NORTH MIAMI BOARD OF ADJUSTMENT MEETING AGENDA
776 NORTHEAST 125 STREET, NORTH MIAMI CITY HALL, 2ND FLOOR
WEDNESDAY, OCTOBER 21, 2015, 6:30 PM

I. ASSEMBLY AND ORGANIZATION:

A. Call to Order
B. Pledge of Allegiance
C. Roll Call of Board Members
D. Announcement to Audience of the Public Hearing Process

QUASI-JUDICIAL ITEMS: THESE ITEMS MAY EITHER BE APPROVED, DENIED, OR APPROVED WITH CONDITIONS.

PUBLIC HEARINGS: PLEASE BE ADVISED THAT THE FOLLOWING ITEMS ON THE AGENDA ARE QUASI-JUDICIAL IN NATURE. THE APPLICANT OR DULY AUTHORIZED AGENT FOR THE APPLICANT MUST BE PRESENT. IF NO REPRESENTATIVE IS PRESENT, THE APPLICATION WILL BE TABLED TO THE NEXT BOARD OF ADJUSTMENT MEETING. WHEN THE PETITION IS ANNOUNCED, THE APPLICANT OR HIS/HER AGENT SHALL APPROACH THE MICROPHONE AND STATE HIS/HER NAME AND ADDRESS FOR THE RECORD.

ANY INTERESTED PARTY WISHING TO SPEAK ON ANY ITEM MAY APPROACH THE PODIUM AFTER THE BOARD HAS OPENED THE PUBLIC HEARING. EACH PARTY SHALL APPROACH THE MICROPHONE AND STATE HIS/HER NAME AND ADDRESS FOR THE RECORD, AND SHALL ADDRESS HIS/HER COMMENTS TO THE BOARD. EACH PARTY SHALL SPEAK FOR NOT MORE THAN 3 (THREE) MINUTES IN ORDER TO PROVIDE FOR ORDER AND TIME FOR OTHER INTERESTED PARTIES TO ADDRESS THEIR CONCERNS/COMMENTS TO THE BOARD.

E. Quasi-Judicial Oath
F. Amendments to the Agenda

II. APPROVAL OF MINUTES: JULY 15, 2015 BOARD OF ADJUSTMENT MEETING

III. COMMUNICATIONS: BOARD MEMBER COMMUNICATIONS

IV. CONTINUED PETITIONS: NONE

V. NEW PETITIONS:

V-9-15 PHILIP SOTO - 13655 NE 15TH COURT

VARIANCE TO ARTICLE 4, DIVISION 2, SECTION 4-203 OF THE NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, TO ALLOW AN EXISTING ENCLOSED PATIO ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE IN THE R-2 ZONING DISTRICT TO SET BACK 12.21 FT. FROM THE REAR PROPERTY LINE, INSTEAD OF THE REQUIRED MINIMUM REAR SETBACK OF 25 FT. AS SET FORTH IN THE LAND DEVELOPMENT REGULATIONS FOR DEVELOPMENTS PERMITTED IN THE R-2 ZONING DISTRICT; SAID VARIANCE TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 6, SECTION 3-606 OF THE LAND DEVELOPMENT REGULATIONS.

V-10-15 7-ELEVEN - 11975 AND 11901 NW 7TH AVENUE

A SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 3, SECTION 4-302 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A PROPOSED AUTOMOTIVE SERVICE STATION AT THE PROPERTY LOCATED AT 11975 AND 11901 NE 7TH AVENUE IN THE C-1 DISTRICT; SAID SPECIAL EXCEPTION TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.

V-11-15 EGLISE EVANGELIQUE BEREE - 14125 NE 6TH AVENUE

A SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 2, SECTION 4-202 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A PROPOSED RELIGIOUS INSTITUTION AT THE PROPERTY LOCATED AT 14125 NE 6 AVENUE IN THE R-6 DISTRICT; SAID SPECIAL EXCEPTION TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.

V-12-15 134 WEST DIXIE SERVICE STATION, LLC - 13480 WEST DIXIE HIGHWAY

VARIANCE TO ARTICLE 4, DIVISION 3, SECTION 4-303 OF THE NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, TO ALLOW AN EXISTING AUTOMOTIVE STATION IN THE C-1 ZONING DISTRICT TO SET BACK 5 FT. FROM THE SIDE (SOUTHWEST) PROPERTY LINE AND 3 FT. FROM THE REAR (NORTHEAST) PROPERTY LINE WHERE THE MINIMUM SIDE AND REAR SETBACKS SET FORTH IN THE LAND DEVELOPMENT REGULATIONS FOR DEVELOPMENTS PERMITTED IN THE C-1 ZONING DISTRICT ARE 10 FT., RESPECTIVELY; SAID VARIANCES TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 6, SECTION 3-606 OF THE LAND DEVELOPMENT REGULATIONS.

~~**V-13-15 CAPOEIRA ALBICAO COMMUNITY FOUNDATION, INC. – 1948 NE 123 STREET**~~

~~**A SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 3, SECTION 4-302 OF THE NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, TO ALLOW A PROPOSED SPECIAL SCHOOL AT THE PROPERTY LOCATED AT 1948 NE 123 STREET IN THE R-5 DISTRICT; SAID SPECIAL EXCEPTION TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.**~~

V-14-15 MUSLIM UMMAH CENTER OF FLORIDA, INC. – 660 NW 121 STREET

A SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 3, SECTION 4-3

02 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A PROPOSED RELIGIOUS INSTITUTION AT THE PROPERTY LOCATED AT 660 NW 121 STREET IN THE C-1 DISTRICT; SAID SPECIAL EXCEPTION TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.

V-15-15 CHRIST VICTORY CHURCH – 13621 NW 7 AVENUE

A SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 3, SECTION 4-302 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A PROPOSED RELIGIOUS INSTITUTION AT THE PROPERTY LOCATED AT 1363 NW 7 AVENUE IN THE C-1 DISTRICT; SAID SPECIAL EXCEPTION TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.

VI. OLD BUSINESS: NONE

VII. NEW BUSINESS: NONE

VIII. ADJOURNMENT:

NOTICE: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, any person wishing to appeal the recommendations of the Board of Adjustment will need a verbatim record of the meeting's proceedings, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286.0105 F.S.)

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Building and Zoning Department no later than four (4) days prior to the proceeding. Telephone (305) 893-6511, ext. 12139 for assistance. If hearing impaired, telephone our TDD line at (305) 893-7936 for assistance.

AS A COURTESY TO THE PEOPLE RECORDING THE MEETING, PLEASE PUT YOUR CELL PHONE ON SILENT.

MINUTES
NORTH MIAMI BOARD OF ADJUSTMENT
6:30 P.M.
WEDNESDAY, JULY 15, 2015
COUNCIL CHAMBERS

The meeting was called to order at 6:30 p.m. After the pledge of allegiance, a roll call of the members was taken.

	Name	Present	Excused	Absent
1.	Roseline Philippe	X		
2.	Holly Cohen	X		
3.	Michael McDearmaid	X		
4.	Dotie Joseph		X	
5.	Danna Magloire-Fenelon	X		
6.	Pegy Boule	X		
7.	Laura Hill	X		
8.	Mary Estimé-Irvin			

Staff was represented by:

Nixon Lebrun, AICP, CFM, City Planner
Roland Galdos, Deputy City Attorney
Brittni Duria, Board Secretary

I. Assembly and Organization – Amendments to the Agenda: None

II. Approval of Minutes:

The minutes of the March and May board meetings were unanimously approved and a motion was made by board member McDearmaid and seconded by board member Cohen.

III. Board Member Communications: None

IV. Continued Petitions:

V-7-15 CESAR BORJA – 1890 N.E. 146TH STREET

A SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 3, SECTION 4-302 OF THE NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, TO ALLOW A PROPOSED OUTDOOR SOCCER FACILITY (RECREATION, OUTDOOR) AT THE PROPERTY LOCATED AT 1890 N.E. 146TH STREET IN THE M-1 ZONING DISTRICT; SAID SPECIAL EXCEPTION TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.

Board Discussion:

Mr. Lebrun introduced the item, read and summarized the staff recommendation. Cesar Borja presented his project and stated that he would be available to answer any questions the Board may have. David Reemer, the general counsel for the property owner, added a few words to Mr. Borja's statement. Board member Hill asked for a visual description of the facility and Mr. Borja stated that he would be using the best turf and focus more on family entertainment. Hill then asked when the facility will be open, on weekend or weekdays and Mr. Borja then stated that they would be open all days of the week and that the facility will be open until games are finished. He also added that the lounge would be open to discuss and watch games. Mr. Reemer explained the layout of the facility with a set of plans. Board member Hill then asked if alcohol would be served at the facility, Mr. Borja and Mr. Reemer clarified that their "bar" meant juice bar. Board member Boule asked if birthday parties can be celebrated there and they are. Chair Philippe then announced on record the presence of board member Boule and board member Fenelon-Magloire. Board member McDearmaid asked if there would be any parking issues with other neighboring facilities and Mr. Borja explained that they plan to create parking within the site. Mr. Lebrun added that they do have sufficient parking as far as the required amount. Board member Hill asked what the timeline was on opening and Mr. Borja explained that they are in the process of finishing the plans. Chair Philippe asked what is anticipated for crowds and Mr. Borja stated that the facility is not really meant for large crowds but for everyday games. Board member Boule had a point of concern of the e-mail which was damage to the neighboring site from parking in the wrong area. Mr. Borja restated that they had sufficient parking and Mr. Reemer added that their insurance would cover for any damages made if any was done. Board member Boule also suggested signage.

Public Hearing:

No one spoke at the public hearing.

Vote:

The motion for approval of the item was made by board member McDearmaid and seconded by board member Hill. The decision passed unanimously.

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V. NEW PETITIONS:

V-8-15 CHARNELE TISDALE – 12310 WEST DIXIE HIGHWAY

A SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 3, SECTION 4-302 OF THE NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, TO ALLOW A PROPOSED CHILD CARE FACILITY AT THE PROPERTY LOCATED AT 12310 WEST DIXIE HIGHWAY IN THE C-3 DISTRICT; SAID SPECIAL EXCEPTION TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.

Board Discussion:

Mr. Lebrun introduced the item, read and summarized the staff recommendation. Ms. Charnele Tisdale then stated her purpose and goal for her proposed daycare center. Mr. Allan Bennis, the legal representative of the landlord, gave a brief backstory on the property. Board member Cohen asked where they proposed the drop-off. Ms. Tisdale stated through the back door which is fenced in from the front. Cohen then asked if the doors would be locked in front on West Dixie Highway. Chair Philippe asked if new fences would be added, board member Boule asked if she had met with DCF. Ms. Tisdale replied that fences would be added and she had not met with them since her plans were made. Mr. Lebrun stated the only thing Ms. Tisdale would need is to establish use with a Certificate of Use. Chair Philippe stated that DCF is the first step in bringing her business together. She mentioned her concern of no playground; would it be urban or indoor? Ms. Tisdale explained that the open space in the rear will be where the playground will be along with toys and riding vehicles with neoprene flooring. Chair Philippe mentioned that there was anticipation for 50-60 students; be sure they can be there, money and time is being spent so make sure to abide by DCF. Ms. Tisdale stated that she plans on being the operator, owner and director of the childcare center. Board member Hill mentioned that she was a mother of small children, is there sufficient parking and what her plan is for the peak hours of drop off and pick up. Ms. Tisdale replied that they have enough parking and the sign in/out process will be quick and easy. Hill then asked what the security system will be and that there is concern for the location of the playground. It was stated that the facility will be gated and there will not be public access. Board member Boule suggested that the location of the playground be moved away from the entrance. Board member Hill then asked what kind of fences will be used and Ms. Tisdale explained four to six -foot chainlink fence. Board member McDearmaid suggested that there only be one way in and one way out for drop off and pick up. Mr. Reemer said that it could be worked out that way. Board member McDearmaid asked if they had a formalized plan of how this will all work out because DCF would not allow it as it is, they need a more definitive plan. Chair Philippe said that they are only trying to recommend what DCF will allow. Board member Boule stated that she works in education and she understands the scrutiny. She gave words of encouragement to move forward but with caution and also to see more concrete evidence of Ms. Tisdale's proposal. Board member Hill stated that she was not comfortable with the use of chainlink fencing and Mr. Reemer stated that there would be bollards within the fence. Board member Cohen asked about solicitors and Hill stated there should be a barrier from view. Ms. Tisdale replied that they would black out the fence to make it opaque. Mr. Lebrun also recommended supervision.

Public Hearing:

No one spoke at the public hearing.

Vote:

The motion for approval was made by board member McDearmaid and seconded by board member Boule. The item passed unanimously.

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The next meeting was tentatively set for September 16, 2015.

VI. COMMITTEE REPORTS: None

VII. OLD BUSINESS: None

VIII. NEW BUSINESS:

New appointment: Rodney Deremond

IX. ADJOURNMENT:

The meeting was adjourned at 7:23 p.m. The motion was made by board member McDearmaid and seconded by board member Cohen. The vote was unanimous.

Respectfully submitted:

Attest:

Roseline Philippe, Chairperson
Board of Adjustment

Nixon Lebrun, AICP, CFM, City Planner
Community Planning & Development

Prepared by:

Brittni Duria, Board Secretary
Community Planning & Development

776 Northeast 125th Street, P.O. Box 610850, North Miami, Florida 33161-0850 (305) 893-6511

To: **Honorable Board of Adjustment Members**

From: **Nixon Lebrun, AICP, CFM, City Planner**
Community Planning & Development Department

Date: **October 21, 2015**

V-9-15 **PHILIP SOTO – 13655 NE 15TH COURT**

Application Summary

Applicant:	Philip Soto
Agent:	Philip Soto, Home Owner
Location:	13655 NE 15 Court, North Miami, FL 33161
Land Area:	9,025 sq. ft. (.21 Acre)
Folio Number:	06-2220-030-0160
Petitions:	**VARIANCE TO ARTICLE 4, DIVISION 2, SECTION 4-203 OF THE LAND DEVELOPMENT REGULATIONS, TO ALLOW THE CONTINUED USE AND MAINTENANCE OF AN EXISTING ENCLOSED PATIO ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 13655 N.E. 15TH COURT, IN THE R-2 RESIDENTIAL DISTRICT TO SET BACK 12.21 FT. FROM THE REAR PROPERTY LINE, INSTEAD OF 25 FT. WHICH IS THE REQUIRED MINIMUM REAR SETBACK SET FORTH IN THE LAND DEVELOPMENT REGULATIONS FOR DEVELOPMENTS PERMITTED IN THE R-2 RESIDENTIAL DISTRICT; SAID VARIANCE TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 6, SECTION 3-606 OF THE LAND DEVELOPMENT REGULATIONS.**

Project Summary

Located at the junction of N.E 15th Court and N.E. 136th Street, the subject property comprises 9,025 sq. ft. in area and, according to the records of the Miami-Dade County Property Appraiser's Office, has been developed with a one-story, 1,475-sq. ft. residential building since 1963. Before closing on the subject property, Mr. Philip Soto had applied for a certificate of reocccupancy to ensure that the residential structure originally built on the property was still being utilized for that purpose and also complied with the requirements of the City's LDRs and building codes. Following an inspection of the property, the Minimum Housing Officer identified, among other non-life safety violations, the construction of a 297-sq. ft. enclosed patio in the rear of the original residence without City permits. Mr. Soto was subsequently

issued a conditional certificate of reoccupancy and also executed a settlement agreement according to the terms thereof he would secure all necessary building permits to legalize the patio within one year of said agreement. In reviewing the permit plans, zoning staff discovered that the patio, as built, has a setback of only 12.12 ft., which is more than fifty (50) percent less than the required minimum setback of 25 ft. for principal structures in the R-2 district, and denied the permit accordingly. Mr. Soto is seeking therefore approval from the Board of Adjustment for the rear setback variance request so he can finalize the after-the-fact building permit in compliance with terms of the executed settlement agreement.

History

A search of the City's zoning records shows no previous zoning approvals on the property.

Neighborhood Land Use Characteristics

Property	Future Land Use (Max Height)	Existing Zoning	Existing Use/Subdivision
Site	Low Density Residential (35')	R-2, Residential District	Single-Family Residence
North	Low Density Residential (35')	R-2, Residential District	Single-Family Residence
South	Medium Density Residential (75')	R-5, Residential District	Multi-Family Apartments
East	Low Density Residential (35')	R-2, Residential District	Single-Family Residence
West	Low Density Residential (35')	R-2, Residential District	Single-Family Residence

The subject property is located on the east side of N.E. 15th Court, at the junction of said street and N.E. 136th Street. The properties in the immediate vicinity have all been developed with residential buildings, except for the property immediately south, which feature a 4-story, 12-unit, multi-family apartment building. The following pictures depict the existing land uses around the subject property.

PROPERTY INFORMATION

Folio: 06-2220-030-0160

Sub-Division:
ALMAR SUB 1ST ADDN

Property Address
13655 NE 15 CT
North Miami , FL 33161-3549

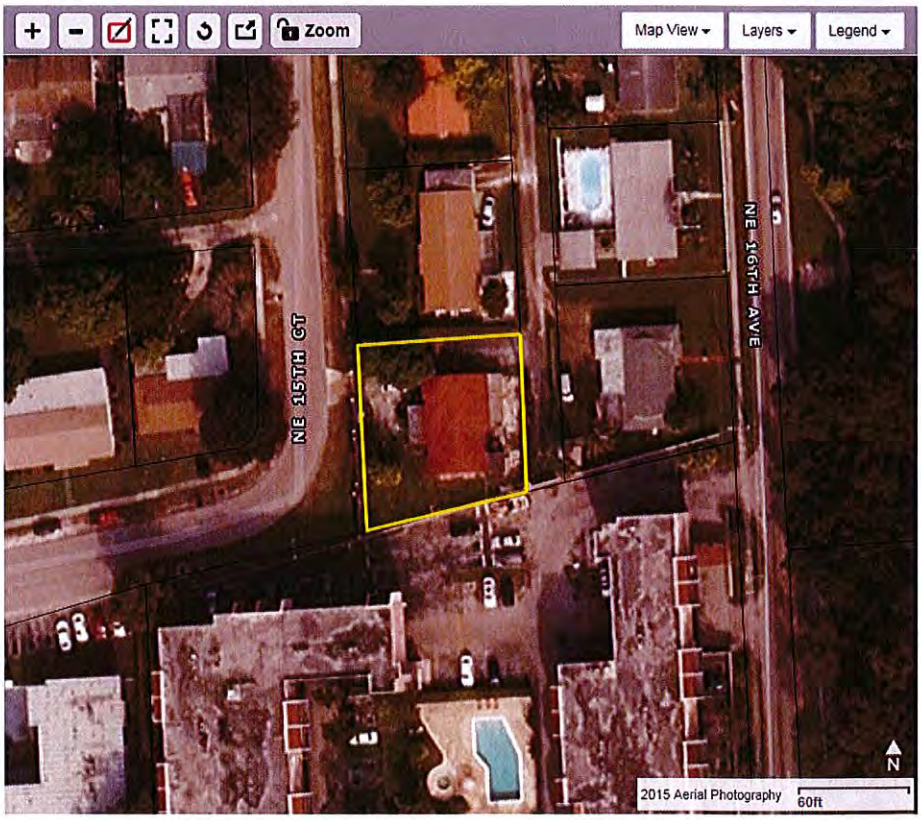
Owner
PHILIP SOTO

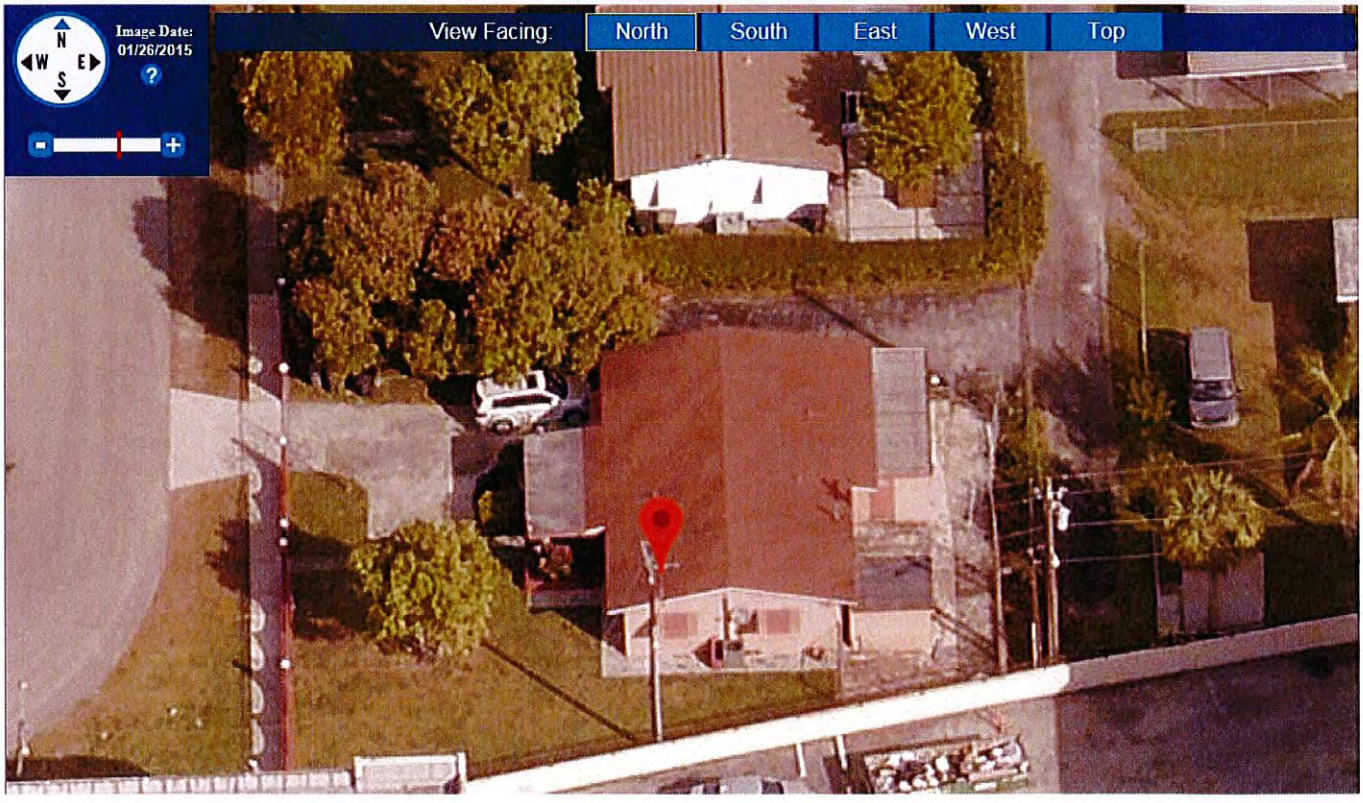
Mailing Address
13655 NE 15 CT
MIAMI , FL 33161

Primary Zone
0400 SGL FAMILY - 901-1200 SQF

Primary Land Use
0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT

Beds / Baths / Half	3 / 2 / 0
Floors	1
Living Units	1
Actual Area	1,635 Sq.Ft
Living Area	1,475 Sq.Ft
Adjusted Area	1,496 Sq.Ft
Lot Size	9,025 Sq.Ft
Year Built	1963





Consistency with the City of North Miami Comprehensive Land Use Plan

The subject property is designated Low Density Residential on the City's adopted Future Land Use Map (FLUM). In accordance with Policy 1.13.1 of Objective 1.13 of the Future Land Use Element (FLUE) of the City's Comprehensive Plan, this land use category is intended primarily to provide land area for a residential environment, including schools and places of worship, may also be appropriate:

1. Residential dwelling units, subject to the limitation for a parcel as shown on the Future Land Use Map, and subject to the density and intensity limitations set forth in Policy 1.1.1. Subject to unit availability per Policy 1.12.1, low-medium, medium and high density residential designations may allow a density bonus not to exceed an additional 25 du/ac if developed in accordance with the policies contained under objectives 1.2 and 1.10 as further defined in the City's LDRs. Developments within the NRO are subject to the density and height bonuses in accordance with the policies contained under Objective 1.12 as further defined in the City's Land Development Regulations.
2. Nonprofit neighborhood social and recreational facilities.
3. Home occupations that are listed as permitted uses in the LDR conducted with mail, telephone and computer use only, with no customers, clients or employees on site at any time.
4. Active and passive parks.
5. Community facilities, such as schools, places of worship, in-home child and adult day care, nursing homes, governmental administration, police and fire protection facilities, and libraries.
6. Ancillary uses and activities such as clubhouses and private restaurants owned by a homeowners' association, neighborhood community centers, small daycare centers, low-impact public facilities and utilities, and parks and recreational facilities.
7. Small-scale public facilities and utilities intended to serve the immediate needs of the residential community may be permitted on compatible sites in all residential land use categories subject to adequate design and buffering as determined by the City.

The applicant's request for a variance of rear setback requirements to legalize the enclosed patio addition to his newly acquired single-family residence does not change the Low Density Residential Land Use Plan map designation of the lot, nor does it modify the uses or intensities of development authorized by the FLUE in that land use designation. Therefore, the request conforms to the goals, objectives and policies of the Comprehensive Plan.

Compliance with the City of North Miami Land Development Regulations (LDRs)

The subject property is zoned R-2, Low Density Residential District on the City's Adopted Zoning Map. The purpose of this district is to protect and preserve the integrity and value of existing low-density neighborhoods. The property has already been developed as a one-story, 1,475-sq. ft. residential building. The applicant is proposing to legalize a 297-sq. ft. Florida room in the rear of the property and, in order to do so, is seeking approval from the Board of Adjustment for the following variance:

1. A variance of setback requirements, as set forth in Article 4, Division 3, Section 4-203 of the LDRs, to allow the continued use and maintenance of an existing enclosed patio addition to an existing single-family residence located at 13655 N.E. 15th Court, in the R-2 residential district to set back 12.21 ft. from the rear property line, instead of the required minimum rear setback of 25 ft. as set forth in the Land Development Regulations (LDRs) for developments permitted in the R-2 residential district; said variance to be reviewed under the criteria set forth in Article 3, Division 6, Section 3-606 of the LDRs.

Criteria for granting variances: Article 3, Division 6, Section 3-606 of the City's LDRs provides authority to the BOA to hear and grant or deny applications for variances from the terms of these LDRs. In evaluating a petition for variances, the BOA shall find that the applicant demonstrates compliance with four of the six items as listed below:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. The unusual circumstances or conditions necessitating the variance request are present in the neighborhood and are not unique to the property.
3. That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the neighborhood.
4. The literal interpretation of the provisions of these LDRs would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these LDRs.
5. The variance requested is the minimum variance that will make possible the reasonable use of the land, structure, or building.
6. The granting of the variance will be in harmony with the general intent and purpose of these LDRs and such variance will not be injurious to the area involved.

Analysis

Pursuant to Article 4, Division 2, Section 4-203, principal structures on lots located in the R-2 district are required to provide a minimum rear seatback of 25 ft. The property has an attached patio in the rear with a setback 12.12 ft., which is more than fifty (50) percent less than the required minimum setback of 25 ft. for principal structures in the R-2 district. Upon reviewing this variance request, it is found to meet at least 4 of the 6 criteria set forth in Article 3, Division 6, Section 3-606, as demonstrated below.

- ✓ Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

  As stated above, the applicant has recently purchased the properties and was issued a conditional certificate, giving him a year to pull an after-the-fact permit to legalize the rear patio, which, according to the aerial pictures above, seem to have been an integral part of the main residence for years. The variance requested is necessary for the applicant and his growing family to continue enjoying the added living area made possible 's decision to purchase the property was arguably based on the added living area, which the patio affords them and upon which his decision to purchase the property had been arguably based. As such, special conditions and circumstances, which are peculiar to the proposed patio exist, which may not be necessarily applicable to other structures, or residences in the neighborhood and even the same zoning district.

- ✓ The unusual circumstances or conditions necessitating the variance request are present in the neighborhood and are not unique to the property.

  Not Applicable.

- ✓ That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the neighborhood.

  The requested variance is to allow the continued use and maintenance of an existing enclosed patio addition to an existing single-family residence. From the pictures obtained from the Property's Appraiser website, the patio seems to have built for quite some time, has been an integral of the main residence since, and, arguably, has influenced the applicant's decision to

purchase the property. To allow the patio to remain with the existing rear setback will not have any negative impact on the aesthetic quality of the surrounding residences. Therefore, the variance maintains the basic intent and purpose of the LDRs.

✓ The literal interpretation of the provisions of these LDRs would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these LDRs.

Not Applicable.

✓ The variance requested is the minimum variance that will make possible the reasonable use of the land, structure, or building.

The patio has already been built with the existing setback. If the applicant is to get a fair return on his investment, continue living his American dream, and enjoy the added living space provided by the patio, the requested variance is not only warranted, but is also the minimum variance that will make possible the reasonable use of the patio and his residence for that matter. No other variance is being sought for the patio, as it meets all other setback requirements.

✓ The granting of the variance will be in harmony with the general intent and purpose of these LDRs and such variance will not be injurious to the area involved.

The variance request will allow the continued use and maintenance of an existing an existing enclosed patio addition to an existing single-family residence The request neither will change the use of the property as a single-family residence, nor will it allow the existing patio to be maintained or altered in a manner that increases the extent to which said addition is in violation of any existing requirement, such as the setback requirements from which this variance is being sought. The patio has been an integral part of the living area of the existing residence for quite some time and, if it is to remain, will not have any negative impact on the aesthetic quality of the surrounding residences. It will be in harmony with the general appearance and character of the adjacent properties and will not result in the diminution of the value of same.

Conclusion

Given the foregoing, the applicant's request conforms to the goals, objectives and policies of the City's Comprehensive Plan, as it will neither alter the use of the property as a single-family residence, nor increase the allowable density in the land use category involved. The request has also met the required minimum of four (4) of the six (6) criteria set forth in Article 3, Division 6, Section 3-606 of the City's LDRs for the granting of variances. In fact, it is in keeping with the intent and purpose of the City's LDRs, as it will not be detrimental to the public welfare, i.e., will not have a substantial negative impact on public safety due to unsafe traffic movements, heightened pedestrian vehicular conflicts, or increased risk of fire. Additionally, the existing patio has been designed and arranged in a manner that does not create any materially adverse privacy impacts on adjacent residences. Therefore, recommendation is made to approve the requested variance.

Public Notification/Comments

In accordance with Subsections (A), (B) and (C) of Article 3, Division 3, Section 3-302 of the City's LDRs, notification of the applicant's request was published in the Miami Herald, posted on the property, and mailed to property owners within a 500-foot radius of the subject property to give them an opportunity to comment on the application if they so desire. No comments were received from any of the neighboring property owners within the aforementioned radius.

Applicable Ordinances

Article 3, Division 3, Section 3-302 Subsections (A), (B) and (C).
Article 3, Division 6, Section 3-606;
Article 4, Division 2, Section 4-203;

Attachments

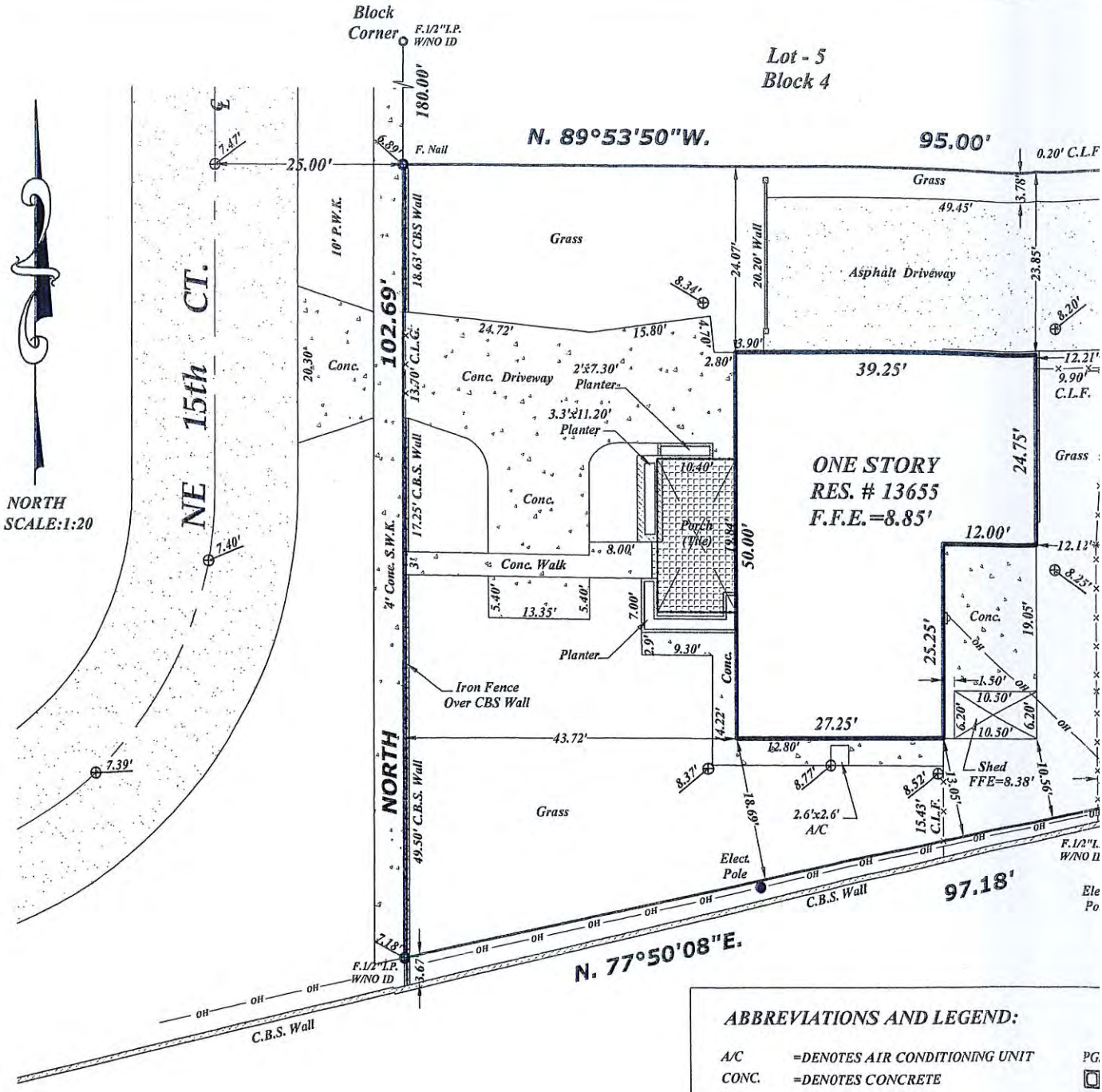
Submitted Application
Submitted Letter of Intent
Submitted Survey and Plans
Newspaper Advertisement

TO: Board of Adjustment

Hello my name is Philip Soto And I am both an emplyee and resident here in the City of North Miami. We moved in back in 1977 so I along with many others have seen change both good and bad. Also businesses, new housing, and new parks played A vital role in the area where I purchased my home. When I moved back here to this City in September 2013 it was an exciting time for me, since this is my first home and hopefully my last. Prior to signing the contract of sale terms, we knew the house would need considerable work. First thing that had to be done was electrical work, then painting, then hard wired smoke detectors, then alarm system, security bars, pressure cleaning outside, repairs on brink walls and wrought iron bars. Then the A/C unit broke down that was An additional $3,602 spent that came At an very unexpected time.

