-6-06 and 3-15-06 unable to view violation from street, left business card for access. After two attempts the property owner did not respond to requests for access and the case was closed.

SITE PLAN

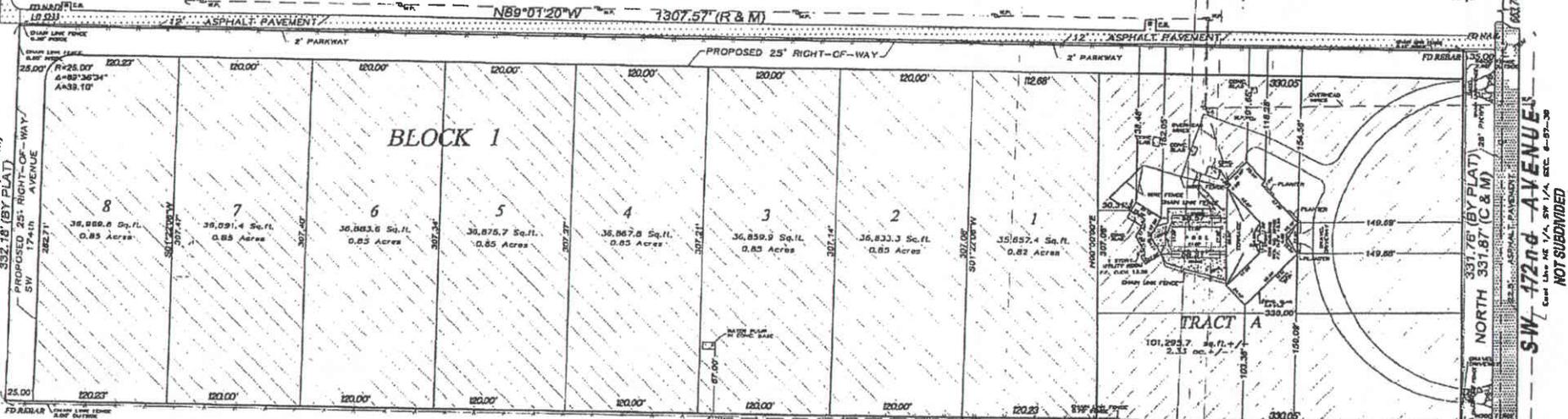
SCALE 1" = 60'



SW 288th STREET

NOT SUBDIVIDED
SW 290th STREET

TRACT B
PORVENIR NO. 4, 2nd AMENDED PLAT PB 43 PG 17
S01°22'00"W 332.55' (C & M)
S32°18' (BY PLAT)



BLOCK 1

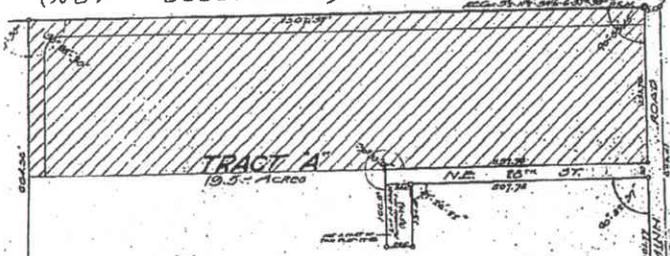
TRACT A

SOUTH 1/2 TRACT A
PORVENIR NO. 4
2nd AMENDED PLAT
PB 43 PG 17

PORTION OF TRACT A
PORVENIR NO. 4
2nd AMENDED PLAT
PB 43 PG 17

PORTION OF TRACT A
PORVENIR NO. 4
2nd AMENDED PLAT
PB 43 PG 17

(NOT SUBDIVIDED)



TRACT A
19.5 ACRES

ENTIRE PARCEL

LEGAL DESCRIPTION:

THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NE 1/4 OF THE SW 1/4 OF SECTION 8, TOWNSHIP 57 SOUTH, RANGE 33 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, ALSO KNOWN AS: TRACT "A", LESS THAN THE SOUTH 1/2 OF PORVENIR NO. 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 43, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PORTION OF PARCEL ALREADY ZONED EU1

LEGAL DESCRIPTION:

THE EAST 330.00 FEET OF TRACT "A" OF THE SECOND AMENDED PLAT OF A PORTION OF PORVENIR NO. 4, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 43, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE SOUTH 1/2 OF SAID TRACT "A".

PORTION OF PARCEL TO BE ZONED EU1

LEGAL DESCRIPTION:

TRACT "A" OF THE SECOND AMENDED PLAT OF A PORTION OF PORVENIR NO. 4, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 43, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE SOUTH 1/2 OF SAID TRACT "A" AND LESS THE EAST 330.00 FEET THEREOF.

