Miami-Dade Cou epartment of Regulatory and I omic Resources
Staff Report to the Board of County Commissioners

PH: Z12-089 (13-1-CZ5-1) **June 20, 2013**
Item No. A

Recommendation Summary	
Commission District	1
Applicant	Miami Gardens Park, LLC
Summary of Requests	The applicant is seeking to allow a zone change to RU-4L in order to develop the parcel with a multi-family residential apartment complex. Additionally, the applicant seeks to delete restrictions on the development of the west portion of the parcel, to permit the filling of an existing lake encroaching onto the property as well as to allow an entrance feature and to permit the development with a reduced setback from the rear property line.
Location	Lying west of NW 59 Avenue and south of theoretical NW 182 Lane, Miami-Dade County, Florida.
Property Size	8.2 gross acres
Existing Zoning	IU-C, Conditional Industrial District
Existing Land Use	Vacant
2015-2025 CDMP Land Use Designation	Business and Office *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change, Section 33-311(A)(3), Special Exception, Unusual use and New Uses, Section 33-311(A)(4)(b), Non-Use Variance standards Section 33-311(A)(7) Generalized Modification Standards *(see attached Zoning Recommendation Addendum)*
Recommendation	**Denial without prejudice of appeal, approval of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.**

This item was deferred from the May 23, 2013 meeting of the Board of County Commissioners (BCC) due to an inadvertent advertising error. On May 17, 2013, the applicant, Miami Gardens Park, LLC, submitted a revised letter of intent to this Department. The applicant indicated in said letter, their intent to withdraw request #5, to permit a 15' setback from the rear (south) property line, where 25' is required. The revised letter of intent indicated that this will be accomplished by shifting some of the buildings while preserving all other required elements of the plan.

On March 14, 2013, the Community Zoning Appeals Board (CZAB) #5, approved the application based on staff's recommendation, with the modification of condition #2 to provide additional landscaping, and conditions #5 and #22 to require that no construction work be permitted on weekends.

On March 28, 2013, the appellants, the Moors Patio Homes Maintenance Association, Et Al, appealed the CZAB–5 decision to the BCC.

For the reasons outlined below in the CDMP and Zoning analysis of the requests and staff's recommendation, staff opines that the appellants' request for a reversal of the CZAB 5 decision should be denied.

REQUESTS:

(1) DISTRICT BOUNDARY CHANGE from IU-C to RU-4L.

(2) DELETION of Declaration of Restrictions recorded in Official Records Book 11507 Pages 577-581, only as it applies to the subject property.

The purpose of the request is to remove the requirements that call for a 50' no building area, a 50' greenbelt open space and a 10' utility easement along the west property line.

(3) UNUSUAL USE to permit an entrance feature; to wit; an entrance feature consisting of decorative masonry walls 8' in height and signage.

(4) UNUSUAL USE to permit the filling a portion of an existing lake.

(5) NON-USE VARIANCE of setback requirements to permit certain buildings setback 15' from the rear (south) property line (25' required).

(6) NON-USE VARIANCE of spacing requirements to permit the clubhouse to be spaced a minimum 23'-8" (20' required) from other residential buildings

(7) NON-USE VARIANCE of spacing requirements to permit certain residential buildings to be spaced 16' (20' required) from each other.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet, with all plans dated stamped, received 10/25/12. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

The submitted plans depict the proposed 178 unit, multi-family residential development consisting of the sixteen (16), two (2)-story apartment buildings, a clubhouse and parking areas on the approximately 8.2-acre parcel.

The 8.2 acre subject parcel is a part of a larger tract of land that was rezoned from AU, Agricultural District to IU-C, Conditional Industrial District in 1982 pursuant to Resolution #Z-149-82. Said approval also permitted some commercial and office uses in the IU-C district as would have been allowed in BU, RU-5 and RU-4A zoning districts. The applicant proffered a covenant that was accepted by the County that restricted development within the western 100' of the parcel and required that the west 50' of this restricted area contain only a landscaped green area.

Subsequently, staff notes that the subject parcel was also a part of a larger tract that was the subject of Application Number 1 in the November 1995 cycle of applications to amend the Land

Use Plan map of the Comprehensive Development Master Plan (CDMP) for Dade County (now Miami-Dade County). As a result of this application the land use designation was changed from Industrial and Office to Business and Office at which time the applicant proffered a covenant that was accepted by the County. However, although the covenant among other things maintained the restrictions on development within 100' of the west property line for industrial and retail development, the covenant did not require this buffer for residential and office uses.

In 2005, the subject property was a part of a larger tract of land that was included in the boundaries of the Country Club-Palm Springs North Charrette. The Charrette report contained the Citizen's Vision for the growth and development of the Country Club-Palm Springs North area in Miami-Dade County and was adopted by the Board of County Commissioners (BCC) in July 2006, pursuant to Resolution #870-06. Said report contained illustrative plans that also depicted the subject parcel developed with infill housing.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	IU-C; vacant land, lake	Business and Office
North	IU-C; vacant land	Business and Office
South	RU-4L; apartments	Business and Office
East	IU-C; office park	Business and Office
West	RU-1;single-family residences, lake excavation	Low-Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The 8.2-acre subject property is a vacant parcel containing a portion of a small lake. The subject property is surrounded by an existing office park to the east, an apartment complex to the south, single-family residences and a lake excavation to the west and a vacant IU-C zoned parcel to the north.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to develop the parcel in accordance with the proposed RU-4L, Limited Apartment House District regulations and provide the community with additional multi-family residences in this area. However, since the site is vacant the proposed development of the residential site could have traffic impacts on the surrounding residential and commercial developments in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The applicant seeks to permit the rezoning of the subject parcel from IU-C to RU-4L (request #1). The CDMP Land Use Plan (LUP) map designates the subject 8.2-acre property for Business and Office use. The Business and Office category *accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, entertainment and cultural facilities, amusements and commercial recreation.* However, the CDMP Land Use Element interpretative text for the Business and Office use states that *residential uses, and mixing of residential use with commercial, office and hotels are also permitted in business and office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed-use development, is not out of character with that of*

adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met, residential development may be authorized to occur in the business and office category at a density up to one density category higher than the LUP map's designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. The adjacent residential property to the west is designated for Low-Medium Density Residential use, 6 to 13 units per gross acre on the CDMP Land use plan map. For the reasons stated below, based on the CDMP Land Use Element interpretative text for the Business and Office category, the subject property would be allowed to develop one category higher, at the Medium Density Residential category which allows residential development at 13 to 25 units per gross acre. This would allow the applicant to develop the 8.2-acre site with minimum of 106 residential units and at a maximum of 205 residential units. This application would permit the applicant to provide additional housing for the community. RU-4L zoning permits the development of 23 units per acre, which would allow a total of 188 units on this site. Plans submitted by the applicant indicate the proposed development of the site with a maximum of 178 residential units or 21 units per acre. Staff notes that this is below the maximum of 25 units per acre allowed by the CDMP Land Use Element interpretative text for the Business and Office category and the maximum of 23 units per acre allowed by the RU-4L zoning district.

As previously noted by staff, the Business and Office designation of the subject property was adopted in the November 1995 cycle of applications to amend the CDMP at which time the applicant proffered a covenant which maintained the 100' buffer along the western property line for industrial and retail development. However, the restrictions on development did not extend to residential and office development within this 100' wide buffer area. The CDMP covenant only required any future residential development in this area to be equivalent to the corresponding setbacks for the residential developments located to the west. In the case of office uses two (2) stories high, the required landscaped buffer along the west property line was 50' and if higher than two (2) stories the development would be required to comply with the setbacks required by Code measured from the edge of the 50' wide landscaped buffer area. Said CDMP covenant also stated that development of and on the master tracts shall be subject to certain Urban Design Guidelines set forth in the covenant.

Staff is of the opinion that the submitted site plan conforms with the CDMP Land Use Element's interpretative text for the Business and Office land use category that states that *any residential proposal in Business and Office designated parcels not be out of character with the surrounding community, not detrimentally impact adjacent development and zoning and provide a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.* Further, CDMP land Use Element, **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as height, bulk, and scale of architectural elements and parking among other things. The applicant is proposing to develop the property with a 178 unit residential apartment complex made up of sixteen (16) apartment buildings, a club house and an entrance feature. Additionally, the applicant seeks to delete a prior zoning covenant as it applies to the subject property, which restricted development along the west 100' of the subject parcel (request #2), to permit and entrance feature (request #3) and the partial filling of a lake along the interior side (west) property line (request #4) along with request for a variance to the setback requirements (request #5).

The site plan incorporates principles of urban design such as architecturally defined blocks and open spaces in the form of greens and squares. The squares are distributed throughout the site to offer areas for social encounters and for recreation. Landscaping is used to buffer the proposal from adjacent uses as well as to reinforce the urban spaces created by the block and street design. Further, the parking areas are for the most part located central to the site and screened from the abutting roadways by the apartment buildings. The height and scale of the proposed buildings are also similar to the buildings in the adjacent development located to the south that was approved in January 2005 pursuant to Resolution #CZAB5-01-05. The submitted plans indicate that the maximum height of the two (2) story apartment buildings within the proposed development will be 26'-4". The RU-1 zoning district within which the residences to the west are located permits residences with a maximum height of 35'. Additionally, the open recreational area abutting the portion of the lake that encroaches onto the subject parcel from the property to the west provides a well-designed landscape open space that will provide the residents of the proposed development with a view of the lake and compliments the views from the existing residential development to the west. Also, the applicant has provided liberal buffering in the form of a continuous hedge and a row of trees along the interior side (west) and rear (south) property lines that will mitigate any negative visual impact of the rows of apartment buildings located along said property lines on the residential developments to the west and south.

Staff further opines that the design principles outlined in the submitted plans conform to the Urban Design Guidelines outlined in the CDMP covenant that was proffered by the applicant and accepted by the County at the time of the amendment of the CDMP LUP map to Business and Office during the November 1995 cycle. All of the design principles adopted in this development will create a neighborhood that is pedestrian-friendly and sympathetic to human scale as well. The applicant has diligently worked with staff in order to provide urban design principles and guidelines on the site plan. Staff is of the opinion that the proposed development has incorporated numerous principles of urban design as described in the adopted Miami-Dade Urban Design Manual to create a new development that will serve as a sensitive and well-designed transition between the commercial uses found to the east and the residential uses found to the west. Staff opines that the proposed development including the lake fill, the entrance feature and reduced setbacks will be adequately buffered and will not have a negative visual impact on the surrounding properties or on passersby along NW 182 Street or NW 59 Avenue and therefore would satisfy the criteria for compatibility set forth in the CDMP Land Use Element, **Policy LU-4A**.

Since the approval of the application would maintain the restrictions of the development of the site based on the CDMP amendment and the CDMP covenant. Staff, therefore, opines that approval of the application is **compatible** with the area and is **consistent** with the CDMP Land Use Element interpretative text for residential uses, the density threshold permitted in **Business and Office** areas, the CDMP Land Use Plan map **Business and Office** designation for the subject property and the CDMP covenant.

ZONING ANALYSIS:

As previously stated, the subject property was included in the boundaries of the Country Club-Palm Springs North Charrette. The Charrette report contained illustrative plans that depicted the a proposed infill development on the subject parcel which indicated the proposed development of the site with infill housing. As such, staff opines that the proposed development that is the subject of this application is **consistent** with the recommendation of the Country Club Palm Spring North Charrette Report approved by the Board of County Commissioners in July 2006.

The applicant seeks approval of a request for a zone change from IU-C to RU-4L (requests #1). In addition, the application seeks to approve other requests (requests #2 through #5) for the development of the site under the RU-4L zoning regulations which are contingent on the approval of the district boundary change.

For the reasons stated above, staff opines that when the applicant's requests to rezone the 8.2-acre parcel to RU-4L (request #1), is analyzed under Section 33-311, District Boundary Change; to delete a declaration of restrictions that restricts development of the west portion of the parcel under Section 33-311(A)(7), Generalized Modification Standards (request #2);and requests to permit an entrance feature with signage (request #3) and permit the filling of a portion of an existing lake (request #4), under Section 33-311(A)(3), Special Exception, Unusual and New Uses, that the approval of the requests would be **compatible** with the commercial, single and multi-family residential uses in the surrounding area.

The existing IU-C zoning district allows all the uses permitted in the IU-1, Light Industrial Manufacturing District except adult entertainment uses, and every use permitted in the IU-3, Unlimited Industrial Manufacturing District including utility plants and substations such as, but not limited to, sewage, water, power, communications and gas. Also included in the IU-3 district are uses such as scrap metal reduction plants, metal and metal ores, reduction, refining, smelting and alloying. As such, staff opines that approval of the rezoning to RU-4L (request #1), would permit residential uses that would not be out of character with, and would be more compatible with the residentially zoned properties located to the west Further, although the proposed residential development is more intensive than the single family residential development to the west, staff opines that it will provide a reasonable transition to the more intense commercial uses located to the east of the subject parcel.

Staff notes that for the reasons explained earlier, the deletion of the declaration of restrictions (request #2) as it pertains to the 100' wide buffer along the west property line will be compatible with the residential subdivision located to the west and the multi-family development to the south that was approved for a similar request pursuant to Resolution #CZAB-5-105. Further, staff notes that the applicant has provided a continuous landscaped strip comprised of a row of trees planted at approximately 30' on center and a continuous hedge. The residential properties to the west will also be buffered by an existing 8' high wall along 2/3 of the property line abutting the proposed development and a lake with a proposed 6' high wall along the remaining 1/3 portion of said property line. Further, staff notes that only seven (07) of the residential properties abut the west property line of the south portion of the proposed development and four (04) of the residences abut the northern portion of said development. Staff notes that the existing lake provides an approximately 150' buffer at the narrowest point. However, staff recommends as a condition for approval that in the event this wall is removed, the applicant shall replace this wall along the property line abutting the residential development with a 6' high CBS wall. Staff also recommends as an additional condition of approval of this request (request #2) that the applicant provides a dual, row of trees planted in staggered rows along the west property line, spaced 25' on center and be a minimum of 12' high at the time of planting. Further, staff recommends that the landscape buffer along the west property line be installed prior to the issuance of the first Certificate of Occupancy for the residential development.

Staff notes that based on the memorandum from the Public Works and Waste Management Department, the approval of the aforementioned requests #1 through #4 would efficiently use the roads, streets and highways which have been constructed, planned or budgeted for in this

area and further, would not result in excessive traffic. Their memorandum states that subject to conditions, the application meets the criteria for traffic concurrency for an Initial Development Order. In addition, staff notes that the subject property fronts onto NW 59 Avenue and NW 182 Street, and is located approximately 330' south of Miami Gardens Drive, 0.33 miles to the west of NW 57 Avenue, both of which are section line roadways that provide the parcel with connectivity to the east and west and north and south respectively. Similarly, the memorandum from the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources (RER) indicates that the approval with conditions of the aforementioned requests will not have an unfavorable impact on the environmental resources of the County. Specifically, its memorandum indicates that a review of the application for compliance with the requirements of Chapter 24 of the Code indicated that the Level of Service standards as specified in the CDMP for potable water supply, wastewater disposal and flood protection are valid for this initial development order. As a condition for approval, the DERM memorandum further requires the applicant to demonstrate that the partial lake filling will not result in higher ground water level in the area. The Miami-Dade Fire Rescue Department (MDFRD) memorandum indicates that approval with conditions of the aforementioned requests will not unduly burden the MDFRD resources that exists or that are budgeted or planned for in this area.

Based on the aforementioned, staff recommends approval of request #1 under Section 33-311, District Boundary Change, and approval with conditions request #2 under Section 33-311(A)(7) Generalized Modification Standards and requests #3 and #4 under Section 33-311(A)(3), Special Exception, Unusual and New Uses.

When request #5 to permit certain buildings setback 15' (25' required) from the rear (south) property line is analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with same. Staff notes that the proposed site abuts a recently approved multi-family residential development located to the south. A review of the approved plans for this abutting development indicates that the buildings on this site are also setback 15' from the north property line. However, the north property line for said property is an interior side property line that only required a minimum 15' setback since the property fronts onto NW 59 Avenue. Although the subject property also abuts NW 59 Avenue, the frontage for the subject property is along NW 182 Street. As such, the south property line of the subject property is the rear property line and requires a 25' setback. Staff opines that the proposed development is similar in scale and height to the previously approved development to the south and that the proposed 15' setback for some of the buildings from the rear (south) property line allows for a uniform pattern of development that will not be visually intrusive to the surrounding area and will be **compatible** with same. Further, staff notes that the submitted plans indicate a landscape buffer containing a continuous row of hedges and trees along said property line which staff opines will mitigate any negative visual impact of the encroachment. **Staff therefore recommends approval with conditions of request #5 under the Section 33-311(A)(4)(b), Non-Use Variance standards.**

Staff opines that requests #6 and #7 are not needed for this application and were inadvertently advertised. Staff notes that the RU-4L zoning district only requires that accessory structures such as the clubhouse be spaced a minimum of 20' from other residential buildings. The submitted plans indicate that the proposed clubhouse that is the subject of request #6 is spaced 23', which is more than the distance that is required by the Code. Additionally, staff's research of request #7 indicated that there is no specific requirement for the spacing between residential

buildings in the RU-4L zoning district where *doors, windows or other openings in the building wall of a living unit face a wall of the same building and/or a wall of another building (accessory) on the same site.* As such, staff recommends the withdrawal of these requests.

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate three (3) ingress/egress points along NW 59 Avenue and one (1) along NW 182 Street. The applicant has provided 37 more parking spaces than the required 304 parking spaces for the 178 unit residential development with adequate drives that connect to the aforementioned ingress/egress points.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Staff recommends denial without prejudice of the appeal, approval of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

CONDITIONS FOR APPROVAL (For requests #2 through #5 only):

General Conditions

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, 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 "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet, with all plans dated stamped, received 10/25/12, except as herein amended to show an increased landscaped buffer along the west property line. Said landscape buffer shall consist of dual, row of trees planted in staggered rows along the west property line, spaced 25' on center and be a minimum of 12' high at the time of planting.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submit to the Department of Regulatory and Economic Resources for review and approval a landscape plan which in addition to the submitted landscape plans shall include the required landscape buffer along the west property line. Said landscape buffer shall consist of a dual row of trees planted in staggered rows along the west property line, spaced 25' on center and be a minimum of 12' high at the time of planting, and shall be installed along that portion of the west property line prior to the issuance of the first Certificate of Occupancy.

5. That the applicant shall be permitted to operate construction activities for the proposed development between the hours of 7:00 A.M. and 7:00 P.M. on weekdays; Saturday and Sunday operation and/or other hours of operation than 8:00 A.M. to 5:00 P.M., may be permitted by the Director only if the same does not become objectionable, in his opinion, to the surrounding area.

Lakefill Conditions

6. That in the event the existing 8' high wall along 2/3 of the west property line is removed by the neighboring residential development to the west the applicant shall install a similar buffer within the zoning regulations.

7. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

8. That no fill be permitted within the adjacent rights-of-way.

9. That if in the opinion of the Director the lakefill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicants as directed by the Director.

10. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources as well as the Public Works and Waste Management Department for the duration of the fill project

11. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources, as set forth herein, shall be used in the fill project.

12. That in order to insure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department of Regulatory and Economic Resources, payable to Miami-Dade County, in an amount as may be determined and established by the Director of the Department of Regulatory and Economic Resources; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees, etc. The bond amount shall be based on the volume of cut required to create the approved slope configuration.

13. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

14. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

15. That the fill project shall meet all storm water management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

16. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the previously approved excavation plans and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation. In no event shall such extension allow the fill project to continue beyond three (3) years after issuance of the permit.

17. That the property shall be suitably posted to meet with the approval of the Director; said posting shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

18. That the property shall be staked to meet with the approval of the Director of the Department of Regulatory and Economic Resources; said stakes shall be maintained in proper position so that the limits of the lake fill, slopes and grade levels may be easily determined.

19. That all Federal, State and local permits be obtained prior to commencement of the lake fill. In the event that any Federal, State or local permit is revoked or otherwise held to be invalid, the lake fill operation shall immediately cease.

20. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than three (3) years from issuance of the fill permit;

21. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Department of Regulatory and Economic Resources.

22. That the applicant shall be permitted to operate between the hours of 7:00 A.M. and 7:00 P.M. on weekdays; Saturday and Sunday operation and/or other hours of operation than 8:00 A.M. to 5:00 P.M., may be permitted by the Director only if the same does not become objectionable, in his opinion, to the surrounding area.

23. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the lakefill operation progresses. In accordance with this requirement, the applicants shall submit "as built" surveys prepared and sealed by a Florida licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the lake fill operation or at six-month intervals, whichever is of a lesser duration, or upon request of either the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources when it appears that the lake fill is proceeding contrary to approved plans.

24. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda that are incorporated herein by reference.

25. That any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.

ES:MW:NN:AN:CH

Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No comment
Schools	No objection
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Business and Office (Page I-41)	*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 (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 factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.* *Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.* ***Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.*** *If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.*

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

Land Use Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	(A) *The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.* *(F)* ***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.*
Section 33-311(A)(3) Special Exception, Unusual and New Uses.	*Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other*

	equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	*Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*
Section 33-311(A)(7) Generalized Modification Standards.	*The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.*

ZONING ACTION

MEMORANDUM
Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
(305) 375-5126
(305) 375-2484 FAX
www.miami-dadeclerk.com

DATE: **May 23, 2013** **#Z-**

ITEM: 1. MIAMI GARDENS PARK, LLC
(13-1-CZ5-1/12-089)

APPLICANT: Miami Gardens Park, LLC

MOTION: To Defer the application to No Date Certain

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro		X		
Bovo	S	X		
Diaz				X
Edmonson				X
Heyman				X
Jordan	M	X		
Monestime				X
Moss		X		
Souto				X
Suarez		X		
Zapata				X
Vice Chair Bell		X		
Chairwoman Sosa		X		
TOTAL		**7**	**0**	**6**

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

A

APPLICANT'S NAME: **MIAMI GARDENS PARK, LLC**

REPRESENTATIVE: Javier Vazquez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-1-CZ5-1 (12-089)	March 14, 2013	CZAB5	1	12

REC: Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

☐ 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

■ OTHER: Modification of Conditions #5 and 22 to delete Saturday and Sunday operations for construction on the site.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN	S	Jessica FORTICH	X		
VICE CHAIRMAN	M	Juan A. GARCIA (C.A.)	X		
COUNCILMAN		Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF			X
CHAIR WOMAN		Joanne CARBANA	X		
		VOTE:	4	0	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **JOHN MCINNIS**

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

A

APPLICANT'S NAME: **MIAMI GARDENS PARK, LLC**

REPRESENTATIVE: Javier Vazquez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-1-CZ5-1 (12-089)	February 28, 2013	CZAB5		12

REC: Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

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

■ DEFER: ☐ INDEFINITELY ■ TO: **March 14, 2013** ☐ 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

■ OTHER: Deferred by the Board to allow the applicant to meet with the neighbors for a second time.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN	S	Jessica FORTICH	X		
VICE CHAIRMAN		Juan A. GARCIA (C.A.)		X	
COUNCILMAN	M	Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF			X
CHAIR WOMAN		Joanne CARBANA	X		
		VOTE:	3	1	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **JOHN MCINNIS**

17

MIAMI-DADE COUNTY
COMMU...Y ZONING APPEALS BOAI.. - AREA 5
MOTION SLIP

#1

APPLICANT'S NAME: **MIAMI GARDENS PARK, LLC**

REPRESENTATIVE: Javier Vazquez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-1-CZ5-1 (12-089)	January 17, 2013	CZAB5		12

REC: Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

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

■ DEFER: ☐ INDEFINITELY ■ TO: February 28, 2013 ☐ 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

■ OTHER: Deferred at applicant's request to allow the applicant to work with the neighbors.

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIR WOMAN	M	Joanne CARBANA	X		
COUNCILWOMAN	S	Jessica FORTICH	X		
COUNCILMAN		Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF	X		
CHAIRMAN		Juan A. GARCIA (C.A.)	X		
		VOTE:	5	0	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **JOHN MCINNIS**

A. MIAMI GARDENS PARK, LLC
(Applicant)

13-1-CZ5-1 (12-089)
BCC/District 01
Hearing Date: 06/20/13

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
1982	1000 Brickell Inc.	-Zone change fro AU, RU-3M and RU-4L to IUC. -Unusual use for a lake Excavation. -Deletion condition #3 of Resolution Z-22-80.	BCC	Approved with Condition(s)

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.

Memorandum

MIAMI-DADE COUNTY

Date: September 5, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: #Z2012000089-1st Revision
Miami Gardens Park, LLC
SW Corner of NW 182nd Lane and NW 59th Avenue
Zone Chance from IU-C to RU-4L; Modification of a Previous Agreement; Unusual Use to Permit and Entrance Feature; and Unusual Use to Permit the Filling of a Lake
(IU-C) (8.2 Acres)
12-52-40

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application 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.

Be advised that the water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

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 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 alternate means of sewage disposal. Use of an alternate 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
The proposed site plan does not match the previously approved paving and drainage plans under the existing Environmental Resource Permit number 13-03926-P issued by the Department. Therefore, a letter of permit modification is required. This letter must be obtained prior to the Department Plan Review and Development Approval.

The applicant shall demonstrate that partial filling of the existing lake will not result in higher ground water level in the surrounding area.

Any development in the post filling operation shall be required to conform to the conditions of a Surface Water Management Permit issued by the Department.

Wetlands
This property is part of Class IV Wetland Permit FW 00-083 which was issued for the filling of 0.037 acres of wetlands for a roadway between NW 186th Street and NW 177th Street. The permit expired on March 26, 2006. However, prior to the expiration date, 0.018 acres of wetlands were filled. The remainder 0.019 acres of wetlands were permitted under the same permit number (Class IV Wetland Permit FW00-083) on January 22, 2007, and expired on January 22, 2009. An on site inspection performed by staff on August 13, 2010 revealed that the wetlands on site were filled prior to the permit expiration date.

Therefore, this Section has no objection to the scheduling of this zoning application provided that no impacts occur beyond what was permitted on this site.

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
From 2007 to 2009 tree resources have been removed from this property without first obtaining the required Miami-Dade County Tree Removal/Relocation Permit. Consequently, the property owner shall be required to obtain an After-the-Fact Tree Removal/Relocation Permit. The applicant is advised that enforcement action may be forthcoming as a consequence of the violation. Section 24-49 of the Code requires the preservation of tree resources. Therefore, this Department will require the preservation of all the specimen-sized trees (trunk diameter 18 inches or greater) as defined in the Code, on the site.

A Miami Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is advised to contact the Tree Permitting Program at (305)-372-6600, voice option #2, for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History
There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary
A concurrency review has been conducted 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 written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

REVISION 1

PH# Z2012000089
CZAB - C05

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MIAMI GARDENS PARK, LLC

This Department has no objections to this application.

This land requires re-platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

A re-plat is required to remove a 10 foot utility easement along the western boundary of the property where the 4 buildings are proposed.

Additional improvements may be required at time of permitting/platting.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 117 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
F-1233	Miami Gardens Dr. e/o NW 57 Ave.	B	B
F-2516	Miami Gardens Dr. w/o NW 57 Ave.	E	E
F-1190	NW 57 Ave. s/o NW 173 Dr.	E	E
F-2514	NW 57 Ave. n/o NW 183 St.	B	B

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-SEP-12

Memorandum

MIAMI-DADE COUNTY

Date: August 8, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From: Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: DIC #12-089
Miami Gardens Park,LLC

Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-089
Miami Gardens Park, LLC

Application: ***Miami Gardens Park, LLC*** is requesting a district boundary change from Industrial (IU-C) to Limited Apartment House District (RU-4L) to develop 180 residential dwelling units on the property, in the form of a gated community, to be distributed among 16 buildings. The applicant also requests a modification to an existing covenant to delete Declaration of Restrictions recorded in O.R. Book 11507, at Page 577 and unusual use permits to allow for a guardhouse, gate, and to fill a lake.

Size: The subject property is approximately 8.2 acres.

Location: The subject property is approximately located at the SW corner of NW 182 Lane and NW 59 Avenue, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The development of a gated community comprised of 180 residential dwelling units among 16 buildings will likely be considered development for a "multi-family residential establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Multi-family Units

Regarding **multi-family units, Section 15-2.2a** requires "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below."

1) Newspaper
2) Glass (flint, emerald, amber)
3) Aluminum cans
4) Steel cans
5) Plastics (PETE, HDPE-natural, HDPE-colored)

Section 15-2.2b states the failure of a multi-family residential establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner(s) shall be liable, provided, however, that in the case of a condominium or cooperative apartment having a condominium association or cooperative apartment association, said association, rather than individual unit owners, shall be liable for any such violation.

Applicants are ***strongly*** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling programs must be made directly to the Department at 305 514-6666.

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends").
b. "T" shaped turnaround 60 feet long by 10 feet wide.
c. Paved throughway of adequate width (minimum 15 feet).

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle accesss. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

HANS OTTINOT, ESQ.
17524 N.W. 61ST COURT
MIAMI, FL 33015
TEL: (786) 202-1136
FAX: (305) 792-1562
EMAIL: HOTTINOT@SIBFL.NET

RECEIVED
2/2.05
MAR 28 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

March 28, 2013

Attn: Zoning Department of Miami-Dade County
111 N.W. 1st Street
Miami, FL 33128

Re: Appeal to Board of County Commissioners for
Hearing No. 13-1-CZ5-1
Miami Gardens Park, LLC

Dear Sir/Madam:

The undersigned represents Moors Patio Homes Maintenance Association, Inc., Antonio Sanchez, Tangelia Smith, Jorge Trujillo, Elizabeth Ferrero, Rhoda Mutton, and Linda M. Schmidta regarding the above-referenced matter.

Please find attached a joint appeal petition filed by the aforementioned parties against the zoning approval issued to Miami Gardens Park, LLC. Also, enclosed is the check in the amount of $1,188.88 for the filing fee.

Please direct all correspondence, notices, etc. to the undersigned at the address or email indicated above.

Thank you for your prompt attention to this matter.

Sincerely,

Hans Ottinot, Esq.

cc: Board of Directors, Moors Patio Homes
Clients

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

CHECKED BY _____ AMOUNT OF FEE 1188.88

RECEIPT # _____

DATE HEARD: 3/14/13

BY CZAB # 5

RECEIVED
212-089
MAR 28 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

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. 13-1-CZ5-1 212-089

Filed in the name of (Applicant) Miami Gardens Park, LLC

Name of Appellant, if other than applicant Moors Patio Homes Maintenance, Ass., et. al. (See Exhibit "A")

Address/Location of APPELLANT'S property:
Lying between 167 Street and Miami Gardens Drive from South to North and lying between N.W. 67th Ave to 60th Ave from East to West.

Application, or part of Application being Appealed (Explanation):
Entire Appealable Application.

Appellant (name): Moors Patio Homes Maintenance Ass., et. al. (See Exhibit "A") 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 reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

(1) Community Council violated Appellants' Due Process Rights.

(2) Notices For Zoning application was defective.

(3) Zoning approval is inconsistent with Comprehensive Plan.

(4) See Exhibit "B" for additional grounds.

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed _____

Moors Patio Homes Maintenance Ass.
Print Name

17321 N.W. 66th Court, Miami, Fl 33015
Mailing Address

Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Moors Patio Homes Maintenance Ass.
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

Jasmine L Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl Notary Discount Assoc. Co.
1-800-3-NOTARY

Commission expires: November 18, 2014

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 Moors Patio Homes Maintenance Ass. (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

MARLINE PIERRESAINT
Print Name

Appellant's signature

Hans Ottinot
Print Name

Signature

Print Name

Sworn to and subscribed before me on the ____ day of March, year 2013.

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

Jasmine L. Barnes
Notary
(Stamp/Seal)

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
1-800-3-NOTARY Fl Notary Discount Assoc. Co.

APPELLANT MUST SIGN THIS PAGE

Date: 21st day of March, year: 2013

Signed _____

ANTONIO SANCHEZ
Print Name

17321 NW 66 CT Miami 33015
Mailing Address

305-821-9923 Phone

305-821-5401 Fax

REPRESENTATIVE'S AFFIDAVIT

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

Antonio Sanchez
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 21st day of March, year 2013

_____
Notary Public

(stamp/seal)

DORIS PRADO
MY COMMISSION # EE 010023
EXPIRES: July 22, 2014
Bonded Thru Budget Notary Services

Commission expires:

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 Antonio Sanchez-Pres. (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
2. Original Applicant
3. Written objections, waivers 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

Yanissey Silveira
Print Name

Signature

Print Name

Appellant's signature

ANTONIO SANCHEZ
Print Name

Sworn to and subscribed before me on the 21st day of March, year 2013.

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

Notary
(Stamp/Seal)

Commission Expires:

DORIS PRADO
MY COMMISSION # EE 010023
EXPIRES: July 22, 2014
Bonded Thru Budget Notary Services

[b:forms/affidapl.sam(11/03)]

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed _____

Tangelia Smith
Print Name

17595 N.W. 60th Pl Hialeah, FL 33015
Mailing Address

Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Tangelia Smith
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

_____
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.
1-800-3-NOTARY

Commission expires: November 18, 2014

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 Tangelia Smith (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

MARLINE FLORESTAM
Print Name

Appellant's signature

Tangelia Smith
Print Name

Signature

Print Name

Sworn to and subscribed before me on the ____ day of March, year 2013.

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

Jasmine L. Barnes
Notary
(Stamp/Seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co.

Commission Expires: November 18, 2014

[b:forms/affidapl.spa(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed _____

Jorge L. Trujillo
Print Name

17513 N.W. 61st Ct. Hialeal, FL 33015
Mailing Address

Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate: Jorge L. Trujillo
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

Jasmine L Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
1-800-NOTARY Fl. Notary Discount Assoc. Co.

Commission expires: November 18, 2014

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 Jorge L. Trujillo (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
___ 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

MARLINE PIERRESAINT
Print Name

Appellant's signature

Jorge L Trujillo
Print Name

Signature

Print Name

Sworn to and subscribed before me on the 24th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed _____

ELIZABETH FERRERO
Print Name

17525 NW 61 CT N
Mailing Address

305 8233321
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Elizabeth Ferrero
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

_____
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
1-800-3-NOTARY FL Notary Discount Assoc. Co

Commission expires: November 18, 2014

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 Elizabeth Ferrero (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Fernando Amuchastegui
Print Name

Appellant's signature

ELIZABETH FERRERO
Print Name

Signature

Print Name

Sworn to and subscribed before me on the 24th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed Rhoda Mutton

RHODA MUTTON
Print Name

17517 N.W. 61st Court, Hialeah, FL 33015
Mailing Address

Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

Jasmine L Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co
1-800-3-NOTARY

Commission expires: November 18, 2014

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 RHODA MUTTON (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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 — Rhoda Mutton
Appellant's signature

Fernando Arruchategui
Print Name — RHODA MUTTON
Print Name

Signature

Print Name

Sworn to and subscribed before me on the 24th day of March, year 2013.

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

Jasmine L Barnes
Notary
(Stamp/Seal)

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co.
1-800-3-NOTARY

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed Linda M. Schmidt

LINDA M. SCHMIDT
Print Name

17617 NW 61ST CT. N.
Mailing Address

Miami, FL. 33015

Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Linda M. Schmidt
Representing

Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202- 1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

Jasmine L Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl Notary Discount Assoc. Co.

Commission expires: November 18, 2014

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 Linda M. Schmidt (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
✓ 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

Fernando Amuchastegui
Print Name

Linda M. Schmidt
Appellant's signature

LINDA M. SCHMIDT
Print Name

Signature

Print Name

Sworn to and subscribed before me on the 24th day of March, year 2013.

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

Jasmine L Barnes
Notary
(Stamp/Seal)

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.
1-800-3-NOTARY

EXHIBIT "A"

NAMES OF APPELLANTS

(1) Moors Patio Maintenance Association, Inc.;

(2) Antonio Sanchez;

(3) Tangelia Smith;

(4) Jorge Trujillo;

(5) Elizabeth Ferrero;

(6) Rhoda Mutton;

(7) Linda M. Schmidt.

EXHIBIT "B"

GROUNDS AND REASONS SUPPORTING REVERSAL

(1) Community Council 5 violated Appellants' due process rights;

(2) Notices for zoning application were defective on its face;

(3) Zoning approval is inconsistent with Miami-Dade Comprehensive Plan;

(4) Failure to obtain prior to zoning approval Letter of Permit regarding Environmental Resource Permit Number 13-03926-P;

(5) Unusual Use Request to fill lake did not comply with requirements of County Code;

(6) Non-Use Variances granted inconsistent with the requirements of the County Code and state law;

(7) Deletion of Declaration Restrictions requiring 100 feet buffer to protect single family home neighborhood violates County Code and state law requirements.

RECEIVED
2/12.089
APR 01 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

HANS OTTINOT, ESQ.
17524 N.W. 61ST COURT
MIAMI, FL 33015
TEL: (786) 202-1136
FAX: (305) 792-1562
EMAIL: HOTTINOT@SIBFL.NET

March 29, 2013

Ronald Connally, Supervisor
Zoning Department of Miami-Dade County
111 N.W. 1st Street
Miami, FL 33128

Re: Appeal to Board of County Commissioners for Hearing No. 13-1-CZ5-1 Miami Gardens Park, LLC

Dear Mr. Connally:

Pursuant to your request, please find enclosed revised affidavits for the Appeal. Additionally, please find the Disclosure of Interest Form from the Moors Patio Homes Association.

Thank you for your prompt attention to this matter.

Sincerely,

Hans Ottinot, Esq.

cc: Board of Directors, Moors Patio Homes
Clients

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of March, year: 2013

Signed _____

Moors Patio Homes Maintenance Ass.
Print Name

17321 N.W. 66th Court, Hialeah, FL 33015
Mailing Address

(786)202-1136
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate: Moors Patio Homes Maintenance Ass.
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 28TH day of March, year 2013

Jasmine L Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co.

Commission expires: November 18, 2014

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 Hans Ohlinot (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Fernando Amurrio

Print Name

Signature

Kevin P Sherbas

Print Name

Appellant's signature

Hans Ohlinot

Print Name

Sworn to and subscribed before me on the 29th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl Notary Discount Assoc. Co.

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of March, year: 2013

Signed _____

ANTONIO SANCHEZ
Print Name

17321 NW 66 Ct. Hialeah 33015
Mailing Address

305 7734886 _____
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 28th day of March, year 2013

_____
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES November 18, 2014
FI Notary Discount Assoc. Co.
1-800-3-NOTARY

Commission expires: November 18, 2014

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 Antonio Sanchez-Pres. (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Hans Ottinot
Print Name

Signature

Margarita Ottinot
Print Name

Appellant's signature

ANTONIO SANCHEZ
Print Name

Sworn to and subscribed before me on the 28th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of March, year: 2013

Signed Linda M. Schmidt

LINDA M. SCHMIDT
Print Name

17617 NW 61ST CT.
Mailing Address

305 283-6568 _____
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate: Linda M. Schmidt
Representing

Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 28th day of March, year 2013

Jasmine L. Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl Notary Discount Assoc. Co.

Commission expires: November 18, 2014

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 Linda M. Schmidt (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Print Name

Signature

Print Name

Linda M. Schmidt
Appellant's signature

LINDA M. SCHMIDT
Print Name

Sworn to and subscribed before me on the 28th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.
1-800-3-NOTARY

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of March, year: 2013

Signed _____

Jorge L. Trujillo
Print Name

17513 N.W. 61st Ct, Hialeah, FL 33015
Mailing Address

(786) 202-1136 _____
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Jorge L. Trujillo
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 28th day of March, year 2013

_____
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES November 18, 2014
FL Notary Discount Assoc. Co.
1-800-3-NOTARY

Commission expires: November 18, 2014

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 Jorge L. Trujillo (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Elizabel Trujillo
Print Name

Signature

Hans Ottiwt
Print Name

Appellant's Signature

Jorge L. Trujillo
Print Name

Sworn to and subscribed before me on the 20th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl Notary Discount Assoc. Co.

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of March, year: 2013

Signed _____

Elizabeth Ferrero
Print Name

17525 NW 61st Ct. Miami, FL. 33015
Mailing Address

3058233321 _____
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Elizabeth Ferrero
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 28th day of March, year 2013

_____
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co.

Commission expires: November 18, 2014

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 Elizabeth Ferrero (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Print Name

Signature

Margarita Ottinot
Print Name

Appellant's signature

Elizabeth Ferrero
Print Name

Sworn to and subscribed before me on the 28th day of March, year 2013.

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

Jasmine
Notary
(Stamp/Seal)

JASMINE L. BARNES
COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co.
1-800-3-NOTARY

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

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 Tangelia Smith (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Margarita Ottinot
Print Name

Signature

Hans Ottinot
Print Name

Appellant's signature

Tangelia S. Smith
Print Name

Sworn to and subscribed before me on the 30th day of March, year 2013.

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

Jasmine L Barnes
Notary
(Stamp/Seal)

Commission Expires: November 18, 2014

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
1-800-3-NOTARY Fl. Notary Discount Assoc. Co.

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 30th day of March, year: 2013

Signed Tangelia G. Smith

Tangelia G. Smith
Print Name

17995 NW 60th Pl Miami Lakes FL 33015
Mailing Address

786-253-8086 _____
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Tangelia G. Smith
Representing

Signature

Hans Ottinot
Print Name

17524 N.W. 61st. Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 30th day of March, year 2013

Jasmine L Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.
1-800-3-NOTARY

Commission expires: November 18, 2014

RESOLUTION NO. CZAB5-1-13

WHEREAS, **MIAMI GARDENS PARK, LLC** applied for the following:

(1) DISTRICT BOUNDARY CHANGE from IU-C to RU-4L.

(2) DELETION of a Declaration of Restrictions recorded in Official Record Book 11507, Pages 577 through 581, only as it applies to the subject property.

The purpose of the request is to remove the requirements that calls for a 50' no building area, a 50' greenbelt open space and a 10' utility easement along the west property line.

(3) UNUSUAL USE to permit an entrance feature; to wit: an entrance feature consisting of decorative masonry walls 8' in height and signage.

(4) UNUSUAL USE to permit the filling of a portion of an existing lake.

(5) NON-USE VARIANCE of setback requirements to permit certain buildings setback 15' from the rear (south) property line (25' required).

(6) NON-USE VARIANCE of spacing requirements to permit the clubhouse to be spaced a minimum 23'-8" (20' required) from other residential buildings

(7) NON-USE VARIANCE of spacing requirements to permit certain residential buildings to be spaced 16' (20' required) from each other.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Prop osed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect consisting of 17 sheets and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc., consisting of 1 sheet, with all plans dated stamped received 10/25/12, Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract "A" of Garden Park S ubdivision PB 167, PG 29

LOCATION: Lying West of NW 59 Avenue and South of theoretical NW 182 Lane, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 5 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 district boundary change to RU-4L (Item #1) would be consistent with the Comprehensive Development Master Plan and would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that requested deletion of a Declaration of Restrictions recorded in Official Record Book 11507, Pages 577 through 581, only as it applies to the subject property (Item #2), the requested unusual use to permit an entrance feature; to wit: an entrance feature consisting of decorative masonry walls 8' in height and signage (Item #3), the requested unusual use to permit the filling of a portion of an existing lake (Item #4), and the requested non-use variance of setback requirements to permit certain buildings setback 15' from the rear (south) property line (Item #5), would be compatible with the area and its development and 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 would be consistent with the Comprehensive Development Master Plan, and that the requested unusual uses (Items #3 and #4) would not have an adverse impact upon the public interest and should be approved, and that the requested non-use variance of spacing requirements to permit the clubhouse to be spaced a minimum 23'-8" from other residential buildings (Item #6), and the requested non-use variance of spacing requirements to permit certain residential buildings to be spaced 16' from each other (Item #7) shall be withdrawn per the Department's recommendation, and

WHEREAS, a motion to approve Items #1 through #5 and to withdraw Items #6 and #7 per the Department' s recommendation was offered by Juan A. Garcia, seconded by Jessica Fortich, and upon a poll of the members present the vote was as follows:

Juan A. Garcia	aye	Leonardo A. Perez	aye
Jessica Fortich	aye	Alexander C. Senderoff	absent

Joanne Carbana aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 5, that the requested district boundary change to RU-4L (Item #1) be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that the requested deletion of a Declaration of Restrictions recorded in Official Record Book 11507, Pages 577 through 581, only as it applies to the subject property (Item #2), the requested unusual use to permit an entrance feature; to wit: an entrance feature consisting of decorative masonry walls 8' in height and signage (Item #3), the requested unusual use to permit the filling of a portion of an existing lake (Item #4), and the requested non-use variance of setback requirements to permit certain buildings setback 15' from the rear (south) property line (Item #5), be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, 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 "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lak e Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet with all plans dated stamped received 10/25/12, except as herein amended to show an increased landscaped buffer along the west property line. Said landscape buffer shall consist of dual, row of trees planted in staggered rows along the west property line, spaced 25' on center and be a minimum of 12' high at the time of planting.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submit to the Department of Regulatory and Economic Resources for review and approval a landscape plan which in addition to the submitted landscape plans shall include the required landscape buffer along the west property line. Said

landscape buffer shall consist of a dual row of trees planted in staggered rows along the west property line, spaced 25' on center and be a minimum of 12' high at the time of planting, and shall be installed along that portion of the west property line prior to the issuance of the first Certificate of Occupancy.

5. That the applicant shall be permitted to operate construction activities for the proposed development between the hours of 7:00 A.M. and 7:00 P.M. on weekdays, may be permitted by the Director only if the same does not become objectionable, in his opinion to the surrounding area.

Lake Fill Conditions

6. That in the event the existing 8' high wall along 2/3 of the west property line is removed by the neighboring residential development to the west the applicant shall install a similar buffer within the zoning regulations.

7. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

8. That no fill be permitted with the adjacent rights-of way.

9. That if in the opinion of the Director the lakefill is hazardous to the surrounding area, the hazardous area shall be fenced in or otherwise protected, by the applicants as directed by the Director.

10. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources as well as the Public Works and Waste Management Department for the duration of the fill project.

11. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources, as set forth herein, shall be used in the fill project.

12. That in order to insure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posed with the Department of Regulatory and Economic Resources, payable to Miami-Dade County, in an amount as may be determined and established by the Director of the Department of Regulatory and Economic Resources; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees, etc. The bond amount shall be based on the volume of cut required to create the approved slope configuration.

13. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

14. That neither the clean fill material piles; nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

15. That the fill project shall meet all storm water management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

16. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the previously approved excavation plans and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation. In no event shall such extension allow the fill project to continue beyond three (3) years after issuance of the permit.

17. That the property shall be suitably posted to meet with the approval of the Director; said posting shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

18. That the property shall be staked to meet with the approval of the Director of the Department of Regulatory and Economic Resources; said stakes shall be maintained in proper position so that the limits of the lake fill, slopes and grade levels may be easily determined.

19. That all Federal, State and local permits be obtained prior to commencement of the lake fill. In the event that any Federal, State or local permit is revoked or otherwise held to be invalid, the lake fill operation shall immediately cease.

20. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than three (3) years from issuance of the fill permit.

21. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Department of Regulatory and Economic Resources.

22. That the applicant shall be permitted to operate between the hours of 7:00 A.M. and 7:00 P.M. on weekdays, may be permitted by the Director only if the same does not become objectionable, in his opinion, to the surrounding area.

23. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project as the project develops and the lakefill operation progresses. In accordance with this requirement, the applicants shall submit "as built" surveys prepared and sealed by a Florida licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the lake fill operation or at six-month intervals, whichever is of a lesser duration, or upon request of either the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources when it appears that the lake fill is proceeding contrary to approved plans.

24. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda that are incorporated herein by reference.

25. That any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.

BE IT FURTHER RESOLVED that Items #6 and #7 be and the same are hereby withdrawn without prejudice.

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 Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources.

PASSED AND ADOPTED this 14th day of March, 2013.

Hearing No. 13-1-CZ5-1
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 5, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB5-1-13 adopted by said Community Zoning Appeals Board at its meeting held on the 14th day of March, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 20th day of March, 2013.

Earl Jones, Deputy Clerk (3230)
Miami-Dade Department of Department of Regulatory and Economic Resources

SEAL

Memorandum

MIAMI-DADE COUNTY

Date: November 13, 2012

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief M.N.
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2012000089: MIAMI GARDENS PARK, LLC
Includes plans dated stamped received through 10/25/12.

Application Name: MIAMI GARDENS PARK, LLC

Project Location: The site is located west of NW 59 AVENUE and south of theoretical NW 182 LANE, Miami-Dade County. Review includes plans dated stamped received through 10/25/12.

Proposed Development: The applicant is requesting approval for a district boundary change from IU-C to RU-4L for development of 180 dwelling units and a centralized clubhouse. An unusual use to permit an entry feature for a guardhouse and gate and to fill a portion of a lake is requested. Also requested is a modification of an existing covenant.

Impact and demand: The proposed development consisting of 180 dwelling units generates the need for approximately 1.36 acres of parkland based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population. The site is located in Park Benefit District 1 which has a surplus of 310.91 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District. The Department has no objection to this application.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space.

Current Park Benefit District Area Conditions: County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park. The nearest park to the application is Country Village Park which is located .5 miles northwest of the site.

Table A - County Parks (local only)
Within a 3 Mile Radius of Application Area.

Park Facility	Classification	Acreage
Lake Stevens Park	NEIGHBORHOOD PARK	11.75
Country Village Park	COMMUNITY PARK	16.74
Country Club of Miami Tot Lot	MINI-PARK	0.30
Country Lake Park	COMMUNITY PARK	19.20
Acadia Park	NEIGHBORHOOD PARK	5.99
North Glade Park	COMMUNITY PARK	3.98
Spanish Lake	NEIGHBORHOOD PARK	6.37

Country Club of Miami South Park	COMMUNITY PARK	88.29
Norman & Jean Reach Park	COMMUNITY PARK	19.28
North Pointe Community Ctr.	COMMUNITY PARK	5.58
Area 1176	MAINTENANACE AREA	35.38
Area 262	MAINTENANCE AREA	34.37

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

REVISION 1

Memorandum

Date: 06-NOV-12

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2012000089

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated 07/19/12.
APPROVAL
No objection via Case # Z2012000089 with the following condition:
A Knox key switch required at entry gates.

Service Impact/Demand

Development for the above Z2012000089
located at Lying west of NW 59 AVENUE and south of theoretical NW 182 LANE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0174 is proposed as the following:

180 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: 50.49 alarms-annually.
The estimated average travel time is: 6:32 minutes

Existing services

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

Station 1 - Miami Lakes - 16699 NW 67 Avenue
Rescue, ALS Aerial

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 Letter of Intent. Substantial changes to the Letter of Intent will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 26-APR-13
REVISION 2

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

MIAMI GARDENS PARK, LLC

APPLICANT

Lying west of NW 59 AVENUE and south of theoretical NW 182 LANE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2012000089

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC: No open cases, prior case 201207002831 was opened September 21, 2012 for Failure to perform lot maintenance and a warning was issued. Reinspection October 18, 2012 and violation corrected and case closed. Previous case 201207002556 was opened August 21, 2012 for junk/trash and case closed on September 21, 2012.

Miami Gardens Park LLC

OUTSTANDING FINES, PENALTIES, COST OR LIENS INCURRED PURSUANT TO CHAPTER 8CC:

REPORTER NAME:

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Miami Gardens Park, LLC

NAME AND ADDRESS	Percentage of Stock
Richard Rafuls	50%
Hector Marrero	50%
7901 West 25 Avenue, Bay 3	
Hialeah, Florida 33016	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

NAME AND ADDRESS	Percentage of Interest

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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 principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the 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.

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2012-084
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BY

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the 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: _____
(Applicant)

Sworn to and subscribed before me this 28th day of June, 2012. Affiant is personally know to me or has produced _____ as identification.

Clara Martinez
(Notary Public)
CLARA MARTINEZ
My commission expires: 05/01/16

Notary Public State of Florida
Clara Martinez
My Commission EE 166954
Expires 05/01/2016
Seal

*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.

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Moors Patio Homes Maintenance Association, Inc.

NAME AND ADDRESS	Percentage of Stock
Antonio Sanchez, President 17321 N.W. 66 Ct. Miami, FL 33015	N/A
Tangelia Smith, Vice President 17321 N.W. 66 Ct. Miami, FL 33015	N/A
Elicecer Cuba, Treasurer 17321 N.W. 66 Ct. Miami, FL 33015	N/A

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

NAME AND ADDRESS	Percentage of Interest

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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 principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the 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 any changes of ownership or changes in purchase contracts after the date of the 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: X _____ (Applicant) President

Sworn to and subscribed before me this 28TH day of March, 2013. Affiant is personally know to me or has produced FL DL as identification.

Jasmine L. Barnes
(Notary Public)

My commission expires: November 18, 2014

Seal

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co.
1-800-3-NOTARY

*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.

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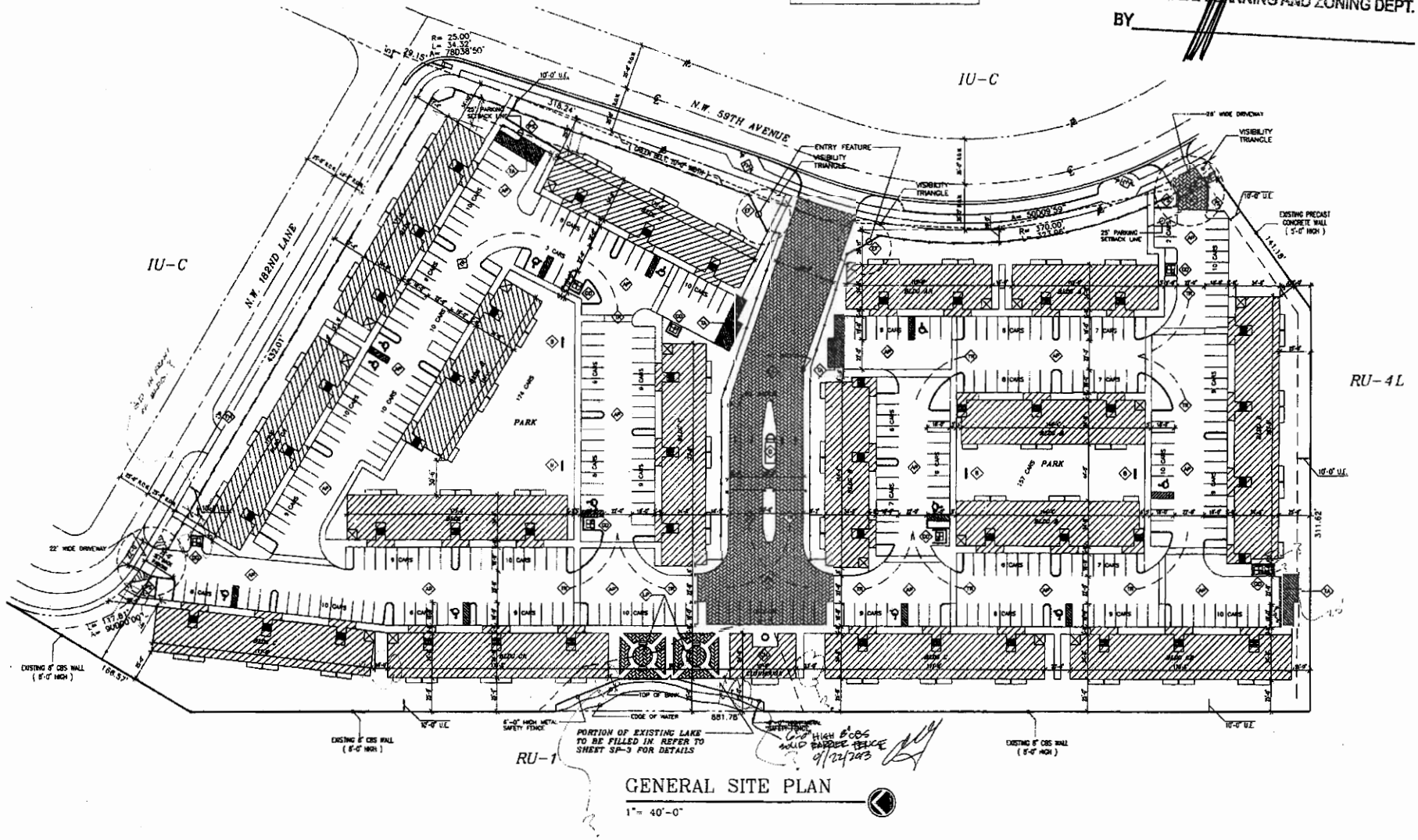
LEGAL DESCRIPTION
TRACT A OF GARDENS PARK SUBDIVISION
PLAT BOOK 167 PAGE 29
OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY



GENERAL SITE PLAN
1" = 40'-0"

ENLARGED SITE PLAN

PROPOSED SITE PLAN ZONING LEGEND

TOTAL SQUARE FOOTAGE PROVIDED 167,248 SQ.FT.

TOTAL FLOOR AREA RATIO PROVIDED 170,266 SQ.FT.

*NOTE: GARBAGE PICKUP TO BE DONE BY PRIVATE CONTRACTOR.

*NOTE: WATER & SEWER BY MIAMI DADE W.A.S.A.

LOT COVERAGE DATA

BLDG TYPE	NO. OF BLDGS	LOT COVERAGE
BLDG. A	1 BUILDINGS	4,231SF
BLDG. AR	1 BUILDINGS	4,231SF
BLDG. B	4 BUILDINGS	5,390SF
BLDG. C	6 BUILDINGS	6,347SF
BLDG. CR	3 BUILDINGS	6,347SF
BLDG. D	1 BUILDING	7,546SF
CLUBHOUSE	1 BUILDING	1,930SF

LOT COVERAGE CALCULATIONS

BLDG TYPE		
BLDG. A	1 @ 4,231 SF	= 4,231 SF
BLDG. AR	1 @ 4,231 SF	= 4,231 SF
BLDG. B	4 @ 5,390 SF	= 21,560 SF
BLDG. C	6 @ 6,347 SF	= 38,082 SF
BLDG. CR	3 @ 6,347 SF	= 19,041 SF
BLDG. D	1 @ 7,546 SF	= 7,546 SF
CLUBHOUSE	1 @ 1,930 SF	= 1,930 SF
TOTAL LOT COVERAGE		95,623 SF

LEGAL DESCRIPTION

TRACT A OF GARDENS PARK SUBDIVISION
PLAT BOOK 167 PAGE 29
OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY

LOCATION SKETCH

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212-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

SITE PLAN SYMBOL LEGEND

ID	SYMBOL DESCRIPTION
A	DENOTES LOCATION OF BRICK PAVERS
B	DENOTES LOCATION OF BICYCLE RACK
C	DENOTES LOCATION OF FOUNTAIN
AP	DENOTES LOCATION OF ASPHALT PAVING
GH	DENOTES LOCATION OF GUARDHOUSE SEE SHEET GH-1 FOR DETAILS
CH	DENOTES LOCATION OF CLUBHOUSE SEE SHEET CH-1 FOR DETAILS
TR	DENOTES 50' FIRETRUCK CL TURNING RADIUS
EF	DENOTES LOCATION OF ENTRY FEATURE
PS	DENOTES LOCATION OF 30" HIGH PARKING STALL SCREEN WALL
GD	DENOTES LOCATION OF GARBAGE DUMPSTER
TA	DENOTES LOCATION OF PARKING TURNAROUND AREA. TO BE STRIPPED AND LABELED AS NO PARKING TURNAROUND ONLY
LP	DENOTES LOCATION OF BRICK PAVERED LAKEVIEW PLAZA

GENERAL SITE PLAN
1" = 40'-0"

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GENERAL SITE PLAN

PROPOSED 178 APARTMENTS FOR : MIAMI GARDENS PARK	OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA OWNER TELEPHONE : (305) 883-8881 JOB ADDRESS :	DATE 04/23/12 SCALE AS NOTED SHEET OF SP-1	OSCAR J. GONZALEZ ARCHITECT ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1	10/17/12	O.J.G
2		O.J.G
3		O.J.G

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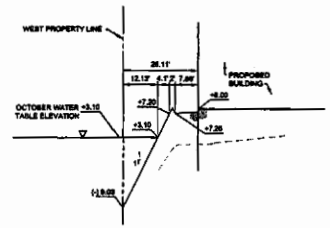
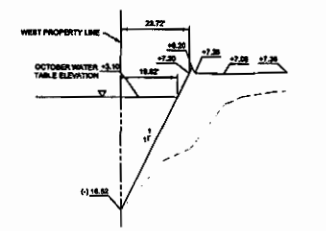


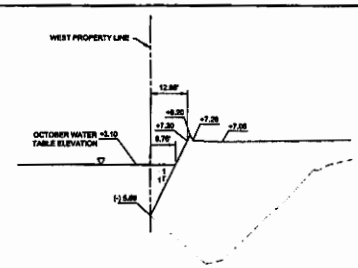
PROPOSED LAKE CROSS SECTION @ (-)10.45

SCALE: 1"=10'V,1"=20'H (LOOKING NORTH)



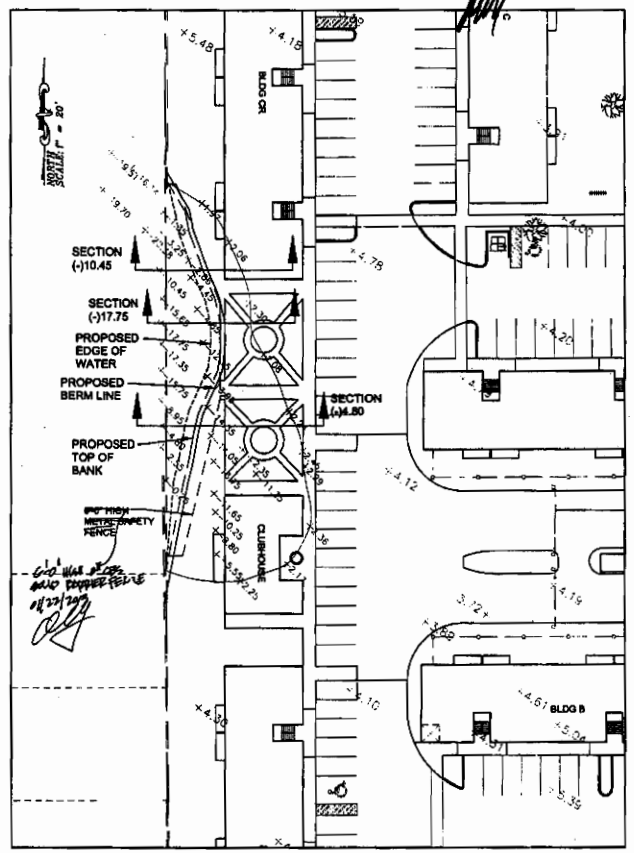
PROPOSED LAKE CROSS SECTION @ (-)17.75

SCALE: 1"=10'V,1"=20'H (LOOKING NORTH)



PROPOSED LAKE CROSS SECTION @ (-)4.80

SCALE: 1"=10'V,1"=20'H (LOOKING NORTH)



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

75

NO.	DATE	DESCRIPTION	BY	APP

LAKE SECTION

EXHIBIT

GARDENS PARK

RAFULS & ASSOCIATES CONSTRUCTION COMPANY

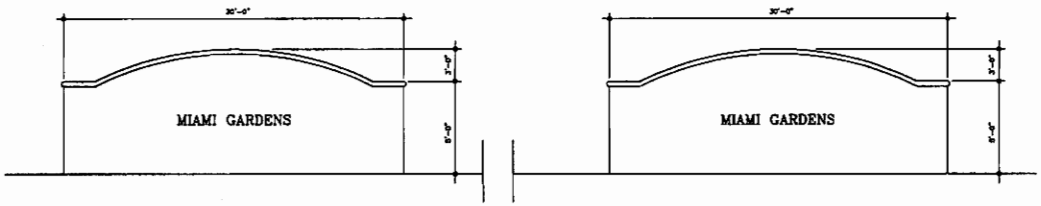
LUDOVICI & ORANGE CONSULTING ENGINEERS, INC.
320 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 - 305/446-1000 - LB 1012

SEAL

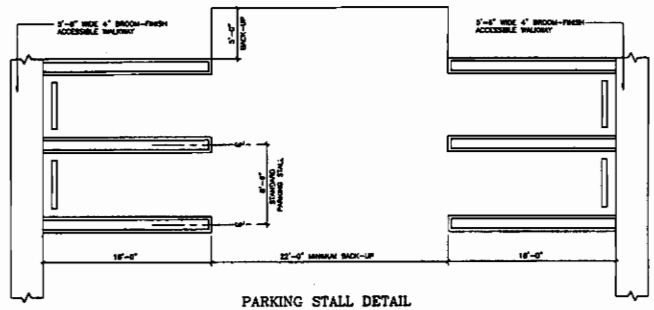
10/22/12

ANDREW W. ADAMS
REGISTERED ENGINEER (PLAN)
STATE OF FLORIDA

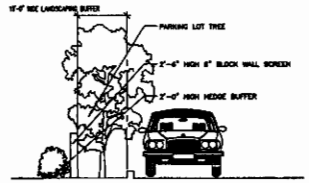
DESIGNED: AWA
DRAWN: AWA
CHECKED: AWA
SCALE: AS NOTED
DATE: 10/15/12
PROJ. NO. 2005-12
SHEET SP-3 OF 3 SHEETS



ENTRY FEATURE DETAIL

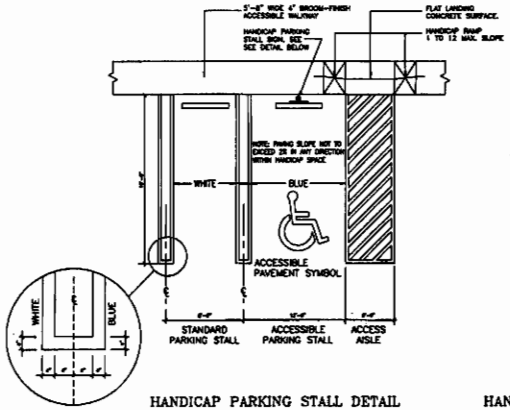


PARKING STALL DETAIL

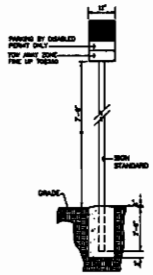


PROPERTY-LINE PARKING SCREEN DETAIL

RECEIVED
212-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



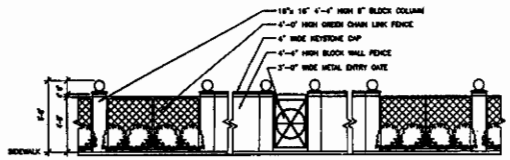
HANDICAP PARKING STALL DETAIL



HANDICAP PARKING SIGN DETAIL

HANDICAP PARKING SIGN NOTES

1. TOP PORTION SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER.
2. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH WHITE OPAQUE LEGEND AND BORDER.
3. SIGN TO BE USED AS PER FLORIDA STATUTES. EACH SUCH PARKING SPACE SHALL BE CONSPICUOUSLY OUTLINED IN BLUE PAINT AND SHALL BE POSTED AND MAINTAINED WITH A PERMANENT ABOVE GROUND SIGN BEARING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY OR THE CAPTION "PARKING BY DISABLED PERMIT ONLY" OR BEARING BOTH SUCH SYMBOL AND CAPTION (SEE SIGN DETAIL) SUCH SIGNS SHALL NOT BE OBSCURED BY A VEHICLE PARKED IN THE SPACE. ALL HANDICAPPED PARKING SPACES MUST BE SIGNED AND MARKED IN ACCORDANCE WITH THE STANDARDS ADOPTED BY THE DEPARTMENT OF TRANSPORTATION.



FRONT PROPERTY-LINE FENCE DETAIL

RECEIVED
BY

SITE PLAN DETAILS

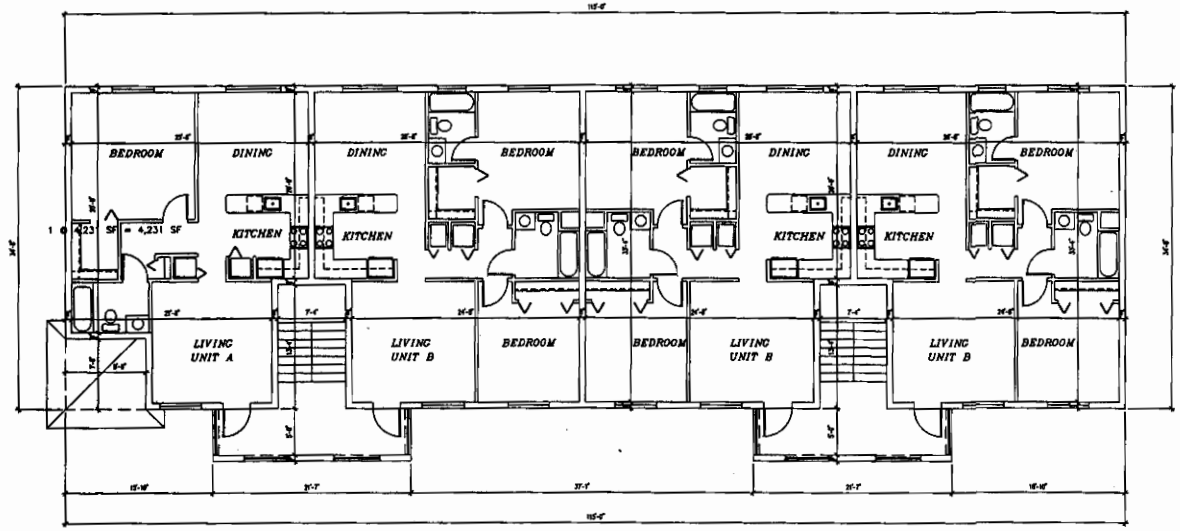
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 863-8861
JOB ADDRESS :

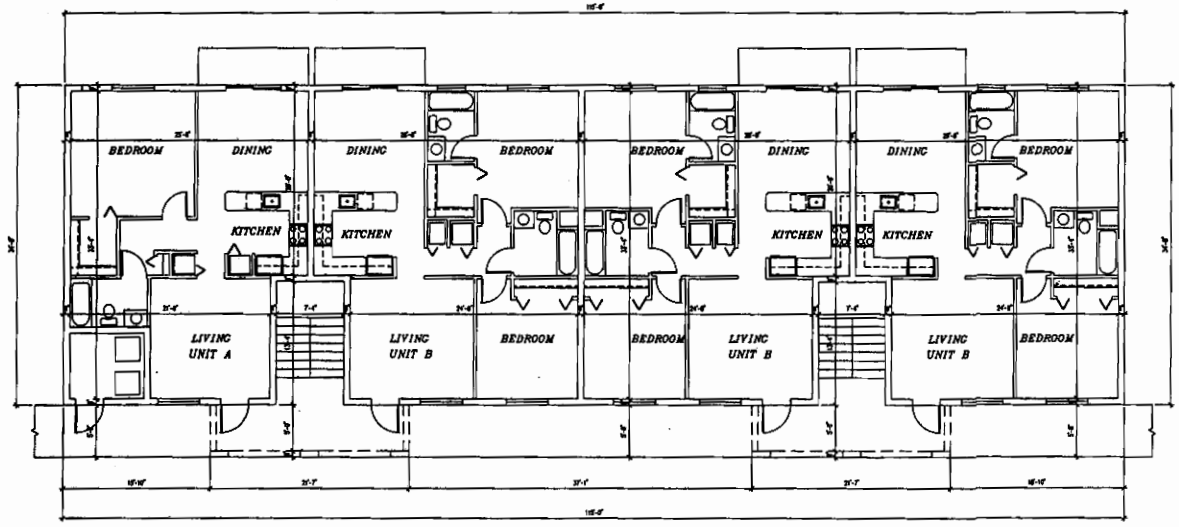
DATE 04/26/12
SCALE AS NOTED
SHEET OF
SP-2

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010706

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN
3/16" = 1'-0"



GROUND FLOOR PLAN
3/16" = 1'-0"

RECEIVED
212-099
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
OCT 11 2012

FLOOR PLAN BLDG A

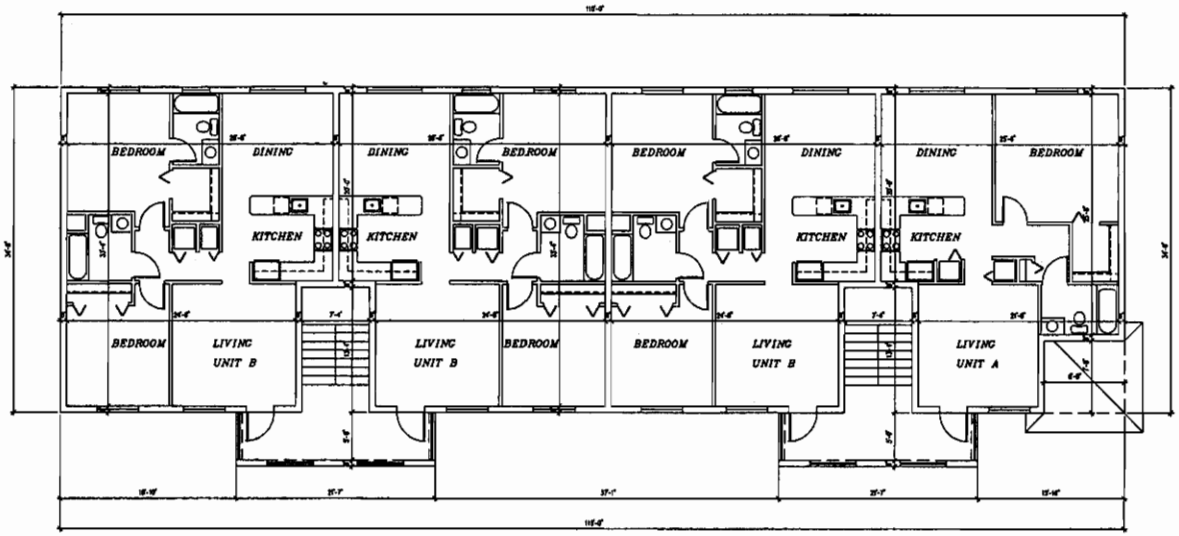
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/23/12
SCALE AS NOTED
SHEET A-1 OF

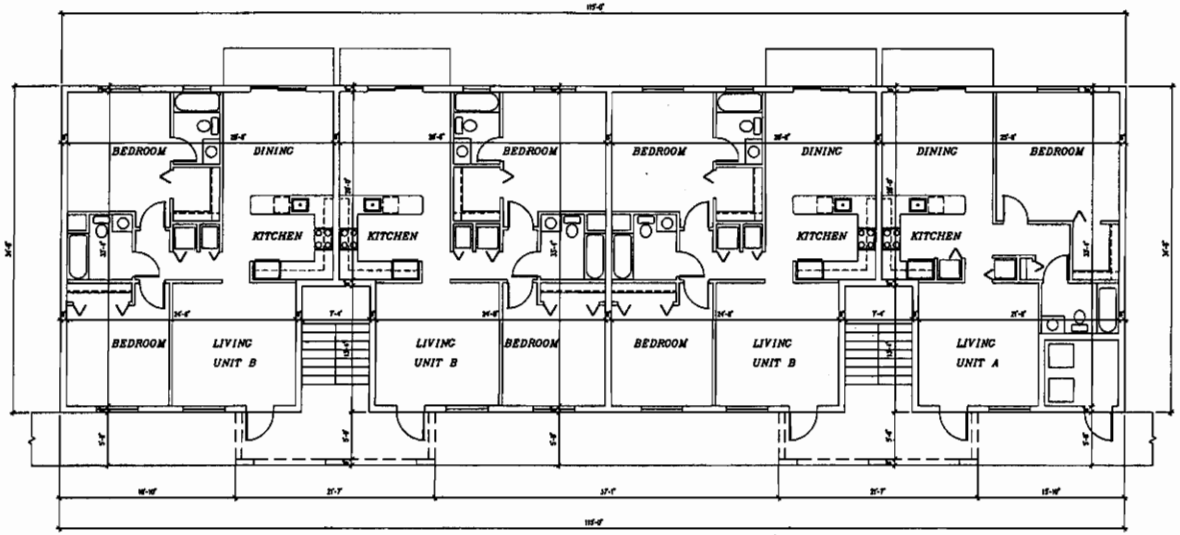
OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
12-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
OCT 25 2012

FLOOR PLAN BLDG AR

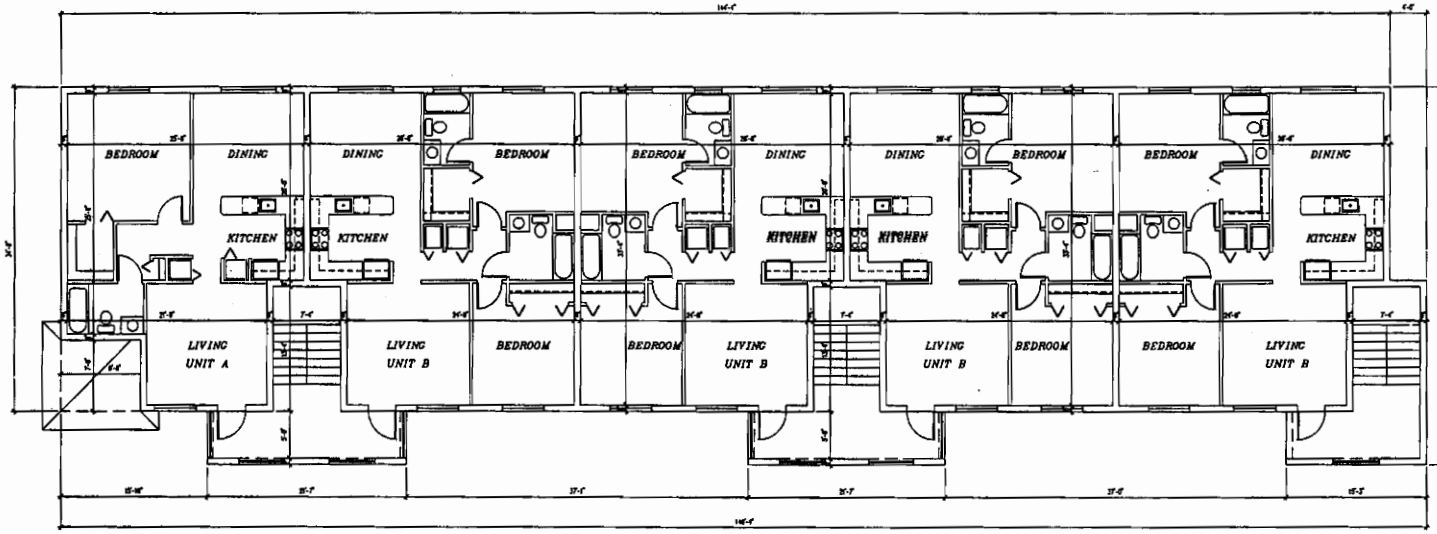
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 663-5581
JOB ADDRESS :

DATE 04/25/13
SCALE AS NOTED
SHEET OF
A-2

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

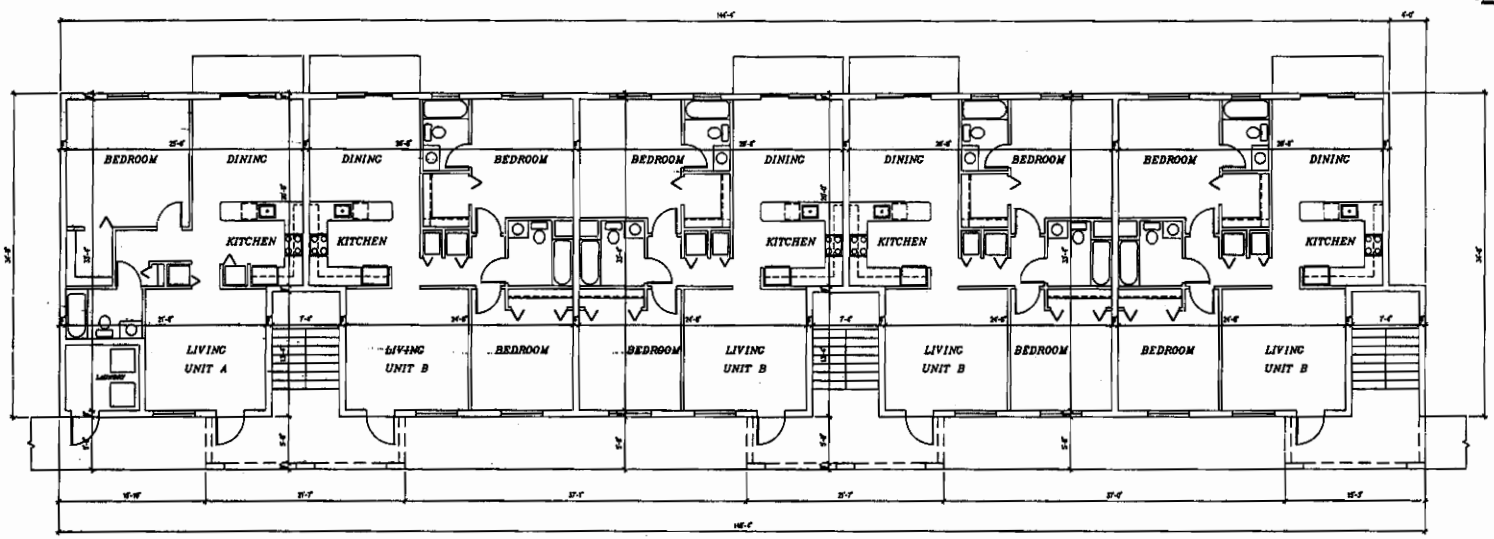
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
212089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
OCT 25 2012

FLOOR PLAN BLDG B

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

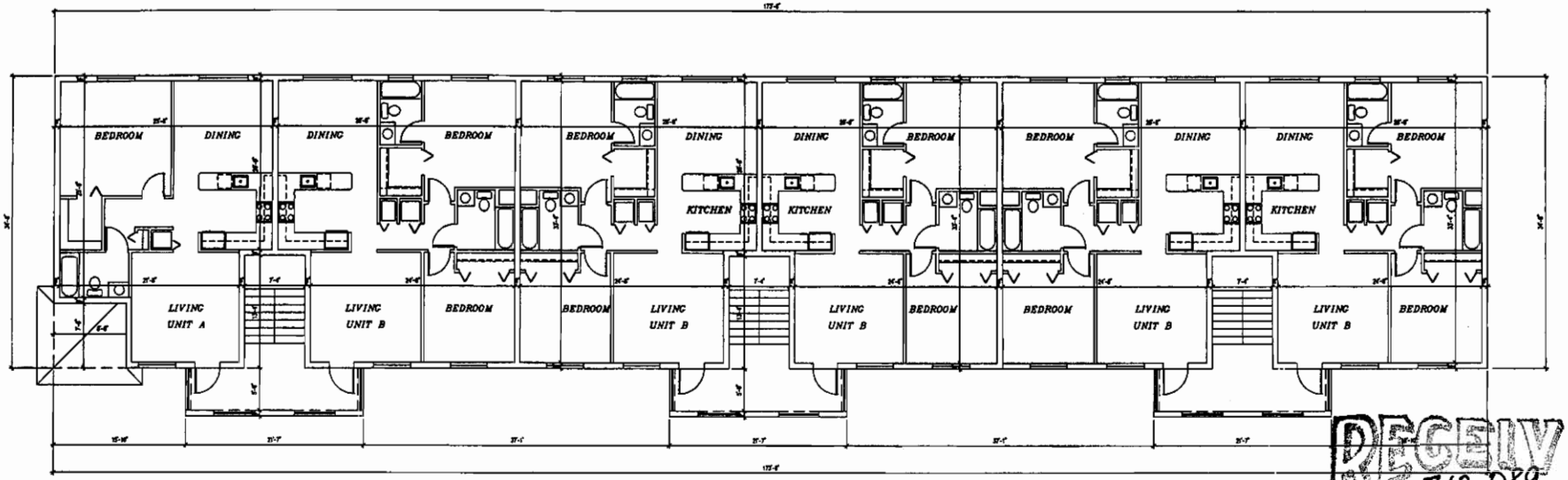
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8861
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET A-3 OF

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS

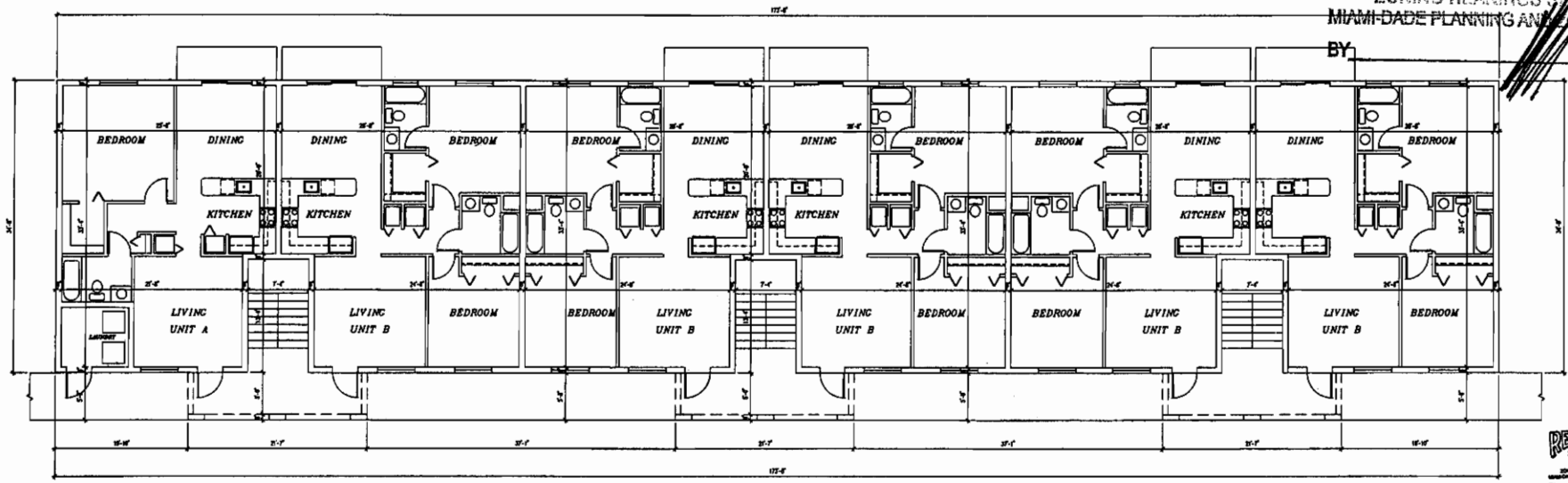
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
2120-19
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
OCT 25 2012

