

RESOLUTION NO. CZAB10-12-97

WHEREAS, RAUL MEDINA, JR. had applied for the following:

- (1) EU-1 & RU-5A to RU-5A
- (2) SPECIAL EXCEPTION to permit site plan approval for a proposed office development.
- (3) NON-USE VARIANCE OF HEIGHT REQUIREMENTS to permit the proposed office building with a height of 30' (24' permitted).
- (4) NON-USE VARIANCE OF ZONING REGULATIONS requiring S.W. 42 Street (Bird Road) to be 110' in width; to vary same to permit 100' of dedication.

A plan is on file and may be examined in the Zoning Department entitled "Proposed Professional Office Building," as prepared by Cabreara-Ramos, Architects, Inc., dated 6-26-97 and consisting of 5 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 12 & 13, Block 13, J.G. HEADS FARMS, UNIT A, Plat book 46, page 13.

LOCATION: Lying in the Northeast corner of S.W. 132 Avenue and S.W. 42 Street, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and it was noted that the applicant had previously submitted revised plans within the scope of the advertisement entitled "Proposed Professional Office Building For: Mr. Raul Medina Jr., as prepared by Cabrera Ramos Architects, Inc., dated stamped received 9-19-97, and consisting of five (5) sheets, and at which time the applicant requested permission to withdraw the non-use variance of height requirements (Item #3), and

WHEREAS, upon due and proper consideration having been given to the matter, it was the opinion of this Board that the requested district boundary change to RU-5A (Item #1) 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 Dade County, Florida, and should be approved, and that the requested special exception (Item #2), and the non-use variance of zoning regulations (Item #4) would be compatible with the area and its development and 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

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, a motion to approve requested district boundary change to RU-5A (Item #1), the requested special exception (Item #2), and the non-use variance of zoning regulations (Item #4), and to approve the withdrawal of the non-use variance of height regulations (Item #3) was offered by Paul De Bodor Angelo XXVII, seconded by Bernie Navarro, and upon a poll of the members present the vote was as follows:

Paul De Bodor Angelo XXVII	aye	Bernie Navarro	aye
Manuel Casas	aye	Jesus Rodriguez	aye
Armando T. Delgado	aye	Carlos A. Valderrama	aye
Marta Perez	aye		

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Community Zoning Appeals Board 10, that the requested district boundary change to RU-5A (Item #1), be and the same is hereby approved and said property is hereby zoned accordingly, subject to the following condition pursuant to Section 33-311(c) of the Code of Metropolitan Dade County.

1. That a plot use plan be submitted to and meet with the approval of the Director of Planning, Development and Regulation; said plan to include among other things but not be limited to, location of buildings and structures, types, sizes and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, sprinkler systems, etc.

BE IT FURTHER RESOLVED, that the requested special exception (Item #2), and the non-use variance of zoning regulations (Item #4) be and the same are hereby approved, subject to the following additional conditions:

2. 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 and/or Certificate of Use and Occupancy; 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.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed Professional Office Building For: Mr. Raul Medina Jr., as prepared by Cabrera Ramos Architects, Inc., dated stamped received 9-19-97, and consisting of five (5) sheets.
4. That the use be established and maintained in accordance with the approved plan.
5. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use and Occupancy.
6. That the applicant obtain a Certificate of Use and Occupancy from and promptly renew the same annually with the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
7. That the trash receptacles be located in an area approved by the Director, removed from residential property.

8. That no windows be allowed on the north side of the structure.

9. That the applicant provide a curb along the west and south side of the property.

BE IT FURTHER RESOLVED, that the request to withdraw the non-use variance of height regulations (Item #3), be and the same is hereby approved, and said Item is withdrawn without prejudice.

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 changes and notations upon the maps and records of the Dade County Department of Planning, Development and Regulation and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 6th day of October, 1997.

