A. **EUREKA BUILDERS 184, LLC** (Applicant)

08-1-CZ14-3 (06-309)
Area BCC/District 9
Hearing Date: 10/08/09

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:

Year	Applicant	Request	Board	Decision
	No History			

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
BOARD OF COUNTY COMMISSIONERS

APPLICANT'S NAME: **EUREKA BUILDERS 184 L.L.C.**

#1

HEARING NUMBER	HEARING DATE
08-1-CZ14-3/06-309	September 3, 2009

AUTOMATICALLY DEFERRED TO OCTOBER 8, 2009 DUE TO A LACK OF A QUORUM.

MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS

APPLICANTS: Eureka Builders 184 LLC **PH:** Z06-309 (08-1-CZ14-3)

SECTION: 31-55-40 **DATE:** October 8, 2009

COMMISSION DISTRICT: 9 **ITEM NO.:** A

==========

A. INTRODUCTION:

- **REQUEST:**

  Eureka Builders 184 LLC is appealing the decision of the Community Zoning Appeals Board #14 which denied with prejudice the following:

  AU to RU-TH

- **SUMMARY OF REQUEST:** The applicant is appealing the decision of Community Zoning Appeals Board #14 which denied a zone change from AU, Agricultural District, to RU-TH, Townhouse District, in order to develop the property with townhouses.

- **LOCATION:** 18201 SW 112 Avenue, Miami-Dade County, Florida.

- **SIZE:** 1.13 Acres

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. This site is located approximately **five (5) miles east of and within the Urban Development Boundary** (UDB.) The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low-Medium Density Residential** use. 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.

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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
SUBJECT PROPERTY:	
AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
SURROUNDING PROPERTY:	
NORTH: AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
SOUTH: AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
EAST: AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
WEST: RU-1; Commercial parking lot	Low Density Residential, 2.5 to 6 dua

E. SITE AND BUILDINGS:

Site Plan Review:	(No site plan 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**
Urban Design:	**N/A**

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.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**No objection**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**No objection/9 students**

*Subject to the conditions indicated in their memorandum.

H. ANALYSIS:

This item was deferred from the September 3, 2009, Board of County Commissioners' (BCC) meeting due to a lack of quorum. The applicant, Eureka Builders 184 LLC, is appealing the decision of the Community Zoning Appeals Board #14 (CZAB-14), which, on January 30, 2008, denied with prejudice their application for a district boundary change from AU, Agricultural District, to RU-TH, Townhouse District, pursuant to Resolution No. CZAB14-4-08. On February 15, 2008, the applicant appealed the CZAB-14's decision to the BCC citing that the Board's decision to deny the request to rezone the property was not based on substantial competent evidence introduced on the record to support a denial of the application. Staff notes, however, that all existing uses and zoning are consistent with the CDMP and, as such, the CZAB-14's decision to deny this application and retain the existing AU zoning on the property is consistent with the CDMP.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low-Medium Density Residential** use, which permits a minimum of 6 to a maximum of 13 dwelling units per acre. This would produce an allowable numerical density threshold of a minimum of 6 to a maximum of 14 on the 1.13-acre site. Although no plans have been submitted with this application, if the requested zone change to RU-TH is approved, the applicant will be required to apply go through the Administrative Site Plan Review (ASPR) process for departmental review and approval for a townhouse development on this site in accordance with the zoning regulations. The requested RU-TH zoning district would allow the applicant to develop the site at a density of a maximum of 8.5 units per gross acre, or up to 10 units per acre when utilizing Severable Use Rights (SUR's), both of which are within the density range permitted for the site and thus **consistent** with the LUP map Low-Medium Residential designation of the CDMP.

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 Miami-Dade County Code. However, the applicants will have to comply with all conditions set forth in their memorandum. The Public Works Department **(PWD)** has **no objections** to this application. Their

memorandum indicates that this application will generate **6** additional PM daily peak hour **vehicle trips**, however, the traffic distribution of these trips will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways which are currently operating at LOS "A", "B", "C", and "D". Furthermore, this land requires platting in accordance with Chapter 28 of the Code of Miami-Dade County and road dedications and improvements will be accomplished through the recording of a plat. The Miami-Dade Fire Rescue Department **(MDFR)** has **no objections** to this application. Miami-Dade County Public Schools **(MDCPS)** also has **no objections** to this application and indicates that the proposed zoning will bring **9 additional students** into the area's public schools. Additionally, MDCPS indicates that the applicant and the School Board have held the required dialogue.

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 rezoning to RU-TH is **consistent** with the Low-Medium Density Residential LUP Map designation of the CDMP. 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, as the proposed residential development will be readily accessible by SW 112 Avenue, a half-section-line roadway, which leads to SW 184 Street which is a section-line roadway, and has direct, proximate access to the Florida Turnpike (SR #821) and is less than 1 mile to the west of South Dixie Highway (US #1). Although there is no contiguous RU-TH zoning to the subject property, as previously mentioned, the subject property abuts RU-1 zoned land to the west across SW 112 Avenue. This RU-1 zoned land was approved in 1989 for an unusual use to permit parking in a more restrictive zone than the use it serves, pursuant to Resolution No. Z-220-89. As such, although zoned for residential use, the site currently serves as a parking lot for a two-story office building located on SW 184 Street (Eureka Drive), and as such, the approval of the townhouses on the subject property would not negatively impact the RU-1 zoned land to the west. Further, although the subject property is neighbored to the north, south and west by AU-zoned properties, the subject property is part of a remnant 19-acre AU zoned parcel of land that extends from SW 180 Street to SW 184 Street and from SW 112 Avenue to SW 110 Avenue. Of this 19-acre, AU zoned parcel of land, 4 acres have been utilized for an educational and religious facility along SW 184 Street, an additional 1.25 acres have been utilized for another religious institution and residential zoning has already been introduced on a 1.25 acre parcel to the north along SW 180 Street for RU-1M(b) zoning. Thus the 1.13-acre subject property is a part of the remaining 12.5-acre swath of AU zoned land, which in staff's opinion has become less common in this area which is no longer agricultural in nature.

The requested RU-TH zoning would permit the residential development of townhouses, which, as evidenced by recent zoning actions, appear to be the development trend in the area. Once rezoned to RU-TH, if the applicant chooses to utilize SUR's, the site would achieve a density bonus from 8.5 units per net acre to a maximum of 10 units per net acre. Currently under construction on a 10 acre property located approximately 371 feet to the east of the subject property is a 94-unit townhouse development which was approved in 2004 for a zone change from AU to RU-TH, pursuant to Resolution No. CZAB14-29-04 that will be developed utilizing SUR's at a density of 9.74 units per net acre. Further to the east of the subject property, and abutting the abovementioned townhouse development, a 4 gross acre property was approved for a zone change from AU to RU-TH in lieu of the initially sought RU-3M, Minimum Apartment House District, pursuant to Resolution No. Z-20-04. Additionally, located 0.1 mile (525 feet) to the southeast of the subject property, a 2 net acre parcel

of land fronting on SW 184 Street was approved for a district boundary change from AU to RU-3M, pursuant to Resolution No. CZAB14-40-05. This property utilized the RU-3M permitted density of 12.9 units per acre for a townhouse development and was approved with a plan depicting 21 townhouses at a density of 10.3 units per net acre. Therefore, the development of the subject property for townhouses under the proposed RU-TH zoning regulations would be compatible with these previous approvals. As previously mentioned, the proposed development is within the density threshold of the LUP map of the CDMP. Based on all of the aforementioned, staff is of the opinion that the request for a zone change to RU-TH is **compatible** with the area. Accordingly, staff recommends approval of the district boundary change from AU to RU-TH.

Based on all of the aforementioned, staff is of the opinion that the proposed zone change to RU-TH will be in keeping with the development trend of the area, will be **compatible** with the surrounding community and **consistent** with the Land Use Plan map of the CDMP. Accordingly, staff recommends approval of the appeal and recommends approval of the district boundary change from AU to RU-TH.

I. **RECOMMENDATION:** Approval of the appeal and approval, of the request to change the zoning on the property from AU to RU-TH.

J. **CONDITIONS**: None.

DATE INSPECTED: 11/28/07
DATE TYPED: 12/10/07
DATE REVISED: 12/18/07; 03/12/08; 03/31/08, 07/20/09, 08/20/09, 09/11/09
DATE FINALIZED: 08/04/09, 08/20/09, 09/11/09
MCL:NN:AA:CH

Marc C. La Ferrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

NDN

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY GAL AMOUNT OF FEE $1,574.09 Z06-309

RECEIPT # I 2008 24793

DATE HEARD: **01/30/08**

BY CZAB # **CZAB14**

RECEIVED
FEB 15 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY Adrian Dinto
DATE RECEIVED STAMP

****

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. **Z06-309**

Filed in the name of (Applicant) **Eureka Builders 184, LLC**

Name of Appellant, if other than applicant **same**

Address/Location of APPELLANT'S property: **18201 Southwest 112th Avenue**

Application, or part of Application being Appealed (Explanation): **Entire appealable application**

Appellant (name): **Eureka Builders 184, LLC**
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reverse) of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

Lack of substantial competent evidence to support a denial of the application.

RECEIVED
Z06-309
FEB 15 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING
BY

8

APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF **Florida**

COUNTY OF **Miami-Dade**

Before me the undersigned authority, personally appeared **Manuel Mario Guevara** (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board mailer because of the following:

(Check all that apply)

_____ 1. Participation at the hearing
__X__ 2. Original Applicant
_____ 3. Written objection, waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

_____
Signature

PATRICIA TEDESCHI
Print Name

_____
Signature

JOSE FERNANDEZ
Print Name

_____
Appellant's signature
By: Manuel Mario Guevara
Eureka Builders 184, LLC
Print Name

Sworn to and subscribed before me on the 15 day of February year 2008.

