RESOLUTION NO. CZAB12-23-15

WHEREAS, JAMES & ROSEMARY HARTIGAN applied for the following:

(1) NON-USE VARIANCE to permit a proposed guest house resulting in a rear lot coverage of 10.6% (5% maximum permitted).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Guest House Addition" as prepared by Jose Diaz Architect dated stamped received 5/18/15 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 1, Block 1, KILLIAN OAKS ESTATES, PB 148-88.

LOCATION: 8201 SW 111 Terrace, MIAMI-DADE COUNTY, FLORIDA, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 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 a proposed guest house resulting in a rear lot coverage of 10.6% 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, under Section 33-311(A)(4)(b), was offered by Elliot N. Zack, seconded by Peggy Brodeur, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	aye	Alberto Santana	aye
Javier Gonzalez-Abreu	aye	Angela Vazquez	absent
Matthew Larsh	absent	Elliot N. Zack	aye
	Jose I. Valdes	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the requested NON-USE VARIANCE to permit a proposed guest house resulting in a rear lot coverage of 10.6% be and the same is hereby approved, under Section 33-311(A)(4)(b), 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 Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Completion; 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 "Guest House Addition" as prepared by Jose Diaz Architect and dated stamped received May 18, 2015, consisting of two sheets.

3. That the use be established and maintained in accordance with the approved plan.

4. That the landscaping as seen in photos by the applicant showing landscaping along the side and rear property lines be maintained.

5. That the applicants submits 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.

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 1st day of September, 2015.

Hearing No. 15-9-CZ12
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THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 14TH DAY OF SEPTEMBER, 2015.

STATE OF FLORIDA

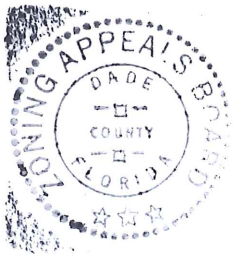
COUNTY OF MIAMI-DADE

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 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-23-15 adopted by said Community Zoning Appeals Board at its meeting held on the 1st day of September, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 14th day of September, 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 Division
111 NW 1st Street • Suite 1110
Miami, Florida 33128-1902
T 305-375-2640
www.miamidade.gov/economy

September 14, 2015

James & Rosemary Hartigan
c/o Jose Diaz
8592 SW 169 Terrace
Palmetto Bay, FL 33157

Re: Hearing No. 15-9-CZ12-3 (15-044)
Location: 8210 SW 111 Terrace, Miami-Dade County, Florida.

Dear Applicant:

Enclosed herewith is **Resolution No. CZAB12-23-15**, adopted by the by the Community Zoning Appeals Board 12, **which approved your application 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 **September 14, 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,

Rosa Davis
Deputy Clerk

Enclosure