



Department of Planning, Zoning and Code Compliance
6601 Main Street • Miami Lakes, Florida 33014
Office: (305) 364-6100 • Fax: (305) 558-8511
Website: www.miamilakes-fl.gov

Transmittal Memorandum

Date: March 16, 2016
From: Brandon R. Schaad, AICP, LEED AP *BRS*
Director of Planning
To: José Heredia, Zoning Official
Re: Administrative Site Plan Review ASPR2016-0002

Attached herewith is the executed Administrative Site Plan Review ASPR2016-0002 Development Order (the "Development Order") for the subject property:

ADMINISTRATIVE SITE PLAN REVIEW:	ASPR2016-0002
APPLICANT:	Mr. Wilfredo Tome
FOLIO:	32-2015-004-0070
LOCATION:	8370 NW 168th Street
	Miami Lakes, Florida 33016
ZONING DISTRICT:	RU-1

Please review and transmit to Mr. Wilfredo Tome the above-referenced executed Development Order as per the conditions listed.

If you should have any questions or concerns, please feel free to contact me at any time.



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March 16, 2016

Mr. Wilfredo Tome
8370 NW 168th Street
Miami Lakes, Florida 33016

RE: ADMINISTRATIVE SITE PLAN REVIEW: ASPR2016-0002
Mr. Wilfredo Tome
FOLIO: 32-2015-004-0070
LOCATION: 8370 NW 168th Street

Dear Mr. Tome:

This Transmittal Letter shall serve to inform you that per the Town of Miami Lakes Land Development Code (the "Town LDC"), Section 13-302(d) your Application has been approved.

Attached herewith is a copy of the Development Order approving your application. The modification(s) and/or condition(s) therein are an integral part of the Development Order as provided for under Section 13-302(d) of the Town LDC. Failure to comply will automatically void the Development Order. Please submit the attached Development Order with your Building Permit Application.

If you do not agree with the Development Orders' modification(s) and/or condition(s) listed, please be aware that appeals of the Development Order require a public hearing. All costs associated with the appeal are the responsibility of the party appealing the decision.

If you have any questions, please feel free to contact me at (305) 512-7128, or by email at schaadb@miamilakes-fl.gov.

Sincerely,

Brandon R. Schaad, AICP, LEED AP
Director of Planning

cc: Jose Heredia, Zoning Official



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Findings – ASPR2016-0002

Subsection 13-1612(a)(3) of the Land Development Code (LDC) provides that site improvements on single family residential properties, and for which no original permit can be found, may be granted nonconforming status, where there is a finding that certain criteria are met. Regarding the gazebo located at 8370 NW 168th Street, which is the subject of this application, both Town Staff and the Applicant, after a diligent search, have been unable to find an original permit, and thus the Applicant has submitted this application to request the granting of nonconforming status. Findings with regard to the criteria contained in Subsection 13-1612(a)(3) are provided below.

- a. The site improvement is not a fence, wall or hedge located waterward of the top of the slope on a waterfront property.**

The site improvement is a gazebo that is located on a land-locked property.

- b. The site improvement has existed since at least January 5, 2001.**

Aerial photographs from February 1999 and a clearer aerial photograph from December 2002 (both attached) demonstrate that the gazebo has existed in substantially its present form since at least 1999.

- c. The site improvement is eligible to receive a building permit under the terms of the Florida Building Code.**

The Applicant is currently working with the Town of Miami Lakes Building Department in order to obtain a building permit for the gazebo. As discussed in the criterion below, minor changes to the gazebo may be required in order to obtain the building permit; however, so long as the gazebo remains in substantially similar form, such changes will not affect the gazebo's eligibility for nonconforming status under the terms of Subsection 13-1612(a)(3). Additionally, appropriate conditions have been imposed ensuring that, should the Applicant fail to obtain the building permit, then this approval, and thus the gazebo's nonconforming status, would be null and void.

- d. The site improvement does not limit or impair the reasonable use and enjoyment of any other property.**

The gazebo meets the LDC's height limitation. The LDC's setback requirements would allow the gazebo's support structure five feet from the rear property line,



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and its roof overhang four feet from the rear property line. The gazebo's location, according to surveys submitted by the applicant, is 4.81 feet from the rear property line for the support structure and 2.06 feet from the property line for the roof overhang. Building Department staff has identified a possible violation of the Town's Floodplain Management Ordinance due to the close proximity of the roof overhang to the adjacent property to the south. Thus, some modification of this roof overhang may be necessary for the issuance of a building permit. If the gazebo, including its roof overhang, can be made to conform to the Floodplain Management Ordinance, then it will not impair the reasonable use and enjoyment of any other property, and so long as the gazebo remains in a substantially similar form, its eligibility for nonconforming status would not be affected by such changes. Thus, conditions have been included in this approval to ensure compliance with the Floodplain Management Ordinance, and if compliance is not ultimately achieved, the lack of issuance of a building permit within one year of the date of a Final Development Order would render this approval, and thus the gazebo's nonconforming status, null and void.

Thus, subject to compliance with the conditions of this Development Order, the gazebo subject to this site plan application may be granted legal, nonconforming status under the terms of Section 13-1612 of the LDC.



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Staff Findings Regarding Objection – ASPR2016-0002

In accordance with Section 13-302(h)(2) of the Town of Miami Lakes Land Development Code (LDC), an administrative hearing was held on March 10, 2016 at approximately 9:30 AM. The purpose of the hearing was for Town staff to hear objections to the Town's preliminary development order for Administrative Site Plan Review application ASPR2016-0002, to grant nonconforming status to an existing gazebo structure on the subject property under the provisions of Subsection 13-1612(a)(3) of the LDC. Two objectors attended, Mr. Ubaldo Perez and Ms. Mirta Perez. Mr. and Mrs. Perez had timely filed an objection with the Town during the 15-day posting period following the issuance of a preliminary development order. Brandon Schaad, the Town's Planning Director, served as Hearing Officer. Also in attendance were: Stacy Allen, Planning Technician; Haydee Sera, Assistant Town Attorney; and, Mr. Wilfredo Tome, the Applicant for the subject administrative site plan review.

The substance of the objections included that the gazebo was built illegally without permits, that it is very close to the objector's property, that it impairs privacy on the objectors' property and that it devalues the objectors' property.

Regarding the construction of the gazebo without permits, it is true that neither the Applicant nor the Town have been able to find any permits for construction of the gazebo. In fact, that is the reason for this application, as if there had been permits found for construction, its nonconforming status would be automatic and this application would not be necessary to grant such status. However, since the lack of permits for the gazebo has come to light, the Applicant currently has an active building permit application to legalize the gazebo. If such permits cannot be obtained, then the enforcement process against the presence of the gazebo will continue; if such permits can be obtained, that will alleviate any issues regarding the lack of permits. Thus, given this ongoing process, the current lack of permits does not constitute a reason to deny the subject administrative site plan approval application. Staff has included a condition that if the building permit is not obtained within one year of this approval, then this approval shall be null and void.



