



Village of Palmetto Bay

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To: Honorable Mayor and Village Council

Date: September 30, 2014

From: Ron E. Williams, Village Manager

RE: VPB-14-005

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This item was initially heard on September 22, 2014, however it was continued to the October 20<sup>th</sup>, 2014 Zoning Hearing. At that time, the applicant had a pending application with the Miami-Dade County's EQCB Board to waive the requirement to connect to the County's waste water system. The Mayor and Village Council requested the applicant provide additional information regarding the status of that application. Because the applicant's EQCB Hearing is scheduled for October 9, 2014, the requested information could not be provided in time for inclusion with the reissuance of the Village's staff report. Any information submitted after October 6, 2014 shall require a vote of the Council to accept into evidence.

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Darby P. Delsalle, AICP

Director of Planning & Zoning

# STAFF REPORT

DD&S BAY LLC

VPB-14-005



Village of Palmetto Bay

ZONING ANALYSIS

**APPLICANT:** DD&S Bay LLC.

(Armando M Suarez & Maria Teresa Suarez,  
Leonardo and Teresa Delgado, and  
Leonard Delgado JR)

**PH:** VPB-14-005

**SECTION:** 28-55-40

**HEARING DATE:** 09/22/2014

**COUNCIL DISTRICT:** 2

**ITEM:** 1

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**A. GENERAL INFORMATION**

**REQUEST:** Deletion of a covenant proviso of resolution removing a condition of a rezoning approval tying the properties to a specific site plan, thus permitting development to proceed consistent with the existing R-1 zoning requirements.

**ADDRESS:** 8900 SW 158<sup>th</sup> Street, and 28 55 40 west 97.50 feet of the east 122.50 feet of the 100 feet north 125 feet of the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the section less the extension area of the curve in the northeast corner AKA Parcel 2 per WP D-23399 OR 29097-0153, and 28 55 40 west 195 feet of the east 220 feet of the south 80 feet of the north 205 feet of the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the section AKA Parcel 3 Per WP D-23399 OR 29097-0153., PALMETTO BAY, FL 33157

**LOT SIZE:** 34,975 sq. ft. (.8 Acres) Consisting of three lots

**FOLIO #:** 33-5028-000-0220, 33-5028-000-0221, 33-5028-000-0222

**B. BACKGROUND**

In 2005, the Mayor and Village Council rezoned the property in question from AU, Agriculture, to RU-1, Single Family Residential (Resolution No. 05-108).<sup>1</sup> That approval

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<sup>1</sup> In 2005 the Village operated under the auspices of Miami-Dade County's Code which authorized, due to its size as a large metropolitan jurisdiction, to complete rezonings via resolution. The 2005 resolution has a technical flaw in that it possesses a scrivener's error which references a variance approval as opposed to a rezoning as was so requested by the applicant. The rezoning request did not require variance approval. The AU and RU-1 designations are reflective of the zoning designations of the Miami-Dade County as requested by

required a restrictive covenant be entered into tying the property to a specific site plan. Because a site plan submittal was not required, a site plan analysis was not provided with that request. The property itself was presented to the council as three parcels that have since been recorded on April 4, 2014 via a waiver of plat (OR Bk 29097 Pages 0153-1601). The covenant plan requires two story homes be constructed on the parcels as identified on that site plan. If it is the desire of the Mayor and Village Council authorize removal of the covenant requirement, the property owner will have to record a document that releases the property from the restrictive covenant. From that point on, all proposed construction shall meet the development requirements of the R-1 zoning designation.

### C. ZONING HEARING HISTORY:

**On January 28, 1947**, the Dade County Board of County Commissioners, pursuant to **Resolution No. 2406**, rezoned the property together with other lands, from AU to BU-1, AU to RU-3, and AU-RU-1.

**On January 11, 1967**, the Dade County Zoning Appeals Board, pursuant to **Resolution 3-ZAB-23-67**, recommended approval of rezoning from AU to RU-1 to the Dade County Board of County Commissioners<sup>2</sup>.

**On December 15, 2005**, the Village of Palmetto Bay, pursuant to **Resolution No. 05-108**, rezoned the parcel from AU to RU-1, and ordered the applicant to enter into a covenant that tied the development to a site plan as recorded April 11, 2006. It provided, amongst other things, that the houses constructed on the site would be two stories.

### D. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE DESIGNATION
<b>Subject Property:</b> R-1; Single Family Residential	Low Density Residential
<b>Surrounding Properties:</b> NORTH: AG; Agricultural R-1; Single Family Residential	Low Density Residential Low Density Residential
EAST: E-M; Estate Modified	Low Density Residential
SOUTH:	

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the applicant at that time. The property has since been rezoned to reflect the Village's zoning of R-1 which is roughly equivalent to the County's RU-1.

<sup>2</sup> No further action regarding this rezoning request was reflected in the Miami-Dade County record. As such, the property was not rezoned at that time.

R-1; Single Family Residential District                      Low Density Residential

WEST:

R-1; Single Family Residential District                      Low Density Residential  
AG; Agricultural/Residential                                      Environmental Protection

**E.     ANALYSIS**

**SUBSECTION 1 – DELETION/MODIFICATION OF  
RESOLUTIONS AND DECLARATION OF RESTRICTIONS**

The following is a review of the request to delete the declaration of restrictions pursuant to the Village's criteria, found at Section 30-30.9(c) of the Land Development Code. The Background Section and the Zoning History Section of this report are hereby incorporated by reference into this analysis.

**Criteria (1)**     The extent to which the Village, the Applicant and the Applicant's predecessor(s) in title are responsible for the failure of the covenant to be timely recorded (if applicable), including whether the failure to record the covenant is a result of clerical or other error.

Analysis:             The resolution from 2005 was properly adopted and the declaration of restrictions recorded on April 11, 2006, was timely recorded and there were no apparent errors therein applicable to the Applicant's request.

Finding:             Not applicable.

**Criteria (2)**     Whether there was an intent to deceive or mislead the Village in connection with the prior resolution containing the covenant proviso.

Analysis:             There appears to be no intent to deceive or mislead the Village on behalf of the Applicant in connection with the prior resolution containing the requirement to record the covenant.

Finding:             Complies.

**Criteria (3)**     Any detriment which the granting of the application may cause to the Village, or the public, including the area affected. The consideration of detriment shall include, but not be limited to (a) whether granting relief will impair the Village's ability to obtain compliance with the covenant proviso by the Applicant or other property owners to the extent that the covenant proviso may remain in effect after a revision; and (b) whether the Applicant will proffer a new, recordable covenant addressing the concerns that were to have been addressed by the prior covenant.

Analysis:             Please see Background Section of this report. The declaration of restrictions was established to tie the proposed development to a site plan. The Applicant

wants to be able to build a single story house rather than a two story as required by the covenant. The Applicant now seeks to delete the covenant so as to be governed by the existing R-1 zoning on site which would allow for a single story home to be constructed. If deletion is approved, future compliance to the development and maintenance of the site shall be governed by the current code provisions.

Finding: Complies.

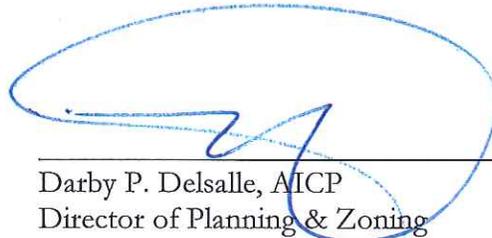
### **G. NEIGHBORHOOD SERVICES**

Code Compliance	No Objection
DERM	Required
Building and Capital Projects	Required
Public Works	Required

### **H. RECOMMENDATION**

#### **Deletion of Declaration of Restrictions Request.**

Staff recommends approval.



Darby P. Delsalle, AICP  
Director of Planning & Zoning



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RESOLUTION NO. \_\_\_\_\_

ZONING APPLICATION VPB-14-005

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO ZONING; REMOVING A CONDITION OF RESOLUTION NO. 05-108, WHICH TIES THE REZONING OF CERTAIN PROPERTIES TO A SPECIFIC SITE PLAN; AUTHORIZING DELETION A COVENANT PROVISIO; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on December 15, 2005, the Village of Palmetto Bay, pursuant to Resolution No. 05-108, rezoned the property from AU to RU-1, and ordered the applicant to enter into a covenant that tied the development to a site plan as recorded April 11, 2006. It provided, amongst other things, for the division of the property into 3 lots and the houses constructed thereon to be two story homes; and

**WHEREAS**, on April 11, 2006, the covenant, as required by the condition of the rezoning, was recorded at OR Bk 24413 Pgs 4502-4508; and

**WHEREAS**, in 2009, the Village of Palmetto Bay adopted its own zoning map which aligned those lands Zoned RU-1 under Miami-Dade County's Code to the Village's zoning designation of R-1, which action included the property in question; and

**WHEREAS**, the three delineated lots on the property have since become properties of record as so recorded, consistent with the rezoning approval, on April 4, 2014, via a waiver of plat (OR Bk 29097 Pgs 0153-1601), thus making that portion of the covenant moot; and

**WHEREAS**, the Mayor and Village Council now desire those development standards that apply to R-1 zoned properties within the Village of Palmetto Bay equally apply to the now three separate lots of record; and

**WHEREAS**, the Mayor and Village Council authorize the removal of the condition on Resolution No. 05-108 requiring the covenant and authorize the deletion of that covenant as so recorded at OR Bk 24413 Pgs 4502-4508.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

**Section 1.** A hearing on the present application was held on September 22, 2014, in accordance with section 2-105, of the Village's Code of Ordinances. Pursuant to the hearing, the Mayor and Village Council make the following findings of fact, and conclusions of law.

1           **Section 2.**     Findings of fact.

2           1.       The subject properties are located at 8900 SW 158<sup>th</sup> Street, and 28 55 40 west  
3 97.50 feet of the east 122.50 feet of the 100 feet north 125 feet of the southeast 1/4 of the  
4 southwest 1/4 of the northeast 1/4 of the section less the extension area of the curve in the  
5 northeast corner AKA Parcel 2 per WP D-23399 OR 29097-0153, and 28 55 40 west 195  
6 feet of the east 220 feet of the south 80 feet of the north 205 feet of the southeast 1/4 of the  
7 southwest 1/4 of the northeast 1/4 of the section AKA Parcel 3 Per WP D-23399 OR  
8 29097-0153., Palmetto Bay, FL 33157  
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10          2.       The above whereas clauses incorporated herein are true.  
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12          3.       The rules that govern the deletion are principally at Section 30-30.9(c). After  
13 hearing the Applicant and applicant's experts, the Village Council found the request consistent with  
14 those standards.  
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16          4.       The Village Council accepts the findings of staff as so presented in the written  
17 analysis and as presented at the hearing as it relates to compliance with the Village's Code.  
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19          5.       The Village adopts and incorporates by reference the Planning & Zoning  
20 Department staff report, which expert report is considered competent substantial evidence.  
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22          6.       The Village Council did not have any substantive disclosures regarding ex-parte  
23 communications and the applicant did not raise any objections as to the form or content of any  
24 disclosures by the Council.  
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26           **Section 3.**     Conclusions of law.  
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28          1.       The Application is in compliance with the adopted 2009, Village of Palmetto Bay  
29 Comprehensive Plan and Future Land Use Map.  
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31          2.       The standard of review for the deletion is found at 30-30.9(c) of the Village of  
32 Palmetto Bay's Land Development Code. The Applicant's request is in compliance with the  
33 applicable standards.  
34

35           **Section 4.**     Order.  
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37          1.       The Village Council, pursuant to Section 30-30.9(c), of the Land Development  
38 Code, approves the deletion of the condition on Resolution No. 05-108 requiring the  
39 covenant and authorizes the deletion of that covenant as so recorded at OR Bk  
40 24413 Pgs 4502-4508.  
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42          This is a final order.





**RESOLUTION NO. 05-108**

**ZONING APPLICATION 05-3-VPB-1/04-293 (28-55-40)**

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; APPROVING THE APPLICATION OF MARVIN JEROME JOHNSON FOR RE-ZONING FROM AU TO RU-1 (SW CORNER OF SW 158 STREET AND SW 89 AVENUE); PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant made application for re-zoning, as described in the Miami-Dade Department of Planning and Zoning Recommendation to the Village of Palmetto Bay, which is attached to this resolution; and,

WHEREAS, the village council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Southwood Middle School on December 12, 2005; and,

WHEREAS, the mayor and village council finds, based on substantial competent evidence in the record, that the application for re-zoning is consistent with the Miami-Dade County comprehensive plan and the applicable land development regulations; and,

WHEREAS, based on the foregoing finding, the mayor and village council determined to grant the application, as provided in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. A hearing on the present application was held on December 12, 2005 in accordance with ordinance. no. 02-03, entitled "Quasi-judicial hearing procedures." Pursuant to the hearing, the village council makes the following findings of fact, conclusions of law and order.

Section 2. Findings of fact.

1. The applicant is Marvin Jerome Johnson. The property is vacant land located at SW 158 Street and SW 89 Avenue.
2. The applicant requests to change the zoning on the subject property from AU, agricultural district, to RU-1, single family residential district.
3. The village council adopts the portions of the cover sheet to, and the County recommendation, entitled Zoning Hearings History, Comprehensive Development Master Plan (CDMP), Neighborhood Characteristics, Site and Buildings and Neighborhood Services as its findings of fact.

Section 3. Conclusions of law.

1. The Village Council adopts the portions of the county recommendation, entitled Pertinent Requirements/Standards and Analysis as its conclusions of law.
2. The Village Council further concludes that the application for re-zoning is consistent with the Land Use Plan (LUP) map's Estate Density designation of the CDMP and compatible with the surrounding area.

Section 4. Order.

1. The village council accepts the county and staff recommendation at page 5. The application for alternative non-use variance is granted, subject to the applicant entering into a covenant that will tie the development to the site plan, as submitted and attached hereto.

Section 5. Record.

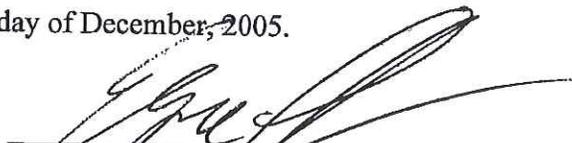
The record shall consist of the notice of hearing, the applications, documents submitted by the applicant and the applicant's representatives to the Miami-Dade County Department of Planning and Zoning in connection with the applications, the county recommendation and attached cover sheet and documents, the testimony of sworn witnesses and documents presented at the quasi-judicial hearing, and the tape and minutes of the hearing. The record shall be maintained by the village clerk.

Section 6. This resolution shall take effect immediately upon approval.

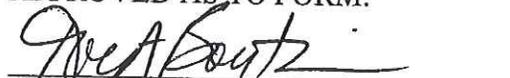
PASSED and ADOPTED this 15<sup>th</sup> day of December, 2005.

Attest:

  
Meighan Pier  
Village Clerk

  
Eugene P. Flinn, Jr.  
Mayor

APPROVED AS TO FORM:

  
Eve A. Boutsis  
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller Yes

Council Member Paul Neidhart Yes

Council Member John Breder Yes

Vice-Mayor Linda Robinson Yes

Mayor Eugene P. Flinn, Jr. Yes

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**A. MARVIN JEROME JOHNSON**  
**(Applicant)**

**05-3-VPB-1 (04-293)**  
**VPB/District 8**  
**Hearing Date: 12/12/05**

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>
				NONE

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.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING  
RECOMMENDATION TO THE VILLAGE OF PALMETTO BAY**

**APPLICANT:** Marvin Jerome Johnson

**PH:** Z04-293 (05-3-VPB-1)

**SECTION:** 28-55-40

**DATE:** December 12, 2005

**ITEM NO.:** A

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**A. INTRODUCTION**

o **REQUEST:**

AU to RU-1

o **SUMMARY OF REQUEST:**

The request will allow the applicant to change the zoning on the subject property from AU, agricultural district, to RU-1, single family residential district.

o **LOCATION:**

The southwest corner of S.W. 158 Street & S.W. 89 Avenue, Village of Palmetto Bay, Florida.

o **SIZE:** 1.28 gross acres

o **IMPACT:**

The rezoning of the property will allow the applicants to build 4 units where the existing zoning would require 5 gross acres to build one unit. However, the rezoning will have a minor impact on the area by bringing more children into the schools, and additional activity and noise into the area.

**B. ZONING HEARINGS HISTORY:** None.

**C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):**

1. The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for low-medium density residential. The residential densities allowed in this category shall range from a minimum of 5.0 to a maximum of 13 units per gross acre. The types of housing typically found in areas designated low-medium density include single family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.
2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this

Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map."

3. Exceptions to the minimum density may exist outside transportation corridors where such an exception would serve the interest of compatibility or protect the public health, or safety, or protect important resources. For the purposes of this paragraph, transportation and transit corridors are areas located within 660 feet of planned Major Roadways identified on the LUP map, and within one-quarter mile from existing rail transit stations, express busway stops, future transit corridors and planned transit centers identified in the CDMP.

**D. NEIGHBORHOOD CHARACTERISTICS:**

<u>ZONING</u>	<u>LAND USE PLAN DESIGNATION</u>
<u>Subject Property:</u>	
AU; vacant	Residential, low medium density, 5 to 13 dua
<u>Surrounding Properties:</u>	
NORTH: RU-1 & AU; single family residences	Residential, low medium density, 5 to 13 dua
SOUTH: RU-1; single family residence and vacant parcel	Residential, low medium density, 5 to 13 dua
EAST: EU-M; single family residences	Residential, estate density, 1 to 2.5 dua
WEST: RU-1; single family residences	Residential, low medium density, 5 to 13 dua

The subject parcel is located on the southwest corner of SW 89 Avenue and SW 158 Street. This parcel is surrounded by a residential development consisting of single family residences.

**E. SITE AND BUILDINGS:**

<b>Site Plan Review:</b>	(no plans submitted)
<b>Scale/Utilization of Site:</b>	<b>Acceptable</b>
<b>Location of Buildings:</b>	<b>N/A</b>
<b>Compatibility:</b>	<b>Acceptable</b>
<b>Landscape Treatment:</b>	<b>N/A</b>
<b>Open Space:</b>	<b>N/A</b>
<b>Buffering:</b>	<b>N/A</b>
<b>Access:</b>	<b>N/A</b>
<b>Parking Layout/Circulation:</b>	<b>N/A</b>
<b>Visibility/Visual Screening:</b>	<b>N/A</b>

Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

**F. PERTINENT REQUIREMENTS/STANDARDS:**

In evaluating an application for a district boundary change the Board shall take into consideration, among other factors the extent to which:

- (1) 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;
- (2) 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;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) 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;
- (5) 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.

**G. NEIGHBORHOOD SERVICES:**

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	3 students

\*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

This application was deferred from the June 13, 2005 meeting to this date to allow the applicant to provide a complete set of plans for the proposed residences to the Village Council. This application was also deferred from the March 13, 2005 meeting to allow the applicant to submit a site plan to the Village Council. At the time of this writing, the applicant has provided plans to the Village staff however, County staff has reviewed the plans.

The subject property is located at the southwest corner of SW 89 Avenue and SW 158 Street. The applicant is seeking a district boundary change from AU, Agricultural District, to RU-1, Single Family Residential District. RU-1 zoning permits a maximum density of 4.65 units per acre, a minimum lot area of 7,500 sq. ft., and a minimum frontage of 75'.

The Department of Environmental Resources Management (DERM) has **no objections** to this application and has indicated that it meets the Level of Service (LOS) standards set forth in Chapter 24 of the Code. However, the applicant will have to comply with all DERM requirements as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application and indicates that it will generate 9 additional PM daily peak hour trips and that it does not exceed the level of service (LOS) for the area roadways. Said roadways are at LOS "B" and "C". The Miami-Dade County Public Schools (MDCPS) states in their memorandum that this project will generate 3 additional students to the adjacent schools. The applicant met with representatives from MDCPS on January 12, 2005 and will proffer a covenant to provide additional mitigation above and beyond that required for impact fees. MDCPS also indicated that the proposed residential development would result in an increase in the Florida Inventory School Houses (FISH) capacity utilization in excess of 115%. The proposed development will impact Coral Reef Elementary School, Southwood Middle School and Miami Palmetto Senior High School which are currently operating at 137%, 153% and 155% of FISH % utilization, respectively.

The subject property is one of a few remaining remnant AU zoned parcels of land in this square mile. The surrounding area consists of RU-1, AU, and EU-M zoned parcels. Specifically, the Board of County Commissioners (BCC) pursuant to Resolution Z-34-67 approved a rezoning from AU, agricultural district, to RU-1, single family residential district in 1967 on the parcel immediately south of the subject property. Similarly, identical requests were approved by the BCC, pursuant to Resolution Z- 241-77 in 1977 on the parcel to the immediate west and pursuant to Resolution Z-179-69 on the parcel located at the northwest corner of SW 158 Street and SW 89 Avenue. Staff is of the opinion that approval of the zone change to RU-1 would be in keeping with previous approvals in the area and retain the single family character of the surrounding area.

