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

RESOLUTION NO. CZAB11-4-14

WHEREAS, TAMIAMI KENDALL INVESTMENTS, INC. applied for the following:

(1) DISTRICT BOUNDARY CHANGE from BU-1A, RU-3M to RU-4.

(2) MODIFICATION of Paragraph #1 and #2 of Declaration of Restrictions recorded in Official Record Book 24909 Pages 1820-1825, reading as follows:

FROM: "(1) Controlling Site Plan. The Twin Lake Shores East and 127th Avenue Project shall be developed substantially in accordance with the site plans entitled "Twin Lake shores East" (SP-1, SP-2, L-1, and A-1 through A-10) as prepared by Bellon Millanes Architects and Planners, dated, signed and sealed March 15, 2006. Said plans being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement (the "Plans")."

TO: "(1) Controlling Site Plan. The Three Lakes Project shall be developed substantially in accordance with the plans entitled "Three Lakes for: The Richman Group of Florida Inc." as prepared by MSA Architects, consisting of 17 sheets. Sheets A-0.1 & A-1.1 dated stamped received 3/26/14 and the remaining 15 sheets dated stamped received 1/29/14 and landscape plans entitled "Three Lakes" as prepared by Bruce Howard & Associates, Inc., consisting of 2 sheets. Sheet LP-1 dated stamped received 3/26/14 and sheet LD-1 dated stamped received 1/29/14, for a total of 19 sheets."

FROM: "(2) Residential Density Restriction. The maximum number of dwelling units on the Twin Lake Shores East Project shall be a total of 104 town home residential units."

TO: "(2) Residential Density Restriction. The maximum number of dwelling units on the Three Lakes Project shall be a total of 240 multi-family residential units.

(3) DELETION of Declaration of Restrictions, recorded in Official Records Book 21213, Pages 3152-3168, only as it applies to the subject property.

The purpose of Request #2 & #3 is to allow the applicant to submit revised site plans showing a multi-family residential development and to increase the number of residential units in lieu of the previously approved townhouse development and to delete a Declaration of Restrictions on the approved commercial parcel which required, among other things that the commercial development be approved through the Administrative Site Plan Review Process, limit the commercial uses allowed and required a 25′ landscape buffer.

(4) NON-USE VARIANCE to permit a multi-family development with 370 parking spaces (399 parking spaces required).

(5) NON-USE VARIANCE to permit spacing between building walls of living units spaced a minimum of 22′ (30′ required).

(6) NON-USE VARIANCE to permit two carport buildings to setback 69'-5" (75' required) from the front (south) property line and to be located in front of the principal building (not permitted).

(7) NON-USE VARIANCE to permit a clubhouse to be located in front of the principal building (not permitted).

(8) NON-USE VARIANCE to permit one-way drives with a minimum width of 11' (14' required).

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of Southeast ¼ of Section 14, Township 55 South, Range 39 East. Lying and being in Miami-Dade County, Florida, being more particularly described as follows:

Begin at southeast corner of the southeast ¼ of said Section 14 thence south 87°47'05" west along the south line of the southeast ¼ of said Section 14 for 525.83 feet; thence north 02°20'51" west 914.91 feet; thence north 87°39'09" east along a line 448.00 feet south of and parallel with the north line of the southeast ¼ of the southeast ¼ of said Section 14; for 530.00 feet to east line of the southeast ¼ of said Section 14; thence south 02°05'10" east along said east line 916.13 feet to the point of beginning.

LOCATION: Lying North of SW 136 Street & West of SW 127 Avenue, MIAMI-DADE COUNTY, FLORIDA, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a declaration of restrictions which among other things provided for the following:

(1) Controlling Site Plan. The Three Lakes Project shall be developed substantially in accordance with the plans entitled "Three Lakes For: The Richman Group of Florida, Inc." as prepared by MSA Architects, consisting of 17 sheets and landscape plans entitled "Three Lakes" as prepared by Bruce Howard & Associates, Inc., consisting of 2 sheets, all sheets dated stamped received 01/29/14 for a total of 19 sheets.

(2) Residential Density Restriction. The maximum number of dwelling units on the Three Lakes Project shall be a total of 240 multi-family residential units.

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-4 (Item #1) would not be

compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requested modification of Paragraph #1 and #2 of Declaration of Restrictions recorded in Official Record Book 24909 Pages 1820-1825 (Item #2) would not be compatible with the area and its development and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested deletion of Declaration of Restrictions, recorded in Official Records Book 21213, Pages 3152-3168, only as it applies to the subject property (Item #3), and the requested non-use variance to permit a multi-family development with 370 parking spaces (Item #4), and the requested non-use variance to permit spacing between building walls of living units spaced a minimum of 22′ (Item #5), and the requested non-use variance to permit two carport buildings to setback 69′-5″ from the front (south) property line and to be located in front of the principal building (Item #6), and the requested non-use variance to permit a clubhouse to be located in front of the principal building (Item #7), and the requested non-use variance to permit one-way drives with a minimum width of 11′ (Item #8) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance and would be inconsistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to deny the application without prejudice was offered by Jay Reichbaum, seconded by Carolina Blanco, and upon a poll of the members present the vote was as follows:

Carolina Blanco	aye	Miguel A. Diaz	absent
Socrates De Jesus	aye	Jay Reichbaum	aye
		Beatrice Suarez	absent

Patricia G. Davis nay

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11, that the requested district boundary change to RU-4 (Item #1) be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requested modification of Paragraph #1 and #2 of Declaration of Restrictions recorded in Official Record Book 24909 Pages 1820-1825 (Item #2), and the requested deletion of Declaration of Restrictions, recorded in Official Records Book 21213, Pages 3152-3168, only as it applies to the subject property (Item #3), and the requested non-use variance to permit a multi-family development with 370 parking spaces (Item #4), and the requested non-use variance to permit spacing between building walls of living units spaced a minimum of 22′ (Item #5), and the requested non-use variance to permit two carport buildings to setback 69′-5″ from the front (south) property line and to be located in front of the principal building (Item #6), and the requested non-use variance to permit a clubhouse to be located in front of the principal building (Item #7), and the requested non-use variance to permit one-way drives with a minimum width of 11′ (Item #8) be and the same are hereby denied without prejudice.

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

PASSED AND ADOPTED this 13th day of May, 2014.

Hearing No. 14-5-CZ11-1
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STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Rosa Davis, 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 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-4-14 adopted by said Community Zoning Appeals Board at its meeting held on the 13th day of May, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 27th day of May, 2014.

Rosa Davis, Deputy Clerk (218345)
Miami-Dade Department of Department of Regulatory and Economic Resources

SEAL

ZONING APPEALS BOARD
DADE COUNTY FLORIDA