2005-017VC

#### **PETITION**

#### 28-106.301 INITIATION OF PROCEEDINGS

Name of Agency (Respondent): Florida Housing Finance Corporation

227 North Bronough Street, Suite 5000

Tallahassee, FL 32301-1329

Agency File Number:

2005-017C

Petitioner:

Lewis V. Swezy

R.S. Development Corp.

5709 NW 158 Street

Miami Lakes, FL 33014

Phone: (305) 821 0330, Fax: (305) 821 0402

The petitioner received the 2005 MMRB, SAIL & HC Scoring Summary reflecting Corporation's decision regarding any revisions ("Cures") and Notices of Alleged Deficiencies ("NOAD"), together with an Election Rights Form with attachments by Federal Express on 5/26/05.

Proximity Tie-Breaker Points for Item #2P, Part-III, Section-A, Subsection 10.b.2 for public school were not awarded.

Petitioner's 2004 Universal Cycle File #2004-075C included the same school as in the subject 2005 application, yet last year maximum points were awarded and this year none. There are multiple schools within a one-mile radius of the project that we could have chosen, had we been made aware last year that the school submitted does not qualify. Attached are surveyor's certification of the location of two (2) public schools, each of which is within less than a mile of the proposed activity.

Petitioner requests the agency to grant full tie-breaker points for the public school.

Withness:

Petitioner:

Lewis V. Swezy, President

Name of Development:	Stadium	Tower Ap			YOR	ERT	LFICAT	ION						
Development Location:	Intersecti	on of N.V	7. 23rd	Street	& N.V	V. Sti	n Avenu	e, M	liami, Fl.	33127				
(At a minimum, provide address has not yet been											mber, s	treet na	ame aı	nd city, or if the
The undersigned Florida conforms to Rule 61G17		rveyor coni	irms tha	t the m	ethod u	ısed t	o determi	ne th	e followin	glatitu	de and	longitu	ide co	ordinates
Chand W. D. L. M.		Daine Tal				La	titude					Longit	tude	
State the Tie-Breaker Me Measurement Point means a Applicant on the proposed D within 100 feet of a residentic constructed as part of the proposed Development which consists single point on one of the Sc Development site that is local residential building existing proposed Development. In a Measurement Point must be units if any of the Scattered.	single point: evelopment: al building exposed Devel of Scattered attered Sites atted within 10 or to be consididation, the 1 located on the	selected by the site that is look isting or to opposent. For Sites, this me which comprove the comprove of the	he cated be a eans a sise the ct of the e most	25 Degree	ces	Min	7 uites	Secondary (true	imal	80 Degree	5	12 Minute	s	35.2 Seconds (truncated after I decimal place)
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Measurement Point?  Scattered Sites for a single D not contiguous to one anothe information available to the  Location of closest Public	evelopment r or are divid Corporation t	means a Dev led by a stree	t or easen	consisti nent and	(ii) it is	readil	y apparent	from	the proxim	ity of th	ere two e sites, c	ormore hain of	of the title, or	parcels(i) are other
Stop or Metro-Rail Stop	LDus	25 Degrees	Min	utes	Seco		runcated imal place	Ī	80 Degrees	Min				uncated after
State the name, address ( and longitude coordinates that is on the doorway thresh public entrance to the service threshold of the interior publ	of the clos old of an ext e, then a point	est service erior entranc t should be u	(s) on the e that pro	e chart` videsdir	below. ect publ	The la	atitude and ess to the b	l longi wildir	itude coordi	nates fo	reach s is locat	ervice m	ustrep nere is :	resent a point no exterior
Grocery Store:				Т	Lati	tude					Lo	ngitud	e	
Name - La Mia Superr			25	_	48		15.2		80		13		25	.1
Address - 3001 N.W. 1 Miami, Fl. 331			Degree	es	Minute	es	Second (truncated decimal r	afteri	Degr	ees	Minu	tes		onds ated after 1 al place)
Public School: Name - Paul Laurence Address - 505 N.W. 20 Miami, Fl. 331	Street	100	25 Degree	es	47 Minute	es	Second (truncated	ls Ianeri	Begro		12 Minu	i		onds ated after 1
Medical Facility:							decimal p	dace)					decim	al place)
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If the Corporation discoving Florida Department of Bu	isiness and	Profession a	egoing s	ation fo ( tatemer	r inves ERTIF	tigation ICAT	on. TON ( correct.	Fi	le#	A-1	096	, s	copy t	
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Nestor G. Rodriguez	1/		Date (m	mradry	ууу)				urveyor	A		175		
Print or Type Name of Sig	enators						Addre		W. 42nd	Avenu	ie, 2nd	Ploor		
President	gii alor y						_		ka, F1. 330	054				
Print or Type Title of Sign	natory						Opa-		na, 11. JJ					
R. L. S. #4277							(305	687	7-9191					
Florida License Number									Number (i	ncludin	g area	code)		
This certification may not b Applicant. If the certificati	on is inappro	opriately sig	ned, the .	App lica:	tion wil	lnotr	e Applicar eceive pro	nt, or i	by any Pri ty tie-break	ncipals o	or Finau is. If th	ncial Be	ication	contains
corrections or 'white-out', o meet threshold and will be	or if it is scan	uned, imageo	i, altered	, or rety	ped, th	е Арр	lication w	il not	receive pr	oximity	tie-bre	aker po	ints an	d will fail to

UA1016 (Rev. \_\_\_05)

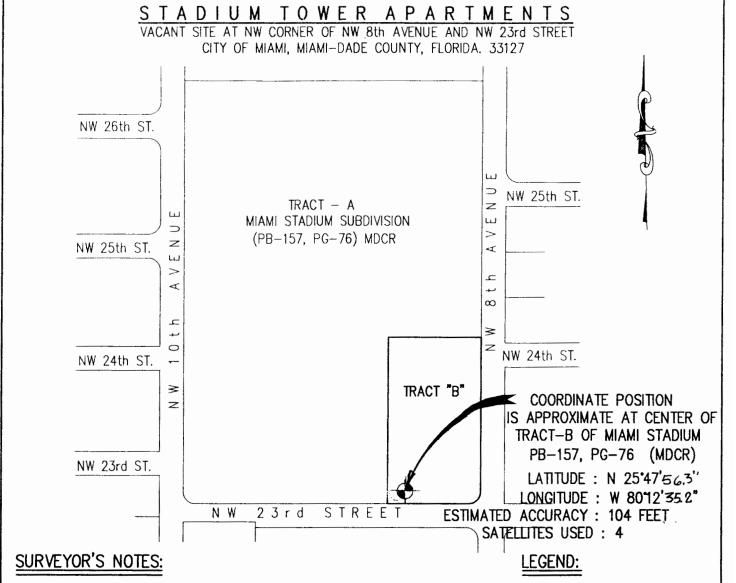
Exhibit \_

#### SURVEYOR CERTIFICATION

Name of Development: _	Stadium	Tower Ap	artment	<b>S</b>									
Development Location:	Intersecti	on of N.W	23rd 5	Street &	L.N.W.	. 8th	Avenue	, Miz	ami, FL 3	3127			
(At a minimum, provide address has not yet been										ess num	ber, stre	et nam	ne and city, or if th
The undersigned Florida conforms to Rule 61G17		rveyor conf	irms that	the me	thod us			e the	following	latitude			
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constructed as part of the pro	posed Devel	opment For	a ,					àtter.	1				after 1
Development which consists single point on one of the So								decim place					decimal place)
Development site that is loca	ated within 10	00 feet of a						•					
residential building existing proposed Development. In a			t of the										
Measurement Point must be	located on th	e site with th											
units if any of the Scattered S If the Development consi				of the bo	undary	of e	ach parce	lloca	ted within	1/2 mil	e of the	Tie-B	reaker
Measurement Point?	Yes [		heck one				-						
Scattered Sites for a single D not contiguous to one anothe													
information available to the	Corporation t	hat the prope	rties are p	art of a c	ommon	or re	lated schem	eofd	evel opment	y or and s	nes, cian	. 01 22	ic, or one
Location of closest Publi	c Bus	25	47	,	54.	7		8	30	12		25.7	,
Stop or Metro-Rail Stop		Degrees	Min				runcated		egrees	Minutes		Seconds (truncated after	
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Address -			Degree	s I	Minutes	-	Seconds		Degree	es :	Minutes		Seconds
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Public School: Name - Santa Clara El	en Cabas	1	25	;	48		15		80		12	4	12
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Under penalties of perfur	y, I declare	that the for	egoing s	tatemen	t is true	and	correct.		( )	OIN I	TMOI	ر راد	
11/10	777		06/13/2	005			Penin	sula.	Land Sur	veyors	, Inc.		
Signature	1 (	April 1	Date (m	m/dd/yy	уу)		Name o	of Su	rveyor				
Nestor G. Rodrighez							13113	N.V	W. 42nd A	Avenue	, 2nd F	loor	
Print or Type Name of Si	gnatory						Addres						
President							Opa-I	ock	a, F1. 330	54			
Print or Type Title of Sig	natody												
R. L. S. #4277									-9191				
Florida License Number							Teleph	one N	Tumber (in	cluding	area co	de)	
This certification may not be Applicant. If the certification corrections or 'white-out', meet threshold and will be	ion is inappr or if it is scan	op riately sig nned, image	ned, the . i, altered	Applicati , or rety	ion will : ped, the	not r	eceive proz	cinuity	tie-breake	r points	. If theis o	ertific	ation contains
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Exhibit \_\_\_\_

UA1016 (Rev. \_\_\_05)



- 1. THIS IS A SPECIFIC PURPOSE SURVEY (NOT A BOUNDARY SURVEY).
- 2. THIS SURVEY IS SPECIFICALLY PREPARED TO SHOW THE APPROXIMATE LATITUDE AND LONGITUDE LOCATIONS OF VARIOUS SITES RELATIVE TO THE SUBJECT PROPERTY.
- 3. LATITUDE AND LONGITUDE COORDINATES SHOWN ARE BASED ON THE GLOBAL POSITIONING SYSTEM DETERMINED BY THE USE OF A MOTOROLA 1730 HAND HELP GPS UNIT.
- 4. THE LOCATION OF ANY SITES AND/OR BUILDING OUT—LINES SHOWN ON THIS SKETCH HAVE BEEN TAKEN FROM AERIAL PHOTOGRAPHY AND SECTION MAPS AND ARE INTENDED TO BE AN APPROXIMATE GRAPHIC REPRESENTATION ONLY.
- 5. AUTHENTIC COPIES OF THIS SURVEY SHALL BEAR THE RAISED SEAL OF THE ATTESTING REGISTERED LAND SURVEYOR ON SHEET 1 OF THIS DOCUMENT.

PB -- PLAT BOOK

PG -- PAGE

MDCR -- MAIMI-DADE COUNTY RECORD

GPS -- GLOBAL POSITION

SYSTEM

± -- MORE OR LESS

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SCALE: 1"=	= 200'±
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SHEET 2	OF <b>7</b>

PENINSULA LAND SURVEYORS, INC.

LB # 6454

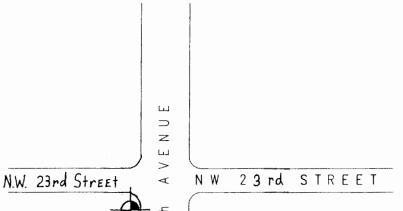
LAND DEVELOPMENT CONSULTANTS

SURVEYORS - PLANNERS CONSTRUCTION LAYOUT



≯ z

SW CORNER OF NW 7th AVENUE AND NW 23rd STREET CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA. 33127



COORDINATE POSITION IS AT SW CORNER OF INTERSECTION

LATITUDE : N 25°47'54.7"

LONGITUDE: W 8012'25.7" ESTIMATED ACCURACY: 175 FEET

SATELLITES USED: 5



PB -- PLAT BOOK

PG -- PAGE

MDCR -- MAIMI-DADE

COUNTY RECORD

GPS -- GLOBAL POSITION

SYSTEM

± -- MORE OR LESS

# SURVEYOR'S NOTES:

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DATE: 03-	26-0 <b>5</b>
SCALE: 1	'= 200'±
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F.B. N/A	
FILE NO.	A-1096
SHEET 3	OF <b>7</b>

PENINSULA LAND SURVEYORS, INC.

LB # 6454

LAND DEVELOPMENT CONSULTANTS

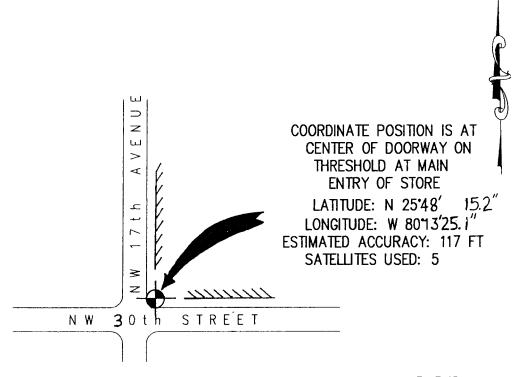
SURVEYORS - PLANNERS CONSTRUCTION LAYOUT

13113 NW 42ND AVENUE, 2ND FLOOR MIAMI, FLORIDA 33054

PHONE (305) 687-9191 FAX (305) 687-9190

# LA MIA SUPERMARKET 3001 N.W. 17<sup>th</sup> Avenue

3001 N.W. 17" Avenue City of Miami, Miami-Dade County, Florida 33127



# **SURVEYOR'S NOTES:**

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# <u>LEGEND:</u>

PB -- PLAT BOOK

PG -- PAGE

MDCR -- MAIMI-DADE COUNTY RECORD

GPS -- GLOBAL POSITION

SYSTEM

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DATE: 03-26-	-05
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PENINSULA LAND SURVEYORS, INC.

