EXHIBIT LIST

COMMUNITY ZONING APPEALS BOARD 14

FEBRUARY 21, 2007

RESOLUTION #: CZAB14-6-07

ITEM#	HEARING#	APPLICANT'S NAME	SS-TT-RR
2	06-89	RICHARD ROAD ESTATES, LLC	14-57-38

EX. #	EXHIBIT DESCRIPTION	IN FILE
2-1	**SPIRAL BOUND NOTEBOOK PREPARED BY GREENBERG TRAURIG (5 divisions)**	**YES**
2-2		
2-3		
2-4		
2-5		
2-6		
2-7	Exhibit	
2-8	complete	
2-9		
2-10		
2-11		
2-12		
2-13		
2-14		
2-15		
2-16		
2-17		
2-18		

1-25-2007 Version # 2

MIAMI-DADE COUNTY

COMMUNITY ZONING APPEALS BOARD 14

SOUTH DADE GOVERNMENT CENTER-ROOM 203 (OLD BUILDING)

10710 SW 211 Street, Miami

Wednesday, February 21, 2007 at 6:00 p.m.

PREVIOUSLY DEFERRED

A.	06-11-CZ14-2	LUIS PABON SR., ET AL	NO Exhibit	06-1	31-55-40	
B.	07-1-CZ14-2	RICHARD ROAD ESTATES, LLC	Exhibit Complete	06-90	14-57-38	

CURRENT

1.	07-2-CZ14-1	L & R INVESTORS LLC	Exhibit NOT FOUND	06-62	02-57-38	N
2.	07-2-CZ14-2	RICHARD ROAD ESTATES, LLC	Exhibit complete	06-89	11-57-38	N
3.	07-2-CZ14-3	DONALD & PEGGY LOU FOX	NO Exhibit	06-117	18-56-39	N
4.	07-2-CZ14-4	JOSEPH AND GEORGEAN SMYTHE, TRUSTEES	Exhibit NOT FOUND	06-196	14-56-38	N
5.	07-2-CZ14-5	JOSEPH AND GEORGEAN SMYTHE	Exhibit NOT FOUND	06-197	14-56-38	N
6.	07-2-CZ14-6	MICHAEL AND PAM CAUSLEY	NO Exhibit	06-236	31-56-39	N

