

RESOLUTION NO. 5-ZAB-434-94

WHEREAS, POLLO OPERATIONS, INC. had applied for the following:

NON-USE VARIANCE OF ZONING REGULATIONS as applied to signs to permit an eighth detached sign (2 permitted - 7 existing and previously approved) setback 15' (15.13' required) from the front (north) property line.

A plan is on file and may be examined in the Zoning Department entitled "Pollo Tropical," as prepared by Isaac Sklar Associates, dated 8-11-94. Plan may be modified at public hearing.

SUBJECT PROPERTY: The west 150' of **Tract D-6**, KENDALE LAKES NORTH SECTION SIX, Plat book 96, Page 87.

LOCATION: 13998 Miller Drive (S.W. 56 Street), Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the entire application, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the request to withdraw the entire application should be granted, and

WHEREAS, the following motion was offered by Charlie McGarey seconded by June Stevens and upon a poll of the members present, the vote was as follows:

Humberto Amaro	aye	Herminia Herrera	aye
Willie Barnett	aye	Eric Jacobs	aye
Wilfredo Calvino, Jr.	aye	Charlie McGarey	aye
Frank Colunga	aye	Jonathan Rubin	aye
Mavel Cruz	aye	June Stevens	aye
Raul Del Portillo	aye	Colleen Griffin	aye
Barbara Hardemon	absent		

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the request to withdraw the entire application be and the same is hereby approved and said application is hereby withdrawn without prejudice.

The Zoning Director is hereby directed to make the necessary notations upon the records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 9th day of November, 1994.

Hearing No. 94-11-9
Typed 11/17/94 bn

RESOLUTION NO. 4-ZAB-226-81

The following resolution was offered by Mr. Peter Goldring seconded by Mrs. Lillian Dickmon and upon poll of members present, the vote was as follows:

Thelma Damewood	absent	Miller J. Dawkins	aye
Lillian Dickmon	aye	R. Jolivet Frazier	aye
Peter Goldring	aye	Jose A. Losa	absent
Margaret C. Nelson	nay	Murray Sisselman	nay
Edward G. Coll, Jr.	absent		

WHEREAS, ROYAL TRUST BANK OF MIAMI, M.A. has applied for the following:

- (1) NON-USE VARIANCE OF SIGN REGULATIONS permitting two (2) detached signs in a shopping center; to waive same to permit a third detached sign of 100 square feet to front on S.W. 137 Avenue (2 signs permitted).

Plans are on file and may be examined in the Zoning Department entitled "Royal Trust Bank Kendale Lakes," prepared by Eechaaps, Aylward and Associates, Inc., and dated received April 7, 1981 by the Dade County Building and Zoning Department.

SUBJECT PROPERTY: **Tract C** of WEST MILLER SQUARE, Plat book 113, page 12.

LOCATION: West side of S.W. 137 Avenue, approximately 150' south of S.W. 56 Street (Miller Road), Dade County, Florida.

SIZE OF PROPERTY: 150' X 150'

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use variance of sign regulations would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board, that the requested non-use variance to permit a third detached sign be and the same is hereby approved, subject to the following conditions:

1. That the maximum size of the sign should be 36 sq. ft.
2. That the sign should not exceed a height of 20 ft.
3. That the applicant submit to the Planning Department for its review and approval a landscaping plan which indicates the type of plant material and size prior to the issuance of a building permit or certificate of occupancy.

55
tract C

27-54-39
Item No. 81-254
Page Two

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits according to the conditions of this resolution.

PASSED AND ADOPTED this 15th day of July, 1981.

Heard 7/15/81
Hearing No. 81-7-12
7/27/81
mo

RESOLUTION NO. 5-ZAB-447-94

WHEREAS, B.C. REAL ESTATE INVESTMENTS, INC. had applied for the following:

NON-USE VARIANCE OF SIGN REGULATIONS as applied to a shopping center to permit an 8th detached sign (2 permitted - 7 existing and previously approved) of 107 sq. ft. in size.

Plans are on file and may be examined in the Zoning Department entitled "Boston Rotisserie Chicken 13704 S.W. 56 Street," one sheet prepared by William Hamilton Arthur, Architect, dated revised 5-10-94; and "Sign Location Plan Miller Square Shopping Center," as prepared by Offerle-Lerner, Architects, dated Feb. 19, 1986, and two sign elevation sheets, as prepared by Delray Signs, Inc., dated received by Building and Zoning on Sept. 8, 1994. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract "F", WEST MILLER SQUARE, Plat book 113, Page 12.

