

**Miami-Dade County Department of Regulatory and Economic Development
Staff Report to Community Council No. 12**

PH: Z15-121 (16-3-CZ12-2)

March 1, 2016

Item No. 2

Recommendation Summary	
Commission District	7
Applicant	Melissa Wolin, Trustee of Ponce De Leon Trust
Summary of Requests	The applicant is seeking a district boundary change from EU-1, Single-Family One Acre Estate District, to EU-S, Single-Family Suburban Estate District. Or in the alternative, the applicant is seeking to permit two lots with less lot area and lot frontage than required.
Location	7677 Ponce De Leon Road, Miami-Dade County, Florida
Property Size	48,803 sq. ft.
Existing Zoning	EU-1; Single-Family One Acre Estate District
Existing Land Use	Single-family residence
2020-2030 CDMP Land Use Designation	Estate Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval with conditions of requests #3 and #4, and denial without prejudice of requests #1 and #2.

REQUESTS:

1. DISTRICT BOUNDARY CHANGE from EU-1 to EU-S.
2. NON-USE VARIANCE to permit two lots with a lot frontage of 100' each (125' minimum required).

OR IN THE ALTERNATIVE TO REQUESTS #1 AND #2, THE FOLLOWING:

3. NON-USE VARIANCE to permit two lots with an area of 0.61 ± gross acre each (1 gross acre required).
4. NON-USE VARIANCE to permit two lots with a lot frontage of 100' each (125' minimum required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled, "Map of Boundary Survey" as prepared by Hadonne and dated stamped received 11/16/15 and consisting of 1 sheet. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND HISTORY:

In December 2007, pursuant to Resolution #CZAB12-31-07, the subject property was denied without prejudice for a district boundary change from EU-1, Single-Family One Acre Estate District to EU-S, Single-Family Suburban Estate District, and alternative requests, to permit lots with areas of 0.671 gross acre each and less lot frontages. The Board also denied an additional request to permit a utility shed setback with the side property line. In April 2008, the Board of

County Commissioners, pursuant to Resolution #Z-12-08, which upheld Community Zoning Appeals Board 12's decision and denied the appellant's appeal.

In the present application the applicant is seeking EU-1 to EU-S with less lot frontage or in the alternative to subdivide the 1.12 acre parcel subject property into two (2) lots with each lot having an area of 0.61 ± gross and 100' of frontage.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	EU-1; vacant lot	Estate Density Residential, (1 to 2.5 dua)
North	EU-1; single-family residence	Estate Density Residential, (1 to 2.5 dua)
South	EU- M; single-family residence	Estate Density Residential, (1 to 2.5 dua)
East	EU-M; vacant lot	Estate Density Residential, (1 to 2.5 dua)
West	EU-1; single-family residence	Estate Density Residential, (1 to 2.5 dua)

NEIGHBORHOOD COMPATIBILITY:

The subject property is a 1.12 acre site, located at 7677 Ponce De Leon Road, Miami-Dade County, Florida. The subject property is surrounded by EU-1 zoned properties to north, and west, and EU-M zoned properties to the south and east.

SUMMARY OF IMPACT:

The approval of this application could allow the applicant to subdivide the lot into two parcels and develop each lot with a single-family residence. This could result in additional impacts on schools and other public services in the area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the site for **Estate Density Residential**. Said density designation would allow the applicant to develop the 1.12-acre parcel with two (2) single-family residences, which staff notes is within the maximum allowed under the density threshold of the CDMP Estate Density designation on the LUP map. As such staff opines that approval of the rezoning of the subject property to EU-S or the alternative requests resulting residential uses, would be **consistent** with the Estate Density Residential designation on the CDMP LUP map.

ZONING ANALYSIS:

When request #1 is analyzed under Section 33-311, District Boundary Change, and request #2, is analyzed under Section 33-311(A)(4)(b), Non-Use Variance Standards, staff opines that approval of the requests would be **incompatible** with the surrounding area. Staff does not support request #1, a district boundary change from EU-1 to EU-S and request #2, to permit 2 proposed lots each with a minimum lot frontage of 100' (125' required) for the following reasons: Staff notes that the subject property is located within the middle of the block and abuts properties to the north, south and east that are developed under the EU-1 zoning district regulations.

In the EU-1 zoning district, the front setback for a single-family residence is 50' from the property line and 28' for a car canopy. In the EU-S zoning district, the front setback is 35' from the front property line and 13' for a car canopy. In comparing the front setbacks for the EU-1 and EU-S zoning districts, staff notes that a residence in the EU-S zoning district could be placed closer to the front property line than that of a residence in the EU-1 zoning district. Therefore, staff opines that introducing the EU-S zoning district within this block, amidst the properties primarily developed under the EU-1 zoning regulations would be **incompatible** with the established developmental trend in this area of Miami-Dade County. Further, approving the EU-S zone change could potentially foster the introduction of more intensive residential zoning districts in this area.