Richard Roads Estates, LLC

Community Zoning Appeals Board 14
Application #06-089

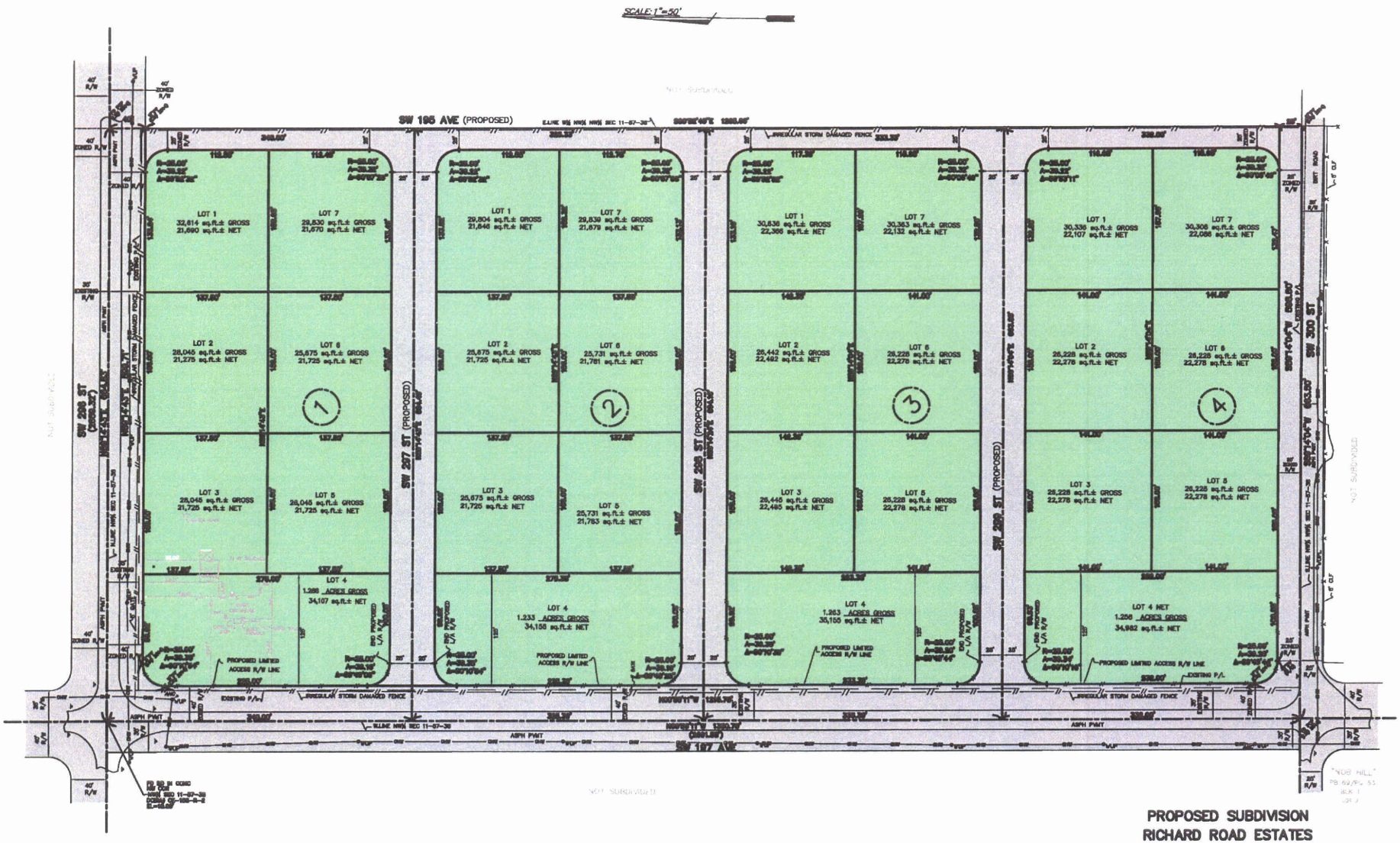
RECEIVED BY CLERK
Item # 06-89
CZAB # 14 Exhibit # 2-1
FEB 21 2007
CLERK OF THE BOARD

Greenberg Traurig
1221 Brickell Avenue
Miami, FL 33131
305.579.0500

AERIAL PHOTOGRAPH WITH ZONING OVERLAY

S.W. 187th Avenue
S.W. 312th Street
EU1
EUS
EUM
AU
EUM
EU1
EUM
EU1
RU1
1.59 DUA
1.5 DUA
EUS
1.9 DUA
Subject Property
S.W. 197th Avenue
AU
(lots grandfathered smaller then 5 a/c required)
S.W. 288th Street
AU
S.W. 296th Street
EUS