FLOOR PLAN BLDG C

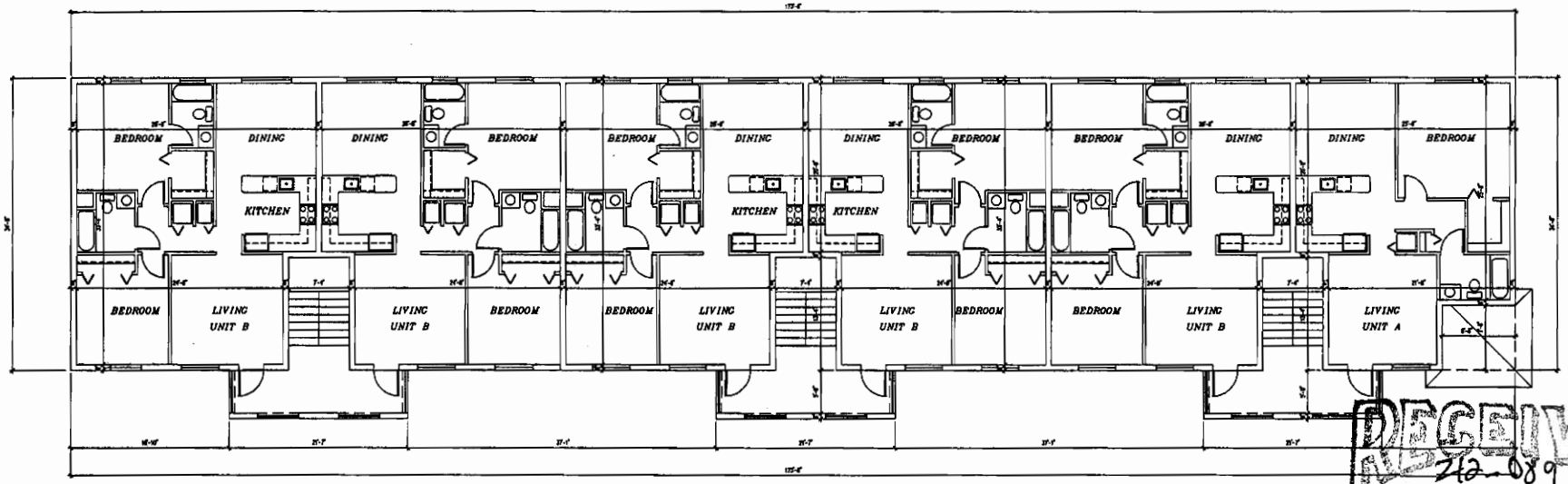
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8661
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-4

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4069 AR-0019705

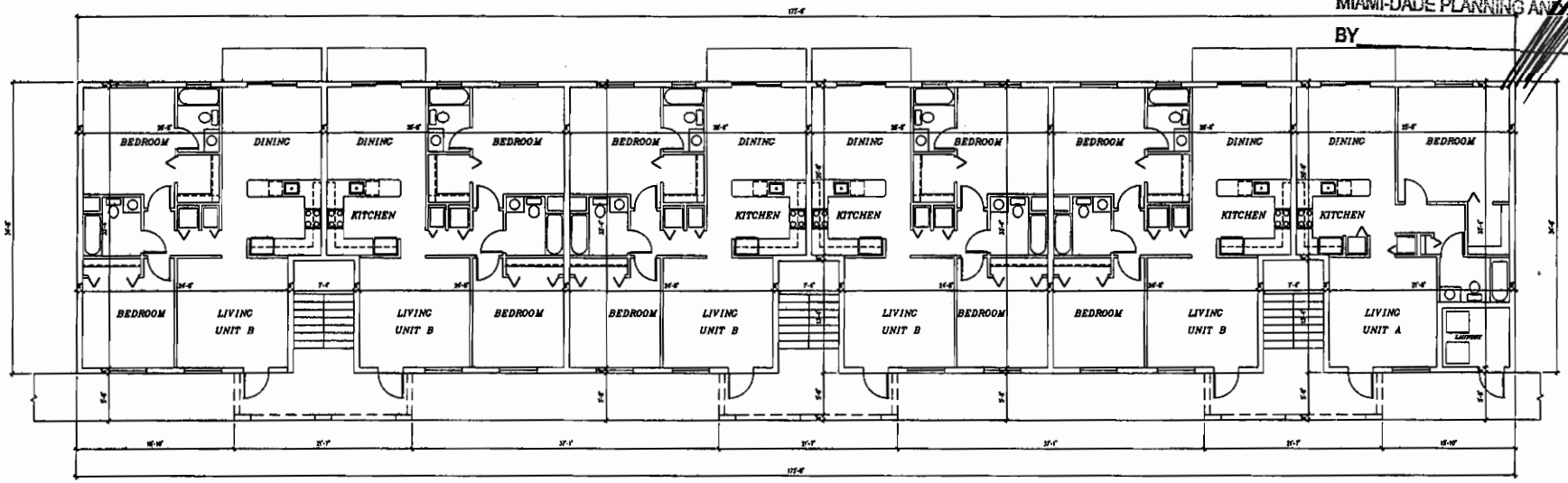
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
12-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



RECEIVED
OCT 25 2012

GROUND FLOOR PLAN

3/16" = 1'-0"

FLOOR PLAN BLDG C

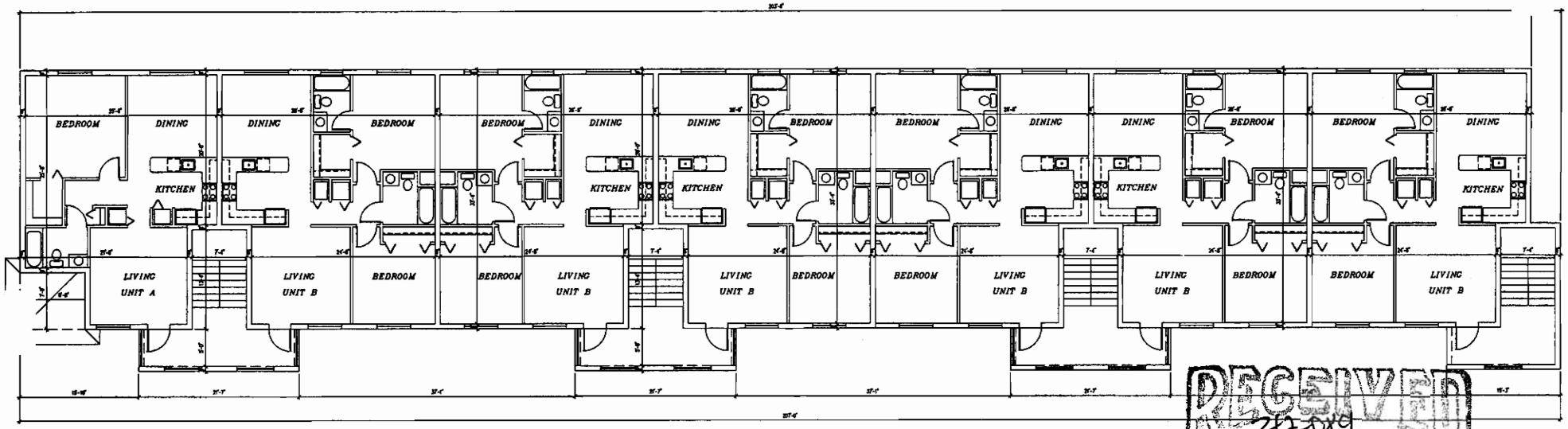
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
A-5

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

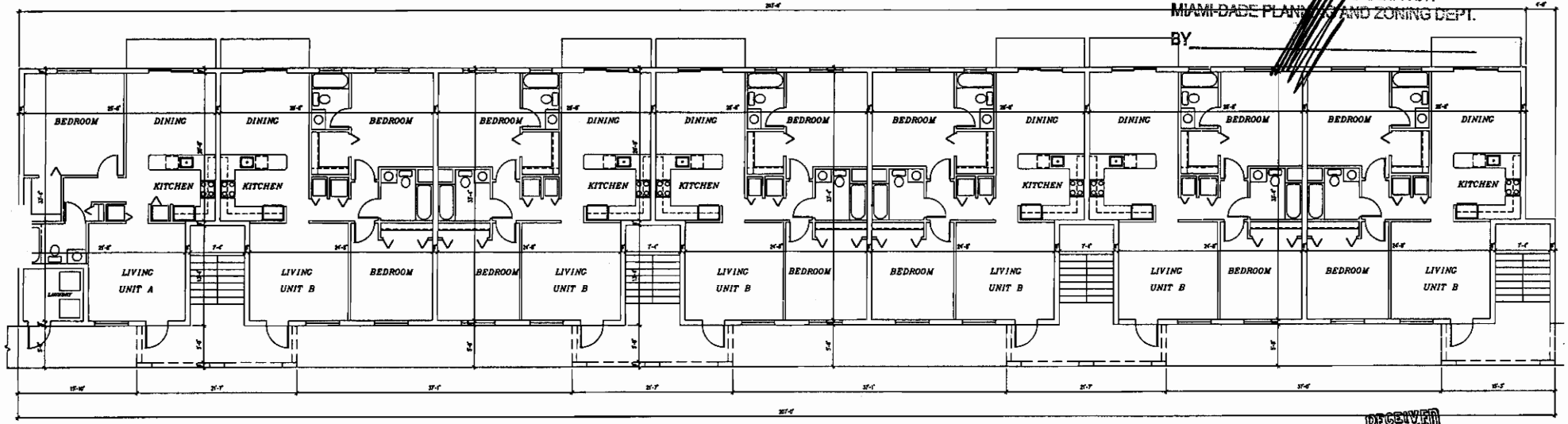
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
212-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

FLOOR PLAN BLDG D

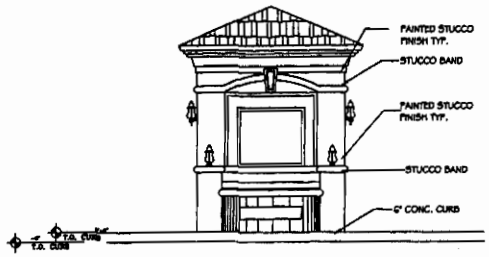
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

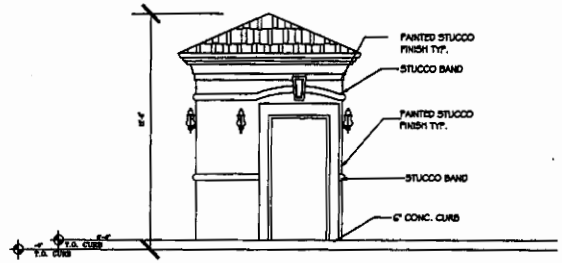
DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-6	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4069 AR-0010705

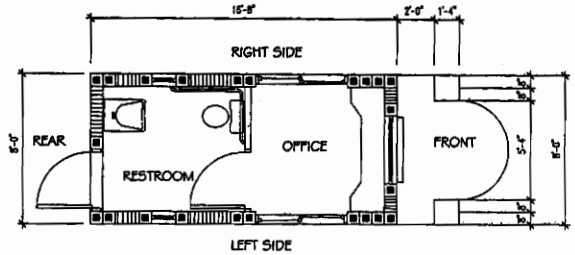
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



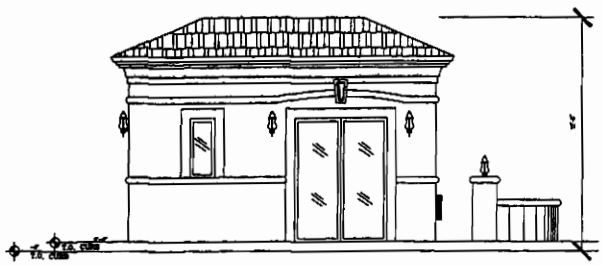
FRONT ELEVATION
Scale : 3/8"=1'-0"



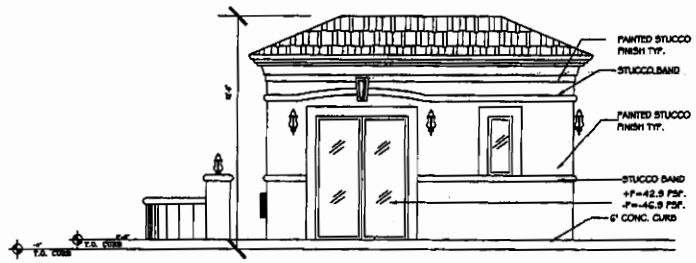
REAR ELEVATION
Scale : 3/8"=1'-0"



FLOOR PLAN
Scale : 3/8"=1'-0"



LEFT SIDE ELAVATION
Scale : 3/8"=1'-0"



RIGHT SIDE ELEVATION
Scale : 3/8"=1'-0"

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12-080
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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

GUARDHOUSE

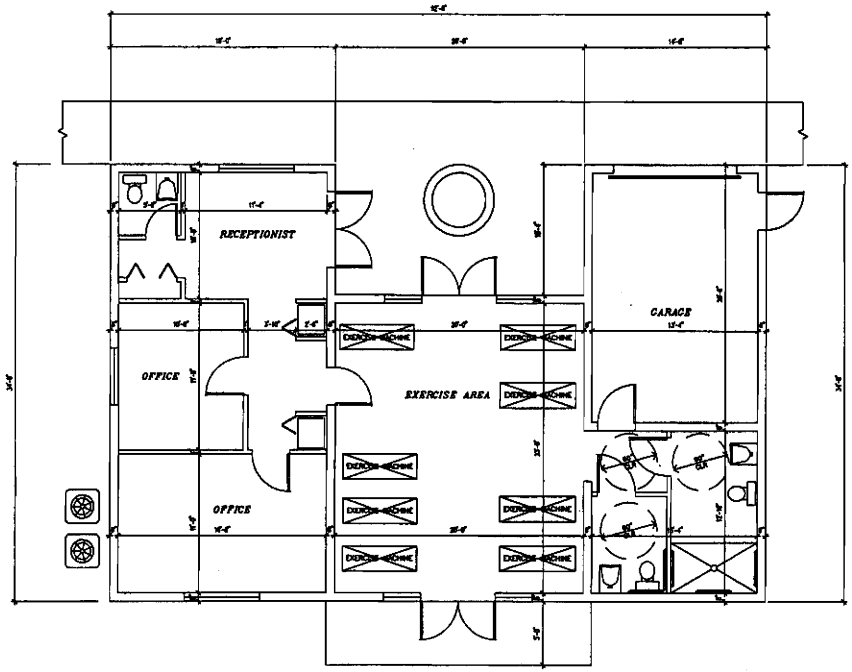
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 863-8651
JOB ADDRESS :

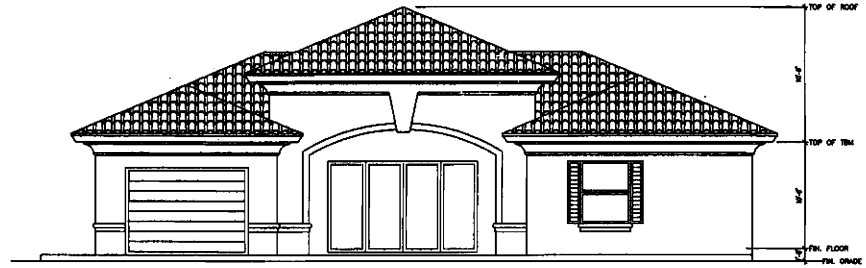
DATE 04/20/12
SCALE AS NOTED
SHEET GH-1 OF

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

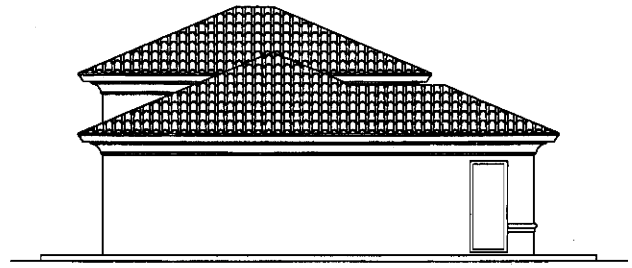
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



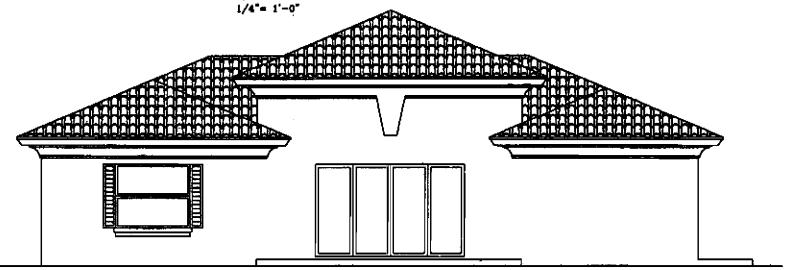
FLOOR PLAN
1/4"= 1'-0"



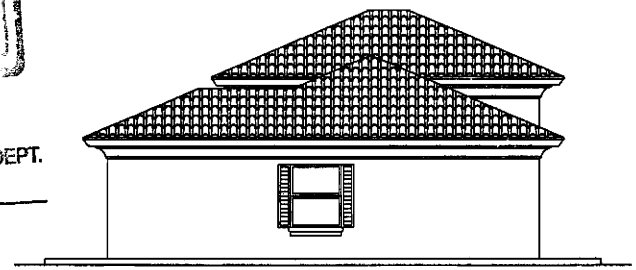
EAST ELEVATION
1/4"= 1'-0"



SOUTH ELEVATION
1/4"= 1'-0"



WEST ELEVATION
1/4"= 1'-0"



NORTH ELEVATION
1/4"= 1'-0"

RECEIVED
212089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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OCT 25 2012

CLUBHOUSE

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

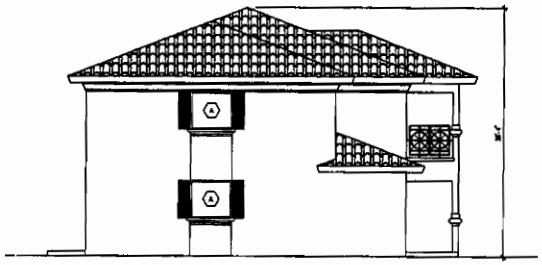
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
CH-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS

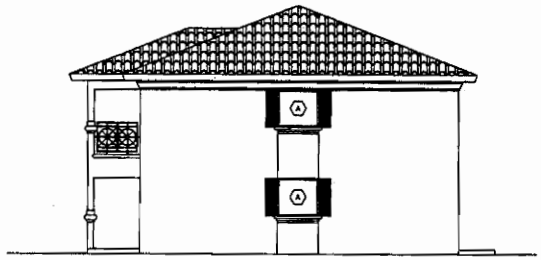
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



LEFT ELEVATION

3/16" = 1'-0"

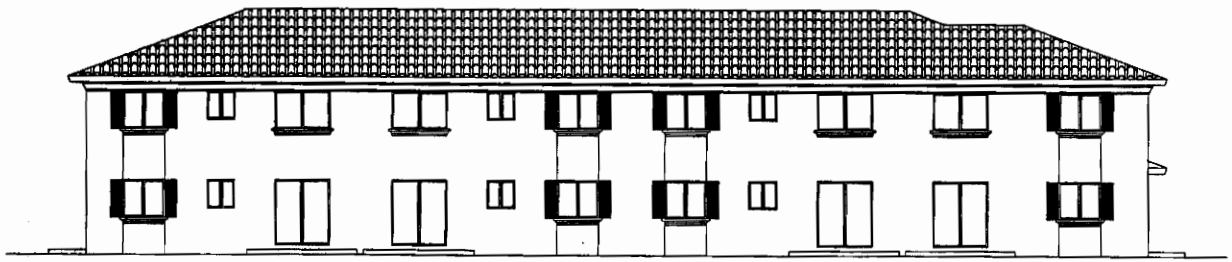
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



RIGHT ELEVATION

3/16" = 1'-0"

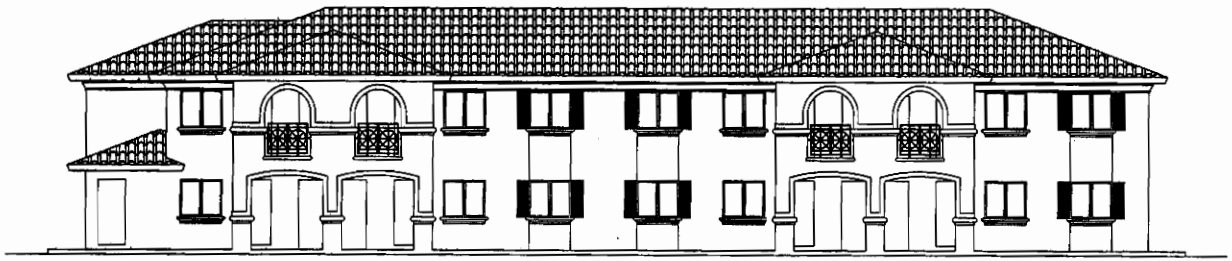
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



REAR ELEVATION

3/16" = 1'-0"

RECEIVED
12-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



FRONT ELEVATION

3/16" = 1'-0"

RECEIVED

ELEVATIONS BLDG A

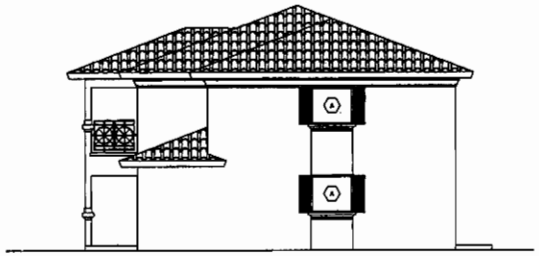
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
A-9

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

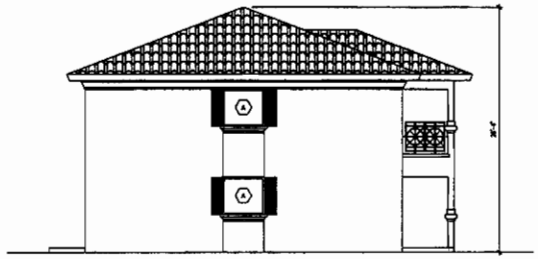
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



RIGHT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



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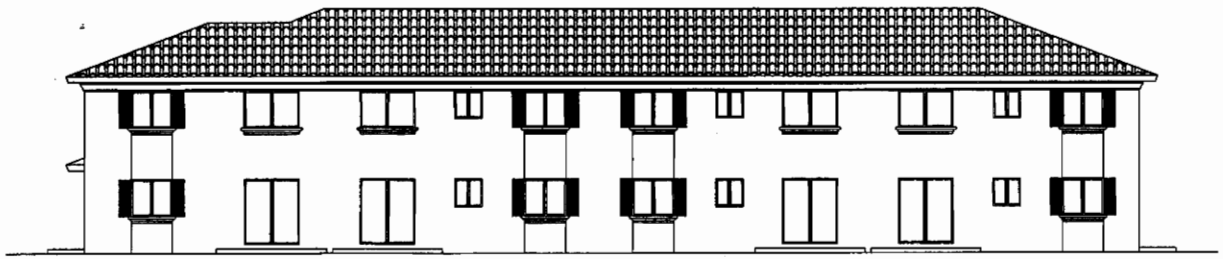

REAR ELEVATION

3/16" = 1'-0"

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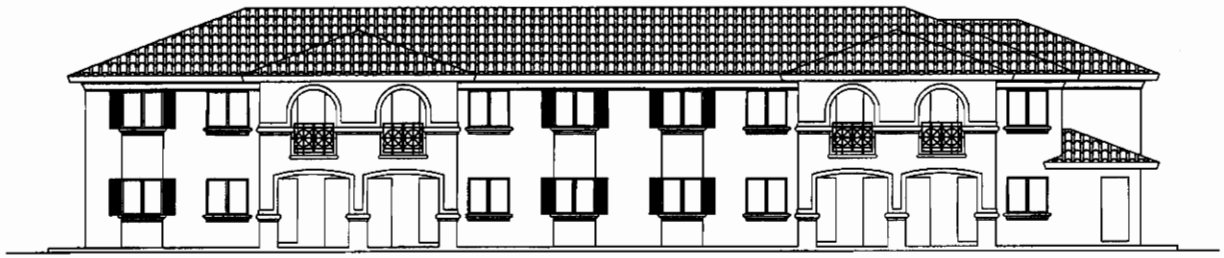
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



FRONT ELEVATION

3/16" = 1'-0"

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ELEVATIONS BLDG AR

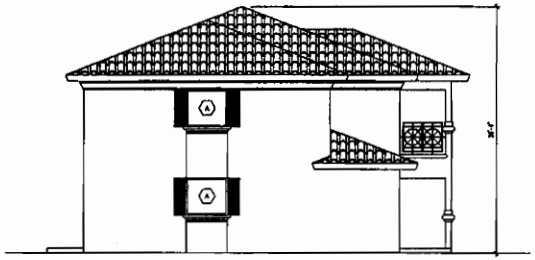
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
A-10

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



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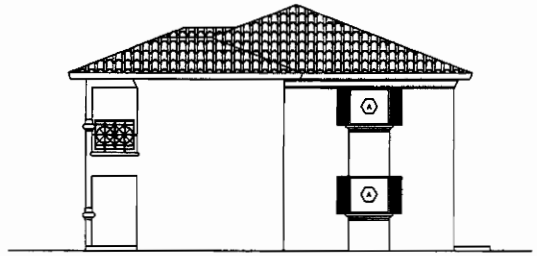

RIGHT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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REAR ELEVATION

3/16" = 1'-0"

FRONT ELEVATION

3/16" = 1'-0"

RECEIVED
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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

ELEVATIONS BLDG B

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

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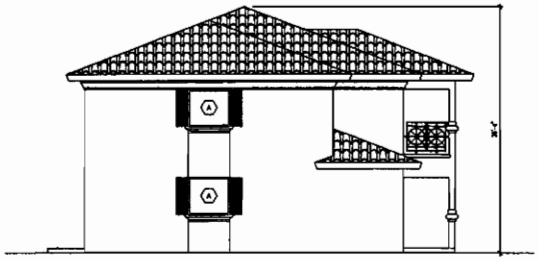
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET A-11 OF

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010706

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



LEFT ELEVATION

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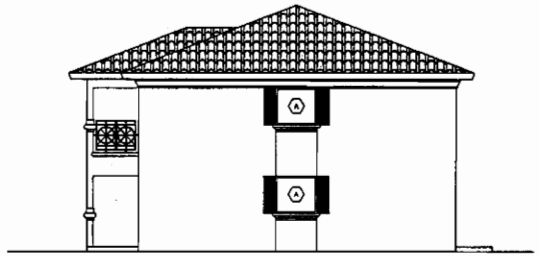

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12-089
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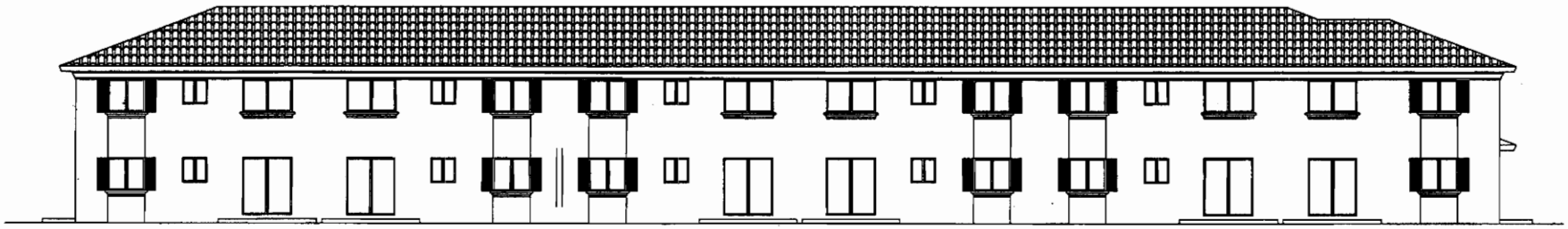
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



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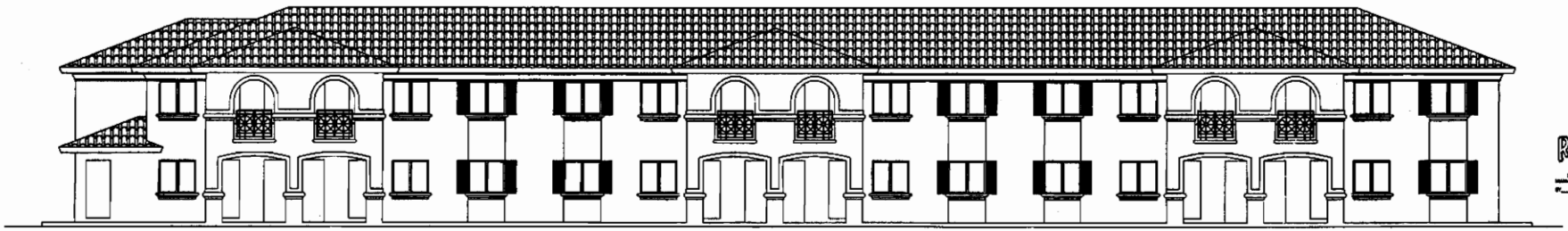

RECEIVED
OCT 25 2012

FRONT ELEVATION

3/16" = 1'-0"

ELEVATIONS BLDG C

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

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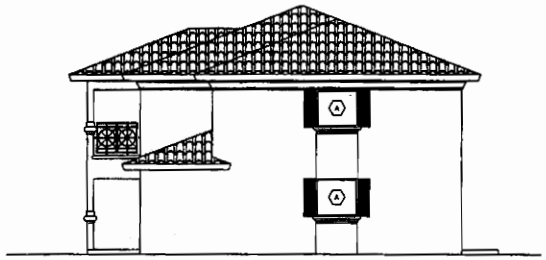
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET A-12 OF

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4058 AR-0010705

REVISIONS

NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



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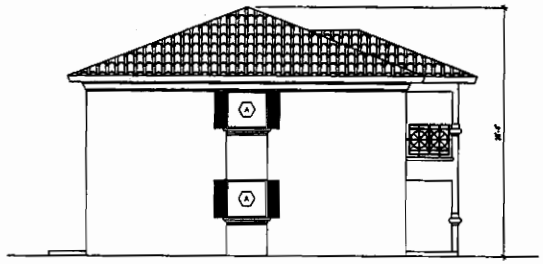

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MIAMI-DADE PLANNING & ZONING DEPT.
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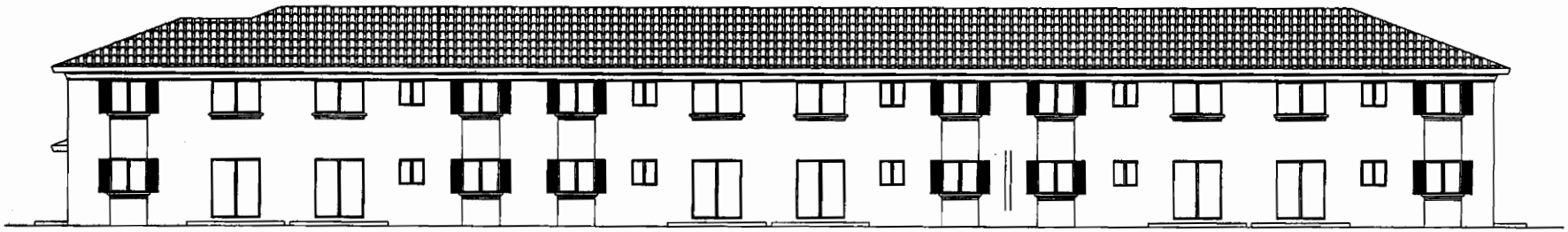

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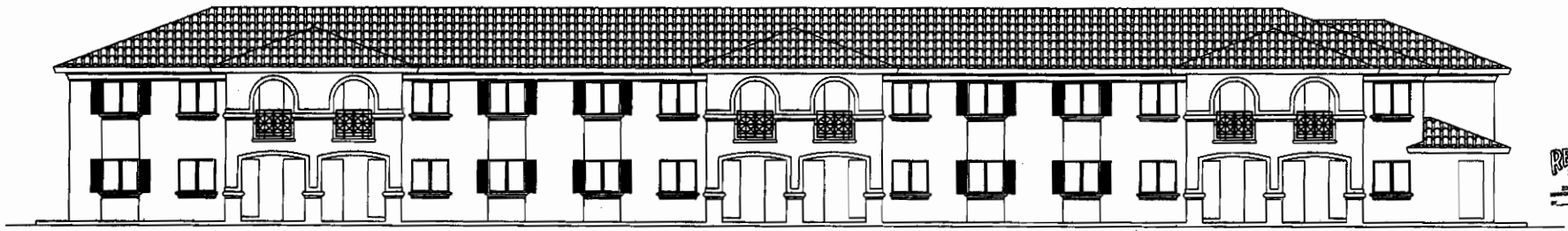

RECEIVED
OCT 25 2012

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ELEVATIONS BLDG CR

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

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OWNER TELEPHONE : (305) 883-8681
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
A-13

OSCAR J. GONZALEZ ARCHITECT
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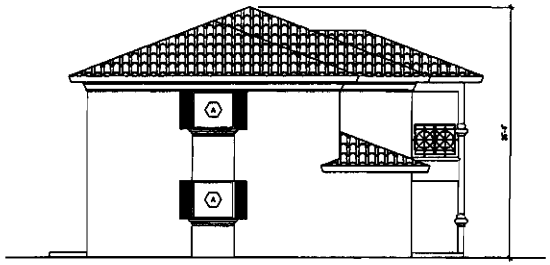
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

90



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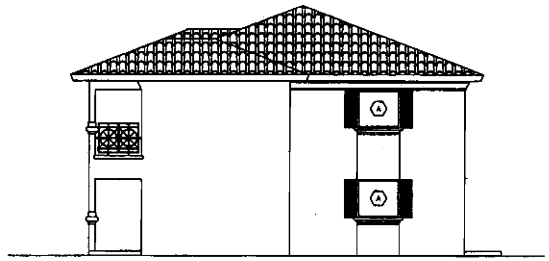

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MIAMI-DADE PLANNING AND ZONING DEPT.
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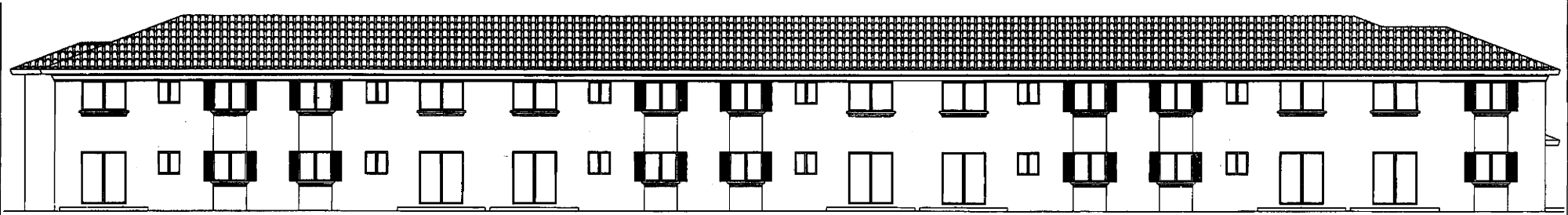

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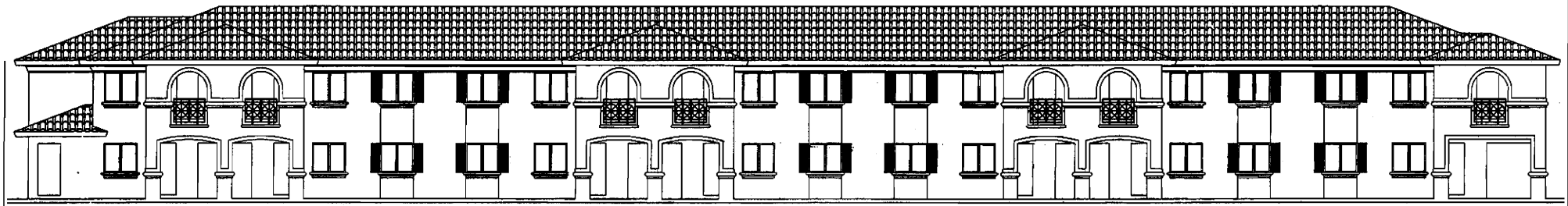

FRONT ELEVATION

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MIAMI-DADE PLANNING AND ZONING DEPT.

ELEVATIONS BLDG D

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-14	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

SYMBOL	QTY	EXISTING	BOTANICAL	COMMON	NATIVE	CALIPER	HEIGHT	CANOPY	SIZE	QNTY
	32	0		ROYAL POINCIANA	Y	3" MIN.	12' MIN.	5' MIN.		32
	38	19		MAHOGANY	Y	3" MIN.	12' MIN.	5' MIN.		38
	29	0		MAHOGANY	Y	3" MIN.	12' MIN.	5' MIN.		29
	56	0		MAHOGANY	Y	3" MIN.	12' MIN.	5' MIN.		56
	34	0		GUMBO	Y	3" MIN.	12' MIN.	5' MIN.		34
	10	0		PINK TABEBUIA	Y	3" MIN.	12' MIN.	5' MIN.		10
	6	0		ROYAL POINCIANA	Y	3" MIN.	12' MIN.	5' MIN.		6
	8	0		FL. ROYAL PALM	Y	3" MIN.	12' MIN.	5' MIN.		8
	31			PYRUS KOREA	N	3" MIN.	12' MIN.	5' MIN.		31
	12	0		BUTTONWOOD	Y	3" MIN.	12' MIN.	5' MIN.		12
	2,800	0		ECCOLIPTA	Y	24" MIN. HEIGHT @ 24" O.C.				2,800
				GROUND COVER	Y	LINEAR			SOD	
				SOD	Y	ST. AUGUSTINE FLORIDA SOD			SOD	

ZONING DISTRICT RU-4L NET LOT AREA: 357,349 SF 8.20 ACRES

OPEN SPACE

A. SQUARE FEET OPEN SPACE REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN: NET LOT AREA = 357,349 S.F. X 25 % = 89,377 S.F.

B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18 A TOTAL PARKING SPACES 344 X 10 S.F PER PARKING SPACE = 3,440 S.F.

C. TOTAL S.F. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33: A + B = 92,817 S.F.

LAWN AREA CALCULATION:

A. OPEN SPACE REQUIRED PER SECTION 33 OF ZONING CODE NET LOT AREA = 357,349 S.F. X 25 % = 89,377 S.F.

B. PARKING LOT LANDSCAPE REQUIRED PER CHAPTER 18A-B(5) TOTAL PARKING SPACES 344 X 10 S.F PER PARKING SPACE = 3,440 S.F.

C. ADD A + B = 92,817 SQ.FT. (TOTAL LAWN AREA REQUIRED) (100,584 S.F. PROVIDED)

D. MAXIMUM LAWN AREA (50%) PERMITTED 50% OF A = 89,688 SQ.FT.

E. MAXIMUM LAWN AREA PROVIDED: 84,800 SQ.FT.

TREES:

	REQD	PROV'D
A. NO. TREES REQUIRED PER NET LOT ACRE LESS EXISTING NUMBER OF TREES MEETING MINIMUM REQUIREMENTS 38 TREES @ NET LOT ACRES = 38 x 8.20 ACRES = 156 TREES	230	240
B. X PALMS ALLOWED: NO TREES PROVIDED / 2 X 30% =	38	38
X PALMS PERMITTED TO COUNT AS STREET TREES ON 1:1 BASIS X 30%	NA	NA
C. X NATIVES REQUIRED: NO TREES PROVIDED X 30% =	72	240
D. STREET TREES (MAXIMUM AVERAGE SPACING OF 35' O.C.): 1,226/35 = 35	35	35
E. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES (MAX. 25' O.C.): LINEAR FEET ALONG STREET / 25 =	NA	NA

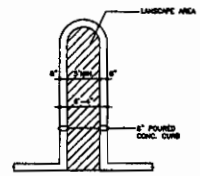
SHRUBS:

	REQD	PROV'D
A. NO. TREES REQUIRED X 10 = NO. OF SHRUBS REQUIRED	2,750	2,800
B. NO. SHRUBS ALLOWED X 30% = NO. OF NATIVE SHRUBS REQUIRED	825	2,800

SPRINKLER SYSTEM REQUIRED YES

LANDSCAPING GENERAL NOTES

* LANDSCAPE PLAN TO BE INSTALLED IN COMPLIANCE WITH ALL LOCAL AND STATE LANDSCAPING CODES AND STANDARDS.
* PLANTING SOIL TO BE WEED, ROCK, AND ROOT FREE.
* ALL PLANTING BEDS TO BE SPRAYED WITH ROUND-UP PRIOR TO FINAL INSTALLATION AT THE JOB-SITE.
* GENERAL FERTILIZER (10-10-10 OR 6-6-6) CONTAINING TRACE ELEMENTS OF IRON AND MANGANESE TO BE APPLIED AT TIME OF FINAL PLANTING AT THE JOB-SITE.
* CONTRACTOR SHALL ADD 2 TWO OUNCE "CONTRACTOR PACKS "TERRA-SORB" SOIL ADDITIVE FOR EACH TREE. ADD ONE PACKET BACKFILL SOIL. SHRUBS SHALL BE PLANTED WITH 1/2 OUNCE "TERRASORB" PER FOUR (4) SQUARE FEET OF PLANTING AREA.
* ALL PLANTING BEDS AND TREE WELLS TO BE TOPPED WITH 3" HAWAIIAN EUCALYPTUS MULCH, GRADE A.
* ALL PLANT MATERIALS TO BE FLORIDA #1 GRADE OR BETTER, DEPT. OF AGRICULTURE GRADES AND STANDARDS, PART 1 & 2
* ALL TREES TO BE A MIN. OF 12' IN HEIGHT AT TIME OF PLANTING (UNLESS NOTED OTHERWISE ON PLAN WITH A 5' DIAMETER CROWN SPREAD. THERE WILL BE NO BRANCHING OF TREES BELOW 6'-0" ALONG ANY PEDESTRIAN OR ACCESSIBLE ROUTE.
* SOD SHALL BE "FLORATAM" ST. AUGUSTINE LAID WITH ALTERNATING AND ABUTING JOINTS. SOD TO BE PLACED GREEN SIDE UP ON 4" MINIMUM SHADED TOP SOIL.



PARKING LOT CURB DETAIL
TYPICAL TREE PLANTING
WELL DETAIL

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MIAMI-DADE PLANNING AND ZONING DEPT.
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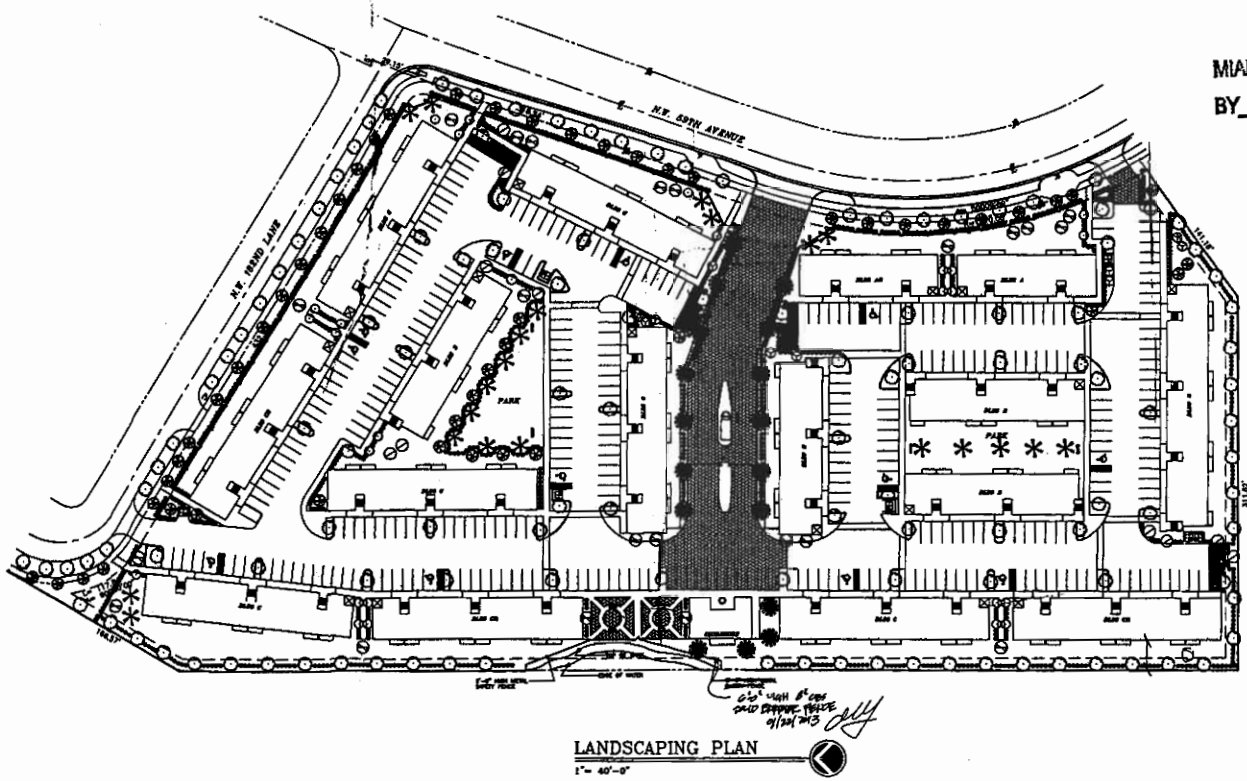

LANDSCAPING PLAN
1" = 40'-0"

RECEIVED
OCT 25 2012

LANDSCAPING PLAN

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 29TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8681
JOB ADDRESS :

DATE 04/25/13
SCALE AS NOTED
SHEET OF
LS-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 29TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1	10/17/12	O.J.G
2		O.J.G
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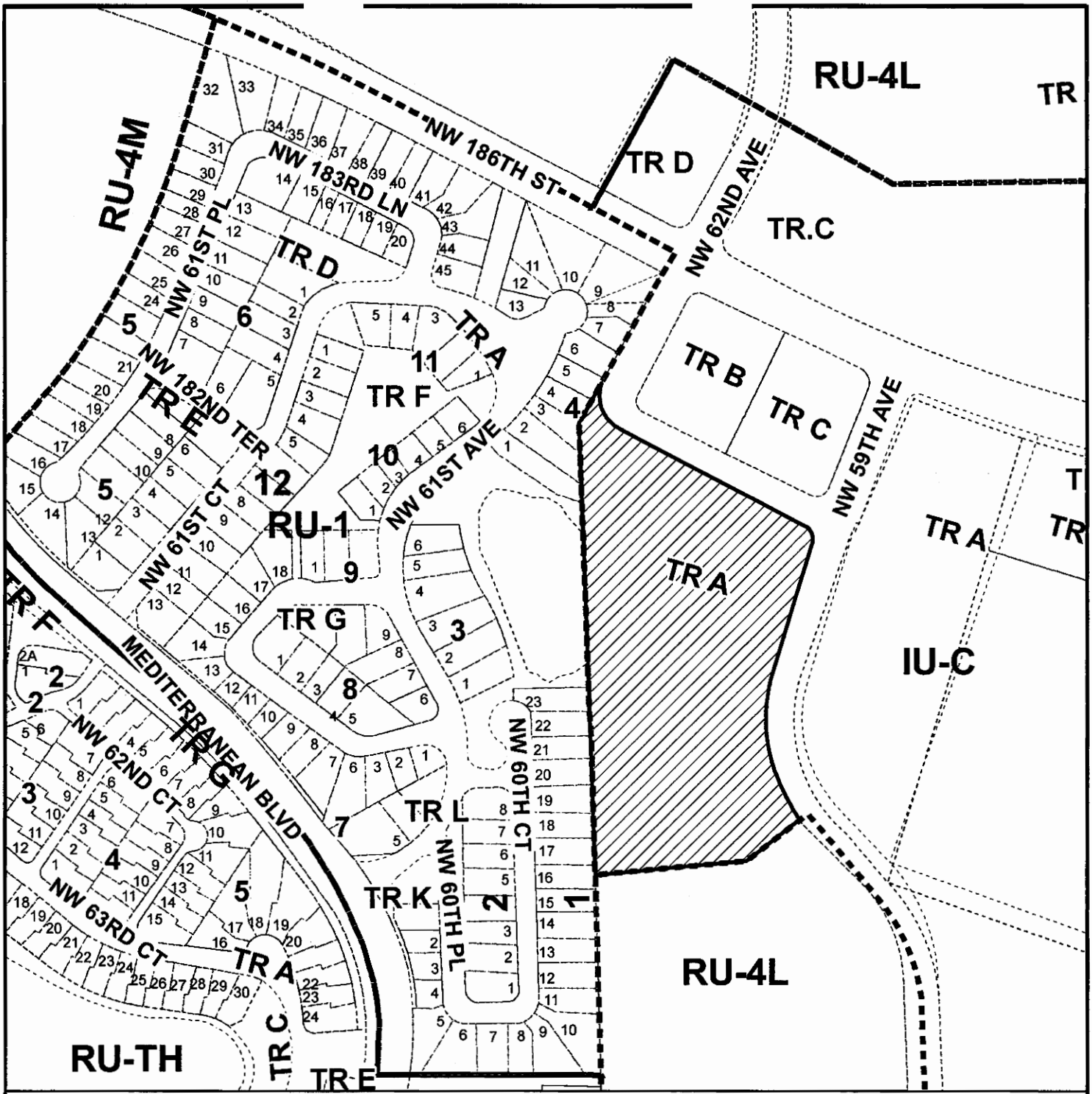


MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000089

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

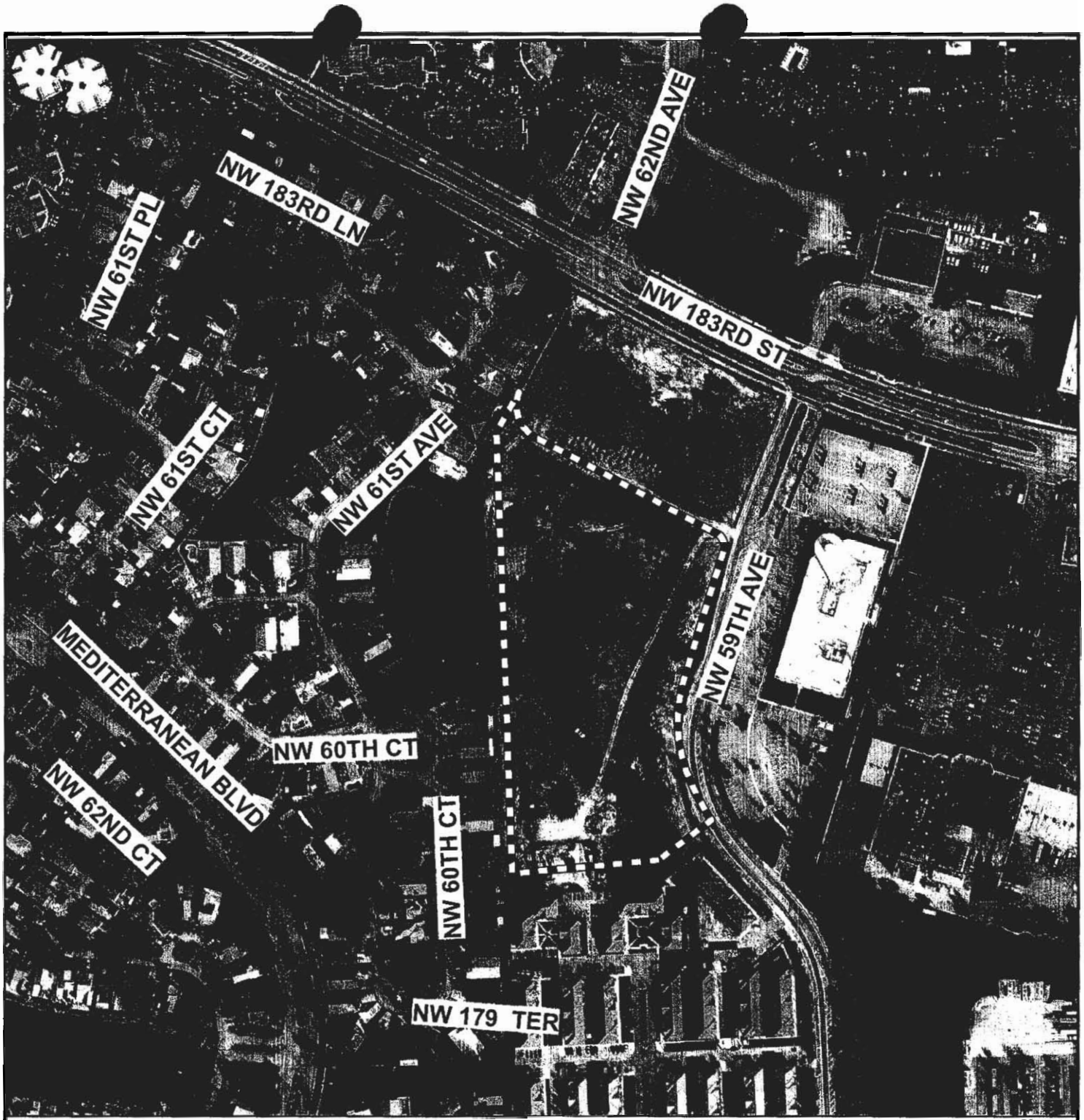
Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 1, 2012

REVISION	DATE	BY
		92



MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2012000089

N
W E
S

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

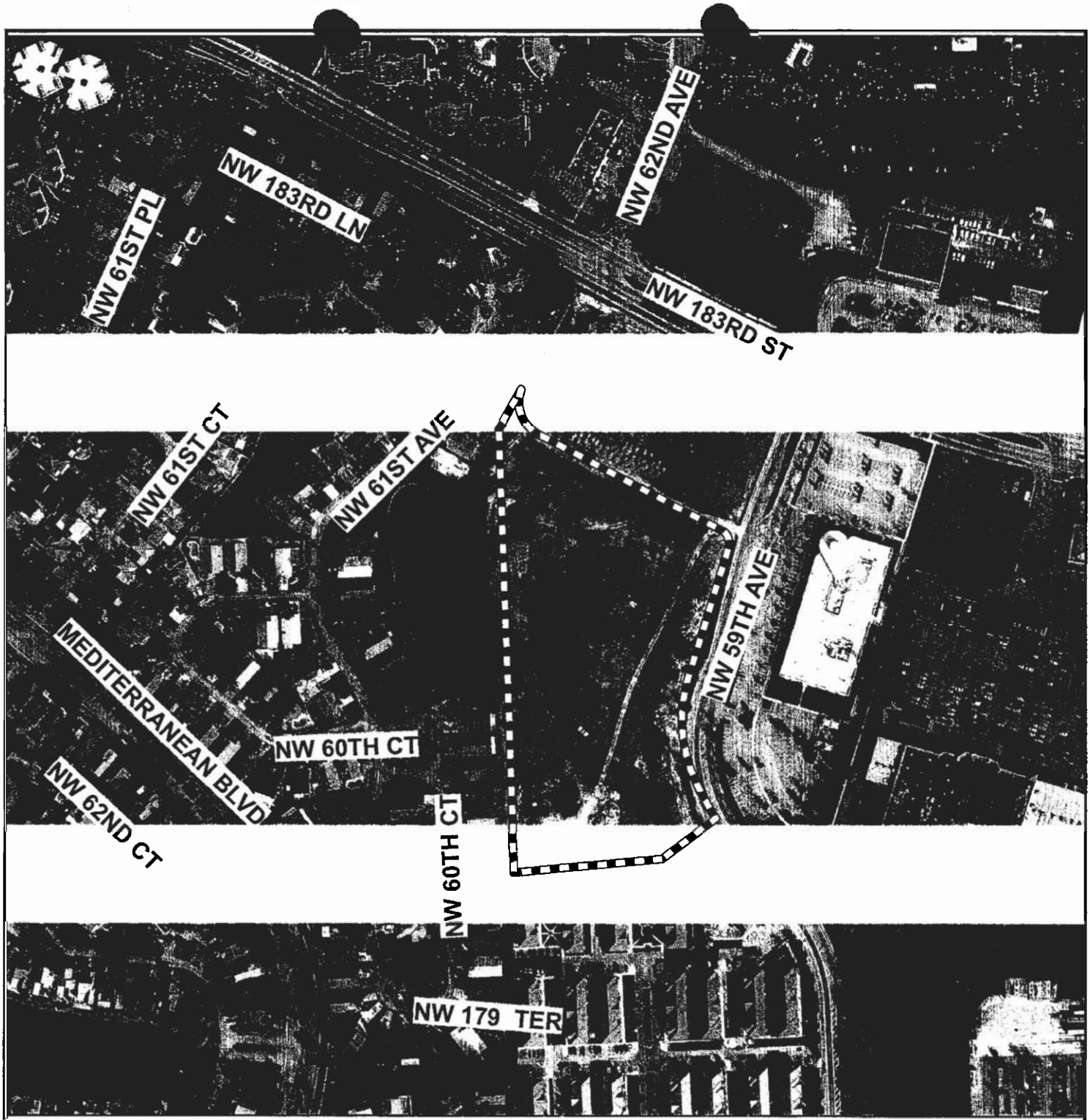
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY
		93



MIAMI-DADE COUNTY

AERIAL YEAR 2012

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Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
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W E
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Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY
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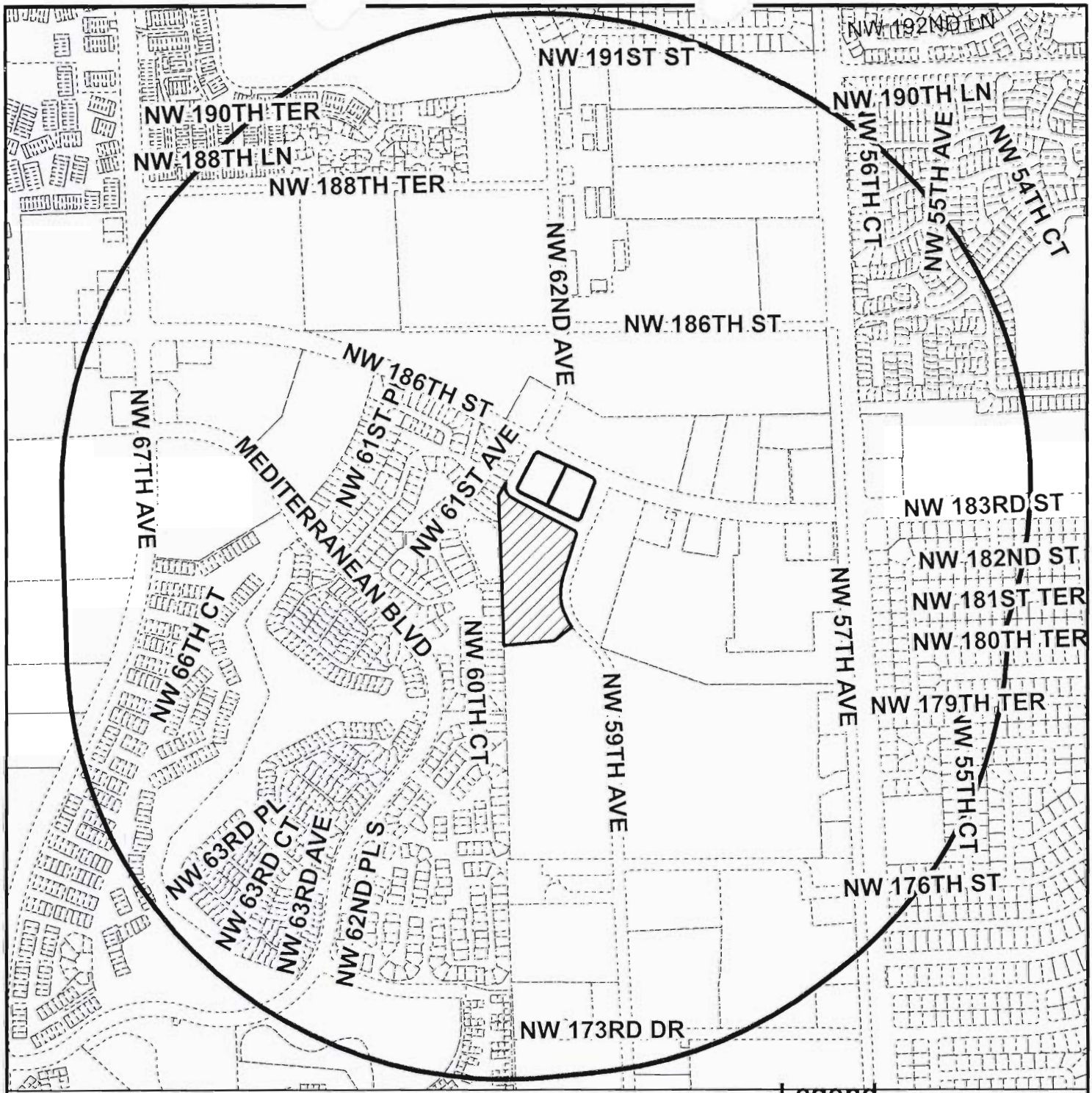


MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000089

RADIUS: 2640

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

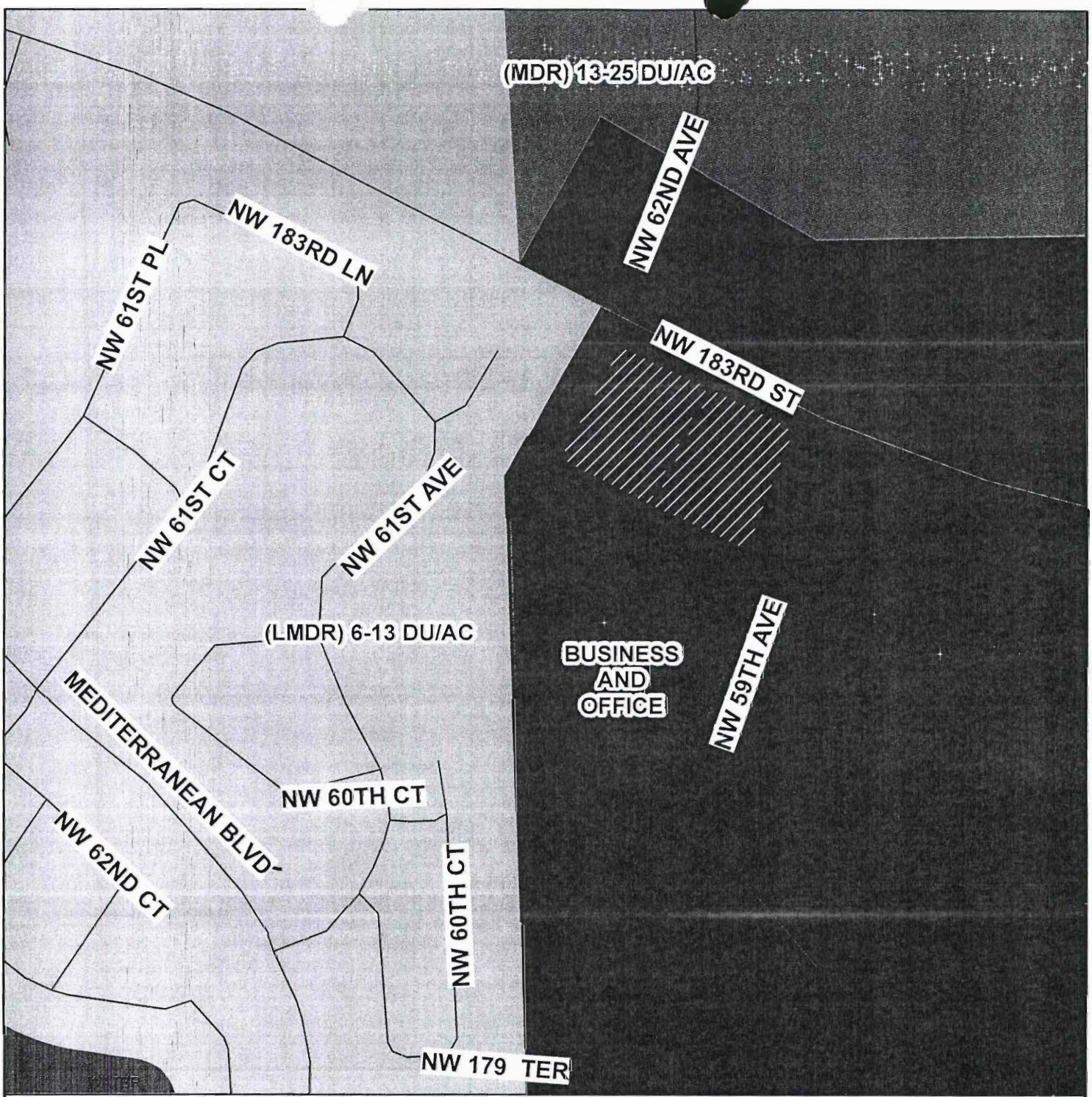
- Subject Property
- Contiguous Properties
- Buffer
- Street (Centerline)
- Property Boundari

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY
		95



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000089

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

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Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY

Miami-Dade Cour Department of Regulatory and E nomic Resources
Staff Report to the Board of County Commissioners

PH: Z12-089 (13-1-CZ5-1) **May 23, 2013**
Item No. 1

Recommendation Summary	
Commission District	1
Applicant	Miami Gardens Park, LLC
Summary of Requests	The applicant is seeking to allow a zone change to RU-4L in order to develop the parcel with a multi-family residential apartment complex. Additionally, the applicant seeks to delete restrictions on the development of the west portion of the parcel, to permit the filling of an existing lake encroaching onto the property as well as to allow an entrance feature and to permit the development with a reduced setback from the rear property line.
Location	Lying west of NW 59 Avenue and south of theoretical NW 182 Lane, Miami-Dade County, Florida.
Property Size	8.2 gross acres
Existing Zoning	IU-C, Conditional Industrial District
Existing Land Use	Vacant
2015-2025 CDMP Land Use Designation	Business and Office *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change, Section 33-311(A)(3), Special Exception, Unusual use and New Uses, Section 33-311(A)(4)(b), Non-Use Variance standards Section 33-311(A)(7) Generalized Modification Standards *(see attached Zoning Recommendation Addendum)*
Recommendation	**Deferral.**

On March 14, 2013, the Community Zoning Appeals Board (CZAB) #5, approved the application based on staff's recommendation, with the modification of conditions #5 and #22 to require that no construction work be permitted on weekends.

On March 28, 2013, the appellants, the Moors Patio Homes Maintenance Association, Et Al, appealed the CZAB–5 decision to the Board of County Commissioners (BCC).

REQUESTS:

(1) DISTRICT BOUNDARY CHANGE from IU-C to RU-4L.

(2) DELETION of Declaration of Restrictions recorded in Official Records Book 11507 Pages 577-581, only as it applies to the subject property.

The purpose of the request is to remove the requirements that call for a 50' no building area, a 50' greenbelt open space and a 10' utility easement along the west property line.

(3) UNUSUAL USE to permit an entrance feature; to wit; an entrance feature consisting of decorative masonry walls 8' in height and signage.

(4) UNUSUAL USE to permit the filling a portion of an existing lake.

(5) NON-USE VARIANCE of setback requirements to permit certain buildings setback 15' from the rear (south) property line (25' required).

(6) NON-USE VARIANCE of spacing requirements to permit the clubhouse to be spaced a minimum 23'-8" (20' required) from other residential buildings

(7) NON-USE VARIANCE of spacing requirements to permit certain residential buildings to be spaced 16' (20' required) from each other.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet, with all plans dated stamped, received 10/25/12. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

The submitted plans depict the proposed 178 unit, multi-family residential development consisting of the sixteen (16), two (2)-story apartment buildings, a clubhouse and parking areas on the approximately 8.2-acre parcel.

The 8.2 acre subject parcel is a part of a larger tract of land that was rezoned from AU, Agricultural District to IU-C, Conditional Industrial District in 1982 pursuant to Resolution #Z-149-82. Said approval also permitted some commercial and office uses in the IU-C district as would have been allowed in BU, RU-5 and RU-4A zoning districts. The applicant proffered a covenant that was accepted by the County that restricted development within the western 100' of the parcel and required that the west 50' of this restricted area contain only a landscaped green area.

Subsequently, staff notes that the subject parcel was also a part of a larger tract that was the subject of Application Number 1 in the November 1995 cycle of applications to amend the Land Use Plan map of the Comprehensive Development Master Plan (CDMP) for Dade County (now Miami-Dade County). As a result of this application the land use designation was changed from Industrial and Office to Business and Office at which time the applicant proffered a covenant that was accepted by the County. However, although the covenant among other things maintained the restrictions on development within 100' of the west property line for industrial and retail development, the covenant did not require this buffer for residential and office uses.

In 2005, the subject property was a part of a larger tract of land that was included in the boundaries of the Country Club-Palm Springs North Charrette. The Charrette report contained the Citizen's Vision for the growth and development of the Country Club-Palm Springs North area in Miami-Dade County and was adopted by the Board of County Commissioners (BCC) in July 2006, pursuant to Resolution #870-06. Said report contained illustrative plans that also depicted the subject parcel developed with infill housing.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	IU-C; vacant land, lake	Business and Office
North	IU-C; vacant land	Business and Office
South	RU-4L; apartments	Business and Office
East	IU-C; office park	Business and Office
West	RU-1;single-family residences, lake excavation	Low-Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The 8.2-acre subject property is a vacant parcel containing a portion of a small lake. The subject property is surrounded by an existing office park to the east, an apartment complex to the south, single-family residences and a lake excavation to the west and a vacant IU-C zoned parcel to the north.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to develop the parcel in accordance with the proposed RU-4L, Limited Apartment House District regulations and provide the community with additional multi-family residences in this area. However, since the site is vacant the proposed development of the residential site could have traffic impacts on the surrounding residential and commercial developments in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The applicant seeks to permit the rezoning of the subject parcel from IU-C to RU-4L (request #1). The CDMP Land Use Plan (LUP) map designates the subject 8.2-acre property for Business and Office use. The Business and Office category *accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, entertainment and cultural facilities, amusements and commercial recreation.* However, the CDMP Land Use Element interpretative text for the Business and Office use states that *residential uses, and mixing of residential use with commercial, office and hotels are also permitted in business and office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed-use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met, residential development may be authorized to occur in the business and office category at a density up to one density category higher than the LUP map's designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.*

ZONING ANALYSIS:

The applicant seeks approval of a request for a zone change from IU-C to RU-4L (requests #1). In addition, the application seeks to approve other requests (requests #2 through #5) for the development of the site under the RU-4L zoning regulations which are contingent on the approval of the district boundary change. However, due to an inadvertent advertising error, this application needs to be deferred. Therefore, since this application has not been properly advertised it needs to be deferred and re-advertised.

RECOMMENDATION:

Deferral.

ES:MW:NN:AN:CH

Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No comment
Schools	No objection
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Business and Office (Page I-41)	*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 (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 factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.* *Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.* ***Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.*** *If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.*

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

Land Use Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	(A) *The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.* *(F)* ***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.*
Section 33-311(A)(3) Special Exception, Unusual and New Uses.	*Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other*

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

	equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	*Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*
Section 33-311(A)(7) Generalized Modification Standards.	*The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.*

1. MIAMI GARDENS PARK, LLC
(Applicant)

13-1-CZ5-1 (12-089)
BCC/District 01
Hearing Date: 05/23/13

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
1982	1000 Brickell Inc.	-Zone change fro AU, RU-3M and RU-4L to IUC. -Unusual use for a lake Excavation. -Deletion condition #3 of Resolution Z-22-80.	BCC	Approved with Condition(s)

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
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

A

APPLICANT'S NAME: **MIAMI GARDENS PARK, LLC**

REPRESENTATIVE: Javier Vazquez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-1-CZ5-1 (12-089)	March 14, 2013	CZAB5	1	12

REC: Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

☐ 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

■ OTHER: Modification of Conditions #5 and 22 to delete Saturday and Sunday operations for construction on the site.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN	S	Jessica FORTICH	X		
VICE CHAIRMAN	M	Juan A. GARCIA (C.A.)	X		
COUNCILMAN		Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF			X
CHAIR WOMAN		Joanne CARBANA	X		
		VOTE:	4	0	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **JOHN MCINNIS**

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

A

APPLICANT'S NAME: **MIAMI GARDENS PARK, LLC**

REPRESENTATIVE: Javier Vazquez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-1-CZ5-1 (12-089)	February 28, 2013	CZAB5		12

REC: Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

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

■ DEFER: ☐ INDEFINITELY ■ TO: **March 14, 2013** ☐ 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

■ OTHER: Deferred by the Board to allow the applicant to meet with the neighbors for a second time.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN	S	Jessica FORTICH	X		
VICE CHAIRMAN		Juan A. GARCIA (C.A.)		X	
COUNCILMAN	M	Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF			X
CHAIR WOMAN		Joanne CARBANA	X		
		VOTE:	3	1	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **JOHN MCINNIS**

10

MIAMI-DADE COUNTY
COMMU...Y ZONING APPEALS BOAI... - AREA 5
MOTION SLIP

#1

APPLICANT'S NAME: **MIAMI GARDENS PARK, LLC**

REPRESENTATIVE: Javier Vazquez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-1-CZ5-1 (12-089)	January 17, 2013	CZAB5		12

REC: Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):

■ DEFER: ☐ INDEFINITELY ■ TO: February 28, 2013 ☐ 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

■ OTHER: Deferred at applicant's request to allow the applicant to work with the neighbors.

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIR WOMAN	M	Joanne CARBANA	X		
COUNCILWOMAN	S	Jessica FORTICH	X		
COUNCILMAN		Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF	X		
CHAIRMAN		Juan A. GARCIA (C.A.)	X		
		VOTE:	5	0	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **JOHN MCINNIS**

Memorandum

MIAMI-DADE COUNTY

Date: September 5, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: #Z2012000089-1st Revision
Miami Gardens Park, LLC
SW Corner of NW 182nd Lane and NW 59th Avenue
Zone Chance from IU-C to RU-4L; Modification of a Previous Agreement; Unusual Use to Permit and Entrance Feature; and Unusual Use to Permit the Filling of a Lake
(IU-C) (8.2 Acres)
12-52-40

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application 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.

Be advised that the water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

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 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 alternate means of sewage disposal. Use of an alternate 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
The proposed site plan does not match the previously approved paving and drainage plans under the existing Environmental Resource Permit number 13-03926-P issued by the Department. Therefore, a letter of permit modification is required. This letter must be obtained prior to the Department Plan Review and Development Approval.

The applicant shall demonstrate that partial filling of the existing lake will not result in higher ground water level in the surrounding area.

Any development in the post filling operation shall be required to conform to the conditions of a Surface Water Management Permit issued by the Department.

Wetlands
This property is part of Class IV Wetland Permit FW 00-083 which was issued for the filling of 0.037 acres of wetlands for a roadway between NW 186th Street and NW 177th Street. The permit expired on March 26, 2006. However, prior to the expiration date, 0.018 acres of wetlands were filled. The remainder 0.019 acres of wetlands were permitted under the same permit number (Class IV Wetland Permit FW00-083) on January 22, 2007, and expired on January 22, 2009. An on site inspection performed by staff on August 13, 2010 revealed that the wetlands on site were filled prior to the permit expiration date.

Therefore, this Section has no objection to the scheduling of this zoning application provided that no impacts occur beyond what was permitted on this site.

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
From 2007 to 2009 tree resources have been removed from this property without first obtaining the required Miami-Dade County Tree Removal/Relocation Permit. Consequently, the property owner shall be required to obtain an After-the-Fact Tree Removal/Relocation Permit. The applicant is advised that enforcement action may be forthcoming as a consequence of the violation. Section 24-49 of the Code requires the preservation of tree resources. Therefore, this Department will require the preservation of all the specimen-sized trees (trunk diameter 18 inches or greater) as defined in the Code, on the site.

A Miami Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is advised to contact the Tree Permitting Program at (305)-372-6600, voice option #2, for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History
There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

A concurrency review has been conducted 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 written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

REVISION 1

PH# Z2012000089
CZAB - C05

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MIAMI GARDENS PARK, LLC

This Department has no objections to this application.

This land requires re-platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

A re-plat is required to remove a 10 foot utility easement along the western boundary of the property where the 4 buildings are proposed.

Additional improvements may be required at time of permitting/platting.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 117 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
F-1233	Miami Gardens Dr. e/o NW 57 Ave.	B	B
F-2516	Miami Gardens Dr. w/o NW 57 Ave.	E	E
F-1190	NW 57 Ave. s/o NW 173 Dr.	E	E
F-2514	NW 57 Ave. n/o NW 183 St.	B	B

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-SEP-12

Memorandum

MIAMI-DADE COUNTY

Date: August 8, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From: Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: DIC #12-089
Miami Gardens Park,LLC

Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-089
Miami Gardens Park, LLC

Application: ***Miami Gardens Park, LLC*** is requesting a district boundary change from Industrial (IU-C) to Limited Apartment House District (RU-4L) to develop 180 residential dwelling units on the property, in the form of a gated community, to be distributed among 16 buildings. The applicant also requests a modification to an existing covenant to delete Declaration of Restrictions recorded in O.R. Book 11507, at Page 577 and unusual use permits to allow for a guardhouse, gate, and to fill a lake.

Size: The subject property is approximately 8.2 acres.

Location: The subject property is approximately located at the SW corner of NW 182 Lane and NW 59 Avenue, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The development of a gated community comprised of 180 residential dwelling units among 16 buildings will likely be considered development for a "multi-family residential establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Multi-family Units

Regarding **multi-family units, Section 15-2.2a** requires "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below."

1) Newspaper
2) Glass (flint, emerald, amber)
3) Aluminum cans
4) Steel cans
5) Plastics (PETE, HDPE-natural, HDPE-colored)

Section 15-2.2b states the failure of a multi-family residential establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner(s) shall be liable, provided, however, that in the case of a condominium or cooperative apartment having a condominium association or cooperative apartment association, said association, rather than individual unit owners, shall be liable for any such violation.

Applicants are ***strongly*** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling programs must be made directly to the Department at 305 514-6666.

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends").
b. "T" shaped turnaround 60 feet long by 10 feet wide.
c. Paved throughway of adequate width (minimum 15 feet).

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle accesss. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

HANS OTTINOT, ESQ.
17524 N.W. 61ST COURT
MIAMI, FL 33015
TEL: (786) 202-1136
FAX: (305) 792-1562
EMAIL: HOTTINOT@SIBFL.NET

RECEIVED
2/2.05
MAR 28 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

March 28, 2013

Attn: Zoning Department of Miami-Dade County
111 N.W. 1st Street
Miami, FL 33128

Re: Appeal to Board of County Commissioners for
Hearing No. 13-1-CZ5-1
Miami Gardens Park, LLC

Dear Sir/Madam:

The undersigned represents Moors Patio Homes Maintenance Association, Inc., Antonio Sanchez, Tangelia Smith, Jorge Trujillo, Elizabeth Ferrero, Rhoda Mutton, and Linda M. Schmidta regarding the above-referenced matter.

Please find attached a joint appeal petition filed by the aforementioned parties against the zoning approval issued to Miami Gardens Park, LLC. Also, enclosed is the check in the amount of $1,188.88 for the filing fee.

Please direct all correspondence, notices, etc. to the undersigned at the address or email indicated above.

Thank you for your prompt attention to this matter.

Sincerely,

Hans Ottinot, Esq.

cc: Board of Directors, Moors Patio Homes
Clients

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

CHECKED BY _____ AMOUNT OF FEE 1188.88

RECEIPT # _____

DATE HEARD: 5/14/13

BY CZAB # 5

RECEIVED
212.089
MAR 28 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

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. 13-1-CZ5-1 212.089

Filed in the name of (Applicant) Miami Gardens Park, LLC

Name of Appellant, if other than applicant Moors Patio Homes Maintenance, Ass., et. al. (See Exhibit "A")

Address/Location of APPELLANT'S property:
Lying between 167 Street and Miami Gardens Drive from South to North and lying between N.W. 67th Ave to 60th Ave from East to West.

Application, or part of Application being Appealed (Explanation):
Entire Appealable Application.

Appellant (name): Moors Patio Homes Maintenance Ass., et. al. (See Exhibit "A") 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 reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

(1) Community Council violated Appellants' Due Process Rights.

(2) Notices For Zoning application was defective.

(3) Zoning approval is inconsistent with Comprehensive Plan.

(4) See Exhibit "B" for additional grounds.

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed _____

Moors Patio Homes Maintenance Ass.
Print Name

17321 N.W. 66th Court, Miami, FL 33015
Mailing Address

Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate: Moors Patio Homes Maintenance Ass.
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

Jasmine L Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
1-800-3-NOTARY Fl. Notary Discount Assoc. Co.

Commission expires: November 18, 2014

21

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 Moors Patio Homes Maintenance Ass. (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

MARLINE PIERRESAINT
Print Name

Appellant's signature

Hans Ottinot
Print Name

Signature

Print Name

Sworn to and subscribed before me on the ____ day of March, year 2013.

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

Notary
(Stamp/Seal)

Commission Expires: November 18 2014

[b:forms/affidapl.sam(9/08)]

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.

APPELLANT MUST SIGN THIS PAGE

Date: 21st day of March, year: 2013

Signed _____

ANTONIO SANCHEZ
Print Name

17321 NW 66 CT Miami 33015
Mailing Address

305 821-9123 305 821-5401
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Antonio Sanchez
Representing

Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 21st day of March, year 2013

Notary Public

(stamp/seal)

DORIS PRADO
MY COMMISSION # EE 010023
EXPIRES July 22, 2014
Bonded Thru Budget Notary Services

Commission expires:

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 Antonio Sanchez-Pires. (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
2. Original Applicant
✓ 3. Written objections, waivers 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

Yeanssery Salvera
Print Name

Signature

Print Name

Appellant's signature

ANTONIO SANCHEZ
Print Name

Sworn to and subscribed before me on the 21st day of March, year 2013.

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

Notary
(Stamp/Seal)

DORIS PRADO
MY COMMISSION # EE 010023
EXPIRES: July 22, 2014
Bonded Thru Budget Notary Services

Commission Expires:

[b:forms/affidapl.sam(11/03)]

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed _____

Tangelia Smith

Print Name

17595 N.W. 60th Pl Hialeah, FL 33015

Mailing Address

Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Tangelia Smith

Representing

_____

Signature

Hans Ottinot

Print Name

17524 N.W. 61st Court

Address

Hialeah, FL 33015

City State Zip

(786) 202-1136

Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

_____

Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.
1-800-1-NOTARY

Commission expires: November 18, 2014

25

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 Tangelia Smith (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

MARLINE PIERRESAINT
Print Name

Appellant's signature

Tangelia Smith
Print Name

Signature

Print Name

Sworn to and subscribed before me on the ____ day of March, year 2013.

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

Jasmine L. Barnes
Notary
(Stamp/Seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
L. Steen Discount Assoc. Co.

Commission Expires: November 18, 2014

[b:forms/affidavit.san(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed _____

Jorge L. Trujillo
Print Name

17513 N.W. 61st Ct. Hialeal, FL 33015
Mailing Address

Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate: Jorge L. Trujillo
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

_____
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.

Commission expires: November 18, 2014

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 Jorge L. Trujillo (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
✓ 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

MARLINE PIERRE-SAINT
Print Name

Signature

Print Name

Appellant's signature

Jorge L Trujillo
Print Name

Sworn to and subscribed before me on the 24th day of MARCH, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
COMMISSION # EE25472
EXPIRES November 18, 2014
FL Notary Discount Assoc. Co.

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed _____

ELIZABETH FERRERO
Print Name

17525 NW 61 CT N
Mailing Address

305 8233321
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Elizabeth Ferrero
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

_____
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.

Commission expires: November 18, 2014

29

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 Elizabeth Ferrero (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Fernando Amuchastegui
Print Name

Appellant's signature

ELIZABETH FERRERO
Print Name

Signature

Print Name

Sworn to and subscribed before me on the 24th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014

Commission Expires:

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed Rhoda Mutton

RHODA MUTTON
Print Name

17517 N.W. 61st Court, Hialeh, FL 33015
Mailing Address

Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

Jasmine L Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Notary Discount Assoc Co

Commission expires: November 18, 2014

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 RHODA MUTTON (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Rhoda Mutton
Appellant's signature

Fernando Anuchastegui
Print Name

RHODA MUTTON
Print Name

Signature

Print Name

Sworn to and subscribed before me on the 24th day of March, year 2013.

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

Jasmine L Barnes
Notary
(Stamp/Seal)

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co

APPELLANT MUST SIGN THIS PAGE

Date: 24th day of March, year: 2013

Signed Linda M. Schmidt

LINDA M. SCHMIDT
Print Name

17617 NW 61ST CT. N.
Mailing Address

Miami, FL. 33015

Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Linda M. Schmidt
Representing

Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202- 1136
Telephone Number

Subscribed and Sworn to before me on the 24th day of March, year 2013

Jasmine L Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co.

Commission expires: November 18, 2014

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 Linda M. Schmidt (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
✓ 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

Fernando Amurchastegui
Print Name

Linda M. Schmidt
Appellant's signature

LINDA M. SCHMIDT
Print Name

Signature

Print Name

Sworn to and subscribed before me on the 24th day of March, year 2013.

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

Jasmine L Barnes
Notary
(Stamp/Seal)

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Bonded Thru Notary Public Underwriters

EXHIBIT "A"

NAMES OF APPELLANTS

(1) Moors Patio Maintenance Association, Inc.;

(2) Antonio Sanchez;

(3) Tangelia Smith;

(4) Jorge Trujillo;

(5) Elizabeth Ferrero;

(6) Rhoda Mutton;

(7) Linda M. Schmidt.

EXHIBIT "B"

GROUNDS AND REASONS SUPPORTING REVERSAL

(1) Community Council 5 violated Appellants' due process rights;

(2) Notices for zoning application were defective on its face;

(3) Zoning approval is inconsistent with Miami-Dade Comprehensive Plan;

(4) Failure to obtain prior to zoning approval Letter of Permit regarding Environmental Resource Permit Number 13-03926-P;

(5) Unusual Use Request to fill lake did not comply with requirements of County Code;

(6) Non-Use Variances granted inconsistent with the requirements of the County Code and state law;

(7) Deletion of Declaration Restrictions requiring 100 feet buffer to protect single family home neighborhood violates County Code and state law requirements.

RECEIVED
212.089
APR 01 2013
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

HANS OTTINOT, ESQ.
17524 N.W. 61ST COURT
MIAMI, FL 33015
TEL.: (786) 202-1136
FAX: (305) 792-1562
EMAIL: HOTTINOT@SIBFL.NET

March 29, 2013

Ronald Connally, Supervisor
Zoning Department of Miami-Dade County
111 N.W. 1st Street
Miami, FL 33128

Re: Appeal to Board of County Commissioners for Hearing No. 13-1-CZ5-1 Miami Gardens Park, LLC

Dear Mr. Connally:

Pursuant to your request, please find enclosed revised affidavits for the Appeal. Additionally, please find the Disclosure of Interest Form from the Moors Patio Homes Association.

Thank you for your prompt attention to this matter.

Sincerely,

Hans Ottinot, Esq.

cc: Board of Directors, Moors Patio Homes
Clients

37

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of March, year: 2013

Signed _____

Moors Patio Homes Maintenance Ass.
Print Name

17321 N.W. 66th Court, Hialeah, FL 33015
Mailing Address

(786)202-1136
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate: Moors Patio Homes Maintenance Ass.
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 28th day of March, year 2013

Jasmine L Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co.

Commission expires: November 18, 2014

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 Hans Ottinot (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
___ 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

Fernando Amuchastegui
Print Name

Signature

Kevin P Sneerbox
Print Name

Appellant's signature

Hans Ottinot
Print Name

Sworn to and subscribed before me on the 28th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
COMMISSION # EE25472
EXPIRES: November 18, 2014
Notary Discount Assoc. Co.

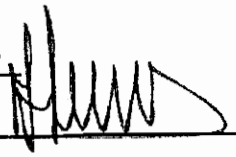
Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

39

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of March, year: 2013

Signed 

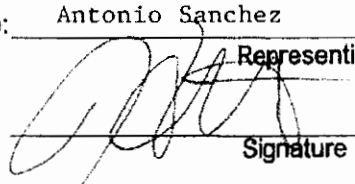
ANTONIO SANCHEZ
Print Name

17821 NW 66 Ct. Miami 33015
Mailing Address

305 7734886 _____
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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


Signature

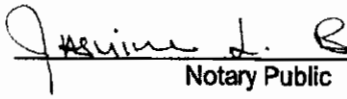
Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

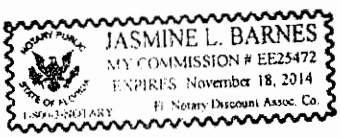
Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 28th day of March, year 2013


Notary Public

(stamp/seal)



Commission expires: November 18, 2014

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 Antonio Sanchez - Pres. (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Hans Ottinot
Print Name

Signature

Margarita Ottinot
Print Name

Appellant's signature

ANTONIO SANCHEZ
Print Name

Sworn to and subscribed before me on the 28th day of March, year 2013.

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

Jasmine L.
Notary
(Stamp/Seal)

JASMINE L. BARNES
COMMISSION # EE25472
EXPIRES November 18, 2014
FL Notary Discount Assoc Co

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of March, year: 2013

Signed Linda M. Schmidt

LINDA M. SCHMIDT
Print Name

17617 NW 61ST CT.
Mailing Address

305 283-6568 _____
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate: Linda M. Schmidt
Representing

Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 28th day of March, year 2013

Jasmine L. Barnes
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Bonded Notary Discount Assoc. Co.

Commission expires: November 18, 2014

42

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 Linda M. Schmidt (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Print Name

Signature

Margarita Ottinot
Print Name

Linda M. Schmidt
Appellant's signature

LINDA M. SCHMIDT
Print Name

Sworn to and subscribed before me on the 28th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co.

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of March, year: 2013

Signed _____

Jorge L. Trujillo
Print Name

17513 N.W. 61st Ct, Hialeah, FL 33015
Mailing Address

(786) 202-1136 _____
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate: Jorge L. Trujillo
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 28th day of March, year 2013

Jasmine L. Barnes
Notary Public

(stamp/seal) JASMINE L. BARNES ... EE254172 ... November 18, 2014 ... FL Notary Discount Assoc. Co

Commission expires: November 18, 2014

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 Jorge L. Trujillo (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Elizabel Trujillo
Print Name

Signature

Hans Ottiwt
Print Name

Appellant's Signature

Jorge L. Trujillo
Print Name

Sworn to and subscribed before me on the 25th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE J. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of March, year: 2013

Signed _____

Elizabeth Ferrero
Print Name

17525 NW 61st Ct. Miami, FL. 33015
Mailing Address

3058233321 _____
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Elizabeth Ferrero
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 28th day of March, year 2013

_____
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl Notary Discount Assoc. Co

Commission expires: November 18, 2014

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 Elizabeth Ferrero (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
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

Print Name

Signature

Margarita Ottinot
Print Name

Appellant's signature

Elizabeth Ferrero
Print Name

Sworn to and subscribed before me on the 28th day of March, year 2013.

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

Notary
(Stamp/Seal)

JASMINE L. BARNES
COMMISSION # EE25472
EXPIRES: November 18, 2014
FL Notary Discount Assoc. Co.

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

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 Tangelia Smith (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 matter because of the following:

(Check all that apply)

✓ 1. Participation at the hearing
___ 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

Margarita Ottinot
Print Name

Signature

Hans Ottinot
Print Name

Appellant's signature

Tangelia S. Smith
Print Name

Sworn to and subscribed before me on the 30TH day of March, year 2013.

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

Jasmine L Barnes
Notary
(Stamp/Seal)

Commission Expires: November 18, 2014

[b:forms/affidapl.sam(9/08)]

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
1-800-3-NOTARY Fl. Notary Discount Assoc. Co.

APPELLANT MUST SIGN THIS PAGE

Date: 30th day of March, year: 2013

Signed _____

Tangelia G. Smith
Print Name

17995 NW 60th Pl Miami Lakes FL 33015
Mailing Address

786-253-8086 _____
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

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

Tangelia G. Smith
Representing

_____
Signature

Hans Ottinot
Print Name

17524 N.W. 61st. Court
Address

Hialeah, FL 33015
City State Zip

(786) 202-1136
Telephone Number

Subscribed and Sworn to before me on the 30th day of March, year 2013

_____
Notary Public

(stamp/seal)

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES: November 18, 2014
Fl. Notary Discount Assoc. Co.
1-800-3-NOTARY

Commission expires: November 18, 2014

RESOLUTION NO. CZAB5-1-13

WHEREAS, **MIAMI GARDENS PARK, LLC** applied for the following:

(1) DISTRICT BOUNDARY CHANGE from IU-C to RU-4L.

(2) DELETION of a Declaration of Restrictions recorded in Official Record Book 11507, Pages 577 through 581, only as it applies to the subject property.

The purpose of the request is to remove the requirements that calls for a 50' no building area, a 50' greenbelt open space and a 10' utility easement along the west property line.

(3) UNUSUAL USE to permit an entrance feature; to wit: an entrance feature consisting of decorative masonry walls 8' in height and signage.

(4) UNUSUAL USE to permit the filling of a portion of an existing lake.

(5) NON-USE VARIANCE of setback requirements to permit certain buildings setback 15' from the rear (south) property line (25' required).

(6) NON-USE VARIANCE of spacing requirements to permit the clubhouse to be spaced a minimum 23'-8" (20' required) from other residential buildings

(7) NON-USE VARIANCE of spacing requirements to permit certain residential buildings to be spaced 16' (20' required) from each other.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Prop osed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect consisting of 17 sheets and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc., consisting of 1 sheet, with all plans dated stamped received 10/25/12, Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract "A" of Garden Park S ubdivision PB 167, PG 29

LOCATION: Lying West of NW 59 Avenue and South of theoretical NW 182 Lane, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 5 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 district boundary change to RU-4L (Item #1) would be consistent with the Comprehensive Development Master Plan and would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that requested deletion of a Declaration of Restrictions recorded in Official Record Book 11507, Pages 577 through 581, only as it applies to the subject property (Item #2), the requested unusual use to permit an entrance feature; to wit: an entrance feature consisting of decorative masonry walls 8' in height and signage (Item #3), the requested unusual use to permit the filling of a portion of an existing lake (Item #4), and the requested non-use variance of setback requirements to permit certain buildings setback 15' from the rear (south) property line (Item #5), would be compatible with the area and its development and 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 would be consistent with the Comprehensive Development Master Plan, and that the requested unusual uses (Items #3 and #4) would not have an adverse impact upon the public interest and should be approved, and that the requested non-use variance of spacing requirements to permit the clubhouse to be spaced a minimum 23'-8" from other residential buildings (Item #6), and the requested non-use variance of spacing requirements to permit certain residential buildings to be spaced 16' from each other (Item #7) shall be withdrawn per the Department's recommendation, and

WHEREAS, a motion to approve Items #1 through #5 and to withdraw Items #6 and #7 per the Department' s recommendation was offered by Juan A. Garcia, seconded by Jessica Fortich, and upon a poll of the members present the vote was as follows:

Juan A. Garcia	aye	Leonardo A. Perez	aye
Jessica Fortich	aye	Alexander C. Senderoff	absent

Joanne Carbana aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 5, that the requested district boundary change to RU-4L (Item #1) be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that the requested deletion of a Declaration of Restrictions recorded in Official Record Book 11507, Pages 577 through 581, only as it applies to the subject property (Item #2), the requested unusual use to permit an entrance feature; to wit: an entrance feature consisting of decorative masonry walls 8' in height and signage (Item #3), the requested unusual use to permit the filling of a portion of an existing lake (Item #4), and the requested non-use variance of setback requirements to permit certain buildings setback 15' from the rear (south) property line (Item #5), be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, 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 "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lak e Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet with all plans dated stamped received 10/25/12, except as herein amended to show an increased landscaped buffer along the west property line. Said landscape buffer shall consist of dual, row of trees planted in staggered rows along the west property line, spaced 25' on center and be a minimum of 12' high at the time of planting.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submit to the Department of Regulatory and Economic Resources for review and approval a landscape plan which in addition to the submitted landscape plans shall include the required landscape buffer along the west property line. Said

landscape buffer shall consist of a dual row of trees planted in staggered rows along the west property line, spaced 25' on center and be a minimum of 12' high at the time of planting, and shall be installed along that portion of the west property line prior to the issuance of the first Certificate of Occupancy.

5. That the applicant shall be permitted to operate construction activities for the proposed development between the hours of 7:00 A.M. and 7:00 P.M. on weekdays, may be permitted by the Director only if the same does not become objectionable, in his opinion to the surrounding area.

Lake Fill Conditions

6. That in the event the existing 8' high wall along 2/3 of the west property line is removed by the neighboring residential development to the west the applicant shall install a similar buffer within the zoning regulations.

7. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

8. That no fill be permitted with the adjacent rights-of way.

9. That if in the opinion of the Director the lakefill is hazardous to the surrounding area, the hazardous area shall be fenced in or otherwise protected, by the applicants as directed by the Director.

10. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources as well as the Public Works and Waste Management Department for the duration of the fill project.

11. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources, as set forth herein, shall be used in the fill project.

12. That in order to insure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posed with the Department of Regulatory and Economic Resources, payable to Miami-Dade County, in an amount as may be determined and established by the Director of the Department of Regulatory and Economic Resources; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees, etc. The bond amount shall be based on the volume of cut required to create the approved slope configuration.

13. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

14. That neither the clean fill material piles; nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

15. That the fill project shall meet all storm water management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

16. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the previously approved excavation plans and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation. In no event shall such extension allow the fill project to continue beyond three (3) years after issuance of the permit.

17. That the property shall be suitably posted to meet with the approval of the Director; said posting shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

18. That the property shall be staked to meet with the approval of the Director of the Department of Regulatory and Economic Resources; said stakes shall be maintained in proper position so that the limits of the lake fill, slopes and grade levels may be easily determined.

19. That all Federal, State and local permits be obtained prior to commencement of the lake fill. In the event that any Federal, State or local permit is revoked or otherwise held to be invalid, the lake fill operation shall immediately cease.

20. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than three (3) years from issuance of the fill permit.

21. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Department of Regulatory and Economic Resources.

22. That the applicant shall be permitted to operate between the hours of 7:00 A.M. and 7:00 P.M. on weekdays, may be permitted by the Director only if the same does not become objectionable, in his opinion, to the surrounding area.

23. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project as the project develops and the lakefill operation progresses. In accordance with this requirement, the applicants shall submit "as built" surveys prepared and sealed by a Florida licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the lake fill operation or at six-month intervals, whichever is of a lesser duration, or upon request of either the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources when it appears that the lake fill is proceeding contrary to approved plans.

24. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda that are incorporated herein by reference.

25. That any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.

BE IT FURTHER RESOLVED that Items #6 and #7 be and the same are hereby withdrawn without prejudice.

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 Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources.

PASSED AND ADOPTED this 14th day of March, 2013.

Hearing No. 13-1-CZ5-1
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 5, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB5-1-13 adopted by said Community Zoning Appeals Board at its meeting held on the 14th day of March, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 20th day of March, 2013.

Earl Jones, Deputy Clerk (3230)
Miami-Dade Department of Department of Regulatory and Economic Resources

SEAL

Memorandum

MIAMI-DADE COUNTY

Date: November 13, 2012

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief M.N.
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2012000089: MIAMI GARDENS PARK, LLC
Includes plans dated stamped received through 10/25/12.

Application Name: MIAMI GARDENS PARK, LLC

Project Location: The site is located west of NW 59 AVENUE and south of theoretical NW 182 LANE, Miami-Dade County. Review includes plans dated stamped received through 10/25/12.

Proposed Development: The applicant is requesting approval for a district boundary change from IU-C to RU-4L for development of 180 dwelling units and a centralized clubhouse. An unusual use to permit an entry feature for a guardhouse and gate and to fill a portion of a lake is requested. Also requested is a modification of an existing covenant.

Impact and demand: The proposed development consisting of 180 dwelling units generates the need for approximately 1.36 acres of parkland based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population. The site is located in Park Benefit District 1 which has a surplus of 310.91 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District. The Department has no objection to this application.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space.

Current Park Benefit District Area Conditions: County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park. The nearest park to the application is Country Village Park which is located .5 miles northwest of the site.

Table A - County Parks (local only)
Within a 3 Mile Radius of Application Area.

Park Facility	Classification	Acreage
Lake Stevens Park	NEIGHBORHOOD PARK	11.75
Country Village Park	COMMUNITY PARK	16.74
Country Club of Miami Tot Lot	MINI-PARK	0.30
Country Lake Park	COMMUNITY PARK	19.20
Acadia Park	NEIGHBORHOOD PARK	5.99
North Glade Park	COMMUNITY PARK	3.98
Spanish Lake	NEIGHBORHOOD PARK	6.37

Country Club of Miami South Park	COMMUNITY PARK	88.29
Norman & Jean Reach Park	COMMUNITY PARK	19.28
North Pointe Community Ctr.	COMMUNITY PARK	5.58
Area 1176	MAINTENANACE AREA	35.38
Area 262	MAINTENANCE AREA	34.37

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

REVISION 1

Memorandum

Date: 06-NOV-12

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2012000089

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated 07/19/12.
APPROVAL
No objection via Case # Z2012000089 with the following condition:
A Knox key switch required at entry gates.

Service Impact/Demand

Development for the above Z2012000089
located at Lying west of NW 59 AVENUE and south of theoretical NW 182 LANE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0174 is proposed as the following:

180 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: 50.49 alarms-annually.
The estimated average travel time is: 6:32 minutes

Existing services

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

Station 1 - Miami Lakes - 16699 NW 67 Avenue
Rescue, ALS Aerial

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 Letter of Intent. Substantial changes to the Letter of Intent will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 26-APR-13

REVISION 2

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

MIAMI GARDENS PARK, LLC

APPLICANT

Lying west of NW 59 AVENUE and south of theoretical NW 182 LANE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2012000089

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC: No open cases, prior case 201207002831 was opened September 21, 2012 for Failure to perform lot maintenance and a warning was issued. Reinspection October 18, 2012 and violation corrected and case closed. Previous case 201207002556 was opened August 21, 2012 for junk/trash and case closed on September 21, 2012.

Miami Gardens Park LLC

OUTSTANDING FINES, PENALTIES, COST OR LIENS INCURRED PURSUANT TO CHAPTER 8CC:

REPORTER NAME:

60

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Miami Gardens Park, LLC

NAME AND ADDRESS	Percentage of Stock
Richard Rafuls	50%
Hector Marrero	50%
7901 West 25 Avenue, Bay 3	
Hialeah, Florida 33016	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

NAME AND ADDRESS	Percentage of Interest

RECEIVED
Z12-089
JUL 03 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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 principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the 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.

RECEIVED
212-089
JUL 03 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the 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: _____
(Applicant)

Sworn to and subscribed before me this 28th day of June, 2012. Affiant is personally know to me or has produced _____ as identification.

Clara Martinez
(Notary Public)
CLARA MARTINEZ
My commission expires: 05/01/16

Notary Public State of Florida
Clara Martinez
My Commission EE 166954
Expires 05/01/2016
Seal

*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.

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Moors Patio Homes Maintenance Association, Inc.

NAME AND ADDRESS	Percentage of Stock
Antonio Sanchez, President 17321 N.W. 66 Ct. Miami, FL 33015	N/A
Tangelia Smith, Vice President 17321 N.W. 66 Ct. Miami, FL 33015	N/A
Elicecer Cuba, Treasurer 17321 N.W. 66 Ct. Miami, FL 33015	N/A

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

NAME AND ADDRESS	Percentage of Interest

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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 principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the 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 any changes of ownership or changes in purchase contracts after the date of the 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: X _____
(Applicant) President

Sworn to and subscribed before me this 28TH day of March, 2013. Affiant is personally know to me or has produced FL DL as identification.

Jasmine L. Barnes
(Notary Public)

My commission expires: November 18, 2014

Seal

JASMINE L. BARNES
MY COMMISSION # EE25472
EXPIRES November 18, 2014
FL Notary Discount Assoc. Co.
1-800-3-NOTARY

*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.

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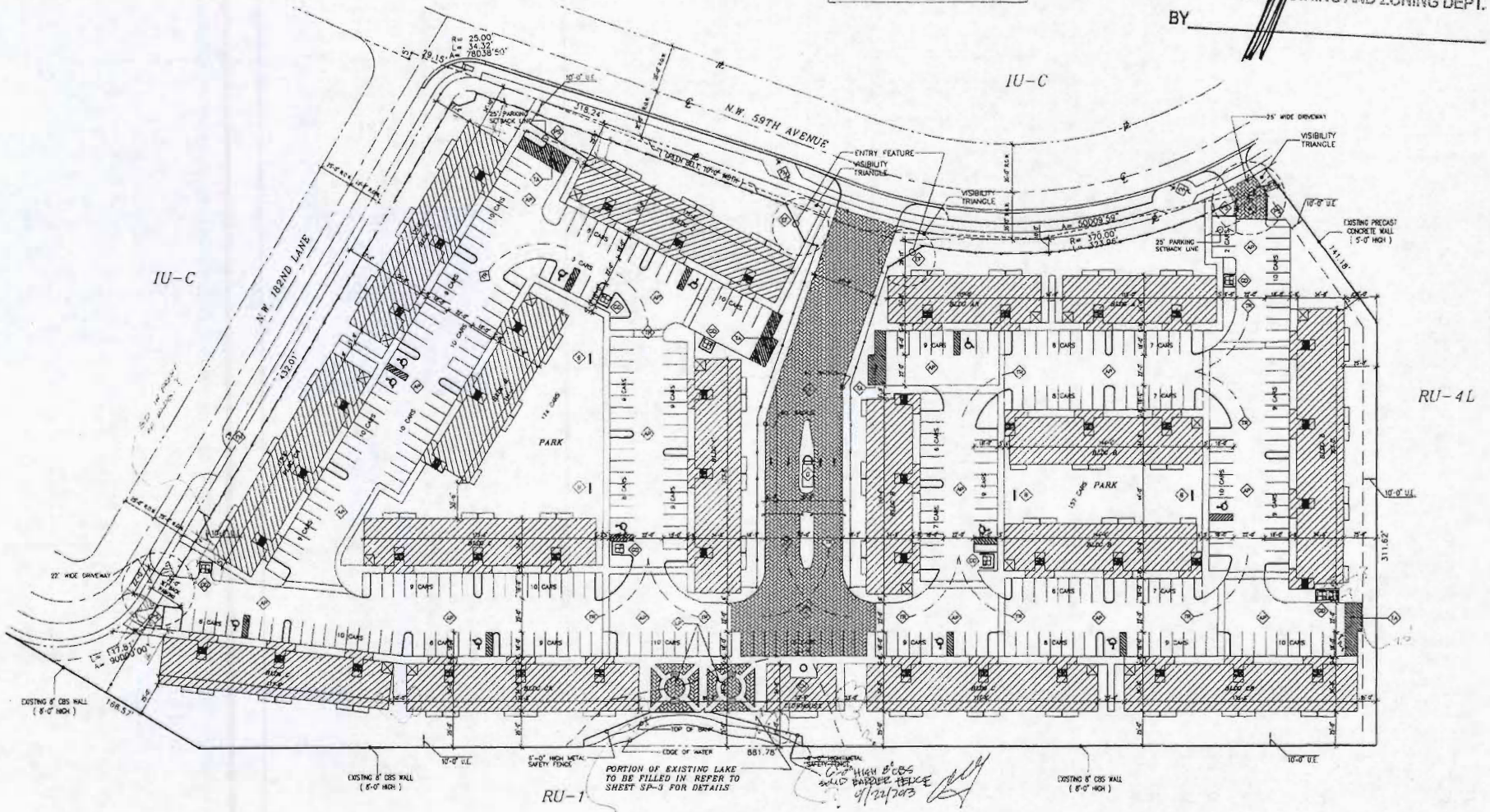
LEGAL DESCRIPTION
TRACT A OF GARDENS PARK
SUBDIVISION
PLAT BOOK 167 PAGE 29
OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY



GENERAL SITE PLAN
1"= 40'-0"

ENLARGED SITE PLAN

99

PROPOSED SITE PLAN ZONING LEGEND

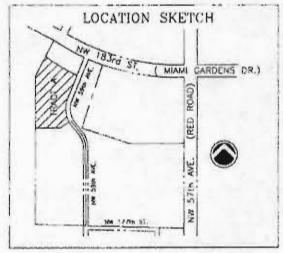
LOT COVERAGE DATA

BLDG. TYPE	NO. OF BLDGS	LOT COVERAGE
BLDG. A	1 BUILDINGS	4,231 SF
BLDG. AR	1 BUILDINGS	4,231 SF
BLDG. B	4 BUILDINGS	5,390 SF
BLDG. C	6 BUILDINGS	6,247 SF
BLDG. CR	3 BUILDINGS	6,247 SF
BLDG. D	1 BUILDING	7,546 SF
CLUBHOUSE	1 BUILDING	1,930 SF

LOT COVERAGE CALCULATIONS

BLDG TYPE		
BLDG. A	1 @ 4,231 SF	= 4,231 SF
BLDG. AR	1 @ 4,231 SF	= 4,231 SF
BLDG. B	4 @ 5,390 SF	= 21,560 SF
BLDG. C	6 @ 6,347 SF	= 38,082 SF
BLDG. CR	3 @ 6,347 SF	= 19,041 SF
BLDG. D	1 @ 7,546 SF	= 7,546 SF
CLUBHOUSE	1 @ 1,930 SF	= 1,930 SF
TOTAL LOT COVERAGE		98,683 SF

LOCATION SKETCH



LEGAL DESCRIPTION

TRACT A OF GARDENS PARK SUBDIVISION
PLAT BOOK 167 PAGE 29
OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY

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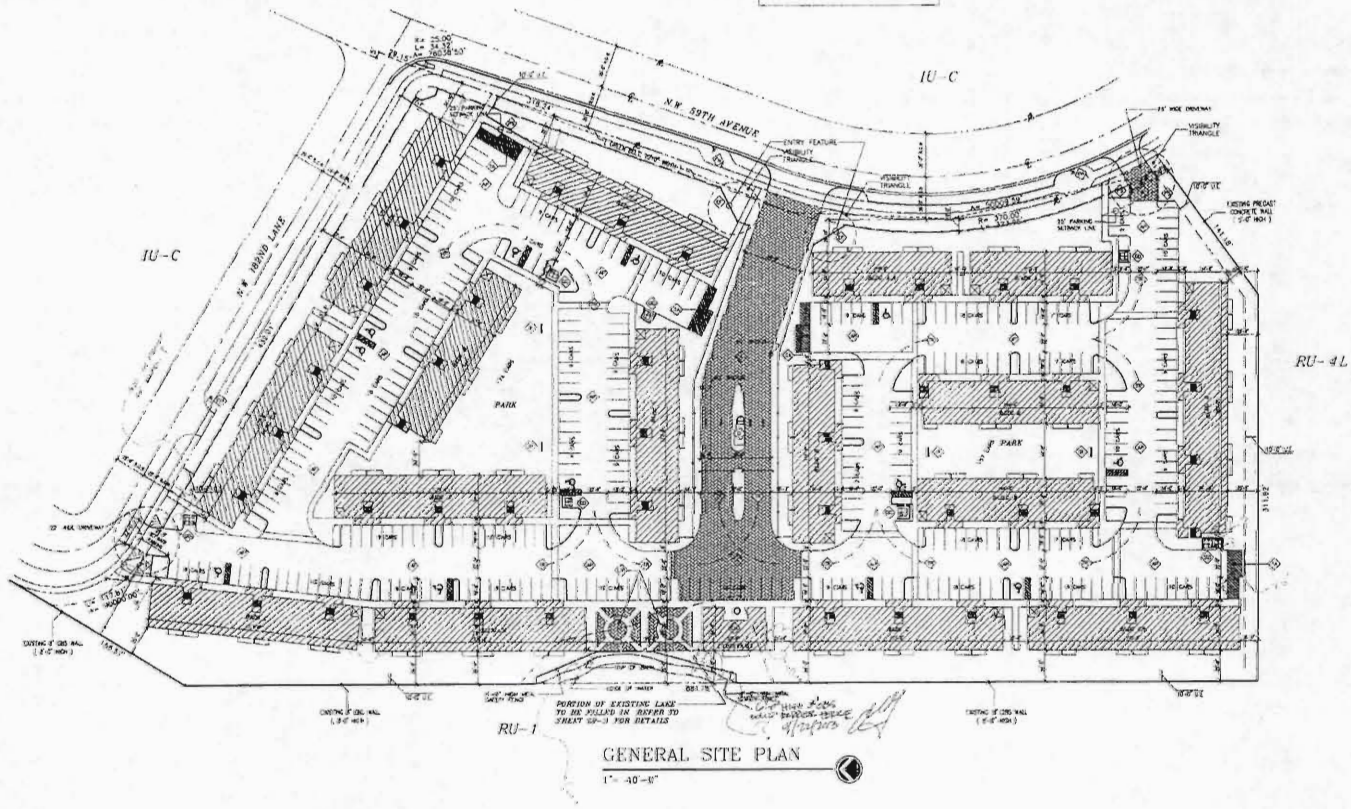

GENERAL SITE PLAN
1"= 40'-0"

SITE PLAN SYMBOL LEGEND

ID	SYMBOL DESCRIPTION
A	DENOTES LOCATION OF BRICK PAVERS
B	DENOTES LOCATION OF BICYCLE RACK
C	DENOTES LOCATION OF FOUNTAIN
AP	DENOTES LOCATION OF ASPHALT PAVING
GH	DENOTES LOCATION OF GUARDHOUSE SEE SHEET G-1 FOR DETAILS
CH	DENOTES LOCATION OF CLUBHOUSE SEE SHEET G-1 FOR DETAILS
FT	DENOTES 50' FIRETRUCK CL TURNING RADIUS
EF	DENOTES LOCATION OF ENTRY FEATURE
SW	DENOTES LOCATION OF 30" HIGH PARKING STALL SCREEN WALL
DS	DENOTES LOCATION OF GARBAGE DUMPSTER
TA	DENOTES LOCATION OF PARKING TURNAROUND AREA TO BE STRIPPED AND LABELED AS RU PARKING TURNAROUND ONLY
PP	DENOTES LOCATION OF BRICK PAVERED CROSSWALK

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GENERAL SITE PLAN

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS

DATE 04/25/12
SCALE AS NOTED
SHEET SP-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4259 AR-0010705

REVISIONS		
NO	DATE	BY
1	06/27/12	GGG
2		GAG
3		GAG

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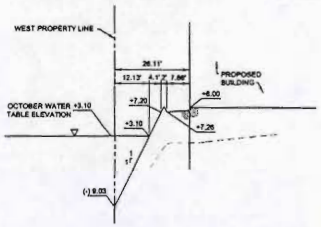
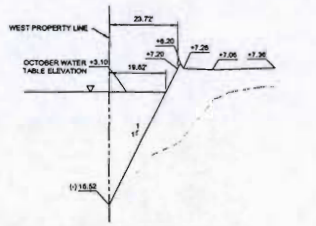


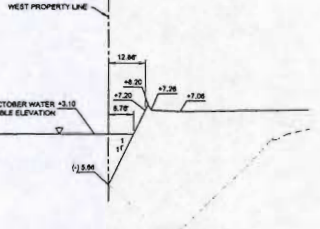
PROPOSED LAKE CROSS SECTION @ (-)10.45

SCALE: 1"=10'V, 1"=20'H (LOOKING NORTH)



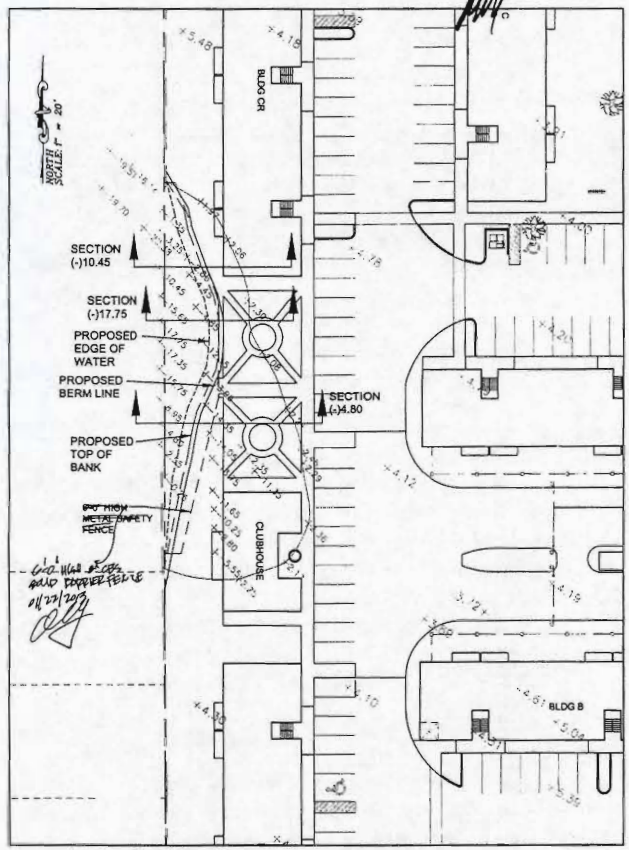
PROPOSED LAKE CROSS SECTION @ (-)17.75

SCALE: 1"=10'V, 1"=20'H (LOOKING NORTH)



PROPOSED LAKE CROSS SECTION @ (-)4.80

SCALE: 1"=10'V, 1"=20'H (LOOKING NORTH)



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LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.
328 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305-445-1900 • LB 1912

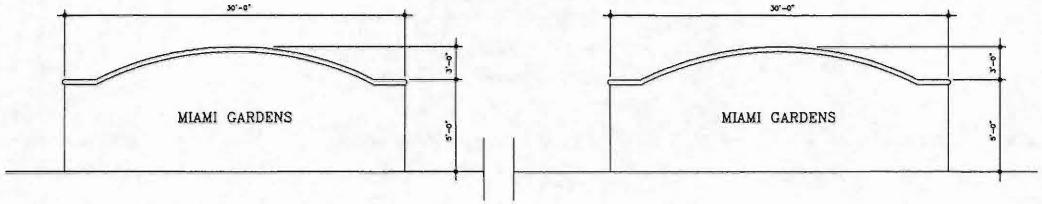
GARDENS PARK
RAFULS & ASSOCIATES CONSTRUCTION COMPANY

LAKE SECTION
EXHIBIT

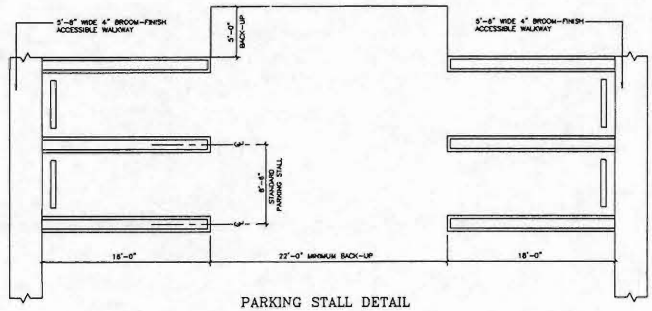
NO.	DATE	DESCRIPTION	BY	APP

SEAL
10/22/12
ANDREW W. ADAMS
REGISTERED ENGINEER #61315
STATE OF FLORIDA

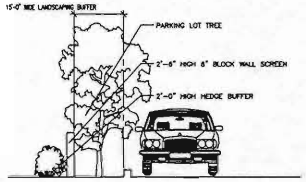
DESIGNED: AWA
DRAWN: AWA
CHECKED: AWA
SCALE: AS NOTED
DATE: 10/15/12
PROJ. NO. 2005-12
SHEET SP-3
OF 3 SHEETS



ENTRY FEATURE DETAIL



PARKING STALL DETAIL



PROPERTY-LINE PARKING SCREEN DETAIL

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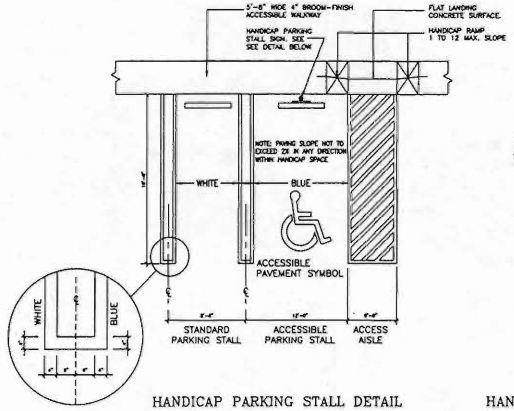
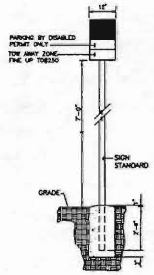


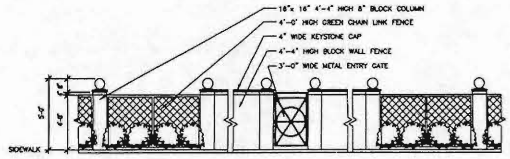
HANDICAP PARKING STALL DETAIL



HANDICAP PARKING SIGN DETAIL

HANDICAP PARKING SIGN NOTES

1. TOP PORTION SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER.
2. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH WHITE OPAQUE LEGEND AND BORDER.
3. SIGN TO BE USED AS PER FLORIDA STATUTES. EACH SUCH PARKING SPACE SHALL BE CONSPICUOUSLY OUTLINED IN BLUE PAINT, AND SHALL BE POSTED AND MAINTAINED WITH A PERMANENT ABOVE GROUND SIGN BEARING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY OR THE CAPTION "PARKING BY DISABLED PERMIT ONLY" OR BEARING BOTH SUCH SYMBOL AND CAPTION (SEE SIGN DETAIL) SUCH SIGNS SHALL NOT BE OBSCURED BY A VEHICLE PARKED IN THE SPACE. ALL HANDICAPPED PARKING SPACES MUST BE SIGNED AND MARKED IN ACCORDANCE WITH THE STANDARDS ADOPTED BY THE DEPARTMENT OF TRANSPORTATION.



FRONT PROPERTY-LINE FENCE DETAIL

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BY

SITE PLAN DETAILS

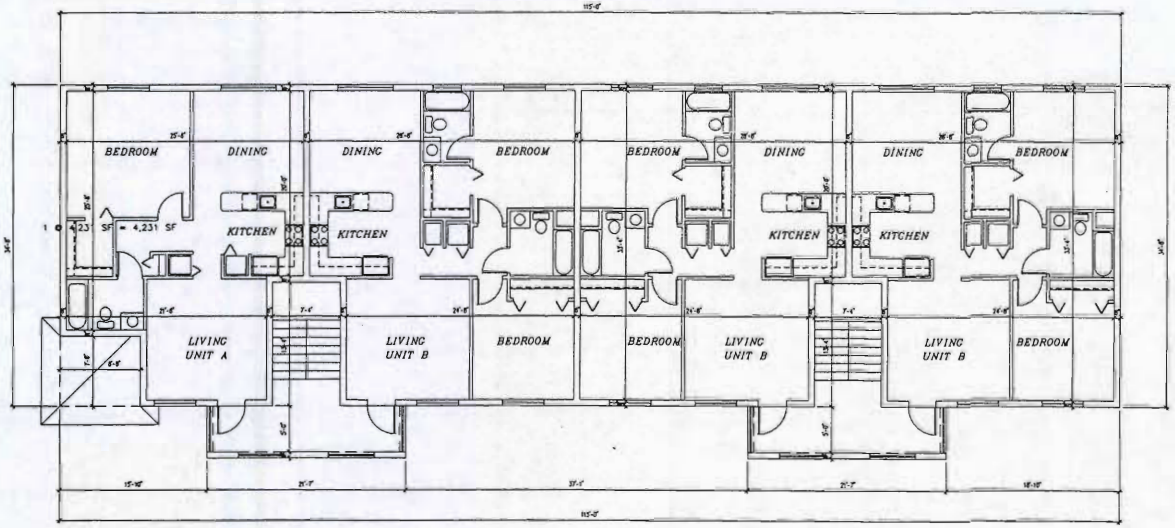
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	SP-2

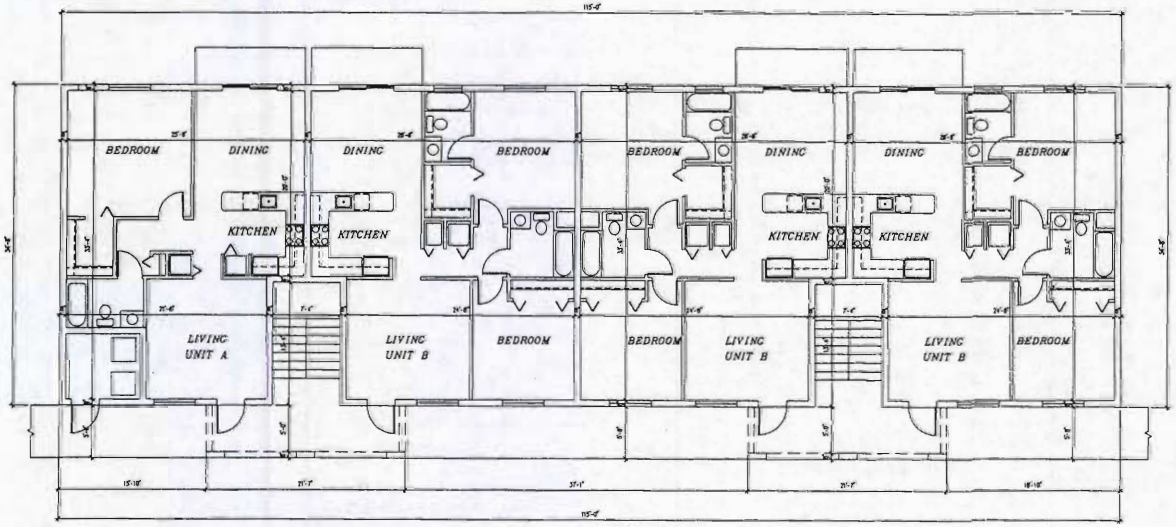
OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010706

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

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FLOOR PLAN BLDG A

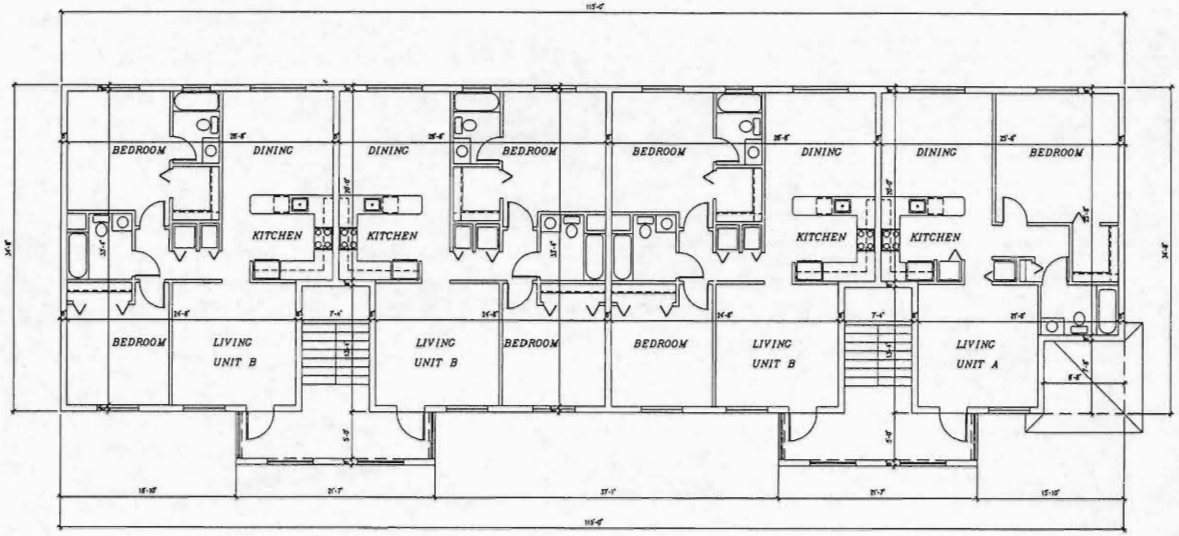
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN

3/16" = 1'-0"

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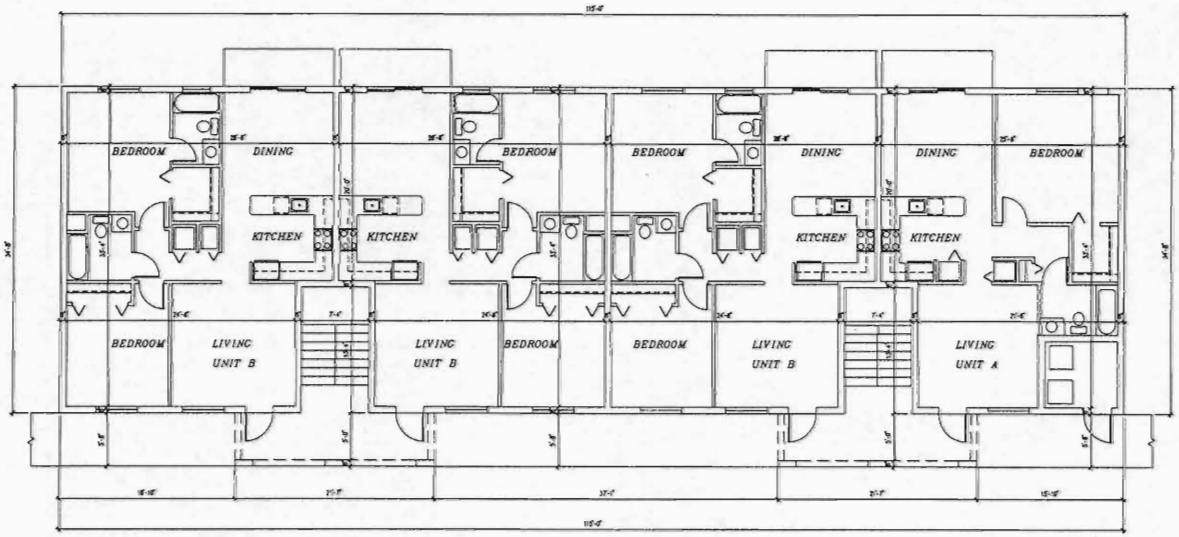


GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
OCT 2 5 2012

FLOOR PLAN BLDG AR

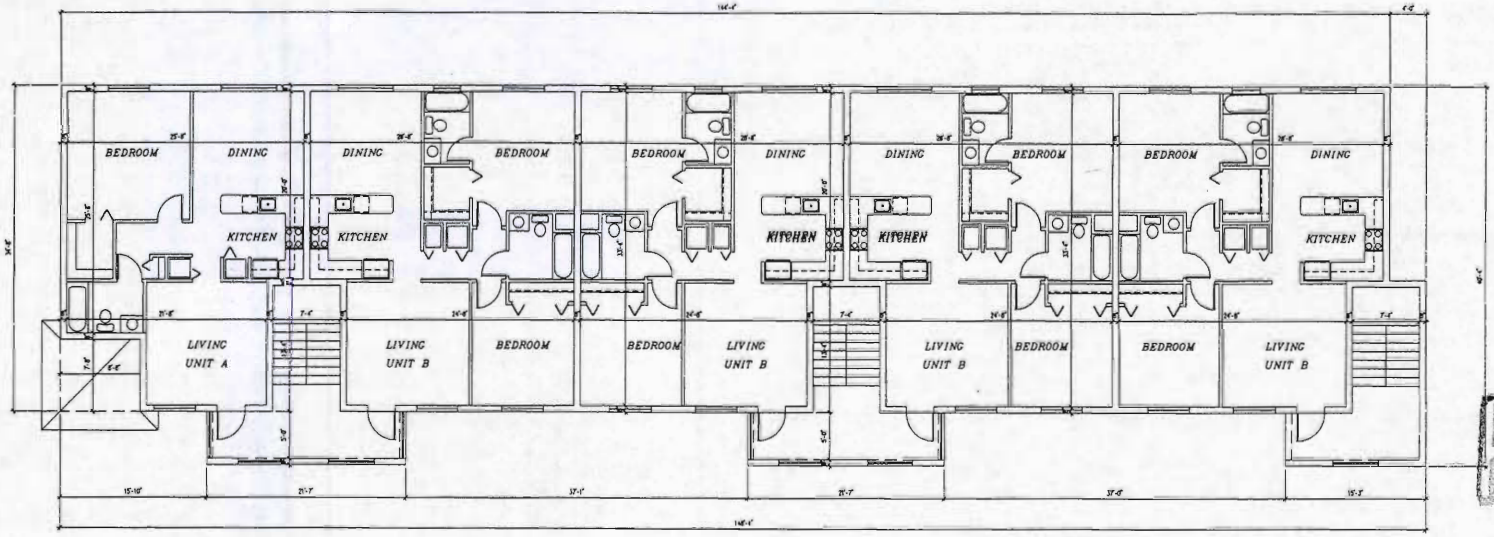
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-2

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN

3/16" = 1'-0"

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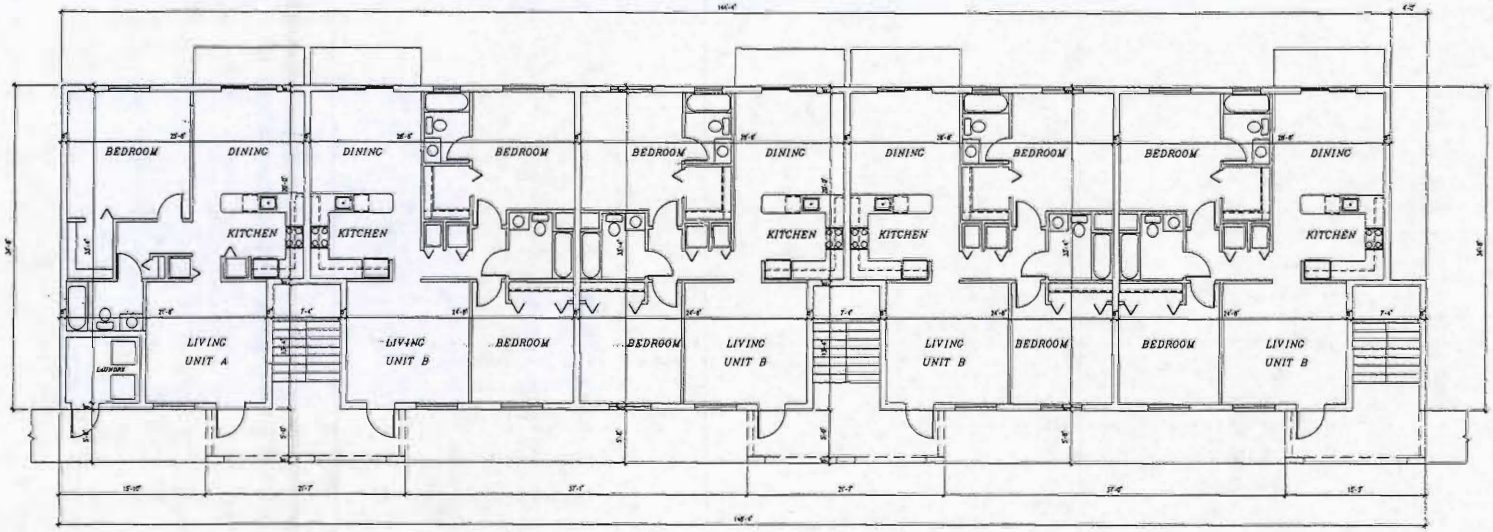

GROUND FLOOR PLAN

3/16" = 1'-0"

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FLOOR PLAN BLDG B

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

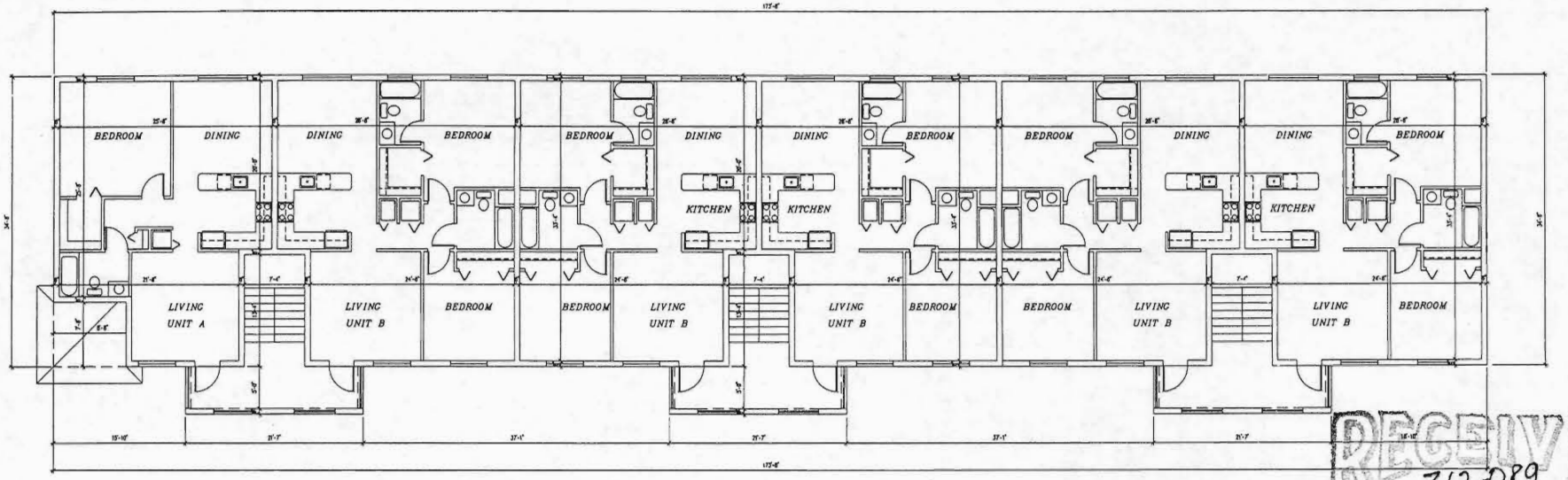
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-3	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

72



SECOND FLOOR PLAN

3/16" = 1'-0"

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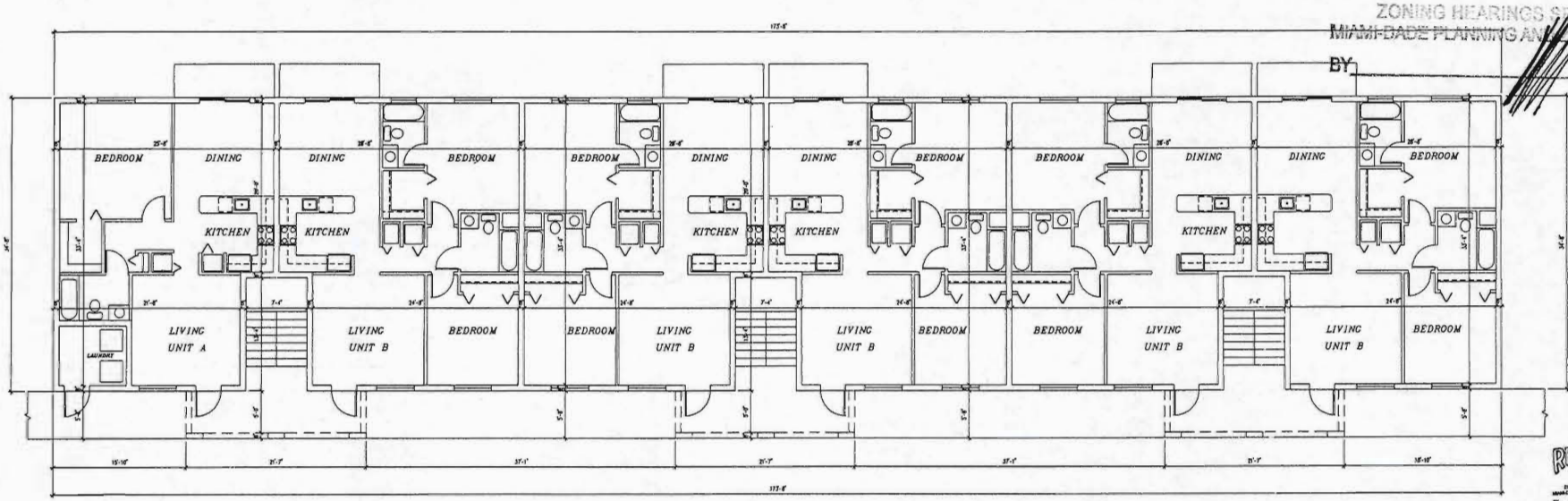

GROUND FLOOR PLAN

3/16" = 1'-0"

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MIAMI-DADE PLANNING AND ZONING DEPT.

FLOOR PLAN BLDG C

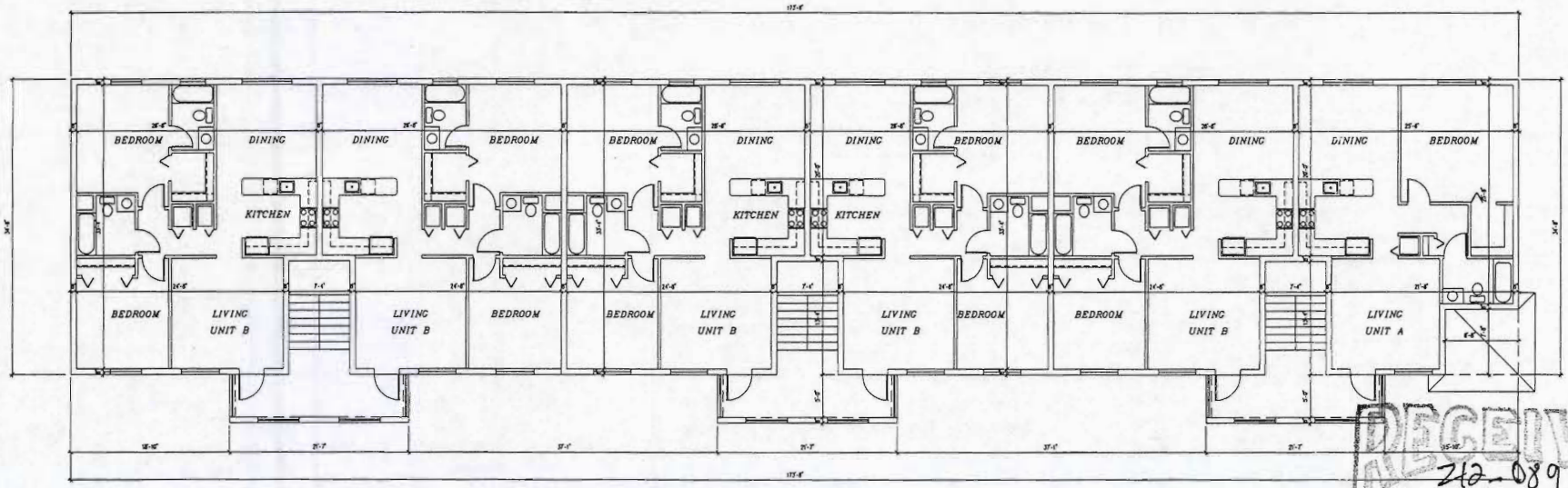
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-4

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN

3/16" = 1'-0"

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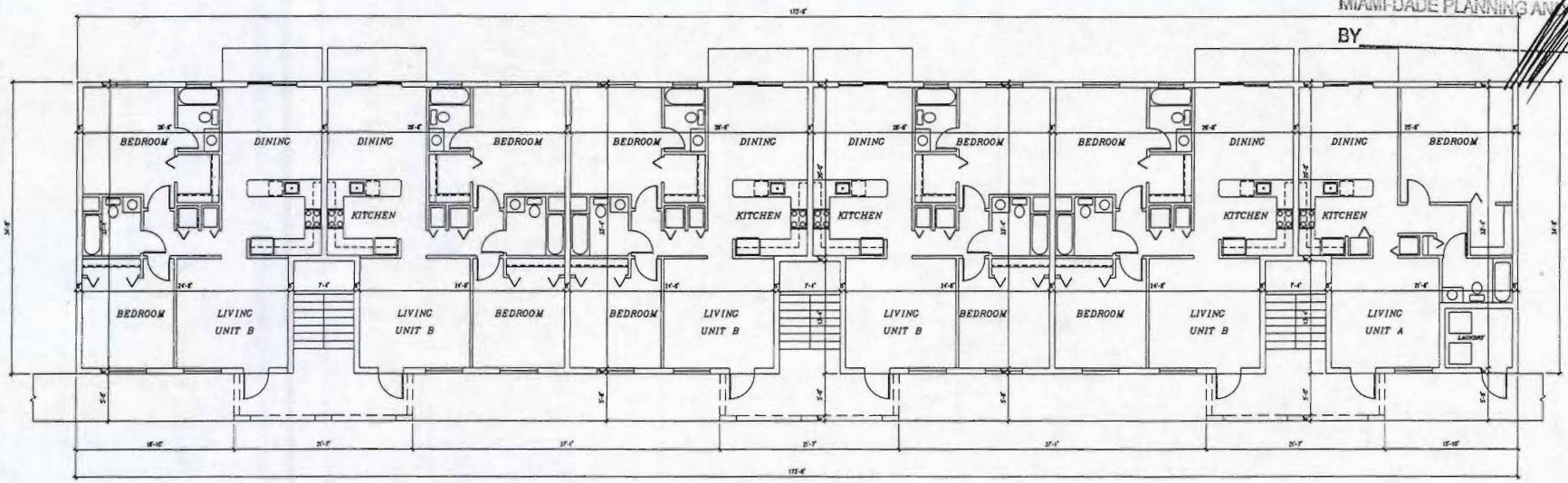


RECEIVED
OCT 25 2012

GROUND FLOOR PLAN

3/16" = 1'-0"

FLOOR PLAN BLDG C

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

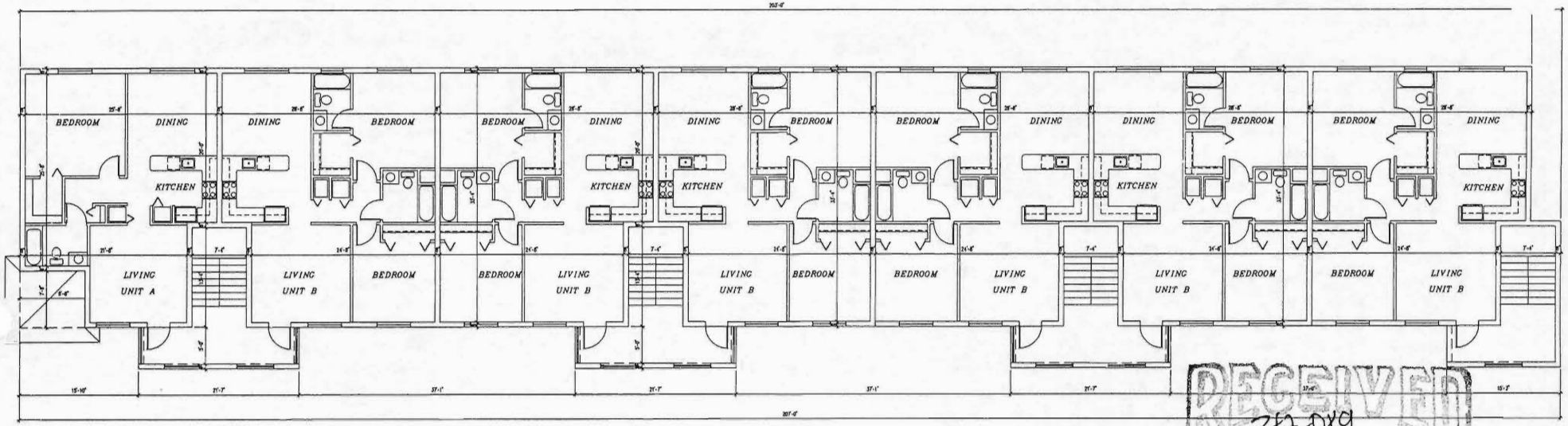
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-5

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

74



SECOND FLOOR PLAN

3/16" = 1'-0"

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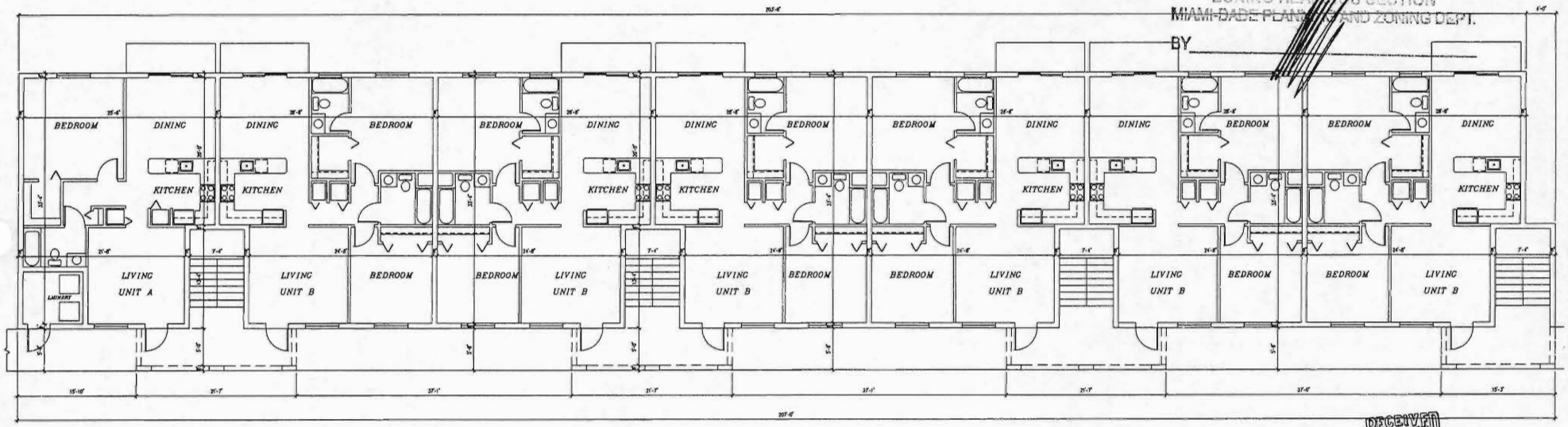

GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
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MIAMI-DADE PLANNING AND ZONING DEPT.
BY

FLOOR PLAN BLDG D

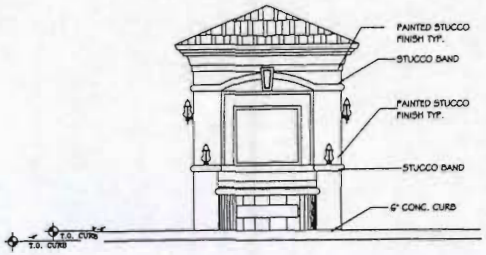
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

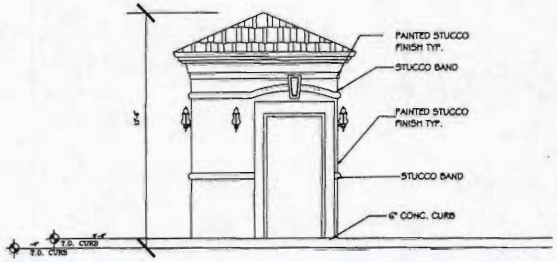
DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-6

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

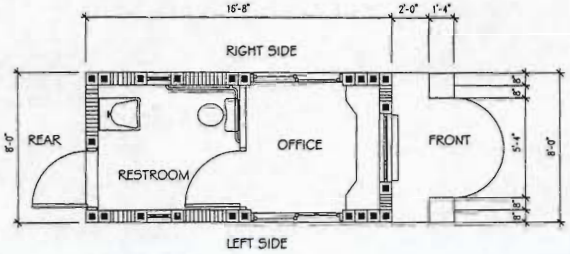
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



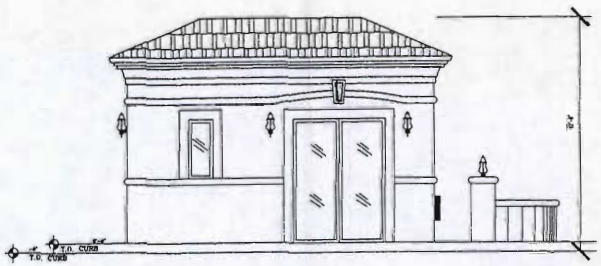
FRONT ELEVATION
Scale : 3/8"=1'-0"



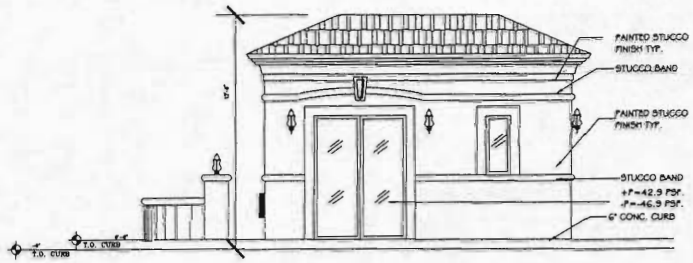
REAR ELEVATION
Scale : 3/8"=1'-0"



FLOOR PLAN
Scale : 3/8"=1'-0"



LEFT SIDE ELAVATION
Scale : 3/8"=1'-0"



RIGHT SIDE ELEVATION
Scale : 3/8"=1'-0"

RECEIVED
12-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
OCT 5 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

GUARDHOUSE

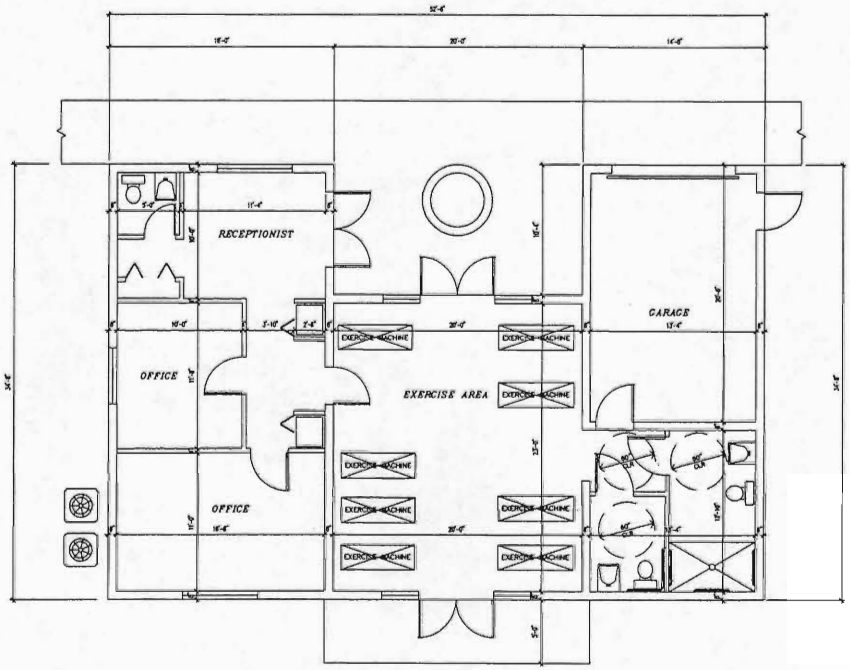
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/23/12
SCALE AS NOTED
SHEET OF
GH-1

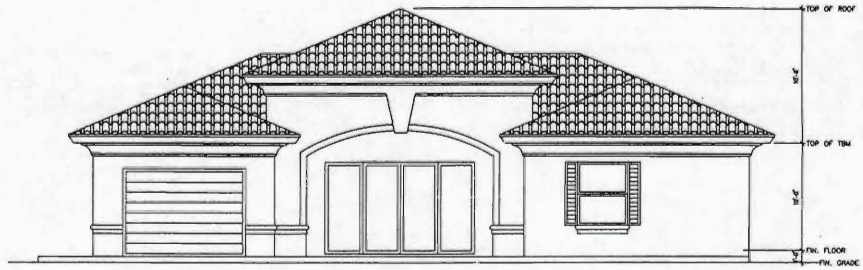
OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

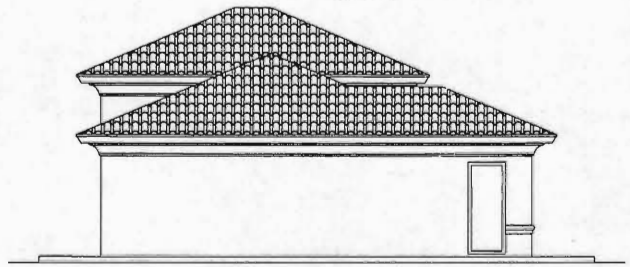


EXCERCISE ROOM (FIIXED EQUIPMENT)

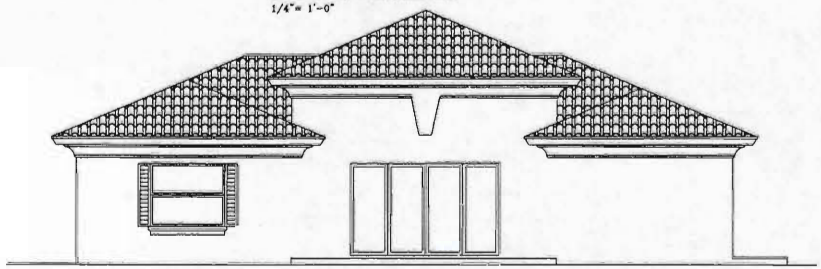
FLOOR PLAN
1/4"= 1'-0"



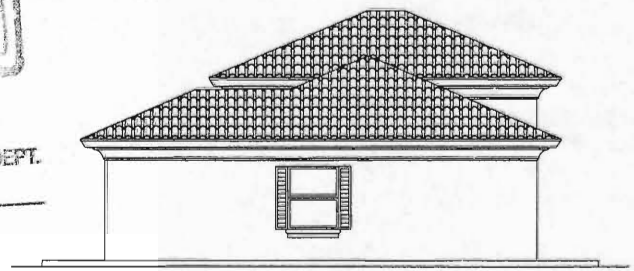
EAST ELEVATION
1/4"= 1'-0"



SOUTH ELEVATION
1/4"= 1'-0"



WEST ELEVATION
1/4"= 1'-0"



NORTH ELEVATION
1/4"= 1'-0"

RECEIVED
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OCT 25 2012
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MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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OCT 25 2012
BY

CLUBHOUSE

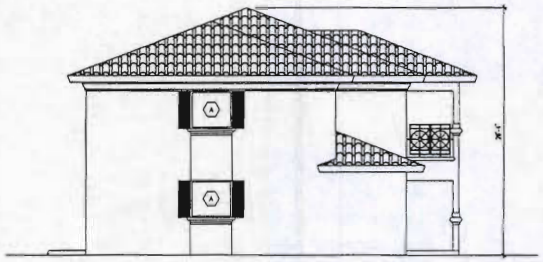
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-6881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
CH-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010706

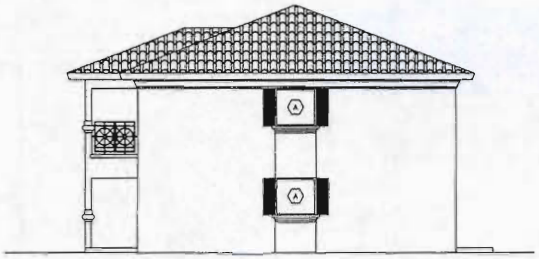
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



LEFT ELEVATION

3/16" = 1'-0"

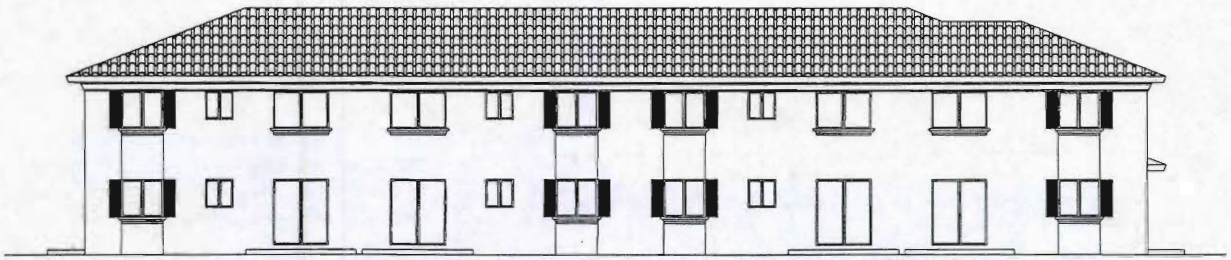
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



RIGHT ELEVATION

3/16" = 1'-0"

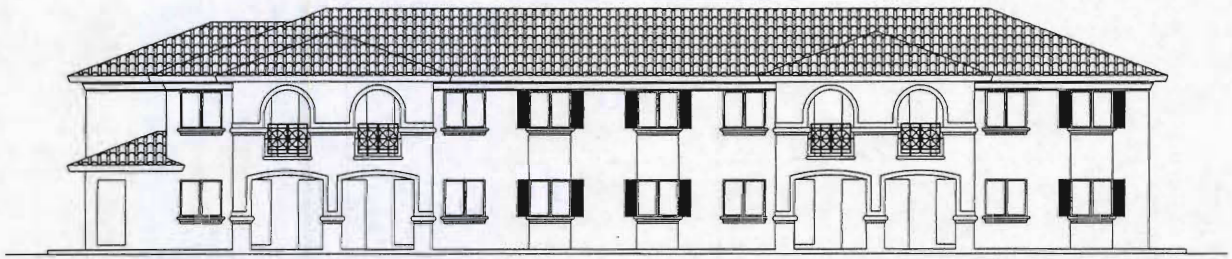
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



REAR ELEVATION

3/16" = 1'-0"

RECEIVED
212-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



FRONT ELEVATION

3/16" = 1'-0"

RECEIVED
OCT 25 2012

ELEVATIONS BLDG A

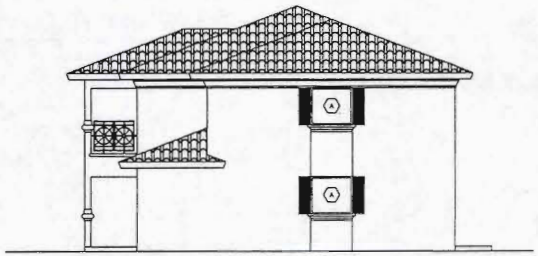
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-9

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

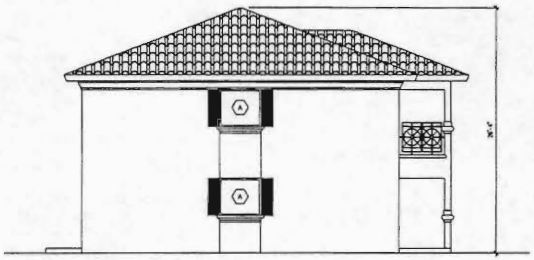
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



RIGHT ELEVATION

3/16" = 1'-0"

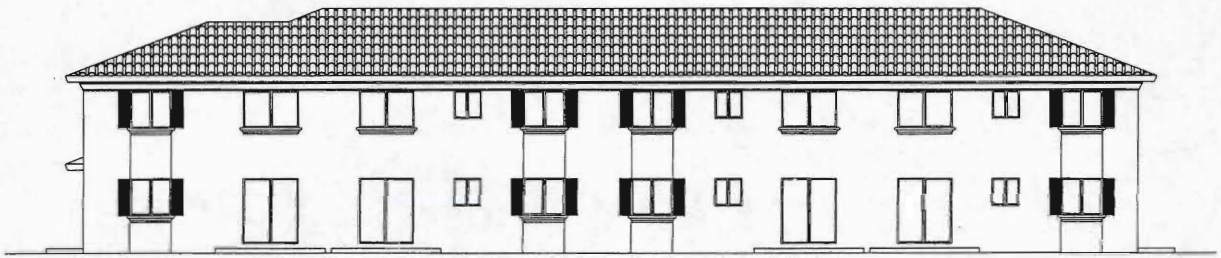
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



LEFT ELEVATION

3/16" = 1'-0"

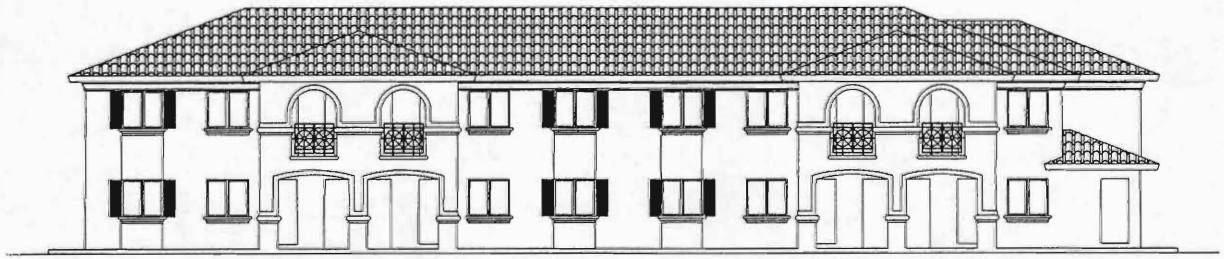
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



REAR ELEVATION

3/16" = 1'-0"

RECEIVED
12-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



FRONT ELEVATION

3/16" = 1'-0"

RECEIVED
OCT 25 2012

ELEVATIONS BLDG AR

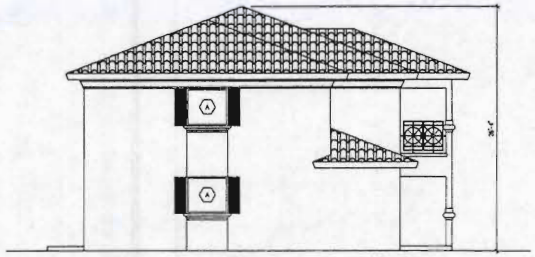
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-10	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

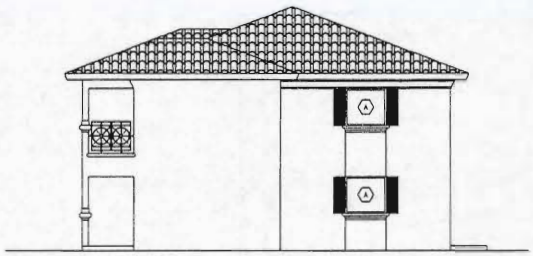
REVISIONS		
NO	DATE	BY
1		OJG
2		OJG
3		OJG



LEFT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

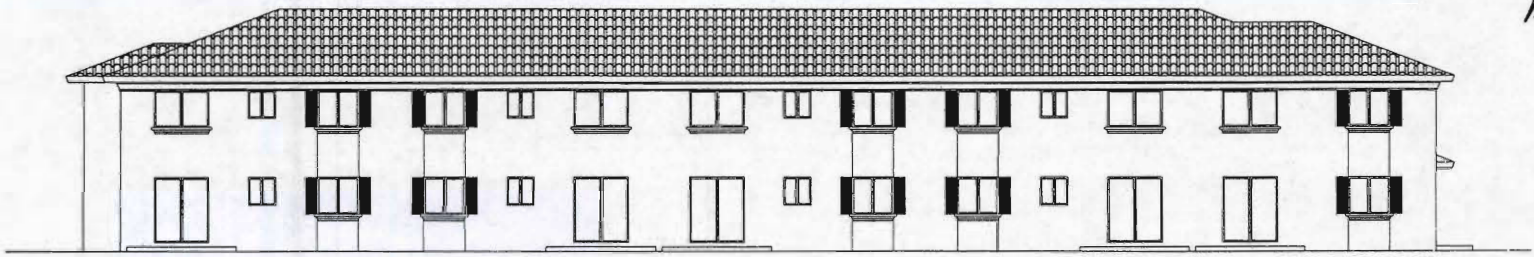


RIGHT ELEVATION

3/16" = 1'-0"

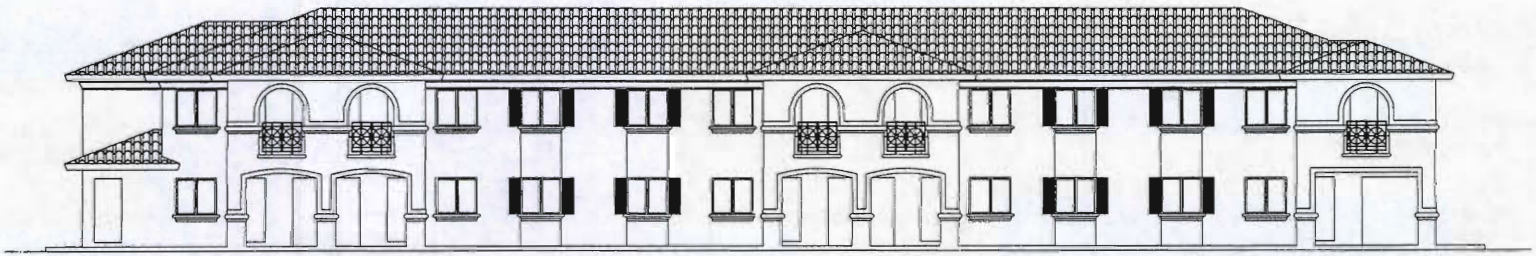
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

RECEIVED
2Z0-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



REAR ELEVATION

3/16" = 1'-0"



FRONT ELEVATION

3/16" = 1'-0"

RECEIVED
SEP 13 '12
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ELEVATIONS BLDG B

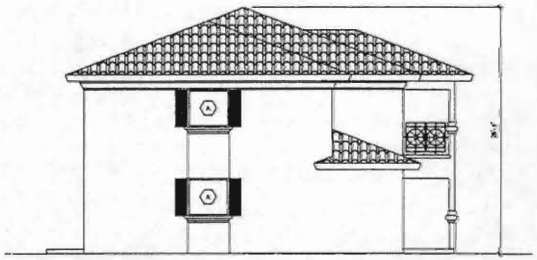
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-11

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

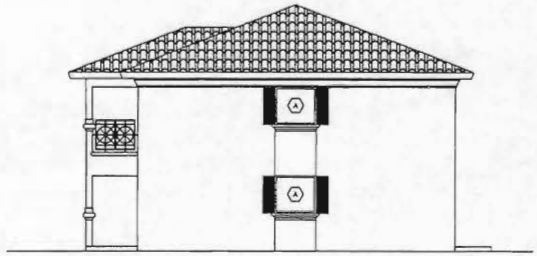
REVISIONS		
NO	DATE	BY
1		OJG
2		OJG
3		OJG



LEFT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

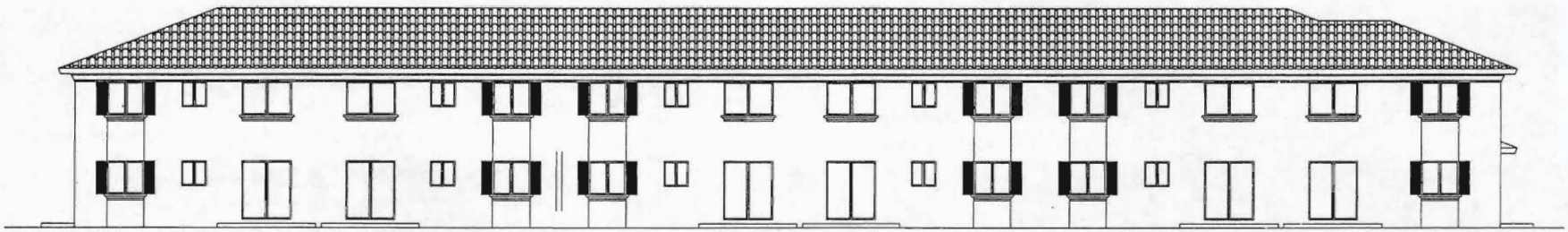


RIGHT ELEVATION

3/16" = 1'-0"

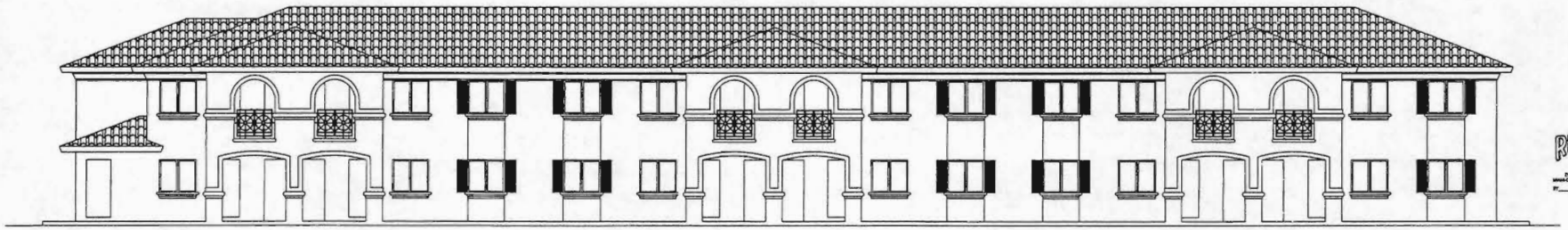
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

RECEIVED
2-12-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



REAR ELEVATION

3/16" = 1'-0"



RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

FRONT ELEVATION

3/16" = 1'-0"

ELEVATIONS BLDG C

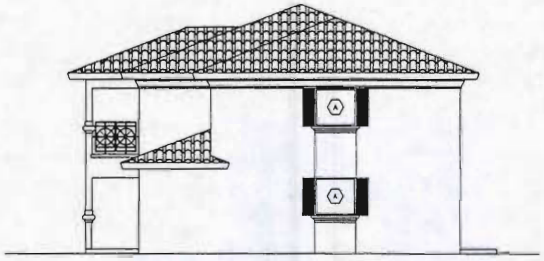
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-12

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

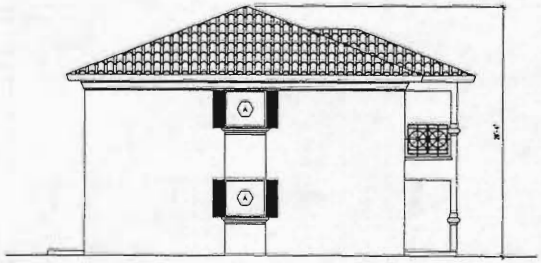
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



RIGHT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

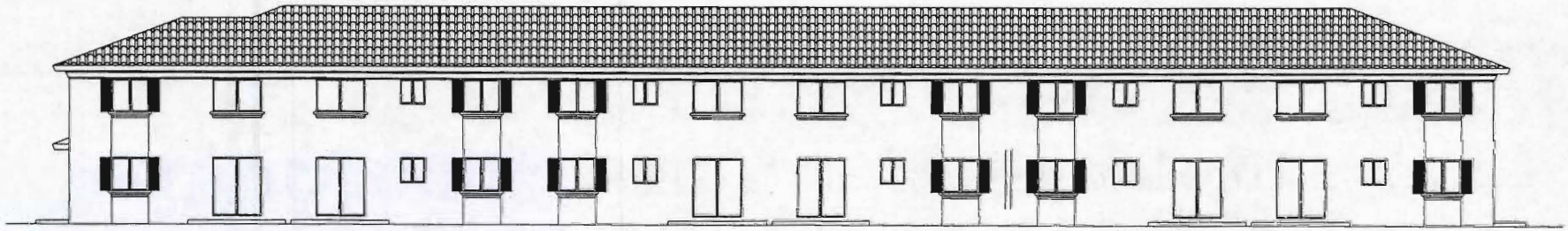


LEFT ELEVATION

3/16" = 1'-0"

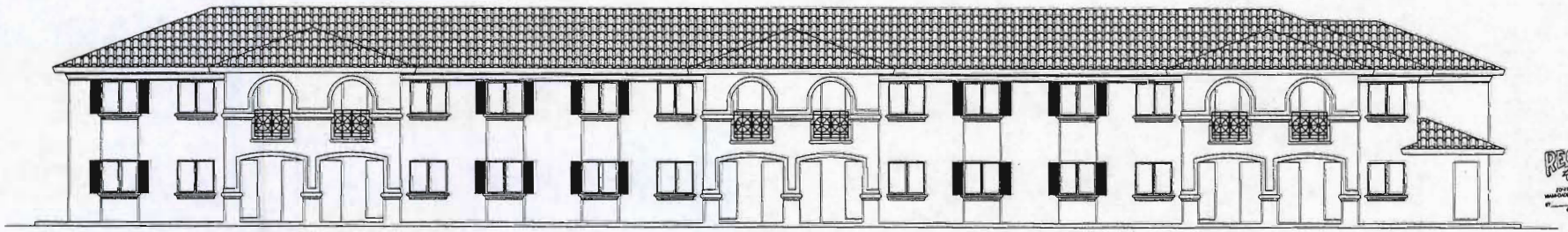
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

RECEIVED
212-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



REAR ELEVATION

3/16" = 1'-0"



RECEIVED
Feb 15 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

FRONT ELEVATION

3/16" = 1'-0"

ELEVATIONS BLDG CR

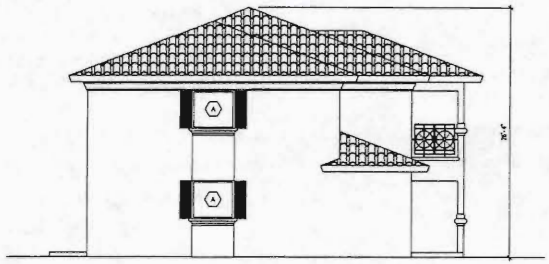
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-13

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

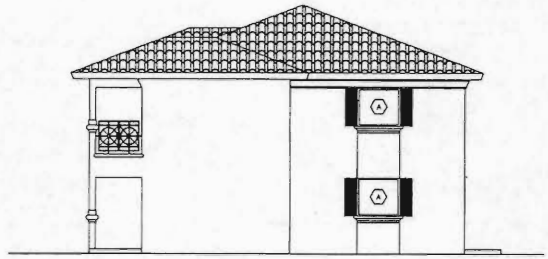
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



LEFT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

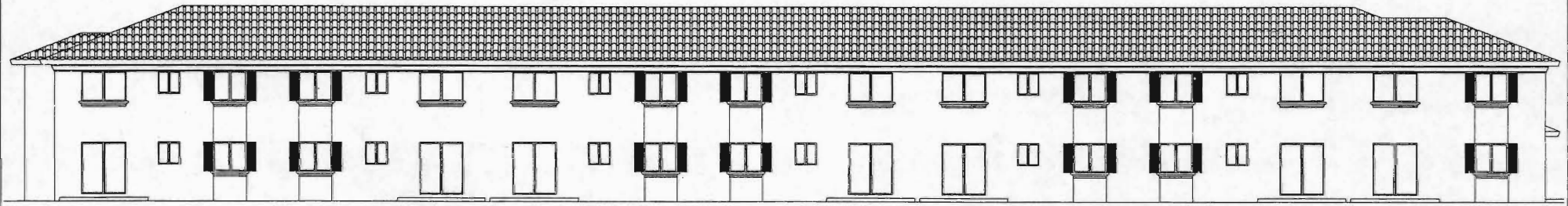


RIGHT ELEVATION

3/16" = 1'-0"

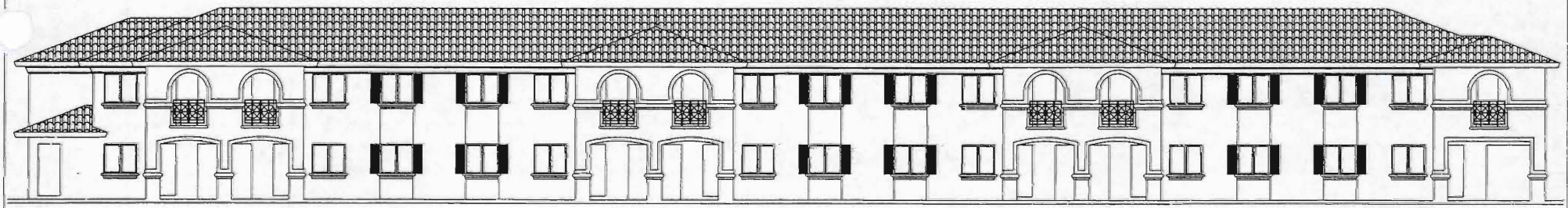
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

RECEIVED
212.089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



REAR ELEVATION

3/16" = 1'-0"



FRONT ELEVATION

3/16" = 1'-0"

RECEIVED
OCT 19 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ELEVATIONS BLDG D

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8681
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-14

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G.
2		O.J.G.
3		O.J.G.