Appellant is personally know to me or has produced _____ as identification.

RECEIVED
306-309
FEB 15 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

_____
Notary (Stamp/Seal)

Commission Expires:

EDUARDO A. MANZANARES
Notary Public - State of Florida
My Commission Expires Feb 17, 2008
Commission # DD291829
Bonded By National Notary Assn.

MIA 179595882v2 4/23/2007

APPELLANT MUST SIGN THIS PAGE

Date _____ day of February, year: 2008

Signed _____

By: Manuel Mario Guevara
Eureka Builders 184, LLC
1290 Weston Road, Suite 214
Weston, Florida 33326

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

_____
Representing

_____
Signature

Simon Ferro
Print Name

1221 Brickell Avenue
Address

Miami | Fl | 33131
City | State | Zip

(305)579-0644
Telephone Number

Subscribed and Sworn to before me on the 15 day of February, year 2008.

_____
Notary Public

(stamp/seal)

EDUARDO A. MANZANARES
Notary Public - State of Florida
My Commission Expires Feb 17, 2008
Commission # DD291829
Bonded By National Notary Assn.

Commission expires

RECEIVED
Z06-309
FEB 15 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

MIA 179595882v2 4/23/2007

10

RESOLUTION NO. CZAB14-4-08

WHEREAS, **EUREKA BUILDERS 184 L. L. C.** applied for the following:

AU to RU-TH

SUBJECT PROPERTY: The north 163.16' of the NW ¼ of the SW ¼ of the SW ¼ of the SE ¼ of Section 31, Township 55 South, Range 40 East, less the west 35' for right-of-way and less the south 75' of the west 155' excluding the west 35' for right-of-way thereof. AND: The south 75' of the west 155' of the north 163.16' of the NW ¼ of the SW ¼ of the SW ¼ of the SE ¼ of Section 31, Township 55 South, Range 40 East, less the west 35' for right-of-way.

LOCATION: 18201 S.W. 112 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-TH would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny the application with prejudice was offered by Dawn Lee Blakeslee, seconded by Wilbur B. Bell, and upon a poll of the members present the vote was as follows:

Wilbur B. Bell	aye	Gary J. Dufek	aye
Dawn Lee Blakeslee	aye	Dr. Pat Wade	aye
	Curtis Lawrence	aye	

NOW THEREFORE BE IT RESOLVED, by the Miami-Dade County Community Zoning Appeals Board 14, that the requested district boundary change to RU-TH be and the same is hereby denied with prejudice.

11

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 30th day of January, 2008.

Hearing No. 08-1-CZ14-3
ls

12

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 14, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB14-4-08 adopted by said Community Zoning Appeals Board at its meeting held on the 30th day of January 2008.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 5th day of February 2008.

Luis Salvat

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

SEAL

Memorandum

MIAMI-DADE COUNTY

Date: July 24, 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 #Z2006000309-2nd Revision
Eureka Builders 184, LLC
18201 and 18251 S.W. 112th Avenue
District Boundary Change from AU to RU-3M
(AU) (1.25 Acres)
31-55-40

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 and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements.

Existing public water and sewer 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.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted, if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted, in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event.

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 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

REVISION 2
PH# Z2006000309
CZAB - C14

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:EUREKA BUILDERS 184, LLC

This Department has no objections to this application.

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 6 PM daily peak hour vehicle trips. The traffic distribution 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
9728	SW 107 Ave. s/o SW 160 St.	D	D
9732	Marlin Rd. n/o US-1	C	C
9882	SW 186 St. e/o SW 107 Ave.	B	B
9876	SW 184 St. w/o SW 117 Ave.	A	A

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.
27-NOV-07

Miami-Dade County Public Schools

giving our students the world

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

Miami-Dade County School Board
Agustin J. Barrera, Chair
Perla Tabares Hantman, Vice-Chair
Renier Diaz de la Portilla
Evelyn Langlieb Greer
Dr. Wilbert "Tee" Holloway
Dr. Martin Karp
Ana Rivas Logan
Dr. Marta Pérez
Dr. Solomon C. Stinson

January 25, 2008

Received by
Zoning Agenda Coordinator
MAR 31 2008

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

Received by
Zoning Agenda Coordinator
MAR 31 2008

Re: No. 06-309, Eureka Builders 184, LLC
Southwest Corner of SW 112 Avenue and SW 170 Terrace

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, Homestead Middle School and South Dade Senior High School, meet the referenced review threshold (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 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 possible mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application.

At the time of dialogue, the applicant expressed a willingness to proffer a Covenant to provide a monetary donation, over and above impact fees, to the School Board. However, the applicant has since withdrawn the proffer to the School Board. As such, in accordance with the Review Criteria established by the Board, the School District is requesting that the application be denied or deferred until such time as the applicant is able to address the impact of the proposed residential development on public schools in the area.

Facilities Planning
Ana Rijo-Conde, AICP, Planning Officer • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • arijo@dadeschools.net

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 10-unit development is estimated to generate approximately $19,500 ($1,950 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

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,

Corina S. Esquijarosa
Coordinator III

CSE:rr
L-362
Attachment

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

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 06-309, Eureka Builders 184 LLC (CC14)
REQUEST:	Zone change from AU to RU-3M
ACRES:	1.13 acres
LOCATIONS:	18201 SW 112 Avenue
MSA/ MULTIPLIER:	5.8/.73
NUMBER OF UNITS:	10 units
ESTIMATED STUDENT POPULATION:	7 students*
ELEMENTARY:	3
MIDDLE:	2
SENIOR:	2

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Pine Lake Elementary - 16700 SW 109 Ave.
MIDDLE:	Richmond Heights Middle – 15015 SW 103 Ave.
SENIOR HIGH:	Miami Southridge Senior -19355 SW 114 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 September 2006:

	STUDENT POPULATION		FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELCOATABLE
Pine Lake Elementary	567		638	89%	18	86%
	570	*		89%		87%
Richmond Heights Middle	1,318		1,145	115%	158	101%
	1,320	*		115%		101%
Miami Southridge Senior	3,682		2,662	138%	190	**129%**
	3,684	*		138%		**129%**

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

Notes:

1. Figures above reflect the impact of the class size amendment.
2. Pursuant to the Interlocal Agreement, the senior high school meets the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA
(information included in proposed 5-Year Capital Plan, 2006-2010, dated July 2006:
Projects in Planning, Design or Construction

School	Status	Projected Occupancy Date
Jorge Mas Canosa Middle/ State School "YY1" (Redland, Hammocks, Ammons and Richmond Heights Middle School Relief) (2232 student stations)	Construction	School Opening 2007
K-8 Conversion at F. C. Martin Elementary School (Richmond Heights Middle School Relief) (675 student stations)	Construction	School Opening 2007

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	638
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	4052
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan)	2662

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

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 $45,843.

CAPITAL COSTS: Based on the State's March-2007 student station cost factors*, capital

costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	does not meet review threshold				
MIDDLE	does not meet review threshold				
SENIOR HIGH	2	x	$25,803	=	$51,606
Total Potential Capital Cost					$51,606

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

REVISION 2

Memorandum

Date: 10-DEC-07

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

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2006000309

Fire Prevention Unit:

This Memo supersedes MDFR Memorandum dated May 22, 2007.
APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped November 14, 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 Z2006000309
located at 18201 S.W. 112 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2144 is proposed as the following:

10 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: 2.7 alarms-annually.
The estimated average travel time is: 7:30 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:

Station 50 - Perrine - 9798 Hibiscus Street
Rescue.

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 November 14, 2007. Substantial changes to the plans will require additional service impact analysis.

OFFICE of NEIGHBORHOOD COMPLIANCE

KENDALL OFFICE
ENFORCEMENT HISTORY

APPLICANT
EUREKA BUILDERS 184, LLC

ADDRESS
18201 SW 112 AVENUE
MIAMI-DADE COUNTY,
FLORIDA

07-22-09
INSPECTION DATE

Z2006000309
HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:
200902009287 CLOSED (PROPERTY APPEARS CLEAR OF VIOLATIONS FROM FRONT OF PROPERTY. NO ACCESS TO REAR. DEBRIS PILE ON ROW IN FRONT OF PROPERTY WAS REFER TO SOLID WASTE DEPT).

200702014318 CLOSED ENF HISTORY.

200702013205 CLOSED ENF HISTORY.

200602011292 CLOSED ENF HISTORY.

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: Where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

CORPORATION NAME: Eureka Builders 184, LLC

NAME, ADDRESS AND OFFICE	Percentage of Stock
Manuel Mario Guevara	50%
Luis Ayala	50%
1290 Weston Road, Suite 214	
Weston, FL 33326	

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: Where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME: _____

NAME AND ADDRESS	Percentage of Stock

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where the principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identity natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable) _____ Percentage of Interest

_____ _____

_____ _____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

_____

_____

NOTICE: For changes of ownership or changes in purchase contracts after the date of application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____

Manuel Mario Guevara

Sworn to and subscribed before me this 16 day of OCTOBER, 2006. Affiant is personally known to me or has produced _____ as identification.