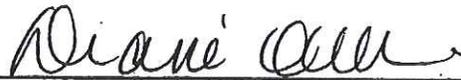
This application will allow the applicant to provide additional housing for the community. The Land Use Plan (LUP) Map of the Comprehensive Development Master Plan (CDMP), which designates this site for Low -Medium Density Residential use, permits a maximum density of 13 units per gross acre which results in the maximum development of 13 residential units on this 1.28 acre site. The proposed RU-1 zoning allows a density

of 4.64 units per gross acre which is below the minimum of 5 units per gross acre permitted by the CDMP. The CDMP allows exceptions to the minimum density outside transportation corridors where such an exception would serve the interest of compatibility. In this instance, allowing an exception to the minimum density would be consistent with the Master Plan and would be compatible with the surrounding area which, consists of EU-M zoning to the east, RU-1 & AU zoning to the north, and RU-1 zoning to the south and west. As such staff recommends approval of the zone change to RU-1.

I. **RECOMMENDATION:** Approval of the zone change to RU-1.

J. **CONDITIONS:** None.

**DATE INSPECTED:** 01/31/05  
**DATE TYPED:** 01/31/05  
**DATE REVISED:** 02/01/05; 02/02/05; 04/21/05; 04/28/05; 05/05/05; 11/21/05  
**DATE FINALIZED:** 11/21/05  
DO'QW:AJT:MTF:LVT:JV:JED



Diane O'Quinn Williams, Director  
Miami-Dade County Department of  
Planning and Zoning

Village of Palmetto Bay  
Department of Community Development  
Recommendation:

This application has been before the Council on March 14<sup>th</sup> and June 13<sup>th</sup>, 2005. At the March 14<sup>th</sup> hearing, this was deferred to June 13<sup>th</sup>, 2005. At the June 13<sup>th</sup> hearing, this was deferred again to the December 12<sup>th</sup> hearing to provide a six-month time period for the applicant to prepare and submit a site plan as requested by the Village in accordance with Village policy.

This property, currently zoned agricultural, is surrounded by single family zoning and agricultural zoning: RU-1 and AU to the north; RU-1 to the south and west; and EU-M to the east. A site plan has been submitted showing 3 oversized lots, floor plans, elevations and landscaping plans. RU-1 zoning has a minimum lot size of 7,500 square feet and a minimum lot width of 75' for new subdivisions; therefore, this property could only be divided into three lots. The proposed lot sizes are 9751 square feet and 9621 square feet facing SW 158 St., where the adjacent zoning districts are RU-1 and AU. The third proposed lot, which will face EU-M zoning, will be 15,601 square feet. As such, the lots will be even larger than the minimum required sizes. The proposed floor plans show homes of 2871 square feet. Both the size of the lots and the size of the homes are compatible with the surrounding area.

It is recommended that the zoning change from AU to RU-1 be approved.



Arleen Weintraub, Director  
Community Development

vPB



# Memorandum

**Date:** August 25, 2004

**To:** Diane O'Quinn-Williams, Director  
Department of Planning and Zoning

**From:**   
Alyce M. Robertson, Assistant Director  
Environmental Resources Management

**Subject:** #Z2004000293  
Marvin Jerome Johnson  
SW corner of SW 158<sup>th</sup> Street & SW 89<sup>th</sup> Avenue  
DBC from AU to RU-1  
(AU) (1.03 Ac.)  
28-55-40

**RECEIVED**  
AUG 31 2004

MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE  
DEPT. OF PLANNING & ZONING

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (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.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Environmental Resource Permit will not be required since the subject site is included in a blanket general permit granted by the South Florida Water Management District known as the "No Notice General Permit".

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

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 Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Tree Preservation:

Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan 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.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z  
Ron Connally, Zoning Hearings- P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: MARVIN JEROME JOHNSON

This Department has no objections to this application.

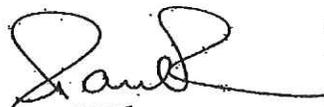
This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency(\*) criteria for an Initial Development Order. It will generate 9 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta. #	LOS present	LOS w/project		
F-332	S. Dixie Hwy. s/o SW 152 St.	C	C	
F-346	S. Dixie Hwy. n/o SW 112 Ave.	B	B	
9848	SW 152 St. e/o US-1	C		C

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

(\*)Traffic concurrency is based on the density of the property with its proposed use where the number of peak hour vehicle trips may fluctuate.



Raul A Pino, P.L.S.

08-NOV-04



# Miami-Dade County Public Schools

giving our students the world

## Superintendent of Schools

Rudolph F. Crew, Ed.D.

## Ana Rijo-Conde, AICP, Facilities Planning Officer

Facilities Planning

## Miami-Dade County School Board

Frank J. Bolaños, Chair

Dr. Robert B. Ingram, Vice Chair

Agustin J. Barrera

Evelyn Langlieb Greer

Perla Tabares Hantman

Dr. Martin Karp

Ana Rivas Logan

Dr. Marta Pérez

Dr. Solomon C. Stinson

January 20, 2005

**RECEIVED**

JAN 31 2005

DEPT. OF PLANNING & ZONING  
ZONING EVALUATION SECTION  
BY AWD/1130am

Ms. Maria Teresa-Fojo, Division Chief  
Miami-Dade County  
Department of Planning and Zoning  
Zoning Evaluation Section  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128

**Re: Marvin Jerome Johnson - Application No. 04-293 (Palmetto Bay)  
Southwest Corner of SW 158 Street and SW 89 Avenue**

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement for Public School Facility Planning (Interlocal), local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the Florida Inventory School Houses (FISH) capacity utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that all of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Coral Reef Elementary School, Southwood Middle School and Miami Palmetto Senior High School currently operating at 137%, 153% and 155% of FISH % utilization, respectively (please see enclosed analysis).

Pursuant to the Interlocal, the District held a dialogue meeting via telephone with a representative of the above referenced applicant on January 12, 2005, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to discuss with the District possible options that may accommodate new students generated by the proposed application. As such, the applicant has voluntarily proffered to the School Board a monetary donation, over and above impact fees. Please be advised that such a proffer by the applicant is subject to School Board approval at an upcoming meeting.

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

Ms. Maria Teresa-Fojo  
January 20, 2005  
Page Two

Also, attached is a list of approved Charter School Facilities, which may provide relief on a countywide basis.

Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

$$\text{New residential unit square footage} \times .90 \text{ (Square Footage Fee)} + \$600.00 \text{ (Base Fee)} + 2\% \text{ administrative fee} = \text{Educational Facilities Impact fee}$$

As an example, assuming the proposed unit is 2,000 square feet, the 5-unit development is estimated to generate approximately \$12,240 (\$2,448 per unit) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

In accordance with the Interlocal, this letter and attached information should not be construed as commentary on the merits of the pending zoning application. Rather it is an attempt to provide relevant information to the city on public schools that will likely serve the proposed development and meet the referenced threshold.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Annie Betancourt  
Coordinator II

AB:ab  
L-0451  
Attachment

cc: Mr. Fernando Albueme  
Mr. Michael A. Levine  
Mr. Ivan M. Rodriguez  
Ms. Vivian Villaamil  
Ms. Claudette Waters

**\*Revised\***

**SCHOOL IMPACT REVIEW ANALYSIS**  
**January 12, 2005**

**APPLICATION:** No. 04-293, Marvin Jerome Johnson (Palmetto Bay)

**REQUEST:** Zone change from AU to RU-1

**ACRES:** 1 acre

**MSA/Multiplier:** 5.71.60

**LOCATION:** Southwest Corner of SW 158 Street and SW 89 Avenue

**UNITS:** 5 single-family units (in accordance to RU-1 standards)

**ESTIMATED  
STUDENT  
POPULATION:** 3 students\*

**ELEMENTARY:** 1

**MIDDLE:** 1

**SENIOR:** 1

**SCHOOLS SERVING AREA OF APPLICATION:**

**ELEMENTARY:** Coral Reef Elementary - 7955 SW 152 St.

**MIDDLE:** Southwood Middle – 16301 S.W. 26 St.

**SENIOR HIGH:** Miami Palmetto Senior - 7460 S.W. 118 St.

All schools are located in Region 5

\* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of October, 2004:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE
Coral Reef Elem	813/ 814*	554	147%/ 147%*	40	137%/ 137%*
Southwood Middle	1809/ 1810*	1160	156%/ 156%*	20	153%/ 153%*
Miami Palmetto Sr.	3550/ 3551*	2053	173%/ 173%*	238	155%/ 155%*

\* increased student population as a result of the proposed development

Note:

- 1) The cumulative effect of other approved or proposed developments in the vicinity is not included as part of this analysis.
- 2) Figures above reflect the impact of the class size amendment.
- 3) Pursuant to the Interlocal Agreement, all of the schools meet the review threshold.

**PLANNED RELIEF SCHOOLS IN THE AREA (information as of December, 2004):**

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
Classroom addition at Southwood Middle (875 student stations)	Pre-planning	2011
Classroom addition at Miami Palmetto Sr. High (220 student stations)	Completed	October 2004

**OPERATING COSTS:** According to Financial Affairs, the average cost for K-12 grade students amounts to \$5,833 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$17,499.

**CAPITAL COSTS:** Based on the State's January 2005 student station cost factors\*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	1	x	\$ 13,480	=	\$ 13,480
MIDDLE	1	x	\$ 15,456	=	\$ 15,456
SENIOR	1	x	\$ 20,453	=	\$ 20,431
Total Potential Capital Cost					\$ 49,367

\* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

# Miami-Dade County Public Schools Charter School Operations

## Existing Charter Schools

- 1 Archimedeon Academy, 10870 SW 113 Place, Miami, FL 33178
- 2 ASPIRA Eugenio Maria de Hostos Youth Leadership, 3650 North Miami Avenue, Miami, FL 33127
- 3 ASPIRA South Youth Leadership, 14112-14 SW 288 Street, Lighthouse City, FL 33033
- 4 ASPIRA Youth Leadership, 13300 Memorial Highway, North Miami, FL 33161
- 5 Aventura Charter Elementary School, 3333 NE 188 Street, Miami, FL 33180
- 6 Coral Reef Montessori Academy, 10853 SW 216 Street, Miami, FL 33157
- 7 Doral Academy, 2450 NW 97 Avenue, Miami, FL 33172
- 8 Doral Academy Charter Middle School, 2801 NW 112 Avenue, Miami, FL 33172
- 9 Doral Academy High School, 11109 NW 27 Street, Miami, FL 33172
- 10 Doral Academy Charter School, 305 NW 3 Avenue, Miami, FL 33128
- 11 Florida International Academy, 7630 Biscayne Boulevard, Miami, FL 33138
- 12 Theodore R. & Thelma A. Gibson Charter School, 3834 Grand Avenue, Miami, FL 33133
- 13 Keys Gate Charter School, 2000 SE 28 Avenue, Homestead, FL 33035
- 14 Liberty City Charter School, 8700 NW 5 Avenue, Miami, FL 33150
- 15 Mater Academy, 7700 NW 98 Street, Hialeah Gardens, FL 33016
- 16 Mater Academy Charter Middle School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 17 Mater Academy Charter High School, 7901 NW 103 Street, Hialeah Gardens, FL 33016
- 18 Mater Academy East, 450 SW 4 Street, Miami, FL 33130
- 19 M/S Barry University Connected Learning Center, 11441 NW 2 Avenue, Miami Shores, FL 33168
- 20 North County Charter School, 3400 NW 135 Street, Miami, FL 33054
- 21 North Dade Community Charter School, 13850 NW 26 Avenue, Opa-Locka, FL 33064
- 22 Northeast Academy, 3400 NW 135 Street, Miami, FL 33054
- 23 Pinecrest Preparatory Academy, 14301 SW 42 Street, Miami, FL 33175
- 24 Pinecrest Preparatory Academy Charter Middle School, 14301 SW 42 Street, Miami, FL 33175
- 25 Rosa Parks Charter School/Florida City, 713 West Palm Drive, Florida City, FL 33034
- 26 Rosa Parks Community School/Overtown, 430 NW 9 Street, Miami, FL 33138
- 27 Ryder Elementary Charter School, 8360 NW 33 Street, Miami, FL 33122
- 28 Sandor Wiener School of Opportunity  
Main Campus: 20000 NW 47 Court, Opa-Locka, FL 33065  
Kendall Campus: 11025 SW 84 Street, Miami, FL 33173
- 29 Spiral Tech Elementary Charter School, 12400 SW 72 Street, Miami, FL 33163
- 30 Vankara Academy Charter School, 13307-11 Alexandria Drive, Opa-Locka, FL 33054
- 31 Youth Co-Op, 12051 West Okeechobee Road, Hialeah Gardens, FL 33018

## Approved Contracts for 2004-2005

- 32 Academy of Arts & Minds, 3138 Commodore Plaza, Miami, FL 33133
- 33 Balera Language Academy, 10600 Caribbean Blvd., FL 33189
- 34 International Studies Charter High, 3280 South Miami Avenue, Miami, FL 33127
- 35 Las Palmas Charter School, 14250 SW 202 Avenue, Miami, FL 33196
- 36 Miami Children's Museum Charter School, 450 SW 4 Street, Miami, FL 33130 (temporary location)

## Approved Contracts for 2004-2005 (continued)

- 37 Miami Community Charter School, 101 SW Redland Road, FL 33034\*
- 38 Pinecrest Preparatory Academy Charter High School (two locations)  
Main Campus (Kendall Greens): SW 80 Street & 150 Avenue, Miami, FL 33193 and  
Holy Cross Campus: 12425 SW 72 Street, Miami, FL 33168
- 39 School for Integrated Academics and Technologies (SIATech) (two locations)  
Main Campus: 3050 NW 188 Street, Miami, FL 33056, and  
Homestead Campus: 12350 SW 288 Street, Homestead, FL 33033
- 40 Somerset Academy, 8760 NW 21 Terr., Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and 232 Street, Miami, FL 33170 (permanent location)
- 41 Somerset Academy Charter Middle School  
2601 NW 112 Avenue, Miami, FL 33172 and  
8750 NW 21 Terr., Miami, FL 33172 (temporary locations for 2004-2005)  
SW 117 Avenue and SW 232 Street, Miami, FL 33170 (permanent location)
- 42 Somerset Academy Charter High School, 11100 NW 27 Street, Miami, FL 33172 and  
2601 NW 112 Avenue, Miami, FL 33172 (temporary locations)  
SW 117 Avenue and SW 232 Street, Miami, FL 33170 (permanent location)
- 43 Sweet Home Charter School, 17201 SW 103 Avenue, Miami, FL 33157 (temporary location),  
SW 190 Street and 112 Avenue, Miami, FL 33157\*

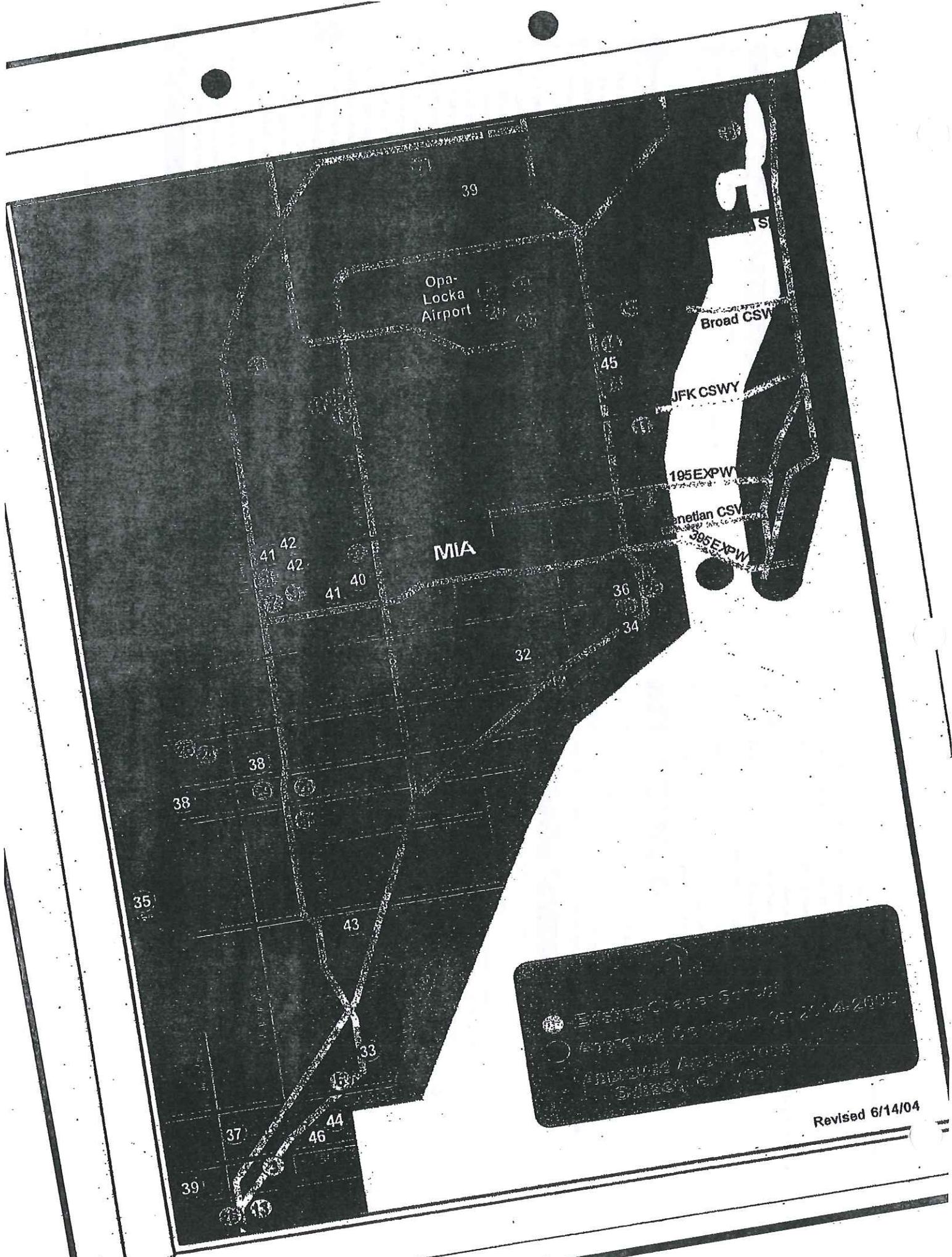
\* Locations pending final School Board approval.