SURVEYOR'S REPORT:

LEGAL DESCRIPTION OF ENTIRE PARCEL, AS SHOWN HEREON, WAS FURNISHED BY THE CLIENT, AND WAS TAKEN FROM WARRANTY DEED RECORDED IN O.R.B. 21023 PG. 2650. THIS SITE PLAN WAS PREPARED FROM INFORMATION FURNISHED BY THE CLIENT.

LOT 14, BLK. 41 OF P.B. 25 PG. 28 IS NOT A PART OF SAID TRACT "A" (P.B. 43 PG. 17). IT WAS INCLUDED IN THE SOUTH 1/2 OF SAID TRACT "A" TO AGREE WITH THE DESCRIPTION SUBMITTED BY THE CLIENT AND EXISTING OCCUPATION.

DEVELOPMENT INFORMATION SHOWN

HEREON WAS FURNISHED BY THE CLIENT.

- EXISTING ZONING = AU & EU1
- PROPOSED ZONING = EU1 (SU/R)
- TOTAL NUMBER OF SITES: 1 TRACT AND 8 LOTS
- [Symbol] = DENOTES PORTION OF THE PROPERTY ALREADY ZONED EU1 (PROPOSED TRACT "A")
- [Symbol] = DENOTES PORTION OF PROPERTY TO BE ZONED EU1 (SU/R) (PROPOSED LOTS 1 THRU 8)

SW 292nd STREET

ABBREVIATIONS:

CONC	-DENOTES CONCRETE	CONC	-DENOTES CONCRETE
ENCR	-DENOTES ENCRUSTATION	E.S.B.	-DENOTES EXISTING BLOCK STUDDED
ENCR	-DENOTES ENCRUSTATION	F.F. ELEV	-DENOTES EXISTING FLOOR ELEVATION
R/W	-DENOTES RIGHT OF WAY	F.D.P.R.	-DENOTES FOUND P.W. HALL
SW	-DENOTES SIDEWALK	F.D.P.R.	-DENOTES FOUND 1/2" IRON PIPE (NO 1 1/2")
M.H.	-DENOTES MAN HOLE	SCT. L.P.	-DENOTES 1/2" (18" LONG) IRON PIPE (NO. 1 1/2")
P.W.	-DENOTES PARKWAY	F.D. HAD	-DENOTES FOUND HALL AND DSG
P.W.	-DENOTES PARKWAY	SET. HAD	-DENOTES SET HALL AND DISC 2" DIA
C.S.	-DENOTES CATCH BASIN	BLK.	-DENOTES DRAINAGE
OV	-DENOTES OVERHEAD WIRE	C.V.	-DENOTES CABLE TELEVISION
W.V.	-DENOTES WATER WIRE	FL	-DENOTES FLORIDA POWER AND LIGHT
W.V.	-DENOTES WATER VALVE	SC. L. SO.	-DENOTES SULLYHOUS ROE
S.S.M.A.	-DENOTES SANITARY SEWER MANHOLE	P.O.H.	-DENOTES FOUND SM. HOLE
CL	-DENOTES CLEAR	P.O.H.	-DENOTES POINT OF BEGINNING
T.B.M.	-DENOTES TEMPORARY BENCH MARK	P.O.C.	-DENOTES POINT OF COMMENCEMENT
BL. FT.	-DENOTES BENCH FEET	C/O	-DENOTES CURB & GUTTER