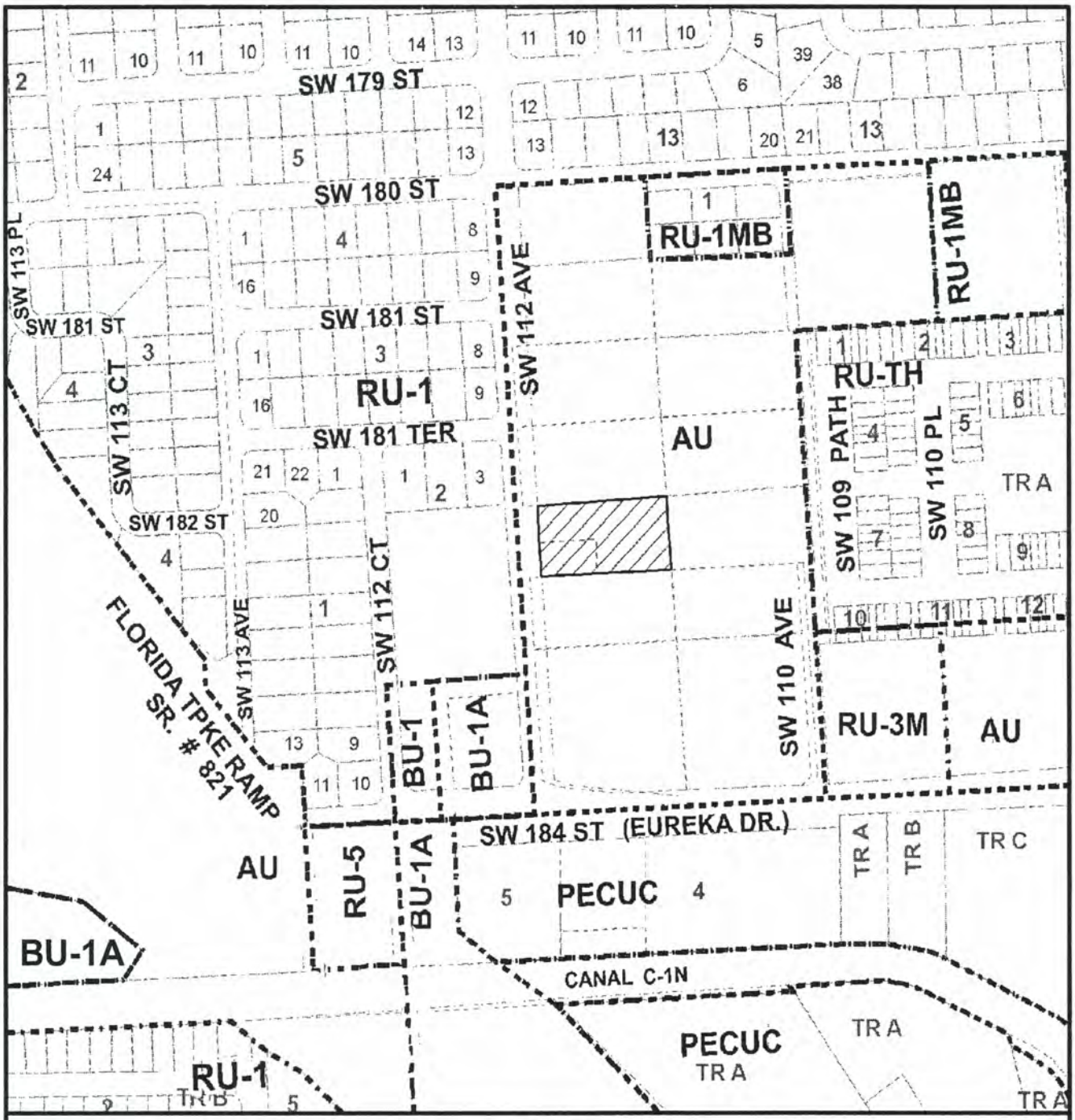
_____

Notary Public

MANUEL ALMEDO
MY COMMISSION # DD 582358
EXPIRES: August 27, 2010
Bonded Thru Notary Public Underwriters

My commission expires: _____

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



MIAMI-DADE COUNTY
HEARING MAP

Process Number
06-309

N

SUBJECT PROPERTY

Section: 31 Township: 55 Range: 40
Applicant: EUREKA BUILDERS 184, LLC
Zoning Board: C14
District Number: 09
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 11/20/06

REVISION	DATE	BY
Remove Zone RU-3M	11/26/07	KS
Redrawn on new template	12/19/07	KS

26

MIAMI-DADE COUNTY
AERIAL

Process Number
06-309

N

SUBJECT PROPERTY

Section: 31 Township: 55 Range: 40
Applicant: EUREKA BUILDERS 184, LLC
Zoning Board: C14
District Number: 09
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 11/20/06

REVISION	DATE	BY
Remove Zone RU-3M	11/28/07	MS
Redrawn on new template	12/19/07	MS

MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS

APPLICANT'S NAME: **EUREKA BUILDERS 184 L.L.C.**

#1

HEARING NUMBER	HEARING DATE
08-1-CZ14-3/06-309	September 3, 2009

AUTOMATICALLY DEFERRED TO OCTOBER 8, 2009 DUE TO A LACK OF A QUORUM.

REQUEST FOR LEGAL DESCRIPTION CHECK (Part A)

Appl. No. _____ Sec. 31 Twp. 55 Rge. 40

Processor _____ CZAB # _____ BCC _____

TYPE OR PRINT ALL INFORMATION – ALL FOLIO NUMBERS REQUIRED

1. FOLIO NUMBER (S) OR SUBJECT PROPERTY (List all folio numbers comprising the subject property)

30-5031-000-0280 30-5031-000-0281 _____

2. NAME OF APPLICANT (Property Owner or Lessee with Owner's Sworn-to-Consent)

Eureka Builders 184, LLC

3. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION

Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, metes and bounds. Include section, township, range. If application contains requests for multiple zone changes, provide the legal description for each are. Attach separate sheet(s), as needed.

See attached Exhibit "A"

4. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

18201 SW 112 Avenue and 18251 SW 112 Avenue, Miami, FL

5. SIZE OF PROPERTY _____ x _____ (in acres): 1.25 (+)(-)

(divide total sq. ft. by 43,560 to obtain acreage)

6. IF CONTIGUOUS PROPERTY IS OWNED BY THE SUBJECT PROPERTY OWNER(S), provide complete legal description of said contiguous property. (If attaching separate sheet, clearly label as contiguous property)

RECEIVED
2006-309
OCT 18 2006
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

CFN 2006R0442468
DR Bk 24459 Pg 3147; (1pg)
RECORDED 04/25/2006 14:37:50
DEED DOC TAX 3,300.00
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA
LAST PAGE

CFN 2006R1200548
DR Bk 25081 Pg 4827; (1pg)
RECORDED 11/08/2006 14:49:33
DEED DOC TAX 0.60
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA
LAST PAGE

*THIS INSTRUMENT IS BEING RE RECORDED TO REFLECT THE SECOND FOLIO NUMBER THAT APPLIES TO THIS PROPERTY.

This Instrument Prepared By:
GASTON R. ALVAREZ, P.A.
Attorney at Law
City National Bank Building
2701 LeJeune Road, Suite 407
Coral Gables, Florida 33134

Property Appraisers Parcel Identification No.: 30-5031-000-0280 & 30-5031-000-0281*
Grantee(s) S.S.:

THIS WARRANTY DEED Made the 24TH day of APRIL, A.D. 2006 by **LARGER ENTERPRISES, L.L.C., a Florida limited liability company**, with a post office address of: 4050 Coastal Highway, St. Augustine, Florida 32084, hereinafter called the Grantor, to **EUREKA BUILDERS 184, L.L.C., a Florida limited liability company**, whose post office address is: 1290 Weston Rd. Suite 214, Weston, Fl., hereinafter called the Grantee.

WITNESSETH: That the Grantor, for and in consideration of the sum of $10.00 and other good valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantees, all that certain land situated in Miami-Dade County, Florida, to-wit:

THE NORTH 163.16 FEET OF THE NW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LESS THE WEST 35 FEET THEREOF, IN MIAMI-DADE COUNTY, FLORIDA.

Subject to: Conditions, restrictions, limitations and easements of records, if any, applicable zoning regulations and taxes for the year 2006 and subsequent years.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantors hereby covenant with said grantees that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land; that the grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2006.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Signature
GASTON R. ALVAREZ
Print Signature
Signature
TERESA M. ALVAREZ
Print Signature

LARGER ENTERPRISES, L.L.C., a Florida limited liability company

By: _____ L.S.
VICTOR LARGER, Managing Member
Address: 4050 Coastal Highway
St. Augustine, FL 32084

RECEIVED
06-309
NOV 17 2006
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

STATE OF FLORIDA)
: ss
COUNTY OF MIAMI-DADE)

I Hereby Certify that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared **VICTOR LARGER, as Managing Member of LARGER ENTERPRISES, LLC, a Florida limited liability company**, who is personally known to me or who produced Fl. D.L. as identification and who did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 24TH day of APRIL, 2006.

Notary Seal: GASTON R. ALVAREZ
MY COMMISSION # DD375083
EXPIRES: February 19, 2009
Fl. Notary Discount Assoc. Co.
1-800-3-NOTARY

NOTARY PUBLIC, State of FLORIDA
Print Notary Signature

F:\RealEstate\LARGER ST EUREKAWarrantyDeed002.wpd

1. **EUREKA BUILDERS 184, LLC**
(Applicant)

08-1-CZ14-3 (06-309)
Area BCC/District 9
Hearing Date: 09/03/09

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:

Year	Applicant	Request	Board	Decision
No History				

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 THE BOARD OF COUNTY COMMISSIONERS

APPLICANTS: Eureka Builders 184 LLC **PH:** Z06-309 (08-1-CZ14-3)

SECTION: 31-55-40 **DATE:** September 3, 2009

COMMISSION DISTRICT: 9 **ITEM NO.:** 1

==========

A. INTRODUCTION:

- **REQUEST:**

  Eureka Builders 184 LLC is appealing the decision of the Community Zoning Appeals Board #14 which denied with prejudice the following:

  AU to RU-TH

- **SUMMARY OF REQUEST:** The applicant is appealing the decision of Community Zoning Appeals Board #14 which denied a zone change from AU, Agricultural District, to RU-TH, Townhouse District, in order to develop the property with townhouses.