LOCATION: 13704 S.W. 56 Street, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board 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, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use variance would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, the following motion was offered by Eric Jacobs seconded by June Stevens and upon a poll of the members present, the vote was as follows:

#99

Humberto Amaro	aye	Herminia Herrera	aye
Willie Barnett	aye	Eric Jacobs	aye
Wilfredo Calvino, Jr.	aye	Charlie McGarey	aye
Frank Colunga	aye	Jonathan Rubin	aye
Mavel Cruz	aye	June Stevens	aye
Raul Del Portillo	aye	Colleen Griffin	aye
Barbara Hardemon	aye		

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the application be and the same is hereby approved, subject to the following condition:

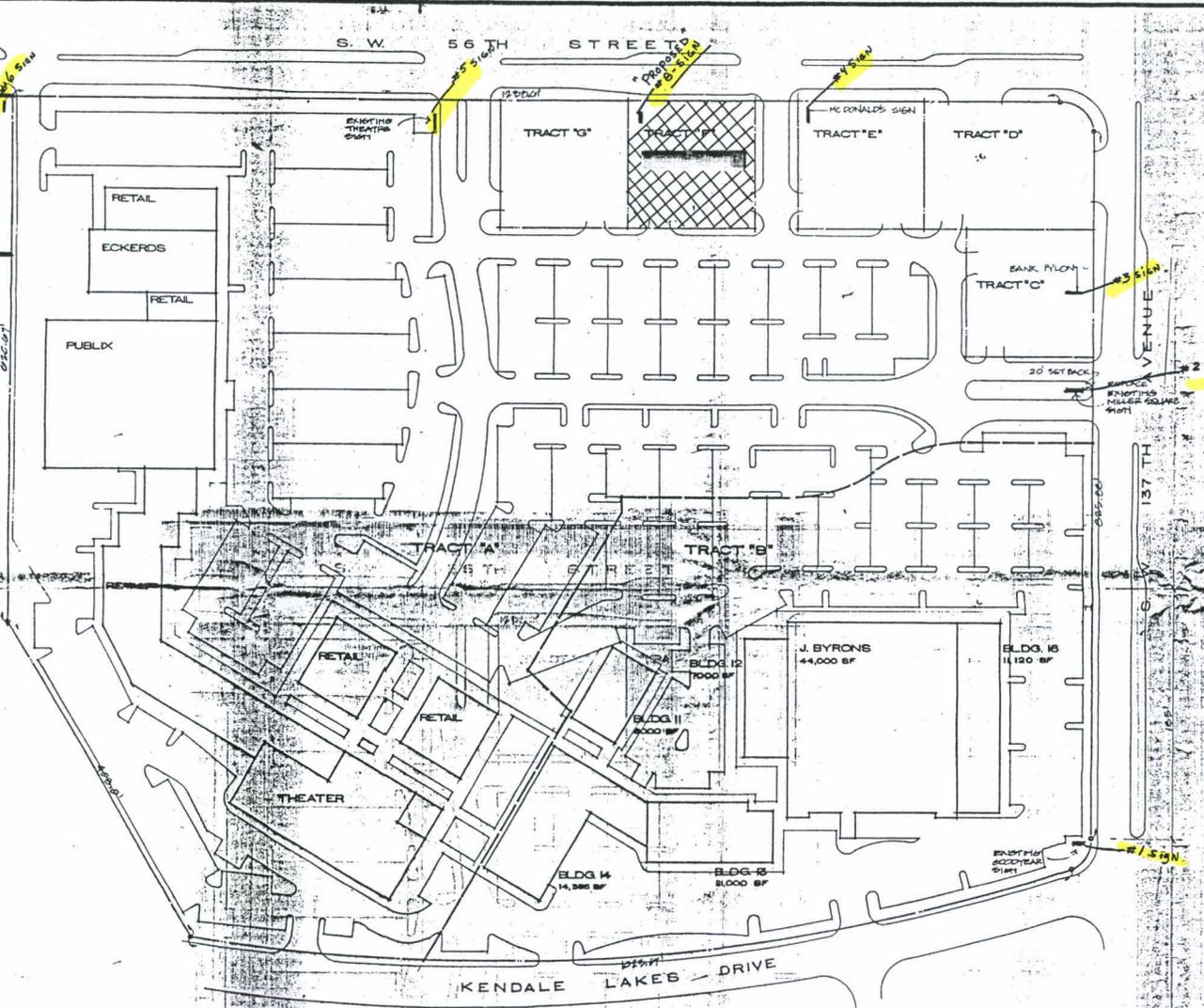
That the sign be limited to 40 square feet and be 20' in height and shall be relocated to the center of the property.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and condition of this resolution.

PASSED AND ADOPTED this 9th day of November, 1994.