Next the refrigerator went out, and now as we speak Roto-Rooter will be coming out to fix some plumbing issues. Now what is left is the back room, it was a patio and was converted into a living space. The issue is that the roof needs to be replaced due to the fact that it is aluminum and it is not allowed to remain on the existing foundation. So the General Contractor spoke of set back rules and now I have had to hire an Architect and a Surveyor so that I may complete and bring the house back up to code. Here is everything that I needed so I could submit all these forms on a timely manner before your next meeting, right now I am still under the time extension for renovations under the conditional re-occupancy Please let me know if their are any further steps or paperwork that is needed so that I may begin work on my house. Thank You,

Philip Soto



NOTE:
THERE ARE NO ABOVE GROUND ENCROACHMENTS

ABBREVIATIONS AND LEGEND:

A/C	=DENOTES AIR CONDITIONING UNIT
CONC.	=DENOTES CONCRETE
(M)	=DENOTES MEASURE
(R)	=DENOTES RECORD
(C)	=DENOTES CALCULATED
R/W	=DENOTES RIGHT - OF- WAY
℄	=DENOTES CENTERLINE
U.E.	=DENOTES UTILITY EASEMENT
P.B.	=DENOTES PLAT BOOK

CERTIFIED TO:
- PHILIP SOTO

ADDRESS: 13655 NE 15th CT. MIAMI, FL. 33161

LEGAL DESCRIPTION:

LOT 6 BLOCK 4 OF "FIRST ADDITION TO ALMAR SUBDIVISION"
ACCORDING TO THE PLAT THERE OF AS RECORDED IN PLAT BOOK 67 AT PAGE 54
OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

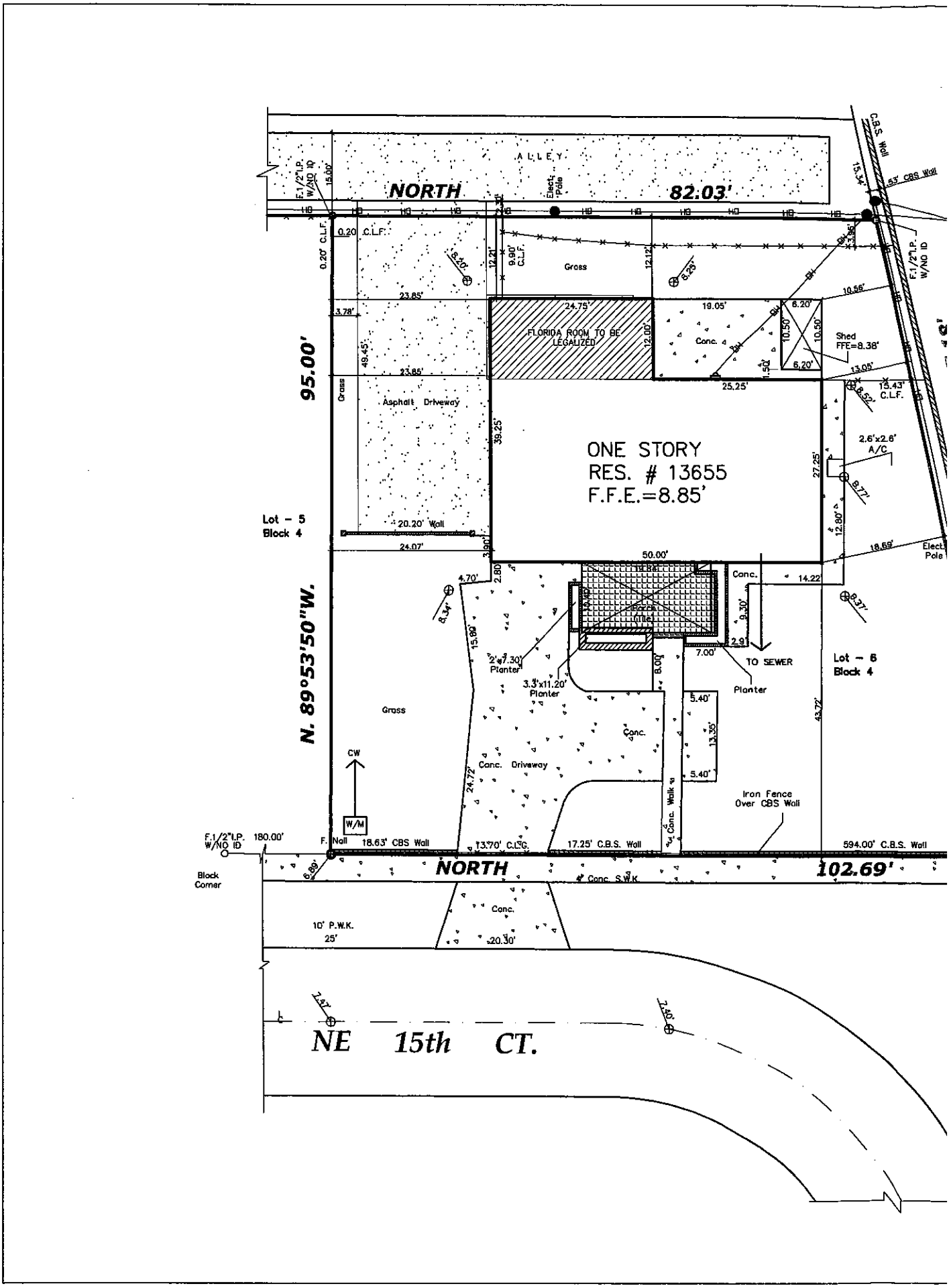
BOUNDARY S

FLOOD ZONE IN

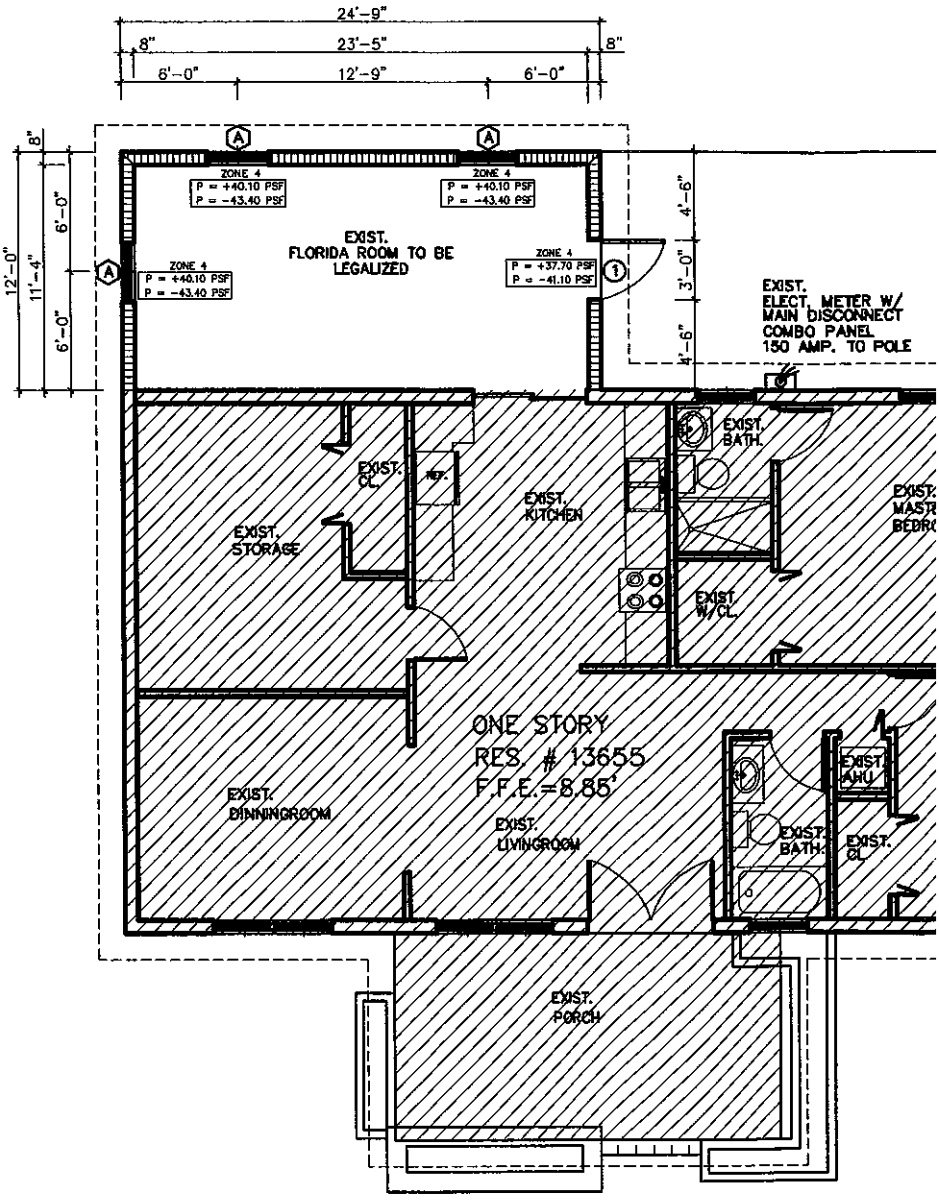
COMMUNITY NUMBER	PANEL NUMBER	SUFFIX	DA
120655	0143	L	

DATE OF FIELD UP-DATED WORK: 5/23/2015
DATE OF UP-DATED COMPLETION: 5/26/2015

BM. USED: N-440 EL.=9.54'

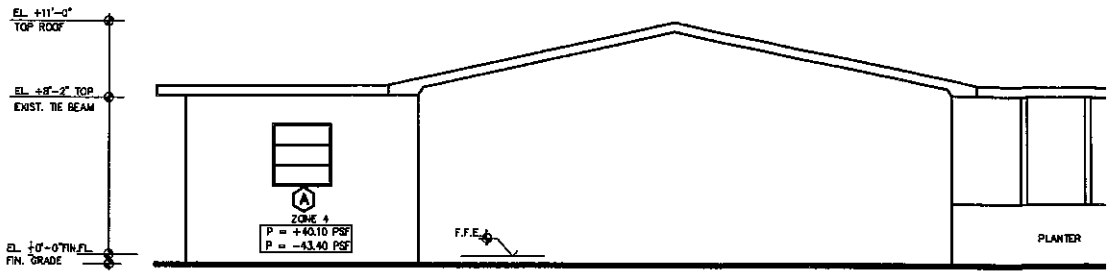


ALLEY
NORTH
82.03'
95.00'
N. 89°53'50"W.
ONE STORY
RES. # 13655
F.F.E.=8.85'
FLORIDA ROOM TO BE LEGALIZED
Asphalt Driveway
Grass
Conc.
Conc. Driveway
Conc. Walk
Shed
FFE=8.38'
2.6'x2.6' A/C
TO SEWER
Planter
Iron Fence Over CBS Wall
Lot - 5
Block 4
Lot - 6
Block 4
Block Corner
NORTH
102.69'
NE 15th CT.

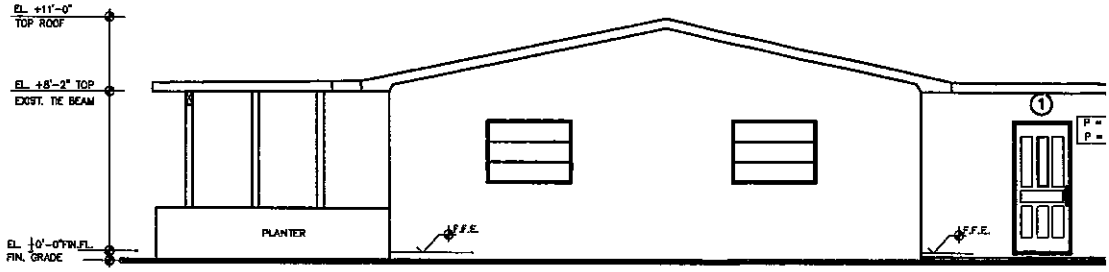


FLOOR PLAN

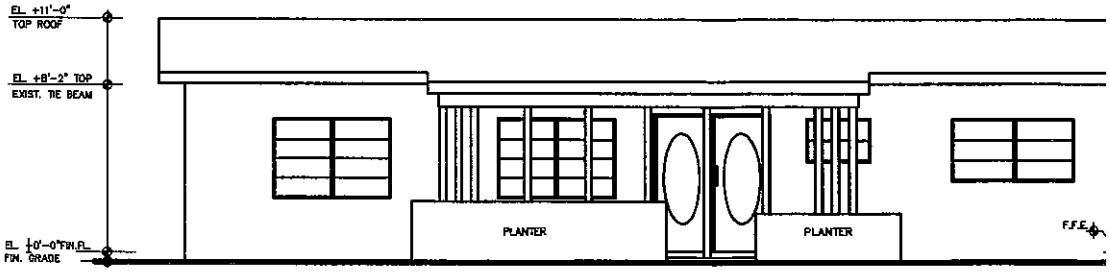
1/4"=1'-0



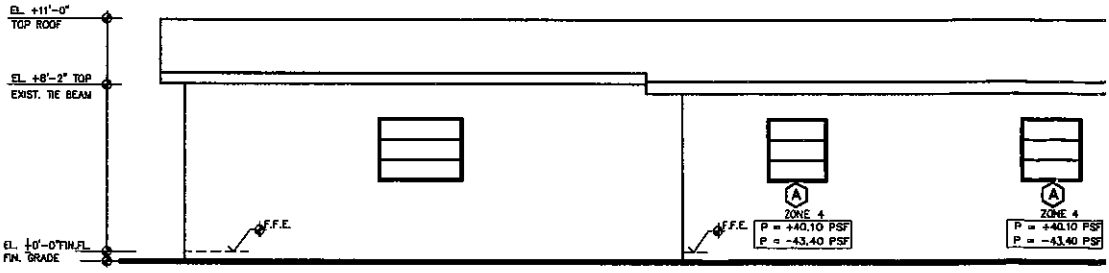
NORTH ELEVATION
1/4"=1'-0



SOUTH ELEVATIO
1/4"=1'-0



WEST ELEVATION
1/4"=1'-0



EAST ELEVATION
1/4"=1'-0

OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 7/7/2015

Property Information	
Folio:	06-2220-030-0160
Property Address:	13655 NE 15 CT
Owner	PHILIP SOTO
Mailing Address	13655 NE 15 CT MIAMI , FL 33161
Primary Zone	0400 SGL FAMILY - 901-1200 SQF
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	3 / 2 / 0
Floors	1
Living Units	1
Actual Area	1,635 Sq.Ft
Living Area	1,475 Sq.Ft
Adjusted Area	1,496 Sq.Ft
Lot Size	9,025 Sq.Ft
Year Built	1963

Assessment Information			
Year	2015	2014	2013
Land Value	$38,950	$16,359	$16,359
Building Value	$99,693	$87,617	$64,183
XF Value	$2,979	$3,017	$3,052
Market Value	$141,622	$106,993	$83,594
Assessed Value	$107,848	$106,993	$83,594

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	$50,000	$50,000	$50,500
Taxable Value	$57,848	$56,993	$33,094
School Board			
Exemption Value	$25,000	$25,000	$25,500
Taxable Value	$82,848	$81,993	$58,094
City			
Exemption Value	$50,000	$50,000	$50,500
Taxable Value	$57,848	$56,993	$33,094
Regional			
Exemption Value	$50,000	$50,000	$50,500
Taxable Value	$57,848	$56,993	$33,094

Benefits Information				
Benefit	Type	2015	2014	2013
Save Our Homes Cap	Assessment Reduction	$33,774		
Homestead	Exemption	$25,000	$25,000	$25,000
Second Homestead	Exemption	$25,000	$25,000	$25,000
Widow	Exemption			$500

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
09/17/2013	$145,000	28828-0530	Qual by exam of deed
07/01/1987	$0	14158-3005	Qual by exam of deed
06/01/1983	$63,000	11817-1794	2008 and prior year sales; Qual by exam of deed
10/01/1973	$18,600	00000-00000	2008 and prior year sales; Qual by exam of deed

Short Legal Description

20 52 42
1ST ADDN TO ALMAR SUB PB 67-54
LOT 6 BLK 4
LOT SIZE 95.000 X 95
OR 14158-3005 0787 4

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at http://www.miamidade.gov/info/disclaimer.asp

Version:

NORTH MIAMI FLORIDA | NORTH MIAMI CRA Community Redevelopment Agency www.NorthMiamiCRA.org

City of North Miami Property Search Web Application

To determine the zoning of a property, enter the address below:

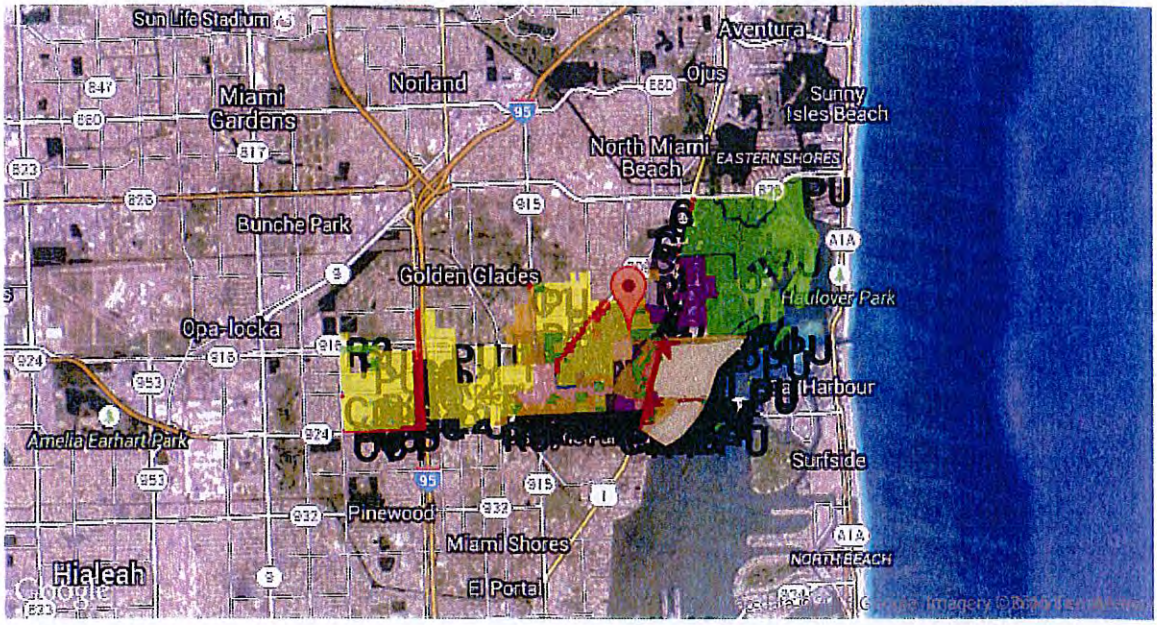
Enter a House Number:

Choose a Direction (i.e. 'NE':

Choose a Street Name: 10TH AVE Search

Apartment/condo unit numbers are not neccesary

Or search by Folio #: 0622200300160 Search



Zoning Information for 0622200300160 / 13655 NE 15TH CT

Property Address: **13655 NE 15TH CT**

Zoning: **R-2**

Base Permitted Residential Density: **The base maximum dwelling units permissable on this property is 1**

Required Setbacks

Front: **25 feet**

Side: **7.5 feet or 10% of the lot frontage, whichever is greater.**

Rear: **25 feet**

Other Zoning Facts about this property:

None

Lot Square Footage: **9,025**

Future Land Use Designation: **Low Density Residential**

Maximum Allowable Structure Height: **35 feet**

Minimum Floor Area: **1,500 Sq. Ft.**

Required Open Space: **None**

Minimum Permitted Lot Size: **6,000 Sq. Ft.**

Minimum Permitted Lot Width: **60 feet**

Other Information for 0622200300160 / 13655 NE 15TH CT

Within the North Miami CRA District: **No**

Within the Enterprize Zone: **No**

Within a CDBG Eligible Block Group: **Yes**

Within the NOMIArts, Culture & Design Overlay District: **No**

Get More Info about this property from Miami-Dade.gov

North Miami Council District: **1** (Scott Galvin)

Miami-Dade County District: **2** (Jean Monastine)

Florida House District: **108** (Daphne Campbell)

Florida Senate District: **35** (Gwen Margolis)

United States House District: **1217** (Frederica S. Wilson)

776 Northeast 125th Street, P.O. Box 610850, North Miami, Florida 33161-0850 (305) 893-6511

To: **Honorable Board of Adjustment Members**

From: **Nixon Lebrun, AICP, CFM, City Planner**
Community Planning & Development Department

Date: **October 21, 2015**

V-10-15 **7-ELEVEN, INC. – 11901-11975 NW 7TH AVENUE**

Application Summary

Applicant:	7-Eleven, Inc.
Agent:	Bill Pfeffer
Location:	11901-11975 N.W. 7th Avenue
Land Area:	22,275 sq. ft. or .51 ac.
Folio Number:	06-2125-018-0300 & 06-2125-018-0530
Petition:	**SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 3, SECTION 4-302 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A PROPOSED AUTOMOBILE SERVICE STATION AT THE PROPERTY LOCATED AT 11901-11975 N.E. 7TH AVENUE IN THE C-1, COMMERCIAL DISTRICT; SAID SPECIAL EXCEPTION TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.**

Project Summary

The subject property is located at the northeast corner of N.W. 7th Avenue and N.W. 119th Street and consists of two (2) parcels totaling approximately 22,275 sq. ft. of land. The southerly parcel, with the folio number 06-2125-018-0530 and the physical address of 11901 N.W. 7th Avenue, is currently developed with a restaurant. The other parcel, which corresponds to the folio number of 06-2125-018-0300 and the physical address of 11975 N.W. 7th Avenue, currently contain a self-service car wash. The Applicant, 7-Eleven, Inc. is under contract to purchase both parcels in order to redevelop them with a 7-Eleven automobile service station, featuring twelve (12) pump stations and a 3,010-sq. ft. convenience store. With the sworn consent of the current property owners on record, Nani, LLC and MML Investments, LLC, the Applicant has filed this special exception request in order to obtain approval from the Board of Adjustment to establish the proposed automotive station on the subject property, as required by the terms of Article 4, Division 3, Section 4-302 of the Land Development Regulations (LDRs).

History

A search of the City's zoning records shows no previous zoning approvals on the property.

Neighborhood Land Use Characteristics

Property	Future Land Use	Existing Zoning	Existing Uses
Site	Commercial (55 Feet)	C-1, Commercial District	Restaurant & Car Wash
North	Commercial (55 Feet)	C-1, Commercial District	Retail Building
South	Business & Office*	NCUAD, North Central Urban Area District*	Auto Service Station
East	Commercial (55 Feet)	C-1, Commercial District	Office Building
West	Commercial (55 Feet)	C-1, Commercial District	Shopping Center

*The asterisk in the matrix denotes Unincorporated Miami-Dade County.

The subject property is located on the northeast side of N.W. 7th Avenue, between N.W. 119th Street and N.W. 120th Street. It consists of two (2) parcels, which comprise a total of 22,275 sq. ft. and have been developed with a restaurant and a self-service car wash, respectively. The properties adjacent to the subject site have all been developed with other nonresidential uses. The pictures that follow provide both street and aerial views of the site in the context of its surroundings.

PROPERTY INFORMATION

Folio: 06-2125-016-0300

Sub-Division:
ALHAMBRA HGTS

Property Address
11975 NW 7 AVE
North Miami , FL 33168-2513

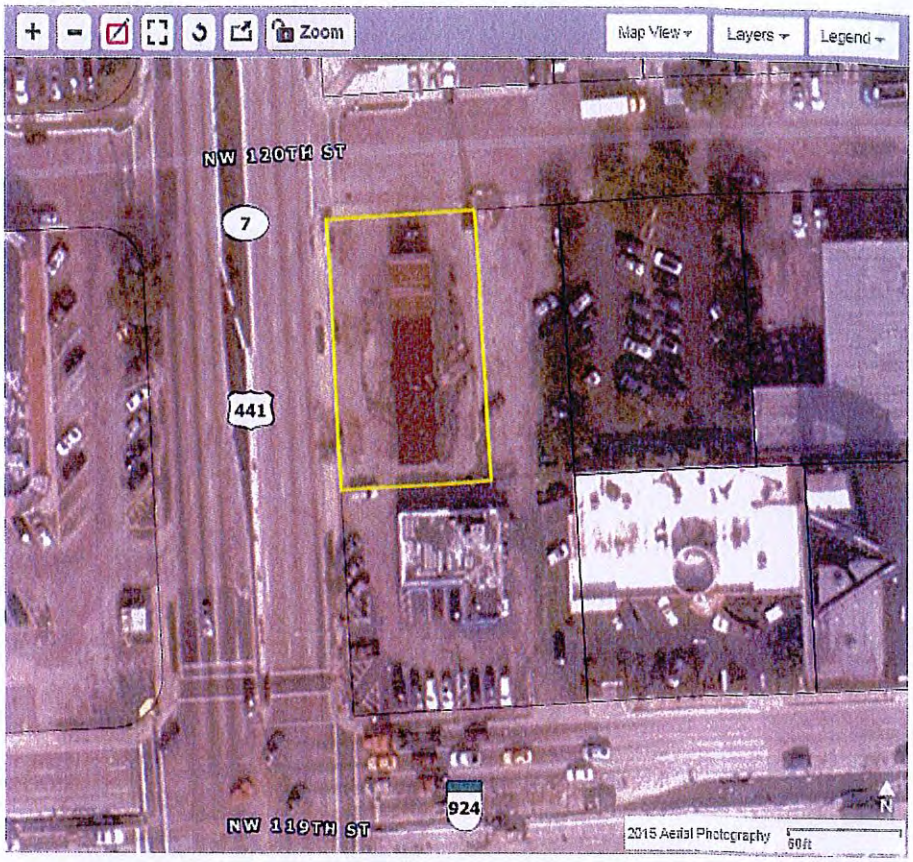
Owner
NAMI LLC

Mailing Address
19950 W COUNTRY CLUB DR # 604
AVENTURA , FL 33180

Primary Zone
6801 COMMERCIAL

Primary Land Use
1111 STORE : RETAIL OUTLET

Beds / Baths / Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	
Living Area	
Adjusted Area	1,158 Sq.Ft
Lot Size	11,503 Sq.Ft
Year Built	1964



PROPERTY INFORMATION

Folio: 06-2125-016-0330

Sub-Division:
ALHAMBRA HGTS

Property Address
11901 NW 7 AVE
North Miami , FL 33168-2513

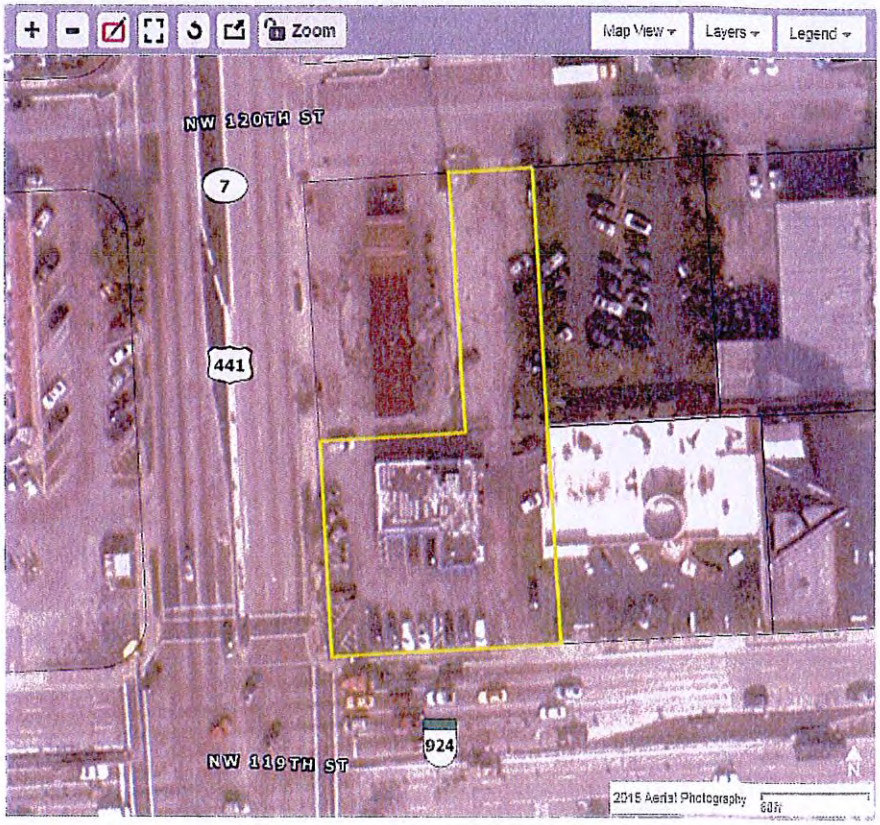
Owner
MML INVESTMENTS LLC
C/O RONALD J WEINTRAUB

Mailing Address
7700 N KENDALL DR #607
MIAMI , FL 33156

Primary Zone
6801 COMMERCIAL

Primary Land Use
2111 RESTAURANT OR CAFETERIA : RETAIL OUTLET

Beds / Baths / Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	
Living Area	
Adjusted Area	2,369 Sq.Ft
Lot Size	22,275 Sq.Ft
Year Built	1990



Consistency with the City of North Miami Comprehensive Land Use Plan

The subject property is designated Commercial/Office on the City's adopted Future Land Use Map (FLUM). In accordance with Policy 1.13.3 of Objective 1.13 of the Future Land Use Element (FLUE) of the City's Comprehensive Plan, this land use category is intended primarily to provide land area for business, office, retail, service and other commercial enterprises:

1. Retail uses, including restaurants.
2. Office and business uses.
3. Professional offices and businesses.
4. Community facilities such as schools, museums, places of worship, child and adult day care centers, nursing homes, governmental administration, police and fire protection facilities, and libraries.
5. Passive parks and open space.
6. Nonprofit neighborhood social and recreational facilities.

The Applicant's special exception request to allow the proposed automobile service station on the subject property does not change the Commercial/Office Land Use Plan map designation of the property, nor does it alter the uses or intensities of development authorized by the FLUE in that land use designation. Therefore, the request conforms to the goals, objectives and policies of the Comprehensive Plan.

Compliance with the City of North Miami Land Development Regulations

The subject property is zoned C-1, Commercial District on the City's Adopted Zoning Map. The purpose of this district is to provide the citizens of the City with convenient access to goods and services without adversely impacting the integrity of residential neighborhoods. As per the submitted letter of intent, the Applicant, 7-Eleven, Inc., is under contract to purchase the subject property and intends to redevelop same with an automobile service station, featuring twelve (12) pump stations and a 3,010-sq. ft. convenience store. Before closing on the property, the Applicant is seeking a special exception approval from the Board of Adjustment (BOA) in order to establish and operate the proposed automobile service station at the subject location, as required by the terms of Article 4, Division 3, Section 4-302 of the LDRs.

Criteria for granting special exceptions: Article 3, Division 5, Section 3-504 of the City's LDRs provides authority to the BOA to hear and grant or deny applications for special exceptions. In evaluating an application for such request, the BOA shall find that the application demonstrates compliance with the following standards:

A. The use is a listed special exception in the district where the property is located.
B. There is appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks so as to assure the public safety and to avoid traffic congestion.
C. There are adequate parking areas and off-street truck loading spaces (if applicable) for the anticipated number of occupants, employees, patrons, and the layout of the parking is convenient and conducive to safe operation.
D. There is suitable landscaping or fencing alongside lot and rear lot lines adjacent to residential uses or residential zoning districts.

E. The proposed special exception is reasonable in terms of logical, efficient and economical extension of public services and facilities, such as public water, sewers, police and fire protection, and transportation.

F. The proposed special exception will constitute an appropriate use in the area and will not substantially injure or detract from the use of the surrounding property or from the character of the neighborhood.

Analysis

Review of the Applicant's request was performed using a six-prong test based on the standards noted above and set forth in Article 3, Division 5, Section 3-504 of the LDRs. The request is found to comply with all such applicable standards, as demonstrated below.

✓ **Is the use a listed special exception in the district where the property is located?**
Yes. The Uses Permitted chart provided in Article 4, Division 3, Section 4-302 of the LDRs lists Automobile Service Stations as uses that require special exception use approval by the BOA in the C-1, Commercial District.

✓ **Is there appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks so as to assure the public safety and to avoid traffic congestion?**
Yes. The proposed use is similar in nature and function to the previous uses on the property, particularly the self-service car wash, and will have a de minimis impact on traffic circulation on both N.W. 7th Avenue and N.W. 119th Street. Indeed, according to the submitted plans, access to the site consists of three (3) full-movement driveways both along N.W. 7th Avenue, N.W. 119th Street and N.W. 120th Street. As such, the proposed use will provide therefore adequate vehicular access through the different access points and is not anticipated to have any perceived substantial adverse impact on public safety due to unsafe traffic movements, heightened pedestrian vehicular conflicts, or increased risk of fire.

It shall also be noted that the proposed redevelopment of the site was reviewed by the Development Review Committee (DRC), which found the submitted plans to be in accordance with the procedures adopted by the DRC and any procedures applicable to the application for development approval. Through the DRC approval process, all concurrency determinations were also finalized to ensure strict compliance with the requirements of the LDRs as they pertain to bulk, massing placement, landscaping, design, sustainability and lighting, as well as with the requirements of the City's Public Works Department, the City's Police Department, and the County and/or State agencies.

✓ **Are there adequate parking areas and off-street truck loading spaces (if applicable) for the anticipated number of occupants, employees, patrons, and the layout of the parking is convenient and conducive to safe operation?**

Yes. The convenience store component of the proposed automobile service station will have a footprint of 3,010 sq. ft. As per Article 5, Division 14, Section 5-1402, a minimum of one (1) parking space shall be provided per 300 sq. ft. of gross floor area of retail and services. The

computational requirements amount to a total of eleven (11) parking spaces for the proposed use. The submitted plans show that a total of nineteen (19) parking spaces will be provided. As such, adequate parking will be provided on site, which will safely and conveniently accommodate the parking needs of the proposed automobile service station.

✓ **Is there suitable landscaping or fencing alongside lot and rear lot lines adjacent to residential uses or residential zoning districts.**
Not Applicable. No residential uses or zoning districts are adjacent to the property, which eliminates the need for suitable landscaping or fencing to buffer the proposed use from any such residential uses or districts, as would have been required by the LDRs.

✓ **Is the proposed special exception reasonable in terms of logical, efficient and economical extension of public services and facilities, such as public water, sewers, police and fire protection, and transportation?**

Yes. All basic public services, such public water, sewers, police and fire protection, are readily available and provided to the property, and meet applicable service-level standards. No increase in the demand of such services will result from the establishment of the proposed use.

✓ **Will the proposed special exception constitute an appropriate use in the area and will not substantially injure or detract from the use of the surrounding property or from the character of the neighborhood?**

Yes. Automobile Service Stations are not uses that are prohibited in the LDRs. Rather, they are uses that are deemed to be generally unsuitable for location in such district, but may be permitted on a case-by-case basis after review and possible attachment of conditions by the BOA, pursuant to the procedures and criteria of Article 3, Division 5, Section 3-504 of the LDRs. Based on the foregoing and given that another similar use already exist directly across N.W. 119th Street, the requested special exception use for the automobile service station will clearly constitute an appropriate use for this intersection and will not result in the diminution of value of any adjacent property.

Conclusion

The requested special exception use to establish the proposed automobile service station conforms to the goals, objectives and policies of the City's Comprehensive Plan. It is also in keeping with the intent and purpose of the City's LDRs, as it is an appropriate use for the area involved, will not detract from the uses of the surrounding properties and will not be injurious to the public welfare. In light of these findings, staff recommends that the BOA approve the requested special exception use to allow the Applicant to finalize the purchase of the property and redevelop same with the proposed automobile service station, subject the conditions herein listed and summarized as follows:

1. That the Applicant agrees to abide by the Special Exception criteria pursuant to Article 3, Division 5, Section 3-504 of the LDRs; failure to do shall constitute a basis for the revocation of the Special Exception approval;
2. That the Applicant consolidate the (2) parcels into one parcel by virtue of a unity of title; said instrument to meet with the approval of the City Attorney's Office prior to be recorded with the Miami-Dade County Clerk of Court;

3. That the Applicant apply for a building permit within eighteen (18) months of approval of the site plan by the DRC members. Failure to do so will result in the expiration of the site plan;
4. That a Certificate of Occupancy (CO) from the Building and Minimum Housing Department be only issued to the Applicant upon compliance with all terms and conditions of this approval; the same subject to cancellation upon violation of any of the conditions herein listed;
5. That the use comply with all applicable requirements of the City's Public Works Department, Police Department, and all other County and State agencies; and
6. That a Certificate of Use (CU) from the Community Planning & Development Department be only issued to the Applicant upon compliance with all terms and conditions of this approval; the same subject to cancellation upon violation of any of the conditions herein listed.

Public Notification/Comments

In accordance with Subsections (A), (B) and (C) of Article 3, Division 3, Section 3-302 of the City's LDRs, notification of the applicant's request was published on the Miami Herald, posted on the property, and mailed to property owners within a 500-foot radius of the subject property to give them an opportunity to comment on the application if they so desire. No comments were received from any of the neighboring property owners within the aforementioned radius.

Applicable Ordinances

Article 3, Division 3, Section 3-302 Subsections (A), (B) and (C);
Article 3, Division 5, Section 3-504;
Article 4, Division 2, Section 4-302;
Article 5, Division 14, Section 5-1402;

Attachments

Submitted Application
Submitted Letter of Intent
Submitted Survey and Plans
Newspaper Advertisement

Bowman
CONSULTING

August 11, 2015

TO: Nixon Lebrun
City of North Miami
Community Planning and Development Department
12400 NE 8th Avenue
North Miami, FL 33161

RE: 7-Eleven – 11975 and 11901 NW 7th Ave
Board of Adjustment Application
Initial Submittal

Mr. Lebrun,

The purpose of this letter is to accompany an application for the Board of Adjustment, Special Exception for a convenient store with automotive fueling use. The project proposes the construction of a new 7-Eleven Store with twelve (12) fueling positions to be located at 11975 and 11901 NW 7th Ave in North Miami, FL 33054.

The project is comprised of two properties known as 11975 NW 7th Ave, Parcel ID# 06-2125-018-0300 and 11901 NW 7th Ave, Parcel ID# 06-2125-018-0530. Combined, the properties total approximately 0.77 acres of land and currently contain a restaurant and a car wash. The properties are zoned "C-1 (Commercial District)". The proposed use is permitted in this zoning by Special Exception (BOA) per the City of North Miami Code of Ordinance.

The project has been designed in accordance with the criteria set forth in the City of North Miami Code of Ordinance. This request complies with the standards and Section 3-504 as the following:

1. Applications for special exceptions shall demonstrate compliance.

Response: The application demonstrates compliance in the following regards.

2. The use is listed SE (Special Exception) in the district where the property is located.

Response: The proposed use is listed as a Special Exception in the C-1 zoning district.

3. There is appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks so as to assure the public safety and to avoid traffic congestion.