83

SYMBOL USED			PLANT NAME		NATIVE	CALIPER	HEIGHT	CANOPY	USE	QNTY
SYMBOL	NEW	EXISTING	BOTANIC	COMMON	YES	INSTALLED	INSTALLED	INSTALLED		
⊕	52	0		SILVER BUTTONWOOD	⊕	3" MIN.	12' MIN.	6' MIN.	LAW TREE	52
○	35	15		WHIDGWAY	⊕	3" MIN.	12' MIN.	6' MIN.	LAW TREE	35
○	28	0		WHIDGWAY	⊕	3" MIN.	12' MIN.	6' MIN.	LAW TREE	28
○	56	0		WHIDGWAY	⊕	3" MIN.	12' MIN.	6' MIN.	LAW TREE, PARK, ETC.	56
⊕	24	0		GUMBO	⊕	3" MIN.	12' MIN.	6' MIN.	LAW TREE	24
⊘	10	0		PINK SHOWY	⊕	3" MIN.	12' MIN.	6' MIN.	LAW TREE	10
✳	18 (2 PALMS=1 LOT TREE)			ROYAL POINCIANA	⊕	4" MIN.	12' MIN.	6' MIN.	LAW TREE	9
●	17 (2 PALMS=1 LOT TREE)			FL. ROYAL PALM	⊕	3" MIN.	12' MIN.	6' MIN.	LAW TREE	8
○	31			SPANISH STOPPER	⊕	3" MIN.	12' MIN.	6' MIN.	LAW TREE	31
⊛	12	0		ROYLOCLUM	⊕	3" MIN.	12' MIN.	6' MIN.	LAW TREE	12
●●●	2,800	0		COCOPLUM	⊕	24" MIN. HEIGHT @ 24" O.C.			HEDGE	2,800
				GROUND COVER	⊕	LIRIOPE			PLANTING AREAS	
				SOD	⊕	ST. AUGUSTINE FLORATAM SOD			GRASS AREA	

ZONING DISTRICT RU-4L NET LOT AREA: 357,349 SF 8.20 ACRES

OPEN SPACE

A. SQUARE FEET OPEN SPACE REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN: NET LOT AREA = 357,349 S.F. X 25 % = 89,377 S.F.

B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18 A TOTAL PARKING SPACES 344 X 10 S.F PER PARKING SPACE = 3,440 S.F.

C. TOTAL S.F. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33: A + B = 92,817 S.F.

LAWN AREA CALCULATION:

A. OPEN SPACE REQUIRED PER SECTION 33 OF ZONING CODE NET LOT AREA = 357,349 S.F. X 25 % = 89,377 S.F.

B. PARKING LOT LANDSCAPE REQUIRED PER CHAPTER 18A-6(J) TOTAL PARKING SPACES 344 X 10 S.F PER PARKING SPACE = 3,440 S.F.

C. ADD A + B = 92,817 SQ.FT. (TOTAL LAWN AREA REQUIRED) (101,558 S.F. PROVIDED)

D. MAXIMUM LAWN AREA (SOD) PERMITTED 50% OF A = 50,690 SQ.FT.

E. MAXIMUM LAWN AREA PROVIDED: 54,800 SQ.FT.

TREES:

	REQ'D	PROV'D
A. NO. TREES REQUIRED PER NET LOT ACRE LESS EXISTING NUMBER OF TREES MEETING MINIMUM REQUIREMENTS 28 TREES @ NET LOT ACRES = 28 x 8.20 ACRES = 230 TREES	230	240
B. % PALMS ALLOWED: NO TREES PROVIDED / 2 X 30% =	36	36
% PALMS PERMITTED TO COUNT AS STREET TREES ON 1:1 BASIS X 30%	NA	NA
C. % NATIVES REQUIRED: NO TREES PROVIDED X 30% =	72	240
D. STREET TREES (MAXIMUM AVERAGE SPACING OF 35' O.C.): 1,225/35 = 35	35	35
E. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES (MAX. 25' O.C.): LINEAR FEET ALONG STREET / 25 =	NA	NA

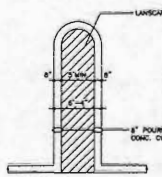
SHRUBS:

A. NO. TREES REQUIRED X 10 = NO. OF SHRUBS REQUIRED	≥750	2,800
B. NO. SHRUBS ALLOWED X 30% = NO. OF NATIVE SHRUBS REQUIRED	825	2,800

SPRINKLER SYSTEM REQUIRED YES

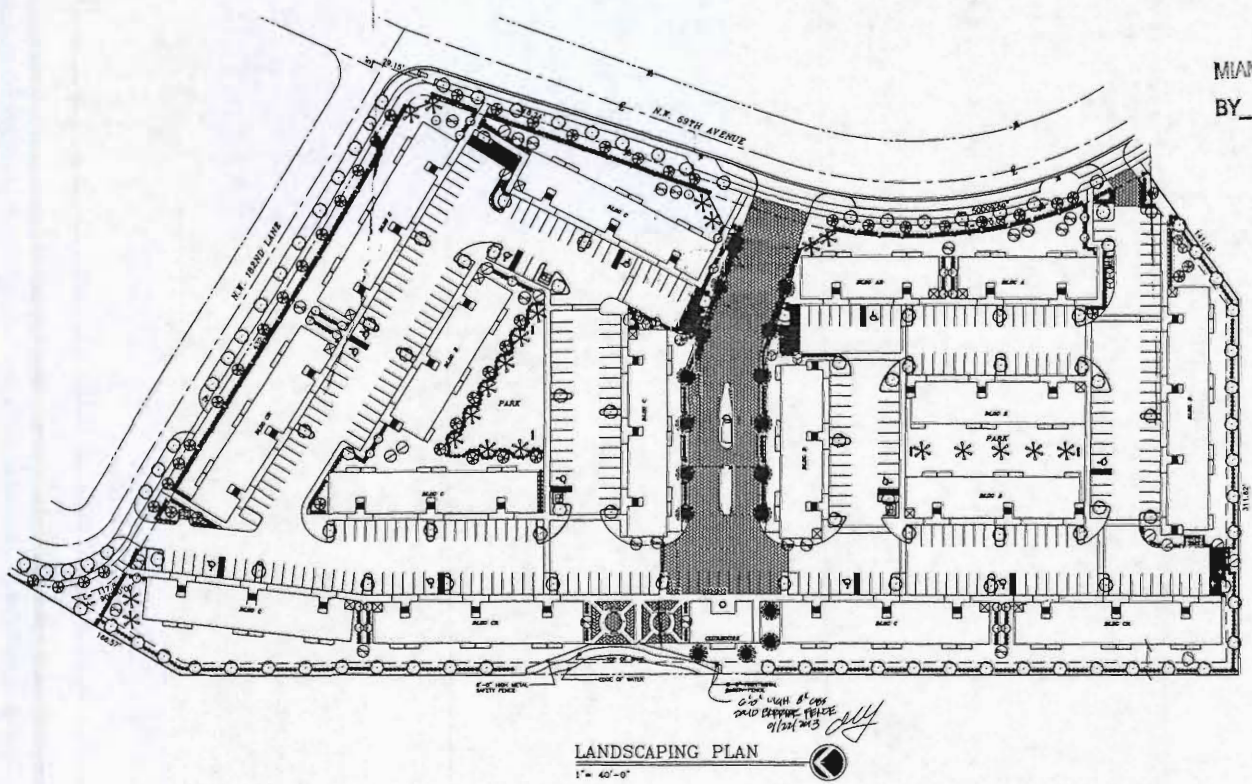
LANDSCAPING GENERAL NOTES

- LANDSCAPE PLAN TO BE INSTALLED IN COMPLIANCE WITH ALL LOCAL AND STATE LANDSCAPING CODES AND STANDARDS.
- PLANTING SOIL TO BE WEED, ROCK, AND ROOT FREE.
- ALL PLANTING BEDS TO BE SPRAYED WITH ROUND-UP PRIOR TO FINAL INSTALLATION AT THE JOB-SITE.
- GENERAL FERTILIZER (10-10-10 OR 6-6-6) CONTAINING TRACE ELEMENTS OF IRON AND MANGANESE TO BE APPLIED AT TIME OF FINAL PLANTING AT THE JOB-SITE.
- CONTRACTOR SHALL ADD 2 TWO OUNCE "CONTRACTOR PACKS "TERRA-SORB" SOIL ADDITIVE FOR EACH TREE, AND ONE PACKET BACKFILL SOIL, SHRUBS SHALL BE PLANTED WITH 1/2 OUNCE "TERRASORB" PER FOUR (4) SQUARE FEET OF PLANTING AREA.
- ALL PLANTING BEDS AND TREE WELLS TO BE TOPPED WITH 3" MINIMUM EUCALYPTUS MULCH, GRADE A.
- ALL PLANT MATERIALS TO BE FLORIDA #1 GRADE OR BETTER, DEPT. OF AGRICULTURE GRADES AND STANDARDS, PART 1 & 2
- ALL TREES TO BE A MIN. OF 12' IN HEIGHT AT TIME OF PLANTING (UNLESS NOTED OTHERWISE ON PLAN WITH A 6' DIAMETER CROWN SPREAD. THERE SHALL BE NO BRANCHING OF TREES BELOW 6'-0" ALONG ANY PEDESTRIAN OR ACCESSIBLE ROUTE.
- SOD SHALL BE "FLORATAM" ST. AUGUSTINE LAID WITH ALTERNATING AND ABUTTING JOINTS. SOD TO BE PLACED GREEN SIDE UP ON 4" MINIMUM GRADED TOP SOIL.



PARKING LOT CURB DETAIL
TYPICAL TREE PLANTING
WELL DETAIL

RECEIVED
ZB-089
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



LANDSCAPING PLAN
1" = 40'-0"

RECEIVED
OCT 25 2012

LANDSCAPING PLAN

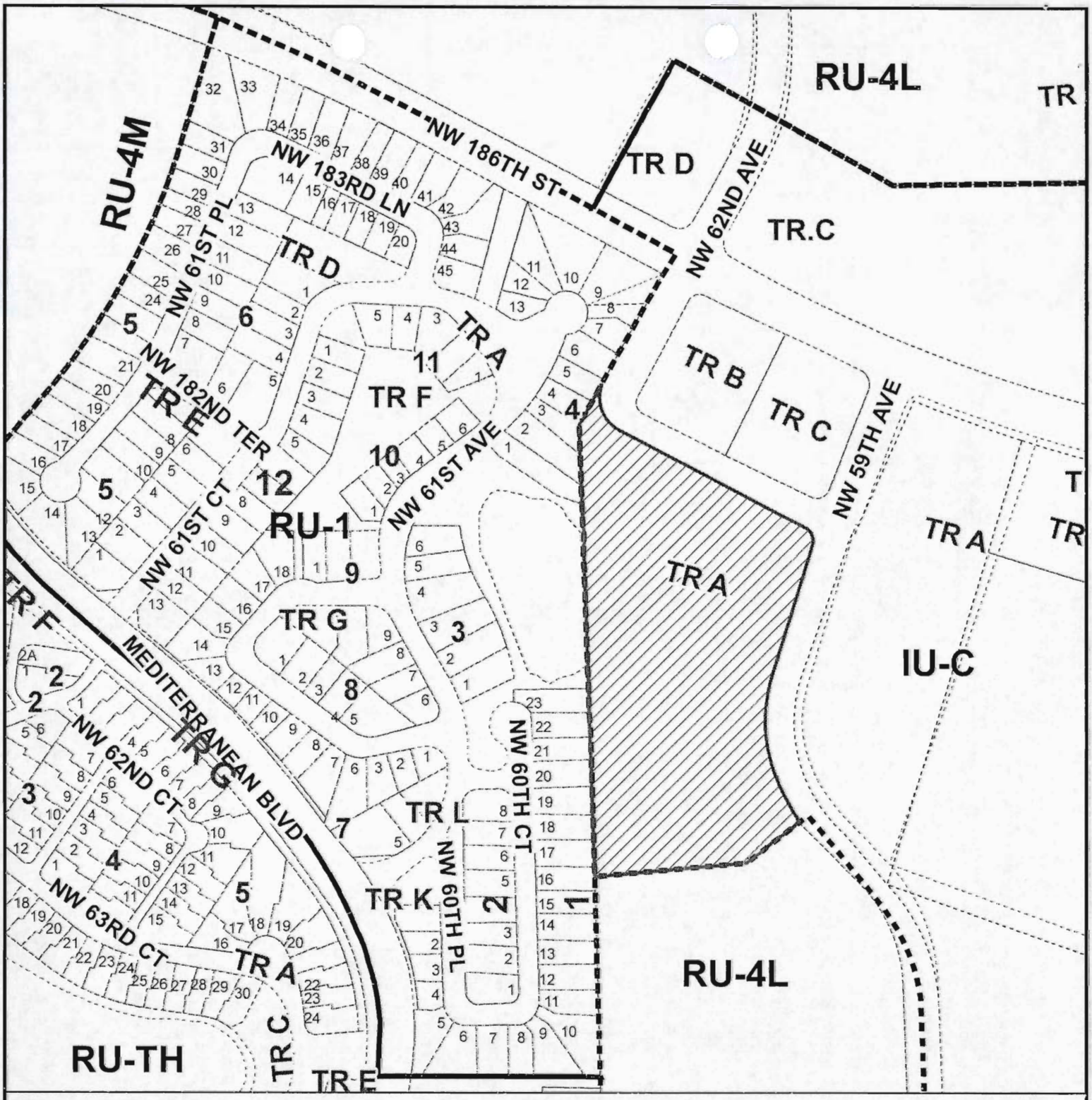
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
LS-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO.	DATE	BY
1	10/17/12	O.J.G
2		O.J.G
3		O.J.G



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000089

N
W E
S

Section: 12T ownship: 52 Range: 40
Applicant: MIAMIG ARDENS PARK,L LC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

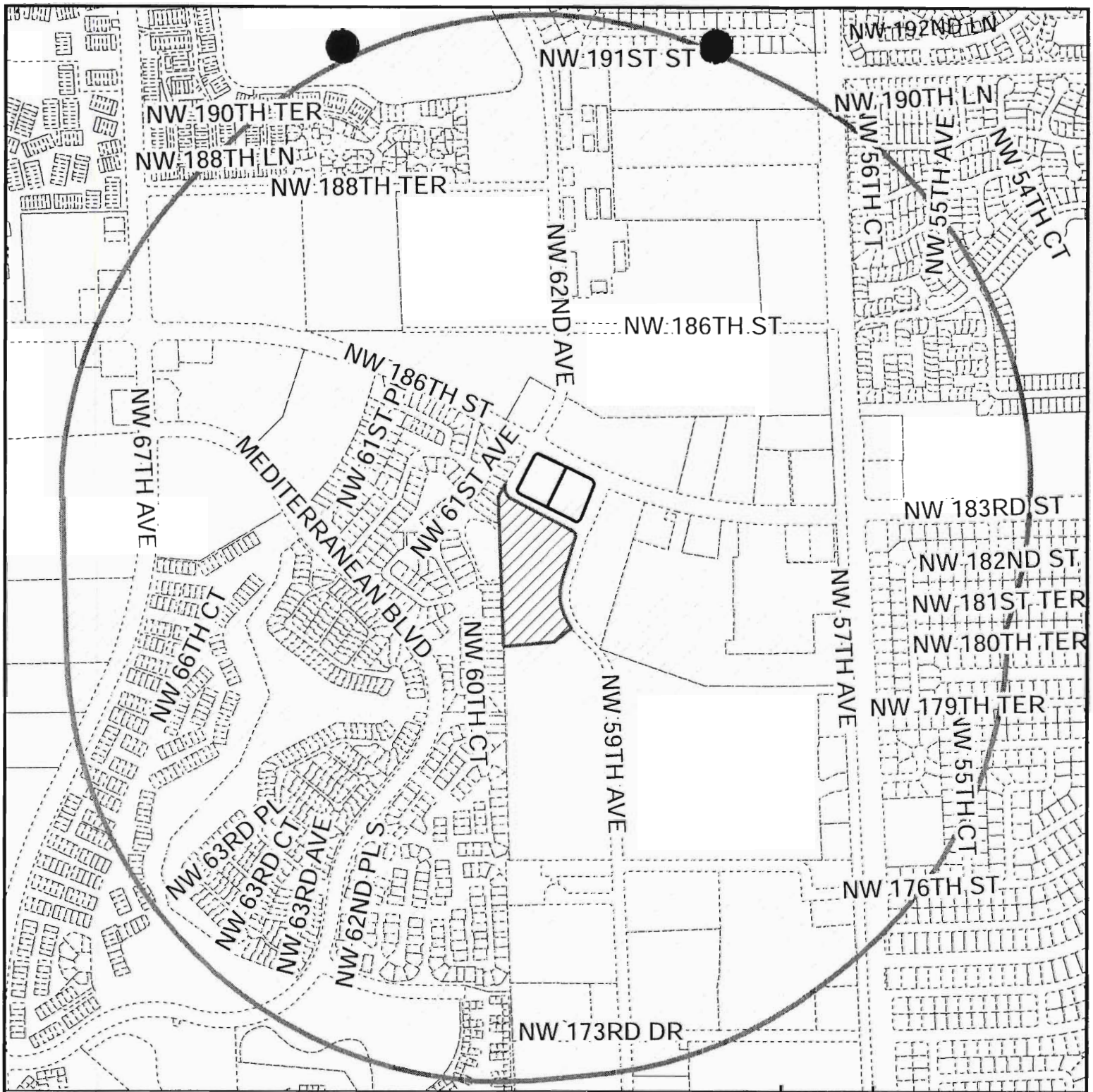
Legend

SubjectP roperty Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday,A ugust 1, 2012

REVISION	DATE	BY
		84



MIAMI-DADE COUNTY

RADIUS MAP

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

Process Number

Z2012000089

RADIUS: 2640

Legend

- Subject Property
- Contiguous Properties
- Buffer
- Street (Centerline)
- Property Boundaries

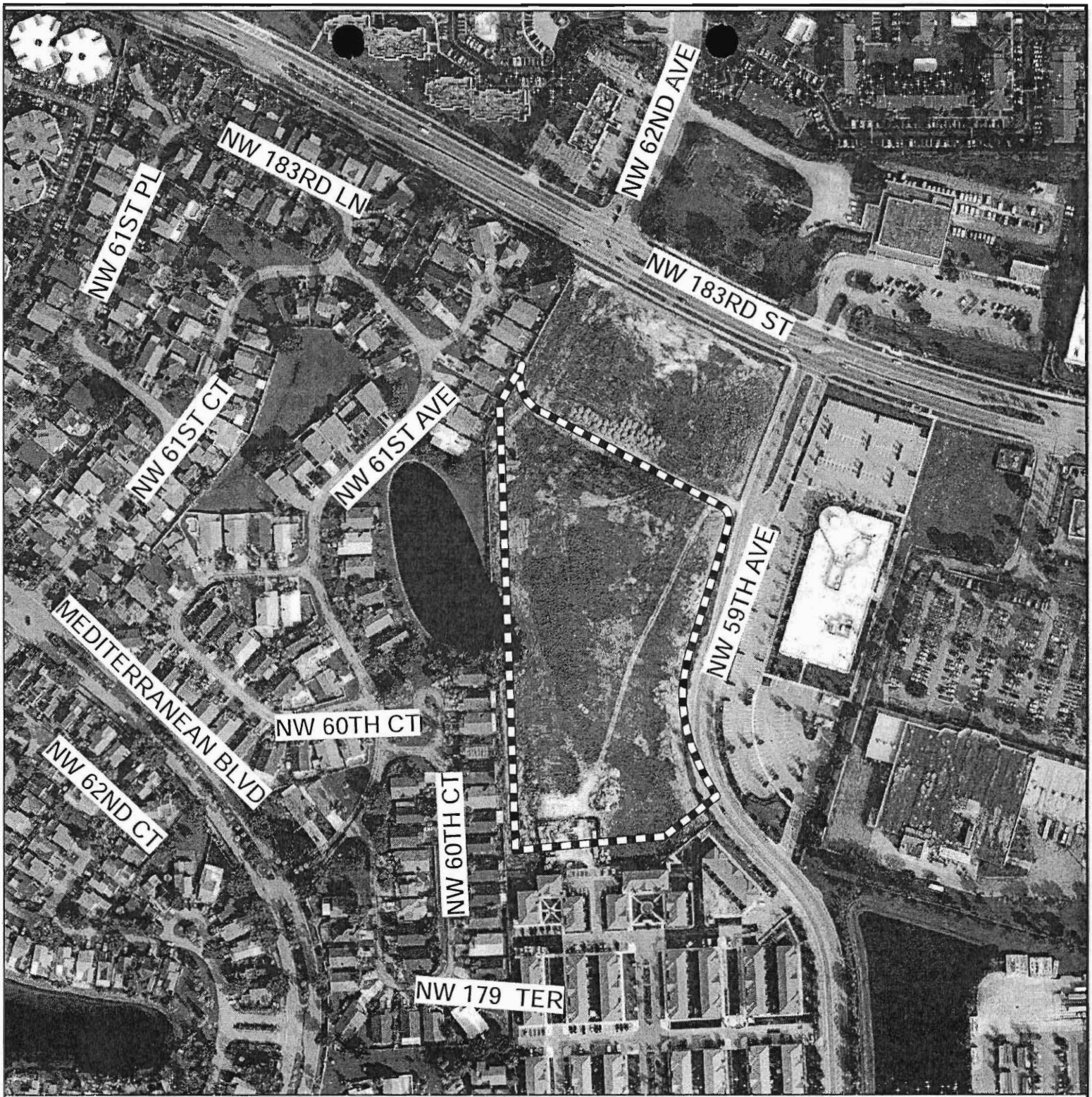
N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY

85



MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2012000089

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

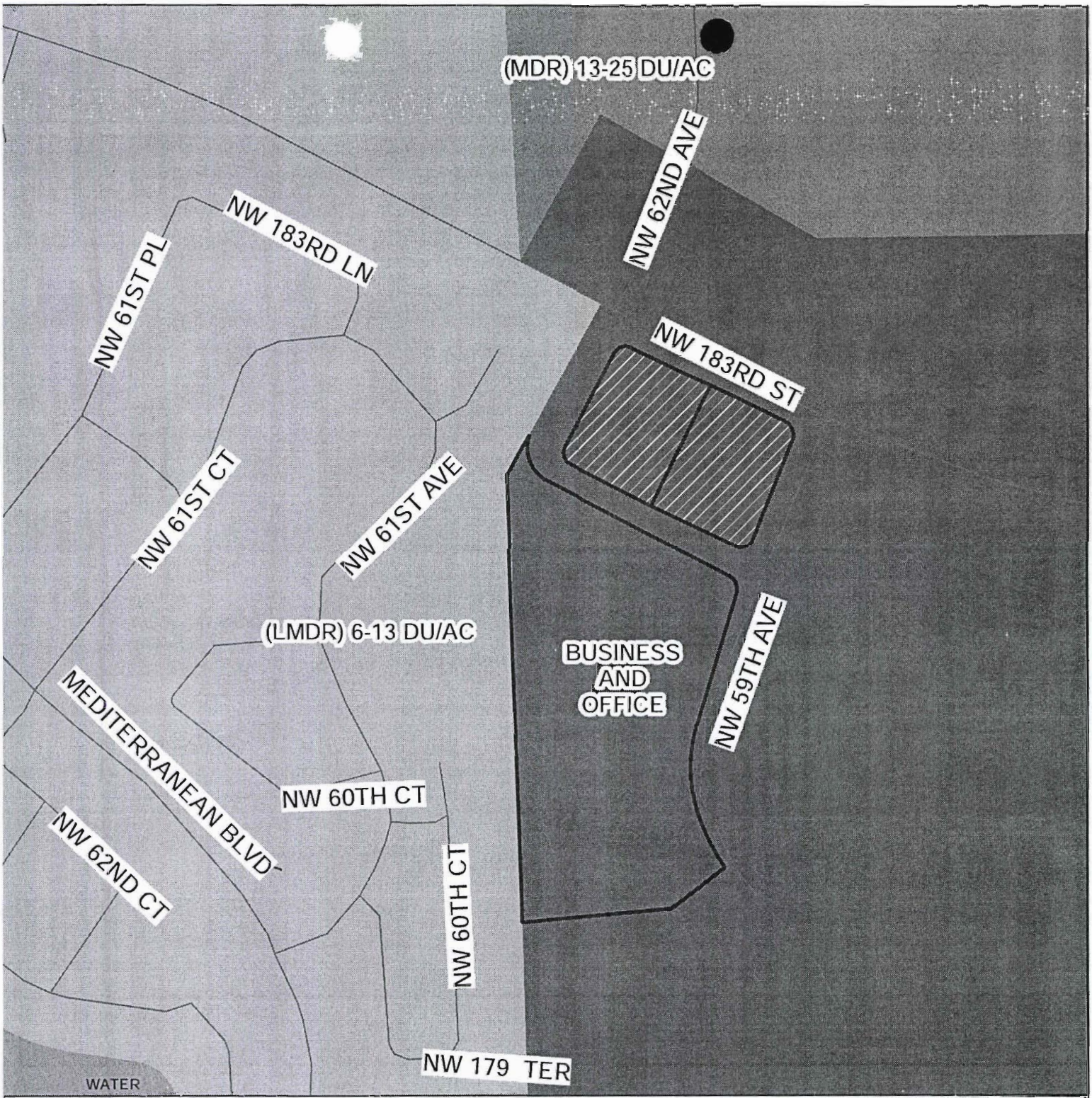
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY
		86



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000089

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY

Miami-Dade Count epartment of Regulatory and Ec mic Resources
Staff Report to Community Council No. 5

PH: Z12-089 (13-1-CZ5-1) **March 14, 2013**
Item No. A

Recommendation Summary	
Commission District	1
Applicant	Miami Gardens Park, LLC
Summary of Requests	The applicant is seeking to allow a zone change to RU-4L in order to develop the parcel with a multi-family residential apartment complex. Additionally, the applicant seeks to delete restrictions on the development of the west portion of the parcel, to permit the filling of an existing lake encroaching onto the property as well as to allow an entrance feature and to permit the development with a reduced setback from the rear property line.
Location	Lying west of NW 59 Avenue and south of theoretical NW 182 Lane, Miami-Dade County, Florida.
Property Size	8.2 gross acres
Existing Zoning	IU-C, Conditional Industrial District
Existing Land Use	vacant
2015-2025 CDMP Land Use Designation	Business and Office *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change, Section 33-311(A)(3), Special Exception, Unusual use and New Uses, Section 33-311(A)(4)(b), Non-Use Variance standards Section 33-311(A)(7) Generalized Modification Standards *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.**

This item was deferred from the January 17, 2013 meeting of Community Zoning Appeals Board (CZAB) #5, and subsequently, was deferred from the February 28, 2013 meeting of said Board to allow the applicant to meet with the neighbors.

REQUESTS:

(1) DISTRICT BOUNDARY CHANGE from IU-C to RU-4L.

(2) DELETION of Declaration of Restrictions recorded in Official Records Book 11507 Pages 577-581, only as it applies to the subject property.

The purpose of the request is to remove the requirements that call for a 50' no building area, a 50' greenbelt open space and a 10' utility easement along the west property line.

(3) UNUSUAL USE to permit an entrance feature; to wit; an entrance feature consisting of decorative masonry walls 8' in height and signage.

(4) UNUSUAL USE to permit the filling a portion of an existing lake.

(5) NON-USE VARIANCE of setback requirements to permit certain buildings setback 15' from the rear (south) property line (25' required).

(6) NON-USE VARIANCE of spacing requirements to permit the clubhouse to be spaced a minimum 23'-8" (20' required) from other residential buildings

(7) NON-USE VARIANCE of spacing requirements to permit certain residential buildings to be spaced 16' (20' required) from each other.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet, with all plans dated stamped, received 10/25/12. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

The submitted plans depict the proposed 178 unit, multi-family residential development consisting of the sixteen (16), two (2)-story apartment buildings, a clubhouse and parking areas on the approximately 8.2-acre parcel.

The 8.2 acre subject parcel is a part of a larger tract of land that was rezoned from AU, Agricultural District to IU-C, Conditional Industrial District in 1982 pursuant to Resolution #Z-149-82. Said approval also permitted some commercial and office uses in the IU-C district as would have been allowed in BU, RU-5 and RU-4A zoning districts. The applicant proffered a covenant that was accepted by the County that restricted development within the western 100' of the parcel and required that the west 50' of this restricted area contain only a landscaped green area.

Subsequently, staff notes that the subject parcel was also a part of a larger tract that was the subject of Application Number 1 in the November 1995 cycle of applications to amend the Land Use Plan map of the Comprehensive Development Master Plan (CDMP) for Dade County (now Miami-Dade County). As a result of this application the land use designation was changed from Industrial and Office to Business and Office at which time the applicant proffered a covenant that was accepted by the County. However, although the covenant among other things maintained the restrictions on development within 100' of the west property line for industrial and retail development, the covenant did not require this buffer for residential and office uses.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	IU-C; vacant land, lake	Business and Office
North	IU-C; vacant land	Business and Office
South	RU-4L; apartments	Business and Office
East	IU-C; office park	Business and Office
West	RU-1;single-family residences, lake excavation	Low-Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The 8.2-acre subject property is a vacant parcel containing a portion of a small lake. The subject property is surrounded by an existing office park to the east, an apartment complex to the south, single-family residences and a lake excavation to the west and a vacant IU-C zoned parcel to the north.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to develop the parcel in accordance with the proposed RU-4L, Limited Apartment House District regulations and provide the community with additional multi-family residences in this area. However, since the site is vacant the proposed development of the residential site could have traffic impacts on the surrounding residential and commercial developments in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The applicant seeks to permit the rezoning of the subject parcel from IU-C to RU-4L (request #1). The CDMP Land Use Plan (LUP) map designates the subject 8.2-acre property for Business and Office use. The Business and Office category *accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, entertainment and cultural facilities, amusements and commercial recreation.* However, the CDMP Land Use Element interpretative text for the Business and Office use states that *residential uses, and mixing of residential use with commercial, office and hotels are also permitted in business and office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed-use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met, residential development may be authorized to occur in the business and office category at a density up to one density category higher than the LUP map's designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.* The adjacent residential property to the west is designated for Low-Medium Density Residential use, 6 to 13 units per gross acre on the CDMP Land use plan map. For the reasons stated below, based on the CDMP Land Use Element interpretative text for the Business and Office category, the subject property would be allowed to develop one category higher, at the Medium Density Residential category which allows residential development at 13 to 25 units per gross acre. This would allow the applicant to develop the 8.2-acre site with minimum of 106 residential units and at a maximum of 205 residential units. This application would permit the applicant to provide additional housing for the community. RU-4L zoning permits the development of 23 units per acre, which would allow a total of 188 units on this site. Plans submitted by the applicant indicate the proposed development of the site with a maximum of 178 residential units or 21 units per acre. Staff notes that this is below the maximum of 25 units per acre allowed by the CDMP Land Use Element interpretative text for the Business and Office category and the maximum of 23 units per acre allowed by the RU-4L zoning district.

As previously noted by staff, the Business and Office designation of the subject property was adopted in the November 1995 cycle of applications to amend the CDMP at which time the

applicant proffered a covenant which maintained the 100' buffer along the western property line for industrial and retail development. However, the restrictions on development did not extend to residential and office development within this 100' wide buffer area. The CDMP covenant only required any future residential development in this area to be equivalent to the corresponding setbacks for the residential developments located to the west. In the case of office uses two (2) stories high, the required landscaped buffer along the west property line was 50' and if higher than two (2) stories the development would be required to comply with the setbacks required by Code measured from the edge of the 50' wide landscaped buffer area. Said CDMP covenant also stated that development of and on the master tracts shall be subject to certain Urban Design Guidelines set forth in the covenant.

Staff is of the opinion that the submitted site plan conforms with the CDMP Land Use Element's interpretative text for the Business and Office land use category that states that *any residential proposal in Business and Office designated parcels not be out of character with the surrounding community, not detrimentally impact adjacent development and zoning and provide a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.* Further, CDMP land Use Element, **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as height, bulk, and scale of architectural elements and parking among other things. The applicant is proposing to develop the property with a 178 unit residential apartment complex made up of sixteen (16) apartment buildings, a club house and an entrance feature. Additionally, the applicant seeks to delete a prior covenant as it applies to the subject property, which restricted development along the west 100' of the subject parcel (request #2), to permit and entrance feature (request #3) and the partial filling of a lake along the interior side (west) property line (request #4) along with request for a variance to the setback requirements (request #5).

The site plan incorporates principles of urban design such as architecturally defined blocks and open spaces in the form of greens and squares. The squares are distributed throughout the site to offer areas for social encounters and for recreation. Landscaping is used to buffer the proposal from adjacent uses as well as to reinforce the urban spaces created by the block and street design. Further, the parking areas are for the most part located central to the site and screened from the abutting roadways by the apartment buildings. The height and scale of the proposed buildings are also similar to the buildings in the adjacent development located to the south that was approved in January 2005 pursuant to Resolution #CZAB5-01-05. The submitted plans indicate that the maximum height of the two (2) story apartment buildings within the proposed development will be 26'-4". The RU-1 zoning district within which the residences to the west are located permits residences with a maximum height of 35'. Additionally, the open recreational area abutting the portion of the lake that encroaches onto the subject parcel from the property to the west provides a well-designed landscape open space that will provide the residents of the proposed development with a view of the lake and compliments the views from the existing residential development to the west. Also, the applicant has provided liberal buffering in the form of a continuous hedge and a row of trees along the interior side (west) and rear (south) property lines that will mitigate any negative visual impact of the rows of apartment buildings located along said property lines on the residential developments to the west and south.

Staff further opines that the design principles outlined in the submitted plans conform to the Urban Design Guidelines outlined in the CDMP covenant that was proffered by the applicant and accepted by the County at the time of the amendment of the CDMP LUP map to Business and Office during the November 1995 cycle. All of the design principles adopted in this development

will create a neighborhood that is pedestrian-friendly and sympathetic to human scale as well. The applicant has diligently worked with staff in order to provide urban design principles and guidelines on the site plan. Staff is of the opinion that the proposed development has incorporated numerous principles of urban design as described in the adopted Miami-Dade Urban Design Manual to create a new development that will serve as a sensitive and well-designed transition between the commercial uses found to the east and the residential uses found to the west. Staff opines that the proposed development including the lake fill, the entrance feature and reduced setbacks will be adequately buffered and will not have a negative visual impact on the surrounding properties or on passersby along NW 182 Street or NW 59 Avenue and therefore would satisfy the criteria for compatibility set forth in the CDMP Land Use Element, **Policy LU-4A**.

Since the approval of the application would maintain the restrictions of the development of the site based on the CDMP amendment and the CDMP covenant staff opines that approval of the application is **compatible** with the area and therefore **consistent** with the CDMP Land Use Element interpretative text for residential uses and the density threshold permitted in **Business and Office** areas and the CDMP Land Use Plan map **Business and Office** designation for the subject property and the CDMP covenant.

ZONING ANALYSIS:

The applicant seeks approval of a request for a zone change from IU-C to RU-4L (requests #1). In addition, the application seeks to approve other requests (requests #2 through #5) for the development of the site under the RU-4L zoning regulations which are contingent on the approval of the district boundary change.

For the reasons stated above, staff opines that when the applicant's requests to rezone the 8.2-acre parcel to RU-4L (request #1), is analyzed under Section 33-311, District Boundary Change; to delete a declaration of restrictions that restricts development of the west portion of the parcel under Section 33-311(A)(7), Generalized Modification Standards (request #2);and requests to permit an entrance feature with signage (request #3) and permit the filling of a portion of an existing lake (request #4), under Section 33-311(A)(3), Special Exception, Unusual and New Uses, that the approval of the requests would be **compatible** with the commercial, single and multi-family residential uses in the surrounding area.

The existing IU-C zoning district allows all the uses permitted in the IU-1, Light Industrial Manufacturing District except adult entertainment uses, and every use permitted in the IU-3, Unlimited Industrial Manufacturing District including utility plants and substations such as, but not limited to, sewage, water, power, communications and gas. Also included in the IU-3 district are uses such as scrap metal reduction plants, metal and metal ores, reduction, refining, smelting and alloying. As such, staff opines that approval of the rezoning to RU-4L (request #1), would permit residential uses that would not be out of character with, and would be more compatible with the residentially zoned properties located to the west Further, although the proposed residential development is more intensive than the single family residential development to the west, staff opines that it will provide a reasonable transition to the more intense commercial uses located to the east of the subject parcel.

Staff notes that for the reasons explained earlier, the deletion of the declaration of restrictions (request #2) as it pertains to the 100' wide buffer along the west property line will be compatible with the residential subdivision located to the west and the multi-family development to the

south that was approved for a similar request pursuant to Resolution #CZAB-5-105. Further, staff notes that the applicant has provided a continuous landscaped strip comprised of a row of trees planted at approximately 30' on center and a continuous hedge. The residential properties to the west will also be buffered by an existing 8' high wall along 2/3 of the property line abutting the proposed development and a lake with a proposed 6' high wall along the remaining 1/3 portion of said property line. Further, staff notes that only seven (07) of the residential properties abut the west property line of the south portion of the proposed development and four (04) of the residences abut the northern portion of said development. Staff notes that the existing lake provides an approximately 150' buffer at the narrowest point. However, staff recommends as a condition for approval that in the event this wall is removed, the applicant shall replace this wall along the property line abutting the residential development with a 6' high CBS wall. Staff also recommends as an additional condition of approval of this request (request #2) that the applicant provides a dual, row of trees planted in staggered rows along the west property line, spaced 25' on center and be a minimum of 12' high at the time of planting. Further, staff recommends that the landscape buffer along the west property line be installed prior to the issuance of the first Certificate of Occupancy for the residential development.

Staff notes that based on the memorandum from the Public Works and Waste Management Department, the approval of the aforementioned requests #1 through #4 would efficiently use the roads, streets and highways which have been constructed, planned or budgeted for in this area and further, would not result in excessive traffic. Their memorandum states that subject to conditions, the application meets the criteria for traffic concurrency for an Initial Development Order. In addition, staff notes that the subject property fronts onto NW 59 Avenue and NW 182 Street, and is located approximately 330' south of Miami Gardens Drive, 0.33 miles to the west of NW 57 Avenue, both of which are section line roadways that provide the parcel with connectivity to the east and west and north and south respectively. Similarly, the memorandum from the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources (RER) indicates that the approval with conditions of the aforementioned requests will not have an unfavorable impact on the environmental resources of the County. Specifically, its memorandum indicates that a review of the application for compliance with the requirements of Chapter 24 of the Code indicated that the Level of Service standards as specified in the CDMP for potable water supply, wastewater disposal and flood protection are valid for this initial development order. As a condition for approval, the DERM memorandum further requires the applicant to demonstrate that the partial lake filling will not result in higher ground water level in the area. The Miami-Dade Fire Rescue Department (MDFRD) memorandum indicates that approval with conditions of the aforementioned requests will not unduly burden the MDFRD resources that exists or that are budgeted or planned for in this area.

Based on the aforementioned, staff recommends approval of request #1 under Section 33-311, District Boundary Change, and approval with conditions request #2 under Section 33-311(A)(7) Generalized Modification Standards and requests #3 and #4 under Section 33-311(A)(3), Special Exception, Unusual and New Uses.

When request #5 to permit certain buildings setback 15' (25' required) from the rear (south) property line is analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with same. Staff notes that the proposed site abuts a recently approved multi-family residential development located to the south. A review of the approved plans for this abutting development indicates that the

buildings on this site are also setback 15' from the north property line. However, the north property line for said property is an interior side property line that only required a minimum 15' setback since the property fronts onto NW 59 Avenue. Although the subject property also abuts NW 59 Avenue, the frontage for the subject property is along NW 182 Street. As such, the south property line of the subject property is the rear property line and requires a 25' setback. Staff opines that the proposed development is similar in scale and height to the previously approved development to the south and that the proposed 15' setback for some of the buildings from the rear (south) property line allows for a uniform pattern of development that will not be visually intrusive to the surrounding area and will be **compatible** with same. Further, staff notes that the submitted plans indicate a landscape buffer containing a continuous row of hedges and trees along said property line which staff opines will mitigate any negative visual impact of the encroachment. **Staff therefore recommends approval with conditions of request #5 under the Section 33-311(A)(4)(b), Non-Use Variance standards.**

Staff opines that requests #6 and #7 are not needed for this application and were inadvertently advertised. As such, staff recommends the withdrawal of these requests.

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate three (3) ingress/egress points along NW 59 Avenue and one (1) along NW 182 Street. The applicant has provided 37 more parking spaces than the required 304 parking spaces for the 178 unit residential development with adequate drives that connect to the aforementioned ingress/egress points.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

CONDITIONS FOR APPROVAL (For requests #2 through #5 only):

General Conditions

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, 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 "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet, with all plans dated stamped, received 10/25/12, except as herein amended to show an increased landscaped buffer along the west property line. Said landscape buffer shall consist of dual, row of trees planted in staggered rows along the west property line, spaced 25' on center and be a minimum of 12' high at the time of planting.

3. That the use be established and maintained in accordance with the approved plan.

4. That the applicant submit to the Department of Regulatory and Economic Resources for review and approval a landscape plan which in addition to the submitted landscape plans shall include the required landscape buffer along the west property line. Said landscape buffer shall consist of a dual row of trees planted in staggered rows along the west property line, spaced 25' on center and be a minimum of 12' high at the time of planting, and shall be installed along that portion of the west property line prior to the issuance of the first Certificate of Occupancy.

5. That the applicant shall be permitted to operate construction activities for the proposed development between the hours of 7:00 A.M. and 7:00 P.M. on weekdays; Saturday and Sunday operation and/or other hours of operation than 8:00 A.M. to 5:00 P.M., may be permitted by the Director only if the same does not become objectionable, in his opinion, to the surrounding area.

Lake Fill Conditions

6. That in the event the existing 8' high wall along 2/3 of the west property line is removed by the neighboring residential development to the west the applicant shall install a similar buffer within the zoning regulations.

7. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

8. That no fill be permitted within the adjacent rights-of-way.

9. That if in the opinion of the Director the lakefill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicants as directed by the Director.

10. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources as well as the Public Works and Waste Management Department for the duration of the fill project

11. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources, as set forth herein, shall be used in the fill project.

12. That in order to insure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department of Regulatory and Economic Resources, payable to Miami-Dade County, in an amount as may be determined and established by the Director of the Department of Regulatory and Economic Resources; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have

an interest in the land, such as mortgagees, etc. The bond amount shall be based on the volume of cut required to create the approved slope configuration.

13. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

14. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

15. That the fill project shall meet all storm water management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

16. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the previously approved excavation plans and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation. In no event shall such extension allow the fill project to continue beyond three (3) years after issuance of the permit.

17. That the property shall be suitably posted to meet with the approval of the Director; said posting shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

18. That the property shall be staked to meet with the approval of the Director of the Department of Regulatory and Economic Resources; said stakes shall be maintained in proper position so that the limits of the lake fill, slopes and grade levels may be easily determined.

19. That all Federal, State and local permits be obtained prior to commencement of the lake fill. In the event that any Federal, State or local permit is revoked or otherwise held to be invalid, the lake fill operation shall immediately cease.

20. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than three (3) years from issuance of the fill permit;

21. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Department of Regulatory and Economic Resources.

22. That the applicant shall be permitted to operate between the hours of 7:00 A.M. and 7:00 P.M. on weekdays; Saturday and Sunday operation and/or other hours of operation than

8:00 A.M. to 5:00 P.M., may be permitted by the Director only if the same does not become objectionable, in his opinion, to the surrounding area.

23. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the lakefill operation progresses. In accordance with this requirement, the applicants shall submit "as built" surveys prepared and sealed by a Florida licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the lake fill operation or at six-month intervals, whichever is of a lesser duration, or upon request of either the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources when it appears that the lake fill is proceeding contrary to approved plans.

24. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda that are incorporated herein by reference.

25. That any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.

ES:MW:NN:AN:CH

Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

PLANNING AND ZONING
AGENDA OFFICE
2013 MAR -8 P 12:57

ZONIN_ .RECOMMENDATION ADDE..._UM

Miami Gardens Park, LLC
Z12-089

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No comment
Schools	No objection
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Business and Office (Page I-41)	*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 (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 factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.* *Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.* ***Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.*** *If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.*

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Miami Gardens Park, LLC
Z12-089

Land Use Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	(A) *The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.* *(F)* ***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.*
Section 33-311(A)(3) Special Exception, Unusual and New Uses.	*Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other*

ZONII RECOMMENDATION ADDE UM

Miami Gardens Park, LLC
Z12-089

	equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	*Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*
Section 33-311(A)(7) Generalized Modification Standards.	*The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.*

PLANNING AND ZONING
AGENDA OFFICE
2013 MAR -8 P 12:57

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

A

APPLICANT'S NAME: **MIAMI GARDENS PARK, LLC**

REPRESENTATIVE: Javier Vazquez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-1-CZ5-1 (12-089)	February 28, 2013	CZAB5		12

REC: Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

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

■ DEFER: ☐ INDEFINITELY ■ TO: **March 14, 2013** ☐ 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

■ OTHER: Deferred by the Board to allow the applicant to meet with the neighbors for a second time.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN	S	Jessica FORTICH	X		
VICE CHAIRMAN		Juan A. GARCIA (C.A.)		X	
COUNCILMAN	M	Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF			X
CHAIR WOMAN		Joanne CARBANA	X		
		VOTE:	3	1	

EXHIBITS: ■ YES ☐ NO COUNTY ATTORNEY: **JOHN MCINNIS**

MIAMI-DADE COUNTY
COMMU..TY ZONING APPEALS BOAR_ - AREA 5
MOTION SLIP

#1

APPLICANT'S NAME: **MIAMI GARDENS PARK, LLC**

REPRESENTATIVE: Javier Vazquez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-1-CZ5-1 (12-089)	January 17, 2013	CZAB5		12

REC: Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

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

■ DEFER: ☐ INDEFINITELY ■ TO: February 28, 2013 ☐ 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

■ OTHER: Deferred at applicant's request to allow the applicant to work with the neighbors.

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIR WOMAN	**M**	Joanne CARBANA	**X**		
COUNCILWOMAN	**S**	Jessica FORTICH	**X**		
COUNCILMAN		Leonardo A. PEREZ	**X**		
COUNCILMAN		Alexander C. SENDEROFF	**X**		
CHAIRMAN		Juan A. GARCIA (C.A.)	**X**		
		VOTE:	**5**	**0**	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **JOHN MCINNIS**

15

A. MIAMI GARDENS PARK, LLC
(Applicant)

13-1-CZ5-1 (12-089)
Area 5/District 1
Hearing Date: 03/14/13

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
1982	1000 Brickell, Inc.	-Zone change fro AU, RU-3M and RU-4L to IUC. -Unusual use for a lake excavation -Deletion conditions of Resolutions	BCC	Approved with Condition(s)

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.

Memorandum

MIAMI-DADE COUNTY

Date: September 5, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: #Z2012000089-1st Revision
Miami Gardens Park, LLC
SW Corner of NW 182nd Lane and NW 59th Avenue
Zone Chance from IU-C to RU-4L; Modification of a Previous Agreement; Unusual Use to Permit and Entrance Feature; and Unusual Use to Permit the Filling of a Lake
(IU-C) (8.2 Acres)
12-52-40

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application 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.

Be advised that the water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

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 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 alternate means of sewage disposal. Use of an alternate 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
The proposed site plan does not match the previously approved paving and drainage plans under the existing Environmental Resource Permit number 13-03926-P issued by the Department. Therefore, a letter of permit modification is required. This letter must be obtained prior to the Department Plan Review and Development Approval.

The applicant shall demonstrate that partial filling of the existing lake will not result in higher ground water level in the surrounding area.

Any development in the post filling operation shall be required to conform to the conditions of a Surface Water Management Permit issued by the Department.

Wetlands
This property is part of Class IV Wetland Permit FW 00-083 which was issued for the filling of 0.037 acres of wetlands for a roadway between NW 186th Street and NW 177th Street. The permit expired on March 26, 2006. However, prior to the expiration date, 0.018 acres of wetlands were filled. The remainder 0.019 acres of wetlands were permitted under the same permit number (Class IV Wetland Permit FW00-083) on January 22, 2007, and expired on January 22, 2009. An on site inspection performed by staff on August 13, 2010 revealed that the wetlands on site were filled prior to the permit expiration date.

Therefore, this Section has no objection to the scheduling of this zoning application provided that no impacts occur beyond what was permitted on this site.

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
From 2007 to 2009 tree resources have been removed from this property without first obtaining the required Miami-Dade County Tree Removal/Relocation Permit. Consequently, the property owner shall be required to obtain an After-the-Fact Tree Removal/Relocation Permit. The applicant is advised that enforcement action may be forthcoming as a consequence of the violation. Section 24-49 of the Code requires the preservation of tree resources. Therefore, this Department will require the preservation of all the specimen-sized trees (trunk diameter 18 inches or greater) as defined in the Code, on the site.

A Miami Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is advised to contact the Tree Permitting Program at (305)-372-6600, voice option #2, for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History
There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary
A concurrency review has been conducted 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 written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

REVISION 1

PH# Z2012000089

CZAB - C05

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MIAMI GARDENS PARK, LLC

This Department has no objections to this application.

This land requires re-platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

A re-plat is required to remove a 10 foot utility easement along the western boundary of the property where the 4 buildings are proposed.

Additional improvements may be required at time of permitting/platting.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 117 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
F-1233	Miami Gardens Dr. e/o NW 57 Ave.	B	B
F-2516	Miami Gardens Dr. w/o NW 57 Ave.	E	E
F-1190	NW 57 Ave. s/o NW 173 Dr.	E	E
F-2514	NW 57 Ave. n/o NW 183 St.	B	B

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-SEP-12

Memorandum

MIAMI-DADE COUNTY

Date: August 8, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From: Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: DIC #12-089
Miami Gardens Park,LLC

Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-089
Miami Gardens Park, LLC

Application: ***Miami Gardens Park, LLC*** is requesting a district boundary change from Industrial (IU-C) to Limited Apartment House District (RU-4L) to develop 180 residential dwelling units on the property, in the form of a gated community, to be distributed among 16 buildings. The applicant also requests a modification to an existing covenant to delete Declaration of Restrictions recorded in O.R. Book 11507, at Page 577 and unusual use permits to allow for a guardhouse, gate, and to fill a lake.

Size: The subject property is approximately 8.2 acres.

Location: The subject property is approximately located at the SW corner of NW 182 Lane and NW 59 Avenue, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The development of a gated community comprised of 180 residential dwelling units among 16 buildings will likely be considered development for a "multi-family residential establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Multi-family Units

Regarding **multi-family units, Section 15-2.2a** requires "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below."

1) Newspaper
2) Glass (flint, emerald, amber)
3) Aluminum cans
4) Steel cans
5) Plastics (PETE, HDPE-natural, HDPE-colored)

Section 15-2.2b states the failure of a multi-family residential establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner(s) shall be liable, provided, however, that in the case of a condominium or cooperative apartment having a condominium association or cooperative apartment association, said association, rather than individual unit owners, shall be liable for any such violation.

Applicants are ***strongly*** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling programs must be made directly to the Department at 305 514-6666.

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends").
b. "T" shaped turnaround 60 feet long by 10 feet wide.
c. Paved throughway of adequate width (minimum 15 feet).

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle accesss. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

Memorandum

MIAMI-DADE COUNTY

Date: November 13, 2012

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief M.N.
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2012000089: MIAMI GARDENS PARK, LLC
Includes plans dated stamped received through 10/25/12.

Application Name: MIAMI GARDENS PARK, LLC

Project Location: The site is located west of NW 59 AVENUE and south of theoretical NW 182 LANE, Miami-Dade County. Review includes plans dated stamped received through 10/25/12.

Proposed Development: The applicant is requesting approval for a district boundary change from IU-C to RU-4L for development of 180 dwelling units and a centralized clubhouse. An unusual use to permit an entry feature for a guardhouse and gate and to fill a portion of a lake is requested. Also requested is a modification of an existing covenant.

Impact and demand: The proposed development consisting of 180 dwelling units generates the need for approximately 1.36 acres of parkland based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population. The site is located in Park Benefit District 1 which has a surplus of 310.91 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District. The Department has no objection to this application.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space.

Current Park Benefit District Area Conditions: County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park. The nearest park to the application is Country Village Park which is located .5 miles northwest of the site.

Table A - County Parks (local only)
Within a 3 Mile Radius of Application Area.

Park Facility	Classification	Acreage
Lake Stevens Park	NEIGHBORHOOD PARK	11.75
Country Village Park	COMMUNITY PARK	16.74
Country Club of Miami Tot Lot	MINI-PARK	0.30
Country Lake Park	COMMUNITY PARK	19.20
Acadia Park	NEIGHBORHOOD PARK	5.99
North Glade Park	COMMUNITY PARK	3.98
Spanish Lake	NEIGHBORHOOD PARK	6.37

Country Club of Miami South Park	COMMUNITY PARK	88.29
Norman & Jean Reach Park	COMMUNITY PARK	19.28
North Pointe Community Ctr.	COMMUNITY PARK	5.58
Area 1176	MAINTENANACE AREA	35.38
Area 262	MAINTENANCE AREA	34.37

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

REVISION 1

Memorandum

Date: 06-NOV-12

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2012000089

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated 07/19/12.
APPROVAL
No objection via Case # Z2012000089 with the following condition:
A Knox key switch required at entry gates.

Service Impact/Demand

Development for the above Z2012000089
located at Lying west of NW 59 AVENUE and south of theoretical NW 182 LANE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0174 is proposed as the following:

180 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: 50.49 alarms-annually.
The estimated average travel time is: 6:32 minutes

Existing services

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

Station 1 - Miami Lakes - 16699 NW 67 Avenue
Rescue, ALS Aerial

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 Letter of Intent. Substantial changes to the Letter of Intent will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 06-NOV-12

REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

MIAMI GARDENS PARK, LLC	Lying west of NW 59 AVENUE and south of theoretical NW 182 LANE, MIAMI-DADE COUNTY, FLORIDA.
APPLICANT	**ADDRESS**

Z2012000089

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC: No open cases. Prior case opened September 21, 2012 for overgrown vacant lot and a warning was issued. Reinspection was done on October 18, 2012 and case closed because corrected by owner. BNC: No bss cases opened/closed.

Miami Gardens Park LLC

OUTSTANDING FINES, PENALTIES, COST OR LIENS INCURRED PURSUANT TO CHAPTER 8CC:

REPORTER NAME:

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Miami Gardens Park, LLC

NAME AND ADDRESS	Percentage of Stock
Richard Rafuls	50%
Hector Marrero	50%
7901 West 25 Avenue, Bay 3	
Hialeah, Florida 33016	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

NAME AND ADDRESS	Percentage of Interest

RECEIVED
12-039
JUL 03 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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 principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the 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.

RECEIVED
213-059
JUL 03 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the 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.

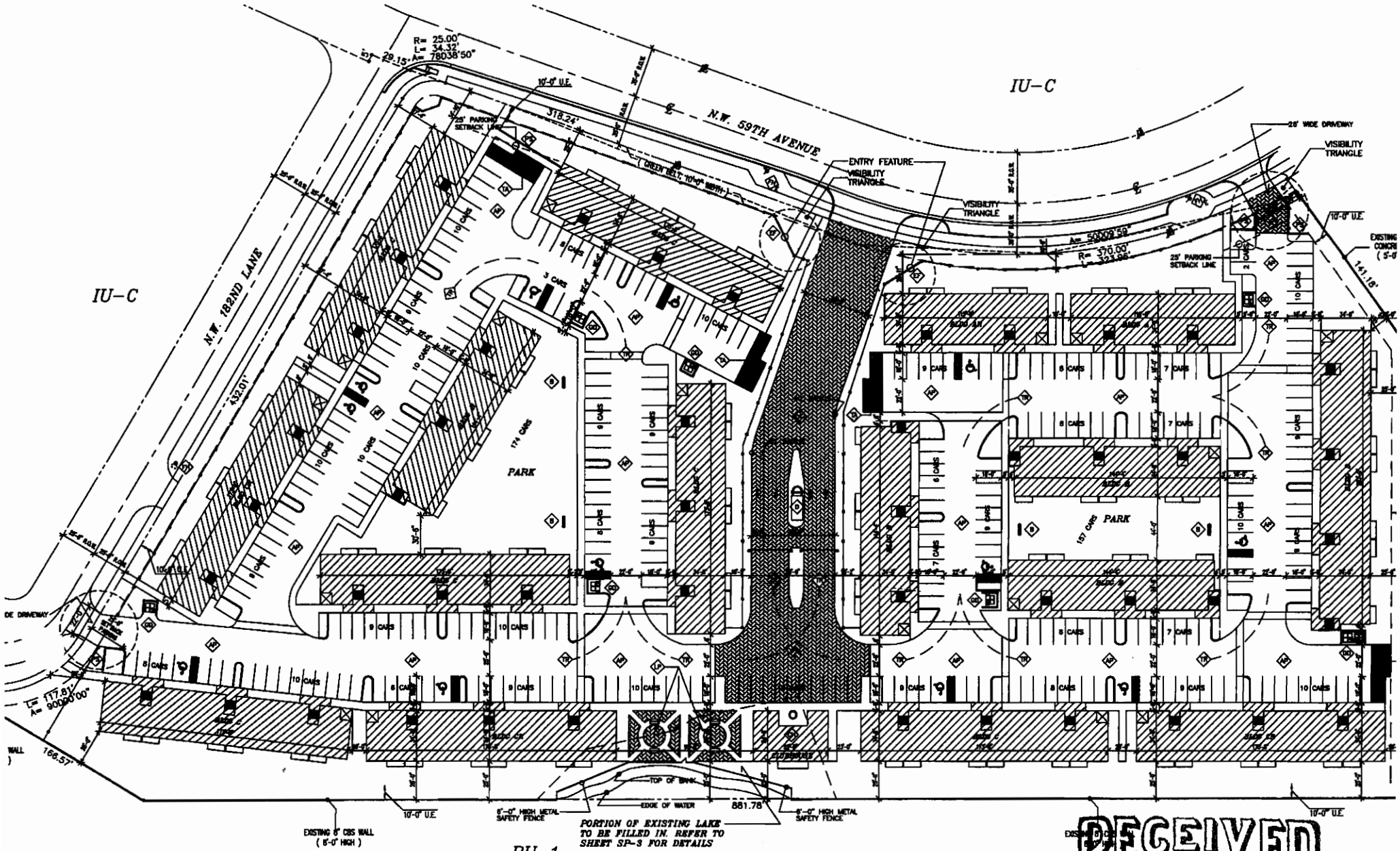
Signature: _____
(Applicant)

Sworn to and subscribed before me this 28th day of June, 2012. Affiant is personally know to me or has produced _____ as identification.

Clara Martinez
(Notary Public)
CLARA MARTINEZ
My commission expires: 05/01/16

Notary Public State of Florida
Clara Martinez
My Commission EE 186954
Expires 05/01/2016
Seal

*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.



GENERAL SITE PLAN

1"= 40'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

PROPOSED SITE PLAN ZONING LEGEND

1) SITE ZONING (S) : (EXISTING USE : CLUBHOUSE)	12) TOTAL PARKING REQUIRED = 304 SPACES
2) SITE FOR DEVELOPMENT : 6.50 ACRES = 283,140 SQFT.	(ONE TYPE "A" : 152 (1 BEDROOM) x 1.5 = 228 SPACES
NW : 6.50 ACRES = 283,140 SQFT.	(ONE TYPE "B" : 26 (2 BEDROOM) x 1.75 = 46 SPACES
LAND USES : N/A ACRES = N/A SQFT.	13) TOTAL PARKING PROVIDED = 54 SPACES ——— 282 SPACES
3) No. OF BUILDINGS : 2	NOTE : SEE SHEET SP-4 FOR PARKING DETAILS 0 SPACES
4) TOTAL RESIDENTIAL UNITS : 178	14) SIGNAGE & OTHER PROPOSED SIGNAGE
5) GROUND COVERAGE OF FLOOR : 109,304 SF (39.0 %)	15) GARAGE & OTHER FLOOR PLANS & SHADOW DIAGRAM
6) LOT COVERAGE : 39.0 % MAX.	*NOTE : GARAGE REMOVAL TO BE DONE BY PRIVATE CONTRACTOR.
7) TOTAL LANDSCAPED AREA PROVIDED : 39 % MIN.	*NOTE : WATER & SEWER BY MIAMI DADE W.A.S.A.
8) TOTAL IMPERVIOUS AREA : 49 % MAX.	16) RURAL TYPE AREA REQUIREMENTS
9) DENSITY / SITE AREA : 26 ACRE	RURAL A 2.5 SF/LT. (6 RURAL = 15 UNITS) 2 UNIT/A = 30 UNITS
10) TOTAL No. UNITS : 178	RURAL B 2.5 SF/LT. (6 RURAL = 15 UNITS) 2 UNIT/A = 30 UNITS
1 BEDROOM UNITS = 152 50% = 76 50%	RURAL C 2.5 SF/LT. (6 RURAL = 40 UNITS) 2 UNIT/A = 80 UNITS
2 BEDROOM UNITS = 26 50% = 13 50%	RURAL D 2.5 SF/LT. (6 RURAL = 72 UNITS) 2 UNIT/A = 144 UNITS
11) GROSS AREA BASED ON (50% = 139,570 SF)	RURAL E 2.5 SF/LT. (6 RURAL = 54 UNITS) 2 UNIT/A = 108 UNITS
1 BEDROOM UNITS = 152 50% = 39,950 50%	RURAL F 2.5 SF/LT. (6 RURAL = 11 UNITS) 2 UNIT/A = 22 UNITS
2 BEDROOM UNITS = 26 50% = 13,680 50%	TOTAL NUMBER OF UNITS = 370 UNITS
CLUBHOUSE = 1,930 50%	
LANDSCAPED CA = 60 SF.) = 1,200 50%	
TOTAL FLOOR AREA BASED PROVIDED = 170,286 SQFT.	

LOT COVERAGE DATA

BLDG TYPE	NO. OF BLDGS	LOT COVERAGE
BLDG. A	1 BUILDINGS	4,231SF
BLDG. AR	1 BUILDINGS	4,231SF
BLDG. B	4 BUILDINGS	5,360SF
BLDG. C	6 BUILDINGS	6,347SF
BLDG. CR	3 BUILDINGS	6,347SF
BLDG. D	1 BUILDING	7,046SF
CLUBHOUSE	1 BUILDING	1,930SF

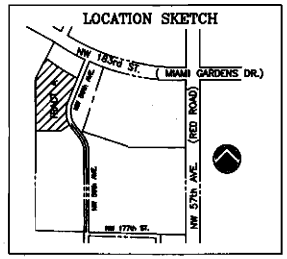
LOT COVERAGE CALCULATIONS

BLDG TYPE	
BLDG. A	1 @ 4,231 SF = 4,231 SF
BLDG. AR	1 @ 4,231 SF = 4,231 SF
BLDG. B	4 @ 5,360 SF = 21,040 SF
BLDG. C	6 @ 6,347 SF = 38,082 SF
BLDG. CR	3 @ 6,347 SF = 19,041 SF
BLDG. D	1 @ 7,046 SF = 7,046 SF
CLUBHOUSE	1 @ 1,930 SF = 1,930 SF
TOTAL LOT COVERAGE	96,823 SF

LEGAL DESCRIPTION

TRACT A OF GARDENS PARK SUBDIVISION
PLAT BOOK 167 PAGE 29
OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY

LOCATION SKETCH



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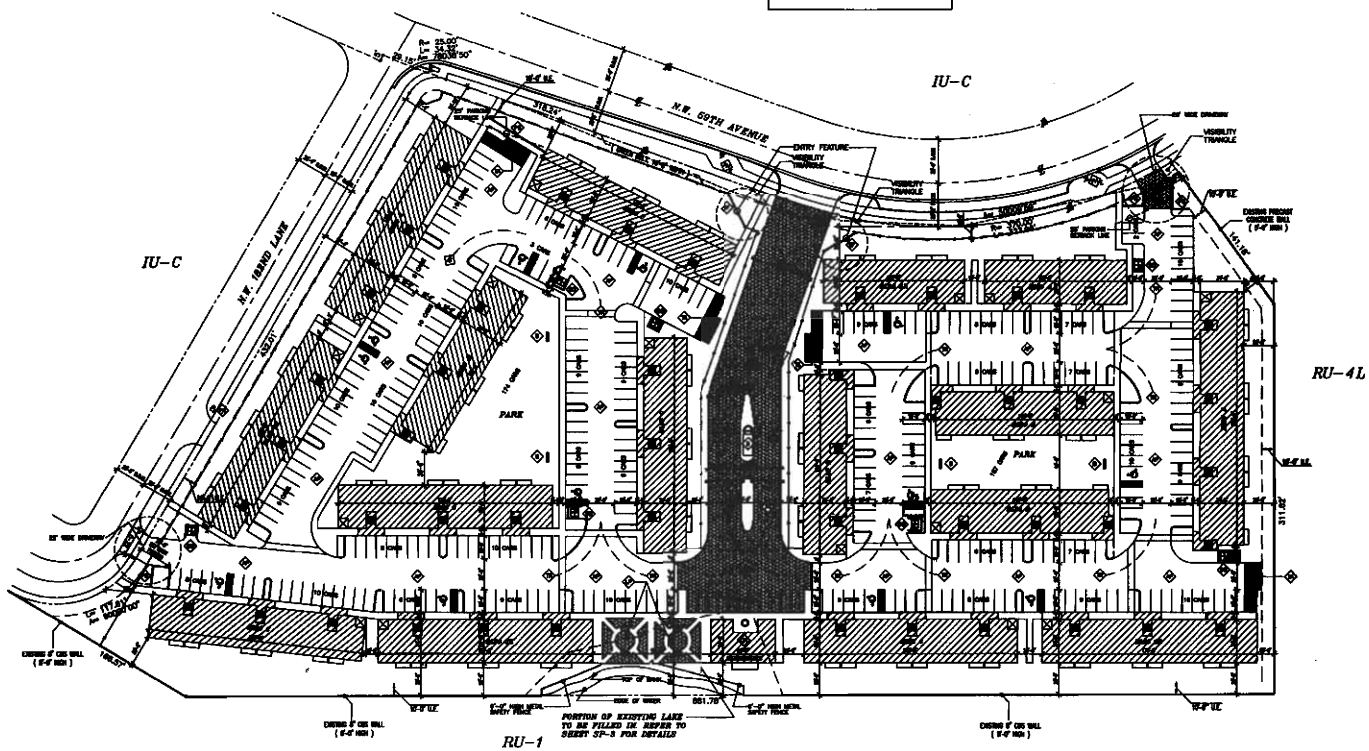
Z12-89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____



GENERAL SITE PLAN
1"= 40'-0"

SITE PLAN SYMBOL LEGEND

ID	SYMBOL DESCRIPTION
A	DENOTES LOCATION OF BRICK PAVERS
B	DENOTES LOCATION OF BICYCLE RACK
C	DENOTES LOCATION OF FOUNTAIN
AP	DENOTES LOCATION OF ASPHALT PAVING
GH	DENOTES LOCATION OF GUARDHOUSE SEE SHEET GH-1 FOR DETAILS
CH	DENOTES LOCATION OF CLUBHOUSE SEE SHEET CH-1 FOR DETAILS
TR	DENOTES 50' FIRETRUCK CL TURNING RADIUS
EF	DENOTES LOCATION OF ENTRY FEATURE
PS	DENOTES LOCATION OF 30" HIGH PARKING STALL SCREEN WALL
GD	DENOTES LOCATION OF GARBAGE DUMPSTER
TA	DENOTES LOCATION OF PARKING TURNAROUND AREA. TO BE STRIPPED AND LABELED AS NO PARKING TURNAROUND ONLY
LP	DENOTES LOCATION OF BRICK PAVERED LAKEVIEW PLAZA

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OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

GENERAL SITE PLAN

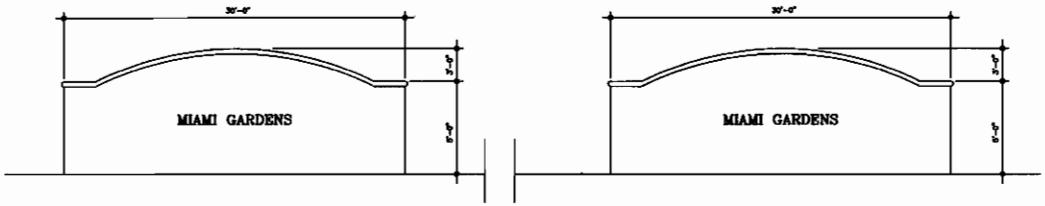
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

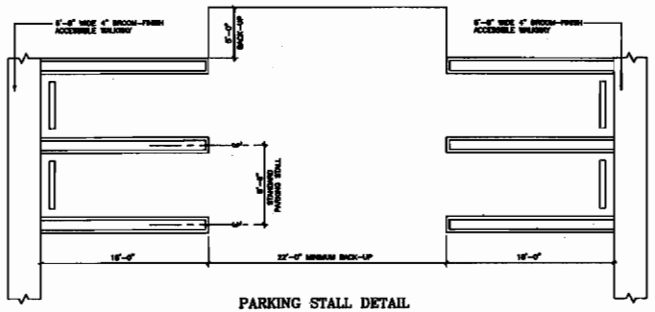
DATE 04/26/12
SCALE AS NOTED
SHEET OF
SP-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010706

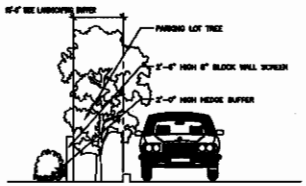
REVISIONS		
NO	DATE	BY
1	10/17/12	OJG
2		OJG
3		OJG



ENTRY FEATURE DETAIL



PARKING STALL DETAIL



PROPERTY-LINE PARKING SCREEN DETAIL

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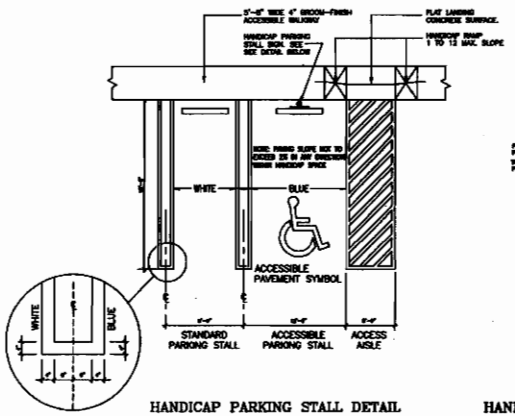
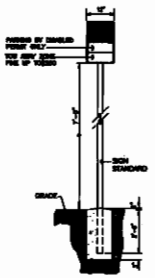
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____



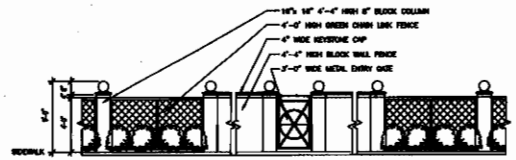
HANDICAP PARKING STALL DETAIL



HANDICAP PARKING SIGN DETAIL

HANDICAP PARKING SIGN NOTES

1. TOP PORTION SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER.
2. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH WHITE ONABLE LEGEND AND BORDER.
3. SIGN TO BE USED AS PER FLORIDA STATUTES. EACH SUCH PARKING SPACE SHALL BE CONSPICUOUSLY POSTED AS BLUE PAINT AND SHALL BE PAINTED AND MARKINGED WITH A PERMANENT ABOVE GROUND SIGN BEARING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY OR THE CAPTION "PARKING BY DISABLED PERMIT ONLY" OR BEARING BOTH SUCH SYMBOL AND CAPTION (SEE SIGN DETAIL) SUCH SIGNS SHALL NOT BE OBSCURED BY A VEHICLE PARKED IN THE SPACE. ALL UNAUTHORIZED PARKING SPACES MUST BE SIGNED AND MARKED IN ACCORDANCE WITH THE STANDARDS ADOPTED BY THE DEPARTMENT OF TRANSPORTATION.