Staff notes that there is a pocket of developed EU-M parcels to the west of the subject property that are similar in size to the proposed EU-S lots on the subject property. These EU-M lots are substantially smaller in size than the existing EU-1 lots on the block face on which the subject property is located. However, because these EU-M parcels are not located on the same block face as the subject property, staff is still of the opinion that approving the EU-S zone change would be incompatible.

In addition, staff opines that request #2, to permit two lots with a lot frontage of 100' each is inextricably intertwined with request #1 and is contingent on the approval of request #1, which staff does not support. **As such, staff recommends denial without prejudice of request #1 under Section 33-311, District Boundary Change, and denial without prejudice of request #2 under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards.**

However, when analyzing alternative requests to permit two lots with an area of 0.61 ± gross acre each (request #3) and to permit two lots with a lot frontage of 100' (request #4) each under Section 33-311(A)(4)(b), Non-Use Variances standards, staff opines that the requests are **compatible** with the surrounding area. As previously mentioned, in December 2007 and April 2008, the requests as to the subject property requested were denied by Resolutions #CZAB12-31-07 and #Z-12-08 by Community Zoning Appeals Board 12 and the Board of County Commissioners. Because the application received a final decision, under the doctrine of Administrative Res Judicata, the same requests should not thereafter be approved if resubmitted, absent a showing of changed circumstances. However, since the aforementioned denial in 2008, pursuant to Resolution #CZAB12-10-14, a property located northwest of the subject property at 7615 Ponce de Leon Road, was approved to permit the subdivision of a parcel to create two (2) separate lots. One parcel was 0.71 acre, with a lot frontage of 115' and the other lot was 0.61 acre with a lot frontage of 115'. Staff opines that this approval has created an essential change to the conditions in the immediate vicinity, and therefore, the Doctrine of Administrative Res Judicata would not prevent the board from again considering these requests.

Staff opines that the requested 0.61 area lots (request #3) would be in character with the area since there are a number of lots in the vicinity that are similar or smaller in size than those requested by the subject application. In addition to the property located at 7615 Ponce de Leon Road, staff notes that a neighboring property located northwest of the subject property at 7615 Ponce De Leon Blvd was subdivided pursuant to Resolution CZAB12-10-14 into one EU-1 zoned lot being approximately 0.70 acre and the second EU-1 zoned lot being approximately 0.60 acre. Staff further notes that to the north there is 0.55 acre EU-1 zoned parcel located at 4891 SW 76th Street, and further north, staff notes that a tract of land located between theoretical SW 48 Avenue and SW 49 Avenue and between SW 74 Street and SW 75 Street was approved pursuant to 4-ZAB-377-90 to permit six parcels with acreage ranging from 0.58 to 0.78 acres. In addition,

staff also notes that there is an approximately 0.53 acre EU-1 zoned parcel to the south, which is located at 7680 SW 48th Court. Therefore, staff opines that, the approval of the subdivision of the subject 1.12 acre parcel into two 0.61 ± gross acre each will be **compatible** with the surrounding neighborhood and will maintain the stability and residential appearance of same.

In regards to request #4 to permit two lots with a lot frontage of 100' each (125' minimum required), staff notes that the request is inextricably intertwined with request #3, which staff opines is compatible with the area. Further, staff's research of the area found similar or more intensive approvals for variances of lot coverages. For example, two parcels located at 7670 and 7690 Ponce de Leon Road were approved pursuant to Resolution 2-ZAB-79-61 to permit a minimum lot frontage of 78'. Therefore, staff opines that approval of the request would be in character with the surrounding area.

Therefore, staff opines that the approval of requests #3 and #4 would be compatible with the area and would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the stability and appearance of the community. **As such, Staff recommends approval with conditions of requests #3 and #4 under Section 33-311(A)(4)(b), Non-Use Variance Standards.**

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ACCESS, CIRCULATION AND PARKING: Not applicable.

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

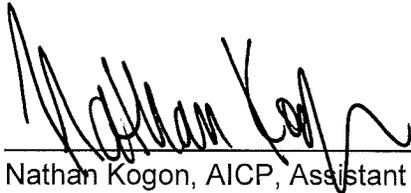
OTHER: Not applicable.

RECOMMENDATION: Approval with conditions of requests #3 and #4, and denial without prejudice of requests #1 and #2.

CONDITIONS FOR APPROVAL: Requests #3 and #4 only.

