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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: AH

The scale of the proposed building and its intensity, dimensions and mix of uses is appropriate for the area considering its commercial designation on the LUP map and location of the Property at the intersection of Bird Road and S.W. 72nd Avenue. At this intersection, the proposed building will create a focal point to what is essentially a principal entrance way to an enclave of business and predominantly industrially designated lands generally bounded by Bird Road on the north, the Palmetto Expressway on the west, theoretical S.W. 70th Avenue and the Railway on the east, and theoretical S.W. 55th Street on the south. The plans adhere to urban design principles which encourage the placement of the building adjacent to the pedestrian sidewalk and roadways (Bird Road and S.W. 72nd Avenue). Large windows on the building facing the sidewalks and major roadways together with pedestrian walks and landscape features will help to transform this prominent corner location, making it pleasant to walk and safer for pedestrians with views from the building onto the walks and streets.

The relief from the zoning regulations being sought to permit a lot coverage of 49.8% (40% permitted) and a floor area ratio (FAR) of 1.60 (1.35 permitted) are less intense than the lot coverage of 49.9% and FAR of 1.95 granted to the existing self-service mini-storage warehouse adjacent to the Property within the same block. As such, the proposed lot coverage and FAR requests are consistent with the development trend for the block. The relief from the setback regulations being sought affects only those portions of the building that are taller than 35 feet in accordance with Section 33-57 of the Code of Miami-Dade County. The setback requests are necessary to allow placement of the building closer to the main road rights-of-way and pedestrian sidewalks in keeping with good urban design principles, the application of which is appropriate for this corner location. The County's policies encourage the intensification of uses within the Urban Infill Area in order to make the most efficient use of the County's infrastructure investments and to lessen the pressures that promote urban sprawl. Moreover, the proposed office space will tend to lessen traffic by providing residents with an employment destination that is closer to their homes. Finally, the County's own Public Works Department has evaluated the project's impact on neighboring roadways and has issued a recommendation of approval.

Notwithstanding the department's support of our project and our continued desire to pursue approval of its original design, we note that at the public hearing before the Community Zoning Appeals Board 12 on September 12, 2008, a small group of neighbors that reside in the residential area lying north of S.W. 40th Street and west of S.W. 72nd Avenue expressed concerns about the height of the project. In an effort to address the concerns of the neighbors, we wish to take this opportunity to introduce for consideration an alternate set of plans. The alternate plan reduces the number of stories of the proposed building to eight stories instead of eleven stories, and reduces the building height to 82 feet instead of 109 feet. The proposed height is similar to that of the existing 8-story building recently constructed near the southeast corner of S.W. 40th Street and the Palmetto Expressway. The floor area ratio (FAR) is also reduced to 71,915 sq. ft. instead of 72,100 sq. ft. A breakdown of the proposed FAR by use on the alternate plan reflects 10,560 sq. ft of retail space and 61,355 square feet of office space. The alternate plan proposes a lot coverage of 49.8% (40% permitted) and a floor area ratio (FAR) of 1.60 (1.17 permitted), however, these continue to be less intense than the lot coverage of 49.9 % and FAR of 1.95 granted to the existing self-service mini-storage warehouse facility developed adjacent to the

Juan J. Mayol, Jr., Esq.
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July 29th, 2008

HAND-DELIVERED

Mr. Ron Connally
Miami-Dade County
Department of Planning and Zoning
111 NW 1 Street, 11th Floor
Miami, Florida 33128

Re: B & F Marine, Inc. / Supplemental Letter of Intent / Application No. 06-323

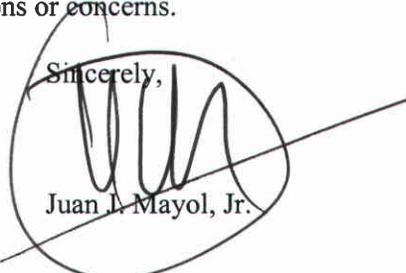
Dear Mr. Connally:

The purpose of this letter is to follow up on our recent discussion regarding the need to include in the public hearing advertisement a zoning request to waive the required masonry wall along a portion of the south property line of the subject property adjacent to S.W. 41st Street. We agree the request to waive the wall is needed and, in fact, had included it in our original letter of intent dated December 6th, 2007.

As we pointed out in our letter of December, the variance to waive the masonry wall along a portion of S.W. 41st Street is justified considering the fact that the subject property faces industrial designated land to the south and no other commercial development in the block provides a similar wall. Moreover, the proposed landscaping will provide a softer transition between the business and office designation of the Property and the industrial designation to the south. For all of these reasons, we believe the waiver of the masonry wall is compatible with the development trend of the surrounding area and, therefore, justified. In further support of this application, we have enclosed a draft zoning hearing advertisement.

Thank you so much for your attention to the foregoing. As always, please do not hesitate to contact me at (305) 789-7787 if you have any questions or concerns.

Sincerely,



Juan J. Mayol, Jr.

JJM/ma
Enclosures

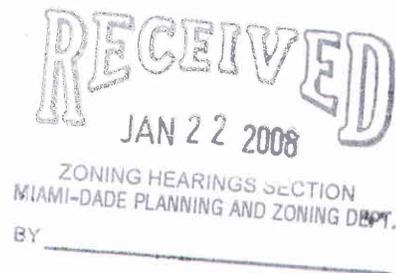
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January 22nd, 2008

VIA HAND DELIVERY

Ms. Cassandra Henderson
Miami-Dade County Planning and Zoning
111 N.W. 1 Street, 11th Floor
Miami, Florida 33128



**Re: B & F Marine, Inc.
Zoning Hearing No. Z06-323**

Dear Ms. Henderson:

This letter is in response to your letter of January 15th, 2008. We appreciate your meeting with the Architect, Manuel Tapia-Ruano, on Friday, January 18th, 2008. As a follow-up to your meeting with the Architect, we have enclosed a set of larger plans to scale to further facilitate your review of the proposed project. Also enclosed is a CD containing a PDF copy of the plans and a letter from the Architect, addressed to you, dated January 21st, 2008. We understand that this larger set of drawings and explanations provided to you by the Architect helps to address your latest comments.