FRONT PROPERTY-LINE FENCE DETAIL

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OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

SITE PLAN DETAILS

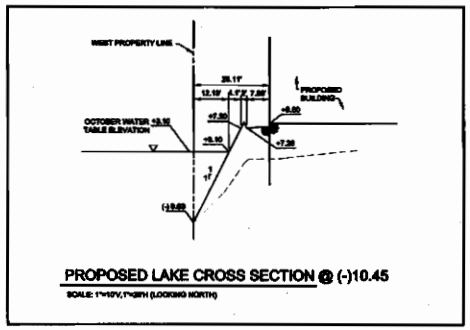
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 20TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/13
SCALE AS NOTED
SHEET OF
SP-2

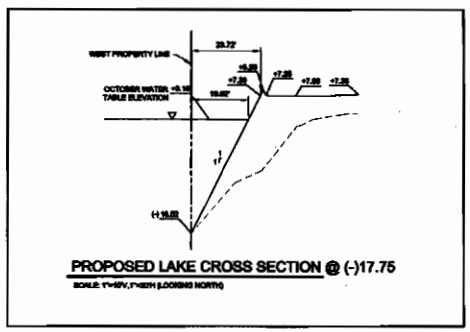
OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 20TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4050 AR-0010706

REVISIONS		
NO	DATE	BY
1		
2		
3		



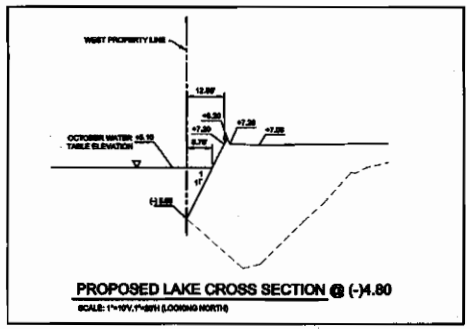
PROPOSED LAKE CROSS SECTION @ (-)10.45

SCALE: 1"=10'V,1"=20'H (LOOKING NORTH)



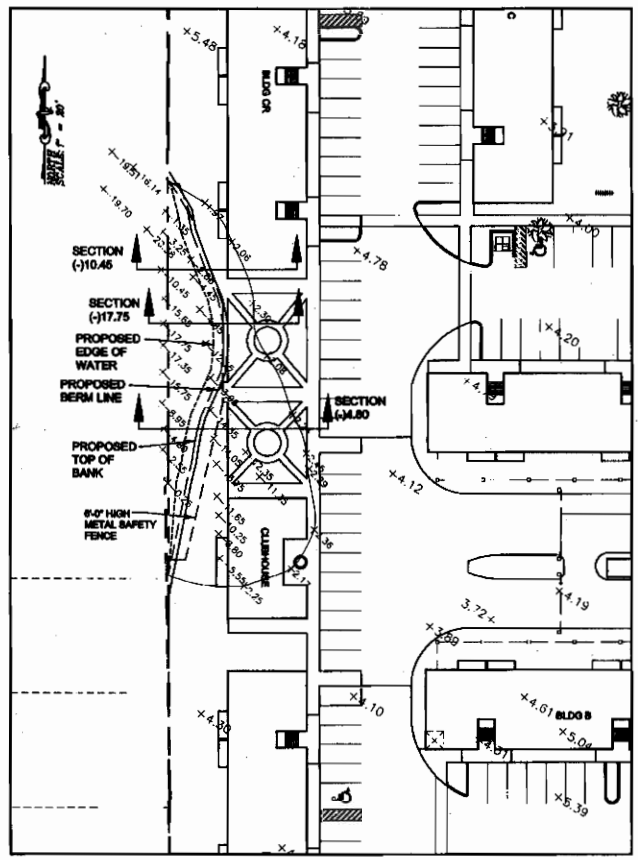
PROPOSED LAKE CROSS SECTION @ (-)17.75

SCALE: 1"=10'V,1"=20'H (LOOKING NORTH)



PROPOSED LAKE CROSS SECTION @ (-)4.80

SCALE: 1"=10'V,1"=20'H (LOOKING NORTH)



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OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.
529 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305-445-1600 • LB 1012

GARDENS PARK
RAFULS & ASSOCIATES CONSTRUCTION COMPANY

LAKE SECTION
EXHIBIT

NO.	DATE	REVISION	BY

SEAL
ANDREW W. ADAMS
REGISTERED ENGINEER
STATE OF FLORIDA

DESIGNED: AWA
DRAWN: AWA
CHECKED: AWA
SCALE: AS NOTED
DATE: 10/15/12
PROJ. NO. 2005-12
SHEET SP-3 OF 3 SHEETS

RECEIVED
MIAMI-DADE COUNTY
PLANNING & ZONING
DATE: OCT 25 2012
BY: MAE

34

SYMBOL USED			PLANT NAME		NATIVE	CALIPER	HEIGHT	CANOPY	USE	QNTY
SYMBOL	REQ'D	EXISTING	BOTANICAL	COMMON	YES / NO	REQUIRED	INSTALLED	INSTALLED		
	82	0		SILVER BUTTONWOOD		3" MIN.	12' MIN.	5' MIN.	LOT TREE	82
	35	15		MAHOGANY		3" MIN.	12' MIN.	5' MIN.	STREET TREE	20
	39	0		MAHOGANY		3" MIN.	12' MIN.	5' MIN.	LOT TREE	39
	96	0		MAHOGANY		3" MIN.	12' MIN.	5' MIN.	LOT TREE / STREET TREE	96
	24	0		GEIGER		3" MIN.	12' MIN.	5' MIN.	LOT TREE	24
	10	0		PINK TRUMPET		3" MIN.	12' MIN.	5' MIN.	LOT TREE	10
	10 (2 PALMS=1 LOT TREE)			ROYAL POINCIANA		1" MIN.	12' MIN.	6' MIN.	LOT TREE	0
	17 (2 PALMS=1 LOT TREE)			FL. ROYAL PALM		3" MIN.	12' MIN.	6' MIN.	LOT TREE	0
	31			SYAGRUS ROMANZOFFIANA		3" MIN.	12' MIN.	6' MIN.	LOT TREE	31
	13	0		BOTTLEBRUSH		3" MIN.	12' MIN.	6' MIN.	LOT TREE	13
	2,000	0		COCOPLUM		24" MIN. HEIGHT @ 24" O.C.			SHRUB	2,000
				GROUND COVER		LINEAR			NON-GRASS AREA	
				SOD		ST. AUGUSTINE FLORATAM SOD			GRASS AREA	

ZONING DISTRICT RU-4L NET LOT AREA: 357,349 SF 8.20 ACRES

OPEN SPACE

A. SQUARE FEET OPEN SPACE REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN:
NET LOT AREA = 357,349 S.F. X 25 % = 89,377 S.F.

B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18 A
TOTAL PARKING SPACES 344 X 10 S.F PER PARKING SPACE = 3,440 S.F.

C. TOTAL S.F. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33: A + B = 92,817 S.F.

LAWN AREA CALCULATION:

A. OPEN SPACE REQUIRED PER SECTION 33 OF ZONING CODE
NET LOT AREA = 357,349 S.F. X 25 % = 89,377 S.F.

B. PARKING LOT LANDSCAPE, REQUIRED PER CHAPTER 18A-4(J)
TOTAL PARKING SPACES 344 X 10 S.F PER PARKING SPACE = 3,440 S.F.

C. ADD A + B = 92,817 SQ.FT. (TOTAL LAWN AREA REQUIRED) (102,559 S.F. PROVIDED)

D. MAXIMUM LAWN AREA (30%) PERMITTED 40% OF A + B= 55,690 SQ.FT.

E. MAXIMUM LAWN AREA PROVIDED: 54,900 SQ.FT.

TREES:

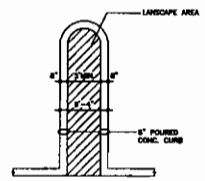
	REQD	PROVD
A. NO. TREES REQUIRED PER NET LOT ACRE LESS EXISTING NUMBER OF TREES MEETING MINIMUM REQUIREMENTS 28 TREES @ NET LOT ACRES = 28 x 8.20 ACRES = 230 TREES	230	240
B. % PALMS ALLOWED: NO TREES PROVIDED / 2 X 30% =	36	36
% PALMS PERMITTED TO COUNT AS STREET TREES ON 1:1 BASIS X 30%	NA	NA
C. % NATIVES REQUIRED: NO TREES PROVIDED X 30% =	72	240
D. STREET TREES (MAXIMUM AVERAGE SPACING OF 25' O.C.): 1,223/35 = 35	35	35
E. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES (MAX. 25' O.C.): LINEAR FEET ALONG STREET / 25 =	NA	NA

SHRUBS:

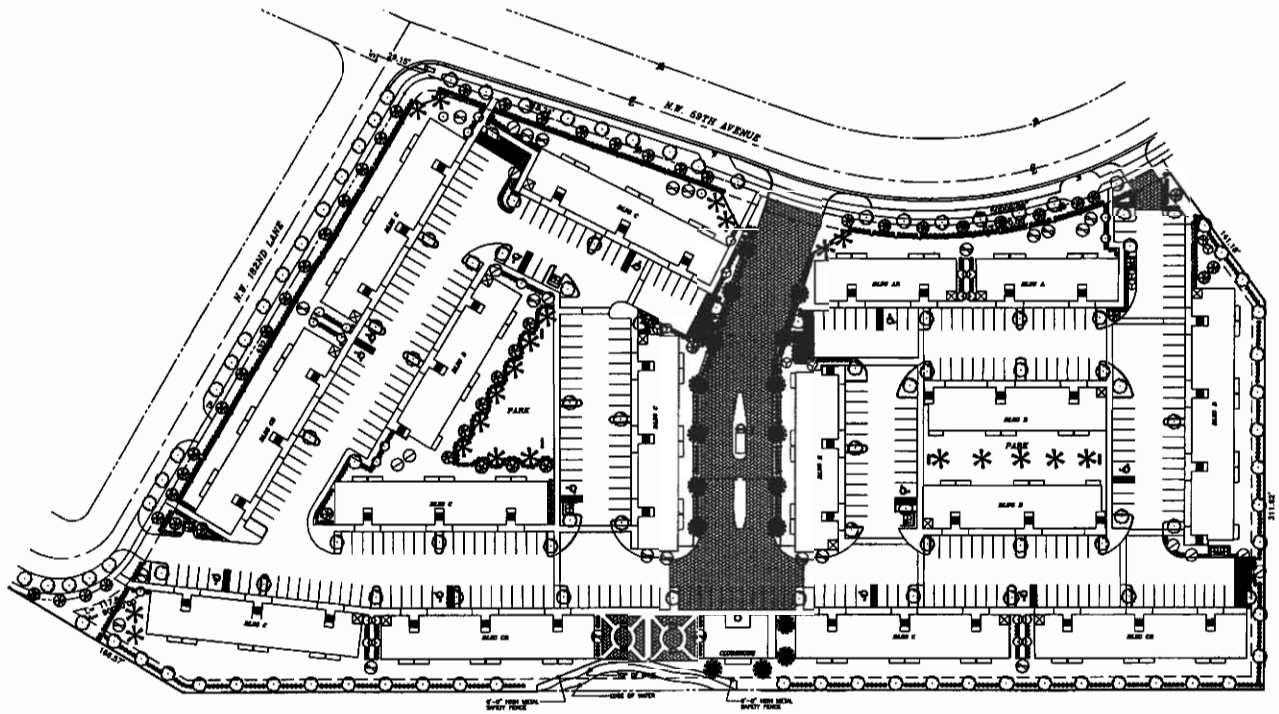
A. NO. TREES REQUIRED X 10 = NO. OF SHRUBS REQUIRED	2,730	2,800
B. NO. SHRUBS ALLOWED X 30% = NO. OF NATIVE SHRUBS REQUIRED	825	2,800
SPRINKLER SYSTEM REQUIRED		*YES*

LANDSCAPING GENERAL NOTES

* LANDSCAPE PLAN TO BE INSTALLED IN COMPLIANCE WITH ALL LOCAL AND STATE LANDSCAPING CODES AND STANDARDS.
* PLANTING SOIL TO BE WEED, ROCK, AND ROOT FREE.
* ALL PLANTING BEDS TO BE SPRAYED WITH ROUND-UP PRIOR TO FINAL INSTALLATION AT THE JOB-SITE.
* GENERAL FERTILIZER (10-10-10 OR 8-8-8) CONTAINING TRACE ELEMENTS OF IRON AND MANGANESE TO BE APPLIED AT TIME OF FINAL PLANTING AT THE JOB-SITE.
* CONTRACTOR SHALL ADD 2 TBS OUNCE "CONTRACTOR PACKS TERRA-SORB" SOIL ADDITIVE FOR EACH TREE. ADD ONE PACKET BACKFILL SOIL. SHRUBS SHALL BE PLANTED WITH 1/2 OUNCE "TERRASORB" PER FOUR (4) SQUARE FEET OF PLANTING AREA.
* ALL PLANTING BEDS AND TREE WELLS TO BE TOPPED WITH 2" MINIMUM EUCALYPTUS MULCH, GRADE A.
* ALL PLANT MATERIALS TO BE FLORIDA #1 GRADE OR BETTER, DEPT. OF AGRICULTURE GRADES AND STANDARDS, PART 1 & 2
* ALL TREES TO BE A MIN. OF 12' IN HEIGHT AT TIME OF PLANTING (UNLESS NOTED OTHERWISE ON PLAN WITH A 6' DIAMETER CROWN SPREAD. THERE WILL BE NO BRANCHING OF TREES BELOW 6'-0" ALONG ANY PEDESTRIAN OR ACCESSIBLE ROUTE.
* SOD SHALL BE "FLORATAM" ST. AUGUSTINE LAID WITH ALTERNATING AND ABUTTING JOINTS. SOD TO BE PLACED GREEN SIDE UP ON 4" MINIMUM GRADED TOP SOIL.



PARKING LOT CURB DETAIL
TYPICAL TREE PLANTING
WELL DETAIL



LANDSCAPING PLAN
1"= 40'-0"

RECEIVED
212.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
OCT 25 2012

LANDSCAPING PLAN

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

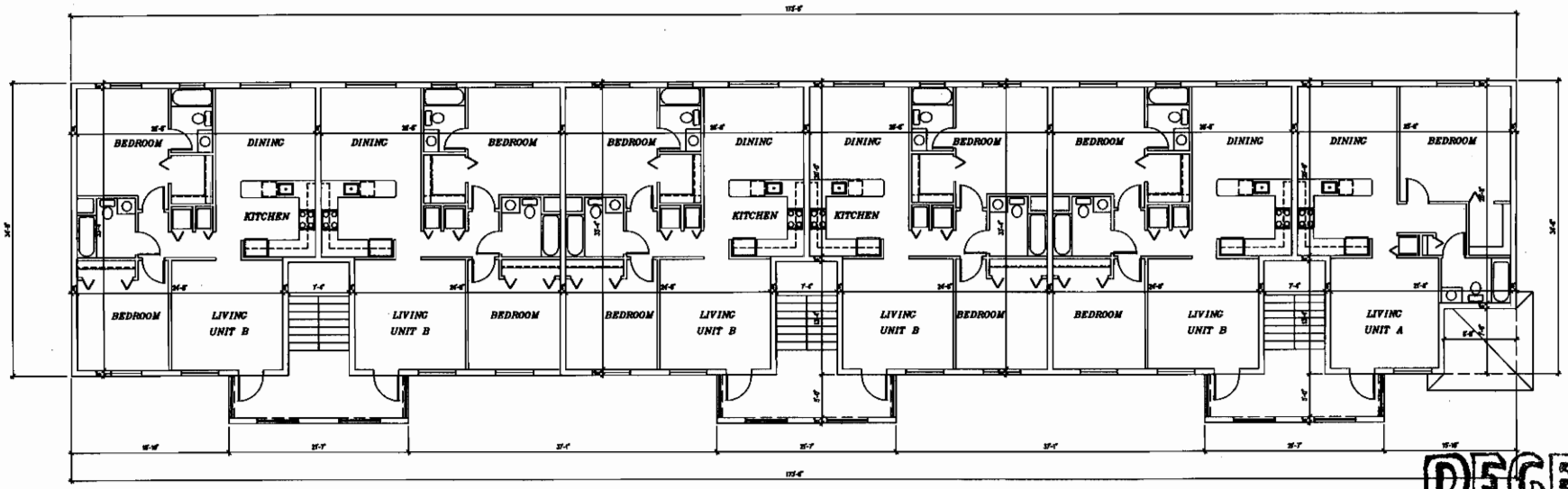
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 885-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET LS-1 OF

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1	10/17/12	O.J.G
2		O.J.G
3		O.J.G

35



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
2/12-84
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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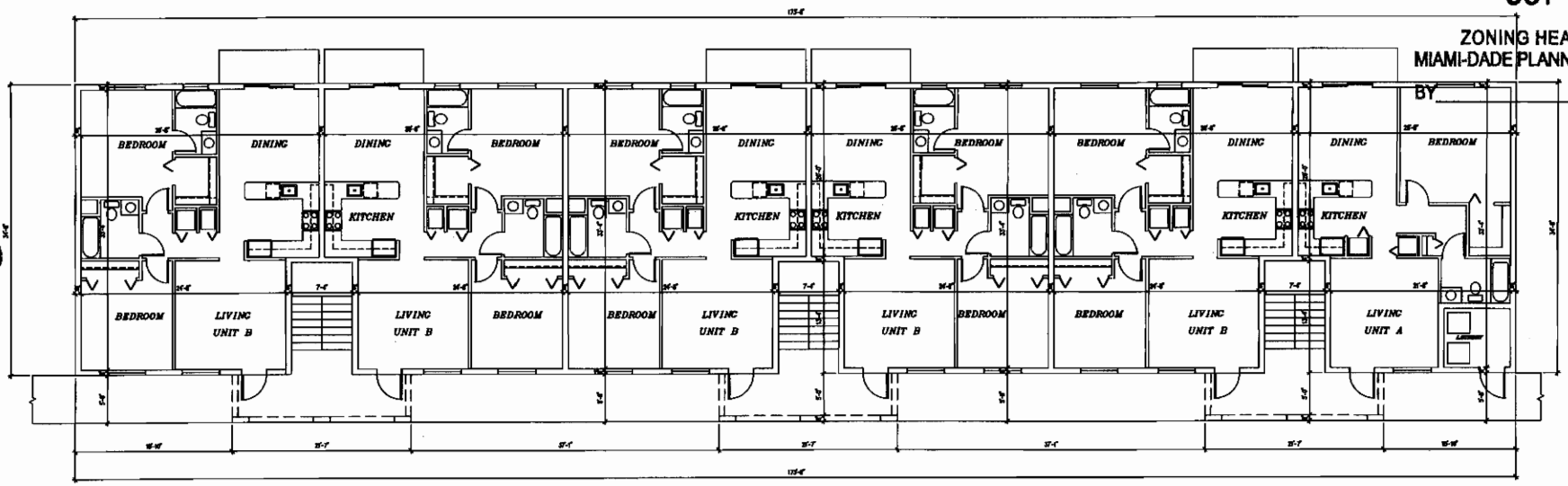


GROUND FLOOR PLAN

3/16" = 1'-0"

FLOOR PLAN BLDG C

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

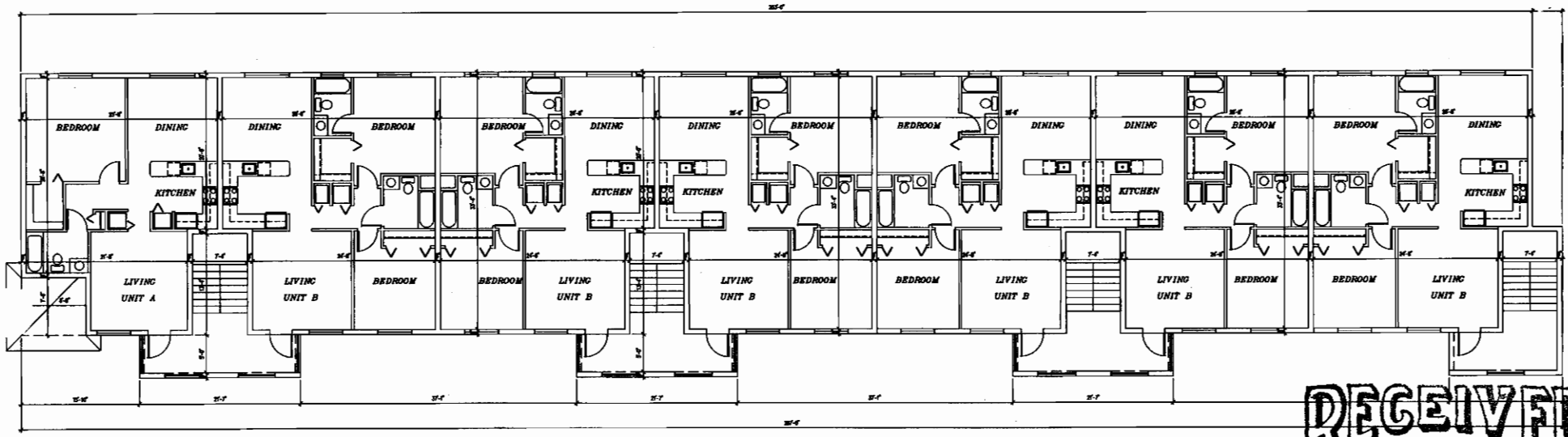
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET A-5 OF

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS

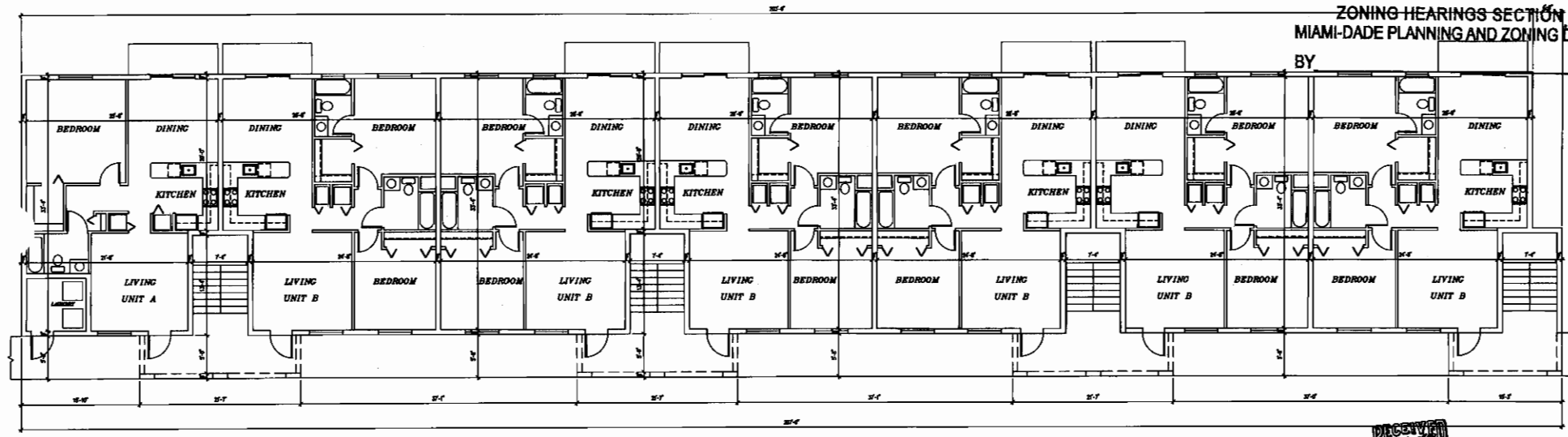
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
12.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED

FLOOR PLAN BLDG D

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 663-8681
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-6

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

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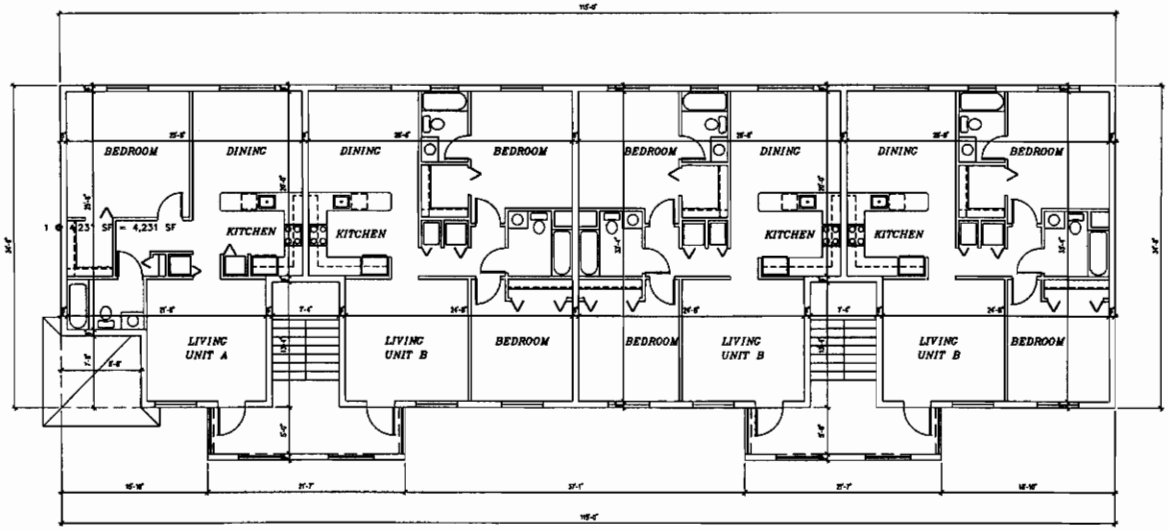
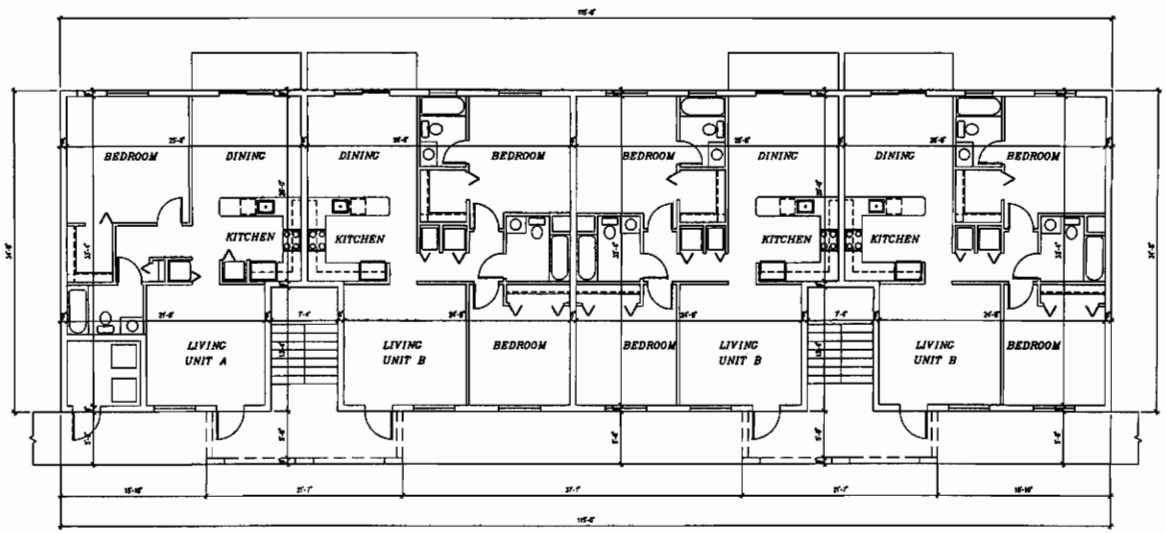
MIAMI-DADE COUNTY
PROCESS # 212-89
DATE OCT 25 2012
BY: DAN



SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
212.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

FLOOR PLAN BLDG A

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

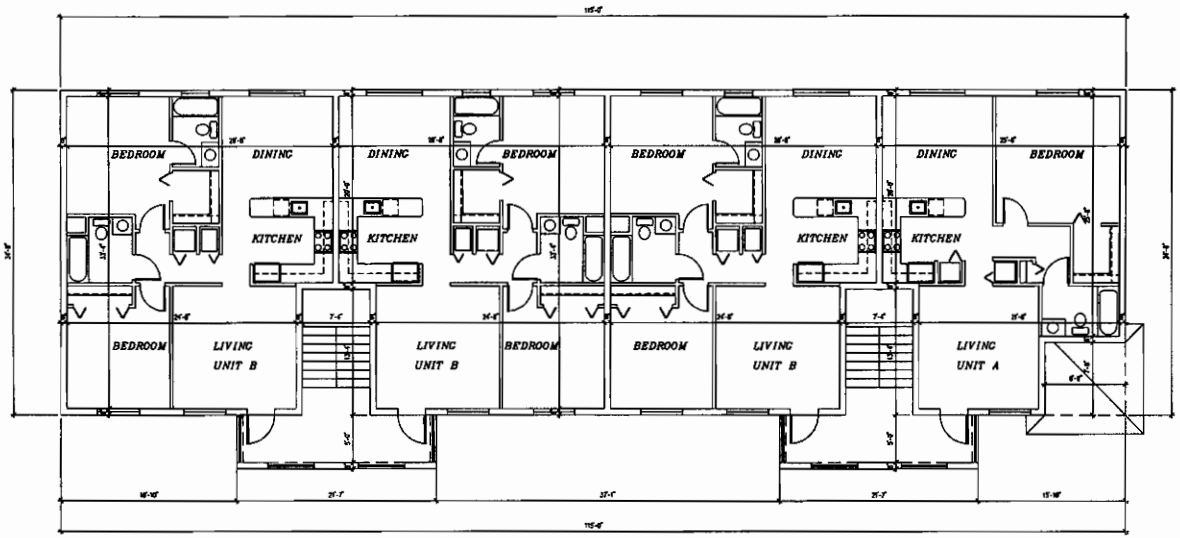
DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-1	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

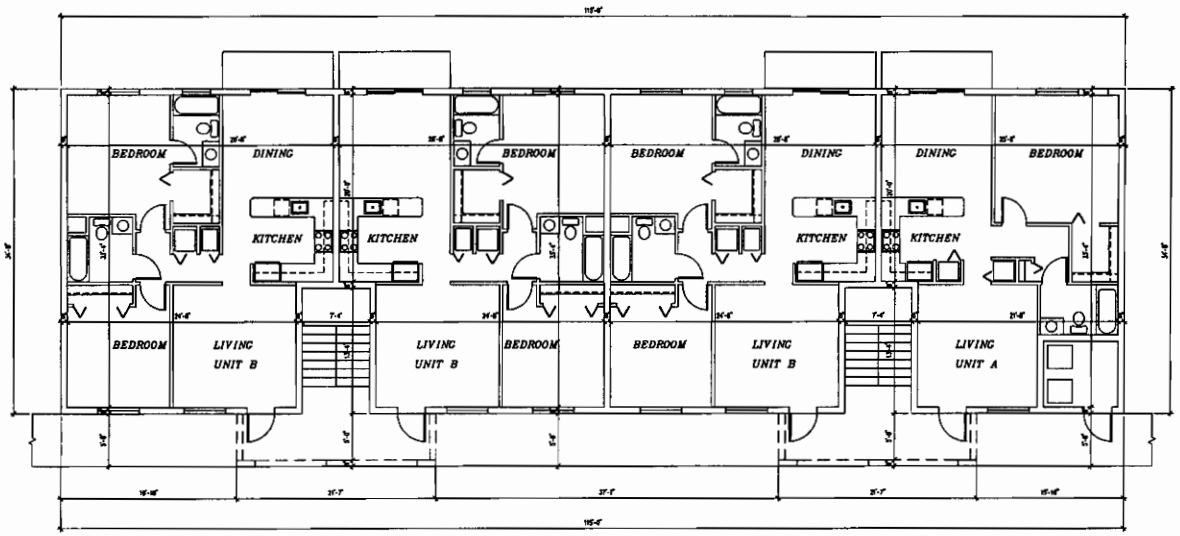
38

RECEIVED
MIAMI-DADE COUNTY
PROCESS # 212-89
DATE: OCT 25 2012
BY: DAN



SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
212 89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

FLOOR PLAN BLDG AR

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-2	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

10/24/2012

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

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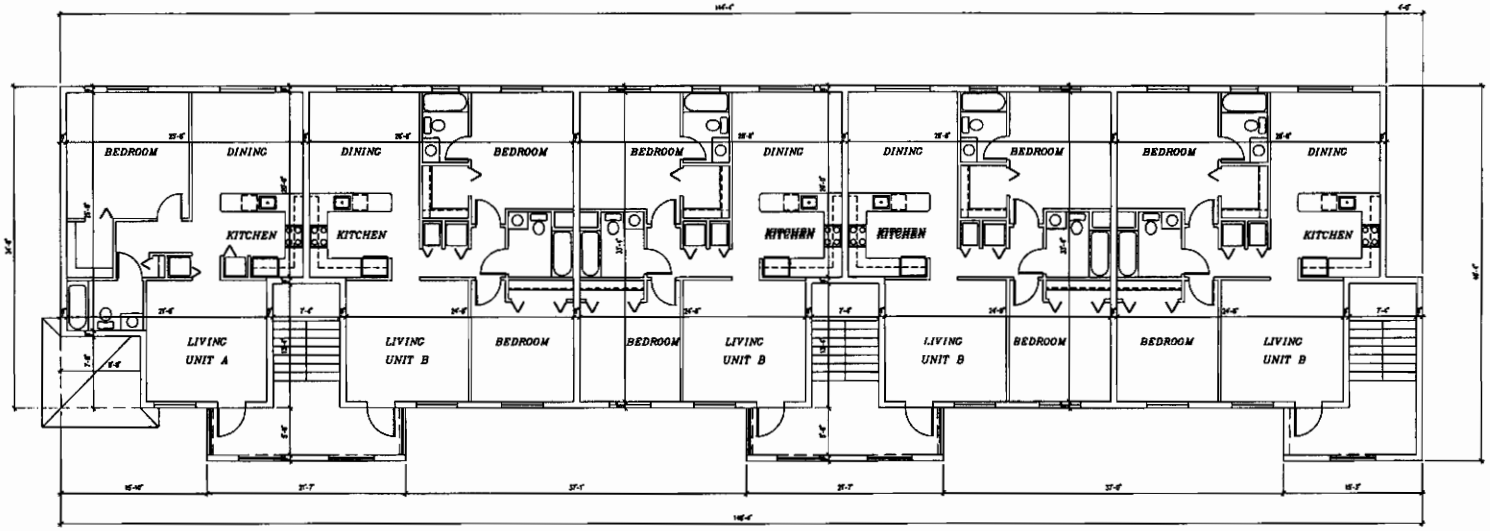
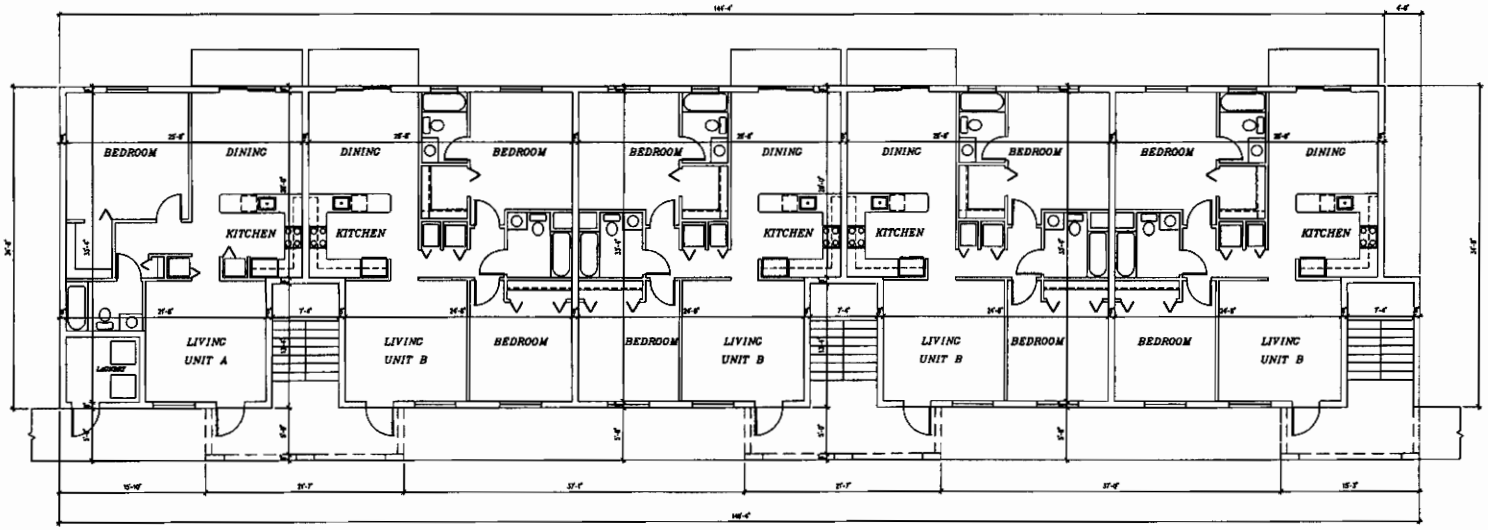
MIAMI-DADE COUNTY
PROCESS #: 2124000
DATE: OCT 27 2012
BY: DAE



SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
OCT 25 2012

FLOOR PLAN BLDG B

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8861
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET A-3 OF

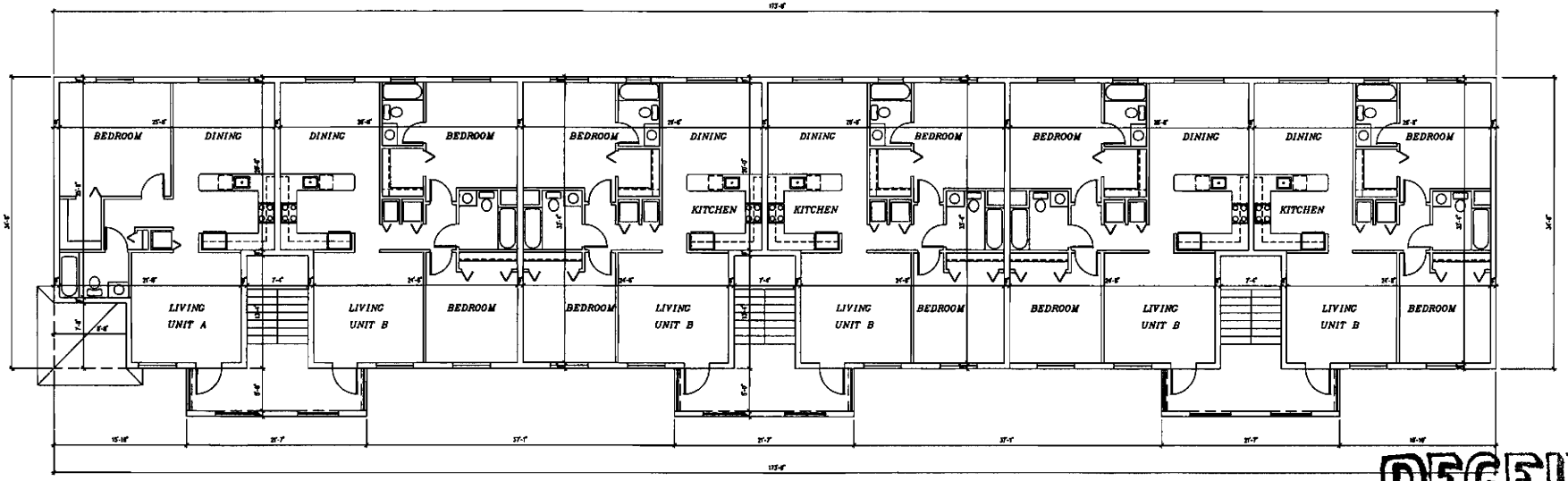
OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS

NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

40

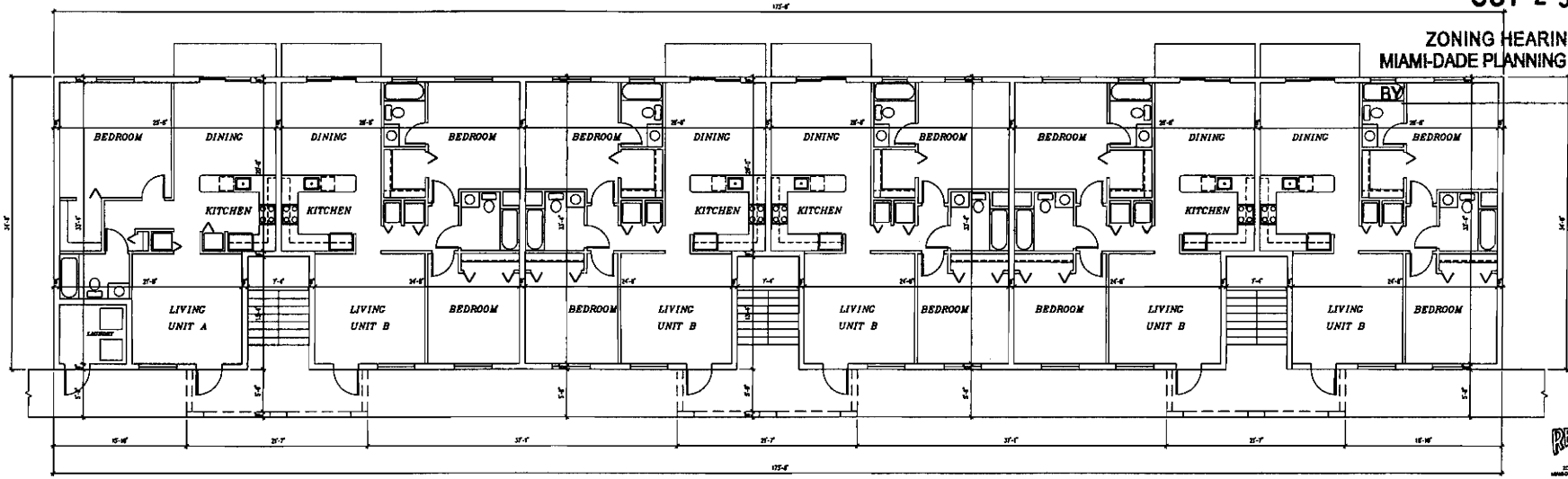
RECEIVED
MIAMI-DADE COUNTY
PROCESS # 222-089
DATE: OCT 25 2012
BY: DAH



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
212.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.



RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

GROUND FLOOR PLAN

3/16" = 1'-0"

FLOOR PLAN BLDG C

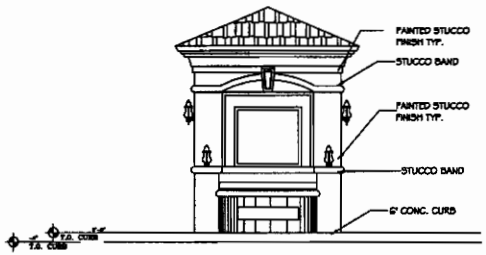
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

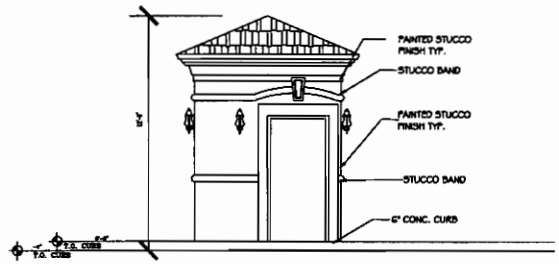
DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-4	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

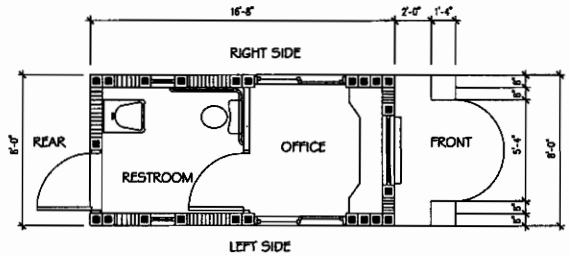
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



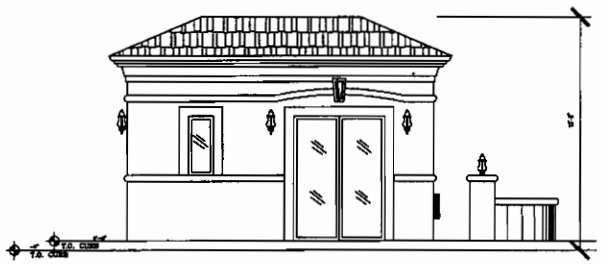
FRONT ELEVATION
Scale : 3/8"=1'-0"



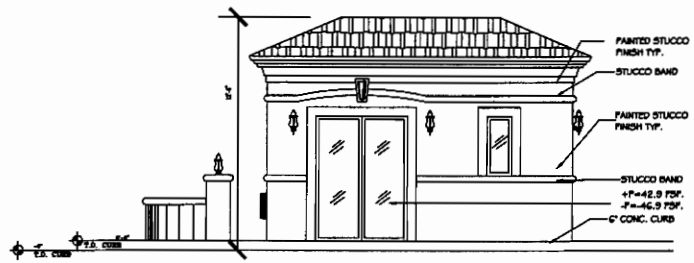
REAR ELEVATION
Scale : 3/8"=1'-0"



FLOOR PLAN
Scale : 3/8"=1'-0"



LEFT SIDE ELAVATION
Scale : 3/8"=1'-0"



RIGHT SIDE ELEVATION
Scale : 3/8"=1'-0"

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21.8
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

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21.8
OCT 25 2012

GUARDHOUSE

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

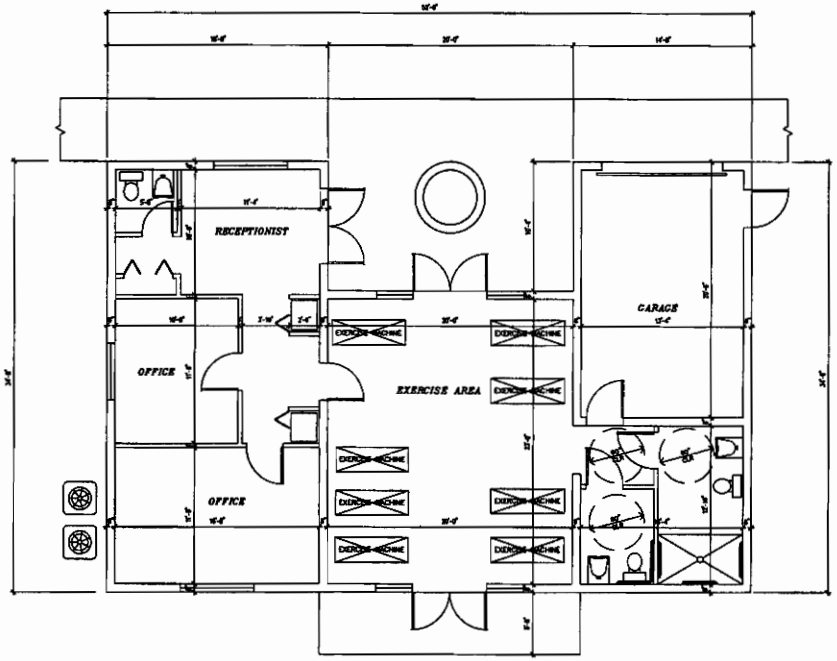
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 885-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET GH-1 OF

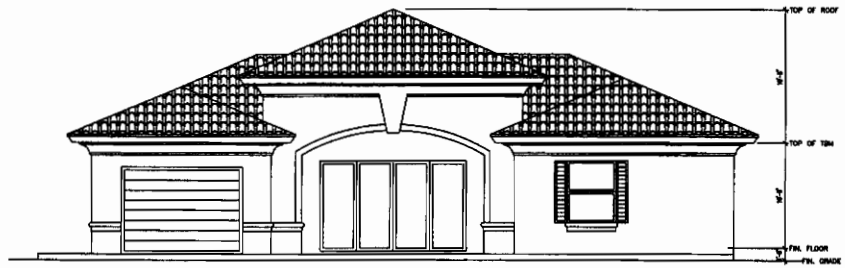
OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4069 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

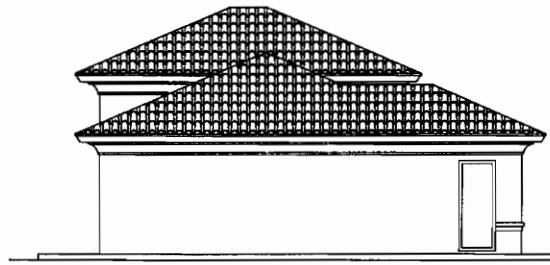
42



FLOOR PLAN
1/4"= 1'-0"

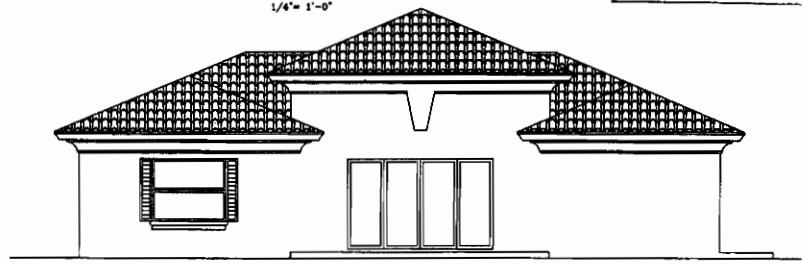


EAST ELEVATION
1/4"= 1'-0"

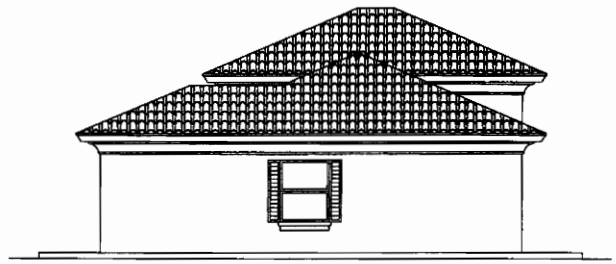


SOUTH ELEVATION
1/4"= 1'-0"

RECEIVED
2/12/89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



WEST ELEVATION
1/4"= 1'-0"



NORTH ELEVATION
1/4"= 1'-0"

RECEIVED
2/12/89
OCT 25 2012

CLUBHOUSE

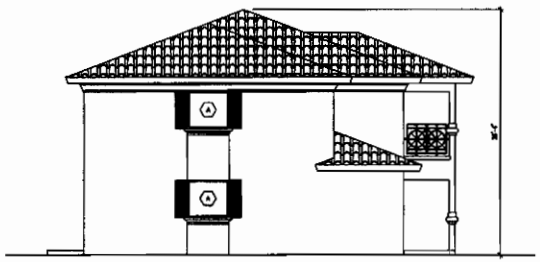
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 863-8861
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
CH-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

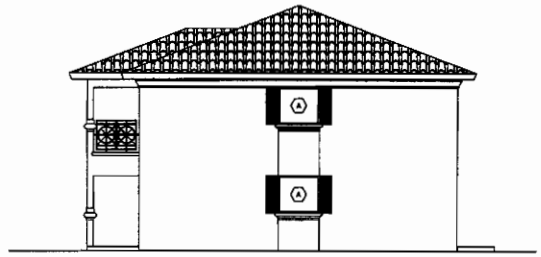
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



LEFT ELEVATION

3/16" = 1'-0"

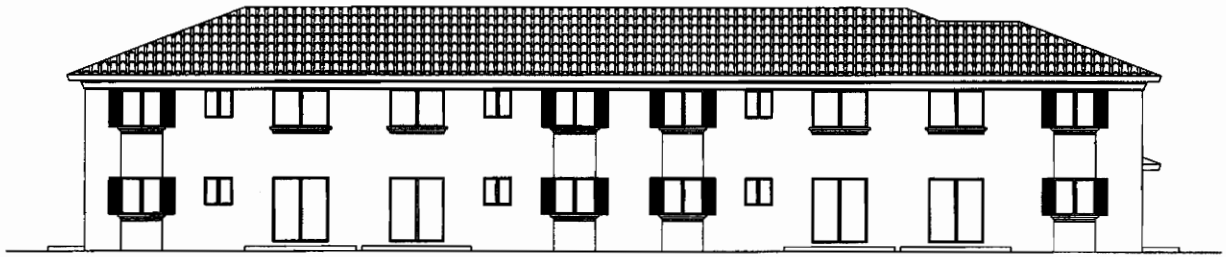
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



RIGHT ELEVATION

3/16" = 1'-0"

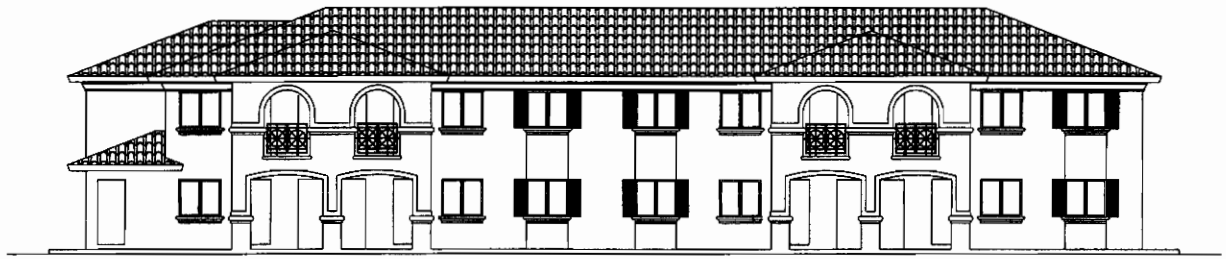
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



REAR ELEVATION

3/16" = 1'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



FRONT ELEVATION

3/16" = 1'-0"

RECEIVED
OCT 25 2012

ELEVATIONS BLDG A

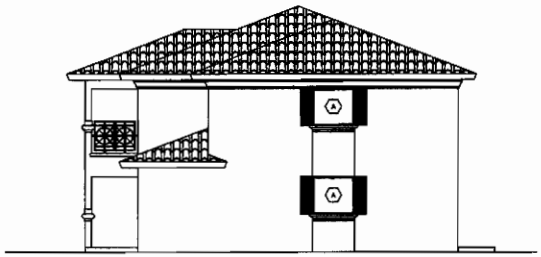
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET A-9 OF

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

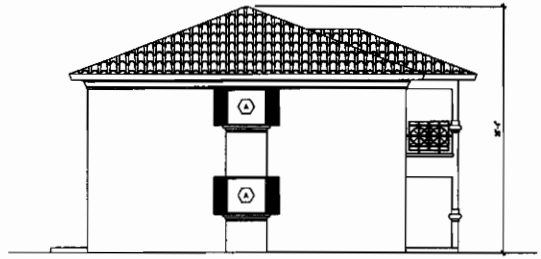
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



RIGHT ELEVATION

3/16" = 1'-0"

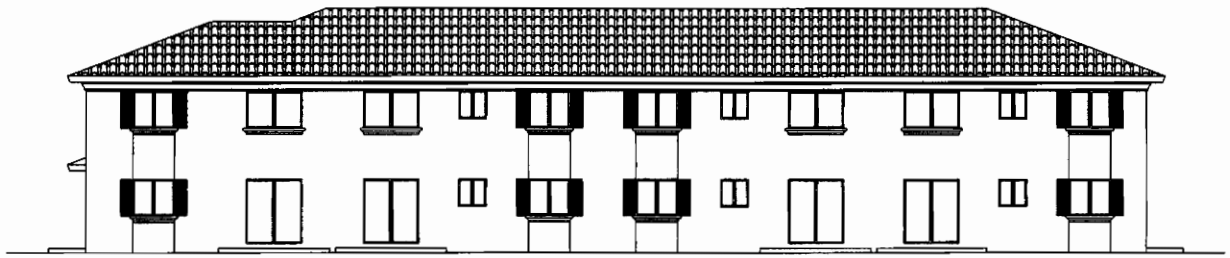
(A) DENOTES LOCATION OF SMOOTH RAISED STUCCO (NOT A WINDOW)



LEFT ELEVATION

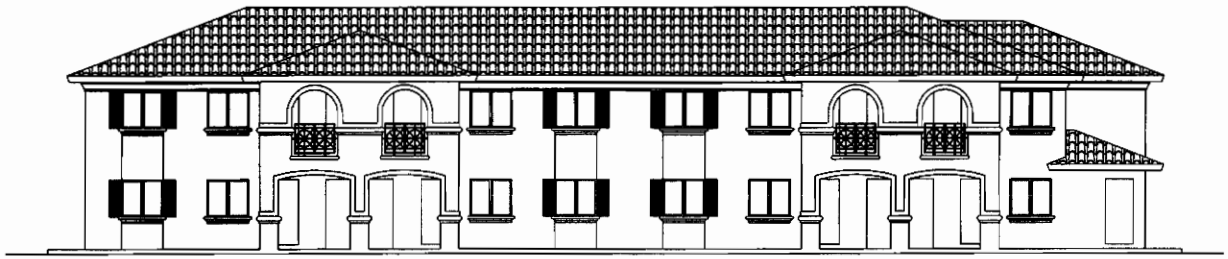
3/16" = 1'-0"

(A) DENOTES LOCATION OF SMOOTH RAISED STUCCO (NOT A WINDOW)



REAR ELEVATION

3/16" = 1'-0"



FRONT ELEVATION

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

RECEIVED
OCT 25 2012

ELEVATIONS BLDG AR

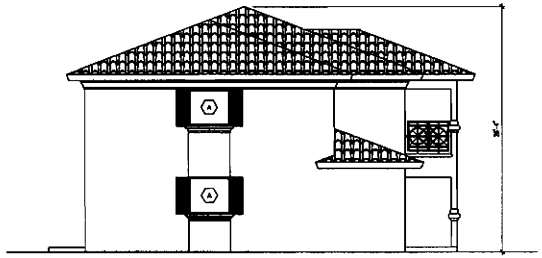
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
A-10

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



LEFT ELEVATION

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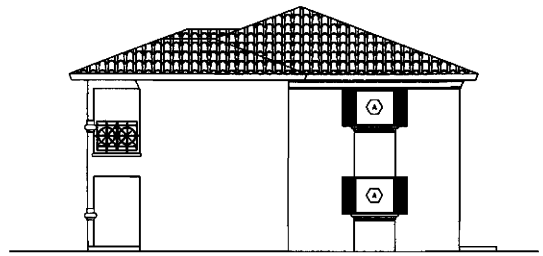

RIGHT ELEVATION

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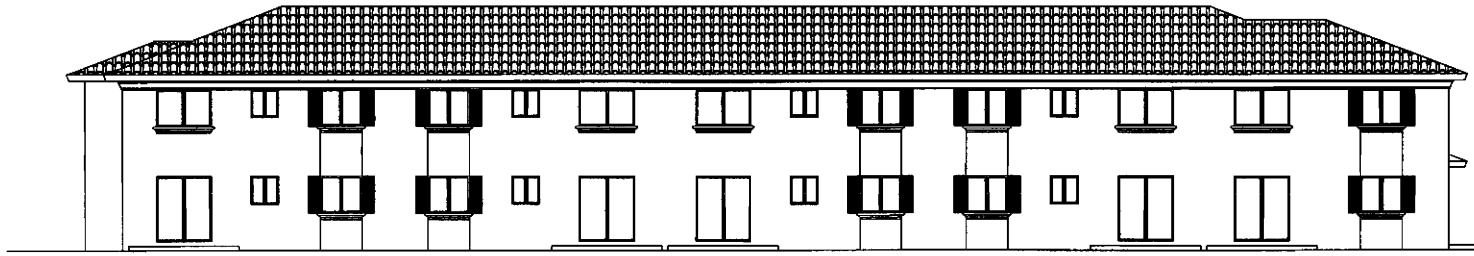

REAR ELEVATION

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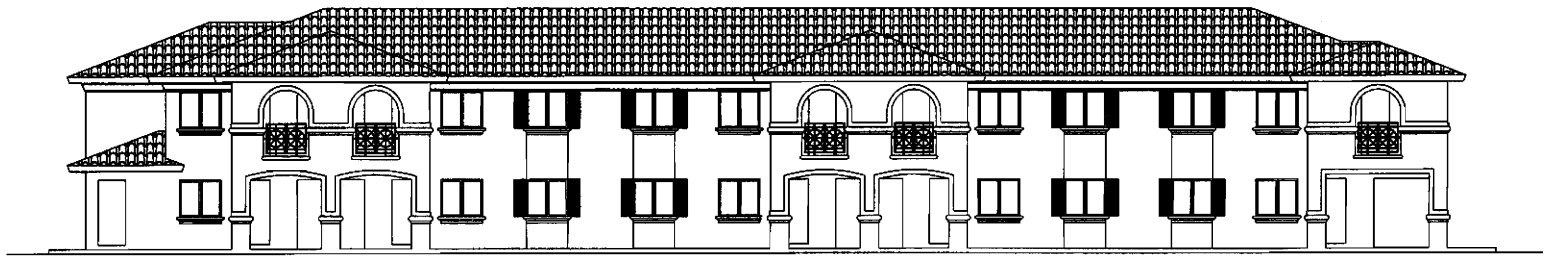

FRONT ELEVATION

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OCT 25 2012

ELEVATIONS BLDG B

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8681
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-11

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
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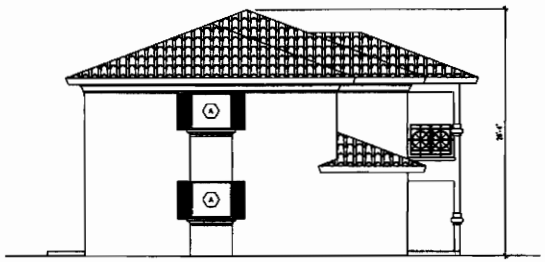

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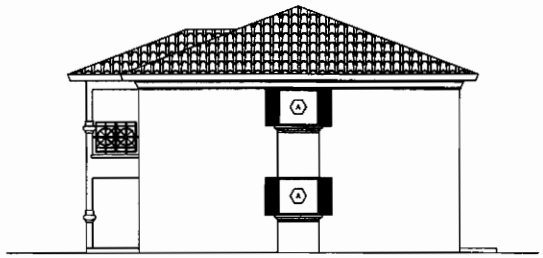

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(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

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MIAMI-DADE PLANNING AND ZONING DEPT.
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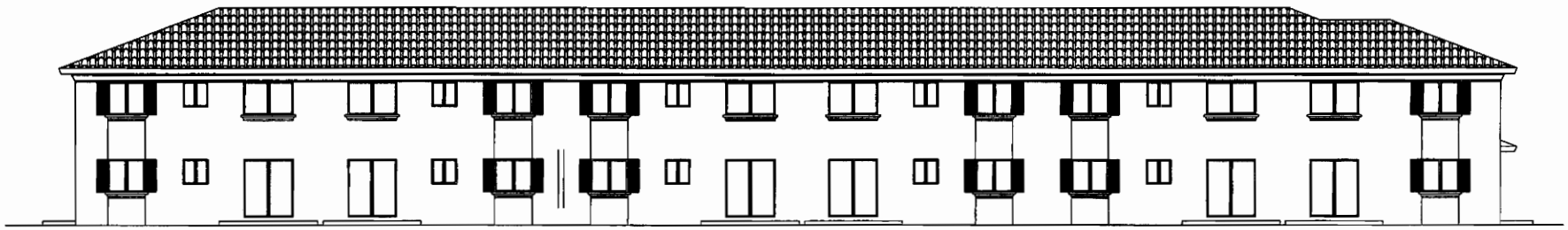

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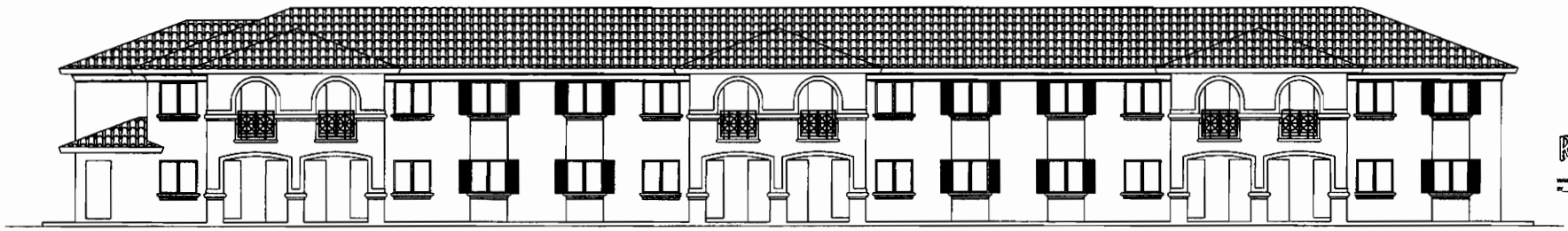

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

ELEVATIONS BLDG C

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8861
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-12

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
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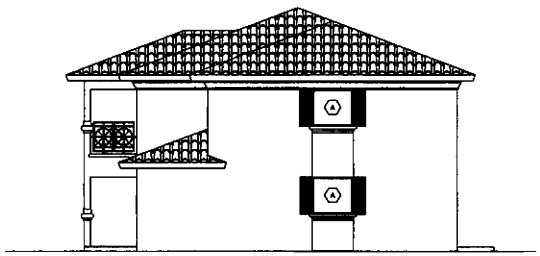

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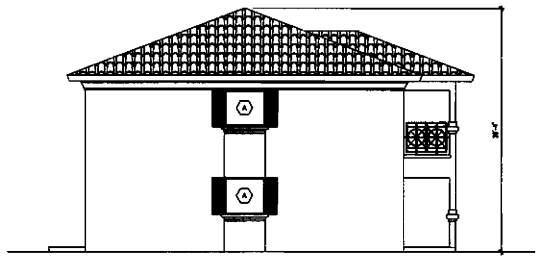

LEFT ELEVATION

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(A) DENOTES LOCATION OF SMTATION RAISED STUCCO (NOT A WINDOW)

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OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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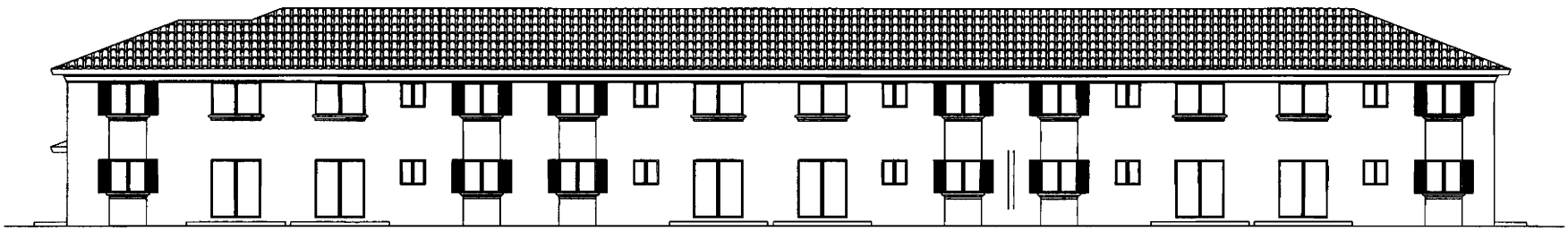

REAR ELEVATION

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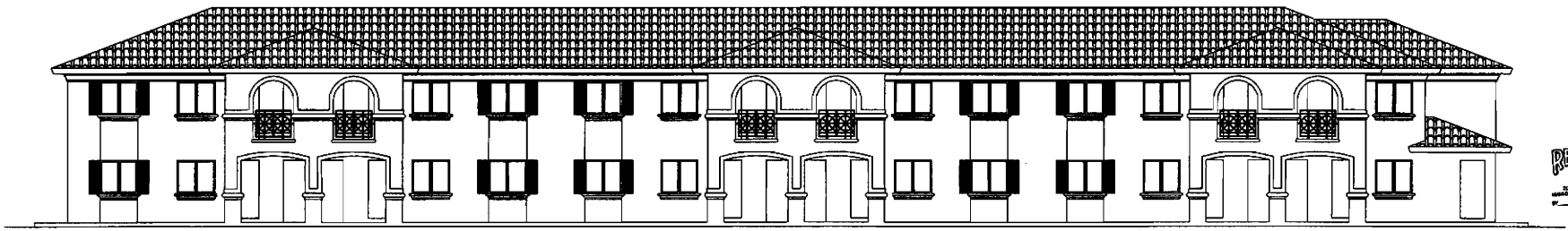

RECEIVED
OCT 25 2012

FRONT ELEVATION

3/16" = 1'-0"

ELEVATIONS BLDG CR

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-13

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
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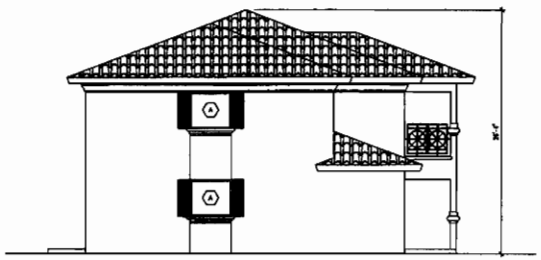

LEFT ELEVATION

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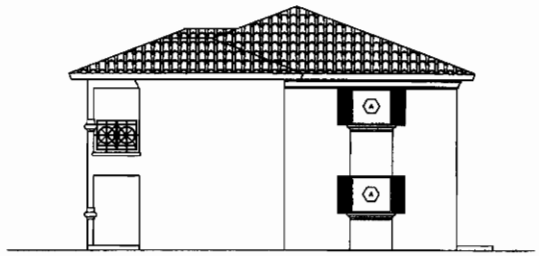

RIGHT ELEVATION

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(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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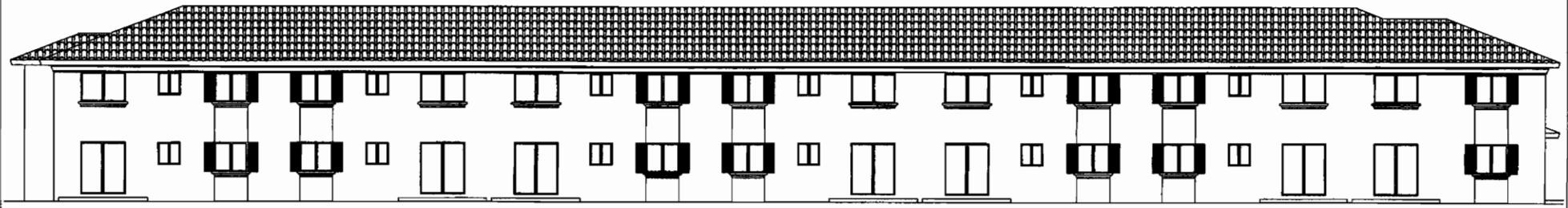

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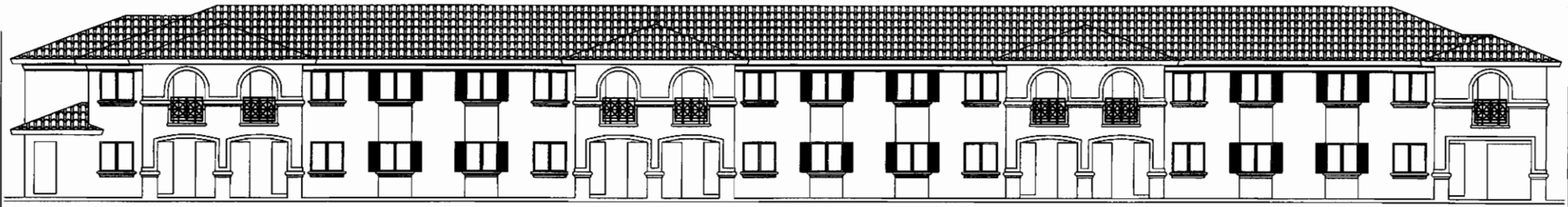

FRONT ELEVATION

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ELEVATIONS BLDG D

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-14

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
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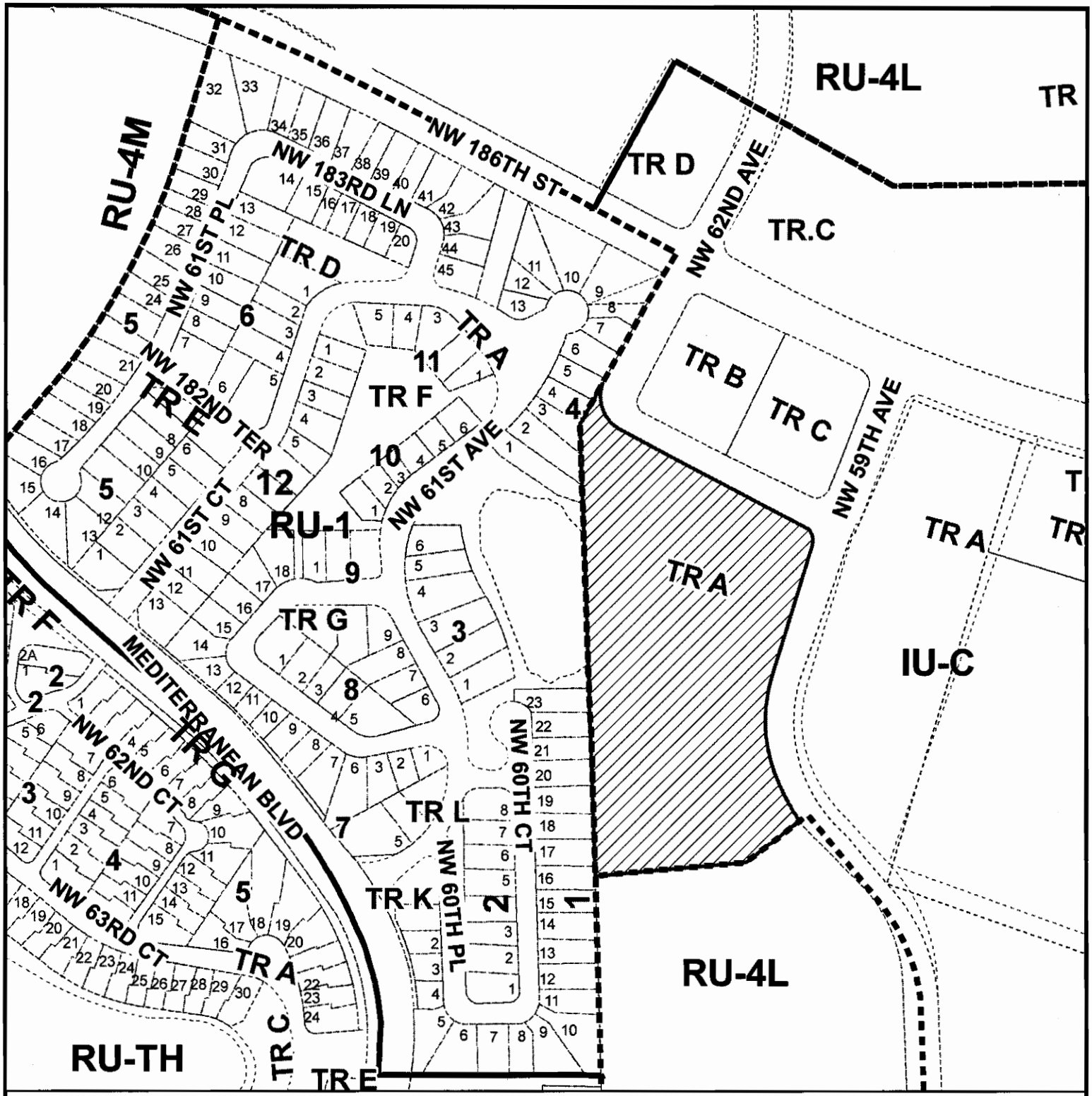

MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000089

Section: 12T ownship: 52 Range: 40
Applicant: MIAMIG ARDENS PARK,L LC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

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Legend

SubjectP roperty Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday,A ugust 1, 2012

REVISION	DATE	BY
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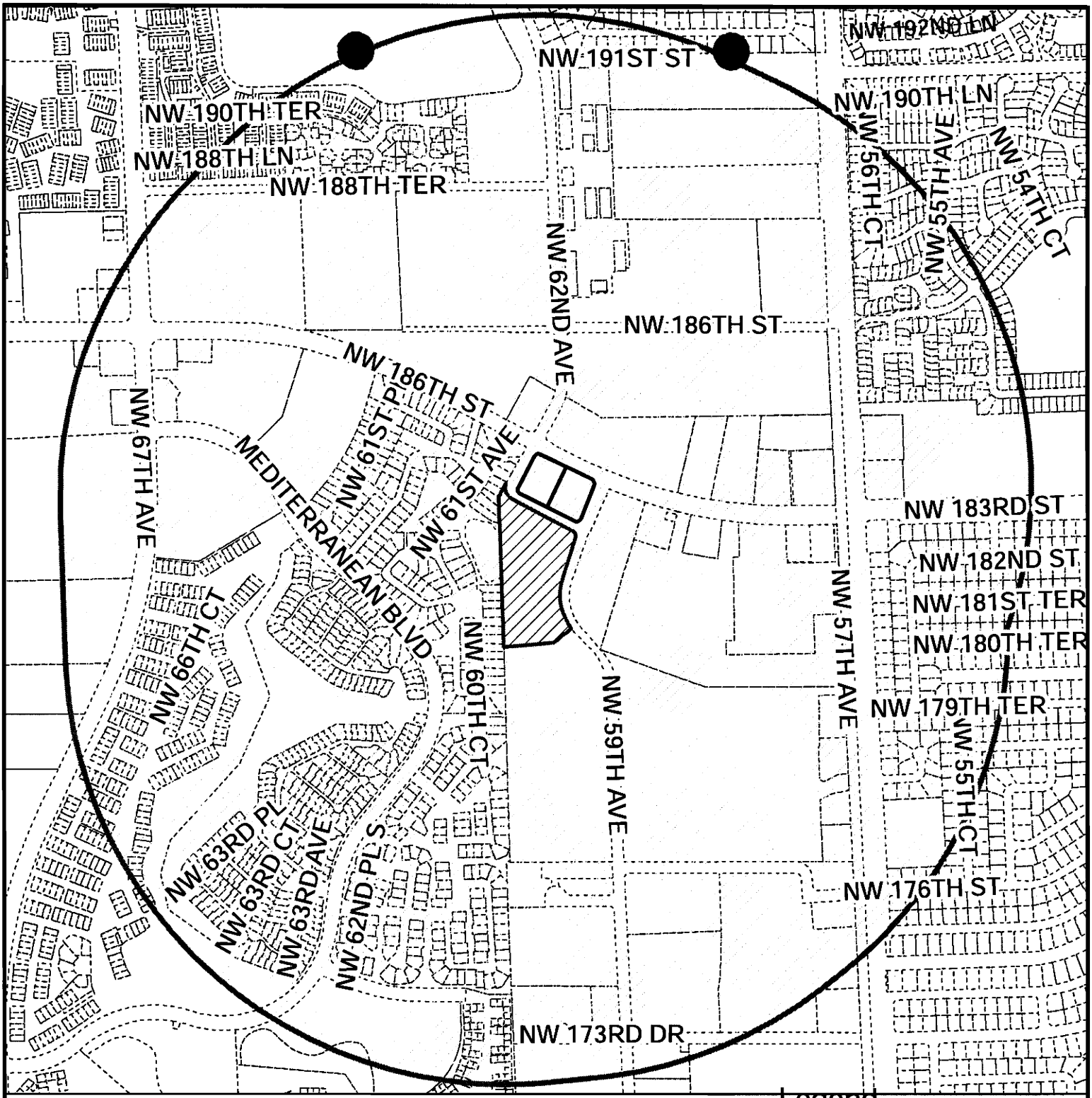

MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000089

RADIUS: 2640

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

- Subject Property
- Contiguous Properties
- Buffer
- Street (Centerline)
- Property Boundary

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY
		50

MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2012000089

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

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Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY
		51

MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000089

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

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Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 5

PH: Z12-089 (13-1-CZ5-1) **February 28, 2013**
Item No. A

Recommendation Summary	
Commission District	1
Applicant	Miami Gardens Park, LLC
Summary of Requests	The applicant is seeking to allow a zone change to RU-4L in order to develop the parcel with a multi-family residential apartment complex. Additionally, the applicant seeks delete restrictions on the development of the west portion of the parcel, to permit the filling of an existing lake encroaching onto the property as well as to allow an entrance feature and to permit the development with a reduced setback from the rear property line.
Location	Lying west of NW 59 Avenue and south of theoretical NW 182 Lane, Miami-Dade County, Florida.
Property Size	8.2 gross acres
Existing Zoning	IU-C, Conditional Industrial District
Existing Land Use	vacant
2015-2025 CDMP Land Use Designation	Business and Office *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change, Section 33-311(A)(3), Special Exception, Unusual use and New Uses, Section 33-311(A)(4)(b), Non-Use Variance standards Section 33-311(A)(7) Generalized Modification Standards *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.**

This item was deferred from the January 17, 2013 meeting of Community Zoning Appeals Board (CZAB) #5, to allow the applicant to meet with the neighbors.

REQUESTS:

(1) DISTRICT BOUNDARY CHANGE from IU-C to RU-4L.

(2) DELETION of Declaration of Restrictions recorded in Official Records Book 11507 Pages 577-581, only as it applies to the subject property.

The purpose of the request is to remove the requirements that call for a 50' no building area, a 50' greenbelt open space and a 10' utility easement along the west property line.

(3) UNUSUAL USE to permit an entrance feature; to wit; an entrance feature consisting of decorative masonry walls 8' in height and signage.

(4) UNUSUAL USE to permit the filling a portion of an existing lake.

(5) NON-USE VARIANCE of setback requirements to permit certain buildings setback 15' from the rear (south) property line (25' required).

(6) NON-USE VARIANCE of spacing requirements to permit the clubhouse to be spaced a minimum 23'-8" (20' required) from other residential buildings

(7) NON-USE VARIANCE of spacing requirements to permit certain residential buildings to be spaced 16' (20' required) from each other.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet, with all plans dated stamped, received 10/25/12. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The submitted plans depict the proposed 178 unit, multi-family residential development consisting of the sixteen (16), two (2)-story apartment buildings, a clubhouse and parking areas on the approximately 8.2-acre parcel.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	IU-C; vacant land, lake	Business and Office
North	IU-C; vacant land	Business and Office
South	RU-4L; apartments	Business and Office
East	IU-C; office park	Business and Office
West	RU-1;single-family residences, lake excavation	Low-Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The 8.2-acre subject property is a vacant parcel containing a portion of a small lake. The subject property is surrounded by an existing office park to the east, an apartment complex to the south, single-family residences and a lake excavation to the west and a vacant IU-C zoned parcel to the north.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to develop the parcel in accordance with the proposed RU-4L, Limited Apartment House District regulations and provide the community with additional multi-family residences in this area. However, since the site is vacant the proposed development of the residential site could have traffic impacts on the surrounding residential and commercial developments in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The applicant seeks to permit the rezoning of the subject parcel from IU-C to RU-4L (request #1). The CDMP Land Use Plan (LUP) map designates the subject 8.2-acre property for Business and Office use. The Business and Office category *accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, entertainment and cultural facilities, amusements and commercial recreation.* However, the CDMP Land Use Element interpretative text for the Business and Office use states that *residential uses, and mixing of residential use with commercial, office and hotels are also permitted in business and office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed-use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met, residential development may be authorized to occur in the business and office category at a density up to one density category higher than the LUP map's designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.* The adjacent residential property to the west is designated for Low-Medium Density Residential use, 6 to 13 units per gross acre on the CDMP Land use plan map. For the reasons stated below, based on the CDMP Land Use Element interpretative text for the Business and Office category, the subject property would be allowed to develop one category higher, at the Medium Density Residential category which allows residential development at 13 to 25 units per gross acre. This would allow the applicant to develop the 8.2-acre site with minimum of 106 residential units and at a maximum of 205 residential units. This application would permit the applicant to provide additional housing for the community. RU-4L zoning permits the development of 23 units per acre, which would allow a total of 188 units on this site. Plans submitted by the applicant indicate the proposed development of the site with a maximum of 178 residential units or 21 units per acre. Staff notes that this is below the maximum of 25 units per acre allowed by the CDMP Land Use Element interpretative text for the Business and Office category and the maximum of 23 units per acre allowed by the RU-4L zoning district.

Staff is of the opinion that the submitted site plan conforms with the CDMP Land Use Element's interpretative text for the Business and Office land use category that states that *any residential proposal in Business and Office designated parcels not be out of character with the surrounding community, not detrimentally impact adjacent development and zoning and provide a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.* Further, CDMP land Use Element, **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as height, bulk, and scale of architectural elements and parking among other things. The applicant is proposing to develop the property with a 178 unit residential apartment complex made up of sixteen (16) apartment buildings, a club house and an entrance feature. Additionally, the applicant seeks to delete a prior covenant as it applies to the subject property, which restricted development along the west 100' of the subject parcel (request #2), to permit and entrance feature (request #3) and the partial filling of a lake along the interior side (west) property line (request #4) along with request for a variance to the setback requirements (request #5). The site plan incorporates principles of urban design such as architecturally defined blocks and open spaces in the form of greens and squares. The squares are distributed throughout the site to offer areas for social encounters and for recreation. Landscaping is used to buffer

the proposal from adjacent uses as well as to reinforce the urban spaces created by the block and street design. Further, the parking areas are for the most part located central to the site and screened from the abutting roadways by the apartment buildings. The height and scale of the proposed buildings are also similar to the buildings in the adjacent development located to the south that was approved in January 2005 pursuant to Resolution #CZAB5-01-05. Additionally, the open recreational area abutting the portion of the lake that encroaches onto the subject parcel from the abutting property to the west provides a well-designed landscape open space that will provide the residents of the proposed development with a view of the lake and compliments the views from the existing residential development to the west. Also, the applicant has provided liberal buffering in the form of a continuous hedge and a row of trees along the interior side (west) and rear (south) property lines that will mitigate any negative visual impact of the rows of apartment buildings located along said property lines on the residential developments to the west and south.

All of the design principles adopted in this development will create a neighborhood that is pedestrian-friendly and sympathetic to human scale as well. The applicant has diligently worked with staff in order to provide urban design principles and guidelines on the site plan. Staff is of the opinion that the proposed development has incorporated numerous principles of urban design as described in the adopted Miami-Dade Urban Design Manual to create a new development that will serve as a sensitive and well-designed transition between the commercial uses found to the east and the residential uses found to the west. Staff opines that the proposed development including the lake fill, the entrance feature and reduced setbacks will be adequately buffered and will not have a negative visual impact on the surrounding properties or on passersby along NW 182 Street or NW 59 Avenue and therefore would satisfy the criteria for compatibility set forth in the CDMP Land Use Element, **Policy LU-4A**.

Therefore, staff opines that approval of the application is **compatible** with the area and therefore **consistent** with the CDMP Land Use Element interpretative text for residential uses and the density threshold permitted in **Business and Office** areas and the CDMP Land Use Plan map **Business and Office** designation for the subject property.

ZONING ANALYSIS:

The applicant seeks approval of a request for a zone change from IU-C to RU-4L (requests #1). In addition, the application seeks to approve other requests (requests #2 through #5) for the development of the site under the RU-4L zoning regulations which are contingent on the approval of the district boundary change.

For the reasons stated above, staff opines that when the applicant's request to rezone the 8.2-acre parcel to RU-4L (request #1), is analyzed under Section 33-311, District Boundary Change, along with request #2, to delete a declaration of restrictions that restricts development of the west portion of the parcel under Section 33-311(A)(7), Generalized Modification Standards and requests to permit an entrance feature with signage (request #3) and permit the filling of a portion of an existing lake (request #4), both reviewed under Section 33-311(A)(3), Special Exception, Unusual and New Uses, that the approval of the requests would be **compatible** with the commercial, single and multi-family residential uses in the surrounding area.

Staff notes that based on the memorandum from the Public Works and Waste Management Department, the approval of the aforementioned requests #1 through #4 would efficiently use the roads, streets and highways which have been constructed, planned or budgeted for in this area and further, would not result in excessive traffic. Their memorandum states that subject to

conditions, the application meets the criteria for traffic concurrency for an Initial Development Order. In addition, staff notes that the subject property fronts onto NW 59 Avenue and NW 182 Street, and is located approximately 330' south of Miami Gardens Drive, 0.33 miles to the west of NW 57 Avenue, both of which are section line roadways that provide the parcel with connectivity to the east and west and north and south respectively. Similarly, the memorandum from the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources (RER) indicates that the approval with conditions of the aforementioned requests will not have an unfavorable impact on the environmental resources of the County. Specifically, its memorandum indicates that a review of the application for compliance with the requirements of Chapter 24 of the Code indicated that the Level of Service standards as specified in the CDMP for potable water supply, wastewater disposal and flood protection are valid for this initial development order. As a condition for approval, the DERM memorandum further requires the applicant to demonstrate that the partial lake filling will not result in higher ground water level in the area. The Miami-Dade Fire Rescue Department (MDFRD) memorandum indicates that approval with conditions of the aforementioned requests will not unduly burden the MDFRD resources that exists or that are budgeted or planned for in this area.