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Regarding the closeness of the gazebo to the objectors' property, and as noted in the findings on the previous pages, submitted surveys indicate that the gazebo's support structure is 4.81 feet from the rear property line, a fairly insubstantial difference from the five feet required by the Land Development Code (LDC), and no information has been submitted that would suggest this difference of 0.19 feet causes the gazebo to fail to meet the criteria for approval under Subsection 13-1612(a)(3). The proximity of the gazebo's roof overhang to the objectors' property presents a more substantial question, as submitted surveys indicate that the roof overhang is 2.06 feet from the property line, where the LDC would permit such overhang to be four feet from the property line, a difference of 1.94 feet. This proximity could potentially present issues including, but not limited to, blocking of light and air, hazard of fire spread, privacy concerns and failure to contain rainwater on the subject property. First, it should be noted that the issuance of a building permit for the gazebo is subject to proving compliance with the Town's floodplain management ordinance, which ensures that a building permit will not be issued unless rainwater is contained within the Applicant's property. Again, if a building permit cannot be obtained within one year, this approval would become null and void and the gazebo would thereby lose the nonconforming status and thus be an illegal structure. Additionally, while the objectors have raised the issue of privacy, the presence of a roof overhang 2.06 feet from the objectors' property, in light of the fact that this area is not habitable space and does not generally include areas where people would be elevated and thus more likely to peer into the objectors' property, without more specific information it cannot be concluded that the presence of this roof overhang would limit or impair the reasonable use and enjoyment of the objectors' property due to privacy concerns. No additional data or arguments have been submitted that the distance from the roof overhang to the objectors' property would make this administrative site plan application fail to meet the criteria for approval in Subsection 13-1612(a)(3) of the LDC.

Regarding the objectors' contention that the gazebo devalues their property, such considerations are not directly considered in the criteria for approval of the subject administrative site plan application.

Based on the foregoing, Staff finds no basis in the objections submitted in writing, or heard at the recent administrative hearing, to change our conclusion that this administrative site plan approval application meets the criteria for approval. Therefore, it



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is proper to issue the final development order with conditions generally consistent with those found in the preliminary development order.



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Final Development Order – ASPR2016-0002

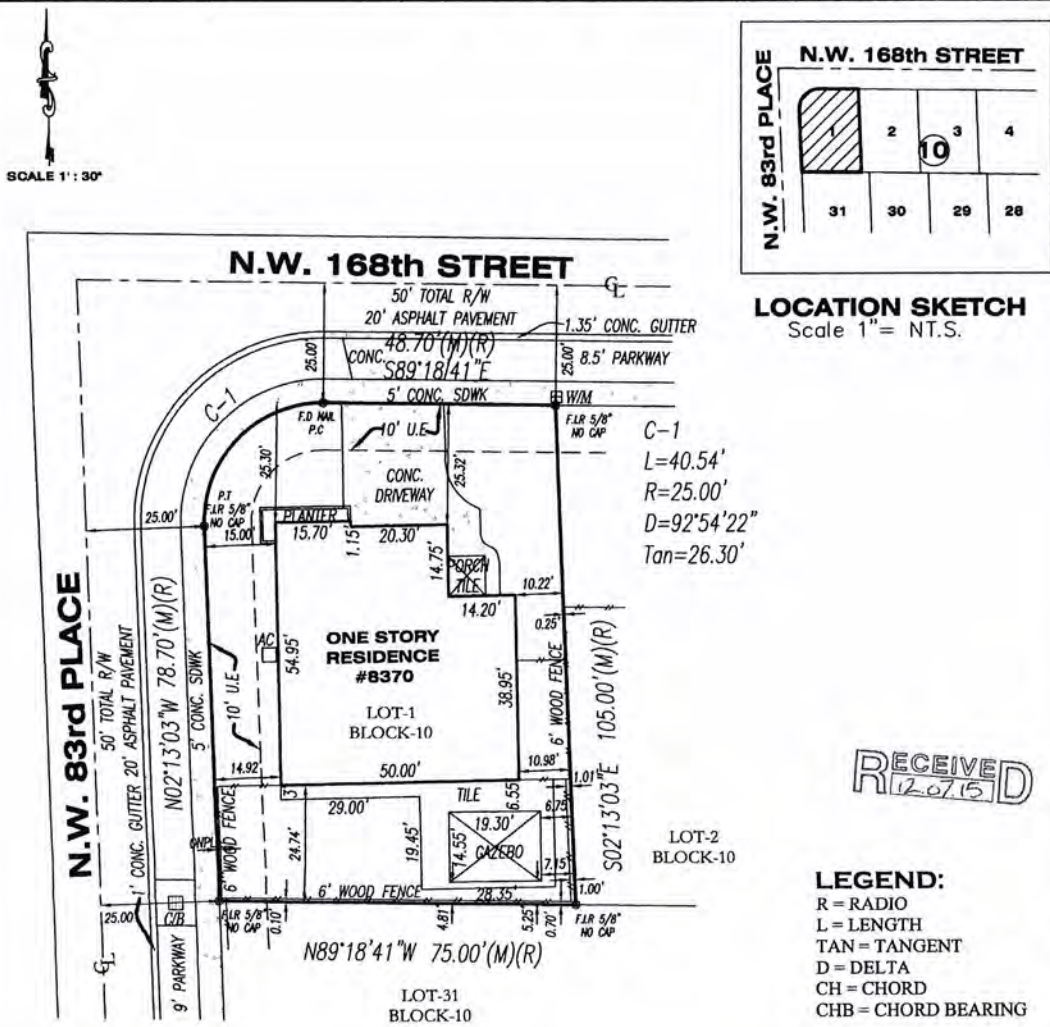
☐ Approved
☒ Approved with Modification(s) and/or Condition(s)
☐ Denied
Objection(s) Filed: ☒ Yes / ☐ No

Per the Town of Miami Lakes Land Development Code (the "Town LDC"), Section 13-302(d), your Application is approved subject to the following modification(s) and/or condition(s):

1. The Application's approval is only to grant legal, nonconforming status for the existing gazebo structure on the subject property, as depicted on the two surveys attached hereto, dated received by the Town of Miami Lakes on 12-07-15 and 01-28-16 for improvements specifically indicated on plans approved herein.
2. Minor changes to the gazebo required in order to obtain issuance of a building permit shall be allowed without affecting this approval, so long the gazebo remains substantially similar to its present form, and specifically does not increase the footprint or height of the gazebo.
3. The Applicant shall obtain a building permit for legalization of the deck as approved herein within one (1) year of the date of issuance of a Final Development Order, unless an extension is properly granted by the Building Department. If a building permit is not obtained, or an extension granted within the prescribed time limit, this approval shall become null and void.
4. The hours of construction and associated noise shall comply with the Town of Miami Lakes Noise Ordinance No. 04-50.

Dated: March 16, 2016


Brandon R. Schaad, AICP, LEED AP
Director of Planning



LEGAL DESCRIPTION:

LOT 1, BLOCK 10, OF "1ST ADDITION TO ROYAL OAKS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127, AT PAGE 95, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

ADDRESS:

8370 NW 168 STREET
MIAMI LAKES, FLORIDA 33016

FLOOD INFO:

Community: MIAMI-DADE Co. Uninc. Areas 125113
Map & Panel #: 12011C0588
Suffix: H
Flood Zone: AE
Base Flood Elevation: 8'

CERTIFIED TO:

WILFREDO TOME

This Survey has been prepared for the exclusive use of the entities named herein and the Certification does not extend to any unnamed party.

SURVEYOR'S NOTES:

- 1-OWNERSHIP IS SUBJECT TO OPINION OF TITLE
- 2-NO UNDERGROUND IMPROVEMENTS WERE LOCATED
- 3-ELEVATIONS ARE REFERRED TO NATIONAL GEODETIC VERTICAL DATUM OF 1929 (UNLESS ASSUMED).
- 4-THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN IN THIS SURVEY THAT MAY BE FOUND IN THE COUNTY PUBLIC RECORDS
- 5-LEGAL DESCRIPTION PROVIDED BY CLIENT
- 6-UNLESS OTHERWISE NOTED RECORDED AND MEASURED MUST BE CHECKED
- 7-BEFORE ANY CONSTRUCTION THE SET BACKS MUST BE CHECKED
- 8-ALL FIELD MEASUREMENTS TAKEN FOR THIS SURVEY WERE MADE WITH ELECTRONIC TRANSIT AND/OR STEEL TAPE W/ACC. 1: 7500
- 9-THIS SURVEY IS FOR USE AS PER REQUEST AND NOT FOR ANY OTHER PURPOSE.
- 10- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENTS FOR TITLE INSURANCE
- 11- DATE OF FIELD WORK 11/05/2015

WPP WOOD POWER POLE
UP LIGHT POLE
PH FIRE HYDRANT
SEC. SECTION
CPP CONC. POWER POLE
S.V. SEWER VALVE
GM GAS METER
GV GAS VALVE
SAN. SANITARY MANHOLE
S.S. DRAINAGE MANHOLE

NOTE:
THE FLOOD DATA PROVIDED IS FOR INFORMATION PURPOSES ONLY, THE SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE INFORMATION PROVIDED. THE LOCAL F.S.A.A. AGENCY SHOULD BE CONTACTED FOR VERIFICATION.

BASIS OF BEARING BASE:
BEARING BASE SHOWN HEREON ARE BASED ON NORTH LBS OF LOT-1, BLOCK-10, BEING N89°18'41"W PER PLAT.

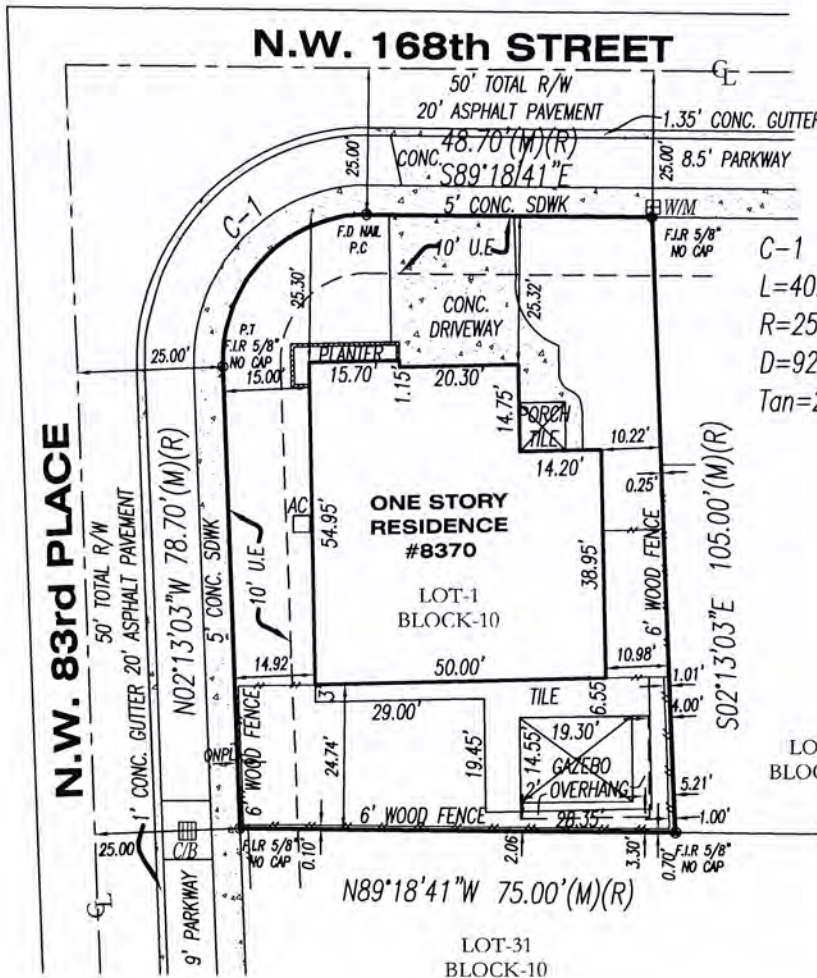
CARLOS HERNANDEZ
PROFESSIONAL SURVEYOR AND MAPPER
LB 7612 11-06-2015
ELECT FILE CODE #8370NW168STML

Survey is not valid without the signature and raised/digital seal of the Florida Registered Professional Land Surveyor and Mapper

The boundary survey of the property shown hereon is in accordance with the description furnished by the client. No search of public records has been made by this office for accuracy or omissions. Subject to opinion title and any dedications, limitations, restrictions or easements of record. No underground improvements and/or utilities were located.

I Herby Certify: That the attached boundary survey of the property described below is to the best of my knowledge and belief accurate as recently surveyed under my direction; also that there are no above ground encroachments other than those shown, and that this survey meets the minimum technical standards set by the Florida Board of Land Surveyors as set forth in Section 472.027 (F.S.) Chapter 61G17-5 of The Florida Administrative Code.

SCALE 1" = 30'



LOCATION SKETCH

Scale 1" = NT.S.

LEGEND:

R = RADIO
L = LENGTH
TAN = TANGENT
D = DELTA
CH = CHORD
CHB = CHORD BEARING

LEGAL DESCRIPTION:

LOT 1, BLOCK 10, OF "1ST ADDITION TO ROYAL OAKS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127, AT PAGE 95, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

FLOOD INFO:

Community: MIAMI-DADE Co. Uninc. Areas
125113
Map & Panel #: 12011C0588
Suffix: H
Flood Zone: AE
Base Flood Elevation: 8'

CERTIFIED TO:

WILFREDO TOME

This Survey has been prepared for the exclusive use of the entities named herein and the Certification does not extend to any unnamed party.

