

PLACE OF MEETING: COUNTY COMMISSIONERS CHAMBERS
OF THE STEPHEN P. CLARK CENTER – 2ND FLOOR
111 NW 1 STREET, MIAMI

DATE APRIL 26, 2018
TIME OF MEETING 9:30 AM

DEFERRED:

HEARING #

DISTRICT(S)

A. WRC PROPERTIES, LLC, ET AL.

16-197

06

Request(s): - The applicants seek to modify a previously approved Development Order (DO) for the Development of Regional Impact (DRI) to reduce the acreage and to allow for a simultaneous decrease and addition of new uses for the DRI development program, and to extend the build-out date of the project.
In addition, the applicants also seek to rezone a 62-acre parcel within the DRI property from IU-2 to BU-2.

Location: - Lying south of Miami International Airport and SR 836, on both sides of NW 57 Avenue and north of NW 7 Street , Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

B. SOMERSET ACADEMY, INC. AND SCHOOL PROPERTY DEVELOPMENT QUAIL ROOST, LLC.

16-241

09

Request(s): - The applicants seek a district boundary change from EU-1 and EU-M to EU-M, to permit a proposed kindergarten through 12th grade charter school for 1,600 students on the subject property, which will be spaced less than required from the Urban Development Boundary (UDB). Additionally, the applicants seek to modify the previously approved plans for the existing church and school, and to permit the proposed charter school with variance for location of parking and drives.

Location: - 19701 SW 127 Avenue, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

DEFERRED :

HEARING # DISTRICT(S)

**C. JOCKEY CLUB CONDOMINIUM APTS, INC. AND
JOCKEY CLUB CONDOMINIUM APTS UNIT II, INC.**

17-192 04

Request(s): - Application #Z15-088: The applicants below, Apeiron Miami, LLC with the consent of Jockey Club III Association, Inc., sought approval of a Use Variance, a modification of a previously approved resolution, deletion of a previously approved covenant, and an Unusual Use request in order to allow for the submittal of revised plans showing the addition of a 90 room hotel, 120 apartment units, and a parking garage structure. Additionally, the applicants below sought to permit said proposed development with increased heights, reduced setbacks, reduced drives, and reduced parking spaces back-out aisles. Further, the applicants sought to permit 2 detached signs on the subject property with more area than allowed. Community Zoning Appeals Board #7 approved the requests. **Appellants appeal the approval of Application #Z15-088, which is germane to the DIC Vested Rights application below.**

Application #Z17-111: DIC Vested Rights. Appellants assert that approval of Public Hearing Application #Z15-088 would impair or limit the Appellants' rights to use their property, and would result in an abrogation of vested rights. Community Zoning Appeals Board #7 denied the vested rights claim. **Appellants appeal the denial of Application #Z17-111.**

Application #Z17-192: Administrative Decision appeal. Appellants also allege that the administrative decision to allow the reduced setback and increased height for the 45-story tower proposed as part of Application #Z15-088 was an error. Appellants also allege that the setback and height were measured without regard for certain interior lots that are not owned by the applicants below, and that this administrative decision was also an error.

Location: - 11111, 11119, 11121 Biscayne Boulevard and 1580 NE 111 Street, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

APPEAL:

HEARING # DISTRICT(S)

1. SOUTH RIVIERA INVESTMENTS NO. 2, INC.

16-106

08

Request(s): - The applicant is seeking a district boundary change or in the alternative setback variances to permit a private school on the subject property for 850 students in grades K-8. Additionally, the applicant is requesting to permit driveways and parking within 25' of the right-of-way, and to permit outdoor recreation space less than permitted by code.

Location: - Northwest corner of SW 248th Street and SW 120th Avenue, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

2. PERSEA, LLC, ET AL.

17-040

08

Request(s): - The applicants are seeking approval to permit a district boundary change from AU, Agriculture District to EU-M, Single-Family Modified Estate District. In addition, the applicants are also seeking approval to permit an existing single-family residence setback less than required from property line and to also waive the subdivision regulations requiring sidewalks and street lights.