Based on the aforementioned, staff recommends approval of request #1 under Section 33-311, District Boundary Change, and approval with conditions request #2 under Section 33-311(A)(7) Generalized Modification Standards and requests #3 and #4 under Section 33-311(A)(3), Special Exception, Unusual and New Uses.

When request #5 to permit certain buildings setback 15' (25' required) from the rear (south) property line is analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with same. Staff notes that the proposed site abuts a recently approved multi-family residential development located to the south. A review of the approved plans for this abutting development indicates that the buildings on this site are also setback 15' from the north property line. However, the north property line for said property is an interior side property line that only required a minimum 15' setback since the property fronts onto NW 59 Avenue. Although the subject property also abuts NW 59 Avenue, the frontage for the subject property is along NW 182 Street. As such, the south property line of the subject property is the rear property line and requires a 25' setback. Staff opines that the proposed development is similar in scale and height to the previously approved development to the south and that the proposed 15' setback for some of the buildings from the rear (south) property line allows for a uniform pattern of development that will not be visually intrusive to the surrounding area and will be **compatible** with same. Further, staff notes that the submitted plans indicate a landscape buffer containing a continuous row of hedges and trees along said property line which staff opines will mitigate any negative visual impact of the encroachment. **Staff therefore recommends approval with conditions of request #5 under the Section 33-311(A)(4)(b), Non-Use Variance standards.**

Staff opines that requests #6 and #7 are not needed for this application and were inadvertently advertised. As such, staff recommends the withdrawal of these requests.

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate three (3) ingress/egress points along NW 59 Avenue and one (1) along NW 182 Street. The applicant has provided 37 more parking spaces than the required 304 parking spaces for the 178 unit residential development with adequate drives that connect to the aforementioned ingress/egress points.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

CONDITIONS FOR APPROVAL (For requests #2 through #5 only):

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, 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 "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet, with all plans dated stamped, received 10/25/12.

3. That the use be established and maintained in accordance with the approved plan.

4. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

5. That no fill be permitted within the adjacent rights-of-way.

6. That if in the opinion of the Director the lakefill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicants as directed by the Director.

7. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources as well as the Public Works and Waste Management Department for the duration of the fill project

8. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources, as set forth herein, shall be used in the fill project.

9. That in order to insure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department of Regulatory and Economic Resources, payable to Miami-Dade County, in an amount as may be determined and established by the Director of the Department of Regulatory and Economic Resources; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees, etc. The bond amount shall be based on the volume of cut required to create the approved slope configuration.

10. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

11. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

12. That the fill project shall meet all storm water management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

13. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the previously approved excavation plans and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation. In no event shall such extension allow the fill project to continue beyond three (3) years after issuance of the permit.

14. That the property shall be suitably posted to meet with the approval of the Director; said posting shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

15. That the property shall be staked to meet with the approval of the Director of the Department of Regulatory and Economic Resources; said stakes shall be maintained in proper position so that the limits of the lake fill, slopes and grade levels may be easily determined.

16. That all Federal, State and local permits be obtained prior to commencement of the lake fill. In the event that any Federal, State or local permit is revoked or otherwise held to be invalid, the lake fill operation shall immediately cease.

17. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by

the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than three (3) years from issuance of the fill permit;

18. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Department of Regulatory and Economic Resources.

19. That the applicant shall be permitted to operate between the hours of 7:00 A.M. and 5:00 P.M. on weekdays; Saturday and Sunday operation and/or other hours of operation than 7:00 A.M. to 5:00 P.M., may be permitted by the Director only if the same does not become objectionable, in his opinion, to the surrounding area.

20. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the lakefill operation progresses. In accordance with this requirement, the applicants shall submit "as built" surveys prepared and sealed by a Florida licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the lake fill operation or at six-month intervals, whichever is of a lesser duration, or upon request of either the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources when it appears that the lake fill is proceeding contrary to approved plans.

21. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda that are incorporated herein by reference.

22. That any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.

ES:MW:NN:AN:CH

Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No comment
Schools	No objection
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Business and Office (Page I-41)	*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 (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 factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.* *Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.* ***Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.*** *If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.*

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

Land Use Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	(A) *The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.* (F) ***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.*
Section 33-311(A)(3) Special Exception, Unusual and New Uses.	*Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other*

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

	equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	*Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*
Section 33-311(A)(7) Generalized Modification Standards.	*The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.*

1. MIAMI GARDENS PARK, LLC
(Applicant)

13-1-CZ5-1 (12-089)
Area 5/District 1
Hearing Date: 02/28/13

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
1982	1000 Brickell, Inc.	-Zone change fro AU, RU-3M and RU-4L to IUC. -Unusual use for a lake excavation -Deletion conditions of Resolutions	BCC	Approved with Condition(s)

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
COMMUNITY ZONING APPEALS BOARD - AREA 5
MOTION SLIP

#1

APPLICANT'S NAME: **MIAMI GARDENS PARK, LLC**

REPRESENTATIVE: Javier Vazquez

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-1-CZ5-1 (12-089)	January 17, 2013	CZAB5		12

REC: Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

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

■ DEFER: ☐ INDEFINITELY ■ TO: February 28, 2013 ☐ 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

■ OTHER: Deferred at applicant's request to allow the applicant to work with the neighbors.

TITLE	M/S	NAME	YES	NO	ABSENT
VICE CHAIR WOMAN	M	Joanne CARBANA	X		
COUNCILWOMAN	S	Jessica FORTICH	X		
COUNCILMAN		Leonardo A. PEREZ	X		
COUNCILMAN		Alexander C. SENDEROFF	X		
CHAIRMAN		Juan A. GARCIA (C.A.)	X		
		VOTE:	5	0	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **JOHN MCINNIS**

Memorandum

MIAMI-DADE COUNTY

Date: September 5, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: #Z2012000089-1st Revision
Miami Gardens Park, LLC
SW Corner of NW 182nd Lane and NW 59th Avenue
Zone Chance from IU-C to RU-4L; Modification of a Previous Agreement; Unusual Use to Permit and Entrance Feature; and Unusual Use to Permit the Filling of a Lake
(IU-C) (8.2 Acres)
12-52-40

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application 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.

Be advised that the water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

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 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 alternate means of sewage disposal. Use of an alternate 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
The proposed site plan does not match the previously approved paving and drainage plans under the existing Environmental Resource Permit number 13-03926-P issued by the Department. Therefore, a letter of permit modification is required. This letter must be obtained prior to the Department Plan Review and Development Approval.

The applicant shall demonstrate that partial filling of the existing lake will not result in higher ground water level in the surrounding area.

Any development in the post filling operation shall be required to conform to the conditions of a Surface Water Management Permit issued by the Department.

Wetlands
This property is part of Class IV Wetland Permit FW 00-083 which was issued for the filling of 0.037 acres of wetlands for a roadway between NW 186th Street and NW 177th Street. The permit expired on March 26, 2006. However, prior to the expiration date, 0.018 acres of wetlands were filled. The remainder 0.019 acres of wetlands were permitted under the same permit number (Class IV Wetland Permit FW00-083) on January 22, 2007, and expired on January 22, 2009. An on site inspection performed by staff on August 13, 2010 revealed that the wetlands on site were filled prior to the permit expiration date.

Therefore, this Section has no objection to the scheduling of this zoning application provided that no impacts occur beyond what was permitted on this site.

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
From 2007 to 2009 tree resources have been removed from this property without first obtaining the required Miami-Dade County Tree Removal/Relocation Permit. Consequently, the property owner shall be required to obtain an After-the-Fact Tree Removal/Relocation Permit. The applicant is advised that enforcement action may be forthcoming as a consequence of the violation. Section 24-49 of the Code requires the preservation of tree resources. Therefore, this Department will require the preservation of all the specimen-sized trees (trunk diameter 18 inches or greater) as defined in the Code, on the site.

A Miami Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is advised to contact the Tree Permitting Program at (305)-372-6600, voice option #2, for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History
There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

A concurrency review has been conducted 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 written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

REVISION 1

PH# Z2012000089
CZAB - C05

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MIAMI GARDENS PARK, LLC

This Department has no objections to this application.

This land requires re-platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

A re-plat is required to remove a 10 foot utility easement along the western boundary of the property where the 4 buildings are proposed.

Additional improvements may be required at time of permitting/platting.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 117 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
F-1233	Miami Gardens Dr. e/o NW 57 Ave.	B	B
F-2516	Miami Gardens Dr. w/o NW 57 Ave.	E	E
F-1190	NW 57 Ave. s/o NW 173 Dr.	E	E
F-2514	NW 57 Ave. n/o NW 183 St.	B	B

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-SEP-12

Memorandum

MIAMI-DADE COUNTY

Date: August 8, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From: Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: DIC #12-089
Miami Gardens Park,LLC

Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-089
Miami Gardens Park, LLC

Application: ***Miami Gardens Park, LLC*** is requesting a district boundary change from Industrial (IU-C) to Limited Apartment House District (RU-4L) to develop 180 residential dwelling units on the property, in the form of a gated community, to be distributed among 16 buildings. The applicant also requests a modification to an existing covenant to delete Declaration of Restrictions recorded in O.R. Book 11507, at Page 577 and unusual use permits to allow for a guardhouse, gate, and to fill a lake.

Size: The subject property is approximately 8.2 acres.

Location: The subject property is approximately located at the SW corner of NW 182 Lane and NW 59 Avenue, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The development of a gated community comprised of 180 residential dwelling units among 16 buildings will likely be considered development for a "multi-family residential establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Multi-family Units

Regarding **multi-family units, Section 15-2.2a** requires "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below."

1) Newspaper
2) Glass (flint, emerald, amber)
3) Aluminum cans
4) Steel cans
5) Plastics (PETE, HDPE-natural, HDPE-colored)

Section 15-2.2b states the failure of a multi-family residential establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner(s) shall be liable, provided, however, that in the case of a condominium or cooperative apartment having a condominium association or cooperative apartment association, said association, rather than individual unit owners, shall be liable for any such violation.

Applicants are ***strongly*** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling programs must be made directly to the Department at 305 514-6666.

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends").
b. "T" shaped turnaround 60 feet long by 10 feet wide.
c. Paved throughway of adequate width (minimum 15 feet).

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle accesss. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

Memorandum

MIAMI-DADE COUNTY

Date: November 13, 2012

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief M.N.
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2012000089: MIAMI GARDENS PARK, LLC
Includes plans dated stamped received through 10/25/12.

Application Name: MIAMI GARDENS PARK, LLC

Project Location: The site is located west of NW 59 AVENUE and south of theoretical NW 182 LANE, Miami-Dade County. Review includes plans dated stamped received through 10/25/12.

Proposed Development: The applicant is requesting approval for a district boundary change from IU-C to RU-4L for development of 180 dwelling units and a centralized clubhouse. An unusual use to permit an entry feature for a guardhouse and gate and to fill a portion of a lake is requested. Also requested is a modification of an existing covenant.

Impact and demand: The proposed development consisting of 180 dwelling units generates the need for approximately 1.36 acres of parkland based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population. The site is located in Park Benefit District 1 which has a surplus of 310.91 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District. The Department has no objection to this application.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space.

Current Park Benefit District Area Conditions: County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park. The nearest park to the application is Country Village Park which is located .5 miles northwest of the site.

Table A - County Parks (local only)
Within a 3 Mile Radius of Application Area.

Park Facility	Classification	Acreage
Lake Stevens Park	NEIGHBORHOOD PARK	11.75
Country Village Park	COMMUNITY PARK	16.74
Country Club of Miami Tot Lot	MINI-PARK	0.30
Country Lake Park	COMMUNITY PARK	19.20
Acadia Park	NEIGHBORHOOD PARK	5.99
North Glade Park	COMMUNITY PARK	3.98
Spanish Lake	NEIGHBORHOOD PARK	6.37

Country Club of Miami South Park	COMMUNITY PARK	88.29
Norman & Jean Reach Park	COMMUNITY PARK	19.28
North Pointe Community Ctr.	COMMUNITY PARK	5.58
Area 1176	MAINTENANACE AREA	35.38
Area 262	MAINTENANCE AREA	34.37

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

REVISION 1

Memorandum

Date: 06-NOV-12

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2012000089

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated 07/19/12.
APPROVAL
No objection via Case # Z2012000089 with the following condition:
A Knox key switch required at entry gates.

Service Impact/Demand

Development for the above Z2012000089
located at Lying west of NW 59 AVENUE and south of theoretical NW 182 LANE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0174 is proposed as the following:

180 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: 50.49 alarms-annually.
The estimated average travel time is: 6:32 minutes

Existing services

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

Station 1 - Miami Lakes - 16699 NW 67 Avenue
Rescue, ALS Aerial

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 Letter of Intent. Substantial changes to the Letter of Intent will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 06-NOV-12
REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

MIAMI GARDENS PARK, LLC

APPLICANT

Lying west of NW 59 AVENUE and south of theoretical NW 182 LANE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2012000089

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC: No open cases. Prior case opened September 21, 2012 for overgrown vacant lot and a warning was issued. Reinspection was done on October 18, 2012 and case closed because corrected by owner. BNC: No bss cases opened/closed.

Miami Gardens Park LLC

OUTSTANDING FINES, PENALTIES, COST OR LIENS INCURRED PURSUANT TO CHAPTER 8CC:

REPORTER NAME:

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Miami Gardens Park, LLC

NAME AND ADDRESS	Percentage of Stock
Richard Rafuls	50%
Hector Marrero	50%
7901 West 25 Avenue, Bay 3	
Hialeah, Florida 33016	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

NAME AND ADDRESS	Percentage of Interest

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Z12-039
JUL 03 2012
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MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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 principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the 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.

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212-089
JUL 03 2012
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BY AH

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the 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.

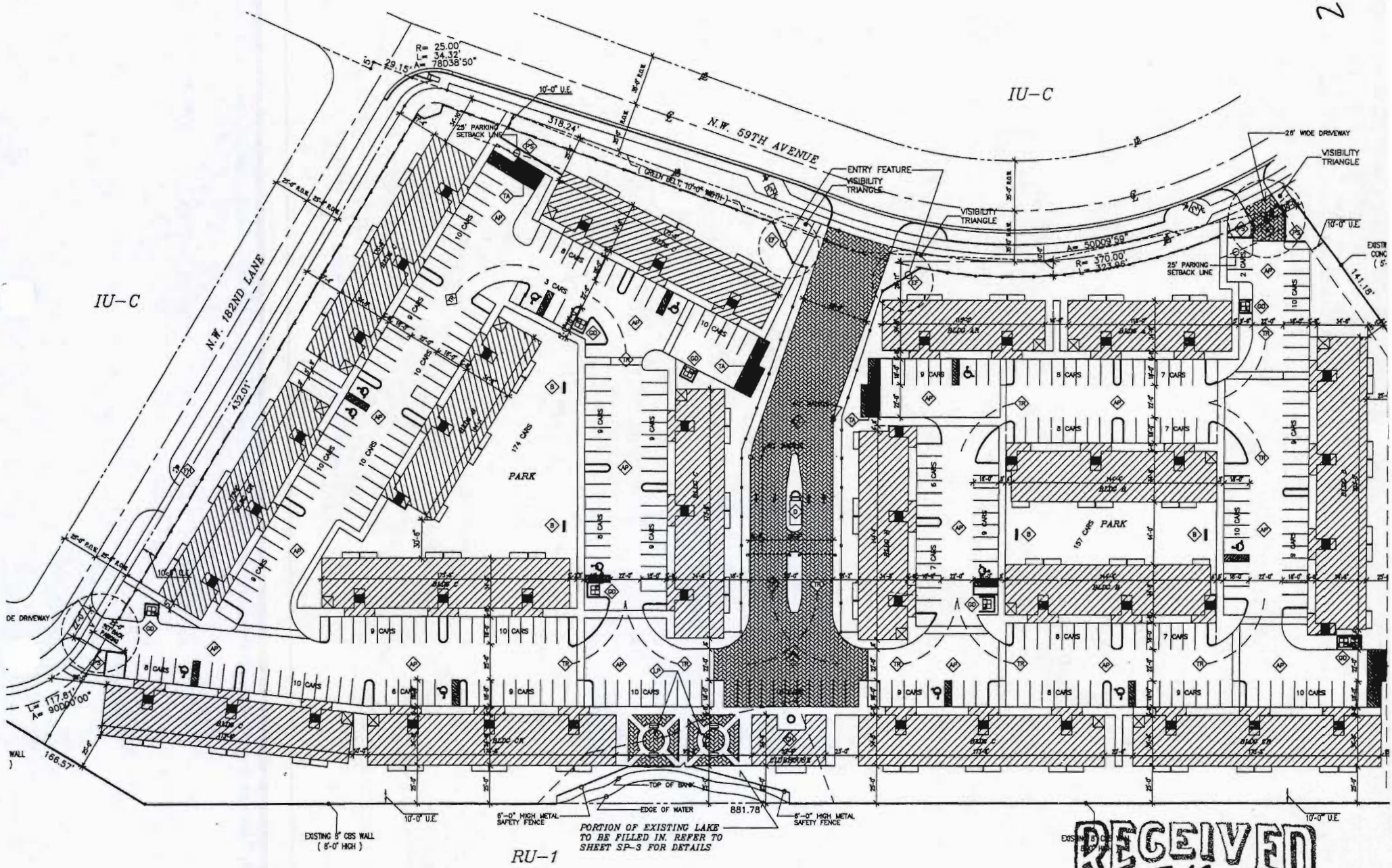
Signature: _____
(Applicant)

Sworn to and subscribed before me this 28th day of June, 2012. Affiant is personally know to me or has produced _____ as identification.

Clara Martinez
(Notary Public)
CLARA MARTINEZ
My commission expires: 05/01/12

Notary Public State of Florida
Clara Martinez
My Commission EE 166954
Expires 05/01/2016
Seal

*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.



GENERAL SITE PLAN

1"= 40'-0"

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2 12 87
OCT 25 2012

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY_____

PROPOSED SITE PLAN ZONING LEGEND

1) SITE ZONING RU-4L (PROPOSED USE : CONDOMINIUMS)
2) SITE AREA GROSS 8.20 ACRES = 357,549 SQ.FT.
NET 8.20 ACRES = 357,549 SQ.FT.
LAKE ACRES N/A ACRES = N/A SQ.FT.
3) No. OF STORIES 2
4) TOTAL BUILDINGS HEIGHT 25'-4" REQ. OR ALLOW. PROVIDED
5) GROSS BLDG. COVERAGE GR. FLOOR 107,304 SF (.30 X) 97,830 SF (W/ CLUBHOUSE)
6) LOT COVERAGE 30 X MAX. 27.51 X (96,623 SF)
7) TOTAL LANDSCAPE OPEN SPACE (LOS) 29% MIN. 25.1 X (103,549 SF)
8) TOTAL IMPERVIOUS PAVED AREA 49 X MAX. 43.93 X (156,920 SF)
9) DENSITY / NET ACRE 25 ACRE 21.70 / ACRE
10) TOTAL No. UNITS 178 150 = (146 2 BDR. UNITS & 32 1 BDR. UNITS)
32 UNIT A 1 BEDROOM UNITS @ 810 SQ.FT. = 25,920 SQ.FT.
146 UNIT B 2 BEDROOM UNITS @ 960 SQ.FT. = 141,328 SQ.FT.

TOTAL SQUARE FOOTAGE PROVIDED 167,248 SQ.FT.

11) FLOOR AREA RATIO ALLOWED (.50X = 178,875 SF)
32 UNIT A 1 BEDROOM UNITS @ 810 SQ.FT. = 25,920 SQ.FT.
146 UNIT B 2 BEDROOM UNITS @ 960 SQ.FT. = 141,328 SQ.FT.
CLUBHOUSE = 1,930 SQ.FT.
LAUNDRY ROOM (16 @ 68 SF) = 1,088 SQ.FT.

TOTAL FLOOR AREA RATIO PROVIDED 170,266 SQ.FT.

12) TOTAL PARKING REQUIRED = 304 SPACES
(UNIT TYPE "A") 32 (1 BEDROOM) x 1.5 = 48 SPACES
(UNIT TYPE "B") 146 (2 BEDROOM) x 1.75 = 256 SPACES
13) TOTAL PARKING PROVIDED = 341 SPACES ——— 330 STANDARD 11 HANDICAP
NOTE : REFER TO SHEETS SP-5 FOR PARKING DETAILS

14) SANITARY & WATER PROVIDED BY WASA
15) GARBAGE & TRASH PICK UP BY PRIVATE SANITATION COMPANY.

**NOTE : GARBAGE REMOVAL TO BE DONE BY PRIVATE CONTRACTOR.
**NOTE : WATER & SEWER BY MIAMI DADE W.A.S.A.

16) BLDG. TYPE AND UNIT BREAKDOWN
BLDG. A 8 UNITS (1 BLDG. = 8 UNITS) 2 UNIT A/ 6 UNIT B
BLDG. AR 8 UNITS (1 BLDG. = 8 UNITS) 2 UNIT A/ 6 UNIT B
BLDG. B 10 UNITS (4 BLDGS. = 40 UNITS) 2 UNIT A/ 8 UNIT B
BLDG. C 12 UNITS (6 BLDGS. = 72 UNITS) 2 UNIT A/ 10 UNIT B
BLDG. CR 12 UNITS (3 BLDGS. = 36 UNITS) 2 UNIT A/ 10 UNIT B
BLDG. D 14 UNITS (1 BLDG. = 14 UNITS) 2 UNIT A/ 12 UNIT B
TOTAL NUMBER OF UNITS = 178 UNITS

LOT COVERAGE DATA

BLDG TYPE	NO. OF BLDGS	LOT COVERAGE
BLDG. A	1 BUILDINGS	4,231SF
BLDG. AR	1 BUILDINGS	4,231SF
BLDG. B	4 BUILDINGS	5,390SF
BLDG. C	6 BUILDINGS	6,347SF
BLDG. CR	3 BUILDINGS	6,347SF
BLDG. D	1 BUILDING	7,546SF
CLUBHOUSE	1 BUILDING	1,930SF

LOT COVERAGE CALCULATIONS

BLDG TYPE	
BLDG. A	1 @ 4,231 SF = 4,231 SF
BLDG. AR	1 @ 4,231 SF = 4,231 SF
BLDG. B	4 @ 5,390 SF = 21,560 SF
BLDG. C	6 @ 6,347 SF = 38,082 SF
BLDG. CR	3 @ 6,347 SF = 19,041 SF
BLDG. D	1 @ 7,546 SF = 7,546 SF
CLUBHOUSE	1 @ 1,930 SF = 1,930 SF
TOTAL LOT COVERAGE	96,623 SF

LEGAL DESCRIPTION

TRACT A OF GARDENS PARK SUBDIVISION
PLAT BOOK 167 PAGE 29
OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY

LOCATION SKETCH

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OCT 2 5 2012
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MIAMI-DADE PLANNING AND ZONING DEPT.
BY________________

GENERAL SITE PLAN
1" = 40'-0"

SITE PLAN SYMBOL LEGEND

ID	SYMBOL DESCRIPTION
A	DENOTES LOCATION OF BRICK PAVERS
B	DENOTES LOCATION OF BICYCLE RACK
C	DENOTES LOCATION OF FOUNTAIN
AP	DENOTES LOCATION OF ASPHALT PAVING
GH	DENOTES LOCATION OF GUARDHOUSE SEE SHEET GH-1 FOR DETAILS
CH	DENOTES LOCATION OF CLUBHOUSE SEE SHEET CH-1 FOR DETAILS
TR	DENOTES 50' FIRETRUCK CL TURNING RADIUS
EF	DENOTES LOCATION OF ENTRY FEATURE
PS	DENOTES LOCATION OF 30" HIGH PARKING STALL SCREEN WALL
GD	DENOTES LOCATION OF GARBAGE DUMPSTER
TA	DENOTES LOCATION OF PARKING TURNAROUND AREA. TO BE STRIPPED AND LABELED AS NO PARKING TURNAROUND ONLY
LP	DENOTES LOCATION OF BRICK PAVERED LAKEVIEW PLAZA

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GENERAL SITE PLAN

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

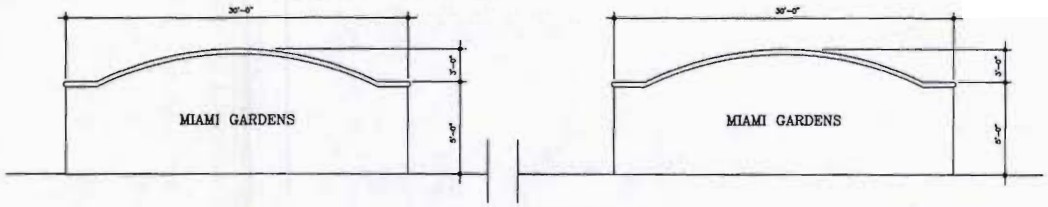
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
SP-1	

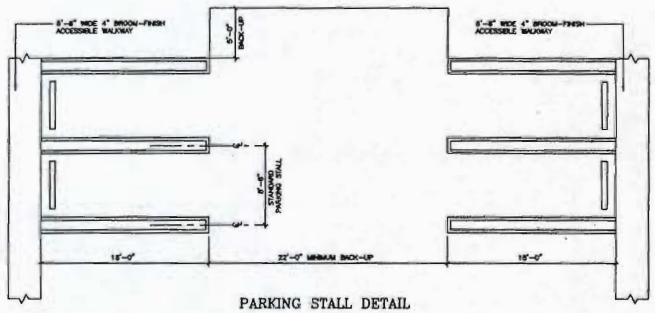
OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1	10/17/12	O.J.G
2		O.J.G
3		O.J.G

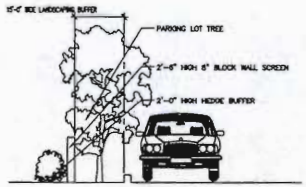
28



ENTRY FEATURE DETAIL



PARKING STALL DETAIL



PROPERTY-LINE PARKING SCREEN DETAIL

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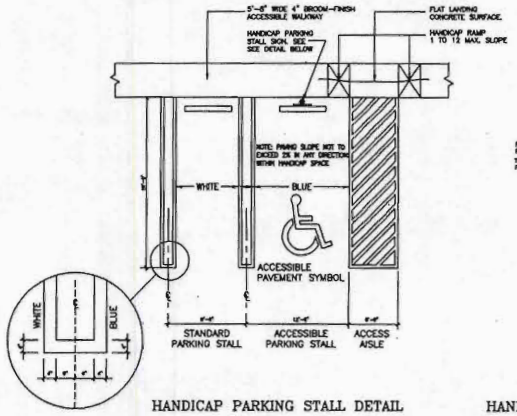
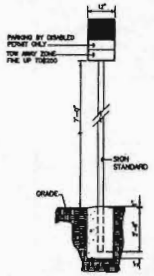
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____



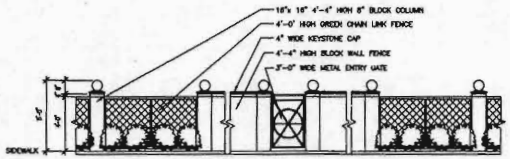
HANDICAP PARKING STALL DETAIL



HANDICAP PARKING SIGN DETAIL

HANDICAP PARKING SIGN NOTES

1. TOP PORTION SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER.
2. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH WHITE OPAQUE LEGEND AND BORDER.
3. SIGN TO BE USED AS PER FLORIDA STATUTES. EACH SUCH PARKING SPACE SHALL BE CONSPICUOUSLY OUTLINED IN BLUE PAINT AND SHALL BE POSTED AND MAINTAINED WITH A PERMANENT ABOVE GROUND SIGN BEARING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY OR THE CAPTION "PARKING BY DISABLED PERMIT ONLY" OR BEARING BOTH SUCH SYMBOL AND CAPTION (SEE SIGN DETAIL) SUCH SIGNS SHALL NOT BE OBSCURED BY A VEHICLE PARKED IN THE SPACE. ALL HANDICAPPED PARKING SPACES MUST BE SIGNED AND MARKED IN ACCORDANCE WITH THE STANDARDS ADOPTED BY THE DEPARTMENT OF TRANSPORTATION.



FRONT PROPERTY-LINE FENCE DETAIL

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY

SITE PLAN DETAILS

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

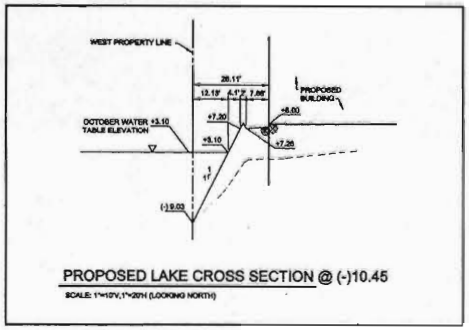
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8861
JOB ADDRESS :

DATE	04/30/12
SCALE	AS NOTED
SHEET	OF
	SP-2

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

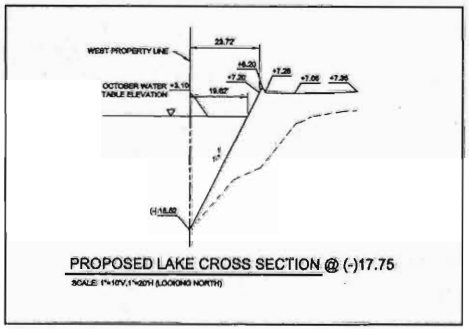
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

30



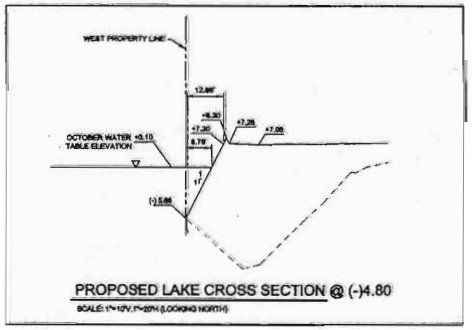
PROPOSED LAKE CROSS SECTION @ (-)10.45

SCALE: 1"=10'V, 1"=20'H (LOOKING NORTH)



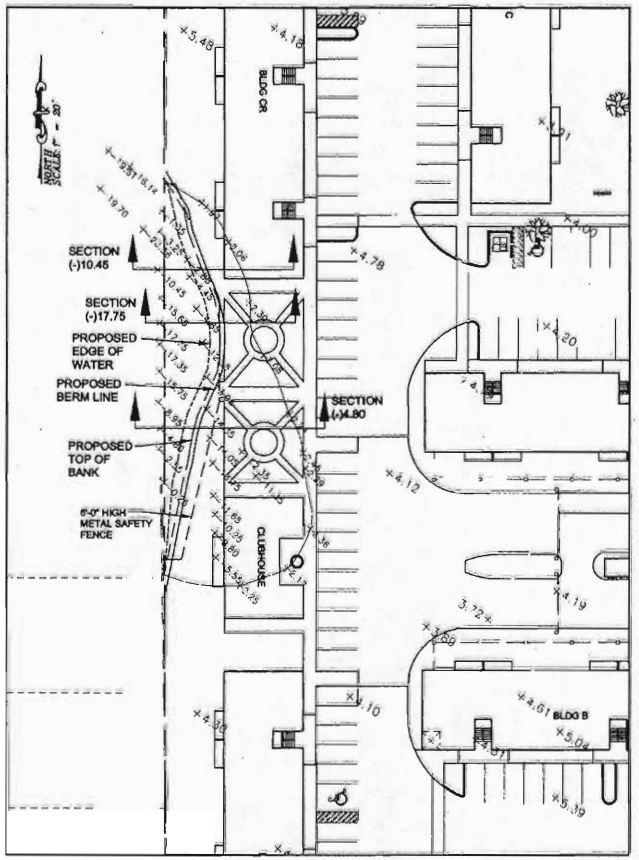
PROPOSED LAKE CROSS SECTION @ (-)17.75

SCALE: 1"=10'V, 1"=20'H (LOOKING NORTH)



PROPOSED LAKE CROSS SECTION @ (-)4.80

SCALE: 1"=10'V, 1"=20'H (LOOKING NORTH)



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BY

NO.	DATE	DESCRIPTION	BY	APP

LAKE SECTION

EXHIBIT

GARDENS PARK

RAFULS & ASSOCIATES CONSTRUCTION COMPANY

LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.
339 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 - 3004451000 - LB-1012

SEAL

ANDREW W. ADAMS
REGISTERED ENGINEER
STATE OF FLORIDA

DESIGNED: AWA
DRAWN: AWA
CHECKED: AWA
SCALE: AS NOTED
DATE: 10/15/12
PROJ. NO. 2005-12
SHEET SP-3 OF 3 SHEETS

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MIAMI-DADE COUNTY
PRZ2012 # 223-089
DATE: OCT 25 2012
BY: DAR

31

SYMBOL USED			PLANT NAME		NATIVE		CALIPER	HEIGHT	CANOPY	USE	QNTY
SYMBOL	NEW	EXISTING	SCIENTIFIC	COMMON	YES	NO	INSTALLED	INSTALLED	INSTALLED		
	52	0		SILVER BUTTONWOOD	●		3" MIN.	12' MIN.	8' MIN.	LOT TREE	52
	35	15		MAHOGANY	●		3" MIN.	12' MIN.	8' MIN.	STREET TREE	35
	39	0		MAHOGANY	●		3" MIN.	12' MIN.	8' MIN.	LOT TREE	39
	56	0		MAHOGANY	●		3" MIN.	12' MIN.	8' MIN.	LOT TREE FINAL DEV.	56
	24	0		GEIGER	●		3" MIN.	12' MIN.	8' MIN.	LOT TREE	24
	10	0		PINK TABEBUIA	●		3" MIN.	12' MIN.	8' MIN.	LOT TREE	10
	16 (2 PALMS=1 LOT TREE)			ROYAL POINCIANA	●		4" MIN.	12' MIN.	8' MIN.	LOT TREE	8
	17 (2 PALMS=1 LOT TREE)			FL. ROYAL PALM	●		3" MIN.	12' MIN.	8' MIN.	LOT TREE	8
	31			SPANISH STOPPER	●		3" MIN.	12' MIN.	8' MIN.	LOT TREE	31
	12	0		BOTTLEBRUSH	●		3" MIN.	12' MIN.	8' MIN.	LOT TREE	12
●●●	2,800	0		COCOPLUM	●		24" MIN. HEIGHT @ 24" O.C.			HEDGE	2,800
				GROUND COVER	●		LAWN			SOD-GROW AREAS	
				SOD	●		ST. AUGUSTINE FLORATAM SOD			SODDED AREAS	

ZONING DISTRICT RU-4L NET LOT AREA: 357,349 SF 8.20 ACRES

OPEN SPACE

A. SQUARE FEET OPEN SPACE REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN:
NET LOT AREA = 357,349 S.F. X 25 % = 89,377 S.F.

B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18 A
TOTAL PARKING SPACES 344 X 10 S.F PER PARKING SPACE = 3,440 S.F.

C. TOTAL S.F. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33: A + B = 92,817 S.F.

LAWN AREA CALCULATION:

A. OPEN SPACE REQUIRED PER SECTION 33 OF ZONING CODE
NET LOT AREA = 357,349 S.F. X 25 % = 89,377 S.F.

B. PARKING LOT LANDSCAPE REQUIRED PER CHAPTER 18A-6(J)
TOTAL PARKING SPACES 344 X 10 S.F PER PARKING SPACE = 3,440 S.F.

C. ADD A + B = 92,817 SQ.FT. (TOTAL LAWN AREA REQUIRED) (102,559 S.F. PROVIDED)

D. MAXIMUM LAWN AREA (50%) PERMITTED 80% OF A + B= 55,890 SQ.FT.

E. MAXIMUM LAWN AREA PROVIDED: 54,800 SQ.FT.

TREES:

	RQD	PROVD
A. NO. TREES REQUIRED PER NET LOT ACRE LESS EXISTING NUMBER OF TREES MEETING MINIMUM REQUIREMENTS 28 TREES @ NET LOT ACRES = 28 x 8.20 ACRES = 230 TREES	230	240
B. X PALMS ALLOWED: NO TREES PROVIDED / 2 X 30% =	36	36
X PALMS PERMITTED TO COUNT AS STREET TREES ON 1:1 BASIS X 30%	NA	NA
C. X NATIVES REQUIRED: NO TREES PROVIDED X 30% =	72	240
D. STREET TREES (MAXIMUM AVERAGE SPACING OF 35' O.C.): 1,225/35 = 35	35	35
E. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES (MAX. 25' O.C.): LINEAR FEET ALONG STREET / 25 =	NA	NA

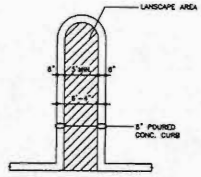
SHRUBS:

A. NO. TREES REQUIRED X 10 = NO. OF SHRUBS REQUIRED	2,730	2,800
B. NO. SHRUBS ALLOWED X 30% = NO. OF NATIVE SHRUBS REQUIRED	828	2,800

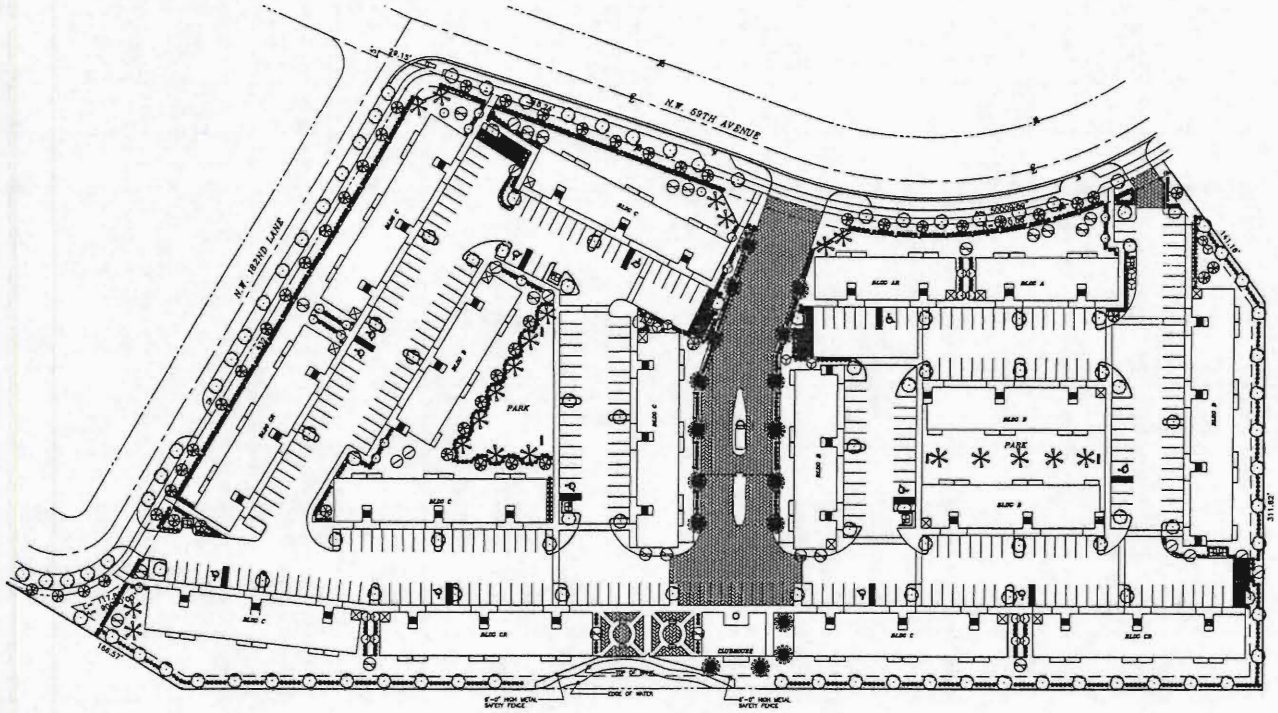
SPRINKLER SYSTEM REQUIRED YES

LANDSCAPING GENERAL NOTES

* LANDSCAPE PLAN TO BE INSTALLED IN COMPLIANCE WITH ALL LOCAL AND STATE LANDSCAPING CODES AND STANDARDS.
* PLANTING SOIL TO BE WEED, ROCK, AND ROOT FREE.
* ALL PLANTING BEDS TO BE SPRAYED WITH ROUND-UP PRIOR TO FINAL INSTALLATION AT THE JOB-SITE.
* GENERAL FERTILIZER (10-10-10 OR 8-8-8) CONTAINING TRACE ELEMENTS OF IRON AND MANGANESE TO BE APPLIED AT TIME OF FINAL PLANTING AT THE JOB-SITE.
* CONTRACTOR SHALL ADD 2 TWO OUNCE "CONTRACTOR PACKS "TERRA-SORB" SOIL ADDITIVE FOR EACH TREE. ADD ONE PACKET BACKFILL SOIL. SHRUBS SHALL BE PLANTED WITH 1/2 OUNCE "TERRASORB" PER FOUR (4) SQUARE FEET OF PLANTING AREA.
* ALL PLANTING BEDS AND TREE WELLS TO BE TOPPED WITH 2" MINIMUM EUCALYPTUS MULCH, GRADE A.
* ALL PLANT MATERIALS TO BE FLORIDA #1 GRADE OR BETTER. DEPT. OF AGRICULTURE GRADES AND STANDARDS, PART 1 & 2
* ALL TREES TO BE A MIN. OF 12' IN HEIGHT AT TIME OF PLANTING (UNLESS NOTED OTHERWISE ON PLAN WITH A 6' DIAMETER CROWN SPREAD. THERE WILL BE NO BRANCHING OF TREES BELOW 6'-0" ALONG ANY PEDESTRIAN OR ACCESSIBLE ROUTE.
* SOD SHALL BE "FLORATAM" ST. AUGUSTINE LAID WITH ALTERNATING AND ABUTTING JOINTS. SOD TO BE PLACED GREEN SIDE UP ON 4" MINIMUM GRADED TOP SOIL.



PARKING LOT CURB DETAIL
TYPICAL TREE PLANTING
WELL DETAIL



LANDSCAPING PLAN
1"= 40'-0"

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212.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

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SEP 27 2012
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

LANDSCAPING PLAN

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

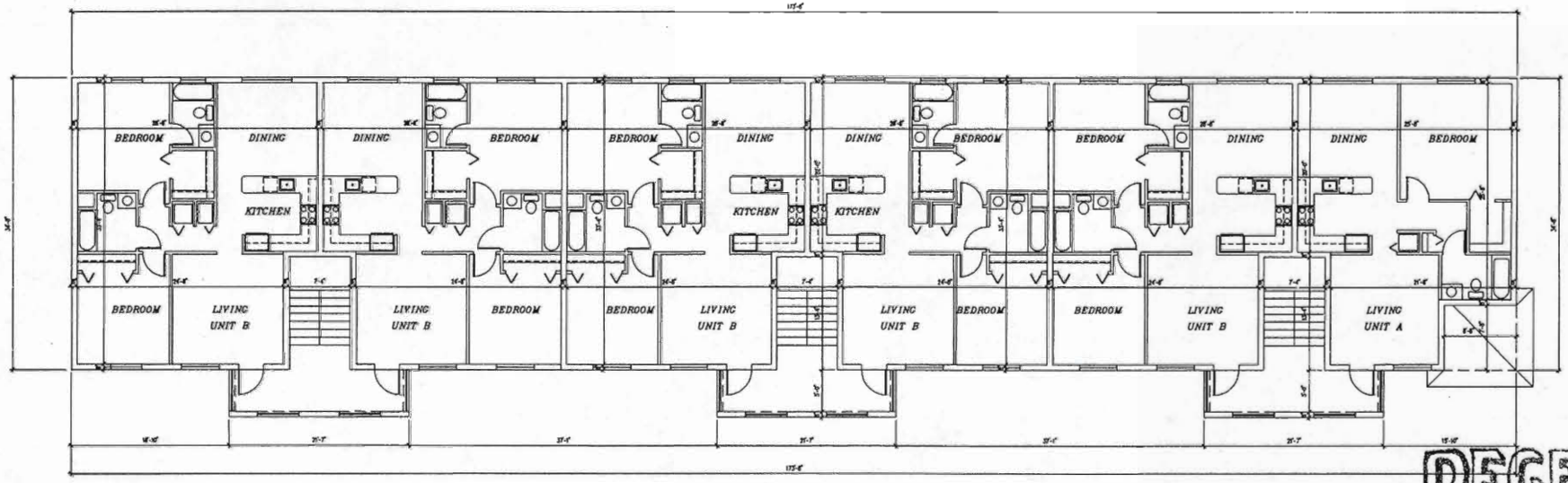
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	LS-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1	10/17/12	O.J.G
2		O.J.G
3		O.J.G

32



SECOND FLOOR PLAN

3/16" = 1'-0"

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OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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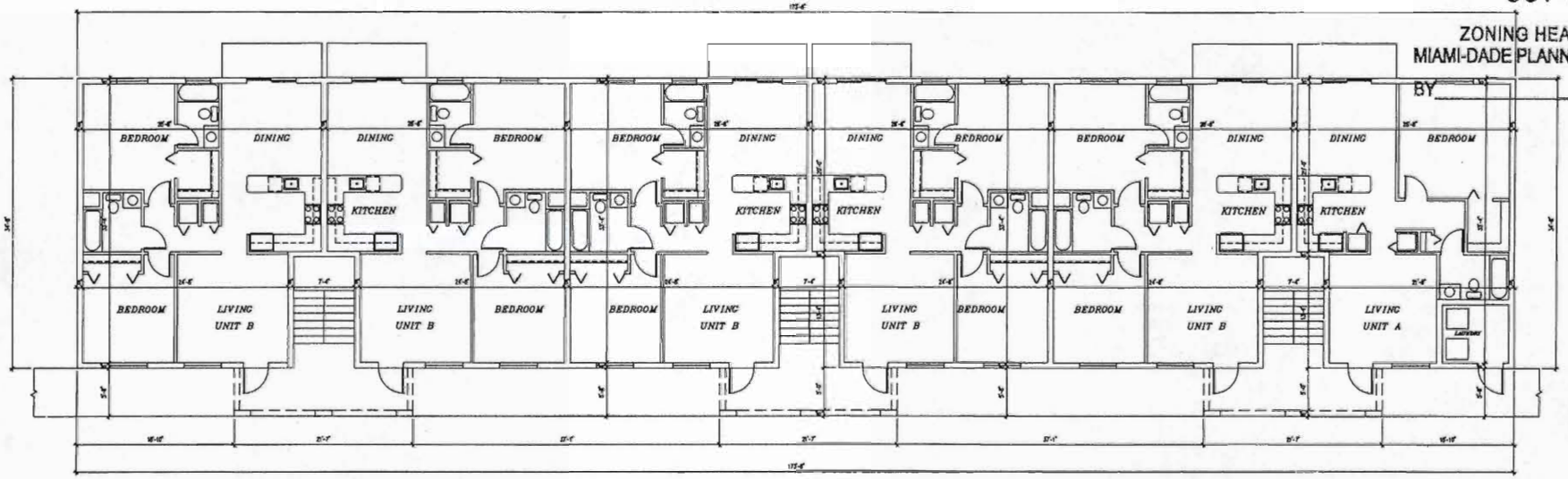


RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

GROUND FLOOR PLAN

3/16" = 1'-0"

FLOOR PLAN BLDG C

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

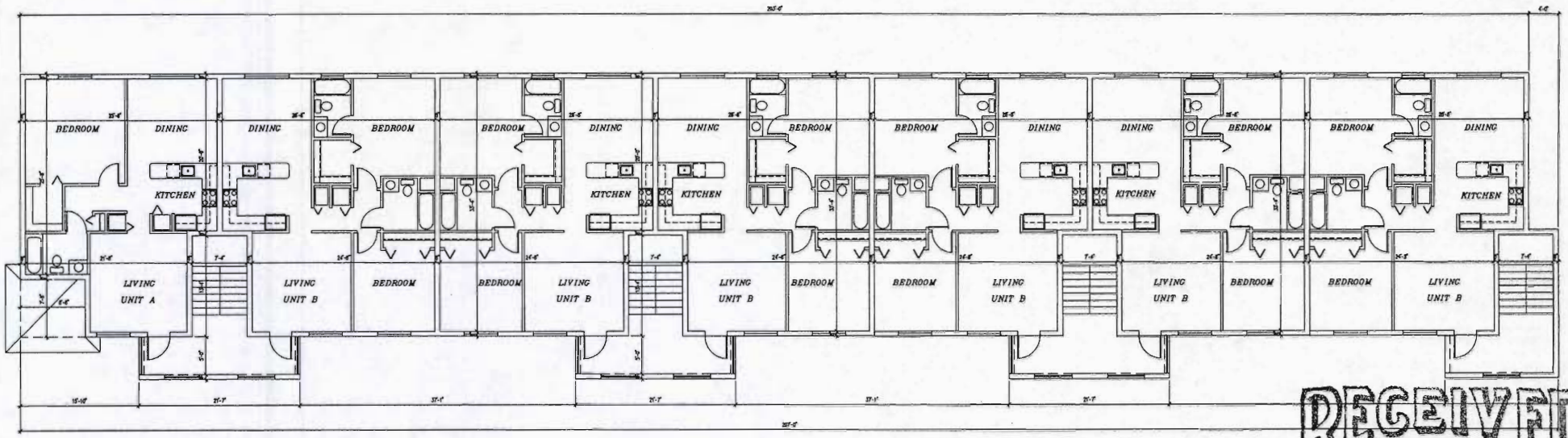
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/13
SCALE	AS NOTED
SHEET	OF
	A-5

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

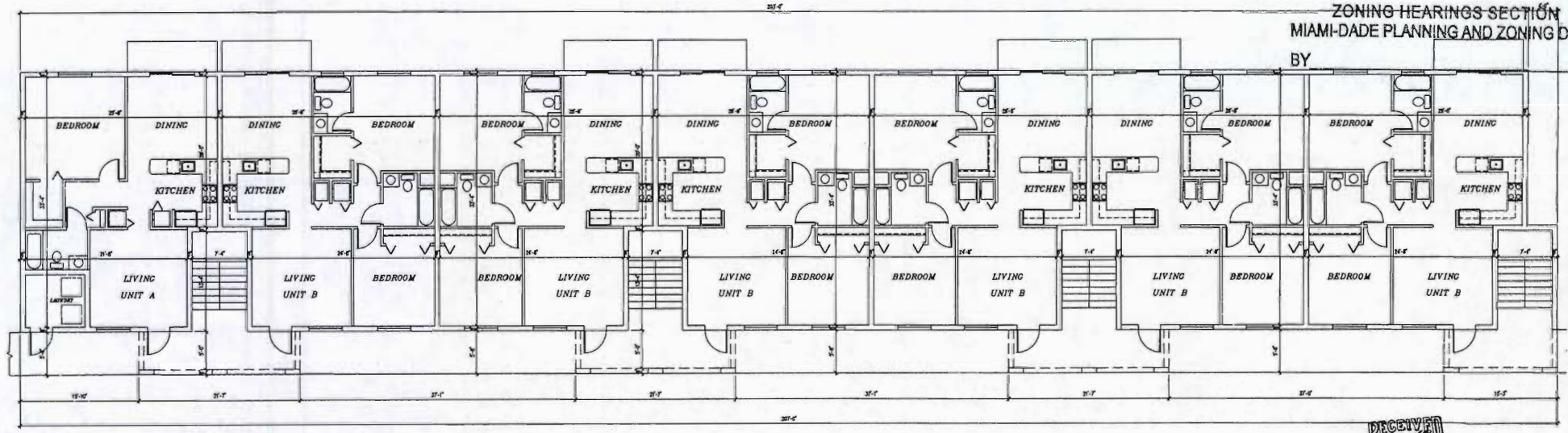
33



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
12.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

FLOOR PLAN BLDG D

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/23/12
SCALE	AS NOTED
SHEET	OF
	A-6

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

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MIAMI-DADE COUNTY
PROCESS #: 212-089
DATE: OCT 25 2012
BY: DAH

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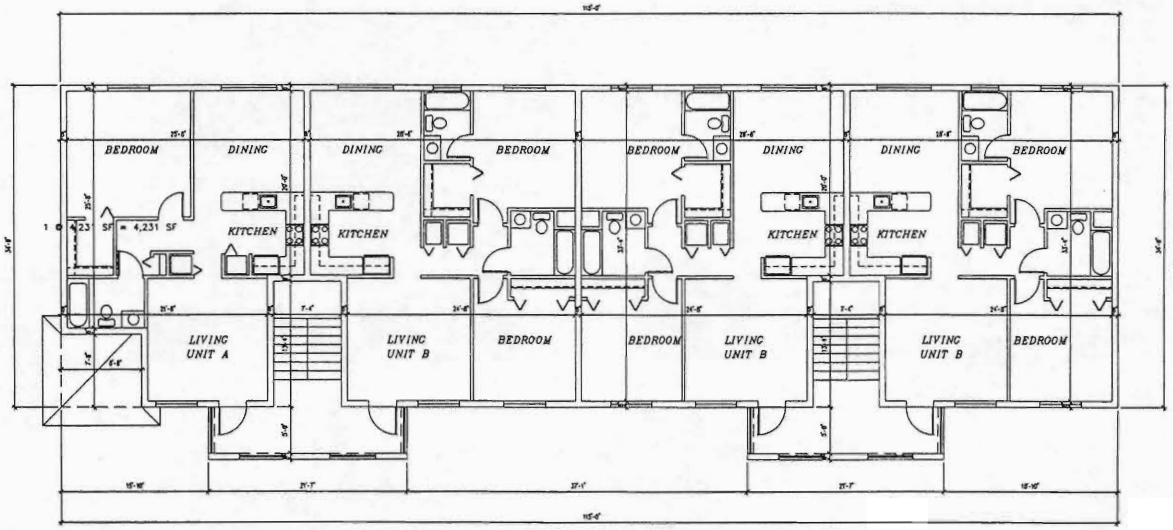
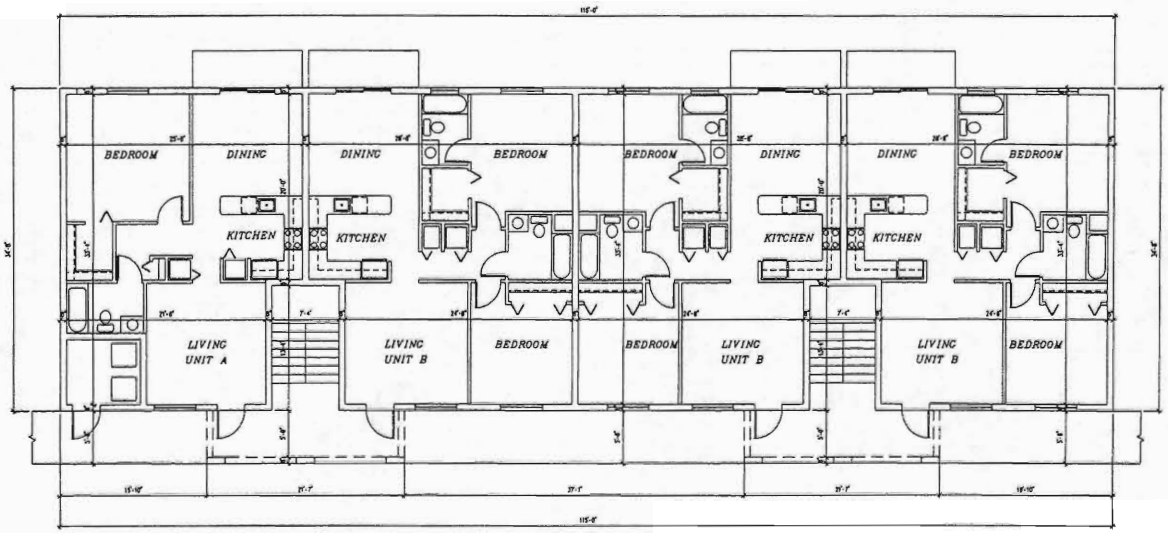


SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
212.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

RECEIVED
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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

FLOOR PLAN BLDG A

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-1	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

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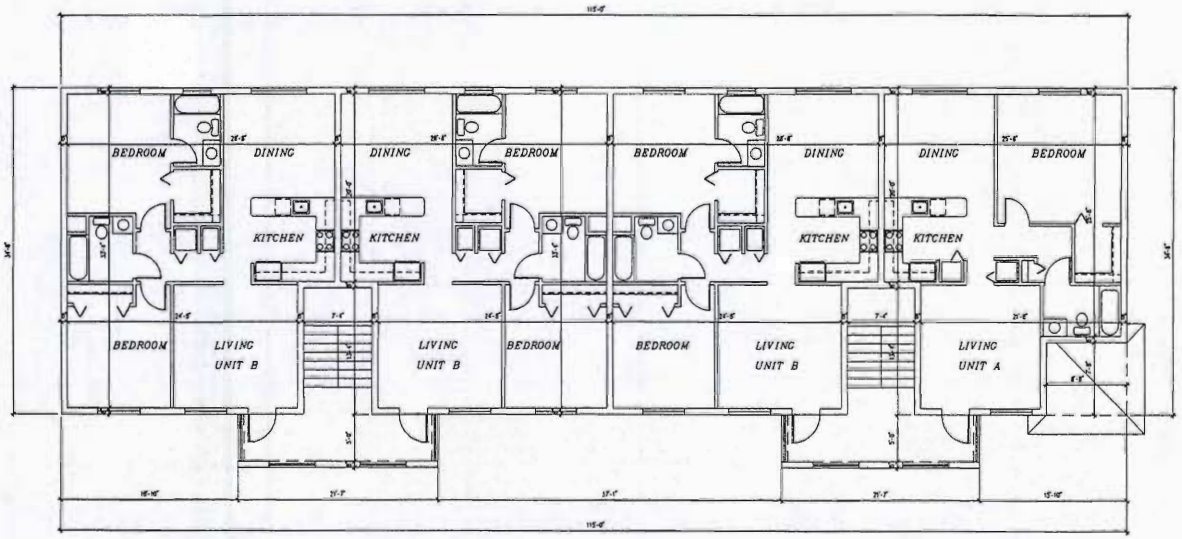
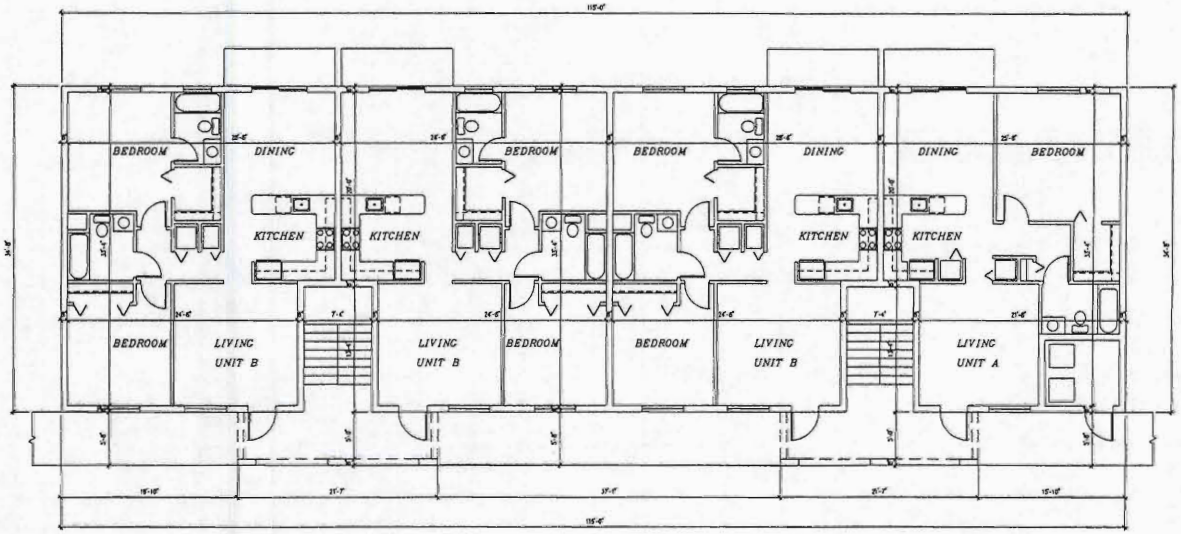
MIAMI-DADE COUNTY
PROCESS #: ZZ-089
DATE: OCT 25 2012
BY: DAB

35



SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
Z12-89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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OCT 25 2012

FLOOR PLAN BLDG AR

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-2	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS

NO	DATE	BY
A		O.J.C
B		O.J.C
C		O.J.C

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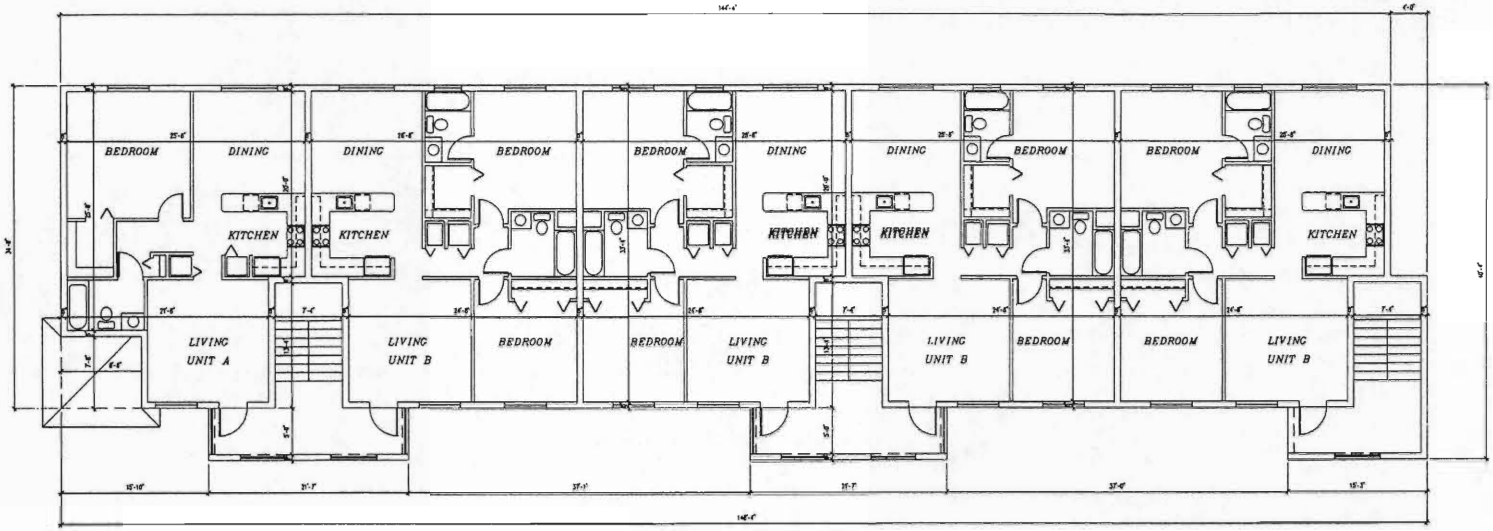
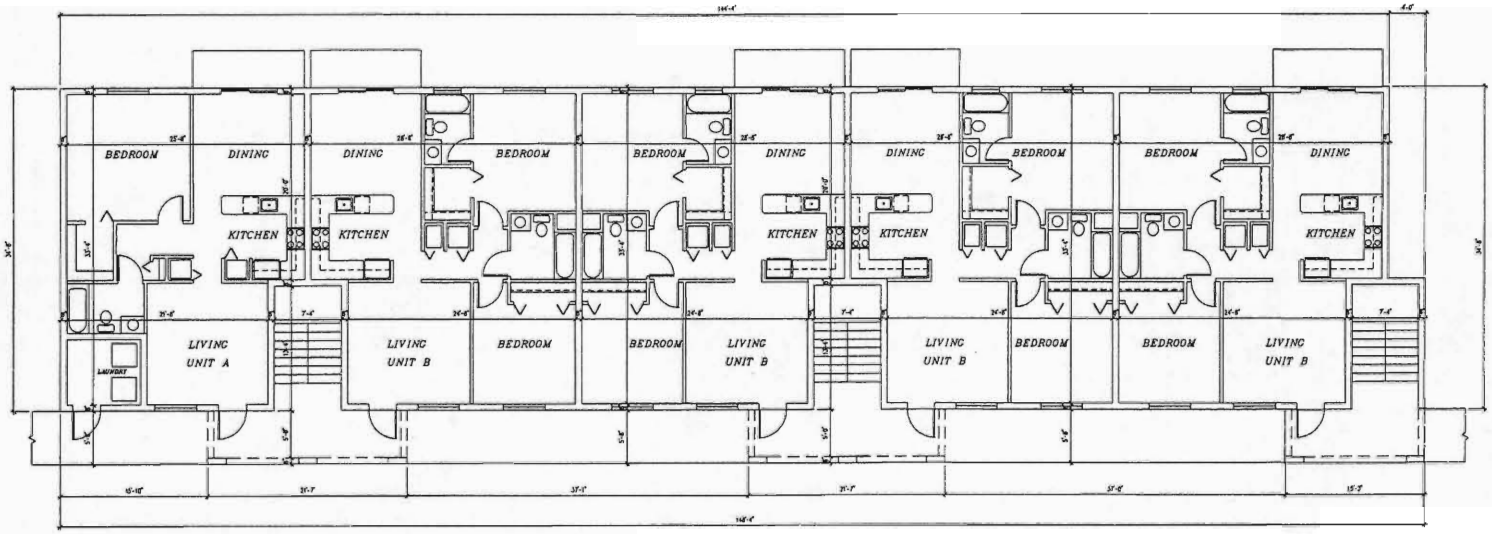
MIAMI-DADE COUNTY
PROCESS #: 113-000
DATE: OCT 25 2012
BY: DAH

36



SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

RECEIVED
OCT 25 2012

FLOOR PLAN BLDG B

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/23/12
SCALE	AS NOTED
SHEET	OF
A-3	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

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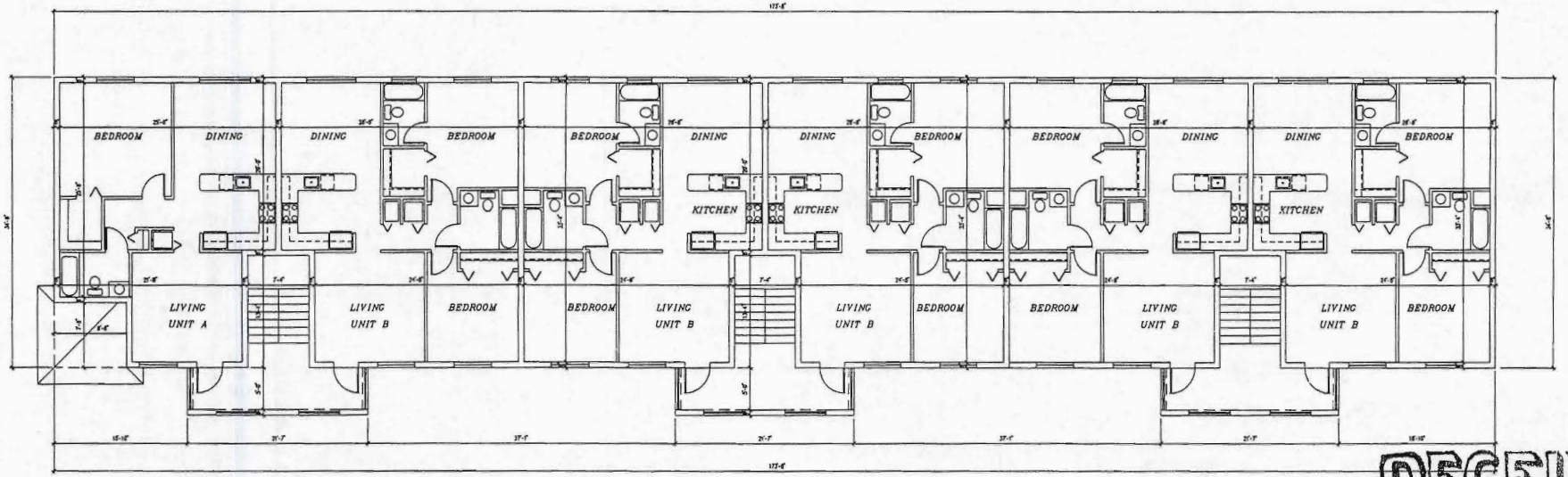
MIAMI-DADE COUNTY
PROCESS #: 213-869
DATE: OCT 25 2012
BY: DAH

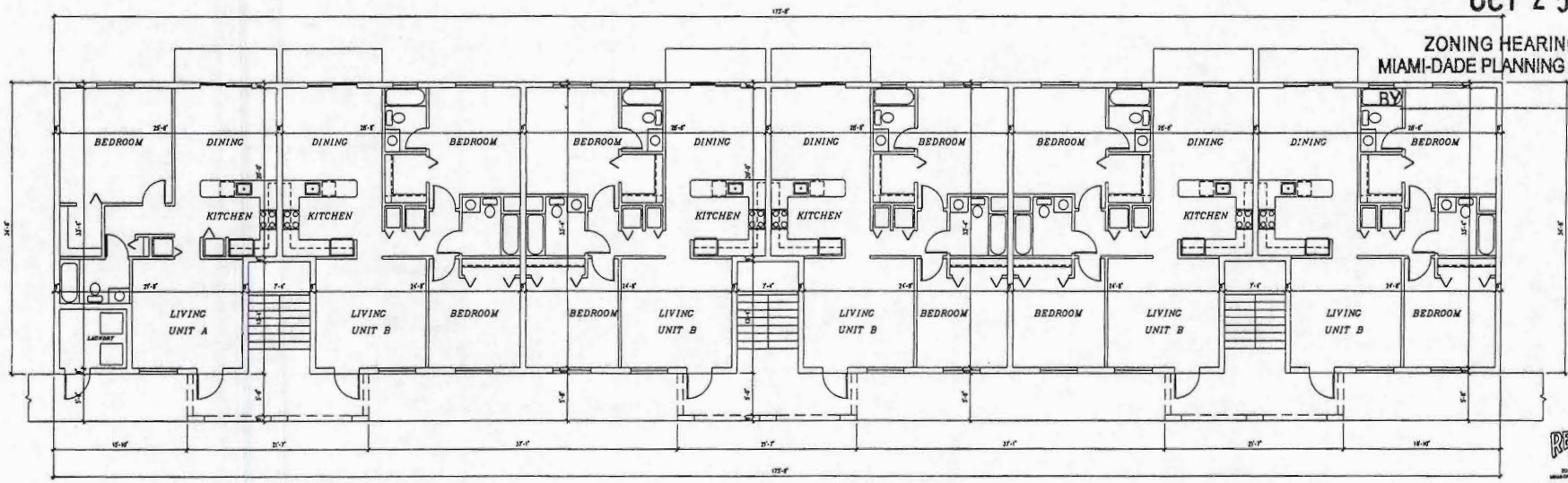
37



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
212.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



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212.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

GROUND FLOOR PLAN

3/16" = 1'-0"

FLOOR PLAN BLDG C

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

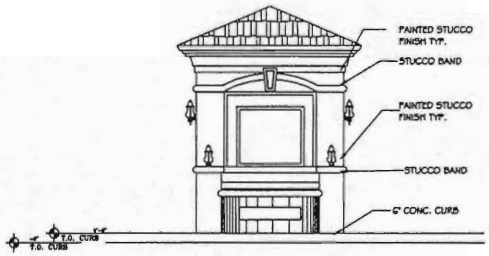
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-4	

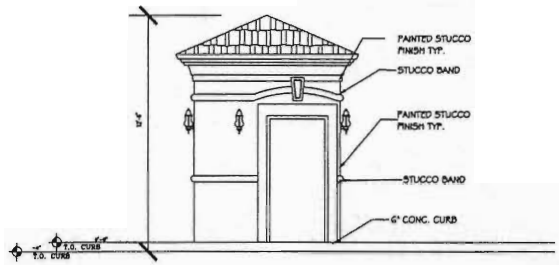
OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

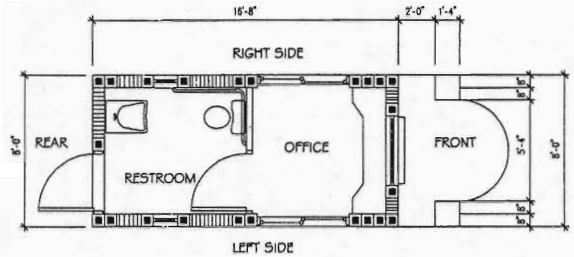
38



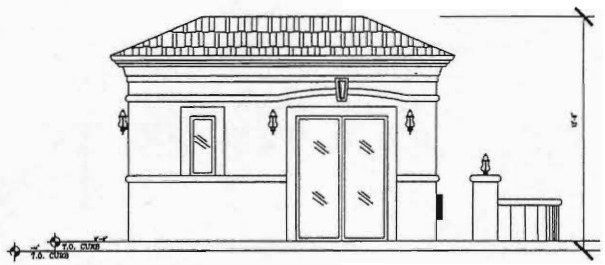
FRONT ELEVATION
Scale : 3/8"=1'-0"



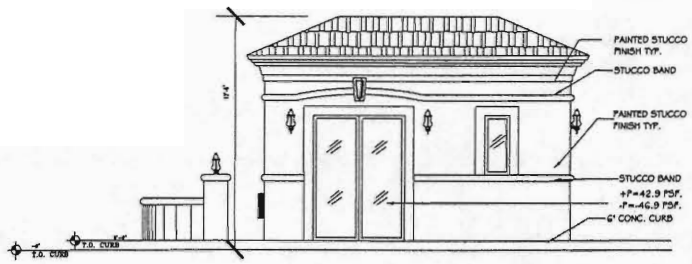
REAR ELEVATION
Scale : 3/8"=1'-0"



FLOOR PLAN
Scale : 3/8"=1'-0"



LEFT SIDE ELAVATION
Scale : 3/8"=1'-0"



RIGHT SIDE ELEVATION
Scale : 3/8"=1'-0"

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2.12.85
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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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OCT 15 2012

GUARDHOUSE

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

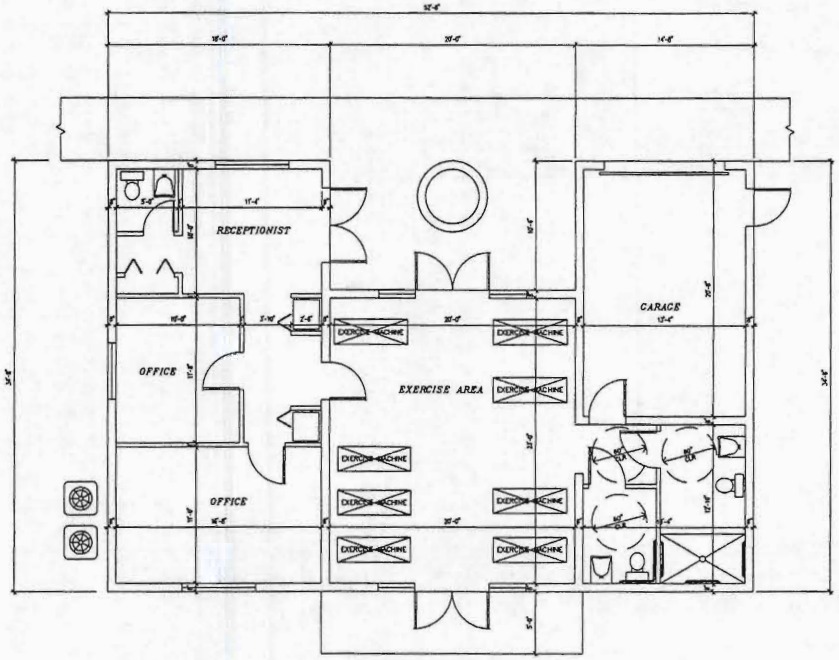
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
GH-1

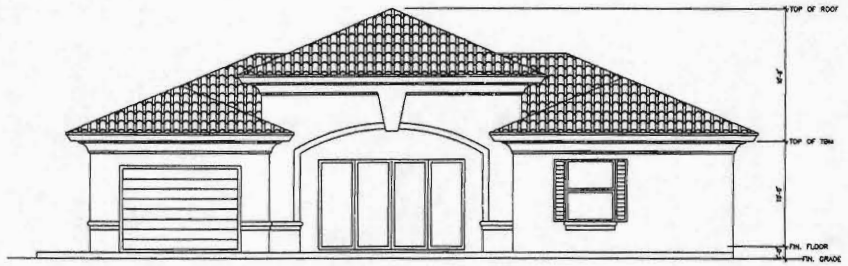
OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4069 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		
3		O.J.G

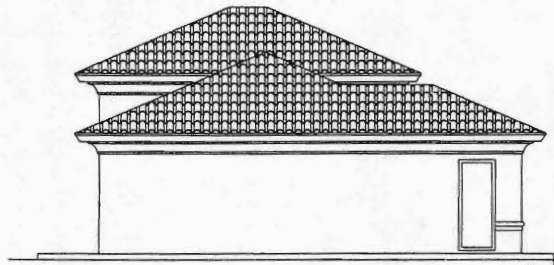
39



FLOOR PLAN
1/4"= 1'-0"



EAST ELEVATION
1/4"= 1'-0"



SOUTH ELEVATION
1/4"= 1'-0"

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21289
OCT 25 2012
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MIAMI-DADE PLANNING AND ZONING DEPT.
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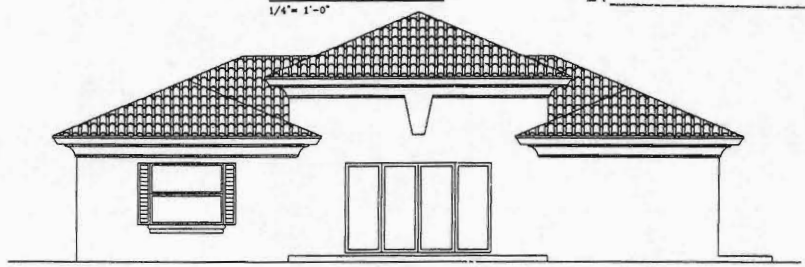
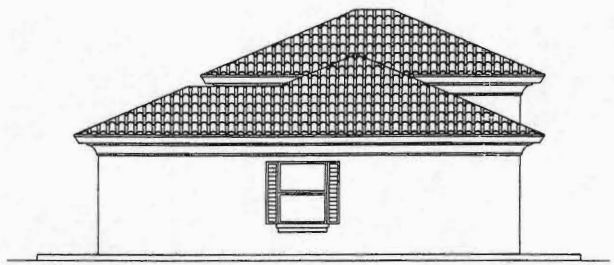


WEST ELEVATION
1/4"= 1'-0"



NORTH ELEVATION
1/4"= 1'-0"

RECEIVED
OCT 25 2012

CLUBHOUSE

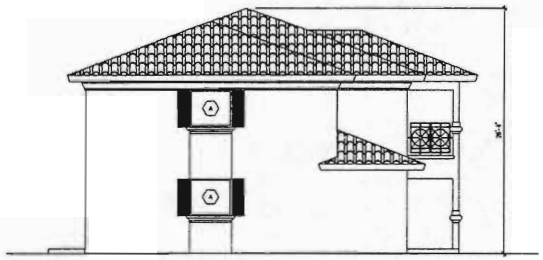
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
CH-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

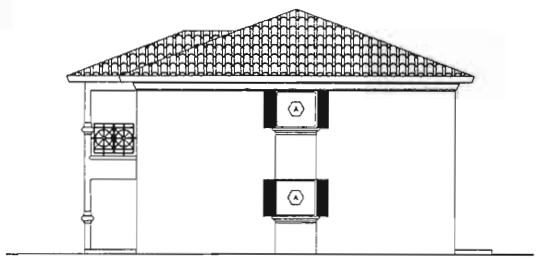
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



LEFT ELEVATION

3/16" = 1'-0"

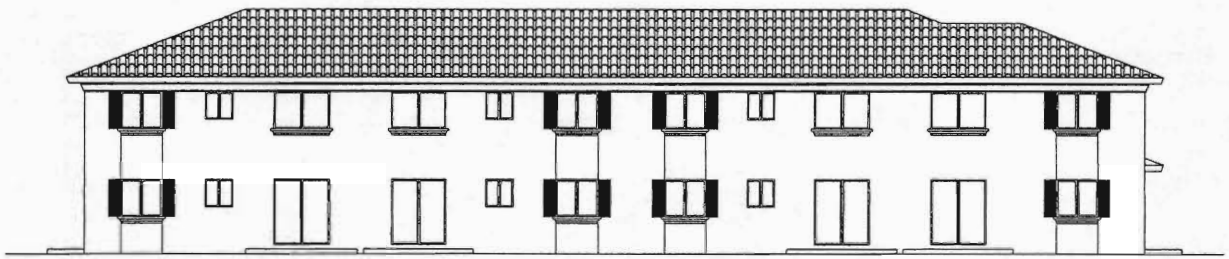
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



RIGHT ELEVATION

3/16" = 1'-0"

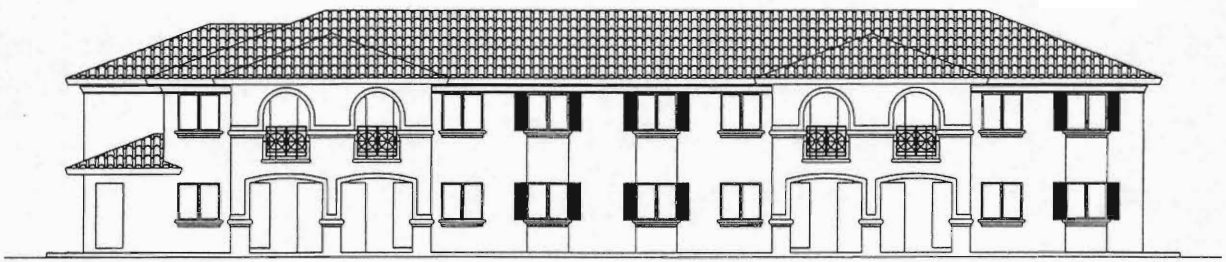
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



REAR ELEVATION

3/16" = 1'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



FRONT ELEVATION

3/16" = 1'-0"

RECEIVED

ELEVATIONS BLDG A

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

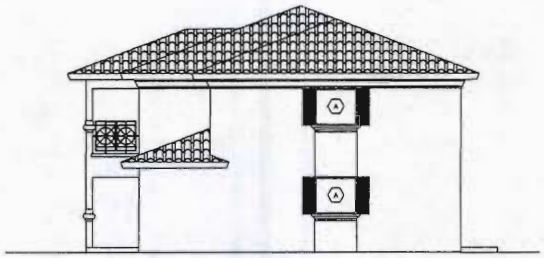
DATE 04/25/12
SCALE AS NOTED
SHEET OF
A-9

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS

NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

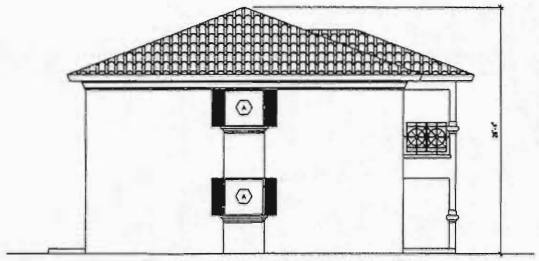
41



RIGHT ELEVATION

3/16" = 1'-0"

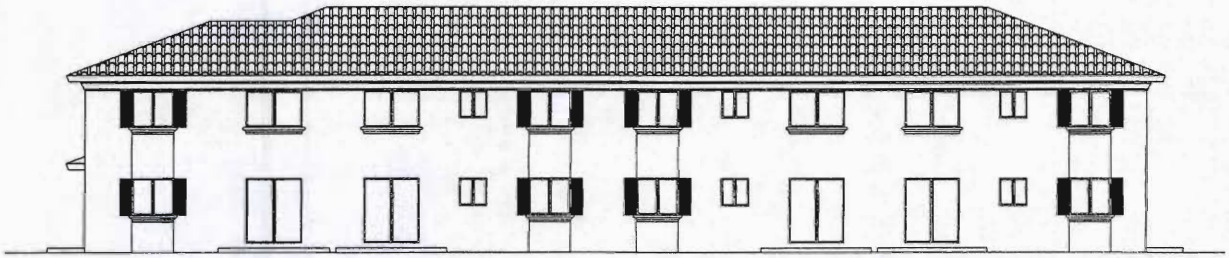
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



LEFT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



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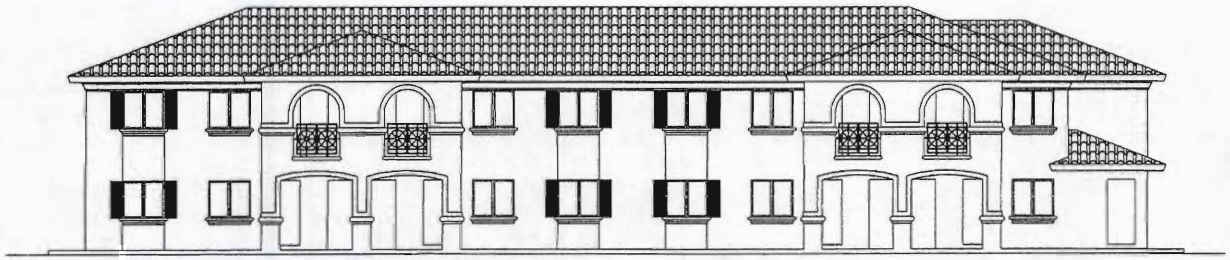

