# 4. BISHOP SIMEON L. DOWNS, ET AL (Applicant)

07-6-CZ15-4 (07-15) Area 15/District 9 Hearing Date: 6/26/07

Property Owner (if different from applicant)

Bishop Simeon L. Downs, Astley McKoy, Glen Slaton,

Jacinth Downs, Ruben Kemp, and Ruth Ross.

Is there an option to purchase □ /lease □ the request? Yes □ No ☑	he property predicated on the approval of the zor	ning
Disclosure of interest form attached? Yes ☑	No □	

## **Previous Zoning Hearings on the Property:**

<u>Year</u>	<b>Applicant</b>	Request	Board	<b>Decision</b>
1988	Pastor Simeon Downs	Special exception for religious facility and daycare.	ZAB	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

# MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING RECOMMENDATION TO COMMUNITY COUNCIL No. 15

APPLICANT: Bishop Simeon L. Downs, Et Al. PH: Z07-015 (07-06-CZ15-4)

**SECTION:** 7-56-40 **DATE**: June 26, 2007

COMMISSION DISTRICT: 9 ITEM NO.: 4

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## A. INTRODUCTION

## o REQUESTS:

(1) SPECIAL EXCEPTION to permit the expansion of a religious facility onto additional property to the northeast.

- (2) UNUSUAL USE to permit the expansion of the previously approved day care center and after-school care onto additional property to the northeast.
- (3) MODIFICATION of Condition #2 of Resolution #4-ZAB-149-88, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "2.That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'The Church of God of Prophecy,' as prepared by Brad Schiffer/Taxis Architects and Planners dated 12/1/87."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Proposed Expansion for Triumphant Church of God of Prophecy," as prepared by Allen Far Design Assoc., consisting of Sheets "A-1" & "A-4" dated stamped received 7/17/06, and Sheets "A-2" & "A-3" dated stamped received 10/23/06."

The purpose of request #3 is to revise the site plan to show a new sanctuary and relocation of the day care center and after school care to the previously approved religious facility and day care center.

- (4) Applicant is requesting to permit the religious facility on 1.44 gross acres (2.5 gross acres required/1.127 gross acres previously approved).
- (5) Applicant is requesting to permit the religious facility setback 19'1" (50' required) from the interior side (north) property line and 49'8" (50' required) from the interior side (south) property line.
- (6) Applicant is requesting to permit parking within 25' of the official right-of-way (not permitted).
- (7) Applicant is requesting to permit 87 parking spaces (109 required).

Upon a demonstration that the applicable standards have been satisfied, approval of request #3 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of conditions or Covenants After Public Hearing)

Bishop Simeon L. Downs, Lt Al Z07-015 Page 2

and approval of requests #4 - #7 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

## o SUMMARY OF REQUESTS:

The applicant is seeking a Special Exception to permit the expansion of a religious facility onto additional property and also an Unusual Use to permit a previously approved daycare center and after-school care expanded onto said property. Resulting from these requests, the applicant seeks a modification of previously approved plans to show the expansion and to permit the religious facility on a smaller parcel than permitted with reduced interior side setbacks. Additionally, the applicant seeks approval for parking within 25' of the right-of-way and to permit less parking than required.

## o LOCATION:

21450 S.W. 112 Avenue, Miami-Dade County, Florida.

o SIZE: 1.44 Acres

#### o IMPACT:

Approval of this application will allow the expansion of the religious facility, daycare center and after school care on the subject property that will provide expanded religious and child care services to the community. Approval of this application may also have a visual impact on the surrounding community and may negatively affect the flow of traffic in the area for 34 children.

## **B. ZONING HEARINGS HISTORY:**

The subject property was previously approved pursuant to Resolution #4-ZAB-149-88 for a Special Exception to permit a church with variances of lot frontage, lot area with less parking spaces than allowed. Additionally, the property was approved for an Unusual Use to permit a daycare center and after-school care.

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

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Medium Density Residential**. This category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category include townhouses and low-rise and medium-rise apartments.

- 2. **Residential Communities.** The areas designated Residential Communities permit housing types ranging from detached single-family to attached multifamily buildings, as well as different construction systems. Also permitted in Residential Communities are neighborhood and community services including schools, parks, **houses of worship**, **daycare centers**, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of this Plan and compatible with the neighborhood. The character of the "neighborhood" reflects the intensity and design of developments, mix of land uses, and their relationships.
- 3. "Congregate residential uses" and nursing homes may be permitted at suitable locations in Residential Communities in keeping with the following density allowance: Each 2.5 occupants shall be considered to be one dwelling unit, and the maximum number of dwelling units allowed shall be no greater than the number allowed in the next higher residential density category than that for which the site is designated. The intensity of use that may be approved for "daytime service uses" such as daycare facilities shall be limited as necessary to be compatible with adjacent uses and to comply with water supply and sewage regulations contained in Chapter 24 of the Miami-Dade County Code.
- 4. All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning and Zoning shall be the principal administrative interpreter of the CDMP.

#### 5. Other Land Uses Not Addressed.

Certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height. bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.

Bishop Simeon L. Downs, Et Al Z07-015 Page 4

## D. NEIGHBORHOOD CHARACTERISTICS:

ZONING LAND USE PLAN DESIGNATION

Subject Property:

RU-2; Religious facility Medium Density Residential, 13 to 25 dua

Surrounding Properties

NORTH: RU-5A; apartment building Medium Density Residential, 13 to 25 dua

SOUTH: RU-2; single-family residential Medium Density Residential, 13 to 25 dua

EAST: RU-5A; vacant land Medium Density Residential, 13 to 25 dua

WEST: RU-4L; duplex residence Medium Density Residential, 13 to 25 dua

The subject property is located on the west side of S.W. 112 Avenue and south of theoretical S.W. 214 Street. The surrounding area is characterized by a mix of apartments, duplexes and single-family residences and vacant land.

## E. SITE AND BUILDINGS:

Site Plan Review: (site plan submitted)

Scale/Utilization of Site:

Location of Buildings:

Unacceptable
Unacceptable

Compatibility: Unacceptable Landscape Treatment: Unacceptable

Open Space:

Buffering:

Acceptable
Unacceptable

Access: Unacceptable Parking Layout/Circulation: Unacceptable

Visibility/Visual Screening:

Energy Considerations:

N/A

Roof Installations:

N/A

Service Areas:

Signage:

N/A

N/A

Urban Design: N/A

## F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(A)(3) Special Exceptions, Unusual and New uses. The Board shall hear an application for and grant or deny special exceptions; that is, those exceptions permitted by regulations only upon approval after public hearing, new uses and unusual uses which by regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause

Bishop Simeon L. Downs, Lt Al Z07-015 Page 5

undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

**Section 33-311(A)(7) Generalized Modification Standards.** The Board shall hear applications to **modify** or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.

Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the paragraphs under this section has been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c) Alternative Non-Use Variance Standards. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances for setbacks, minimum lot area, frontage and depth, maximum lot coverage and maximum structure height, the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the

Bishop Simeon L. Downs, ≝t Al Z07-015 Page 6

spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

## G. NEIGHBORHOOD SERVICES:

No objection\* DERM **Objects** Public Works No objection Parks MDT No objection Fire Rescue No objection No objection Police Schools No comment No comment Aviation

## H. ANALYSIS:

The applicant is seeking a special exception to permit the expansion of a previously approved religious facility (request #1) and an unusual use request to permit the expansion of a previously approved day care center and after-school care onto additional property, the northeast corner of the subject property (request #2). The majority of the subject property was previously approved for a religious facility and day care center with after school care on 1.127 gross acres, pursuant to Resolution #4-ZAB-149-88, along with variances for lot frontage and parking. The applicant subsequently acquired additional property to the northeast of the previously approved church and daycare center, thereby increasing the size of the property to the current 1.44 acres, which is the subject of this application. The applicant also seeks to modify a condition of said resolution, in order to revise the site plan to show a new sanctuary and the relocation of the daycare center (request #3), to permit the religious facility on 1.44 gross acres (request #4), and to permit the religious facility setback 19'1" from the interior side (north) property line and 49'8" from the interior side (south) property line (request #5). Additionally, the applicant seeks to permit parking within 25' of the official right-of-way (request #6) and to permit 87 parking spaces (request #7). The zoning regulations permit religious facilities on a minimum of 2.5 gross acres. regulations also require a minimum interior side setback of 50'. The minimum parking required by the zoning regulations for this project would be 93 spaces and parking is not permitted within 25' of the official right-of-way. The subject RU-2 zoned, Two-Family Residential District, property is located on the west side of S.W. 112 Avenue and south of theoretical SW 214 Street and approximately two and a quarter (2.25) miles east of and inside the Urban Development Boundary (UDB). The surrounding properties are a mix of apartments, duplex and single-family residences and vacant land. The applicant has submitted plans depicting the previously approved church and day care located at the southwest portion of the property along with the additions extending eastward and northward on the subject property. The plans further depict ingress and egress points at the SW 112 Avenue side of the property with an emergency vehicle access point at the

<sup>\*</sup>Subject to conditions indicated in their memorandum.

Bishop Simeon L. Downs, Lt Al Z07-015 Page 7

northwest side of the property onto theoretical SW 214 Street. Parking for the site is located along the interior side (south) and rear (west) sides of the buildings. Additionally, the plans also depict a mix of Mahogany and Gumbo Limbo trees along with Cocoplum and American Beauty-Berry hedges running along the interior sides (south and north), and the rear (west) property lines. In addition to the trees and hedges, the applicant has also added a chain link fence surrounding the entire perimeter of the property.

The Department of Environmental Resources Management (DERM) has no objections to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The Public Works Department objects to this application. Their memorandum indicates that the reduced parking will result in spillage onto the right-of-way. However, they do not object to the request for parking within 25' of the official right-of-way. Further, their memorandum states that a "cross access agreement" is required for access to the private property to the north. The Public Works Department also indicates in their memorandum that the subject application meets traffic concurrency criteria and, as the day care center is an existing use, will not generate any additional PM daily peak hour vehicle trips. They further indicate in their memorandum that the driveways to SW 112 Avenue must meet current Florida Department of Transport (F.D.O.T.) access management requirements and that F.D.O.T. must be contacted for the required permitting information.

Approval of this application will allow the expansion of a religious facility and daycare center that will provide religious services and childcare to the community at large. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this area for Medium Density Residential use. This category allows densities from a minimum of 13 to a maximum of 25 dwelling units per gross acre and the typical type of housing structures permitted in this category include townhouses, low-rise and medium rise apartments. Also permitted in Residential Communities are neighborhood and community services including schools, parks, houses of worship, daycare centers, group housing facilities, and utility facilities, only when consistent with other goals, objectives and policies of the Master Plan and compatible with the neighborhood. However, the intensity of use that may be approved for "daytime service uses" such as daycare facilities shall be limited as necessary to be compatible with adjacent uses and to comply with water supply and sewage regulations. Staff is of the opinion that the proposed religious facility expansion is too intense for the parcel. The site is too small to fully accommodate the necessary site program requirements and building expansions for the church and daycare facilities. This is evidenced by the requests consisting of non-conforming setbacks from property lines, and to allow less parking than is required. The requests to permit the expansion closer to property lines would detrimentally impact those properties found to the north and south of the subject property, and the additional intensity planned for the site would negatively impact the surrounding community. The site was previously approved for a religious facility and daycare center on 1.127 gross acres. Currently, the applicant is seeking approval to expand the previously approved uses onto a total of 1.44 gross acres of land, an increase of .313 gross acres. This comparatively negligible increase in the size of the property, in staff's opinion, is not in proportion to the much greater increase in the size of the buildings, from a total of 3,540 square feet, to a footprint of 13,110 square feet, an increase of 379%. Further, staff opines that the reduced parking provided could further impact the surrounding community by causing auto spillage onto the right-of-way that abuts the property to the east, Bishop Simeon L. Downs, Et Al Z07-015 Page 8

which is a half section line road and onto adjacent properties. The Public Works Department, in their objection to the expansion of the facilities, also noted this in their memorandum. As such, staff opines that the expansion of the religious facility and daycare center is **incompatible** with the surrounding area, and therefore, **inconsistent** with the Master Plan.

Additionally, the applicant's request for an Unusual Use to permit the expansion of a previously approved daycare center and after-school care onto additional property to the northeast (request #2), is in staff's opinion, incompatible with the surrounding area and as such, inconsistent with the interpretative text for residential communities in the CDMP. The CDMP further stipulates that certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the Zoning Code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible with and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services among other things, by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. As previously mentioned, staff is of the opinion that the expansion of the religious facility and daycare center is incompatible with the surrounding area, and that the massive square footage increase is indicative of the over utilization of the site. Additionally, the additional requests for reduced setbacks and parking are evidence of the intensity of the proposed expanded development and the resulting negative impact on the surrounding area as well as on the traffic in the area. As such, staff opines that this request. request #2, should be denied without prejudice. However, should the Board determine that the proposed religious facility expansion and ancillary requests would be compatible with the surrounding area, then the Board could make a finding that this application is consistent with the CDMP.

When analyzing requests #1 and #2 under Section 33-311(A)(3), Standards For Special Exceptions, Unusual Uses and New Uses, staff is of the opinion that the proposed expansion of the religious facility and day care center and after-school care onto additional property to the northeast would result in excessive noise or traffic, cause undue and excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads or highways, and provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of such applied for exception and use in relation to the present and future development of the area concerned and the compatibility of the applied for exception and use with the area and its development. The proposed expansion of both the religious facility and day and after-school care is, in staff's opinion, an overutilization of the subject property as evidenced by the excessive requests, particularly, the request for reduced interior side setbacks and the request to permit less parking than is required. The planned building intensity will visually impact surrounding properties when considering their proximity to the property lines. Additionally, approval of this expansion will provoke excessive overcrowding or

Bishop Simeon L. Down Lt Al Z07-015 Page 9

concentration of people on the site and approval of the request for reduced parking could result in auto spillage onto the half section line road that abuts the subject property to the east and onto adjacent properties. In staff's opinion, these expansions would be **incompatible** with the area concerned and as such, staff recommends denial without prejudice of requests #1 and #2 under Section 33-311(A)(3) (Special Exceptions, Unusual Uses and New Uses).

The standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicant has not submitted documentation to indicate which modification or elimination standards are applicable to this application under said section. Due to the lack of information, staff is unable to analyze requests #3 under said standards, and as such, this request should be denied without prejudice under same.

When analyzing request #3 under Section 33-311(A)(7) (Generalized Modification Standards), staff opines that said request would adversely impact the surrounding area and would generate excessive noise or traffic, provoke excessive overcrowding of people, tend to provoke a nuisance, and would be incompatible with the surrounding area. applicants are requesting a modification of one condition from a previously approved resolution that will allow for the revision of plans of the previously approved religious facility and daycare center, to show a new sanctuary and daycare and after school care expanded onto the additional property to the northeast. As previously mentioned, staff is of the opinion that this expansion will result in an overutilization of the site, which is evidenced by the additional request for reduced setbacks to the north and south. Additionally, staff opines that this application will have an unfavorable effect on the area by generating excessive traffic that will be contrary to the public interest. The reduction in the number of parking spaces required is likewise indicative that the expansion is too intensive for the area and could cause traffic to overflow onto adjacent properties. Additionally, in staff's opinion, the approval of these requests would generate excessive noise and overcrowding of people, which would tend to provoke a nuisance to the community. In staff's opinion, the previous plan approved under Resolution #4-ZAB-149-88, allowed for a religious facility and daycare center that was reasonably scaled in proportion to the size of the property and provided adequate parking for the scale of the facility to prevent an overflow onto the surrounding residential properties. The submitted plans differ substantially from the previously approved plans in that they depict much more development on the northeast portion of the subject property and a comparatively much larger building footprint that is likely to have a greater visual impact on the surrounding properties. As such, staff recommends denial without prejudice of request #3 under Section 33-311(A)(7) (Generalized Modification Standards).

When requests #4and #5 are analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **incompatible** with the surrounding area, would be detrimental to the neighborhood, and would negatively affect the appearance of the community. Staff opines that request #4, to permit the religious facility on 1.44 gross acres (2.5 acres required) as well as request #5, to permit buildings of public assemblage to setback 19'1" (50' required) from the interior side

Bishop Simeon L. Downs, Lt Al Z07-015 Page 10

(north) property line and setback 49'8" (50' required) from the interior side (south) property line, would be overly intensive for the site and contrary to the basic intent and purpose of the zoning and land use regulations. Request #5, especially with respect to the southern property boundary, is an indication of the intrusiveness of this project on the adjoining properties, and in staff's opinion, will have a visual impact on surrounding properties. As such, staff recommends denial without prejudice of requests #4 and #5 under the NUV Standards.

Similarly, when requests #6 and #7 are analyzed under the Non-Use Variance (NUV) Standards, Section 33-311(A)(4)(b), staff is of the opinion that the approval of these requests would be **incompatible** with the surrounding area, would be detrimental to the neighborhood, and would negatively affect the appearance of the community. Staff opines that request #6, to permit parking within 25' of the official right-of-way (not permitted), could have a visual effect on the surrounding properties. Additionally, when analyzed in conjunction with request #7, to permit 87 parking spaces (109 required), staff, upon its own consideration and that of the Public Works Department, is of the opinion that the likely spillage of parking onto the right-of-way that may result from the reduced parking will be exacerbated by the proximity of the parking to said right-of-way. Staff therefore recommends that these requests, requests #6 and #7, be denied without prejudice under the NUV Standards.

When analyzed under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicant would have to prove that requests #4 through request #7 are due to unnecessary hardship and that, should the requests not be granted, such denial would not permit the reasonable use of the premises. However, staff notes that the property can be developed in accordance with the RU-2 zoning regulations and prior zoning approvals. Furthermore, the applicant has not proven that compliance with same would result in an unnecessary hardship. Therefore, the requests cannot be approved under the ANUV Standards, and should be denied without prejudice under same.

Accordingly, staff recommends denial without prejudice of requests #1 and #2 under Section 33-311(A)(3) (Special Exceptions, Unusual and New Uses), denial without prejudice of request #3 under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing and under Section 33-311(A)(7) (Generalized Modification Standards), and denial without prejudice of requests #4 through #7, under Section 33-311(A)(4)(b) (Non-Use Variance Standards) and 33-311(A)(4)(c) (Alternative Non-Use Variance Standards).

## I. RECOMMENDATION:

Denial without prejudice.

## J. **CONDITIONS**: None

Bishop Simeon L. Downs, Lt Al Z07-015
Page 11

DATE INSPECTED:

05/07/07

**DATE TYPED:** 

05/24/07

DATE REVISED:

05/25/07, 05/29/07, 06/01/07, 06/05/07; 06/06/07, 06/15/07; 06/19/07

DATE FINALIZED: SB:AJT:MTF:LVT:CI:CXH

06/19/07

Subrata Basu, Interim Director

Miami-Dade County Department of

Planning and Zoning



De Some Gles

Date:

January 31, 2007

To:

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

From:

Jose Gonzalez, P.E., Assistant Director

**Environmental Resources Management** 

Subject:

C-15 #Z20070 00015 Bishop Simeon L. Downs 21450 S.W. 112<sup>th</sup> Avenue

Special Exception to Permit an Expansion to a Religious Facility.

Unusual Use to Expand a Day care Center,

Modification of a Resolution to Permit a New Site Plan, and

Non-Use Variance of Setback, Area, Right-of-Way, and Parking Requirements

(RU-2) (1.23 Acres)

07-56-40

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

#### Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards, subject to compliance with the conditions required by DERM for this proposed development order.

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

C-15 #Z2007000015 Bishop Simeon L. Downs Page 2

### Stormwater Management

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

#### Pollution Remediation

The subject property is located within a designated brownfield area. The applicant is advised that there are economic incentives available for development within this area. For further information concerning these incentives, contact the Pollution Remediation Section of DERM at 305-372-6700.

## Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that the requested use of the subject property may require operating permits from DERM. It is, therefore, suggested that the applicant contact DERM concerning operating permit requirements.

#### Wetlands

The subject property does not contain jurisdictional wetlands, as defined in Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### **Natural Forest Communities**

The subject property lies near a designated Natural Forest Community (NFC). NFC's are upland natural areas (Pine Rockland and Hardwood Hammocks) that meet one or more of the following criteria: the presence of endangered, threatened, rare or endemic species; low percentage of site covered by exotic plant species; high overall plant diversity; wildlife habitat values; and geological features. This NFC will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject property lies within the potential smoke dispersion corridor of this pineland. Consequently, the subject property may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires.

#### Tree Preservation

According to the site plan submitted along with the zoning application, specimen-sized tree(s) (trunk diameter 18 inches or greater) may be impacted. Section 24-49.2 of the Code requires preservation of specimen trees whenever reasonably possible. Prior to the removal or relocation of any tree on-site, which is subject to the Tree Preservation and Protection provisions of the Code, a Miami-Dade County

C-15 #Z2007000015 Bishop Simeon L. Downs Page 3

Tree Removal Permit, which meets the requirements of Sections 24-49.2 and 24-49.4 of the Code, is required. Be advised that, pursuant to Section 24-49.2(II)(1) of the Code, evaluation of permit applications for the removal of specimen trees include, but is not limited to, factors such as size and configuration of the property, as well as any proposed development, location of tree(s) relative to any proposed development, and whether or not the tree(s) can be preserved under the proposed plan or any alternative plan.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

## Enforcement History

DERM has found no open or closed enforcement record for the subject property.

## Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency, subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

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

REVISION 1 PH# Z2007000015 CZAB - C15

#### PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: BISHOP SIMEON L. DOWNS, ET AL

This Department objects to this application.

This Department objects to the request to permit 87 parking spaces where 93 are required. Fewer parking spaces will result in cars spilling into the right-of-way.

A cross access agreement is required for access to private property to the north.

This Department has no objections to the request to permit parking within 25 feet of an official right-of-way.

Landscaping and/or fences must comply with safe sight distance triangle requirements set forth in Sec. 33-11 of the Miami-Dade County Code.

Driveway(s) to SW 112 Ave must meet current F.D.O.T. access management requirements; contact the district office at 305-470-5367 for driveway and drainage permits.

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

The daycare use under this application is an existing use; therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Raul A Pino, P.L.S.