Hearing No. 94-11-10
 Typed 11/17/94 bn



RECEIVED

D/F 20"x30" ILLUMINATED SIGN
 & ATTRACTION PANELS
 TOTAL SQ. FOOTAGE: 298 SF
 O.A.H. - 30'

MILLER SQUARE
 SHOPPING CENTER
 DADE COUNTY, FLORIDA

SITE PLAN 1" = 60'



COMM. NO. _____
 DATE: 11 FEB 80
 DRAWN BY: PEO
 REVISIONS: _____

OFFERLE LERNER AIA ARCHITECTS AND PLANNERS MIAMI, FLORIDA

SITE LOCATION PLAN
 MILLER SQUARE
 SHOPPING CENTER
 DADE COUNTY, FLORIDA

SHEET NO. 1 OF 1 SHEETS

Contract
 WATERS ENGINE CONSULTANTS
 P.O. Box 170613
 Miami, Florida 33117
 (305) 876-6372

RESOLUTION NO. 4-ZAB-228-86

The following resolution was offered by Mrs. Joyce Masso seconded by Mrs.s.. Margaret C. Nelson and upon poll of members present, the vote was as follows:

Thomas A. Conger	aye	Margaret C. Nelson	aye
Peter Goldring	absent	Mary Jean Risi	absent
Levi A. Johnson	aye	Murray Sisselman	absent
Jose A. Losa	aye	R. Jollivette Frazier	absent
Joyce Masso	aye		

WHEREAS, WOMETCO THEATRES, INC. has applied for the following:

NON-USE VARIANCE OF SIGN REGULATIONS to permit a new detached sign with an area of 350 square feet (two 200 square foot detached signs permitted) (five previously approved signs presently existing) to replace the existing shopping center sign.

Plans are on file and may be examined in the Zoning Department entitled "Miller Square Shopping Center", as prepared by Offerle-Lerner, A.I.A and dated Feb. 19, 1986, and a sign sketch as prepared by Myers & Company and dated 4-21-86 and last revised 4-29-86.

SUBJECT PROPERTY: Tract "A" of WEST MILLER SQUARE, Plat book 113, Page 12.

LOCATION: 13838 S.W. 57 Street, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of the Board that the requested non-use variance would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board, that the requested Non-Use Variance of sign regulations be and the same is hereby approved, subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Miller Square Shopping Center", as prepared by Offerle-Lerner, A.I.A and dated Feb. 19, 1986, and a sign sketch as prepared by Myers & Company and dated 4-21-86 and last revised 4-29-86.
3. That the applicant submit to the Planning Department for its review and approval a landscaping plan which indicates the type of plant material and size prior to the issuance of a building permit and to be installed prior to the issuance of a certificate of use and occupancy.
4. That the use be established and maintained in accordance with the approved plan.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 25th day of JUNE, 1986.

Hearing No. 86-6-35
Typed 8/20/86 aa

RESOLUTION NO. Z-194-83

The following resolution was offered by Commissioner Clara Oesterle, seconded by Mayor Stephen P. Clark, and upon poll of members present the vote was as follows:

Barbara M. Carey	aye	Barry D. Schreiber	nay
Clara Oesterle	aye	Ruth Shack	aye
Beverly B. Phillips	aye	Jorge (George) Valdes	absent
James F. Redford, Jr.	aye	Stephen P. Clark	aye
Harvey Ruvin	absent		

WHEREAS, McDONALD'S CORPORATION had applied for the following:

NON-USE VARIANCE OF SIGN REGULATIONS to permit a fifth detached sign with an area of 140 square feet (two 200 square foot detached signs permitted).

Plans are on file and may be examined in the Zoning Department entitled "McDonald's Restaurants", as prepared by Bengis Associates, Inc., dated 3-11-83; location plans are also on file as prepared by Leroy W. Vanover, Architect, dated 7-25-80.

SUBJECT PROPERTY: **Tract E**, WEST MILLER SQUARE, Plat book 113, Page 12.

LOCATION: 13702 Miller Road (S.W. 56 Street), Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and upon due and proper consideration having been given to the matter, it was the opinion of the Zoning Appeals Board that the requested non-use variance would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and denied the request without prejudice;

WHEREAS, McDonald's Corporation, the applicant, appealed the decision of the Zoning Appeals Board to this Board, and after a 15-day notice of the time and place of the meeting of this Board was published as required by the Zoning Procedure Ordinance a hearing was held by this Board, and after reviewing the record and decision of the Zoning Appeals Board and after having given an opportunity for interested parties to be heard, it is the opinion of this Board that the grounds and reasons specified for the reversal of the ruling made by the Zoning Appeals Board were sufficient to merit a reversal of the decision;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the decision of the Zoning Appeals Board be and the same is hereby overruled and the requested non-use variance of sign regulations to permit a fifth detached sign with an area of 140 sq. ft., be and the same is hereby approved.

The Zoning Director is hereby directed to make the necessary notations upon

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the records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 6th day of October, 1983.

August, 1983
No. 83-8-41
vp
10/28/83

DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS
Richard P. Brinker, Clerk

By _____
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners
on the 28th day of October 1983.