FRONT ELEVATION

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

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

ELEVATIONS BLDG AR

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-10	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

10/28/2012

REVISIONS		
NO	DATE	BY
1		O.J.C
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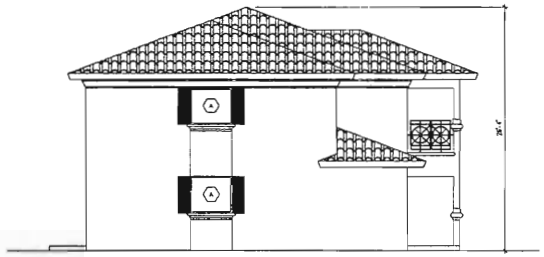

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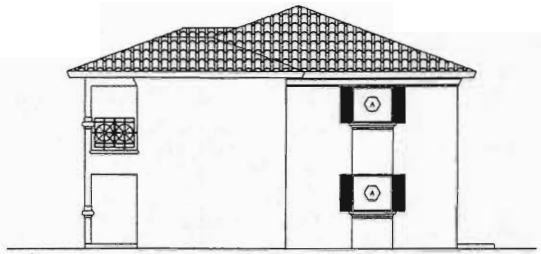

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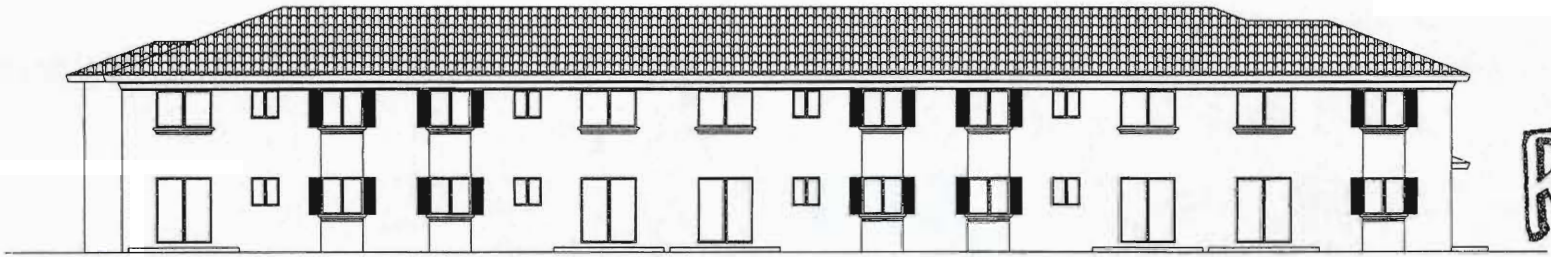

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MIAMI-DADE PLANNING AND ZONING DEPT.
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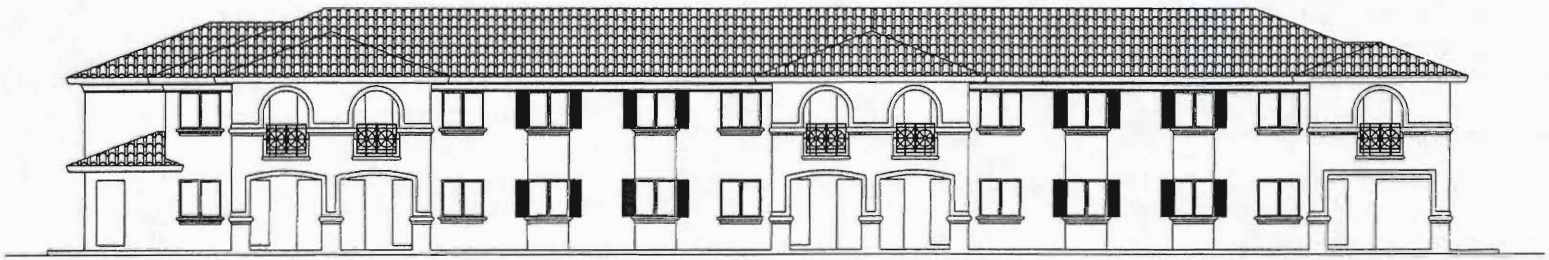

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ELEVATIONS BLDG B

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET A-11 OF

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

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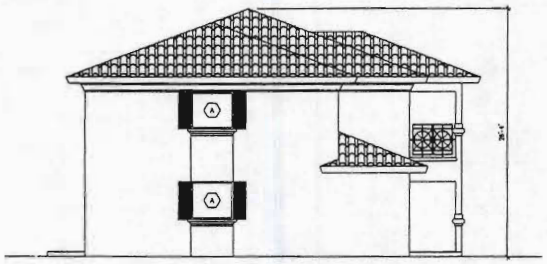

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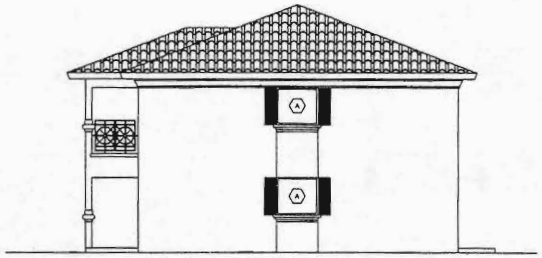

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OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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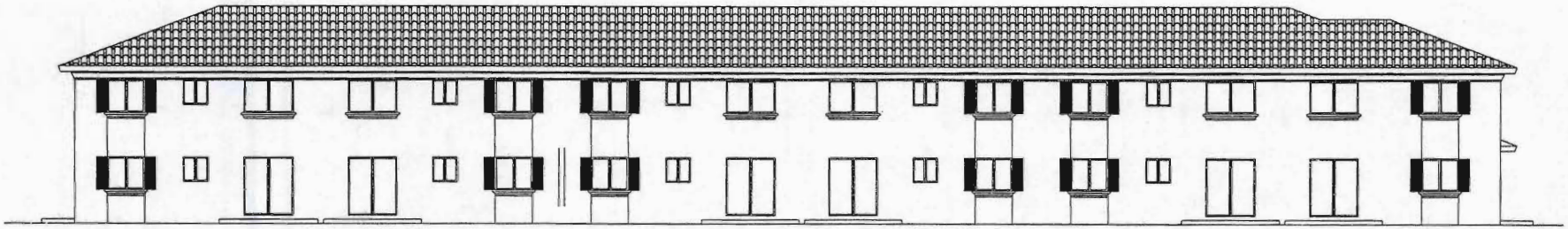

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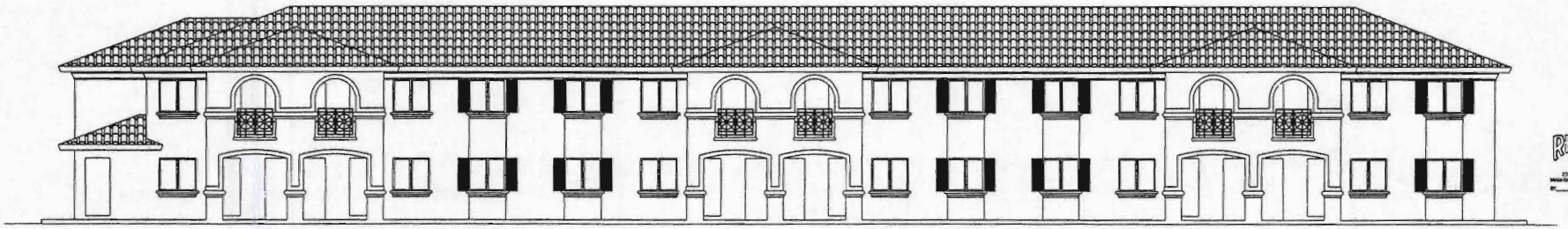

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OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

ELEVATIONS BLDG C

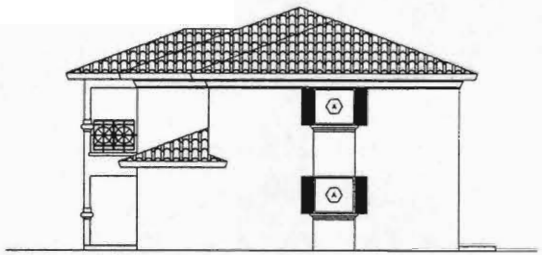
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-12

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



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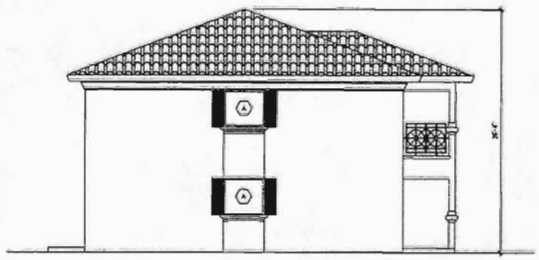

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MIAMI-DADE PLANNING AND ZONING DEPT.
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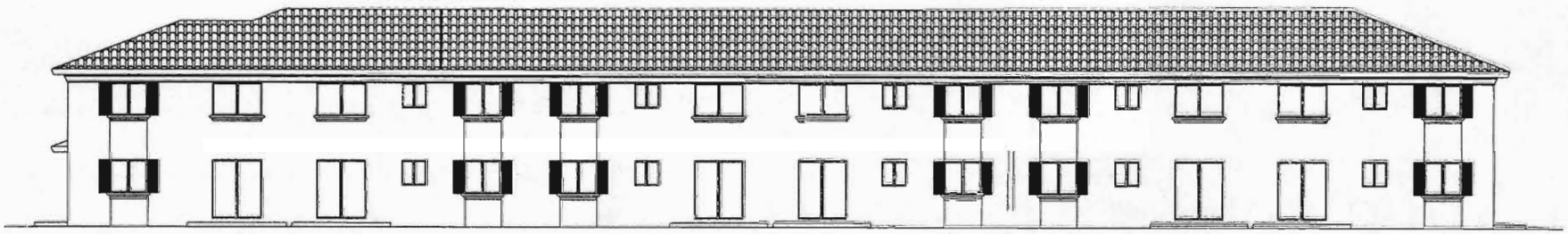

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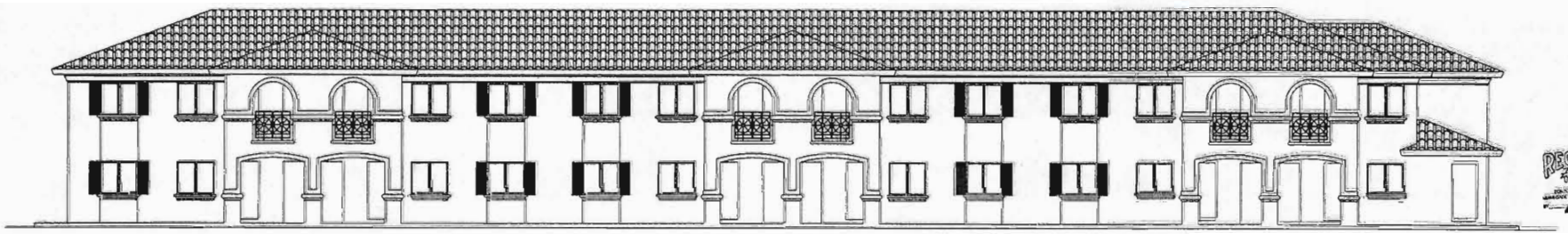

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OCT 25 2012

FRONT ELEVATION

3/16" = 1'-0"

ELEVATIONS BLDG CR

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 01/25/12
SCALE AS NOTED
SHEET A-13 OF

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		OJG
2		OJG
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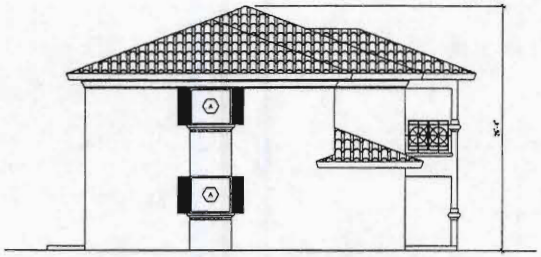

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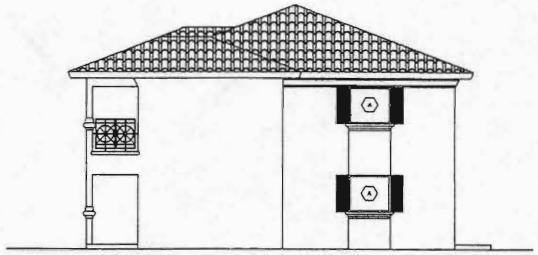

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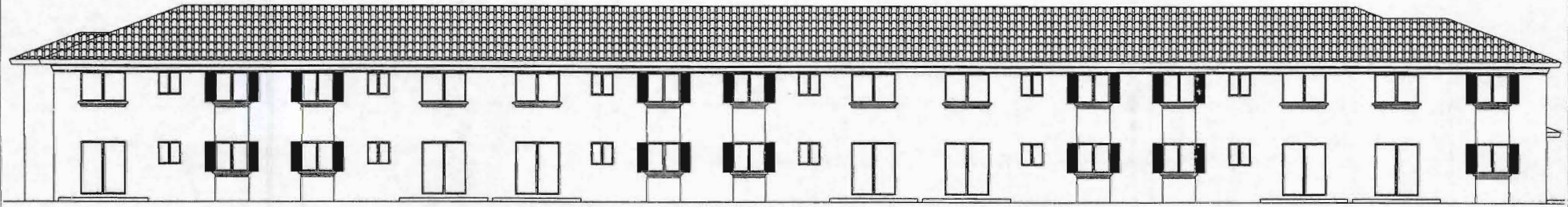
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____



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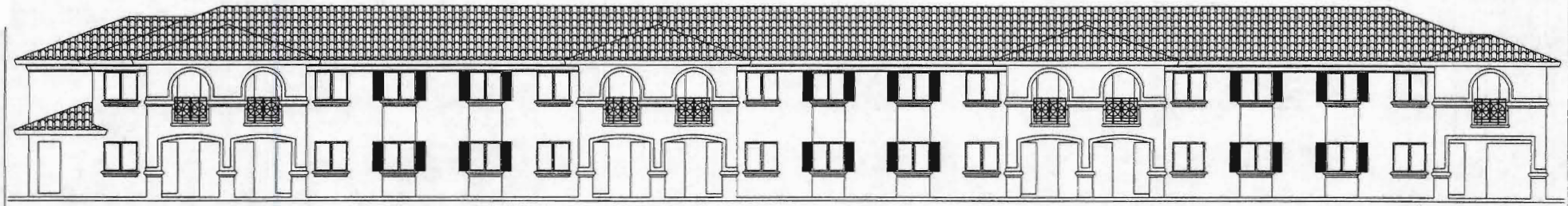

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ELEVATIONS BLDG D

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
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JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-14

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
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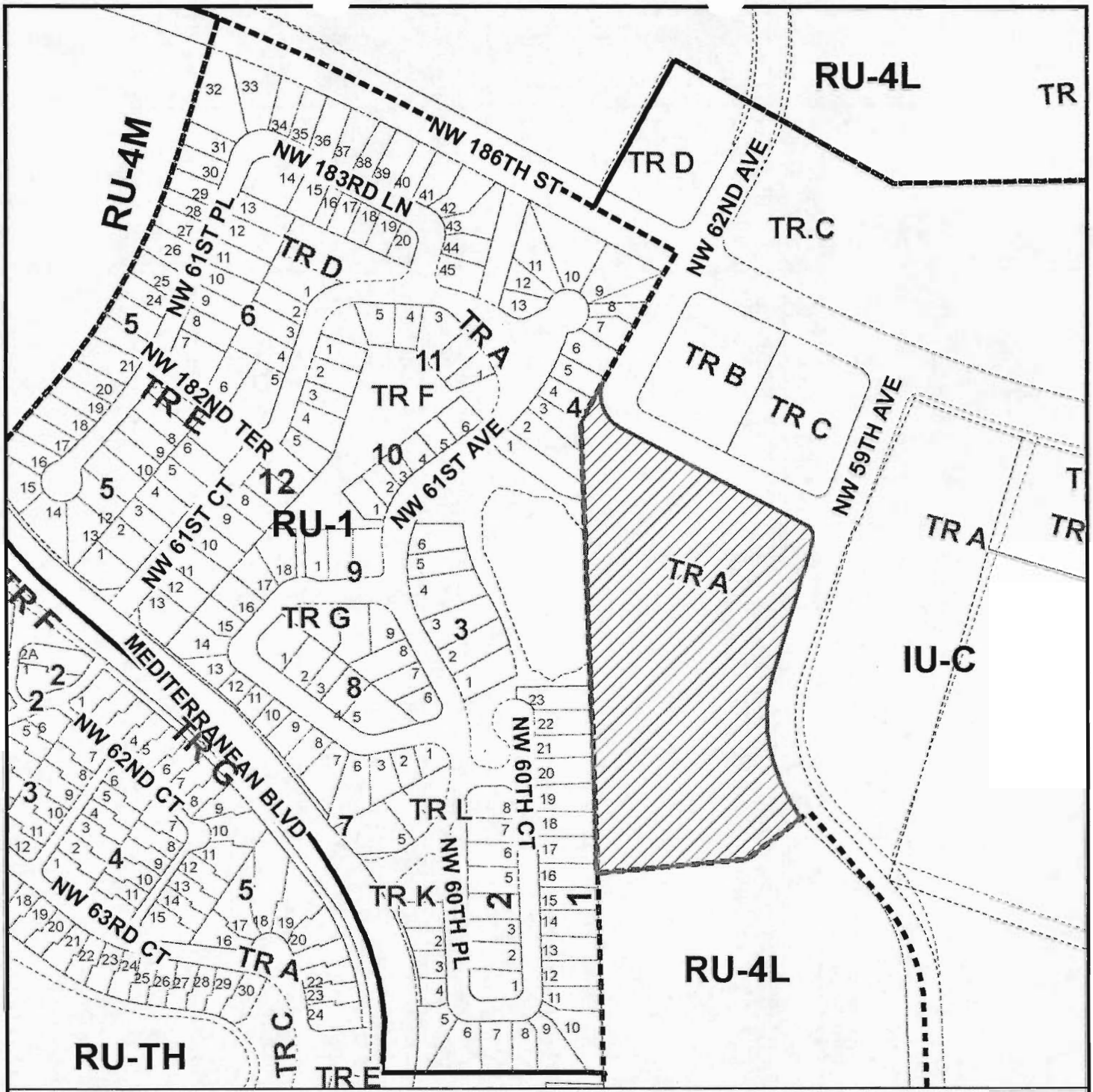

MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000089

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

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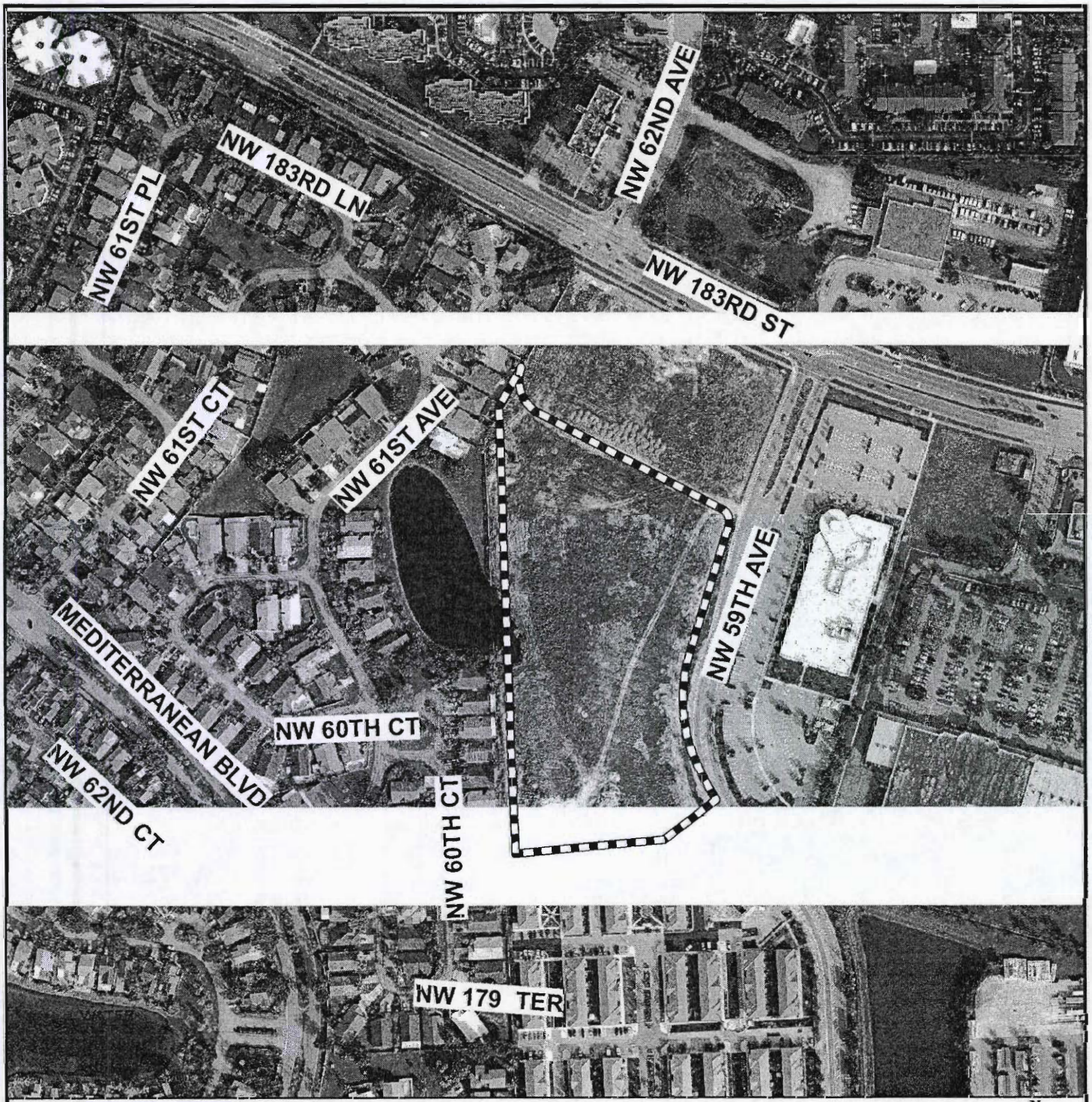
Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 1, 2012

REVISION	DATE	BY



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z2012000089

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend
Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY
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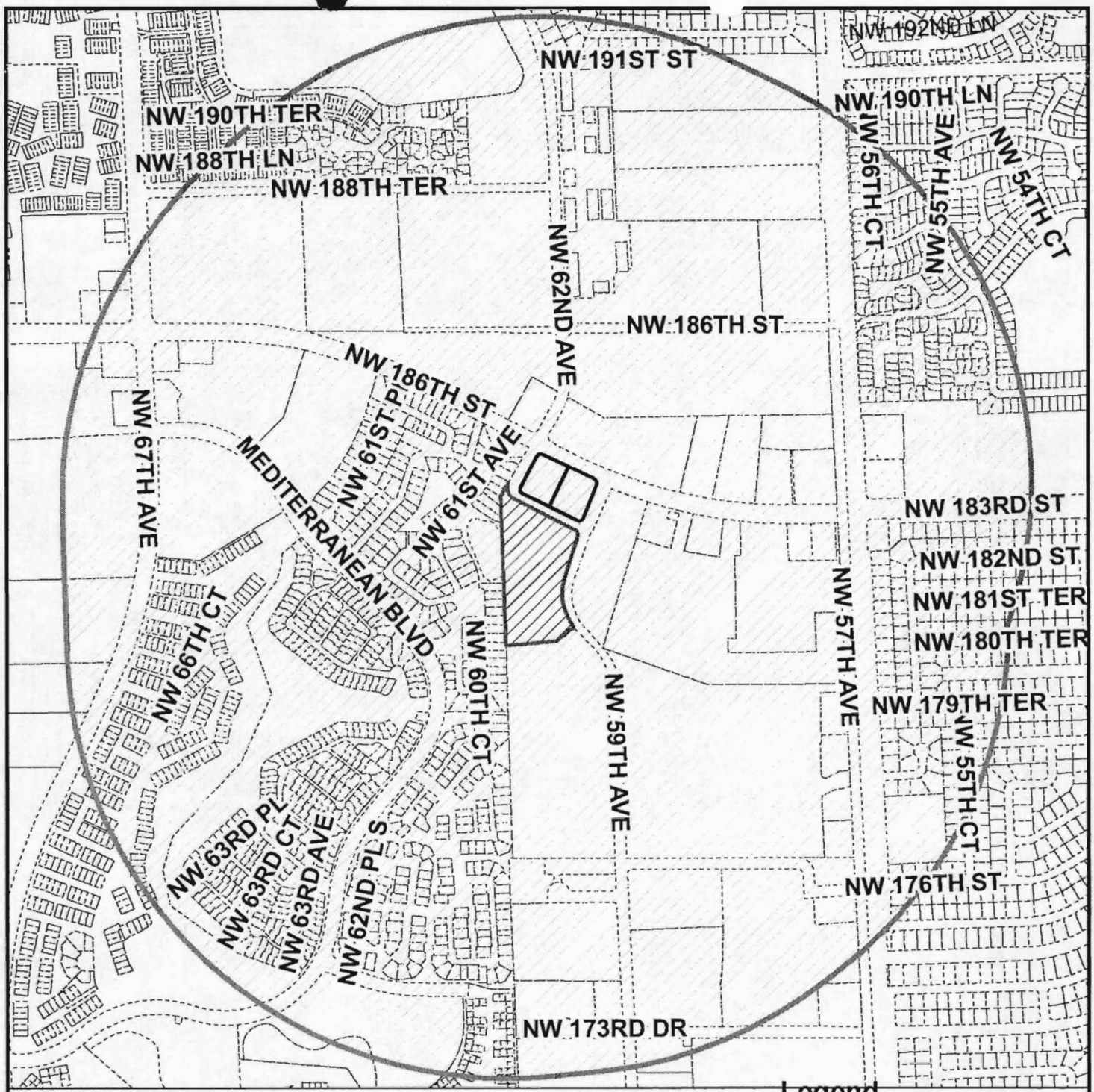

MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000089

RADIUS: 2640

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

- Subject Property
- Contiguous Properties
- Buffer
- Street (Centerline)
- Property Boundaries

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY

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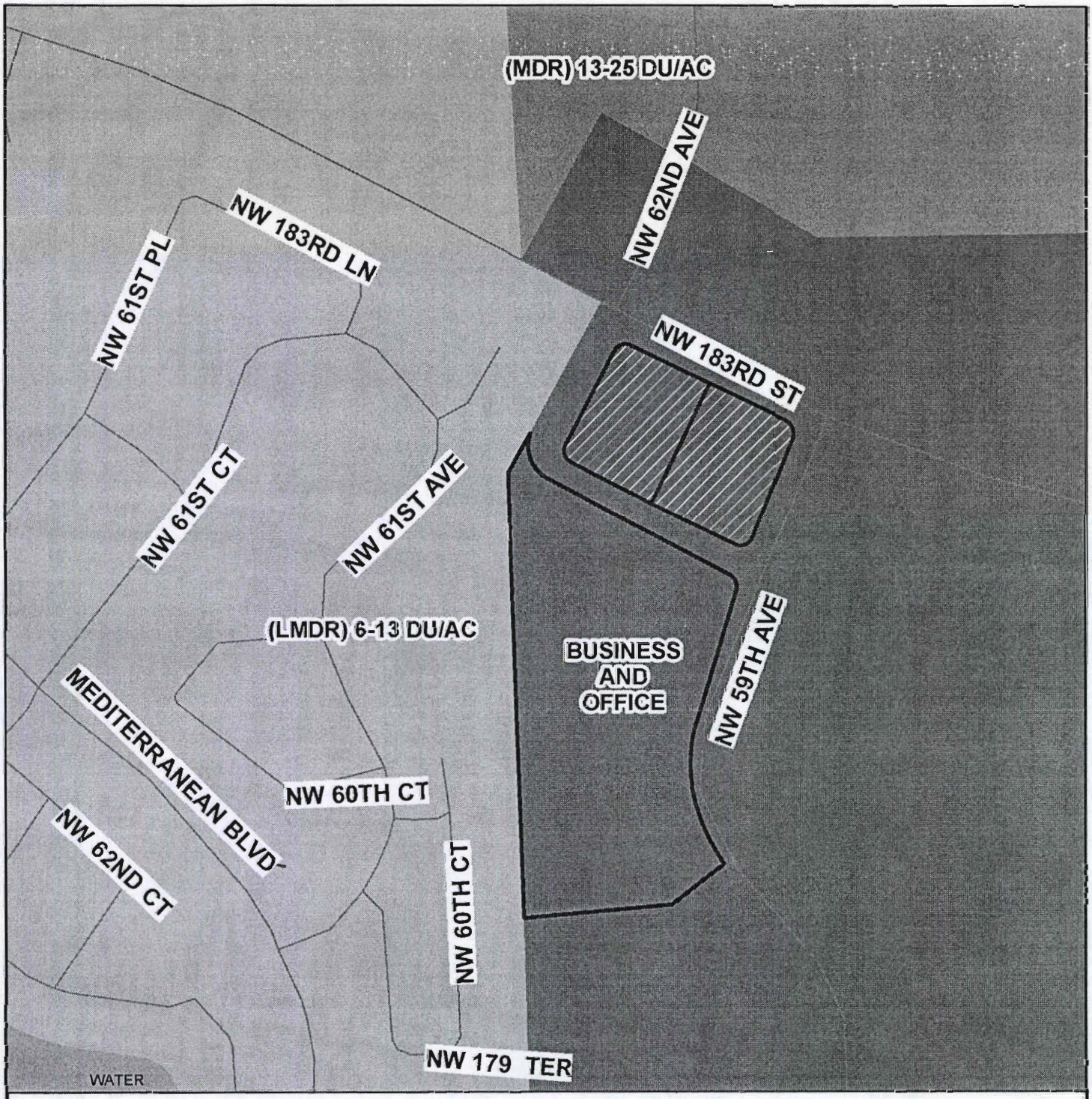

MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000089

N
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Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 5

PH: Z12-089 (13-1-CZ5-1) **January 17, 2013**
Item No. 1

Recommendation Summary	
Commission District	1
Applicant	Miami Gardens Park, LLC
Summary of Requests	The applicant is seeking to allow a zone change to RU-4L in order to develop the parcel with a multi-family residential apartment complex. Additionally, the applicant seeks delete restrictions on the development of the west portion of the parcel, to permit the filling of an existing lake encroaching onto the property as well as to allow an entrance feature and to permit the development with a reduced setback from the rear property line.
Location	Lying west of NW 59 Avenue and south of theoretical NW 182 Lane, Miami-Dade County, Florida.
Property Size	8.2 gross acres
Existing Zoning	IU-C, Conditional Industrial District
Existing Land Use	vacant
2015-2025 CDMP Land Use Designation	Business and Office *(see attached Zoning Recommendation Addendum)*
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change, Section 33-311(A)(3), Special Exception, Unusual use and New Uses, Section 33-311(A)(4)(b), Non-Use Variance standards Section 33-311(A)(7) Generalized Modification Standards *(see attached Zoning Recommendation Addendum)*
Recommendation	**Approval, of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.**

REQUESTS:

(1) DISTRICT BOUNDARY CHANGE from IU-C to RU-4L.

(2) DELETION of Declaration of Restrictions recorded in Official Records Book 11507 Pages 577-581, only as it applies to the subject property.

The purpose of the request is to remove the requirements that call for a 50' no building area, a 50' greenbelt open space and a 10' utility easement along the west property line.

(3) UNUSUAL USE to permit an entrance feature; to wit; an entrance feature consisting of decorative masonry walls 8' in height and signage.

(4) UNUSUAL USE to permit the filling a portion of an existing lake.

(5) NON-USE VARIANCE of setback requirements to permit certain buildings setback 15' from the rear (south) property line (25' required).

(6) NON-USE VARIANCE of spacing requirements to permit the clubhouse to be spaced a minimum 23'-8" (20' required) from other residential buildings

(7) NON-USE VARIANCE of spacing requirements to permit certain residential buildings to be spaced 16' (20' required) from each other.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet, with all plans dated stamped, received 10/25/12. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The submitted plans depict the proposed 178 unit, multi-family residential development consisting of the sixteen (16), two (2)-story apartment buildings, a clubhouse and parking areas on the approximately 8.2-acre parcel.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	IU-C; vacant land, lake	Business and Office
North	IU-C; vacant land	Business and Office
South	RU-4L; apartments	Business and Office
East	IU-C; office park	Business and Office
West	RU-1;single-family residences, lake excavation	Low-Medium Density Residential (6 to 13 dua)

NEIGHBORHOOD COMPATIBILITY:

The 8.2-acre subject property is a vacant parcel containing a portion of a small lake. The subject property is surrounded by an existing office park to the east, an apartment complex to the south, single-family residences and a lake excavation to the west and a vacant IU-C zoned parcel to the north.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to develop the parcel in accordance with the proposed RU-4L, Limited Apartment House District regulations and provide the community with additional multi-family residences in this area. However, since the site is vacant the proposed development of the residential site could have traffic impacts on the surrounding residential and commercial developments in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The applicant seeks to permit the rezoning of the subject parcel from IU-C to RU-4L (request #1). The CDMP Land Use Plan (LUP) map designates the subject 8.2-acre property for Business and Office use. The Business and Office category *accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, entertainment and cultural facilities, amusements and commercial recreation.* However, the

CDMP Land Use Element interpretative text for the Business and Office use states that *residential uses, and mixing of residential use with commercial, office and hotels are also permitted in business and office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed-use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met, residential development may be authorized to occur in the business and office category at a density up to one density category higher than the LUP map's designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.* The adjacent residential property to the west is designated for Low-Medium Density Residential use, 6 to 13 units per gross acre on the CDMP Land use plan map. For the reasons stated below, based on the CDMP Land Use Element interpretative text for the Business and Office category, the subject property would be allowed to develop one category higher, at the Medium Density Residential category which allows residential development at 13 to 25 units per gross acre. This would allow the applicant to develop the 8.2-acre site with minimum of 106 residential units and at a maximum of 205 residential units. This application would permit the applicant to provide additional housing for the community. RU-4L zoning permits the development of 23 units per acre, which would allow a total of 188 units on this site. Plans submitted by the applicant indicate the proposed development of the site with a maximum of 178 residential units or 21 units per acre. Staff notes that this is below the maximum of 25 units per acre allowed by the CDMP Land Use Element interpretative text for the Business and Office category and the maximum of 23 units per acre allowed by the RU-4L zoning district.

Staff is of the opinion that the submitted site plan conforms with the CDMP Land Use Element's interpretative text for the Business and Office land use category that states that *any residential proposal in Business and Office designated parcels not be out of character with the surrounding community, not detrimentally impact adjacent development and zoning and provide a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.* Further, CDMP land Use Element, **Policy LU-4A** states that when evaluating compatibility among proximate land uses, the County shall consider such factors as height, bulk, and scale of architectural elements and parking among other things. The applicant is proposing to develop the property with a 178 unit residential apartment complex made up of sixteen (16) apartment buildings, a club house and an entrance feature. Additionally, the applicant seeks to delete a prior covenant as it applies to the subject property, which restricted development along the west 100' of the subject parcel (request #2), to permit and entrance feature (request #3) and the partial filling of a lake along the interior side (west) property line (request #4) along with request for a variance to the setback requirements (request #5). The site plan incorporates principles of urban design such as architecturally defined blocks and open spaces in the form of greens and squares. The squares are distributed throughout the site to offer areas for social encounters and for recreation. Landscaping is used to buffer the proposal from adjacent uses as well as to reinforce the urban spaces created by the block and street design. Further, the parking areas are for the most part located central to the site and screened from the abutting roadways by the apartment buildings. The height and scale of the proposed buildings are also similar to the buildings in the adjacent development located to the south that was approved in January 2005 pursuant to Resolution #CZAB5-01-05. Additionally, the open recreational area abutting the portion of the lake that encroaches onto the subject parcel from the abutting property to the west provides a well-designed landscape open space that will provide the residents of the proposed development with a view of the lake and

compliments the views from the existing residential development to the west. Also, the applicant has provided liberal buffering in the form of a continuous hedge and a row of trees along the interior side (west) and rear (south) property lines that will mitigate any negative visual impact of the rows of apartment buildings located along said property lines on the residential developments to the west and south.

All of the design principles adopted in this development will create a neighborhood that is pedestrian-friendly and sympathetic to human scale as well. The applicant has diligently worked with staff in order to provide urban design principles and guidelines on the site plan. Staff is of the opinion that the proposed development has incorporated numerous principles of urban design as described in the adopted Miami-Dade Urban Design Manual to create a new development that will serve as a sensitive and well-designed transition between the commercial uses found to the east and the residential uses found to the west. Staff opines that the proposed development including the lake fill, the entrance feature and reduced setbacks will be adequately buffered and will not have a negative visual impact on the surrounding properties or on passersby along NW 182 Street or NW 59 Avenue and therefore would satisfy the criteria for compatibility set forth in the CDMP Land Use Element, **Policy LU-4A**.

Therefore, staff opines that approval of the application is **compatible** with the area and therefore **consistent** with the CDMP Land Use Element interpretative text for residential uses and the density threshold permitted in **Business and Office** areas and the CDMP Land Use Plan map **Business and Office** designation for the subject property.

ZONING ANALYSIS:

The applicant seeks approval of a request for a zone change from IU-C to RU-4L (requests #1). In addition, the application seeks to approve other requests (requests #2 through #5) for the development of the site under the RU-4L zoning regulations which are contingent on the approval of the district boundary change.

For the reasons stated above, staff opines that when the applicant's request to rezone the 8.2-acre parcel to RU-4L (request #1), is analyzed under Section 33-311, District Boundary Change, along with request #2, to delete a declaration of restrictions that restricts development of the west portion of the parcel under Section 33-311(A)(7), Generalized Modification Standards and requests to permit an entrance feature with signage (request #3) and permit the filling of a portion of an existing lake (request #4), both reviewed under Section 33-311(A)(3), Special Exception, Unusual and New Uses, that the approval of the requests would be **compatible** with the commercial, single and multi-family residential uses in the surrounding area.

Staff notes that based on the memorandum from the Public Works and Waste Management Department, the approval of the aforementioned requests #1 through #4 would efficiently use the roads, streets and highways which have been constructed, planned or budgeted for in this area and further, would not result in excessive traffic. Their memorandum states that subject to conditions, the application meets the criteria for traffic concurrency for an Initial Development Order. In addition, staff notes that the subject property fronts onto NW 59 Avenue and NW 182 Street, and is located approximately 330' south of Miami Gardens Drive, 0.33 miles to the west of NW 57 Avenue, both of which are section line roadways that provide the parcel with connectivity to the east and west and north and south respectively. Similarly, the memorandum from the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources (RER) indicates that the approval with conditions of the aforementioned requests will not have an unfavorable impact on the environmental resources of

the County. Specifically, its memorandum indicates that a review of the application for compliance with the requirements of Chapter 24 of the Code indicated that the Level of Service standards as specified in the CDMP for potable water supply, wastewater disposal and flood protection are valid for this initial development order. As a condition for approval, the DERM memorandum further requires the applicant to demonstrate that the partial lake filling will not result in higher ground water level in the area. The Miami-Dade Fire Rescue Department (MDFRD) memorandum indicates that approval with conditions of the aforementioned requests will not unduly burden the MDFRD resources that exists or that are budgeted or planned for in this area.

Based on the aforementioned, staff recommends approval of request #1 under Section 33-311, District Boundary Change, and approval with conditions request #2 under Section 33-311(A)(7) Generalized Modification Standards and requests #3 and #4 under Section 33-311(A)(3), Special Exception, Unusual and New Uses.

When request #5 to permit certain buildings setback 15' (25' required) from the rear (south) property line is analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval with conditions will maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with same. Staff notes that the proposed site abuts a recently approved multi-family residential development located to the south. A review of the approved plans for this abutting development indicates that the buildings on this site are also setback 15' from the north property line. However, the north property line for said property is an interior side property line that only required a minimum 15' setback since the property fronts onto NW 59 Avenue. Although the subject property also abuts NW 59 Avenue, the frontage for the subject property is along NW 182 Street. As such, the south property line of the subject property is the rear property line and requires a 25' setback. Staff opines that the proposed development is similar in scale and height to the previously approved development to the south and that the proposed 15' setback for some of the buildings from the rear (south) property line allows for a uniform pattern of development that will not be visually intrusive to the surrounding area and will be **compatible** with same. Further, staff notes that the submitted plans indicate a landscape buffer containing a continuous row of hedges and trees along said property line which staff opines will mitigate any negative visual impact of the encroachment. **Staff therefore recommends approval with conditions of request #5 under the Section 33-311(A)(4)(b), Non-Use Variance standards.**

Staff opines that requests #6 and #7 are not needed for this application and were inadvertently advertised. As such, staff recommends the withdrawal of these requests.

ACCESS, CIRCULATION AND PARKING: The submitted plans indicate three (3) ingress/egress points along NW 59 Avenue and one (1) along NW 182 Street. The applicant has provided 37 more parking spaces than the required 304 parking spaces for the 178 unit residential development with adequate drives that connect to the aforementioned ingress/egress points.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval of request #1, approval with conditions of requests #2 through #5 and withdrawal of requests #6 and #7.

CONDITIONS FOR APPROVAL (For requests #2 through #5 only):

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, 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 "Proposed 178 Apartments for Miami Gardens Park" as prepared by Oscar J. Gonzalez Architect, consisting of 17 sheets, and "Lake Section" as prepared by Ludovici & Orange Consulting Engineers, Inc. consisting of 1 sheet, with all plans dated stamped, received 10/25/12.

3. That the use be established and maintained in accordance with the approved plan.

4. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

5. That no fill be permitted within the adjacent rights-of-way.

6. That if in the opinion of the Director the lakefill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicants as directed by the Director.

7. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources as well as the Public Works and Waste Management Department for the duration of the fill project

8. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Division of Environmental Resource Management of the Department of Regulatory and Economic Resources, as set forth herein, shall be used in the fill project.

9. That in order to insure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department of Regulatory and Economic Resources, payable to Miami-Dade County, in an amount as may be determined and established by the Director of the Department of Regulatory and Economic Resources; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have

an interest in the land, such as mortgagees, etc. The bond amount shall be based on the volume of cut required to create the approved slope configuration.

10. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

11. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

12. That the fill project shall meet all storm water management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

13. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the previously approved excavation plans and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is demonstrated as to the delay in completing the filling of the excavation. In no event shall such extension allow the fill project to continue beyond three (3) years after issuance of the permit.

14. That the property shall be suitably posted to meet with the approval of the Director; said posting shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

15. That the property shall be staked to meet with the approval of the Director of the Department of Regulatory and Economic Resources; said stakes shall be maintained in proper position so that the limits of the lake fill, slopes and grade levels may be easily determined.

16. That all Federal, State and local permits be obtained prior to commencement of the lake fill. In the event that any Federal, State or local permit is revoked or otherwise held to be invalid, the lake fill operation shall immediately cease.

17. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than three (3) years from issuance of the fill permit;

18. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Department of Regulatory and Economic Resources.

19. That the applicant shall be permitted to operate between the hours of 7:00 A.M. and 5:00 P.M. on weekdays; Saturday and Sunday operation and/or other hours of operation than

7:00 A.M. to 5:00 P.M., may be permitted by the Director only if the same does not become objectionable, in his opinion, to the surrounding area.

20. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the lakefill operation progresses. In accordance with this requirement, the applicants shall submit "as built" surveys prepared and sealed by a Florida licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the lake fill operation or at six-month intervals, whichever is of a lesser duration, or upon request of either the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources when it appears that the lake fill is proceeding contrary to approved plans.

21. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda that are incorporated herein by reference.

22. That any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.

ES:MW:NN:AN:CH

Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

NDN

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No comment
Schools	No objection
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Business and Office (Page I-41)	*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 (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 factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.* *Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.* ***Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher.*** *If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.*

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

Land Use Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	(A) *The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.* *(F)* ***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.*
Section 33-311(A)(3) Special Exception, Unusual and New Uses.	*Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other*

ZONING RECOMMENDATION ADDENDUM

Miami Gardens Park, LLC
Z12-089

	equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	*Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*
Section 33-311(A)(7) Generalized Modification Standards.	*The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.*

1. MIAMI GARDENS PARK, LLC
(Applicant)

13-1-CZ5-1 (12-089)
Area 5/District 1
Hearing Date: 01/17/13

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
1982	1000 Brickell, Inc.	-Zone change fro AU, RU-3M and RU-4L to IUC. -Unusual use for a lake excavation -Deletion conditions of Resolutions	BCC	Approved with Condition(s)

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.

Memorandum

MIAMI-DADE COUNTY

Date: September 5, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: #Z2012000089-1st Revision
Miami Gardens Park, LLC
SW Corner of NW 182nd Lane and NW 59th Avenue
Zone Chance from IU-C to RU-4L; Modification of a Previous Agreement; Unusual Use to Permit and Entrance Feature; and Unusual Use to Permit the Filling of a Lake
(IU-C) (8.2 Acres)
12-52-40

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application 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.

Be advised that the water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

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 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 alternate means of sewage disposal. Use of an alternate 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

The proposed site plan does not match the previously approved paving and drainage plans under the existing Environmental Resource Permit number 13-03926-P issued by the Department. Therefore, a letter of permit modification is required. This letter must be obtained prior to the Department Plan Review and Development Approval.

The applicant shall demonstrate that partial filling of the existing lake will not result in higher ground water level in the surrounding area.

Any development in the post filling operation shall be required to conform to the conditions of a Surface Water Management Permit issued by the Department.

Wetlands

This property is part of Class IV Wetland Permit FW 00-083 which was issued for the filling of 0.037 acres of wetlands for a roadway between NW 186th Street and NW 177th Street. The permit expired on March 26, 2006. However, prior to the expiration date, 0.018 acres of wetlands were filled. The remainder 0.019 acres of wetlands were permitted under the same permit number (Class IV Wetland Permit FW00-083) on January 22, 2007, and expired on January 22, 2009. An on site inspection performed by staff on August 13, 2010 revealed that the wetlands on site were filled prior to the permit expiration date.

Therefore, this Section has no objection to the scheduling of this zoning application provided that no impacts occur beyond what was permitted on this site.

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

From 2007 to 2009 tree resources have been removed from this property without first obtaining the required Miami-Dade County Tree Removal/Relocation Permit. Consequently, the property owner shall be required to obtain an After-the-Fact Tree Removal/Relocation Permit. The applicant is advised that enforcement action may be forthcoming as a consequence of the violation. Section 24-49 of the Code requires the preservation of tree resources. Therefore, this Department will require the preservation of all the specimen-sized trees (trunk diameter 18 inches or greater) as defined in the Code, on the site.

A Miami Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is advised to contact the Tree Permitting Program at (305)-372-6600, voice option #2, for permitting procedures and requirements prior to development of site and landscaping plans.

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

A concurrency review has been conducted 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 written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

REVISION 1

PH# Z2012000089

CZAB - C05

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MIAMI GARDENS PARK, LLC

This Department has no objections to this application.

This land requires re-platting in accordance with Chapter 28 of the Miami-Dade County Code. Any road dedications and improvements required will be accomplished thru the recording of a plat.

A re-plat is required to remove a 10 foot utility easement along the western boundary of the property where the 4 buildings are proposed.

Additional improvements may be required at time of permitting/platting.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 117 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
F-1233	Miami Gardens Dr. e/o NW 57 Ave.	B	B
F-2516	Miami Gardens Dr. w/o NW 57 Ave.	E	E
F-1190	NW 57 Ave. s/o NW 173 Dr.	E	E
F-2514	NW 57 Ave. n/o NW 183 St.	B	B

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-SEP-12

Memorandum

MIAMI-DADE COUNTY

Date: August 8, 2012

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From: Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: DIC #12-089
Miami Gardens Park,LLC

Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #12-089
Miami Gardens Park, LLC

Application: ***Miami Gardens Park, LLC*** is requesting a district boundary change from Industrial (IU-C) to Limited Apartment House District (RU-4L) to develop 180 residential dwelling units on the property, in the form of a gated community, to be distributed among 16 buildings. The applicant also requests a modification to an existing covenant to delete Declaration of Restrictions recorded in O.R. Book 11507, at Page 577 and unusual use permits to allow for a guardhouse, gate, and to fill a lake.

Size: The subject property is approximately 8.2 acres.

Location: The subject property is approximately located at the SW corner of NW 182 Lane and NW 59 Avenue, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 12, 2011, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The development of a gated community comprised of 180 residential dwelling units among 16 buildings will likely be considered development for a "multi-family residential establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Multi-family Units

Regarding **multi-family units, Section 15-2.2a** requires "every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below."

1) Newspaper
2) Glass (flint, emerald, amber)
3) Aluminum cans
4) Steel cans
5) Plastics (PETE, HDPE-natural, HDPE-colored)

Section 15-2.2b states the failure of a multi-family residential establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner(s) shall be liable, provided, however, that in the case of a condominium or cooperative apartment having a condominium association or cooperative apartment association, said association, rather than individual unit owners, shall be liable for any such violation.

Applicants are ***strongly*** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling programs must be made directly to the Department at 305 514-6666.

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development associated with this project ensure that either of the following criteria be present in project design plans and circulation operations to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends").
b. "T" shaped turnaround 60 feet long by 10 feet wide.
c. Paved throughway of adequate width (minimum 15 feet).

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle accesss. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

Memorandum

MIAMI-DADE COUNTY

Date: November 13, 2012

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief M.N.
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2012000089: MIAMI GARDENS PARK, LLC
Includes plans dated stamped received through 10/25/12.

Application Name: MIAMI GARDENS PARK, LLC

Project Location: The site is located west of NW 59 AVENUE and south of theoretical NW 182 LANE, Miami-Dade County. Review includes plans dated stamped received through 10/25/12.

Proposed Development: The applicant is requesting approval for a district boundary change from IU-C to RU-4L for development of 180 dwelling units and a centralized clubhouse. An unusual use to permit an entry feature for a guardhouse and gate and to fill a portion of a lake is requested. Also requested is a modification of an existing covenant.

Impact and demand: The proposed development consisting of 180 dwelling units generates the need for approximately 1.36 acres of parkland based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population. The site is located in Park Benefit District 1 which has a surplus of 310.91 acres of local parkland and therefore meets concurrency when analyzed in terms of (2.75) acres per 1,000 unincorporated areas residents within this Park Benefits District. The Department has no objection to this application.

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space.

Current Park Benefit District Area Conditions: County-owned local parks that are within three miles of the subject application are described in Table A which lists the name, type and acreage for each park. The nearest park to the application is Country Village Park which is located .5 miles northwest of the site.

Table A - County Parks (local only)
Within a 3 Mile Radius of Application Area.

Park Facility	Classification	Acreage
Lake Stevens Park	NEIGHBORHOOD PARK	11.75
Country Village Park	COMMUNITY PARK	16.74
Country Club of Miami Tot Lot	MINI-PARK	0.30
Country Lake Park	COMMUNITY PARK	19.20
Acadia Park	NEIGHBORHOOD PARK	5.99
North Glade Park	COMMUNITY PARK	3.98
Spanish Lake	NEIGHBORHOOD PARK	6.37

Country Club of Miami South Park	COMMUNITY PARK	88.29
Norman & Jean Reach Park	COMMUNITY PARK	19.28
North Pointe Community Ctr.	COMMUNITY PARK	5.58
Area 1176	MAINTENANACE AREA	35.38
Area 262	MAINTENANCE AREA	34.37

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

REVISION 1

Memorandum

Date: 06-NOV-12

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2012000089

Fire Prevention Unit:

This memo supersedes MDFR memorandum dated 07/19/12.
APPROVAL
No objection via Case # Z2012000089 with the following condition:
A Knox key switch required at entry gates.

Service Impact/Demand

Development for the above Z2012000089
located at Lying west of NW 59 AVENUE and south of theoretical NW 182 LANE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 0174 is proposed as the following:

180 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: 50.49 alarms-annually.
The estimated average travel time is: 6:32 minutes

Existing services

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

Station 1 - Miami Lakes - 16699 NW 67 Avenue
Rescue, ALS Aerial

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 Letter of Intent. Substantial changes to the Letter of Intent will require additional service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 06-NOV-12
REVISION 1

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

MIAMI GARDENS PARK, LLC

APPLICANT

Lying west of NW 59 AVENUE and south of theoretical NW 182 LANE, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2012000089

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY; NC: No open cases. Prior case opened September 21, 2012 for overgrown vacant lot and a warning was issued. Reinspection was done on October 18, 2012 and case closed because corrected by owner. BNC: No bss cases opened/closed.

Miami Gardens Park LLC

OUTSTANDING FINES, PENALTIES, COST OR LIENS INCURRED PURSUANT TO CHAPTER 8CC:

REPORTER NAME:

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Miami Gardens Park, LLC

NAME AND ADDRESS	Percentage of Stock
Richard Rafuls	50%
Hector Marrero	50%
7901 West 25 Avenue, Bay 3	
Hialeah, Florida 33016	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

NAME AND ADDRESS	Percentage of Interest

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12-039
JUL 03 2012
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MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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 principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the 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.

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2012-057
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BY

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the 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.

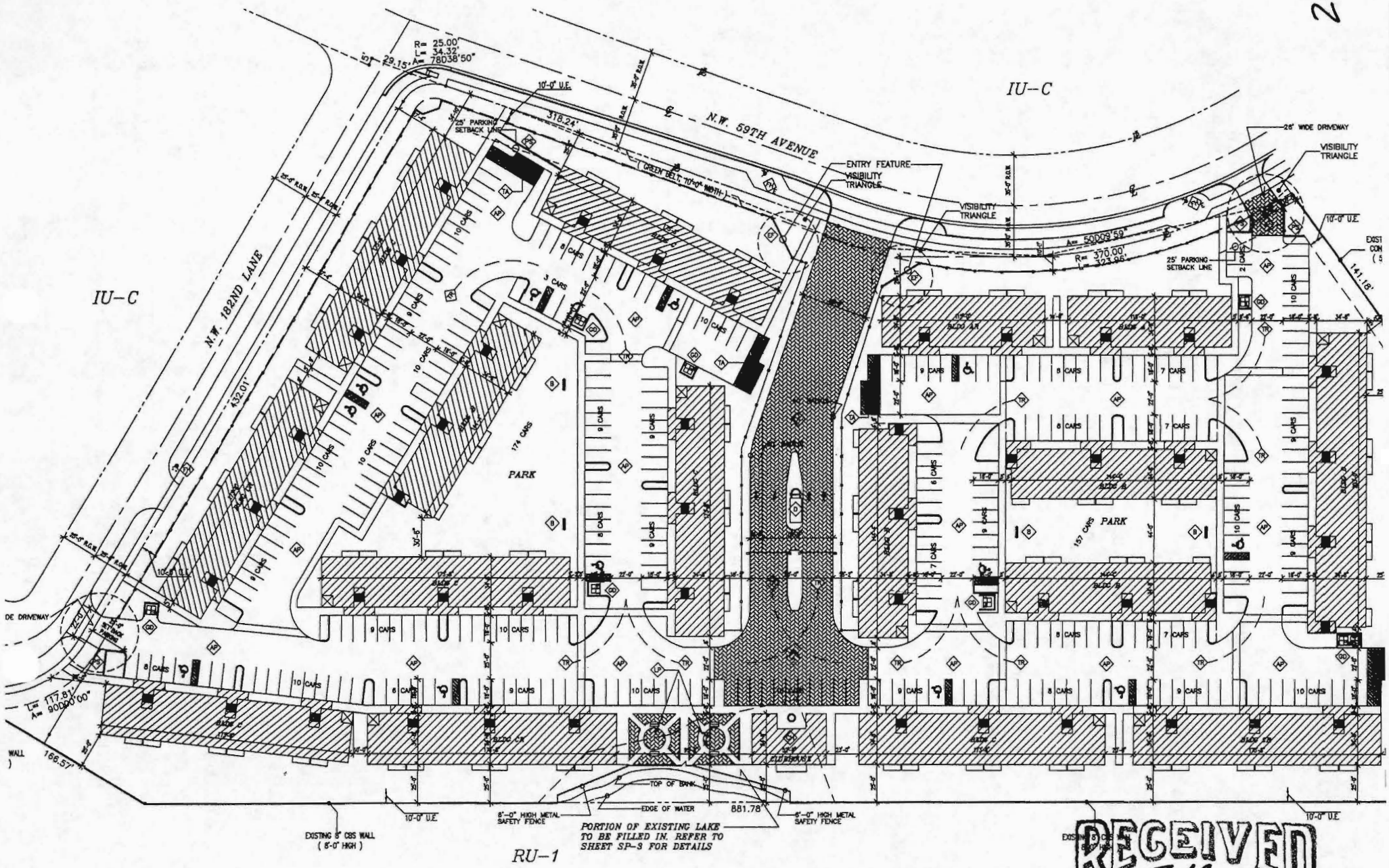
Signature: _____
(Applicant)

Sworn to and subscribed before me this 28th day of June, 2012. Affiant is personally know to me or has produced _____ as identification.

Clara Martinez
(Notary Public)
CLARA MARTINEZ
My commission expires: 05/01/16

Notary Public State of Florida
Clara Martinez
My Commission EE 166954
Expires 05/01/2016
Seal

*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.



GENERAL SITE PLAN

1"= 40'-0"

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Z12-87
OCT 25 2012
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MIAMI-DADE PLANNING AND ZONING DEPT.
BY

27

PROPOSED SITE PLAN ZONING LEGEND

1) ZONING	IU-C		
2) SITE AREA GROSS	6.830 ACRES =	297,549 SQ.FT.	
NET	6.830 ACRES =	297,549 SQ.FT.	
LAKE ACRES	N/A ACRES =	N/A SQ.FT.	
3) NO. OF FLOORS	7		
4) MAX. BUILDING HEIGHT	250'-0"	MAX. OR ALLOW.	PROVIDED
5) GROSS BLDG. COVERAGE OF ALL FLOOR	101,309 SF (34.05 %)	97,823 SF (32.9% CLUBHOUSE)	
6) LOT COVERAGE	30 % MAX.	32.9% (98,823 SF.)	
7) MIN. LANDSCAPE OPEN SPACE (LOS)	29% MIN.	35% (103,944 SF.)	
8) MIN. IMPERVIOUS PAVED AREA	46 % MAX.	65.8% (195,925 SF.)	
9) DENSITY / NET ACRE	25 ACRE	31.7/G1 ACRE	
10) TOTAL No. UNITS	175	(50 @ 1 BR 2 BDR UNITS & 92 BDR UNITS)	
92 UNIT A 1 BEDROOM UNITS @ 850 SQ.FT. =		78,200 SQ.FT.	
116 UNIT B 2 BEDROOM UNITS @ 960 SQ.FT. =		111,360 SQ.FT.	
TOTAL SQUARE FOOTAGE PROVIDED		167,246 SQ.FT.	
11) FLOOR AREA RATIO ALLOWED (NOR = 175,675 SF)			
92 UNIT A 1 BEDROOM UNITS @ 850 SQ.FT. =		78,200 SQ.FT.	
116 UNIT B 2 BEDROOM UNITS @ 960 SQ.FT. =		111,360 SQ.FT.	
CLUBHOUSE	=	1,850 SQ.FT.	
LANDSCAPE ROOM (16 @ 45 SF.)	=	1,035 SQ.FT.	
TOTAL FLOOR AREA RATIO PROVIDED		170,266 SQ.FT.	
12) TOTAL PARKING REQUIRED	=	304 SPACES	
(ONE BDR. TYP.) 92 (1 BEDROOM) x 1.5 =		138 SPACES	
(TWO BDR. TYP.) 142 (2 BEDROOM) x 1.75 =		284 SPACES	
13) TOTAL PARKING PROVIDED	=	94 SPACES	910 SPACES
NOTE : EITHER 50 SPACES OF 4 FOOT PARKING SPOTS IS			1 HANDICAP
14) SEWAGE & WATER PROVIDED BY WASA.			
15) GARBAGE & TRASH PICK UP BY MIAMI DADE SANITATION COMPANY.			
*NOTE : GARBAGE REMOVAL TO BE DONE BY PRIVATE CONTRACTOR.			
*NOTE : WATER & SEWER BY MIAMI DADE W.A.S.A.			
16) BLDG. TYPE AND UNIT BREAKDOWN			
BLDG. A (1 UNITS) (BLDG. = 8 UNITS)		7,168 N/A @ 1 UNIT 8	
BLDG. AR (1 UNITS) (BLDG. = 8 UNITS)		7,168 N/A @ 1 UNIT 8	
BLDG. B (4 UNITS) (4 BLDGS. = 40 UNITS)		7,168 N/ @ 1 UNIT 8	
BLDG. C (3 UNITS) (6 BLDGS. = 72 UNITS)		7,168 N/A @ 1 UNIT 8	
BLDG. CR (3 UNITS) (3 BLDGS. = 36 UNITS)		7,168 N/A @ 1 UNIT 8	
BLDG. D (1 UNITS) (BLDG. = 11 UNITS)		7,168 N/A @ 1 UNIT 8	
TOTAL NUMBER OF UNITS = 175 UNITS			

LOT COVERAGE DATA

BLDG TYPE	NO. OF BLDGS	LOT COVERAGE
BLDG. A	1 BUILDINGS	4,231SF
BLDG. AR	1 BUILDINGS	4,231SF
BLDG. B	4 BUILDINGS	5,390SF
BLDG. C	6 BUILDINGS	8,347SF
BLDG. CR	3 BUILDINGS	8,347SF
BLDG. D	1 BUILDING	7,546SF
CLUBHOUSE	1 BUILDING	1,830SF

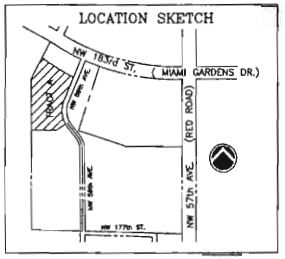
LOT COVERAGE CALCULATIONS

BLDG TYPE		
BLDG. A	1 @ 4,231 SF =	4,231 SF
BLDG. AR	1 @ 4,231 SF =	4,231 SF
BLDG. B	4 @ 5,390 SF =	21,560 SF
BLDG. C	6 @ 8,347 SF =	38,082 SF
BLDG. CR	3 @ 8,347 SF =	19,041 SF
BLDG. D	1 @ 7,546 SF =	7,546 SF
CLUBHOUSE	1 @ 1,830 SF =	1,830 SF
TOTAL LOT COVERAGE		98,823 SF

LEGAL DESCRIPTION

TRACT A OF GARDENS PARK
SUBDIVISION
PLAT BOOK 167 PAGE 29
OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY

LOCATION SKETCH



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OCT 25 2012
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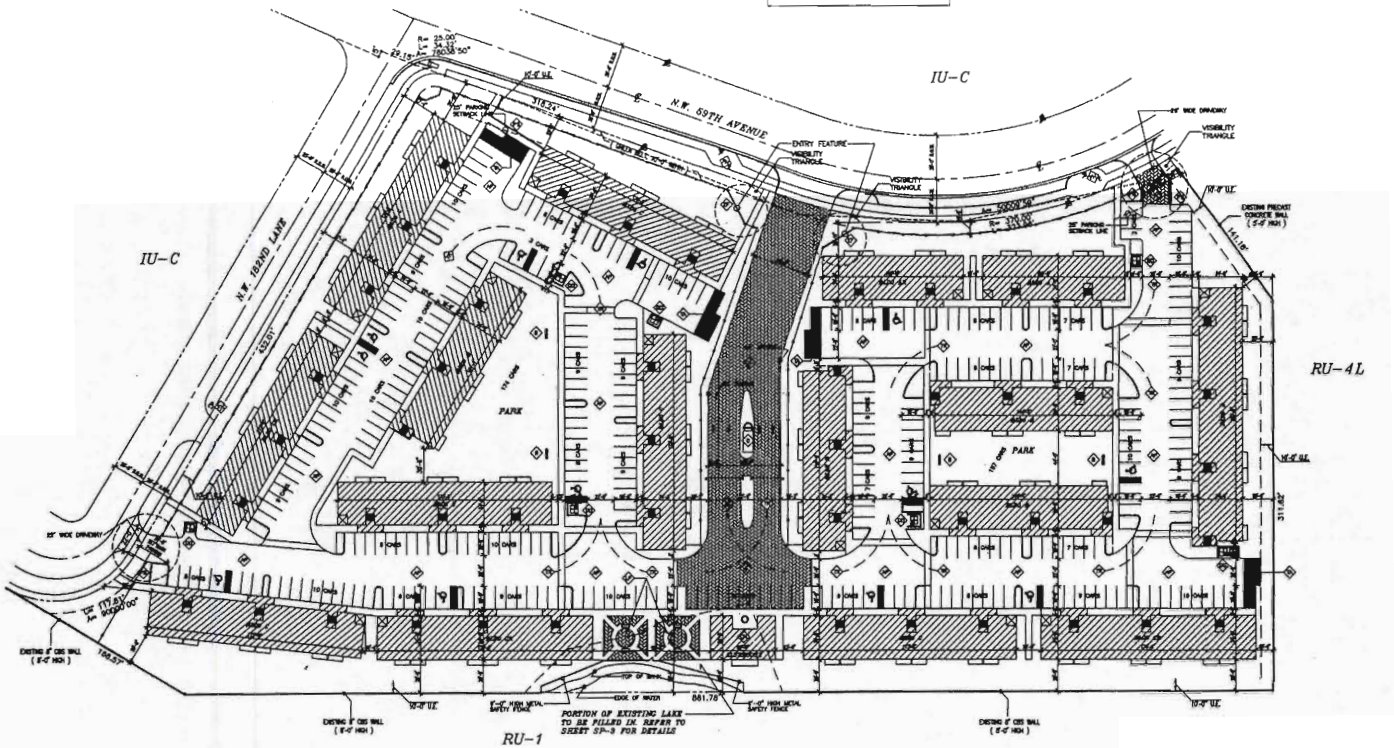
BY_____



GENERAL SITE PLAN
1"= 40'-0"

SITE PLAN SYMBOL LEGEND

ID	SYMBOL DESCRIPTTION
A	DENOTES LOCATION OF BRICK PAVERS
B	DENOTES LOCATION OF BICYCLE RACK
C	DENOTES LOCATION OF FOUNTAIN
AP	DENOTES LOCATION OF ASPHALT PAVING
GH	DENOTES LOCATION OF GUARDHOUSE SEE SHEET GH-1 FOR DETAILS
CH	DENOTES LOCATION OF CLUBHOUSE SEE SHEET CH-1 FOR DETAILS
TR	DENOTES 50' FIRETRUCK CL TURNING RADIUS
EF	DENOTES LOCATION OF ENTRY FEATURE
PS	DENOTES LOCATION OF 30" HIGH PARKING STALL SCREEN WALL
DD	DENOTES LOCATION OF GARBAGE DUMPSTER
TA	DENOTES LOCATION OF PARKING TURNAROUND AREA. TO BE STRIPPED AND LABELED AS NO PARKING TURNAROUND ONLY
LP	DENOTES LOCATION OF BRICK PAVERED LAKEVIEW PLAZA

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

GENERAL SITE PLAN

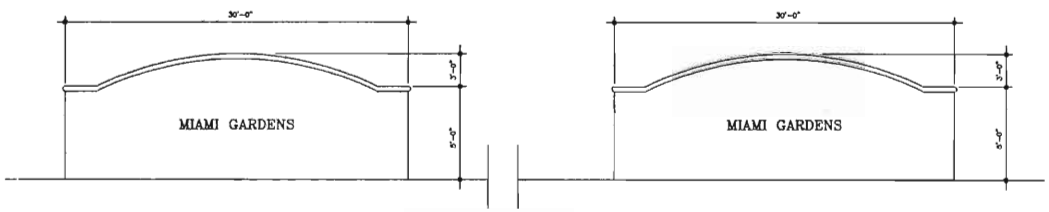
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 863-8661
JOB ADDRESS :

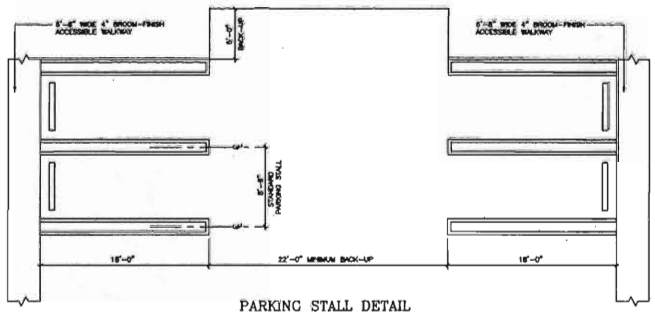
DATE	04/26/12
SCALE	AS NOTED
SHEET	OF
	SP-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

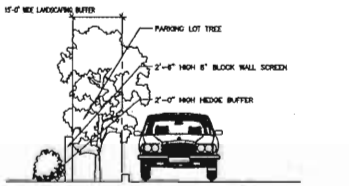
REVISIONS		
NO	DATE	BY
1	10/17/12	O.J.G
2		O.J.G
3		O.J.G



ENTRY FEATURE DETAIL



PARKING STALL DETAIL



PROPERTY-LINE PARKING SCREEN DETAIL

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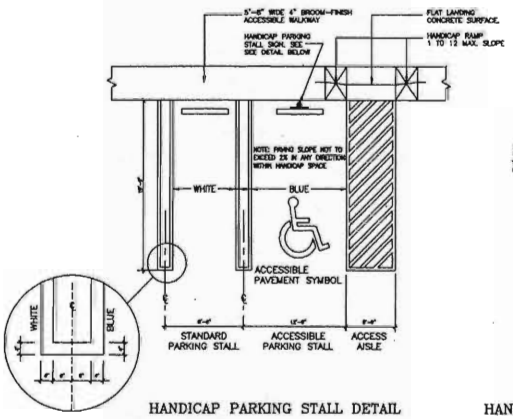
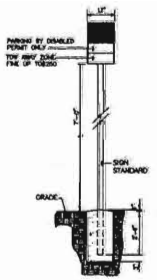
BY



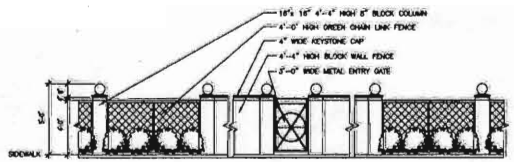
HANDICAP PARKING STALL DETAIL



HANDICAP PARKING SIGN DETAIL

HANDICAP PARKING SIGN NOTES:

1. TOP PORTION SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER.
2. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH WHITE OPAQUE LEGEND AND BORDER.
3. SIGN TO BE USED AS PER FLORIDA STATUTES. EACH SUCH PARKING SPACE SHALL BE CONSPICUOUSLY OUTLINED IN BLUE PAINT AND SHALL BE POSTED AND MAINTAINED WITH A PERMANENT ABOVE GROUND SIGN BEARING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY OR THE CAPTION "PARKING BY DISABLED PERMIT ONLY" OR BEARING BOTH SUCH SYMBOL AND CAPTION (SEE SIGN DETAIL). SUCH SIGNS SHALL NOT BE OBSCURED BY A VEHICLE PARKED IN THE SPACE. ALL HANDICAPPED PARKING SPACES MUST BE SIGNED AND MARKED IN ACCORDANCE WITH THE STANDARDS ADOPTED BY THE DEPARTMENT OF TRANSPORTATION.



FRONT PROPERTY-LINE FENCE DETAIL

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BY

SITE PLAN DETAILS

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

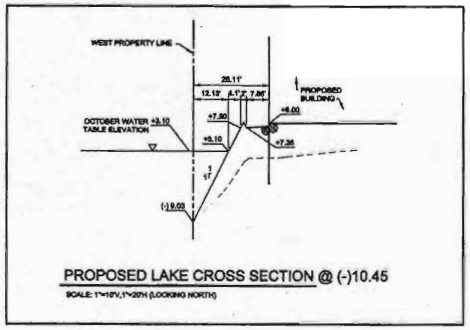
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
SP-2

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010706

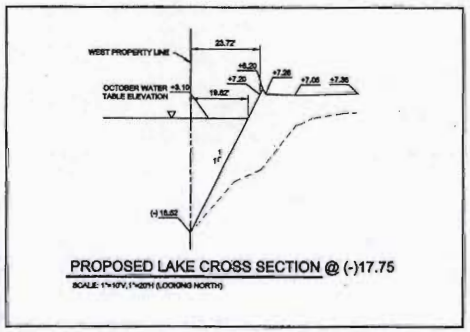
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

29



PROPOSED LAKE CROSS SECTION @ (-)10.45

SCALE: 1"=10'V, 1"=20'H (LOOKING NORTH)



PROPOSED LAKE CROSS SECTION @ (-)17.75

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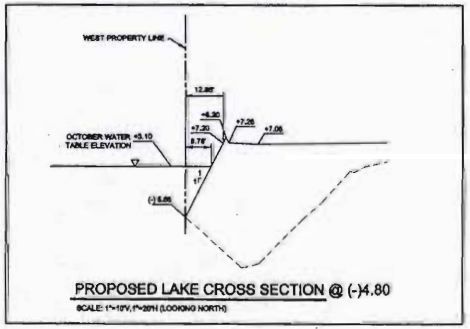

PROPOSED LAKE CROSS SECTION @ (-)4.80

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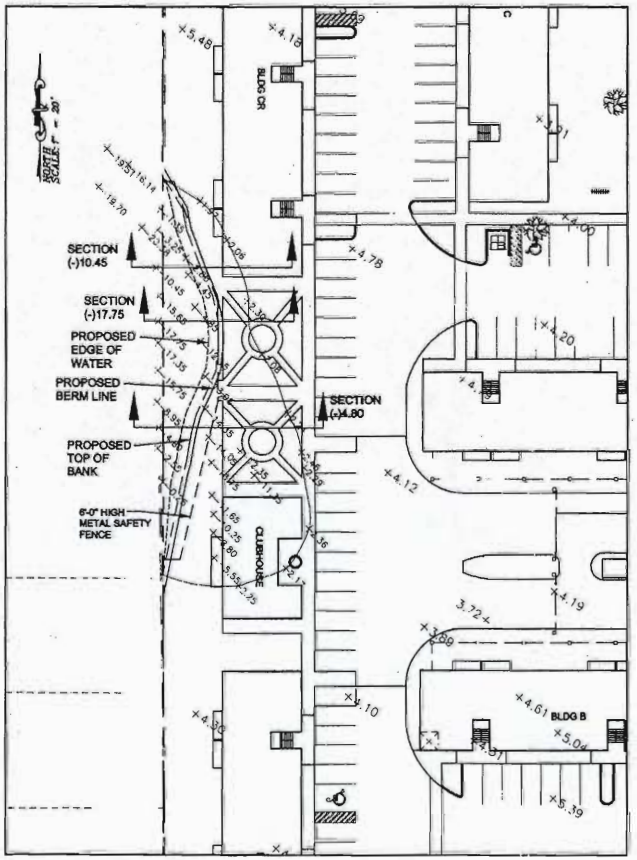

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BY

LAKE SECTION

EXHIBIT

GARDENS PARK

RAFULS & ASSOCIATES CONSTRUCTION COMPANY

LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.
329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 - 305/445-1500 - LB 1012

SEAL
10/22/12
ANDREW W. ADAMS
REGISTERED ENGINEER
STATE OF FLORIDA

DESIGNED: AWA
DRAWN: AWA
CHECKED: AWA
SCALE: AS NOTED
DATE: 10/15/12
PROJ. NO. 2005-12
SHEET SP-3 OF 3 SHEETS

RECEIVED
MIAMI-DADE COUNTY
PROCESSED 2.22-089
DATE: OCT 25 2012
BY: DAE

SYMBOL USED			PLANT NAME		NATIVE	CALIPER	HEIGHT	CANOPY	USE	QNTY
SYMBOL	NEW	EXISTING	SCIENTIFIC	COMMON	YES NO	INSTALLED	INSTALLED	INSTALLED		
	32	0		SILVER BUTTONWOOD	●	3" MIN.	12' MIN.	8' MIN.	LOT TREE	32
	35	15		MAHOGANY	●	3" MIN.	12' MIN.	8' MIN.	STREET TREE	35
	38	0		MAHOGANY	●	3" MIN.	12' MIN.	8' MIN.	LOT TREE	38
	56	0		MAHOGANY	●	3" MIN.	12' MIN.	8' MIN.	LOT TREE PARK. LOT	56
	24	0		GEIGER	●	3" MIN.	12' MIN.	8' MIN.	LOT TREE	24
	10	0		PINK TABEBUIA	●	3" MIN.	12' MIN.	8' MIN.	LOT TREE	10
	18 (2 PALMS=1 LOT TREE)			ROYAL POINCIANA	●	4" MIN.	12' MIN.	8' MIN.	LOT TREE	6
	17 (2 PALMS=1 LOT TREE)			FL. ROYAL PALM	●	3" MIN.	12' MIN.	8' MIN.	LOT TREE	8
	31			SPANISH STOPPER	●	3" MIN.	12' MIN.	8' MIN.	LOT TREE	31
	13	0		ANTILLIANUM	●	3" MIN.	12' MIN.	8' MIN.	LOT TREE	13
	2,800	0		OCIOPLUM	●	24" MIN. HEIGHT @ 24" O.C.			SHRUBS	2,800
				GROUND COVER	●	LINEAR			SHRUB/GROUND AREAS	
				SOD	●	ST. AUGUSTINE FLORSAM SOD			SHRUB/GROUND AREAS	

ZONING DISTRICT RU-4L NET LOT AREA: 357,349 SF 8.20 ACRES

OPEN SPACE

A. SQUARE FEET OPEN SPACE REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN:
NET LOT AREA = 357,349 S.F. X 25 % = 89,377 S.F.

B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED BY CHAPTER 18 A
TOTAL PARKING SPACES 344 X 10 S.F PER PARKING SPACE = 3,440 S.F.

C. TOTAL S.F. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33: A + B = 92,817 S.F.

LAWN AREA CALCULATION:

A. OPEN SPACE REQUIRED PER SECTION 33 OF ZONING CODE
NET LOT AREA = 357,349 S.F. X 25 % = 89,377 S.F.

B. PARKING LOT LANDSCAPE REQUIRED PER CHAPTER 18A-6(J)
TOTAL PARKING SPACES 344 X 10 S.F PER PARKING SPACE = 3,440 S.F.

C. ADD A + B = 92,817 SQ.FT. (TOTAL LAWN AREA REQUIRED) (102,559 S.F. PROVIDED)

D. MAXIMUM LAWN AREA (SOD) PERMITTED 60% OF A + B= 55,690 SQ.FT.

E. MAXIMUM LAWN AREA PROVIDED: 54,800 SQ.FT.

TREES:

	REQD	PROVD
A. NO. TREES REQUIRED PER NET LOT ACRE LESS EXISTING NUMBER OF TREES MEETING MINIMUM REQUIREMENTS 28 TREES @ NET LOT ACRES = 28 x 8.20 ACRES = 230 TREES	230	240
B. % PALMS ALLOWED: NO TREES PROVIDED / 2 X 30% =	36	36
% PALMS PERMITTED TO COUNT AS STREET TREES ON 1:1 BASIS X 30%	NA	NA
C. % NATIVES REQUIRED: NO TREES PROVIDED X 30% =	72	240
D. STREET TREES (MAXIMUM AVERAGE SPACING OF 35' O.C.): 1,225/35 = 35	35	35
E. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES (MAX. 25' O.C.): LINEAR FEET ALONG STREET / 25 =	NA	NA

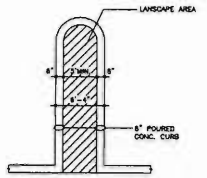
SHRUBS:

A. NO. TREES REQUIRED X 10 = NO. OF SHRUBS REQUIRED	2,750	2,800
B. NO. SHRUBS ALLOWED X 30% = NO. OF NATIVE SHRUBS REQUIRED	825	2,800

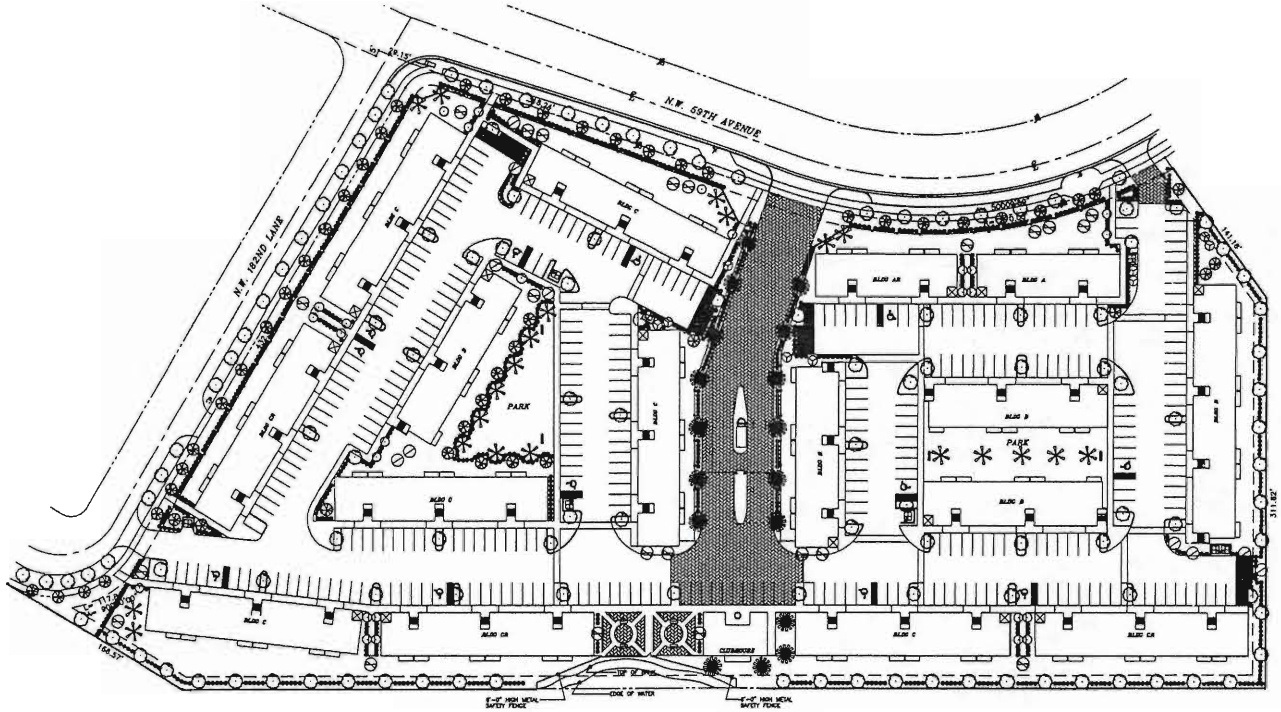
SPRINKLER SYSTEM REQUIRED YES

LANDSCAPING GENERAL NOTES

* LANDSCAPE PLAN TO BE INSTALLED IN COMPLIANCE WITH ALL LOCAL AND STATE LANDSCAPING CODES AND STANDARDS.
* PLANTING SOIL TO BE WEED, ROCK, AND ROOT FREE.
* ALL PLANTING BEDS TO BE SPRAYED WITH ROUND-UP PRIOR TO FINAL INSTALLATION AT THE JOB-SITE.
* GENERAL FERTILIZER (10-10-10 OR 8-8-8) CONTAINING TRACE ELEMENTS OF IRON AND MANGANESE TO BE APPLIED AT TIME OF FINAL PLANTING AT THE JOB-SITE.
* CONTRACTOR SHALL ADD 2 TWO OUNCE "CONTRACTOR PACKS "TERRA-SORB" SOIL ADDITIVE FOR EACH TREE, ADD ONE PACKET BACKFILL SOIL. SHRUBS SHALL BE PLANTED WITH 1/2 OUNCE "TERRASORB" PER FOUR (4) SQUARE FEET OF PLANTING AREA.
* ALL PLANTING BEDS AND TREE WELLS TO BE TOPPED WITH 2" MINIMUM EUCALYPTUS MULCH, GRADE A.
* ALL PLANT MATERIALS TO BE FLORIDA #1 GRADE OR BETTER. DEPT. OF AGRICULTURE GRADES AND STANDARDS, PART 1 & 2
* ALL TREES TO BE A MIN. OF 12' IN HEIGHT AT TIME OF PLANTING (UNLESS NOTED OTHERWISE ON PLAN WITH A 8' DIAMETER CROWN SPREAD. THERE WILL BE NO BRANCHING OF TREES BELOW 6'-0" ALONG ANY PEDESTRIAN OR ACCESSABLE ROUTE.
* SOD SHALL BE "FLORATAM" ST. AUGUSTINE LAID WITH ALTERNATING AND ABUTTING JOINTS. SOD TO BE PLACED GREEN SIDE UP ON 4" MINIMUM GRADED TOP SOIL.