Location: - Lying north of SW 296 Street, between SW 177 Avenue (Krome Avenue) and SW 179 Avenue, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

3. SFI PALM TREE FARMS, LLC.

17-139

08

Request(s): - The applicant is seeking to change the zoning from AU to BU-1A in order to allow a commercial development with accompanying non-use variances on a 7.12 acre portion of the subject property and to permit a zone change from AU to RU-3M in order to permit a townhouse development for 283 units on the remaining 24.20 acre parcel with accompanying non-use variances.

Location: - Lying in the southwest corner of SW 248th Street and SW 112th Avenue, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

APPEAL:

HEARING # DISTRICT(S)

4. PZB 4, LLC.

17-170

10

Request(s): - The applicant is seeking a district boundary change from EU-S, Single-Family Suburban Estate District to BU-1A, Limited Business District along with the requests to permit a proposed office building with more floor area ratio than required by Code and setback less than required by the property line. In addition, the applicant is seeking approval to permit less landscape open space than permitted by the Code.

Location: - Lying south of SW 56 Street, approximately 470' west of SW 99 Avenue, AKA 9990 SW 56 Street, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

CURRENT:

HEARING # DISTRICT(S)

5. JLK FOUR, LLC.

17-315

09

Request(s): - The applicant is requesting to establish a charter school on the subject property for 2,500 students in grades K-12. Additionally, the applicant is requesting to permit said charter school to be spaced less than required from the Urban Development Boundary (UDB).

Location: - Lying at the northeast corner of the intersection of SW 157 Avenue and SW 160 Street, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

COUNTY COMMISSION MEETING OF THURSDAY, APRIL 26, 2018

NOTICE: THE FOLLOWING HEARING IS SCHEDULED FOR 9:30 A.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBER. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COMMISSION CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE CHAMBERS TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESS

A. WRC PROPERTIES LLC, ET AL. (16-197)

**31-53-41/36-56-40/51-53-40
BCC/District 06**

- (1) TO MAKE A SUBSTANTIAL DEVIATION DETERMINATION to Development of Regional Impact pursuant to Section 380.06(19) of the Florida Statutes with respect to the following amendments and requests:

- (2) DELETION of 10± acres of the DRI ("Sofitel Parcel") legally described as follows:

"LOT 5, BLOCK 2, BLUE LAGOON WEST SECTION TWO, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 122 AT PAGE 74 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA,"

and acceptance of the amended legal description for the DRI-

- (3) MODIFICATION of Condition #29 of Resolution Z-32-90, last modified by Resolution Z-24-98, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: "29. Limit the development of those land uses authorized by Miami-Dade County for the 388.54 acres of IU-2 land, which includes approximately 221± acres of lakes and 2.43 acres of preservation area. This mixed-use development consists of 4.43 million square feet of offices, 30,000 sq. ft. of support retail uses, restaurants with a combined total of 500 seats, a health club consisting of 10,000 sq. ft. and five hotels with a combined total of 1,400 rooms. Any subsequent site plan approval will require parking with applicable open space, and floor area ratio, all in accordance with applicable Miami-Dade County Ordinances as may be amended at the public hearing.

TO: "29. Limit the development of those land uses authorized by Miami-Dade County for the 378± acres of IU-2 land, which includes approximately 221± acres of lakes and 2.43 acres of preservation area. This mixed-use development consists of 4,317,500 square feet of offices, 30,000 sq. ft. of support retail uses, restaurants with a combined total of 500 seats, a health club consisting of 10,000 sq. ft., a combined total of 1,119 hotel rooms, and 800 residential dwelling units, or equivalent combination of said uses as set forth in the equivalency matrix ~~attached as Exhibit 2~~, on 378± acres of land. Any subsequent site plan approval will require parking with applicable open space, and floor area ratio, all in accordance with applicable Miami-Dade County Ordinances as may be amended at the public hearing.

The uses shall be located on the parcels as shown on the DRI Master Development Plan, "Map H," dated July 26, 2016.

- (4) MODIFICATION of Condition #47 of Resolution Z-32-90, as last modified by Resolution Z-7-12, both passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "47. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the build out period (November 2, 2021) sufficient infrastructure capacities will be available to service this Project. All subsequent development orders or permits pursuant to this Amended Development Order, are hereby found to meet concurrency standards set forth in Comprehensive Development Master Plan Ordinance No. 89-66 and Resolution No. 861-89 and A.O. 4-85 (concurrency regulation) and to be consistent with local development regulation so long as the Applicant is developing in compliance with the terms and conditions of this Amended Development Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in 33G-32 (2) Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable on the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) the actual impacts of any portion of the Project previously constructed are greater than those projected in the ADA; and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this amended DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not issue unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency standards as determined by the County pursuant to said concurrency regulations. Any modification or changes to this Amended Development Order, regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time each modification or change occurs."