RESOLUTION NO. Z-72-83

The following resolution was offered by Mayor Stephen P. Clark, seconded by Commissioner Beverly B. Phillips, and upon poll of members present the vote was as follows:

Barbara M. Carey	absent	Barry D. Schreiber	aye
Clara Oesterle	aye	Ruth Shack	absent
Beverly B. Phillips	aye	Jorge (George) Valdes	aye
James F. Redford, Jr.	absent	Stephen P. Clark	aye
Harvey Ruvin	absent		

WHEREAS, CINOTTO KENDALL CORPORATION had applied for the following:

NON-USE VARIANCE OF ZONING REGULATIONS as applied to signs to permit a proposed fourth detached sign (two 200 square foot detached signs permitted) with an area of 97.5 square feet to front on S.W. 137th Avenue.

Plans of the proposed sign are on file and may be examined in the Zoning Department, as prepared by Stuart M. Rapee dated Dec. 7, 1982, consisting of 2 pages.

SUBJECT PROPERTY: Tracts A, B, C, D, E, F, and G, WEST MILLER SQUARE, Plat book 113, Page 12.

LOCATION: The northwest corner of S.W. 59 Street (Kendale Lakes Drive) and S.W. 137 Avenue, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and upon due and proper consideration having been given to the matter, it was the opinion of the Zoning Appeals Board that the requested non-use variance would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and denied the request without prejudice, and

WHEREAS, Cinotto Kendall Corporation, the applicant, appealed the decision of the Zoning Appeals Board to this Board, and after a 15-day notice of the time and place of the meeting of this Board was published as required by the Zoning Procedure Ordinance a hearing was held by this Board, and after reviewing the record and decision of the Zoning Appeals Board and after having given an opportunity for interested parties to be heard, it is the opinion of this Board that the grounds and reasons specified for the reversal of the ruling made by the Zoning Appeals Board were sufficient to merit a reversal of the decision, in part;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the decision of the Zoning Appeals Board be and the same is hereby overruled, in part, and the requested non-use variance of zoning re-

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gulations be and the same is hereby approved, but only for a 40 sq. ft. sign:

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms of this resolution.

PASSED AND ADOPTED this 21st day of April, 1983.

March, 1983
No. 83-3-17
vp
5/5/83

DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS
Richard P. Brinker, Clerk

By _____
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners on the 5th day of May 1983.

27-54-39
82-596

RESOLUTION NO. 4-ZAB-79-83

The following resolution was offered by Mr. Thomas A. Conger seconded by Mrs. Mary Jean Risi and upon poll of members present, the vote was as follows:

Francis A. Anania	absent	Jose A. Losa	aye
Thomas A. Conger	aye	Margaret C. Nelson	nay
Peter Goldring	nay	Murray Sisselman	absent
Levi A. Johnson	nay	Mary Jean Risi	aye
R. Jolivette Frazier	aye		

WHEREAS, CINOTTO KENDALL CORPORATION has applied for the following:

NON-USE VARIANCE OF ZONING REGULATIONS as applied to signs to permit a proposed fourth detached sign (two 200 square foot detached signs permitted) with an area of 97.5 square feet to front on S.W. 137th Avenue.

Plans of the proposed sign are on file and may be examined in the Zoning Department, as prepared by Stuart M. Rapee dated Dec. 7, 1982, consisting of 2 pages.

SUBJECT PROPERTY: Tracts A, B, C, D, E, F, and G, WEST MILLER SQUARE, Plat book 113, Page 12.

LOCATION: The northwest corner of S.W. 59 Street (Kendale Lakes Drive) and S.W. 137 Avenue, Dade County, Florida.

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use variance of Zoning Regulations would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance.

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board, that the requested non-use variance be and the same is hereby denied without prejudice.

The Zoning Director is hereby directed to make the necessary notations upon the records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 9th day of March, 1983.

Heard 3/9/83
Hearing No. 83-3-17
3/14/83
mo

#61

denied w/o prejudice

1 3 1 1 1 1 1 1 1 1

RESOLUTION NO. Z-282-80

The following resolution was offered by Commissioner William G. Oliver, seconded by Commissioner Clara Oesterle, and upon poll of members present the vote was as follows:

Barbara M. Carey	aye	Harvey Ruvin	absent
Clara Oesterle	aye	Barry D. Schreiber	aye
William G. Oliver	aye	Ruth Shack	aye
Beverly B. Phillips	aye	Stephen P. Clark	aye
James F. Redford, Jr.	nay		

WHEREAS, Miller Square, Ltd., had applied for the following:

SPECIAL EXCEPTION to permit a night club.

Floor plan of the proposed night club and site plan of the existing shopping center are on file and may be examined in the Zoning Department entitled "Big Al's Bar and Lounge" prepared by M.T. dated March 18, 1980, last revised May 2, 1980, and "Miller Square Shopping Center" Prepared by Fellman - Reiff Associates, Inc., dated January 31, 1979, last revised June 11, 1979.