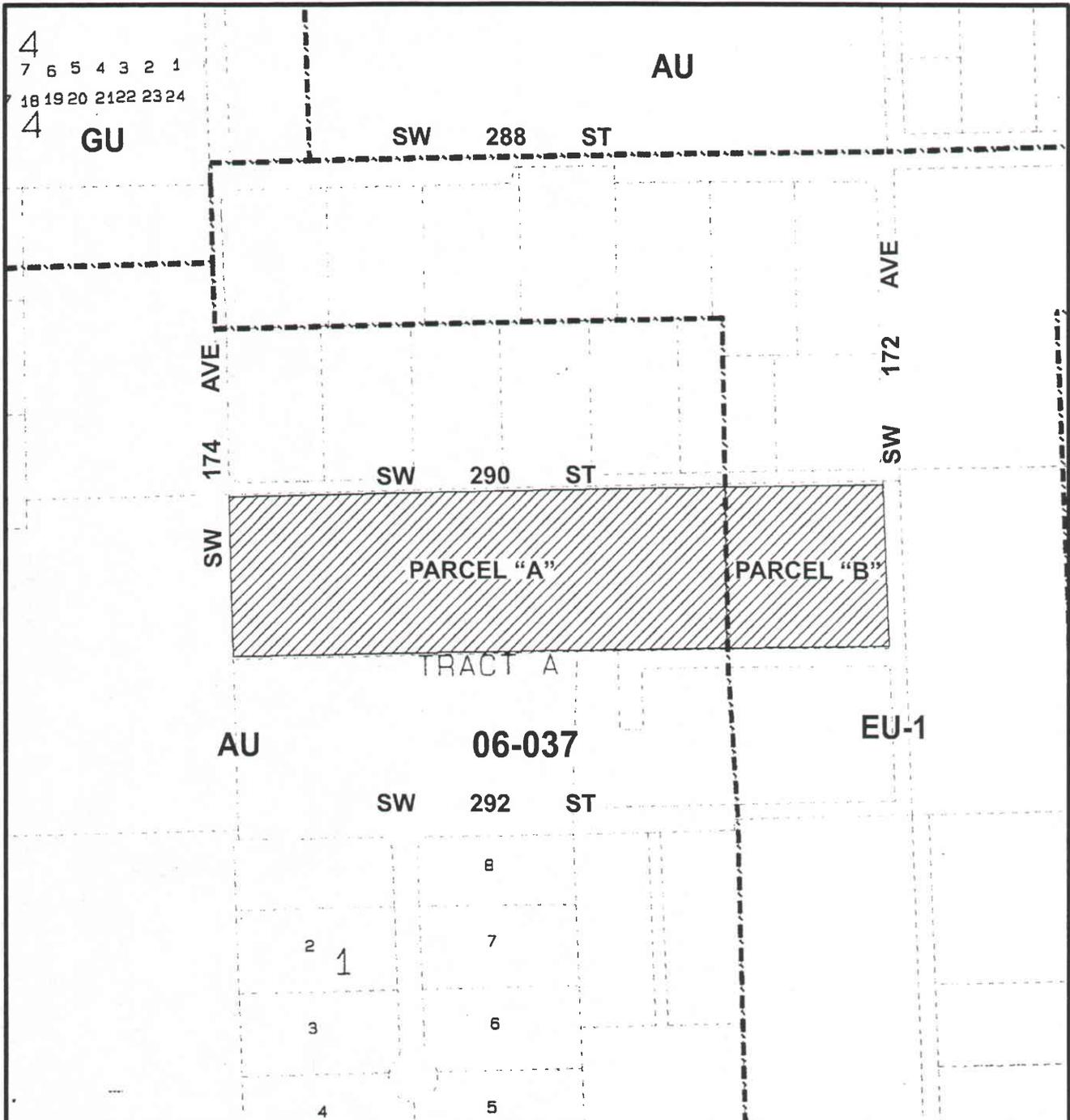
MANUEL G. VERA AND ASSOCIATES, INC.
ENGINEERS LAND SURVEYORS PLANNERS LB 2439
13650 SW. 47th STREET MIAMI, FLORIDA 33175 PHONE: (305) 221-5210 FAX: (305) 221-1285

SITE PLAN

REVISIONS:	PROPERTY OF:
03-28-06	SHOW PROPOSED R/W LINE FOR SW 290 ST.
06-30-06	SHOW PROPOSED R/W LINE FOR SW 174th AV.