TO: "47. For the purposes of Concurrency Review, and based upon the analysis contained in the ADA together with review and further study by Miami-Dade County, it is hereby found that throughout the build out period (February 29, 2028) sufficient infrastructure capacities will be available to service this Project. All subsequent development orders or permits pursuant to this Amended Development Order, are hereby found to meet concurrency standards set forth in Comprehensive Development Master Plan Ordinance No. 89-66 and Resolution No. 861-89 and A.O. 4-85 (concurrency regulation) and to be consistent with local development regulation so long as the Applicant is developing in compliance with the terms and conditions of this Amended Development

Order. Furthermore, Miami-Dade County shall not issue any subsequent development orders as defined in 33G-32 (2) Miami-Dade County Code, which would degrade such level of service below minimum acceptable levels as may be applicable on the Comprehensive Development Master Plan and the above ordinance, as may be amended from time to time. In the event that: (a) the actual impacts of any portion of the Project previously constructed are greater than those projected in the ADA; and (b) the issuance of further local development orders (as defined in Chapter 33G, Miami-Dade County Code) authorizing further construction or development pursuant to this amended DRI Development Order would violate the aforesaid concurrency regulations, the following shall occur: Such further local development order shall not issue unless and until the Applicant shall make provisions for necessary services and facilities to meet the County's concurrency standards as determined by the County pursuant to said concurrency regulations. Any modification or changes to this Amended Development Order, regardless of whether such change or modification is found to constitute a substantial deviation, may require this development to comply with those concurrency requirements or local development regulations in effect at the time each modification or change occurs."

The purpose of the requests #2 through #4 is to allow the applicant to modify the previously approved conditions of the development order for the Development of Regional Impact (DRI) on the property to reduce the acreage by 10 acres, and simultaneously to allow for a simultaneous decrease and addition of new uses for the DRI development program, and to extend the build-out date of the project.

REQUEST FOR PARCEL 1 ONLY

(5) DISTRICT BOUNDARY CHANGE from IU-2 to BU-2.

LOCATION: Lying south of Miami International Airport and SR 836, on both sides of NW 57 Avenue and north of NW 7 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: +/- 388 Acres

Department of Regulatory and
Economic Resources
Development of Regional Impact
Recommendation:

Withdrawal without prejudice of request #1, and approval with conditions of requests #2 through #4.

Department of Regulatory and
Economic Resources
Zoning
Recommendation:

Approval of request #5, subject to the acceptance of the proffered Declaration of Restrictions.

Protests: _____ 1 _____

Waivers: _____ 2 _____

APPROVED: _____

DENIED WITH PREJUDICE _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred by BCC at regular March meeting

**B. SOMERSET ACADEMY, INC. & SCHOOL PROPERTY (16-241)
DEVELOPMENT QUAIL ROOST, LLC.**

**01-56-39
BCC/District 09**

- (1) DISTRICT BOUNDARY CHANGE EU-1 and EU-M to EU-M.
- (2) SPECIAL EXCEPTION to permit a charter school.
- (3) SPECIAL EXCEPTION to waive the spacing requirement for new charter school facilities from the Urban Development Boundary (UDB) to permit:
 - A senior high school within 1 mile of the UDB.
- (4) SPECIAL EXCEPTION to permit the expansion of an existing education and religious facility on to additional property to the north and south.
- (5) MODIFICATION of Condition #2 of Resolution #4ZAB-96-85, passed and adopted by the Zoning Appeals Board, last modified by Resolution #CZAB14-33-03, passed and adopted by Community Zoning Appeals Board 14, reading as follows:

From: "2 That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled " Upper Room Assembly Addition to the Existing Church," as prepared by LPD Architects and dated 7/03/013 and consisting of 5 pages."