SURVEYOR'S NOTES:

- 1-OWNERSHIP IS SUBJECT TO OPINION OF TITLE
- 2-NO UNDERGROUND IMPROVEMENTS WERE LOCATED
- 3-ELEVATIONS ARE REFERRED TO NATIONAL GEODETIC VERTICAL DATUM OF 1929 (UNLESS ASSUMED).
- 4-THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN IN THIS SURVEY THAT MAY BE FOUND IN THE COUNTY PUBLIC RECORDS
- 5-LEGAL DESCRIPTION PROVIDED BY CLIENT
- 6-UNLESS OTHERWISE NOTED RECORDED AND MEASURED
- 7-BEFORE ANY CONSTRUCTION THE SET BACKS MUST BE CHECKED
- 8-ALL FIELD MEASUREMENTS TAKEN FOR THIS SURVEY WERE MADE WITH ELECTRONIC TRANSIT AND/OR STEEL TAPE W/ACCU. 1:7500
- 9-THIS SURVEY IS FOR USE AS PER REQUEST AND NOT FOR ANY OTHER PURPOSE.
- 10- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENTS FOR TITLE INSURANCE
- 11- DATE OF FIELD WORK 11/05/2015

WPP	WOOD POWER POLE
LP	LIGHT POLE
FH	FIRE HYDRANT
SEC.	SECTION
CPP	CONC. POWER POLE
S.V.	SEWER VALVE
GM	GAS METER GAS V.
GV	GAS VALVE
SAN.	SANITARY MANHOLE
S.S.	DRAINAGE MANHOLE

NOTE:
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BASIS OF BEARING BASE:

BEARING BASE SHOWN HEREON ARE BASED ON NORTH LINE OF LOT-1, BLOCK-10, BEING N89°18'41"W PER PLAT.

ADDRESS:

8370 NW 168 STREET
MIAMI LAKES, FLORIDA 33016

LEGEND:

P.O.C. = Point of Commencing
P.O.B. = Point of Beginning
C.B.W. = Concrete Block Wall
P.V.M.T. = Pavement
R/W. = Right of Way
W.F. = Wood Fence
I.R.C. = Iron Rod and Cap
C. = Centerline
A/C = Air Conditioner
U.E. = Utility Easement
P.O.L. = Point on Line
R.O.H. = Roof Overhang
PL = Planter
C&G = Curb & Gutter
O.H.L. = Overhead Wire Line
LB = License Business
RES = Residence
F.F.E. = Finish Floor Elev.
B.C. = Block Corner
ENCR. = Encroachment
A/R = Aluminum Roof
A.S. = Aluminum Shed
W/R = Wood Roof
PWY = Parkway
FND. N/D = Found Nail & Dist.
C/B = Catch Basin



CARLOS HERNANDEZ
PROFESSIONAL SURVEYOR AND MAPPER
LB 7612 11-06-2015

ELECT FILE CODE #8370NW168STML

Survey is not valid without the signature and raised/digital seal of the Florida Registered Professional Land Surveyor and Mapper

1999

2014

X

+

8370 NW 168th St

Image U.S. Geological Survey

Google



1994

Imagery Date: 2/20/1999 25°55'32.52" N 80°20'12.48" W elev 6 ft

12/2002

8370 NW 168th St

Image U.S. Geological Survey

Google

1994

Imagery Date: 12/31/2001 25°55'32.52" N 80°20'12.48" W elev 6 ft



**TOWN OF MIAMI LAKES
PLANNING, ZONING, AND CODE COMPLIANCE
DEPARTMENT**

6601 Main Street
Miami Lakes FL 33014
Phone: 305.364.6100
Fax: 305.558.8511
www.miamilakes-fl.gov

"Tome Gazebo"
ADMINISTRATIVE SITE PLAN APPROVAL APPLICATION

ASPR2016-0002 File #

01.14.16 Date Received

32-2015-004-0070

1. Name(s) of Applicant WILFREDO TOMÉ & MERCEDES TOMÉ

- a. If applicant is owner, give name exactly as recorded on deed.
b. If applicant is corporation, partnership, limited partnership, or trustee, a separate Disclosure of Interest form must be completed.

Signature of Applicant Wilfredo Tome Mercedes Tome

Address of Property 8370 NW 168 ST

City MIAMI LAKES State FL ZIP 33016

Tel. # (during working hours) 305 297 5213 Other _____

E-Mail: WILTOME@BELLSOUTH.NET Mobile #: 305-297-5213

2. Name of Property Owner (if different from applicant) SAME

Signature of Property Owner _____

Mailing Address _____

City _____ State _____ ZIP _____

Tel. # (during working hours) _____ Other _____

Signature of Property Owner _____

3. Contact Person (if different from applicant) Same

Mailing Address _____

City _____ State _____ ZIP _____

Tel. # (during working hours) _____ Other _____

E-Mail: _____ Mobile #: _____

4. LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THE APPLICATION

- If subdivided, provide lot, block, complete name of subdivision, plat book and page number.
- If metes and bounds description, provide complete description (including section, township, and range).
- Attach a separate typed sheet, if necessary. Please verify the accuracy of your legal description

LOT 1 BLOCK 10 OF 1ST ADDITION TO ROYAL OAKS
ACCORDING TO THE PLAT BOOK 127 AT PAGE 95
OF THE PUBLIC RECORDS MIAMI DADE COUNTY FL

5. Size of property: 75 × 105 Acres _____

6. Does property owner own contiguous property to the subject property? If so, give complete legal description of entire contiguous property. (If lengthy, please type on a sheet labeled "Contiguous Property.")

7. Present zoning classification(s): RESIDENTIAL Present land use classification(s): _____

8. Is site plan approval being requested as a result of a violation notice? ☒ Yes ☐ No

If yes, give name to whom violation notice was served _____

Nature of violation GAZEBO WITHOUT PERMIT

9. Please describe proposed improvements in detail

HOUSE PURCHASED IN 1995 (20 YEARS AGO), CANNOT FIND PERMIT
FOR GAZEBO. THE GAZEBO WAS ON THE PROPERTY WHEN PURCHASED
NO ONE EVER COMPLAINED ABOUT THE GAZEBO

**OWNER OR TENANT AFFIDAVIT
FOR
INDIVIDUAL**

STATE OF FLORIDA

Public Hearing No. _____

COUNTY OF MIAMI-DADE

Before me, the undersigned authority, personally appeared, hereinafter the Affiants, who being first duly sworn by me, on oath, depose and say:

1. Affiants are the fee owners of the property which is the subject of the proposed hearing.
2. The subject property is legally described as: LOT BLOCK 10 OF 1ST ADDITION TO ROYAL OAKS ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127 BOOK 127, AT PAGE 95 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FL
3. Affiants understand this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.
4. I, _____, being first duly sworn, depose and say that I am the owner / tenant (circle one) 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 sketch 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.

_____ will represent me at the hearing.

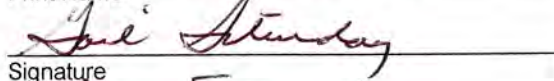
Witnesses:



Signature

Fernando Miranda

Print Name



Signature

GAIL SATURDAY

Print Name

Affiant:



Affiant's Signature

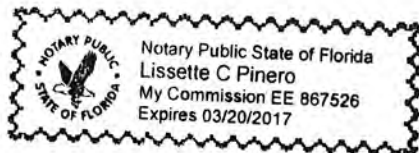
WILFREDO TOME

Print Name

MERCEDES TOME

Print Name

Sworn to and subscribed before me on the 12th day of January, 2016. Affiant is personally known to me or has produced personally known as identification.