SUBJECT PROPERTY: Tract "A" WEST MILLER SQUARE, Plat book 113, Page 12, being a replat of Tract "QQ" KENDALE LAKES NORTH, SECTION 5, Plat book 95, Page 59, being more particularly described as a 40' x 90' store unit further identified as 13800 SW 56 Steet.

LOCATION: 13800 S.W. 56 Street, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and upon due and proper consideration having been given to the matter, it was the opinion of the Zoning Appeals Board that the requested special exception would not be compatible with the area and its development and would not be in harmony with the requirements and intent of the Zoning Procedure Ordinance and denied the requests without prejudice, and

WHEREAS, Miller Square, Ltd., the applicant, appealed the decision of the Zoning Appeals Board to this Board, and after a 15-day notice of the time and place of the meeting of this Board was published as required by the Zoning Procedure Ordinance a hearing was held by this Board, and after reviewing the record and decision of the Zoning Appeals Board and after having given an opportunity for interested parties to be heard, it was the opinion of the Zoning Appeals Board that the grounds and reasons specified for the reversal of the ruling made by the Zoning Appeals Board were sufficient to merit a reversal of the decision;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the decision of the Zoning Appeals Board be and the same is hereby overruled and the requested special exception to permit night club be and the same is hereby approved, subject to the following conditions:

#50

7-282-80

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That the night club shall conform with all the requirements for a night club use.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing, entitled "Big Al's Bar and Lounge" prepared by M.T., and dated 3-18-80 last revised 4-3-80, and "Miller Square Shopping Center" prepared by Fellman-Reiff Associates, Inc. dated 1-31-79, last revised 6-11-79.
4. That the use be established and maintained in accordance with the approved plan.
5. That the operation of the night club, including any entertainment, shall be on a high plane and level.
6. That the applicant shall have rigid and strict control over its employees and patrons so as to prevent drunkenness and/or rowdiness.
7. That the operation of the business be conducted in such a manner as not to be detrimental to the surrounding community, nor in such a manner as to create any law enforcement problem either because of the method of operation or type of patronage, nor in any manner which might create a nuisance.
8. That the certificate of use and occupancy be automatically renewable annually by the Dade County Building and Zoning Department upon compliance with all terms and conditions, and be subject to cancellation by the Zoning Director upon violation of any of the conditions, or when in the opinion of the Metropolitan Dade County Zoning Appeals Board, after public hearing, it is determined that the use is detrimental and/or incompatible to the surrounding neighborhood; that the decision reached pursuant to said hearing shall be final and that the applicant will sign an agreement suitable for recording to surrender the Certificate of Use and Occupancy and abide by the decision concerning the cancellation of the permit.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 20th day of November, 1980.

Heard August, 1980
No. 80-8-17
vp
11/24/80

DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS
Richard P. Brinker, Clerk

By RAYMOND REED
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners on the 1st day of December, 1980.

STATE OF FLORIDA)
) SS:
COUNTY OF DADE)

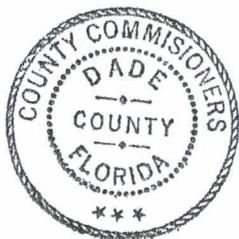
I, RICHARD P. BRINKER, Clerk of the Circuit Court in and for Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-282-80, adopted by the said Board of County Commissioners at its meeting held on November 20, 19 80.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 10th day of December, A. D. 19 80.

RICHARD P. BRINKER, Ex-Officio Clerk
Board of County Commissioners
Dade County, Florida

By Elizabeth S. Elkin
Deputy Clerk

SEAL



Board of County Commissioners
Dade County, Florida

RESOLUTION NO. 4-ZAR-305-79

The following resolution was offered by Mr. Jose A. Losa, seconded by Mrs. E. Jollivette Frazier, and upon poll of members present, the vote was as follows:

Thelma Dumewood	absent	Margaret C. Nelson	absent
Jose A. Losa	aye	Betty S. Page	aye
Lillian Dickson	aye	Murray Sisselman	aye
R. Jollivette Frazier	aye	Edward C. Coll, Jr.	aye
Peter Goldring	aye		

WHEREAS, MILLER SQUARE LTD. has applied for the following:

NON-USE VARIANCE OF ZONING REGULATIONS as applied to signs to permit a proposed shopping center with one permitted 200 square feet detached sign and one 256.28 square feet detached sign (two (2) 200 square feet detached signs permitted).

Plans of the proposed sign are on file and may be examined in the Zoning Department entitled "Miller Square Shopping Center" prepared by Fellman-Reiff Associates, Inc. and dated 1-31-79, last revised 4-12-79.