Response: The access facilities are adequate for the estimated traffic for the proposed use.

4. There are adequate parking areas and off street truck loading spaces (if applicable) for the anticipated number of occupants, employees, patrons and the layout of the parking is convenient and conducive to safe operation.

Response: Offstreet parking is being provided per code. Nineteen (19) spaces are being provided when only ten (10) are required. The layout of the parking is both convenient and conducive to safe operation.

5. There is suitable landscaping or fencing alongside lot and rear lot lines adjacent to residential uses or residential zoning districts.

Response: Landscaping is provided per code. The adjacent uses are commercial as well.

6. The proposed special exception is reasonable in terms of logical, efficient and economical extension of public services and facilities such as public water, sewers, police and fire protection and transportation.

Response: The proposed special exception is reasonable as it will provide the public convenient access to goods and services as well as automotive fueling.

7. The proposed special exception will constitute an appropriate use in the area and will not substantially injure or detract from the use of the surrounding property or from the character of the neighborhood.

Response: The proposed special exception is an appropriate use for the area. It is located in a highly traveled commercial area and is ideally located on the corner of two thoroughfares. The proposed development will be beneficial to the neighborhood as it will provide a revitalization to the area as well as increased landscaping and vegetation along the street frontage.

Along with this letter, please find the following items enclosed with this submittal:

- (1) Survey – signed and sealed (15 sheets) – 24" x 36"
- (1) Architectural Site Plan – signed and sealed (1 sheet) – 24" x 36"
- (1) Architectural Floor Plan – signed and sealed (1 sheet) –
- (1) Board of Adjustment Application – signed and sealed
- (1) Certified Map
- (2) Sets of Mailing Labels for Public Notice

If you have any questions regarding this submittal or find any discrepancies in the items received, please do not hesitate to contact our office at (954) 712-7482.

Sincerely,

Bill Pfeffer, P.E.
Bowman Consulting Group, LTD.

CONSTRUCT

FC

7-ELE

11901 & 11975 N
NORTH MIAMI,

UTILITY SERVICE PROVIDERS

Water
City of North Miami Public Works Dept.
1815 NE 150th St
North Miami, FL 33161
(305) 895-9838

Sewer
City of North Miami Public Works Dept.
1815 NE 150th St
North Miami, FL 33161
(305) 895-9838

Electric
Florida Power and Light
15950 W. Dixie Hwy
North Miami Beach, FL 33162
(305) 599-4081

Fire Protection
Miami-Dade Fire Rescue Dept.
650 NW 131st St.
North Miami, FL 33161
(786) 331-4800

Solid Waste Disposal
City of North Miami Public Works Dept.
1815 NE 150th St
North Miami, FL 33161
(305) 895-9838

LEGAL DESCRIPTION

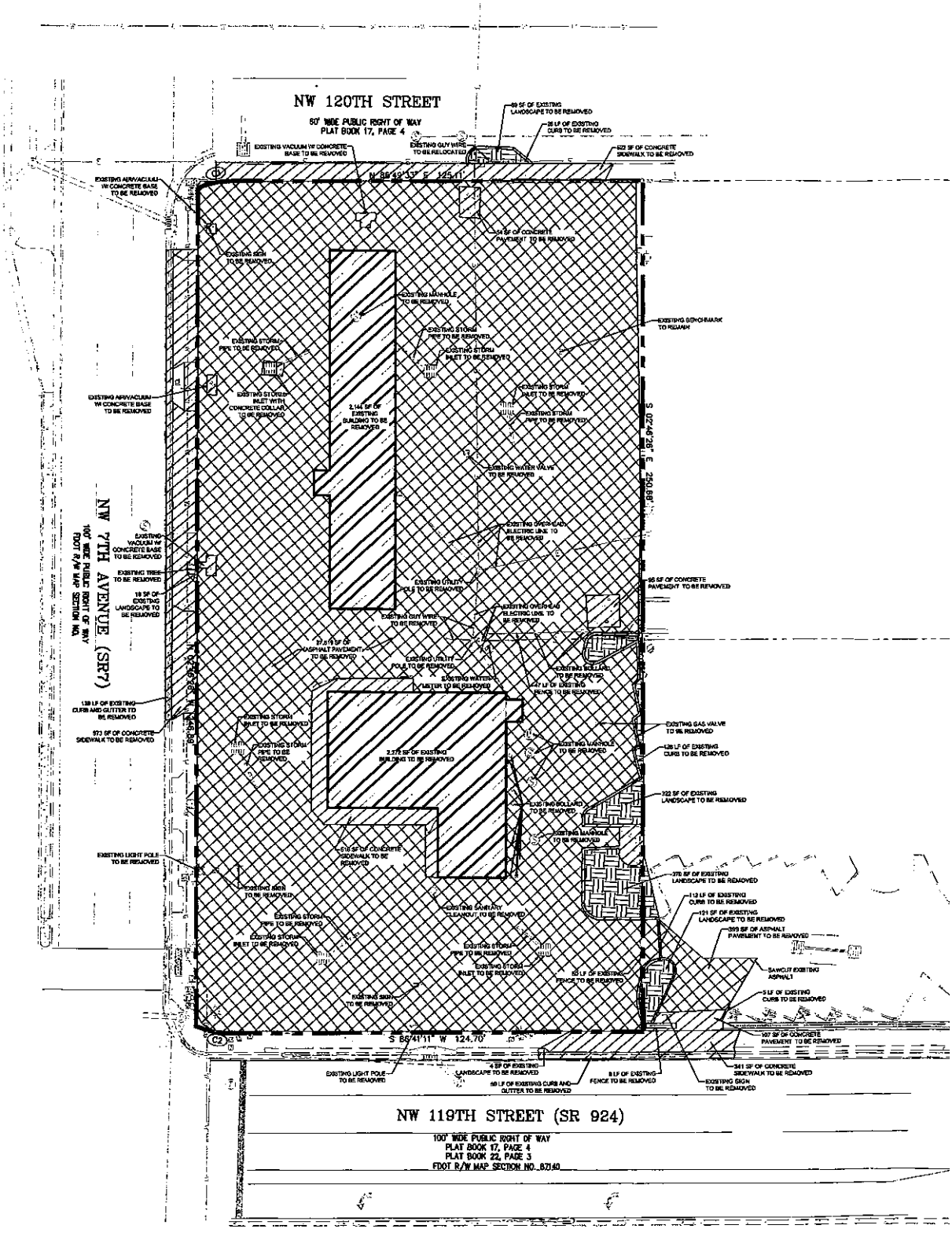
LOTS 1 THROUGH 6 AND LOTS 35 THROUGH 40, ALHAMBRA HEIGHTS, PLAT BOOK 17, PAGE 54, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SITE
SECTION: 25
TOWNSHIP: 52 SOUTH
RANGE: 41 EAST

LOCATI
1" =

BOW
CONS
Certificate of Autho
401 E.
S
Ft. Laud
Phone:
www.bow

© Bowman



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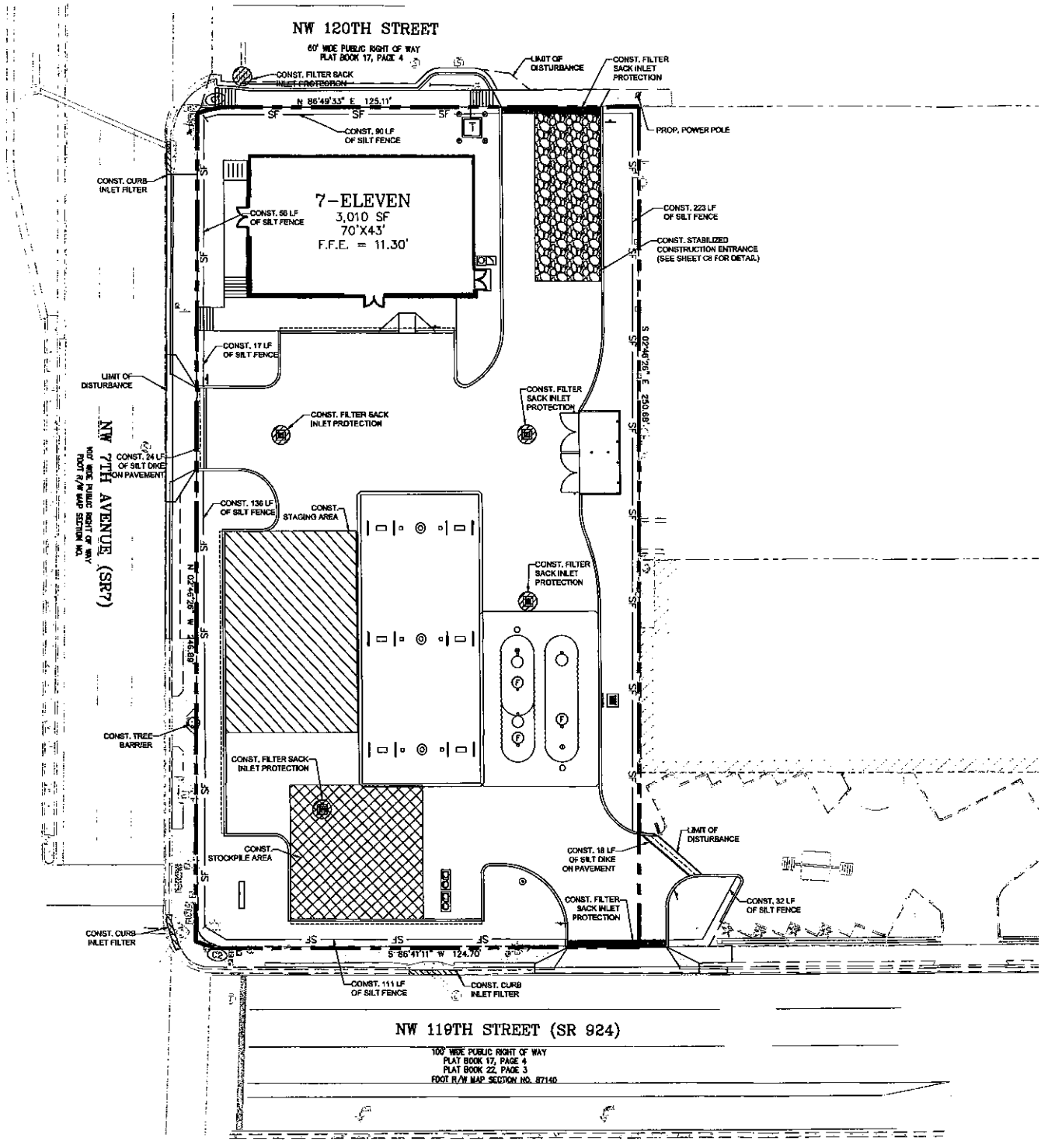

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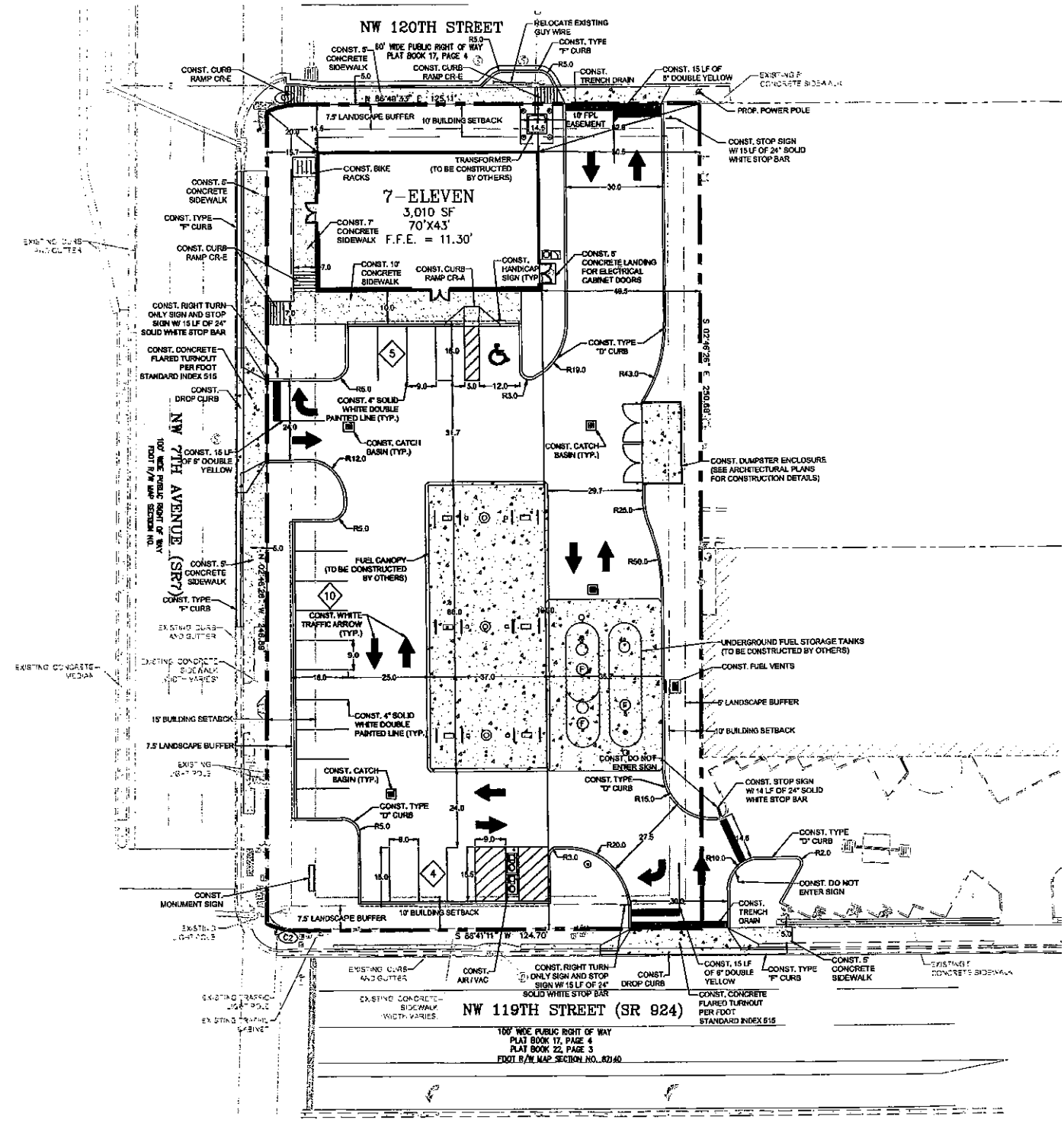

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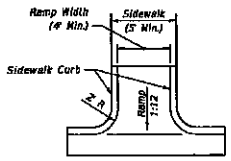
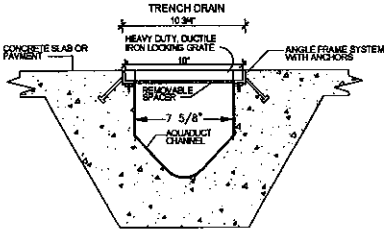


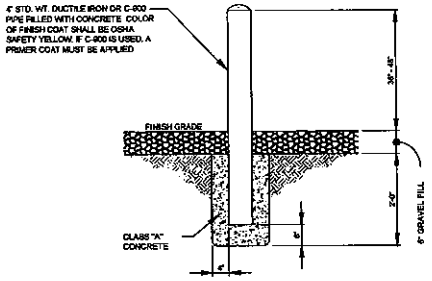
CURB RAMP E

SCALE: NONE



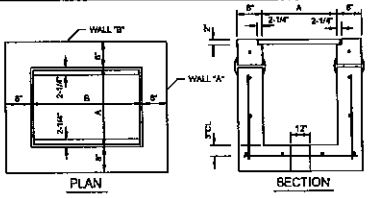
AQUADUCT TRENCH DRAIN

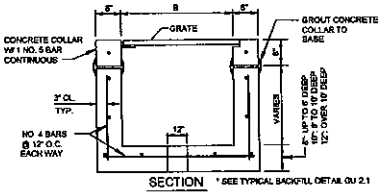
SCALE: NONE



BOLLARD DETAIL

SCALE: NONE





* SEE TYPICAL BACKFILL DETAIL GU 2.1

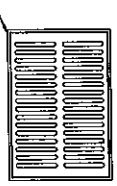
INLET TYPE	DIMENSIONS A	DIMENSIONS B	GRATE TYPE	MAX. PIPE SIZE WALL A	MAX. PIPE SIZE WALL B
'C'	2'-0"	3'-1"	U.S. FOUNDRY NO. 6212	18" R.C.P.	24" R.C.P.

NOTES:

1. INLET TO BE PRECAST WITH CLASS 'A' 4000 P.S.I. CONCRETE.
2. ALL EXPOSED CORNERS AND EDGES TO BE CHAMFERED 3/4".
3. 12" DIA. WEEP HOLE REQUIRED ON ALL STRUCTURES WHICH HAVE A BOTTOM ELEVATION ABOVE THE WATER TABLE
4. 18" SUMP REQUIRED IN ALL DRAINAGE STRUCTURES
5. SEE BEDDING DETAIL

INLET TYPE	DIMENSIONS A	DIMENSIONS B	GRATE TYPE	MAX. PIPE SIZE WALL A	MAX. PIPE SIZE WALL B
'C'	2'-0"	3'-1"	U.S. FOUNDRY NO. 6212	18" R.C.P.	24" R.C.P.

U.S. FOUNDRY GRATE #6212 OR EQUAL



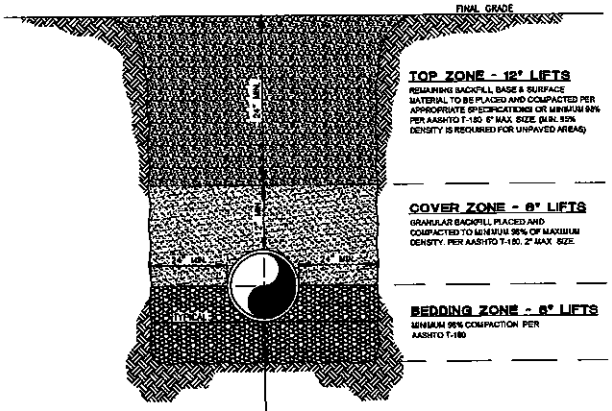
TYPE 'C'

NOTES

1. ALL GRATES SHALL BE SUITABLE FOR H-20 LOADING (HIGHWAY TRAFFIC LOADS)
2. WHEN INSTALLED IN PAVEMENT OR WITHIN 6' OF PAVEMENT USE U.S.F. 4160-6210

TYPE C INLET DETAIL

SCALE: NONE

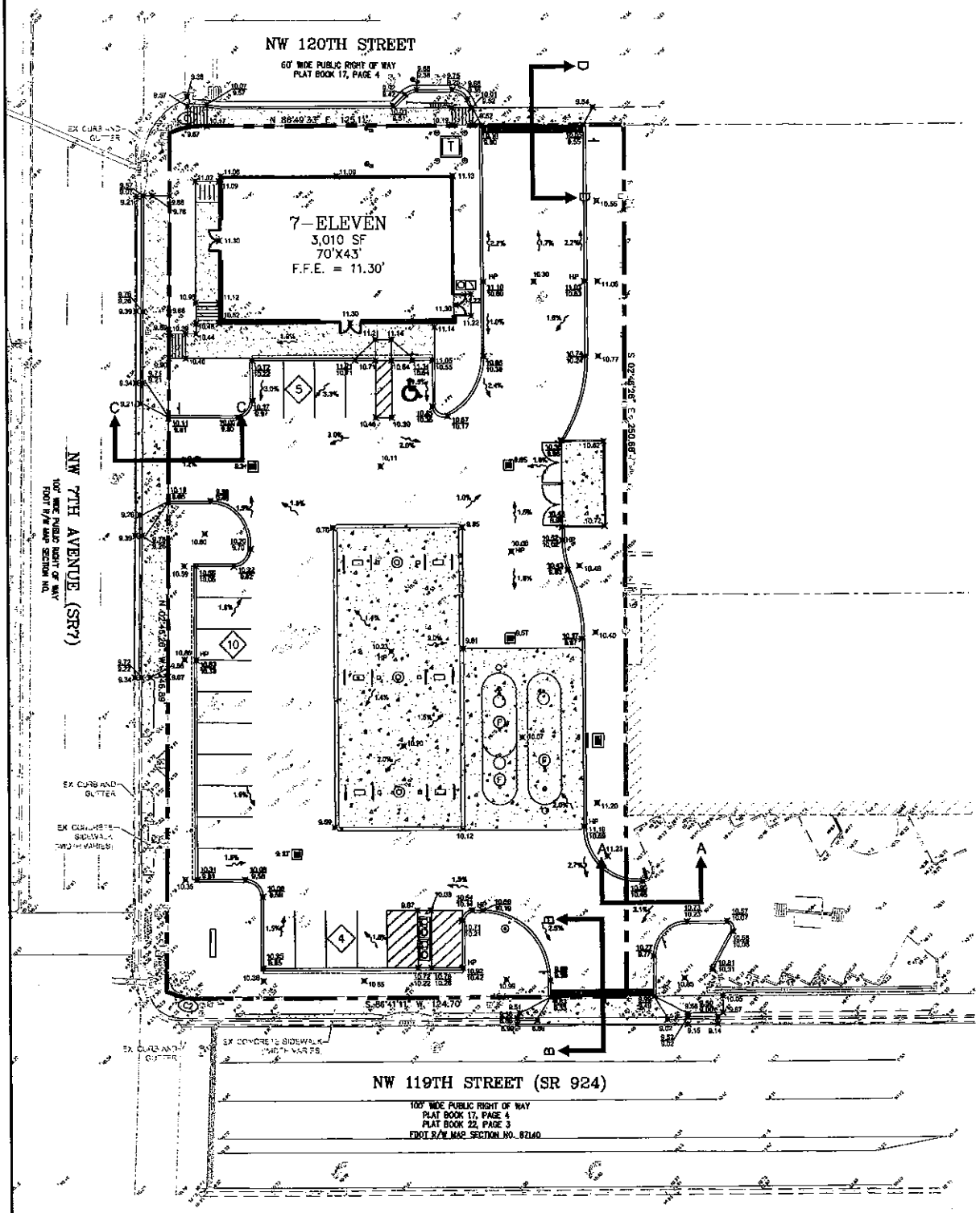


NOTES:

1. BEDDING SHALL CONSIST OF IN-SITU GRANULAR MATERIAL OR WASHED AND GRADED LIMEROCK 3/8"-7/8" SIZING, ONLY AT THE DIRECTION OF THE CITY'S REPRESENTATIVE. UNSUITABLE IN-SITU MATERIALS SUCH AS MUCK, DEBRIS AND LARGER ROCKS SHALL BE REMOVED.
2. THE PIPE SHALL BE FULLY SUPPORTED FOR ITS ENTIRE LENGTH WITH APPROPRIATE COMPACTION UNDER THE PIPE HAUNCHES
3. THE PIPE SHALL BE PLACED IN A DRY TRENCH.
4. BACKFILL SHALL BE FREE OF UNSUITABLE MATERIAL SUCH AS LARGE ROCK, MULCH AND DEBRIS
5. DENSITY TESTS ARE REQUIRED EACH LIFT ABOVE THE PIPE AT INTERVALS OF 100' MAXIMUM IN PUBLIC RIGHTS OF WAY & 200' MAXIMUM IN UTILITY EASEMENTS.
6. THE DEVELOPER/CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE TRENCH SAFETY LAWS AND REGULATIONS.
7. THE AFFECTED AREA SHALL BE RESTORED TO EQUAL OR BETTER CONDITION AS REQUIRED.
8. EXCAVATION SIDE SLOPE SHORING, ETC SHALL CONFORM TO O.S.H.A. STANDARDS. COMPACT TRENCH BACKFILL TO 98% OF MAXIMUM DENSITY IN ACCORDANCE WITH AASHTO-T180.

TYPICAL TRENCH DETAIL

SCALE: NONE



PROPOSED LEGEND

- TYPE "F" CURB & GUTTER
- TYPE "D" CURB
- GRATE INLET
- ELECTRIC TRANSFORMER W/ BOLLARDS
- STORM SEWER
- DRAINAGE ARROW
- x 10.97 GRADE
- CONCRETE PAVEMENT
- CONCRETE SIDEWALK
- ASPHALT PAVEMENT

EXISTING LEGEND

- PROPERTY LINE
- CONCRETE SIDEWALK
- CONCRETE PAVEMENT
- INLET
- STORM MANHOLE
- STORM SEWER
- SIGN
- SANITARY MANHOLE
- SANITARY SEWER
- LIGHT POLE
- WOOD UTILITY POLE
- OVERHEAD ELECTRIC SERVICE
- ELECTRIC UTILITY
- GUY WIRE
- TRAFFIC JUNCTION BOX
- TRAFFIC LIGHT POLE
- UTILITY MANHOLE
- TELEPHONE MANHOLE
- TELEPHONE UTILITY
- FIRE HYRANT
- WATER VALVE
- SPOT ELEVATION
- TREE

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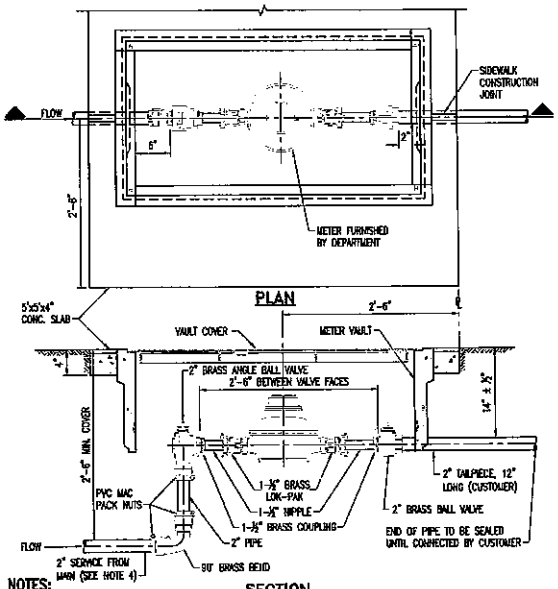
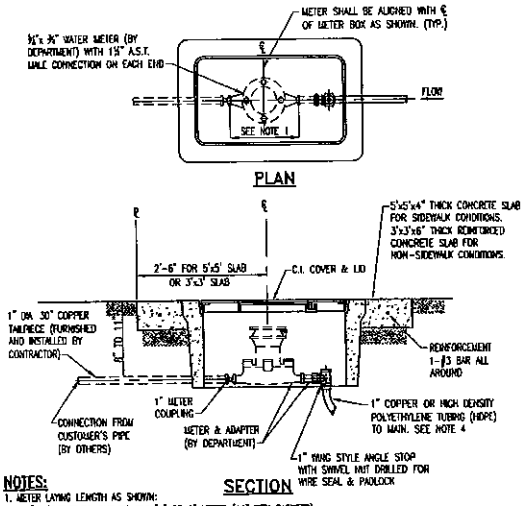


NOTES:

1. USE 2'x4' METER VAULT.
2. METER BOX TO BE IN 5'x5'x4" THICK CONCRETE SLAB WITH 6x6-W1.4xW1.4 W.W.M.
3. A TEN GAUGE DIRECT BURY STRANDED COPPER TRACER WIRE TO BE TAPED CONTINUOUSLY WITH POLY OR DUCT TAPE TO THE SERVICE FOR LOCATION PURPOSES. WIRE MUST BE ATTACHED TO RECLAIMED WATER MAIN AND EXTEND INTO THE METER BOX.
4. USE 2" BLUE COLOR HDPE FOR POTABLE WATER SERVICE. USE 2" PURPLE COLOR HDPE FOR RECLAIMED WATER SERVICE.
5. METERS WILL NOT BE INSTALLED IF THE METER BOX IS IN A DRIVING SURFACE.
6. FOR SIDEWALK CONDITIONS, METER BOX SHALL BE INSTALLED IN A SINGLE CONCRETE SIDEWALK FLAG.
7. ALL BRASS COMPONENTS SHALL BE MARKED "NL" MEETING THE S3.674 AMENDMENT TO THE SAFE DRINKING WATER ACT.

TYPICAL 2" SERVICE INSTALLATION WITH A 1-1/2" METER

SCALE: NONE

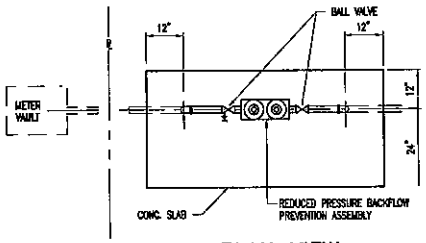


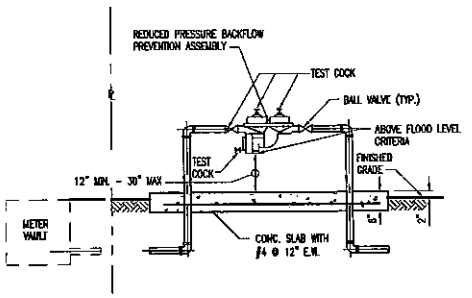
NOTES:

1. METER LAYING LENGTH AS SHOWN: 10¾" (OUTLET TO OUTLET) FOR ¾" OR 1" METER (11" WITH GASKETS).
2. USE SINGLE METER BOX.
3. CONCRETE SLAB REINFORCEMENT SHALL HAVE 1-#3 BAR ALL AROUND.
4. USE 1" BLUE COLOR HDPE OR 1" COPPER TUBING FOR POTABLE WATER SERVICE. USE ONLY 1" PURPLE COLOR HDPE (NO COPPER ALLOWED) FOR RECLAIMED WATER SERVICE.
5. METERS WILL NOT BE INSTALLED IF THE METER BOX IS IN A DRIVING SURFACE.
6. WHEN USING 1" HDPE SERVICE A TEN GAUGE BLUE (PURPLE FOR RECLAIMED WATER) DIRECT BURY STANDARD COPPER TRACE WIRE IS TO BE TAPED CONTINUOUSLY WITH POLY OR DUCT TAPE TO THE SERVICE FOR LOCATION PURPOSES. WIRE SHALL BE ATTACHED TO WATER MAIN. WIRE MUST EXTEND INTO METER BOX.
7. IF USED FOR RECLAIMED WATER, THE COVER SHALL BE PERMANENTLY EMBOSSED WITH THE WORDING: "RECLAIMED WATER-DO NOT DRINK-NO BEBER-PA BOUE".
8. ALL SPACER TUBES AND TAILPIECES SHALL BE FURNISHED AND INSTALLED BY CONTRACTOR.
9. REPAIRS TO SLAB AND METER ARE PROHIBITED.

SINGLE METER BOX INSTALLATION

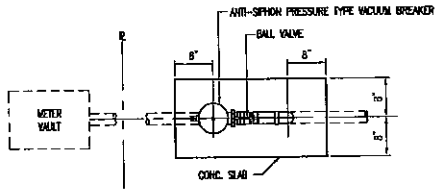
SCALE: NONE

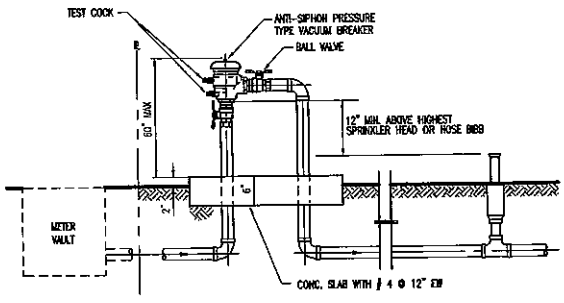




REDUCED PRESSURE ZONE BACKFLOW PREVENTER FOR WATER SERVICE 3/4" THROUGH 2"

SCALE: NONE





PRESSURE VACUUM BREAKER

SCALE: NONE

SURVEYOR'S NOTES:

1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY AS DEFINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE. SAID SURVEY MEETS THE "MINIMUM TECHNICAL STANDARDS" FOR SURVEYING AND MAPPING, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
2. THE TOPOGRAPHIC INFORMATION IS BASED UPON A GROUND SURVEY PERFORMED IN APRIL 2015. THE CONTOUR INTERVAL IS ONE FOOT.
3. THE BOUNDARY SURVEY SHOWN HEREON WAS PREPARED UTILIZING THE DESCRIPTION AS CONTAINED WITHIN THE MIAMI-DADE COUNTY PUBLIC RECORDS FOR THE ADDRESS PROVIDED BY THE CLIENT.
4. THE BEARINGS SHOWN HEREON ARE BASED UPON THE FLORIDA STATE PLANE COORDINATE SYSTEM NORTH AMERICAN DATUM 1983, 2011 ADJUSTMENT. THE MONUMENTATION USED TO ESTABLISH THIS REFERENCE WAS;
   FLORIDA DEPARTMENT OF TRANSPORTATION DISK "SR 87 11 PNC2" HAVING A NORTHING OF 864,903.47 AND AN EASTING OF 915,628.588 AND FLORIDA DEPARTMENT OF TRANSPORTATION DISK "SR 87 11 PNC4" HAVING A NORTHING OF 567,111.618 AND AN EASTING OF 915,520.422 AS SHOWN ON THE SPECIFIC PURPOSE SURVEY OF PROJECT NETWORK CONTROL FOR FDOT PROJECT 728054-1-52-01 FOR STATE ROAD NO 7 IN MIAMI-DADE COUNTY, FLORIDA.
5. THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND ARE BASED UPON THE FOLLOWING BENCHMARKS:

   FLORIDA DEPARTMENT OF TRANSPORTATION DISK "SR 87 11 PNC2" - ELEVATION = 9.17 NAVD 88
   FLORIDA DEPARTMENT OF TRANSPORTATION DISK "SR 87 11 PNC4" - ELEVATION = 9.51' NAVD 88

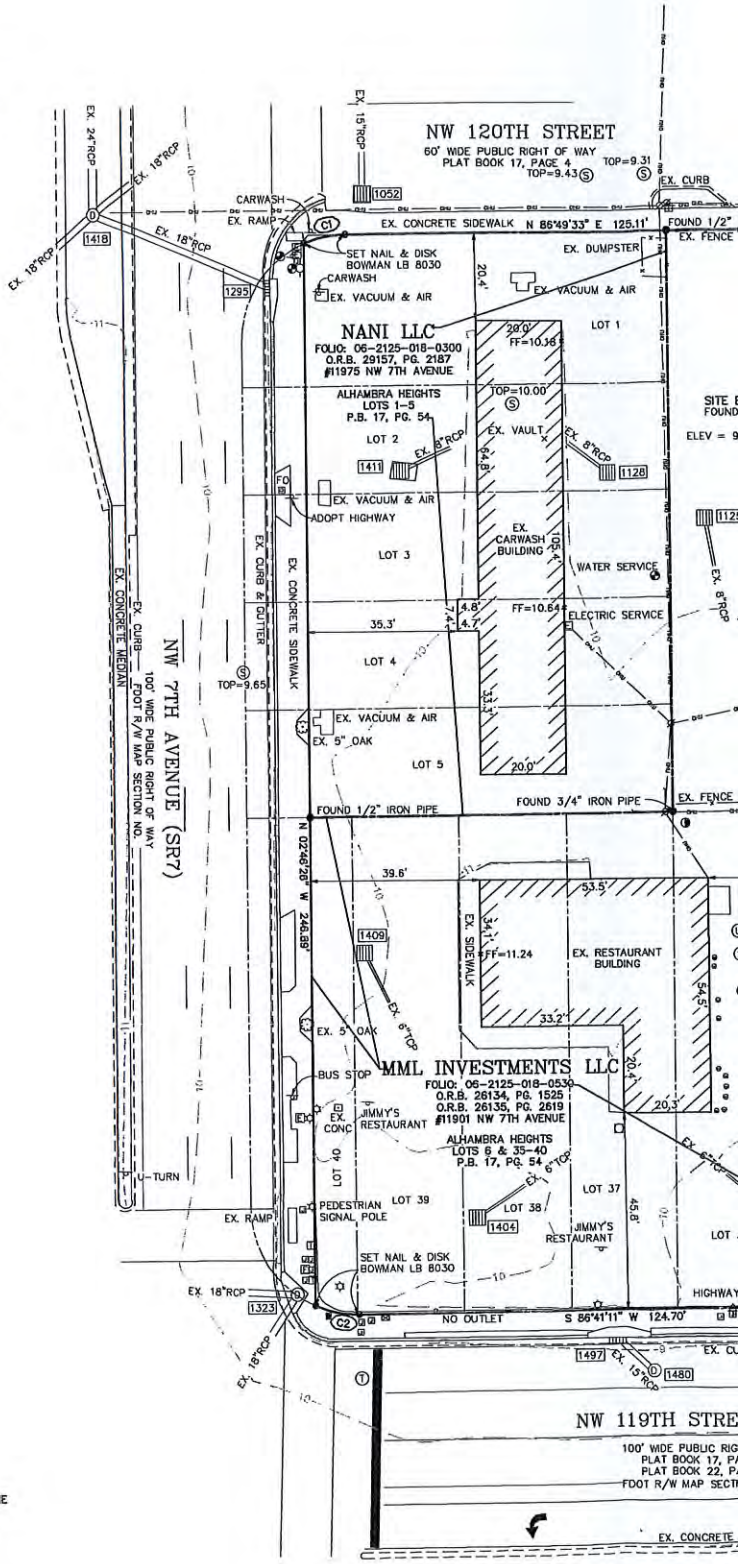
6. THIS SURVEY WAS PERFORMED UTILIZING G.P.S.-R.T.K. PROCEDURES AND TRADITIONAL SURVEY PROCEDURES WITH REDUNDANT MEASUREMENTS, AND HAS A HORIZONTAL AND VERTICAL POSITIONAL TOLERANCE OF 0.10 FEET.
7. ALL DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF AND ARE CALCULATED UNLESS OTHERWISE NOTED.
8. THE LANDS BOUND BY THIS SURVEY ARE LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) BY THE FEDERAL MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NUMBER 12086C0139L, DATED SEPTEMBER 11, 2009, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY THIS PARCEL IS SITUATED IN.
9. THE EXPECTED USE OF THE LAND BOUND BY THIS SURVEY, AS CLASSIFIED IN THE "MINIMUM TECHNICAL STANDARDS" IS "COMMERCIAL" WITH THE MINIMUM LINEAR CLOSURE FOR THIS TYPE OF BOUNDARY SURVEY TO BE 1 FOOT IN 10,000 FEET (1:10,000). THE ACCURACY OBTAINED BY MEASUREMENT, OBSERVATION AND CALCULATION OF THE CLOSED GEOMETRIC FIGURE FOR THIS SURVEY WAS DETERMINED TO MEET SAID REQUIREMENT.
10. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
11. ADDITIONS OR DELETIONS TO THIS SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

LEGAL DESCRIPTION

LOTS 1 THROUGH 6 AND LOTS 35 THROUGH 40, ALHAMBRA HEIGHTS, PLAT BOOK 17, PAGE 54, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

TITLE COMMITMENT SCHEDULE B ~ SECTION II REVIEW

PENDING TITLE COMMITMENT



SURVEYOR'S CERTIFICATE

TO 7-ELEVEN, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5, 8, 9, 11(a), 13, 14, 16, & 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 24, 2015.

