

RESOLUTION NO. CZAB10-13-15

WHEREAS, MONICA & CHARLES DABNEY applied for the following:

- (1) NON-USE VARIANCE to permit an existing storage room addition to a single-family residence setback 4.0' (6.2' required) from the interior side (west) property line.
- (2) NON-USE VARIANCE to permit the existing single-family residence setback 24'-2" (25' required) from the front (south) property line.
- (3) NON-USE VARIANCE to permit the existing front porch setback 14' (25' required) from the front (south) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Charles M. Dabney & Monica Dabney" as prepared by Edward Ledesma, E.I., dated stamped received 3/18/15 and consisting of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: The West 12.5' of Lot 22 and all of Lot 23, Block 29, CENTRAL MIAMI PART TWO, PB 10-66.

LOCATION: 6383 SW 38 Street, MIAMI-DADE COUNTY, FLORIDA, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 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 storage room addition to a single-family residence setback 4.0' from the interior side (west) property line (Item #1), the NON-USE VARIANCE to permit the existing single-family residence setback 24'-2" from the front (south) property line (Item #2), and the NON-USE VARIANCE to permit the existing front porch setback 14' from the front (south) property line (Item #3) 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 the application (Items #1 through #3) was offered by Manuel Valdes, seconded by Robert Suarez, and upon a poll of the members present, the vote was as follows:

Omar Fernandez	aye	Manuel Valdes	aye
Richard M. Gomez	aye	Toufic Zakharia	aye
Robert Suarez	aye		
		Miriam Planas	absent

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10 that the requested NON-USE VARIANCE to permit an existing storage room addition to a single-family residence setback 4.0' from the interior side (west) property line (Item #1), the NON-USE VARIANCE to permit the existing single-family residence setback 24'-2" from the front (south) property line (Item #2), and the NON-USE VARIANCE to permit the existing front porch setback 14' from the front (south) property line (Item #3) 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 upon the submittal of an application for a building permit; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, 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 "Charles M. Dabney & Monica Dabney" as prepared by Edward Ledesma, E.I., dated stamped received 3/18/15 and consisting of 3 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants obtain a building permit for all non-permitted structures, if applicable, from the Department of Regulatory and Economic Resources within 90 days of the expiration of the final appeal period of this application, unless a time extension is granted by the Director of the Department.

5. That the applicants submit a Declaration of Use Agreement restricting the use of the subject property only to a single-family residence prior to the issuance of a building permit.
6. That the applicants remove the barbeque structure and shed as indicated in the submitted survey.

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 15th day of July, 2015.

Hearing No. 15-7-CZ10-4
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THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 27TH DAY OF JULY, 2015.

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 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-13-15 adopted by said Community Zoning Appeals Board at its meeting held on the 15th day of July, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 27th day of July, 2015.



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

July 27, 2015

Monica & Charles Dabney
6383 SW 38 Street
Miami, FL 33155

Re: Hearing No. 15-7-CZ10-4
Location: 6383 SW 38 St, Miami-Dade County, Florida.

Dear Applicant:

Enclosed herewith is **Resolution No. CZAB10-13-15**, adopted by the by the Community Zoning Appeals Board 10, **which approved your application (Items #1 through #3) 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 **July 27, 2015**. 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 blue ink, appearing to read "Rosa Davis", written over a blue circular stamp.

Rosa Davis
Deputy Clerk

Enclosure