To: "2 That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Somerset Academy Charter School" as prepared by CIVICA Architecture and Urban Design, with sheets SP-1 – SP-3 dated stamped received 10/16/17, and the remaining 9 sheets dated stamped received 8/28/2017, for a total of 12 sheets.

The purpose of request #5, is to allow the applicants to submit revised plans for the previously approved religious facility and private school, to show a proposed charter school in conjunction with the existing religious facility.

- (6) NON-USE VARIANCE to permit off-street parking and driveways to be located within 25' of an official right-of-way line (not permitted).

Plans may be modified at public hearing. The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources

LOCATION: 19701 SW 127 Ave, Miami-Dade County, Florida.

SIZE OF PROPERTY: 9.87 Acres

Department of Regulatory and
Economic Resources

Recommendation of the appeal:

Approval of request #1, approval with conditions of request #2, and requests #4 through #6, and deferral of request #3, with leave to amend.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Deferred by BCC at regular March meeting

**C. JOCKEY CLUB CONDOMINIUM APTS, INC. (17-192)
& JOCKEY CLUB CONDOMINIUM APTS UNIT II, INC.**

**32-52-42
BCC/District 04**

- (1) Appeal of Administrative Decision that the Director erred in his determination of setback and height calculations for a proposed building within application #Z15-088 (Apeiron Miami, LLC, Et Al), which the appellant alleges were measured without regard to interior lots within the subject property that are not owned by the applicant of application #Z15-088 (Apeiron Miami, LLC, Et Al).
- (2) Appeal of the Vested Rights/Takings application #Z17-111, which was denied by Community Zoning Appeals Board #7 on November 8, 2017, and which is germane to Public Hearing Application #Z15-088, an application filed by Apeiron Miami, LLC, Et Al.

LOCATION: 11111, 11119, 11121 Biscayne Boulevard, 11055 N. Bayshore Drive, 11050 N. Bayshore Drive, 1685 NE 110 Terrace, 1687 NE 110 Terrace, and 1580 NE 111 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 22.67 Acres

Department of Regulatory and
Economic Resources

Recommendation of the appeal:

Deferral of the appeal.

Previous Recommendation
to the CZAB:

Approval with conditions of zoning application #Z15-088 and denial of Vested Rights application #Z17-111.

Protests: 204 Waivers: 112

DENIAL OF APPEAL (SUSTAIN C.Z.A.B.): _____

APPROVAL OF APPEAL (OVERRIDE C.Z.A.B.): _____

DEFERRED: _____

Deferred from February 22, 2018

1. SOUTH RIVIERA INVESTMENTS NO. 2, INC. (16-106)

**24-56-39
BCC/District 08**

THE APPLICANT IS APPEALING THE DECISION OF THE COMMUNITY ZONING APPEALS BOARD #15:

- (1) DISTRICT BOUNDARY CHANGE from AU (Agricultural District) to EU-M (Estates Modified District)
- (2) NON-USE VARIANCE to permit to a proposed private school building setback 59' (75' required) from the interior side (west) property line.

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

- (3) SPECIAL EXCEPTION and UNUSUAL USE to permit a private school with grades Kindergarten through 8th.
- (4) NON-USE VARIANCE to permit to a proposed private school building and playground area setback a minimum of 33' from the rear (north) property line, setback a minimum of 28' from the interior side (west) property line, setback a minimum of 39' from the side street (east) property line and setback a minimum of 105.8' from the front (south) property line (250' required for all).
- (5) NON-USE VARIANCE to permit a private driveway and parking areas within 25' of an official right-of-way (not permitted).
- (6) NON-USE VARIANCE to permit 86,204 sq. ft. of outdoor recreation space (251,580 sq. ft. required).
- (7) Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "South Riviera 2 School" as prepared by Villa & Associates Inc., dated stamped received 09/12/16 and consisting of 6 sheets. Plans may be modified at public hearing.