PROPOSED SITE PLAN



PROPOSED SUBDIVISION
RICHARD ROAD ESTATES

DRAFTING REVISIONS 10-20-06

ELEVATIONS TAKEN 12-08-05

SHEET 2 OF

LEGEND

MAKOWSKI & WRIGHT, INC. LB#6485
SURVEYORS-MAPPERS-ENGINEERS 27 N.W. 13 STREET, HOMESTEAD, FL. 33030 (305)247-1306

PREPARED FOR: RICHARD ROAD ESTATES, LLC

BOUNDARY

"X", 0350J, 7-17-95

DATE OF FIELD SURVEY: 12-08-05

BY: FRANK MAKOWSKI SURVEYOR-MAPPER NO. 2914 STATE OF FLORIDA

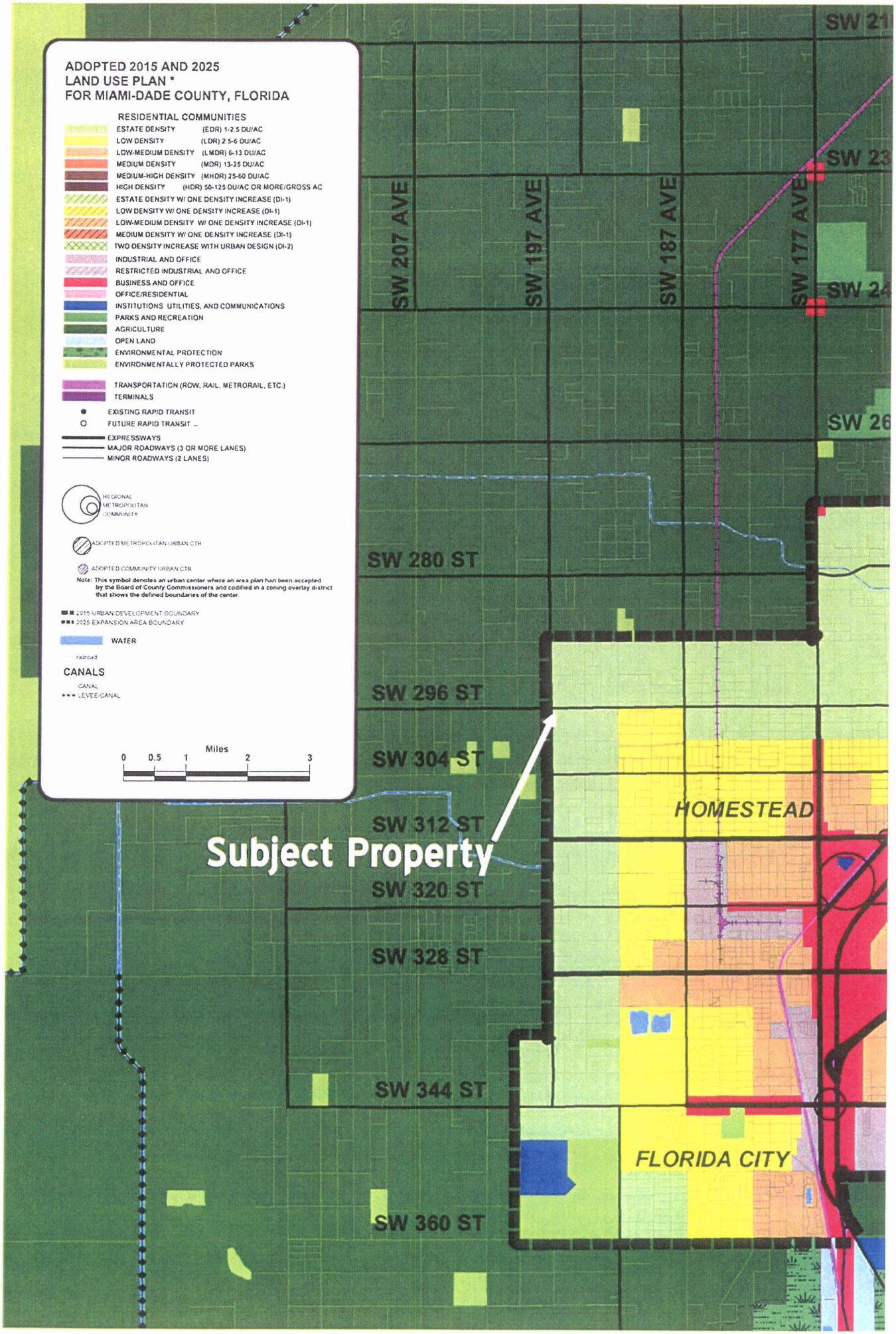
ADD TOPOGRAPHY

ELEVATIONS

1" = 50'