## Approved Contracts for Subsequent Years

- 44 Dr. Joseph Coate Grace Community Charter School, SW 246 Street & 112 Avenue, Miami, FL
- 45 Miami Shores Charter Middle/Senior High School, NW 11441 NW Second Avenue,  
Miami Shores, FL 33168
- 46 Summerville Charter School, SW 246 Street and 117 Avenue, Miami, FL

## Approved Applications

- 47 Mater Academy South Charter School, Sweetwater area
- 48 Mater Gardens Academy Elementary School, Hialeah Gardens area
- 49 Mater Gardens Academy Middle School, Hialeah Gardens area
- 50 Mater Springs Academy Elementary School (location to be determined)
- 51 Mater Springs Academy Middle School (location to be determined)
- 52 Miami-Dade Charter Foundation (4 sites - locations to be determined)
- 53 North Miami/Florida International University Charter Senior High School, NE 161 St. & Biscayne, North Miami, FL
- 54 Sabal Palm Charter High School, Hialeah area
- 55 Somerset Academy (3 sites - locations to be determined)
- 56 Spirit City Academy (location to be determined)
- 57 Sunnyside Academy (location to be determined)
- 58 The City of North Miami/Florida International University Charter School (location to be determined)



Existing Causeway  
 Proposed Causeway  
 Proposed Expressway  
 Proposed Roadway

Revised 6/14/04

DATE: 02/10/05

# TEAM METRO

## ENFORCEMENT HISTORY

MARVIN JÉROME JOHNSON

SOUTHWEST CORNER OF SW 158  
STREET & SW 89 AVE

---

APPLICANT

---

ADDRESS

---

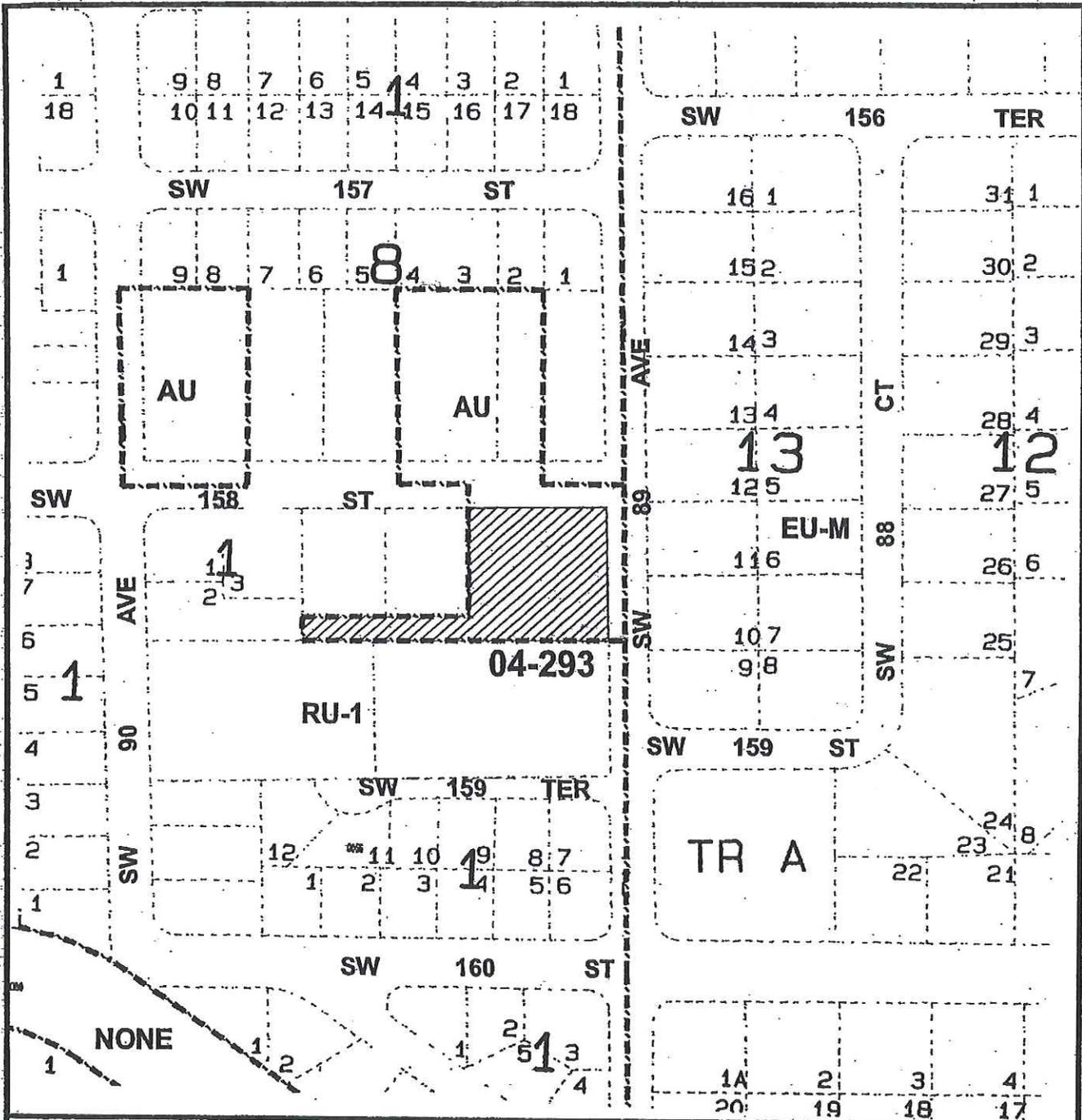
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HEARING NUMBER

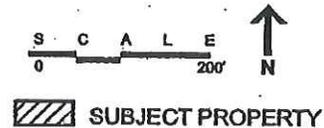
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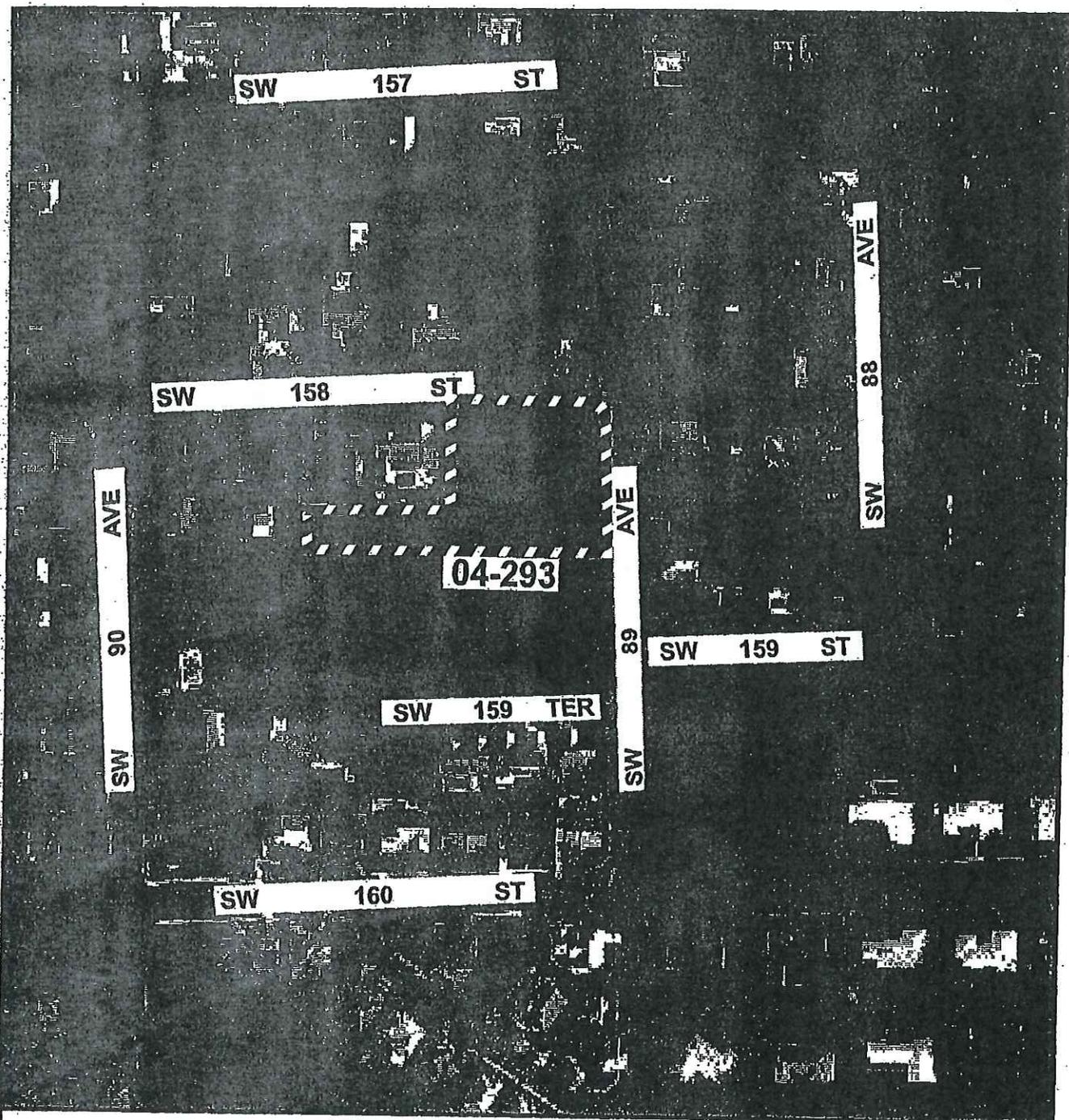
2/10/05 Team Metro has no open cases.



**MIAMI-DADE COUNTY  
HEARING MAP**

Section: 28 Township: 55 Range: 40  
 Process Number: 04-293  
 Applicant: MARVIN JEROME JOHNSON  
 Board: Village of Palmetto Bay  
 District Number: 08  
 Drafter ID: ERIC  
 Scale: 1:200'





**MIAMI-DADE COUNTY  
AERIAL**

**Section: 28 Township: 55 Range: 40  
Process Number: 04-293  
Applicant: MARVIN JEROME JOHNSON  
Board: Village of Palmetto Bay  
District Number: 08  
Drafter ID: ERIC  
Scale: NTS**









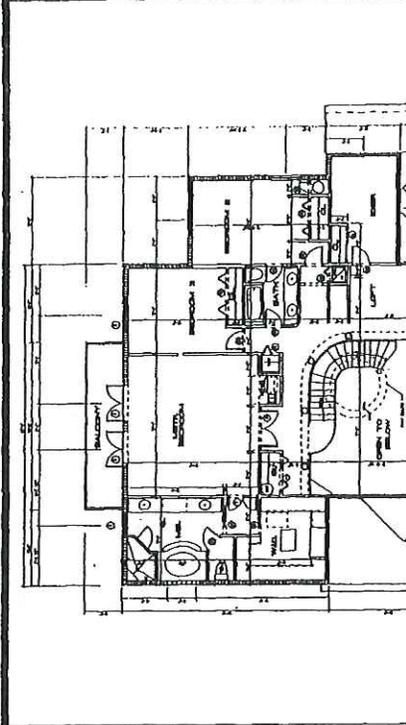
DRAWING NO. 05-007  
 DATE: 07-22-05  
 DRAWN BY: J.P.  
 REVISIONS:  
 FEB. 04, 2002

OFFICE: LERNER AIA  
 19831 S.W. 99TH STREET, SUITE 200  
 MIAMI, FL 33183  
 305/398-1700  
 ARCHITECTS AND PLANNERS

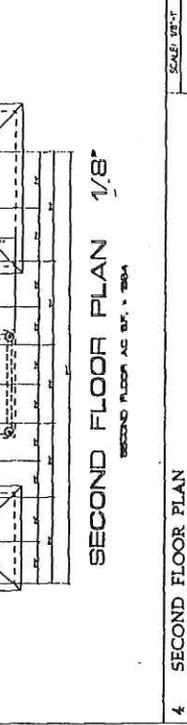
A SINGLE FAMILY HOME FOR  
 JERRY JOHNSON  
 MIAMI-DADE COUNTY, FLORIDA

MODEL A/B  
 SHEET NO. A2

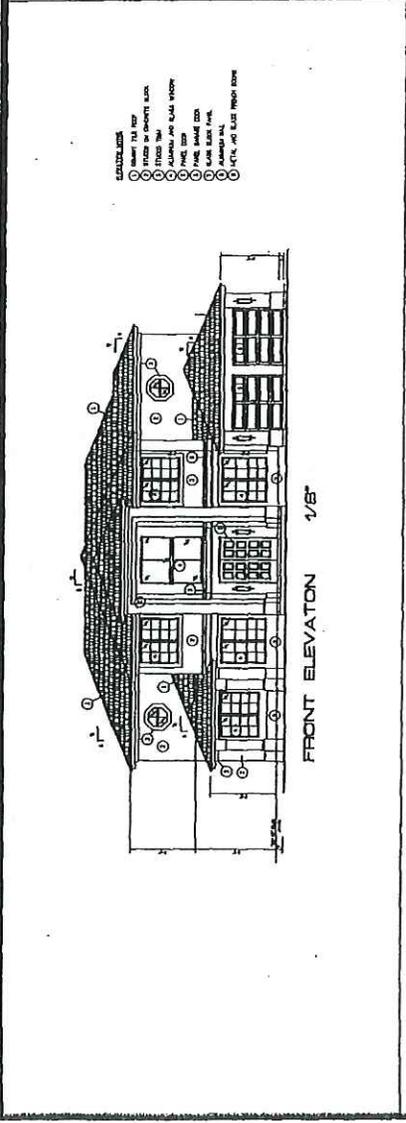
OFFICE: LERNER AIA  
 19831 S.W. 99TH STREET, SUITE 200  
 MIAMI, FL 33183  
 305/398-1700  
 ARCHITECTS AND PLANNERS



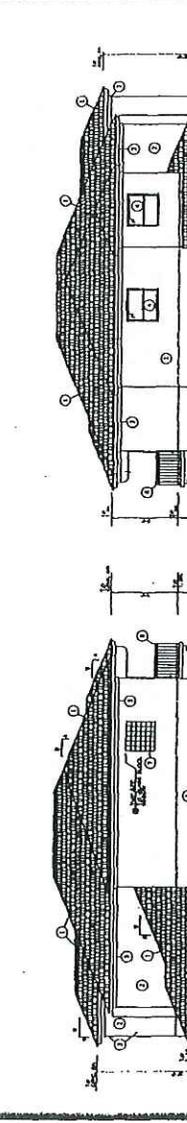
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 SECOND FLOOR AC BT. 1, 2004



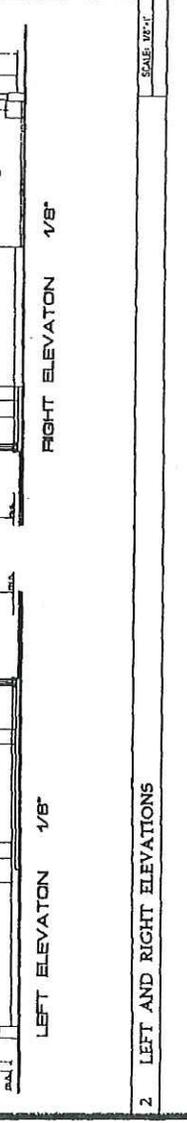
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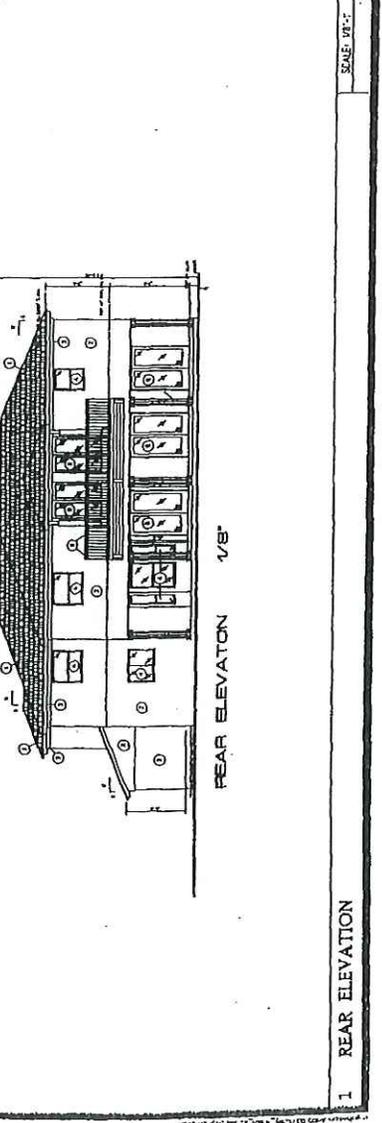
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 SCALE: 1/8" = 1'-0"



LEFT ELEVATION 1/8"  
 SCALE: 1/8" = 1'-0"



RIGHT ELEVATION 1/8"  
 SCALE: 1/8" = 1'-0"



REAR ELEVATION 1/8"  
 SCALE: 1/8" = 1'-0"

MODEL A/B  
 SHEET NO. A2

OFFICE: LERNER AIA  
 19831 S.W. 99TH STREET, SUITE 200  
 MIAMI, FL 33183  
 305/398-1700  
 ARCHITECTS AND PLANNERS

CONTRACT NO. 05-07  
 DATE 07-22-05  
 DRAWING BY  
 REVISIONS

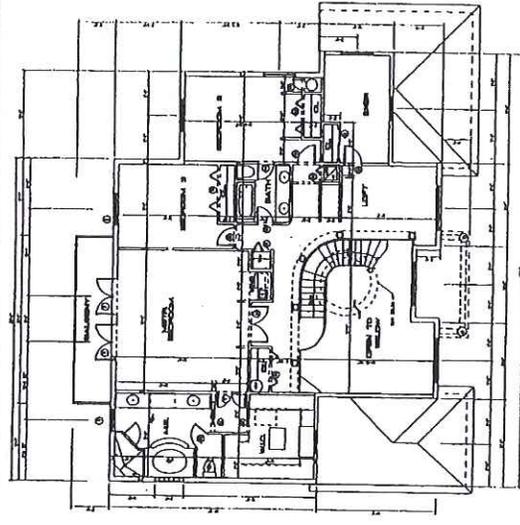
OFFICE: Lerner AIA  
 Architects & Planners  
 1201 Brickell Ave., Suite 200  
 Miami, FL 33130 305/382-1700

A SINGLE FAMILY HOME FOR  
**JERRY JOHNSON**  
 MIAMI-DADE COUNTY, FLORIDA

REGISTERED ARCHITECT  
 LICENSE NO. 140000010

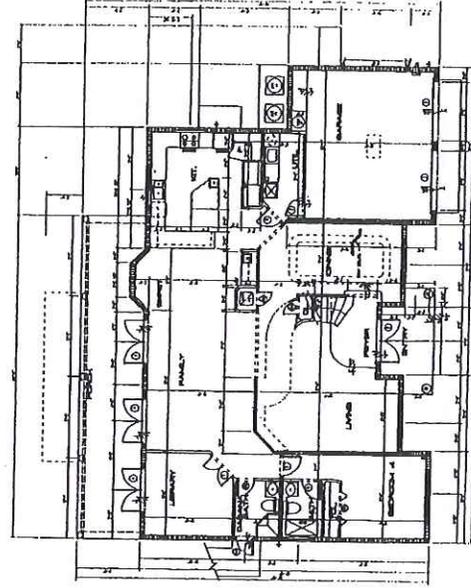
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MODEL BR



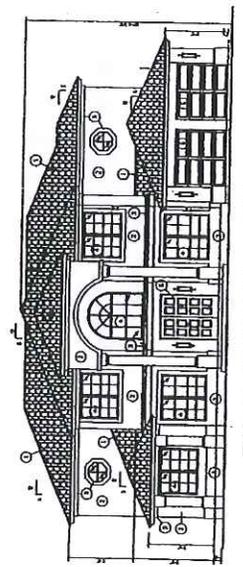
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 SECOND FLOOR AS SH. 1-1004

4 SECOND FLOOR PLAN



FIRST FLOOR PLAN 1/8"  
 FIRST FLOOR AS SH. 1-1000

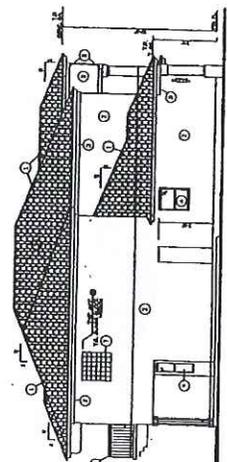
5 FIRST FLOOR PLAN



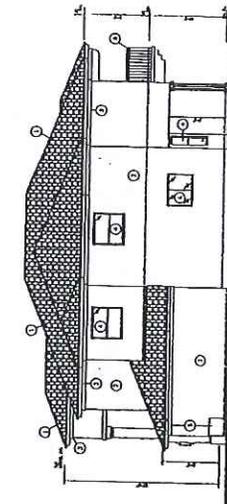
FRONT ELEVATION 1/8"

- FINISHES:
- STUCCO
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3 FRONT ELEVATION

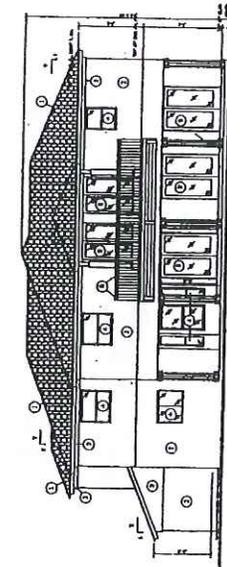


LEFT ELEVATION 1/8"



RIGHT ELEVATION 1/8"

2 LEFT AND RIGHT ELEVATIONS



REAR ELEVATION 1/8"

1 REAR ELEVATION





This Instrument was prepared by:  
 Name: Eve A. Boutsis, Office of Village Attorney  
 Address: 18001 Old Cutler Road, Suite 556  
 Palmetto Bay, Florida 33157-6416

CFN 2006R0385848  
 DR Bk 24413 Pgs 4502 - 45087 (7pgs)  
 RECORDED 04/11/2006 09:05:21  
 HARVEY RUVIN, CLERK OF COURT  
 MIAMI-DADE COUNTY, FLORIDA

(Space reserved for Clerk)

### DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in the Village of Palmetto Bay ("village"), Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the Village that the representations made by the owner during consideration of Public Hearing No. 05-3-VPB-1/04-293 (28-55-40) will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) That in conjunction with the underlying zoning change from AU to RU-1, the property shall be tied to and construction on the property shall comply with the attached site plan, which is attached as Exhibit "B" to this declaration of restrictions.
- (2) Any substantial modification or abandonment of the attached site plan shall require public hearing.

**Village Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of the Village of Palmetto Bay, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.



(Space reserved for Clerk)

**Authorization for the Village of Palmetto Bay to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the Village of Palmetto Bay is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

**Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

**Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the Village of Palmetto Bay, and inspections made and approval of occupancy given by the Village, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

**Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the Village of Palmetto Bay shall be entitled to revoke any approval predicated upon the invalidated portion

**Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

[L:\forms\8900 Covenant]

Section-Township-Range: 28-55-40  
Folio number: 33-5028-000-0220

(Public Hearing: December 2, 2005)





EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

The East 220 Feet of the North 205 Feet of the SE ¼ of the SW ¼ of the NE ¼, Less the East 25 Feet and the North 25 Feet Thereof, in Section 28, Township 55 South Range 40 East, Miami-Dade County, Florida

[L:\forms\8900 Covenant

Section-Township-Range: 28-55-40  
Folio number: 33-5028-000-0220

(Public Hearing: December 12, 2003)









miamidade.gov



CFN 2014RD244437  
OR Bk 29097 Pgs 0153 - 160 (8pgs)  
RECORDED 04/04/2014 14:53:10  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA

## WAIVER OF PLAT RECORDING COVER PAGE

This is to inform you that the waiver of plat **D-23399, DD&S BAY, LLC**, was approved by the Miami-Dade County's Plat Committee on March 28, 2014.