05-JUN-07

## Child Care Check List for Day Nursery, Day Care, Kindergarten, Private School

School	ol Address: 21450 SW 112 AVE Tax Folio #30 - 6007 - 000-0131
1.	Is this an expansion to an existing school?   Yes  No If yes, indicate the number of students:  and age and grade ranges originally approved:
2.	Total size of site: 183.11 × 293.19 =53,693 + 43,560 sq. ft. =1.23 acres
3.	Number of children or students requested: 34 Max. Ages : 4 TO 6 YEARS
4.	Number of teachers: number of administrative & clerical personnel 2
5.	Number of classrooms: 3 Total square footage of classroom area: \200 5F
6.	Total square footage of non-classroom area (offices, bathrooms, kitchens, closets):
7.	Amount of exterior recreation /play area in square footage: 9325F
8.	Number & type of vehicle(s) that will be used in conjunction with the operation of the facility:
9.	Number of parking spaces provided for staff, visitors, and transportation vehicles:  parking spaces provided parking spaces required by Section 33-124 (L)
10.	Indicate the number of auto stacking spaces: 2 provided 1 required
11.	Proposed height for the structure(s): 14'-0" See Section 33-151.18(g)
12.	Size of identification sign: 2 x 3 = 6 sq. ft. See Section 33-151.18 (c). Signage will require a separate permit. Contact the Permit Section at 786-315-2100.
13.	Days and hours of operation: MONDAY THRU FRIDAY 7A.M TO 7. P.M.
14.	Does the subject facility share the site with other facilities? X Yes No (If yes, the space which will be used solely for the school facility during the hours of operation must be indicated on the plans, pursuant to Section 33-151.16.)
15.	If the school will include residential uses, do such uses meet the standards provided in Section 33-151.17?   Yes No (If yes, describe the residential uses and indicate same on the plans.)

PHYSICAL STANDARDS: OUTDOOR RECREATION SPACE AND CLASSROOM SPACE MUST BE CALCULATED IN TERMS OF THE MAXIMUM NUMBER OF CHILDREN IN ATTENDANCE AT ANY ONE TIME.

The following information will determine the maximum number of children permitted at the facility. WHEN GRADE LEVELS OVERLAP, THE MORE RESTRICTIVE SHALL BE USED.

CLASSROOM	SPACE:	Calculated	by	grade	levels.

a.	Day Nursery	/ kindergarten, presch	ool and after sch	ool care		
	35 sq. ft. x	(number of childr	en) =	sq. ft. of clas	ssroom area required	1.
b.	Elementary (	Grades 1 - 6				
	30 sq. ft x <u>3</u>	4 (number of childre	en) = 1,020	sq. ft. of cla	ssroom area require	d.
c.		and Senior High Schoo				
	25 sq. ft. x	(number of child	Iren) =	_ sq. ft. of cl	assroom area requir	ed.
	TOTAL SQU	JARE FOOTAGE OF C	CLASSROOM AR LASSROOM ARI	REA REQUIRI EA PROVIDE	ED: 1,020	
ou-	TDOOR RECREAT	TION SPACE:		*		
a.	Day nursery/kind	dergarten, preschool ar 45 sq. ft. x				
b.	Grades.1 - 6	500 sq. ft. x	(first 30 cl	hildren) =	500	
		300 sq. ft. x	(remaining	children) =	300	
C,	Grades 7 - 12	800 sq. ft. x	(first 30 cl	hildren) =		
		300 sq. ft. x	(next 300 c	children) =		
		150 sq. ft. x	(remaining	children) =		
	TOTAL SQUARE	FOOTAGE OF OUTE	OOR RECREAT	TON SPACE	REQUIRED: 800 PROVIDED: 938	_
TRE	ES: See Section 3	3-151.18(h), and the F	Planning Division	for additional	requirements (12th f	loor).
a.	28 trees are	required per net acre.	Trees required:	35 Tree	es provided: 36	
b.	Ten shrubs a	re requiréd for each tr	ee required. Shru	bs required: !	123 Shrubs provide	d: 150
C.	Grass area fe	or organized sports/ pla	ay area in square	feet: 98	23	
d.	Lawn area in	square feet (exclusive	of organized spo	orts/ play area	a): 31,832	

## Memorandum



Date:

25-JAN-07

To:

Diane O'Quinn Williams, Director Department of Planning and Zoning

From:

Herminio Lorenzo, Fire Chief

Miami-Dade Fire Rescue Department

Subject:

Z2007000015

## Fire Prevention Unit:

Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped October 23 2006. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements

## Service Impact/Demand:

Development for the above Z2007000015

located at 21450 S.W. 112 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

in Police Grid

8293

is proposed as the following:

N/A residential

N/A

dwelling units

N/A industrial

square feet

Office

square feet

N/A institutional

square feet

N/A Retail

square feet

1.745

square feet

nursing home/hospitals

Based on this development information, estimated service impact is: 1.12 alarms-annually.

## **Existing services:**

The Fire station responding to an alarm in the proposed development will be:

Station 34 - Cutler Ridge - 10850 SW 211 Street Rescue, BLS 50' Squrt, 100' Tended Platform

## **Planned Service Expansions:**

The following stations/units are planned in the vicinity of this development:

None.

## Fire Planning Additional Comments:

Current service impact calculated based on letter of intent date stamped August 31 2006. Substantial changes to the letter of intent will require additional service impact analysis.

DATE: 05/23/07 REVISION 1

## **TEAM METRO**

## **ENFORCEMENT HISTORY**

BISHOP SIMEON L. DOWNS, ET AL

21450 S.W. 112 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

HEARING NUMBER

Z2007000015

## **CURRENT ENFORCEMENT HISTORY:**

5-21-07 No violations.

## DISCLOSURE OF INTEREST\*

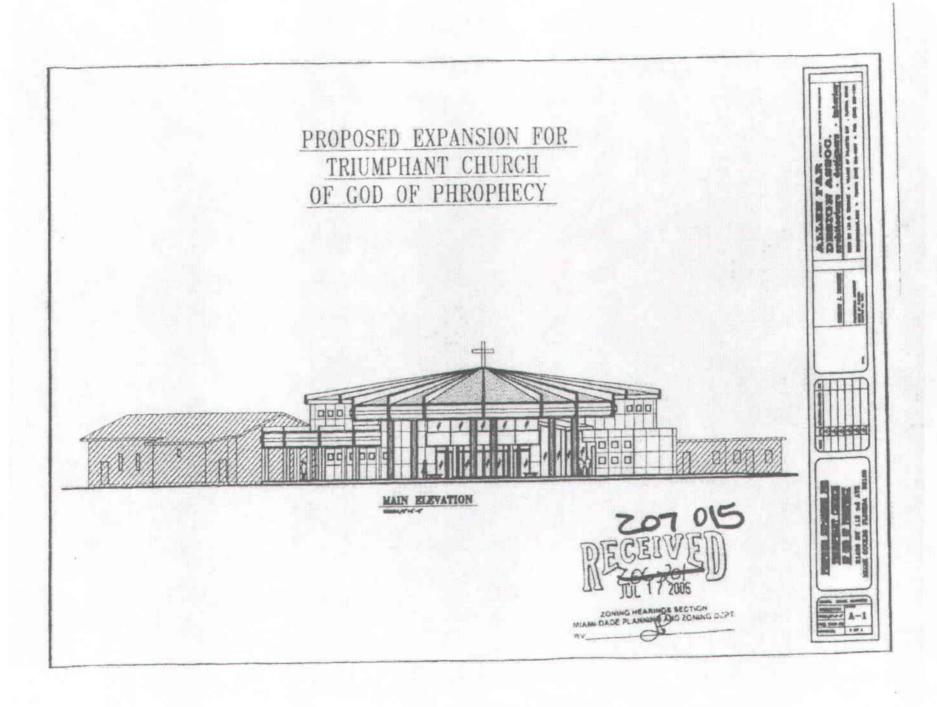
If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest]. THE FOLLOWING IS THE PRESIDENT OF:

CORPORATION NAME: TRIUMPHANT CHURCH OF GOD OF	PHROPHECY
NAME AND ADDRESS	Percentage of Stock
BISHOP SIMEON L. DOWNS 9751 SW 159 ST. MIAN,	not for profi
	7 - Andrews - An
If a TRUST or ESTATE owns or leases the subject property, list the trust be interest held by each. [Note: Where beneficiaries are other than natural persone made to Identify the natural persons having the ultimate ownership interests.]	ons, futuret disclosure sna
TRUST/ESTATE NAME:	
NAME AND ADDRESS	Percentage of Interes
If a PARTNERSHIP owns or leases the subject property, list the principals in	ncluding general and limite
partners. [Note: Where partner(s) consist of other partnership(s), corporentities, further disclosure shall be made to identify the natural persons ha interests].	ving the ultimate ownersh
PARTNERSHIP OR LIMITED PARTNERSHIP NAME:	
NAME AND ADDRESS	· Percent of Ownership
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BY	

## DISCLOSURE OF INTEREST\*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest]. THE POLLOWING ARE THE TRUSTERS OF:

CORPORATION NAME: TRIUMPHANT CHURCH OF	JOD OF 1		
NAME AND ADDRESS		Percentage o	
BISHOP SIMBON L. POWNS 9751 SW 159 St.		FL 33157	N/A
ASTLEY MCKOY 17842 50 88 PL.		FL 33197	N/A
GLEN SLATON 17621 SW 107 AVE.	MIKUL,	FL. 33157	NA
TACINTH DOWNS 9751 5W, 159 St.	HIANI	, FL 33157	H/A
RUBEN LEMP	MIAMI	, FL 33170	NIA
RUTH ROSS 26435 SW 134 CT	HIAMI	, FL 33032	11/1
	a sa	Barrier - Cr	
TRUST/ESTATE NAME:			
NAME AND ADDRESS	and the state of t	Percentage of	Interes
If a PARTNERSHIP owns or leases the subject property, list the partners. [Note: Where partner(s) consist of other partnership entities, further disclosure shall be made to identify the natural pinterests].	(s), corpor	ation(s), trust(s) of	or simila
PARTNERSHIP OR LIMITED PARTNERSHIP NAME:	/-		iui S
NAME AND ADDRESS		DIFFERENCE OF ONLY	nership
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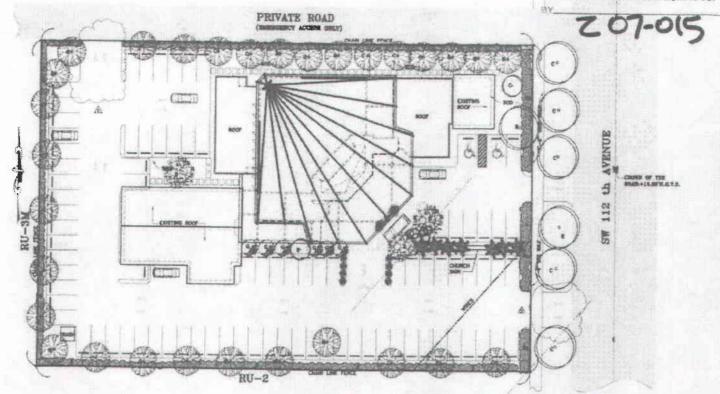


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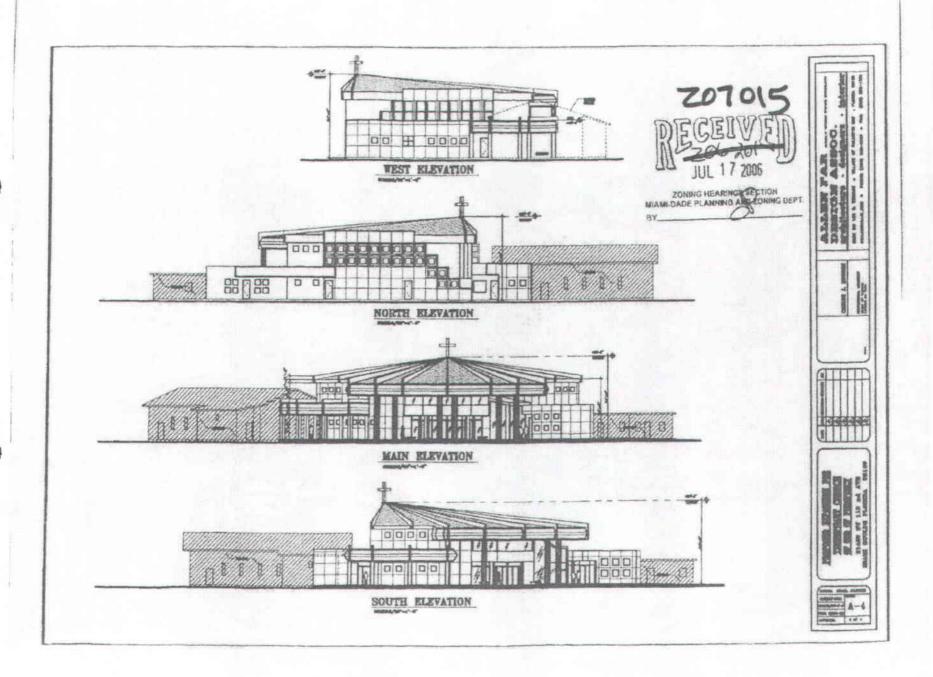
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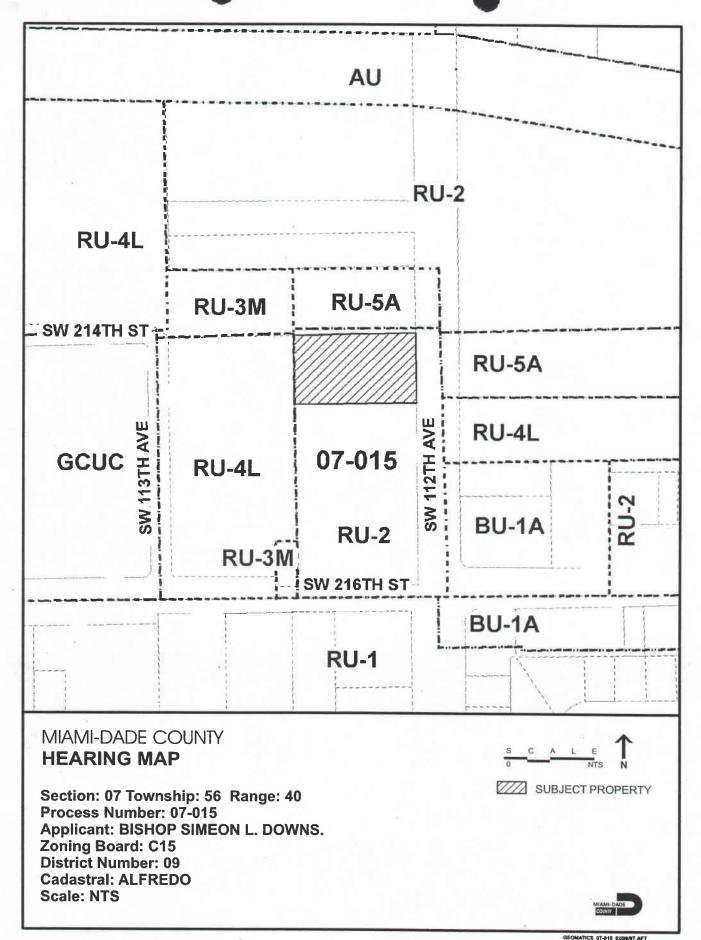
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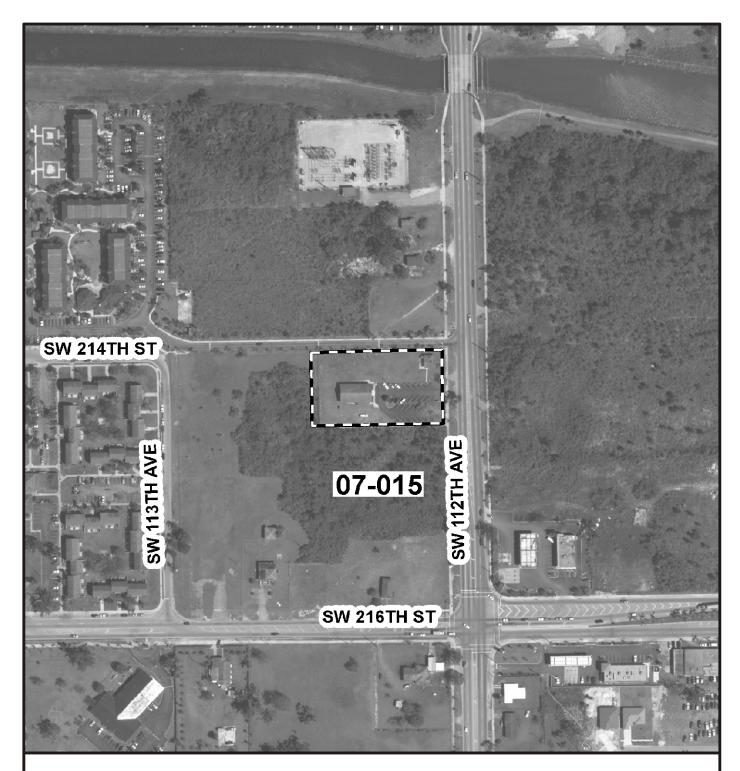
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# MIAMI-DADE COUNTY **AERIAL**