PARKING LOT CURB DETAIL
TYPICAL TREE PLANTING
WELL DETAIL



LANDSCAPING PLAN
1"= 40'-0"

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2.12.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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2.12.89
OCT 15 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

LANDSCAPING PLAN

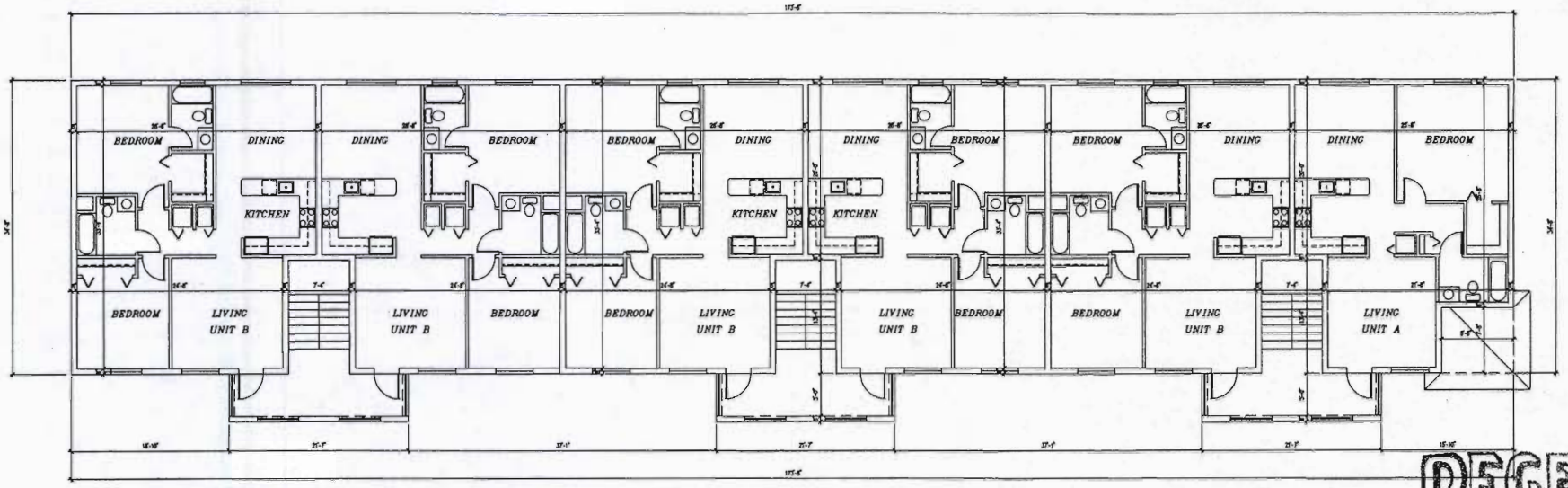
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
LS-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1	10/17/12	OJG
2		OJG
3		OJG



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
212. BG
OCT 2 5 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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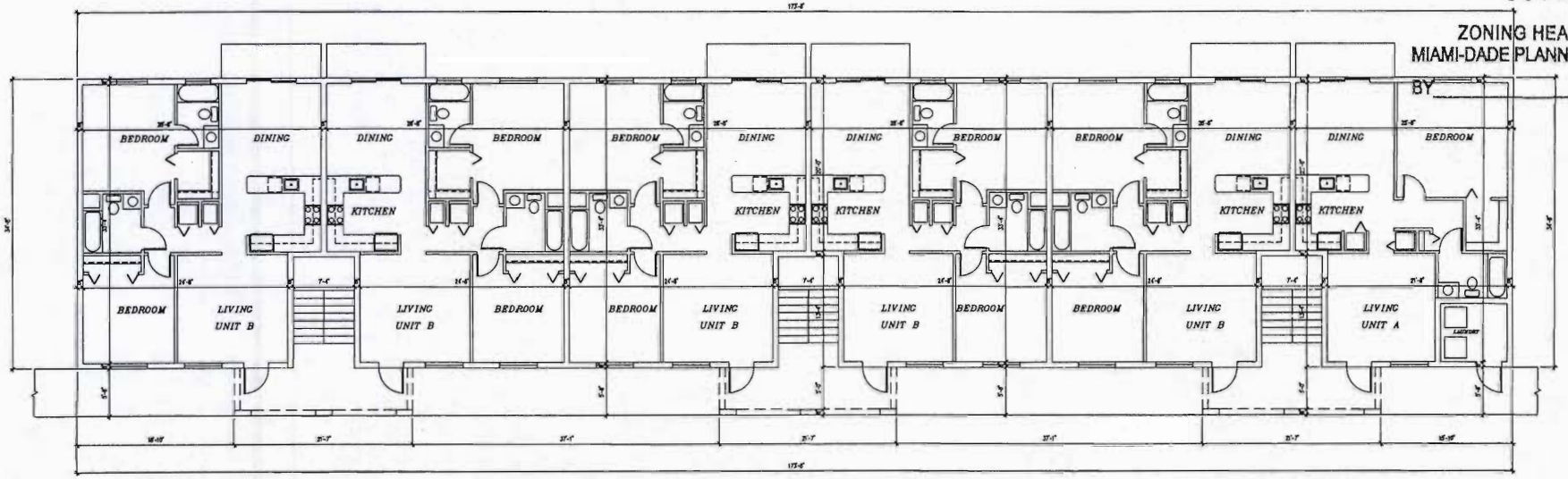


GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED

FLOOR PLAN BLDG C

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

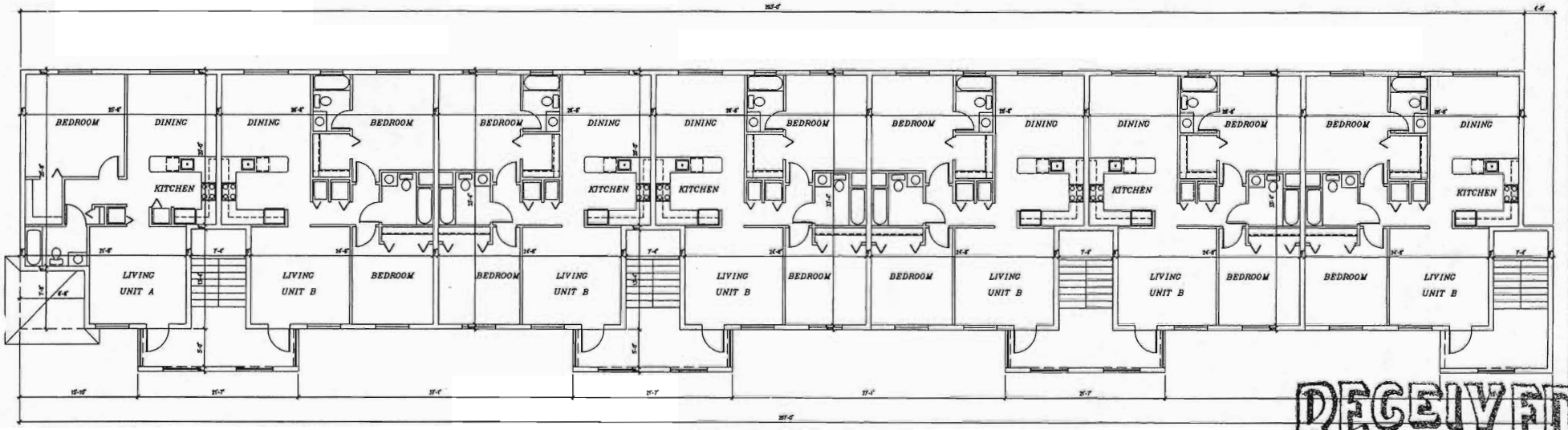
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-5

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 832-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

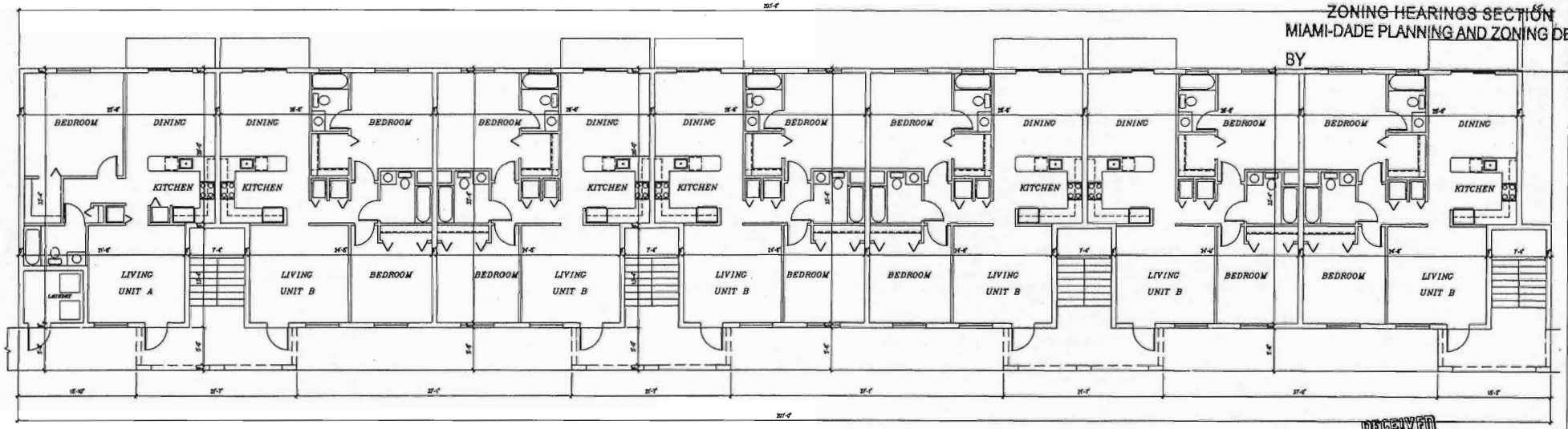
32



SECOND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
42.89
OCT 2 5 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
OCT 2 5 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

FLOOR PLAN BLDG D

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 26TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 885-8881
JOB ADDRESS :

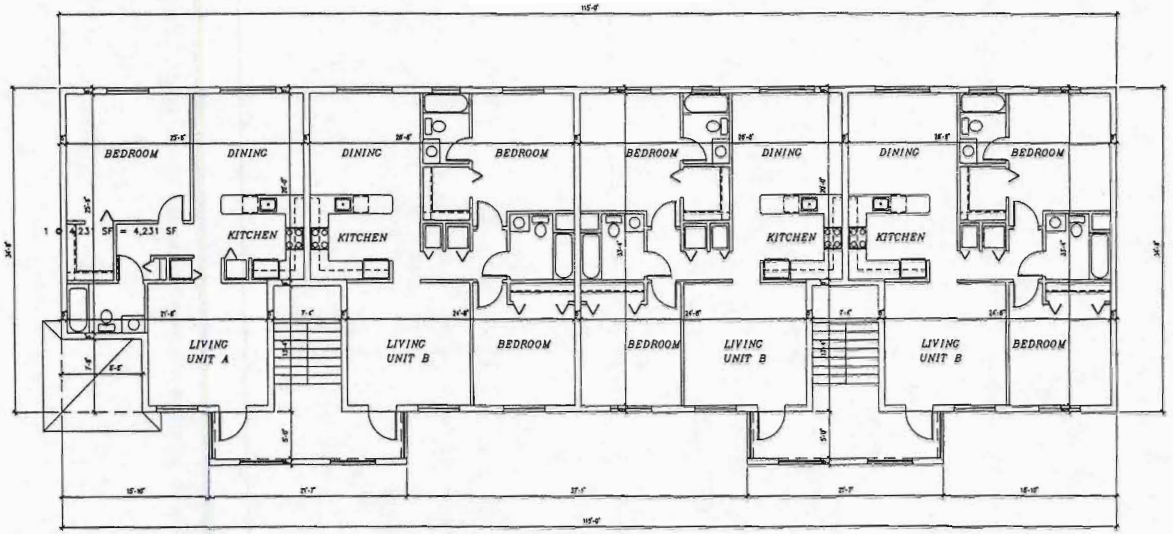
DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-6

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 26TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

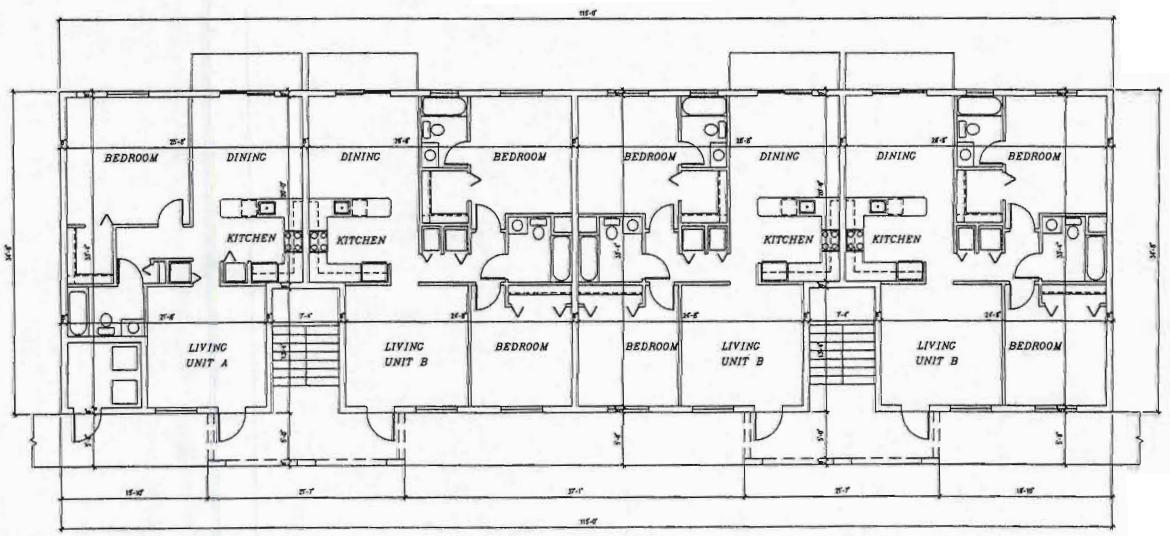
RECEIVED
MIAMI-DADE COUNTY
PROCESS #
DATE: OCT 25 2012
BY:

33



SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
212.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
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OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

FLOOR PLAN BLDG A

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

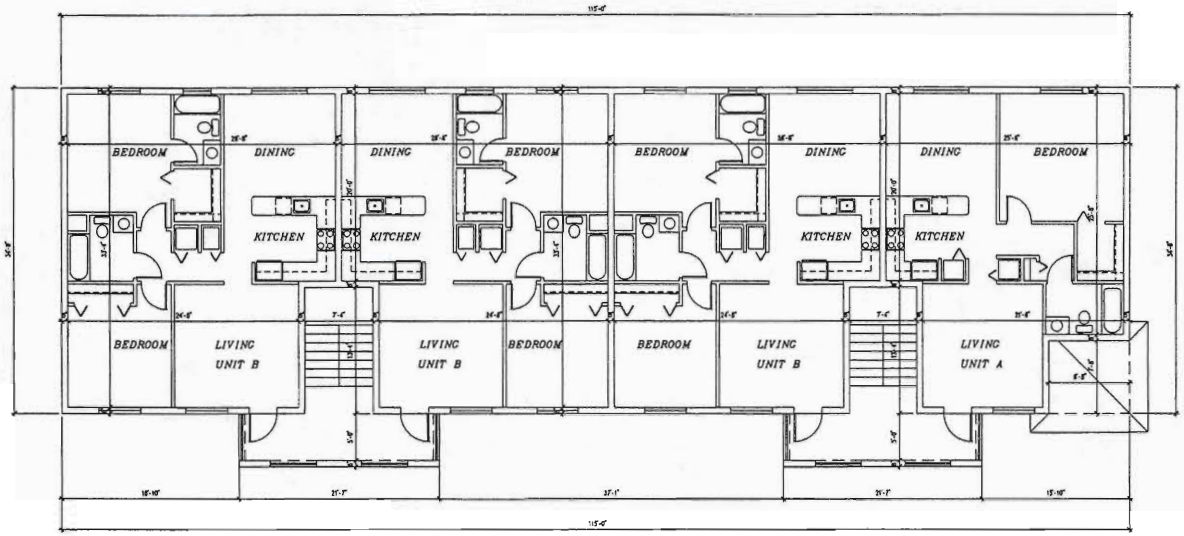
DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
A-1	

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

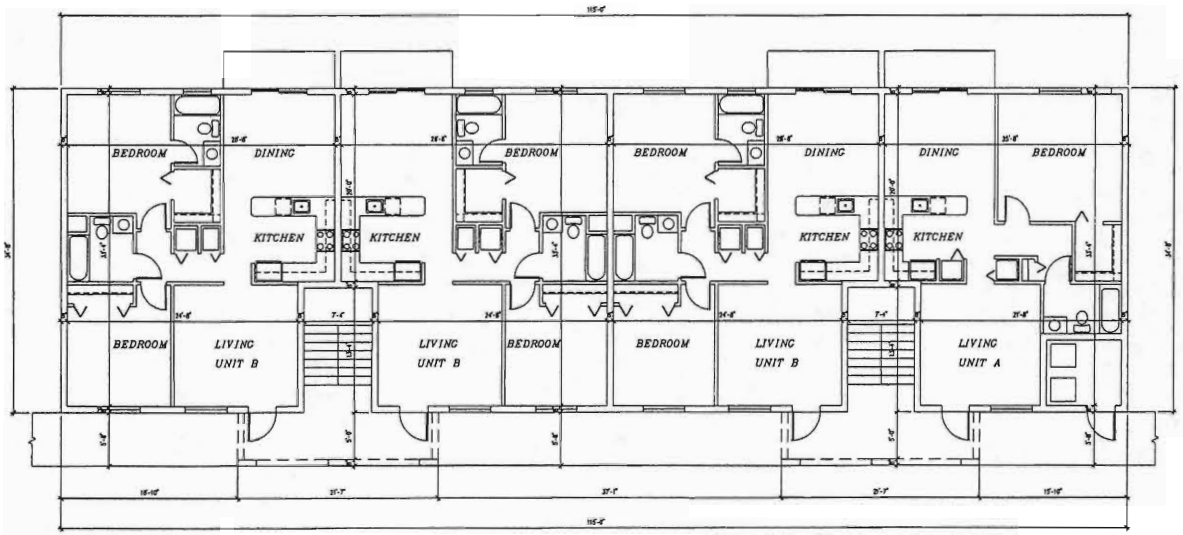
RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z13-89
DATE: OCT 25 2012
BY: DAR

34



SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
Z13-89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

RECEIVED
Z13-89
OCT 25 2012

FLOOR PLAN BLDG AR

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 663-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-2

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

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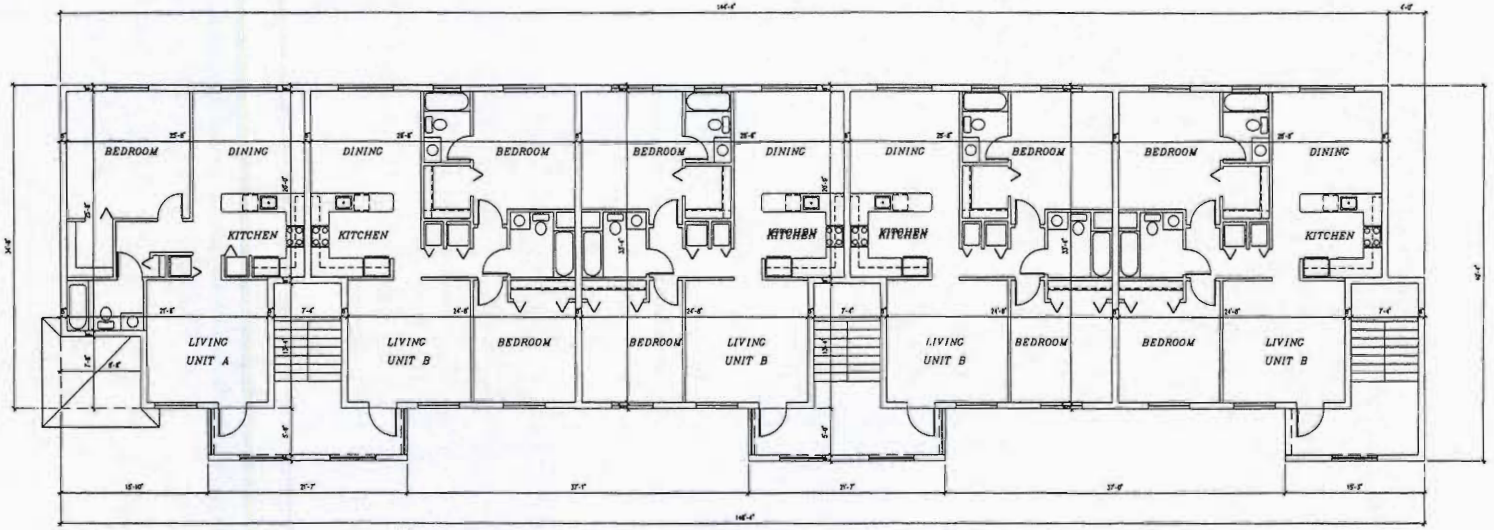
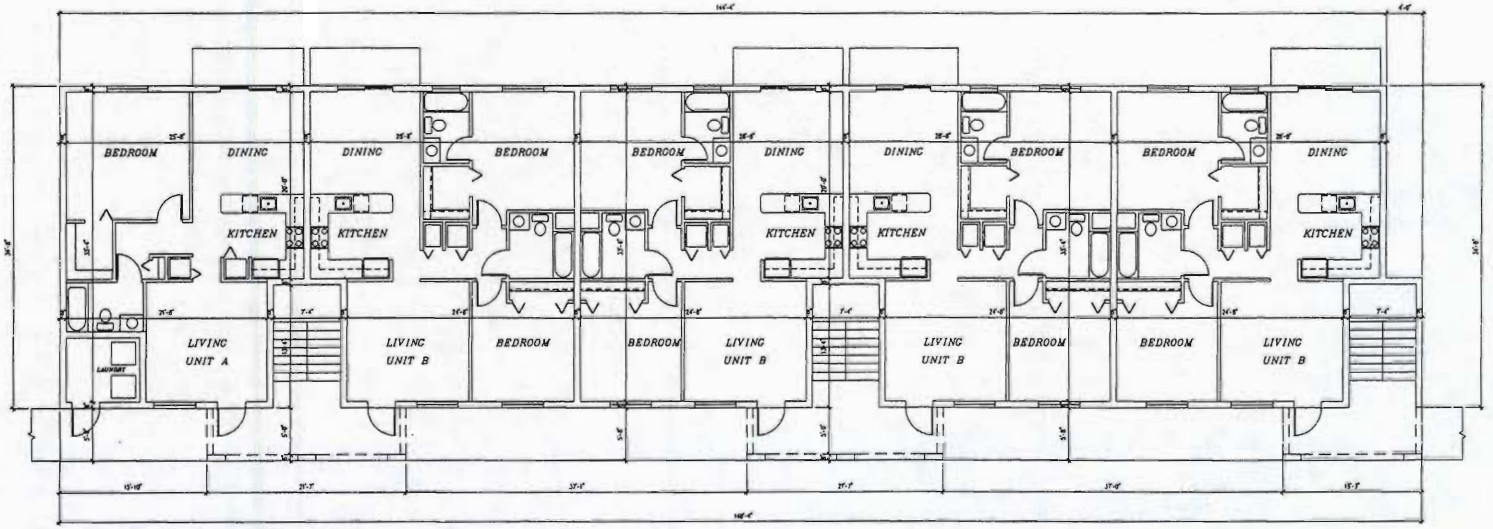
MIAMI-DADE COUNTY
PROCESS #: 513-000
DATE: OCT 25 2012
BY: DAB

35



SECOND FLOOR PLAN

3/16" = 1'-0"



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

FLOOR PLAN BLDG B

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/23/12
SCALE AS NOTED
SHEET OF
A-3

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

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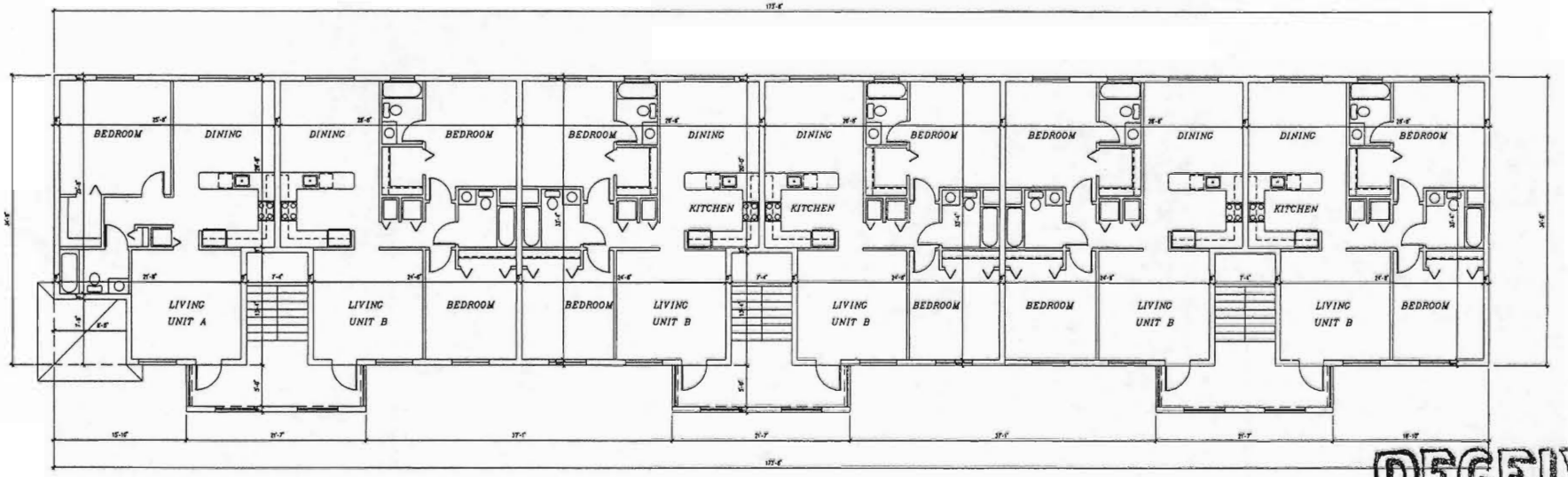
MIAMI-DADE COUNTY
PROCESS #: 225-491
DATE: OCT 25 2012
BY: DAR

36



SECOND FLOOR PLAN

3/16" = 1'-0"

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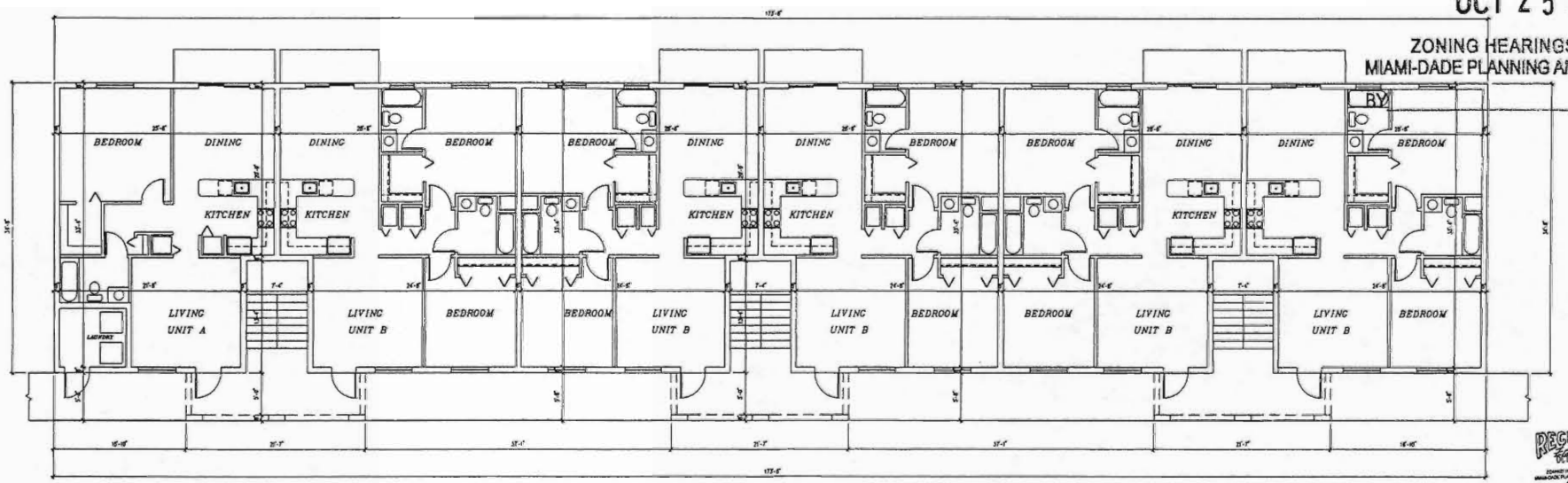
2.12.89
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.



GROUND FLOOR PLAN

3/16" = 1'-0"

RECEIVED
OCT 25 2012

FLOOR PLAN BLDG C

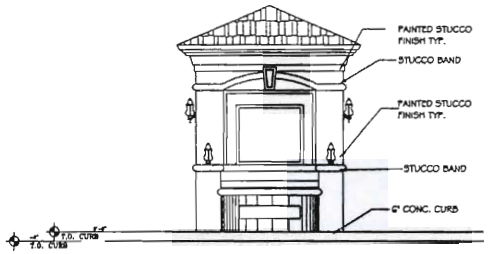
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8681
JOB ADDRESS :

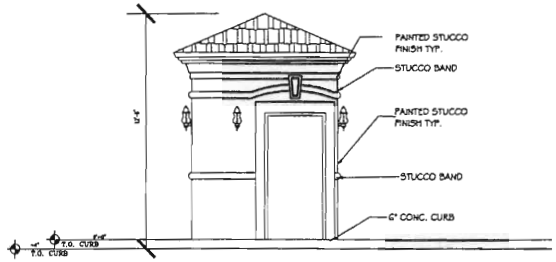
DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-4

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4069 AR-0010705

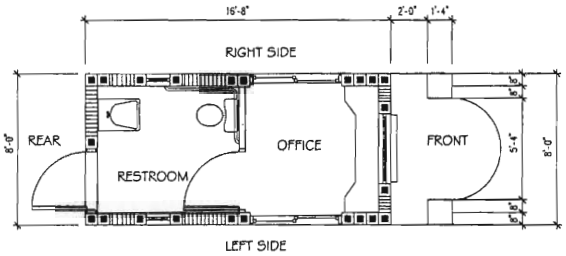
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



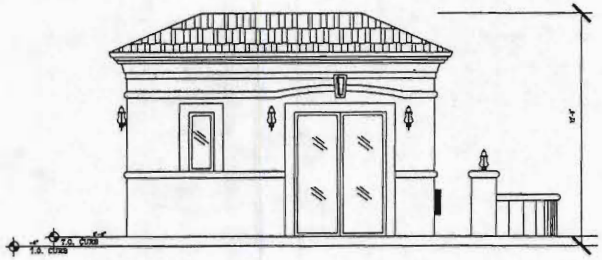
FRONT ELEVATION
Scale : 3/8"=1'-0"



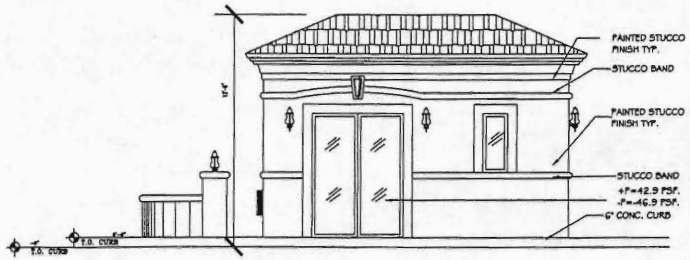
REAR ELEVATION
Scale : 3/8"=1'-0"



FLOOR PLAN
Scale : 3/8"=1'-0"



LEFT SIDE ELAVATION
Scale : 3/8"=1'-0"



RIGHT SIDE ELEVATION
Scale : 3/8"=1'-0"

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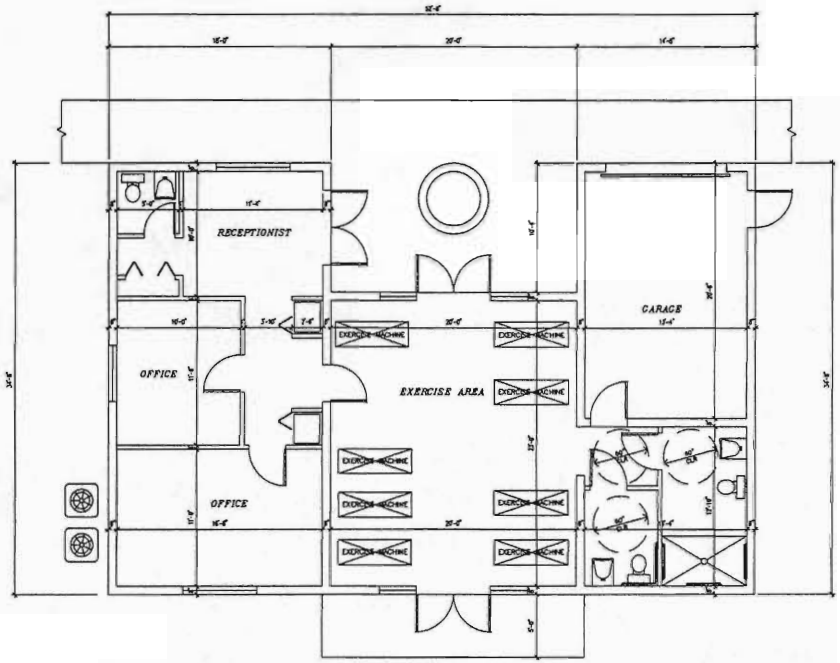
Z12-84
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

GUARDHOUSE

PROPOSED 178 APARTMENTS FOR : MIAMI GARDENS PARK	OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA OWNER TELEPHONE : (305) 883-8881 JOB ADDRESS :	DATE 04/25/12 SCALE AS NOTED SHEET OF GH-1	OSCAR J. GONZALEZ ARCHITECT ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA TELEPHONE : (305) 332-4059 AR-0010705

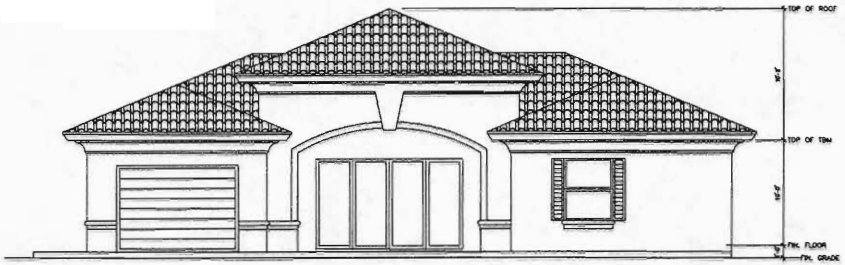
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

32

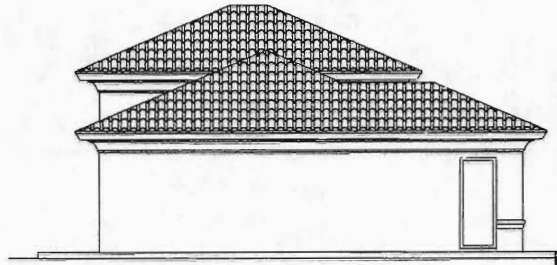


EXCERCISE ROOM (FIIXED EQUIPMENT)

FLOOR PLAN
1/4"= 1'-0"



EAST ELEVATION
1/4"= 1'-0"



SOUTH ELEVATION
1/4"= 1'-0"

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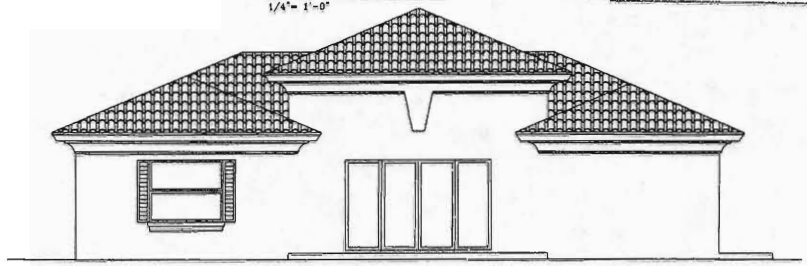
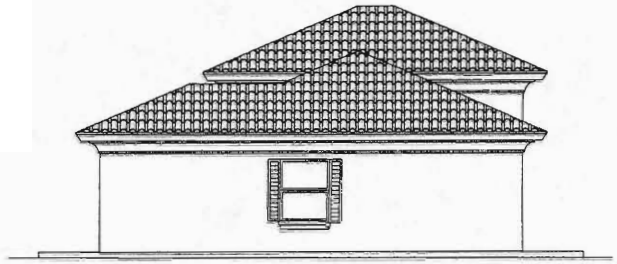
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY



WEST ELEVATION
1/4"= 1'-0"



NORTH ELEVATION
1/4"= 1'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY

CLUBHOUSE

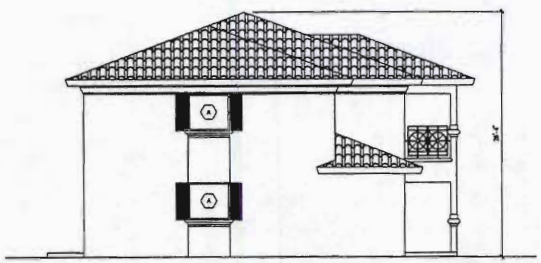
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/23/12
SCALE AS NOTED
SHEET OF
CH-1

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

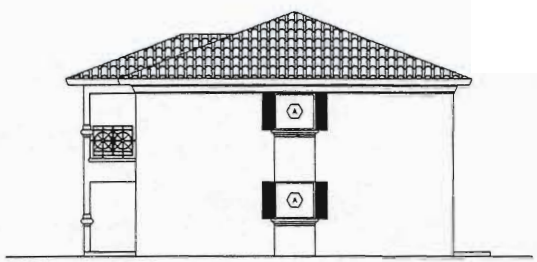
REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



LEFT ELEVATION

3/16" = 1'-0"

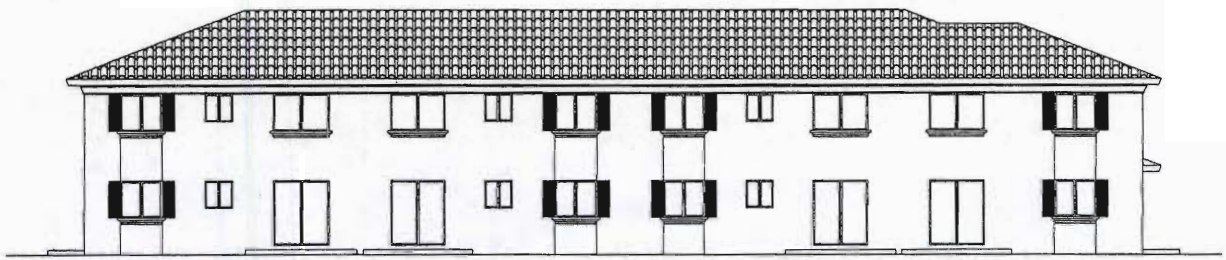
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



RIGHT ELEVATION

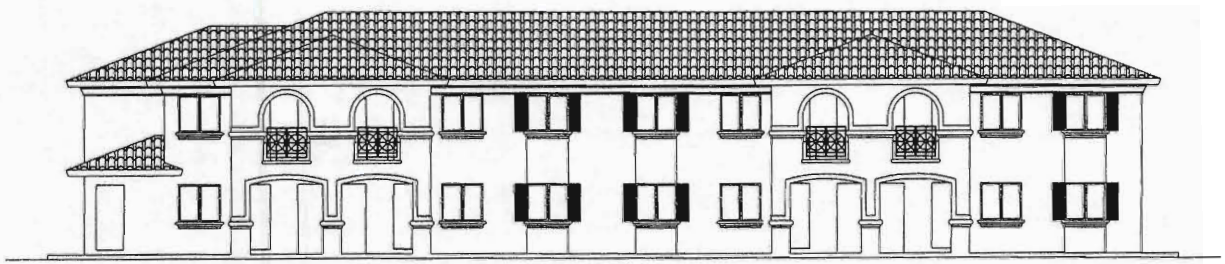
3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



REAR ELEVATION

3/16" = 1'-0"



FRONT ELEVATION

3/16" = 1'-0"

RECEIVED
2-12 BY
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

RECEIVED
BY
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

ELEVATIONS BLDG A

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

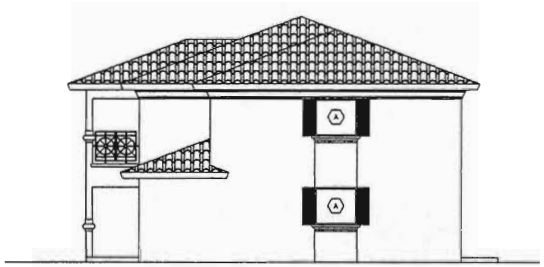
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-9

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010795

REVISIONS		
NO	DATE	BY
1		O.J.G.
2		O.J.G.
3		O.J.G.

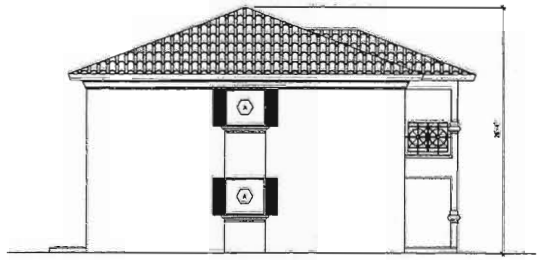
40



RIGHT ELEVATION

3/16" = 1'-0"

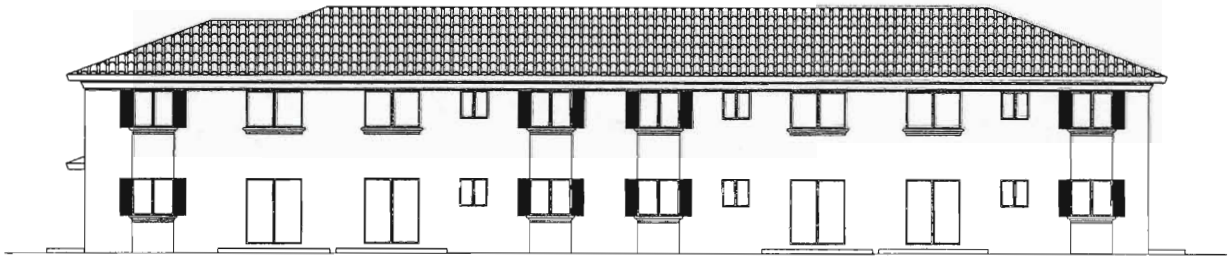
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



LEFT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



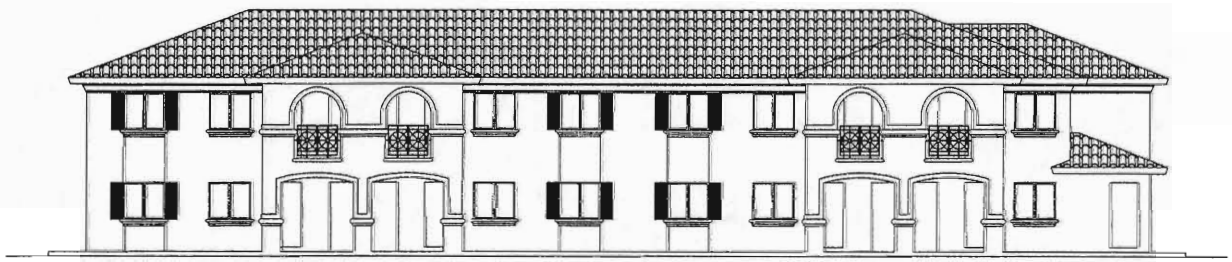
REAR ELEVATION

3/16" = 1'-0"

RECEIVED
2128
OCT 25 2012

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY_____



FRONT ELEVATION

3/16" = 1'-0"

ELEVATIONS BLDG AR

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

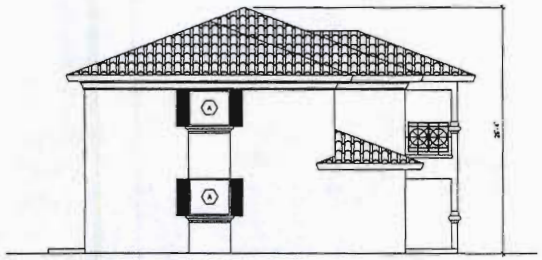
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
A-10

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

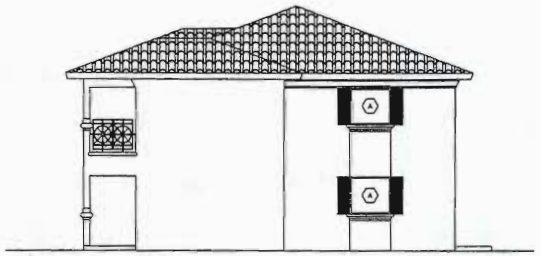
74



LEFT ELEVATION

3/16" = 1'-0"

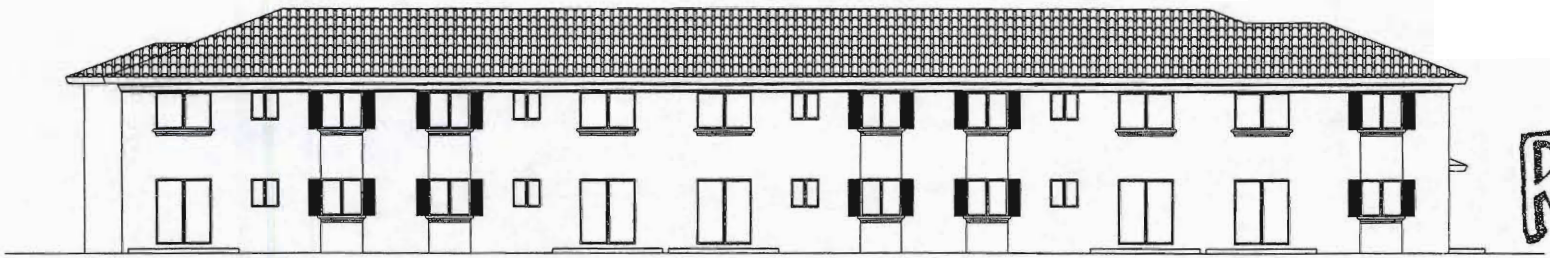
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



RIGHT ELEVATION

3/16" = 1'-0"

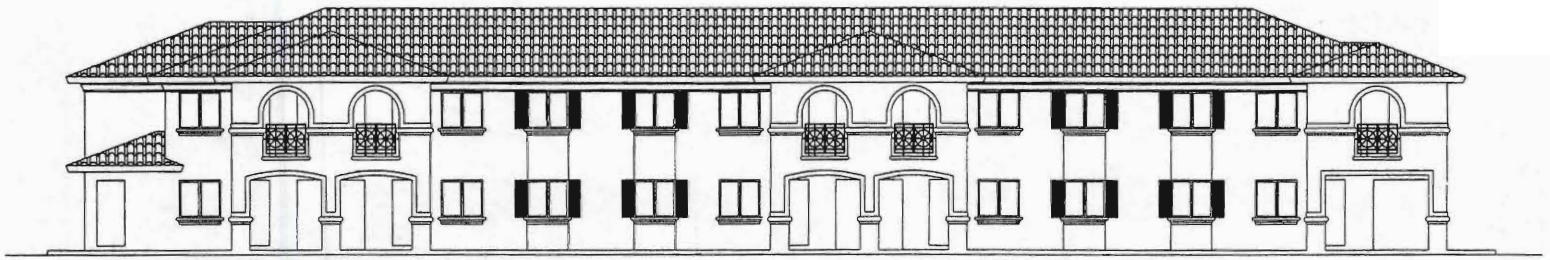
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)



REAR ELEVATION

3/16" = 1'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



FRONT ELEVATION

3/16" = 1'-0"

RECEIVED
OCT 25 2012

ELEVATIONS BLDG B

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

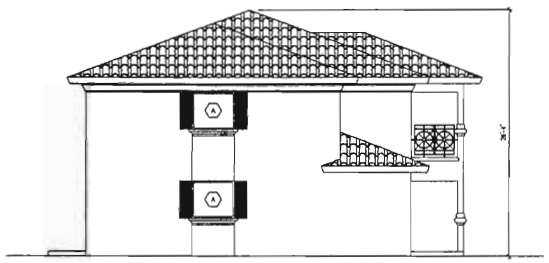
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8681
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
A-11

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

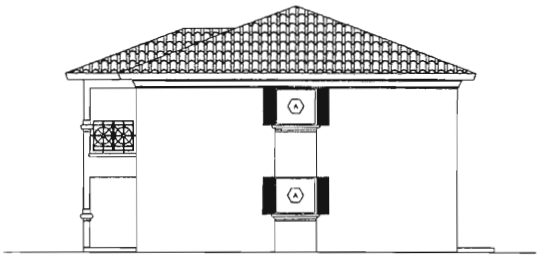
42



LEFT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

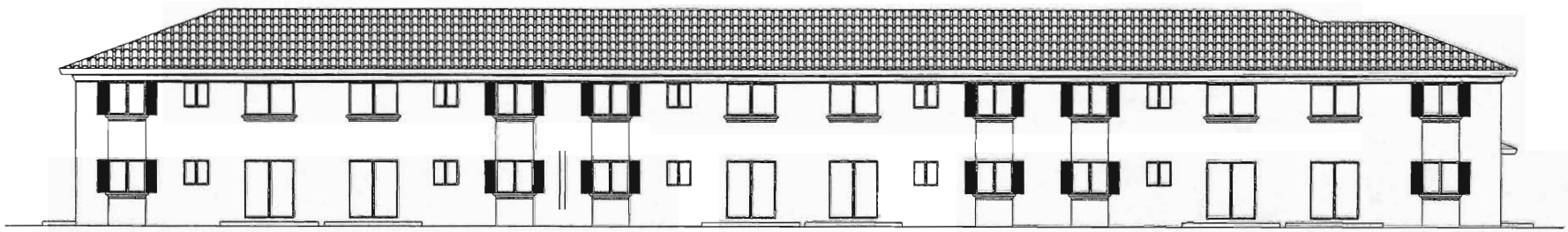


RIGHT ELEVATION

3/16" = 1'-0"

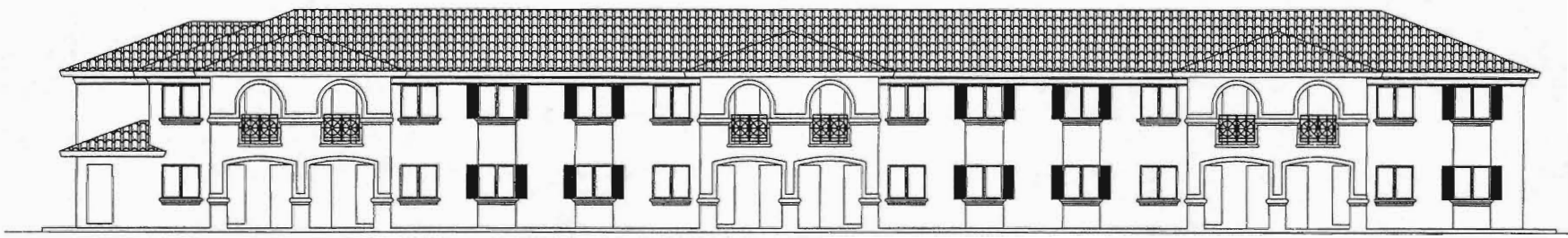
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

RECEIVED
Z12-84
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____



REAR ELEVATION

3/16" = 1'-0"



RECEIVED
OCT 25 2012

FRONT ELEVATION

3/16" = 1'-0"

ELEVATIONS BLDG C

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

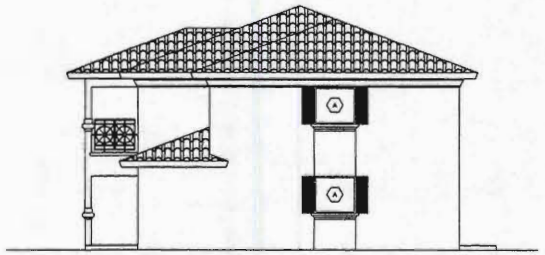
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE 04/25/12
SCALE AS NOTED
SHEET OF
A-12

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

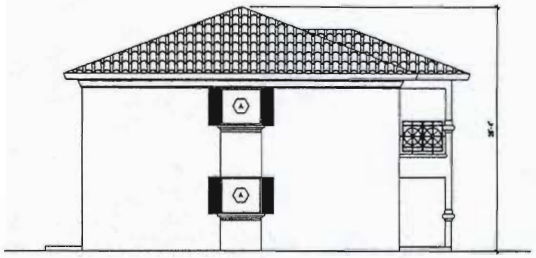
43



RIGHT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

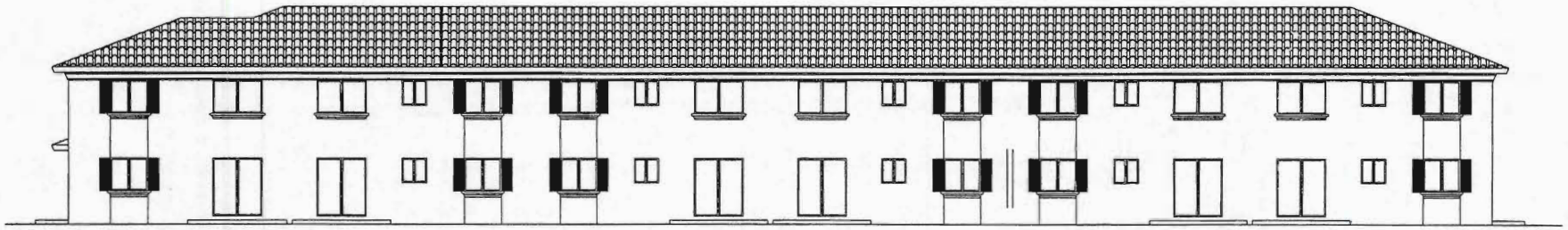


LEFT ELEVATION

3/16" = 1'-0"

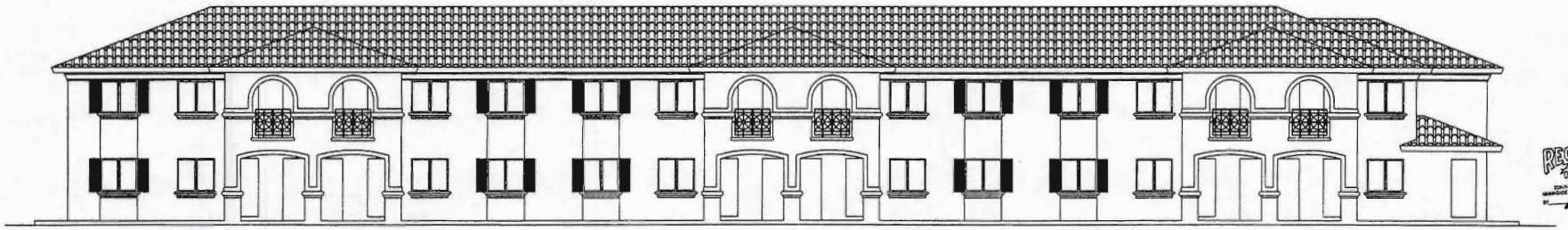
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

RECEIVED
2-12-87
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY



REAR ELEVATION

3/16" = 1'-0"



RECEIVED
OCT 25 2012

FRONT ELEVATION

3/16" = 1'-0"

ELEVATIONS BLDG CR

PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

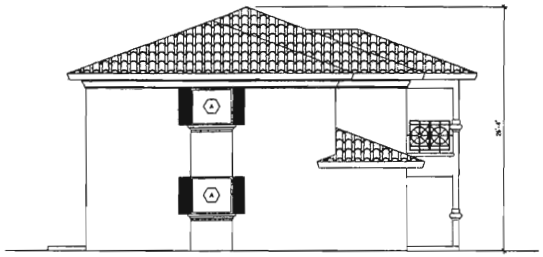
OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8861
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-13

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G

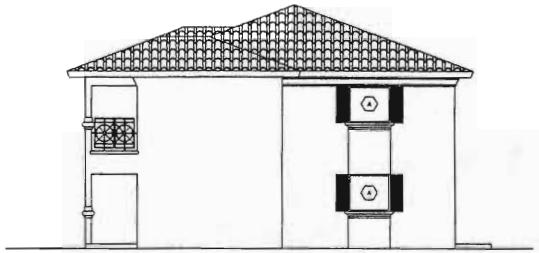
44



LEFT ELEVATION

3/16" = 1'-0"

(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

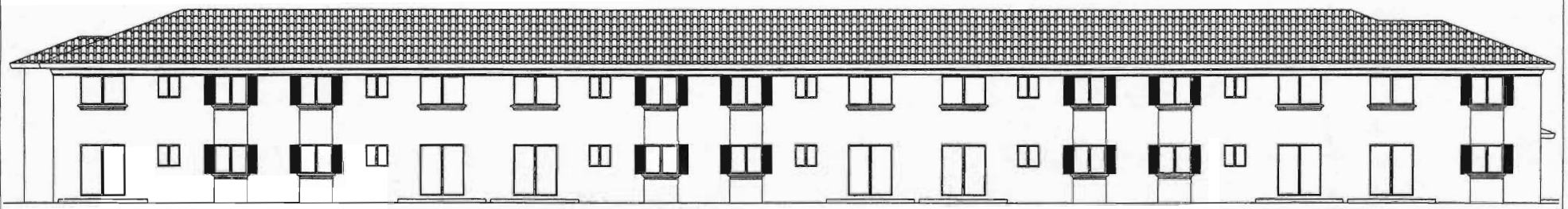


RIGHT ELEVATION

3/16" = 1'-0"

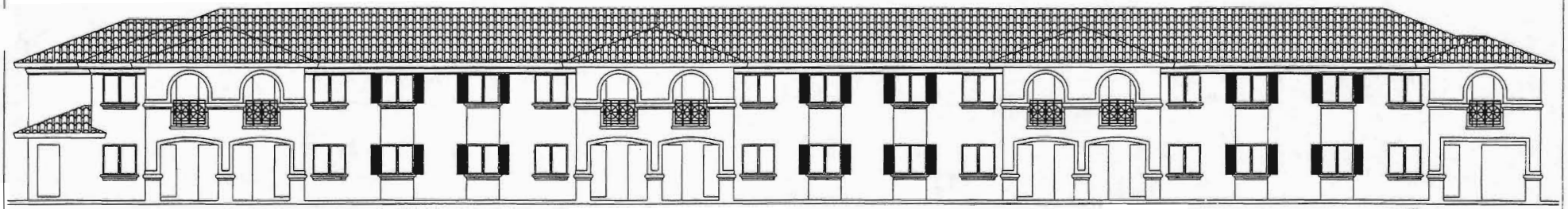
(A) DENOTES LOCATION OF IMITATION RAISED STUCCO (NOT A WINDOW)

RECEIVED
21-84
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____



REAR ELEVATION

3/16" = 1'-0"



FRONT ELEVATION

3/16" = 1'-0"

RECEIVED
OCT 25 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY_____

ELEVATIONS BLDG D

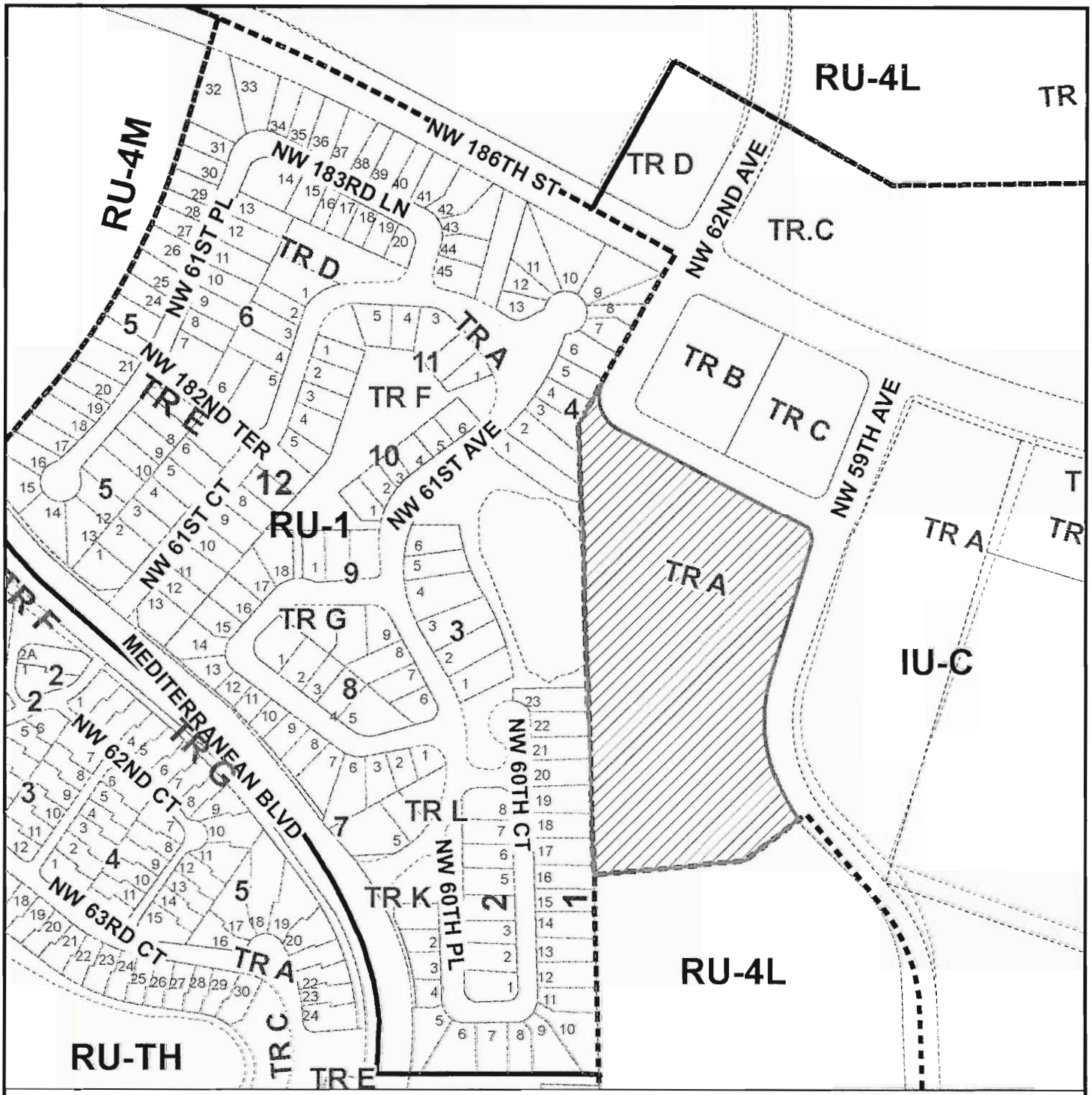
PROPOSED 178 APARTMENTS FOR :
MIAMI GARDENS PARK

OWNER ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
OWNER TELEPHONE : (305) 883-8881
JOB ADDRESS :

DATE	04/25/12
SCALE	AS NOTED
SHEET	OF
	A-14

OSCAR J. GONZALEZ ARCHITECT
ADDRESS : 7901 WEST 25TH AVENUE HIALEAH, FLORIDA
TELEPHONE : (305) 332-4059 AR-0010705

REVISIONS		
NO	DATE	BY
1		O.J.G
2		O.J.G
3		O.J.G



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2012000089

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

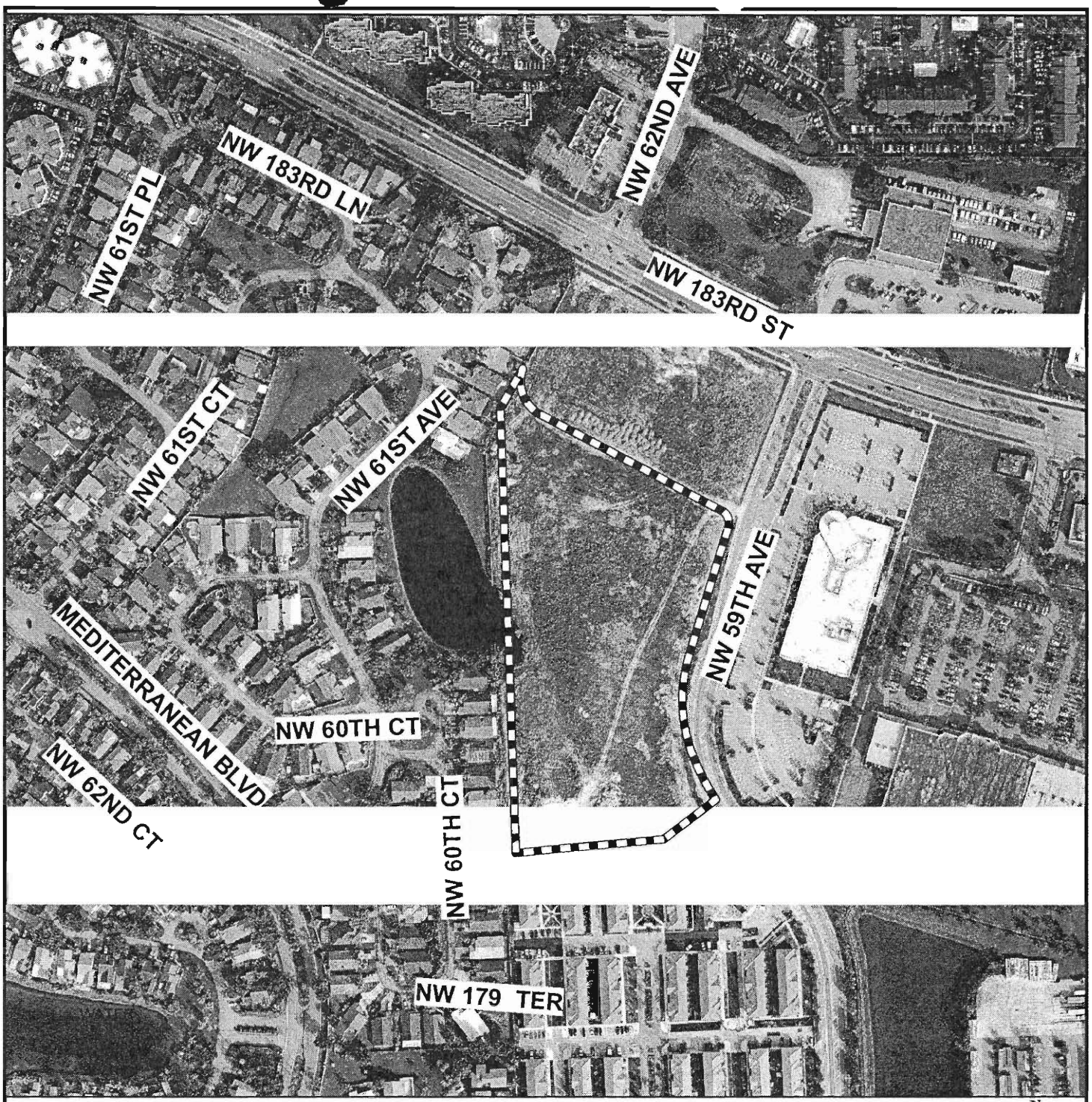
Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Wednesday, August 1, 2012

REVISION	DATE	BY
		45



MIAMI-DADE COUNTY
AERIAL YEAR 2012

Process Number

Z2012000089

N
W E
S

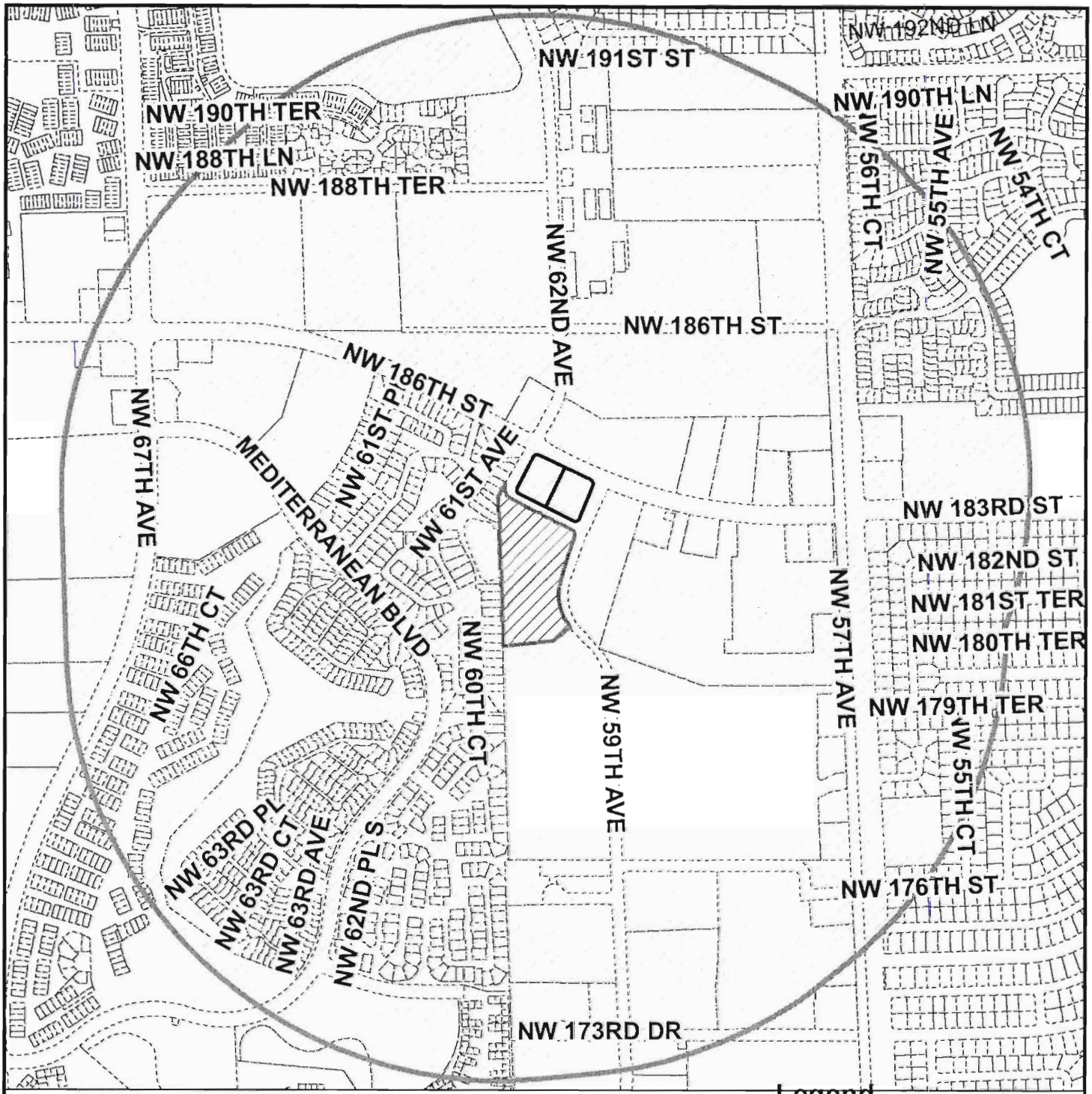
Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend
Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY
		46



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2012000089

RADIUS: 2640

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

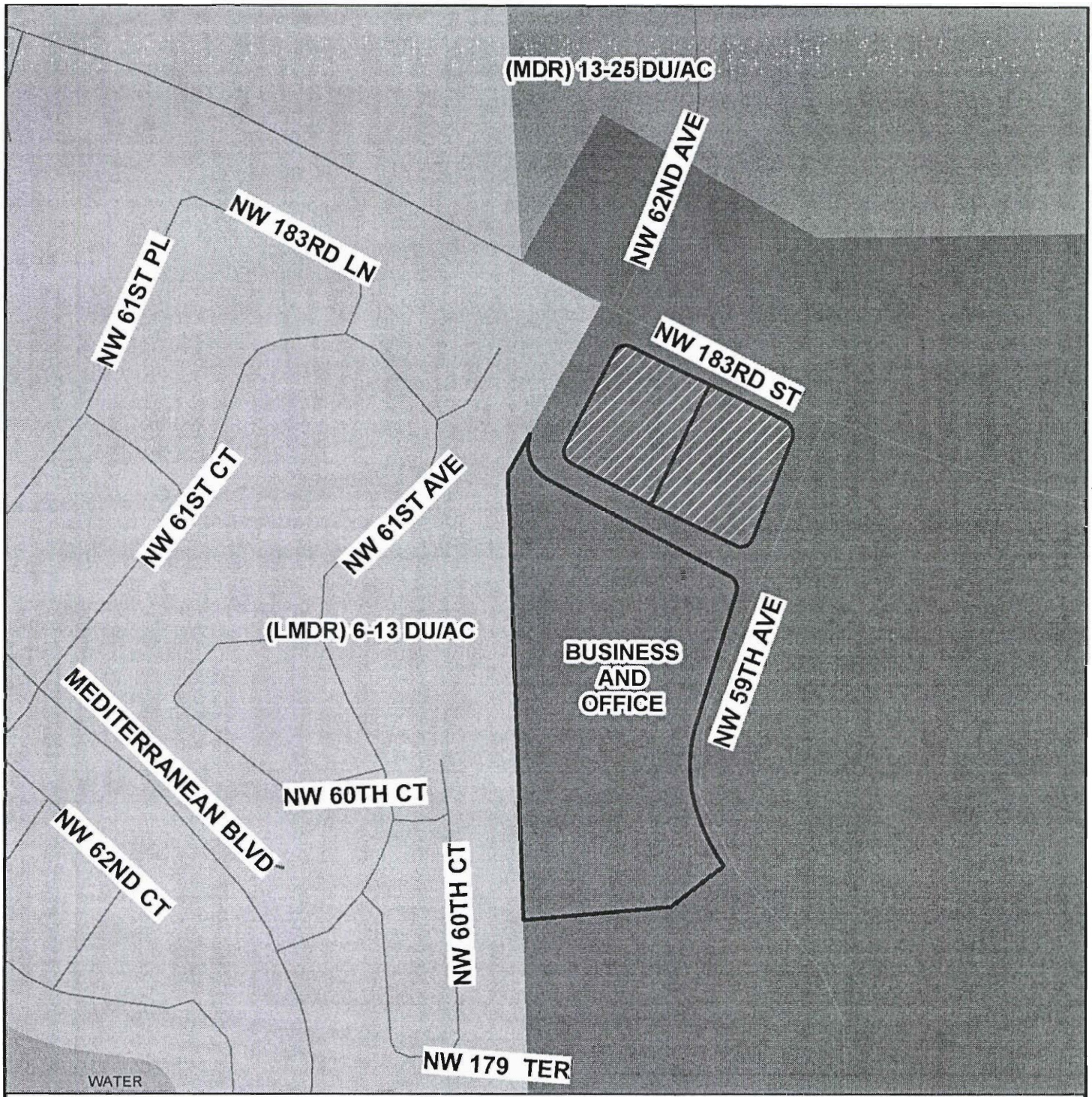
- Subject Property
- Contiguous Properties
- Buffer
- Street (Centerline)
- Property Boundaries

N W E S

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY
		47



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000089

Section: 12 Township: 52 Range: 40
Applicant: MIAMI GARDENS PARK, LLC
Zoning Board: C5
Commission District: 1
Drafter ID: JEFFER GURDIAN
Scale: NTS

N
W E
S

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Tuesday, July 31, 2012

REVISION	DATE	BY

Initial Review 9/15/12

Zoning Evaluation Checklist

(Due 21 days after filing)

Application name: MIA. Gdns Park, LLC Ph No: 12089?

Evaluator: Harrison Specialist: _____ Board: 5

CDMP Designation: B & O

Consistency: _____

Is this an existing use or unusual use: _____

Site inspection needed: _____ Completed: _____

Covenant required/Reason: _____

_____

Applicant notified (date/person): _____

Draft Covenant date r'cd: _____ Final Covenant Date r'cd: _____

Analyst/Processor Preliminary (New) File Review Date: 9/15/12 –

Senior Staff (Scheduled) File Review Date: Follow up 11/26

Preliminary 40-day AD Review: _____

Recommendation: _____

Conditions/notes: _____

To be returned to have plans for entrance feature. Need to revise plans to meet Parks requirements.

Preliminary Rec (shell) date: _____

Memorandum

MIAMI-DADE COUNTY

244698

Date: September 26, 2012

To: Jack Osterholt, Deputy Mayor/Director
Regulatory and Economic Resources Department

From: Jack Kardys, Director
Parks, Recreation and Open Spaces Department

Subject: Blanket Concurrency Approval for Recreation and Open Space

---

This memorandum updates the blanket concurrency approval memo of August 26, 2011. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2013. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

c: Helen Brown, Metropolitan Planning, RER
Maria I. Nardi, Chief, Planning and Research Division, MDPROS

Local Recreation Open Space Level of Service, 2012

Park Benefit District	Unincorporated Population (1) Plus Permitted Development	Standard @ 2.75 Acres Per 1000 Residents	Public Park Acres (2)	School Acres (3)	Private Open Space Acres (4)	Total Recreation Open Space Acreage	Surplus (Deficit) Acres	Percent of Standard (%)
1	370,546	1,019.00	763.09	299.82	267	1,329.91	310.91	131%
2	600,714	1,651.96	1,317.61	356.30	473	2,146.91	494.95	130%
3	154,867	425.88	448.99	96.62	89	634.61	208.73	149%
TOTAL	1,126,127	3,096.85	2,529.69	752.74	829	4,111.43	1,014.58	133%

Source: (1) Miami Dade Department of Planning and Zoning, June 2012
(2) Miami-Dade County Park and Recreation Department, Planning and Research Division, June 2012
(3) Miami-Dade County School Board, Site Planning Department 11/28/08
(4) Private Open Space is one-half of total private acres.

Memorandum

MIAMI-DADE COUNTY

Date: September 28, 2012

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Kathleen Woods-Richardson, Director
Public Works and Waste Management Department

Subject: Solid Waste Disposal Concurrency Determination

The Public Works and Waste Management Department determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for construction are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of seventeen (17) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste to the System through interlocal agreements or long-term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2028-29 or twelve (12) years beyond the minimum five (5) year standard. This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2013), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

Attachment

c: Paul Mauriello, Assistant Director, Operations
Christopher Rose, Assistant Director, Administration
Asok Ganguli, Assistant Director, Technical Services
Michael Moore, Assistant Director, Disposal Operations

Public Works and Waste Management Department (PWWM)
Solid Waste Management Disposal Facility Available Capacity
From Fiscal Year 2012-13 Through Fiscal Year 2028-29

		RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****		
FISCAL YEAR PERIOD	WASTE PROJECTION NET TONS DISPOSED	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	CONTRACT DISPOSAL	TOTAL TO BE LANDFILLED	TO BE INCINERATED AND RECYCLED
OCT. 1, 2012 TO SEPT. 30, 2013	1,522,000	1,551,718	194,000	1,357,718	6,199,967	216,000	5,983,967	1,717,327	124,000	1,593,327	250,000	784,000	738,000
OCT. 1, 2013 TO SEPT. 30, 2014	1,522,000	1,357,718	194,000	1,163,718	5,983,967	216,000	5,767,967	1,593,327	124,000	1,469,327	250,000	784,000	738,000
OCT. 1, 2014 TO SEPT. 30, 2015	1,522,000	1,163,718	194,000	969,718	5,767,967	216,000	5,551,967	1,469,327	124,000	1,345,327	250,000	784,000	738,000
OCT. 1, 2015 TO SEPT. 30, 2016	1,522,000	969,718	194,000	775,718	5,551,967	216,000	5,335,967	1,345,327	124,000	1,221,327	250,000	784,000	738,000
OCT. 1, 2016 TO SEPT. 30, 2017	1,522,000	775,718	194,000	581,718	5,335,967	216,000	5,119,967	1,221,327	124,000	1,097,327	250,000	784,000	738,000
OCT. 1, 2017 TO SEPT. 30, 2018	1,522,000	581,718	194,000	387,718	5,119,967	216,000	4,903,967	1,097,327	124,000	973,327	250,000	784,000	738,000
OCT. 1, 2018 TO SEPT. 30, 2019	1,522,000	387,718	194,000	193,718	4,903,967	216,000	4,687,967	973,327	124,000	849,327	250,000	784,000	738,000
OCT. 1, 2019 TO SEPT. 30, 2020	1,522,000	193,718	193,718	0	4,687,967	216,282	4,471,685	849,327	124,000	725,327	250,000	784,000	738,000
OCT. 1, 2020 TO SEPT. 30, 2021	1,522,000	0	0	0	4,471,685	410,000	4,061,685	725,327	124,000	601,327	250,000	784,000	738,000
OCT. 1, 2021 TO SEPT. 30, 2022	1,522,000	0	0	0	4,061,685	410,000	3,651,685	601,327	124,000	477,327	250,000	784,000	738,000
OCT. 1, 2022 TO SEPT. 30, 2023	1,522,000	0	0	0	3,651,685	410,000	3,241,685	477,327	124,000	353,327	250,000	784,000	738,000
OCT. 1, 2023 TO SEPT. 30, 2024	1,522,000	0	0	0	3,241,685	410,000	2,831,685	353,327	124,000	229,327	250,000	784,000	738,000
OCT. 1, 2024 TO SEPT. 30, 2025	1,522,000	0	0	0	2,831,685	410,000	2,421,685	229,327	124,000	105,327	250,000	784,000	738,000
OCT. 1, 2025 TO SEPT. 30, 2026	1,522,000	0	0	0	2,421,685	428,673	1,993,012	105,327	105,327	0	250,000	784,000	738,000
OCT. 1, 2026 TO SEPT. 30, 2027	1,522,000	0	0	0	1,993,012	534,000	1,459,012	0	0	0	250,000	784,000	738,000
OCT. 1, 2027 TO SEPT. 30, 2028	1,522,000	0	0	0	1,459,012	534,000	925,012	0	0	0	250,000	784,000	738,000
OCT. 1, 2028 TO SEPT. 30, 2029	1,522,000	0	0	0	925,012	534,000	391,012	0	0	0	250,000	784,000	738,000
REMAINING YEARS				7			17			13		17	

ANNUAL DISPOSAL RATE (in tons)	
RESOURCES RECOVERY ASHFILL	194,000
SOUTH DADE LANDFILL	216,000
NORTH DADE LANDFILL	124,000
WMI CONTRACT	250,000
TOTAL TO BE LANDFILLED	784,000

* Ashfill capacity is for Cell 19 and Cell 20.

** South Dade includes Cells 3, 4 and 5. Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.

*** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted, trash goes to South Dade Landfill and WMI.

**** Maximum Contractual Tonnage per year to WMI is 500,000 tons, 250,000 tons to the Medley Landfill and 250,000 tons to the Pompano Landfill in Broward County. WMI disposal contract ends September 30, 2015. The Department anticipates contract renewal in 2015.

All beginning capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by the Malcolm Pirnie based on the actual July, 2010, survey with actual tons from July 2009, through June, 2010, and projected tons for July, August and September, 2010.

Memorandum

MIAMI-DADE COUNTY

Date: November 13, 2012

To: Jack Osterholt, Director/Deputy Mayor
Department of Regulatory and Economic Resources

From: Ysela Llort, Director
for Miami-Dade Transit

Subject: FY13 Blanket Concurrency Approval for Transit

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the July 2012 Metrobus/Metrorail service area we find that MDT meets or exceeds the Level-of-Service Standards (LOS) for mass transit established in Policy MT-1A of the County's Comprehensive Development Master Plan for Miami-Dade County.

With this memo we re-authorize your Department to review and approve concurrency applications in all areas of unincorporated Miami-Dade County.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2012 to September 30, 2013, or until canceled by written notice from my office.

Should your staff need further assistance with mass transit concurrency information, they may contact Nilia Cartaya, Principal Planner, in our Department. Thank you for your continued cooperation on these important matters.

c: Albert A. Hernandez, P.E., MDT
Monica D. Cejas, P.E., MDT
Robert Pearsall, MDT
Nilia Cartaya, MDT
Mark R. Woerner, RER
Helen A. Brown, RER

Memorandum

MIAMI-DADE COUNTY

Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning
Department of Planning and Zoning

From: Manuel C. Mena, Chief
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File

Received by
Zoning Agenda Coordinator

JUL 2 7 2010

Memorandum

MIAMI-DADE COUNTY

Date: September 5, 2012

To: Jack Kardys, Director
Park and Recreation Department

From: Mark R. Woerner, AICP, Assistant Director for Planning
Department of Regulatory and Economic Resources

Subject: Blanket Concurrency Approval for Recreation and Open Space

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The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on September 30, 2012. This authorization must be re-issued prior to September 30, 2012, so that the Department of Regulatory and Economic Resources (DRER) may continue reviewing concurrency applications for recreation and open space concurrency requirements on your behalf. If such authorization is not received, DRER will have to refer all zoning and permit applications to your department for concurrency review.

Park and Recreation's re-authorization for blanket concurrency authorization should be effective for a one-year period beginning on October 1, 2012 and should be based on sufficient surplus capacity to sustain projected development for one year. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you or any member of your staff needs further information on this request, please contact Helen A. Brown, Concurrency Administrator at (305) 375-2835. Thank you for your attentions to this matter.

MRW:NS:hab

cc: James Byers, Zoning Division Chief, West Dade Office, DRER
Ronald Connally, Supervisor, Zoning Hearings/Administrative Review Section, DRER
Nick Nitti, Supervisor, Zoning Evaluation Section, DRER
Helen A. Brown, Concurrency Administrator, DRER