DATE	DRAWN BY	SCALE	F.B./PG.	JOB No.
02-02-06	S.N./T.A.	1"=60'	559-17	05-05-50

RECEIVED
MIAMI-DADE COUNTY
PROCESS # 06-037
DATE MAY 05 2007
BY: VALORBY



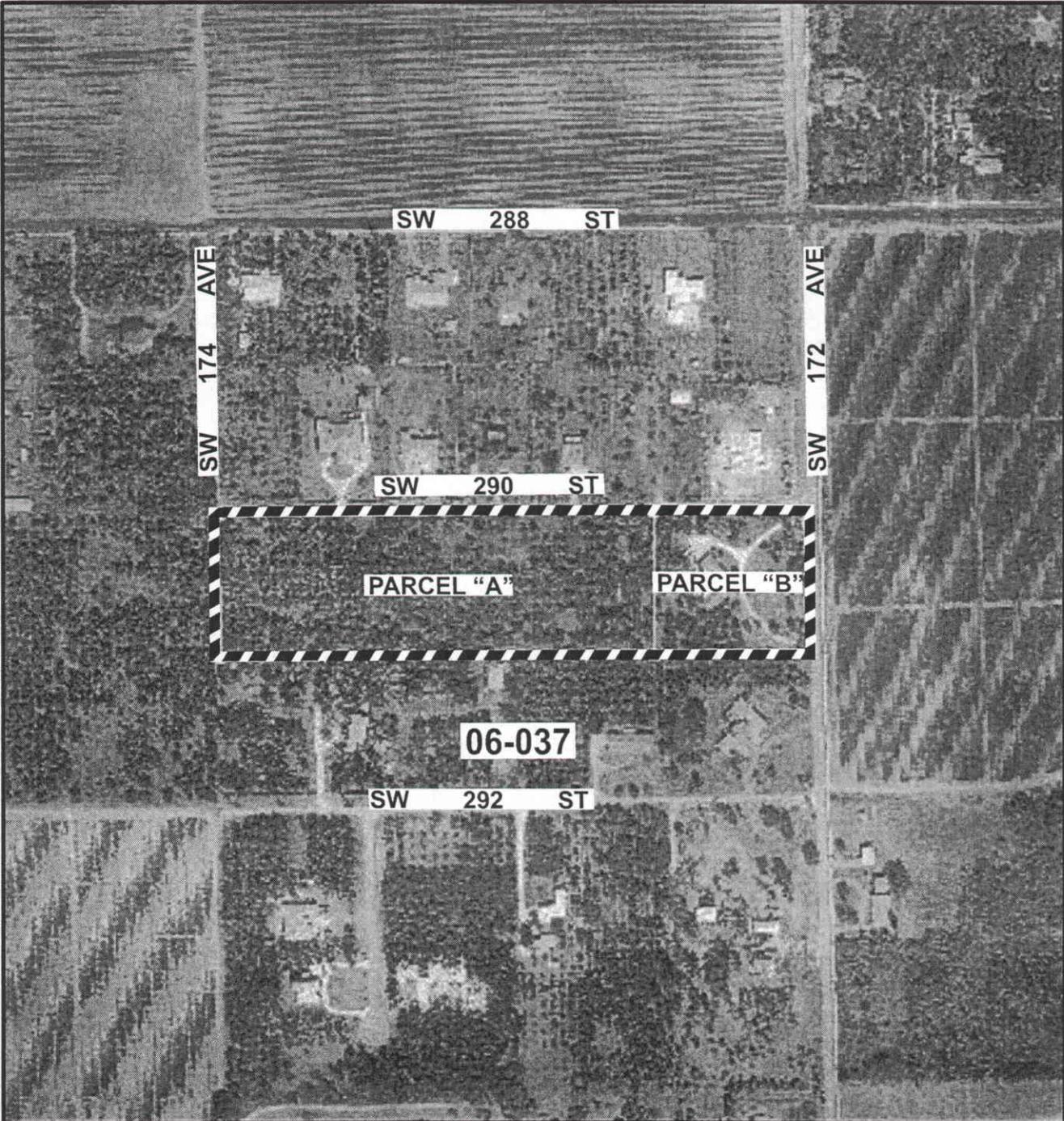
**MIAMI-DADE COUNTY
HEARING MAP**

Section: 06 Township: 57 Range: 39
 Process Number: 06-037
 Applicant: JULIO C. MOLINA
 Zoning Board: C14
 District Number: 08
 Drafter ID: ALFREDO
 Scale: 1:200'



 SUBJECT PROPERTY





MIAMI-DADE COUNTY
AERIAL

Section: 06 Township: 57 Range: 39
Process Number: 06-037
Applicant: JULIO C. MOLINA
Zoning Board: C14
District Number: 08
Drafter ID: ALFREDO
Scale: NTS



Memorandum



Date: November 30, 2007

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Jack Kardys, Interim Director
Park and Recreation Department

Subject: Concurrency approval

This memorandum updates the blanket concurrency approval memo of November 15, 2005. 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, 2008. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

JK: 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

PBD	2007 Unincorporated Population Plus Permitted Development	Standard @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Recreation Open Space Acreage	Surplus (Deficit) Acres	Percent of Standard (%)
			Public Park Acres	School Acres	1/2 Private Open Space Acres			
1	395,924	1,088.79	972.08	299.82	110.00	1,381.90	293.11	126.92
2	588,732	1,619.01	1,616.63	356.30	137.00	2,109.93	490.92	130.32
3	155,755	429.33	526.63	96.62	17.00	623.82	195.49	145.64
Total:	1,140,411	3,136.13	3,115.34	752.74	264.00	4,115.65	979.52	134.29

Memorandum



Date: September 25, 2007

To: Jack Kardys, Interim Director
Park and Recreation Department



From:  Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

Subject: Blanket Concurrency Approval for Local Recreation Open Space

The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on November 30, 2007. This authorization must be re-issued prior to October 15, 2007, so that the Department of Planning and Zoning (DP&Z) may continue reviewing concurrency applications on your behalf. If such authorization is not received, DP&Z will have to refer all zoning and permit applications to your department for concurrency review.

