



**NORTH MIAMI BOARD OF ADJUSTMENT MEETING AGENDA
776 NORTHEAST 125 STREET, NORTH MIAMI CITY HALL, 2ND FLOOR
WEDNESDAY, NOVEMBER 18, 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.

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

II. APPROVAL OF MINUTES: OCTOBER 21, 2015 BOARD OF ADJUSTMENT MEETING

III. COMMUNICATIONS: BOARD MEMBER COMMUNICATIONS

IV. CONTINUED PETITIONS: NONE

V. NEW PETITIONS:

V-16-15 JAMES CHRISTOPHER & REBECKAH KURZWEG – 2370 ARCH CREEK DR.

VARIANCE TO ARTICLE 5, DIVISION 1, SECTION 5-103 OF THE NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS (“LDRS”), TO ALLOW A SEVENTEEN (17) FEET BY TWENTY (20) FEET CARPORT STRUCTURE (AWNING) TO AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 2370 ARCH CREEK DRIVE, IN THE R-1 RESIDENTIAL DISTRICT, INSTEAD OF THE MAXIMUM TWELVE (12) FEET BY TWENTY (20) FEET SET FORTH IN THE LAND DEVELOPMENT REGULATIONS FOR DEVELOPMENTS PERMITTED IN THE R-1 RESIDENTIAL DISTRICT, IN ACCORDANCE WITH THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 6, SECTION 3-606 OF THE LDRS.

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.

FLORIDA BUDGET

Scott kicks off tax-cut push with rosy projections

BY STEVE BOUQUET AND TRACY MCMANUS
Herald/Times Tallahassee Bureau

CLEARWATER

Facing a skeptical Senate and many competing demands for spending, Gov. Rick Scott hit the road Monday on a three-day "tax cut tour" to prod state lawmakers to back his call for \$1 billion in tax cuts next year.

With the feel of a candidate on the stump, a shirt-sleeved Scott visited companies in Miami, Melbourne and Clearwater that could benefit from his package of business-friendly tax cuts, such as expanding a sales tax on equipment purchases by manufacturers and elimination of the corporate income tax on manufacturers and retailers.

Scott has launched a website, findtaxcutsforjobs.com, with graphics that resemble those used in his reelection campaign, and if history is any guide, the next step is likely to be a burst of campaign-style ads to promote tax cuts on TV.

Scott also is asking mayors in both political parties to help distribute press releases in support of a record \$250 million fund to attract jobs to Florida. In another sign of putting

pressure on lawmakers, the website of the state's economic engine, Enterprise Florida, now has a page with a form for people to directly email their legislators, a form of advocacy widely used by trade groups but not governors.

"Our economy is growing faster than the national economy," Scott told employees at Miami Gourmet Flavors in Clearwater, which makes syrups and fruit purees for hotels and restaurants. "We've cut taxes 50 times in five sessions, and guess what happens? Revenues keep growing."

State revenues are growing. But neither the House, Senate nor the state's own economists have reached such glowing conclusions as Scott.

Scott's math and the Senate's are particularly different, suggesting another collision course on taxes when the 2016 session begins in nine weeks.

Scott promised voters last year that he would cut taxes by \$1 billion in the first half of his second four-year term, and repeated the pledge in his second inaugural address last January. Without the Legislature's support, Scott won't meet that goal. Legislators agreed to

THE GOVERNOR IS CALLING FOR \$1 BILLION IN TAX CUTS NEXT YEAR.

about \$400 million in tax relief in 2015, and Senate President Andy Gardiner, R-Orlando, said existing programs, largely in healthcare and education, will cost \$1.6 billion more next year, and he recommended \$250 million in tax cuts next year "as a starting point."

"We have a responsibility to make spending decisions that maintain structural balance within our budget while being mindful of the impact current spending decisions will have in future years," Gardiner said in a Sept. 8 memo to senators.

State economists are projecting a surplus of \$635 million after most critical and priority needs are met next year, such as growth in Medicaid case loads and more school students.

Scott's most fiscal picture took the total projected amount of state tax revenue next year of \$31.6 billion and subtracted the current year's total of recurring tax revenues, \$32.2 billion, for a surplus of \$3.4 billion, which requires combining recurring money, such as taxes, with one-time nonrecurring money that is unreliable over the long haul, such as a large settlement in a lawsuit.

The Legislature's long-range financial outlook, adopted in September, uses smaller numbers than Scott's: \$1.6 billion in new recurring money or \$2.3 billion in recurring and nonrecurring money next year.

LEGISLATURE

Redistricting impasse leads to more finger-pointing

BY MARY ELLEN KLAS
Herald/Times Tallahassee Bureau

TALLAHASSEE

Who is to blame for the latest legislative impasse over redistricting?

The finger-pointing began quickly last week as Florida lawmakers adjourned their second special session on redistricting and faced the prospect of another court-ordered map.

Lawmakers blamed the Fair Districts amendments to the state constitution as impossible to follow, and House and Senate leaders lashed out at the challengers — a coalition of Democrat-leaning individuals and voter groups led by the League of Women Voters and Common Cause of Florida — for manipulating the process.

This week, the challengers lashed back. "I don't believe the plaintiffs went to see a legislative player in this process," said Rep. José Oliva, R-Miami Lakes, chairman of the House Select Committee on Redistricting after the House passed its proposed map. "They're not an innocent player in this process."

Florida lawmakers called the self-imposed special session after ending the lawsuit by the challengers and admitting that the 2012 Senate redistricting map violated the anti-gerrymandering provisions of the state constitution because they were drawn with partisan political intent.

But by submitting maps the evening before a vote in the full House or Senate, lawmakers could not con-

sider them, Oliva said. He called it "gamesmanship" that used "the legislative process of the people" to manipulate the judicial process of the people.

David King, the lead lawyer for the coalition, said Monday that it was the Legislature that was manipulating the process. "The coalition does not consider redistricting a game," he said in a statement. "It is a very serious effort to ensure that voters can fairly choose their representatives and to stop legislators from rigging districts to favor themselves and their political parties."

He said the plaintiffs offered a detailed description of the defects in 28 districts from the state Senate map enacted by lawmakers in 2012, but lawyers for the House and Senate instructed staff not to consider it. The staff then drafted six base maps that were rife with problems, King said, and although the challengers submitted alternative maps, the exercise gave the coalition little incentive to appear before the committee. "This was a clear sign that inputs from the coalition would not be considered and called into question the Legislature's motivation in even asking for the coalition's suggestions," King said.

When the three-week session ended without a resolution, Senate Republicanism Committee chairman Bill Galvano, R-Bradenton, accused the plaintiffs of their own "partisan intent." He said that by design, the challengers have an "explicit tactical

CHALLENGERS SAY LEGISLATORS IGNORED CRITIQUES WHEN DRAWING MAPS.

advantage" because with every map drawn by the Legislature, they can submit to the court an alternative and "can put together a product that's drawn to beat the scores."

Senate President Andy Gardiner, R-Orlando, also said the advantage favored the challengers. "We don't know who they consulted with," he said, suggesting they could have called a political operative and asked how the map performed for Democrats.

Asked to respond, King defended the League of Women Voters and Common Cause as "nonpartisan organizations that have worked for decades to eliminate partisanship in redistricting."

"No political party or political party organization has played any role in drafting the alternative maps offered by the Fair Districts Coalition."

"Rather than looking to its own members and the procedures they used to draft the maps, throughout the litigation, the Legislature has attempted to avoid responsibility for its unconstitutional behavior by attacking the motivations of the lead plaintiffs and alleging they are partisan," he told the Herald/Times.

The exchange provides a window into the arguments that will come before Leon Circuit Court Judge George Reynolds on Dec. 14-16 when he holds a hearing to recommend a map to the Florida Supreme Court for the 2016 election cycle.

Mary Ellen Klas can be reached at meklas@miamiherald.com or (305) 222-3095. Follow her on Twitter @MaryEllenKlas

TRANSPORTATION

To combat crowded buses, Miami-Dade expands the fleet

BY DOUGLAS HANKS
dhanks@miamiherald.com

Almost four dozen extra-long buses now cruise Miami-Dade's busiest bus routes, a rare and welcome

What's open and closed on Veterans Day

Wednesday is Veterans Day. Here's a list of what's open and closed for the holiday:

- Federal offices: Closed.
- State offices: Closed.
- Miami-Dade County offices: Closed.
- Broward County offices: Closed.
- Miami-Dade courts: Closed.
- Broward courts: Closed.
- Public schools: Closed.
- Post offices: Closed.
- Stock markets: Open.
- Banks: Most are closed. Check with your bank for schedule.
- Miami-Dade libraries: Closed.
- Broward libraries: Closed.
- Tri-Rail: Regular schedule.
- Miami-Dade and Broward transit: Normal schedule.
- Miami-Dade garbage collection: Normal schedule.
- Broward garbage collection: Normal schedule.
- Malls: Open.

When elected officials successfully campaigned for a half-percent sales tax in 2002 to improve the county's transportation system, one promise was to add 600 buses to the fleet. More than a decade later, the fleet has grown by less than 200.