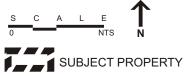
Section: 07 Township: 56 Range: 40

Process Number: 07-015

**Applicant: BISHOP SIMEON L. DOWNS.** 

Zoning Board: C15 District Number: 09 Cadastral: ALFREDO

Scale: NTS





# Memorandum



Date:

October 12, 2006

To:

Diane O'Quinn Williams, Director

Department of Planning and Zoning

From:

Roosevelt Bradley, Director

Miami-Dade Transit

Subject:

FY-07 Blanket Concurrency Approval for Transit

This memorandum serves as a blanket authorization for the Department of Planning and Zoning to continue to approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66. Administrative Order 4-85 and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area included in the 2005 Transit Development Program (TDP) update (Figure IV-3, page IV-23), we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues to advance the development process for the North Corridor transit project along NW 27<sup>th</sup> Avenue from 62<sup>nd</sup> Street to the Broward County Line. Please ask your staff to continue to signal any application whose address is on NW 27th Avenue, between these two points, so that they may be reviewed by MDT Staff.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period of October 1, 2006 to September 30, 2007, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at (305) 375-1193. Your continued cooperation on these important matters is greatly appreciated.

Cc:

Albert Hernandez, Deputy Director MDT Planning and Engineering Mario G. Garcia, Chief

MDT System Planning Division

Helen A. Brown, Concurrency Administrator Department of Planning and Zoning

Memorandum MIAMI-DADE

Date:

December 2, 2004

To:

Dianne O'Quinn-Williams, Director

Department of Planning and Zoning

From:

Wivian Donnell Rodriguez, Director

Park and Recreation Department

Subject:

Update for Blanket Concurrency Approval

RECEIVED

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

This memorandum updates the blanket concurrency approval memo of September 18, 2003. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2005. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

CC:

Helen Brown, Metropolitan Planning, DP&Z

W. Howard Gregg, Asst. Director for Planning & Development, PARD Barbara Falsey, Chief, Planning and Research Division, PARD



Date:

April 21, 2005

To:

Alberto J. Torres, Assistant Director for Zoning.

Department of Planning and Zoning

From:

Manuel C. Mena, Chief

MDFR Fire Prevention Division

Subject:

Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File





Date:

September 15, 2006

To:

Diane Q'Quinn Willjams, Director, Department of Planning and Zoning

From:

Kathleen Woods-Richardson, Director, Department of Solid Waste Management

Subject:

Solid Waste Disposal Concurrency Determination

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of ten (10) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements, long term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2013 or two (2) years beyond the minimum standard (five years capacity). This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2007), at which time a new determination will be issued. If, however, a significant event occurs which substantially alters the projection, the Department will issue an updated determination.

#### Attachment

vicente Castro, Deputy Director, Operations
Dana M. Moss, Sr., Deputy Director, Administration and Finance
James Bostic, Assistant Director, Operations
Asok Ganguli, Assistant Director, Technical Services
David Ritchey, Assistant Director, Administration

RECEIVED

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

# Department of Solid Waste Management (DSWM) Solid Waste Management Disposal Facility Available Capacity From Fiscal Year 2006-07 Through Fiscal Year 2015-16

		RESOURCES	RECOVERY	ASHFILL *	SOUTH	DADE LANDE	ILL **	NORTH	DADE LANDF	TLL ***	WMI ****		
													TO BE
	- 25												INCINERATED
	WASTE	Beginning		Ending	Beginning		Ending	Beginning		9	CONTRACT	TOTAL TO BE	AND
FISCAL YEAR PERIOD	PROJECTION	Capacity	Landfilled	Capacity	Capacity	Landfilled	Capacity	Capacity	Landfilled	Capacity	DISPOSAL	LANDFILLED	RECYCLED
T. 1, 2006 TO SEPT. 30, 2007	1,776,000	783,085	167,000	616,085	2,499,001	180,000	2,319,001	1,896,521	354,000	1,542,521	250,000	951,000	825,000
T. 1, 2007 TO SEPT. 30, 2008	1,776,000	616,085	167,000	449,085	2,319,001	180,000	2,139,001	1,542,521	354,000	1,188,521	250,000	951,000	825,000
OCT. 1, 2008 TO SEPT. 30, 2009	1,776,000	449,085	167,000	282,085	2,139,001	180,000	1,959,001	1,188,521	354,000	834,521	250,000	951,000	825,000
OCT. 1, 2009 TO SEPT. 30, 2010	1,776,000	282,085	167,000	115,085	1,959,001	180,000	1,779,001	834,521	354,000	480,521	250,000	951,000	825,000
OCT. 1, 2010 TO SEPT. 30, 2011	1,776,000	115,085	115,085	0	1,779,001	231,915	1,547,086	480,521	354,000	126,521	250,000	951,000	825,000
OCT. 1, 2011 TO SEPT. 30, 2012	1,776,000	0	0	0	1,547,086	574,479	972,607	126,521	126,521	0	250,000	951,000	825,000
OCT. 1, 2012 TO SEPT. 30, 2013	1,776,000	0	0	0	972,607	701,000	271,607	0	0	0	250,000	951,000	825,000
OCT, 1, 2013 TO SEPT. 30, 2014	1,776,000	0	0	0	271,607	271,607	0	0	0	0	250,000	521,607	825,000
OCT. 1, 2014 TO SEPT. 30, 2015	1,776,000	0	0 -	0	0	0	0	0	0	- a _ = 0	250,000	250,000	825,000
OCT: 1, 2015 TO SEPT. 30, 2016	1,776,000	0	0	0	0	0	0	0	0	0	0	0 -	825,000
REMAINING YEARS				4			7			5			

ANNUAL DISPOSAL RATE (in tons)
RESOURCES RECOVERY ASHFILL 167,000
SOUTH DADE LANDFILL 180,000
NORTH DADE LANDFILL 354,000
WMI CONTRACT 250,000
TOTAL TO BE LANDFILLED 951,000

Ashfill capacity for Cell 19 (Cell 20 is not included). When Cell 19 is depleted Resources Recovery Plant Ash and Okeelanta Ash will go to South Dade Landfill and WMI.

