

Holland & Knight

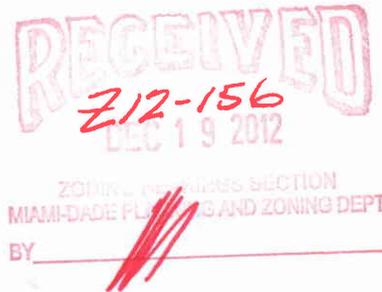
701 Brickell Avenue, Suite 3000 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Hugo P. Arza
305 789-7783
hugo.arza@hklaw.com

December 19, 2012

VIA HAND DELIVERY

Eric Silva, AICP
Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and
Economic Resources
111 NW First Street, 11th Floor
Miami, FL 33128



Re: Lones Family Limited Partnership, LP, Pinewood Acres School, Inc. and Lee S. and Judy C. Lones / Letter of Intent / Charter School Application

Dear Mr. Silva:

This letter of intent and the enclosed site plan and traffic study are submitted on behalf of the Lones Family Limited Partnership, LP, Pinewood Acres School, Inc. and Lee S. and Judy C. Lones (the "Applicant"), in support of their application for the approval of a charter school at approximately 9500 SW 97th Avenue in Miami-Dade County. The property consists of approximately 8.3 acres of land on both sides of SW 96th Street and west of 97th Avenue (the "Property"). The Property is currently improved with a single family home, as well as several buildings for an existing private school (Pinewood Acres).

The Applicant respectfully seeks (i) a Special Exception to permit a charter school serving 2000 students in grades K through 12 on the Property, (ii) a non-use variance to allow buildings to be setback less than seventy-five (75) feet from property under a different ownership, and (iii) a non-use variance to allow parking areas less than twenty-five (25) feet from official rights of way. The Property is currently designated Low Density Residential on the comprehensive development master plan future land use map, and is zoned EU-1. A charter school may be approved in any zoning district. The Property is surrounded by existing residential communities, including zoning districts RU-1 and EU-M to the north and south, as well as EU-1 to the west. Additionally, the Property abuts SW 97th Avenue, a section line road.

The Property is unique in that it is bisected by SW 96th Street, with approximately 2.8 acres north of SW 96th Street and approximately 5.4 acres south of SW 96th Street. The proposed charter school will be housed in four separate two-story buildings located on the south portion of

the Property (south of SW 96th Street), while the north portion of the Property will contain one small recreational building, parking and outdoor open space. Maintaining each structure at two-stories provides a campus compatible with the scale of the existing residential uses in the surrounding area. Additionally, the design, kind and intensity of the proposed charter school is compatible with the surrounding area, as demonstrated in the enclosed proposed plan and traffic study. The proposed plan illustrates buffering elements to provide sufficient visual screening and noise reduction to the abutting residential uses, so as to keep noise at acceptable levels. Careful attention has been taken to preserve the lush landscaping that has characterized the existing school environment for over half a century. The traffic study illustrates the Property's ability to accommodate the projected traffic from the proposed charter school, and provides adequate pedestrian and auto circulation at each of the proposed development phases, minimizing the impact to the surrounding residential uses.

Particularly, the Applicant proposes to concentrate all traffic movements along SW 97th Avenue and internally which will serve to keep all school traffic off of SW 96th Street. This will provide a substantial benefit to the approximately dozen homes that rely on SW 96th Street as their exclusive ingress/egress point to SW 97th Avenue. In order to effectuate this, the school will staff a traffic guard at the corner of SW 96th Street and 97th Avenue immediately before, during and after morning drop-off and afternoon pick-up times. The only through traffic allowed will be residents, or their guests, of the homes along SW 96th Street. The Property will be developed in phases, with the student population increasing as additional classroom space is built. The plans depict a phasing scheme for the construction of the proposed buildings. Of course, the Property will have sufficient parking and traffic routing (queuing) at all times for the then-existing number of buildings and students.

The requested variances for the location of the parking area and the siting of the buildings is permitted by the County Code, which provides that non-use variances may be granted where: (1) the 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 (2) the variance is compatible with the surrounding land uses and would not be detrimental to the community. The requested non-use variance will permit the development of the school with adequate parking areas to minimize the impact of the anticipated traffic demands on the surrounding roadways and neighborhood. Additionally, the siting of the buildings as depicted in the proposed site plan maximizes the use of the Property, results in nearly three acres of outdoor recreational space and preserves the unique nature and characteristics of existing foliage and landscaping that has characterized the Property for decades. The proposal maintains the basic intent and purpose of the zoning regulations, protects the appearance of the community, protects the general welfare of the community and is compatible with the surrounding land uses, therefore complying with each of the above referenced criteria.



Eric Silva, AICP
December 19, 2012
Page 3

Based on the foregoing, we respectfully request the Department's favorable consideration of this application. Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your attention to this matter.

Sincerely,



Hugo P. Arza

cc: Enclosures

RECEIVED
212-156
DEC 19 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY 