



Application No.: FLUM-2018-034

Attachment "B"

**Application and
Letter of Intent**

CENTRO EVANGELISTICO LA ROCA, INC.

FUTURE LAND USE MAP



PLANNING AND ZONING



FLUM-2018-034

**GROWTH MANAGEMENT PLAN
SMALL-SCALE AMENDMENTS APPLICATION**

LIST ALL FOLIO NUMBER(s): 36-6009-000-0160

DATE RECEIVED: _____

1. APPLICANT (If not property owner)

2. PROPERTY OWNER(S)

**Centro Evangelistico La Roca, Inc.
20851 Gulfstream Road
Cutler Bay, Florida 33189**

3. APPLICANT'S REPRESENTATIVE

**Alejandro J. Arias, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3300
Miami, Florida 33131**

4. DESCRIPTION OF PROPOSED CHANGE

A. PROPOSED AMENDMENT

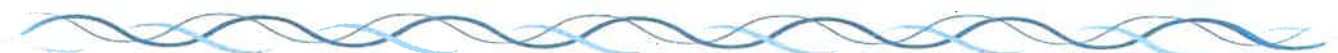
Re-designation of the Property from "Low Density" to "Institutional"

B. DESCRIPTION OF THE SUBJECT PROPERTY

**Approximately 4.2 ± acres of land located at 20851 SW 97 Avenue, Cutler Bay,
Florida 33189
See Exhibit "A" – Legal Description**

C. GROSS AND NET ACREAGE

Gross Acreage: 4.2± acres






5. REASONS FOR AMENDMENT

Please see Letter of Intent

6. ADDITIONAL MATERIAL SUBMITTED

Other materials will be submitted as necessary or requested

By:  5-11-18
(Signature of the Applicant) Date

Small-Scale Amendment Checklist

- _____ 1. Transmittal letter with a clear and concise description of the application area boundaries and request that it be processed under the expedited procedure for small-scale amendment.





- _____ 2. Current survey (1 original sealed and signed/ 1 reduced copy 11"X17")
- _____ 3. Aerial photograph depicting the location and boundaries of the application area.
- _____ 4. Land use map designation of the subject property, location of abutting properties and surrounding road network.
- _____ 5. Service availability letter for sanitary sewer, solid waste, drainage, potable water, traffic circulation, mass transit, recreation, schools, and fire and rescue services.
- _____ 6. Traffic Study or other supportive documents
- _____ 7. Mailing Labels (3 sets) and map
- _____ 8. Required fees

7. COMPLETE DISCLOSURE FORMS

APPLICANT'S AFFIDAVIT

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





OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(We are) the ☐ owner ☐ tenant of the property described and which is the subject matter of the proposed hearing.

Signature

Signature

Sworn to and subscribed to before me

This _____ day of _____, _____

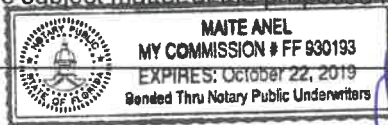
Notary Public: _____

Commission Expires: _____

CORPORATION AFFIDAVIT

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

Attest: _____



(Corp. Seal)

David Bonilla
Authorized Signature

President
Office Held

Centro Evangelistico La Roca, Inc.

Sworn to and subscribed to before me

This 11 day of May, 2018

Notary Public: 10/22/2019

Commission Expires: Maite Anel

PARTNERSHIP AFFIDAVIT

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

By _____ %

By _____ %

(Name of Partnership)

By _____

By _____

Sworn to and subscribed to before me

Notary Public: _____





This _____ day of _____, _____

Commission Expires:

ATTORNEY AFFIDAVIT

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


Signature

Sworn to and subscribed to before me
This 30TH day of MAY, 2018

Notary Public: 
Commission Expires:



DISCLOSURE OF INTEREST

If the property, which is the subject of the Application, is owned or leased by a **CORPORATION**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Centro Evangelistico La Roca, Inc.
Corporation Name

Name, Address and Office

Percentage of stock

20851 Gulfstream Road

N/A Not-for-Profit-Corporation

Cutler Bay, Florida 33189

See Exhibit "B"





If the property, which is the subject of the Application, is owned or leased by a **TRUSTEE**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Trust Name _____

Name, Address and Office _____

Percentage of stock _____

If the property, which is the subject of the Application, is owned or leased by a **PARTNERSHIP or LIMITED PARTNERSHIP**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Partnership or Limited Partnership Name _____

Name, Address and Office _____

Percentage of stock _____

COST RECOVERY AFFIDAVIT

I hereby acknowledge and consent to the payment of **all applicable fees** involved as part of my application process. These fees include but are not limited to: application fees, postage, advertising, and attorney fees **regardless of the outcome of the public hearing.**

Please type or print the following:

Date: _____

Public Hearing No. _____

Full Name:

Mr. Mrs. Ms. _____
Centro Evangelistico La Roca, Inc.

Current Address: 20851 Gulfstream Road City: Cutler Bay





State: Florida Zip: 33189 Telephone Number (305) 789-7446

Date of Birth: Nov. 8, 1949

[Signature]
Signature

SWORN AND SUBSCRIBED BEFORE ME THIS 11 DAY OF May 20 2018

Maite Anel
Notary Public, State of Florida at Longwood

MAITE ANEL
MY COMMISSION # FF 930193
EXPIRES: October 22, 2019
Notary Public Underwriters

[Signature]

My Commission expires 10/22 20 19

Pursuant to Article III, Sec. 3-30(I) Cost Recovery of the Town of Cutler Bay Land Development Regulations.

8. NOTIFICATION TO PROPERTY OWNERS OTHER THAN THE APPLICANT, WHOSE PROPERTIES ARE INCLUDED WITHIN AN APPLICATION AREA BOUNDARY





DISCLOSURE OF INTEREST

If the property, which is the subject of the Application, is owned or leased by a **CORPORATION**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Caste Group Investments, LLC (Purchaser)
Corporation Name

Name, Address and Office	Percentage of stock
14850 SW 26 Street, Suite 210	See Exhibit "C"
Miami, Florida 33185	

If the property, which is the subject of the Application, is owned or leased by a **TRUSTEE**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Trust Name	
Name, Address and Office	Percentage of stock

If the property, which is the subject of the Application, is owned or leased by a **PARTNERSHIP or LIMITED PARTNERSHIP**, list the Principal Stockholders and the percentage of stock owned by each. NOTE: Where the Principal Officers or Stockholders consist of another Corporation(s), Trustee(s), Partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.

Partnership or Limited Partnership Name	
Name, Address and Office	Percentage of stock





COST RECOVERY AFFIDAVIT

I hereby acknowledge and consent to the payment of **all applicable fees** involved as part of my application process. These fees include but are not limited to: application fees, postage, advertising, and attorney fees **regardless of the outcome of the public hearing.**

Please type or print the following:

Date: 5/11/18 Public Hearing No. _____

Full Name:

✓ Mr. ✓ Mrs. ✓ Ms. MARIO CASTELLANOS
Caste Group Investments, LLC

Current Address: 14850 SW 26 Street, Suite 210 City: Miami

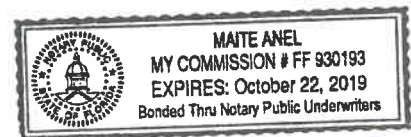
State: Florida Zip: 33185 Telephone Number (305) 789-7446

Date of Birth: 12/5/63
[Signature]
Signature

SWORN AND SUBSCRIBED BEFORE ME THIS 11 DAY OF May 20 18

[Signature]
Notary Public, State of Florida at Large

My Commission expires 10/22 20 19



Pursuant to Ordinance No. 2000-09-33-Cost Recovery

[Signature]

EXHIBIT "A"

LEGAL DESCRIPTION

A portion of the SW 1/4 of Section 9, Township 56 South, Range 40 E., Dade County, Florida, being more particularly described as follows:
Begin at the NW corner of the SW 1/4 of the said Section 9 and run North 89 degrees 37 minutes 14 seconds E along the North line of said SW 1/4 for 361.79 feet; thence run South 0 degree 38 minutes 56 seconds East along a line parallel to the West line of the SW 1/4 of Section 9 for 463.65 feet; thence run S 47 degrees 59 minutes 56 seconds W., along a line parallel to and 390.0 feet Northwesternly of the Northwesternly right-of-way line of OLD CUTLER ROAD, as recorded in Deed Book 1616 at Page 483 of the Public Records of Dade County, Florida, for 304.58 feet; thence run South 89 degrees 37 minutes 14 seconds West along a line parallel to the North line of said Southwest 1/4 for 133.15 feet to the SW corner of the NW 1/4 of the NW 1/4 of said SW 1/4; thence run North 0 degrees 38 minutes 56 seconds West along the West line of the said Southwest 1/4 for 665.96 feet to the Point of Beginning.

EXHIBIT "B"

DISCLOSURE OF INTEREST

CENTRO EVANGELISTICO LA ROCA, INC.

Not-for-Profit-Corporation

(1) David Bonilla	President
(2) Rafael Castillo	Vice President
(3) Milagros Rodriguez	Secretary Treasurer

EXHIBIT "C"

DISCLOSURE OF INTEREST

CASTE GROUP INVESTMENTS, LLC

(1) Mario Castellanos	50%
(2) Ibonne Castellanos	50%

[CENTRO EVANGELISTICO LA ROCA, INC. LETTERHEAD]

Ms. Kathryn Lyon
Planning and Zoning Director
Department of Community Development
Town of Cutler Bay
10720 Caribbean Boulevard, Suite 105
Cutler Bay, Florida 33189


Re: Letter of Authorization for Centro Evangelistico La Roca, Inc.

Dear Ms. Lyon:

Please allow this letter to serve as the letter of consent to allow Caste Group Investments, LLC, Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Alejandro J. Arias, Esq., James R. Williams, Esq., Pedro Gassant, Esq., Alberto J. Torres, and Michael A. Freire of Holland & Knight LLP to represent Centro Evangelistico La Roca, Inc., a Florida not-for-profit corporation, in connection with the property located at 20851 SW 97 Avenue, in the Town of Cutler Bay (Miami Dade County Folio No. 36-6009-000-0160)(the "Property"); with the respective (1) growth management plan amendment, (2) rezoning, (3) conditional use, and (4) site plan applications for the Property, and in all public hearings and meetings related thereto.

Please do not hesitate to contact the undersigned if you need further information.


Sincerely,



David Bonilla
Print Name

President
Title

The foregoing instrument was acknowledged before me this 11 day of May, 2018
by David Bonilla, as President, of Centro Evangelistico La Roca,
Inc. He/She ✓ is personally known to me or has produced as
identification.



Notary Public, State of Florida
Name: Maite Anel
Commission Number: 930193
My Commission Expires: 10/22/2019



[CASTE GROUP INVESTMENTS, LLC LETTERHEAD]

Ms. Kathryn Lyon
Planning and Zoning Director
Department of Community Development
Town of Cutler Bay
10720 Caribbean Boulevard, Suite 105
Cutler Bay, Florida 33189


Re: Letter of Authorization for Caste Group Investments, LLC

Dear Ms. Lyon:

Please allow this letter to serve as the letter of consent to allow Juan J. Mayol, Jr., Esq., Hugo P. Arza, Esq., Alejandro J. Arias, Esq., James R. Williams, Esq., Pedro Gassant, Esq., Alberto J. Torres, and Michael A. Freire of Holland & Knight LLP to represent Caste Group Investments, LLC, a Florida limited liability company, in connection with the property located at 20851 SW 97 Avenue, in the Town of Cutler Bay (Miami Dade County Folio No. 36-6009-000-0160)(the "Property"); with the respective (1) growth management plan amendment, (2) rezoning, (3) conditional use, and (4) site plan applications for the Property, and in all public hearings and meetings related thereto.


Please do not hesitate to contact the undersigned if you need further information.

Sincerely,



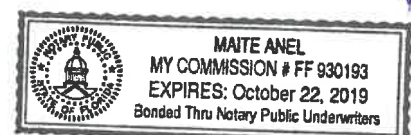
MARIO CASTELLANOS
Print Name
MANAGER
Title

The foregoing instrument was acknowledged before me this 11 day of May, 2018, by Mario Castellanos, as Manager, of Caste Group Investments, LLC. He/She ✓ is personally known to me or has produced as identification.



Notary Public, State of Florida
Name: Maite Anel
Commission Number: 930193
My Commission Expires: 10/22/19

[Notary Seal]



216 CORNER LLC
3761 SW 139 PL
MIAMI, FL 33175

REGIONS BANK
63-44612

Attachment "B" (Page 16 of 37)

1096

5/10/2018

PAY TO THE
ORDER OF

Town of Cutler Bay

\$ **11,400.00

Eleven Thousand Four Hundred and 00/100*****

DOLLARS

Town of Cutler Bay

PROTECTED AGAINST FRAUD

MEMO

Growth Management Plan Amendment Hearing App

⑈001096⑈ ⑆063104668⑆ 0244871740⑈

216 CORNER LLC

Town of Cutler Bay

5/10/2018

1096

11,400.00

Regions Bank

Growth Management Plan Amendment Hearing

11,400.00

216 CORNER LLC
3761 SW 139 PL
MIAMI, FL 33175

REGIONS BANK
63-468762

Attachment "B" (Page 17 of 37)

1097

5/10/2018

PAY TO THE ORDER OF Town of Cutler Bay

\$ **15,000.00

Fifteen Thousand and 00/100*****

DOLLARS

Town of Cutler Bay

PROTECTED AGAINST FRAUD

MEMO Cost Recovery Fee- 20851 SW 97th Ave

⑈001097⑈ ⑆063104668⑆ 0244871740⑈

216 CORNER LLC
Town of Cutler Bay

5/10/2018

1097

15,000.00

Regions Bank

Cost Recovery Fee- 20851 SW 97th Ave

15,000.00

Alejandro J. Arias
305-789-7446
alejandro.arias@hklaw.com

VIA HAND DELIVERY

FLUM-2018-034

May 29, 2018

Ms. Kathryn Lyon
Planning and Zoning Director
Department of Community Development
Town of Cutler Bay
10720 Caribbean Boulevard, Suite 105
Cutler Bay, Florida 33189

Re: Centro Evangelistico La Roca, Inc. / Folio No. 36-6009-000-0160 / 20851 SW 97 Avenue / Request for Land Use Amendment / Letter of Intent

Dear Ms. Lyon:

This law firm represents Centro Evangelistico La Roca, Inc. ("Applicant"), the owner of the property located at 20851 SW 97 Avenue, in the Town of Cutler Bay ("Cutler Bay"), further identified by Miami-Dade County Folio No. 36-6009-000-0160 (the "Property"). This letter shall serve as the Applicant's letter of intent in support of an application for an amendment to the Town's Growth Management Plan Future Land Use Map ("FLUM") to re-designate the Property from "Low Density Residential" to "Institutional", in order to permit a charter school use on the Property. The Applicant will also file concurrent and respective rezoning, site plan, and conditional use permit applications in connection therewith.

Property. The Property is approximately 4.2 acres of land located south of Montego Bay Drive and east of SW 97 Avenue, directly across from Gulfstream Elementary School. The Property is currently improved and utilized as Centro Evangelistico La Roca church, and enjoys a privileged location that is ideally suited for an "Institutional" land use designation. As such, approval of the proposed land use amendment would be consistent with the character of the community and consistent with adjacent future land use designations. In fact, in 1966 the Miami-Dade County Zoning Appeals Board approved a church and Sunday school, summer bible school, and kindergarten and elementary school use on the Property, pursuant to Resolution No. 3-ZAB-427-66. See Exhibit "A" (Miami-Dade County Resolution No. 3-ZAB-427-66). As such, approval of the proposed use would be consistent with the character of the community and consistent with the Town's delineated goals and needs.

Request. In order to efficiently use land resources and accommodate the projected operational needs for the proposed residential development, the Applicant respectfully requests approval of a land use amendment to the Town's FLUM to re-designate the Property from "Low Density Residential" to "Institutional". As per the Town's Growth Management Plan, the "Institutional" land use designation allows governmental facilities, educational facilities, communications facilities, religious institutions, fraternal organizations, hospitals, and congregate care and nursing homes.

In considering an amendment to the Growth Management Plan FLUM, the Town must take into consideration the multiple needs of the Town's growing and diverse community. The primary

intention of the Growth Management Plan is to protect the public health, safety and welfare of the Town and its residents. This often requires a balancing of competing goals, objectives, and policies of the Growth Management Plan. The policies that are most in line with the proposed amendment are as follows:

- **Policy FLU-8B:** New schools shall not be located adjacent to existing uses that will have negative impacts on the health, safety and welfare of students, teachers, employees, and visitors. Conversely, new uses that will negatively impact the health, safety and welfare of students, teachers, employees and visitors shall not be located adjacent or proximate to public schools; and
- **Policy FLU-8C:** New schools will minimize negative impacts on surrounding areas through site location, configuration, access, and development. Conversely, new development and redevelopment shall minimize and/or mitigate negative impacts on existing school facilities.
- **Policy FLU-8D:** The location of new schools should occur where capacity of other public facilities and services is available to accommodate the infrastructure needs of the educational facilities.
- **Policy FLU-8E:** New schools shall not have a negative impact on historic or archeological resources, and should be located away from floodplains and environmentally sensitive lands.
- **Policy FLU-8F:** To the maximum extent feasible, the Town shall coordinate with the appropriate entities to allocate public schools with other public facilities, including the provision of joint park-school sites.
- **Policy FLU-5B:** Development and redevelopment in the Town shall provide for pedestrian friendly street design, an interconnected street network and hierarchy to reduce congestion and improve traffic flow, design that promotes the use of non-motorized transportation modes, connectivity to transit, and a range of uses in a compact area to reduce the need for external trips.
- **Objective EDU-5:** Continue to develop programs and opportunities to bring the schools and community closer together.
- **Policy EDU-7H:** The Town shall coordinate with Miami-Dade County Public Schools, the County, and other local governments to eliminate infrastructure deficiencies surrounding existing school sites.
- **Policy EDU-7I:** The Town and Miami-Dade County Public Schools shall coordinate efforts to ensure the availability of adequate sites for the required educational facilities.

The proposed Project will serve to meet the needs of the Town's growing diverse community, and will contribute the Town's economic prosperity and viability by creating much-needed jobs, improving access to quality education, cultivating the aesthetic character of the surrounding neighborhood, and enhancing property values by providing high-quality public-school opportunities.

Ms. Kathryn Lyon
Planning and Zoning, Director
May 29, 2018
Page 3

Attachment "B" (Page 20 of 37)

Additionally, and as set forth in Policy EDU-7H of the Town Growth Management Plan, the Project will serve to eliminate infrastructure deficiencies surrounding existing school sites, and pursuant to Policy EDU-7I, will provide an adequate site for required education facilities. The Project is also in-line with Objective EDU-5, as it will also help to develop programs and opportunities to bring schools and the community closer together. As such, the Project will ultimately serve to protect the public health, safety, and welfare of the Town and its residents.

No significant impacts or hazards will be created by the Project, and all essential public services and facilities shall be adequately served. Ingress and egress to the Property shall be provided exclusively at SW 97 Avenue, and all student drop-off/pick-up stacking and queuing shall take place exclusively within the Property. The unification of the Property into one unified site plan will also reduce traffic congestion and improve traffic circulation both internally to the Project and in the surrounding community. In order to address any additional issues pertaining to traffic, the Applicant will work with the Town of Cutler Bay's consultants, as well as with the Miami-Dade County Public Works Traffic Engineering Division, to provide a traffic study and analysis.

In summary, we believe that the proposed application represents a compatible and effective use that will serve the operational needs of the Applicant, while exemplifying the high quality of development that is representative of the Town of Cutler Bay, and meeting the goals of the Town Council. Based on the forgoing, we look forward to your favorable recommendation. Should you have any questions or concerns regarding this Application, please do not hesitate to phone my direct line at (305) 789-7446.

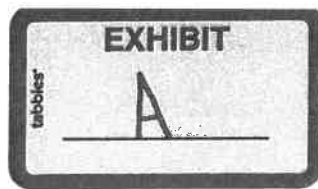
Respectfully submitted,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink, appearing to read 'Alejandro J. Arias', with a stylized flourish at the end.

Alejandro J. Arias, Esq.

Enclosures



9-56-40
IV-121
Item No. 66-410

RESOLUTION NO. 3-ZAB-427-66

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

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

WHEREAS, Richard A. Richards, Trustee, has applied for the following:

SPECIAL EXCEPTION to permit a Church and Sunday School, summer bible school, and an elementary school, AND

UNUSUAL USE to permit a kindergarten.

All according to plans submitted with the application and on file in the Zoning Department:

ALL ON All that part of the W. 365' of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, lying NW of a line drawn parallel to and 375' from Old Cutler Rd. (Ingraham Hwy.) in Section 9, Township 56 South, Range 40 East. The E. side SW 97 Ave. (Gulfstream Rd.), approx. 100' S. of Montego Bay Dr., Dade County, Florida, and

WHEREAS, an inspection of the subject property was made and a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exception and unusual use would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested special exception to permit a Church and Sunday School, summer Bible School, and an elementary school, be and the same are hereby approved, subject to the following conditions:

1. Dedication of rights-of-way as may be deemed lacking, desirable and necessary, in the opinion of the Director of Public Works and Zoning Director, shall be made; and improvement shall be made of such rights-of-way as may be required by the Director of Public Works.
2. That a detailed plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited to, type and location of bulletin board or sign, location of structure or structures, offstreet parking areas and driveways, walls, hedges, landscaping, drainage, etc.

9-56-40
IV-121
Item No. 66-410

3. That the use be established and maintained in accordance with the approved plan.
4. No temporary structures or temporary use of any type is to be permitted on the premises.
5. That no occupancy or use of the premises be permitted until the required parking facilities have been improved and installed in accordance with the zoning code requirements; and

BE IT FURTHER RESOLVED that the requested unusual use to permit a kindergarten be and the same is hereby approved, subject to the following conditions:

1. That a detailed plot use plan be submitted to and meet with the approval of the Zoning Director; said plan shall include but not be limited to, location of structure or structures, offstreet parking areas and driveways, walls, hedges and fences, landscaping, etc.
2. That the use be made to conform to the requirements and/or recommendations of the Dade County Fire Chief and Dade County Department of Public Health.
3. That the use be established and maintained in accordance with the approved plan.
4. That the use be approved for and be restricted to a maximum of fifty (50) children.
5. That the use be restricted to children in the age group of 3 to 6 years.
6. That the days of operation shall be from Monday through Friday.
7. That the hours of operation shall be between 8:00 a.m. to 4:00 p.m.
8. That the play area shall be entirely fenced.
9. That a total of three (3) buses may be maintained on the property in connection with the entire operation including Church and elementary school, etc.
10. That the Certificate of Use and Occupancy be automatically renewable annually by the Dade County Building and Zoning Department upon compliance with all terms and conditions and be subject to cancellation upon violation of any of the conditions or when, in the opinion of the Metropolitan Dade County Zoning Appeals Board after public hearing, it is determined that the use is detrimental and/or incompatible to the surrounding neighborhood.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this Resolution.

PASSED AND ADOPTED this 12th day of October, 1966.

Heard 10/12/66
No. 66-10-37
10/26/66
hr

October 26, 1966

Mr. Richard A. Richards, Trustee
2450 S.W. 59 Avenue
South Miami, Florida

RE: Richard A. Richards, Trustee; request for special exception for Church & Sunday School, summer Bible school, and elementary school; unusual use for kindergarten; all accord. to plans subm.; Sec. 9-56-b0. Hearing 66-10-37.

Enclosed herewith is a copy of Resolution No. 8-243-027-66, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application concerning the above subject matter.

Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. The required plot use plan should be submitted to this office in triplicate for approval before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days), as has been provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificate of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits should be made with this department. The appeal period commences to run two days after the adoption date of the Resolution.

Very truly yours,

METROPOLITAN DADE COUNTY
BUILDING AND ZONING DEPARTMENT

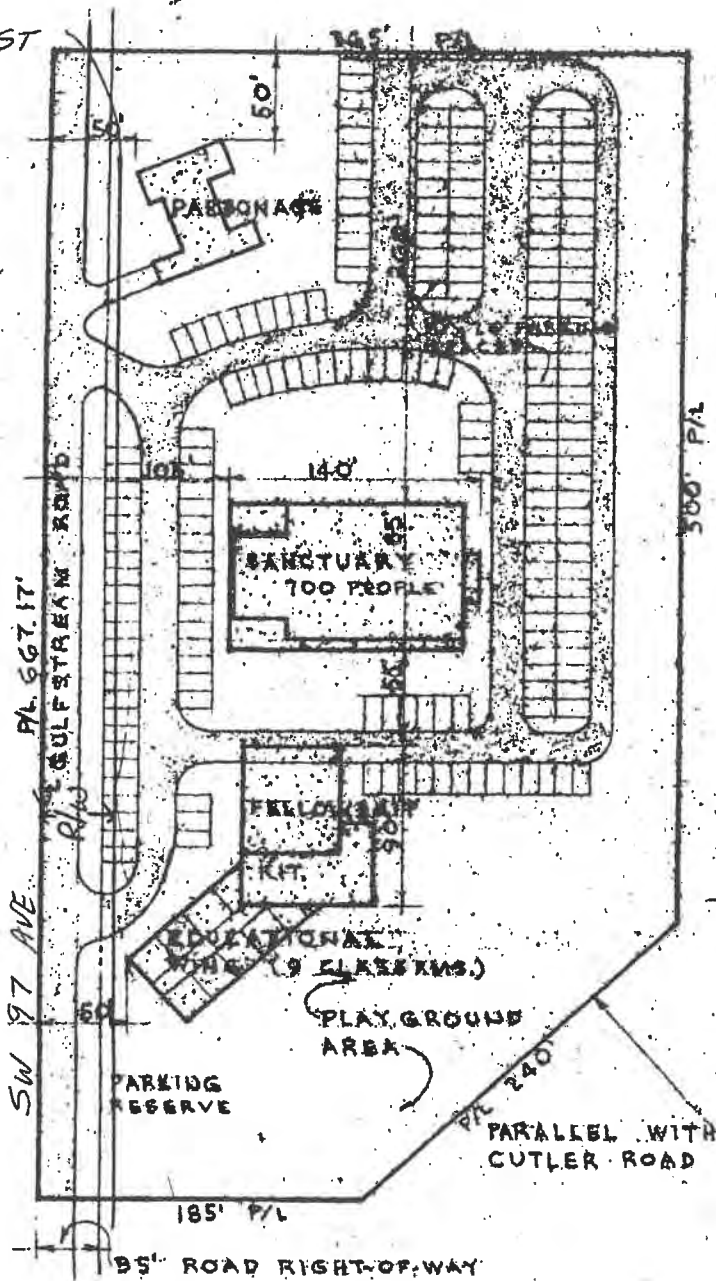
CCC/ hf
Enc.

Chester C. Czebrinski
Assistant Director

cc: Lorne F. Phipps
232 Valencia Ave., C.G.
Dept. Director of Public Works

Dade Co. Fire Chief, Room 323
Dade Co. Dept. of Public Health, Dr. Gato
Hrg. file,
Mr. Dayton

208 ST



PLOT PLAN
SCALE: 1"=100'

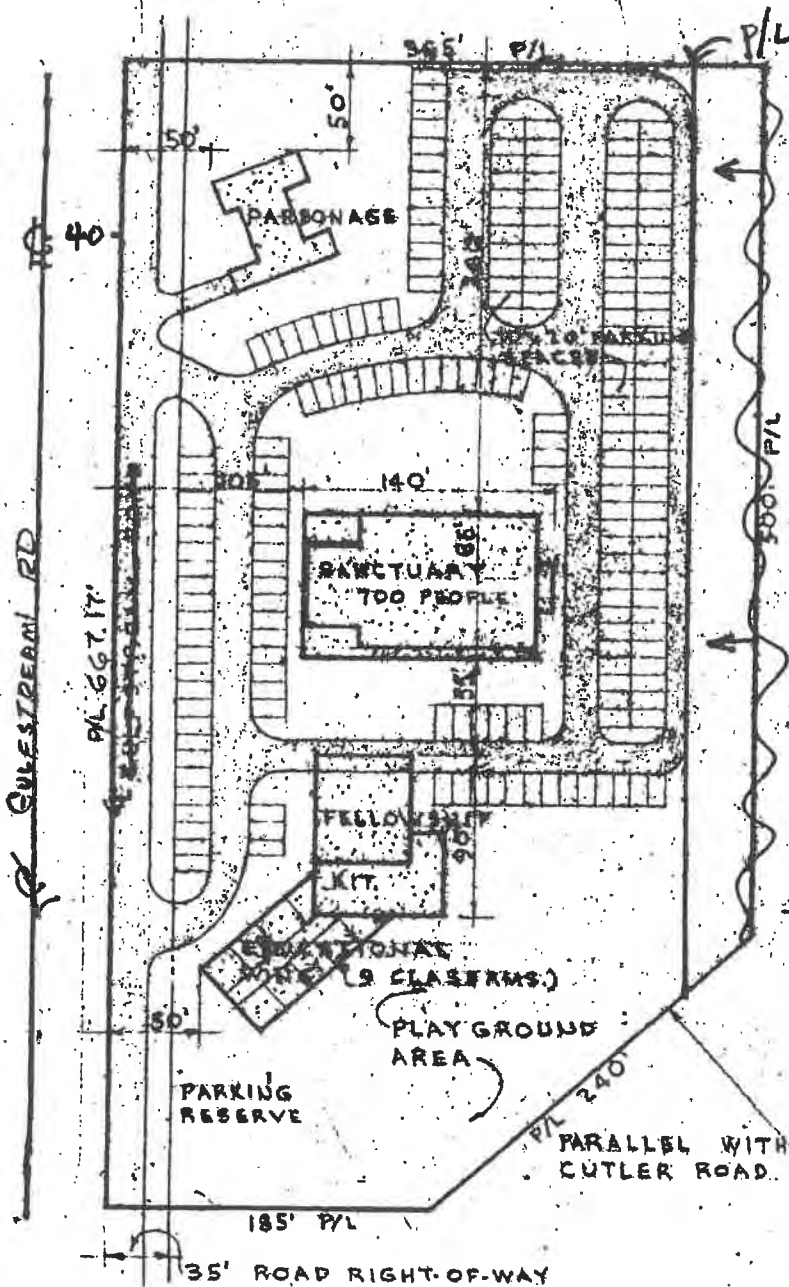
N

TOTAL SQ. FEET OF NET LAND AREA	217,800'
TOTAL SQ. FEET OF BUILDING AREA	21,350'
AT GROUND LEVEL	
TOTAL SQ. FEET OF PARKING AREA	34,380'
TOTAL SQ. FEET OF LANDSCAPED AREA	162,070'
NET LAND AREA IN ACRES	5 ACRES
PERCENTAGE OF LOT COVERAGE	9.8%
BY ALL BUILDINGS	
PERCENTAGE OF LOT COVERAGE	15.8%
BY PARKING	
PERCENTAGE OF LOT COVERAGE	74.4%
BY LANDSCAPING	
NUMBER OF PARKING SPACES	175
REQUIRED	
NUMBER OF PARKING SPACES	193
FURNISHED	
FLOOR AREA	21,359
HEIGHT OF EACH BUILDING	
PARSONAGE, 12' ONE STORY	
SANCTUARY, 25' ONE STORY	
FELLOWSHIP, 10' ONE STORY	
EDUCATIONAL, 10' ONE STORY	
TOTAL NUMBER OF BUILDINGS	3

CUTLER RIDGE LUTHERAN CHURCH
WISCONSIN, SYNOD

ARTHUR H. RUDE
ARCHITECT A.I.A.

SUITE 207, 2800 E. OAKLAND PARK BLVD.
FORT LAUDERDALE, FLORIDA
DATE: AUGUST 4, 1966



PLOT PLAN
SCALE: 1" = 100'

TOTAL SQ. FEET OF NET LAND AREA	217,800'
TOTAL SQ. FEET OF BUILDING AREA	21,350'
AT GROUND LEVEL	
TOTAL SQ. FEET OF PARKING AREA	34,320'
TOTAL SQ. FEET OF LANDSCAPED AREA	162,070'
NET LAND AREA IN ACRES	5 ACRES
PERCENTAGE OF LOT COVERAGE	9.8%
BY ALL BUILDINGS	
PERCENTAGE OF LOT COVERAGE	15.8%
BY PARKING	
PERCENTAGE OF LOT COVERAGE	74.4%
BY LANDSCAPING	
NUMBER OF PARKING SPACES	175
REQUIRED	
NUMBER OF PARKING SPACES	193
FURNISHED	
FLOOR AREA	21,350
HEIGHT OF EACH BUILDING	
PARSONAGE, 12'3" ONE STORY	
SANCTUARY, 25' ONE STORY	
FELLOWSHIP, 10' ONE STORY	
EDUCATIONAL, 10' ONE STORY	
TOTAL NUMBER OF BUILDINGS	4

CUTLER RIDGE LUTHERAN CHURCH
WISCONSIN SYNOD

ARTHUR H. RUDE
ARCHITECT A.I.A.

SUITE 207 2300 E. OAKLAND PARK BLVD.
FORT LAUDERDALE, FLORIDA
DATE: AUGUST 4, 1966



LETTER OF INTENT

THE INTENT OF THIS APPLICATION IS TO GET PERMISSION
TO USE THE REQUESTED 5 ACRES FOR A CHURCH AND SCHOOL.
THEREFORE, A ZONING CHANGE FROM AU. TO THE NECESSARY
CHURCH & SCHOOL ZONING IS REQUESTED. THE SCHOOL TYPE
IS SUNDAY BIBLE, KINDERGARDEN & SUMMER BIBLE SCHOOL THAT
GO WITH CHURCHES.

Robert R. Richardson, Trustee

METROPOLITAN DADE COUNTY ZONING APPEALS BOARD

RECEIVED
66 418
AUG 16 1966

MAP # IV-121 APPLICATION FOR PUBLIC HEARING
 SEC. 9 TWP. 56 RGE. 40 AMOUNT OF FEE 85
 RADIUS ASSIGNED 500' RECEIPT # 105866 inf
 DADE CO. BLDG. & ZONING DEPT.
 By: Mail mm
 Date Receipt Stamp

This application, with all supplemental data and information, must be completed in accordance with the attached "INSTRUCTIONS FOR FILING APPLICATIONS" and in accordance with the specific instructions in the application, and returned to the METROPOLITAN DADE COUNTY BUILDING & ZONING DEPARTMENT before the same will be advertised for hearing.

IMPORTANT - The applicant, or his representative, should be present at the hearing.

+ Richard A. Richards, Trustee
 (PRINT)

1. Name of Applicant (Property Owner) or Tenant (with Owner's Sworn-to Consent).

Richard A. Richards, Trustee

Mailing Add: 8450 SW 59th AVE City SOUTH MIAMI Tele.No. MO 1-4863 OR
HI 8-6915

2. Affected Party none

Mailing Add: _____ City _____ Tele.No. _____

3. Fee Notice to be mailed to MR. PAUL KAAT

Mailing Add: 9421 EASTER RD City RIDGE Tele.No. 235-8072

4. LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THE APPLICATION.

(If subdivided - lot, block, complete name of subdivision, plat book and page number). (If metes and bounds description - complete description, including section, township, and range). If more than one zone classification requested, the legal description of each area covered by a separate classification.

All that part of the West 365 feet of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ lying NW of a line drawn parallel to and 375 feet from Old Cutler Road

(Ingraham Highway), Section 9, Twp 56 South, Range 40 East, Dade County, Florida

5. Address (if number has been assigned) SE corner SW 97 AVE & Theo. SW 208 ST

6. Size of Property _____ ft. X _____ ft. Acres 5 acres

7. Does applicant own any property contiguous to that which is the subject matter of this application? If so, give complete legal description of entire contiguous property All that part of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ lying westerly of Ingraham Highway less the east 86 feet in Section 9, Township 56 South, Range 40 East, Dade County, Florida, less 5 acres described in item 4

8. Date SUBJECT property acquired: _____ day of _____, 19____

9. This application is intended to cover: (check applicable item).

_____ District Boundary Change(s):

Present Zone Classification AU Min. Cubic Content 7,500 c.f.

Zone Classification Desired church & school use Min. Cubic Content _____

☒ Special Exception _____ Non-Use Special Exception _____

_____ New and/or Unusual Use _____ Use Variance _____

☒ Variance from other than Airport Regulations _____

_____ Variance from Airport Regulations _____

11. Reasons why the application should be approved, explain in detail. (Use separate sheet if required).

Now zoned agriculture, cannot be used with present zoning
directly across from Dade County Public Elementary School

12. Has a public hearing been held on this property within the last 2 years? no

If so, in whose name _____ When? _____ Nature of
 Hearing _____

13. Is this hearing being requested as a result of a violation notice? no

If so, in whose name was the violation notice served? none

14. Has a building permit been refused? no

15. Are there any existing structures on the property? no If so, what type?
 (CBS, Frame, Frame-Stucco, Other) _____

If so, show size, location and set-backs on plot plan.

If so, submit photos showing front and side elevation of buildings.

16. All data and exhibits submitted in connection with this application become a
 PERMANENT PART OF THE PUBLIC RECORDS OF DADE COUNTY.
 The following enclosures MUST BE ATTACHED to complete application for public
 hearing and must be of a size that will conveniently fold into a legal size
 (8½ x 14) folder:

A. WAIVERS OF OBJECTION (Optional)

- B. PLOT PLAN *(If existing building on property). Plot plan should show
 existing buildings, use of each, dimensions, spacing between, and setbacks
 from property lines; off-street parking showing spaces marked off.

- C. PLOT PLAN *(If property vacant, but plan for development has been worked
 out). Submit copy containing same details as above.

* The plot plan shall contain a title block identifying the development or
 project, the name, title, and address of person preparing the plan, the
 date of preparation of plan and scale of drawing.

- D. PLAT If it will have particular bearing on the application or if more
 than one zone classification is being requested; to show exact areas to
 be covered by the different zone classifications. Legal description of
 each area for which a different zone classification is requested must be
 included.

- E. IF LIQUOR, BEER OR WINE use proposed - BAR OR PACKAGE STORE SURVEY by
 registered engineer or surveyor showing all schools and Churches within
 3,000 feet. If no Churches or schools within that distance, statement
 from registered engineer or surveyor so stating.

IF LIQUOR, BEER OR WINE use proposed - Also the BAR AND PACKAGE STORE sur-
 vey should show all places of business serving or selling such alcoholic
beverage within 2,000 feet; if none, letter from engineer or surveyor so
 stating.

- F. If EXCAVATING involved, PROFILES and TOPOGRAPHICAL plan or sketch of the
 proposed excavation and perimeters.

- G. If a SIGN is involved, the elevations of proposed sign should be shown.

- H. HEARING FEE. In an amount based on amount of work involved in processing
 this particularly application payable in cash or a check to METROPOLITAN
 DADE COUNTY BUILDING & ZONING DEPT.

- I. LETTER OF INTENT. IMPORTANT - See explanation on Page 3.

- J. FLOOR PLAN.

DETAILED EXPLANATION OF REQUIRED EXHIBITS

Waivers of Objection. These are optional in all cases, and may be in individual letter of intent form. Waiver must show that signer has knowledge of exactly what the application covers. Signature and address must be shown.

Plot Plan. Plot plan must show all property dimensions, streets abutting property, and North point. If structures exist or are proposed, all dimensions and setbacks must be shown.

Floor Plan. Must show existing conditions and all proposed changes or additions.

Letter of Intent. The exact nature of the use or operation applied for, together with any pertinent technical data which will tend to clarify the proposed use.

* "If the application is for any variance, the letter of intent MUST also contain
 * an explanation of the alleged hardship, which would justify the granting of a
 * variance; such justification to be based on standards for hardship established
 * by the Zoning Procedural Ordinance which requires a showing of any unnecessary
 * hardship, peculiar to the particular piece of property, and which, if granted,
 * will be in harmony with the intent of the regulation and the neighborhood concerned,
 * and that the request is the minimum variance which will permit the
 * reasonable use of the premises." At the hearing you, of course, MUST prove your
 * property falls within the requirements for a variance as contained in Sec. 33-
 * 311 (e) of the Metropolitan Dade County Code."

Elevation Drawings. Must show all dimensions. If signs are involved, show elevation above grade and copy on sign.

TENANT OR OWNER AFFIDAVIT

I, RICHARD A. RICHARDS, being first duly sworn, depose and say that I am the owner of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised.

Richard A. Richards, Trustee

SIGNATURE

Richard A. Richards, Trustee

Sworn to and subscribed to before
 me this 16th day of JUNE 1966.

James F. Phillips
 NOTARY PUBLIC, State of Florida at Large.
 My Commission Expires Jan. 29, 1968
 Commission Expires: Bonded by American Fire & Casualty Co.

CORPORATION AFFIDAVIT

We, _____, being first duly sworn, depose and say that we are the President/Vice-President, and Secretary/Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; that all answers to the questions in said application and all sketches, data and other supplementary matter attached to and made part of this application are honest and true to the best of our knowledge and belief; that said corporation is the owner of the property described herein and which is the subject matter of the proposed hearing. We understand this application must be complete and accurate before a hearing can be advertised.

PRESIDENT'S SIGNATURE

(Corp.)
(Seal)

ATTEST:

SECRETARY'S SIGNATURE

Sworn and subscribed to before me
 this _____ day of _____ 19____.

NOTARY PUBLIC

Commission Expires:

INSTRUCTIONS FOR FILING APPLICATIONS

FOR

ZONING APPEALS BOARD HEARINGS

RECEIVED
AUG 8 1966
DADE CO. BLDG. & ZONING
DEPT.

All applications must be executed and sworn to by the owner (or owners of at least 75% of the property described in the application), or by a tenant or tenants with owner's written sworn-to consent, or a duly authorized agent, evidenced by a written power of attorney. ALL APPLICATIONS AND SUPPORTING DATA MUST BE FILED IN DUPLICATE- ONLY COMPLETE APPLICATIONS WILL BE ACCEPTED.

Applications will not be advertised for hearing unless received in completed form by the Building & Zoning Department, with all required supporting data.

It has been the practice of applicants to withhold submission of applications for Zoning hearings until the established deadline date, resulting in the largest percentage of applications being received on that date. Because such practice makes it difficult, if not impossible, to properly process such applications, it has become necessary that this Department limit the number of applications which will be accepted for any month's hearings. The number of applications accepted for any month may fluctuate, depending upon the number of applications carried over from the previous month.

Hereafter, under this policy of acceptance of only a limited number of applications each month, applications will be considered on a first come, first serve basis.

Only complete applications, with all required and correct exhibits will be considered for acceptance and they will be processed, and stamped as accepted, if complete, in the order received.

Applications will be considered complete only when all applicable questions have been answered, including a complete and accurate legal description, and properly signed and notarized, and including all supplementary data submitted with and as called for in the application. (Note that applications for various type hearings require different supplementary data).

Applicants are advised that the mere filing of this application and appearance at the Public Hearing in no way assures approval of the application. Your application in order to justify any consideration for approval, must conform to good planning and zoning principles and must conform to the plan for the development of Dade County.

It is advisable to discuss the merits of your application with a member of the Building & Zoning staff before filing in order that time and money will not be wasted on an unsound application.

It is recommended that the completed applications be turned in personally to a member of the staff assigned to check them so that possible discrepancies can be corrected at that time. Otherwise, the Department accepts no responsibility for completeness and accuracy of the application, and will not advertise an incomplete or inaccurate application.

HEARING FEE: The amount of the fee cannot be determined until after this Department has submitted application to the compiler of the required ownership sketches and lists, and the amount of work involved has been determined. Applicants will receive a mailed notice indicating the total amount of the hearing fee. This notice will also indicate a date by which the fee must be received by this Department if the application is to be advertised for the next available hearing. Applications will not be considered complete or filed until the fee has been received by the Building and Zoning Department.

*DATA AND EXHIBITS submitted in connection with application become a PERMANENT PART OF THE PUBLIC RECORDS OF DADE COUNTY. All exhibits TO BE ATTACHED to complete application for public hearing should be maximum 9" x 9" size. The department projects the exhibits on a Delineascope at both the Zoning Appeals Board and the County Commission hearings. It will be to the applicant's advantage that his exhibits conform to size.

I have read and understand the foregoing instructions.