\*\* South Dade includes Cells 3 and 4 (Cell 5 is not included). Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.
\*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes to South Dade Landfill and WMI.

\*\*\* Maximum Contractual Tonnage per year to WMI is 500,000 tons. WMI disposal contract ends September 30, 2015.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated August, 2006.

DATE:

September 12, 2003

Director

Department of Planning and Zoning

Diane O'Quinn Williams

SUBJECT:

Solid Waste Disposal Concurrency Determination

FROM:

TO:

Andrew Wilfork

Director

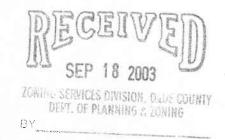
Department of Solid Wastel Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

## Attachment

Pedro G. Hernandez, P.E., Assistant County Manager
 Victoria Garland, Acting Deputy Director, DSWM
 Vicente Castro, Assistant Director for Technical Services, DSWM
 Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
 Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM



#### Department of Solid Waste Management (DSWM)

## Solid Waste Facility Capacity Analysis

Fiscal Year 2002-2003

RTI FACILITY

LANDFILLS

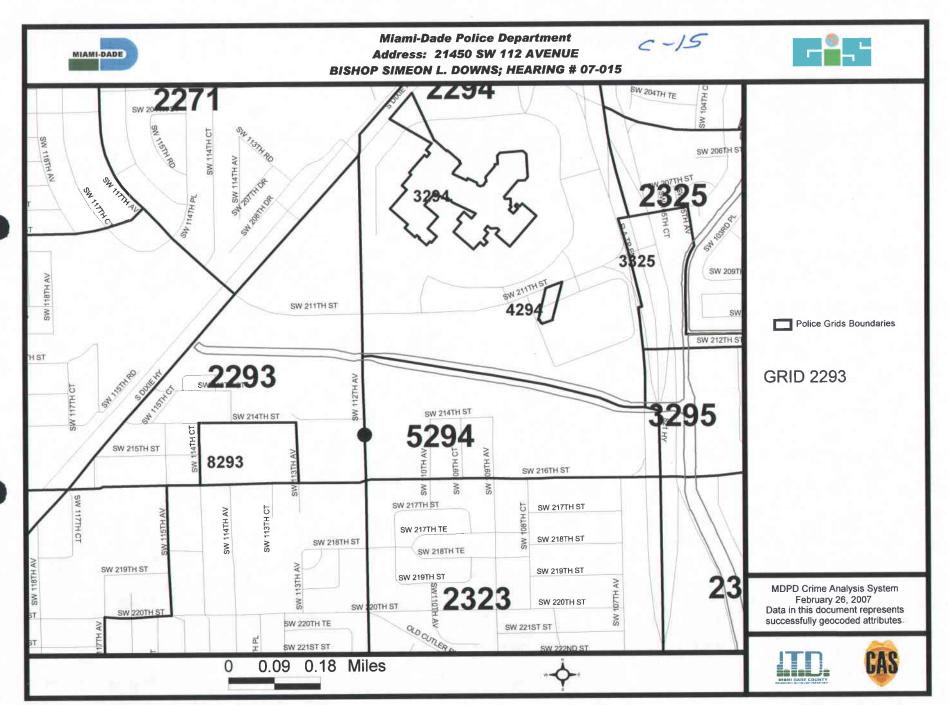
1					171010111		-	KILLA	CILITI			LAMDFILLS.		WHEELABRATOR	
											SOUTH	NORTH DADE	WMI	(contract had ended on 12/31/02)	3
Year	Waste Projections (tons)	On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfili	Tonnage	Garbage	Trash	Garbage &Trash	Trash	Total
					[1]	[2]			[3]	[4]	[5]	[6]	[7]	[8]	[1]-[8]
2003 *	1,837,000	936,000	196,000	17,000	119,000	604,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,00
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,50
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,50
2006 ***	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,50
2007	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,50
8000	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,50
2009	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,50
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,50
011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,50
	S RECOVERY	1	GARBAGE	TRASH	TIRES	TOTAL								,	
TOTAL (	2 1.84M		853,000	69,000 270,000	14,000	936,000 270,000		e; 9% Trash, includ	es Tires)						
TOTAL @	1.72M		853,000	69,000 270,000	14,000	936,000 270,000		e; 9% Trash, includ	es Tires)						
TOTAL @	1.71M		853,000	69,000 270,000	14,000	936,000		e; 9% Trash, includ	es Tires)						
OTAL WAS	TE STREAM F	PERCENTAGE	S @1.84 MILLI	ONS TONS			,								
SARBAGE !		LINDLININGL	997.000	0110 70110											
RASH 44.4			816,000											i i	
	cludes Tires) 1	3%	24,000												
OTAL.			1,837,000												
EMAINING	CAPACITY B	Y FACILITY A	T END OF FISC	AL YEAR											
		•			Ashfill					Se	outh Dade	North Dade	WMI ****		
'ear					Capacity *						Capacity **	Capacity ***	Disposed		
lase Capa	acity				207,000						4,352,000	3,130,000	146,000		
003					61,000						3,942,000	2,797,000	100,000		
004					0						3,668,500	2,402,000	188,000		
005					0						3,395,000	2,007,000	249,000		
006					0						3,131,500	1,612,000	249,000		
007					0						2.868,000	1,217,000	249,000		
008					0						2,604,500	822,000	249,000		
009					0										
010					0						2,341,000	427,000	249,000		
011					0						2,077,500	32,000	249,000		
012					0						1,702,000	0	500,000		
013					0						1,294,500	0	500,000		
014					_						887,000	0	500,000		
					0						479,500	. 0	500,000		
015					0						72,000	0	500,000		
016					0						0	0			
017					0						0	0		10	
018					0						0	0			

- \* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).
- South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as covered

Total Remaining Years

RESOURCES RECOVERY FACILITY

- \*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.
- \*\*\*\* Maximum Contractual Tonnage per year to WMI is 500,000 tons; Minimum Contractual Tonnage per year to UMMI is 500,000 to



Prepared By: C. Guerra, PCAS



## Miami-Dade Police Department Address Query for Events occurring at 21450 SW 112 For 2005-01-31 Thru 2007-01-31

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2005-01-31" and Dis.Complaint Date < "2007-02-01" and Dis.Police District Code in ( "A", "B", "C", "CB", "D", "E", "G", "H", "I", "K", "L", "M", "N", "P", "Q", "R", "ZZ" ) and Dis.Incident Address contains "21450 SW 112" and Dis.Reporting Agency Code = substring ( "030", 1, 3) and Common and Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")

