

RESOLUTION NO. CZAB11-1-14

WHEREAS, EFREN BELLO applied for the following:

- (1) NON-USE VARIANCE to permit an existing covered patio setback 1.75' (5' required) from the rear (west) property line.
- (2) NON-USE VARIANCE to permit a patio living area of 362 sq. ft. (400 sq. ft. minimum required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Floor Plan" as prepared by MDS Engineering Corp. and dated stamped received 12/16/13 and consisting of 1 sheet. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 4 Block 37, Bird Lakes Townhouse Section 3, PB135-48.

LOCATION: 5042 SW 145 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

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use variance to permit an existing covered patio setback 1.75' from the rear (west) property line (Item #1), and the requested non-use variance to permit a patio living area of 362 sq. ft. (Item #2) 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

WHEREAS, a motion to approve Items #1 and #2 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	aye		

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requested non-use variance to permit an existing covered patio setback 1.75' from the rear (west) property line (Item #1), and the requested non-use variance to permit a patio living area of 362 sq. ft. (Item #2) 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, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Floor Plan" as prepared by MDS Engineering Corp. and dated stamped received December 16, 2013, consisting of 1 sheet. Except as may be specified by any zoning resolution applicable to the subject property, any future additions on the property which conform to Zoning Code requirements will not require further public hearing action.
3. That the use be established and maintained in accordance with the approved plan.
4. That a gutter be installed along the rear (west) roof line of the covered patio to insure onsite drainage.
5. That the existing 6' high wood fence along the rear (west) property line be maintained and that if the fence is removed or destroyed, the applicant shall replace same with a 6' high wood fence.

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 8th day of April, 2014.

Hearing No. 14-4-CZ11-2
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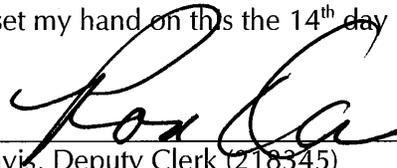
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 14TH DAY OF APRIL, 2014.

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. CZAB11-1-14 adopted by said Community Zoning Appeals Board at its meeting held on the 8th day of April, 2014.

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



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

SEAL





Department of Regulatory and Economic Resources
Development Services Divisor
111 NW 1st Street • Suite 111C
Miami, Florida 33128-1902
T 305-375-264C
www.miamidade.gov/economy

April 14, 2014

Efren Bello
c/o Mercy Alvarez
9370 SW 72 St
Miami, FL 33173

Re: Hearing No. 14-04-CZ11-2 (13-114)
Location: 5042 SW 145 Ave, Miami-Dade County, Florida.

Dear Applicant:

Enclosed herewith is **Resolution No. CZAB-1-14**, adopted by the by the Community Zoning Appeals Board 11 **which approved your application for non-use variances Item #1 and Item #2 on 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. 1st Street, Suite 2811
Miami, Florida 33128-1993

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

Sincerely,

A handwritten signature in black ink, appearing to read "Rosa Davis". The signature is fluid and cursive, written over a white background.

Rosa Davis
Deputy Clerk

Enclosure