- **LOCATION:** 18201 SW 112 Avenue, Miami-Dade County, Florida.

- **SIZE:** 1.13 Acres

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. This site is located approximately **five (5) miles east of and within the Urban Development Boundary** (UDB.) The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low-Medium Density Residential** use. 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.

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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
SUBJECT PROPERTY:	
AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
SURROUNDING PROPERTY:	
NORTH: AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
SOUTH: AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
EAST: AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
WEST: RU-1; Commercial parking lot	Low Density Residential, 2.5 to 6 dua

E. SITE AND BUILDINGS:

Site Plan Review:	(No site plan 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**
Urban Design:	**N/A**

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.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**No objection**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**No objection/9 students**

*Subject to the conditions indicated in their memorandum.

H. ANALYSIS:

The applicant, Eureka Builders 184 LLC, is appealing the decision of the Community Zoning Appeals Board #14 (CZAB-14), which, on January 30, 2008, denied with prejudice their application for a district boundary change from AU, Agricultural District, to RU-TH, Townhouse District, pursuant to Resolution No. CZAB14-4-08. On February 15, 2008, the applicant appealed the CZAB-14's decision to the Board of County Commissioners (BCC) citing that the Board's decision to deny the request to rezone the property was not based on substantial competent evidence introduced on the record to support a denial of the application. Staff notes, however, that all existing uses and zoning are consistent with the CDMP and, as such, the CZAB-14's decision to deny this application and retain the existing AU zoning on the property is consistent with the CDMP.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low-Medium Density Residential** use, which permits a minimum of 6 to a maximum of 13 dwelling units per acre. This would produce an allowable numerical density threshold of a minimum of 6 to a maximum of 14 on the 1.13-acre site. Although no plans have been submitted with this application, if the requested zone change to RU-TH is approved, the applicant will be required to apply go through the Administrative Site Plan Review (ASPR) process for departmental review and approval for a townhouse development on this site in accordance with the zoning regulations. The requested RU-TH zoning district would allow the applicant to develop the site at a density of a maximum of 8.5 units per gross acre, or up to 10 units per acre when utilizing Severable Use Rights (SUR's), both of which are within the density range permitted for the site and thus **consistent** with the LUP map Low-Medium Residential designation of the CDMP.

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 Miami-Dade County Code. However, the applicants will have to comply with all conditions set forth in their memorandum. The Public Works Department **(PWD)** has **no objections** to this application. Their memorandum indicates that this application will generate **6** additional PM daily peak hour **vehicle**

trips, however, the traffic distribution of these trips will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways which are currently operating at LOS "A", "B", "C", and "D". Furthermore, this land requires platting in accordance with Chapter 28 of the Code of Miami-Dade County and road dedications and improvements will be accomplished through the recording of a plat. The Miami-Dade Fire Rescue Department **(MDFR)** has **no objections** to this application. Miami-Dade County Public Schools **(MDCPS)** also has **no objections** to this application and indicates that the proposed zoning will bring **9 additional students** into the area's public schools. Additionally, MDCPS indicates that the applicant and the School Board have held the required dialogue.

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 rezoning to RU-TH is **consistent** with the Low-Medium Density Residential LUP Map designation of the CDMP. 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, as the proposed residential development will be readily accessible by SW 112 Avenue, a half-section-line roadway, which leads to SW 184 Street which is a section-line roadway, and has direct, proximate access to the Florida Turnpike (SR #821) and is less than 1 mile to the west of South Dixie Highway (US #1). Although there is no contiguous RU-TH zoning to the subject property, as previously mentioned, the subject property abuts RU-1 zoned land to the west across SW 112 Avenue. This RU-1 zoned land was approved in 1989 for an unusual use to permit parking in a more restrictive zone than the use it serves, pursuant to Resolution No. Z-220-89. As such, although zoned for residential use, the site currently serves as a parking lot for a two-story office building located on SW 184 Street (Eureka Drive), and as such, the approval of the townhouses on the subject property would not negatively impact the RU-1 zoned land to the west. Further, although the subject property is neighbored to the north, south and west by AU-zoned properties, the subject property is part of a remnant 19-acre AU zoned parcel of land that extends from SW 180 Street to SW 184 Street and from SW 112 Avenue to SW 110 Avenue. Of this 19-acre, AU zoned parcel of land, 4 acres have been utilized for an educational and religious facility along SW 184 Street, an additional 1.25 acres have been utilized for another religious institution and residential zoning has already been introduced on a 1.25 acre parcel to the north along SW 180 Street for RU-1M(b) zoning. Thus the 1.13-acre subject property is a part of the remaining 12.5-acre swath of AU zoned land, which in staff's opinion has become less common in this area which is no longer agricultural in nature.

The requested RU-TH zoning would permit the residential development of townhouses, which, as evidenced by recent zoning actions, appear to be the development trend in the area. Once rezoned to RU-TH, if the applicant chooses to utilize SUR's, the site would achieve a density bonus from 8.5 units per net acre to a maximum of 10 units per net acre. Currently under construction on a 10 acre property located approximately 371 feet to the east of the subject property is a 94-unit townhouse development which was approved in 2004 for a zone change from AU to RU-TH, pursuant to Resolution No. CZAB14-29-04 that will be developed utilizing SUR's at a density of 9.74 units per net acre. Further to the east of the subject property, and abutting the abovementioned townhouse development, a 4 gross acre property was approved for a zone change from AU to RU-TH in lieu of the initially sought RU-3M, Minimum Apartment House District, pursuant to Resolution No. Z-20-04. Additionally, located 0.1 mile (525 feet) to the southeast of the subject property, a 2 net acre parcel of land fronting on SW 184 Street was approved for a district boundary change from AU to RU-3M,

pursuant to Resolution No. CZAB14-40-05. This property utilized the RU-3M permitted density of 12.9 units per acre for a townhouse development and was approved with a plan depicting 21 townhouses at a density of 10.3 units per net acre. Therefore, the development of the subject property for townhouses under the proposed RU-TH zoning regulations would be compatible with these previous approvals. As previously mentioned, the proposed development is within the density threshold of the LUP map of the CDMP. Based on all of the aforementioned, staff is of the opinion that the request for a zone change to RU-TH is **compatible** with the area. Accordingly, staff recommends approval of the district boundary change from AU to RU-TH.

Based on all of the aforementioned, staff is of the opinion that the proposed zone change to RU-TH will be in keeping with the development trend of the area, will be **compatible** with the surrounding community and **consistent** with the Land Use Plan map of the CDMP. Accordingly, staff recommends approval of the appeal and recommends approval of the district boundary change from AU to RU-TH.

I. **RECOMMENDATION:** Approval of the appeal and approval, of the request to change the zoning on the property from AU to RU-TH.

J. **CONDITIONS**: None.

DATE INSPECTED: 11/28/07
DATE TYPED: 12/10/07
DATE REVISED: 12/18/07; 03/12/08; 03/31/08, 07/20/09, 08/20/09
DATE FINALIZED: 08/04/09, 08/20/09
MCL:NN:AA:CH

Marc C. La Ferrier, AICP, Director
Miami-Dade County Department of
Planning and Zoning

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY GAL AMOUNT OF FEE $1,574.09 Z06-309

RECEIPT # I 2008 24793

DATE HEARD: **01/30/08**

BY CZAB # **CZAB14**

RECEIVED
FEB 15 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY Adrian Blanco
DATE RECEIVED STAMP

****

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. **Z06-309**

Filed in the name of (Applicant) **Eureka Builders 184, LLC**

Name of Appellant, if other than applicant **same**

Address/Location of APPELLANT'S property: **18201 Southwest 112th Avenue**

Application, or part of Application being Appealed (Explanation): **Entire appealable application**

Appellant (name): **Eureka Builders 184, LLC**
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reverse) of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

Lack of substantial competent evidence to support a denial of the application.

RECEIVED
Z06-309
FEB 15 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING
BY

7

APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF **Florida**

COUNTY OF **Miami-Dade**

Before me the undersigned authority, personally appeared **Manuel Mario Guevara** (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board mailer because of the following:

(Check all that apply)

_____ 1. Participation at the hearing
__X__ 2. Original Applicant
_____ 3. Written objection, waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Signature

PATRICIA TEDESCHI
Print Name

Signature

JACKIE FERNANDEZ
Print Name

Appellant's signature
By: Manuel Mario Guevara
Eureka Builders 184, LLC
Print Name

Sworn to and subscribed before me on the 15 day of February year 2008.

Appellant is personally know to me or has produced _____ as identification.

RECEIVED
206-309
FEB 15 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

Notary (Stamp/Seal)

Commission Expires:

EDUARDO A. MANZANARES
Notary Public - State of Florida
My Commission Expires Feb 17, 2008
Commission # DD291829
Bonded By National Notary Assn.

MIA 179595882v2 4/23/2007

8

APPELLANT MUST SIGN THIS PAGE

Date _____ day of February, year: 2008

Signed _____

By: Manuel Mario Guevara
Eureka Builders 184, LLC
1290 Weston Road, Suite 214
Weston, Florida 33326

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

_____
Representing

_____
Signature

Simon Ferro
Print Name

1221 Brickell Avenue
Address

Miami | Fl | 33131
City | State | Zip

(305)579-0644
Telephone Number

Subscribed and Sworn to before me on the 15 day of February, year 2008.

_____
Notary Public

(stamp/seal)

EDUARDO A. MANZANARES
Notary Public - State of Florida
My Commission Expires Feb 17, 2008
Commission # DD291829
Bonded By National Notary Assn.