09-17-06

MIAMI-DADE COUNTY FUTURE LAND USE MAP


ADOPTED 2015 AND 2025
LAND USE PLAN *
FOR MIAMI-DADE COUNTY, FLORIDA
RESIDENTIAL COMMUNITIES
ESTATE DENSITY (EDR) 1-2.5 DU/AC
LOW DENSITY (LDR) 2.5-6 DU/AC
LOW-MEDIUM DENSITY (LMDR) 6-13 DU/AC
MEDIUM DENSITY (MDR) 13-25 DU/AC
MEDIUM-HIGH DENSITY (MHDR) 25-60 DU/AC
HIGH DENSITY (HDR) 50-125 DU/AC OR MORE/GROSS AC
ESTATE DENSITY W/ ONE DENSITY INCREASE (DI-1)
LOW DENSITY W/ ONE DENSITY INCREASE (DI-1)
LOW-MEDIUM DENSITY W/ ONE DENSITY INCREASE (DI-1)
MEDIUM DENSITY W/ ONE DENSITY INCREASE (DI-1)
TWO DENSITY INCREASE WITH URBAN DESIGN (DI-2)
INDUSTRIAL AND OFFICE
RESTRICTED INDUSTRIAL AND OFFICE
BUSINESS AND OFFICE
OFFICE/RESIDENTIAL
INSTITUTIONS UTILITIES, AND COMMUNICATIONS
PARKS AND RECREATION
AGRICULTURE
OPEN LAND
ENVIRONMENTAL PROTECTION
ENVIRONMENTALLY PROTECTED PARKS
TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)
TERMINALS
EXISTING RAPID TRANSIT
FUTURE RAPID TRANSIT
EXPRESSWAYS
MAJOR ROADWAYS (3 OR MORE LANES)
MINOR ROADWAYS (2 LANES)
REGIONAL
METROPOLITAN
COMMUNITY
ADOPTED METROPOLITAN URBAN CTR
ADOPTED COMMUNITY URBAN CTR
Note: This symbol denotes an urban center where an area plan has been accepted by the Board of County Commissioners and codified in a zoning overlay district that shows the defined boundaries of the center.
2015 URBAN DEVELOPMENT BOUNDARY
2025 EXPANSION AREA BOUNDARY
WATER
railroads
CANALS
CANAL
LEVEE/CANAL
Miles
0 0.5 1 2 3
SW 21
SW 23
SW 24
SW 26
SW 207 AVE
SW 197 AVE
SW 187 AVE
SW 177 AVE
SW 280 ST
SW 296 ST
SW 304 ST
SW 312 ST
SW 320 ST
SW 328 ST
SW 344 ST
SW 360 ST
HOMESTEAD
FLORIDA CITY
Subject Property

ADOPTED COMPONENTS
COMPREHENSIVE DEVELOPMENT
MASTER PLAN

For
Miami-Dade County, Florida

Printed October 2006

October 2006 Edition
As amended through October 4, 2006

This volume incorporates all amendments made to the CDMP through the:

April 2005-06 Amendment Cycle
October 2005-06 Amendment Cycle

Miami-Dade County
Department of Planning and Zoning
1110 Stephen P. Clark Center
111 NW First Street
Miami, Florida 33128-1972
(305) 375-2835

LU-1D. In conducting its planning, regulatory, capital improvements and intergovernmental coordination activities, Miami-Dade County shall seek to facilitate the planning of residential areas as neighborhoods which include recreational, educational and other public facilities, houses of worship, and safe and convenient circulation of automotive, pedestrian and bicycle traffic.

LU-1E. In planning and designing all new residential development and redevelopment in the county, Miami-Dade County shall vigorously promote implementation of the "Guidelines for Urban Form" contained in the "Interpretation of The Land Use Plan Map" text adopted as an extension of these policies.

LU-1F. To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.

LU-1G. Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.

LU-1H. The County should identify sites having good potential to serve as greenbelts, and should recommend retention and enhancement strategies, where warranted. Such greenbelts should be suggested on the basis of their ability to provide aesthetically pleasing urban spaces, recreational opportunities, or wildlife benefits. Considered sites should include canal, road or powerline rights-of-way, or portions thereof, particularly where they could link other parklands, wildlife habitats, or other open spaces.

LU-1I. The County shall consider urban design, water and energy conservation and wildlife habitat when designing sites and selecting landscape material for all public projects.

LU-1J. Miami-Dade County will maintain its commitment to improve Community Development Block Grant (CDBG)-eligible areas, enhance the County's Enterprise Zone and participate in the Empowerment Zone program as tools to expand the economy in locally distressed areas.

based on averages or trends of development types and intensities in localized areas when consistent with sound service/facility planning practice. The following allowable maximum intensities are expressed as the floor area ratio (FAR) of building square footage (not counting parking structures) divided by the net lot area of the development parcel.

Maximum Allowable Non-Residential Development Intensity	
Inside the UIA	2.0 FAR
Urbanizing Area, UIA to UDB	1.25 FAR
Outside UDB	0.5 FAR
[See Also Urban Centers]	

Residential Communities

The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different constructions systems. Also permitted in residential Communities are neighborhood and community services including schools, parks, houses of worship, day care centers, group housing facilities, and utility facilities only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments mix of land uses, and their relationship.