SUBJECT PROPERTY: Tract "QQ", KENDALE LAKES NORTH, SECTION FIVE, Plat book 95, Page 59, less the north 150' of the east 350' thereof; and less the north 150' of the west 300' of the east 700' thereof; and less the east 150' of the south 150' of the north 300' thereof.

LOCATION: The southwest corner of S.W. 56 Street (Miller Drive) and S.W. 137 Avenue, Dade County, Florida.

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use variance would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested non-use variance of zoning regulations be and the same is hereby approved, subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Miller Square Shopping Center" prepared by Fellman-Reiff Associates, Inc., and dated 1-31-79, last revised 4-12-79.
3. That the use be established and maintained in accordance with the approved plan.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department, and to issue all permits in accordance with the terms and conditions of this Resolution.

PASSED AND ADOPTED this 13th day of August, 1979.

Heard 8/13/79
No. 79-8-7
nc
8/15/79

#45

RESOLUTION NO. 2-171-69

The following resolution was offered by Commissioner

Alexander S. Gordon, seconded by Commissioner

Ben Shepard, and upon poll of members present,

the vote was as follows:

Neal Adams	aye	Arthur H. Patten, Jr.	absent
Alexander S. Gordon	aye	Ben Shepard	aye
Harold A. Greene	absent	Earl M. Starnes	aye
R. Hardy Matheson	aye	Chuck Hall	aye
Thomas D. O'Malley	aye		

WHEREAS, Merwitzer, et al, had applied for the following:

A district boundary change from:

- BU-2 to GU on portion of Tract 26-18;
 - BU-2 to RU-TH on portions of Tracts 26-17, 26-19 and 26-23;
 - BU-2 to RU-4L on portion of Tracts 26-9 and 26-20;
 - BU-2 to RU-4 on Tract 26-22;
 - BU-2 to BU-1 on portion of Tract 26-21;
 - RU-1 to GU on portion of Tract 26-18;
 - RU-1 to RU-TH on Tracts 26-2, 26-10, 26-11, 26-14 and on portions of Tracts 26-17, 26-19 and 26-23;
 - RU-1 to RU-4L on Tracts 26-1, 26-3, 26-6 and on portions of Tracts 26-9 and 26-20;
 - RU-1 to RU-4 on Tracts 26-12 and 26-15;
 - RU-1 to RU-5 on Tract 26-4;
 - RU-1 to BU-1 on Tracts 26-5, 26-8, 26-13, 26-16 and portions of Tract 26-21;
 - RU-1 to BU-1A on Tract 26-7;
- All of Section 26, Twp. 54 South, Range 39 East, less the following:
1. $\frac{1}{2}$ of $\frac{1}{4}$ of $\frac{1}{4}$ of Section 26-54-39;
 2. $\frac{1}{4}$ of $\frac{1}{4}$ of $\frac{1}{4}$ of Section 26-54-39;
 3. A Strip of 170' in $\frac{1}{2}$ of $\frac{1}{4}$ of $\frac{1}{4}$ of Section 26-54-39, the centerline of which runs from a point on the North line 85' East of the West line to a point on the South line 100' East of the West line of the $\frac{1}{4}$ of $\frac{1}{4}$ of $\frac{1}{4}$ of Section 26-54-39, and
- RU-1 to GU on Tract 27-13;
 - RU-1 to RU-TH on Tracts 27-3, 27-5, 27-7, 27-10, 27-14 and 27-21;
 - RU-1 to RU-4L on Tracts 27-2, 27-4, 27-6, 27-8, 27-11 and 27-18;
 - RU-1 to RU-4 on Tracts 27-15, 27-17 and 27-19;
 - RU-1 to BU-1 on Tracts 27-12, 27-16 and 27-20;
 - RU-1 to BU-2 on Tracts 27-1 and 27-22;
- All of Section 27-54-39 including the subdivision of West Miami Manor (First Section) 23/35, and
- GU to RU-1 on Tract 33-1;
 - GU to RU-TH on Tracts 33-7, 33-12 and 33-14;
 - GU to RU-4L on Tracts 33-3, 33-4, 33-10, 33-13 and 33-15;
 - GU to RU-4 on Tracts 33-5 and 33-9;
 - GU to BU-1 on Tract 33-6;
 - GU to BU-1A on Tract 33-11;
 - GU to BU-2 on Tract 33-2;
- Tracts 1-16 incl., 18, 29-36 incl., 45-56 incl., and 61-64 incl.;
Bendle Investment Co. Sub. 1/30;

All according to the Proposed Zoning Map for Merwitzer, et al, prepared by Stutsman, Kennelly, Neidigh and Associates, dated Feb. 27, 1969;