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources or its successor 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, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Map of Boundary Survey" as prepared by Hadonne and dated stamped received 11/16/15 and consisting of 1 sheet.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant remove the residential structures from the property as indicated on the site plan.
5. That the applicant comply with all applicable conditions and requirements, if any, from the Division of Environmental Resources Management (DERM) of the Department of Regulatory and Economic Resources in their memorandum dated January 22, 2016.
6. That the applicant comply with all applicable conditions and requirements, if any, from the Platting and Traffic Review section of the Department of Regulatory and Economic Resources in their memorandum dated December 1, 2015.

NK:MW:NN:CH:EJ



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

NEW

ZONING RECOMMENDATION ADDENDUM

Melissa Wolin, Trustee of Ponce De Leon Trust
15-121

NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
<i>Division of Environmental Resource Management (RER)</i>	<i>No objection*</i>
<i>Platting and Traffic Review Section (RER)</i>	<i>No objection*</i>
<i>Parks, Recreation and Open Spaces</i>	<i>No objection</i>
<i>Police</i>	<i>No objection</i>
<i>Water and Sewer Department</i>	<i>No objection</i>
<i>Fire Rescue</i>	<i>No objection</i>
<i>Schools</i>	<i>No comment</i>
<i>*Subject to conditions in their memorandum.</i>	

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

Estate Density Residential <i>(Pg. I-29)</i>	<i>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 units per gross acre.</i>
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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> (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>
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ZONING RECOMMENDATION ADDENDUM

Melissa Wolin, Trustee of Ponce De Leon Trust
15-121

	<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>
<p>Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.</p>	<p><i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required</i></p>

**2. MELISSA WOLIN, TRUSTEE OF
PONCE DE LEON TRUST**
(Applicant)

**16-3-CZ12-2(15-121)
Area 12/District 07
Hearing Date: 03/01/16**

Property Owner (if different from applicant) **Same.**

Is there an option to purchase /lease the property predicated on the approval of the zoning request? **Yes No**

Disclosure of interest form attached? **Yes No**

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
2007	Roger & Dorothy Wolin	- Zone change from EU-1 to EU-S and other ancillary variances.	C12	Denied without Prejudice
2008	Roger & Dorothy Wolin	- Appeal of CZAB 12's decision to deny the zone change and ancillary variances.	BCC	Appeal Denied, Application Denied

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

Memorandum



Date: January 22, 2016

To: Jack Osterholt, Deputy Mayor/Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: C-12 #Z2015000121-1st Revision
Trustee of the Ponce de Leon Trust
7677 Ponce de Leon Road, Miami, FL 33143
Zone Change from EU-1 to EU-S
(EU-1) (1.12 Acres)
31-54-41

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the "From:" field of the memorandum.

The subject application has been reviewed by the Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Potable Water Service

Based on the Letter of Intent the applicant is proposing to split the reference property in two lots. A public water main abuts proposed parcel A, along Ponce de Leon Road. Therefore, connection of a future development in the west parcel to the public water supply system shall be required.

An 8-inch water main is located approximately 200 ft north of proposed parcel B, along SW 84th Court. This water main might be within feasible distance for connection pursuant to the Code, in which case a water extension permit will be required for the future development in parcel B.

Be advised that the water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Environmental Plan Review Specialty Section of DERM.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the CDMP. Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Wastewater Disposal

Public sanitary sewers are not located within feasible distance for connection to the subject property; consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste. DERM has no objection to the interim use of a septic tank and drainfield provided that the development complies with the minimum lot size requirements per Section 24-43.1(a) of the Code and the property is connected to public water. In accordance with the Code, the minimum lot size for a single family residence or duplex served by public water and a septic tank shall be 15,000 square feet (gross) or 20,000 square feet (gross), respectively. Based on the

available information, the proposed development does comply with the abovementioned lot size requirements.

Stormwater Management

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Tree Preservation

The subject property contains tree resources. Please note that Section 24-49 of the Code provides for the preservation and protection of tree resources. A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Projects shall be designed to meet the requirements of Sections 24-49.2 and 24-49.4 of the Code, including compliance with the specimen tree preservation requirements of Chapter 24 of the Code as well as CON 8A of the CDMP.

DERM has reviewed the subject application to determine whether the proposed request is in accordance with the specimen tree protection standards contained in Section 24-49.2 of the Code and in CON-8A of the Miami-Dade County CDMP. According to the Landscape Plan entitled "SITE PLAN-PARCEL "A", SHEET A-1.00", dated 12-14-15 and prepared by Corwil Architects submitted as an attachment to this application, the subject site contains specimen trees which are proposed to be relocated. Specimen trees require preservation and are defined as trees with a Diameter at Breast Height (DBH) equal to or greater than 18 inches that require permits pursuant to the Code.

