



Carlos Alvarez, Mayor

Department of Environmental Resources Management

Environmental Quality Control Board  
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PUBLIC NOTICE

**ENVIRONMENTAL QUALITY CONTROL BOARD**

**2<sup>nd</sup> REVISED AGENDA**

**Date:** Thursday, March 12, 2009

**Time:** 1:30 P.M.

**Place:** Overtown Transit Village Building (OTV)  
701 N.W. 1<sup>st</sup> Court  
Miami, Florida  
DERM Training Room  
2<sup>nd</sup> Floor

1. **ROYAL PALM TENNIS CLUB, INC.** – (Continuance) Request for variances from the requirements of Sections of 24-43.1(4), 24-43.1(6) and 24-43.1(7) of the Code of Miami-Dade County, Florida. The request is to allow the maintenance and continued use of a septic tank as a means for the disposal of domestic liquid waste while public sanitary sewers abut the subject property. The subject property is located at 7001 S.W. 98<sup>th</sup> Street, Village of Pinecrest, Florida.
2. **ST. SIMON'S EPISCOPAL CHURCH, INC.** - (Continuance) Request for variances from the requirements of Sections 24-43.1(4), 24-43.1(6) and 24-43.1(7) of the Code of Miami-Dade County, Florida. The request is to allow that an existing house of worship and associated school and other ancillary facilities continue to be served by public water and a septic tank system while public sanitary sewers abut the site. The subject property is located at 10950 S.W. 34<sup>th</sup> Street, Miami-Dade County, Florida.
3. **WASTE SERVICES OF FLORIDA, INC.** (Continuance) - Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the placement of an additional condition specifically, condition No. 8 in DERM's Solid Waste Operating Permit No. SW-1191 issued to Waste Services of Florida, Inc. The subject property is located at 4070 N.W. 37<sup>th</sup> Court, Hialeah, Florida.
4. **O & M AUTO SALES, INC.** – (Continuance) Request for an extension of time to comply with the requirements of Section 24-43 of the Code of Miami-Dade County, Florida. The request is to allow the maintenance and continued use of an automotive repair and paint and body shop

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on a property, which is located within the basic wellfield protection area of the Miami Springs Upper, Miami Springs Lower, John E. Preston and Hialeah wellfield complex. The existing facility uses, generates, stores, discharges, disposes of or handles hazardous materials. The subject property is located at 1440 Palm Avenue, Hialeah, Florida.

5. **BIRD BOWL INVESTMENTS, LLP** – (Continuance) Request for an extension of time to comply with the requirements of Sections 24-43.1(4), 24-43.1(6) and 24-43.1(7) of the Code of Miami-Dade County, Florida. The request is to allow an existing commercial shopping center to continue to be served by septic tank systems as a means for the disposal of domestic liquid waste while a public sanitary sewer main abuts the site. The subject property is located at 9209-9355 S.W. 40<sup>th</sup> Street, Miami-Dade County, Florida.
6. **ANGEL LLIZO AND MARIA E. LLIZO** - (Continuance) Request for variances from the requirements of Sections 24-43, 24-43.1(4) and 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to permit that a previously approved concrete batching plant be expanded by the addition of a concrete products manufacturing facility. The property is located within the wellfield protection area of the Northwest Wellfield and is served by an on-site drinking water supply well and a septic tank. The proposed land use would generate, store, use, discharge, dispose of or handle hazardous materials. Additionally, the existing use is not one of the uses permitted by the Code within the aforesaid wellfield protection area. Furthermore, the proposed facility would generate, dispose of, discharge or store liquid waste other than domestic sewage. The subject property is located at 12700 N. W. 15<sup>th</sup> Street, Miami-Dade County, Florida.
7. **SUNDALE, LTD** – (Continuance) Appeal pursuant to the provisions of Section 24-11 of the Code of Miami-Dade County, Florida, of an action or decision by the Director of the Miami-Dade County Department of Environmental Resources Management (DERM). The Appellant is appealing a determination by the Director of DERM; said determination being the issuance of a certain “Notice of Violation and Emergency Orders for Corrective Action” dated January 12, 2007 and issued to Messrs. Philip J. Scutieri, Director of Kendale Capital, Inc. G.P., Sundale, LTD and Yamil Kuri, President of Engineered Systems and Construction, Inc., Owner Escon. The subject property is located at 9100 N. Kendall Drive, Miami-Dade County, Florida.
8. **NEW BIRTH MINISTRIES FROM GOD, INC.** – Request for an extension of time to comply with the requirements of Sections 24-43.1(4) and 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to allow the construction of a house of worship that would be served by public water and an interim septic tank. The property is within feasible distance for connection to the public sanitary sewer system and is located at 21571 S.W. 110<sup>th</sup> Avenue, Miami-Dade County, Florida.
9. **RIGOBERTO MARTINEZ** - Request for an extension of time to comply with the requirements of Section 24-43.1(4) and 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to allow the overnight parking of vehicles on a property zoned IU-1, light industrial. The above noted Code Sections require that land uses permitted in the underlying zoning district be served by public water and public sanitary sewers. The subject property is located at N.W. 23<sup>rd</sup> Street and approximately 200 feet west of N.W. 108<sup>th</sup> Avenue, Miami-Dade County, Florida.

