

# Memorandum



**Date:** November 16, 2006

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

**Subject:** C-14 #Z2006000089-Revised  
Richard Road Estates, LLC  
S.E. Corner of S.W. 197<sup>th</sup> Avenue and S.W. 296<sup>th</sup> Street  
District Boundary Change from AU to EU-1 & EU-M  
(AU) (18.44 Ac.)  
11-57-38

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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 subject property is located within the franchised water service area of the Miami-Dade County Water & Sewer Department (MDWASD). However, the closest public water main is a 12-inch water main owned by the City of Homestead and is located approximately 2,000 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 property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM 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 and the property is connected to public water. In accordance with the Code, the minimum lot size for a single-family residence or duplex served by public water and a septic tank shall be 15,000 square feet (gross) or 20,000 square feet (gross), respectively.

#### 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.

#### 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.

#### Natural Forest Community

The west boundary line of the subject property is adjacent to a Natural Forest Community (NFC). Development on parcels adjacent to NFCs must avoid adverse impacts to the preserve associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage and erosion.

This NFC will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The applicant is advised that the subject property lies within the potential smoke dispersion corridor of this pineland. Consequently, the subject property may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires.

#### Tree Preservation

According to the site plan submitted along with the zoning application, specimen-sized tree(s) (trunk diameter 8 inches or greater) may be impacted. Section 24-49.2 of the Code requires preservation of specimen trees whenever reasonably possible. Prior to the removal or relocation of any tree on-site, which is subject to the Tree Preservation and Protection provisions of the Code, a Miami-Dade County Tree Removal Permit, which meets the requirements of Sections 24-49.2 and 24-49.4 of the Code, is required. Be advised that, pursuant to Section 24-49.2(II)(1) of the Code, evaluation of permit applications for the removal of specimen trees include, but is not limited to, factors such as size and configuration of the property, as well as any proposed development location of tree(s) relative to any proposed development, and whether or not the tree(s) can be preserved under the proposed plan or any alternative plan.

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 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