The latest purchase, part of a \$70 million authorization commissioners approved in June, is the biggest but by that Miami-Dade has made since 2007. It purchased 25 accordion buses in 2009, using funds from the federal stimulus program. Those buses were also 60 feet long, giving them 50 percent more room than the fleet standard of 40-foot buses.

The new buses have been on the road for several weeks. Among the routes that have them are the 34 and 38 (both run on the South Dade Busway), the 3 and 93 (downtown Miami to Aventura Mall), and the 27 and 297 (running north from Coconut Grove on 27th Avenue). They're powered by hybrid engines running on diesel fuel and electricity.

Miami-Dade's largest batch of accordion (or "articulated") buses did not come without controversy. Commissioners delayed approving the purchase until June as they debated the wisdom of buying the extra-long buses, with some linking their size to traffic problems in Miami's congested streets. Others questioned spending more on longer buses when the county could use the money to buy far more regular-sized buses.

Levine Cava was one of two commissioners to attend Monday's ribbon-cutting; the other, Esteban "Steve" Bova, did not speak during the ceremony. In an interview inside the pristine accordion bus available for tours, he said he didn't see the vehicle as a long-term solution for Miami-Dade's transit challenges. Bova, who chairs the commission's Transit committee, is pushing for shorter bus routes that feed into new and existing rail systems, without the need for long-haul trips that mesh well with larger buses.



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- V. NEW PETITIONS:

16:15 JAMES CHRISTOPHER & REBECKAH KURZWEG - 2370 ARCH CREEK DR.

VARIANCE TO ARTICLE 5, DIVISION 1, SECTION 5-103 OF THE NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS ("LDRS"), TO ALLOW A SEVENTEEN (17) FEET BY TWENTY (20) FEET CARPORT STRUCTURE (AWNING) TO AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 2370 ARCH CREEK DRIVE, IN THE R-1 RESIDENTIAL DISTRICT, INSTEAD OF THE MAXIMUM TWELVE (12) FEET BY TWENTY (20) FEET SET FORTH IN THE LAND DEVELOPMENT REGULATIONS FOR DEVELOPMENTS PERMITTED IN THE R-1 RESIDENTIAL DISTRICT, IN ACCORDANCE WITH THE CRITERIA SET FORTH IN ARTICLE 3, DIVISION 6, SECTION 3-506 OF THE LDRS.
- VI. OLD BUSINESS: NONE
- VII. NEW BUSINESS: NONE
- VIII. ADJOURNMENT:

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MINUTES
 NORTH MIAMI BOARD OF ADJUSTMENT
 6:30 P.M.
 WEDNESDAY, OCTOBER 21, 2015
 COUNCIL CHAMBERS

The meeting was called to order at 6:31 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 Boulé	X		
7.	Laura Hill	X		
8.	Mary Estimé-Irvin	X		

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:

Item V-13-15, applicant withdrawn.
 It was stated on the record that slight modifications were made to staff reports due to minor errors.

II. Approval of Minutes:

The minutes of the July board meeting was unanimously approved and a motion was made by board member Joseph and seconded by board member McDearmaid.

III. Board Member Communications:

Mr. Lebrun made the announcement of Mr. Andrew Dixon, new Zoning Administrator, is now the liaison for the Board of Adjustment. Also, stated on the record was that board member McDearmaid had spoken the applicants of V-15-15, Christ Victory Church with no particular interest.

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.

Board Discussion:

Mr. Lebrun introduced the item, read and summarized the staff recommendation. Mr. Philip Soto then stated his purpose of his case to the Board. Board member Boulé asked if the petition was based on the roof on the patio or the roof in general. Mr. Soto clarified that the aluminum roof on the patio was left by the previous owner and wants to replace it with a real roof. Chair Philippe asked how the patio was enclosed and how do we know the patio itself was up to code. Mr. Lebrun stated that the permit came upon review to the Zoning department and it was then that it was brought to our attention that the setbacks also needed to be legalized. Mr. Galdos also stated that a certificate of reoccupancy underwent inspection.

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 Joseph. The item passed unanimously.

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.

Board Discussion:

Mr. Lebrun introduced the item, read and summarized the staff recommendation. Power of Attorney, Mr. Mario Garcia-Cera spoke on behalf of 7-Eleven. Chair Philippe stated that this was an exciting project and will do well with this corridor. Board member McDermid asked if they will have surveillance and security. Mr. Garcia-Cera stated yes. Board member McDermid then stated that the 7-Eleven on NE 125th Street and NE 6th Avenue has many pan handlers and loiterers. NW 7th Avenue is known for crime. Mr. Austin Rosen, of 7-Eleven, Inc., stated that they will have loss prevention efforts, a 24-hour operation. There will be camera systems of the latest technology and management training. Board member Hill asked if there are plans to renovate the station on NE 125th Street and NE 6th Avenue. Mr. Rosen stated yes, that they will be having a redevelopment discussion in the near future. Chair Philippe asked if this location was privately owned or part of the franchise. Mr. Rosen then stated that it was owned by 7-Eleven. Board member Boulé stated that she has noticed the vagrancy coming from nearby cities. She then asked what makes this project stand out to other redevelopments, what makes this a great addition to our city. Mr. Garcia-Cera stated that the facility's modern technology, a national brand, high quality and a new entrance monument sign makes this project a great addition. Board member Boulé stated that she just wanted to make sure that the city was not just a pass-through and that we welcome all patrons. Mr. Lebrun stated that police also looks at the plans in the Development Review Committee (DRC) and Crime Prevention Through Environmental Design (CPTED) is used. Chair Philippe stated that the 6th and 125th site tends to pull in issues due to the surrounding businesses as well, not the 7-Eleven business per se. Mr. Rosen stated that the new prototype structure with glass and LED lighting will provide security. Board member Boulé then asked about employment opportunities, if a local preference would be done. Mr. Rosen replied that there will be standard employment efforts. Board member Boulé then asked that once the structure is complete, could signage be placed for hiring. Board member Joseph asked if implementation for preference of local hire be discussed with the Human Resources department; Mr. Rosen agreed. Board member Estimé-Irvin added on that the city has the highest unemployment rate in the district.

Public Hearing:

No one spoke at the public hearing.

Vote:

The motion for approval was made by board member Estimé-Irvin and seconded by board member McDermid. The item passed unanimously.

— — —

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.

Board Discussion:

Board member Joseph stated a disclosure that she knows the applicant but has no interest in the item. Mr. Lebrun introduced the item, read and summarized the staff recommendation. Pastor Mervilus Israel further explained his petition. Mr. Galdos stated a point of order that within the project summary, that Section 4-302 should read 4-202 instead. Board member Hill asked what the size of the congregation was and Pastor Israel stated 45. She then stated that there are only 13 parking spaces. Once they are filled, where would people park? Pastor explained that there is open space on the south side of the property that can be opened up to serve such purpose if needed. Board member Cohen then stated that parking adjacent to the home on the east side may be a nuisance to the homeowner. Pastor stated that accommodations will be made if necessary. Board member Boulé asked if there would be service everyday, Sunday may be the only day for concern of parking. Mr. Lebrun clarified that the parking requirement for a religious institution is based on square footage of worship area and not congregation size. Board member Hill then asked how many employees will there be on a daily basis and Pastor replied none as of yet. Hill then stated that streets tend to become used for parking and the neighborhood may have a hard time. The Pastor stated that based on the square footage, the 13 spaces are good enough. Chair Philippe asked if the entrance to parking will be along 141st Street, the answer was yes. She then stated that churches such as this one tend to rely on buses and not individual cars. Board member Cohen mentioned, between parking and houses, will there be shrubbery and landscaping for noise absorption. Board member Hill stated that as a condition, the chain link fence is to be removed and replaced with a six foot fence.

Public Hearing:

No one spoke at the public hearing.

Vote:

The motion for approval was made by board member Joseph and seconded by board member Estimé-Irvin. The item passed unanimously.

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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.

Board Discussion:

Mr. Lebrun introduced the item, read and summarized the staff recommendation. Mr. Mikel Isaac further explains his petition. He stated that the station would potentially have 7-Eleven gas with Valero sales. Security measures will be taken much like the previous gas station petition. Board member Cohen asked if the corner will be made pretty. Mr. Isaac stated that it would be and landscaping would definitely be added.

Public Hearing:

No one spoke at the public hearing.

Vote:

The motion for approval was made by board member Hill and seconded by board member Cohen. The item passed unanimously.

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

A SPECIAL EXCEPTION USE PURSUANT TO ARTICLE 4, DIVISION 3, SECTION 4-302 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.

Board Discussion:

Mr. Lebrun introduced the item, read and summarized the staff recommendation. Mr. Nurul Amin thanks the board for their consideration; they just want to help those in the Muslim community. Board member Boulé asked if the mosque will cater to children. Mr. Amin stated that they will offer tutoring for religious education.

Public Hearing:

One person spoke in favor of the petition.

Vote:

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

— — —

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.