Resolution number: No. 05-108 (Village of Palmetto Bay)

Section 28, Township 55 S, Range 40 E

Unincorporated Miami-Dade County

Municipality:

DD&S BAY, LLC  
2828 CORAL WAY, SUITE 310  
MIAMI, FL 33146

Should you require any additional information regarding this waiver of plat, please contact the Department of Regulatory and Economic Resources, Platting Section, at (305) 375-2141.

**RESOLUTION NO. 05-108**

**ZONING APPLICATION 05-3-VPB-1/04-293 (28-55-40)**

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; APPROVING THE APPLICATION OF MARVIN JEROME JOHNSON FOR RE-ZONING FROM AU TO RU-1 (SW CORNER OF SW 158 STREET AND SW 89 AVENUE); PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant made application for re-zoning, as described in the Miami-Dade Department of Planning and Zoning Recommendation to the Village of Palmetto Bay, which is attached to this resolution; and,

WHEREAS, the village council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Southwood Middle School on December 12, 2005; and,

WHEREAS, the mayor and village council finds, based on substantial competent evidence in the record, that the application for re-zoning is consistent with the Miami-Dade County comprehensive plan and the applicable land development regulations; and,

WHEREAS, based on the foregoing finding, the mayor and village council determined to grant the application, as provided in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. A hearing on the present application was held on December 12, 2005 in accordance with ordinance. no. 02-03, entitled "Quasi-judicial hearing procedures." Pursuant to the hearing, the village council makes the following findings of fact, conclusions of law and order.

Section 2. Findings of fact.

1. The applicant is Marvin Jerome Johnson. The property is vacant land located at SW 158 Street and SW 89 Avenue.
2. The applicant requests to change the zoning on the subject property from AU, agricultural district, to RU-1, single family residential district.
3. The village council adopts the portions of the cover sheet to, and the County recommendation, entitled Zoning Hearings History, Comprehensive Development Master Plan (CDMP), Neighborhood Characteristics, Site and Buildings and Neighborhood Services as its findings of fact.

Section 3. Conclusions of law.

1. The Village Council adopts the portions of the county recommendation, entitled Pertinent Requirements/Standards and Analysis as its conclusions of law.
2. The Village Council further concludes that the application for re-zoning is consistent with the Land Use Plan (LUP) map's Estate Density designation of the CDMP and compatible with the surrounding area.

Section 4. Order.

1. The village council accepts the county and staff recommendation at page 5. The application for alternative non-use variance is granted, subject to the applicant entering into a covenant that will tie the development to the site plan, as submitted and attached hereto.

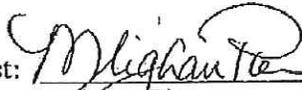
Section 5. Record.

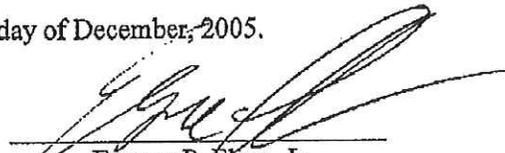
The record shall consist of the notice of hearing, the applications, documents submitted by the applicant and the applicant's representatives to the Miami-Dade County Department of Planning and Zoning in connection with the applications, the county recommendation and attached cover sheet and documents, the testimony of sworn witnesses and documents presented at the quasi-judicial hearing, and the tape and minutes of the hearing. The record shall be maintained by the village clerk.

Section 6. This resolution shall take effect immediately upon approval.

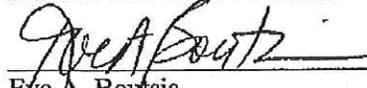
PASSED and ADOPTED this 15<sup>th</sup> day of December, 2005.

Attest:

  
Meighan Pier  
Village Clerk

  
Eugene P. Finn, Jr.  
Mayor

APPROVED AS TO FORM:

  
Eve A. Boutsis  
Village Attorney

FINAL VOTE AT ADOPTION:

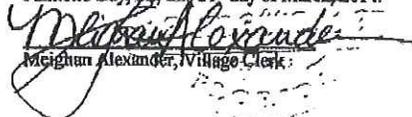
Council Member Ed Feller	<u>Yes</u> _____
Council Member Paul Neidhart	<u>Yes</u> _____
Council Member John Breder	<u>Yes</u> _____
Vice-Mayor Linda Robinson	<u>Yes</u> _____
Mayor Eugene P. Flinn, Jr.	<u>Yes</u> _____

K:\Users\mpier\Resolutions\Zoning Res-Johnson.doc

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I, Meighan Alexander, Village Clerk of the Village of Palmetto Bay, Florida, hereby certify that the attached is a true and correct copy of Resolution 05-108, as shown in the records of the Village on file in the office of the Village Clerk.

Witness my hand and corporate seal of the Village of Palmetto Bay, FL, this 31<sup>st</sup> day of March, 2014.

  
Meighan Alexander, Village Clerk



December 20, 2012

Mr. Marvin Jerome Johnson  
8950 SW159<sup>th</sup> TER  
Miami, FL 33131

RE: Resolution No. 05-108 (3 Lot Subdivisions); and  
Zoning Application - 05-3-VPB-1/04-293 (28-55-40) Folio No. 33-5028-000-0220

Dear Mr. Johnson,

The intent of this letter is to provide you with a formal response of your correspondence to the Planning and Zoning Department dated December 5, 2012.

Firstly, in accordance with zoning application 05-3-VPB-1/04-293 (28-55-40), the easterly and northerly 25 feet right of way of Folio # 33-5028-000-0220 is dedicated and was recorded via CPN 2006R0385848 or Bk 24413 Pgs. 4502 - 4508 (7 pgs.) on 04/11/2006 at the Clerk of Courts, Miami-Dade County, Florida. See legal description exhibit A of Resolution No. 05-108 which was adopted by the Village Council of Palmetto Bay on December 15, 2005.

Secondly, zoning application 05-3-VPB-1/04-293 exhibit B details sidewalk improvements to the north of parcel #1 and #2, and east of parcel #3. The bonding requirement for said improvements is regulated in the Code of Ordinance for the Village of Palmetto Bay under Chapter 30 Sec. 30-30.2(i) entitled, "Posting of bond for public improvements/record of action." For all public improvements, the Village shall require the applicant to post a bond, letter of credit or cash bond, which shall cover 125 percent of the cost of the required improvements. The bond requirement is to protect the public interest, to ensure the development and proper completion of drainage systems, potable water systems, wastewater disposal, roadway improvements, sidewalks, landscaping or other requisite public improvements.

Thirdly, the applicant received site plan approval via resolution No. 05-18 which ties the development to the approved site plan under a recorded covenant. The Village of Palmetto Bay has no objection to the processing of the subdivision as approved and attached hereto with Miami-Dade County.

Should you need additional information in regard to the subject zoning application, please feel free to contact the Department of Planning and Zoning at (305) 259-1234 or Department of Public Works at (305) 969-5011.

Sincerely,



Corrice E. Patterson  
Public Works Director

CC: Ron E. Williams, Village Manager  
Eve Boutsis, Village Attorney  
Darby Desalle, Planning and Zoning Director

**VILLAGE OF PALMETTO BAY**  
9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157  
(305) 259-1234 Fax: (305) 259-1290



**Legal Descriptions**

**Parent Tract**

The East 220 feet, of the North 205 feet, of the Southeast 1/4, of the Southwest 1/4, of the Northeast 1/4, less the East 25 feet and less the North 25 feet thereof, in Section 28, Township 55 South, Range 40 East, lying and being in Miami-Dade County, Florida.

**Parcels to be Approved**

**Parcel 1**

The West 97.50 feet of the East 220 feet of the South 100 feet of the North 125 feet of the SE1/4 of the SW1/4 of the NE1/4 of Section 28, Township 55 South, Range 40 East, Miami-Dade County, Florida.

**Parcel 2**

The West 97.50 feet of the East 122.50 feet of the South 100 feet of the North 125 feet of the SE1/4 of the SW1/4 of the NE1/4 of Section 28, Township 55 South, Range 40 East, Miami-Dade County, Florida, Less the area bounded by the South line of the North 25 feet of the SE1/4 of the SW1/4 of the NE1/4 of said Section 28 and bounded by the West line of the East 25 feet of the SE1/4 of the SW1/4 of the NE1/4 of said Section 28 and bounded by a 25 foot radius arc, concave to the Southwest, said arc being tangent to both of the last described lines.

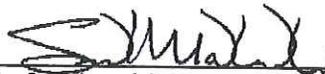
**Parcel 3**

The West 195 feet of the East 220 feet of the South 80 feet of the North 205 feet of the SE1/4 of the SW1/4 of the NE1/4 of Section 28, Township 55 South, Range 40 East, Miami-Dade County, Florida.

**Surveyor's Certification:**

I hereby certify that the attached Waiver of Plat, and legal descriptions associated therewith, comply with the applicable requirements of Chapter 28, Subdivision Code of Miami-Dade County, Florida.

Certified this 17<sup>th</sup> day of July, A.D., 2013

  
Professional Surveyor and Mapper No. 2614  
State of Florida  
Makowski & Wright, Inc.  
27 NW 13 Street, Homestead, FL 33030  
Certificate of Authorization No. LB 6485



13-7027SC

Prepared BY: AREA  
Record and Return to:  
AREA  
1735 SW 8 Street  
Miami, FL 33135



CFN 2014RD488807  
OR Bk 29226 Pgs 0049 - 501 (2pgs)  
RECORDED 07/11/2014 12:37:48  
DEED DOC TAX 0.60  
SURTAX 0.45  
HARVEY RUVIN, CLERK OF COURT  
MIAMI-DADE COUNTY, FLORIDA

Quit Claim DEED

This Quit Claim Deed made on the 3rd day of June 2014  
Between DD & S Bay, LLC  
Whose mailing address is: 1735 SW 8 Street, Suite A, Miami, FL 33135  
Hereinafter called the First Party,  
and María Teresa Suarez and Armando Miguel Suarez, tenants by the entireties  
Whose mailing address is: 12141 SW 122 Path, Miami, FL 33186  
Hereinafter called the Second Party.

WITNESSETH, that the First Party, for and in consideration of the sum of TEN DOLLARS (\$10.00) in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said second party forever, all the right, title, interest, claim and demand with the said first party has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Miami-Dade, State of FLORIDA to wit:

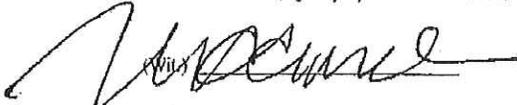
SEE SCHEDULE A. LEGAL DESCRIPTION ATTACHED.

Subject to covenants, restrictions, easements of record and taxes for the current year.

TAX FOLIO NUMBER: 33-5028-000-0220

To have and to hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right title, interest, lien, equity, and claim whatsoever of the first party either in law or equity, to the only proper use, benefit and behalf of the said second party.

IN WITNESS WHEREOF, the First party has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officer thereunto duly authorized, this 3rd day of June, 2014.

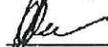
 DD&S Bay, LLC (Seal)

 BY:  (Seal)  
Jessica Delgado, Manager

State of Florida  
County of Miami-Dade

The foregoing instrument is acknowledged before me on this 10 day of July, 2014 by Jessica Delgado who is personally known to me or who has/have produced FLDL as identification and did take an oath.

Witness my signature and official seal in the aforesaid state and county.

  
Notary Public

My commission expires April 17, 2018  
(Affix Notary Seal)



Michael Anthony Perez  
COMMISSION # FF113002  
EXPIRES: April 17, 2018  
WWW.AARONNOTARY.COM

SCHEDULE "A"

LEGAL DESCRIPTION

The West 97.50 feet of the East 220 feet of the South 100 feet of the North 125 feet of the SE 1/4 of the SW 1/4 of the NE 1/4 of Section 28, Township 55 South, Range 40 East, Miami-Dade County, Florida. AKA PARCEL 1 PER WP D 23399 OR 29097-0153

# ZONING & LAND USE MAPS

DD&S BAY LLC  
VPB-14-005

[Click to Print This Page](#)



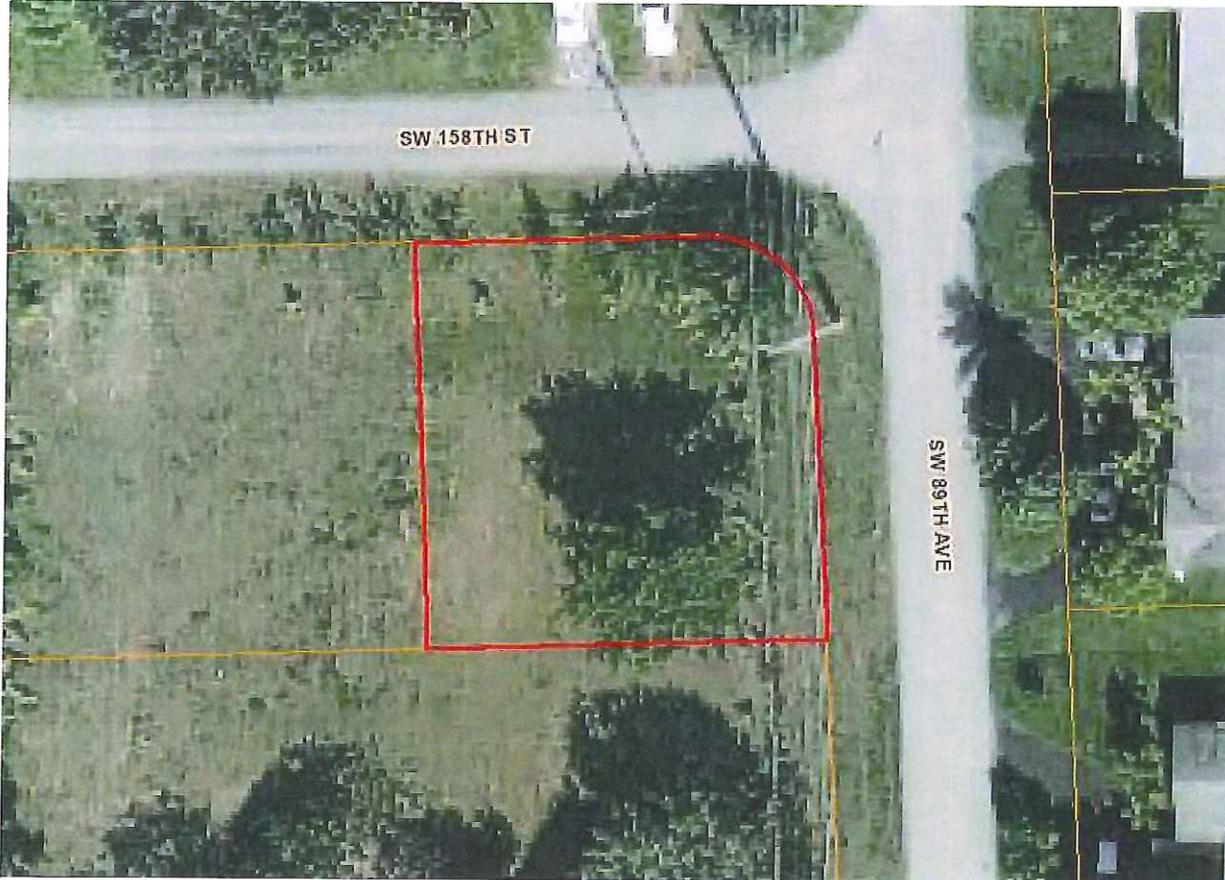
Summary Details:	
Folio:	<a href="#">3350280000220</a>
Site Address:	<a href="#">8900 SW 158 ST</a> <a href="#">Virtual Earth</a> <a href="#">Street View</a> <a href="#">County Permits by Address</a> <a href="#">Open County Permits by Address</a> <a href="#">Property Appraiser</a> <a href="#">Zillow</a>
Mailing Address:	DD&S BAY LLC 2828 CORAL WAY #310 MIAMI, FL 33145

Property Information:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	9751 SQ FT
Year Built:	0
Legal Description:	28 55 40W97.50FT OF E220FT OF S100FT OFN125FT OF SE1/4 OF SW1/4 OFNE1/4 OF SECT AKA PARCEL 1PER WP D 23399 OR 29097-0153LOT SIZE 9751 SQ FT M/L <a href="#">Deed: 29097-0153</a>

Sale Information:			
Sale Date:	11/1997	7/1975	0/0
Sale Amount:	85000	11200	0
Sale O/R:	<a href="#">17887-2244</a>	<a href="#">00000-0000</a>	

Assessment Information:		
Year:	2014	2013
Land Value:	0	156816
Building Value:	0	0
Market Value:	0	156816
Assessed Value:	0	156816
Homestead Exemption:	0	0
Senior Exemption:	0	0
Agricultural Exemption:	0	0
Widow Exemption:	0	0
Disabled Exemption:	0	0
Veteran Exemption:	0	0

[Click to Print This Page](#)



Summary Details:	
Folio:	<a href="#">3350280000221</a>
Site Address:	
Mailing Address:	DD & S BAY LLC 2828 CORAL WAY #310 MIAMI, FL 33145

Property Information:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	9622 SQ FT
Year Built:	0
Legal Description:	28 55 40W97.50FT OF E122.50FT OF S100FTN125FT OF SE1/4 OF SW1/4 OFNE1/4 OF SEC LESS EXT AREA OFCURVE IN NE COR AKA PARCEL 2PER WP D-23399 OR 29097-0153 <a href="#">Deed: 29097-0153</a>

Sale Information:			
Sale Date:	0/0	0/0	0/0
Sale Amount:	0	0	0
Sale O/R:			

Assessment Information:		
Year:	2014	2013
Land Value:	0	0
Building Value:	0	0
Market Value:	0	0
Assessed Value:	0	0
Homestead Exemption:	0	0
Senior Exemption:	0	0
Agricultural Exemption:	0	0
Widow Exemption:	0	0
Disabled Exemption:	0	0
Veteran Exemption:	0	0

[Click to Print This Page](#)



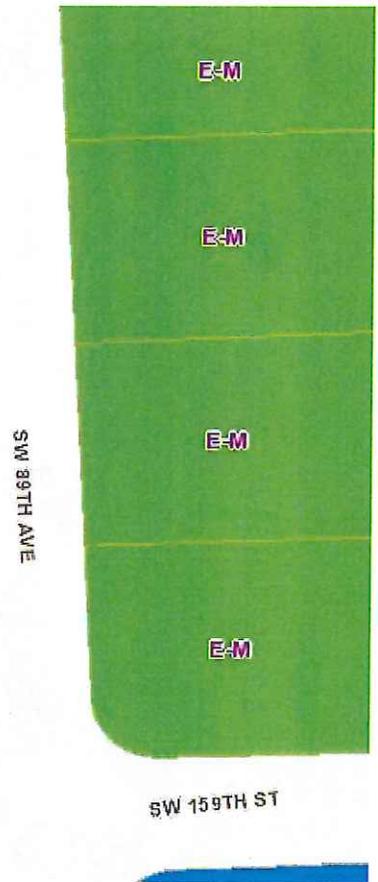
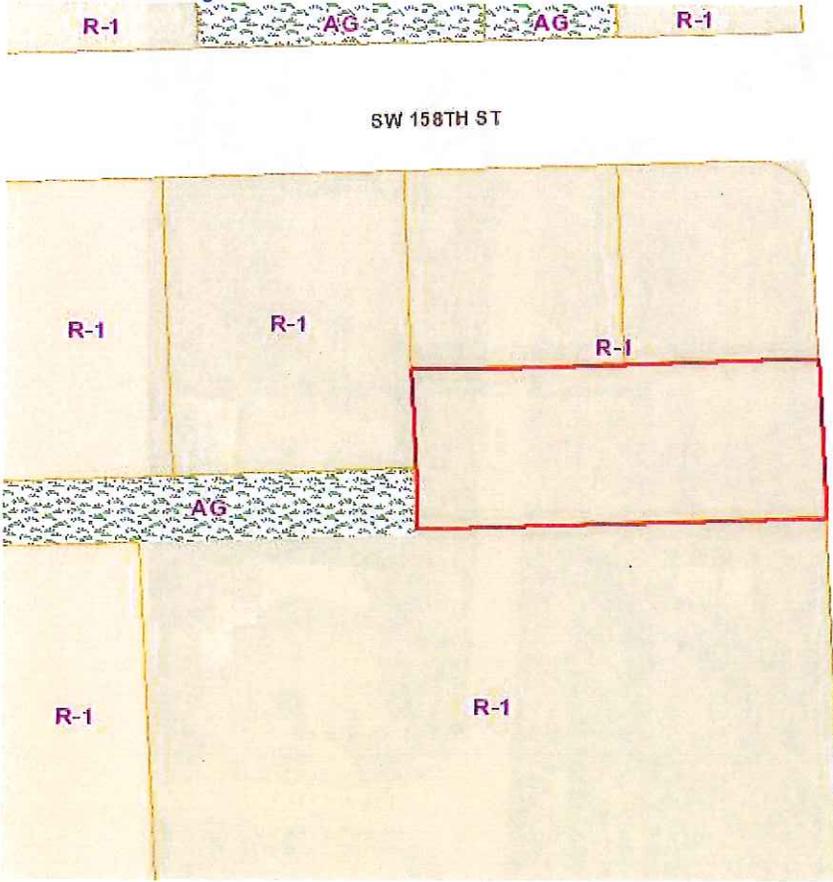
Summary Details:	
Folio:	3350280000222
Site Address:	
Mailing Address:	DD & S BAY LLC 2828 CORAL WAY #310 MIAMI, FL 33145