Guidelines for Urban Form. The following guidelines establish a generalized pattern for location of different uses, their intensity and density, and the interconnecting network of vehicular and pedestrian movement. The general pattern of land use in residential communities should conform to the following guidelines to the maximum extent consistent with the land use patters and densities authorized and encouraged by the Land Use Plan (LUP) map, and future amendments to the LUP map should endeavor to promote this localized form within the metropolitan pattern of urban centers and transit corridors. Exceptions may occur (a) for Developments of Regional Impact and Development of County Impact or (b) to conform the density, intensity, use, building, envelope, traffic generation and demand on services and infrastructure of a proposed new use to such contextual elements as the general pattern of use, intensity and infrastructure which exists in an established neighborhood. The general pattern promoted by these guidelines is schematically illustrated in Figure 2.

1. The section line roads should form the physical boundaries of neighborhoods.

2. The section line, half section line, and quarter-section line road system should form a continuous network, interrupted only when it would destroy the integrity of a neighborhood or development, or when there is a significant physical impediment. Pedestrian and vehicular traffic networks should serve as physical links between neighborhoods, with multiple points of access between neighborhoods.

residential parcel, recreational facilities need not be provided on-site. However, the open space requirement must be met, unless authorized after public hearing. The on-site open space shall be maintained by the property owner for rental apartments and by the homeowner association for ownership housing.

Estate Density. 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.

Low Density. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

Low-Medium Density. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.

Medium Density. This category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

Medium-High Density. This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas. The provisions of the section below entitled "Density Increase with Urban Design" are not applicable to this density category. At such time as Miami-Dade County's land development regulations are amended pursuant to Policy LU-9O, a density bonus can be added to each residential zoning district that falls within the Medium-High Density range of 25 to 60 dwelling units per gross acre. When land development regulations are amended, this density bonus may allow a maximum of 60 dwelling units per gross acre on properties that are designated Medium-High Density on the Land Use Plan map. These density bonuses shall not apply to existing or proposed developments with vehicular entrances that are controlled or have entry gates or existing or proposed developments with private streets.

that other portions are developed at correspondingly lower densities so that the average density of the entire development does not exceed the maximum gross density limits shown on the LUP map. Where a parcel or group of contiguous parcels under a single ownership or legally unified development has two different LUP map residential designations, the number of units permitted under one designation may be averaged with the number of units permitted under the other and developed at varying densities providing that the total number of units built on such property does not exceed the total number permitted under the two designations. Further, where 50 percent or more of the boundary of a parcel or group of contiguous parcels, not exceeding 20 acres in size, adjoins land that is developed or zoned for densities that are higher than those which are shown on the LUP map, such property may be zoned for a density higher than that shown on the LUP map but not higher than the highest density which is permitted by zoning on the adjoining properties. Density may be transferred across a Major or Minor roadway to an adjacent and legally unified parcel or portion thereof contiguous to the Roadway provided, further, that the site receiving the increased density shall be developed at a density no greater than the higher of adjoining or adjacent existing residential development or zoning, or if the adjoining land is undeveloped and not zoned for urban use, one density category higher than the LUP map designation of the parcel. The above provisions, however, are all conditioned upon a determination being made that the requested density and housing types are compatible with the surrounding development and would not create a significant negative impact on services within the area.

The land use and residential density patterns indicated for municipalities represent the development basis that Miami-Dade County will use to plan and program public facilities and services that are its responsibility. The patterns of land use and densities indicated along municipal boundaries also seek to minimize conflicts between different jurisdictions. Because municipal planning agencies possess greater familiarity and the authority to plan land use of their jurisdiction, adopted municipal comprehensive plans may average densities among different density categories indicated on the LUP map, within unit areas bounded by Major and Minor Roadways indicated on the Land Use Plan map. However, the total potential number of dwelling units and acreage of other land uses should not be changed from the total indicated by the County plan for the unit area bounded by these roadways. Moreover, maintenance of compatible uses and housing types at local government jurisdictional boundaries is particularly important.