Board Discussion:

Mr. Dixon introduced the item. Mr. Robensen Clerge, stated the purpose of his petition (needed translation). Mr. Andrew Dixon then read the staff report and summarized the staff recommendations. Mr. Galdos made a point of order, the Sunbiz document stated that the corporation is inactive, it then became added as a recommendation that they reactivate the entity before obtaining the Certificate of Use if they were to be approved by the board. Board member Estimé-Irvin questioned if the church was currently functioning, which was stated no, and suggested to table the item until their corporation was made active. Mr. Galdos stated that it could be left as a condition and it could be reactivated online within minutes.

Public Hearing:

No one spoke at the public hearing.

Vote:

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

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The next meeting was tentatively set for November 18, 2015.

- VI. COMMITTEE REPORTS: None**
- VII. OLD BUSINESS: None**
- VIII. NEW BUSINESS: None**
- IX. ADJOURNMENT:**

The meeting was adjourned at 8:03 p.m.

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: Andrew Dixon
Zoning Administrator
Community Planning & Development Department
Date: November 10, 2015
V-16-15 James Christopher & Rebeckah Kurzweg – 2370 Arch Creek Drive

Application Summary

Applicant/Agent: James Christopher & Rebeckah Kurzweg / Marc Gutmans
Location: 2370 Arch Creek Drive
Land Area: 9,375- sq. ft.
Folio Number: 06-2228-020-0180
Petition: Variance to Article 5, Division 1, Section 5-103 C of the North Miami Code of Ordinance, Land Development Regulation (“LDRS”), to allow a seventeen (17) feet by twenty (20) feet carport structure (Awning) to an existing single family residence located at 2370 Arch Creek Drive, in the R-1 residential district, instead of the maximum twelve (12) feet by twenty (20) feet set forth in the land development regulations for developments permitted in the R-1 residential district, in accordance with the criteria set forth in Article 3, Division 6, Section 3-606 of the LDRS

Staff Recommendation

Approval

Project Summary

The subject property is located at 2370 Arch Creek Drive, the lot size is approximately 9,375 square feet. Applicant is requesting variance to install a carport awning in the front yard of their property due to medical conditions. The proposed carport awning size 340 square feet which exceeds maximum 240 square feet set forth in North Miami Code of Ordinance. The propose carport awning will follow the roof line of the house on the right side of the property and then extend outwards into the driveway. The proposed carport awning meets both side and front setback set forth in Article 5, Division 1, Section 5 – 103 A of the LDR.

Neighborhood Land Use Characteristics

Property	Future Land Use	Existing Zoning	Existing Use/Subdivision
Site	Low Density Residential	R-1, Residential Estate	Single-Family Residence
North	Low Density Residential	R-1, Residential Estate	Single-Family Residence
South	Low Density Residential	R-1, Residential Estate	Single-Family Residence
East	Low Density Residential	R-1, Residential Estate	Single-Family Residence
West	Low Density Residential	R-1, Residential Estate	Single-Family Residence

The subject property is located 2370 Arch Creek Drive. The surrounding properties are all single-family homes. The following aerial pictures depict the location of proposed site.



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 for residential dwellings up to maximum density of 5.1 dwellings per acre (du/ac), as set forth in Policy 1.1 of Objective 1.1 of the FLUE. The applicant’s variance request does not change either the use of the property as a single-family residence, or the density allowed in the land use category. 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-1, Residential District on the City’s Adopted Zoning Map. The purpose of this zoning district is to protect and preserve the integrity and value of existing low-density neighborhoods. As noted above, a seventeen (17) feet by twenty (20) feet carport structure (Awning) to an existing single family residence, applicant is requesting variance to install an awning within the front setback of their property due to medical conditions. The proposed carport awning size 340 square feet which exceeds maximum 240 square feet set forth in North Miami Code of Ordinance. The proposed carport awning meets both side and front setback set forth in Article 5, Division 1, Section 5 – 103 A of the LDR.

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 an application 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 5, Division 1, Section 5 – 103 C of the LDR, requires all awnings in residential district shall not exceed 240 square feet set forth in North Miami Code of Ordinance however the proposed awning exceeds the maximum size permitted but meets all requirement for both side and front setbacks for residential districts that are zoned R-1. 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.

Not Applicable

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

The configuration of the roof and the size of the house where the propose carport awning will be located, allows for a carport awning width of 17th feet. If we installed a carport awning of 12 feet wide as permitted and centered it with the pitch of the roof, the awning will be too far from the entrance which will defeat the purpose of protection therefore creating an unusual circumstance that are present in the neighborhood and are not unique to the property.

- ✓ 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 install 340 square feet carport awning to an existing single family residence, the proposed awning meets all setback requirements and 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 requested variance is indeed the minimum variance that will allow the applicant to park two vehicles under the proposed carport awning for the protection from elements of weather making it a reasonable use of land

- ✓ 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 applicant to install a 340 square feet carport awning which shall enable them to park both cars hence protecting them from the elements of weather. The request neither will change the use of the property as a single-family residence, nor will it reduce the required setbacks set forth in Article 5, Division 1, Section 5 – 103 of the LDR, the carport awning 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 Keystone Subdivision, 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 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, the proposed carport awning meets all setback requirements, and will not negatively impact surrounding neighborhoods. . 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 5, Division 1, Section 5 – 103 Subsections (A), (C)

Attachments

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

October 20, 2015

City of North Miami
Community Planning & Development
Zoning Department
12400 N E 8 Avenue
North Miami – Fl. 33161

Ref: 2370 Arch Creek Drive – North Miami

Dear Sir and Madame,

This letter serves as a petition to appear before the Board of Adjustment for a Variance application for a Carport awning to be installed in the front of our home for protection from the elements due to my medical condition of asthma/allergies.

The propose carport awning size will be 17 Ft in width and will extend 20 Ft from the house, with a total square feet of 340. The propose carport will follow the roof line of the house on the right side of the front parking area. This carport request does already comply with the front and side setback required by the City of North Miami

The City of North Miami allows Carport awnings within the city but with a size limitation of 240 square feet and may not exceed a size of 12 Ft wide and extend 20 Ft from the house. This size carport does not allow the parking of two vehicles therefore this variance request is the minimum variance that will make possible the reasonable use the carport for weather protection.

My request that the width of the carport be increased by 5 Ft than the allowable size, will be in harmony with the general intent of the LDR and there will be no injury to the area involved.

The shape of the roof line and the size of the area of the house where the propose awning will be located, allows for a carport awning width of 17 Ft. If we would installed a carport awning of 12 Ft wide as it is allowed, and centered it with the pitch of the roof, the awning will be too far from the house entrance which will defeat the purpose of protection. Therefore these special conditions exist that are particular to the house and necessitate the variance request.

Since the carport awning follows the roof line, it complement the esthetic of the house and therefore this variance maintains the purpose of the regulation by not affecting in a negative way the appearance of the city.

I will thank you in advance for the consideration of approval of the requested variance.

Sincerely,

James Kurzweg

James C Kurzweg
Owner



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 10/21/2015

Property Information	
Folio:	06-2228-020-0180
Property Address:	2370 ARCH CREEK DR
Owner	JAMES CHRISTOPHER KURZWEG REBEKAH ANNE KURZWEG
Mailing Address	2370 ARCH CREEK DR NORTH MIAMI , FL 33181
Primary Zone	0900 SGL FAMILY - 1901-2100 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	3 / 3 / 1
Floors	1
Living Units	1
Actual Area	3,245 Sq.Ft
Living Area	3,161 Sq.Ft
Adjusted Area	3,064 Sq.Ft
Lot Size	9,375 Sq.Ft
Year Built	1959



Assessment Information			
Year	2015	2014	2013
Land Value	\$516,000	\$318,750	\$235,125
Building Value	\$379,657	\$539,170	\$267,593
XF Value	\$34,373	\$0	\$21,583
Market Value	\$930,030	\$857,920	\$524,301
Assessed Value	\$930,030	\$355,840	\$309,968

Benefits Information				
Benefit	Type	2015	2014	2013
Save Our Homes Cap	Assessment Reduction		\$502,080	\$214,333
Homestead	Exemption	\$25,000	\$25,000	\$25,000
Second Homestead	Exemption	\$25,000	\$25,000	\$25,000

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

Short Legal Description
28 52 42
KEYSTONE ISLAND NO 4 PB 65-69
LOT 18 BLK 13
LOT SIZE 75.000 X 125
OR 14205-2672 0789 5

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$880,030	\$305,840	\$259,968
School Board			
Exemption Value	\$25,000	\$25,000	\$25,000
Taxable Value	\$905,030	\$330,840	\$284,968
City			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$880,030	\$305,840	\$259,968
Regional			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$880,030	\$305,840	\$259,968

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
07/01/2014	\$1,236,000	29216-2650	Qual by exam of deed
05/01/2005	\$0	23524-4148	Qual by exam of deed
07/01/1989	\$0	14205-2672	Qual by exam of deed
04/01/1981	\$162,500	11066-2260	2008 and prior year sales; 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>

<http://www.miamidade.gov/propertysearch/>

10/21/2015

Building Photographs

See Instructions for Item A6.