Property Information:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	15602 SQ FT
Year Built:	0
Legal Description:	28 55 40W195FT OF E220FT OF S80FT OFN205FT OF SE1/4 OF SW1/4 OFNE1/4 OF SECT AKA PARCEL 3PER WP D23399 PR 29097-0153LOT SIZE 15602 SQ FT M/L

Sale Information:			
Sale Date:	0/0	0/0	0/0
Sale Amount:	0	0	0
Sale O/R:			

Assessment Information:		
Year:	2014	2013
Land Value:	0	0
Building Value:	0	0
Market Value:	0	0
Assessed Value:	0	0
Homestead Exemption:	0	0
Senior Exemption:	0	0
Agricultural Exemption:	0	0
Widow Exemption:	0	0
Disabled Exemption:	0	0
Veteran Exemption:	0	0

[Click to Print This Page](#)



Summary Details:	
Folio:	3350280000222
Site Address:	
Mailing Address:	DD & S BAY LLC 2828 CORAL WAY #310 MIAMI, FL 33145

Property Information:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	15602 SQ FT
Year Built:	0
Legal Description:	28 55 40W195FT OF E220FT OF S80FT OFN205FT OF SE1/4 OF SW1/4 OFNE1/4 OF SECT AKA PARCEL 3PER WP D23399 PR 29097-0153LOT SIZE 15602 SQ FT M/L

Sale Information:			
Sale Date:	0/0	0/0	0/0
Sale Amount:	0	0	0
Sale O/R:			

Assessment Information:		
Year:	2014	2013
Land Value:	0	0
Building Value:	0	0
Market Value:	0	0
Assessed Value:	0	0
Homestead Exemption:	0	0
Senior Exemption:	0	0
Agricultural Exemption:	0	0
Widow Exemption:	0	0
Disabled Exemption:	0	0
Veteran Exemption:	0	0

# ZONING HISTORY

DD&S BAY LLC  
VPB-14-005

RESOLUTION No. 2406

The following resolution was offered by Commissioner \_\_\_\_\_  
\_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ and upon  
vote duly adopted:

WHEREAS an application has been filed by Mr. E. L. Cotton to change zone from AU to AU, RU-1 and BU-1 on property extending from approximately 1,300 feet south of Coral Reef Road to 2,600 feet South of Coral Reef Road and extending East of FEC Right-of-Way for approximately a depth of 2,000 feet, legally described as SW $\frac{1}{4}$  of NE $\frac{1}{4}$  and that part of SE $\frac{1}{4}$  of NW $\frac{1}{4}$  lying East of Federal Highway #1 in Section 28-55-40, also known as Coral Reef Homesites; (45-94)

WHEREAS a Public Hearing of the Dade County Zoning Commission was advertised by Zoning Director, as required by law, and after hearing all interested parties, the members of the Zoning Commission present were of the opinion and recommend that change of zone be made as follows on the aforementioned property, also known as CORAL REEF HOMESITES:

FROM: AU to BU-1, 10,000 cubic feet minimum, masonry construction required, on Blocks 4 to 5.

FROM: AU to RU-3, 7,500 cubic feet minimum on Blocks 3 and 6.

FROM: AU to BU-1, 3,000 cubic feet minimum on rest of proposed subdivision known as CORAL REEF HOMESITES. (45-94)

WHEREAS it appears to this Board that said changes are for the betterment of the Comprehensive Zoning Laws,

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Dade County, Florida, that the zoning on the above property be and the same is hereby approved as recommended by the Zoning Commission.

The Zoning Director is hereby directed to make the necessary changes upon the maps and records of the Dade County Zoning Department.

ADOPTED this 28 day of Jan, 1947

IV 29  
Map Revised  
1-30-47  
LC



RESOLUTION NO. 3-ZAB-23-67

The following resolution was offered by Mr. Neal Adams,  
seconded by Mr. Frank P. Reynolds, and upon poll of members  
present, the vote was as follows:

Neal Adams	aye	Virginia Salley	aye
Gene Flinn	aye	H. H. Wood	aye
John R. Harlow	aye	Andrew Lee	aye
Frank P. Reynolds	aye		

WHEREAS, Marina Henry has applied for a district boundary  
change from AU (Agricultural) 7500 cubic feet to RU-1 (Single  
Family Residential) 10,500 cubic feet ON the S. 206' of N. 411' of  
SE $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  in Section 28, Township 55 South, Range 40 East, less  
W. 25' and E. 25' right of way. 15925 SW 90 Ave., Dade County,  
Florida; and

WHEREAS, an inspection of the subject property was made and a  
public hearing of the Metropolitan Dade County Zoning Appeals Board  
was advertised and held, as required by law, and all interested  
parties concerned in the matter were heard, 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 would be compatible with the neighborhood  
and area concerned and would not be in conflict with the principles  
and intent of the plan for the development of Dade County, Florida;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County  
Zoning Appeals Board that the requested district boundary change  
to RU-1 be and the same is hereby recommended for approval by the  
Board of County Commissioners of Dade County, Florida.

The Zoning Director is hereby directed to make the necessary  
notations upon the records of the Dade County Building and Zoning  
Department.

PASSED AND ADOPTED this 11th day of January, 1967.

Heard 1/11/67  
No. 67-1-29  
1/13/67  
ew

January 13, 1967

Marina Henry  
15925 S. W. 90 Ave.  
Miami, Florida

Re: Marina Henry; request for district boundary change from AU (7500 c.f.) to RU-1 (10,500 c.f.); Sec. 28, Twp. 55S, Rge. 40E; 15925 SW 90 Ave., Dade County, Florida. Hrg. 67-1-29

Enclosed herewith is a copy of Resolution No. 3-ZAB-23-67, adopted by the Metropolitan Dade County Zoning Appeals Board, recommending approval of the requested district boundary change on the subject property.

You are hereby advised that said Zoning Appeals Board recommendation has already been scheduled for final action by the Board of County Commissioners, as was noted in the courtesy notice.

Very truly yours,

METROPOLITAN DADE COUNTY  
BUILDING AND ZONING DEPT.

Chester C. Czebrinski  
Assistant Director

CCC/ew

Enclosure

cc: Hrg. File ✓  
J. Dayton

January 11, 1967

Chairman Lee: We have two abstentions on this; Mrs. Salley abstaining, Mr. Flinn abstaining. Motion carried, then, by a vote of 5-0, for denial. Let's see--we have 4 votes on the motion for denial, Mr. Adams voting against the motion, Mrs. Salley abstaining, Mr. Flinn abstaining. So the motion carries, then for denial of the application.

Whereupon the motion was carried by a vote of 4-1; Mr. Adams voting against the motion; Mrs. Salley and Mr. Flinn abstaining.

✓ Marina Henry

Hrg. 67-1-29 Resolution 3-ZAB-23-67

Mr. Adams: I move approval of the application.

Mr. Reynolds: Seconded.

Chairman Lee: Motion by Mr. Adams for approval of the application, seconded by Mr. Reynolds. Any discussion on the motion? Those opposed, signify by raising their right hands. All right. Motion carried 7-0 for approval for Patrick.

Mr. Henry: Thank you very much.

Whereupon the motion was carried by a vote of 7-0.

Director, Dade  
County Building  
& Zoning Dept.

Hrg. 67-1-30 Resolution 3-ZAB-24-67

Mr. Wood: I'm going to move that this entire application be denied with prejudice. I feel that the project itself deserves consideration, but I don't feel that this is the proper location.

Mrs. Salley: I second that motion.

Chairman Lee: Motion by Mr. Wood, seconded by Mrs. Salley, that the application be denied. Now, is there any discussion on the motion?

Mr. Flinn: I would just like to add that I think probably that you may be in the right church for public housing--we have no opposition to that idea--but I concur that you may be in the wrong pew.

Chairman Lee: Any further discussion on the motion now? The people will get a chance to speak on the next application that didn't get a chance to speak on this one.

Mr. Fleeman: Mr. Chairman, who is going to be here? My rights are being affected.

Chairman Lee: We are on a motion here.

Mr. Fleeman: But the motion was with prejudice. I didn't make the application, but it is my land. I may want to come back to this in a year or so.



**RESOLUTION NO. 05-108**

**ZONING APPLICATION 05-3-VPB-1/04-293 (28-55-40)**

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; APPROVING THE APPLICATION OF MARVIN JEROME JOHNSON FOR RE-ZONING FROM AU TO RU-1 (SW CORNER OF SW 158 STREET AND SW 89 AVENUE); PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant made application for re-zoning, as described in the Miami-Dade Department of Planning and Zoning Recommendation to the Village of Palmetto Bay, which is attached to this resolution; and,

WHEREAS, the village council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Southwood Middle School on December 12, 2005; and,

WHEREAS, the mayor and village council finds, based on substantial competent evidence in the record, that the application for re-zoning is consistent with the Miami-Dade County comprehensive plan and the applicable land development regulations; and,

WHEREAS, based on the foregoing finding, the mayor and village council determined to grant the application, as provided in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. A hearing on the present application was held on December 12, 2005 in accordance with ordinance. no. 02-03, entitled "Quasi-judicial hearing procedures." Pursuant to the hearing, the village council makes the following findings of fact, conclusions of law and order.

Section 2. Findings of fact.

1. The applicant is Marvin Jerome Johnson. The property is vacant land located at SW 158 Street and SW 89 Avenue.
2. The applicant requests to change the zoning on the subject property from AU, agricultural district, to RU-1, single family residential district.
3. The village council adopts the portions of the cover sheet to, and the County recommendation, entitled Zoning Hearings History, Comprehensive Development Master Plan (CDMP), Neighborhood Characteristics, Site and Buildings and Neighborhood Services as its findings of fact.

Section 3. Conclusions of law.

1. The Village Council adopts the portions of the county recommendation, entitled Pertinent Requirements/Standards and Analysis as its conclusions of law.
2. The Village Council further concludes that the application for re-zoning is consistent with the Land Use Plan (LUP) map's Estate Density designation of the CDMP and compatible with the surrounding area.

Section 4. Order.

1. The village council accepts the county and staff recommendation at page 5. The application for alternative non-use variance is granted, subject to the applicant entering into a covenant that will tie the development to the site plan, as submitted and attached hereto.

Section 5. Record.

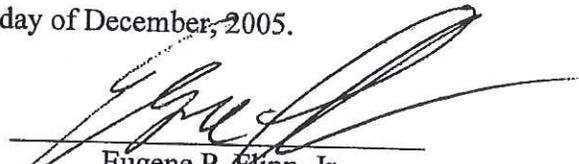
The record shall consist of the notice of hearing, the applications, documents submitted by the applicant and the applicant's representatives to the Miami-Dade County Department of Planning and Zoning in connection with the applications, the county recommendation and attached cover sheet and documents, the testimony of sworn witnesses and documents presented at the quasi-judicial hearing, and the tape and minutes of the hearing. The record shall be maintained by the village clerk.

Section 6. This resolution shall take effect immediately upon approval.

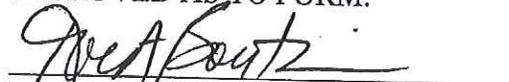
PASSED and ADOPTED this 15<sup>th</sup> day of December, 2005.

Attest:

  
Meighan Pier  
Village Clerk

  
Eugene P. Plinn, Jr.  
Mayor

APPROVED AS TO FORM:

  
Eve A. Boutsis  
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>Yes</u>
Council Member Paul Neidhart	<u>Yes</u>
Council Member John Breder	<u>Yes</u>
Vice-Mayor Linda Robinson	<u>Yes</u>
Mayor Eugene P. Flinn, Jr.	<u>Yes</u>

K:\Users\mpier\Resolutions\Zoning Res-Johnson.doc

# **POSTING & MAILING**

DD&S BAY LLC  
VPB-14-005



## VILLAGE OF PALMETTO BAY NOTICE OF ZONING PUBLIC HEARING

The Village of Palmetto Bay shall conduct a zoning public hearing on Monday, September 22, 2014, at 7:00 p.m. The hearing shall be held at Village Hall, 9705 E. Hibiscus Street, Palmetto Bay, FL. Discussion and public input will be welcome concerning the following items that may be of interest to your immediate neighborhood:

### ITEM #1

Applicant: **DD&S Bay, LLC**  
File #: VPB-14-005  
Folio#s: 33-5028-000-0220, 33-5028-000-0221, 33-5028-000-0222  
Location: 8900 SW 158<sup>th</sup> Street, and 28 55 40 west 97.50 feet of the east 122.50 feet of the 100 feet north 125 feet of the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the section less the extension area of the curve in the northeast corner AKA Parcel 2 per WP D-23399 OR 29097-0153, and 28 55 40 west 195 feet of the east 220 feet of the south 80 feet of the north 205 feet of the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the section AKA Parcel 3 Per WP D-23399 OR 29097-0153.  
Zoned: R-1, Single Family Residential District  
Request: Deletion of a covenant proviso of resolution removing a condition of a rezoning approval tying the properties to a specific site plan, thus permitting development to proceed consistent with the existing R-1 zoning requirements.

### ITEM #2

Sponsor: **Village of Palmetto Bay**  
File #: VPB-14-001  
Folios: 33-5034-000-0580, 33-5034-000-0620  
Location: Palmer Trinity Private School, Inc.  
7900 SW 176<sup>th</sup> Street and 8001 SW 184<sup>th</sup> Street  
Zoned: EM, Estate Modified Single Family District  
Request: Modification of Resolution 2014-58, incorporating certain site plan conditions and eliminating others as previously approved pursuant to Resolution 2010-48(Amended 7/19/2011 and 8/29/2012)

### ITEM #3

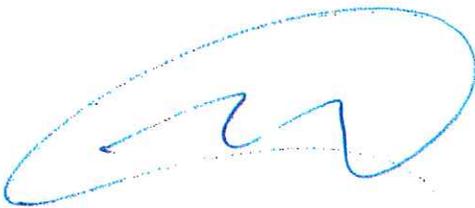
Applicant: **Residential Recovery Capital Holdings 2 LLC (Miami-Dade County Fire Rescue Department)**  
File #: VPB-14-003  
Folios: 33-5023-002-0370  
Location: 14200 Old Cutler Road  
Zoned: E-1, One Acre Estate Single Family District  
Request: Establishment of a fire rescue facility and associated site plan.

All persons are invited to appear and be heard. The documents pertaining to this public hearing may be inspected at the Department of Planning & Zoning at Village Hall, 9705 E. Hibiscus Street, Palmetto Bay, Florida, during regular working hours. Inquiries may be directed to the Clerk at (305) 259-1234. Any meeting may be opened and continued, and, under such circumstances, additional legal notice would not be provided. Any person may contact Village Hall for more information.

Pursuant to Section 286.0105, F.S., if any person decides to appeal any decision by the Village Council with regard to this or any matter, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the Village for the introduction or admission of otherwise inadmissible evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation (or hearing impaired) to participate in this proceeding or to review any documents relative thereto should contact the Village for assistance at (305) 259-1234 no later than four (4) days prior to the proceedings.

Meighan Alexander, Village Clerk

A handwritten signature in blue ink, consisting of a large, loopy initial 'M' followed by a stylized 'A' and a trailing flourish.

## VILLAGE OF PALMETTO BAY NOTICE OF PUBLIC HEARING

HEARING NUMBER: VPB-14-005

APPLICANT NAME: DD&S Bay, LLC

FOLIO: 33-5028-000-0220, 33-5028-000-0221, 33-5028-000-0222

PROJECT LOCATION: 8900 SW 158<sup>th</sup> Street, and 28 55 40 west 97.50 feet of the east 122.50 feet of the 100 feet north 125 feet of the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the section less the extension area of the curve in the northeast corner AKA Parcel 2 per WP D-23399 OR 29097-0153, and 28 55 40 west 195 feet of the east 220 feet of the south 80 feet of the north 205 feet of the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the section AKA Parcel 3 Per WP D-23399 OR 29097-0153., PALMETTO BAY, FL 33157

REQUEST: Deletion of a covenant proviso of resolution removing a condition of a rezoning approval tying the properties to a specific site plan, thus permitting development to proceed consistent with the existing R-1 zoning requirements.

PLANS ARE ON FILE AND MAY BE EXAMINED IN THE DEPARTMENT OF PLANNING AND ZONING AT VILLAGE HALL. PLANS MAY BE MODIFIED BEFORE AND DURING THE PUBLIC HEARING.

A PUBLIC HEARING WILL BE HELD MONDAY, SEPTEMBER 22, 2014, AT 7:00 PM AT THE COUNCIL CHAMBERS LOCATED WITHIN VILLAGE HALL, 9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157.

YOU ARE NOT REQUIRED TO RESPOND TO THIS NOTICE: However, objections or waivers of objection may be made in person at the hearing or filed in writing prior to the hearing date with the Department of Planning and Zoning. Any meeting may be opened and continued, and under such circumstances, additional legal notice would be provided. Any person may contact Village Hall at (305) 259-1234 for additional information. Please call the Village Clerk for ADA needs (or hearing impaired) no later than four (4) days prior to the proceedings.

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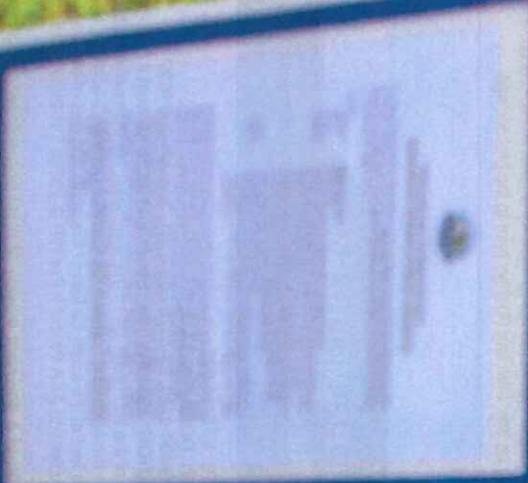
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# ZONING HEARING

PERTAINING TO THIS PROPERTY TO BE  
HELD AT VILLAGE HALL  
ADDRESS 9105 EAST Hibiscus Street

PURPOSE OF HEARING:



FOR FURTHER DETAILS CALL  
**305-259-1271**

VILLAGE OF PALMETTO BAY  
DEPARTMENT OF  
PLANNING AND ZONING

DATE:

SEPT 12, 2014

TIME:

7:00 PM

HEARING No.

NR-14-005

08/22/2014

**ZONING HEARING**  
DATE: 08/22/2014  
TIME: 10:00 AM  
LOCATION: 10000 SW 10th St, Miami, FL 33155  
PROJECT: 10000 SW 10th St, Miami, FL 33155  
OWNER: [REDACTED]  
APPLICANT: [REDACTED]

08/22/2014







# APPLICANTS SUBMITTAL

DD&S BAY LLC  
VPB-14-005

# APPLICATION

DD&S BAY LLC  
VPB-14-005

**BELLON ARCHITECTURE, INC.**

13131 SW 132 Street Suite 104  
Miami, FL. 33186  
T. 305-278-7776 F. 305-278-7473  
AA0003505

June 19<sup>th</sup>, 2014

**Village of Palmetto Bay  
Zoning Hearing Section  
9705 E Hibiscus St.  
Village of Palmetto Bay, Fl. 33157**

**Re: LETTER OF INTENT  
Mr. & Mrs. Armando Suarez Residence  
8900 SW 158 Street  
Lot 1, Blk. 1, Folio Number 33-5028-000-0220**

To whom it may concern;

It is the intent of our client Mr. and Mrs. Suarez to build a one-story single family house at the above captioned property within the limits on the Village of Palmetto Bay. The house will be built for their own use.

Records at Village of Palmetto Bay show that there was a zoning hearing on this property which was approved by resolution number 05-108.

The approved plans under the above resolution were for a two-story house as per plans prepared by Offerle-Lerner AIA Architect and dated 11-22-05.

New plans submitted under this application calls for a one-story single family residence within the allowable lot coverage and all setbacks as determined by the present zoning code and the previously approved hearing plan. The applicant is not seeking any variance or special exemption from the existing codes.

The intent of the applicant is to be allowed to substitute the previously approved house model for a new model as submitted.

We hope you will find our request reasonable since the approval of the new model does not create an unusual condition or establish a precedence affecting other properties within the Village limits.

Sincerely,

  
Leopoldo Bellon, AIA  
Registered Architect,  
Bellon Architecture Inc.