Based on the above, DERM recommends approval of this application provided that Development Services conditions the approval on a requirement to preserve specimen trees on-site, and a requirement to modify the site plan to accommodate applicable specimen trees pursuant to Section 24-49.2(4)(II)(2) of the Code of Miami Dade County. This recommended condition shall not apply in cases where DERM has determined that a specimen tree cannot be reasonably preserved pursuant to 24-49.2(4)(II)2, of the Code of Miami-Dade County.

Finally, in accordance with Chapter 24 of the Code and CON8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. DERM also recommends that this requirement be included as a condition of any zoning approval.

The applicant is advised to contact Tree Permitting Program at 305-372-6574 for additional information regarding tree permitting procedures and requirements.

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: December 01, 2015

To: Nathan Kogon, Assistant Director
Department of Regulatory and Economic Resources

From: 
Kaul A. Pino, PLS, Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z20150000121
Name: Melissa Wolin Tr Ponce De Leon
Location: 7677 Ponce De Leon Road
Section 31 Township 54 South Range 41 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objection.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required will be accomplished thru the recording of a plat.

This project meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply.

Memorandum



Date: January 27, 2016

To: Nathan Kogon, Assistant Director
Regulatory and Economic Resources Department

From: 
Paul Mauriello, Deputy Director, Waste Operations
Public Works and Waste Management Department

Subject: 7677 Holdings, LLC (#15-121)

The Department's review of the above-referenced item is provided below. Additional comments will be provided as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie, Manager, Intergovernmental and External Affairs, at 305-375-1354. **The PWWM has no objections to the proposed application.**

Application: *7677 Holdings, LLC* is requesting two alternative requests that would allow splitting of a residential lot and subsequent construction of a new single family home on each of the resulting lots. Two existing homes located on the property are proposed for demolition. Request No. 1 is for a rezoning from EU-1 (Estates, Single-Family, 1 acre or more) to EU-S (estate use, suburban Single-Family, 25,000 square feet gross) and a non-use variance to permit two lots with a minimum frontage of 100 feet each, where 125 feet are required. Request No. 2 is for a non-use variance to permit two lots with an area of approximately .61 acres, where one acre is required, and a non-use variance to permit two lots with a minimum frontage of 100 feet, where 125 feet are required.

Location: 7677 Ponce de Leon Road, Miami-Dade County, Florida.

Size: The subject property is approximately 1.12 acres.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 24, 2015, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Regulatory and Economic Resources Department is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property falls within the PWWM Solid Waste Collection Service Area, along Waste Collection Route No. 5124. Approval of either of the two alternative requests will result in development that meets the County Code definition of "residential unit," (single family, townhome, etc.). According to Chapter 15 of the Miami-Dade Code entitled Solid Waste Management, the new residential units on the property will receive PWWM waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWM Solid Waste Collection Service Area.

3. Recycling

The PWWM provides curbside recycling services to **residential units** located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained on the Department's website at <http://www.miamidade.gov/publicworks/recycling.asp>.

Applicants are **strongly** advised to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store their recycling carts).

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection.

Memorandum



Date: January 22, 2016

To: Nathan Kogon, Assistant Director
Development Services
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, CSM, LEED® Green Associate
Chief, Comprehensive Planning & Water Supply Certification Section

Subject: Zoning Application Comments - Melissa Wolin TR, Ponce de Leon
Application # Z2015000121 - (Pre-Appl. # Z15P-174) - (REVISION # 1)

The Water and Sewer Department (WASD) has reviewed the zoning application for the proposed development. Below, please find comments for the subject application. The information provided below is preliminary and it does not affect the Zoning process. The applicant is advised to consult with their engineer and the WASD Plans Review staff to finalize points of connection and capacity approval. The revised tree survey dated January 6, 2016 does not alter the comments previously provided below.

Application Name: Melissa Wolin TR, Ponce de Leon

Location: The subject project is located at 7677 Ponce de Leon Road with Folio No. 30-4131-009-0120, in unincorporated Miami-Dade County.

Proposed Development: Rezoning from EU-1 to EU-S or request Non-use variance to permit two lots with an area of 0.61 acres each and Non-use variance to permit two lots with a minimum frontage of 100' each. A single family residence is proposed for each lot.

Water: The subject project is located within WASD service area. The source of water for the project is the Alexander Orr Water Treatment Plant. Currently, there is adequate treatment and water supply capacity for the proposed development consistent with Policy WS-2 A (1) of the CDMP.

There is an existing 12-inch water main along Ponce de Leon abutting the property where the developer may connect to provide water service for one of the two future single family residence. There is another existing 8-inch water main along S.W. 76th street to where the developer may connect and extend a new 8-inch water main southerly to provide water service for the other proposed single family residence. Final points of connections and capacity approval to connect to the water system will be provided at the time the applicant requests connection to the water infrastructure.

