

RESOLUTION NO. CZAB12-8-16

WHEREAS, NICOLE GUINEA applied for the following:

- (1) NON-USE VARIANCE to permit a proposed covered terrace addition setback 18.49' (25' required) from the rear (west) property line.
- (2) NON-USE VARIANCE to permit existing planter walls setback 20.33' (25' required) from the rear (east) property line.
- (3) NON-USE VARIANCE to permit a proposed Jacuzzi setback 5' (7.5' required) from the rear (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Proposed Covered Terrace for: Nicole Guinea Residence" as prepared by Jose Ramos. Sheet A-2 dated stamped received 7/20/15 and the remaining 2 sheets dated stamped received 2/1/16 for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 8, Block 1, KENDALE COUNTRY CLUB ESTATES, PB 81-61.

LOCATION: 9020 SW 103 AVENUE, 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 covered terrace addition setback 18.49' from the rear (west) property line (Item #1), the NON-USE VARIANCE to permit existing planter walls setback 20.33' from the rear (east) property line (Item #2), and the NON-USE VARIANCE to permit a proposed Jacuzzi setback 5' from the rear (west) 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), pursuant to Section 33-31(A)(4)(b), was offered by Jose I. Valdes, seconded by Anthony F. Pestico, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	absent	Alberto Santana	absent
Javier Gonzalez-Abreu	absent	Jose I. Valdes	aye
Anthony F. Pestico	aye	Elliot N. Zack	aye
	Angela Vazquez	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 covered terrace addition setback 18.49' from the rear (west) property line (Item #1), the NON-USE VARIANCE to permit existing planter walls setback 20.33' from the rear (east) property line (Item #2), and the NON-USE VARIANCE to permit a proposed Jacuzzi setback 5' from the rear (west) property line (Item #3) be and the same are hereby approved, pursuant to Section 33-31(A)(4)(b), 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 "Proposed Covered Terrace for: Nicole Guinea Residence" as prepared by Jose Ramos Architects & Associates. Sheet A-2 dated stamped received 07/20/15 and the remaining 2 sheets dated stamped received 02/01/16 for a total of 3 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant 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 fence be relocated within the property along the rear (west) property line.
6. That the proposed covered terrace addition to a single-family residence remain open-sided and not be enclosed in any manner except for approved insect screen materials.

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 5th day of April, 2016.

Hearing No. 16-4-CZ12-1
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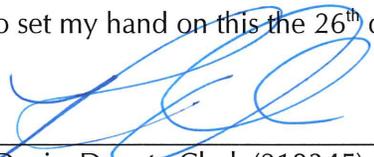
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 26TH DAY OF APRIL, 2016.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

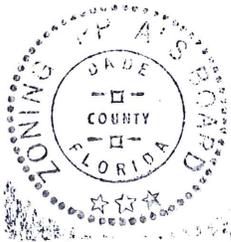
I, Rosa Davis, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-8-16 adopted by said Community Zoning Appeals Board at its meeting held on the 5th day of April, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 26th day of April, 2016.



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 26, 2016

NICOLE GUINEA
9020 SW 103 Ave
Miami, FL 33176

Re: Hearing No. 16-4-CZ12-1 (15-075)
Location: 9020 SW 103 AVE, MIAMI-DADE COUNTY, FLORIDA.

Dear Applicant:

Enclosed herewith is **Resolution No. CZAB12-8-16**, adopted by the by the Community Zoning Appeals Board 12, **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 **April 26, 2016**. 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".

Rosa Davis
Deputy Clerk

Enclosure