I CERTIFY THAT THIS "ALTA/ACSM LAND TITLE SURVEY" MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

DATE OF PLAT OR MAP: MAY 20, 2015

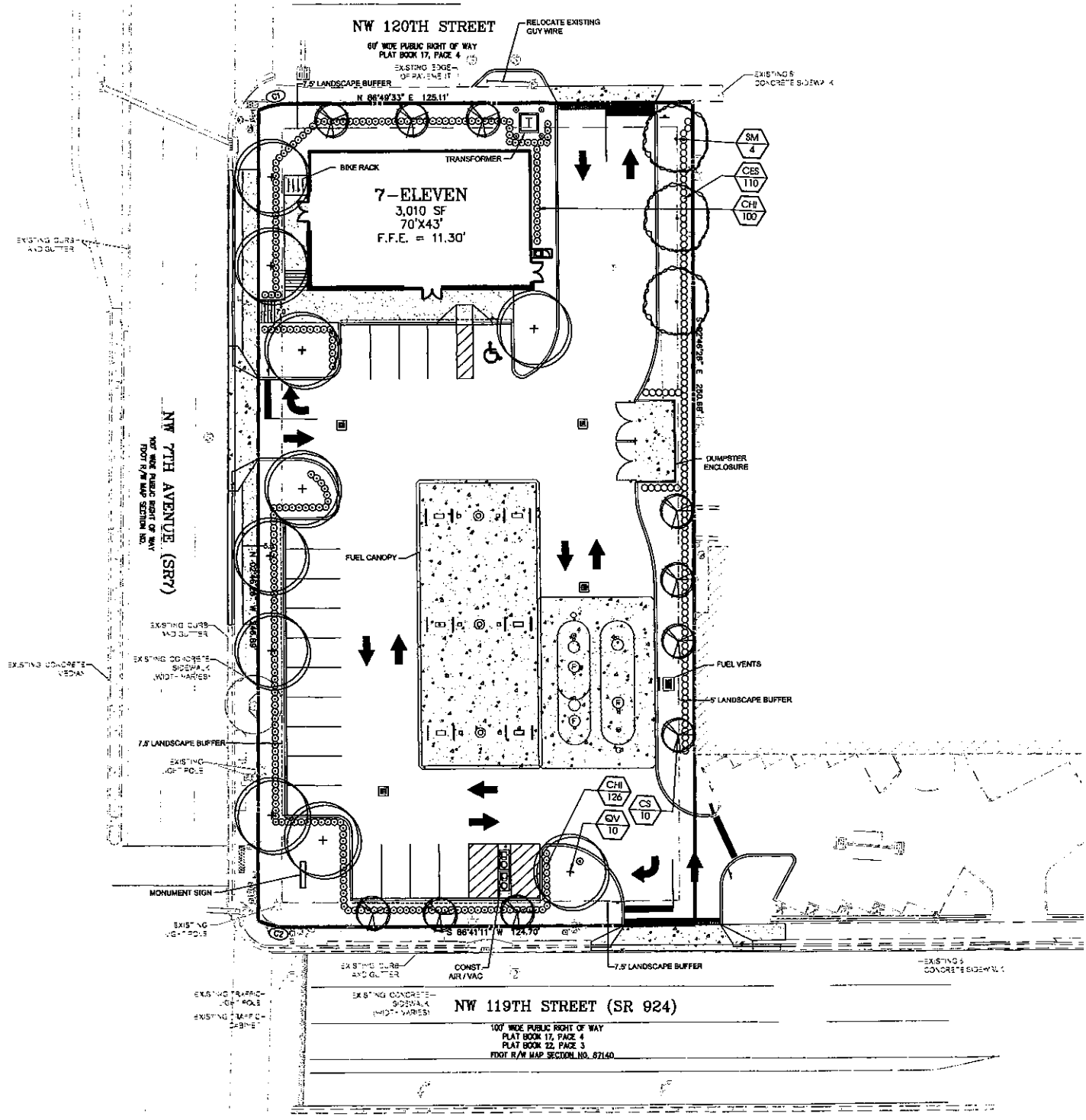
KURT STAFFLINGER
FLORIDA SURVEYOR AND MAPPER
REGISTRATION No. 5496
kstafflinger@bowmanconsulting.com

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

BOWMAN CONSULTING GROUP, LTD., INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER LB 8030
(LB 8030 = LICENSED BUSINESS NUMBER 8030)

CURVE T

CURVE	RADIUS	LENGTH	CHORD BEARING
C1	25.00'	10.01'	S 75°21'25" W
C2	25.00'	10.42'	N 81°22'30" W



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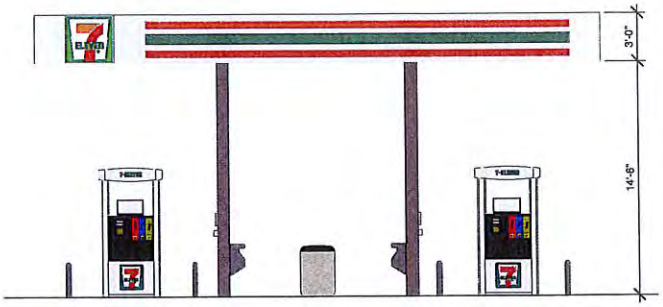
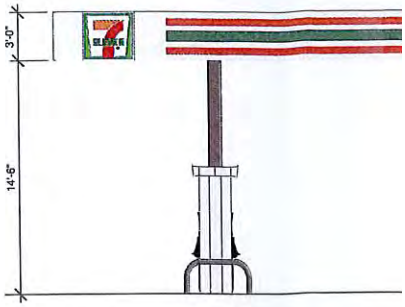
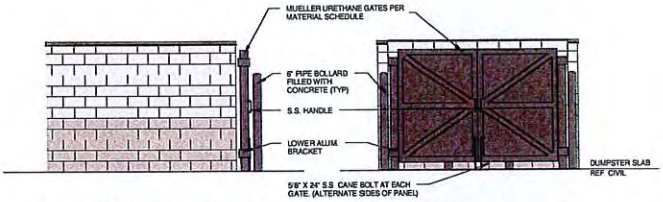


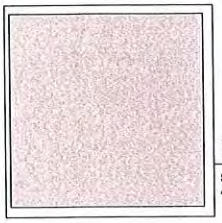
7 FUEL CANOPY ELEVATION - SHORT
3/16" = 1'-0"



6 FUEL CANOPY ELEV
3/16" = 1'-0"

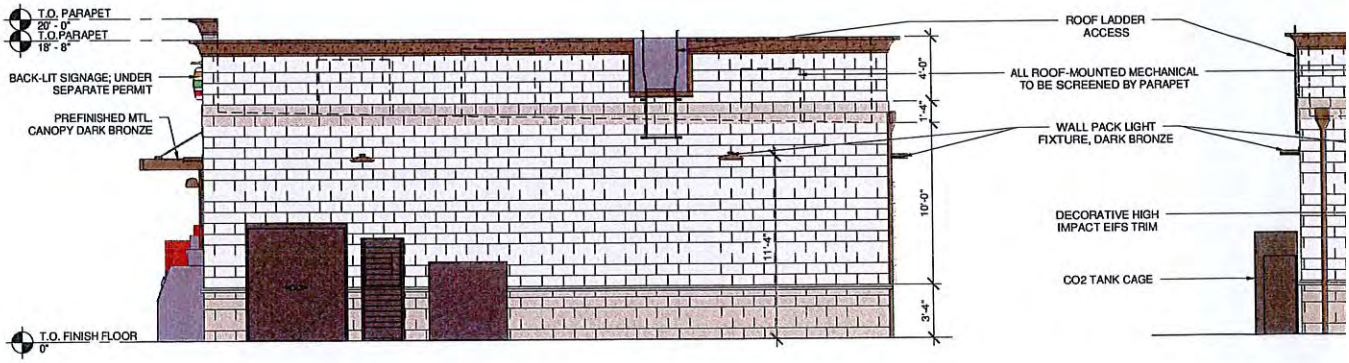


5 DUMPSTER ENCLOSURE ELEVATION
3/16" = 1'-0"



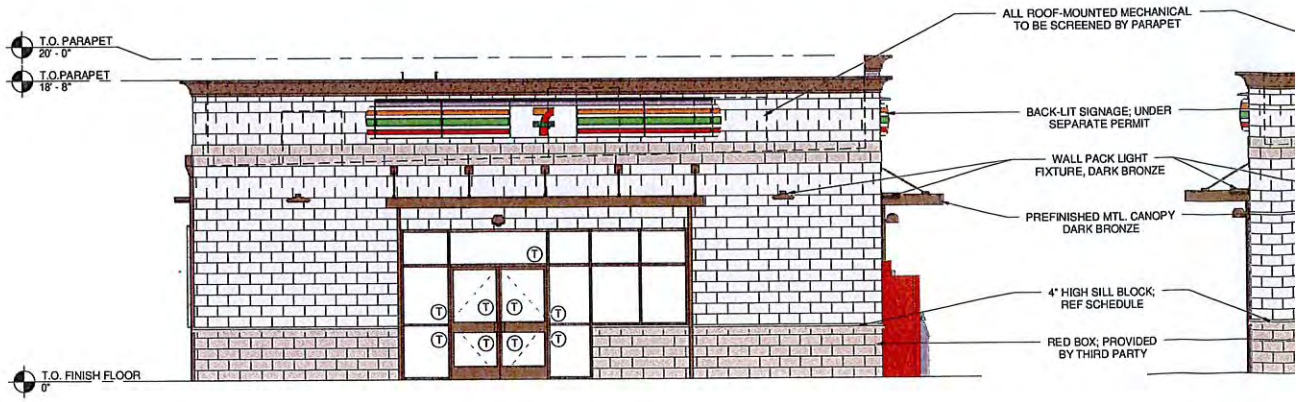
PAINTED BLOCK

SHERWIN WILLIAMS - AESTHETIC WHITE - SW 7035



4 ELEVATION FACING - EAST
3/16" = 1'-0"

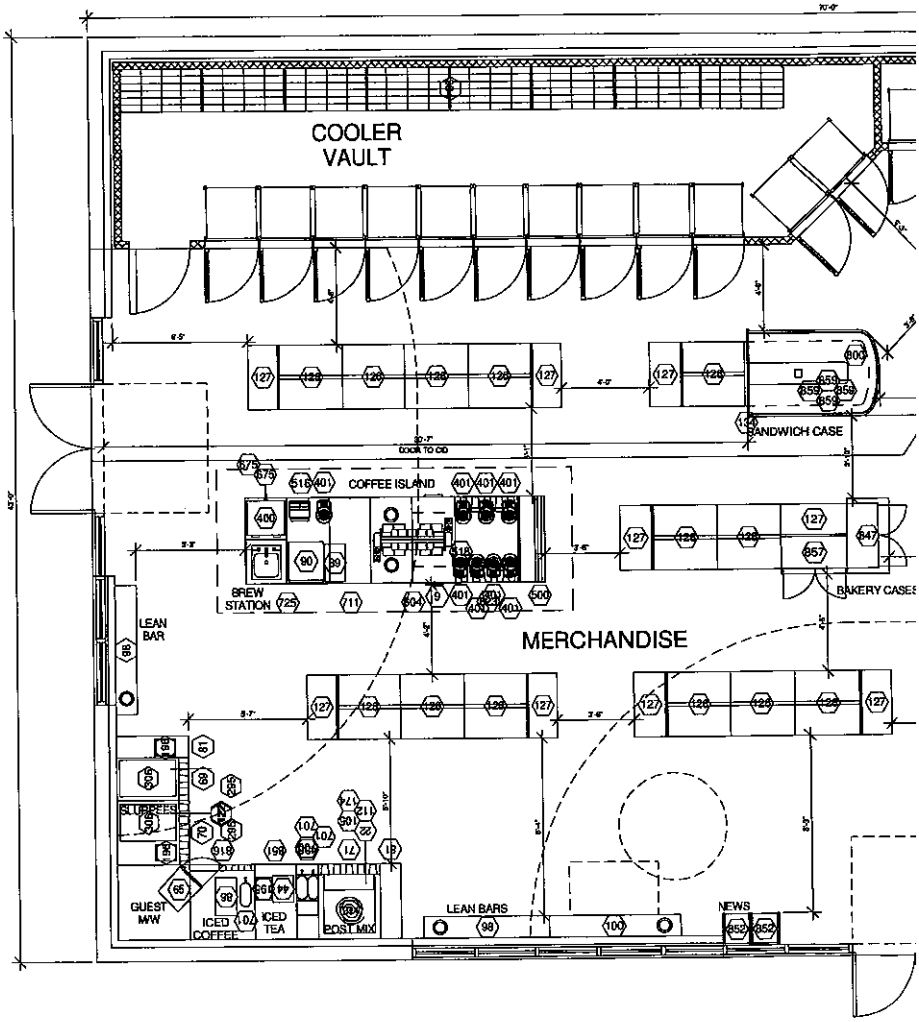
3 ELEV
3/16" = 1'-0"



2 ELEVATION FACING - NW 7TH AVE
3/16" = 1'-0"

1 ELEV
3/16" = 1'-0"

7/17/2015 12:07:13 PM
\\ARFS\Users\jmcghee\My Documents\15167 North Miami, FL @ NW 7th Ave(2016)_jmcghee.rvt



1 FLOOR PLAN
1/4" = 1'-0"

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FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Foreign Profit Corporation

7-ELEVEN, INC.

Filing Information

Document Number	815881
FEI/EIN Number	75-1085131
Date Filed	01/02/1962
State	TX
Status	ACTIVE
Last Event	NAME CHANGE AMENDMENT
Event Date Filed	05/28/1999
Event Effective Date	NONE

Principal Address

1722 ROUTH ST, STE 1000 1 ARTS PLAZA
ATTN: CORP. INCOME TAX DEPT
DALLAS, TX 75201-2506

Changed: 01/12/2010

Mailing Address

1722 ROUTH ST, STE 1000 1 ARTS PLAZA
ATTN: CORP. INCOME TAX DEPT
DALLAS, TX 75201-2506

Changed: 01/12/2010

Registered Agent Name & Address

CORPORATE CREATIONS NETWORK INC.
11380 PROSPERITY FARMS RD #221E
PALM BEACH GARDENS, FL 33410

Name Changed: 12/16/2010

Address Changed: 12/16/2010

Officer/Director Detail

Name & Address

Title PCEO, Director

DEPINTO, JOSEPH M

1722 ROUTH ST, STE 1000 ONE ARTS PLAZA
DALLAS, TX 75201-2506

Title AS

QURESHI, ASIF J
9351 CYPRESS LAKE DRIVE
FORT MYERS, FL 33919

Title AS

HARGROVE, JULIE D
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DALLAS, TX 75201-2506

Title Asst. Secretary

MULCAHY, BRIAN P
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WAXHAW, NC 28173

Title COB

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Title EVP

DELGATO-JENKINS, JESUS
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ATTN: CORP. INCOME TAX DEPT
DALLAS, TX 75201-2506

Title EVP

NODA, SHIZUMA
1722 ROUTH ST, STE 1000 1 ARTS PLAZA
ATTN: CORP. INCOME TAX DEPT
DALLAS, TX 75201-2506

Title EVP

REYNOLDS, STANLEY W
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Title SR VP

TANCO, CHRISTOPHER
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DALLAS, TX 75201-2506

Title SR VP

COZENS, ROBERT
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DALLAS, TX 75201-2506

Title SR VP

DUFFY, SEAN
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DALLAS, TX 75201-2506

Title SR VP, GC, Secretary

GASAWAY, RANKIN L
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Title SR VP, DEVELOPMENT

HARGROVE, WES
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DALLAS, TX 75201-2506

Title SR VP

JENKINS, C. BRAD
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Title SR VP

TAKAHASHI, KOICHI
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Title VP

ABE, SHINJI
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DALLAS, TX 75201-2506

Title VP

HOWELL, ALICIA

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Title VP

KATO, YUSUKE
1722 ROUTH ST, STE 1000 1 ARTS PLAZA
ATTN: CORP. INCOME TAX DEPT
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Title SR VP

WILLIAMS, ENA
1722 ROUTH ST, STE 1000 1 ARTS PLAZA
ATTN: CORP. INCOME TAX DEPT
DALLAS, TX 75201-2506

Title VP

KAPOOR, RAJNEESH
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DALLAS, TX 75201-2506

Title VP, TREASURER

SELTZER, DAVID
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Title VP

SAKAI, RYOJI
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SMITH, NANCY A
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Title Asst. Secretary

TISON, BENTLEY H
1722 ROUTH ST, STE 1000 1 ARTS PLAZA
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Title Director

KAMATA, MASAAKI
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Title Director

ISAKA, RYUICHI
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DISTEL, GRANT W
800 TRAFALGAR COURT
#360
MAITLAND, FL 32751

Title Director

CHAI, JAY W
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ATTN: CORP. INCOME TAX DEPT
DALLAS, TX 75201-2506

Title Director

SATO, NOBUTAKE
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DALLAS, TX 75201-2506

Title Asst. Secretary

BOMKAMP, RON
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Title ASSISTANT SECRETARY

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FT. MYERS, FL 33919

Title ASSISTANT SECRETARY

GOLDSMITH, JOSEPH
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FT MYERS, FL 33919

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Title SR VP

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ATTN: CORP. INCOME TAX DEPT
DALLAS, TX 75201-2506

Title SR VP

HINTZ, SCOTT R
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ATTN: CORP. INCOME TAX DEPT
DALLAS, TX 75201-2506

Title VP, AS

SOPER, DAN
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ATTN: CORP. INCOME TAX DEPT
DALLAS, TX 75201-2506

Title AS

BRENNAN, THOMAS, Jr.
1722 ROUTH ST, STE 1000 1 ARTS PLAZA
ATTN: CORP. INCOME TAX DEPT
DALLAS, TX 75201-2506

Title AS

PATTON, LUCAS
709 SHADY LANE AVENUE
CLEARWATER, FL 33764

Annual Reports

Report Year	Filed Date
2013	03/20/2013
2014	03/17/2014
2015	03/24/2015

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05/28/1999 -- Name Change	View image in PDF format
05/03/1999 -- ANNUAL REPORT	View image in PDF format
04/21/1998 -- ANNUAL REPORT	View image in PDF format
07/18/1997 -- ANNUAL REPORT	View image in PDF format
04/21/1997 -- ANNUAL REPORT	View image in PDF format
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04/19/1995 -- ANNUAL REPORT	View image in PDF format

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State of Florida, Department of State

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Limited Liability Company

MML INVESTMENTS, LLC

Filing Information

Document Number	L07000125190
FEI/EIN Number	N/A
Date Filed	12/18/2007
State	FL
Status	ACTIVE

Principal Address

7700 SW 88TH STREET
SUITE 807
MIAMI, FL 33156

Changed: 01/07/2012

Mailing Address

7700 SW 88TH STREET
SUITE 807
MIAMI, FL 33156

Changed: 01/07/2012

Registered Agent Name & Address

POWELL, NORMAN CESQ
17100 NE 19TH AVENUE
NORTH MIAMI BEACH, FL 33162

Name Changed: 04/06/2010

Address Changed: 04/06/2010

Authorized Person(s) Detail

Name & Address

Title MGR

LAWRENCE, MARJORIE M
7700 SW 88TH STREET, STE 807
MIAMI, FL 33156

Annual Reports

Report Year	Filed Date
2013	03/18/2013
2014	01/08/2014
2015	01/08/2015

Document Images

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03/17/2011 -- ANNUAL REPORT	View image in PDF format
04/06/2010 -- ANNUAL REPORT	View image in PDF format
08/14/2009 -- ADDRESS CHANGE	View image in PDF format
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12/18/2007 -- Florida Limited Liability	View image in PDF format

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FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Limited Liability Company

NANI, LLC

Filing Information

Document Number	L14000013031
FEI/EIN Number	46-5132637
Date Filed	01/23/2014
Effective Date	01/20/2014
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	02/06/2014
Event Effective Date	NONE

Principal Address

19950 W COUNTRY CLUB DRIVE
SUITE 904
AVENTURA, FL 33180

Mailing Address

19950 W COUNTRY CLUB DRIVE
SUITE 904
AVENTURA, FL 33180

Registered Agent Name & Address

CORDERO & ASSOCIATES PA
200 S. BISCAYNE BLVD. #4650
MIAMI, FL 33131

Authorized Person(s) Detail

Name & Address

Title MGR

SULTAN, SIMON
19950 W COUNTRY CLUB DRIVE SUITE 904
AVENTURA, FL 33180

Title MGR

SULTAN, MARIANA

19950 W COUNTRY CLUB DRIVE SUITE 904
AVENTURA, FL 33180

Title MGR

SULTAN, DANIEL
19950 W COUNTRY CLUB DRIVE SUITE 904
AVENTURA, FL 33180

Annual Reports

Report Year	Filed Date
2015	02/20/2015

Document Images

02/20/2015 -- ANNUAL REPORT	View image in PDF format
02/06/2014 -- LC Amendment	View image in PDF format
01/23/2014 -- Florida Limited Liability	View image in PDF format

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OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 3/31/2015

Property Information	
Folio:	06-2125-018-0530
Property Address:	11901 NW 7 AVE
Owner	MML INVESTMENTS LLC C/O RONALD J WEINTRAUB
Mailing Address	7700 N KENDALL DR #807 MIAMI , FL 33156
Primary Zone	6601 COMMERCIAL
Primary Land Use	2111 RESTAURANT OR CAFETERIA : RETAIL OUTLET
Beds / Baths / Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	2,369 Sq.Ft
Lot Size	22,275 Sq.Ft
Year Built	1960

Assessment Information			
Year	2014	2013	2012
Land Value	$400,950	$445,500	$445,500
Building Value	$82,659	$82,659	$89,653
XF Value	$28,348	$28,573	$34,012
Market Value	$511,957	$556,732	$569,165
Assessed Value	$511,957	$556,732	$569,165

Taxable Value Information			
	2014	2013	2012
County			
Exemption Value	$0	$0	$0
Taxable Value	$511,957	$556,732	$569,165
School Board			
Exemption Value	$0	$0	$0
Taxable Value	$511,957	$556,732	$569,165
City			
Exemption Value	$0	$0	$0
Taxable Value	$511,957	$556,732	$569,165
Regional			
Exemption Value	$0	$0	$0
Taxable Value	$511,957	$556,732	$569,165

Benefits Information				
Benefit	Type	2014	2013	2012

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
ALHAMBRA HEIGHTS PB 17-54
LOT 6 & LOTS 35 THRU 40 INC LESS
W15FT OF LOT 40 FOR ST BLK 4
LOT SIZE IRREGULAR
OR 16689-2010 1094 5

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
12/01/2007	$0	26134-1525	Qual by exam of deed
12/01/2007	$0	26135-2619	Qual by exam of deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at http://www.miamidade.gov/info/disclaimer.asp

Version:

OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 3/31/2015

Property Information	
Folio:	06-2125-018-0300
Property Address:	11975 NW 7 AVE
Owner	NANI LLC
Mailing Address	19950 W COUNTRY CLUB DR # 904 AVENTURA , FL 33180
Primary Zone	6601 COMMERCIAL
Primary Land Use	1111 STORE : RETAIL OUTLET
Beds / Baths / Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	1,158 Sq.Ft
Lot Size	11,503 Sq.Ft
Year Built	1964

Assessment Information			
Year	2014	2013	2012
Land Value	$184,048	$207,054	$230,060
Building Value	$41,761	$41,967	$47,752
XF Value	$11,839	$11,839	$15,068
Market Value	$237,648	$260,860	$292,880
Assessed Value	$237,648	$260,860	$292,880

Taxable Value Information			
	2014	2013	2012
County			
Exemption Value	$0	$0	$0
Taxable Value	$237,648	$260,860	$292,880
School Board			
Exemption Value	$0	$0	$0
Taxable Value	$237,648	$260,860	$292,880
City			
Exemption Value	$0	$0	$0
Taxable Value	$237,648	$260,860	$292,880
Regional			
Exemption Value	$0	$0	$0
Taxable Value	$237,648	$260,860	$292,880

Benefits Information				
Benefit	Type	2014	2013	2012

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description

ALHAMBRA HEIGHTS PB 17-54
LOTS 1 TO 5 INC BLK 4
LOT SIZE 11503 SQUARE FEET
OR 16571-2277 1094 4

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
05/14/2014	$300,000	29157-2187	Qual by exam of deed
07/12/2011	$100	27774-4275	Corrective, tax or QCD; min consideration
10/01/1994	$0	16571-2277	Qual by exam of deed
08/01/1982	$75,000	11546-2066	2008 and prior year sales; Qual by exam of deed

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Version:

776 Northeast 125th Street, P.O. Box 610850, North Miami, Florida 33161-0850 (305) 893-6511

To: **Honorable Board of Adjustment Members**

From: **Nixon Lebrun, AICP, CFM, City Planner**
Community Planning & Development Department

Date: **October 21, 2015**

V-11-15 **EGLISE EVANGELIQUE BEREE, INC. –14125 N.E. 6TH AVENUE**

Application Summary

Applicant:	Pastor Mervilus Israël.
Project Name:	Eglise Evangélique Bérée
Location:	14125 N.E. 6th Avenue
Land Area:	13,939 sq. ft. or .32 ac.
Folio Number:	06-2219-000-1740
Petition:	**SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 2, SECTION 4-202 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A PROPOSED RELIGIOUS INSTITUTION AT THE PROPERTY LOCATED AT 14125 N.E. 6th AVENUE IN THE R-6 MULTI-FAMILY RESIDENTIAL DISTRICT; SAID SPECIAL EXCEPTION USE TO BE REVIEWED PURSUANT TO THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.**

Project Summary

The subject property is located at the northeast corner of N.E. 6th Avenue and N.E. 141st Street. It comprises approximately 14,000 sq. ft. and has been developed since 1946 with a single-family building, which, over the years, had been converted into a daycare facility. Pastor Mervilus Israël recently acquired the subject property and intends to use same as a religious facility to hold regular Sunday services, as well as Bible study, parenting and financial planning classes, and other related ministry activities during the week. In accordance with Article 4, Division 3, Section 4-302 of the Land Development Regulations (LDRs), he has filed therefore this special exception application in order to obtain approval from the Board of Adjustment (BOA) to establish the proposed religious use.

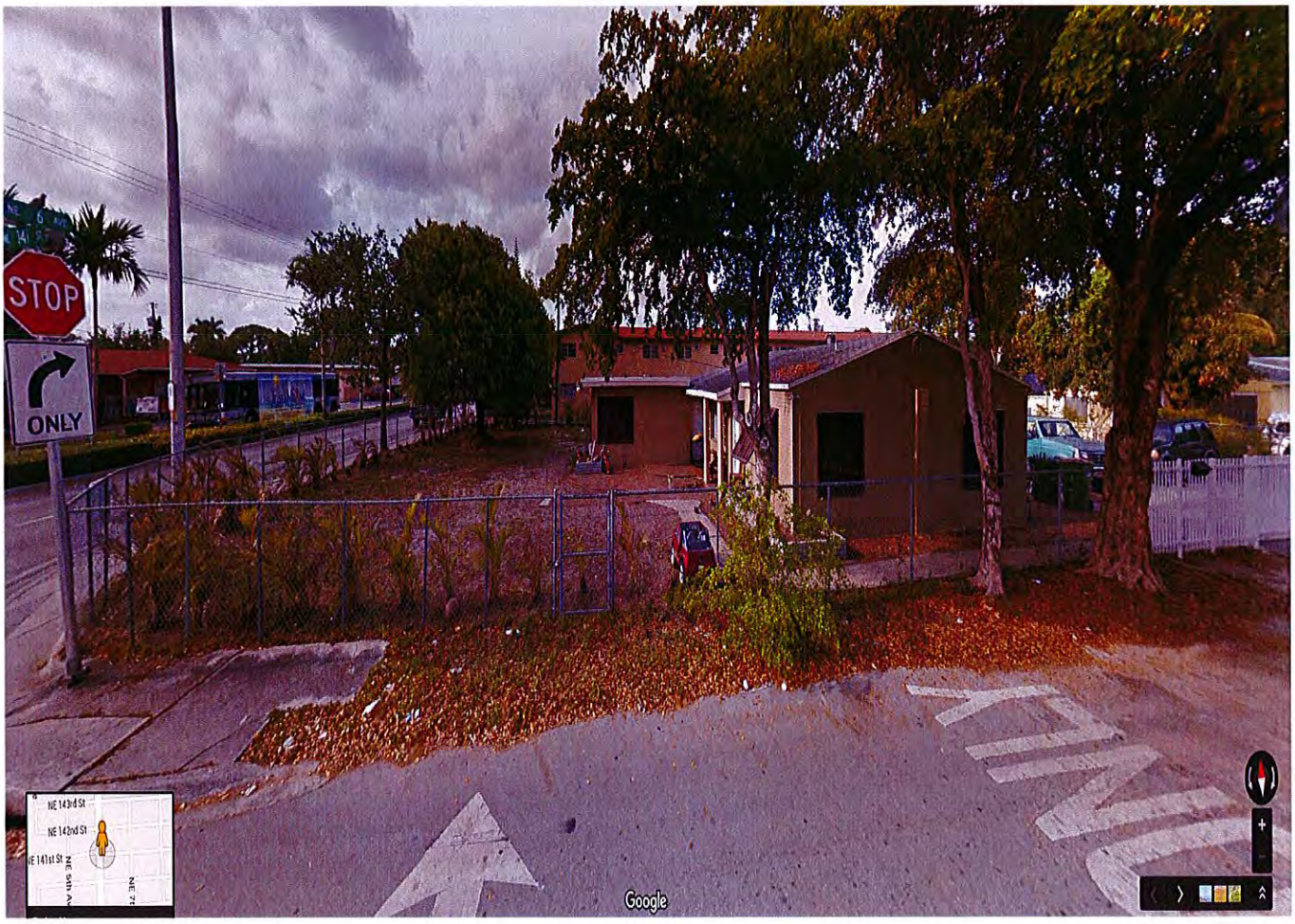
History

While there seems to be no existing zoning record, which chronicled any special exception use approval for an educational facility on the property, the records of the City Clerk's Office indicated that, from 1999 to 2013, Business Tax Receipts had been issued annually for a school and child care center on the property. .

Neighborhood Land Use Characteristics

Property	Future Land Use	Existing Zoning	Existing Use/Subdivision
Site	High Density Residential (110 ft.)	R-6, Multi-Family District	Childcare Center
North	High Density Residential (110 ft.)	R-6, Multi-Family District	Residential Building
South	High Density Residential (110 ft.)	R-6, Multi-Family District	Residential Building
East	Low Density Residential (35 ft.)	R-2, Single-Family District	Single-Family Residences
West	High Density Residential (110 ft.)	R-6, Multi-Family District	Educational Facility

The subject property is a multi-family parcel located on the northeast side of N.E. 6th Avenue and N.E. 141st Street. Built in 1946, the structure on the property was originally used for as a single-family residence, but, from 1999 to 2013, was converted to a school and child care center. The properties surrounding the site have all been developed with multi-family apartment buildings, except for the properties immediately east of the site, which comprise single-family residences primarily. The pictures that follow provide both street and aerial views of the site in the context of its surroundings.



PROPERTY INFORMATION

Folio: 06-2219-000-1740

Sub-Division:

Property Address
14125 NE 6 AVE
North Miami , FL 33161-3138

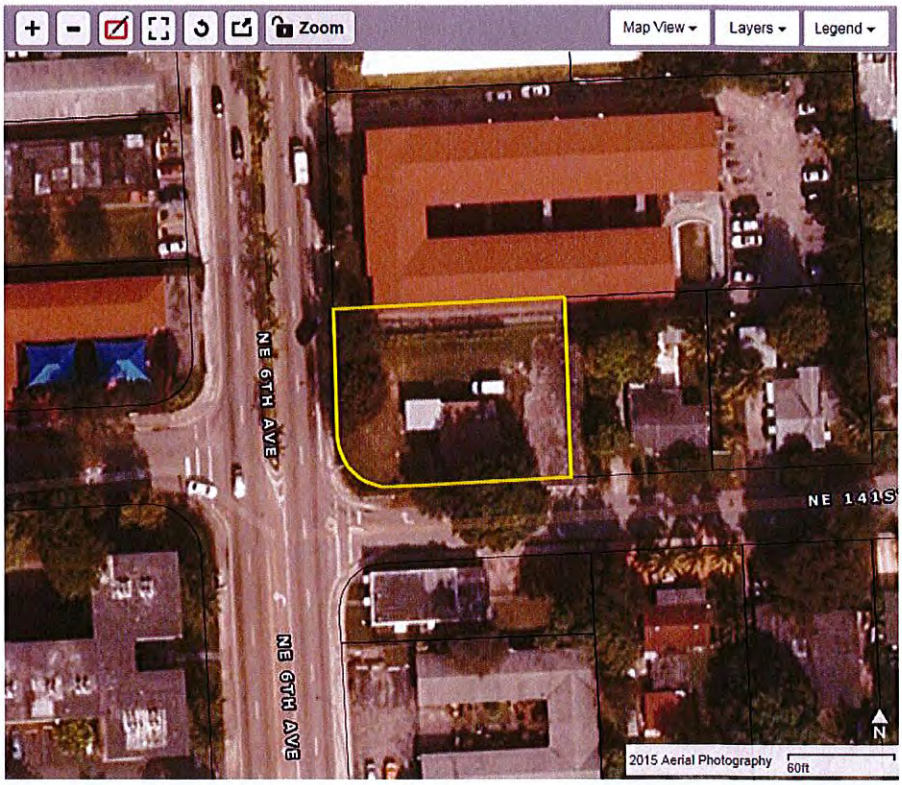
Owner
MERVILUS ISRAEL
GUERLINE ISRAEL

Mailing Address
14125 NE 6 AVE
NORTH MIAMI , FL 33161

Primary Zone
3800 MULTI-FAMILY - 22-37 U/A

Primary Land Use
7241 EDUCATIONAL/SCIENTIFIC - EX : EDUCATIONAL - PRIVATE

Beds / Baths / Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	
Living Area	
Adjusted Area	1,423 Sq.Ft
Lot Size	13,939 Sq.Ft
Year Built	1946



Consistency with the City of North Miami Comprehensive Land Use Plan

The subject property is designated High Density Residential on the City's adopted Future Land Use Map (FLUM). In accordance with Policy 1.13.1 of Objective 1.13 of the Future Land Use Element (FLUE) of the City's Comprehensive Plan, this land use category is intended primarily for residential dwellings, but other land uses related to a residential environment, including schools and places of worship, may also be appropriate.

The Applicant's special exception request to allow the proposed religious institution on the subject property does not change the Commercial/Office Land Use Plan map designation of the property, nor does it alter the uses or intensities of development authorized by the FLUE in that land use designation. Therefore, the request conforms to the goals, objectives and policies of the Comprehensive Plan.

Compliance with the City of North Miami Land Development Regulations

The subject property is zoned R-6, Multi-Family District on the City's Adopted Zoning Map. The purpose of the R-6 zoning district is to preserve and enhance higher density multifamily neighborhoods in the City while encouraging redevelopment at a greater density than other districts to provide for a wide range of housing choices. Also permitted in that zoning district are institutional uses, which are compatible in scale and character with the overall residential character of the area involved, and also consistent with Policy 1.13.1 of the FLUE. As noted above, the Applicant is seeking a special exception use approval from the BOA in order to establish and operate a proposed religious facility on the premises, as required by the terms of Article 4, Division 3, Section 4-302 of the LDRs.