A Water Supply Certification (WSC) from WASD will be required for all future development. Said Certification will be issued at the time the applicant request connection to the water system. The Certification is required to assure adequate water supply is available to all water users of the WASD as required by Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the WSC Program, please go to:
<http://www.miamidade.gov/water/water-supply-certification.asp>

In addition, the future development will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-84 and 8A-381 of the Code of Miami-Dade County. Also, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of the Miami-Dade County Code.

For more information about our Water Conservation Program please go to <http://www.miamidade.gov/conservation/home.asp>

For information concerning the Water-Use Efficiency Standards Manual please go to:

<http://www.miamidade.gov/waterconservation/library/instructions/water-use-efficiency-standards-manual.pdf>

Sewer: The proposed development is located within the WASD's sewer service area. There is no sewer infrastructure in the vicinity of the subject application. The property is currently on septic.

Below please find additional links to the WASD portal which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>

Should you have any questions, please call me at (786) 552-8198 or Alfredo Sanchez at (786) 552-8237.

Memorandum



Date: December 7, 2015

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief *M. I. N.*
Planning and Design Excellence Division
Parks, Recreation and Open Spaces Department

Subject: Z2015000121: MELISSA WOLIN TR, PONCE DE LEON, PRE-APP Z15P00174

Application Name: MELISSA WOLIN TR, PONCE DE LEON, PRE-APP Z15P00174

Project Location: The site is located at 7677 PONCE DE LEON ROAD, Miami-Dade County.

Proposed Development: The request is for a ZONE CHANGE FROM EU-1 TO EU-S, and Special Exception to accommodate a lot split to create a total of 2 dwelling units.

Impact and demand: This application for 2 new single family dwelling units which would result in a de minimis impact to the CDMP Open Space Spatial Standards in Park Benefit District 2, which has a level of service surplus of 491.32 acres of local recreation open space.

Recommendation: Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, Parks Planning Section Supervisor



Memorandum

Date: 07-JAN-16
To: Jack Osterholt, Director
 Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
 Miami-Dade Fire Rescue Department
Subject: Z2015000121

Recommendation:

Tree survey has no bearing on the previously approved site plan with a 11/16/15 RER received date.

Service Impact/Demand

Development for the above Z2015000121 located at 7677 PONCE DE LEON ROAD, MIAMI-DADE COUNTY, FLORIDA. in Police Grid 1762 is proposed as the following:

1	dwelling units	N/A	square feet
residential		industrial	
N/A	square feet	N/A	square feet
Office		institutional	
N/A	square feet	N/A	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: No Impact. 0.56 alarms-annually.

Existing services

The Fire station responding to an alarm in the proposed development will be: Station # 14
 The estimated average travel time is: 7.02 minutes

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development: N/A
 N/A

Fire Planning Additional Comments

OK

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

MELISSA WOLIN, TRUSTEE OF PONCE DE LEON TRUST 7677 PONCE DE LEON ROAD,
LEON TRUST MIAMI-DADE COUNTY, FLORIDA

APPLICANT

ADDRESS

MARCH 01, 2016

Z20150000121

DATE

HEARING NUMBER

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

February 5, 2016

NEIGHBORHOOD REGULATIONS:

THERE ARE NO CURRENT OPEN OR CLOSED CASES

BUILDING SUPPORT REGULATIONS:

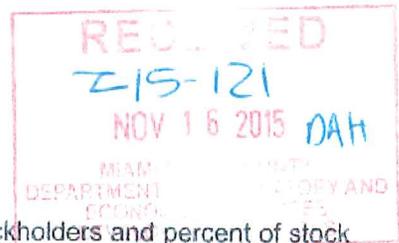
THERE ARE NO CURRENT OPEN OR CLOSED CASES

VIOLATOR:

MELISSA WOLIN, TRUSTEE OF PONCE DE LEON TRUST

OUTSTANDING LIENS AND FINES:

AS OF FEBRUARY 5, 2016, THERE ARE NO OUTSTANDING LIENS, FINES, OR FEES



DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME Ponce de Leon Trust

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u>Gregory Wolin</u> <u>7677 Ponce de Leon Road, Miami, FL</u>	<u>50%</u>
<u>Melissa Wolin</u> <u>7677 Ponce de Leon Road, Miami, FL</u>	<u>50%</u>
_____	_____
_____	_____

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: 7677 Holdings, LLC

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
<u>Jose Boschetti, Jr.</u>	<u>100%</u>
<u>1200 Ponce de Leon Blvd</u>	
<u>Coral Gables, FL 33134</u>	

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

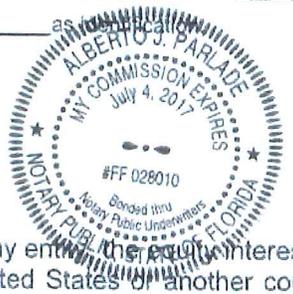
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature *Melissa Wolk* MELISSA WOLK TRUSTEE
 (Applicant) (Print Applicant name)

Sworn to and subscribed before me this 12th day of Nov., 2015. Affiant is personally know to me or has produced FL. DMV. LIC.