The Park and Recreation Department's re-authorization for blanket concurrency authorization should be effective beginning December 1, 2007 and expiring on September 30, 2008. Please note that this concurrency re-authorization period, which is less than a year, allows the Parks and Recreation Department to assume a new re-authorization timeframe of October 1 to September 30 beginning in 2008: all other such departments currently use the October 1 to September 30 re-authorization timeframe. The re-authorization should be issued, only if, after an evaluation by your department, sufficient surplus capacity to sustain projected development exists for the stated period. If there is not sufficient surplus capacity for the stated period, please advise this department immediately.

If you need further information on this matter, please contact Helen A. Brown, Concurrency Administrator, at (305) 375-2835

cc: M.T. Fojo
L. Itzkoff
L. Talleda
H. Brown

Memorandum



Date: September 17, 2007

To: Subrata Basu, Interim 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 2014 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, 2008), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

Attachment

cc: Vicente Castro, Deputy Director, Operations
Christopher Rose, Deputy Director, Administration
James Bostic, Assistant Director, Operations
Asok Ganguli, Assistant Director, Technical Services

RECEIVED
SEP 18 2007

Asst. Director Planning

Department of Solid Waste Management (DSWM)
Solid Waste Management Disposal Facility Available Capacity
From Fiscal Year 2007-08 Through Fiscal Year 2016-17

FISCAL YEAR PERIOD	WASTE PROJECTION	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****
		Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	CONTRACT DISPOSAL
OCT. 1, 2007 TO SEPT. 30, 2008	1,885,000	828,686	155,000	673,686	2,518,633	307,000	2,211,633	2,068,785	355,000	1,713,785	250,000
OCT. 1, 2008 TO SEPT. 30, 2009	1,885,000	673,686	155,000	518,686	2,211,633	307,000	1,904,633	1,713,785	355,000	1,358,785	250,000
OCT. 1, 2009 TO SEPT. 30, 2010	1,885,000	518,686	155,000	363,686	1,904,633	307,000	1,597,633	1,358,785	355,000	1,003,785	250,000
OCT. 1, 2010 TO SEPT. 30, 2011	1,885,000	363,686	155,000	208,686	1,597,633	307,000	1,290,633	1,003,785	355,000	648,785	250,000
OCT. 1, 2011 TO SEPT. 30, 2012	1,885,000	208,686	155,000	53,686	1,290,633	307,000	983,633	648,785	355,000	293,785	250,000
OCT. 1, 2012 TO SEPT. 30, 2013	1,885,000	53,686	53,686	0	983,633	408,314	575,319	293,785	293,785	0	311,215
OCT. 1, 2013 TO SEPT. 30, 2014	1,885,000	0	0	0	575,319	567,000	8,319	0	0	0	500,000
OCT. 1, 2014 TO SEPT. 30, 2015	1,885,000	0	0	0	8,319	8,319	0	0	0	0	500,000
OCT. 1, 2015 TO SEPT. 30, 2016	1,885,000	0	0	0	0	0	0	0	0	0	0
OCT. 1, 2016 TO SEPT. 30, 2017	1,885,000	0	0	0	0	0	0	0	0	0	0
REMAINING YEARS				5			7			5	

ANNUAL DISPOSAL RATE (in tons)

RESOURCES RECOVERY ASHFILL	155,000
SOUTH DADE LANDFILL	307,000
NORTH DADE LANDFILL	355,000
CONTRACT	250,000
TOTAL TO BE LANDFILLED	<u>1,067,000</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, 250,000 tons to the Medley Landfill and 250,000 tons to the Pompano Landfill in Broward County. WMI disposal contract ends September 30, 2015.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by the Brown and Caldwell based on the actual January, 2007, survey with actual tons from January, 2007, through June, 2007, and projected tons for July, August and September, 2007.

Memorandum



Date: January 15, 2008

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Harpal Kapoor, Director
Miami-Dade Transit

Subject: FY08 Blanket Concurrency Approval for Transit

This memorandum serves as a blanket authorization for your Department to continue to review and 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 all areas of Miami-Dade County meet or exceed the Level-of-Service Standards (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 flag 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 October 1, 2007 to September 30, 2008, or until canceled by written notice from my office.