Commission expires

RECEIVED
206-309
FEB 15 2008
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

MIA 179595882v2 4/23/2007

9

RESOLUTION NO. CZAB14-4-08

WHEREAS, **EUREKA BUILDERS 184 L. L. C.** applied for the following:

AU to RU-TH

SUBJECT PROPERTY: The north 163.16' of the NW ¼ of the SW ¼ of the SW ¼ of the SE ¼ of Section 31, Township 55 South, Range 40 East, less the west 35' for right-of-way and less the south 75' of the west 155' excluding the west 35' for right-of-way thereof. AND: The south 75' of the west 155' of the north 163.16' of the NW ¼ of the SW ¼ of the SW ¼ of the SE ¼ of Section 31, Township 55 South, Range 40 East, less the west 35' for right-of-way.

LOCATION: 18201 S.W. 112 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-TH would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny the application with prejudice was offered by Dawn Lee Blakeslee, seconded by Wilbur B. Bell, and upon a poll of the members present the vote was as follows:

Wilbur B. Bell	aye	Gary J. Dufek	aye
Dawn Lee Blakeslee	aye	Dr. Pat Wade	aye
Curtis Lawrence	aye		

NOW THEREFORE BE IT RESOLVED, by the Miami-Dade County Community Zoning Appeals Board 14, that the requested district boundary change to RU-TH be and the same is hereby denied with prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 30th day of January, 2008.

Hearing No. 08-1-CZ14-3
ls

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 14, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB14-4-08 adopted by said Community Zoning Appeals Board at its meeting held on the 30th day of January 2008.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 5th day of February 2008.

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

SEAL

Memorandum

MIAMI-DADE COUNTY

Date: July 24, 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 #Z2006000309-2nd Revision
Eureka Builders 184, LLC
18201 and 18251 S.W. 112th Avenue
District Boundary Change from AU to RU-3M
(AU) (1.25 Acres)
31-55-40

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 and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements.

Existing public water and sewer 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.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted, if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted, in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event.

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 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

REVISION 2
PH# Z2006000309
CZAB - C14

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:EUREKA BUILDERS 184, LLC

This Department has no objections to this application.

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 6 PM daily peak hour vehicle trips. The traffic distribution 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
9728	SW 107 Ave. s/o SW 160 St.	D	D
9732	Marlin Rd. n/o US-1	C	C
9882	SW 186 St. e/o SW 107 Ave.	B	B
9876	SW 184 St. w/o SW 117 Ave.	A	A

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.
27-NOV-07

15

Miami-Dade County Public Schools

giving our students the world

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

Miami-Dade County School Board
Agustin J. Barrera, Chair
Perla Tabares Hantman, Vice Chair
Renier Diaz de la Portilla
Evelyn Langlieb Greer
Dr. Wilbert "Tee" Holloway
Dr. Martin Karp
Ana Rivas Logan
Dr. Marta Pérez
Dr. Solomon C. Stinson

January 25, 2008

Received by
Zoning Agenda Coordinator
MAR 31 2008

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

Received by
Zoning Agenda Coordinator
MAR 31 2008

Re: No. 06-309, Eureka Builders 184, LLC
Southwest Corner of SW 112 Avenue and SW 170 Terrace

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, Homestead Middle School and South Dade Senior High School, meet the referenced review threshold (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 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 possible mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application.

At the time of dialogue, the applicant expressed a willingness to proffer a Covenant to provide a monetary donation, over and above impact fees, to the School Board. However, the applicant has since withdrawn the proffer to the School Board. As such, in accordance with the Review Criteria established by the Board, the School District is requesting that the application be denied or deferred until such time as the applicant is able to address the impact of the proposed residential development on public schools in the area.

Facilities Planning
Ana Rijo-Conde, AICP, Planning Officer • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • arijo@dadeschools.net

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 10-unit development is estimated to generate approximately $19,500 ($1,950 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

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,

Corina S. Esquijarosa
Coordinator III

CSE:rr
L-362
Attachment

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

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 06-309, Eureka Builders 184 LLC (CC14)
REQUEST:	Zone change from AU to RU-3M
ACRES:	1.13 acres
LOCATIONS:	18201 SW 112 Avenue
MSA/ MULTIPLIER:	5.8/.73
NUMBER OF UNITS:	10 units
ESTIMATED STUDENT POPULATION:	7 students*
ELEMENTARY:	3
MIDDLE:	2
SENIOR:	2

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Pine Lake Elementary - 16700 SW 109 Ave.
MIDDLE:	Richmond Heights Middle – 15015 SW 103 Ave.
SENIOR HIGH:	Miami Southridge Senior -19355 SW 114 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 September 2006:

	STUDENT POPULATION		FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELCOATABLE
Pine Lake Elementary	567		638	89%	18	86%
	570	*		89%		87%
Richmond Heights Middle	1,318		1,145	115%	158	101%
	1,320	*		115%		101%
Miami Southridge Senior	3,682		2,662	138%	190	**129%**
	3,684	*		138%		**129%**

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

Notes:

1. Figures above reflect the impact of the class size amendment.
2. Pursuant to the Interlocal Agreement, the senior high school meets the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA
(information included in proposed 5-Year Capital Plan, 2006-2010, dated July 2006:
Projects in Planning, Design or Construction

School	Status	Projected Occupancy Date
Jorge Mas Canosa Middle/ State School "YY1" (Redland, Hammocks, Ammons and Richmond Heights Middle School Relief) (2232 student stations)	Construction	School Opening 2007
K-8 Conversion at F. C. Martin Elementary School (Richmond Heights Middle School Relief) (675 student stations)	Construction	School Opening 2007

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	638
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	4052
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan)	2662

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

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 $45,843.

CAPITAL COSTS: Based on the State's March-2007 student station cost factors*, capital

costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	does not meet review threshold				
MIDDLE	does not meet review threshold				
SENIOR HIGH	2	x	$25,803	=	$51,606
Total Potential Capital Cost					$51,606

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

REVISION 2

Memorandum

Date: 10-DEC-07

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

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2006000309

Fire Prevention Unit:

This Memo supersedes MDFR Memorandum dated May 22, 2007.
APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped November 14, 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 Z2006000309
located at 18201 S.W. 112 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2144 is proposed as the following:

10 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: 2.7 alarms-annually.
The estimated average travel time is: 7:30 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:

Station 50 - Perrine - 9798 Hibiscus Street
Rescue.

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 November 14, 2007. Substantial changes to the plans will require additional service impact analysis.

OFFICE of NEIGHBORHOOD COMPLIANCE

KENDALL OFFICE
ENFORCEMENT HISTORY

APPLICANT
EUREKA BUILDERS 184, LLC

ADDRESS
18201 SW 112 AVENUE
MIAMI-DADE COUNTY,
FLORIDA

07-22-09
INSPECTION DATE

Z2006000309
HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:
200902009287 CLOSED (PROPERTY APPEARS CLEAR OF VIOLATIONS FROM FRONT OF PROPERTY. NO ACCESS TO REAR. DEBRIS PILE ON ROW IN FRONT OF PROPERTY WAS REFER TO SOLID WASTE DEPT).

200702014318 CLOSED ENF HISTORY.

200702013205 CLOSED ENF HISTORY.

200602011292 CLOSED ENF HISTORY.

22

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: Where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

CORPORATION NAME: Eureka Builders 184, LLC

NAME, ADDRESS AND OFFICE	Percentage of Stock
Manuel Mario Guevara	50%
Luis Ayala	50%
1290 Weston Road, Suite 214	
Weston, FL 33326	

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: Where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME: _____

NAME AND ADDRESS	Percentage of Stock

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where the principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identity natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable) _____ Percentage of Interest

_____ _____

_____ _____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

_____

_____

NOTICE: For changes of ownership or changes in purchase contracts after the date of application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____
Manuel Mario Guevara

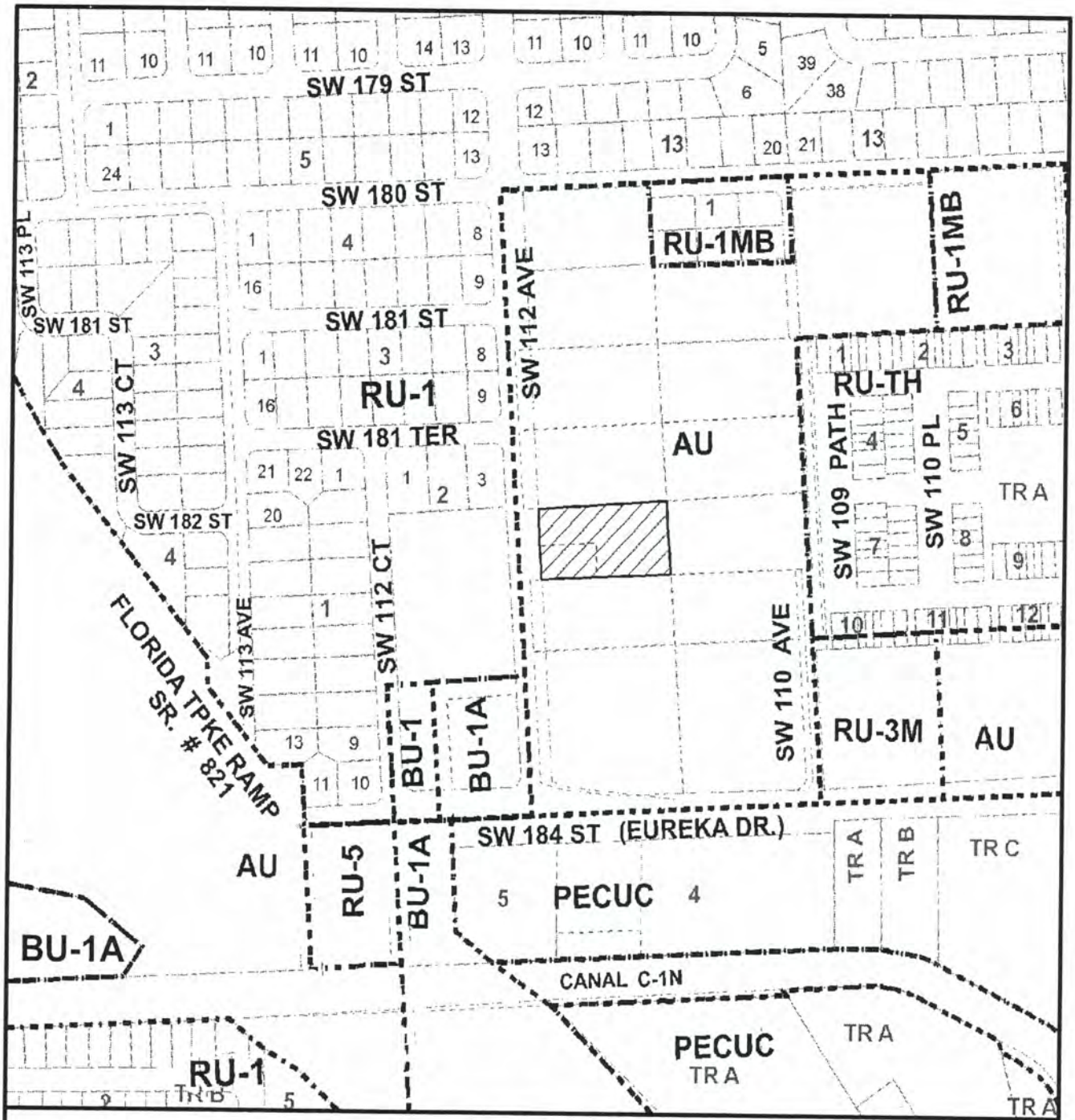
Sworn to and subscribed before me this 16 day of OCTOBER, 2006. Affiant is personally known to me or has produced _____ as identification.

