

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners**

PH: Z15-093 (16-1-CZ14-3)

May 19, 2016
Item No. A

Appeal Application Summary	
Commission District	8
Applicant	Team Martin, Inc., Et Al
Summary of Requests	The applicants are seeking to allow a district boundary change from AU, Agricultural District, to EU-M, Single-Family Modified Estate District.
Location	Lying west of SW 132 Avenue between SW 224 Street and SW 232 Street, Miami-Dade County, Florida
Property Size	39 gross acres
Existing Zoning	AU, Agricultural District
Existing Land Use	Vacant
2020-2030 CDMP Land Use Designation	Estate Density Residential, 1 - 2.5 dua, (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Section 33-311, District Boundary Change (see attached Zoning Recommendation Addendum)

CZAB Action

CZAB 14 January 19, 2016	Approval
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Staff Recommendation

Recommendation of the Appeal	<u>Denial</u> Sustain CZAB decision Approve the application
Previous Recommendation to the CZAB	<u>Approval</u> (Original Staff Recommendation to the CZAB is attached)

Timeline

1. On January 19, 2016, the Community Zoning Appeals Board (CZAB) #14, approved the subject application.
2. On February 8, 2016, 2015, the appellant, Michelle Markovits, appealed the CZAB #14 decision to the BCC.
3. On April 21, 2016, the application was deferred by the Board of County Commissioners (BCC) to allow the applicants to meet with the neighbors and to submit a covenant reducing the number of residential units in the development.

Analysis

For the reasons outlined in the Comprehensive Development Master Plan and Zoning analysis of the attached staff recommendation, staff opines that the appellant's request for a reversal of the CZAB #14 decision should be **denied**.

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners**

PH: Z15-093 (16-1-CZ14-3)

May 19, 2016
Item No. A

Recommendation Summary	
Commission District	8
Applicants	Team Martin, Inc., Et Al
Summary of Requests	The applicants are seeking to allow a district boundary change from AU, Agricultural District, to EU-M, Single-Family Modified Estate District.
Location	Lying west of SW 132 Avenue between SW 224 Street and SW 232 Street, Miami-Dade County, Florida
Property Size	39 – gross acres
Existing Zoning	AU, Agricultural District
Existing Land Use	Vacant lot
2020-2030 CDMP Land Use Designation	Estate Density Residential, 1 - 2.5 dua, (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with the LUP map of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change (see attached Zoning Recommendation Addendum)
Recommendation	Approval

On April 21, 2016, the application was deferred by the Board of County Commissioners (BCC) to allow the applicants to meet with the neighbors and to submit a covenant reducing the number of residential units in the development.

REQUEST:

DISTRICT BOUNDARY CHANGE from AU to EU-M.

PROJECT DESCRIPTION:

The applicants seek to rezone the 39 gross acre parcel from AU, Agricultural District, to EU-M, Single-family Modified Estate District.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	AU; nursery and vacant lot	Estate Density (1 – 2.5, dua)
North	AU; single-family residence and nursery	Estate Density (1 – 2.5, dua)
South	AU; nursery	Estate Density (1 – 2.5, dua)
East	AU & EU-1; church, nurseries and vacant lots	Low-Density Residential (2.5 to 6 dua)
West	AU; farm residence and groves	Estate Density (1 – 2.5, dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is located lying west of SW 132 Avenue between SW 224 Street and SW 232 Street. Staff notes that the surrounding properties are primarily comprised of nurseries, farm residences and vacant parcels, along with an existing religious facility to the southeast.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to provide additional housing in the area, which may bring more traffic into the area. However, staff notes from the Platting and Traffic Review section of the Department of Regulation and Economic Resources (RER) in their memorandum that the application meets the Level of Service (LOS) in the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as ***Estate Density Residential*** (see attached Zoning Recommendation Addendum) on the Comprehensive Development Master Plan's (CDMP) Adopted Land Use Plan (LUP) map. *This density range is characterized by detached estate residences that typically occupy a small portion of the parcel and can be developed at a maximum of 2.5 dwelling units per acre.* Approval of this application could allow the applicants to develop the 39-gross acre parcel with a maximum of 97 residential units under the Estate Density designation on the CDMP LUP map.

The CDMP Land Use Element **Objective LU-4**, states that *Miami-Dade County shall, by the year 2030, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.* The subject property lies within a strip of land running north to south, which is also designated as Estate Density on the CDMP LUP map, which abuts properties to the east that are designated Low-Density Residential, and properties that are designated Agriculture to the west. Staff opines that the EU-M zoning, which permits residential development within the density threshold allowed under the Estate Density designation on the LUP map, will provide a reasonable transition between the Low-Density designated properties to the east and the Agriculture designated properties and uses located to the west. As such, staff opines that the rezoning of the subject property to EU-M would be compatible with the surrounding area and **consistent** with the density threshold of the Estate Density Residential designation of the parcel on the CDMP Land Use Plan map and the CDMP's Land Use Element the interpretative text, **Objective LU-4**.

ZONING ANALYSIS:

When the applicants' request to rezone the subject parcel to EU-M, Single-Family Modified Estate District, is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of the application would not have an unfavorable impact on the environment, the natural resources, or the economy of the County.

Staff notes that the approval of the applicants' request to rezone the property will be consistent with the Estate Density Residential designation of the parcel on the CDMP Land Use Plan map. Further, staff opines that approval of this request will not have a negative impact on the surrounding roadways or transportation facilities based on the recommendations and/or information contained in memoranda from the Platting and Traffic Review Section of the

Department of Regulatory and Economic Resources (RER). Additionally, staff notes that the memorandum from the Division of Environmental Resource Management (DERM) of RER indicates that the proposed rezoning meets the Level of Service (LOS) standards for an initial development order and therefore will not have an unfavorable impact on the natural resources of Miami-Dade County.

The subject parcel abuts the section line roadway, SW 232 Street to the south, abuts half-section line roadways, SW 224th Street and SW 132nd Avenue to the north and east respectively, and is approximately 0.48 miles west of the intersection of US 1/Miami-Dade Busway and SW 232nd Street. Additionally, as previously noted in the CDMP analysis of this application, the proposed development is **compatible** with the transitional trend of the development in the area, from the more intensive zoning districts that could be allowed to the east, such as RU-1, Single-Family Residential District, to the AU, Agriculturally zoned parcels that are predominant to the west. **Staff therefore, recommends approval of the application under Section 33-311, District Boundary Change.**

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION:

Approval.

CONDITIONS FOR APPROVAL: None.

NK:MW:NN:EJ:CH



Nathan Kogon, AICP, Assistant Director
Development Services Division
Miami-Dade County Department of
Regulatory and Economic Resources

NON

ZONING RECOMMENDATION ADDENDUM

Team Martin, Inc., Et Al
Z15-093

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection*
Parks, Recreation & Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Estate Density (Pg. I-31)	<i>The Adopted 2020 and 2030 Land Use Plan designates the subject property as being within the Urban Development Boundary for Estate Density Residential. This density range is typically characterized by detached estates which utilize only a small portion of the total parcel. Clustering, and a variety of housing types may, however, be authorized. The residential densities allowed in this category shall range from a minimum of 1.0 to a maximum of 2.5 dwelling units per gross acre.</i>
Objective LU-4 (Pg. I-9)	<i>Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311 District Boundary Change	<p>(A) <i>The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</i></p> <p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none"> (1) <i>The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;</i> (2) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;</i> (3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i>
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ZONING RECOMMENDATION ADDENDUM

Team Martin, Inc., Et Al
Z15-093

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| | <p>(4) <i>The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;</i></p> <p>(5) <i>The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.</i></p> |
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