**RECEIVED**  
**Zoning Department**

7/25/2014

Village of Palmetto Bay  
Building & Zoning Department

By: 



RECEIVED  
SEC: TWP: RGE:  
Zoning Department  
7/25/2014  
Village of Palmetto Bay  
Building & Zoning Department  
By: [Signature]

V+B-14-004

**ZONING HEARING (ZH) APPLICATION**  
Village of Palmetto Bay, Department of Planning and Zoning

LIST ALL FOLIO #S: 33-5028-000-0220 Date Received \_\_\_\_\_

**1. NAME OF APPLICANT** (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

Armando m. Suarez & Maria Teresa Suarez

**2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:**

Mailing Address: 11845 SW 46 St.  
City: miami State: FL Zip: 33175 Phone#: (305) 801-2998 or (786) 512-5308

**3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:**

Owner's Name (Provide name of ALL owners): Armando m. Suarez & Maria Teresa Suarez  
City: miami State: FL Zip: 33175 Phone#: (305) 801-2998

**4. CONTACT PERSON'S INFORMATION:**

Name: Company: Maria Suarez  
City: miami State: FL Zip: 33175 Cell Phone#: (786) 512-5308  
Phone#: \_\_\_\_\_ Fax#: \_\_\_\_\_ E-mail: MTD@19ado518@gmail.com

**5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

Please see attached.

**6. ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc.)

8900 SW 158 Street, Palmetto Bay, FL 33157-1944  
interior lot on SW 158th st.

**7. SIZE OF PROPERTY** (in acres): \_\_\_\_\_ (divide total sq. ft. by 43,560 to obtain acreage)

**8. DATE** property  acquired  leased: March **9. Lease term:** \_\_\_\_\_ years  
(month & year)

2013

10. IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)? yes  no  If yes, provide complete legal description of said contiguous property.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Is there an option to purchase  or lease  the subject property or property contiguous thereto? no  yes  (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. PRESENT ZONING CLASSIFICATION: RU-1

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)

District Boundary(zone) Changes [Zone(s) requested]: \_\_\_\_\_  
(Provide a separate legal description for each zone requested)

Unusual Use: \_\_\_\_\_

Use Variance: \_\_\_\_\_

Non-Use Variance: \_\_\_\_\_

Alternative Site Development: Option: \_\_\_\_\_

Special Exception: \_\_\_\_\_

Modification of previous resolution/plan: Modification of Resolution 05-18

Modification of Declaration or Covenant: \_\_\_\_\_

14. Has a public hearing been held on this property within the eighteen (18) months?  no  yes.  
If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

\_\_\_\_\_

15. Is this application a result of a violation notice?  no  yes. If yes, give name to whom the violation notice was served: and describe the violation: \_\_\_\_\_

\_\_\_\_\_

16. Describe structures on the property: vacant land

\_\_\_\_\_

17. Is there any existing use on the property?  no  yes. If yes, what use and when established? \_\_\_\_\_

Use: \_\_\_\_\_ Year: \_\_\_\_\_

*Planning Staff Use Only*

Base Fee	Reviewed and Accepted by	Date
Receipt No.	Deemed Complete By	Date

## RESPONSIBILITIES OF THE APPLICANT AFFIDAVIT

### I AM AWARE THAT:

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. The Florida Building code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3<sup>rd</sup> District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Plan (CP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. Any covenant to be proffered must be submitted to the Village Attorney, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Village Attorney can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Village Attorney must carry a cover letter indicating subject matter, application number and hearing date. Village Attorney may be reached at (305) 854-5353.

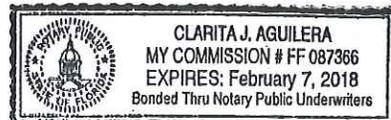
*M. Suarez*  
(Applicant's Signature)

*Maria Suarez Armando Suarez*  
(Print Name)

Sworn to and subscribed before me this 10<sup>th</sup> day of July, 2014. Affiant is personally known to me or has produced Driver's License as identification.

(Notary Public)

My commission expires Feb 7, 2018



**APPLICANT'S AFFIDAVIT**

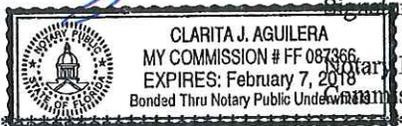
The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

\*\*\*\*\*

**OWNER OR TENANT AFFIDAVIT**

(I)(WE), Armando & maria suarez, being first duly sworn, depose and say that (I am) (we are)  owner  tenant of the property described and which is the subject matter of the proposed hearing.

M. Suarez A-S  
Signature



Signature: Clarita J. Aguilera  
Notary Public:  
Commission Expires: Feb 7, 2018

Sworn to and subscribed to before me this 10th day of July, 2014.

\*\*\*\*\*

**CORPORATION AFFIDAVIT**

(I) (WE), \_\_\_\_\_, being first duly sworn, depose and say that (I am) (we are) the  President  Vice-President  Secretary  Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the  owner  tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: \_\_\_\_\_

Authorized Signature

Office Held

(Corp. Seal)

Sworn to and subscribed to before me This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

\*\*\*\*\*

**PARTNERSHIP AFFIDAVIT**

(I)(WE), \_\_\_\_\_, being first duly sworn, depose and say that (I am) (we are) partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the  owner  tenant of the property described herein which is the subject matter of the proposed hearing.

By \_\_\_\_\_ %

By \_\_\_\_\_ %

By \_\_\_\_\_ %

By \_\_\_\_\_ %

Sworn to and subscribed to before me This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

\*\*\*\*\*

**ATTORNEY AFFIDAVIT**

I, \_\_\_\_\_, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Signature

Sworn to and subscribed to before me This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

OWNERSHIP AFFIDAVIT  
FOR  
INDIVIDUAL

STATE OF Florida  
COUNTY OF miami-dade

Public Hearing No. \_\_\_\_\_

Before me, the undersigned authority, personally appeared \_\_\_\_\_  
hereinafter the Affiant, who being first duly sworn by me, on oath, deposes  
and says:

1. Affiant is the fee owner of the property that is the subject of the proposed hearing.
2. The subject property is legally described as:  
West 97.50 feet of the East 220 feet of the South  
100 feet of the North 125 feet of the SE 1/4 of the SW 1/4  
of the NE 1/4 Section 28, Township 55 South, Range 40 East Miami-  
Dade  
County, FL.
3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

**Witnesses:**

[Signature]  
Signature

[Signature]  
Print Name

[Signature]  
Signature  
Orquidia Hernandez  
Print Name

[Signature]  
Affiant's signature

Armando M. Suarez  
Print Name

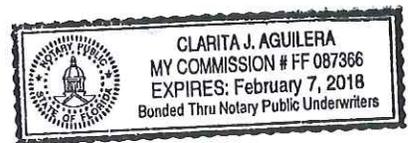
M. Suarez  
maria suarez

Sworn to and subscribed before me on the 10<sup>th</sup> day of July 2014.

Affiant is personally known to me or has produced Drivers License as identification.

Notary [Signature]

(Stamp/Seal)  
Commission Expires:



SCHEDULE "A"

LEGAL DESCRIPTION

The West 97.50 feet of the East 220 feet of the South 100 feet of the North 125 feet of the SE 1/4 of the SW 1/4 of the NE 1/4 of Section 28, Township 55 South, Range 40 East, Miami-Dade County, Florida. AKA PARCEL 1 PER WP D 23399 OR 29097-0153

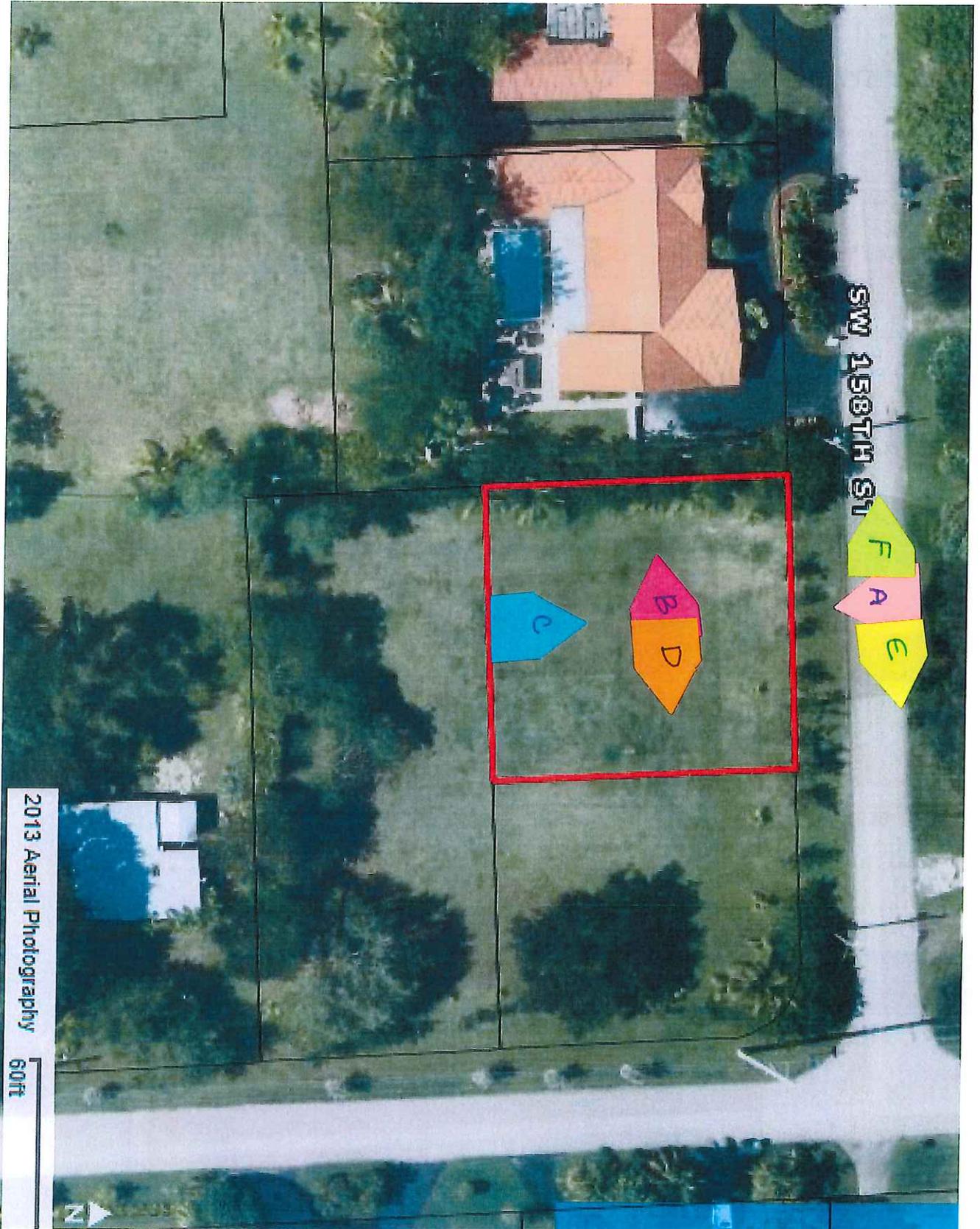
**Attachment 1:**

Suarez Property Full Legal Description:

28 55 40  
W97.50FT OF E220FT OF S100FT OF  
N125FT OF SE1/4 OF SW1/4 OF  
NE1/4 OF SECT AKA PARCEL 1  
PER WP D 23399 OR 29097-0153  
LOT SIZE 9751 SQ FT M/L  
OR 17887-2244 11971  
FAU 30 5028 000 0220

**FULL LEGAL DESCRIPTION**

28 55 40  
W97.50FT OF E220FT OF S100FT OF  
N125FT OF SE1/4 OF SW1/4 OF  
NE1/4 OF SECT AKA PARCEL 1  
PER WP D 23399 OR 29097-0153  
LOT SIZE 9751 SQ FT M/L  
OR 17887-2244 11971  
FAU 30 5028 000 0220



2013 Aerial Photography 60ft

PHOTOGRAPHS

FRONT ELEVATION



A

SIDE ELEVATION



B

REAR ELEVATION



C



D



E



F

# SEARCH:

8900 SW 158 Street, Palmetto bay

Suite



## PROPERTY INFORMATION

Folio: 33-5028-000-0220

Sub-Division:  
UNPLATTED

Property Address  
8900 SW 158 ST  
Palmetto Bay, FL 33157-1944

Owner  
DD&S BAY LLC

Mailing Address  
2828 CORAL WAY #310  
MIAMI, FL 33145

Primary Zone  
0100 SINGLE FAMILY - GENERAL

Primary Land Use  
0081 VACANT RESIDENTIAL : VACANT LAND

Beds / Baths / Half 0 / 0 / 0

Floors 0

Living Units 0

Actual Area 0

Living Area 0

Adjusted Area 0

Lot Size 9,751 Sq.Ft

Year Built 0



Map View ▾ Layers ▾



2013 Aerial Photography 60ft

- Boundary Survey (required with every application, no older than 1 year. Must show all structures, rights-of-way, etc. and any municipal boundary, if any).
- Signage Plans: Show sign detail including sign dimensions, height and setback distance, if applicable.
- Liquor Survey, if applicable
- Engineer's certification and/or compliance letter for existing structures, if applicable
- Architectural approval letter required from the homeowners' or condominium association, if applicable
- Legal description [must be accurate; and if lengthy, to be submitted in Microsoft Word format on diskette or compact disc (CD), in addition to printed (hard) copy. Whether CD or diskette, ensure data is write-protected.
- Lake Excavation Plans (prepared & sealed by a Florida surveyor or engineer, showing perimeter dimensions, deep cut line, cross sections and slope descriptions), if applicable
- School Checklist (required for all day care centers and private schools)
- For specific K – 12 school requirements call the Educational Facilities Coordinator of the Public Works Department at (305) 375-1874.
- Covenant or Declaration of Restrictions may be required. Call the Village Attorney at (305) 259-1234. *Dexter Lehtinen (305) 700-8544*
- Public Works reviews and comments on hearing applications. Prior to completion of development plans, call (305) 696-5011 for information on concurrency, and street dedication requirements.
- Department of Environmental Resources Management (DERM) at 33 SW 2<sup>nd</sup> Ave., 5<sup>th</sup> Fl., reviews and comments on hearing applications. Call (305) 372-6502 or 6503 for information on water quality, pollution control, soil removal, tree preservation and other environmental regulations.
- Certain types of business uses require Environmental Quality Control Board (EQCB) approval before a public hearing can be scheduled. Contact DERM for additional information.
- General information on zoning requirements, prior zoning hearing, history, Declaration of Restrictions, Unities of Title and related zoning criteria is available at 9705 E Hibiscus Street. Call (305)259-1271.

- The Planning and Zoning Division reviews and comments on hearing applications. Call (305) 259-1271 for information on application recommendations, urban design standards, landscape requirements, and other planning disciplines.
- Hearing fees and additional radius fees – the fees paid at time of filing may not be the total cost of the hearing. Additional radius fees for mailing notices to property owners within a certain radius of the subject property may be assessed, depending on the type of hearing request. The number of actual property owners is determined by computer and you will receive a bill for the additional radius fees approximately one month after filing. Fee schedule and instructions are attached. Hearing fees will be calculated by the Zoning Administrator at the pre-filing appointment.
- For a more detailed explanation of the Zoning Hearing Procedures, call (305) 259-1271.
- Translators and sign language interpreters are available upon request. Call the Clerk's Office at (305) 259-1265 at least 10 days in advance to arrange for this service at the meeting
- Zone change applications must be consistent with the Comprehensive Development Plan (CDP). Call the Planning Division at (305) 259-1271 for information.

Some requests require additional information. Contact the Division of Planning and Zoning for a pre-filing appointment for information on required exhibits and review of documents and plans.

***NOTE: All exhibits larger than 8 ½" x 11" must be INDIVIDUALLY FOLDED prior to submittal. Full size color exhibits are not required to be folded.***



These submittal requirements, as well as those for other types of entitlement applications, can be found on the Village of Palmetto Bay website at [www.palmettobay-fl.gov](http://www.palmettobay-fl.gov). If you have questions regarding these submittal requirements, you can contact the Planning and Zoning Division at (305) 259-1271, or visit the Planning and Zoning Division at Village Hall, 9705 E Hibiscus Street, Palmetto Bay, FL 33157

# PLANS & SURVEY

DD&S BAY LLC

VPB-14-005

**WAIVER OF PLAT SURVEY**  
 A portion of the NE1/4 of Section 28  
 Township 58 South, Range 40 East  
 Miami-Dade County, Florida

**Legal Descriptions**

**Parcel 1:**  
 The East 220 feet of the North 200 feet of the Southwest 1/4 of the Northwest 1/4, less the East 25 feet and less the North 25 feet thereof, in Section 28, Township 58 South, Range 40 East, being in Miami-Dade County, Florida, and being in the SW1/4 of Section 28, Township 58 South, Range 40 East, Miami-Dade County, Florida.

**Parcel 2:**  
 The West 170 feet of the East 220 feet of the North 100 feet of the North 125 feet of the SW1/4 of the NW1/4 of the NE1/4 of Section 28, Township 58 South, Range 40 East, Miami-Dade County, Florida.

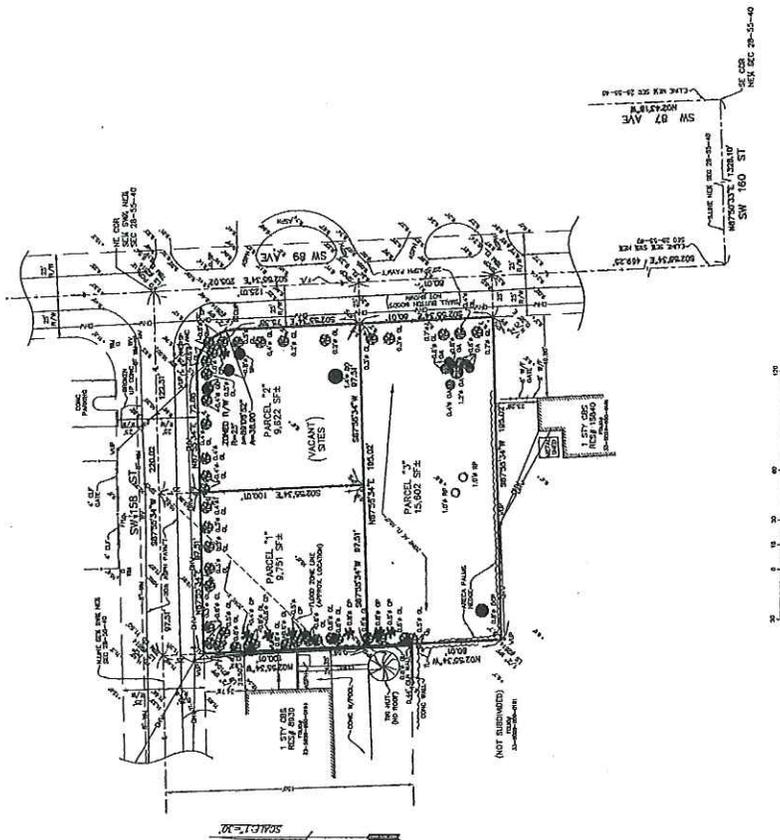
**Parcel 3:**  
 The West 170 feet of the East 220 feet of the South 100 feet of the North 125 feet of the SW1/4 of the NW1/4 of the NE1/4 of Section 28, Township 58 South, Range 40 East, Miami-Dade County, Florida, less the area bounded by the South line of the West 170 feet of the East 220 feet of the North 100 feet of the North 125 feet of the SW1/4 of the NW1/4 of the NE1/4 of Section 28, Township 58 South, Range 40 East, Miami-Dade County, Florida, and bounded by a 25 foot radius arc, concave to the Southwest, said arc being tangent to both of the last described lines.

**Parcel 4:**  
 The West 170 feet of the East 220 feet of the South 100 feet of the North 125 feet of the SW1/4 of the NW1/4 of the NE1/4 of Section 28, Township 58 South, Range 40 East, Miami-Dade County, Florida.