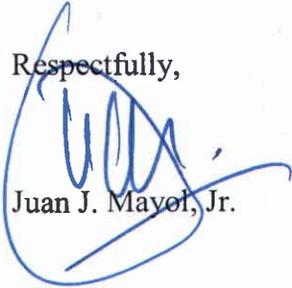
With respect to comment #7 in your letter, you will recall that the Applicant seeks an adjustment from the regulations pertaining to lot coverage, F.A.R. and setback pursuant to Section 33-57 of the Code of Miami-Dade County (the "Code"). This is consistent with Section 33-253.2 of the Code pertaining to the height of buildings in the BU-2 zone which provides that, although the height of a building is unlimited, the height is not necessarily open-ended inasmuch as other regulations of the BU-2 district require compliance with F.A.R., lot coverage and landscape requirements. As you know, the draft public hearing advertisement that we originally provided you further clarifies the zoning requests that are sought.

With respect to your comment #9, we respectfully request that you reconsider your request for an additional revision fee of \$958.72 for this latest submittal inasmuch as the project is unchanged and we have merely provided a larger set of the drawings to make it easier for you and others to read the plans or to scale-off dimensions.

Ms. Cassandra Henderson
January 22nd, 2008
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Thank you once again for your continual and expeditious review of this application. Should you have any further questions or concerns, please do not hesitate to contact me at (305) 789-7787.

Respectfully,

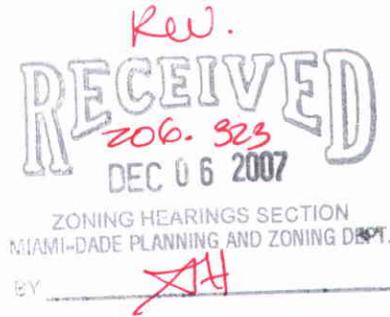


Juan J. Mayol, Jr.

JJM/ma
Enclosures

C: Ronald Connally, DP&Z (w/o encl.)
Antonio Veciana, Jr., B & F Marine, Inc. (w/o encl.)
Manuel Tapia-Ruano, Architect (w/o encl.)

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December 6th, 2007

Subrata Basu, AIA, AICP
Interim Director
Miami-Dade County
Department of Planning and Zoning
111 NW 1 Street, 11th Floor
Miami, Florida 33128

**Re: B & F Marine, Inc. / Amended Letter of Intent / Zoning Public Hearing
Application No. 06-323**

Dear Mr. Basu:

This shall constitute an amended letter of intent submitted on behalf of B & F Marine, Inc. (the "Applicant"), in support of the above referenced zoning application (the "Application"). The subject property (the "Property") contains 1.032 acres and is located on the southeast corner of the intersection of two Major Roadways, S.W. 40th Street (Bird Road), a zoned section-line right-of-way, and S.W. 72nd Avenue, a zoned half-section line right-of-way. The Applicant hereby reaffirms that it continues to seek a rezoning of the Property from BU-1A and RU-1 to BU-2 zoning. In addition, the Applicant is pleased to hereby submit the development plans for the Property.

The Property is designated for Business and Office use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. According to the CDMP's Adopted Components, "this category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, *commercial and professional offices*, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational

December 6th, 2007

Subrata Basu, AIA, AICP

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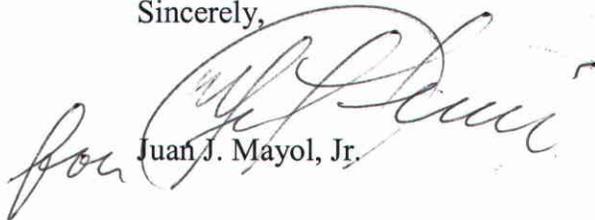
The variance to waive the masonry wall along a portion of SW 41st Street is justified considering the fact that the Property faces industrial designated land to the south and no other commercial development in the block provides a similar wall. Moreover, the proposed landscaping will provide a softer transition between the business and office designation of the Property and the industrial designation to the south.

For all of the aforementioned reasons, the zoning requests are justified and compatible with the development trend of the same block and of the surrounding area considering the Property's location on two Major Roadways, commercial and industrial designated and developed parcels of land, and a regional park opposite Bird Road to the north. The existing pockets of RU-1 to the south are an anomaly given their industrial designation on the CDMP LUP map and an established trend of development toward industrial development.

In further support of this application, we have enclosed a complete set of plans for the proposed development; a CD containing the plans; and a check in the amount of \$8,987.76 to cover the additional fees for the submittal of plans in connection with the Application.

We remain hopeful of the Department's favorable consideration of the Application. As always, please do not hesitate to contact me at (305) 789-7787 if you have any questions or concerns. Thank you so much for your attention to the foregoing.

Sincerely,


for Juan J. Mayol, Jr.

JJM/ma
Enclosure

C: Maria Teresa Fojo, Acting Assistant Director
Ronald Connally, Zoning Hearing Section
Cassandra Henderson, Zoning Hearing Section

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