Lissette C. Pinero

Notary

(Stamp/Seal)

My Commission Expires: 3/20/2017

REQUIRED DOCUMENTS FOR ADMINISTRATIVE SITE PLAN APPROVAL

- A. Completed application form. Applicants must meet the criteria in Division 3.1(d) of the Land Development Code
- B. Certified survey of the property. The survey must accurately depict the current conditions on the property. The survey must show all additions, fencing, paving and driveways and other improvements such as accessory buildings. At least one (1) copy must be provided to staff. If you wish to keep the certified copy staff will make a copy of your survey. For applications proposing new structures and/or paved areas, the survey needs to show all easements and encumbrances of public record.
- C. Site Plan – A site plan drawn to scale showing all proposed improvements, lot coverage and setbacks to property lines. If applicable, the site plans must include a table with all required zoning information such as setbacks, height, lot coverage, required parking, landscaping, etc. Where applicable (as determined by staff), two (2) paper copies of the site plan must be provided (one set on 24" x 36" and one set on 11" x 17" or letter size paper) and one (1) digital copy (PDF preferred). Site plans must conform to the requirements in Division 3.4(e) of the Land Development Code.
- D. Color photographs of the property. Digital photos are preferred in lieu of color prints.
- E. A letter describing the request
- F. HOA Approval. If the property is within the jurisdiction of a Homeowner's Association, provide written documentation of consideration (approval or denial) from the HOA.
- G. Applicable Fees

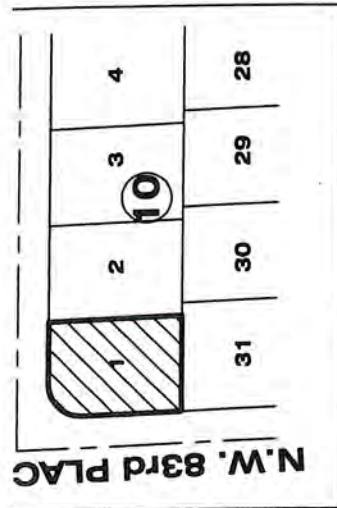
Individual Single Family, Two Family or Townhouse

\$100 application fee + notification costs with a \$50 cost recovery deposit – total fee due at submittal = \$150

Multifamily / Commercial / All Others

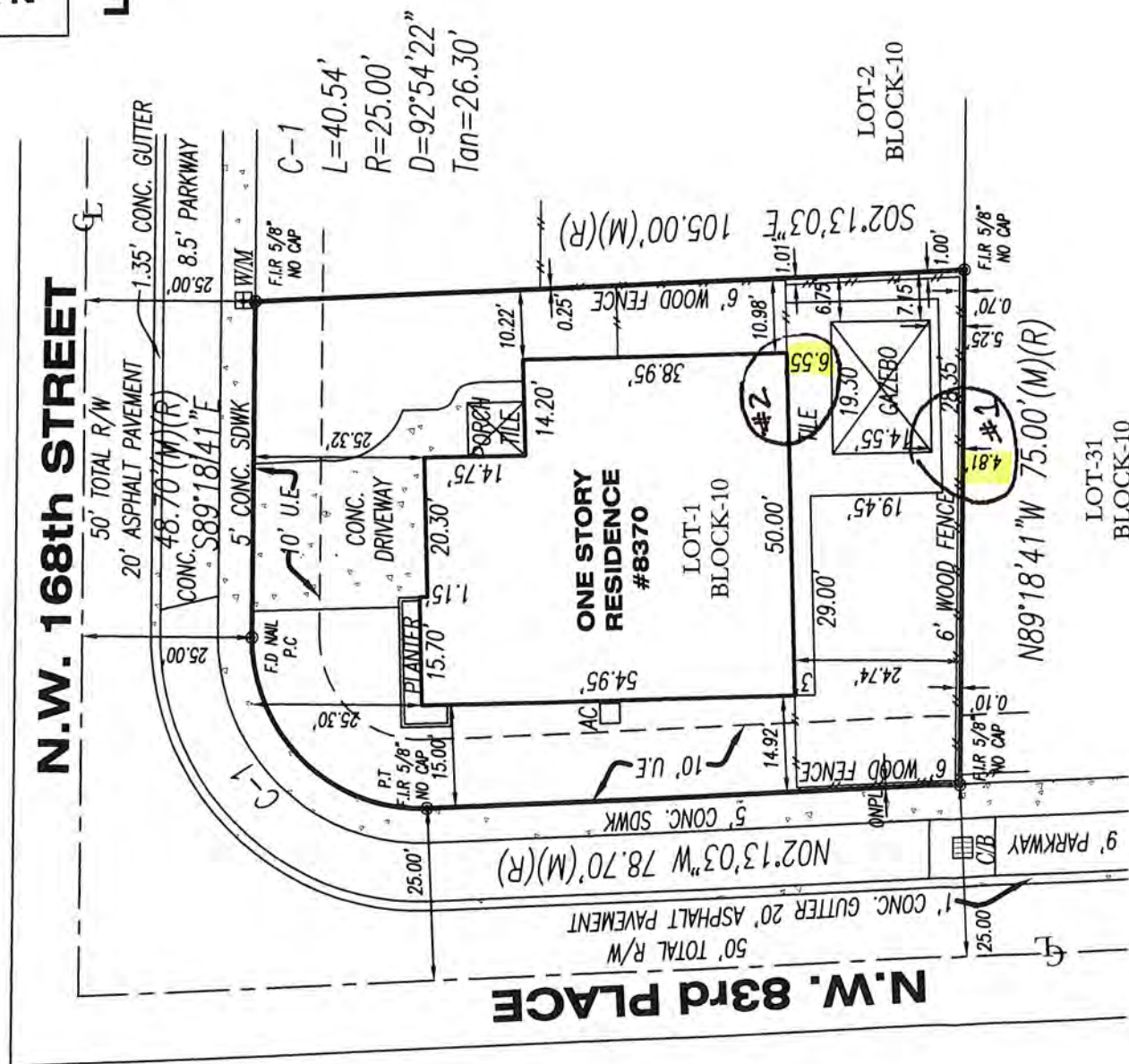
\$0 application fee + notification costs with a \$1,000 cost recovery deposit

SCALE 1' : 30"