IMPORTANT: In these spaces, copy the corresponding information from Section A.

FOR INSURANCE COMPANY USE

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.

Policy Number:

2370 ARCH CREEK DRIVE

City	State	ZIP Code
NORTH MIAMI	FL	33181

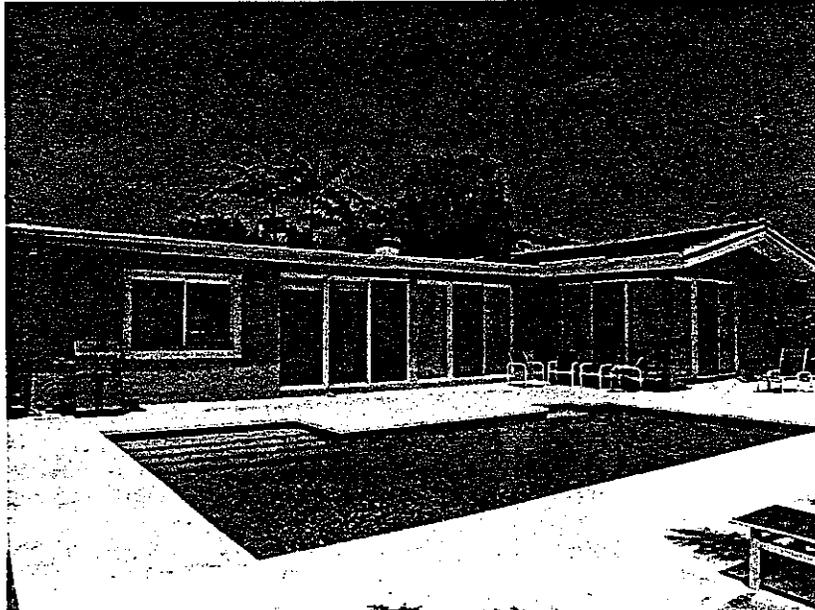
Company NAIC Number:

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.

Front View



Rear View



Building Photographs

Continuation Page

IMPORTANT: In these spaces, copy the corresponding information from Section A.

FOR INSURANCE COMPANY USE

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
2370 ARCH CREEK DRIVE

Policy Number:

City
NORTH MIAMI

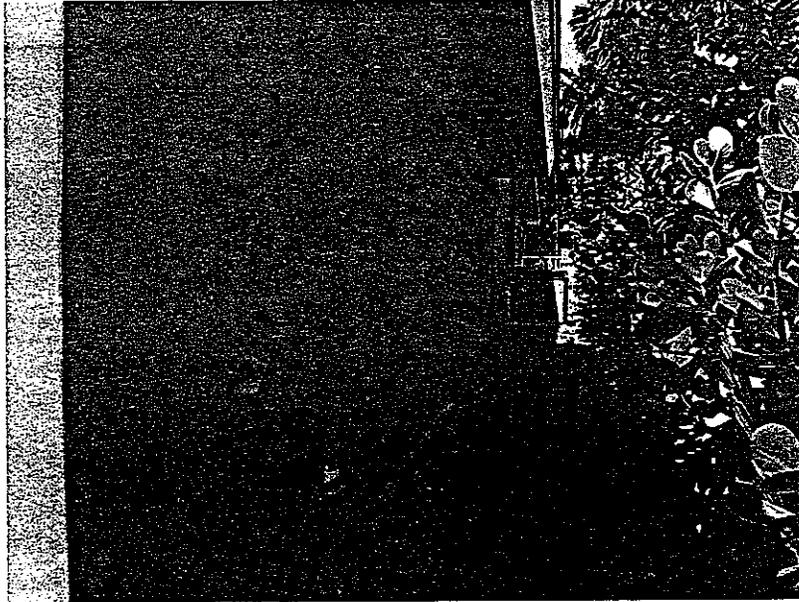
State
FL

ZIP Code
33181

Company NAIC Number:

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.

Left View



Right View



ELEVATION CERTIFICATE

Important: Read the instructions on pages 1-9.

OMB No. 1660-0008
 Expiration Date: July 31, 2015

SECTION A - PROPERTY INFORMATION

FOR INSURANCE COMPANY USE

A1. Building Owner's Name
JAMES CHRISTOPHER AND REBEKAH KURZWEG

A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
2370 ARCH CREEK DRIVE

City **NORTH MIAMI** State **FLORIDA** ZIP Code **33181**

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)
 Folio #: **N/A**

Policy Number:
 Company NAIC Number:

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) Residential

A5. Latitude/Longitude: Lat. N25° Long. W80°09'06" Horizontal Datum: NAD 1927 NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number 1A

A8. For a building with a crawlspace or enclosure(s):
 a) Square footage of crawlspace or enclosure(s) N/A sq ft
 b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade N/A
 c) Total net area of flood openings in A8.b N/A sq in
 d) Engineered flood openings? Yes No

A9. For a building with an attached garage:
 a) Square footage of attached garage N/A sq ft
 b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade 0
 c) Total net area of flood openings in A9.b 0 sq in
 d) Engineered flood openings? Yes No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number
120655

B2. County Name
MIAMI-DADE COUNTY

B3. State
FLORIDA

B4. Map/Panel Number
12086C0144

B5. Suffix
L

B6. FIRM Index Date
9/11/2009

B7. FIRM Panel Effective/Revised Date
9/11/2009

B8. Flood Zone(s)
AE

B9. Base Flood Elevation(s) (Zone AO, use base flood depth)
8.0

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9.
 FIS Profile FIRM Community Determined Other/Source: _____

B11. Indicate elevation datum used for BFE in Item B9: NGVD 1929 NAVD 1988 Other/Source: _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Yes No
 Designation Date: N/A CBRS OPA

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.
 Benchmark Utilized: _____ Vertical Datum: NGVD 1929
 Indicate elevation datum used for the elevations in items a) through h) below. NGVD 1929 NAVD 1988 Other/Source: _____
 Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor) 7.26 feet meters

b) Top of the next higher floor N/A feet meters

c) Bottom of the lowest horizontal structural member (V Zones only) N/A feet meters

d) Attached garage (top of slab) N/A feet meters

e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) 6.70 feet meters

f) Lowest adjacent (finished) grade next to building (LAG) 6.43 feet meters

g) Highest adjacent (finished) grade next to building (HAG) 6.63 feet meters

h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support N/A feet meters

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Check here if attachments.

Certifier's Name **MIGUEL ESPINOSA** License Number **5101**

Title **PROFESSIONAL SURVEYOR & MAPPER** Company Name **Espinosa**

Address **10865 SW 190TH STREET SUITE 3110** City **MIAMI** State **FL** ZIP Code **33157**

Signature *Miguel Espinosa* Date **4/15/2014** Telephone **(305) 740-3319**



ELEVATION CERTIFICATE, page 2

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 2370 ARCH CREEK DRIVE			Policy Number:	
City NORTH MIAMI	State FL	ZIP Code 33181	Company NAIC Number:	

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments LATITUDE LONGITUDE PER GOOGLE, ATTACHMENTS = BUILDING PICTURES
C2E= AC UNIT

Signature 

Date
4/15/2014

SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
 - a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the HAG.
 - b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8–9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name

Address	City	State	ZIP Code
Signature	Date	Telephone	

Comments

Check here if attachments.

SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate Of Compliance/Occupancy Issued
-------------------	------------------------	---