_____
Notary Public

MANUEL ALMEDO
MY COMMISSION # DD 582358
EXPIRES: August 27, 2010
Bonded Thru Notary Public Underwriters

My commission expires: _____

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



MIAMI-DADE COUNTY
HEARING MAP

Process Number
06-309

N

SUBJECT PROPERTY

Section: 31 Township: 55 Range: 40
Applicant: EUREKA BUILDERS 184, LLC
Zoning Board: C14
District Number: 09
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 11/20/06

REVISION	DATE	BY
Remove Zone 99-3M	11/26/07	XS
Redraw on new template	12/19/07	XS

25

MIAMI-DADE COUNTY
AERIAL

Process Number
06-309

N

SUBJECT PROPERTY

Section: 31 Township: 55 Range: 40
Applicant: EUREKA BUILDERS 184, LLC
Zoning Board: C14
District Number: 09
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 11/20/06

REVISION	DATE	BY
Remove Zone 80-3M	11/26/07	KS
Redrawn on new template	12/19/07	KS

Miami-Dade County
Department of Planning and Zoning

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING

BCC 9-3-09

HEARING NUMBER: Z2006000309

BOARD: BCC

LOCATION OF SIGN: 18201 S.W. 112 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 10-AUG-09

This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.

SIGNATURE: Cleveland Thompson

PRINT NAME: CLEVELAND THOMPSON

HEARING NO. 08-1-CZ14-3 (06-309)

31-55-40
BCC
Comm. Dist. 9

APPLICANT: EUREKA BUILDERS 184 L. L. C.

The applicant is appealing the decision of Community Zoning Appeals Board #14 which denied with prejudice the following:

AU to RU-TH

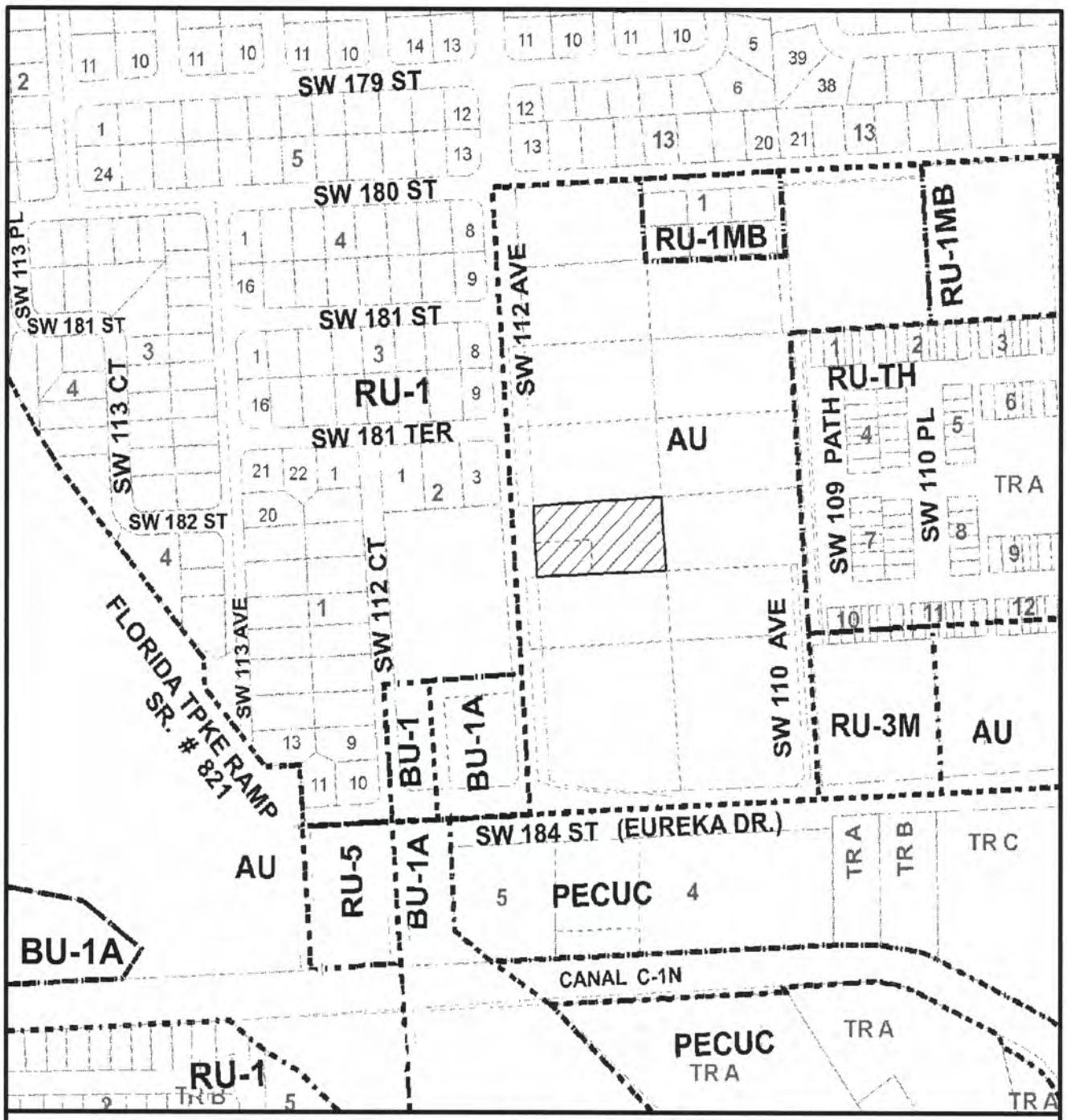
SUBJECT PROPERTY: The north 163.16' of the NW ¼ of the SW ¼ of the SW ¼ of the SE ¼ of Section 31, Township 55 South, Range 40 East, less the west 35' for right-of-way and less the south 75' of the west 155' excluding the west 35' for right-of-way thereof. AND: The south 75' of the west 155' of the north 163.16' of the NW ¼ of the SW ¼ of the SW ¼ of the SE ¼ of Section 31, Township 55 South, Range 40 East, less the west 35' for right-of-way.

LOCATION: 18201 S.W. 112 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.13 Acres

AU (Agricultural – Residential)
RU-3M (Minimum Apartment House 12.9 units/net acre)

AK
MCC



MIAMI-DADE COUNTY
HEARING MAP

Process Number
06-309

N

SUBJECT PROPERTY

Section: 31 Township: 55 Range: 40
Applicant: EUREKA BUILDERS 184, LLC
Zoning Board: C14
District Number: 09
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 11/20/06

REVISION	DATE	BY
Remove Zone RU-3M	11/26/07	KS
Redraw on new template	12/19/07	KS

MIAMI-DADE COUNTY
AERIAL

Process Number
06-309

N

SUBJECT PROPERTY

Section: 31 Township: 55 Range: 40
Applicant: EUREKA BUILDERS 184, LLC
Zoning Board: C14
District Number: 09
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 11/20/06

REVISION	DATE	BY
Remove Zone 80-3M	11/26/07	KS
Redrawn on new template	12/19/07	KS

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 14
MOTION SLIP

4

APPLICANT'S NAME: EUREKA BUILDERS 184, LLC

REPRESENTATIVE: **JAVIER VAZQUEZ (attorney)**

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
08-1-CZ14-3 (06-309)	JANUARY 30, 2008	CZAB14	4	08

REQ: AU to RU-TH

REC: APPROVAL

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

☐ DEFER: ☐ INDEFINITELY ☐ TO:_____ ☐ 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

☐

TITLE	M/S	NAME	YES	NO	ABSENT
MR.	S	Wilbur B. BELL	X		
MADAME VICE-CHAIR	M	Dawn Lee BLAKESLEE	X		
MR.		Gary J. DUFEK	X		
DR.		Pat WADE	X		
CHAIRMAN		Curtis LAWRENCE (C.A.)	X		
		VOTE:	5	0	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **LEIGH MACDONALD**