LB # 6454

LAND DEVELOPMENT CONSULTANTS

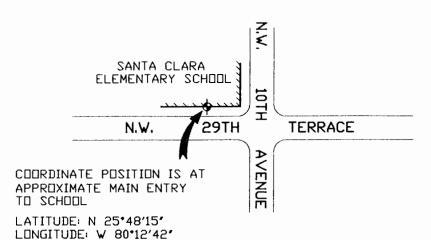
SURVEYORS - PLANNERS CONSTRUCTION LAYOUT

13113 NW 42ND AVENUE, 2ND FLOOR MIAMI, FLORIDA 33054

PHONE (305) 687-9191 FAX (305) 687-9190

## SANTA CLARA ELEMENTARY SCHOOL

1051 N.W. 29TH TERRACE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA 33127





PB --- PLAT BOOK

PG --- PAGE

MDCR --- MIAMI-DADE COUNTY RECORD

GPS --- GLOBAL POSITION SYSTEM

+/- --- MORE OR LESS

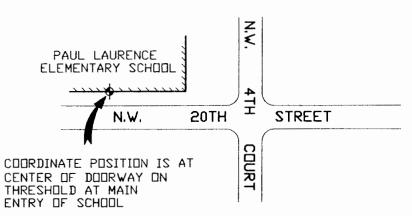
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DATE: 6-13-05	PENINSULA LAND SUR∨EY□RS, INC.
SCALE: 1' = 200'	LB # 6454
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FILE NO. A - 1096	13113 NW 42ND AVENUE, 2ND FLOOR
	MIAMI, FLORIDA 33054
SHEET 6 DF 7	PHONE (305) 687-9191 FAX (305) 687-9190 E-MAIL PENINSULALS@CS.COM

## PAUL LAURENCE ELEMENTARY SCHOOL

505 N.W. 20TH STREET CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA 33127



LATITUDE: N 25°47′43.2° LONGITUDE: W 80°12′12°



PB --- PLAT BOOK

PG --- PAGE

MDCR --- MIAMI-DADE COUNTY RECORD

GPS --- GLOBAL POSITION SYSTEM

+/- --- MORE OR LESS

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DATE: 6-13-05

SCALE: 1' = 200'

JOB ORDER: 043560

CAD FILE: MIASTA

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FILE NO. A - 1096

SHEET 7 OF 7

# PENINSULA LAND SURVEYORS, INC.

LB # 6454

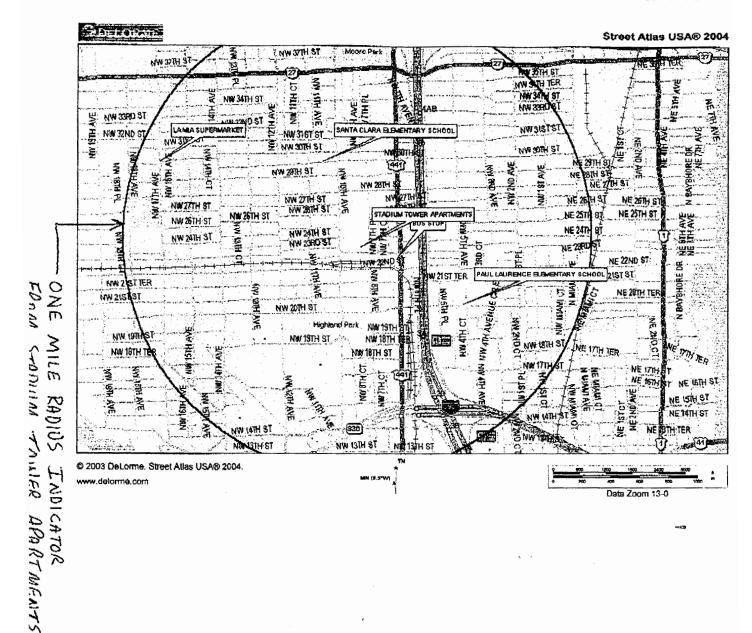
LAND DEVELOPMENT CONSULTANTS

SURVEYORS - PLANNERS CONSTRUCTION LAYOUT

13113 NW 42ND AVENUE, 2ND FLOOR

MIAMI, FLORIDA 33054

PHONE (305) 687-9191 FAX (305) 687-9190 E-MAIL PENINSULALS@CS.COM



#### **PETITION**

#### 28-106.301 INITIATION OF PROCEEDINGS

Name of Agency (Respondent): Florida Housing Finance Corporation

227 North Bronough Street, Suite 5000

Tallahassee, FL 32301-1329

Agency File Number:

2005-017C

Petitioner:

Lewis V. Swezy

R.S. Development Corp.

5709 NW 158 Street

Miami Lakes, FL 33014

Phone: (305) 821 0330, Fax: (305) 821 0402

The petitioner received the notice of agency's decision by Federal Express on 5/26/05.

The agency's decision will affect the Threshold requirement of 2005 Housing Credits Application.. The petitioner received the 2005 MMRB, SAIL & HC Scoring Summary reflecting Corporation's decision regarding any revisions ("Cures") and Notices of

Alleged Deficiencies ("NOAD"), together with an Election Rights Form with attachments.

In an attempt to cure item 3T (Part III, Section-C, Subsection-4) the petitioner submitted a Local Government Verification that the Development is Consistent with Zoning and Land Use Regulations Form with an attachment letter of zoning verification (copy attached) clearly indicating the zoning designation of the site as R-3 Multifamily Medium-Density Residential) with a maximum density of 65 units per net acre which permits 97 Units for the site of 1.54 acres. The petitioner's application is for 70 units. The Local Government Verification Form itself does not spell out the number of units allowed per acre; however, the R-3 zoning is specified on the form and the density is spelled out in a letter attached to the form. In other words, all information requested was provided.

Petitioner requests the agency to consider the Local Government Verification that Development is Consistent with Zoning and Land Use Regulations Form along with the attachment of zoning verification letter and pass the threshold requirement of the application.