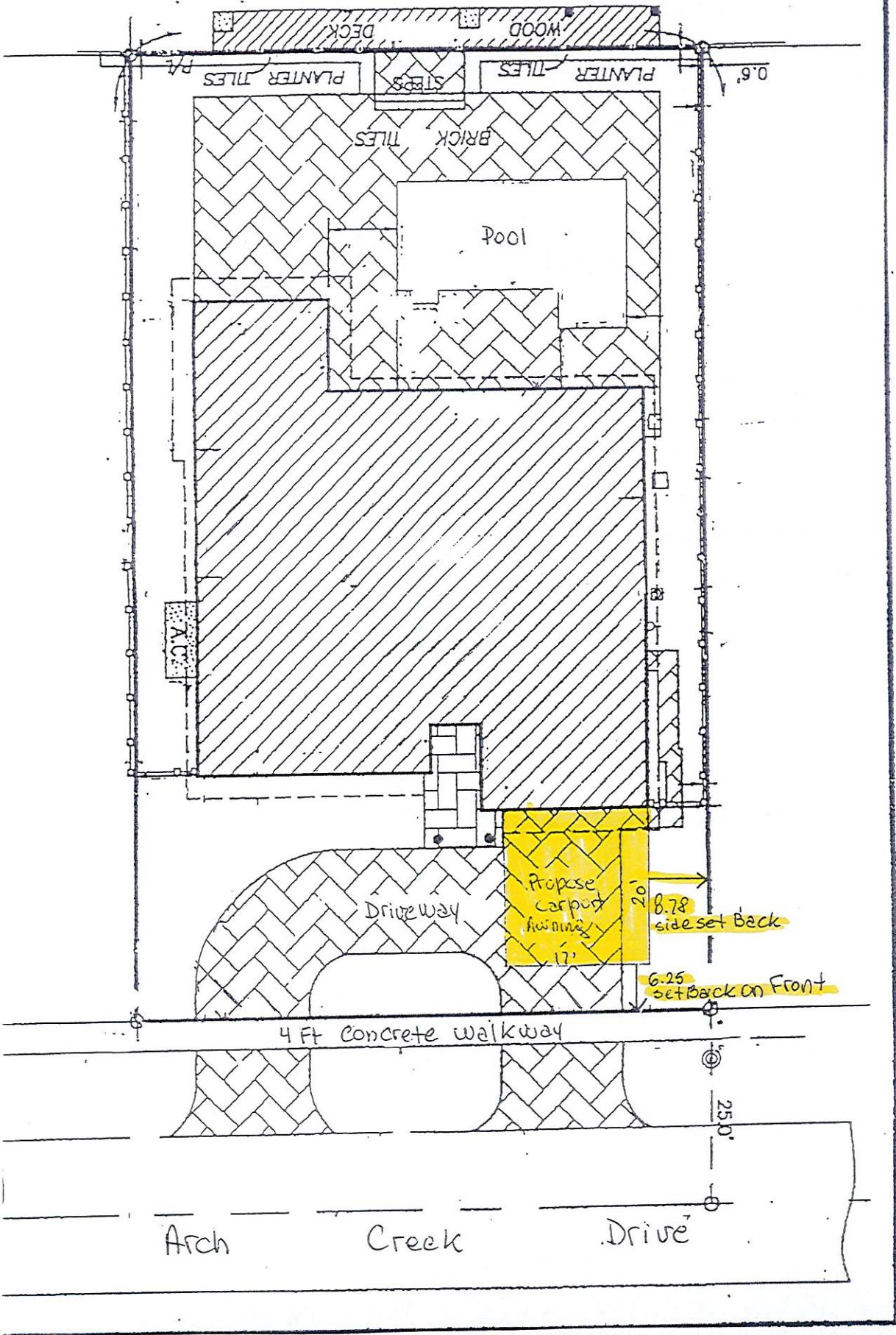
- G7. This permit has been issued for: New Construction Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters Datum _____
- G9. BFE or (in Zone AO) depth of flooding at the building site: _____ feet meters Datum _____
- G10. Community's design flood elevation: _____ feet meters Datum _____

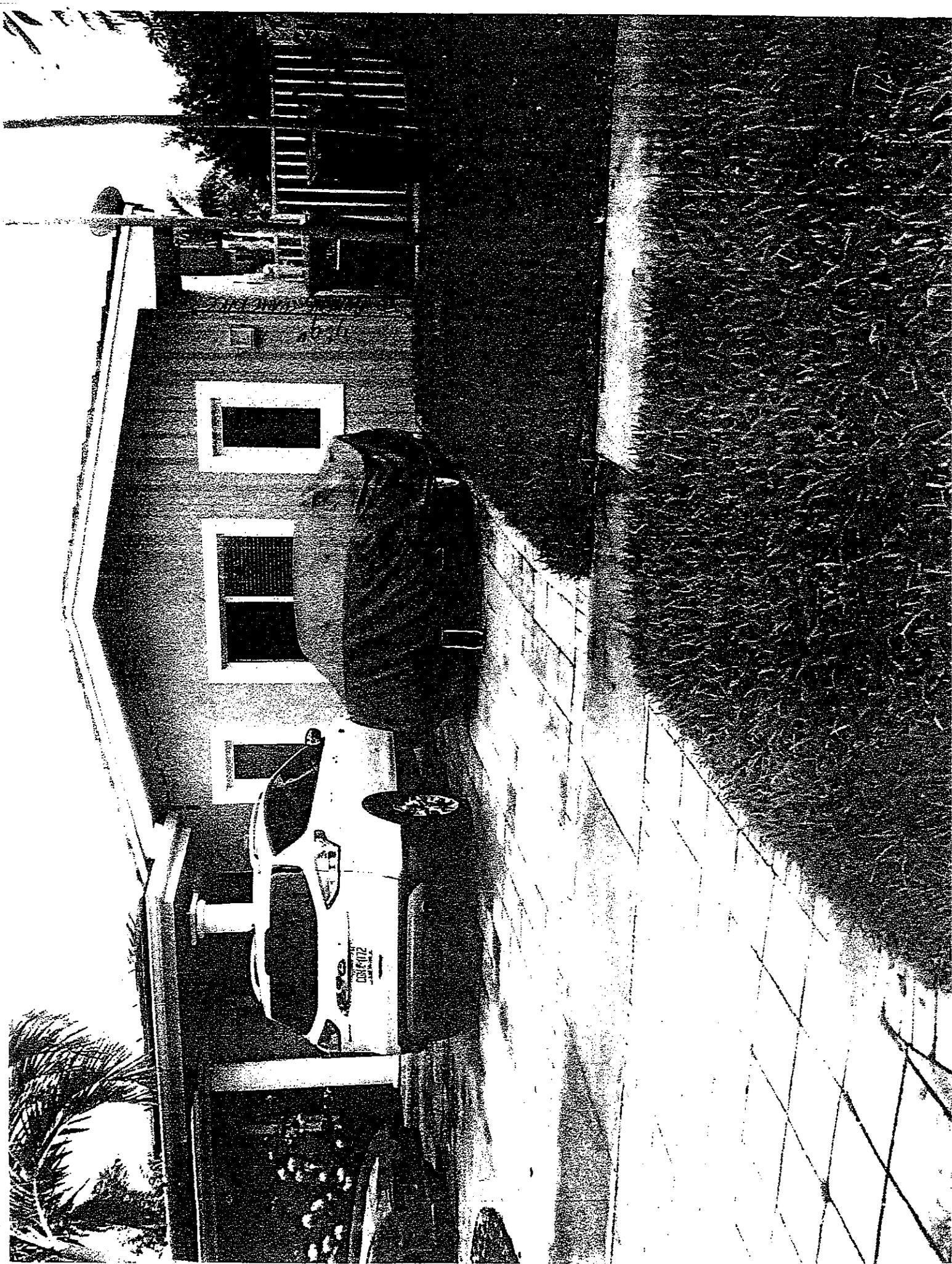
Local Official's Name	Title
Community Name	Telephone
Signature	Date

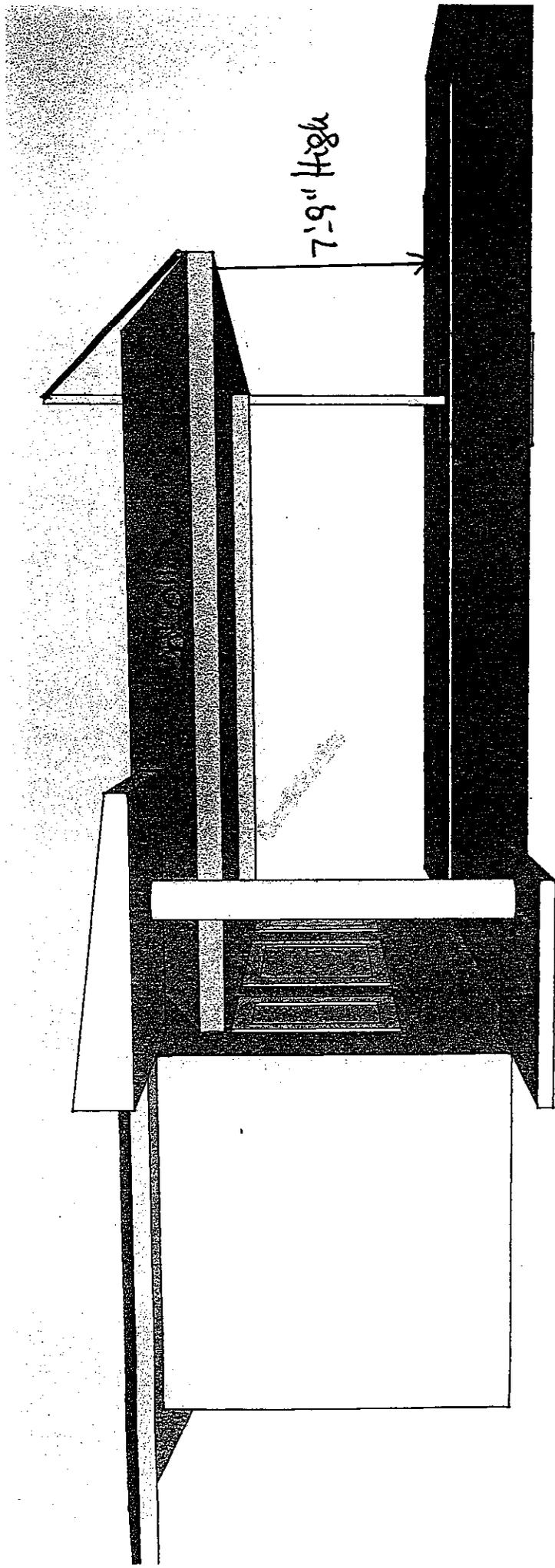
Comments

Check here if attachments.