Criteria for granting special exceptions: Article 3, Division 5, Section 3-504 of the City's LDRs provides authority to the BOA to hear and grant or deny applications for special exceptions. In evaluating an application for such request, the BOA shall find that the application demonstrates compliance with the following standards:

A. The use is a listed special exception in the district where the property is located.
B. There is appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks so as to assure the public safety and to avoid traffic congestion.
C. There are adequate parking areas and off-street truck loading spaces (if applicable) for the anticipated number of occupants, employees, patrons, and the layout of the parking is convenient and conducive to safe operation.
D. There is suitable landscaping or fencing alongside lot and rear lot lines adjacent to residential uses or residential zoning districts.
E. The proposed special exception is reasonable in terms of logical, efficient and economical extension of public services and facilities, such as public water, sewers, police and fire protection, and transportation.
F. The proposed special exception will constitute an appropriate use in the area and will not substantially injure or detract from the use of the surrounding property or from the character of the neighborhood.

Analysis

Review of the Applicant's request was performed using a six-prong test based on the standards noted above and set forth in Article 3, Division 5, Section 3-504 of the LDRs. The request is found to comply with all such applicable standards, as demonstrated below.

- ✓ **Is the use a listed special exception in the district where the property is located?**

  Yes. The Uses Permitted chart provided in Article 4, Division 3, Section 4-203 of the LDRs lists Religious Institutions as uses that require special exception use approval by the BOA in the R-6, Multi-Family District.

- ✓ **Is there appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks so as to assure the public safety and to avoid traffic congestion?**

  Yes. The proposed religious institution is to operate within a relatively small building with a gross floor area (GFA) of less than 1,500 sq. ft., which limits not only the occupancy of same, but the traffic trips that will generate from the proposed use. As such, the proposed religious facility will have a de minimis impact on traffic circulation on N.E. 6th Avenue, which, by the way, has lots of trips available. Additionally, as per the submitted plans, access to the property will be from N.E. 141st Street only. Because the property does not have any ingress and egress point on N.E. 6th Avenue, any unanticipated substantial negative impact on public safety due to unsafe traffic movements and heightened pedestrian vehicular conflicts along this relatively busy corridor is thereby eliminated.

- ✓ **Are there adequate parking areas and off-street truck loading spaces (if applicable) for the anticipated number of occupants, employees, patrons, and the layout of the parking is convenient and conducive to safe operation?**

  Yes. The proposed religious facility has a GFA of 1,348 sq. ft. In accordance with Article 5, Division 14, Section 5-1402, a minimum of one (1) parking space shall be provided per 100 sq. ft. of GFA, which amounts to a total of thirteen (13) required parking spaces for the proposed use. The submitted plans show that the required number of parking spaces will be provided on site. As such, adequate parking will be provided on site, which will safely and conveniently accommodate the parking needs of the congregants and users of the proposed religious facility.

- ✓ **Is there suitable landscaping or fencing alongside lot and rear lot lines adjacent to residential uses or residential zoning districts.**

  As noted above, the property immediately east of the site is a single-family residence. In order to provide a more suitable buffer between this existing single-family residence and the proposed religious, and thereby better protect the privacy of the occupants of said single-family residence, the existing chainlink fence along the east property line shall be replaced with an opaque fence, either CBS or wooden, or, in the alternative, be reinforced by a landscaped hedge that would grow up to six (6) feet.

- ✓ **Is the proposed special exception reasonable in terms of logical, efficient and economical extension of public services and facilities, such as public water, sewers, police and fire protection, and transportation?**

  Yes. All basic public services, such public water, sewers, police and fire protection, are readily available and provided to the property, and meet applicable service-level standards. No increase in the demand of such services will result from the establishment of the proposed use.

- ✓ **Will the proposed special exception constitute an appropriate use in the area and will not substantially injure or detract from the use of the surrounding property or from the character of the neighborhood?**

  Yes. Religious Institutions are not uses that are prohibited in the LDRs. Rather, they are uses that are deemed to be generally unsuitable for location in such district, but may be permitted on a case-by-case basis after review and possible attachment of conditions by the BOA, pursuant to the procedures and criteria of Article 3, Division 5, Section 3-504 of the LDRs. Based on the foregoing, the requested special exception approval for the proposed religious use will clearly constitute an appropriate use for this intersection and will not result in the diminution of value of any adjacent property.

Conclusion

The requested special exception use to establish the proposed religious institution conforms to the goals, objectives and policies of the City's Comprehensive Plan. It is also in keeping with the intent and purpose of the City's LDRs, as it is an appropriate use for the area involved, will not detract from the uses of the surrounding properties and will not be injurious to the public welfare. In light of these findings, staff recommends that the BOA approve the requested special exception use to allow the Applicant to finalize the purchase of the property and use same as a religious facility, subject the conditions herein listed and summarized as follows:

1. That the Applicant agrees to abide by the Special Exception Use criteria set forth in Article 3, Division 5, Section 3-504 of the LDRs; failure to do shall constitute a basis for the revocation of the Special Exception approval;
2. That the existing chainlink fence along the east property line be replaced with an opaque fence, either CBS or wooden, to provide a more suitable buffer between the proposed public assembly use of the property and the adjoining single-family residence, or, in the alternative, be reinforced by a landscaped hedge that would grow up to six (6) feet;
3. That the Applicant apply for a building permit within eighteen (18) months of approval of the special exception use; failure to do so will result in the expiration of said approval;
4. That a Certificate of Occupancy (CO) from the Building and Minimum Housing Department be only issued to the Applicant upon compliance with all terms and conditions of this approval; the same subject to cancellation upon violation of any of the conditions herein listed;
5. That the use comply with all applicable requirements of the City's Public Works Department, Police Department, and all other County and State agencies; and
6. That a Certificate of Use (CU) from the Community Planning & Development Department be only issued to the Applicant upon compliance with all terms and conditions of this approval; the same subject to cancellation upon violation of any of the conditions herein listed.

Public Notification/Comments

In accordance with Subsections (A), (B) and (C) of Article 3, Division 3, Section 3-302 of the City's LDRs, notification of the applicant's request was published on the Miami Herald, posted on the property, and mailed to property owners within a 500-foot radius of the subject property to give them an opportunity to comment on the application if they so desire. No comments were received from any of the neighboring property owners within the aforementioned radius.

Applicable Ordinances

Article 3, Division 3, Section 3-302 Subsections (A), (B) and (C);
Article 3, Division 5, Section 3-504;
Article 4, Division 2, Section 4-202; and
Article 5, Division 14, Section 5-1402;

Attachments

Submitted Application
Submitted Letter of Intent
Submitted Survey and Plans
Newspaper Advertisement

August 17, 2015

To: Department of community planning and Development

12400 NE 8th Ave. North Miami, Florida 33161

From: Rev. Mervilus Israel

Eglise Evangélique Bérée

14125 NE 6th Ave

North Miami, Florida 33161

RE: LETTER OF INTENT

Dear Board Members

My name is Mervilus Israel, I am the Senior Pastor of Eglise Evangélique Bérée in North Miami. We are a diverse community of people who love the City of North Miami and desire to make a positive impact within our community. My wife and I have being residents of North Miami for 30 years and I am an educator teaching at North Miami Elementary for the past 12 years.

Eglise Evangélique Bérée was started to make a difference in our community. One of our core values is to be a Church that makes a difference through community involvement. A n Example of that is for past few years we have part with good news Club Ministries by providing volunteers for theirs food pantry and have also donate for their food pantry.

It is our intent to utilize the space located at 14125 NE 6th Ave as our meeting space and ministry Center. We will hold weekly meeting on Sundays and various times throughout the week. In addition to our normal weekly activities and fellowships; we plan on offering the local community parenting classes' financial planning course at no cost.

We are a congregation of 55, Therefore the impact on the traffic and surrounding neighborhood will be insignificant, due to the location of the building. The property sits on the corner of 141 Street and 6th ave, giving local residents a church the can walk to given the close proximity of the neighborhood, for those who must drive to attend services there are enough parking space to accommodate them given that the lot where the building is located is approximate 13939 square feet and 13 parking spaces which include 1 handicap space.

Thank you for your time and consideration of our application

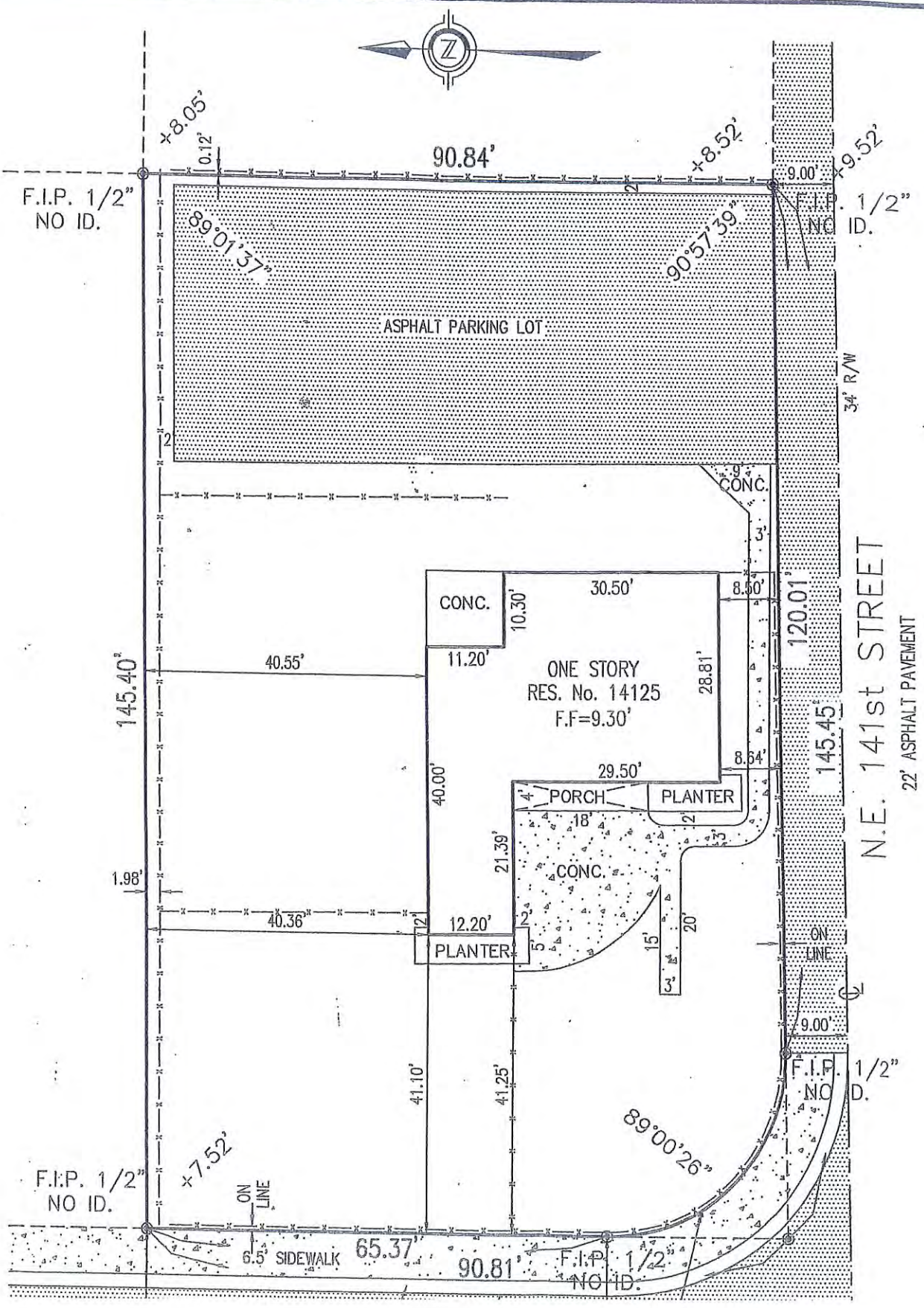
Respectfully

Past. Mervilus Israel

ORLANDO GRANDAL PSM.

PROFESSIONAL LAND SURVEYORS AND MAPPER
4291 SW 84 CT
MIAMI, FL. 33155
PHONE:(786) 553-4658 Ograndal@yahoo.com

SKETCH SURVEY



141ST STREET C

SCOPE OF WORK
CHANGE OF OCCUPANCY: RELIGIOUS ASSEMBLY
EXISTING USE PRIVATE EDUCATIONAL SERVICES ACCORDING TO MIAMI DADE COUNTY PROPERTY APPRAISAL

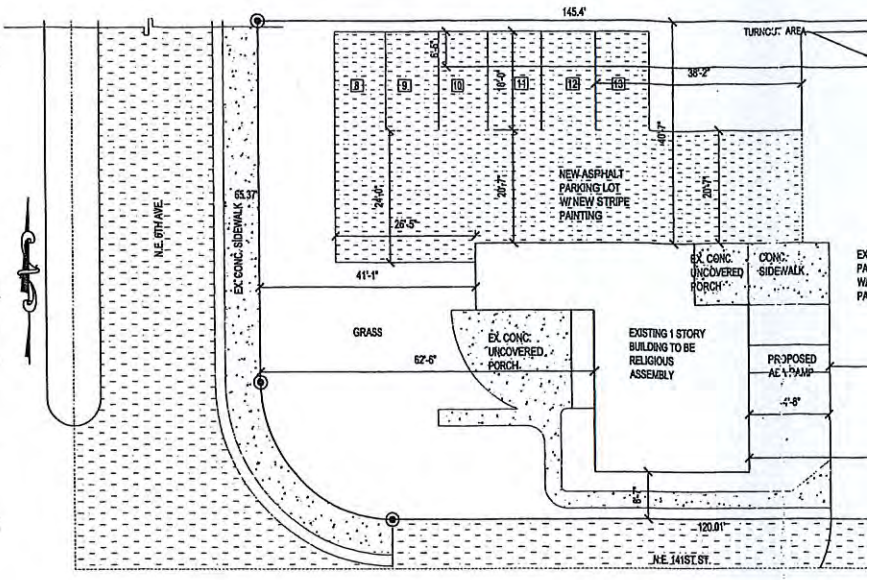
INTERIOR ALTERATION FOR RELIGIOUS ASSEMBLY W/ 2 NEW BATHROOMS, OFFICE, CONGREGATION, AND LOUNGE
REPLACE WINDOW AND DOORS

MECHANICAL SYSTEM ALTERATIONS TO MEET DEMAND OF NEW LOAD

ELECTRICAL LAYOUT ALTERATIONS & UPDATE ELECTRICAL SERVICE

PLUMBING ALTERATIONS TO PROVIDE FOR 2 NEW BATHROOMS.
REMOVE CAP EXISTING PLUMBING LINES

LEGAL DESCRIPTION
19 52 42 .32 AC S 100' OF S ½ OF W½ OF NW ¼
FOLIO # 06-2219-000-1740



SITE PLAN
1/16"=1'-0"

OCCUPANCY GROUP
A-3 (RELIGIOUS WORSHIP)
EDUCATIONAL (PREVIOUS OCCUPANCY GROUP)
PREVIOUS USE: PRIVATE EDUCATION

TYPE OF CONSTRUCTION
TYPE III

EXISTING TYPE OF CONSTRUCTION
SOUTH FLORIDA BUILDING CODE

CURRENT BUILDING CODE
FBC 2014, NFPA 1, NFPA 101

LEVEL OF ALTERATION
LEVEL 1

SITE DATA

ZONING CLASSIFICATION	R-6
LOT AREA PROVIDED	13939 SQFT.

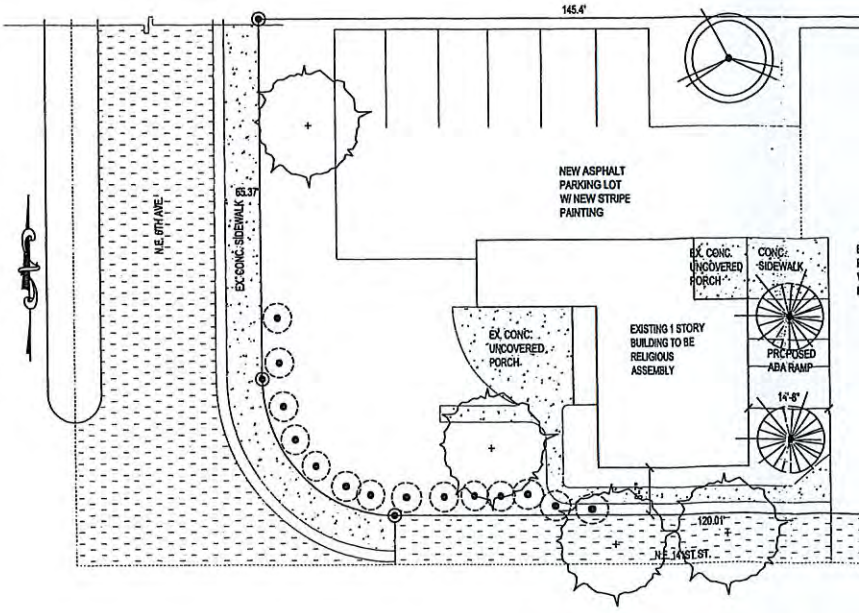
SETBACKS	ALLOWED	PROVIDED
FRONT	25'	41'
REAR	25'	53'
SIDES	7.5'	8'-7"

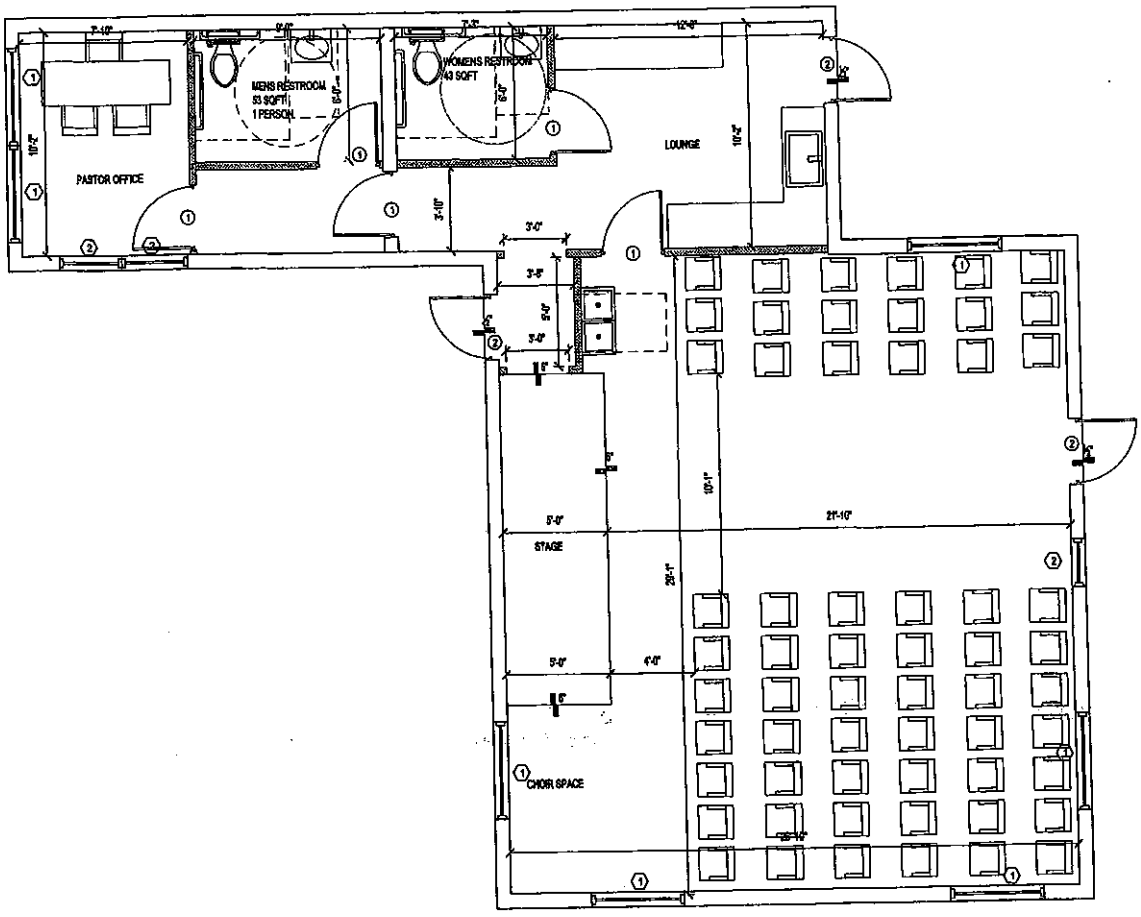
BUILDING AREA

BLDG HEIGHT	2 STR	1 STR
EXISTING BLDG.		1348 SQFT.
ADDITION		0 SQFT.
LOT COVERAGE	6969 SQFT	6267 SQFT.

(INCLUDING SIDEWALKS AND ASPHALT FOR PROPOSED LOT COVERAGE)

RAINWATER SHALL BE RETAINED WITHIN PROPERTY LINE (OR ON SITE)



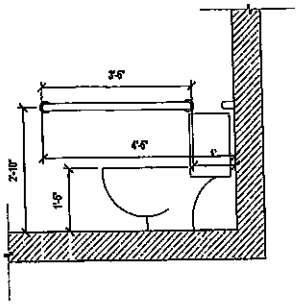


FLOOR PLAN

¼"=1'-0"

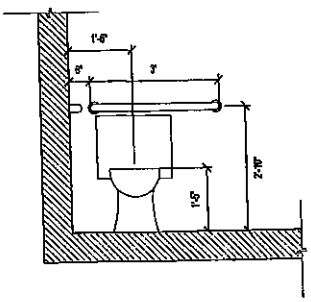
LEGEND

- NEW DRYWALL PARTITION
- 1HR F.R. WALL
- EXIST. DRYWALL PARTITION TO REMAIN
- NEW 8" CONC. BLOCK WALL
- EXIST. 8" BLOCK WALL TO REMAIN
- EXIST. DRYWALL PARTITION TO BE REMOVED



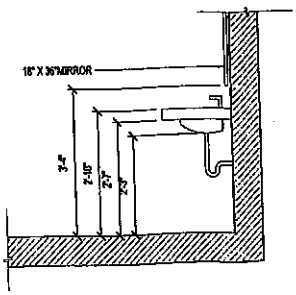
ADA BATHROOM DETAIL

½"=1'-0"



ADA BATHROOM DETAIL

½"=1'-0"



ADA BATHROOM DETAIL

½"=1'-0"

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Not For Profit Corporation

EGLISE EVANGELIQUE BEREE INC.

Filing Information

Document Number	N11000001402
FEI/EIN Number	27-5053890
Date Filed	02/09/2011
State	FL
Status	ACTIVE

Principal Address

1121 NW 141 ST
MIAMI, FL 33168

Mailing Address

1121 NW 141 ST
MIAMI, FL 33168

Registered Agent Name & Address

ISRAEL, MERVILUS
1121 NW 141 ST
MIAMI, FL 33168

Officer/Director Detail

Name & Address

Title DP

ISRAEL, MERVILUS
1121 NW 141 ST
MIAMI, FL 33168

Title D

JEAN MICHEL, ROCK
15210 NE 12TH AVE
MIAMI, FL 33161

Title Secretary

JULMIS, MARCELINE
245 NE 123RD ST
MIAMI, FL 33161

Title DT

LEONIE, NELSON
567 NE 137TH ST
MIAMI, FL 33168

Annual Reports

Report Year	Filed Date
2013	04/06/2013
2014	04/26/2014
2015	03/23/2015

Document Images

03/23/2015 -- ANNUAL REPORT	View image in PDF format
04/26/2014 -- ANNUAL REPORT	View image in PDF format
04/06/2013 -- ANNUAL REPORT	View image in PDF format
04/30/2012 -- ANNUAL REPORT	View image in PDF format
02/09/2011 -- Domestic Non-Profit	View image in PDF format

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State of Florida, Department of State

OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 6/18/2015

Property Information	
Folio:	06-2219-000-1740
Property Address:	14125 NE 6 AVE
Owner	MERVILUS ISRAEL GUERLINE ISRAEL
Mailing Address	14125 NE 6 AVE NORTH MIAMI , FL 33161
Primary Zone	3800 MULTI-FAMILY - 22-37 U/A
Primary Land Use	7241 EDUCATIONAL/SCIENTIFIC - EX : EDUCATIONAL - PRIVATE
Beds / Baths / Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	1,423 Sq.Ft
Lot Size	13,939 Sq.Ft
Year Built	1946

Assessment Information			
Year	2014	2013	2012
Land Value	$69,695	$48,786	$55,756
Building Value	$41,105	$41,105	$43,908
XF Value	$7,976	$8,015	$9,592
Market Value	$118,776	$97,906	$109,256
Assessed Value	$107,696	$97,906	$109,256

Taxable Value Information			
	2014	2013	2012
County			
Exemption Value	$0	$0	$0
Taxable Value	$107,696	$97,906	$109,256
School Board			
Exemption Value	$0	$0	$0
Taxable Value	$118,776	$97,906	$109,256
City			
Exemption Value	$0	$0	$0
Taxable Value	$107,696	$97,906	$109,256
Regional			
Exemption Value	$0	$0	$0
Taxable Value	$107,696	$97,906	$109,256

Benefits Information				
Benefit	Type	2014	2013	2012
Non-Homestead Cap	Assessment Reduction	$11,080		

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
19 52 42 .32 AC
S100FT OF S1/2 OF W1/2 OF NW1/4
OF NW1/4 OF SE1/4 LESS W75FT
OF E150FT & LESS E75FT & LESS
W35FT FOR ST

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
03/27/2014	$120,000	29091-2673	Qual by exam of deed
12/11/2012	$100	28434-2510	Corrective, tax or QCD; min consideration
02/29/2012	$50,000	28060-4029	Financial inst or "In Lieu of Forclosure" stated
04/06/2011	$0	27748-1828	Corrective, tax or QCD; min consideration

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at http://www.miamidade.gov/info/disclaimer.asp

Version:

776 Northeast 125th Street, P.O. Box 610850, North Miami, Florida 33161-0850 (305) 893-6511

To: **Honorable Board of Adjustment Members**

From: **Nixon Lebrun, AICP, CFM, City Planner**
Community Planning & Development Department

Date: **October 21, 2015**

V-12-15 134 WEST DIXIE SERVICE STATION, LLC - 13480 WEST DIXIE HIGHWAY

Application Summary

Applicant:	134 West Dixie Service Station, LLC
Agent:	Mikel Isaac
Location:	13480 W. Dixie Highway, North Miami, FL 33161
Land Area:	12,635 sq. ft. or .29 ac.
Folio Number:	06-2229-049-1980
Petitions:	**VARIANCE TO ARTICLE 4, DIVISION 3, SECTION 4-303 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW THE PROPOSED EXPASION OF AN EXISTING AUTOMOTIVE STATION LOCATED AT 134 W. DIXIE HIGHWAY IN THE C-1 ZONING DISTRICT TO SET BACK 5 FT. FROM THE SIDE (SOUTHWEST) PROPERTY LINE AND 3 FT. FROM THE REAR (NORTHEAST) PROPERTY LINE WHERE THE MINIMUM SIDE AND REAR SETBACKS SET FORTH IN THE LAND DEVELOPMENT REGULATIONS FOR DEVELOPMENTS PERMITTED IN THE C-1 ZONING DISTRICT ARE 10 FT., RESPECTIVELY; SAID VARIANCES TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 6, SECTION 3-606 OF THE LAND DEVELOPMENT REGULATIONS.**

Project Background

Located at the southwest corner of West Dixie Highway and N.E. 135th Street, the subject .29-acre property has been developed with an automobile service station for almost forty (40) years. The current service station features a 45-sq. ft. kiosk under the canopy, next to the fuel stations and a stand-alone bathroom facility toward the rear of the site. The owner on record, 134 West Dixie Service Station, LLC, is seeking to modernize and expand the current use by tearing down the existing kiosk and the detached bathroom building, and build a proposed 1,250-sq. ft. convenience store, which, will include newer bathrooms and also provide for the retail sale and direct delivery to motor vehicles of candy, soft drinks and other related items for the convenience of the motoring public. Pursuant to Article 4, Division 3,

Section 4-303 of the Land Development Regulations (LDRs), developments permitted in the C-1 district must provide a 10-ft. setback from both the side and rear property lines. As per the submitted plans, the side and rear setbacks of the proposed convenience are five (5) ft. and three (3) ft., respectively; hence the Applicant's variance request from the aforementioned Code provisions.

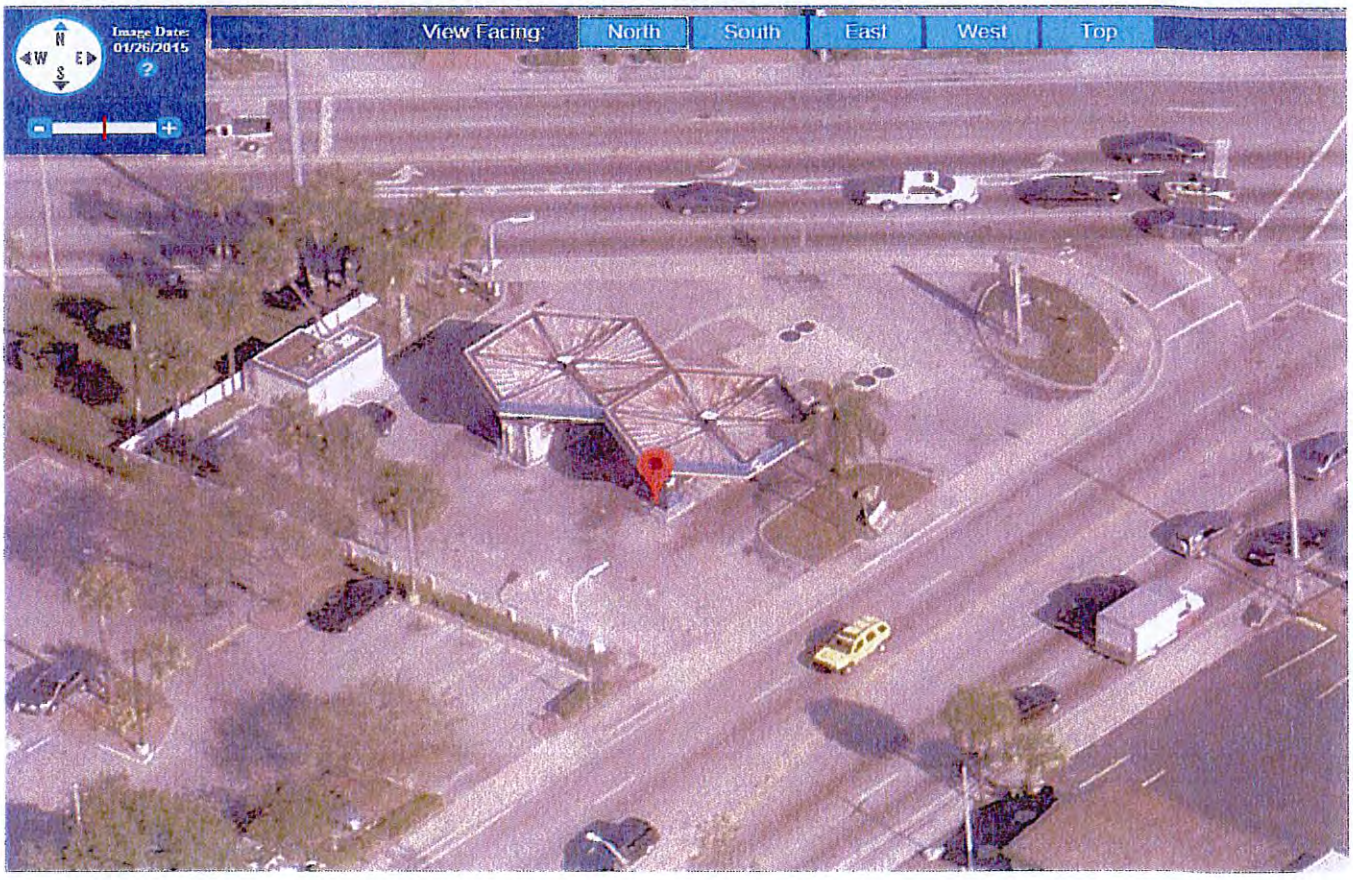
History

A search of the City's zoning records shows no previous zoning approvals on the property.

Neighborhood Land Use Characteristics

Property	Future Land Use (Max Height)	Existing Zoning	Existing Use
Site	Commercial	C-1, Commercial District	Auto Service Station
North	Commercial & Low Density Residential	C-1, Commercial District & R-2, Single-Family District	Retail Store & Single-Family Residences
South	Commercial	C-1, Commercial District	Bank of America Bldg.
East	Commercial & Low Density Residential	C-1, Commercial District	Apartment Building & Dry Cleaners
West	Commercial	C-1, Commercial District	Bank of America Bldg.

The subject property is located at the southwest corner of West Dixie Highway and N.E. 135th Street. The properties to the north, across from N.E. 135th Street, feature both commercial (east) and residential (west) uses. To the south and west, the site abuts a Bank of America facility. The uses to the east include a multifamily residential condominium building and a dry cleaning facility. The following pictures provide both street and aerial views of the site in the context of its surroundings.



PROPERTY INFORMATION

Folio: 06-2226-049-1660

Sub-Division:
IRONS MANOR 2ND ADDN

Property Address
1348D W DIXIE HWY
North Miami , FL 33161-4137

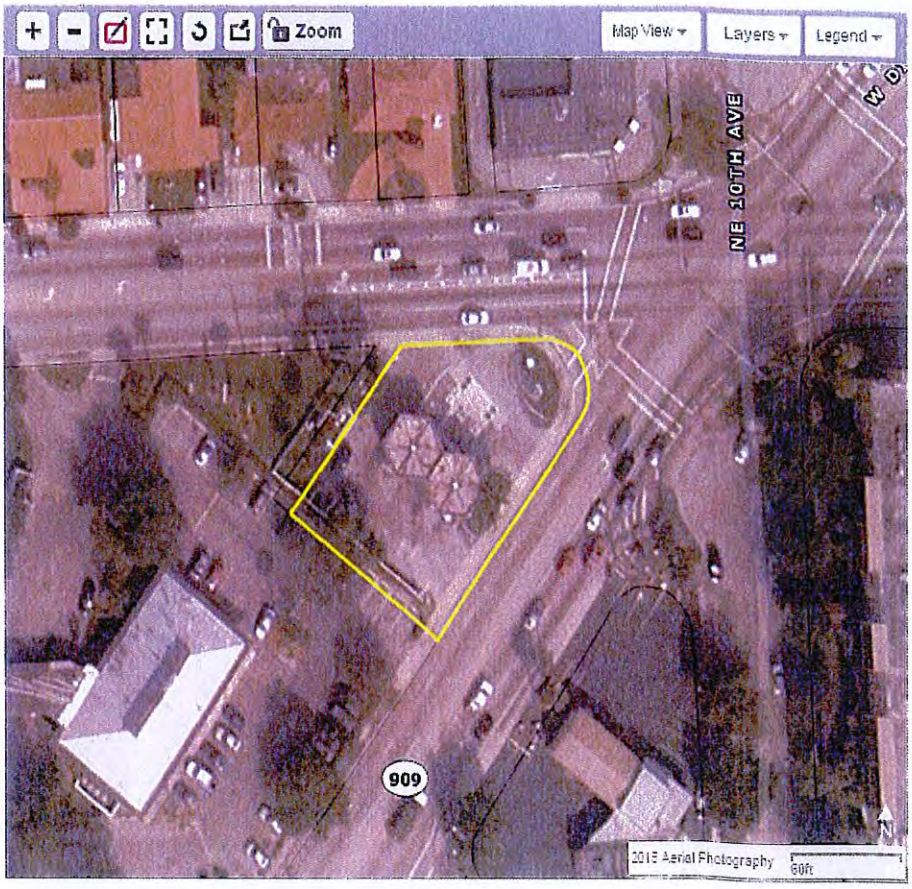
Owner
134 W DIXIE SERV STATION LLC

Mailing Address
9701 NW 89 AVE
MEDLEY , FL 33178

Primary Zone
6100 COMMERCIAL - NEIGHBORHOOD

Primary Land Use
2826 SERVICE STATION : SERVICE STATION - AUTOMOTIVE

Beds / Baths / Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	
Living Area	
Adjusted Area	1,332 Sq.Ft
Lot Size	12,672 Sq.Ft
Year Built	1977



Consistency with the City of North Miami Comprehensive Land Use Plan

The subject property is designated Commercial/Office on the City's adopted Future Land Use Map (FLUM). In accordance with Policy 1.13.2 of Objective 1.13 of the Future Land Use Element (FLUE) of the City's Comprehensive Plan, this land use category is intended primarily to provide land area for a Commercial/Office environment, including schools and places of worship, may also be appropriate:

1. Retail uses, including restaurants.
2. Office and business uses.
3. Professional offices and businesses.
4. Community facilities such as schools, museums, places of worship, child and adult day care centers, nursing homes, governmental administration, police and fire protection facilities, and libraries.
5. Passive parks and open space.
6. Nonprofit neighborhood social and recreational facilities.