LOCATION: Northwest corner of SW 248th Street and SW 120th Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 4.43 Acres

Department of Regulatory and
Economic Resources
Recommendation of the appeal:

Approval
**(Overrule CZAB decision – requires a 2/3 vote
of the BCC members present)**

Previous Recommendation
to the CZAB:

**Denial without prejudice of request #1,
withdrawal of requests #2 and #3, denial
without prejudice of requests #4, #5 and #6.**

Protests: _____ 10 _____

Waivers: _____ 386 _____

DENIAL OF APPEAL (SUSTAIN C.Z.A.B.): _____

APPROVAL OF APPEAL (OVERRIDE C.Z.A.B.): _____

DEFERRED: _____

2. PERSEA, LLC, ET AL. (17-040)

**01-57-38
BCC/District 08**

THE APPLICANTS ARE APPEALING THE DECISION OF THE COMMUNITY ZONING
APPEALS BOARD #14, WHICH DENIED WITHOUT PREJUDICE THE FOLLOWING:

- (1) DISTRICT BOUNDARY CHANGE from AU to EU-M.
- (2) NON-USE VARIANCE to permit an existing single-family residence setback 15.2' (25' required) from the side street (west) property line.
- (3) NON-USE VARIANCE OF ZONING AND SUBDIVISION regulations to permit a residential development without sidewalks and street lighting (sidewalks and street lights required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Site Plan, Krome Grove Estates" as prepared by Ludovici & Orange, Consulting Engineers, Inc., dated stamped received 10/4/17, consisting of 1 sheet. Plans may be modified at public hearing.

LOCATION: Lying north of SW 296 Street, between SW 177 Avenue (Krome Avenue) and SW 179 Avenue, Miami-Dade County, Florida

SIZE OF PROPERTY: 26.93 Gross Acres

Department of Regulatory and
Economic Resources
Recommendation of the appeal:

Approval

**(Override CZAB decision – requires a 2/3 vote
of the BCC members present)**

Previous Recommendation
to the CZAB:

**Approval of request #1, subject to the Board's
acceptance of the proffered covenant,
approval with conditions of requests #2, and
modified approval with conditions of #3.**

Protests: 341

Waivers: 0

DENIAL OF APPEAL (SUSTAIN C.Z.A.B.): _____

APPROVAL OF APPEAL (OVERRIDE C.Z.A.B.): _____

DEFERRED: _____

3. SFI PALM TREE FARMS, LLC. (17-139)

**30-56-40
BCC/District 08**

THE APPLICANT IS APPEALING THE DECISION OF THE COMMUNITY ZONING APPEALS
BOARD #15, WHICH DENIED WITHOUT PREJUDICE THE FOLLOWING:

“REQUESTS 1 - 7 ON THE COMMERCIAL PARCEL”

- (1) DISTRICT BOUNDARY CHANGE from AU to BU-1A.
- (2) NON-USE VARIANCE of zoning regulations requiring a continuous 5-foot high masonry wall along the common property line where a business lot abuts an RU zoned lot; to waive the same along portions of the property lines that adjoin the proposed RU zoning district.
- (3) NON-USE VARIANCE of the zoning regulations requiring a continuous buffer consisting of a 6' high wall, fence or hedge and trees where dissimilar land uses exist on adjacent properties; to permit openings along portions of the property lines.
- (4) NON-USE VARIANCE to waive the zoning regulations requiring parking spaces with wheel stops; to permit certain parking spaces with bollards.
- (5) NON-USE VARIANCE to permit certain off-street parking spaces with a depth of 16' (18' required).
- (6) NON-USE VARIANCE to permit four (4), 200 sq. ft. detached point-of-sale signs and a 40 sq. ft. detached point-of-sale sign for a total of five (5) detached signs (2-200 sq. ft. detached signs or a 300 sq. ft. detached sign, plus an additional 40 sq. ft. detached sign permitted).
- (7) NON-USE VARIANCE to permit four (4) 200 sq. ft. detached signs to setback 10' (20' required for all) from the rights-of-way.

REQUESTS 8 - 10 ON THE RESIDENTIAL PARCEL

- (8) DISTRICT BOUNDARY CHANGE from AU to RU-3M.
- (9) NON-USE VARIANCE of zoning regulations to permit townhouses with a minimum of 336 sq. ft. of patio and service private open space (400 sq. ft. required).
- (10) NON-USE VARIANCE of the landscape regulations requiring a continuous buffer consisting of a 6' high wall, fence or hedge and trees where dissimilar land uses exist on adjacent properties; to waive same along portions of the property lines that adjoin the proposed BU zoning district.