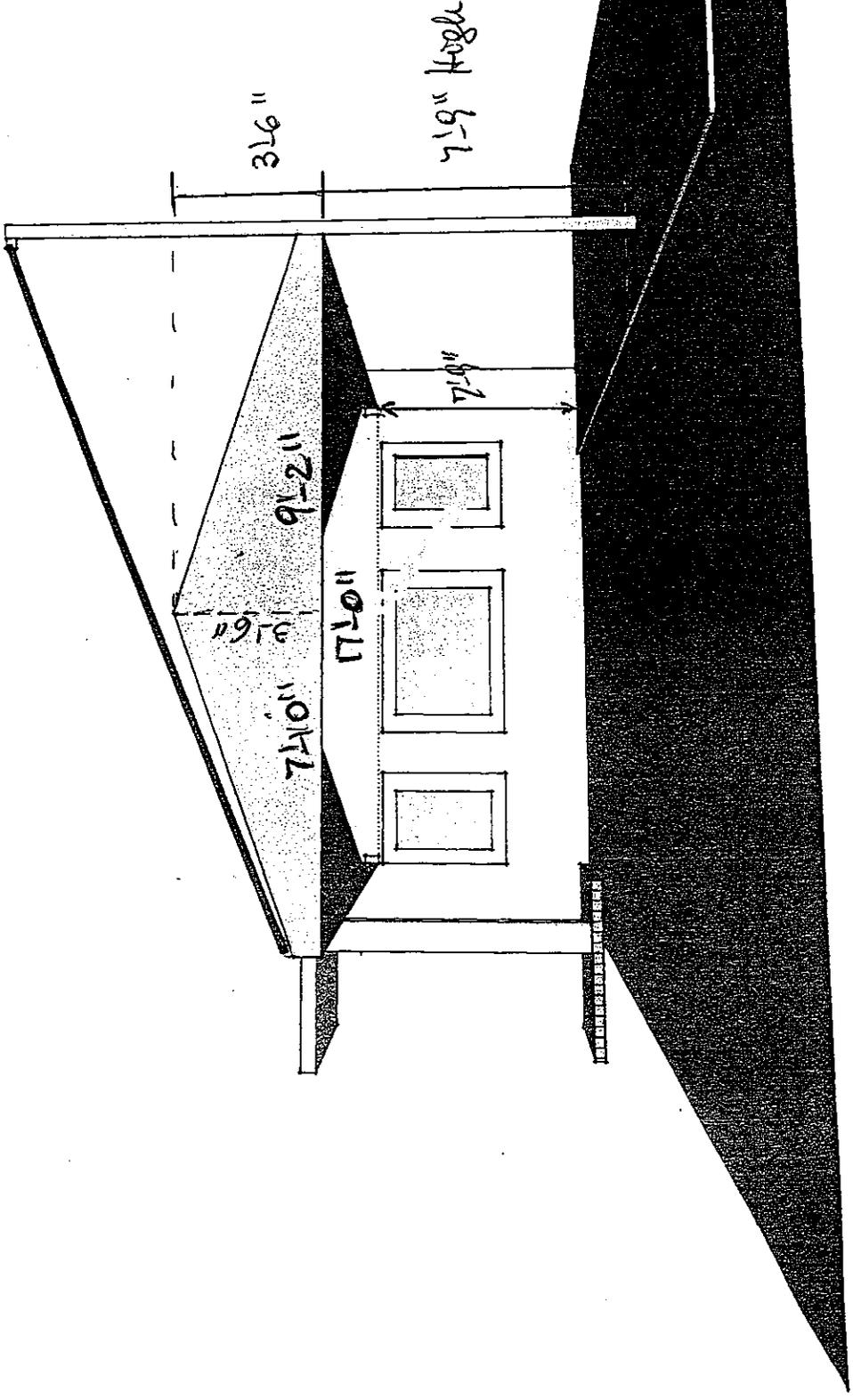
CANAL



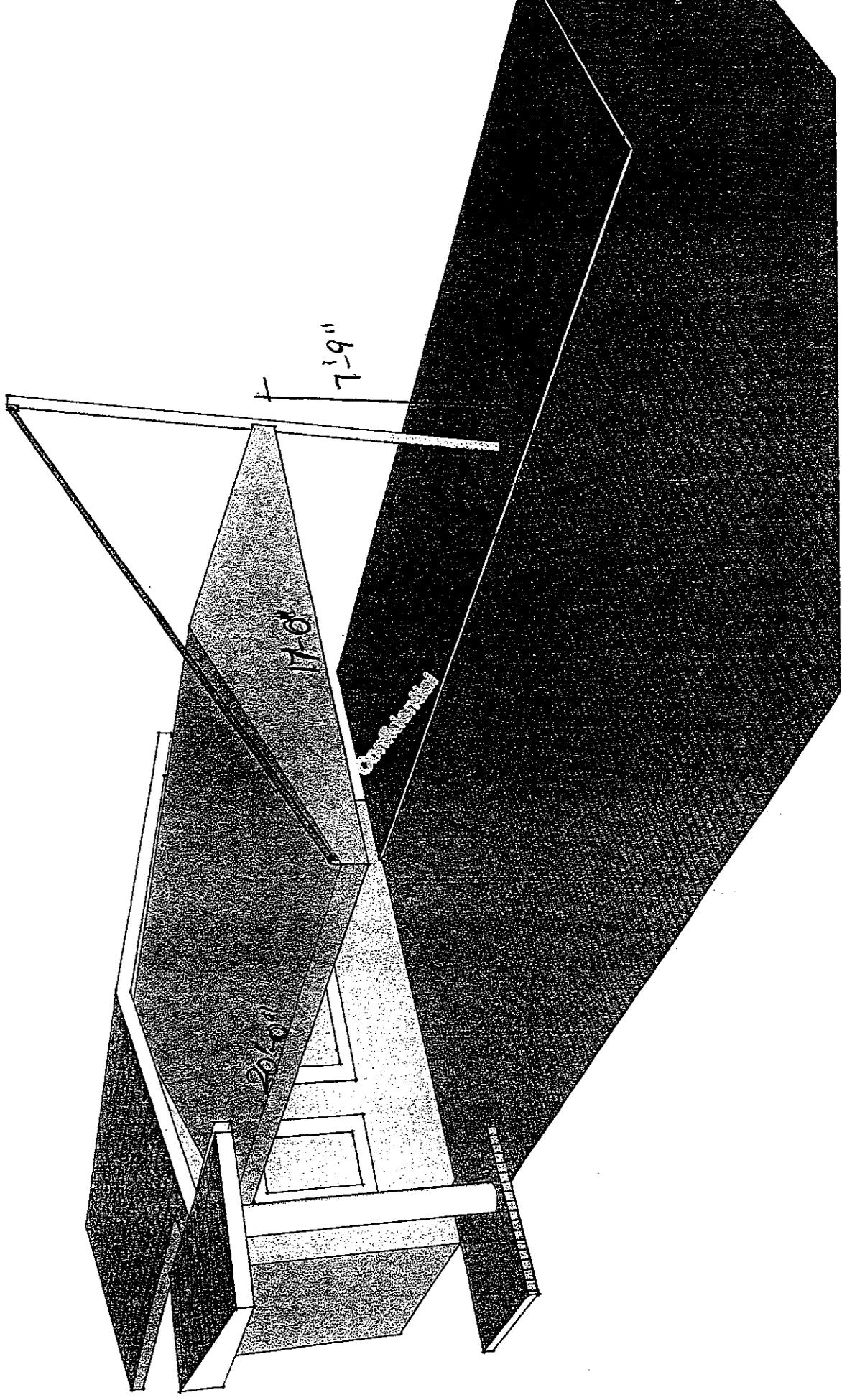




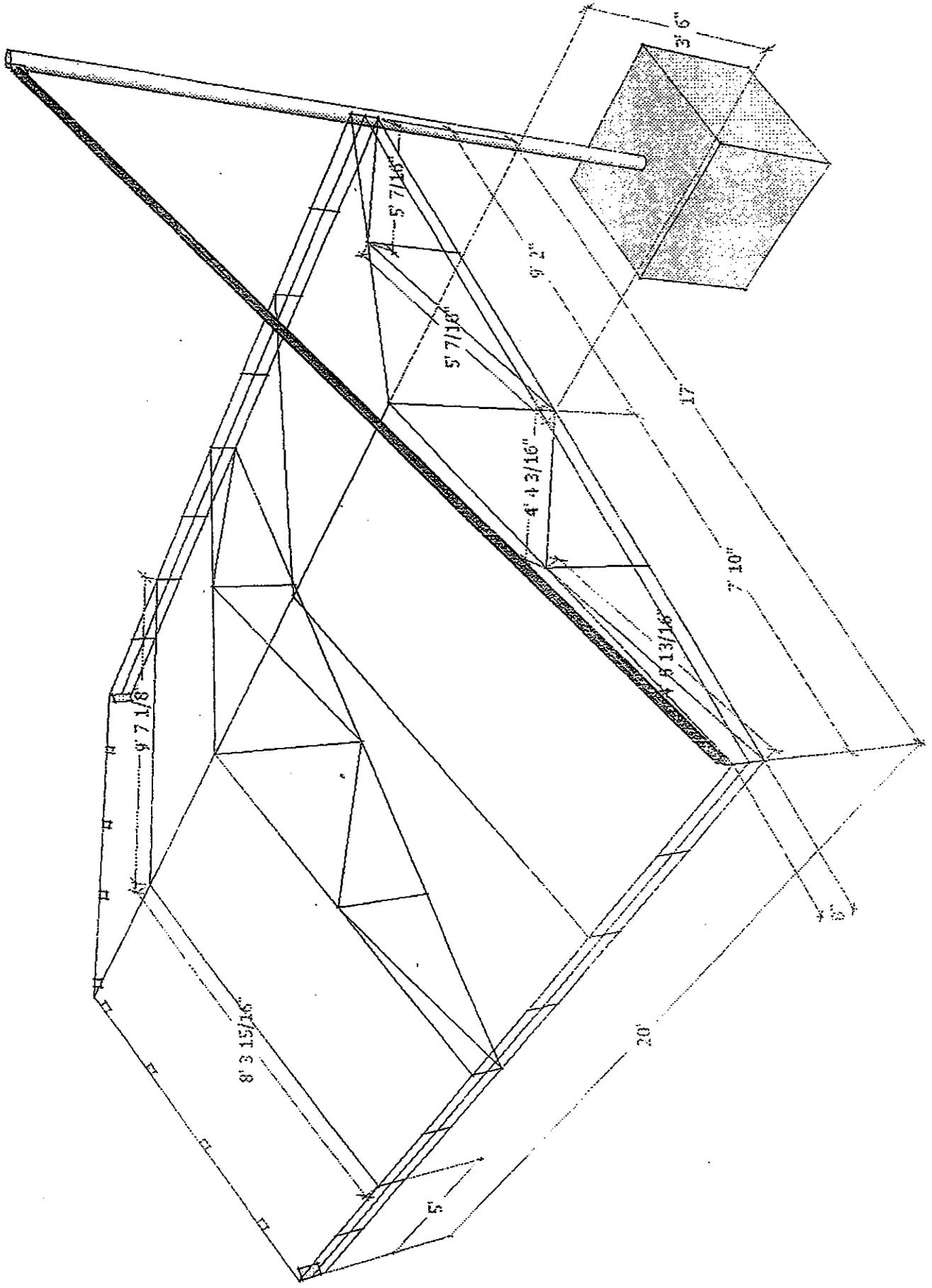
James Kurzweg
2370 Arch Creek Drive
ALABAMA 35111-1111



James Kurzweg
 2370 Arch Creek Drive
 North Miami, FL. 33181



James Kurzweg
2370 Arch Creek Drive



James Kurzweg
 2277 Arch Creek Drive

Certificate of Flame Resistance



Registered Fabric
or Concern Number

F-86501

Issued By:

HERCULITE PRODUCTS INC
ABERDEEN ROAD COMPANY
PO BOX 435
EMIGSVILLE, PA 19175-8310



Date treated or manufactured:

03/09/2015

This is to certify that the materials described below have been treated with a flame-retardant chemical or are inherently nonflammable.

FOR: Trivantage, LLC ADDRESS: 1831 North Park Ave.
CITY: Glen Raven STATE: NC 27217

Certification is hereby made that: (Check "a" or "b")

(a) The articles described at the bottom of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used: _____ Chemical Registration #: _____

Method of application: _____

(b) The articles described at the bottom of this Certificate are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade Name of flame-resistant fabric or material used: PATIO 500 Registration #: F-86501

The Flame-Retardant Process Used Will Not Be Removed By Washing