The Applicant's request for a variance of side and rear setback requirements as they apply to the proposed convenience store does not change the Commercial/Office Land Use Plan map designation of the site, nor does it modify the uses or intensities of development authorized by the FLUE in that land use designation. Therefore, the request conforms to the goals, objectives and policies of the Comprehensive Plan.

Compliance with the City of North Miami Land Development Regulations (LDRs)

The subject property is zoned C-1, Commercial/Office District on the City's Adopted Zoning Map. The purpose of this district is to provide the citizens of the City with convenient access to goods and services without adversely impacting the integrity of residential neighborhoods. The Applicant is seeking to expand the current use by building a bona fide convenience store on the property to conveniently provide for the retail sale and direct delivery to motorists of candy, soft drinks, and other grocery items. In order to effectuate such expansion, the Applicant is seeking approval from the Board of Adjustment for the following variance:

1. A variance of setback requirements, as set forth in Article 4, Division 3, Section 4-303 of the LDRs, district to set back 5 ft. from the side (southwest) property line and 3 ft. from the rear (northeast) property, as opposed to the minimum 10-ft. side and rear setback required respectively for any development permitted in the C-1 district.

Criteria for granting variances: Article 3, Division 6, Section 3-606 of the City's LDRs provides authority to the BOA to hear and grant or deny applications for variances from the terms of these LDRs. In evaluating a petition for variances, the BOA shall find that the applicant demonstrates compliance with four of the six items as listed below:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. The unusual circumstances or conditions necessitating the variance request are present in the neighborhood and are not unique to the property.
3. That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the neighborhood.
4. The literal interpretation of the provisions of these LDRs would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these LDRs.
5. The variance requested is the minimum variance that will make possible the reasonable use of the land, structure, or building.
6. The granting of the variance will be in harmony with the general intent and purpose of these LDRs and such variance will not be injurious to the area involved.

Analysis

As per Article 4, Division 3, Section 4-303 of the LDRs, the minimum required side and rear setbacks in the C-1 district for principal structures are ten (10) ft. The automotive service station has been operating since 1977 and features a relatively small kiosk dispensing very few items to the motorists gassing up their vehicles at the location. The applicant is seeking a variance from the terms of these provisions of the LDRs to build a bona fide convenience with accessory bathrooms and other amenities, in the rear of the property, which is to set back five (5) ft. from the side (southwest) lot line and three (3) ft. from the rear (northeast) lot line. Upon reviewing the applicant's request, it is found to meet at least four (4) of the six (6) criteria set forth in Article 3, Division 6, Section 3-606, as demonstrated below.

- ✓ Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

The subject property is an irregularly shaped lot, which has been developed as an automobile service station for almost forty (40) years. With all the fuel stations already installed, the westerly portion of the site is the most suitable location to build the proposed convenience store without disrupting existing vehicular access to and from the site, as well as circulation through the site. However, even when placing the building toward the rear of the property as proposed, the existing configuration of site, combined with the existing location of the fueling stations still would not allow the construction of any bona fide convenience store in connection with the automobile service station without the requested setback variances. As such, special conditions do exist, which are peculiar to the subject lot, but which are not applicable to other land, structure, or building in the same C-1 zoning district.

✓ The unusual circumstances or conditions necessitating the variance request are present in the neighborhood and are not unique to the property.

Not Applicable.

✓ That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the neighborhood.

The requested variance for lesser side and setbacks does maintain the basic intent and purpose of the LDRs. Indeed, the proposed convenience store will constitute the first major improvement to the property in almost forty (40) years. It will augment the taxable value of the property, and contribute to the good order and aesthetic appearance of the area, while maintaining its existing stability.

✓ The literal interpretation of the provisions of these LDRs would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these LDRs.

Not Applicable.

✓ The variance requested is the minimum variance that will make possible the reasonable use of the land, structure, or building.

The Applicant intends to build a 1,250-sq. ft. convenience store to serve some of the grocery needs of the motorists using the service station, as well as the nearby residents. The requested variance from the side and rear setback requirements is arguably the minimum variance necessary, which will allow the applicant to upgrade the service station, keep pace with and better serve the needs of the motorists and users of the service station.

✓ The granting of the variance will be in harmony with the general intent and purpose of these LDRs and such variance will not be injurious to the area involved.

The requested variance is necessary to allow the Applicant to provide for a bona fide convenience on the site. Construction of said structure will clearly be in harmony with the general appearance and character of the surrounding properties, and will not result in the diminution of the value of any adjacent property.

Conclusion

Given the foregoing, the Applicants' request conforms to the goals, objectives and policies of the City's Comprehensive Plan, as it will neither alter the use of the property as an automotive service station, nor increase the allowable height in the land use category involved. The request has met the required minimum of four (4) criteria as set forth in Article 3, Division 6, Section 3-606 of the City's LDRs for the granting of variances. The request is also in keeping with the intent and purpose of the City's LDRs, as it will not be detrimental to the public welfare, i.e., will not have a substantial negative impact on public safety due to unsafe traffic movements, heightened pedestrian vehicular conflicts, or increased risk of fire. Therefore, recommendation is made to approve the Applicant's request for a variance from the terms of Article 4, Division 3, Section 4-203 of the LDRs to build the proposed convenience store with the 5-ft. side setback and the 3-ft. rear setback, as per the submitted plans, subject to the following condition:

1. That the Applicant apply for a building permit within twelve (12) months of the approval of this variance; failure to do so will result in the nullification of the variance.

Public Notification/Comments

In accordance with Subsections (A), (B) and (C) of Article 3, Division 3, Section 3-302 of the City's LDRs, notification of the applicant's request was published in the Miami Herald, posted on the property, and mailed to property owners within a 500-foot radius of the subject property to give them an opportunity to comment on the application if they so desire. No comments were received from any of the neighboring property owners within the aforementioned radius.

Applicable Ordinances

Article 3, Division 3, Section 3-302 Subsections (A), (B) and (C).
Article 3, Division 6, Section 3-606;
Article 4, Division 3, Section 4-203.

Attachments

Submitted Application
Submitted Letter of Intent
Submitted Survey and Plans
Newspaper Advertisement

134 West Dixie Service Station, LLC.
12101 NW 4th Street
Plantation, Florida 33325

July 29, 2015

Letter of Intent Statement for
Gas station / Convenience store

City of North Miami
Department of Community Planning and Development
Zoning Division
12400 NE 8th Avenue
North Miami, Florida 33161

RE: **134 West Dixie Service**
13480 West Dixie Highway
North Miami, Florida
Folio #: 06.2229.049.1980

The Applicant is requesting an approval of a Site Plan Amendment for the gas station and Setback Variance for the Convenience Store. The request is to modify an existing valid site plan approval in order to revise the individual commercial use within the development and to request site plan approval. This property is in an area designated C-1 Commercial on the City of North Miami's Comprehensive Plan. However, the varied uses of this property necessitate a commercial request in order that retail uses be allowed.

The proposed facility's primary use is a gasoline station, convenience store. The scope of work is as follow:

- Existing 45sq.ft.kiosk under the canopy to be removed.
- Existing west fuel dispenser to be removed.
- Existing air / vacuum station to be relocated.
- Existing trash enclosure to be relocated.
- Propose new 1250 square feet convenience store building to the existing 180sq.ft.building.
- Propose (2) fuel dispensers on west side of the canopy
- Repair and /or replace the existing asphalt and concrete paving as necessary.

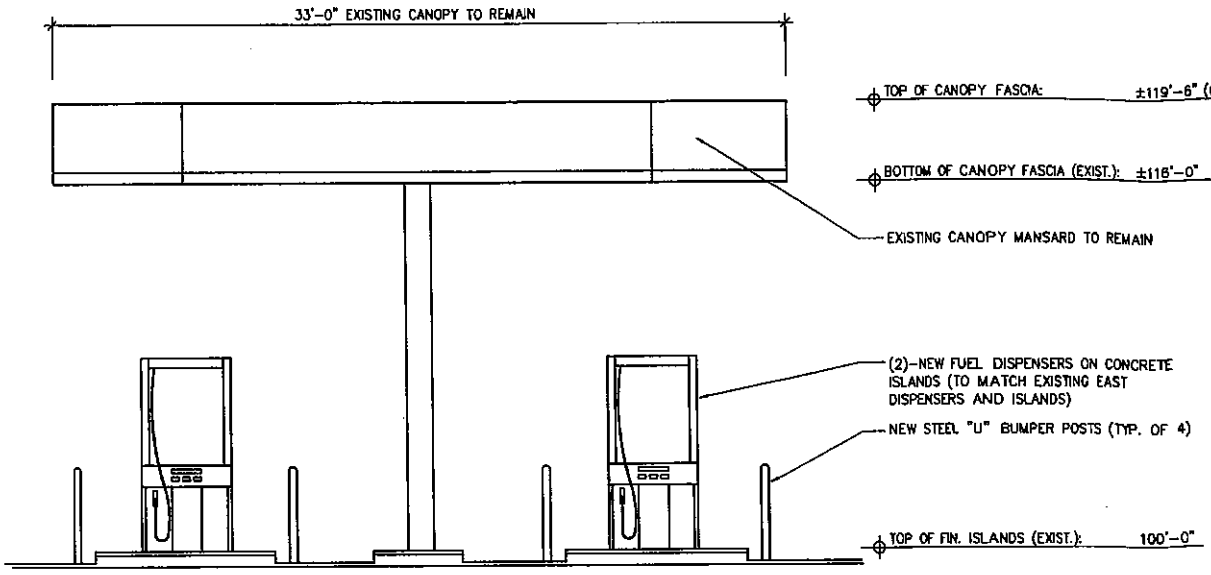
Let it be known that the current zoning designation is C-1 and proposed zoning designation is C-1.There is no request for rezoning. The surrounding properties are all zoned C-1. The hours of operation is 24/7 3 shifts @ 2 employees per shift. Therefore, this use will be no problem to the surrounding neighbors.

The Applicant is requesting Site Plan amendment and Variance approval to allow the expansion of an existing building in connection of a gas station. The variance request is to have a rear and side setback of 5' where 10' is required. The Applicant and the entire project team look forward to working with Staff to respond to any items or issues that might arise as a result of their review.

Should you have any questions or require additional information, please do not hesitate to contact Mikel Isaac @305.796.9695.

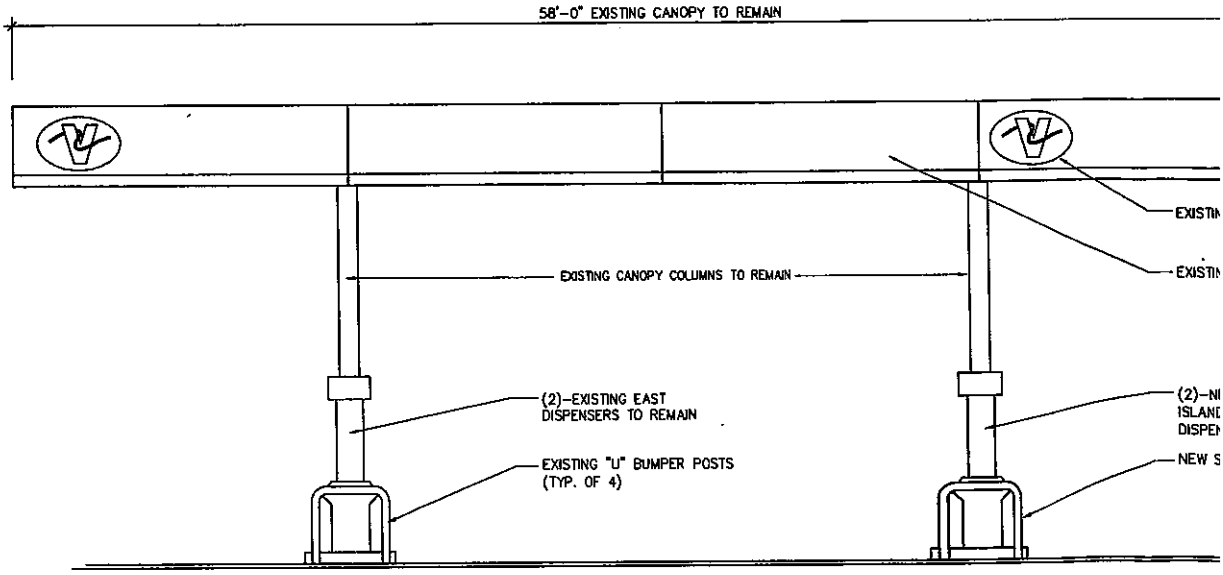
Sincerely,

Mikel Isaac



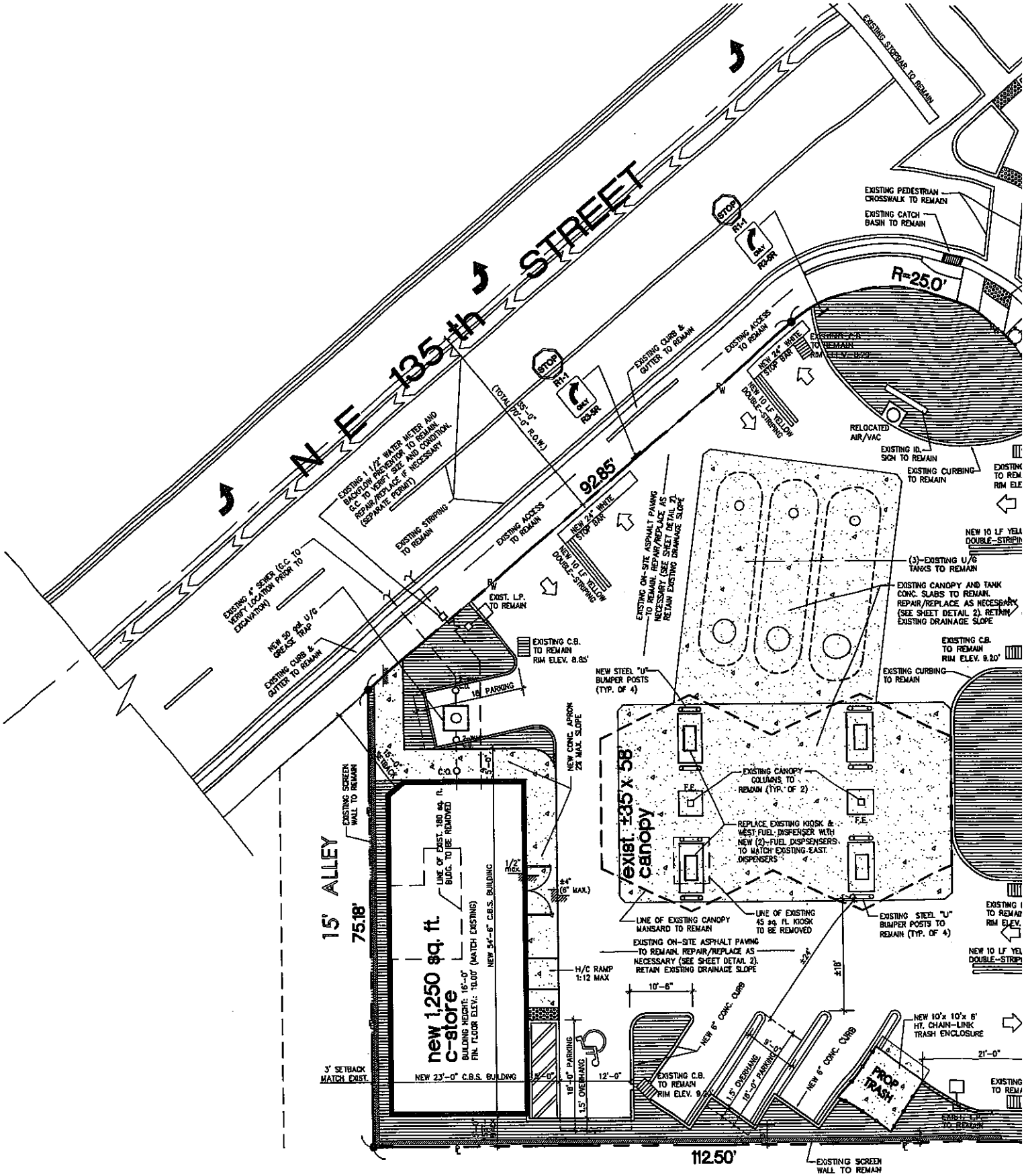
FRONT CANOPY ELEVATION (WEST)

SCALE: 3/16"=1'-0"



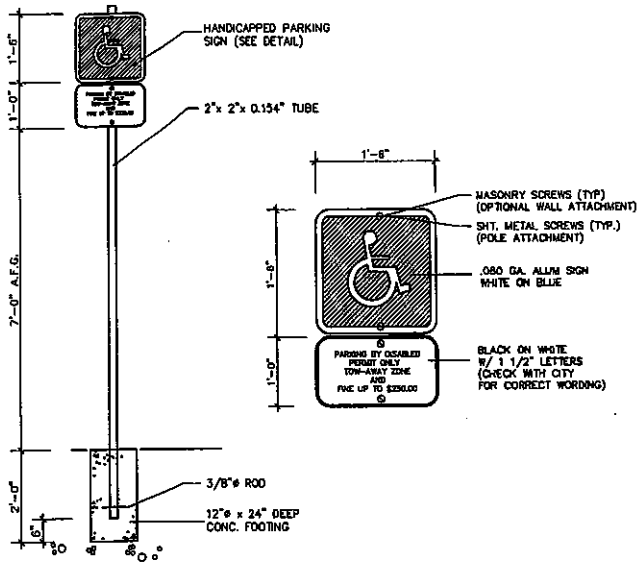
SIDE CANOPY ELEVATION (NORTH)

SCALE: 1/4"=1'-0"



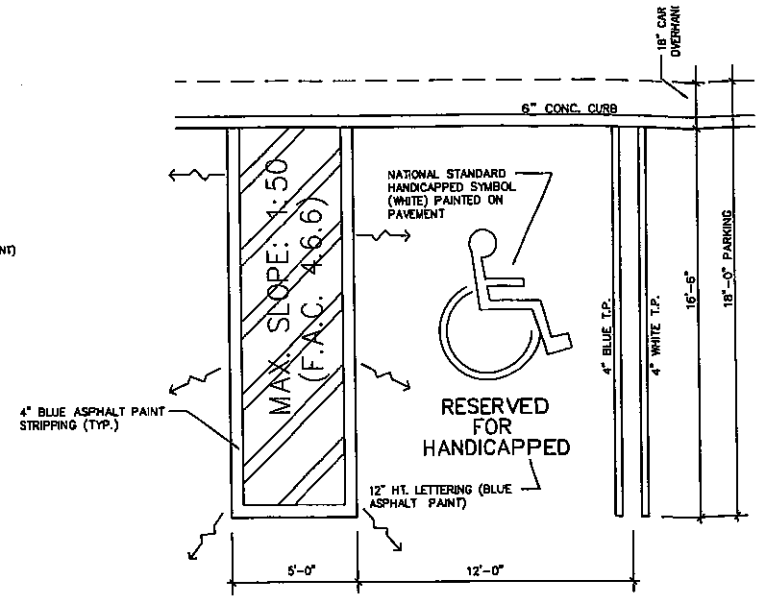
SITE PLAN

scale: 1"=10'-0"



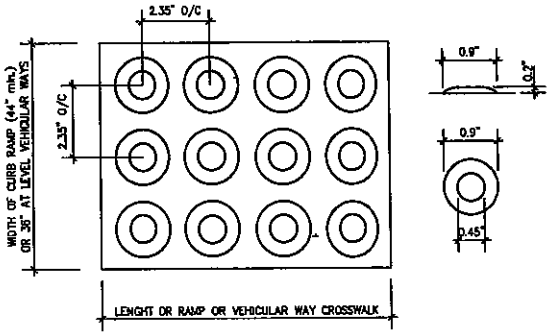
HANDICAPPED PARKING SIGN

N.T.S.



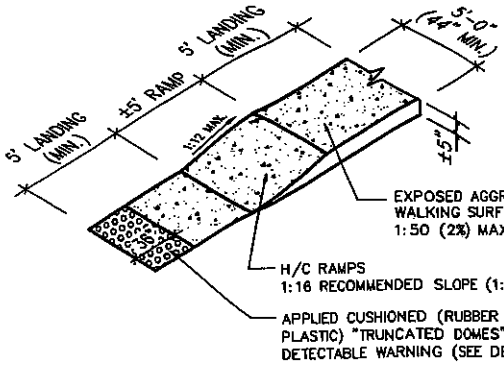
HANDICAPPED PARKING DETAIL

NOT TO SCALE (TYPICAL)



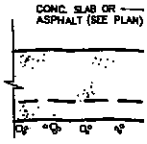
DETECTABLE WARNING DETAIL

NOT TO SCALE



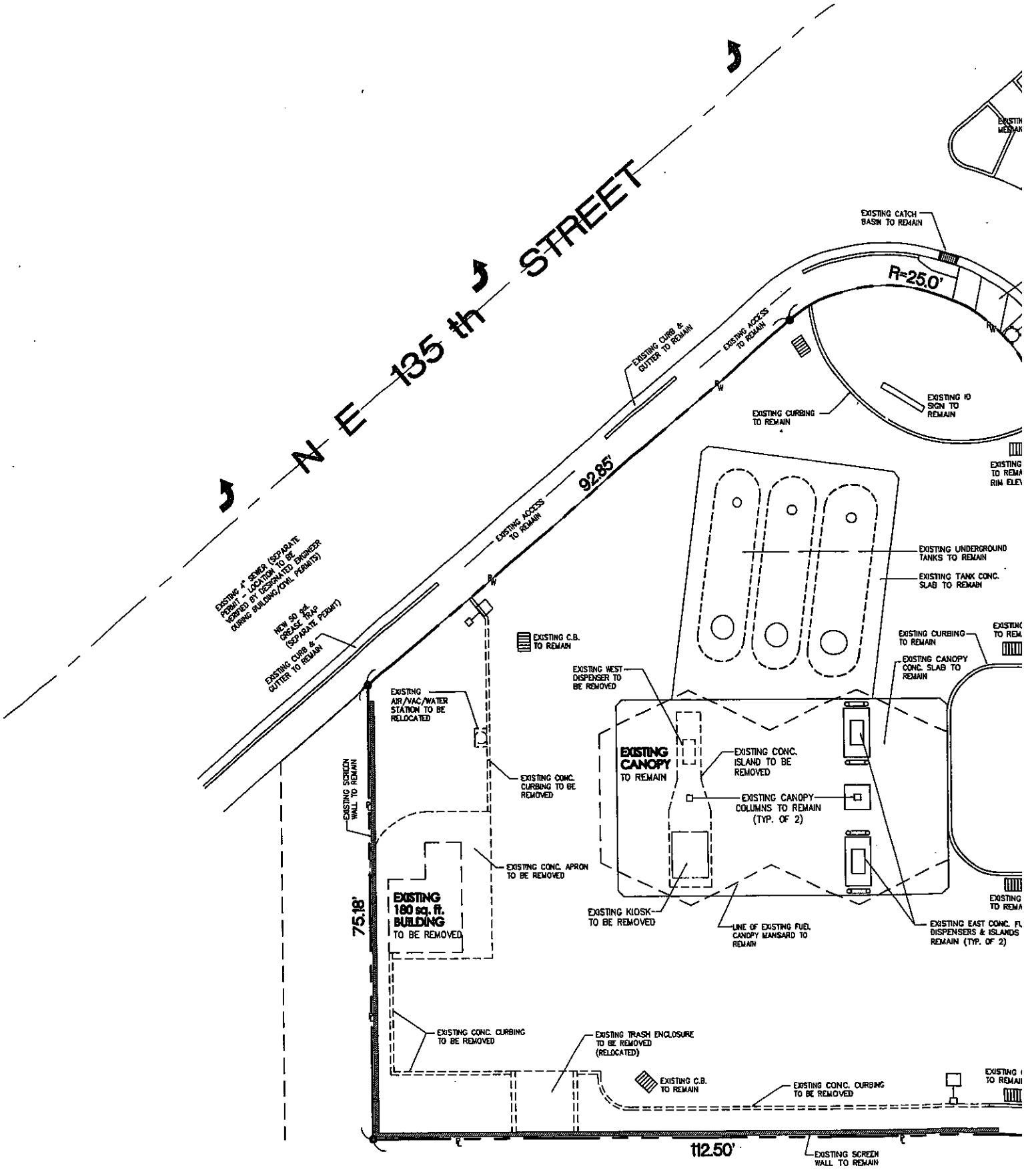
TYP. H/C RAMP DETA

NOT TO SCALE



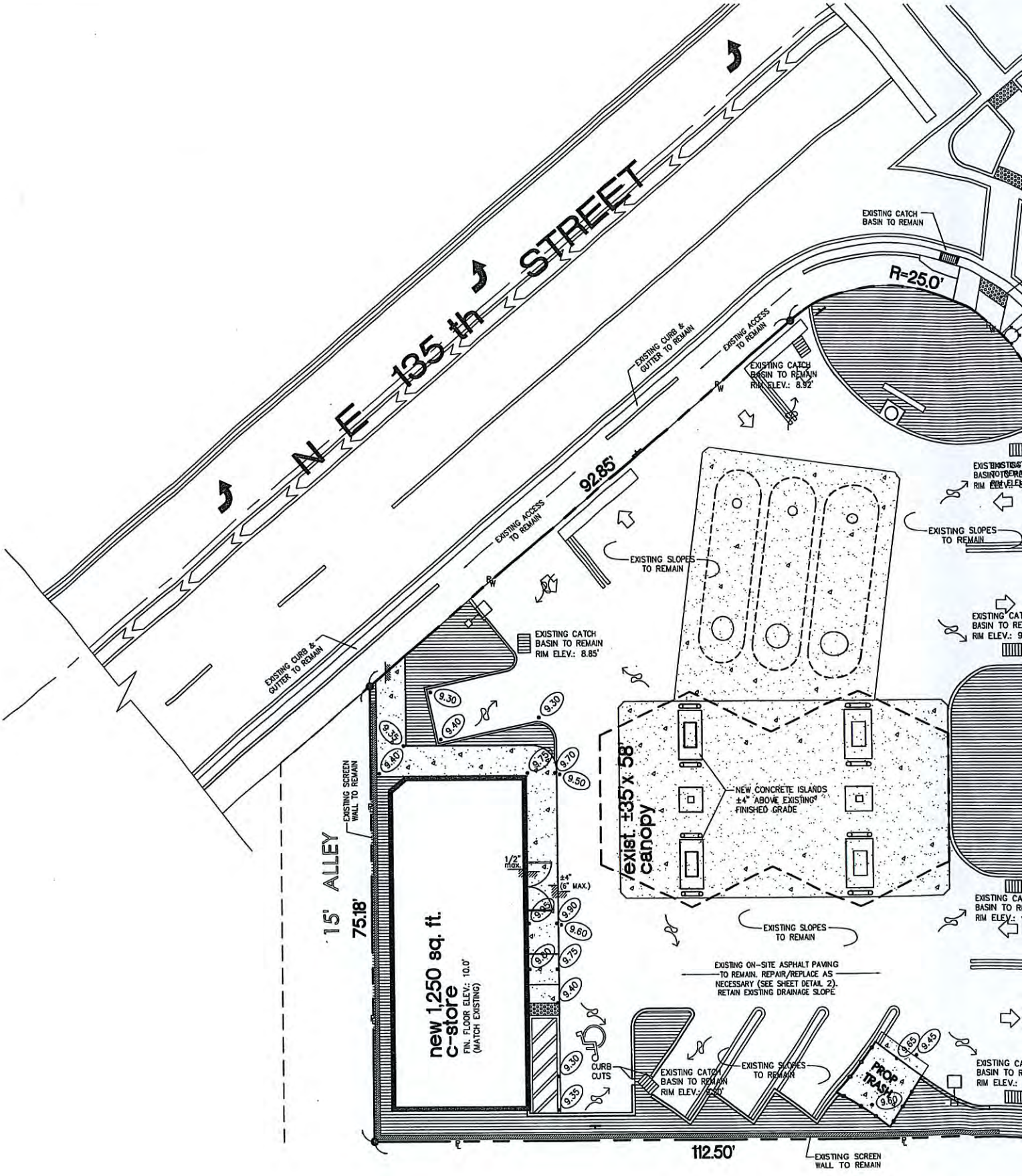
TYPE "D"

N.T.S.



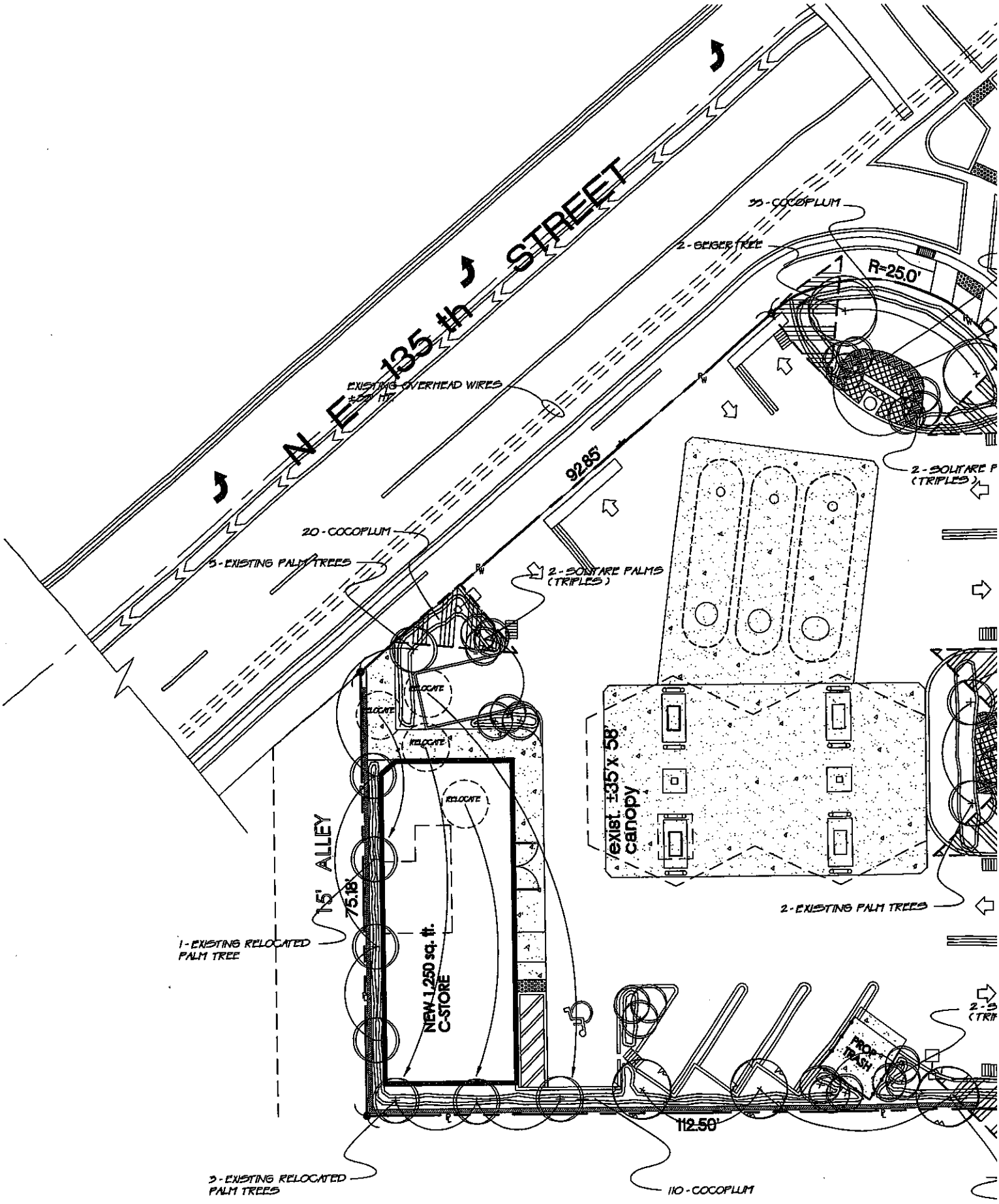
DEMOLITION PLAN

scale: 1"=10'-0"



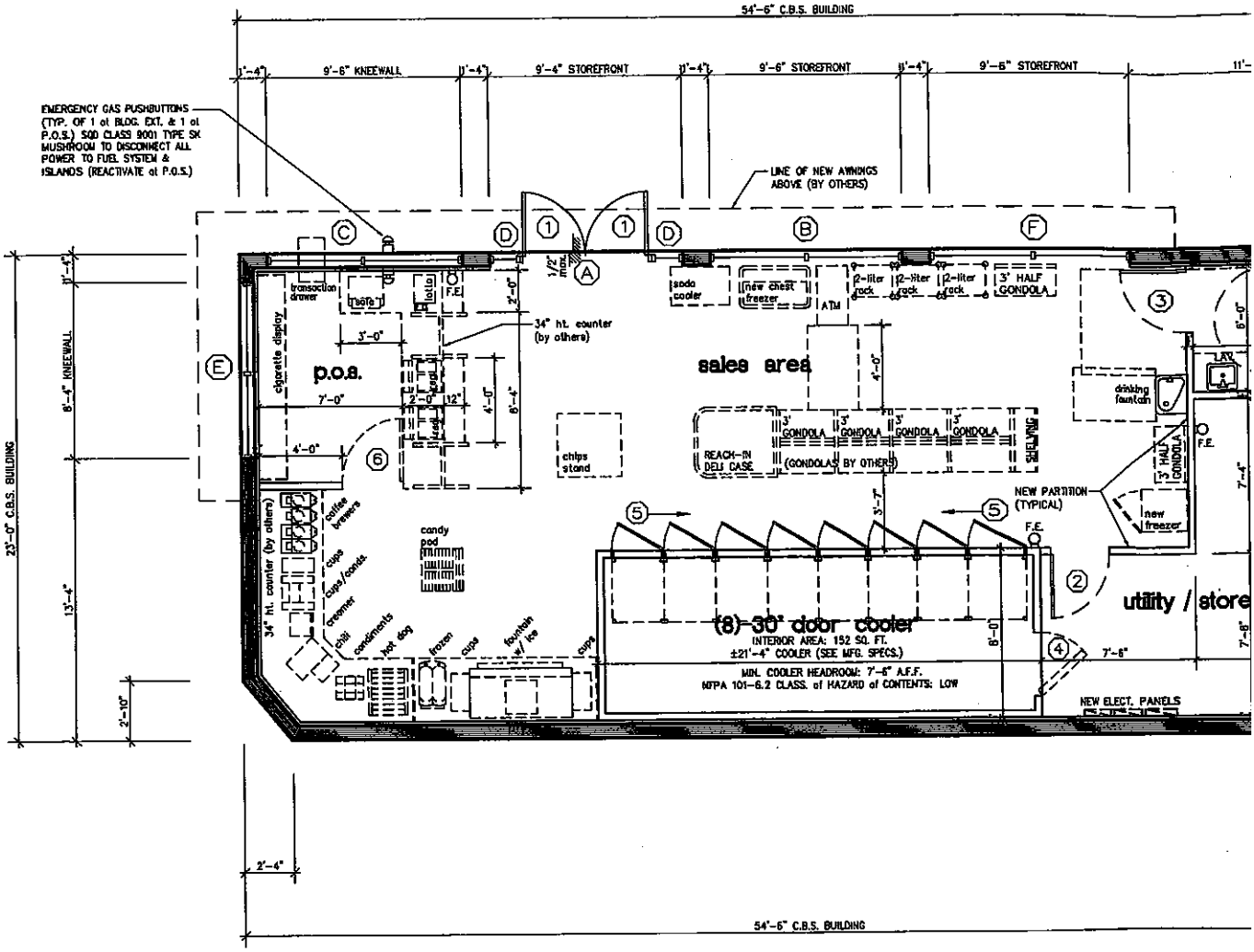
GRADING PLAN

scale: 1"=10'-0"



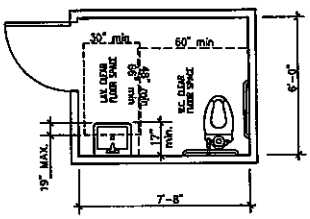
LANDSCAPING PLAN

scale: 1"=10'-0"



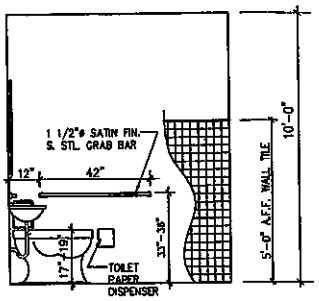
FLOOR PLAN

scale: 1/4"=1'-0"

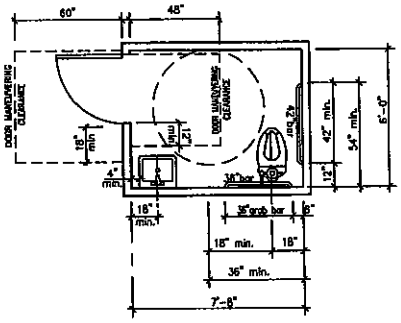


H/C CLEAR FLOOR SPACE PLAN

scale: 1/4"=1'-0"

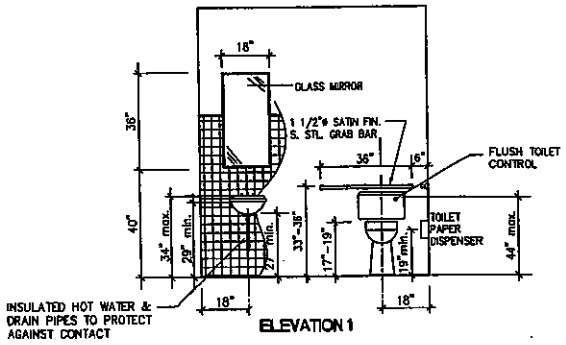


ELEVATION 2



H/C FIXTURE PLAN

scale: 1/4"=1'-0"



ELEVATION 1

INTERIOR ELEVATIONS

(N.T.S.)