Should your staff require additional information or assistance with mass transit concurrency matters, please have them contact John T. Spillman, Chief, Planning & Development Division, at 786-469-5289. Your continued cooperation on these important matters is greatly appreciated.

c: Albert Hernandez
John T. Spillman

RECEIVED
JAN 17 2007

Asst. Director Planning

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



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

Memorandum

MIAMI-DADE
COUNTY

Date: September 25, 2007

To: Jack Kardys, Interim Director
Park and Recreation Department

From:  Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

Subject: Blanket Concurrency Approval for Local Recreation Open Space

The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on November 30, 2007. This authorization must be re-issued prior to October 15, 2007, so that the Department of Planning and Zoning (DP&Z) may continue reviewing concurrency applications on your behalf. If such authorization is not received, DP&Z will have to refer all zoning and permit applications to your department for concurrency review.

The Park and Recreation Department's re-authorization for blanket concurrency authorization should be effective beginning December 1, 2007 and expiring on September 30, 2008. Please note that this concurrency re-authorization period, which is less than a year, allows the Parks and Recreation Department to assume a new re-authorization timeframe of October 1 to September 30 beginning in 2008: all other such departments currently use the October 1 to September 30 re-authorization timeframe. The re-authorization should be issued, only if, after an evaluation by your department, sufficient surplus capacity to sustain projected development exists for the stated period. If there is not sufficient surplus capacity for the stated period, please advise this department immediately.

If you need further information on this matter, please contact Helen A. Brown, Concurrency Administrator, at (305) 375-2835

cc: M.T. Fojo
L. Itzkoff
L. Talleda
H. Brown

Memorandum



Date: November 30, 2006

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

From: *MS* Vivian Donnell Rodriguez, Director
Park and Recreation Department *SDM*

Subject: Concurrency approval

This memorandum updates the blanket concurrency approval memo of November 15, 2005. 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, 2007. 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

2006 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Local Open Space	Surplus (Deficit) Acres	Level of Service
					Park Acres	School field Acres	1/2 Private Acres			
1	332,396	36,047	368,443	1,013.21	963.51	455.52	85.32	1,504.35	491.14	1.484
2	520,177	33,752	553,939	1,523.31	1,476.12	447.53	139.79	2,063.44	540.13	1.354
3	141,699	59,407	201,106	553.03	578.93	126.30	6.90	712.13	159.10	1.287
T:	994,272	129,216	1,123,488	3,089.55	3,018.56	1,029.35	232.01	4,279.92	1,190.37	1.375

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



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

RECEIVED

13 2006

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 RECYCLE
		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
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
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
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
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
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
OCT. 1, 2012 TO SEPT. 30, 2013	1,776,000	0	0	0	972,607	701,000	271,607	0	0	0	250,000	951,000	825
OCT. 1, 2013 TO SEPT. 30, 2014	1,776,000	0	0	0	271,607	271,607	0	0	0	0	250,000	951,000	825
OCT. 1, 2014 TO SEPT. 30, 2015	1,776,000	0	0	0	0	0	0	0	0	0	250,000	951,000	825
OCT. 1, 2015 TO SEPT. 30, 2016	1,776,000	0	0	0	0	0	0	0	0	0	250,000	951,000	825
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.



Miami-Dade Police Department
 Address
JULIO C. MOLINA; HEARING # 06-037

C-14



Police Grids Boundaries

0 0.06 0.12 Miles



MDPD Crime Analysis System
 April 12, 2006
 Data in this document represents
 successfully geocoded attributes.





Miami-Dade Police Department Address Query for Events occurring at 29100 SW 172 For 2004-03-01 Thru 2006-03-01