**Surrounding Sites:**

- 1) Proposed Water Supply - Palms West
- 2) Parcel 1 (Parcel 1) - Zone X, & A/E E. 17, 12040002L, 120487 Palmetto Bay
- 3) Parcel 2 (Parcel 2) - Zone X, & A/E E. 17, 12040002L, 120487 Palmetto Bay
- 4) Parcel 3 (Parcel 3) - Zone X, & A/E E. 17, 12040002L, 120487 Palmetto Bay
- 5) Parcel 4 (Parcel 4) - Zone X, & A/E E. 17, 12040002L, 120487 Palmetto Bay
- 6) Parcel 5 (Parcel 5) - Zone X, & A/E E. 17, 12040002L, 120487 Palmetto Bay
- 7) Parcel 6 (Parcel 6) - Zone X, & A/E E. 17, 12040002L, 120487 Palmetto Bay
- 8) Parcel 7 (Parcel 7) - Zone X, & A/E E. 17, 12040002L, 120487 Palmetto Bay
- 9) Parcel 8 (Parcel 8) - Zone X, & A/E E. 17, 12040002L, 120487 Palmetto Bay
- 10) Parcel 9 (Parcel 9) - Zone X, & A/E E. 17, 12040002L, 120487 Palmetto Bay

10) Surveyor contact information: Tel. 305 247-1356, Fax 305 247-1376  
 E-mail: [info@makowski.com](mailto:info@makowski.com)



<b>MAKOWSKI &amp; WRIGHT, INC.</b> PROFESSIONAL SURVEYORS 10000 SW 105th Ave, Suite 100, Miami, FL 33156 TEL: 305 247-1356 FAX: 305 247-1376 WWW.MAKOWSKI.COM	
PROJECT NO.: 10000 SW 105th Ave, Suite 100, Miami, FL 33156 DATE: 7/25/2014 DRAWN BY: [Name] CHECKED BY: [Name]	TITLE: WAIVER OF PLAT SURVEY CLIENT: [Name] PROJECT: [Name]

**RECEIVED**  
**Zoning Department**  
 7/25/2014  
 Village of Palmetto Bay  
 Building & Zoning Department  
 By: [Signature]

### ZONING LEGEND

A.- SITE DATA			
1.- PROJECT NAME	Mr. & Mrs. ARMANDO SUAREZ RESIDENCE		
2.- PROPERTY ADDRESS	88XX SW 158 STREET, MIAMI		
3.- ZONING DISTRICT	R-1 SINGLE FAMILY RESIDENTIAL DISTRICT		
4.- NET LOT AREA	9,751 SQ.FT. (0.22 ACRES)		
B.- SITE COMPUTATION			
	REQUIRED	PROVIDED:	
1.- FOOTPRINT (LOT COVERAGE)	3,897.8 SQ. FT. (39.7%)	3,190 SQ. FT. (32.7%)	
2.- OPEN SPACE	6,143.1 SQ. FT. (63% MIN.)	6,561 SQ. FT. (67.2%)	
2.- LANDSCAPE PERVIOUS AREA	2,925.3 SQ. FT. (30% MIN.)	5,986 SQ. FT. (61.4%)	
C.- PROPOSED BUILDING			
	REQUIRED	PROVIDED:	
1.- A/C SPACES (AREA)		2,236 SQ.FT	
2.- GARAGE		438 SQ.FT	
3.- COVERED ENTRY PORCH		90 SQ.FT	
4.- COVERED TERRACE		426 SQ.FT	
TOTAL CONSTRUCTION AREA		3,190 SQ.FT	
D.- BUILDING HEIGHT			
	REQUIRED	PROVIDED:	
	35 FT (MAX.)	18'-5"	
E.- SETBACKS			
	REQUIRED	PROVIDED:	
1.- FRONT SET BACK	25'-0"	25'-0"	
2.- REAR SETBACK	25'-0"	25'-0"	
3.- INTERIOR SIDE SETBACK (EAST)	7'-6"	7'-6"	
4.- LEFT SIDE STREET SETBACK (WEST)	7'-6"	14'-9"	

### LEGAL DESCRIPTION

THE WEST 97.50 FEET OF THE EAST 220 FEET OF THE SOUTH 100 FEET OF THE NORTH 125 FEET OF THE SE 1/4 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 28, TOWNSHIP 55 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA.

### ZONING NOTES

- SITE TO BE FILLED TO COUNTY FLOOD CRITERIA ELEVATION N.G.V.D. OR AN ELEVATION NO LESS THAN THE HIGHEST APPROVED CROWN ELEVATION OF THE ROAD ADJUTING THE PROPERTY.
  - AREA ADJACENT TO LAKE OR CANAL TO BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORMWATER INTO LAKE OR CANAL.
  - LOT WILL BE GRADED SO AS TO PREVENT DIRECT OVERLAND DISCHARGE OF STORMWATER ONTO ADJACENT PROPERTY. APPLICANT WILL PROVIDE CERTIFICATION PRIOR TO FINAL INSPECTION.
  - IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT, THERE MAY BE ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY, SECTION 553.79 (10), FLORIDA STATUTES, EFFECTIVE 7/1/07.
  - A SEPARATE PERMIT WILL BE REQUIRED FOR ALL DRIVEWAY APPROACHES. CONTACT PUBLIC WORKS DEPARTMENT.
  - THE HEIGHT OF FENCES, WALLS AND HEDGES SHALL NOT EXCEED 2.5 FEET IN HEIGHT WITHIN 10 FEET OF THE EDGE OF ANY DRIVEWAY LEADING TO A RIGHT OF WAY. THE HEIGHT OF FENCES IS BEING MEASURED FROM GRADE. GRADE ELEVATION = ELEVATION OF PUBLIC SIDEWALK OR CROWN OF ROAD.
  - O.S.F.H. (OUTSIDE SPECIAL FLOOD HAZARD): ALL ELECTRICAL AND MECHANICAL EQUIPMENT MUST BE LOCATED AT OR ABOVE THE REQUIRED LOWEST FLOOR ELEVATION.
  - S.F.H. (SPECIAL FLOOD HAZARD) ALL ELECTRICAL AND MECHANICAL EQUIPMENT MUST BE LOCATED AT OR ABOVE THE BASE FLOOD ELEVATION OR REQUIRED LOWEST FLOOR ELEVATION WHICH EVER IS HIGHER.
  - LOWEST FLOOR - Shall mean the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements in sections 11c-3, 11c-4, 11c-5.
  - GARAGE OR STORAGE (FHA, OSHA 11c-5-4): Fully enclosed areas below the base elevations shall be designed to preclude finished living space except allowable uses. Leaking, limited storage and building access and shall be designed to allow for the entry and exit of flood-water to automatically equalize hydrostatic flood forces on exterior walls.
- Design for complying with this requirement must be either certified by a professional engineer or architect and meet the following criteria:
1. Provide a minimum of two (2) openings, having a total net area of not less than one (1) square inch for every square foot of enclosed area size. Bottom of all openings shall be not higher than one (1) foot above grade.
  2. The interior portion of such enclosed areas shall NOT be partitioned or finish into separate rooms or air conditioned.

### TERMITE SOIL STATEMENT

ALL BUILDING SHALL HAVE A PRE-CONSTRUCTION TREATMENT PROTECTION AGAINST SUBTERRANEAN TERMITES, THE RULES AND LAWS AS ESTABLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES SHALL BE DEEMED AS APPROVED WITH RESPECT TO PRECONSTRUCTION SOIL TREATMENT FOR PROTECTION AGAINST SUBTERRANEAN TERMITES. A CERTIFICATE OF COMPLIANCE SHALL BE ISSUED TO THE BUILDING DEPARTMENT BY THE LICENSED PEST CONTROL COMPANY THAT CONTAINS THE FOLLOWING STATEMENT: "THE BUILDING HAS RECEIVED A COMPLETE TREATMENT FOR THE PREVENTION OF SUBTERRANEAN TERMITES. TREATMENT IS IN ACCORDANCE WITH RULES AND LAWS ESTABLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (AS PER R4409.13.5 FBC 2010)"

### VIOLATION NOTE

FAILURE TO MAINTAIN LANDSCAPING ACCORDING TO APPROVED PLANS IS A CODE VIOLATION FAILURE TO PLANT, PRESERVE, OR MAINTAIN EACH PLANT, EACH DAY IS A SEPARATE VIOLATION. 18A-13(C).

### LANDSCAPE LEGEND

VILLAGE OF PALMETTO BAY LANDSCAPE CODE

ZONING DISTRICT **R1**  
NET LOT AREA 9,751 SQ/FT 0.22 (acres)

LANDSCAPE PERVIOUS AREA (if applicable)	REQ. 30% MIN.	PROV. -
MAXIMUM LAWN AREA (50%)	N/A	N/A
TREES	6	21 (EXISTING)

TREES PER LOT (NOTE: 30% OF REQUIRED TREES AND/OR PALMS SHALL BE NATIVE SPECIES. NO MORE THAN 20% OF THE NATIVE TREE REQUIRED SHALL BE SABAL PALMETTO (CABBAGE PALM))

TREES	REQ. 3	PROV. 3
STREET TREES		

(TREES IN THE RIGHT OF WAY(\*) OR ON PRIVATE PROPERTY\*) WILL REQUIRE PUBLIC WORKS APPROVAL OR SPECIAL TAXING DISTRICT.

TOTAL NUMBER OF TREES	9	24
SHRUBS (10 SHRUBS FOR EA. TREE REQUIRED)	90	240

\*30% SHRUBS/HEDGES SHALL BE NATIVE SPECIES.  
\*IRRIGATION SYSTEM REQUIRED PURSUANT TO CHAPTER 33 DADE COUNTY

#### PROPOSED TREE LEGEND

QUAN.	KEY	BOTANICAL NAME/COMMON NAME	HEIGHT/SPREAD	GAL.
3	(A)	SWETENIA MAHOGANY / MAHOGANY	15' 10'	10"

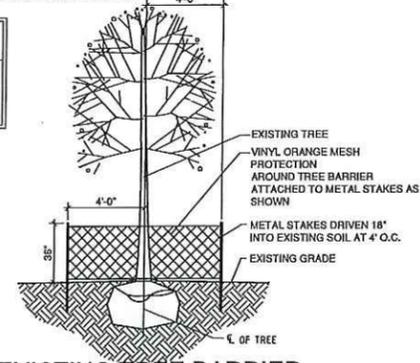
#### PROPOSED SHRUB LEGEND

10	(1)	HIBISCUS ROSA-SINENSIS / HYBRISCUS	3 GAL. @ 30" O.C.
110	(2)	IXORA MAUI / IXORA	3 GAL. @ 24" O.C.
120	(3)	CHRYSOBALANUS/RED TIP COCOPLUM	3 GAL. @ 30" O.C.

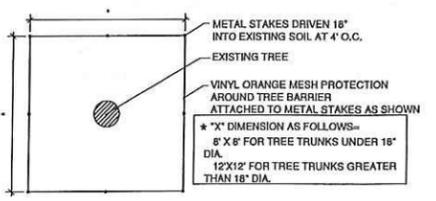
#### EXISTING TREE LEGEND

QUAN.	LEG.	No. NAME	SCIENTIFIC NAME	DIAMETER	HEIGHT	CANOPY
1	(B)	GUMBO LIMBO	BURSERA SIMARUBA	4"	7'	4'
4	(C)	GUMBO LIMBO	BURSERA SIMARUBA	3"	6'	4'
9	(D)	GUMBO LIMBO	BURSERA SIMARUBA	6"	10'	15'
4	(E)	GUMBO LIMBO	BURSERA SIMARUBA	8"	15'	20'
1	(F)	GUMBO LIMBO	BURSERA SIMARUBA	5"	7'	6'
1	(G)	COCONUT PALM	COCOS NUCIFERA	8"	10'	8'
2	(H)	COCONUT PALM	COCOS NUCIFERA	4"	6'	8'
2	(I)	COCONUT PALM	COCOS NUCIFERA	5"	6'	8'

EXISTING TREES BASED ON PROVIDED SURVEY

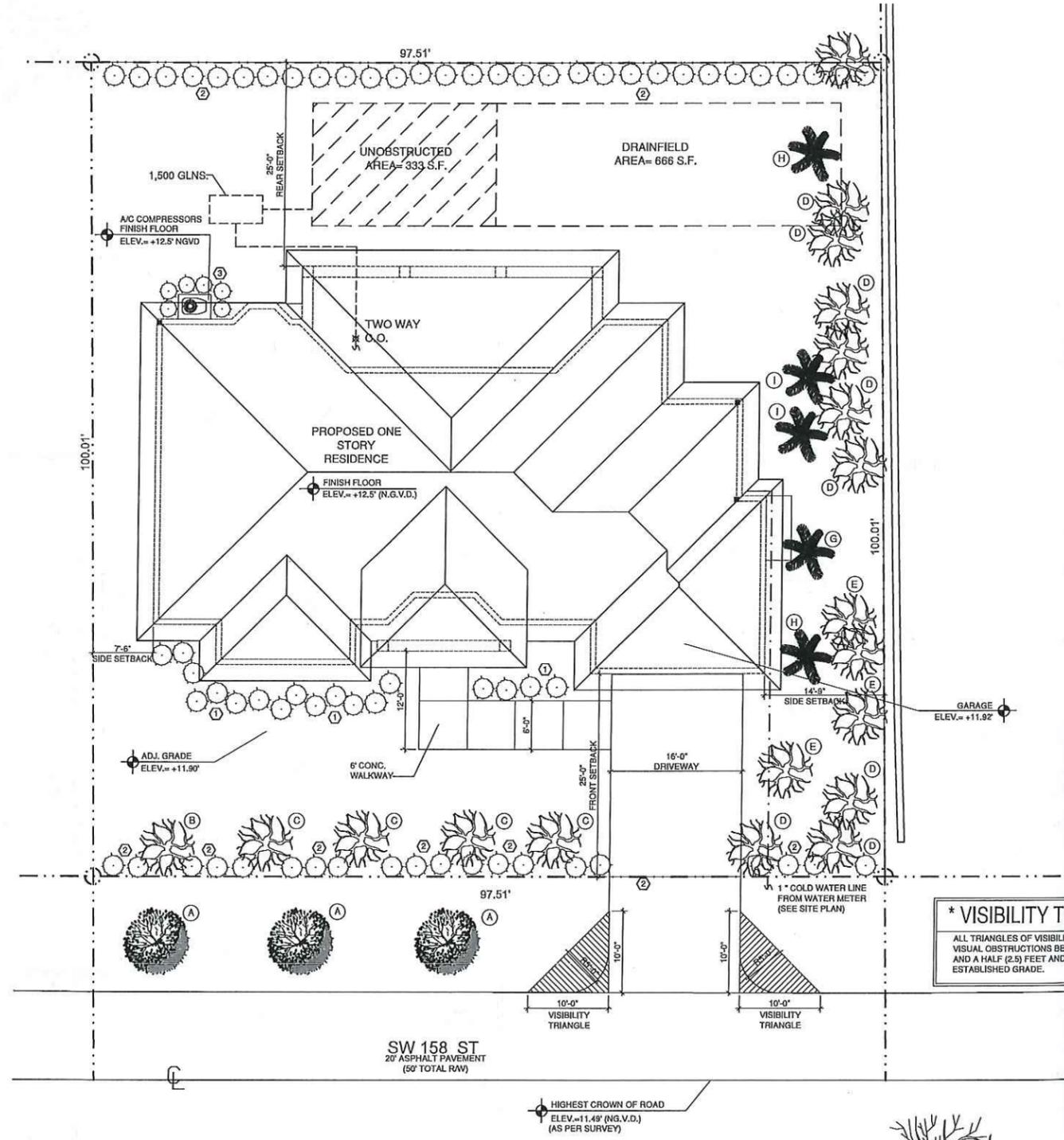


EXISTING TREE BARRIER DETAIL SECTION TO PROTECTS TREE DURING CONSTRUCTION N.T.S.

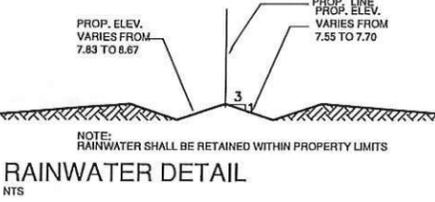


EXISTING TREE BARRIER DETAIL - PLAN VIEW DETAIL TREE PROTECTION DURING CONSTRUCTION N.T.S.

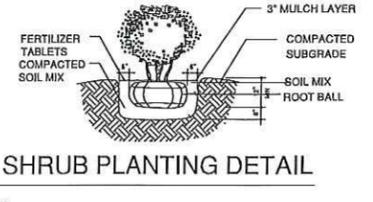
**\* VISIBILITY TRIANGLES NOTE:**  
ALL TRIANGLES OF VISIBILITY SHALL BE KEPT CLEAR OF VISUAL OBSTRUCTIONS BETWEEN A HEIGHT OF TWO AND A HALF (2.5) FEET AND EIGHT (8) FEET ABOVE THE ESTABLISHED GRADE.



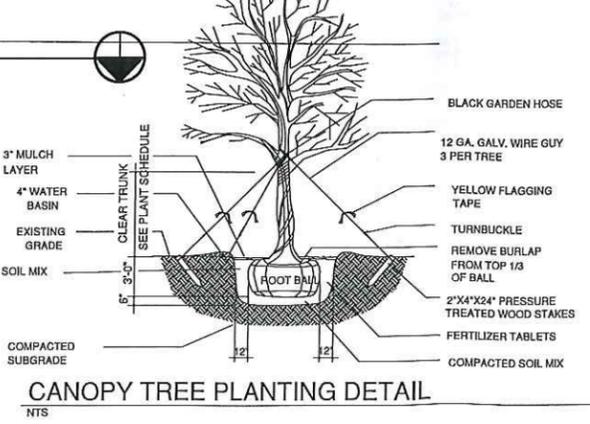
SITEPLAN SCALE: 1/8" = 1'-0"



RAINWATER DETAIL NTS



SHRUB PLANTING DETAIL NTS

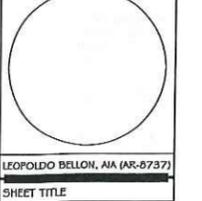


CANOPY TREE PLANTING DETAIL NTS

PROPOSED SINGLE FAMILY RESIDENCE FOR:  
Mr. & Mrs. ARMANDO SUAREZ  
88XX S.W. 158 STREET MIAMI, FLORIDA.

MARK	DATE	DESCRIPTION

PROJECT No. 2013LB25  
DRAWN BY: J.R. & K.L.  
CHECKED BY: L.B.  
DATE:



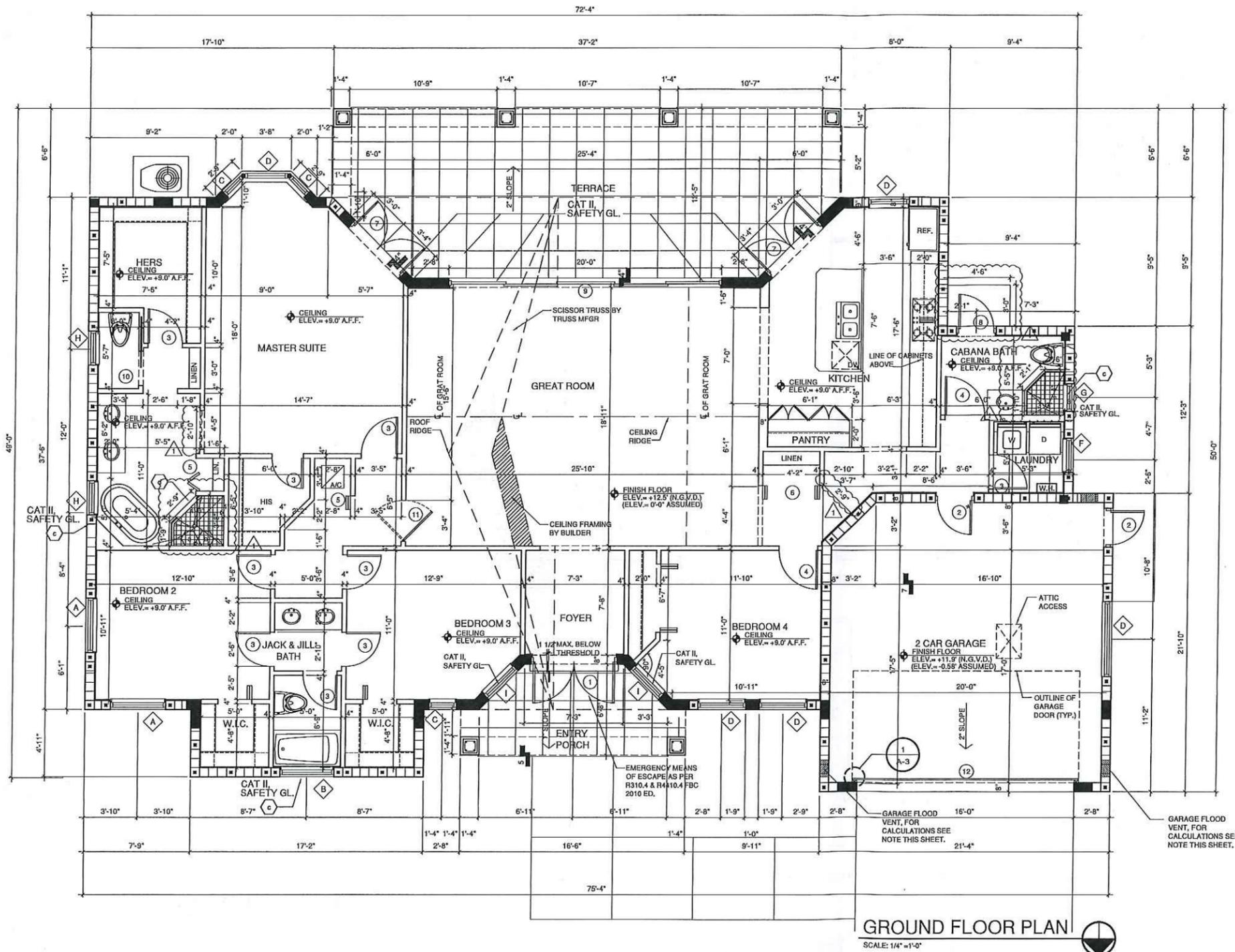


MARK	DATE	DESCRIPTION
A	27-05-14	B.D.C.