Hearing No. 97-10--CZ-10-6
SW

STATE OF FLORIDA

COUNTY OF DADE

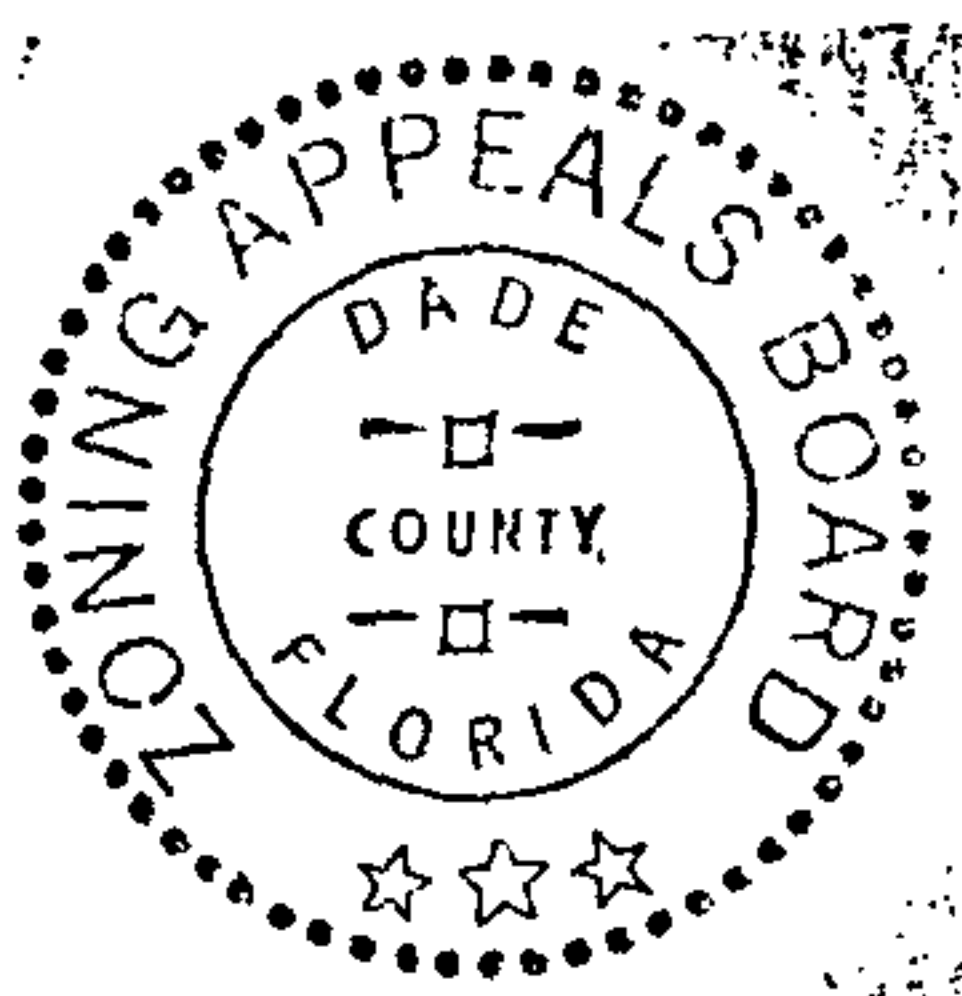
I, Marcy Gordon, as Deputy Clerk and Legal Counsel for the Dade County Department of Planning, Development and Regulation as designated by Guillermo E. Olmedillo, Director of the Metropolitan Dade County Department of Planning, Development and Regulation and Ex-Officio Secretary of the Metropolitan Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-12-97 adopted by said Community Zoning Appeals Board at its meeting held on the 6th day of October, 1997.

IN WITNESS WHEREOF, I have hereunto set my hand on this 10th day of October, 1997.



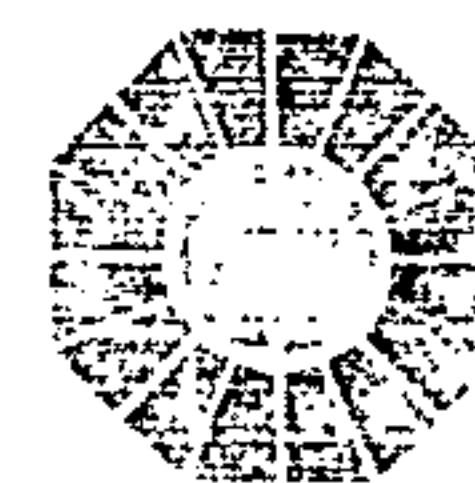
Marcy Gordon, Deputy Clerk and Legal Counsel
Metropolitan Dade County
Department of Planning, Development
and Regulation

SEAL



METROPOLITAN DADE COUNTY, FLORIDA

METRO-DADE



STEPHEN P. CLARK CENTER

DEPARTMENT OF PLANNING, DEVELOPMENT AND REGULATION
111 NW 1ST STREET
SUITE 1110
MIAMI FLORIDA 33128-1974
(305) 375-2500
FAX (305) 375-2795

October 10, 1997

Raul Medina, Jr.
6605 N.W. 74 Avenue
Miami, FL 33166

Re: Hearing No. 97-10-CZ-10-6
Location: Lying in the Northeast corner of S.W. 132 Avenue and S.W. 42 Street

Dear Applicant:

Enclosed herewith is a copy of Resolution No. CZAB10-12-97, adopted by the Metropolitan Dade County Community Zoning Appeals Board 10, which accepted your revised plans, approved the withdrawal of Item #3, and approved the balance of 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.

Once the use has been established, failure to maintain compliance with any of the required conditions will result in the immediate issuance of a civil violation notice for each condition violated. Each ticket issued will require payment of a daily monetary fine in the amount of \$500.00.

If there are any anticipated changes from the plan submitted for the hearing, a plot use plan should be submitted to this department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

Application for necessary permits and/or Certificate of Use and Occupancy permits should be made with this Department.

Sincerely,

Marcy Gordon
Legal Counsel

MG:sw
Enclosures

cc: Al Cardenas, Esq.
201 S. Biscayne Blvd., Suite 2600
Miami, FL 33131

Enforcement