EXHIBIT LIST

COMMUNITY ZONING APPEALS BOARD 14

JANUARY 30, 2008

RESOLUTION #: CZAB14-4-08

ITEM#	HEARING#	APPLICANT'S NAME	SS-TT-RR
4	06-309	EUREKA BUILDERS 184, LLC	31-55-40

EX. #	EXHIBIT DESCRIPTION	IN FILE
4-1	**COPIES OF TRANSMITTAL LETTERS AND RESOLUTIONS Z-20-04, CZAB14-40-05 & CZAB14-29-04**	**YES**
4-2		
4-3		
4-4		
4-5		
4-6		
4-7		
4-8		
4-9		
4-10		
4-11		
4-12		
4-13		
4-14		
4-15		
4-16		
4-17		
4-18		

4. EUREKA BUILDERS 184, LLC
(Applicant)

08-1-CZ14-3 (06-309)
Area 14/District 9
Hearing Date: 1/30/08

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:

Year	Applicant	Request	Board	Decision
1983	Lucille Frazier, Trustee	Non-Use variances.	BCC	Approved
1987	Ramiro & Eloisa Romero	- Unusual Use to permit a home for the aged. - Non-Use variances.	ZAB	Approved w/conds.
1989	Children's Home Society of Florida	Unusual Use to permit a home for dependent children.	ZAB	Approved w/conds.
2001	Hope Deliverance Tabernacle Ministry	- Special exception to permit a religious facility. - Unusual Use to permit a day care center. - Non-Use variances.	CZAB-14	Approved w/conds.
2004	Hope Deliverance Tabernacle Ministry	- Modification of conditions. - Non-Use variances.	CZAB-14	Approved

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

APPLICANTS: Eureka Builders 184 LLC **PH:** Z06-309 (08-1-CZ14-3)

SECTION: 31-55-40 **DATE:** January 30, 2008

COMMISSION DISTRICT: 9 **ITEM NO.:** 4

==========

A. INTRODUCTION:

- **REQUEST:**

  AU to RU-TH

- **SUMMARY OF REQUEST:** The applicant is seeking a zone change from AU, Agricultural District, to RU-TH, Townhouse District, in order to develop the property with townhouses.

- **LOCATION:** 18201 SW 112 Avenue, Miami-Dade County, Florida.

- **SIZE:** 1.13 Acres

- **IMPACT:** The approval of the zone change to RU-TH would allow the applicant to provide additional housing units to the community. The rezoning of the property will increase the population in the area, may impact the water and sewer services, will add children to the schools and will increase traffic in the area.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. This site is located approximately **five (5) miles east of and within the Urban Development Boundary** (UDB.) The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low-Medium Density Residential** use. 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.

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.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE PLAN DESIGNATION
SUBJECT PROPERTY:	
AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua

2

SURROUNDING PROPERTY:

NORTH:	AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
SOUTH:	AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
EAST:	AU; Single-family residence	Low-Medium Density Residential, 6 to 13 dua
WEST:	RU-1; Commercial parking lot	Low Density Residential, 2.5 to 6 dua

The subject property is an interior lot located at 18201 SW 112 Avenue, currently improved with a single-family residence. Single-family residences predominate the area to the northwest of the subject property, while a parking lot serving an office building on SW 184 Street (Eureka Drive) is located to the west. Rural single-family residences sited on AU-zoned lots, 1 acre in size, abut the subject property to the north, south and east. There is a religious facility and an educational institution located approximately 200 feet to the south of the subject property along SW 184 Street. Another religious facility is located to the southeast of the subject property. The Florida Turnpike is located approximately 1,000 feet to the southwest of the subject property and South Dixie Highway (US #1) is located about 1 mile to the east.

E. SITE AND BUILDINGS:

Site Plan Review:	(No site plan 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**
Urban Design:	**N/A**

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.

G. NEIGHBORHOOD SERVICES:

DERM	**No objection***
Public Works	**No objection**
Parks	**No objection**
MDTA	**No objection**
Fire Rescue	**No objection**
Police	**No objection**
Schools	**No objection/9 students**

*Subject to the conditions indicated in their memorandum.

H. ANALYSIS:

The 1.13 net acre subject property is located at 18201 SW 112 Avenue. The applicant is seeking to rezone the property from AU, Agricultural District, to RU-TH, Townhouse District, in order to develop the site with townhouse residences. Single-family residences characterize the area to the northwest, while a parking lot serving an office building on SW 184 Street (Eureka Drive) is located to the immediate west. A single-family residence exists to the south on a similar-sized parcel of land. Rural single-family residences sited on lots similarly-sized to the subject property, approximately 1 acre, abut the subject property to the north, south and east. This site is located approximately five (5) miles east of and within the Urban Development Boundary. Although no plans have been submitted with this application, if the requested zone change to RU-TH is approved, the applicant will be required to apply for an Administrative Site Plan Review (ASPR) for departmental review and approval for a townhouse development on this site in accordance with the zoning regulations.

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 Miami-Dade County Code. However, the applicants will have to comply with all conditions set forth in their memorandum. The Public Works Department **(PWD)** has **no objections** to this application. Their memorandum indicates that this application will generate **6** additional PM daily peak hour **vehicle trips**, however, the traffic distribution of these trips will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways which are currently operating at LOS "A", "B", "C", and "D". Furthermore, this land requires platting in accordance with Chapter 28 of the Code of Miami-Dade County and road dedications and improvements will be accomplished through the recording of a plat. The Miami-Dade Fire Rescue Department **(MDFR)** has **no objections** to this application. Miami-Dade County Public Schools **(MDCPS)** also has **no objections** to this application and indicates that the proposed zoning will bring **9 additional students** into the area's public schools. Additionally, MDCPS indicates that the applicant and the School Board have held the required dialogue.

The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low-Medium Density Residential** use, which permits a minimum of 6 to a maximum of 13 dwelling units per acre. This would produce an allowable numerical density threshold of a minimum of 6 to a maximum of 14 on the 1.13 acre site. The requested RU-TH zoning district would allow the applicant to develop the site at a density of a maximum of 8.5 units per gross acre, or up to 10 units per acre when utilizing Severable Use Rights (SUR's), both of which are within the density range permitted for the site and thus **consistent** with the LUP map Low-Medium Residential designation of the CDMP.

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 rezoning contains a density that is **consistent** with the Low-Medium Density Residential LUP Map designation of the CDMP. As previously mentioned, the subject property is located approximately 5 miles east of and within the UDB and staff notes that the UDB is included on the LUP map to distinguish the areas 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, as the proposed residential development will be readily accessible by SW 112 Avenue, a half-section-line roadway, which leads to SW 184 Street which is a section-line roadway, and has direct, proximate access to the Florida Turnpike (SR 821) and is less than 1 mile to the west of South Dixie Highway (US #1). The requested RU-TH zoning would permit the residential development of townhouses, which, as evidenced by recent zoning actions, appear to be the development trend in the area. Once rezoned to RU-TH, if the applicant chooses to utilize SUR's, the site would achieve a density bonus from 8.5 units per net acre to a maximum of 10 units per net acre. Currently under construction on a 10 acre property located approximately 371 feet to the east of the subject property is a 94-unit townhouse development which was approved in 2004 a zone change from AU to RU-TH, pursuant to Resolution No. CZAB14-29-04, that will be developed utilizing SUR's at a density of 9.74 units per net acre. Further to the east of the subject property, and abutting the abovementioned townhouse development, a 4 gross acre property was approved for a zone change from AU to RU-TH in lieu of the initially sought RU-3M, Minimum Apartment House District, pursuant to Resolution No. Z-20-04. Additionally, located 0.1 mile (525 feet) to the southeast of the subject property, a 2 net acre parcel of land fronting on SW 184 Street was approved for a district boundary change from AU to RU-3M, pursuant to Resolution No. CZAB14-40-05. This property utilized the RU-3M permitted density of 12.9 units per acre for a townhouse development and was approved with a plan depicting 21 townhouses at a density of 10.3 units per net acre. Therefore, the development of the subject property for townhouses under the proposed RU-TH zoning regulations would be compatible with these previous approvals. As previously mentioned, no site plan has been submitted for this application; therefore, the applicant will be required to submit plans for review in accordance with the Administrative Site Plan Review (ASPR) process to be in full compliance with the zoning regulations and with all requirements of the various departments responsible for reviewing ASPR applications. Based on all of the aforementioned, staff is of the opinion that the request for a zone change to RU-TH is **compatible** with the area. Accordingly, staff recommends approval of the district boundary change from AU to RU-TH.

Based on all of the aforementioned, the requested zone change to RU-TH will be **compatible** with the surrounding community and **consistent** with the Land Use Plan map of the CDMP. Staff is of

the opinion that the proposed zone change to RU-TH will be in keeping with the development trend of the area. Accordingly, staff recommends approval of the district boundary change from AU to RU-TH.

I. **RECOMMENDATION:** Approval.

J. **CONDITIONS**: None.

DATE INSPECTED: 11/28/07
DATE TYPED: 12/10/07
DATE REVISED: 12/18/07
DATE FINALIZED: 12/27/07
SB:MTF:LVT:JGM

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

Memorandum

MIAMI-DADE COUNTY

Date: July 24, 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 #Z2006000309-2nd Revision
Eureka Builders 184, LLC
18201 and 18251 S.W. 112th Avenue
District Boundary Change from AU to RU-3M
(AU) (1.25 Acres)
31-55-40

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 and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements.

Existing public water and sewer 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.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted, if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted, in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event.

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 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

REVISION 2

PH# Z2006000309
CZAB - C14

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names:EUREKA BUILDERS 184, LLC

This Department has no objections to this application.