Housing Variety. Residential communities having a variety of housing types, such as standard single-family detached homes, townhouse, other single-family attached homes, and multi-family units, are encouraged by this plan. Toward this end, all new residential developments should include housing types which will contribute to the diversity of housing types in the immediate area, and in all instances residential developments exceeding 40 acres in size shall contain more than one of the foregoing housing types. It is especially important to mix townhouses with single-family detached and the former with multi-family units. Multi-family buildings should offer a variety of sizes ranging from efficiency units through two and three bedroom apartments.

Accessory Dwelling Units. Accessory dwelling units ranging from 400 to 800 square feet of habitable area are authorized on single-family lots with a minimum area of 7,500 square feet

PLANNING AND ZONING DEPARTMENT
STAFF RECOMMENDATION

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

APPLICANT: Richard Road Estates, LLC **PH:** Z06-089 (07-2-CZ14-2)

SECTION: 2-57-38 **DATE:** February 21, 2007

COMMISSION DISTRICT: 8 **ITEM NO.:** 2

==========

A. INTRODUCTION:

- **REQUESTS:**

  (1) AU to EU-1

  REQUEST #1 ON PARCEL "A"

  (2) AU to EU-M

  REQUEST #2 ON PARCEL "B"

- **SUMMARY OF REQUESTS:**

  Approval of the requests will allow the applicant to change the zoning on the property from AU, Agricultural District, to EU-1, One Acre Estate Single-Family Residential District, and to EU-M, Single-family Modified Estate District.

- **LOCATION:** The southeast corner of SW 197 Avenue and SW 296 Street, Miami-Dade, Florida.

- **SIZE:** 18.44 Acres

- **IMPACT:**

  The approval of the requested district boundary changes will allow the applicant to provide additional housing units for the community. The rezoning of this site will have an impact on the schools, water and sewer services and traffic in the area.

B. ZONING HEARINGS HISTORY: None.

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**. 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 units per gross acre.

2. Existing lawful residential and non-residential uses and zoning are not specifically

depicted on the LUP map. They are however reflected in the average Plan Density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this CDMP titled "Concepts and Limitations of the Land Use Plan Map." The limitation referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

3. **Policy LU-2B.** Priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the Urban Development Boundary (UDB) of the Land Use Plan (LUP) map.

4. **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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
AU; Vacant	Estate Density Residential, 1 to 2.5 dua
Surrounding Properties:	
NORTH: AU; Plant nursery	Estate Density Residential, 1 to 2.5 dua
SOUTH: AU; Vacant	Estate Density Residential, 1 to 2.5 dua
EAST: AU; Single-family residence	Estate Density Residential, 1 to 2.5 dua
WEST: AU; Vacant	Estate Density Residential, 1 to 2.5 dua

The 18.44-acre subject property is located within and along the eastern edge of the Urban Development Boundary (UDB), at the southeast corner of SW 197 Avenue and SW 296 Street. Plant nurseries, single-family residences, and vacant parcels of land characterize the area where the subject property lies.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plans submitted.)
Scale/Utilization of Site:	**Acceptable***
Location of Buildings:	**N/A**

Compatibility:	**Acceptable**
Landscape Treatment:	**N/A**
Open Space:	**N/A**
Buffering:	**N/A**
Access:	**Acceptable**
Parking Layout/Circulation:	**N/A**
Visibility/Visual Screening:	**N/A**
Energy Considerations:	**N/A**
Roof Installations:	**N/A**
Service Areas:	**N/A**
Signage:	**N/A**
Urban Design:	**N/A**

*As applied to request #1 only.

F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change, Section 33-311** provides that the Board 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.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**No objection**
Parks	**No comment**
MDT	**No comment**
Fire Rescue	**No objection**
Police	**No comment**
Schools	**Pending**
Aviation	**No objection***