LOCATION SKETCH

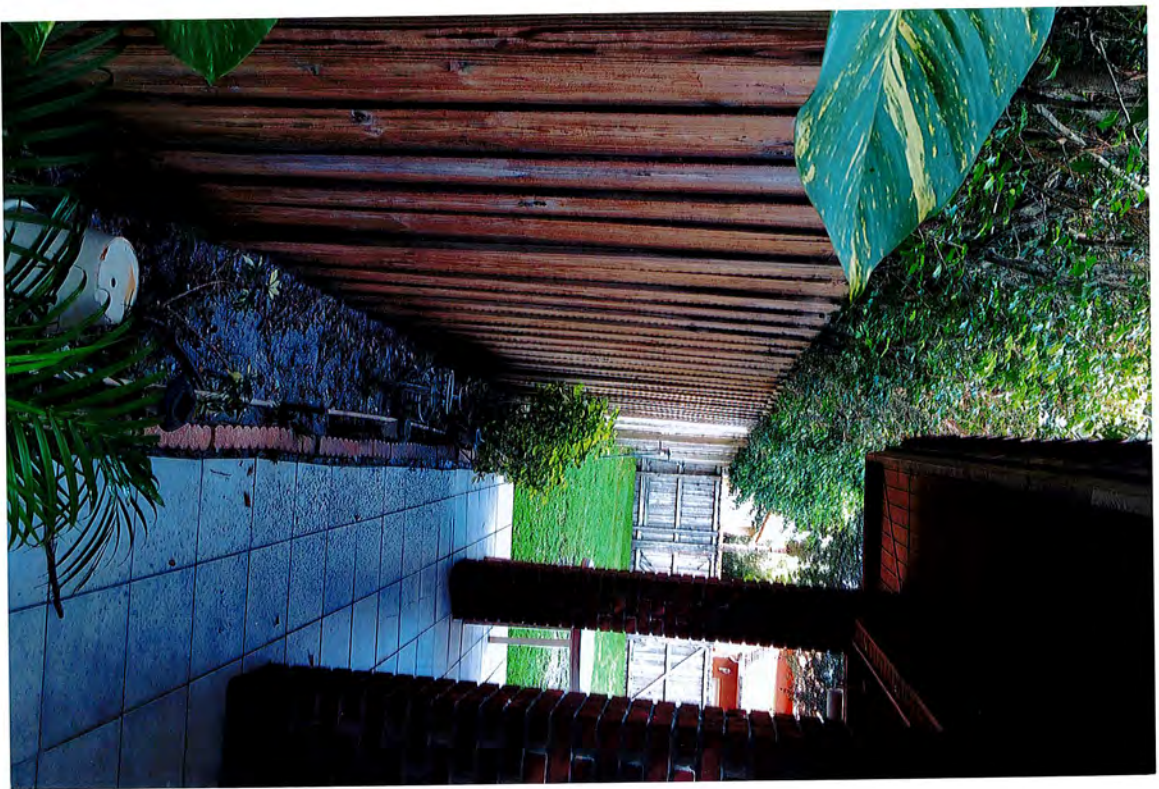
Scale 1" = NT.S.

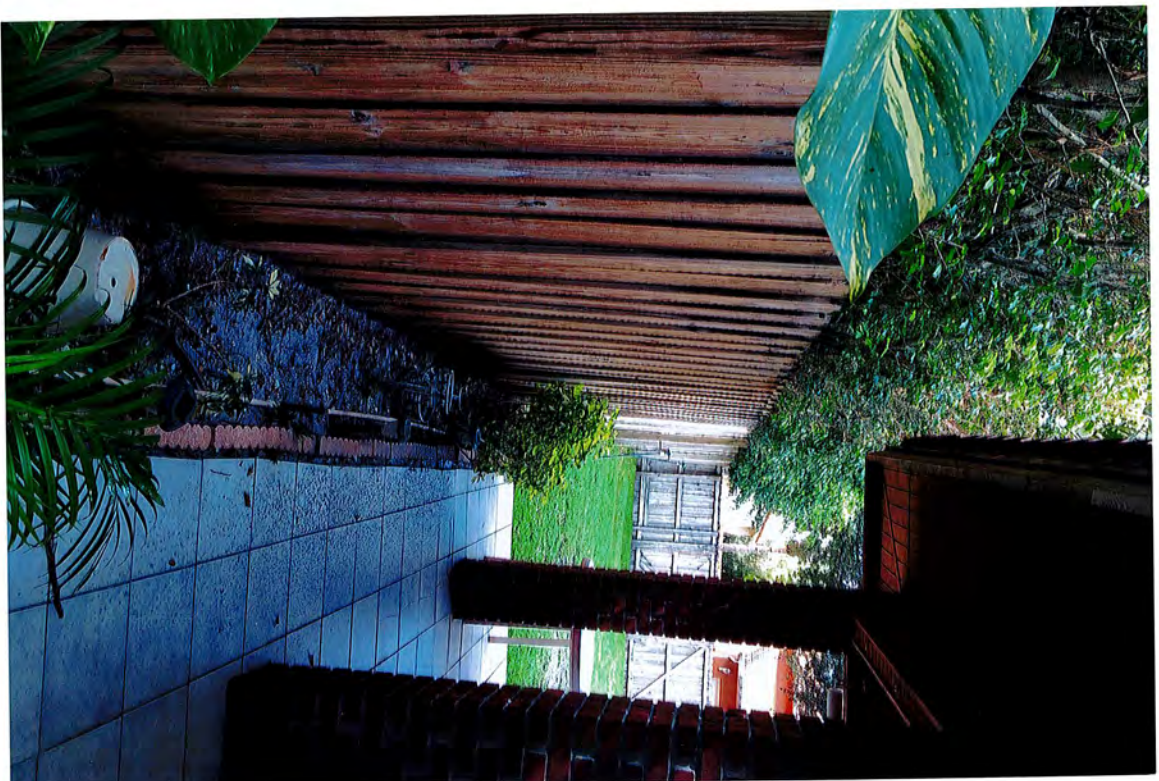
RECEIVED
12.07.15

LEGEND:

R = RADIO
L = LENGTH
TAN = TANGENT
D = DELTA
CH = CHORD
CHB = CHORD BEARING

20-1







Royal Oaks Homeowner's Association, Inc.

GRS MANAGEMENT INC.

8140 NW 155 Street Suite 101 Miami Lakes, FL 33016

TEL: (305) 823-0072 Fax: (305) 823-4888

February 9, 2016

Acct # 0010010
WILFREDO & MERCEDES TOME
8370 NW 168th ST
MIAMI LAKES, FL 33016

Property Address: 8370 NW 168th ST Miami Lakes, FL 33016

Dear Homeowner:

The Homeowner's Association Architectural Review Board hereby Approves / ~~Disapproves~~ the already existing **GAZEBO (AS PER SURVEYS AND PICTURE ATTACHED)** for the existing property at Lot 01, Block 10, in Royal Oaks, as per your request submitted for approval on February 9, 2016. All constructions and improvements at this subdivision **MUST BE** approved and authorized by the Town of Miami Lakes Building and Zoning Department and it is the responsibility of the owner to secure it.

The above approval only pertains to the Covenants and Restrictions as recorded for the subdivision of Royal Oaks.

The A.R.B. meets on or about the 15th and the 30th of each month to review any new construction plans and / or exterior modifications and they have 30 days after receiving plans by a member of the A.R.B. to approve or disapprove the submitted plans.

ARCHITECTURAL REVIEW BOARD

By:

[Signature]
[Signature]

Seal:

Date:



* Notes: SURVEY AND PICTURE ATTACHED

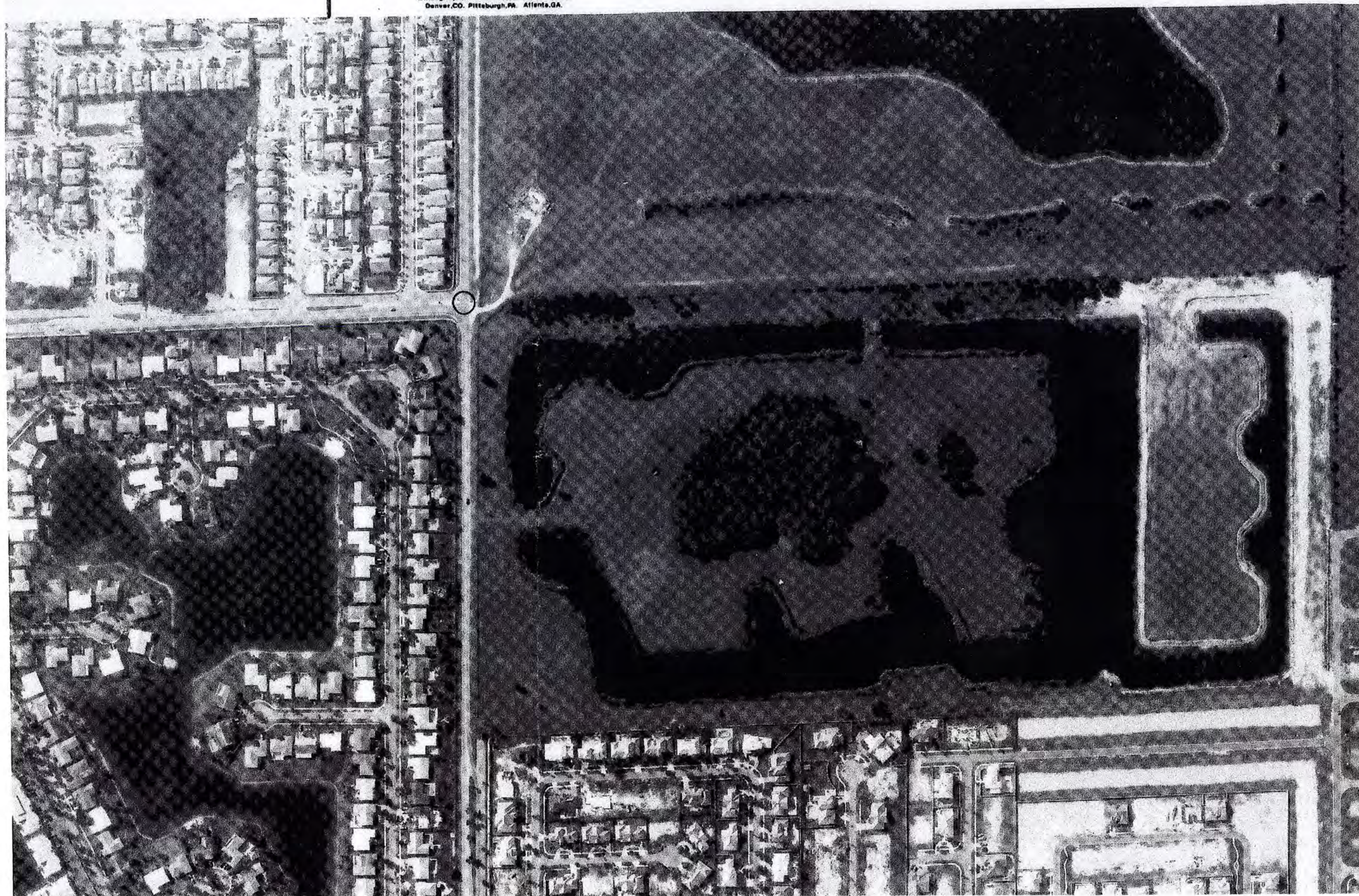
The existing gazebo complies with Royal Oaks
Deed Restrictions for gazebo location in corner
lot

G.G

SEC 15 T 52 S - R 40 E DEC 12, 1992

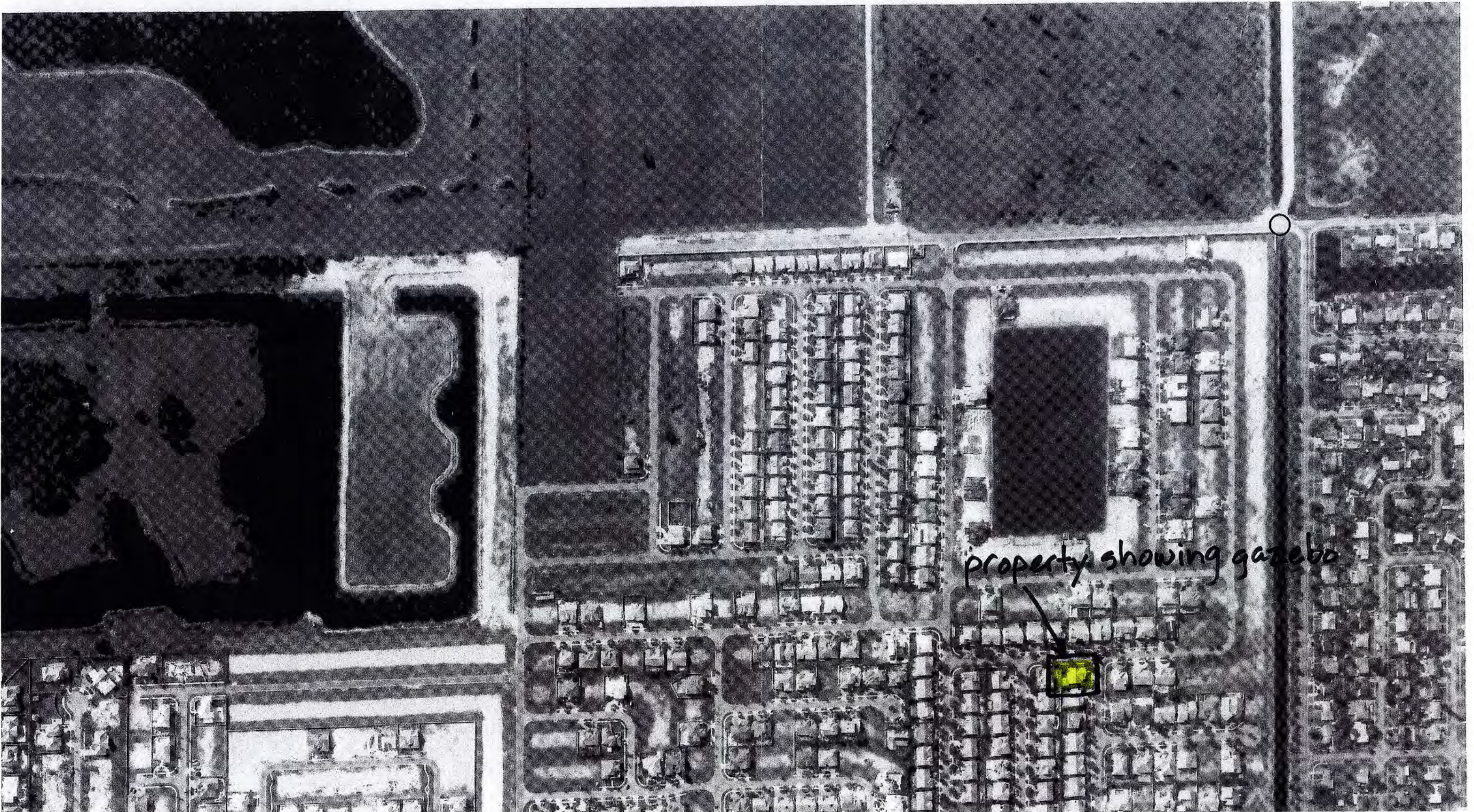
1 of 2

PREPARED BY
KUCERA
INTERNATIONAL
PHOTOGRAMMETRIC CONSULTANTS
Willoughby, OH, Columbus, OH, Lakeland, FL
Denver, CO, Pittsburgh, PA, Atlanta, GA



DEC 12, 1992

2 of 2



1994 2/1999 2014

N

8370 NW 168th St

Image U.S. Geological Survey

Google earth

1994

Imagery Date: 2/20/1999 25°55'32.52" N 80°20'12.48" W elev 6 ft eye alt 385 ft

12/2002

8370 NW 168th St

Image U.S. Geological Survey

Google earth



1994

Imagery Date: 12/31/2001 25°55'32.52" N 80°20'12.48" W elev 6 ft eye alt 385 ft

RECEIVED
02.29.16
SA

Ubaldo & Mirta Perez
8371 NW 167 Terce
Miami Lakes, FL 33016
Phone # 305-542-8427
TOWN OF MIAMI LAKES
PLANNING, ZONING & CODE COMPLIANCE DEPT.