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LOCATION: From theo. SW 127th Avenue to theo. SW 147th Avenue, between SW 55th Street (Miller Road Extended) and theo. SW 72nd Street (Sunny Drive Extended) and From theo. SW 147th Avenue to theo. SW 157th Avenue, between theo. SW 72nd Street (Sunset Drive Extended) and SW 88th Street (N. Kendall Drive), and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held as required by law, and all interested parties concerned in the matter were heard, at which time the applicant modified his request by requesting withdrawal without prejudice all of the district boundary changes relative to properties located in Section 33, Twp. 54 South, Range 39 East and at which time the applicant proffered recordable agreement pertaining to the plan of development for the property and, particularly, in reference to the densities proposed for the apartment development, and upon due and proper consideration having been given to the matter, the Zoning Appeals Board was of the opinion that the application, as modified with the proffered agreement, would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and approved the request on the modified basis and subject to conditions, and

WHEREAS, 15-day notice of the time and place of the meeting of this Board was published as required by the Zoning Procedure Ordinance, and after reviewing the record and recommendation of the Zoning Appeals Board and after having given an opportunity for interested parties to be heard, and after due and proper consideration having been given to the matter, it appears to this Board that the requested district boundary changes, on the modified basis, would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and should be approved as recommended by the Zoning Appeals Board;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the district boundary changes, on the modified basis, be and the same are hereby approved

as follows:

1. That all requested district boundary changes in Section 26 be approved, except as follows:
 - (a) Tract 26-4 be zoned RU-5A (Semi-Professional Office);
 - (b) Tract 26-8 be zoned RU-4L (Limited Apartment House);
 - (c) Tract 26-7 be zoned RU-TH (Town House);
2. That requested district boundary changes in Section 27 be approved, except as follows:
 - (a) The South 400' of the West 350' of Tract 27-8 be zoned RU-1 (Single Family Residential);
 - (b) The South 300' of the Easterly 350' of Tract 27-10 be zoned RU-1 (Single Family Residential);
3. That all requested business district boundary changes be subject to the following:
 - (a) That a plot use plan be submitted to and meet with the approval of the Zoning Director, said plan to include among other things but be not limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
 - (b) That the use be established and maintained in accordance with the approved plan.
4. Dedication of rights-of-way as may be deemed lacking, desirable and necessary, in the opinion of the Director of Public Works and Zoning Director, shall be made and improvement shall be made of such rights-of-way as may be required by the Director of Public Works.
5. The GU areas for golf course, school and park sites must be deed-restricted for those purposes with covenants running with the land.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 19th day of June, 1969.

Heard 5-14-69
No. 69-5-31
vp

DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

E. B. LEATHERMAN, CLERK

By EDWARD D. PHELAN
Deputy Clerk

GU (Interim)
RU-TH (Town House)
RU-4L (Limited Apartment House)
RU-4 (Apartment House & Hotel)
BU-1 (Neighborhood Business)
BU-1A (Limited Business)
BU-2 (Special Business)
RU-5 (Residential, Semi-Professional Office)

RESOLUTION NO. 4-ZAB-280-69

The following resolution was offered by Mrs Irene Faugno,
seconded by Mr. William L. Flynn, and upon poll of members present,
the vote was as follows:

Hilton R. Carr, Jr.	aye	Roger Shaw	aye
Irene Faugno	aye	H. H. Wood	absent
William L. Flynn	aye	Andrew Lee	aye
Leonard Levenstein	absent		

WHEREAS, Merwitzer, et al, have applied for the following district boundary changes:

From BU-2 (Special Business) to OU (Interim), ON portion of Tract 26-18;
AND

From BU-2 (Special Business) to RU-TH (Town House), ON portions of Tracts
26-17, 26-19 and 26-23, AND

From BU-2 (Special Business) to RU-4L (Limited Apartment House), ON portion
of Tracts 26-9 and 26-20, AND

From BU-2 (Special Business) to RU-4 (Apartment House and Hotel), ON Tract
26-22, AND

From BU-2 (Special Business) to BU-1 (Neighborhood Business), ON portion of
Tract 26-21, AND

From RU-1 (Single Family Residential) to GU (Interim), ON portion of Tract
26-18, AND

From RU-1 (Single Family Residential) to RU-TH (Town House), ON Tracts 26-2,
26-10, 26-11, 26-14 and on portions of Tracts 26-17, 26-19 and 26-23, AND

From RU-1 (Single Family Residential) to RU-4L (Limited Apartment House), ON
Tracts 26-1, 26-3, 26-6 and on portions of Tracts 26-9 and 26-20, AND

From RU-1 (Single Family Residential) to RU-4 (Apartment House and Hotel),
ON Tracts 26-12 and 26-15, AND

From RU-1 (Single Family Residential) to RU-5 (Residential, Semi-Professional
Office), ON Tract 26-4, AND

From RU-1 (Single Family Residential) to BU-1 (Neighborhood Business), ON
Tracts 26-5, 26-8, 26-13, 26-16 and portions of Tract 26-21, AND