PETER COHEN
Name of Applicator or Production Superintendent

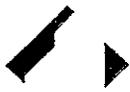
STEPHANIE MUMMERT, Q C MANAGER
Title

RCN # 0000000001023528663
CUSTOMER ORDER NO. Verbal Geovanin
CUSTOMER INVOICE NO. 783987
YARDS OR QUANTITY 35.00
DESCRIPTION Patio 500 #522 61" Beige (Standard Pack 50 Yards)
ITEM NUMBER 858522

We hereby certify the above to accurately reflect the information contained within a "CERTIFICATE OF FLAME RESISTANCE" issued to Trivantage, LLC from the registrant set forth above. A copy of the original Certificate of Flame Resistance is available upon request to Trivantage, LLC and the registration information set forth above is on record with the California State Fire Marshal.

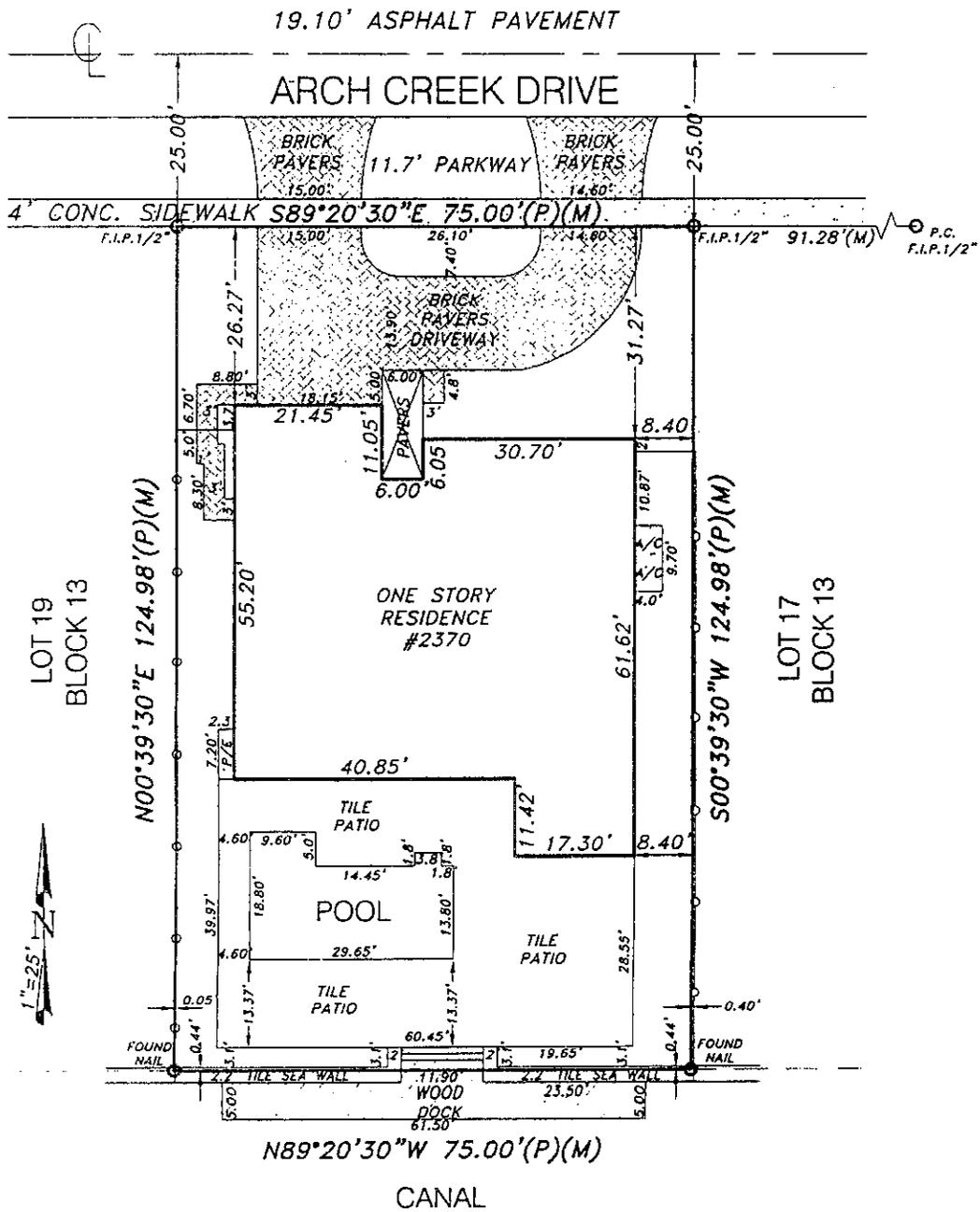
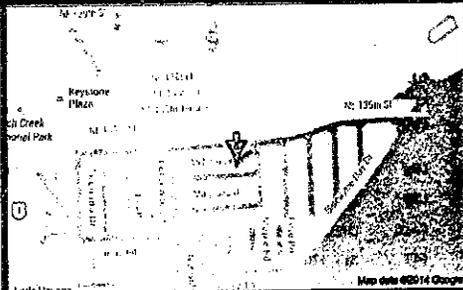
MAILING ADDRESS
AWNINGS BY VALROSE
4450 E 11TH AVE
HIALEAH, FL 33013

Ordered By:



FLORIDA TITLE & TRUST LLC.

www.FLTITLETRUST.COM
ADDRESS: 2665 S. BAYSHORE DR. SUITE 201 BUMHAY DRIVE, MI 33133
PHONE: (305) 619-2768, FAX: (305) 619-2769
EMAIL: INFO@FLTITLETRUST.COM



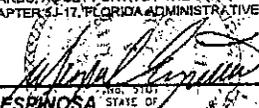
Accepted By: _____

Property Address: 2370 ARCH CREEK DRIVE
NORTH MIAMI, FL 33181

NOTES: WOOD DOCK ENCROACHES OVER SOUTH LOT LINE.