June 16, 1966
Date,

X Richard A. Richards
Richard A. Richards, Trustee

Truett

10/26

METROPOLITAN DADE COUNTY
ZONING APPEALS BOARD

DATE: 10/12/66

RESOLUTION NO. 3-2AB-427-66

HEARING NO. 66-10-37

Name of Applicant: Richard A. Richards, Trustee

Decision: Approved applications with
Conditions

	YES	NO	ABSTAIN	ABSENT
Neal Adams	✓			
Gene Flinn	✓			
John R. Harlow <i>m</i>	✓			
Frank P. Reynolds <i>S</i>	✓			
Virginia Salley	-			✓
H. H. Wood	✓			
Andrew Lee	✓			

hL

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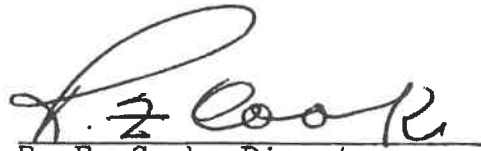
ZONING DIRECTOR'S WRITTEN RECOMMENDATION

DATE: September 28, 1966
HEARING NO.: 66-10-37
APPLICANT: Richard A. Richards, Trustee

Recommendation of the Zoning Director is for:

Application should be approved subject to usual conditions including plot use approval, with emphasis on the landscaping of parking areas to break up the expanse of paving and with hedges and/or walls on the perimeters of such parking areas.

hf


R. F. Cook, Director
METROPOLITAN DADE COUNTY
BUILDING AND ZONING DEPT.

METROPOLITAN DADE COUNTY PLANNING DEPARTMENT
RECOMMENDATION TO THE ZONING APPEALS BOARD

To: Members, Zoning Appeals Board

Date: October 1, 1966

From: Reginald R. Walters, Director
Planning Department

Subject: ZAB Hearing Item #66-10-37
Richard Richards
Section 9-56-40

Reginald R. Walters

RECOMMENDATION:

The Planning Department recommends that the application be approved subject to the usual conditions pertaining to such uses and including but not limited to Plot Use Plan approval, conformance to the requirements set forth in the proposed off-street parking landscaping ordinance, and all right-of-way dedications deemed necessary by the Director of Dade County Public Works Department.

The area in which the proposed use is to be located is developed on a low density residential basis to the north. Directly to the west is Gulfstream Elementary School and to the east a few hundred feet is another church. To the south the land is vacant. Considering the other institutional uses nearby and the residential area which this use will serve this use will be compatible with the existing residential development and complimentary to the existing institutional uses and would not be detrimental to the area.

RRW/CLC/BD:ja

cc: Mr. R. F. Cook, Director
Building and Zoning Department

METROPOLITAN DADE COUNTY ZONING APPEALS BOARD

October 12, 1966

Mr. Cotton: We would appreciate deferment.

Mr. Czebrinski: I would see no objection, Mr. Chairman, to deferring it.

Chairman Lee: Does thirty days make that much difference?

Mr. Cotton: As soon as possible.

Chairman Lee: Your motion, then, is withdrawn.

Mr. Flinn: If the motion is rescinded, I make a new motion to defer this application and the other application--in other words, both their sign applications, for a period of thirty days.

Mr. Harlow: I will second that.

Mr. Flinn: That is November 7, I think, 9:00 a.m.

Mr. Czebrinski: That is fine.

Chairman Lee: We have a motion that was offered by Mr. Flinn, seconded by Mr. Harlow, for a thirty-day deferral of both applications. Any discussion on the motion? Those opposed signify by raising their right hand. That motion is carried six to zero.

Whereupon the motion carried by a vote of 6-0; Mrs. Salley being absent.

Renato Levi

Hearing 66-10-36. Resolution 3-ZAB-426-66.

Mr. Harlow: I move approval.

Mr. Adams: I will second it.

Chairman Lee: Is there any discussion on the motion? Those opposed signify by raising their right hand. It is carried four to zero for approval.

Whereupon the motion carried by a vote of 4-0; Messrs. Flinn and Wood and Mrs. Salley being absent.

✓ Richard A. Richards, Hearing 66-10-37. Resolution 3-ZAB-427-66.
Trustee

Mr. Harlow: I move that we approve it.

Mr. Reynolds: I will second it.

Chairman Lee: Is there any discussion on the motion?

Mr. Richmond: All the usual conditions and those are brought out.

Chairman Lee: Those opposed signify by raising their right hand. It carries six to nothing.

Whereupon the motion carries by a vote of 6-0; Mrs. Salley being absent.

Albert Realty, Inc.

Hearing 66-10-39.

Mr. Reynolds: I agree that something has to be done, but I would suggest it be turned over to the Planning Department rather than turning it down. Would it hurt to take a 30-day or 60-day study?

Chairman Lee: Are you making your motion that we defer it to the Planning Department?

Mr. Reynolds: Yes. I think it is a mistake to abut RU-4 right next to RU-1, but what you should put there now I am not ready to say.

Mr. Robert F. Cook, Director

- 2 -

September 23, 1966

HEARING NO. 66-10-20

The West 10 feet of Lots 13 thru 17 for NW 30th Avenue and a standard 25 foot radius corner at the Southwest corner of Lot 17.

HEARING NO. 66-10-23

This request involves the southerly lot of Parcel No. 138 on our NW 22nd Avenue project, none of this particular lot is needed as right of way however. Parcel sketch is enclosed.

HEARING NO. 66-10-24

The West 15 feet of the East 25 feet is to be acquired as Parcel No. 128 of our NW 22nd Avenue project. Parcel sketch is enclosed.

HEARING NO. 66-10-27

The North 40 feet of the NE $\frac{1}{4}$ of Section 11 and the South 40 feet of the West $\frac{3}{4}$ of the SW $\frac{1}{4}$, SE $\frac{1}{4}$, of Section 2, both for SW 10th Street. The South 35 feet of the NE $\frac{1}{4}$ of Section 11 for SW 18th Street. The East 40 feet of the NE $\frac{1}{4}$ of Section 11 for SW 127th Avenue. Standard 25 foot radius corners at all four corners of the NE $\frac{1}{4}$ of Section 11.

HEARING NO. 66-10-28

The description used for the subject property is an error with regard to the 25 foot drainage easement. Dade County presently holds a Warrenty Deed on the South 25 feet of SE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ and additionally has a canal maintenance easement on the North 25 feet of the South 50 feet of that same fractional area. Right of way necessary for road purposes consist of the East 25 feet for SW 119th Court and a standard 25 foot radius corner at the northeast corner of the subject property.

HEARING NO. 66-10-29

The South 20 feet of Lot 8 for West Flagler Street; the East 10 feet of Lots 7 and 8 for NW 109th Avenue; a standard 25 foot radius corner at the southwest corner of the property.

HEARING NO. 66-10-32

We recommend that two additional off-street parking spaces be provided.

HEARING NO. 66-10-33

We request the construction of SW 82nd Street and sidewalks on the north boundary of the property.

HEARING NO. 66-10-36

The East 35 feet for SW 152nd Avenue; the South 40 feet for SW 216th Street (Hainlin Mill Drive); a standard 25 foot radius corner at the southeast corner of the property.

HEARING NO. 66-10-37

The West 40 feet for SW 97th Avenue.