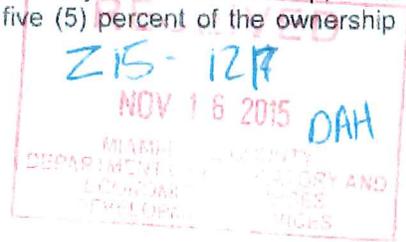
[Signature]
 (Notary Public)

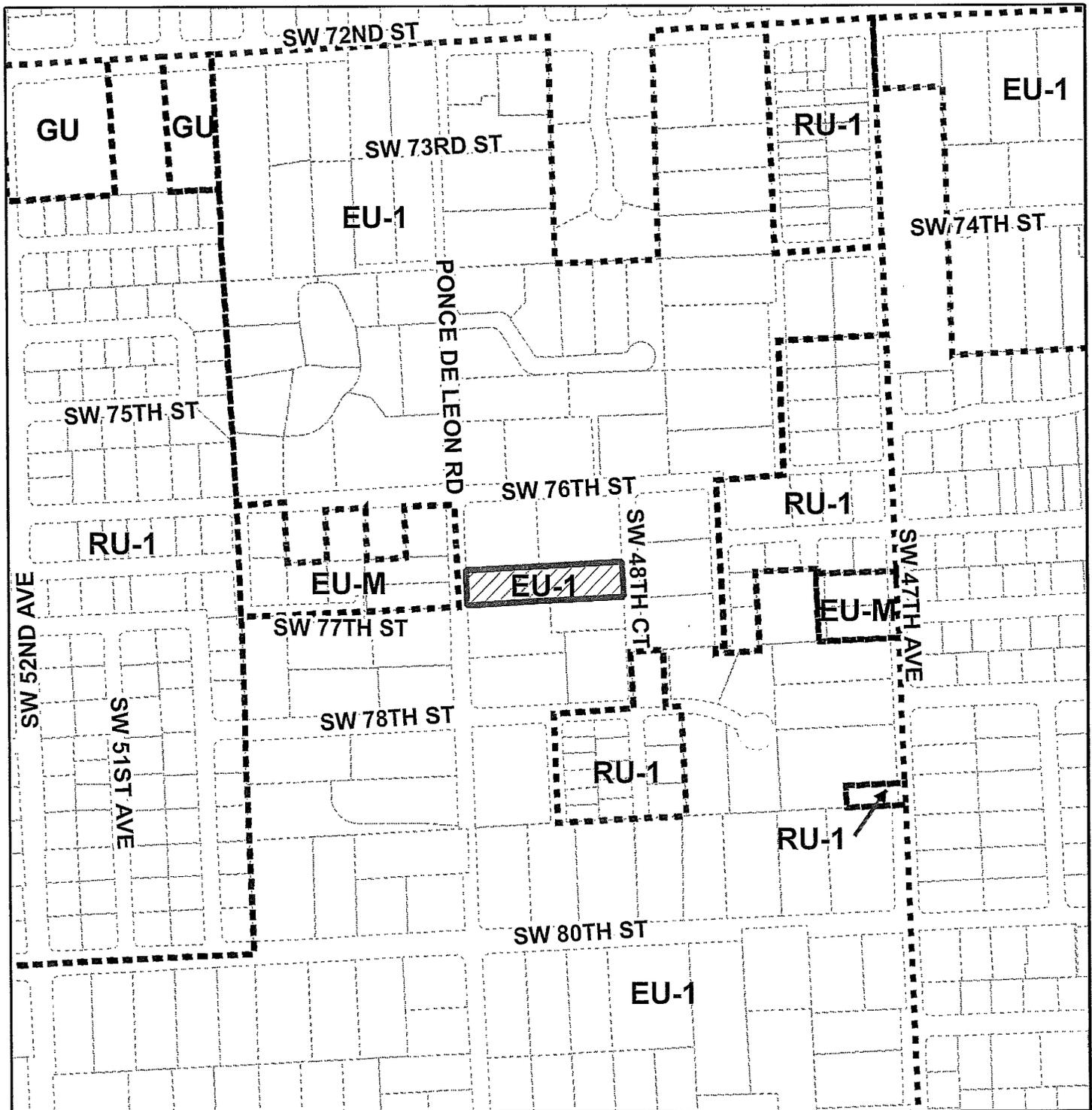


My commission expires: _____

Seal

*Disclosure shall not be required of: 1) any entity whose interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.