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The 18.44-acre subject property is located along the eastern edge of and within the Urban Development Boundary (UDB), on the southeast corner of SW 197 Avenue and SW 296 Street. The applicant is seeking a zone change from AU, Agricultural District, to EU-1, One Acre Estate Single-Family Residential District, and to EU-M, Single-family Modified Estates District. The applicant has submitted a subdivision site plan demonstrating the planned allocation of approximately 4.44 acres for the siting of four EU-1 zoned lots adjacent to and fronting SW 197 Avenue and the remaining acreage, approximately 14 acres, to be used for 24 residential lots proposed to be zoned EU-M. Staff notes that the applicant has met with staff to discuss the Department of Planning and Zoning's intended recommendation for an approval of request #1 on Parcel A to change the zoning from AU to EU-1, and denial without prejudice of request #2 on Parcel B to change the zoning from AU to EU-M, and approval of EU-S, Estate Suburban Single-Family District, in lieu of the requested EU-M on Parcel B. Staff notes that the applicant has since submitted a revised Letter of Intent dated January 19, 2007, indicating their compliance with staff's recommendation and now requesting EU-S zoning on Parcel B. Additionally, the applicant has voluntarily proffered a covenant restricting the development to the submitted subdivision plan. Agricultural uses such as plant nurseries, single-family residences and vacant parcels of land characterize the area where the subject property lies.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that this application meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the memorandum submitted by DERM indicates that a County-designated Natural Forest Community (NFC) lies to the west of the subject property, which will be maintained by the periodic use of ecologically prescribed burning. Said management technique reduces wildfire threats and is beneficial to wildlife and the rare plant species harbored by this plant community. Their memorandum indicates that such burning is generally performed once every three years; the subject property lies within the potential smoke dispersion corridor of this pineland and, as such, may be temporarily affected by the periodic smoke events. Further, the applicant will have to comply with all DERM requirements as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application. They have indicated that road dedications and improvements will be accomplished through the recording of a plat. According to their memorandum, this application meets traffic

concurrency criteria and will generate **38** additional PM daily peak hour **vehicle trips**. However, the distribution of these trips to the adjacent roadways does not exceed the acceptable Levels of Service (LOS) of the roadways, which are currently operating at LOS "A" and "B". **Miami-Dade County Public Schools** (MDCPS) and the applicant have held a dialogue and the applicant is mitigating for any impact the residential development may incur on the affected schools. However, the School Board has not released their memorandum. The **Aviation Department** has **no objections** to this application. However, the applicant will have to comply with all the conditions as set forth in their memorandum pertaining to this application.

Staff is supportive of the requested EU-1 zoning (request #1) along SW 197 Avenue, abutting the UDB, but recommends in lieu of the requested EU-M zoning (request #2), a rezoning of the balance (14-acres) of the subject property to EU-S, Estate Suburban Single-Family District, on Parcel B. The applicant has taken the opportunity to meet with staff and discuss concerns pertaining to compatibility. As such, the applicant has amended request #2 to a district boundary change from AU to EU-S in lieu of EU-M. The approval of the requested district boundary changes will allow the applicant to provide additional housing units for the community. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Estate Density Residential** use. This category permits a minimum of 1 unit to a maximum of 2.5 units per gross acre, which would allow the applicant to develop the 18.44-acre site with a minimum of 18 to a maximum of 46 residential units. As previously mentioned, the applicant has submitted a revised Letter of Intent, amending the zone change for request #2 to EU-S in lieu of the requested EU-M. The applicant has submitted a subdivision plan proposing that the site be developed with 28 residential lots utilizing both the proposed EU-1 and amended EU-S zoning classifications. The subject property is situated at the southeast corner of SW 197 Avenue and SW 296 Street, two section-line roadways, and the site plan submitted indicates that the applicant has proposed a lot layout of four interconnected blocks, each with a single EU-1 lot fronting to the north or the south, and six EU-S lots. As such, the plan indicates that 24 of the proposed lots are to be developed under the EU-S zoning regulations and the remaining 4 are to be developed under the EU-1 zoning regulations. The applicant seeks to rezone the western 4.44-acre portion of the site that is located along the UDB to EU-1 in request #1, which would allow the applicant to develop this portion with single-family residential units at a density of 1 unit per gross acre, totaling a maximum of 4 EU-1 zoned residential lots. The EU-S zone would allow the applicant to develop the easterly 14-acre portion of the subject property with single-family residential units at a density of 1.74 dwelling units per gross acre, totaling a maximum of 24 residential units. Therefore the rezoning of the 18.44-acre parcel of land to EU-1 on Parcel A and EU-S on Parcel B would allow the applicant a maximum residential development of 28 units, which would be **consistent** with the Estate Density Residential LUP map designation of the CDMP, and the numerical threshold for density permitted therein.

