

RESOLUTION NO. CZAB12-13-16

WHEREAS, MANUEL J. MENENDEZ, TRS applied for the following:

- (1) DISTRICT BOUNDARY CHANGE from RU-4M to RU-1.
- (2) NON-USE VARIANCE to permit an existing parcel of land with a lot area of 5,000 sq. ft. (7,500 sq. ft. required) and a lot frontage of 50' (75' required).
- (3) NON-USE VARIANCE to permit an existing addition to a single family residence setback a minimum of 17' (25' required) from the front (east) property line.
- (4) NON-USE VARIANCE to permit an existing addition to the single family residence setback a minimum of 13.9' (25' required) from the rear (west) property line.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Manuel J. Menendez, Trust" as prepared by Pedro Landera Architect, dated stamped received 5/3/16 and consisting of 1 sheet. Plans may be modified at public hearing.

SUBJECT PROPERTY: The North 50' of the East 100' of Tract "B" of MENENDEZ TRACTS, PB 167-52.

LOCATION: 4090 SW 89 Avenue, MIAMI-DADE COUNTY, FLORIDA.

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 district boundary change to RU-1 (Request #1) would be consistent with the COMPREHENSIVE DEVELOPMENT MASTER PLAN and would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the requested NON-USE VARIANCE to

permit an existing parcel of land with a lot area of 5,000 sq. ft. and a lot frontage of 50' (Request #2), the NON-USE VARIANCE to permit an existing addition to a single family residence setback a minimum of 17' from the front (east) property line (Request #3), and the NON-USE VARIANCE to permit an existing addition to the single family residence setback a minimum of 13.9' from the rear (west) property line (Request #4) 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 (Requests #1 through #4) was offered by Anthony Petisco, seconded by Elliot N. Zack, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	absent	Alberto Santana	absent
Javier Gonzalez-Abreu	aye	Jose I. Valdes	aye
Anthony Petisco	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 district boundary change to RU-1 be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that the requested NON-USE VARIANCE to permit an existing parcel of land with a lot area of 5,000 sq. ft. and a lot frontage of 50' (Request #2), the NON-USE VARIANCE to permit an existing addition to a single family residence setback a minimum of 17' from the front (east) property line (Request #3), and the NON-USE VARIANCE to permit an existing addition to the single family residence setback a minimum of 13.9' from the rear (west) property line (Request #4) 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, entitled "Manuel J. Menendez, Trust" as prepared by Pedro Landera Architect, dated stamped received 5/3/2016 and consisting of 1 sheet.
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.

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 12th day of July, 2016.

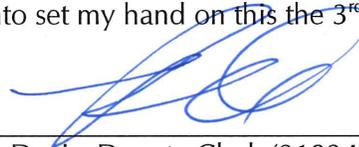
Hearing No. 16-C-CZ12-3
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STATE OF FLORIDA

COUNTY OF MIAMI-DADE

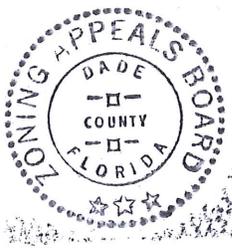
I, Rosa Davis, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB 12-13-16 adopted by said Community Zoning Appeals Board at its meeting held on the 12th day of July, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 3rd day of August, 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 Division
111 NW 1st Street • Suite 1110
Miami, Florida 33128-1902
T 305-375-2640
www.miamidade.gov/economy

August 8, 2016

MANUEL J. MENENDEZ, TRS
c/o Victor Vazquez
7035 SW 44 St
Miami, FL 33155

Re: Hearing No. 16-6-CZ12-3 (16-026)
Location: 4090 SW 69 AVE, MIAMI-DADE COUNTY, FLORIDA.

Dear Applicant:

Enclosed herewith is a corrected copy of Resolution No. ZCAB12-13-16 which was adopted by the Community Zoning Appeals Board 12 on **July 12, 2016**. The resolution was corrected to address a scrivener's error on the Resolution Number.

Please discard the original resolution and replace with the attached, as the resolution has been revised to reflect the above –mentioned correction.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rosa Davis".

Rosa Davis,
Deputy Clerk

Enclosure



Department of Regulatory and Economic Resources

Development Services Division
111 NW 1st Street • Suite 111C
Miami, Florida 33128-1902
T 305-375-264C
www.miamidade.gov/economy

August 3, 2016

MANUEL J. MENENDEZ, TRS
c/o Victor Vazquez
7035 SW 44 St
Miami, FL 33155

Re: Hearing No. 16-6-CZ12-3 (16-026)
Location: 4090 SW 69 AVE, MIAMI-DADE COUNTY, FLORIDA.

Dear Applicant:

Enclosed herewith is Resolution No. CZAB12-13-16, adopted by the Miami-Dade County Community Zoning Appeals Board 12, which approved your request for a district boundary change to RU-1 (Request #1) and approved the balance of your application (Requests #2 through #4) on the above noted location. Please note the conditions under which said approval was granted, since failure to comply with stipulated conditions, if any, will result in the issuance of civil violation notices requiring payment of daily fines.

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 for construction work done or required prior to issuance of the applicable certificate(s) pursuant to Section 33-8 of the Zoning Code. Payment of 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.

Please note that any aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11th floor of the Stephen P. Clark Building, 111 N.W. 1st Street, Miami, FL 33128. The date of posting is **July 18, 2016**. In the event an appeal is filed, any action undertaken during the appeal period is at the applicant's risk.

Sincerely,

A handwritten signature in blue ink, appearing to be "Rosa Davis", written over a blue ink scribble.

Rosa Davis
Deputy Clerk

Enclosure