MIAMI-DADE COUNTY
HEARING MAP

Process Number

Z2015000121

Section: 31 Township: 54 Range: 41
 Applicant: MELISSA WOLIN TR, PONCE DE LEON.
 Zoning Board: C12
 Commission District: 7
 Drafter ID: E.CESPEDES
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Monday, November 30, 2015

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY
AERIAL YEAR 2015

Process Number

Z2015000121

Legend

 Subject Property

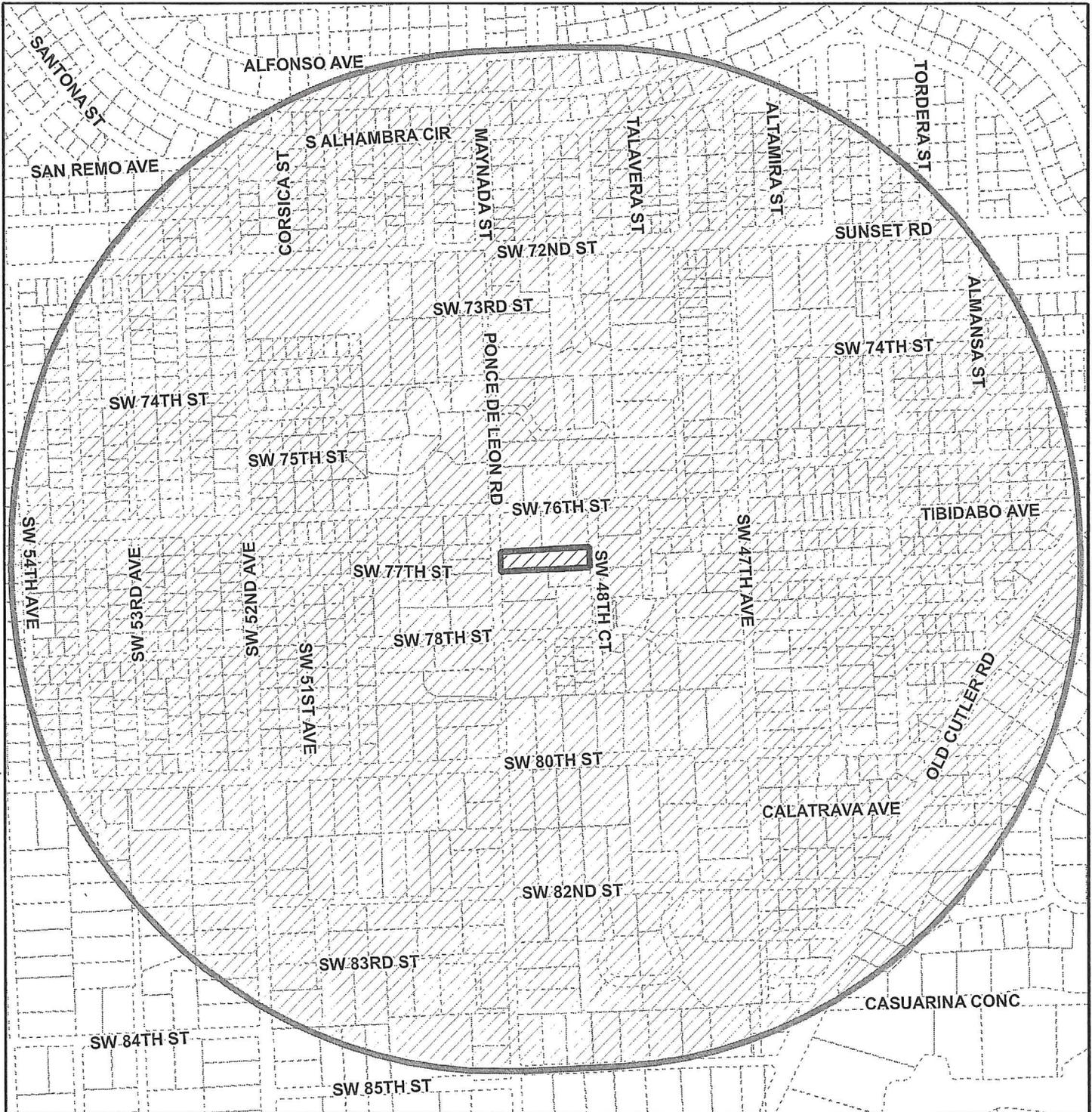


Section: 31 Township: 54 Range: 41
 Applicant: MELISSA WOLIN TR, PONCE DE LEON.
 Zoning Board: C12
 Commission District: 7
 Drafter ID: E.CESPEDES
 Scale: NTS