Withness:

Lewis V. Swezv

4/14/08

Petitioner:

# LOCAL GOVERNMENT VERIFICATION THAT DEVELOPMENT IS CONSISTENT WITH ZONING AND LAND USE REGULATIONS

Name of	of Development: Stadum Tower Apartments
Develo	2320 NW 8th Avenue, Miami, FL 33127 (Intersec. of NW 23rd Street & NW 8 Ave., Miami) opment Location:
(At a min	imum, provide the address assigned by the United States Postal Service, including the address number, street name and city, or if the as not yet been assigned, provide the street name, closest designated intersection and city)
The und	dersigned local government official confirms that on or before 02/16/2005  Date (mm/dd/yyyy)
(1)	The number of units (not buildings) allowed for this development site (if restricted) is: and/or
	if a PUD, the number of units (not buildings) allowed per development site is:
	if not a PUD and development site is subject to existing special use or similar permit, number of units allowed for this development site is:; and
(2)	The zoning designation for the referenced Development site is; and
(3)	The intended use is consistent with current land use regulations and the referenced zoning designation or, if the Development consists of rehabilitation, the intended use is allowed as a legally non-conforming use. To the best of my knowledge, there are no additional land use regulation hearings or approvals required to obtain the zoning classification or density described herein. Assuming compliance with the applicable land use regulations, there are no known conditions which would preclude construction or rehabilitation (as the case may be) of the referenced Development on the proposed site.
	CERTIFICATION
I certify	y that the City/County of Name of City/County) has vested in me the authority
to verif	by consistency with local land use regulations and the zoning designation specified above or, if
	velopment consists of rehabilitation, the intended use is allowed as a "legally non-conforming
	d I further certify that the foregoing information is true and correct. In addition, if the proposed
	pment site is in the Florida Keys Area as defined in Rule Chapters 67-21 and 67-48, F.A.C., I certify that the Applicant has obtained the necessary Rate of Growth Ordinance (ROGO)
	Date (mm/dd/yyyy)  Print or Type Name  20 NING ADMINISTRATOR  Print or Type Title
-DIEIIam	Z-Allie Approximation
-	Print or Type Title
Thin co	rtification rates he signed by the applicable City's or County's Director of Diagning and Zoning, chief

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to comprehensive planning and zoning, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If the certification is applicable to this Development and it is inappropriately signed, the Application will fail threshold.

If this certification contains corrections or 'white-out', or if it is scanned, imaged, altered, or retyped, the Application will fail to meet threshold and will be rejected. The certification may be photocopied.

	٠.	_	1
Exhibit	_		
	 -	-	

# City of Miami



JOE ARRIOLA City Manager

February 25, 2005

EFFEIVED MAR 02111

Kamlesh Taank, Stadium Tower, LTD 5709 NW 158th Street Miami Lakes, FL 33014

Folio No.: 01-3126-077-0020

2320 NW 8th Avenue

Legal Description: Miami Stadium Sub PB 157-76 T-20458 Tract

B

Dear Sir or Madam

Pursuant to your letter received February 25, 2005 requesting zoning verification for the above-mentioned property, and in response to said request, please be advised of the following.

The current zoning designation of the site is  $\mathbb{R}$ -3 (Multifamily Medium-Density Residential).

Areas designated as R-3 (Multifamily Medium-Density Residential) allow single-family, duplex and multifamily structures up to and including low-rise apartment structures with a maximum density of sixty-five (65) units per net acre. Allowed within this district, and subject to specific limitations, are supporting services such as places of worship, primary and secondary schools, daycare, community based residential facilities and convenience establishments

For your benefit, I am enclosing a copy of the applicable R-3 zoning regulations affecting the property. If further zoning information is required on this matter, please contact our zoning information counter at (305) 416-1499.

Very truly yours,

Aldo Reyes,

Chief Zoning Inspector

AR: qr

C: Zoning Verification File

# 05 039645 pe



# CITY OF MIAMI PLANNING & ZONING DEPARTMENT

444 S.W. 2<sup>nd</sup> Avenue, 4<sup>th</sup> Floor, Miami, Ft. 33130 Telephone No. 305.416.1499 Fax No. 305.416.4419

#### ZONING LETTER REQUEST

Dear Customer:

Thank you for visiting with the City of Miami Zoning Division.

In an effort to provide you with prompt and reliable assistance regarding your request for a Zoning Letter we ask that you please take a moment to please read through this brief set of directions:

There are three (3) types of Zoning Letters available:

1. Zoning Verification Letter

[Typically ready in 5\* working days - \$50.00 fee per property]

This letter provides information about the zoning designation of the property, as of the date of the letter, as well as a general intent statement regarding the sort of development and the types of land uses available for the property.

#### Condominium Letter □

[Typically ready in 5 to 10\* working days - \$50.00 fee per property, tax card & survey of property.] This letter provides information about the zoning designation of the property, as of the date of the letter, as well as a statement conveying the City's acknowledgement of the customer's intent to convert a given property into a condominium, as appropriate.

#### 3. Rebuild Letter D

[Typically ready in 5 to 10\* working days - \$50.00 per structure or use, fax card & survey of property.] This letter provides information about the zoning design k(a), of the property, as of the date of the letter, as well as a statement indication whether or not a structure or structures or uses present in the property may be rebuilt upon destruction or reestablished upon cessation, as appropriate.

In order to best serve you, please make certain that you provide us with a complete set of accurate information on which to base our letter. The information contained on the letter will only be accurate to the extent the information provided by the applicant is itself accurate:

Step 1. Please check box next to type of letter requested.

Step 2. Please fill-out in clear and legible writing the information requested below, as applicable.

INFORMATION	FOR LETTER	PLEASE PROVIDE INFORMATION IN SPACE BELOW
Name	1,2 & 3	KAMLESH TAANK, STADIUM TOWER, LTD.
Contact Number	1,2 & 3	(954) 410 8388
Mailing Address	1,2 & 3	5709 NW 158 ST. MIAMI LAKES, FL33014
Property Address	1,2 & 3	5709 NW 158 ST. MIAMI LAKES, FL33014 INTERSECTION OF NW 23rd ST. & NW 8AVE, MIAMI, FL33
Folio Number	1,2 & 3	01-3126-077-0020
Attachments	2 & 3	☐Site Plan, ☐Survey, ☐Floor Plan, ☐Elevations, ☐Document(s)
Record Search	2 & 3	□Complete □Tax Card Only
Other [STAFF ONLY]	As Needed	Specify:

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_		71516	MUUI	icalion

Signed:

Date:

18:51 113 55 6343861

<sup>\*</sup> Calculated from date of submittal of complete and accurate set of information and written request, as signed above.

PNLE ARPS PROPERTY SYST	EM - PROPERTY		INQUIRY: 02/25/2005	
	AL ADDR:		. 02/23/2003	14.40.50
GRP FOLIO: PRO	P ADDR: 2320	NW 8 WN		
CANCELED: NO ORIGIN: DC BL	PRESENT: YES	ST EX: 00 00	CLUC: 81	
OWNER NAME AND ADDRESS		VALUE HI	STORY	
SWEZY ACQUISITIONS INC	YEAR:	2003	2004	
	LAND:	207,080	247,160	
5709 NW 158 ST #B-46	BLDG:	0	0	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
MIAMI LAKES FL	TOTAL:	207,080	247,160	
ZIP: 330146719	HEX:	0	0	
	WVDS:	0	0	
LEGAL DESCRIPTION	– – .	0	0	
MIAMI STADIUM SUB	NONEX:	207,080	247.160	
	GRSS TX:	6,485	,	
TRACT B	CNTY TX:	0, 100	0,133	
LOT SIZE 66800 SQFT M/L	CITY TX:	2,389	2,389	
FAU 01-3126-000-0030	SALE AMT:	2,303	2,303	
	SALE DATE:	07/2001		
CHORLE	SALE TYPE:	5/	/	/
NEXT FOLIO KEY: NEXT ADDRESS		57	/	/

ACTION: 1-CONTINUE . ACTION: 01 XMIT:

18 8 /80 - 1 Ja

Date: 2/25/2005 Time: 2:42:44 PM



#### CITY OF MIAMI ZONING INFORMATION

#### R-3 MULTIFAMILY MEDIUM DENSITY RESIDENTIAL

Zoning Ordinance 11000, as amended, Section 401, Schedule of District Regulations.

