

RESOLUTION NO. CZAB11-3-14

*WHEREAS*, ARIES INVESTMENTS & FINANCIAL SERVICES, INC applied for the following:

MODIFICATION of Condition #5 of Resolution CZAB11-19-09, passed and adopted by the Community Zoning Appeals Board #11, reading as follows:

FROM: "5. That lights be permitted up to and no later than 11:00 PM with the proper shielding."

TO: "5. That lights be permitted up to and no later than 2:00 AM with the proper shielding."

The purpose of the request is to extend the hours for the use of the lights for a previously approved mini soccer facility.

SUBJECT PROPERTY: Lot 17 Block 1 of Tamiami Industrial Park Section 1, PB 109-18.

LOCATION: 14275 SW 139 Court, 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 requested permission to revise the application on a modified basis to require that playing cease and lights be permitted up to and no later than 11:00 PM on the eastern playfield court, and that lights be permitted up to and no later than 2:00 AM with the proper shielding on the western playfield court, 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 modification, on a modified basis, of Condition #5 of Resolution CZAB11-19-09, passed and adopted by the Community Zoning

Appeals Board #11, that playing cease and lights be permitted up to and no later than 11:00 PM on the eastern playfield court, and that lights be permitted up to and no later than 2:00 AM with the proper shielding on the western playfield court, would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the modification of Condition #5, on a modified basis, to require that playing cease and lights be permitted up to and no later than 11:00 PM on the eastern playfield court, and that lights be permitted up to and no later than 2:00 AM with the proper shielding on the western playfield 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	<b>Jay Reichbaum</b>	aye
		Beatrice Suarez	absent

Patricia G. Davis      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the requested modification, on a modified basis, of Condition #5 of Resolution CZAB11-19-09, passed and adopted by the Community Zoning Appeals Board #11, that playing cease and lights be permitted up to and no later than 11:00 PM on the eastern playfield court, and that lights be permitted up to and no later than 2:00 AM with the proper shielding on the western playfield court, be and the same is hereby approved, subject to the following conditions:

1. That all conditions of Resolution #CZAB11-19-09 remain in full force and effect, except as herein modified.
2. On the eastern playfield court, that the lights be turned off and playing cease by 11:00 PM.

3. That the applicant provide additional landscaping along the east property line in the form of trees planted 25' on center and at a starting height of 12'.
4. That the applicant provides a wall along the east property line at a height required by Code.

*BE IT FURTHER RESOLVED* that the requested modification, on a modified basis, of Condition #5 of Declaration of Restrictions recorded in Resolution CZAB11-19-09, shall read as follows:

- "5. That playing cease and lights be permitted up to and no later than 11:00 PM on the eastern playfield court, and that lights be permitted up to and no later than 2:00 AM with the proper shielding on the western playfield court.

*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 and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 8<sup>th</sup> day of April, 2014.

Hearing No. 14-03-CZ11-1  
rd

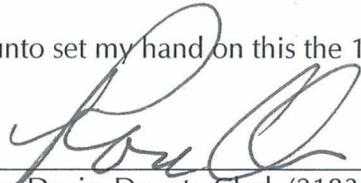
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 14<sup>TH</sup> DAY OF APRIL, 2014.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

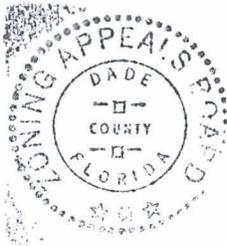
I, Rosa Davis, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-3-14 adopted by said Community Zoning Appeals Board at its meeting held on the 8<sup>th</sup> day of April, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 14<sup>th</sup> day of April, 2014.



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

SEAL





April 14, 2014

Aries Investments & Financial Services, Inc.  
c/o Guillermo Olmedillo  
6840 SW 130 Terrace  
Pinecrest, FL 33156

Re: Hearing No. 14-03-CZ11-1 (13-104)  
Location: 14275 SW 139 Ct, Miami-Dade County, Florida.

Dear Applicant:

Enclosed herewith is **Resolution No. CZAB-3-14**, adopted by the by the Community Zoning Appeals Board 11 which approved your application to modify **Condition #5**, on a modified basis, to require that playing cease and lights be permitted up to and no later than 11:00 PM on the eastern playfield court, and that lights be permitted up to and no later than 2:00 AM with the proper shielding on the western playfield court of the above described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

If stipulated in the resolution that building permits and/or use, occupancy or completion certificates will be required, please note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificates(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department as appropriate. At time of permit application you must provide a copy of this resolution.

If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, in as much as building permits will not be issued prior to the approval of said plan.

The Board's decision may be appealed by an aggrieved party to Circuit Court within 30 days of the date of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is **April 14, 2014**. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

R. A. Cuevas, Jr.,  
County Attorney  
111 N.W. 1<sup>st</sup> Street, Suite 2811  
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

Rosa Davis  
Deputy Clerk

Enclosure