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 subdivision plan would be consistent with the Estate Density Residential LUP map designation of the CDMP but, potentially incompatible with the scale of the neighboring lot sizes to the east and north of the subject property currently developed

with a plant nursery and single-family residences. The requested EU-M zoning would allow the development of lots with a minimum net lot area of 15,000 gross square feet. Staff opines that the originally requested EU-M zoning is incompatible with the surrounding area, but opines that a rezoning of the subject property to EU-1 as proposed in request #1 on Parcel A and to **EU-S** in lieu of EU-M on Parcel B (request #2) would be **compatible** with the surrounding properties and **consistent** with the LUP map designation of the CDMP, and the numerical threshold for density permitted therein. When considering District Boundary Changes the Board shall also consider that the proposed development will not have an unfavorable impact on public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by DERM. Additionally when considering zone changes, the Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County and staff opines that the proposed zoning would not have an unfavorable impact on the economy and would provide an opportunity to address housing needs within Miami-Dade County. Furthermore, staff supports development that is within the UDB, as identified within the **Land Use Policy LU-2B** which states that priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the UDB of the LUP map. And within the interpretative text of the CDMP it further reads 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. Noting that the property abuts the UDB line along the west, the proposed EU-1 zoning along the subject property's western 125' strip of land, provides a sensitive transition from the AU-zoned land to the west, to the staff recommended EU-S development on the eastern portion of site. Moreover, the proposed development does not unduly burden or affect public transportation facilities as indicated in the Public Works Department's memorandum submitted for this application. As previously mentioned, the Department of Planning and Zoning would support a zone change to EU-S in lieu of the originally requested EU-M zoning for Parcel B. Staff is of the opinion that the development of the site with a strip of EU-1 zoned properties along the UDB and with EU-S zoned lots to the east would provide a sensitive solution to address housing needs within Miami-Dade County whilst maintaining the residential estate character, which is presently evolving in the area. Staff notes that, although there is no contiguous estate zoning, there are single-family residences developed on one-acre parcels abutting the subject property to southwest. Research indicates that these residential parcels measure approximately one acre in area but are part of an existing subdivision, Nob Hill, which was platted in 1959, and therefore grandfathered to be allowed to contain a minimum of one-acre in area as provided per Section 33-280(1) of the Zoning Code which grandfathers lots platted prior to 1974. The requested EU-1 zoning would require a minimum gross lot area of one acre and the requested EU-S zoning requires a minimum net lot area of 25,000 gross square feet. Also, staff notes that approximately 500' to the east of the subject property on the north side of SW 296 Street is an approximately 20-acre residential enclave, Biscado Estates, that was platted in 1956 with EU-1 lots fronting on SW 296 Street and EU-M lots comprising the balance of the site. As such, staff is of the opinion that the requested district boundary changes to EU-1 and **EU-S**, and the subdivision of the lots as indicated in the revised submitted plan, is **compatible** with the surrounding area.

Based on all of the aforementioned, staff opines that the zone changes to EU-1 on Parcel A and to **EU-S**, in lieu of the requested EU-M zoning on Parcel B would be **compatible** with

the surrounding area and **consistent** with the Estate Density Residential land use designation of the LUP map of the CDMP. Accordingly, staff recommends approval of request #1 on Parcel A to change the zoning from AU to EU-1, and denial without prejudice of request #2 on Parcel B to change the zoning from AU to EU-M, and approval of EU-S in lieu of the requested EU-M on Parcel B.

I. RECOMMENDATION:

Approval of request #1 on Parcel A subject to the Board's acceptance of the proffered covenant, denial without prejudice of request #2 to change the zoning on Parcel B from AU to EU-M, and approval of request #2 to permit EU-S in lieu of the requested EU-M on Parcel B.

J. CONDITIONS: None.

DATE INSPECTED: 12/27/06
DATE TYPED: 01/10/07
DATE REVISED: 01/23/07, 01/29/07; 01/31/07
DATE FINALIZED: 01/31/07
DO'QW:AJT:MTF:LVT:JH:JGM

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