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2004-03-01" and Dis.Complaint Date < "2006-03-02" and Dis.Police District Code in ("A", "B", "C", "D", "E", "G", "H", "I", "K", "L", "M", "N", "P", "Q", "R", "ZZ") and Dis.Incident Address contains "29100 SW 172" 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
29100 SW 172 AV	C	2552	2	05/17/2004	MON	00:52:44	VIA SELENA			13	00:52:44	00:59:04	01:20:08	C1201	41310696	N
29100 SW 172 AV	C	2552	2	07/13/2004	TUE	16:34:12	LT DOMINGUEZ	0377992C		32	16:34:12	16:35:53	16:45:00	C3402	41855430	Y
29100 SW 172 AV	C	2552	2	07/13/2004	TUE	16:35:58	LT DOMINGUEZ			15	16:35:58	16:35:58	16:45:00		41855441	N
29100 SW 172 AV	C	2552	2	09/07/2004	TUE	18:04:55	BARRY,MR	0481333C	2	34	18:04:55	18:06:17	18:06:17	C3306	42381791	Y
29100 SW 172 AV	C	2552	2	09/07/2004	TUE	18:04:55	BARRY,MR			15	18:04:55	18:06:17	18:06:17	C3401	42381802	N
29100 SW 172 AV	C	2552	2	09/07/2004	TUE	18:04:55	BARRY,MR		2	15	18:04:55	18:06:17	18:06:17	C3401	42381806	N
29100 SW 172 AV	C	2552	2	09/07/2004	TUE	18:06:54	BARRY,MR		2	15	18:06:54	18:06:54	18:06:54	C3306	42381800	N
29100 SW 172 AV	C	2552	2	09/18/2004	SAT	09:36:55	BARRY,MR	0500738C		34	09:36:55	09:39:47	09:47:00	C2203	42481866	N
29100 SW 172 AV	C	2552	2	09/18/2004	SAT	09:40:01	BARRY,MR			15	09:40:01	09:40:01	09:47:00		42481882	N
29100 SW 172 AV	C	2552	2	09/21/2004	TUE	19:21:13	CONNELLY,S	0507039C		14	19:21:13	21:20:08	21:35:42	C1501	42511992	Y
29100 SW 172 AV	C	2552	2	10/21/2004	THU	14:06:55	SARA'S HOME CAR	0560386C		14	14:06:55	14:07:10	14:13:00	C3405	42790523	N
29100 SW 172 AV	C	2552	2	10/21/2004	THU	14:07:15	SARA'S HOME CAR			15	14:07:15	14:07:15	14:13:00		42790527	N
29100 SW 172 AV	C	2552	2	03/27/2005	SUN	16:50:25	SARAS HOME CARE	0156331D		14	16:50:25	17:00:11	17:07:00	C3203	050787818	N
29100 SW 172 AV	C	2552	2	03/27/2005	SUN	17:00:18	SARAS HOME CARE			15	17:00:18	17:00:18	17:12:00		050787856	N
29100 SW 172 AV	C	2552	2	06/24/2005	FRI	22:05:57	DACOSTA,BARRY	0324451D		36	22:05:57	22:27:12	22:27:12	AG121	051600593	N
29100 SW 172 AV	C	2552	2	07/21/2005	THU	10:40:53	BARRY	0375171D	3	41	10:40:53	10:42:15	10:55:34	C3401	051838629	N
29100 SW 172 AV	C	2552	2	08/14/2005	SUN	08:53:48	LARRY	0420427D		45	08:53:48	08:54:53	08:54:53	C2201	052053599	Y
29100 SW 172 AV	C	2552	2	08/14/2005	SUN	09:04:06	LARRY			15	09:04:06	09:04:06	09:04:06	C2201	052053649	N
29100 SW 172 AV	C	2552	2	08/14/2005	SUN	09:26:12	LARRY			15	09:26:12	09:26:12	09:26:13		052053719	N
29100 SW 172 AV	C	2552	2	08/18/2005	THU	22:19:28	ACOSTA, MR	0428983D	2	32	22:19:28	22:19:40	22:19:40	C3204	052096671	N
29100 SW 172 AV	C	2552	2	08/18/2005	THU	22:19:28	ACOSTA, MR			15	22:19:28	22:19:40	22:19:40	C3204	052096679	N
29100 SW 172 AV/RM 2	C	2552	2	11/05/2004	FRI	10:32:08	PHILLIPS, ANN	0587932C		34	10:32:08	11:42:09	11:42:10	C2206	42928594	Y
29100 SW 172 AV/RM 2	C	2552	2	11/05/2004	FRI	10:48:34	PHILLIPS, ANN			15	10:48:34	10:48:34	10:48:34	C2206	42928702	N
29100 SW 172 AV/SARA'S HOME	C	2552	2	10/05/2004	TUE	09:51:07	WONG,MR	0530782C	3	41	09:51:07	09:51:45	10:01:45	C2206	42635171	N
29100 SW 172ND AVE	C	2552	2	09/06/2005	TUE	14:24:44	BRENDA COLE/54YRS	PD050906025621		32	14:24:44	14:50:39	15:04:18	C3505	PD050906041603	Y
29100 SW 172ND AVE	C	2552	2	09/19/2005	MON	15:35:55	JANE	PD050919048584		34	15:35:55	16:26:35	16:36:27	C3206	PD050919077292	N
29100 SW 172ND AVE	C	2552	2	10/12/2005	WED	12:43:56	BARRY	PD051012088086		14	12:43:56	12:44:59	12:53:44	C2502	PD051012139993	Y
29100 SW 172ND AVE	C	2552	2	11/20/2005	SUN	10:56:34	FRANK BURNS	PD051120163255		34	10:56:34	11:07:22			PD051120262092	N
29100 SW 172ND AVE	C	2552	2	11/28/2005	MON	16:55:38	BARRY DACONDA	PD051128177486		36	16:55:38	16:59:17	17:11:59	C3206	PD051128283777	Y
29100 SW 172ND AVE	C	2552	2	12/15/2005	THU	00:41:51	EMRICH,MR	PD051215207524		34	00:41:51	00:48:35	00:53:16	C1507	PD051215330480	N
29100 SW 172ND AVE	C	2552	2	12/24/2005	SAT	21:44:10	QTH V/ALI	PD051224225171		14HL	21:44:10	21:55:05			PD051224357956	N
29100 SW 172ND AVE	C	2552	2	01/19/2006	THU	02:13:48	EMRICH, CHARLES	PD060119032671		34	02:13:48	02:18:26	02:26:06	C1506	PD060119051973	N
29100 SW 172ND AVE	C	2552	2	02/12/2006	SUN	13:44:19	JEANIE/CAREGIVER	PD060212077711		34	13:44:19	13:58:11	14:01:25	C2204	PD060212125932	N