#### INTENT OF DISTRICT

This residential category allows single-family, duplex and multifamily structures up to and including low-rise apartment structures with a maximum density of sixty-five (65) units per net acre. Allowed within this district, and subject to specific limitations, are supporting services such as places of worship, primary and secondary schools, daycare, community based residential facilities and convenience establishments.

INTENSITY OF	Minimum Lot Size	5,000 square feet
DEVELOPMENT	Setbacks	Front: 20 feet
		Side: 10 feet Rear: 10 feet, except when abutting R-1 or R-2 districts, in which case it will be twenty 20 feet
	Minimum Lot Width	50 feet
	Height	50 feet from flood level or average sidewalk elevation, whichever is higher
	Floor Area Ratio	Maximum of (0.75) times the gross lot area
	Building Footprint	Maximum of (0.40) times the gross lot area
	Green Space	Minimum of (0.15) times the gross lot area

#### PERMITTED PRINCIPAL USES

- One-family buildings pursuant to section 903.5. Rules concerning single family and duplex uses within R-3 and R-4 zoning districts.
- Two-family buildings pursuant to section 903.5. Rules concerning single family and duplex uses within R-3 and R-4 zoning districts.

3. Multiple-family buildings.

- 4. Occupancy of private pleasure craft as fiving quarters; and housebarges are prohibited except for those private pleasure craft and housebarges specifically permitted on the Miami River by Section 941. Occupancy of private pleasure craft as living quarters in residential districts and housebarge exception, as listed in Attachment A, Ordinance No. 10932, adopted October 24, 1991.
- 5. Community based residential facilities, licensed by FHRS, for six (6) or fewer clients (not including drug, alcohol or correctional rehabilitation facilities and dangerous mentally ill persons) when located at least one thousand (1,000') feet from any existing similar facility, measured from the nearest point of the site of the existing facility to the nearest point of the site of the proposed facility, provided they are registered with the planning, building and zoning department pursuant to section 934.2.1. Registration required.
- 6.Community based residential facilities, licensed by FHRS, with from seven (7) to a maximum of fourteen (14) clients (not including drug, alcohol or correctional rehabilitation facilities and dangerous mentally ill persons) when located at least one thousand two hundred (1,200') feet from any existing similar facility, or five hundred (500') feet from any single-family district measured from the nearest point of the site of the existing facility to the nearest point of the site of the proposed facility, provided they are registered with the planning, building and zoning department pursuant to section 934.2.1. Registration required.

#### PERMITTED ACCESSORY USES

- 1. Cellular communications site provided that the miscellaneous antennas and all of its appurtenances:
  - (1) Shall not be visible from ground from a maximum distance of six hundred (600') feet; screening from ground view may be provided by a parapet or some other type wall or screening;
  - (2) Shall not exceed a height of eighteen (18') feet above the roof;
  - (3) Shall not be located closer than eight (8') feet to any power line;
  - (4) Shall not exceed three (3) separate areas per roof top;
  - (5) Shall be installed and maintained in accordance with all applicable Code requirements; and
  - 6) Shall not be located on buildings or structures thereon of less than forty-five (45') feet in height.

#### IN ADDITION, AS FOR R-1 - SINGLE FAMILY RESIDENTIAL

- 1. Detached garages and car shelters
  - Subject to the criteria requirements and limitations of Section 908.6.
- 2. Garden sheds.
- 3. Private piers, docks and boathouses
  - Subject to the criteria requirements and limitations of Section 924.
- 4. Wet dockage or moorage of two (2) major private pleasure craft in connection with any residential use permitted, plus one (1) for each fifty (50') feet of water frontage (as measured lot line to lot line in a straight line) exceeding one hundred (100') feet in R-1 districts, Occupancy of private pleasure craft as living quarters is prohibited. Housebarges are prohibited.

#### CONDITIONAL PRINCIPAL USES

Conditional principal uses shall be by Special Permit only subject to the applicable criteria in Section 1305, Considerations generally: standards; findings and determinations required and any other applicable criteria specified in this ordinance. Specifically:

1. Community based residential facilities, with more than fourteen (14) to a maximum of fifty (50) clients.

Subject to the requirements and limitations of Section 934, Community based residential facilities.

By Special Exception Permit with City Commission approval.

2. Convalescent homes, and nursing homes,

By Special Exception Permit with City Commission approval.

★ Conditions (distancing):

Said uses shall be implemented at a minimum distance of one thousand two hundred (1,200') feet from one another if their capacity is less than or equal to fourteen (14) persons and at a minimum distance of two thousand five hundred (2,500') feet from one another if their capacity is greater than fourteen (14) persons. Said distance shall be measured in a radial fashion from the boundary line of the property wherein such a use is in existence.

3. Rooming or lodging houses

By Special Exception Permit.

4. Health clinics

By Special Exception Permit with City Commission approval.

\* Conditions (location, employees, adaptive re-use, parking):

Provided that in that R-3 district along Brickell Avenue bounded by Southeast 26th Road and Southeast 15th Road, said health clinics shall be instituted subject to the following conditions:

- a. There shall be only one (1) licensed practitioner in the clinic and in addition, medical and clerical staff not to exceed three (3) persons in number.
- b. They shall be allowed only as **adaptive reuses** of existing single family residential structures (as of February 27, 1997) within the district and are expressly **prohibited** within duplex and multifamily residential structures.
- c. Parking shall be provided on-site at the rate of one (1) parking space per two hundred fifty (250) square feet of gross floor area.

#### IN ADDITION, AS FOR R-2 - DUPLEX RESIDENTIAL

1. Adult daycare centers

Subject to the requirements and limitations of Section 935, Adult daycare centers.

By Class II Special Permit for five (5) or more adults.

2. Child daycare centers

Subject to the requirements and limitations of Section 936, Child daycare centers.

By Class II Special Permit for up to twenty (20) children.

By Special Exception Permits for over twenty (20) children.

3. Places of worship, primary and secondary schools.

By Special Exception Permit.

### CONDITIONAL ACESSORY USES

Uses and structures which are customarily incidental and subordinate to conditional principal uses and structures only by Special Permit subject to the applicable criteria in Section 1305, Considerations generally; standards; findings and determinations required and any other applicable criteria specified in this ordinance.

1. Home occupations

By Class II Special Permit

Subject to the requirements and limitations of Section 906.5, Home occupations.

2. Permanent active recreation facilities located in side yards or front yards accessory to uses in residential districts.