SKETCH CREATED ON: Monday, November 30, 2015

REVISION	DATE	BY
		24



MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2015000121

RADIUS: 2640

Section: 31 Township: 54 Range: 41
 Applicant: MELISSA WOLIN TR, PONCE DE LEON,
 Zoning Board: C12
 Commission District: 7
 Drafter ID: E.CESPEDES
 Scale: NTS

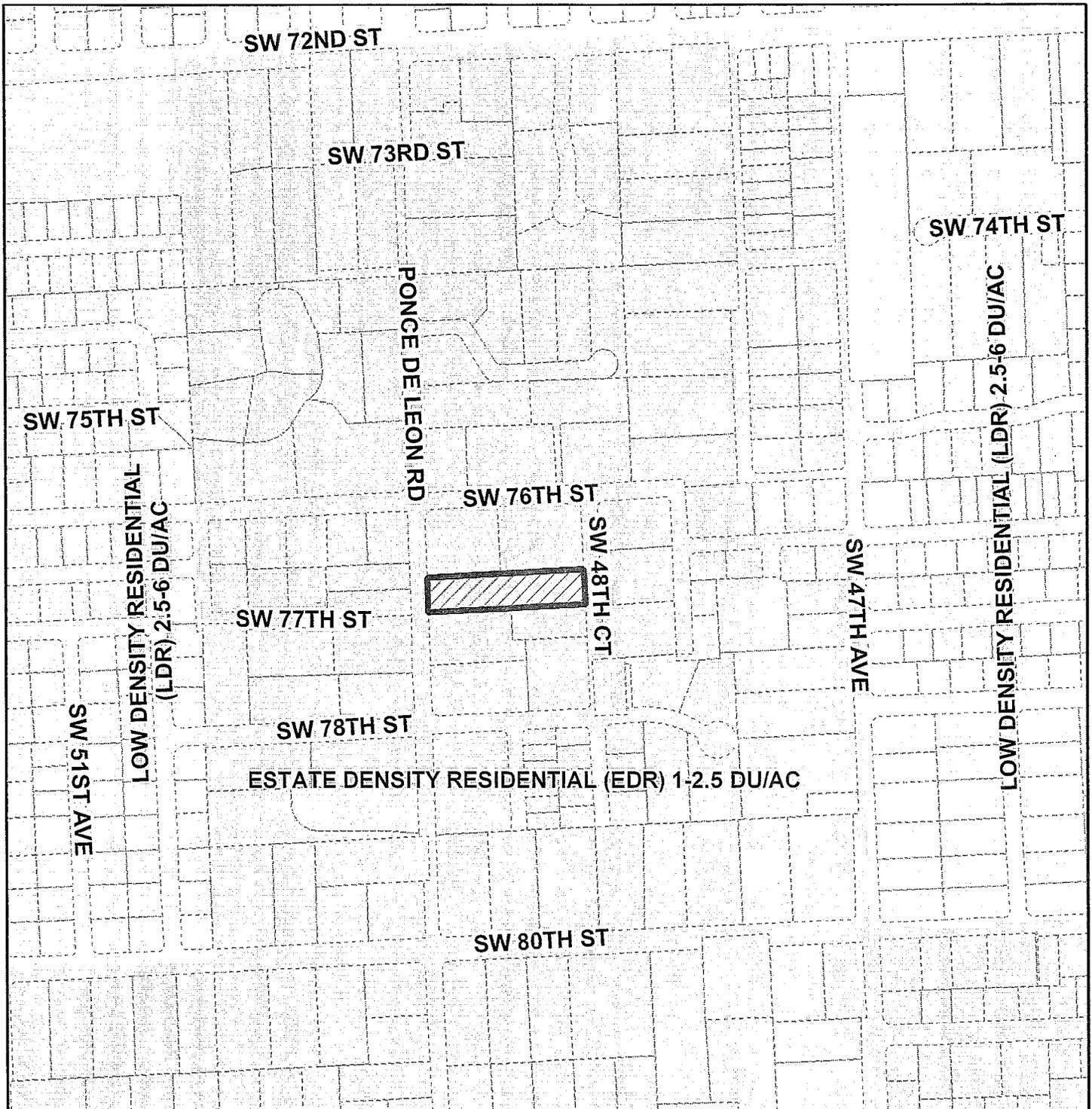
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Monday, November 30, 2015

REVISION	DATE	BY
		25



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2015000121

Section: 31 Township: 54 Range: 41
 Applicant: MELISSA WOLIN TR, PONCE DE LEON.
 Zoning Board: C12
 Commission District: 7
 Drafter ID: E.CESPEDES
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Monday, November 30, 2015

REVISION	DATE	BY