Miami-Dade Police Department Address Query for Events occurring at 29100 SW 172 For 2004-03-01 Thru 2006-03-01

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2004-03-01" and Dis.Complaint Date < "2006-03-02" and Dis.Police District Code in ("A", "B", "C", "D", "E", "G", "H", "I", "K", "L", "M", "N", "P", "Q", "R", "ZZ") and Dis.Incident Address contains "29100 SW 172" 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
29100 SW 172ND AVE	C	2552	2	02/12/2006	SUN	17:46:13	CHARLES EMRICH	PD060212078024		27	17:46:13	17:53:02	18:03:32	C3208	PD060212126429	Y
29100 SW 172ND AVE	C	2552	2	02/13/2006	MON	19:54:22	EMRICH RES	PD060213080042		14HL	19:54:22	20:12:05			PD060213129696	N
29100 SW 172ND AVE	C	2552	2	02/14/2006	TUE	20:07:04	MR EMRICH	PD060214081745		14	20:07:04	20:08:24	21:11:40	C3406	PD060214132668	Y
29100 SW 172ND AVE	C	2552	2	02/15/2006	WED	00:18:42	EMRICH, CHARLES	PD060215082042		32JO	00:18:42	00:42:44			PD060215133114	N
29100 SW 172ND AVE	C	2552	2	02/18/2006	SAT	11:23:13	EMRICH, CHARLES	PD060218088375		32	11:23:13	11:37:21	11:49:32	C2201	PD060218143807	N
29100 SW 172ND AVE	C	2552	2	02/25/2006	SAT	09:03:46	EMRICH, CHARLES	PD060225101057		32JO	09:03:46	09:12:23	09:24:32	C2201	PD060225164097	N



MIAMI-DADE POLICE DEPARTMENT
Zoning Hearing Report Part I and Part II Crimes w/o AOA
For Specific Grids
For 2004 and 2005



Miami-Dade Police Department

Grid(s): 1516, 1527, 1895, 2267, 2552

2004 2005

Grid 2552					
Part I					
130A		AGGRAVATED ASSAULT		1	0
2200		BURGLARY		3	0
230G		SHOPLIFTING ALL OTHERS		3	4
230F		SHOPLIFTING FROM A MOTOR VEHICLE		1	0
Part I TOTAL				8	4
Part II					
130B		SIMPLE ASSAULT		0	1
Part II TOTAL				0	1
Grid 2552 TOTAL				8	5



Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2004 and 2005



Miami-Dade Police Department

Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("1516", "1527", "1895", "2267", "2552")) 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") 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

			2004	2005
Grid	Signal Code	Signal Description		
2552	13	SPECIAL INFORMATION/ASSIGNMENT	5	5
	14	CONDUCT INVESTIGATION	11	12
	15	MEET AN OFFICER	20	9
	17	TRAFFIC ACCIDENT	3	3
	18	HIT AND RUN	2	1
	19	TRAFFIC STOP	4	8
	20	TRAFFIC DETAIL	1	0
	21	LOST OR STOLEN TAG	0	1
	22	AUTO THEFT	1	2
	25	BURGLAR ALARM RINGING	1	3
	26	BURGLARY	5	0
	27	LARCENY	2	1
	32	ASSAULT	4	2
	34	DISTURBANCE	4	4
	36	MISSING PERSON	0	3
	37	SUSPICIOUS VEHICLE	0	1
	38	SUSPICIOUS PERSON	0	1
39	PRISONER	1	1	
41	SICK OR INJURED PERSON	3	1	
45	DEAD ON ARRIVAL	0	1	
Total Signals for Grid 2552 :			67	59