

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

DATE DECEMBER 6, 2018  
TIME OF MEETING 9:30 AM

**PREVIOUSLY DEFERRED:**

**HEARING #**

**DISTRICT(S)**

**A. SOUTH RIVIERA INVESTMENTS NO. 2, INC**

**Z2016000106**

**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 248<sup>th</sup> Street and SW 120<sup>th</sup> Avenue, Miami-Dade County, Florida.  
Within the Urban Development Boundary (UDB)

**B. WRC PROPERTIES, LLC, ET AL.**

**Z2016000197**

**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)

**C. MINI-WAREHOUSE OF KENDALL, LTD. Z2017000150 07**

Request(s): - The applicant is requesting non-use variances of zoning regulations and to delete past agreements in order to redevelop the property with a mixed-use building in the Downtown Kendall Urban Center District (DKUCD).

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

**CURRENT: HEARING # DISTRICT(S)**

**1. 88 BISCAYNE MANAGEMENT, LLC. Z2017000369 03**

Request(s): - This application is seeking to permit a multi-family residential development in a commercially zoned district.

Location: - Lying North of NE 88 Terrace, approximately 230' East of Biscayne Boulevard, AKA 675 NE 88 Terrace, Miami-Dade County, Florida.  
Within the Urban Development Boundary (UDB)

**COUNTY COMMISSION MEETING OF THURSDAY, DECEMBER 6, 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

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**A. SOUTH RIVIERA INVESTMENTS NO. 2, INC. Z2016000106**

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

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

- (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 8<sup>th</sup>.
- (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).

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 248<sup>th</sup> Street and SW 120<sup>th</sup> 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: \_\_\_\_\_ 19 \_\_\_\_\_

Waivers: \_\_\_\_\_ 387 \_\_\_\_\_

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

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

DEFERRED: \_\_\_\_\_

Deferred from September 27, 2018

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**B. WRC PROPERTIES LLC, ET AL. Z2016000197**

**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  
Zoning  
Recommendation:

**Indefinite deferral with leave to amend.**

Protests: \_\_\_\_\_ 1 \_\_\_\_\_

Waivers: \_\_\_\_\_ 2 \_\_\_\_\_

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_

DEFERRED: \_\_\_\_\_

Deferred from September 27, 2018

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**C. MINI-WAREHOUSE OF KENDALL, LTD. Z2017000150**

**36-54-40  
BCC/District 07**

- (1) RESCISSION and REVOCATION of Resolution Z-220-87 passed and adopted by the Board of County Commissioners, as further modified by Resolution 4-ZAB-317-93, passed and adopted by the Zoning Appeals Board on September 15, 1993, and last modified by CZAB12-18-00, passed and adopted by Community Zoning Appeals Board #12.
- (2) DELETION of Declaration of Restrictive Covenants recorded in Official Record Book 12143, Pages 438 through 441, recorded on May 9, 1984, as amended by Resolution 4-ZAB-317-93, approved by the Zoning Appeals Board on September 15, 1993, and further amended by Resolution CZAB12-18-00, approved by Community Zoning Appeals Board 12 on June 28, 2000.

The purpose of Requests #1 & #2 is to delete previously approved resolutions and agreements in order to redevelop the property under Downtown Kendall Urban Center District regulations.

- (3) NON-USE VARIANCE of setback requirements for building placement setbacks in the Edge Sub-district "B" Street to permit 0' existing interior (north) side setback (8' required) within the Downtown Kendall Urban Center regulations.
- (4) NON-USE VARIANCE to permit the maintenance and continued use of an existing sewer lift station within the colonnade area along SW 67 Avenue.
- (5) NON-USE VARIANCE to permit SW 84 Street to not connect to SW 67 Avenue due to a pre-existing barricade installed by Miami-Dade County.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "A+ Mini Storage" as prepared by Marrero and Associates, Architects and Planners, Inc., consisting of three (3) sheets, dated stamped received June 8, 2017; consisting of six (6) sheets dated stamped received January 9, 2018; consisting of one (1) site plan and one (1) landscape sheet dated stamped received September 18, 2018; for a total of eleven (11) sheets. Plans may be modified at public hearing.

LOCATION: 8395 SW 67 Avenue, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 2.21 Acres



Department of Regulatory and  
Economic Resources  
Zoning Recommendation:

**Approval with conditions.**

Protests: 2

Waivers: 0

APPROVED: \_\_\_\_\_

DENIED WITH PREJUDICE \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_  
Deferred from November 15, 2018

DEFERRED: \_\_\_\_\_

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**1. 88 BISCAYNE MANAGEMENT, LLC. Z2017000369**

**06-53-42  
BCC/District 03**

- (1) SPECIAL EXCEPTION to permit a residential development in the BU-1A zoning district.
- (2) NON-USE VARIANCE to permit a Floor Area Ratio (FAR) of .5166 (.51 FAR maximum permitted).
- (3) NON-USE VARIANCE to permit 44 parking spaces (45 parking spaces required).

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "88 Biscayne Apartments" as prepared by Mendez Professional Engineering Corp., consisting of 6 sheets, dated stamped received 04/03/18 and landscape plans as prepared by Diego Vanderbiest, consisting of 2 sheets, dated stamped received 05/1/18, for a total 8 sheets. Plans may be modified at public hearing.

LOCATION: Lying North of NE 88 Terrace, approximately 230' East of Biscayne Boulevard, AKA 675 NE 88 Terrace, Miami-Dade County, FL.

SIZE OF PROPERTY: 0.85 Acre

Department of Regulatory and  
Economic Resources  
Recommendation:

**Approval with conditions.**

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.