By Class II Special Permit

 Temporary special events involving outdoor gatherings at churches, schools and the like, to the extent not otherwise licensed, regulated and controlled under other regulations of the City.

Subject to the requirements and limitations of 906.9. Temporary special events; special permits.

By Class I Special Permit

4. Post-secondary educational facilities

By Class II Special Permit.

\* Conditions (floor area, number of courses, time):

Provided that the floor area is not greater than one thousand five hundred (1,500') square feet, the total number of courses at a single location does not exceed two (2) per year, and each course is held for only up to the length of time of a scholastic semester.

 One (1) onsite dock or mooring space per unit for major private pleasure craft for use of residents thereof only but not as a dwelling unit.

By Class II Special Permit.

6. Accessory convenience establishments,

Subject to the requirements and limitations of Section 906.7. Convenience establishments as accessory to residential or office uses.

By Class I Special Permit or Class II Special Permit depending on type of establishment.

#### IN ADDITION, AS FOR R-2 - DUPLEX RESIDENTIAL & R-1 - SINGLE FAMILY RESIDENTIAL

1. Home occupations

Subject to the requirements and limitations of Section 906.5, Home occupations.

By Class II Special Permit

Garage or yard sales

Subject to the requirements and limitations of Section 906.10, Garage sales/yard sales; special permits.

By Class I Special Permit

3. Permanent active recreation facilities located in side yards or front yards accessory to uses in residential districts.

By Class II Special Permit

4. **Temporary special events** involving outdoor gatherings at churches, schools and the like, to the extent not otherwise licensed, regulated and controlled under other regulations of the City.

Subject to the requirements and limitations of 906.9. Temporary special events; special permits.

By Class I Special Permit

#### OFFSTREET PARKING REQUIREMENTS

1. Dwelling:

One-family and two-family: Minimum two (2) spaces per unit Multifamily:

One (1) space for each efficiency or one-bedroom unit.

Two (2) spaces for each two-bedroom unit or three-bedroom unit; or for each one-bedroom unit where the unit has an additional habitable room or space (where the floor area of the additional habitable room or space is greater than, or equal to one-third of the floor area of the primary bedroom; whether it be called a den, study, recreation room, exercise room, or the like) which by its design accommodates or may otherwise function as a secondary bedroom.

Three (3) spaces for each unit with four (4) or more bedrooms.

In addition, one (1) space for every ten (10) units designated for visitors.

2. Childcare Center

1 space for the owner/operator and 1 space for each employee. In addition to providing offstreet parking, such establishments shall provide safe and convenient facilities for loading and unloading clients including 1 unloading space for every 10 clients cared for.

3. Community Based Residential Facility

See Section 934, Community based residential facilities.

4. Convalescent homes, Nursing homes, institutions for the aged, infirm

One (1) space for each five (5) beds, plus one (1) space for each doctor in regular attendance, plus one (1) space for each three (3) employees or volunteers on peak shifts.

5. Places of worship, primary and secondary schools: As for G/L

For places of worship, a reduction of up to twenty-five (25%) percent in required offstreet parking shall be permissible by Special Exception Permit, when such facilities are located within 1000' feet of a mass transit station or mass transit stop. No other parking reduction may be used in conjunction with this provision.

#### OFFSTREET LOADING REQUIREMENTS

For buildings in excess of twenty-five thousand (25,000) square feet and up to five hundred thousand (500,000) square feet of gross building area:

#### Residential:

Berth minimum dimension to be twelve (12') feet by thirty-five (35') feet by fifteen (15') feet in height:

One (1) berth for every one hundred (100) residential units or fraction thereof.

#### And in addition.

Berth minimum dimension to be ten (10) by twenty (20) feet;

One (1) berth for every thirty (30) residential units or fraction thereof

All residential loading berths shall be located away from the base building line of the proposed berth area at a distance equal to at least the length of the required loading berth.

#### Nonresidential:

Berth minimum dimension to be twelve (12') feet by thirty-five (35') feet by fifteen (15') feet in height:

- 1. First berth for gross building area up to fifty thousand (50,000) gross square feet
- 2. Second berth for gross building area of fifty thousand (50,000) up to one hundred thousand (100,000) gross square feet;
- 3. Third berth for gross building area of one hundred thousand (100,000) up to two hundred fifty thousand (250,000) gross square feet
- 4. Fourth berth for gross building area of two hundred fifty thousand (250,000) up to five hundred thousand (500,000) gross square feet

For buildings with square footage in excess of five hundred thousand (500,000) square feet of gross building area:

#### Residential:

Berth minimum dimension to be twelve (12') by fifty-five (55') feet by fifteen (15') feet in height:

One (1) berth for every one hundred (100) residential units or fraction thereof

#### And in addition,

Berth minimum dimension to be ten (10') by twenty (20') feet by fifteen (15') feet in height:

One (1) berth for every thirty (30) residential units or fraction thereof

All residential loading berths shall be located away from the base building line of the proposed berth area at a distance equal to at least the length of the required loading berth

#### Nonresidential:

Berth minimum dimension to be twelve (12') by fifty-five (55') feet by fifteen (15') feet in height:

In addition to the requirements set forth above, there shall be one (1) borth for ever, five hundred thousand (500,000) gross square feet of building area.

One (1) larger (six hundred sixty (660) square feet) loading space may be replaced by two (2) of the smaller (four hundred twenty (420) square feet) loading spaces as dictated by needs of the individual project.

This is a reference manual only, for official information, please refer to Zoning Ordinance 11000, as amended, the Zoning

Ordinance of the City of Miami or visit www.municode.com for on-line access to said document.



Document Name: Session3 PAGE 1 PIRC SECURITY ACTION L SCR MOD +/- -BUILDING AND ZONING RECEIPT PROCESSING (21) DATE 02/25/2005 WAIVED N RECEIPT NO 05039645 NAME KAMLESH TAANK STADIUM PERMIT NO ADDRESS 5709 NW 158 ST MIAMI LAKES, FL 33014 PHONE 954 4108388 COMMENTS 2320 NW 8 AV MAINTAINED BY: QOO FEES UNIT TYPE UNITS A/C/D TYPE CLASS SUB DESCRIPTION 1.0000 R 170 001 VERIFICATION LETTERS/ZONING FEE SUBSID 000000000 VERIFICATION LETTERS/ZONING 50.00 SUBSID FEE SUBSID FEE FEE SUBSID FEE SUBSID SUBSID FEE TOTAL 50.00

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Date: 2/25/2005 Time: 2:41:54 PM

#### **PETITION**

#### 28-106.301 INITIATION OF PROCEEDINGS

Name of Agency (Respondent): Florida Housing Finance Corporation

227 North Bronough Street, Suite 5000

Tallahassee, FL 32301-1329

Agency File Number:

2005-017C

Petitioner:

Lewis V. Swezy

R.S. Development Corp.