Incident Address	Dis	Grid	A O P	Complaint Date	Day of Wk	Call Rcvd Time	Complaint Name	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit	Event Number	Rp Wr YN
21450 SW 112 AV	С	2293	3	08/11/2005	THU	22:05:47	ADT ALARMS	0416196D		25A	22:05:47	22:53:28	22:57:29	C3303	052032001	Y
21450 SW 112 AVE	c	2293	3	07/14/2005	THU	18:52:23		0362686D		27	18:52:23	18:52:23	18:52:23	C3050	051779821	Y
21450 SW 112TH AVE	c	2293	3	10/02/2005	SUN	13:34:26	MS DOWNS	PD051002070723	3	41+	13:34:26	13:38:19	13:45:01	C2107	PD051002112375	N
50 SW 112TH AVE		2293	3	01/08/2006	SUN	11:40:11	ADT/OPR MICHELLE	PD060108013211		25A	11:40:11	12:04:36			PD060108020848	Y
0 SW 112TH AVE	c	2293	3	04/30/2006	SUN	18:09:07	BARBARA SCOTT	PD060430221118		15	18:09:07	18:09:53	18:13:05	C3505	PD060430358664	N
21450 SW 112TH AVE		2293	3	05/17/2006	WED	20:23:28	DANIELLE	PD060517253583	3	41+	20:23:28	20:24:04			PD060517411575	N
21450 SW 112TH AVE		2293	3	05/20/2006	SAT	23:53:38	ADT/OPR JONEL	PD060521260243		25A	23:53:38	01:09:46	01:10:19	C1300	PD060520422091	Y
21450 SW 112TH AVE	c	2293	3	05/28/2006	SUN	12:58:37	MCCOY,MS	PD060528274395		34	12:58:37	13:26:38	13:30:09	C2301	PD060528445021	Y
21450 SW 112TH AVE		2293	3	05/28/2006	SUN	14:12:56		PD060528274450		32	14:12:56	14:12:56	14:12:56	C2301	PD060528445188	Y
21450 SW 112TH AVE		2293	3	08/27/2006	SUN	23:39:42	CHANTE/ASUIRON	PD060828441879		20	23:39:42	00:13:31			PD060827715282	N
21450 SW 112TH AVE		2293	1	09/17/2006	SUN	13:22:35	ADT/ANA	PD060917479043		25A	13:22:35	13:59:14	13:59:22	C3402	PD060917779400	Y
21450 SW 112TH AVE		2293	1	11/03/2006	FRI	03:20:15		PD061103566485		14	03:20:15	03:23:10	03:40:31	C1305	PD061103923351	Y
21450 SW 112TH AVE	c	2293	1	12/07/2006	THU		ADT/COREY	PD061207631830		25A	18:38:48	19:05:19	19:16:31	C3101	PD061207030607	Y

Date: 2/26/2007 Page 1



# MIAMI-DADE POLICE DEPARTMENT Zoning Hearing Report Part I and Part II Crimes w/o AOA For Specific Grids For 2005 and 2006



Miami-Dade Police Department

Grid(s): 0685, 0780, 0789, 1076, 1491, 1533, 1663, 1830, 1919, 2142, 2199, 2293, 3780

		2005	200
Grid 2293			
Part I			
130A	AGGRAVATED ASSAULT	34	27
2200	BURGLARY	14	12
2400	MOTOR VEHICLE THEFT	19	17
1200	ROBBERY	13	10
230C	SHOPLIFTING	26	22
230G	SHOPLIFTING ALL OTHERS	36	53
230F	SHOPLIFTING FROM A MOTOR VEHICLE	31	41
110B	SODOMY	1	0
Part I	TOTAL	174	182
Dowl			
Part II	FRAUD CON/SWINDLE/FALSE PRET.	8	6
260A 260B	FRAUD CON/SWINDLE/FALSE PRET. FRAUD CREDIT CARD/ATM	8 2	
260A			2
260A 260B	FRAUD CREDIT CARD/ATM	2	3
260A 260B 350B	FRAUD CREDIT CARD/ATM ILLEGAL DRUG EQUIPMENT	2 2	3
260A 260B 350B 260D	FRAUD CREDIT CARD/ATM ILLEGAL DRUG EQUIPMENT IMPERSONATION	2 2 3	6 2 3 3 2 31
260A 260B 350B 260D 1000	FRAUD CREDIT CARD/ATM ILLEGAL DRUG EQUIPMENT IMPERSONATION KIDNAPPING - ABDUCTION	2 2 3 0	2 3 3 2 31
260A 260B 350B 260D 1000 350A	FRAUD CREDIT CARD/ATM ILLEGAL DRUG EQUIPMENT IMPERSONATION KIDNAPPING - ABDUCTION NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	2 2 3 0 29	2 3 3 2
260A 260B 350B 260D 1000 350A 130B	FRAUD CREDIT CARD/ATM ILLEGAL DRUG EQUIPMENT IMPERSONATION KIDNAPPING - ABDUCTION NARCOTIC BUY/SELL/POSS/IMPORT/MANUF SIMPLE ASSAULT	2 2 3 0 29 42	2 3 3 2 31 48



## Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2005 and 2006



Detail Filter: ( Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate ) and ( Dis.Grid in ( "0685", "0780", "0789", "1491", "1533", "1663", "1830", "1919", "2142", "2199", "2293", "3780" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18" "19", "20", "21", "22", "23", "24", "25", "26", "27", "26", "29", "30", "31", "32", "33", "34", "35", "35", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55" ) or ( 'ALL' in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "44", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "55", "55", ) ) ) and Common

			2005	2006
Grid	Signal Code	Signal Description		
2293	13	SPECIAL INFORMATION/ASSIGNMENT	77	89
	14	CONDUCT INVESTIGATION	343	260
	15	MEET AN OFFICER	481	16
	16	D.U.I.	2	7
	17	TRAFFIC ACCIDENT	77	72
	18	HIT AND RUN	26	20
	19	TRAFFIC STOP	141	181
	20	TRAFFIC DETAIL	16	9
	21	LOST OR STOLEN TAG	20	23
	22	AUTO THEFT	39	41
	25	BURGLAR ALARM RINGING	58	80
	26	BURGLARY	71	72
	27	LARCENY	66	70
	28	VANDALISM	22	25
	29	ROBBERY	15	9
	30	SHOOTING	3	0
	32	ASSAULT	119	152
	33	SEX OFFENSE	2	2
	34	DISTURBANCE	190	277
	36	MISSING PERSON	12	9
	37	SUSPICIOUS VEHICLE	3	17
	38	SUSPICIOUS PERSON	11	21
	39	PRISONER	20	33
	41	SICK OR INJURED PERSON	46	45
	43	BAKER ACT	9	21
	44	ATTEMPTED SUICIDE	5	2



## Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2005 and 2006



Detail Filter: ( Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate ) and ( Dis.Grid in ( "0685", "0780", "0789", "1076", "1491", "1533", "1663", "1830", "1919", "2142", "2198", "2293", "3780" ) ) and ( ( Dis.Signal Code in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "45", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") ) or ( "ALL' in ( "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "45", "46", "47", "48", "49", "50", "51", "52", "38", "38", "39", "40", "44", "45", "46", "47", "48", "48", "50", "51", "55", "55", "51",

			2005	2006
Grid	Signal Code	Signal Description		
2293	45	DEAD ON ARRIVAL	3	2
	47	BOMB OR EXPLOSIVE ALERT	2	0
	49	FIRE	5	7
	52	NARCOTICS INVESTIGATION	40	37
	53	ABDUCTION	1	2
	54	FRAUD	17	11
	55	WEAPONS VIOLATION	3	2
Γotal S	ignals for	Grid 2293 :	1,945	1,614