Plans are on file and may be examined in the Miami-Dade County Department of Regulatory and Economic Resources, Zoning Hearing Section, entitled "Artesa Phase II Site Plan," as prepared by Pascual Perez Kiliddjian & Associates, Architects and Planners, consisting of 32 sheets, and "Artesa Phase II" as prepared by Corwil Architects, consisting of 35 sheets, site plans entitled, "Orion – DNK" prepared by Consulting Engineering and Science, Inc., consisting of 4 sheets, landscape plans entitled "Commercial Site" consisting of 2 sheets, and landscape plans entitled "Artesa Phase II" consisting of 18 sheets, as prepared by Witkin Hults Design Group, all dated stamped received, 12/19/17, and sign plans entitled, "Commercial Shopping Center" as prepared by Thomas Sign & Awning Co., consisting of a total of 6 sheets, dated stamped receive 5/18/17, for a combined total of 97 sheets. Plans may be modified at Public Hearing.

LOCATION: The southwest corner of SW 248th Street and SW 112th Avenue, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: ±31.32 gross acres

Department of Regulatory and
Economic Resources

Recommendation of the appeal:

Approval
**(Override CZAB decision – requires a 2/3 vote
of the BCC members present)**
**Approve the application as recommended by
staff.**

Previous Recommendation
to the CZAB:

Approval.

Protests: 0

Waivers: 0

DENIAL OF APPEAL (SUSTAIN C.Z.A.B.): _____

APPROVAL OF APPEAL (OVERRIDE C.Z.A.B.): _____

DEFERRED: _____

4. PZB 4, LLC. (17-170)

29-54-40
BCC/District 10

THE APPLICANT IS APPEALING THE DECISION OF THE COMMUNITY ZONING APPEALS BOARD #12, WHICH DENIED WITHOUT PREJUDICE THE FOLLOWING:

- (1) DISTRICT BOUNDARY CHANGE FROM EU-S TO BU-1A.
- (2) NON-USE VARIANCE to permit an office building setback 13' (15' required) from the interior side (east) property line.
- (3) NON-USE VARIANCE to permit a Floor Area Ratio of 0.68 (maximum 0.62 permitted).
- (4) NON-USE VARIANCE to permit 19.1% of landscape open space (minimum 20.7% required).

Plans on file and may be examined in the Department of Regulatory and Economic Resources entitled "New Office Building" as prepared by The Architects Group, site plan and floor plan dated stamped received 9/28/17 and elevation plans dated stamped received 6/19/17, and landscape plans dated 12/5/17, consisting of 7 sheets. Plans may be modified at public hearing.

LOCATION: Lying south of SW 56 Street, approximately 470' west of SW 99 Avenue, aka 9990 SW 56 Street, MIAMI DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 1.07 Acres

Department of Regulatory and
Economic Resources
Recommendation of the appeal:

Approval
(Overrule CZAB decision – requires a 2/3 vote of the BCC members present)

Previous Recommendation
to the CZAB:

Approval of request #1, subject to the Board's acceptance of the proffered covenant and approval with conditions of requests #2 through #4.

Protests: 0 Waivers: 0

DENIAL OF APPEAL (SUSTAIN C.Z.A.B.): _____

APPROVAL OF APPEAL (OVERRIDE C.Z.A.B.): _____

DEFERRED: _____

- (1) SPECIAL EXCEPTION to permit a charter school.
- (2) SPECIAL EXCEPTION to waive the spacing requirements for new charter school facilities from the Urban Development Boundary (UDB) to permit:
- A senior high school within 1 mile of the UDB.
 - A middle school within ½ mile of the UDB.
 - A kindergarten, elementary school within a ¼ mile of the UDB.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled, "Proposed Development: Bridge Prep Academy Charter School at Kendall", prepared by Gustavo J. Carbonell, P.A., dated stamped received 1/24/18, for a total of 12 sheets. Plans may be modified at public hearing.

LOCATION: Lying at the northeast corner of the intersection of SW 157 Avenue and SW 160 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 9.80 Acres

Department of Regulatory and
Economic Resources

Recommendation:

Deferral with leave to amend.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

T H E E N D

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of Regulatory and Economic Resources (RER), within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Zoning Hearings Section for the Department of Regulatory and Economic Resources (RER), at (305) 375-2640. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 349-7409.