5709 NW 158 Street

Miami Lakes, FL 33014

Phone: (305) 821 0330, Fax: (305) 821 0402

The petitioner received the 2005 MMRB, SAIL & HC Scoring Summary reflecting Corporation's decision regarding any revisions ("Cures") and Notices of Alleged Deficiencies ("NOAD"), together with an Election Rights Form with attachments by Federal Express on 5/26/05.

Proximity Tie-Breaker Points for Item #2P, Part-III, Section-A, Subsection 10.b.2 for public school were not awarded.

Petitioner's 2004 Universal Cycle File #2004-075C included the same school as in the subject 2005 application, yet last year maximum points were awarded and this year none. There are multiple schools within a one-mile radius of the project that we could have chosen, had we been made aware last year that the school submitted does not qualify. Attached are surveyor's certification of the location of two (2) public schools, each of which is within less than a mile of the proposed activity.

Petitioner requests the agency to grant full tie-breaker points for the public school.

Withness

Petitioner

Lewis V. Swezy. Presiden

6/14/05

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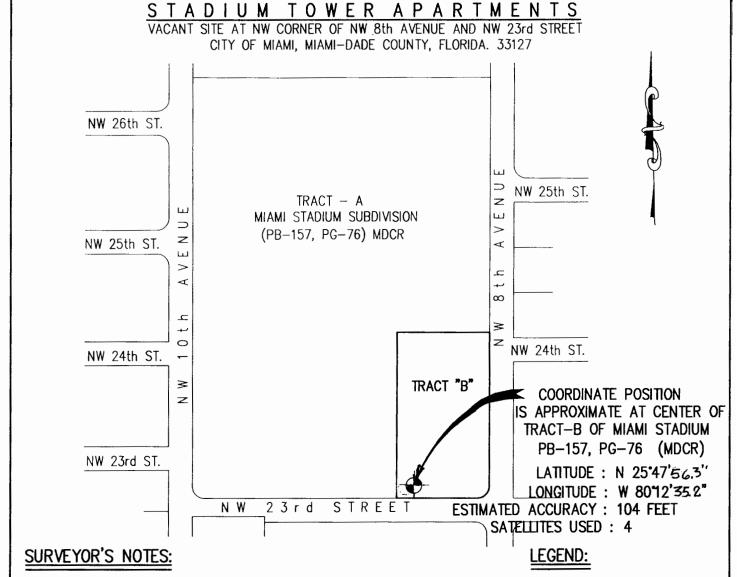
Opa-Locka, Fl. 33054 Print or Type Title of Signatory R. L. S. #4277 (305) 687-9191 Florida License Number Telephone Number (including area code)

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. If the certification is inappropriately signed, the Application will not receive proximity tie-breaker points. If this certification contains corrections or 'white-out', or if it is scanned, imaged, altered, or retyped, the Application will not receive proximity tie-breaker points and will fail to meet threshold and will be rejected. The certification may be photocopied.

UA1016 (Rev05)	Exhibit
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SURVEYOR CER:  Name of Development  Development Location: Intersection of N.W. 23rd Street & N.W. 8	TIFICATION				
Name of Development					
Development Location: Intersection of N.W. 23rd Street & N.W. 8		. =			
(At a minimum, provide the address assigned by the United States Postal S address has not yet been assigned, provide the street name, closest designa			umber, str	eet name a	nd cit <del>y</del> , or if t
The undersigned Florida licensed surveyor confirms that the method used conforms to Rule 61G17-6, F.A.C.:		following latit	ude and lo	ngitude co	ordinates
State the Tie-Breaker Measurement Point Tie-Breaker	atitude		L	ongitude	
Measurement Point means a single point selected by the	nutes Secon (trunc after i decim place)	ds Degree ated		12 finutes	35.2 Seconds (truncated after 1 decimal place)
Measurement Point must be located on the site with the most units if any of the Scattered Sites has more than 4 units.  If the Development consists of Scattered Sites, is a part of the boundary of	each parcel loca	ted within 1/2	mile of the	e Tie-Breal	ker
Measurement Point? Yes No (check one)  Scattered Sites for a single Development means a Development consisting of more the not contiguous to one another or are divided by a street or easement and (ii) it is read information available to the Corporation that the properties are part of a common or it.	an one parcel in the ily apparent from th	e same county w ne proximity of t	here two or	more of the	parcels(i) are
Location of closest Public Bus Stop or Metro-Rail Stop  25 Degrees  47 Minutes Seconds	_		2 inutes	25.7 Seconds (to	runcated after
	cimal place)			1 decimal	
that is on the doorway threshold of an exterior entrance that provides direct public ac public entrance to the service, then a point should be used that is at the exterior entra threshold of the interior public entrance to the service.  Latitude Grocery Store:  Name	nce doorway thresh		osest walkin		
		Degrees	Minute	_   <del>_</del>	m ds
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Address - Degrees Minutes  Public School: Name - Santa Clara Elem. School 25 48	(truncated after 1 decimal place)  15 Seconds (truncated after 1		-	(trum decin	cated after 1 mal place) on ds cated after 1
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Address - Degrees Minutes  Public School: Name - Santa Clara Elem. School Address - 1051 N.W. 29 Terrace Minutes  Miami, Fl. 33127  Medical Facility: Name - Address - Degrees Minutes  Pharmacy: Name - Degrees Minutes  Pharmacy: Name - Degrees Minutes  If the Corporation decovers that there are any false statements made in the Florida Degrees of Business and Professional Regulation for investigat CERTIFICA  Under penalties of perfury, I declare that the foregoing statement is true and 06/13/2005  Signature Degrees Date (mm/dd/yyyy)  Nestor G. Rodriguez  Print or Type Name of Signatory	(truncated after 1 decimal place)  15 Seconds (truncated after 1 decimal place)	BO Degrees  Degrees  CON Land Survey veyor V. 42nd Ave	Minute Minute Will forw 096, TTINU ors, Inc.	(trum decin 42 Sec (trum decin Sec (trum decin s Sec (trum decin s Sec (trum decin s Sec (trum decin	onds cate dafter 1 mal place)  to the State of
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Address - Degrees Minutes  Public School: Name - Santa Clara Elem. School Address - 1051 N.W. 29 Terrace Miami, Fl. 33127  Medical Facility: Name - Address - Degrees Minutes  Pharmacy: Name - Address - Degrees Minutes  If the Corporation discovers that there are any false statements made in the Florida Degratement of Business and Professional Regulation for investigat CERTIFICA  Under penalties of perfury, I declare that the foregoing statement is true and 06/13/2005  Signature Date (mm/dd/yyyy)  Nestor G. Rodriguez  Print or Type Name of Signatory  President	(truncated after 1 decimal place)  15 Seconds (truncated after 1 decimal place)  secretification, the control of the	BO Degrees  Degrees  Degrees  e Corporation (CON Land Survey veyor W. 42nd Ave	Minute Minute  Minute  Will forw  096,  TTINU  ors, Inc.	(trum decin 42 Sec (trum decin s Sec (trum decin ard a copy Shee ED)	onds cate dafter 1 mal place)  to the State of