From RU-1 (Single Family Residential) to BU-1A (Limited Business), ON Tract
26-7,

All of Section 26, Township 54 South, Range 39 East, less the following:

1. $S\frac{1}{2}$ of $SE\frac{1}{4}$ of Sec. 26-54-39.
2. $NW\frac{1}{4}$ of $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 26-54-39.
3. A strip 170' in $E\frac{1}{2}$ of $W\frac{1}{2}$ of $W\frac{1}{2}$ of Sec. 26-54-39, the centerline
of which runs from a point on the North line 85' East of the West
line to a point on the South line 100' East of the West line of the
 $E\frac{1}{2}$ of $W\frac{1}{4}$ of $W\frac{1}{2}$ of Sec. 26-54-39, AND

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From RU-1 (Single Family Residential) to GU (Interim), ON Tract 27-13, AND

From RU-1 (Single Family Residential) to RU-TH (Town House), ON Tracts 27-3, 27-5, 27-7, 27-10, 27-14 and 27-21, AND

From RU-1 (Single Family Residential) to RU-4L (Limited Apartment House), ON Tracts 27-2, 27-4, 27-6, 27-8, 27-11 and 27-18, AND

From RU-1 (Single Family Residential) to RU-4 (Apartment House and Hotel), ON Tracts 27-15, 27-17 and 27-19, AND

From RU-1 (Single Family Residential) to BU-1 (Neighborhood Business), ON Tracts 27-12, 27-16 and 27-20, AND

From RU-1 (Single Family Residential) to BU-2 (Special Business), ON Tracts 27-1 and 27-22,

All of Section 27, Township 54 South, Range 39 East including the Subdivision of West Miami Manor (1st Sec.) (23/35), AND

From GU (Interim) to RU-1 (Single Family Residential), ON Tract 33-1, AND

From GU (Interim) to RU-TH (Town House), ON Tracts 33-7, 33-12, and 33-14, AND

From GU (Interim) to RU-4L (Limited Apartment House), ON Tracts 33-3, 33-4, 33-10, 33-13 and 33-15, AND

From GU (Interim) to RU-4 (Apartment House and Hotel), ON Tracts 33-5 and 33-9, AND

From GU (Interim) to BU-1 (Neighborhood Business), ON Tract 33-6, AND

From GU (Interim) to BU-1A (Limited Business), ON Tract 33-11, AND

From GU (Interim) to BU-2 (Special Business), ON Tract 33-2,

Tracts 1-16 incl., 18, 29-36 incl., 45-56 incl., and 61-64 incl., Bendle Investment Co. Sub. (1/30).

All according to the Proposed Zoning Map for Mervitzer, et al, prepared by Stutsman, Kennelly, Neidigh and Associates, dated February 27, 1959.

LOCATION: From theo. SW 127 Ave. to theo. SW 147 Ave., between SW 55 St. (Miller Road Extended) and theo. SW 72 St. (Sunny Drive Extended), AND - From theo. SW 147 Ave. to theo. SW 157 Ave., between theo. SW 72 St. (Sunset Drive Extended and SW 88 St. (North Kendall Dr.), Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and at which time the applicant modified his

request by requesting withdrawal without prejudice all the district boundary changes relative to properties located in Section 33, Township 54 South, Range 39 East and at which time the applicant proffered recordable agreement pertaining to the plan of development for the property and particularly in reference to the densities proposed for the apartment development, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the application as modified with the proffered agreement would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County, Florida;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested withdrawal without prejudice be and the same is hereby granted, and the balance of the district boundary changes be and the same are hereby recommended for approval by the Board of County Commissioners of Dade County, Florida, as follows:

1. That all requested district boundary changes in Section 26 be approved except as follows:
 - (a) Tract 26-4 be zoned RU-5A (Semi-Professional Office)
 - (b) Tract 26-8 be zoned RU-4L (Limited Apartment House)
 - (c) Tract 26-7 be zoned RU-TH (Town House)
2. That requested district boundary changes in Section 27 be approved except as follows:
 - (a) The South 400' of the West 350' of Tract 27-8 be zoned RU-1 (Single Family Residential)
 - (b) The South 300' of the Easterly 350' of Tract 27-10 be zoned RU-1 (Single Family Residential)
3. That all requested business district boundary changes be subject to the following:
 - (a) That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
 - (b) That the use be established and maintained in accordance with the approved plan.

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4. Dedication of rights-of-way as may be deemed lacking, desirable and necessary, in the opinion of the Director of Public Works and Zoning Director, shall be made; and improvement shall be made of such rights-of-way as may be required by the Director of Public Works.
5. The GU areas for golf course, school and park sites, must be deed restricted for those purposes, with covenants running with the land.

The Zoning Director is hereby directed to make the necessary notations upon the records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 14th day of May, 1969.

Heard 5/14/69
No. 69-5-31
5/29/69
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