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 6 PM daily peak hour vehicle trips. The traffic distribution 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
9728	SW 107 Ave. s/o SW 160 St.	D	D
9732	Marlin Rd. n/o US-1	C	C
9882	SW 186 St. e/o SW 107 Ave.	B	B
9876	SW 184 St. w/o SW 117 Ave.	A	A

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.
27-NOV-07

Miami-Dade County Public Schools

giving our students the world

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

Chief Facilities Officer
Jaime G. Torrens

Planning Officer
Ana Rijo-Conde, AICP

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

May 8, 2007

Received by
Zoning Agenda Coordinator
MAY 16 2007

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

Re: No. 06-309, Eureka Builders 184, LLC
Southwest Corner of SW 112 Avenue and SW 170 Terrace

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, Homestead Middle School and South Dade Senior High School, meet the referenced review threshold (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 to discuss the impact of the proposed development on public schools. **The District is grateful that the applicant took the time to discuss with the School District 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.

School Board Administration Building *• 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132*
305-995-7285 • FAX 305-995-4760 • ***arijo@dadeschools.net***

10

Also, attached is a list of approved Charter School Facilities, which may provide relief on a countywide basis, as well as a report depicting previously approved applications in the area.

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 10-unit development is estimated to generate approximately $19,500 ($1,950 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Agreement, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the Community Council on public schools that will likely serve the proposed development and meet the referenced threshold.

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,

Corina S. Esquijarosa
Coordinator III

CSE:rr
L-508
Attachment

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

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION:	No. 06-309, Eureka Builders 184 LLC (CC14)
REQUEST:	Zone change from AU to RU-3M
ACRES:	1.13 acres
LOCATIONS:	18201 SW 112 Avenue
MSA/ MULTIPLIER:	5.8/.73
NUMBER OF UNITS:	10 units
ESTIMATED STUDENT POPULATION:	7 students*
ELEMENTARY:	3
MIDDLE:	2
SENIOR:	2

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY:	Pine Lake Elementary - 16700 SW 109 Ave.
MIDDLE:	Richmond Heights Middle – 15015 SW 103 Ave.
SENIOR HIGH:	Miami Southridge Senior -19355 SW 114 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 September 2006:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELCOATABLE
Pine Lake Elementary	567	638	89%	18	86%
	570 *		89%		87%
Richmond Heights Middle	1,318	1,145	115%	158	101%
	1,320 *		115%		101%
Miami Southridge Senior	3,682	2,662	138%	190	**129%**
	3,684 *		138%		**129%**

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

Notes:

1. Figures above reflect the impact of the class size amendment.
2. Pursuant to the Interlocal Agreement, the senior high school meets the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA
(information included in proposed 5-Year Capital Plan, 2006-2010, dated July 2006:
Projects in Planning, Design or Construction

School	Status	Projected Occupancy Date
Jorge Mas Canosa Middle/ State School "YY1" (Redland, Hammocks, Ammons and Richmond Heights Middle School Relief) (2232 student stations)	Construction	School Opening 2007
K-8 Conversion at F. C. Martin Elementary School (Richmond Heights Middle School Relief) (675 student stations)	Construction	School Opening 2007

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan) 638
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan) 4052
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan) 2662

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

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 $45,843.

CAPITAL COSTS: Based on the State's March-2007 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	does not meet review threshold				
MIDDLE	does not meet review threshold				
SENIOR HIGH	2	x	25,803	=	51,606
Total Potential Capital Cost					51,606

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

REVISION 2

Memorandum

Date: 10-DEC-07

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

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2006000309

Fire Prevention Unit:

This Memo supersedes MDFR Memorandum dated May 22, 2007.
APPROVAL
Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped November 14, 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 Z2006000309
located at 18201 S.W. 112 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2144 is proposed as the following:

10 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: 2.7 alarms-annually.
The estimated average travel time is: 7:30 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:

Station 50 - Perrine - 9798 Hibiscus Street
Rescue.

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 November 14, 2007. Substantial changes to the plans will require additional service impact analysis.

DATE: 12/28/07
REVISION 3

TEAM METRO

ENFORCEMENT HISTORY

EUREKA BUILDERS 184, LLC

APPLICANT

18201 S.W. 112 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2006000309

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

No current violations. No Change form previous.

Cuellar, Suzel

DISCLOSURE OF INTEREST*

If the property which is the subject of the application is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: Where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

CORPORATION NAME: Eureka Builders 184, LLC

NAME, ADDRESS AND OFFICE	Percentage of Stock
Manuel Mario Guevara	50%
Luis Ayala	50%
1290 Weston Road, Suite 214	
Weston, FL 33326	

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. [Note: Where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUST NAME: _____

NAME AND ADDRESS	Percentage of Stock

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where the principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identity natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable) _____ Percentage of Interest

_____ _____

_____ _____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

_____

_____

NOTICE: For changes of ownership or changes in purchase contracts after the date of application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____
Manuel Mario Guevara

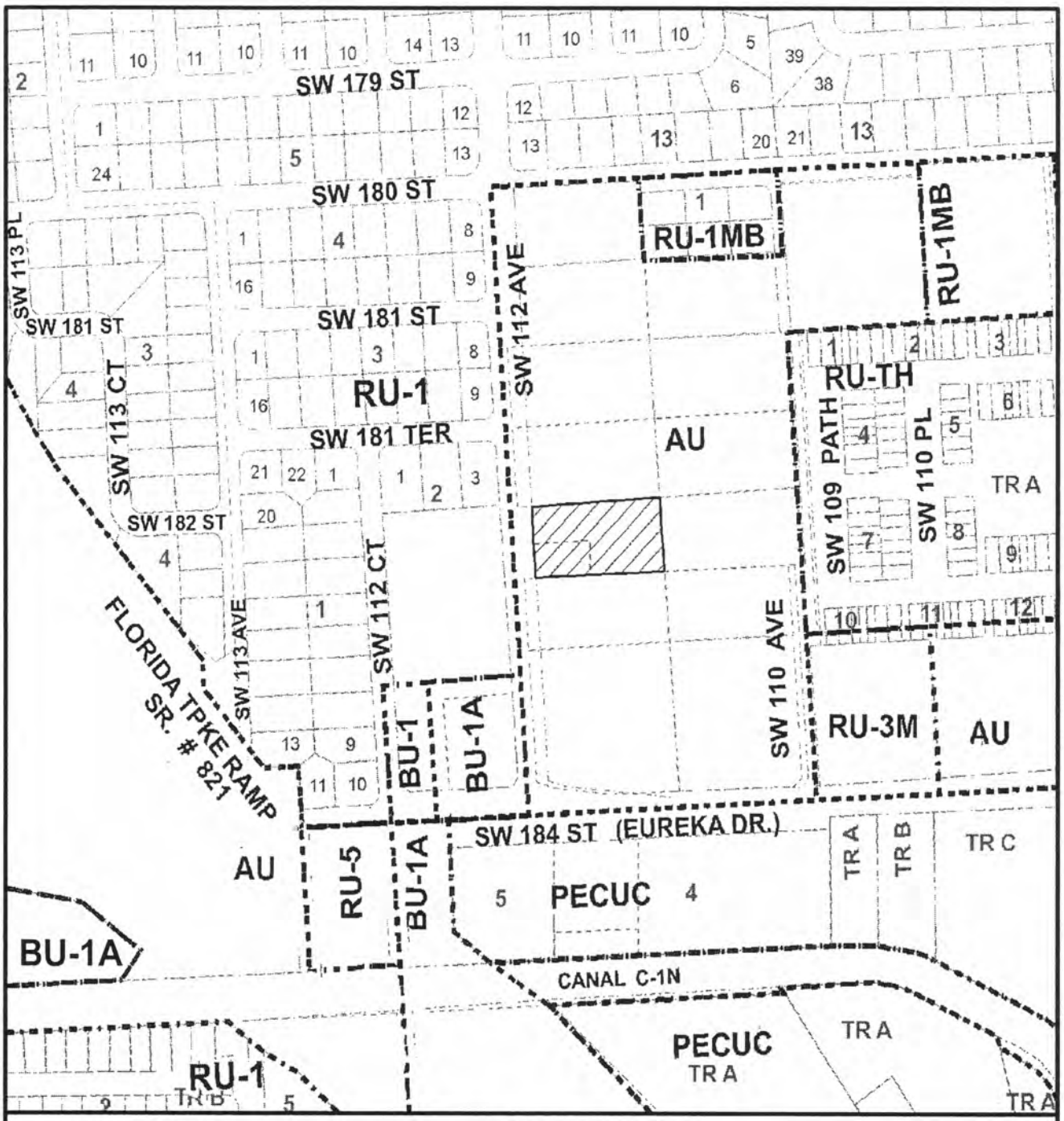
Sworn to and subscribed before me this 16 day of OCTOBER, 2006. Affiant is personally known to me or has produced _____ as identification.

_____
Notary Public

MANUEL ALMEDO
MY COMMISSION # DD 582358
EXPIRES: August 27, 2010
Bonded Thru Notary Public Underwriters

My commission expires: _____

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



MIAMI-DADE COUNTY
HEARING MAP

Process Number
06-309

N

SUBJECT PROPERTY

Section: 31 Township: 55 Range: 40
Applicant: EUREKA BUILDERS 184, LLC
Zoning Board: C14
District Number: 09
Drafter ID: KEELING
Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 11/20/06

REVISION	DATE	BY
Remove Zone 80-34	11/26/07	KS
Redrawn on new template	12/16/07	KS

MIAMI-DADE COUNTY
AERIAL

Process Number
06-309

N

SUBJECT PROPERTY

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Scale: NTS

MIAMI-DADE COUNTY

CREATED ON: 11/20/06

REVISION	DATE	BY
Remove Zone RU-3M	11/24/07	KS
Redrawn on new template	12/19/07	KS