SURVEYOR'S CERTIFICATION: I HEREBY CERTIFY THAT THIS 'BOUNDARY SURVEY' IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. THIS COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS, AS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 11-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

M.E. Land Services, Inc.
10665 SW 190TH STREET
SUITE 3110
MIAMI, FL 33157
PHONE: (305) 740-3319
FAX: (305) 669-3190
LB#: 6463

SIGNED  FOR THE FIRM
MIGUEL ESPINOSA
STATE OF FLORIDA
P.S.M. No. 5101

NOT VALID WITHOUT AN AUTHENTIC ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL AND/OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER.



Surveyor's Legend

<p>————— PROPERTY LINE</p> <p>————— STRUCTURE</p> <p>————— CONC. BLOCK WALL</p> <p>—X—X— CHAIN-LINK FENCE OR WIRE FENCE</p> <p>—//—//— WOOD FENCE</p> <p>—○—○— IRON FENCE</p> <p>— — — — — EASEMENT</p> <p>— — — — — CENTER LINE</p> <p> WOOD DECK</p> <p> CONCRETE</p> <p> ASPHALT</p> <p> BRICK / TILE</p> <p> WATER</p> <p> APPROXIMATE EDGE OF WATER</p> <p> COVERED AREA</p> <p> TREE</p> <p> POWER POLE</p> <p> CATCH BASIN</p> <p>C.U.E. COUNTY UTILITY EASEMENT</p> <p>I.E./E.E. INGRESS / EGRESS EASEMENT</p> <p>U.E. UTILITY EASEMENT</p>	<p>FND FOUND IRON PIPE / PIN AS NOTED ON PLAT</p> <p>LB# LICENSE # — BUSINESS</p> <p>LS# LICENSE # — SURVEYOR</p> <p>CALC CALCULATED POINT</p> <p>SET SET PIN</p> <p>▲ CONTROL POINT</p> <p>■ CONCRETE MONUMENT</p> <p>⊕ BENCHMARK</p> <p>ELEV ELEVATION</p> <p>P.T. POINT OF TANGENCY</p> <p>P.C. POINT OF CURVATURE</p> <p>P.R.M. PERMANENT REFERENCE MONUMENT</p> <p>P.C.C. POINT OF COMPOUND CURVATURE</p> <p>P.R.C. POINT OF REVERSE CURVATURE</p> <p>P.O.B. POINT OF BEGINNING</p> <p>P.O.C. POINT OF COMMENCEMENT</p> <p>P.C.P. PERMANENT CONTROL POINT</p> <p>M FIELD MEASURED</p> <p>P PLATTED MEASUREMENT</p> <p>D DEED</p> <p>C CALCULATED</p> <p>L.M.E. LAKE OR LANDSCAPE MAINT. ESMT.</p> <p>R.O.E. ROOF OVERHANG EASEMENT</p>	<p>B.R. BEARING REFERENCE</p> <p>△ CENTRAL ANGLE OR DELTA</p> <p>R RADIUS OR RADIAL</p> <p>RAD. RADIAL TIE</p> <p>N.R. NON RADIAL</p> <p>TYP. TYPICAL</p> <p>I.R. IRON ROD</p> <p>I.P. IRON PIPE</p> <p>N&D NAIL & DISK</p> <p>PK NAIL PARKER-KALON NAIL</p> <p>D.H. DRILL HOLE</p> <p>⊙ WELL</p> <p>⊠ FIRE HYDRANT</p> <p>⊕ M.H. MANHOLE</p> <p>O.H.L. OVERHEAD LINES</p> <p>TX TRANSFORMER</p> <p>CATV CABLE TV RISER</p> <p>W.M. WATER METER</p> <p>P/E POOL EQUIPMENT</p> <p>CONC. CONCRETE SLAB</p> <p>ESMT EASEMENT</p> <p>D.E. DRAINAGE EASEMENT</p> <p>L.B.E. LANDSCAPE BUFFER EASEMENT</p> <p>L.A.E. LIMITED ACCESS EASEMENT</p> <p>TEL. TELEPHONE FACILITIES</p> <p>U.P. UTILITY POLE</p> <p>E.U.B. ELECTRIC UTILITY BOX</p> <p>SEP. SEPTIC TANK</p> <p>D.F. DRAINFIELD</p> <p>A/C AIR CONDITIONER</p> <p>S/W SIDEWALK</p> <p>DWY DRIVEWAY</p> <p>SCR. SCREEN</p> <p>GAR GARAGE</p> <p>ENCL. ENCLOSURE</p> <p>N.T.S. NOT TO SCALE</p> <p>F.F. FINISHED FLOOR</p> <p>T.O.B. TOP OF BANK</p> <p>E.O.W. EDGE OF WATER</p> <p>E.O.P. EDGE OF PAVEMENT</p> <p>C.V.G. CONCRETE VALLEY GUTTER</p> <p>B.S.L. BUILDING SETBACK LINE</p> <p>S.T.L. SURVEY TIE LINE</p> <p>⊙ CENTER LINE</p> <p>R/W RIGHT-OF-WAY</p> <p>P.U.E. PUBLIC UTILITY EASEMENT</p> <p>C.M.E. CANAL MAINTENANCE EASEMENT</p> <p>A.E. ANCHOR EASEMENT</p>
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Property Address:

2370 ARCH CREEK DRIVE
NORTH MIAMI, FL 33181

Flood Information:

Community Number: 120655
Panel Number: 12086C0144
Suffix: L
Date of Firm Index: 9/11/2009
Flood Zone: AE
Base Flood Elevation: 8.0
Date of Field Work: 4/14/2014
Date of Completion: 4/15/2014

- General Notes:**
1. The Legal Description used to perform this survey was supplied by others. This survey does not determine or is not to imply ownership.
 2. This survey only shows above ground improvements. Underground utilities, footings, or encroachments are not located on this survey map.
 3. If there is a septic tank, well, or drain field on this survey, the location of such items was shown to us by others and the information was not verified.
 4. Examination of the abstract of title will have to be made to determine recorded instruments, if any, effect this property. The lands shown herein were not abstracted for easement or other recorded encumbrances not shown on the plat.
 5. Wall ties are done to the face of the wall.
 6. Fence ownership is not determined.
 7. Bearings referenced to line noted B.R.
 8. Dimensions shown are platted and measured unless otherwise shown.
 9. No identification found on property corners unless noted.
 10. Not valid unless sealed with the signing surveyors embossed seal.
 11. Boundary survey means a drawing and/or graphic representation of the survey work performed in the field, could be drawn at a shown scale and/or not to scale.
 12. Elevations if shown are based upon NGVD 1929 unless otherwise noted.
 13. This is a BOUNDARY SURVEY unless otherwise noted.
 14. This survey is exclusive for the use of the parties to whom it is certified. The certifications do not extend to any unnamed parties.
 15. This survey shall not be used for construction/permitting purposes without written consent from Miguel Espinosa.

Legal Description:

LOT 18, BLOCK 13, OF SUBDIVISION KEYSTONE ISLAND NO. FOUR,, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 65, PAGE 69, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

PRINTING INSTRUCTIONS:

While viewing the survey in any Acrobat Reader, select the File Drop-down and select "Print"
Select a color printer, if available, or at least one with 8.5" x 14" paper.
Select ALL for Print Range, and the # of copies you would like to print out.
Under the "Page Scaling" please make sure you have selected "None."
Do not check the "AutoRotate and Center" button.
Check the "Choose Paper size by PDF"checkbox.
Click OK to Print.

Certified To: JAMES CHRISTOPHER AND REBEKAH KURZWEG;
FLORIDA TITLE & TRUST, LLC; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; GOLDMAN SACHS BANK USA ; .
Its successors and/or assigns as their interest may appear.

Please Copy below for Policy Preparation Purposes only:

This policy does not insure against loss or damage by reason of the following exceptions: Any rights, easements, interests or claims which may exist by reason of, or reflected by, the following facts shown on the survey prepared by MIGUEL ESPINOSA dated 04/15/2014 bearing Job # A-47799 :

- a) WOOD DOCK ENCROACHES OVER SOUTH LOT LINE.
- b)
- c)



M.E. Land Services, Inc.
10665 SW 190TH Street, Suite 3110 MIAMI, FL 33157
PHONE:(305) 740-3319 FAX #:(305) 669-3190 LB # 6463



WWW.MELANDSERVICES.COM