February 29, 2016

MR. BRANDON SCHAAD
TOWN PLANNER

Dear Sir,

I'm writing in connection to the
above planning application for administrative
review:

CASE: AS PR 2016-002
Applicant: Wilfredo Tome
Folio: 32-2015-004-0070
Location: 8370 NW 168 Street
Zoning district T2 U-1
Action requested is to allow a gazebo.

I wish to strongly object
to his request.

As you can see in the pictures
provided the gazebo was illegally
built without any permits, and they
did not follow the proper guidelines

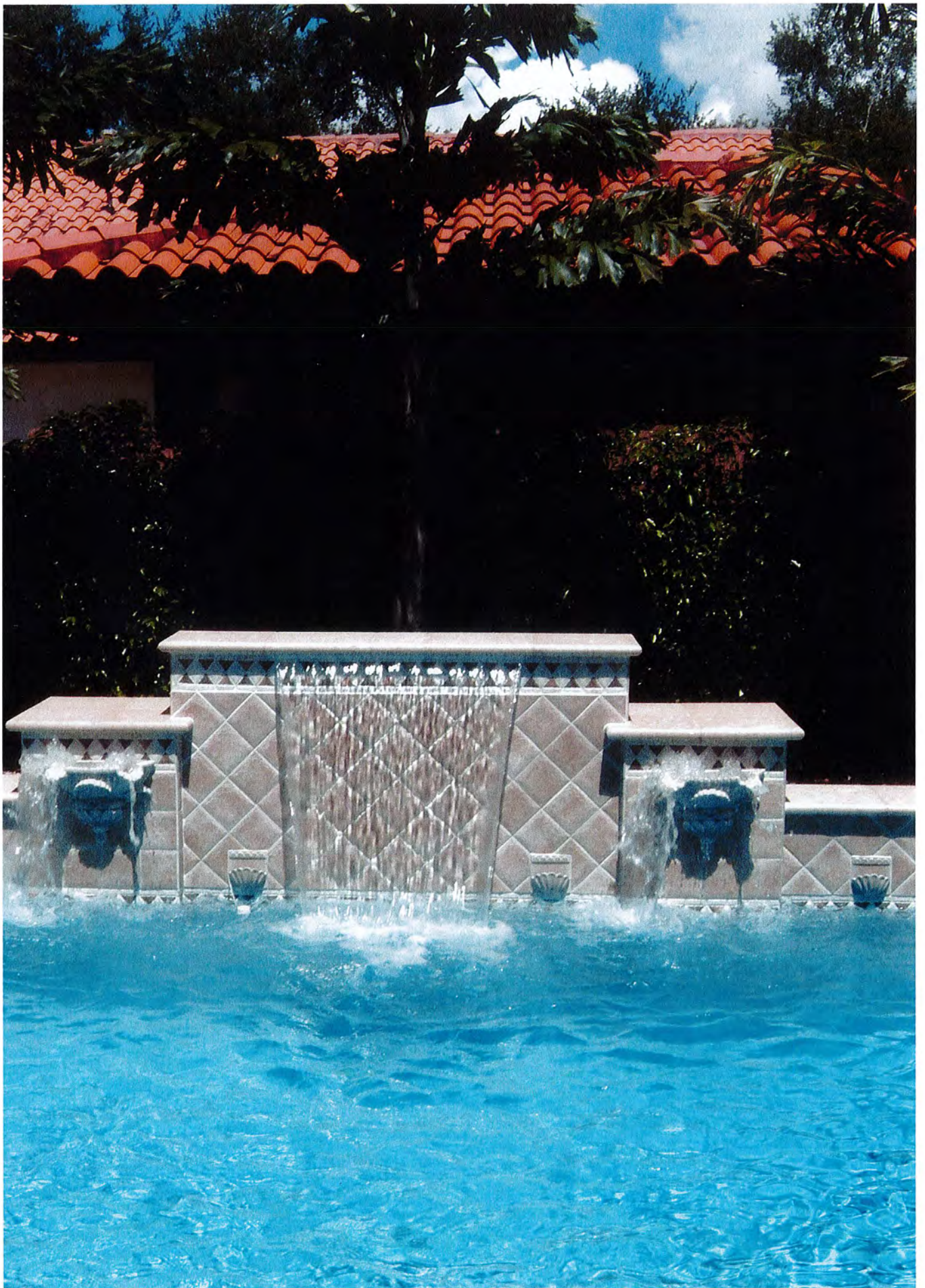
and it is extremely close to my
property.

Thank you in advance

Sincerely,

Mr. Ubaldo & Mirta Perez

~~Mirta Perez~~





Town of Miami Lakes

Notice of Administrative Hearing

TO: Ubaldo and Mirta Perez
8371 NW 167th Terrace
Miami Lakes, Florida 33016

Wilfredo and Mercedes Tome
8370 NW 168th Street
Miami Lakes, Florida 33016

NOTICE IS HEREBY GIVEN that on **Thursday, March 10, 2016 at 9:30 AM** at **Town Hall in the Community Conference Room #106, 6601 Main Street, Miami Lakes, Florida 33014** the Town of Miami Lakes **Planning and Zoning Department** will hear an objection regarding the Administrative Official's preliminary determination for administrative site plan approval for the following property:

HEARING NUMBER:	ASPR2016-0002
APPLICANT:	Wilfredo Tome
FOLIO:	32-2015-004-0070
LEGAL DESCRIPTION:	Lot 1, Block 10 of 1st Addition to Royal Oaks according to the Plat thereof, as recorded in Plat Book 127, at Page 95, of the Public Records of Miami-Dade County, Florida
LOCATION:	8370 NW 168th Street Miami Lakes, Florida 33016
ZONING DISTRICT:	RU-1

In accordance with the Town of Miami Lakes Land Development Code (the "Town LDC"), Wilfredo Tome (the "Applicant") is requesting the following Administrative Site Plan approval from the Town LDC:

1. The Application's request is only to grant legal, nonconforming status for the existing gazebo structure on the subject property.

The objection regarding the Administrative Official's preliminary determination for administrative site plan approval on the subject property is on file in the Office of the Planning and Zoning Department located at 6601 Main Street, Miami Lakes, Florida 33014.

All persons interested may appear in person, by attorney or agent, by letter, or by email at pz@miamilakes-fl.gov and express objection.

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Town of Miami Lakes Planning and Zoning Department with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should call Town Hall at (305) 364-6100 no later than two (2) days before the proceedings for assistance.

Very truly yours,

Brandon R. Schaad, AICP, LEED AP
Director of Planning