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- 1. THIS IS A SPECIFIC PURPOSE SURVEY (NOT A BOUNDARY SURVEY).
- 2. THIS SURVEY IS SPECIFICALLY PREPARED TO SHOW THE APPROXIMATE LATITUDE AND LONGITUDE LOCATIONS OF VARIOUS SITES RELATIVE TO THE SUBJECT PROPERTY.
- 3. LATITUDE AND LONGITUDE COORDINATES SHOWN ARE BASED ON THE GLOBAL POSITIONING SYSTEM DETERMINED BY THE USE OF A MOTOROLA 1730 HAND HELP GPS UNIT.
- 4. THE LOCATION OF ANY SITES AND/OR BUILDING OUT—LINES SHOWN ON THIS SKETCH HAVE BEEN TAKEN FROM AERIAL PHOTOGRAPHY AND SECTION MAPS AND ARE INTENDED TO BE AN APPROXIMATE GRAPHIC REPRESENTATION ONLY.
- 5. AUTHENTIC COPIES OF THIS SURVEY SHALL BEAR THE RAISED SEAL OF THE ATTESTING REGISTERED LAND SURVEYOR ON SHEET 1 OF THIS DOCUMENT.

PB -- PLAT BOOK

PG -- PAGE

MDCR -- MAIMI-DADE COUNTY RECORD

GPS -- GLOBAL POSITION

SYSTEM

± -- MORE OR LESS

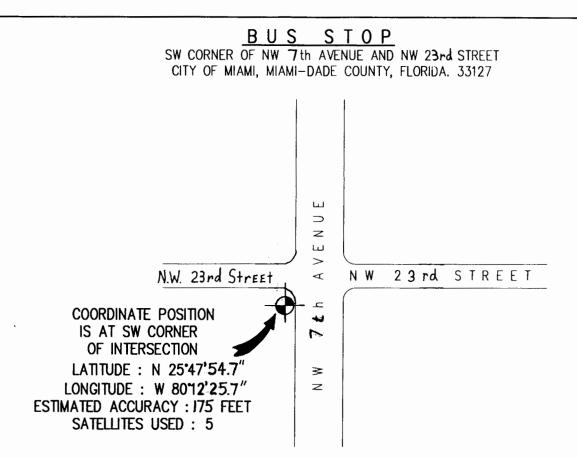
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SCALE: 1'= 200'±
JOB ORDER: 043560
CAD FILE: MIASTA
F.B. N/A PG. N/A
FILE NO. A-1096
SHEET 2 DF 7

# PENINSULA LAND SURVEYORS, INC.

LB # 6454

LAND DEVELOPMENT CONSULTANTS

SURVEYORS - PLANNERS CONSTRUCTION LAYOUT



# **SURVEYOR'S NOTES:**

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# **LEGEND:**

PB -- PLAT BOOK

PG -- PAGE

MDCR -- MAIMI-DADE

COUNTY RECORD

GPS -- GLOBAL POSITION

SYSTEM

± -- MORE OR LESS

DATE: 03-26-05
SCALE: 1'= 200'±
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PENINSULA LAND SURVEYORS, INC.

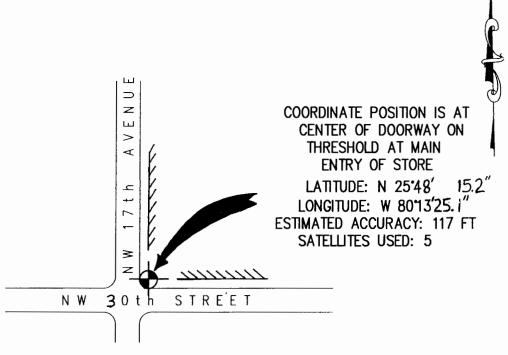
LB # 6454

LAND DEVELOPMENT CONSULTANTS

SURVEYORS - PLANNERS CONSTRUCTION LAYOUT

# LA MIA SUPERMARKET

3001 N.W. 17<sup>th</sup> Avenue City of Miami, Miami-Dade County, Florida 33127



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PB -- PLAT BOOK

PG -- PAGE

MDCR -- MAIMI-DADE

COUNTY RECORD

GPS -- GLOBAL POSITION

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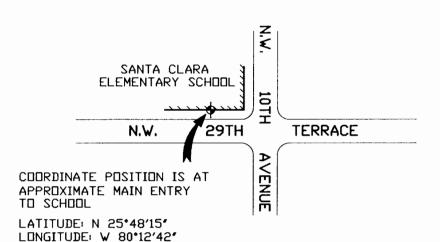
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LAND DEVELOPMENT CONSULTANTS

SURVEYORS - PLANNERS CONSTRUCTION LAYOUT

# SANTA CLARA ELEMENTARY SCHOOL

1051 N.W. 29TH TERRACE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA 33127



### LEGEND

PB --- PLAT BOOK

PG --- PAGE

MDCR --- MIAMI-DADE COUNTY RECORD

GPS --- GLOBAL POSITION SYSTEM

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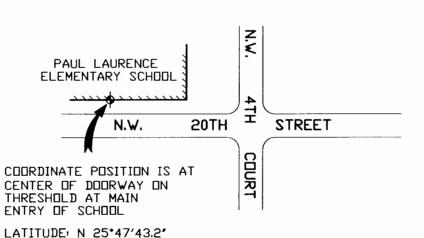
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DATE: 6-13-05	PENINSULA LAND SUR∨EYORS, INC.
SCALE: 1" = 200'	LB # 6454
JOB ORDER: 043560	LAND DE∨EL□PMENT C□NSULTANTS
CAD FILE: MIASTA	SURVEYORS - PLANNERS
F.B. N/A PG. N/A	CONSTRUCTION LAYOUT
	13113 NW 42ND AVENUE, 2ND FLOOR
FILE NO. A - 1096	MIAMI, FLORIDA 33054
SHEET 6 OF 7	PHONE (305) 687-9191 FAX (305) 687-9190 E-MAIL PENINSULALS@CS.COM

# PAUL LAURENCE ELEMENTARY SCHOOL

505 N.W. 20TH STREET CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA 33127





PB --- PLAT BOOK

PG --- PAGE

MDCR --- MIAMI-DADE COUNTY RECORD

GPS --- GLOBAL POSITION SYSTEM

+/- --- MORE OR LESS

# SURVEYOR'S NOTES:

L□NGITUDE: W 80°12′12'

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JOB ORDER: 043560	LAND DE∨EL□PMENT C□NSULTANTS
CAD FILE: MIASTA	SURVEYORS - PLANNERS
F.B. N/A PG. N/A	CONSTRUCTION LAYOUT
FILE NO. A - 1096	13113 NW 42ND AVENUE, 2ND FLOOR MIAMI, FLORIDA 33054
SHEET 7 DF 7	PHONE (305) 687-9191 FAX (305) 687-9190 E-MAIL PENINSULALS@CS.COM