HANDICAPPED RESTROOM:

VESTIBULE: MIN. 92" WIDE x 72" DEEP

WATER CLOSET: SEAT 17"-19" A.F.F.

GRAB BAR: 1 1/2" DIA., 1 1/2" CLEAR OF WALL & 32 1/2" to 33 1/2" A.F.F., 24" MIN. LENGTH CENTERED ON LEADING EDGE OF WATER CLOSET, (1)-36" LONG BEHIND WATER CLOSET & 6" MIN. FROM WALL, (1)-42" LONG ADJACENT TO WATER CLOSET & 12" MIN. FROM WALL (SEE ELEVATION DETAILS)

MIRROR: 40" A.F.F. (OR HIGHER IF ANGLED) SHELF 40" MAX. A.F.F.

LAVATORY: HEIGHT MAX. 34" A.F.F. (top), 29" A.F.F. MIN. BOTTOM OF APRON, 27" MIN. TOE CLEARANCE. EXPOSED HOT WATER & DRAIN PIPES TO BE INSULATED TO PROTECT AGAINST CONTACT. NO SHARP OR ABRASIVE SURFACES UNDER LAVATORIES.

TOILET PAPER DISPENSER: 19" A.F.F.

DRINKING FOUNTAIN: ADA APPROVED. SPOUT HEIGHT @ 36" A.F.F. MAX., DRINKNG CUPS at 40" A.F.F. MAX., SPOUT FLOW LOCATION @ 3" FROM EDGE OF FOUNTAIN and 4" HT. FROM FOUNTAIN SURFACE. CLEAR FLOORSPACE OF 30"x 48" MIN.

FIRE EXTINGUISHER:

C-STORE:
PROVIDE (3) 2A 40BC (MIN.) FIRE EXTINGUISHERS @ 48" A.F.F. (TOP at 5' A.F.F. MAX.) W/ MAX. TRAVEL DISTANCE TO REACH OF 75'-0"

FUEL ISLANDS:
- PROVIDE (1) 40-B:C RATED (MIN.) PER 2-FUEL ISLANDS (15 lbs. MIN.)
- MAXIMUM DISTANCE FROM ALL DISPENSERS, STORAGE TANK FILL OPENINGS AND LUBRICATION OR SERVICE ROOM (IF APPLICABLE) FROM A STATE CERTIFIED 40 B:C FIRE EXTINGUISHER MUST NOT EXCEED 100'-0" (TOTAL PROVIDED: 2 - SEE SITE PLAN FOR LOCATION)

CONSTRUCTION:
PROVIDE (1) 4A 30-BC RATED (MIN.) DURING CONSTRUCTION (N.F.P.A. 1141 SEC. 309.6)

TOP OF EXTINGUISHERS SHALL NOT EXCEED 5 FT. ABOVE FINISH FLOOR.

OCCUPANCY: GROUP M

CONSTRUCTION TYPE: VA

PRODUCT APPROCAL NOTES

THE FOLLOWING ITEMS ARE NOT PART OF THIS PERMIT. PRODUCT APPROVAL AND/OR SHOP DRAWINGS TO BE PROVIDED BY RESPECTIVE MANUFACTURERS:

- SIGNS
- STOREFRONT
- STOREFRONT AWNINGS
- COUNTERS AND GONDOLAS
- FOOD EQUIPMENT
- CANOPY FASCIA

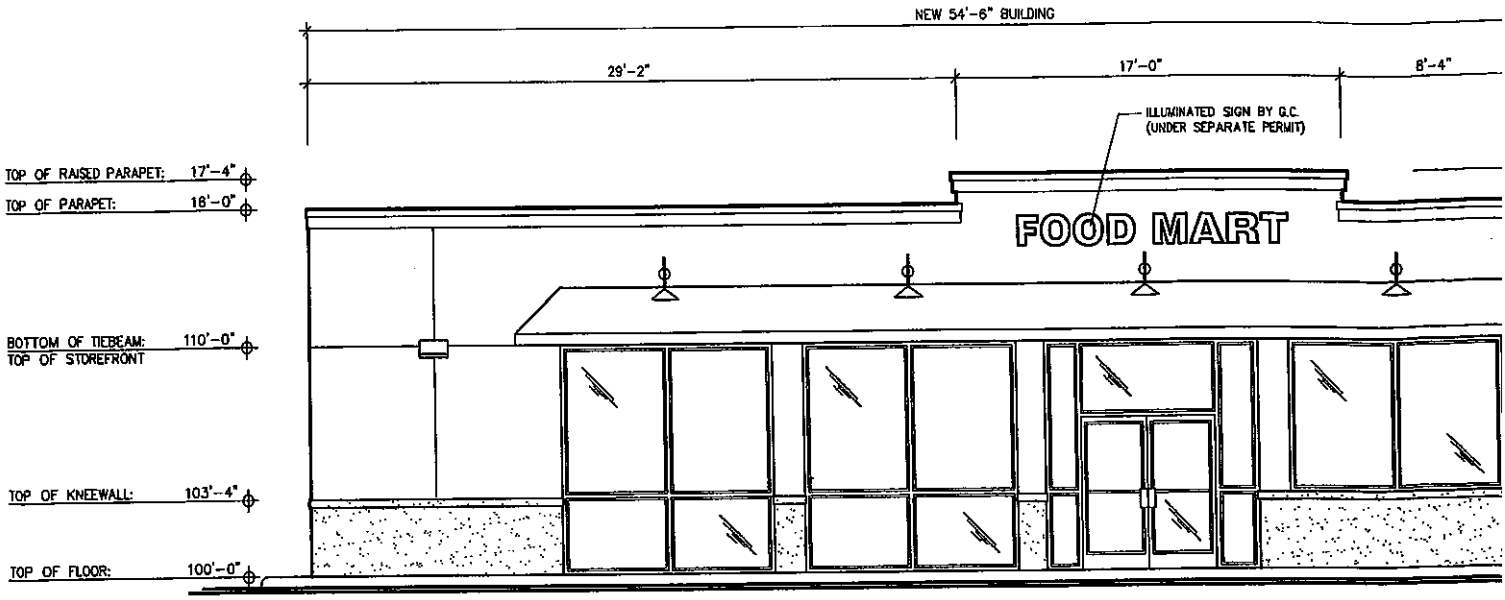
FLAME SPREAD CLASSIFICATIONS

ASTM E 84 AND UL 723
- EXIT ENCLOSURES & PASSAGEWAYS: A
- CORRIDORS: B
- ROOMS AND ENCLOSED SPACES: C

DOOR SCHI

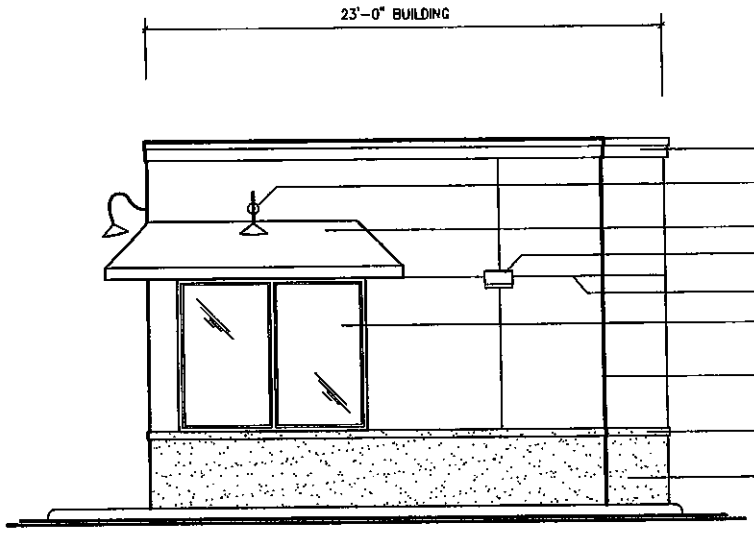
NOTE: ALL DOORS TO E

NO.	TYPE	WIDTH
1	SWING	3'-0"
2	SWING	3'-0"
3	SWING	3'-0"
4	SWING	32" CLEAR (min.)
5	SWING	30"
6	SWING	3'-0"



FRONT STORE ELEVATION (EAST)

SCALE: 1/4"=1'-0"



SIDE STORE ELEVATION (NORTH)

SCALE: 1/4"=1'-0"

REA

SCALE: 1

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Limited Liability Company

134 WEST DIXIE SERVICE STATION LLC

Filing Information

Document Number	L05000056382
FEI/EIN Number	N/A
Date Filed	06/07/2005
State	FL
Status	ACTIVE

Principal Address

9701 NW 89TH AVENUE
MEDLEY, FL 33178

Changed: 04/25/2012

Mailing Address

9701 NW 89TH AVENUE
MEDLEY, FL 33178

Registered Agent Name & Address

URBIETA, IGNACIO M
9701 NW 89TH AVENUE
MEDLEY, FL 33178

Name Changed: 04/29/2014

Authorized Person(s) Detail

Name & Address

Title MGR

URBIETA MANAGEMENT INVESTMENTS, INC.
9701 NW 89TH AVENUE
MEDLEY, FL 33178

Annual Reports

Report Year	Filed Date
2013	04/25/2013
2014	04/29/2014
2015	04/27/2015

Document Images

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06/07/2005 -- Florida Limited Liabilites	View image in PDF format

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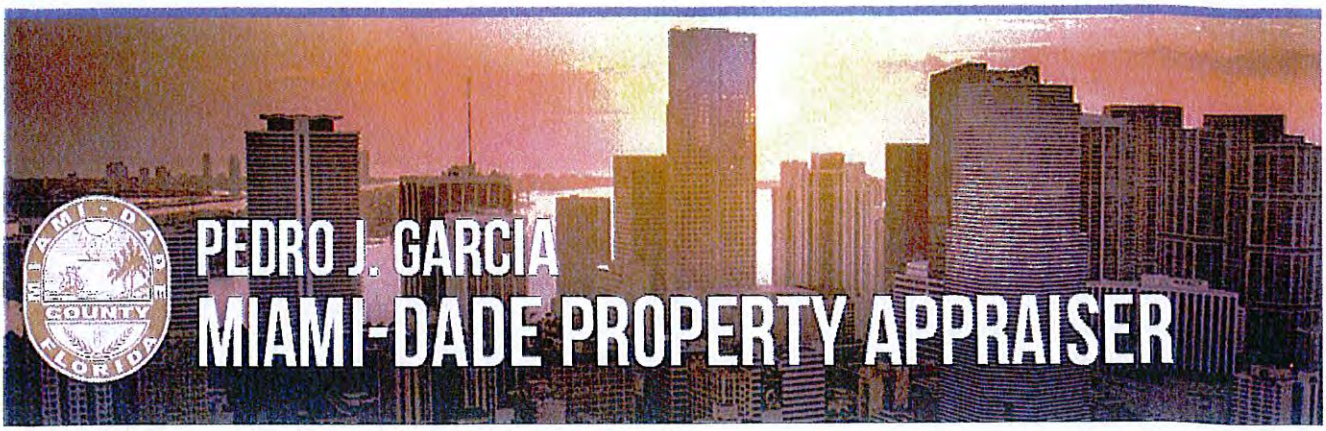

Address Owner Name Folio

SEARCH:

13480 w dixie hwy Suite

PROPERTY INFORMATION

Folio: 06-2229-049-1980

Sub-Division:
IRONS MANOR 2ND ADDN

Property Address
13480 W DIXIE HWY
North Miami , FL 33161-4137

Owner
134 W DIXIE SERV STATION LLC

Mailing Address
9701 NW 89 AVE
MEDLEY , FL 33178

Primary Zone
6100 COMMERCIAL - NEIGHBORHOOD

Primary Land Use
2626 SERVICE STATION : SERVICE STATION - AUTOMOTIVE

Beds / Baths / Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	

Living Area	
Adjusted Area	1,332 Sq.Ft
Lot Size	12,672 Sq.Ft
Year Built	1977

Featured Online Tools

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Non-Ad Valorem Assessments
Property Record Cards
Glossary
PA Additional Online Tools
Property Search Help

Report Discrepancies	Report Homestead Fraud
Tax Comparison	Tax Estimator
TRIM Notice	View Taxes

ASSESSMENT INFORMATION

Year	2015	2014	2013
Land Value	$264,845	$264,845	$264,845
Building Value	$32,143	$31,428	$31,905
Extra Feature Value	$21,061	$21,380	$21,699
Market Value	$318,049	$317,653	$318,449
Assessed Value	$318,049	$317,653	$318,449

TAXABLE VALUE INFORMATION

	2015	2014	2013
COUNTY			
Exemption Value	$0	$0	$0
Taxable Value	$318,049	$317,653	$318,449
SCHOOL BOARD			
Exemption Value	$0	$0	$0
Taxable Value	$318,049	$317,653	$318,449
CITY			
Exemption Value	$0	$0	$0
Taxable Value	$318,049	$317,653	$318,449
REGIONAL			
Exemption Value	$0	$0	$0
Taxable Value	$318,049	$317,653	$318,449

BENEFITS INFORMATION

Benefit	Type	2015	2014	2013

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

FULL LEGAL DESCRIPTION

29-30 52 42 PB 17-39

IRONS MANOR 2ND ADDN

LOTS 1 TO 4 INCL BLK 35

LESS N5FT OF LOT 1

LOT SIZE 12672 SQ FT

COC 23930-2578 09 2005 6

SALES INFORMATION

Previous Sale	Price	OR Book-Page	Qualification Description
09/01/2005	$1,072,500	23930-2578	Qual on DOS, but significant phy change since time of transfer
01/01/2004	$325,000	21988-1548	Qual on DOS, but significant phy change since time of transfer

For more information about the Department of Revenue's Sales Qualification Codes.

2015 2014 2013

LAND INFORMATION

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	C-1	6100 - COMMERCIAL - NEIGHBORHOOD	Square Ft.	12,672.00	$264,845

BUILDING INFORMATION

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1977			43	$1,923
2	1	1977			1,109	$24,913
3	1	1977			180	$5,307

EXTRA FEATURES

Description	Year Built	Units	Calc Value
Light Standard - 10-30 ft High - 1 Fixture	1978	4	$2,376
Paving - Asphalt	1978	5,000	$4,950
Paving - Concrete	1978	1,900	$4,389
Wall - CBS unreinforced	1978	3,540	$9,346

ADDITIONAL INFORMATION

* The information listed below is not derived from the Property Appraiser's Office records. It is provided for convenience and is derived from other government agencies.

LAND USE AND RESTRICTIONS

Community Development District:	NONE
Community Redevelopment Area:	NORTH MIAMI
Empowerment Zone:	NONE
Enterprise Zone:	CENTRAL
Urban Development:	INSIDE URBAN DEVELOPMENT BOUNDARY
Zoning Code:	C-1 -
Existing Land Use:	110 - SALES AND SERVICES (WHOLESALE FACILITIES, SPOT COMMERCIAL, STRIP COMMERCIAL, NEIGHBORHOOD SHOPPING CENTERS/PLAZAS). EXCLUDES OFFICE FACILITIES.

Government Agencies and Community Services

OTHER GOVERNMENTAL JURISDICTIONS

Business Incentives

Childrens Trust

City of North Miami

Environmental Considerations

Florida Department Of Revenue

Florida Inland Navigation District

Miami-Dade County Bulletin Board

Non-Ad Valorem Assessments

School Board

South Florida Water Mgmt District

Tax Collector

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at http://www.miamidade.gov/info/disclaimer.asp

For inquiries and suggestions email us at http://www.miamidade.gov/pa/email/ASP/formNew.asp.

Version: 2.0.3

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Homestead

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Tax Estimator

Tax Comparison

Homestead Exemption and Portability

More >

TAX ROLL ADMINISTRATION

Appealing your Assessment

Reports

776 Northeast 125th Street, P.O. Box 610850, North Miami, Florida 33161-0850 (305) 893-6511

To: **Honorable Board of Adjustment Members**

From: **Nixon Lebrun, AICP, CFM, City Planner**
Community Planning & Development Department

Date: **October 21, 2015**

V-14-15 **MUSLIM UMMAH CENTER OF FLORIDA, INC. –654-660 NW 121ST STREET**

Application Summary

Applicant:	Muslim Ummah Center of Florida, Inc.
Agent:	Nurul Amin
Location:	654-660 N.W. 121st Street
Land Area:	27,000 sq. ft. or .62 ac.
Folio Number:	06-2125-018-0590, 06-2125-018-0600 & 06-2125-018-0610
Petition:	**SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 3, SECTION 4-302 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A PROPOSED RELIGIOUS INSTITUTION AT THE PROPERTY LOCATED AT 654-660 NW 121ST STREET IN THE C-1 DISTRICT; SAID SPECIAL EXCEPTION TO BE REVIEWED UNDER THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.**

Project Summary

The subject property consists of four (4) lots (Lots 12, 13, 14 & 15 of Block 9 of Alhambra Heights Subdivision), with frontage on N.W. 121st Street and comprising 27,000 sq. ft. The property is relatively underdeveloped and features a fairly old single-family residence on the two (2) middle lots (Lots 13 & 14), which, according to the records of the Miami-Dade County Property Appraiser's Office, was built in 1954. Lots 12 & 15 are vacant and being used as an at-grade parking lot. The Applicant, Muslim Ummah Center of Florida, Inc., is under contract to purchase the property in order to establish a religious institution where approximately twenty (25) congregants will meet daily for morning and evening worships, as well as on Friday afternoon. The Applicant, with the sworn consent of the owner on record, Elric Prince, LLC, has filed this special exception application in order to obtain approval from the Board of Adjustment to establish the proposed religious institution on the site, as required by the terms of Article 4, Division 3, Section 4-302 of the Land Development Regulations (LDRs).

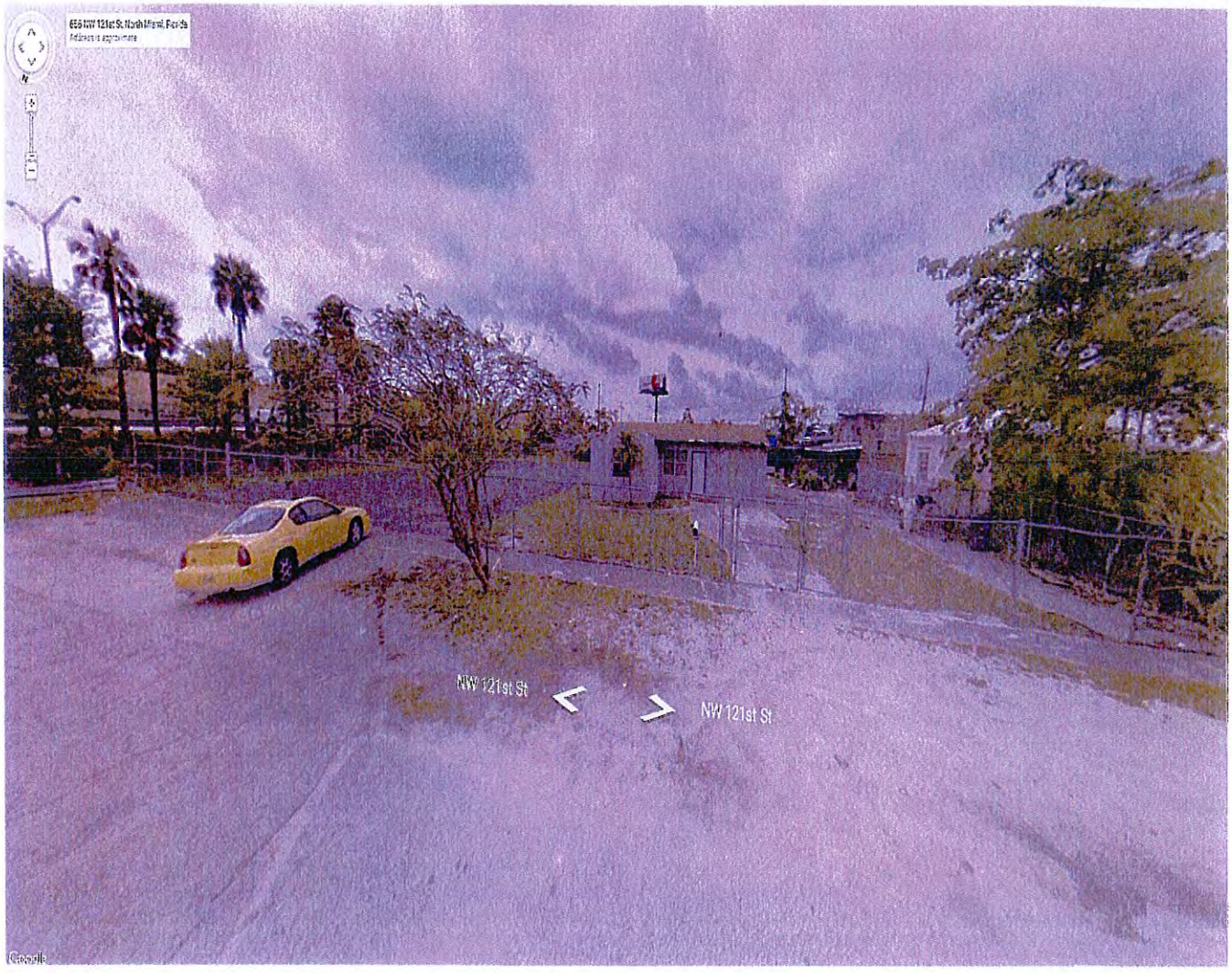
History

A search of the City's zoning records shows no previous zoning approvals on the property.

Neighborhood Land Use Characteristics

Property	Future Land Use	Existing Zoning	Existing Uses
Site	Commercial (55 Feet)	C-1, Commercial District	Single-Family Home & Parking Lot
North	Commercial (55 Feet)	C-1, Commercial District	Apartment Building and Storage Facility
South	Commercial (55 Feet)	C-1, Commercial District	Single-Family Residences
East	N/A (Interstate 95 Highway)	N/A (Interstate 95 Highway)	N/A (Interstate 95 Highway)
West	Commercial (55 Feet)	C-1, Commercial District	Single-Family Home & Mechanic Shop

The subject lots are located on the south side of N.W. 121st Street where it dead-ends at Interstate 95 Highway. The surrounding properties are Zoned C-1, Commercial District and feature commercial uses interspersed with some legal nonconforming residential uses. The pictures that follow provide both street and aerial views of the site in the context of its surroundings.



PROPERTY INFORMATION

Folio: 09-2125-016-0600

Sub-Division:
ALHAMBRA HGTS

Property Address
664 NW 121 ST
North Miami FL 33168-2531

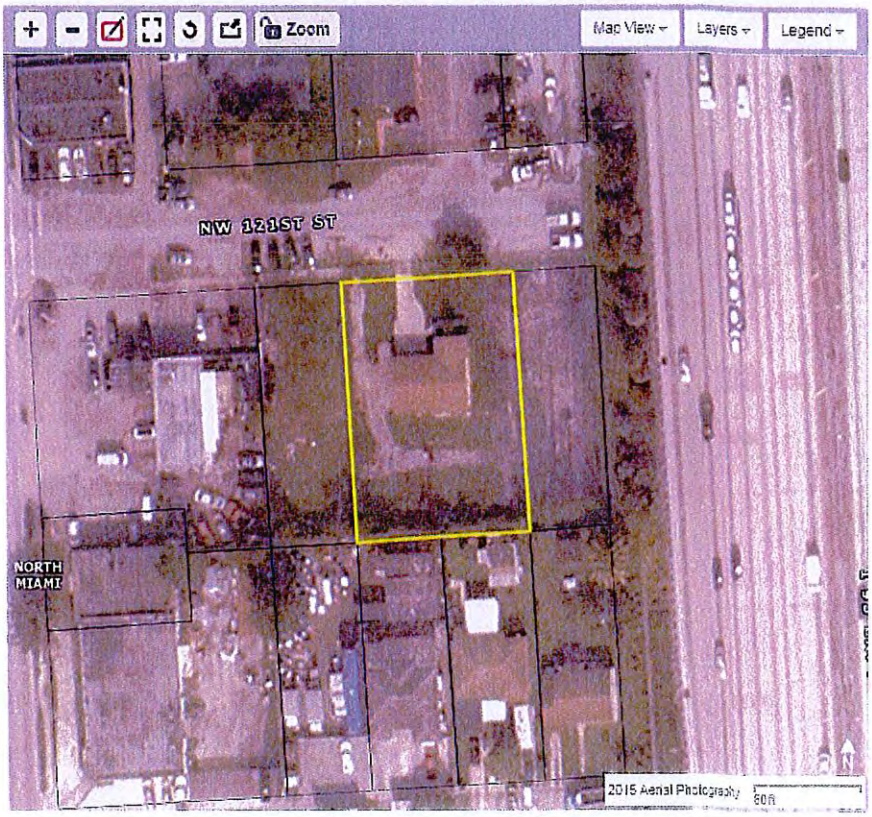
Owner
ELRIC PRINCE LLC

Mailing Address
2831 W 79 ST
HIALEAH FL 33016

Primary Zone
6601 COMMERCIAL

Primary Land Use
0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT

Beds / Baths / Half	2 / 1 / 0
Floors	1
Living Units	1
Actual Area	1,609 Sq.Ft
Living Area	1,257 Sq.Ft
Adjusted Area	1,341 Sq.Ft
Lot Size	13,500 Sq.Ft
Year Built	1954



Consistency with the City of North Miami Comprehensive Land Use Plan

The subject property is designated Commercial/Office on the City's adopted Future Land Use Map (FLUM). In accordance with Policy 1.13.3 of Objective 1.13 of the Future Land Use Element (FLUE) of the City's Comprehensive Plan, this land use category is intended primarily to provide land area for business, office, retail, service and other commercial enterprises:

1. Retail uses, including restaurants.
2. Office and business uses.
3. Professional offices and businesses.
4. Community facilities such as schools, museums, places of worship, child and adult day care centers, nursing homes, governmental administration, police and fire protection facilities, and libraries.
5. Passive parks and open space.
6. Nonprofit neighborhood social and recreational facilities.

The Applicant's special exception request to allow the proposed religious institution on the subject property does not change the Commercial/Office Land Use Plan map designation of the property, nor does it alter the uses or intensities of development authorized by the FLUE in that land use designation. Therefore, the request conforms to the goals, objectives and policies of the Comprehensive Plan.

Compliance with the City of North Miami Land Development Regulations

The subject property is zoned C-1, Commercial District on the City's Adopted Zoning Map. The purpose of this district is to provide the citizens of the City with convenient access to goods and services without adversely impacting the integrity of residential neighborhoods. As per the submitted letter of intent, the Applicant is under contract to purchase the subject property and intends to use same as a religious facility. Before closing on the property, the Applicant is seeking a special exception approval from the Board of Adjustment (BOA) in order to be able to establish and operate the proposed religious facility at the subject location, as required by the terms of Article 4, Division 3, Section 4-302 of the LDRs.

Criteria for granting special exceptions: Article 3, Division 5, Section 3-504 of the City's LDRs provides authority to the BOA to hear and grant or deny applications for special exceptions. In evaluating an application for such request, the BOA shall find that the application demonstrates compliance with the following standards:

A. The use is a listed special exception in the district where the property is located.
B. There is appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks so as to assure the public safety and to avoid traffic congestion.
C. There are adequate parking areas and off-street truck loading spaces (if applicable) for the anticipated number of occupants, employees, patrons, and the layout of the parking is convenient and conducive to safe operation.
D. There is suitable landscaping or fencing alongside lot and rear lot lines adjacent to residential uses or residential zoning districts.
E. The proposed special exception is reasonable in terms of logical, efficient and economical extension of public services and facilities, such as public water, sewers, police and fire protection, and transportation.

F. The proposed special exception will constitute an appropriate use in the area and will not substantially injure or detract from the use of the surrounding property or from the character of the neighborhood.

Analysis

Review of the Applicant's request was performed using a six-prong test based on the standards noted above and set forth in Article 3, Division 5, Section 3-504 of the LDRs. The request is found to comply with all such applicable standards, as demonstrated below.

✓ **Is the use a listed special exception in the district where the property is located?**

Yes. The Uses Permitted chart provided in Article 4, Division 3, Section 4-302 of the LDRs lists Religious Institutions as uses that require special exception use approval by the BOA in the C-1, Commercial District.

✓ **Is there appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks so as to assure the public safety and to avoid traffic congestion?**

Yes. The proposed religious institution is to operate within a property located at the dead-end of N.W. 121st Street. It will have a de minimis impact on traffic circulation on N.W. 7th Avenue, as it will not generate any more trips than a typical retail/office use will. Additionally, the current development provides adequate vehicular access through the ingress and egress points on N.W. 121st Street, eliminating thereby any unanticipated substantial negative impact on public safety due to unsafe traffic movements, heightened pedestrian vehicular conflicts along this street.

✓ **Are there adequate parking areas and off-street truck loading spaces (if applicable) for the anticipated number of occupants, employees, patrons, and the layout of the parking is convenient and conducive to safe operation?**

Yes. The proposed religious facility has a gross floor area (GFA) of 1,260 sq. ft. As per Article 5, Division 14, Section 5-1402, a minimum of one (1) parking space shall be provided per 100 sq. ft. of GFA. The computational requirements amount to a total of eleven (13) parking spaces for the proposed use. The submitted plans show that a total of twenty-two (22) parking spaces will be provided. As such, adequate parking will be provided on site, which will safely and conveniently accommodate the parking needs of the congregants and users of the proposed religious facility.

✓ **Is there suitable landscaping or fencing alongside lot and rear lot lines adjacent to residential uses or residential zoning districts.**

Not Applicable. No residential uses or zoning districts are adjacent to the property, which eliminates the need for suitable landscaping or fencing to buffer the proposed use from any such residential uses or districts, as would have been required by the LDRs.

✓ **Is the proposed special exception reasonable in terms of logical, efficient and economical extension of public services and facilities, such as public water, sewers, police and fire protection, and transportation?**

Yes. All basic public services, such public water, sewers, police and fire protection, are readily available and provided to the property, and meet applicable service-level standards. No increase in the demand of such services will result from the establishment of the proposed use.

✓ **Will the proposed special exception constitute an appropriate use in the area and will not substantially injure or detract from the use of the surrounding property or from the character of the neighborhood?**

Yes. Religious Institutions are not uses that are prohibited in the LDRs. Rather, they are uses that are deemed to be generally unsuitable for location in such district, but may be permitted on a case-by-case basis after review and possible attachment of conditions by the BOA, pursuant to the procedures and criteria of Article 3, Division 5, Section 3-504 of the LDRs. Based on the foregoing, the requested special exception approval for the proposed religious use will clearly constitute an appropriate use for this intersection and will not result in the diminution of value of any adjacent property.

Conclusion

The requested special exception use to establish the proposed religious institution conforms to the goals, objectives and policies of the City's Comprehensive Plan. It is also in keeping with the intent and purpose of the City's LDRs, as it is an appropriate use for the area involved, will not detract from the uses of the surrounding properties and will not be injurious to the public welfare. In light of these findings, staff recommends that the BOA approve the requested special exception use to allow the Applicant to finalize the purchase of the property and use same as a religious facility, subject the conditions herein listed and summarized as follows:

1. That the Applicant agrees to abide by the Special Exception criteria pursuant to Article 3, Division 5, Section 3-504 of the LDRs; failure to do shall constitute a basis for the revocation of the Special Exception approval;
2. That the Applicant consolidate the all (4) parcels into one parcel by virtue of a unity of title; said instrument to meet with the approval of the City Attorney's Office prior to be recorded with the Miami-Dade County Clerk of Court;
3. That the Applicant apply for a building permit within eighteen (18) months of approval of the site plan by the DRC members. Failure to do so will result in the expiration of the site plan;
4. That a Certificate of Occupancy (CO) from the Building and Minimum Housing Department be only issued to the Applicant upon compliance with all terms and conditions of this approval; the same subject to cancellation upon violation of any of the conditions herein listed;
5. That the use comply with all applicable requirements of the City's Public Works Department, Police Department, and all other County and State agencies; and
6. That a Certificate of Use (CU) from the Community Planning & Development Department be only issued to the Applicant upon compliance with all terms and conditions of this approval; the same subject to cancellation upon violation of any of the conditions herein listed.

Public Notification/Comments

In accordance with Subsections (A), (B) and (C) of Article 3, Division 3, Section 3-302 of the City's LDRs, notification of the applicant's request was published on the Miami Herald, posted on the property, and mailed to property owners within a 500-foot radius of the subject property to give them an opportunity to comment on the application if they so desire. No comments were received from any of the neighboring property owners within the aforementioned radius.

Applicable Ordinances

Article 3, Division 3, Section 3-302 Subsections (A), (B) and (C);
Article 3, Division 5, Section 3-504;
Article 4, Division 2, Section 4-302;
Article 5, Division 14, Section 5-1402;

Attachments

Submitted Application
Submitted Letter of Intent
Submitted Survey and Plans
Newspaper Advertisement

MUSLIM UMMAH CENTER OF FLORIDA, INC.

LETTER OF INTENT

Dear Members of the Board of Adjustment

Re: **Request of Special Zoning Exception and/or Variance**

Property: 1) 660 NW 121 Street, Miami – Folio Number: 06-2125-018-0590
Partial Legal Descript: Alhambra Heights PB 17-54, Lot 12
Block 9
Lot Size: 50.000 x 135

Property: 2) 654 NW 121Street, Miami – Folio Number: 06-2125-018-0600
Partial Legal Descript: Alhambra Heights PB 17-54, Lots 13 & 14
Block 9
Lot Size: 100.000 x 135

Property: 3) No Street Address, Miami – Folio Number: 06-2125-018-0610
Partial Legal Descript: Alhambra Heights PB 17-54, Lot 15
Block 9
Lot Size 50.000 x 135

The undersigned as President of and on behalf of Muslim Ummah Center of Florida, Inc., a not for profit Florida corporation is currently under to contract to purchase from the property owner Elric Prince, LLC and is by this document respectfully requesting a special exemption and/or zoning variance for the above described three parcels of property for the purpose of using the property as a place of worship and religious learning.

The members of the congregation will meet for worship daily in the morning and in the evening and on Friday afternoons. It is estimated that the number of people who are expected to attend shall total approximately twenty-five individuals.

On Saturdays and Sundays religious class will be conducted from 10:00 am to 2:00 pm. These classes are open to both children and adults. The current structure on the premises has two rooms suitable for classrooms and two bathrooms.

There are more than twenty (20) parking spaces available which can easily accommodate our needs and the few cars will not create any traffic problems.

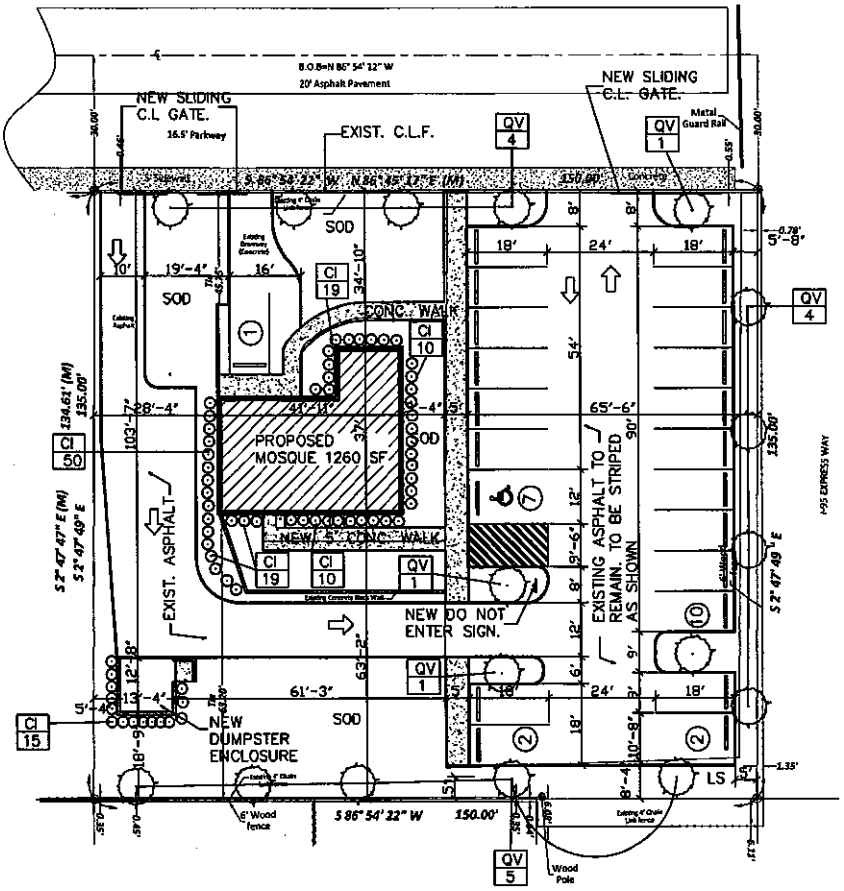
It is our intention and our promise to use the property in a manner consistent with the character of the neighborhood. We respectfully request that our request to change the current zoning be granted so that we may use the property.