PROJECT No. 2013LB225  
DRAWN BY: J.R. & K.L.  
CHECKED BY: L.B.  
DATE:

LEOPOLDO BELLÓN, IA (AR-0737)

FLOOR PLAN  
**A-1**  
SHEET OF

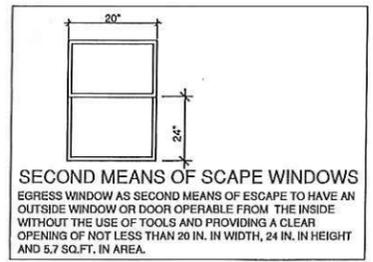


WINDOW SCHEDULE						
MARK	SIZE		TYPE	MATL.	GLZ.	NOTES
	WIDTH	HEIGHT				
A	4'-0"	4'-0"	HR	ALUM.	IMPACT	
B	3'-0"	4'-0"	HR	ALUM.	IMPACT	
C	2'-0"	5'-0"	FIXED	ALUM.	IMPACT	
D	3'-0"	5'-0"	SH	ALUM.	IMPACT	
E	5'-0"	5'-0"	HR	ALUM.	IMPACT	
F	3'-0"	4'-0"	HR	ALUM.	IMPACT	
G	2'-0"	3'-0"	HR	ALUM.	IMPACT	
H	3'-0"	3'-0"	HR	ALUM.	IMPACT	
I	3'-0"	5'-0"	CASEMENT	ALUM.	IMPACT	△

PROVIDE ALL WINDOWS WITH:  
U-FACTOR: 1.06 AND SHGC: 0.43  
ALL WINDOWS SINGLE TINT IMPACT

DOOR SCHEDULE										
MARK	SIZE			MATL.	EL.	GLZ.	LOUVER		TYPE	NOTES
	W	HT	THK				W	HT		
1	3'-0"	8'-0"		ALUM.					FRENCH DOOR	
2	2'-6"	6'-8"		METAL CLAT					PANELED	*SEE NOTE BELOW SCHEDULE
3	2'-6"	6'-8"		WOOD					PANELED	
4	2'-8"	6'-8"		WOOD					PANELED	
5	2'-6"	6'-8"		WOOD				FULLY LOUVERED	BI-FOLD	
6	4'-0"	6'-8"		WOOD					BI-FOLD	
7	(2) 2'-6"	8'-0"		ALUM.	X				FRENCH DOOR	CAT II SAF. GLASS
8	2'-8"	8'-0"		ALUM.	X				FRENCH DOOR	CAT II SAF. GLASS / OPAQUE GLASS
9	20'-4"	8'-0"		ALUM.	X				SLIDING	CAT II SAF. GLASS 5 EQUAL GLASS PANNELS
10	2'-6"	6'-8"		WOOD					POCKET	
11	3'-0"	6'-8"		ALUM.	X				PWOT	
12	16'-0"	8'-0"		WOOD					OVER HEAD	GARAGE DOOR

\*RESIDENCE TO GARAGE DOOR TO BE PROVIDED WITH AUTO CLOSURE AND SHALL BE A MIN. 1 3/4" THICKNESS SOLID CORE WOOD, SOLID HONEYCOMB CORE STEEL OR 20 MIN. RATED FIRE DOOR, AS PER F.B.C. R302.5.1



**TERMITE TREATMENT SOIL :**  
ALL BUILDINGS SHALL HAVE PRECONSTRUCTION TREATMENT PROTECTION AGAINST TERMITES AS PER F.B.C. 1816.1.7 A CERTIFICATE OF COMPLIANCE SHALL BE ISSUED TO THE BUILDING DEPARTMENT BY THE LICENSED PEST CONTROL COMPANY THAT CONTAINS THE FOLLOWING STATEMENT 'THE BUILDING HAS RECEIVED A COMPLETE TREATMENT FOR THE PREVENTION OF SUBTERRANEAN TERMITES. TREATMENT IS IN ACCORDANCE WITH THE RULES AND LAWS ESTABLISHED BY THE FLORIDA DEPT OF AGRICULTURE AND CONSUMER SERV.'

**COMPONENTS OF MEANS OF ESCAPE:**  
(A) NO DOOR IN THE PATH OF TRAVEL OF MEANS OF ESCAPE SHALL BE LESS THAN 2'-8" WIDE, EXCEPT THAT BATHROOM DOORS MAY BE 24" WIDE UNLESS A LARGER DOOR OPENING IS REQUIRED TO SATISFY REQUIREMENTS  
(B) EVERY CLOSET DOOR LATCH SHALL BE SUCH THAT CHILDREN CAN OPEN THE DOOR FROM INSIDE THE CLOSET.  
(C) EVERY BATHROOM DOOR LOCK SHALL BE DESIGN TO PERMIT THE OPENING OF THE LOCKED DOOR FROM THE OUTSIDE IN AN EMERGENCY.  
(D) DOORS MAY BE SWINGING OR SLIDING AND ARE EXEMPT FROM THE REQUIREMENTS  
(E) NO DOOR IN ANY MEANS OF ESCAPE SHALL BE LOCKED AGAINST EGRESS WHEN THE BUILDING IS OCCUPIED. ALL LOCKING DEVICES WHICH IMPEDE OR PROHIBIT EGRESS OR WHICH CANNOT BE EASILY DISENGAGED SHALL BE PROHIBITED.

**BATHROOM NOTES**  
a SHOWER & BATHTUB SHALL HAVE NON-ABSORBENT FLOOR & WALL FINISH UP TO 72" HEIGHT, AS PER F.B.C. R307.2  
b CERAMIC TILE WALL FINISH AND TUB SHOWER AREAS SHALL HAVE CEMENT FIBER OR GLASS MAT BACKING BOARD, AS PER F.B.C. R702.4.2  
c GLAZING WITHIN 60" OF FLOOR LEVEL IN WALLS SURROUNDING TUB OR SHOWER WITHIN 60" HORIZONTALLY OF TUB OR SHOWER SHALL BE SAFETY GLAZING CAT. II PER R4410.2.6.1 & R.308.4.5 F.B.C.  
d GLAZING IN BATH & SHOWER ENCLOSURE SHALL BE SAFETY GLAZING CAT. II PER R410.2.6.2 F.B.C.  
e GYPSUM BOARDS IN TUBS, SHOWERS AND WATER CLOSETS SHALL BE WATER - RESISTANT GYPSUM BACKING BOARD AS PER F.B.C. SEC 2509.2

**ATTIC VENT CALCULATION**  
(F.B.C 2010 ED R4409.13.3.2)  
ROOF AREA = 1,800  
2ND FLOOR = 150  
170 L.F X .16 = 28 S.F PROVIDED VENT.  
= 12 S.F REQUIRED VENT  
ROOF PERIMETER = 170'  
- PROVIDE A 2" WIDE CONTINUOUS ATTIC VENTILATION AT ALL ROOF  
- SCREEN OPENING AT ATTIC VENTS MAY NOT EXCEED 1/8" - FBC R4409.13.3.2.3.

**GARAGE FLOOD VENTS NOTES :**  
A MINIMUM OF TWO OPENINGS LOCATED ON SEPARATE WALLS, HAVING A TOTAL NET AREA OF NOT LESS THAN 1 SQ. IN. FOR EVERY SQ. FT. OF ENCLOSED AREA.  
THE BOTTOM OF THE OPENING MUST BE NO HIGHER THAN ONE FOOT ABOVE THE HIGHER THAN 1' ABOVE THE HIGHER OF THE EXTERIOR OR INTERIOR GRADE OR FLOOR IMMEDIATELY BELOW THE OPENING. AS PER FEMA & NFIP: SECTION 44CFR60.3.  
**CALCULATIONS:**  
AREA GARAGE= 405 SQ. FT.  
AREA VENTILATION REQUIRED= 3.01 SQ. FT. (MIN.)  
AREA VENTILATION PROVIDED= 2 OPENINGS  
1.5 SQ.FT. EACH VENT











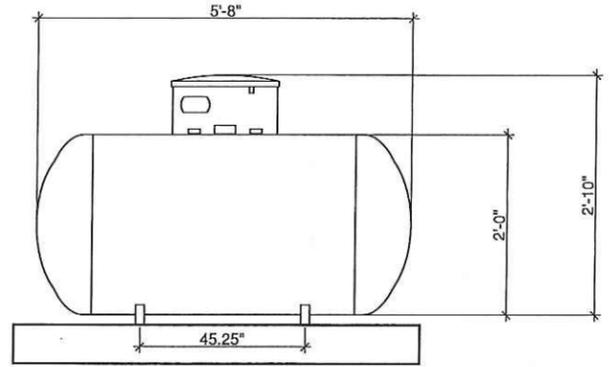




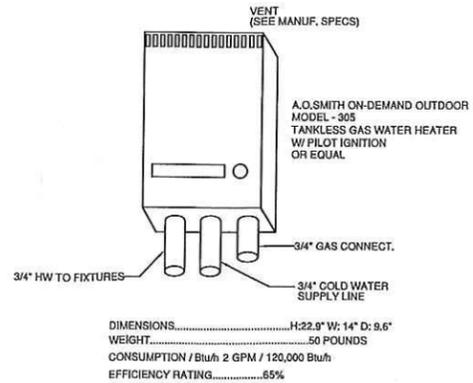
PROVIDE HAMMER ARRESTOR FOR WASHER AND REFRIGERATOR

WATER HAMMER ARRESTER SCHEDULE		
MARK	* P.D.I. SIZE	CONN. SIZE
A	A (1-11 F.U.)	1/2"
B	B (12-32 F.U.)	3/4"
C	C (33-60 F.U.)	1"
D	D (61-113 F.U.)	1"
E	E (114-154 F.U.)	1"
F	F (155-330 F.U.)	1"

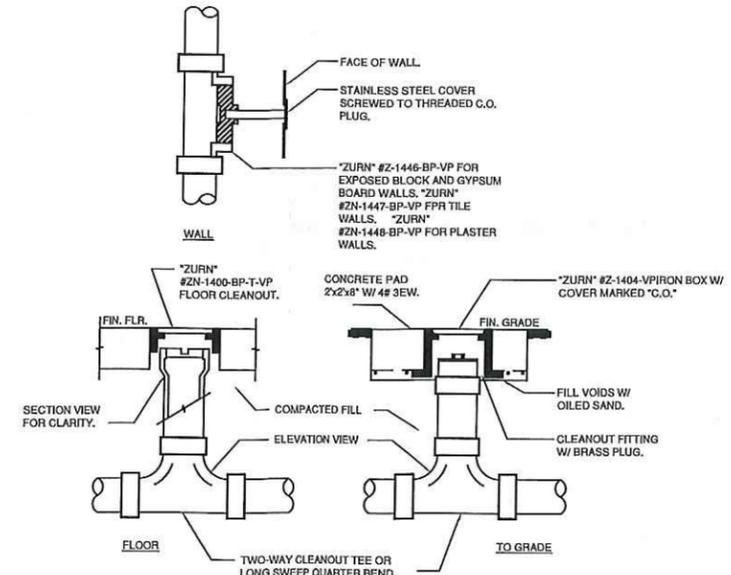
\* PLUMBING AND DRAINAGE INSTITUTE STANDARD WH-201



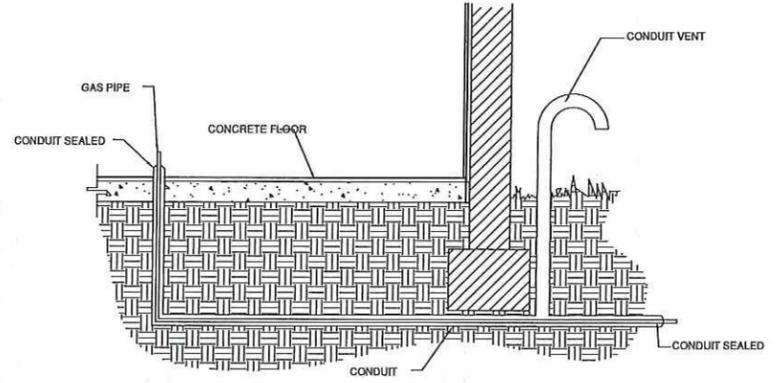
120 GALS GAS TANK DETAIL N.T.S.



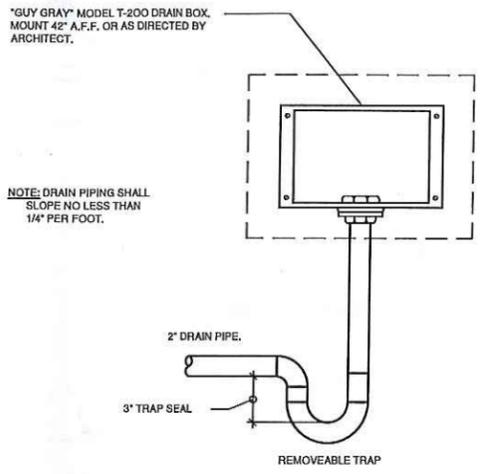
WATER HEATER DETAIL  
INSTANT GAS WATER HTR. N.T.S.



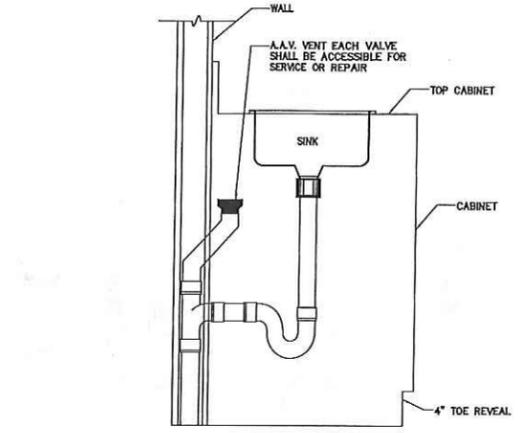
CLEANOUT DETAILS N.T.S.



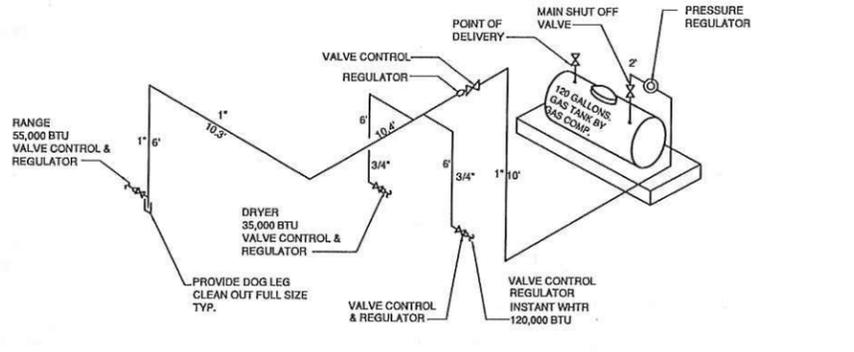
GAS PIPE UNDER SLAB INSTALLATION DETAIL N.T.S.



WASHING MACHINE DRAIN BOX N.T.S.



MECHANICAL VENTILATION DETAIL N.T.S.



GAS RISER (PROPANE GAS) N.T.S.

TOTAL BTU 210,000  
LONGEST RUN GAS PIPE FROM TANK TO FARTHEST OUTLET 10'-4"  
TOTAL LENGTH OF TUBING ±50'-0"  
TABLE G.B.C.-402.4(24) SCHEDULE 40 METALIC PIPE.

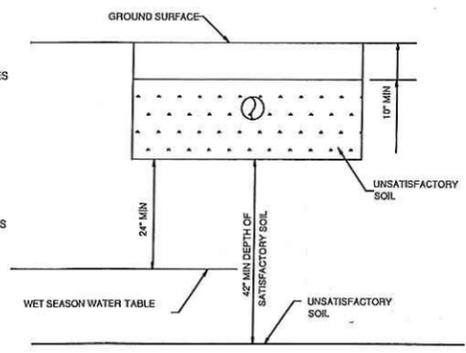
NOTE: SOURCE OF IGNITION SHALL BE AS PER NFPA 58, TABLES 6.3.1, 6.4.2, 6.4.5.8 AND SECTIONS 6.3.2 THROUGH 6.3.12

NOTE: GAS CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR OWNER AND ARCHITECT APPROVAL AND VERIFY BTU FOR EACH EQUIPMENT

NOTE: PROVIDE SHOOT-OFF VALVE AHEAD OF M.P. REGULATOR (TYP.)

PLUMBING GENERAL NOTES :

1. ALL WORK AND MATERIAL SHALL BE IN ACCORDANCE WITH THE FLORIDA BUILDING CODE 2010, LOCAL AND ANY OTHER PERTAINING CODES THAT APPLY.
2. THE CONTRACTOR SHALL PROVIDE ALL MINOR ITEMS WHICH ARE OBVIOUSLY, AND REASONABLY NECESSARY TO COMPLETE THE INSTALLATION.
3. THE CONTRACTOR SHALL TAKE OUT PERMITS, PROCURE CERTIFICATES AND PAY ALL FEES CONNECTED THEREWITH.
4. BIDDERS SHALL VISIT THE SITE AND FAMILIARIZE THEMSELVES WITH ALL CONDITIONS SURROUNDING THE WORK.
5. THE CONTRACTOR SHOULD REFER TO THE DRAWING AND SPECIFICATIONS OF OTHER TRADES, AS SUCH ARE TO BE CONSIDERED PART OF THE PLUMBING CONTRACT DOCUMENTS.
6. DRAWINGS ARE DIA GRAMMATIC AND INTENDED TO SHOW THE APPROXIMATE LOCATION AND ARRANGEMENTS ONLY. PROVIDE ALL OFFSET, FITTING OR ACCESSORIES REQUIRED FOR A COMPLETE INSTALLATION.
7. ALL MATERIALS SHALL BE NEW AND OF THE BEST QUALITY NORMALLY USED FOR THE PURPOSE, OF TYPE AND MAKE CALLED FOR, OR APPROVED EQUAL.
8. THE CONTRACTOR SHALL BE A LICENSED MASTER PLUMBER.
9. THE ENTIRE INSTALLATION SHALL BE PERFORMED IN A FIRST-CLASS WORKMANLIKE MANNER.
10. PLUMBING WORK SHALL NOT INTERFERE WITH CLEARANCE REQUIRED FOR GENERAL AND HVAC CONSTRUCTIONS. INSTALLED PLUMBING WORK WHICH INTERFERES WITH THE WORK OF OTHER CONTRACTOR SHALL BE CHANGED AT THE PLUMBING CONTRACTOR'S EXPENSE.

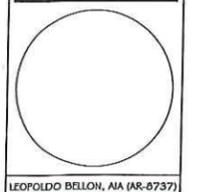


SOIL/WATER TABLE SITE EVALUATION CRITERIA NTS

- 2) ANTI-SCALD VALVE:  
ALL SHOWERS & BATH/SOWER COMBINATIONS SHALL BE PROTECTED WITH A CONTROL VALVE OF THE PRESSURE BALANCE, THERMOSTATIC MIXING OR COMBINATION TYPE SET. HANDLE POSITION STOPS PER MANUFACTURERS INSTRUCTIONS AT TIME OF INSTALLATION TO A MAXIMUM MIXED WATER OUTLET TEMPERATURE OF 120° F.  
2" d OR LESS DRAIN @ 1/4" PER FOOT SLOPE  
3" d OR MORE DRAIN @ 1/8" PER FOOT SLOPE  
-NO FITTING JOINTS UNDER SLAB ALL PRIMARY LINES TO BATHROOMS KITCHEN & LAUNDRY TO FINISH ABV. SLAB.  
-HOT WATER HEATER TO BE SIZED AS PER TABLE 46-N-8.  
\*DISCHARGE INTO KITCHEN SINK.  
NOTE:  
WATER HAMMER ARRESTORS ON QUICK CLOSING VALVES SUCH AS ICE MAKER, WASHING MACHINE AND DISHWASHER.  
NOTE:  
THE DISCHARGE SHALL BE COMPLY WITH FBC, PLUMBING 504.7.1 THE RELIEF VALVE SHALL DISCHARGE FULL SIZE TO A SAFE OF DISPOSAL SUCH AS THE FLOOR, OUTSIDE THE BUILDING OR AN INDIRECT WASTE RECEPTOR. THE DISCHARGE PIPE SHALL NOT HAVE ANY TRAPPED SECTIONS AND SHALL HAVE A VISIBLE AIR GAP OR AIR GAP FITTING LOCATED IN THE SAME ROOM AS THE WATER HEATER. THE DISCHARGE SHALL BE INSTALLED IN MANNER THAT DOES NOT CAUSE PERSONAL INJURY TO OCCUPANTS IN THE IMMEDIATE AREA OR STRUCTURAL DAMAGE TO THE BUILDING

MARK	DATE	DESCRIPTION

PROJECT No. 2013LB225  
DRAWN BY: J.R. & K.L.  
CHECKED BY: L.B.  
DATE:



LEOPOLDO BELLÓN, AIA (AR-8737)

SHEET TITLE

PLUMBING DETAILS

P-2

SHEET OF