Sincerely,

Muslim Ummah Center of Florida, Inc.

By Nurul Amin
Nurul Amin, as President

Aug 19, 2015
Date

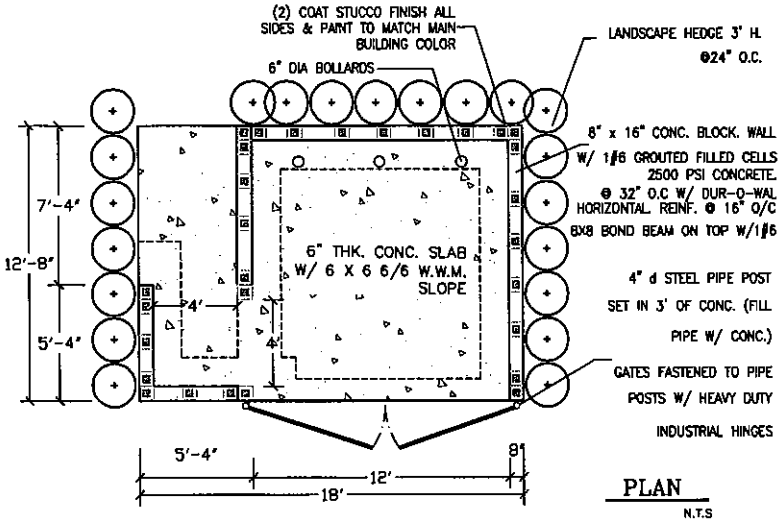


SITE PLAN

SCALE 1"=30'

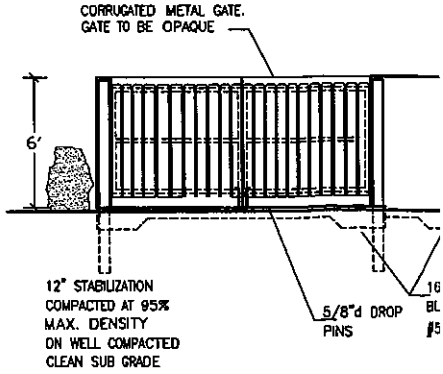
TREE & SHRUBS LEGEND:

MARK	COMMON NAME	BOTANICAL NAME	QUANTITY	
QV	LIVE OAK	QUERCUS VIRGINIAN	16	14'x6-7' MIN.5 CT. & 2.5'CAL.
CI	COCOPLUM REDTIP	CHRYSOBALANUS ICACO	73	3 GAL, 2'X2' OA, 24" OC, FULL



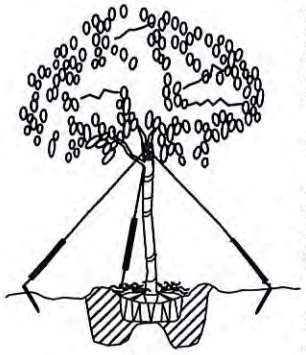
PLAN

N.T.S

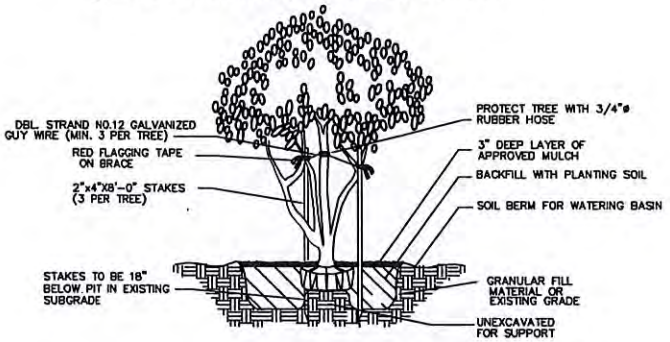


DUMPSTER ENCLOSURE

N.T.S



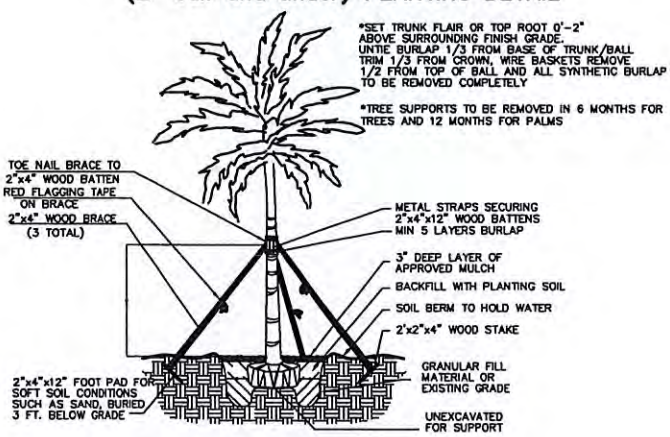
LARGE TREE (2" cal. and over) PLANTING DETAIL



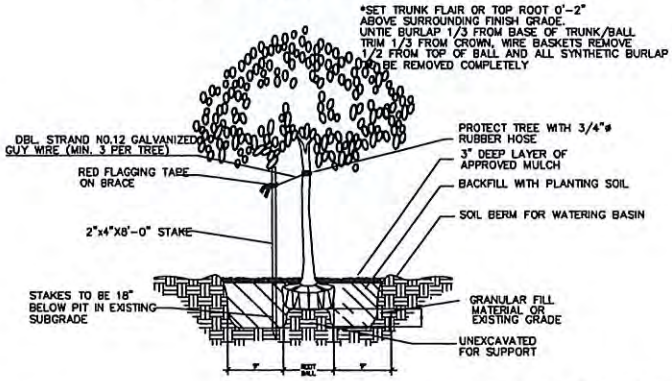
*TREE SUPPORTS TO BE REMOVED IN 6 MONTHS FOR TREES AND 12 MONTHS FOR PALMS

*SET TRUNK FLAIR OR TOP ROOT 0'-2" ABOVE SURROUNDING FINISH GRADE. UNTIE BURLAP 1/3 FROM BASE OF TRUNK/BALL. TRIM 1/3 FROM CROWN, WIRE BASKETS REMOVE 1/2 FROM TOP OF BALL AND ALL SYNTHETIC BURLAP TO BE REMOVED COMPLETELY

MULTI– TRUNK AND SMALL TREE (2" cal. and under) PLANTING DETAIL

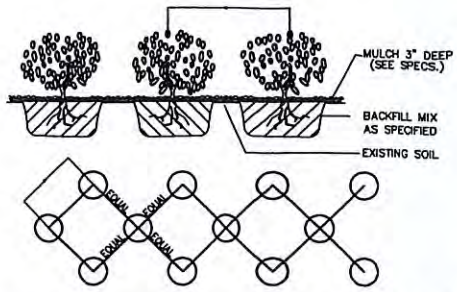


PALM PLANTING DETAIL



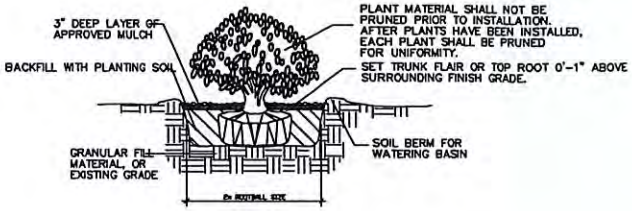
*TREE SUPPORTS TO BE REMOVED IN 6 MONTHS FOR TREES AND 12 MONTHS FOR PALMS

SMALL TREE (2" cal. and under) PLANTING DETAIL

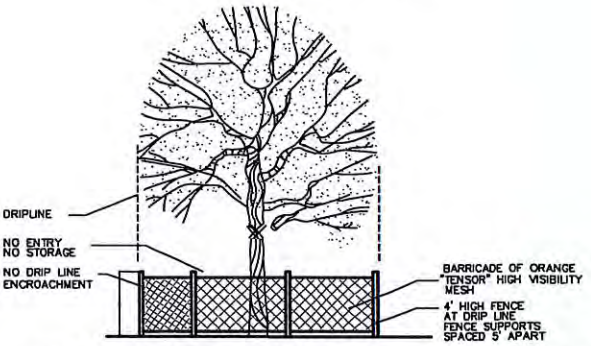


NOTE:
DISTANCE BETWEEN PLANTS SHOULD BE FAR ENOUGH TO ALLOW PLANTS TO REACH NATURE SIZE WITHOUT INTERFERING WITH GROWTH OF ADJACENT PLANT MATERIALS DISTANCE TO CENTERLINE WILL VARY ACCORDING TO SPECIES AND HABITAT OF GROWTH SO THAT NATURE PLANTS WILL NOT OVER LAP ONTO SIDE SIDEWALK STRUCTURES, PAVED AREAS, ETC.

SHRUB/ GROUNDCOVER SPACING DETAIL



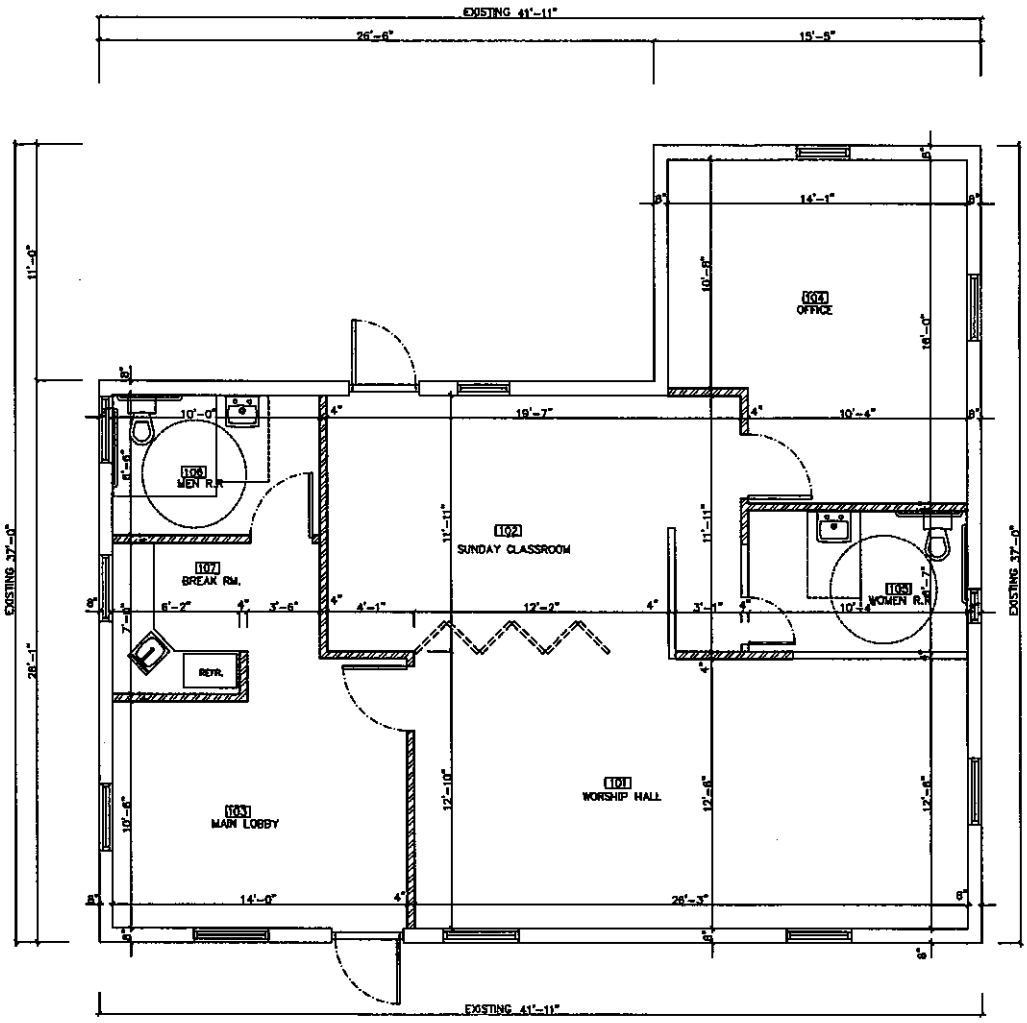
SHRUB PLANTING DETAIL



- A BARRIER SHALL BE INSTALLED AROUND THE TREES IN ORDER TO PROTECT THEM DURING CONSTRUCTION
- THE BARRIER SHALL EXTEND TO THE DRIPLINE.
- THE SOIL WITHIN THE DRIPLINE SHALL BE KEPT FREE OF BUILDING MATERIALS
- CLEANING OF ANY EQUIPMENT WITHIN THE PROTECTIVE BARRIER IS PROHIBITED

TREE PRESERVATION BARRICADE FENCING DETAIL

*PLANTING HOLES TO BE 3 TIMES THE DIAMETER OF ROOT BALL AT THE SURFACE AND 2 TIMES THE DIAMETER OF ROOT BALL AT THE BOTTOM/DEPTH PER CITY OF WEST PALM BEACH REQUIREMENTS



NORTH

FLOOR PLAN

SCALE 1/4"=1'-0"

WALL LEGEND

- EXISTING INTERIOR WALL.
- EXISTING EXTERIOR CMU WALL.
- NEW INTERIOR 3 5/8" OR 6" MTL STUD WALL
- EXISTING WINDOWS.

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Not For Profit Corporation

MUSLIM UMMAH CENTER OF FLORIDA, INC.

Filing Information

Document Number	N15000006959
FEI/EIN Number	NONE
Date Filed	07/13/2015
State	FL
Status	ACTIVE

Principal Address

404 N.E. 125 STREET
N. MIAMI, FL 33161

Mailing Address

404 N.E. 125 STREET
N. MIAMI, FL 33161

Registered Agent Name & Address

AMIN, NURUL
404 N.E. 125 STREET
N. MIAMI, FL 33161

Officer/Director Detail

Name & Address

Title T/P

AMIN, NURUL
1359 N.E. 127TH ST., APT. #211
N. MIAMI, FL 33161

Title T/VP

AMIN, AL
404 N.E. 125 STREET
N. MIAMI, FL 33161

Title T/T

AKHANDO, ALI ASGAR
7600 NORTH MIAMI AVENUE
MIAMI, FL 33150

Title T/VP

ISLAM, MOHAMMED R
1004 BIARRITZ DR., #3
MIAMI, FL 33141

Title T/VP

RAHMAN, WASHIEUR
9440 FONTAINEBLEAU BLVD., APT. #211
MIAMI, FL 33172

Title T/VP

ALAM, MOHAMMAD
4060 W. SILVERADO CIRCLE
DAVIE, FL 33024

Annual Reports

No Annual Reports Filed

Document Images

07/13/2015 -- Domestic Non-Profit | View image in PDF format

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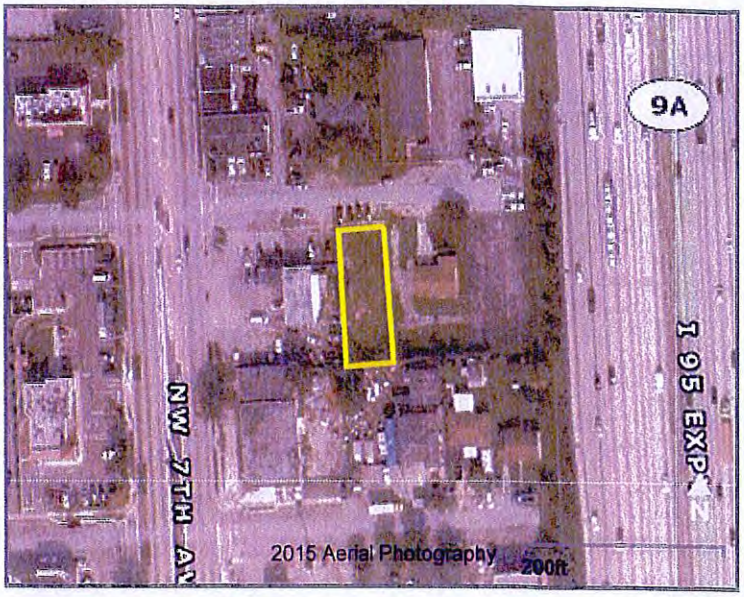
OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 8/19/2015

Property Information	
Folio:	06-2125-018-0590
Property Address:	660 NW 121 ST
Owner	ELRIC PRINCE LLC
Mailing Address	13755 NW 6 AVE MIAMI , FL 33169
Primary Zone	6601 COMMERCIAL
Primary Land Use	4837 WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE
Beds / Baths / Half	2 / 1 / 0
Floors	1
Living Units	1
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	2,605 Sq.Ft
Lot Size	6,750 Sq.Ft
Year Built	1947



Assessment Information			
Year	2015	2014	2013
Land Value	$94,500	$94,500	$94,500
Building Value	$86,545	$84,138	$84,938
XF Value	$0	$0	$0
Market Value	$181,045	$178,638	$179,438
Assessed Value	$181,045	$178,638	$179,438

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	$0	$0	$0
Taxable Value	$181,045	$178,638	$179,438
School Board			
Exemption Value	$0	$0	$0
Taxable Value	$181,045	$178,638	$179,438
City			
Exemption Value	$0	$0	$0
Taxable Value	$181,045	$178,638	$179,438
Regional			
Exemption Value	$0	$0	$0
Taxable Value	$181,045	$178,638	$179,438

Benefits Information				
Benefit	Type	2015	2014	2013

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
ALHAMBRA HEIGHTS PB 17-54 LOT 12 BLK 9 LOT SIZE 50.000 X 135 OR 19585-2183 0401 1

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
04/08/2013	$110,000	28581-3906	Not exposed to open-market; atypical motivation
09/13/2012	$200	28290-1499	Financial inst or "In Lieu of Forclosure" stated
04/01/2001	$106,000	19585-2183	2008 and prior year sales; Qual by exam of deed
04/01/1989	$80,000	14097-4022	2008 and prior year sales; Qual by exam of deed

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Version:

OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 8/19/2015

Property Information	
Folio:	06-2125-018-0610
Property Address:	
Owner	ELRIC PRINCE LLC
Mailing Address	2631 W 79 ST HIALEAH , FL 33016
Primary Zone	6601 COMMERCIAL
Primary Land Use	2865 PARKING LOT/MOBILE HOME PARK : PARKING LOT
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	6,750 Sq.Ft
Year Built	0

Assessment Information			
Year	2015	2014	2013
Land Value	$94,500	$94,500	$94,500
Building Value	$0	$0	$0
XF Value	$7,207	$7,308	$7,410
Market Value	$101,707	$101,808	$101,910
Assessed Value	$101,707	$101,808	$99,037

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction			$2,873

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
25-26 52 41
ALHAMBRA HEIGHTS PB 17-54
LOT 15 BLK 9
LOT SIZE 50.000 X 135
CF 73R141630

Taxable Value Information	2015	2014	2013
County			
Exemption Value	$0	$0	$0
Taxable Value	$101,707	$101,808	$99,037
School Board			
Exemption Value	$0	$0	$0
Taxable Value	$101,707	$101,808	$101,910
City			
Exemption Value	$0	$0	$0
Taxable Value	$101,707	$101,808	$99,037
Regional			
Exemption Value	$0	$0	$0
Taxable Value	$101,707	$101,808	$99,037

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
06/21/2011	$265,000	27738-3211	Qual on DOS, multi-parcel sale
01/01/1991	$0	17577-0108	Qual by exam of deed
02/01/1988	$90,000	13584-1536	Qual by verifiable & documented evidence
06/01/1973	$12,000	00000-00000	2008 and prior year sales; Qual by exam of deed

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Version:

776 Northeast 125th Street, P.O. Box 610850, North Miami, Florida 33161-0850 (305) 893-6511

To: **Honorable Board of Adjustment Members**

From: **Andrew Dixon, Zoning Administrator**
Community Planning & Development Department

Date: **October 21, 2015**

V-15-15 **Christ Victory Church. –13621 NW 7TH AVENUE**

Application Summary

Applicant:	Clerge Robenson, Pastor
Project Name:	Christ Victory Church
Location:	13621 NW 7th Avenue
Land Area:	36,315 sq. ft. or 0.83 acre
Folio Number:	06-2124-002-3220
Petition:	**SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 3, SECTION 4-302 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A PROPOSED RELIGIOUS INSTITUTION AT THE PROPERTY LOCATED AT 13621 NW 7th AVENUE IN THE C-1 COMMERCIAL DISTRICT; SAID SPECIAL EXCEPTION USE TO BE REVIEWED PURSUANT TO THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 5, SECTION 3-504 OF THE LAND DEVELOPMENT REGULATIONS.**

Project Summary

The subject property is located at the northeast corner of NW 135th Street and NW 7th Avenue. The lot size is approximately 36,315 sq. ft. and has been developed since 1954. The property comprises a mixture of uses, including, but not limited to, retail, office and restaurants. Pastor Clerge Robenson is now a tenant at the subject property and intends to use this location as a religious facility; services will be open on Fridays 8pm-12am and Sundays 9am – 12pm. In accordance with Article 4, Division 3, Section 4-302 of the Land Development Regulations (LDRs), Pastor Robenson has filed therefore this special exception application in order to obtain approval from the Board of Adjustment (BOA) to establish the proposed religious use.

History

A search of the City's zoning records shows no previous zoning approvals on the property.

Neighborhood Land Use Characteristics

Property	Future Land Use	Existing Zoning	Existing Use/Subdivision
Site	Commercial /Office (55 ft.)	C-1, Commercial	Commercial
North	Commercial /Office (55 ft.)	C-1, Commercial	Commercial
South	Commercial /Office (55 ft.)	C-1, Commercial	Commercial
East	Commercial /Office (55 ft.)	C-1, Commercial	Commercial
West	Commercial /Office (55 ft.)	C-1, Commercial	Commercial

The subject property is zoned as Commercial, it's located on the corner of N.E. 135th Avenue and NW 7th Street. Built in 1954, the structure has been predominantly used as commercial retail and office space. The properties surrounding the site are all zoned Commercial, the surrounding properties consist of fast food restaurants and office space which are all permitted uses in this zoning district. The pictures that follow provide both street and aerial views of the site in the context of its surroundings.

PROPERTY INFORMATION

Folio: 06-2124-002-3220

Sub-Division:
NICHOLS HGTS

Property Address
13621 NW 7 AVE
North Miami , FL 33168-2921

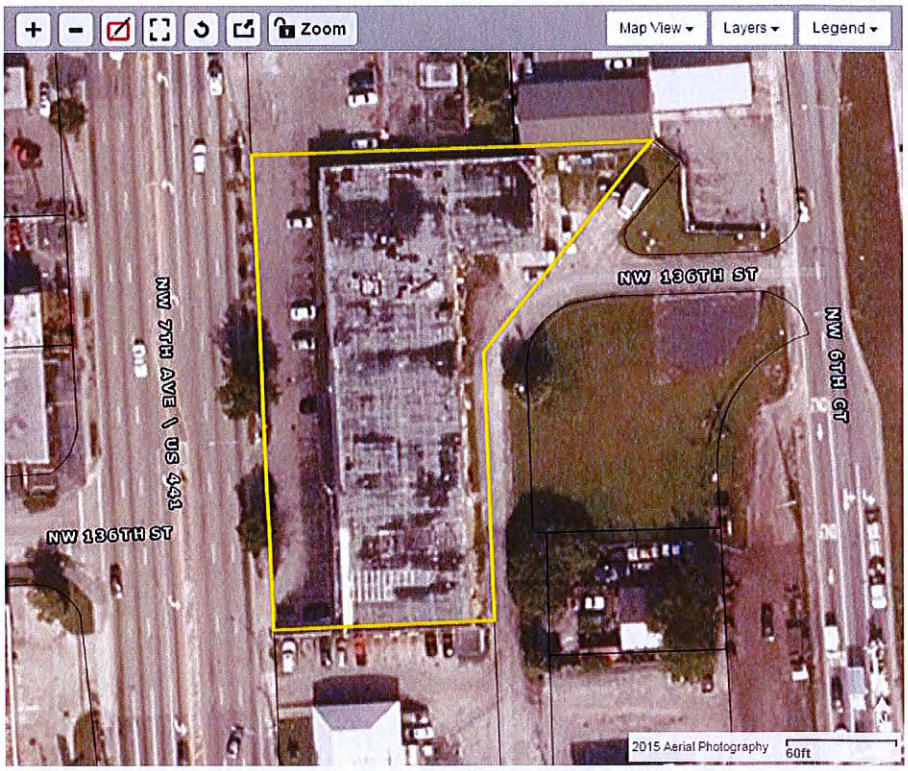
Owner
MARLENE O & ROBERTA T MILLER

Mailing Address
PO BOX 1527
GRAND JUNCTION , CO 81502

Primary Zone
6601 COMMERCIAL

Primary Land Use
1111 STORE : RETAIL OUTLET

Beds / Baths / Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	
Living Area	
Adjusted Area	20,156 Sq.Ft
Lot Size	36,315 Sq.Ft
Year Built	1954



Consistency with the City of North Miami Comprehensive Land Use Plan

The subject property is designated commercial/office on the City's adopted Future Land Use Map (FLUM). In accordance with Policy 1.13.2 of Objective 1.13 of the Future Land Use Element (FLUE) of the City's Comprehensive Plan, this land use category is intended to provide land area for business, office, retail, services and other commercial enterprises including commercial facilities such as schools, museums, place of worship, child and adult day care centers, nursing homes, government administration, police and fire protection facilities.

The Applicant's special exception request to allow the proposed religious institution on the subject property does not change the Commercial/Office Land Use Plan map designation of the property, nor does it alter the uses or intensities of development authorized by the FLUE in that land use designation. Therefore, the request conforms to the goals, objectives and policies of the Comprehensive Plan.

Compliance with the City of North Miami Land Development Regulations

The subject property is zoned C-1, Commercial/Office District on the City's Adopted Zoning Map. The purpose of the C-1 zoning district is to provide the citizens of the city with convenient access to goods and services without adversely impacting the integrity of residential neighborhoods. Also permitted in that zoning district are places of worship, office space, retail, restaurants, adult day care, schools, government administration and nonprofit neighborhood social and recreational facilities, which maintains the overall character of the neighborhood and is also consistent with Policy 1.13.2 of the FLUE. As noted above, the Applicant is seeking a special exception use approval from the BOA in order to establish and operate a proposed religious facility on the premises, as required by the terms of Article 4, Division 3, Section 4-302 of the LDRs.

Criteria for granting special exceptions: Article 3, Division 5, Section 3-504 of the City's LDRs provides authority to the BOA to hear and grant or deny applications for special exceptions. In evaluating an application for such request, the BOA shall find that the application demonstrates compliance with the following standards:

A. The use is a listed special exception in the district where the property is located.
B. There is appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks so as to assure the public safety and to avoid traffic congestion.
C. There are adequate parking areas and off-street truck loading spaces (if applicable) for the anticipated number of occupants, employees, patrons, and the layout of the parking is convenient and conducive to safe operation.
D. The proposed special exception is reasonable in terms of logical, efficient and economical extension of public services and facilities, such as public water, sewers, police and fire protection, and transportation.
E. The proposed special exception will constitute an appropriate use in the area and will not substantially injure or detract from the use of the surrounding property or from the character of the neighborhood.

Analysis

The review of the applicant's request was based on the standards noted above and set forth in Article 3, Division 5, Section 3-504 of the LDRs. The request is found to comply with all such applicable standards, as demonstrated below.

- ✓ **Is the use a listed special exception in the district where the property is located?**

  Yes. The Uses Permitted chart provided in Article 4, Division 3, Section 4-302 of the LDRs lists Religious Institutions as uses that require special exception use approval by the BOA in the C-1, Commercial District.

- ✓ **Is there appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks so as to assure the public safety and to avoid traffic congestion?**

  Yes. The proposed religious institution is to operate within a relatively small building space with a gross floor area (GFA) of approximately 1,222 sq. ft., which limits not only the occupancy of same, but the traffic trips that will generate from the proposed use. As such, the proposed religious facility will have a de minimis impact on traffic circulation on NW 7th Avenue, which, by the way, has lots of trips available. Additionally, as per the submitted plans, access to the property will be from NW 7th Avenue only. The applicant will utilize a bus service to transport members of the congregation to and from church thus reducing the negative impact on public safety due to unsafe traffic movements and heightened pedestrian vehicular conflicts along this relatively busy corridor.

- ✓ **Are there adequate parking areas and off-street truck loading spaces (if applicable) for the anticipated number of occupants, employees, patrons, and the layout of the parking is convenient and conducive to safe operation?**

  Yes. The proposed religious facility has a GFA of 1,222 sq. ft. In accordance with Article 5, Division 14, Section 5-1402, a minimum of one (1) parking space shall be provided per 100 sq. ft. of GFA, which amounts to a total of thirteen (12) required parking spaces for the proposed use. The submitted plans show that the required number of parking spaces will be provided on site, applicant will also utilize value pawn parking lot for overflow parking, this will safely and conveniently accommodate the parking needs of the congregants and users of the proposed religious facility.

- ✓ **Is the proposed special exception reasonable in terms of logical, efficient and economical extension of public services and facilities, such as public water, sewers, police and fire protection, and transportation?**

  Yes. All basic public services, such public water, sewers, police and fire protection, are readily available and provided to the property, and meet applicable service-level standards. No increase in the demand of such services will result from the establishment of the proposed use.

- ✓ **Will the proposed special exception constitute an appropriate use in the area and will not substantially injure or detract from the use of the surrounding property or from the character of the neighborhood?**

  Yes. Religious Institutions are not uses that are prohibited in the LDRs. Rather, they are uses that are deemed to be generally unsuitable for location in such district, but may be permitted on a case-by-case basis after review and possible attachment of conditions by the BOA, pursuant to the procedures and criteria of Article 3, Division 5, Section 3-504 of the LDRs. Based on the foregoing, the requested special exception approval for the proposed religious use will clearly constitute an appropriate use for this intersection and will not result in the diminution of value of any adjacent property.

Conclusion

The requested special exception use to establish the proposed religious institution conforms to the goals, objectives and policies of the City's Comprehensive Plan. It is also in keeping with the intent and purpose of the City's LDRs, as it is an appropriate use for the area involved, will not detract from the uses of the surrounding properties and will not be injurious to the public welfare. In light of these findings, staff recommends that the BOA approve the requested special exception use to allow the Applicant to finalize the lease of the property and use same as a religious facility, subject the conditions herein listed and summarized as follows:

1. That the Applicant agrees to abide by the Special Exception Use criteria set forth in Article 3, Division 5, Section 3-504 of the LDRs; failure to do shall constitute a basis for the revocation of the Special Exception approval;
2. That the Applicant apply for a building permit within eighteen (18) months of approval of the special exception use; failure to do so will result in the expiration of said approval;
3. That a Certificate of Occupancy (CO) from the Building and Minimum Housing Department be only issued to the Applicant upon compliance with all terms and conditions of this approval; the same subject to cancellation upon violation of any of the conditions herein listed;
4. That the use comply with all applicable requirements of the City's Public Works Department, Police Department, and all other County and State agencies; and
5. That a Certificate of Use (CU) from the Community Planning & Development Department be only issued to the Applicant upon compliance with all terms and conditions of this approval; the same subject to cancellation upon violation of any of the conditions herein listed.

Public Notification/Comments

In accordance with Subsections (A), (B) and (C) of Article 3, Division 3, Section 3-302 of the City's LDRs, notification of the applicant's request was published on the Miami Herald, posted on the property, and mailed to property owners within a 500-foot radius of the subject property to give them an opportunity to comment on the application if they so desire. No comments were received from any of the neighboring property owners within the aforementioned radius.

Applicable Ordinances

Article 3, Division 3, Section 3-302 Subsections (A), (B) and (C);
Article 3, Division 5, Section 3-504;
Article 4, Division 3, Section 4-302; and
Article 5, Division 14, Section 5-1402;

Attachments

Submitted Application
Submitted Letter of Intent
Submitted Survey and Plans

August 24, 2015

Robenson clerge

13635 NW 7 AVE

Miami, FL 33168

Dear city of North Miami

My Name is Robenson clerge the owner of About christ Victory church I am apply of a certificate of use to provide Religious Service to the Community of North Miami people and the hour of operation will be Friday 8pm - 12Am and Sunday 9Am - 12pm

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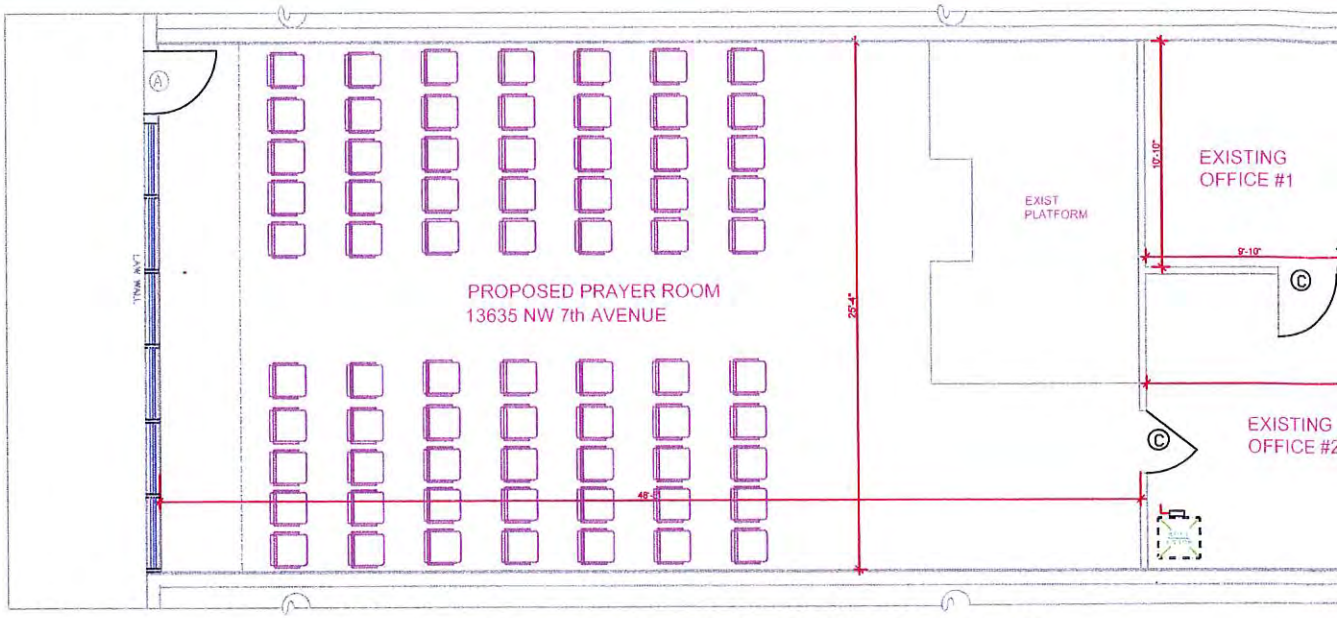
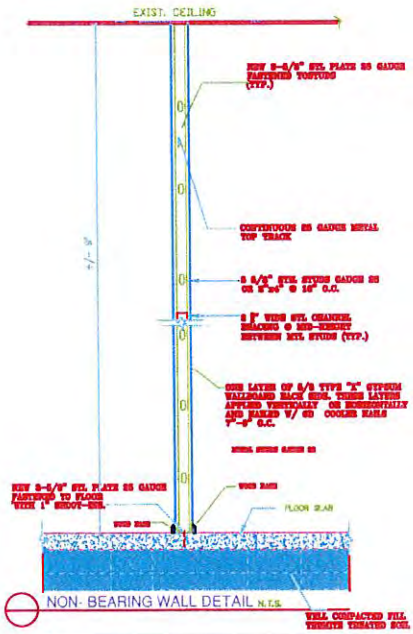


EXISTING FLOOR PLAN @ PRAYER ROOM

SCALE:



CODE REFERENCES

FLORIDA BUILDING CODE 2014 (FITH EDITION)

MECHANICAL CODE (FBC-M)

PLUMBING (FBC-P)

NATIONAL ELECTRICAL CODE (NEC) 2011 (FITH EDITION)

ASTM 615/A ; ASTM 615M-09

AISC
AWS-D1.1-86
ASTM D1557
ACI 530-08 & 310-08
ANSI
ASCE-7-10

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FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Not For Profit Corporation

CHRIST VICTORY CHURCH, INC.

Filing Information

Document Number	N14000004490
FEI/EIN Number	NONE
Date Filed	05/07/2014
Effective Date	05/01/2014
State	FL
Status	INACTIVE
Last Event	ADMIN DISSOLUTION FOR ANNUAL REPORT
Event Date Filed	09/25/2015
Event Effective Date	NONE

Principal Address

5700 LAUREL AVENUE
LOT 62
KEY WEST, FL 33040

Mailing Address

5700 LAUREL AVENUE
LOT 62
KEY WEST, FL 33040

Registered Agent Name & Address

CLERGE, ROBENSON, PASTOR
5700 LAUREL AVE
LOT 62
KEY WEST, FL 33040

Officer/Director Detail

Name & Address

Title P

CLERGE, ROBENSON, PASTOR
5700 LAUREL AVE
KEY WEST, FL 33040

Title VP

CLERGE, ROBENSON, PASTOR