10. **COMCAST OF FLORIDA/WASHINGTON, LLC** - Request for variances from the requirements of Sections 24-43.1(4) and 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to allow the expansion of an existing cable television facility, to include warehouse storage and office use. The subject property is served by an on-site drinking water supply well and a septic tank system, and is located at 20800 S.W.167<sup>th</sup> Avenue, Miami-Dade County, Florida.
11. **AIRPORT WEST INDUSTRIAL II LLC** –Request for a variance from the requirements of Section 24-43 of the Code of Miami-Dade County, Florida. The request is to allow the construction and operation of a paint spray booth on a property that is located within the average day wellfield protection area of the Hialeah Preston wellfield. The proposed use will handle, store, use, generate hazardous wastes. The subject property is located at 5100 N.W. 72<sup>nd</sup> Avenue, Miami-Dade County, Florida.
12. **VILLAGE OF PINECREST** - Request for a variance from the requirements of Section 24-43.3(2) (q) of the Code of Miami-Dade County, Florida. The request is to allow all those properties located within the limits of the Village of Pinecrest, Florida, to continue to be served by on-site drinking water supply wells. These properties have or will have abutting public water lines, as a result of proposed improvements to the public water supply system that will be constructed by the Petitioner.
13. **JAVIER CARBOT AND ELSY CARBOT-FLORES** – Request for a variance from the requirements of Section 24-43.1(3) of the Code of Miami-Dade County, Florida. The request is to allow that an existing single family residence and a proposed cabana on the subject property, continue to be served by an on-site drinking water supply well in conjunction with a septic tank as a means for disposal of domestic liquid waste. The property is within feasible distance to connect to the public water supply system, and is located at 6401 South Mitchell Manor Circle, Pinecrest, Florida.
14. **BEACON VILLAGE LLC** –Request for a modification of Board Order No. 01-82 that granted a variance from the requirements of Section 24-43(10) of the Code of Miami-Dade County, Florida. The request is to allow the establishment and operation of a land use not listed in Table E-1 therein. Additionally, the Petitioner is requesting the modification of condition No. 1 of said board order, which required a covenant running with the land in favor of Miami-Dade County, which restricts land uses on the subject property to those listed in the aforesaid Table E-1 in Section 24-43(10) of the Code. The aforesaid requested modifications shall only apply to the following legally described property:

A portion of Lot 4 of Block 3 and a portion of Tract “O” of Beacon Lakes Phase 3 according to the Plat thereof, as recorded in Plat Book 165 at Page 87 of the Public Records of Miami-Dade County, Florida and a portion of Lot 1 of Block 3 of Beacon Lakes Phase 2 according to the Plat thereof, as recorded in Plat Book 165 at Page 80 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the north ¼ corner of said Section 35, Township 53 South, Range 39 East; thence S01°46’49”E, as basis of bearing along the west line of the northeast ¼ of said Section 35 for a distance of 469.23 feet to the point of beginning of the following

described parcel of land; thence N89°45'18"E along the North line of Lot 4 of Block 3 of said Beacon Lakes Phase 3 for a distance of 24.57 feet; thence N00°14'42"W along the East line of Lot 5 of Block 3 of said Beacon Lakes Phase 3 for a distance of 45.15 feet; thence N89°45'18"E for a distance of 318.47 feet; thence S00°14'42"E for a distance of 654.47 feet; thence S89°45'18"W for a distance of 584.55 feet to a point of intersection with a non-tangent curve, a radial line to said point bears S05°19'35"W; thence 43.52 feet along the arc of a curve to the right, said curve having a radius of 59.50 feet and a central angle of 41°54'19" to a point of intersection with a non-tangent line, a radial line to said bears S47°13'54"W; thence N01°46'58"W along the West line of Lot 4 of Block 3 of said Beacon Lakes Phase 3 for a distance of 590.53 feet; thence N89°45'18"E along the North line of Lot 4 of Block 3 of said Beacon Lakes Phase 3 for a distance of 295.43 feet to the point of beginning containing 9.14 acres, more or less.

The Petitioner is also requesting a variance from the requirements of Section 24-43(5) of the Code of Miami-Dade County, Florida, which prohibits the use, generation, storage, handling, discharging or disposal of hazardous materials on property located within the wellfield protection area of the Northwest Wellfield. The purpose of the requests is to allow the construction and operation of a warehouse and office building and ancillary analytical chemical testing and investigation laboratory. The subject property is located at approximately east side of N.W. 132<sup>nd</sup> Place and south of N.W. 23<sup>rd</sup> Lane, Miami-Dade County, Florida. The aforesaid requested variance shall only apply to the following legally described property:

A portion of Lot 4 of Block 3 and a portion of Tract "O" of Beacon Lakes Phase 3 according to the Plat thereof, as recorded in Plat Book 165 at Page 87 of the Public Records of Miami-Dade County, Florida and a portion of Lot 1 of Block 3 of Beacon Lakes Phase 2 according to the Plat thereof, as recorded in Plat Book 165 at Page 80 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the north ¼ corner of said Section 35, Township 53 South, Range 39 East; thence S01°46'49"E, as basis of bearing along the west line of the northeast ¼ of said Section 35 for a distance of 469.23 feet to the point of beginning of the following described parcel of land; thence N89°45'18"E along the North line of Lot 4 of Block 3 of said Beacon Lakes Phase 3 for a distance of 24.57 feet; thence N00°14'42"W along the East line of Lot 5 of Block 3 of said Beacon Lakes Phase 3 for a distance of 45.15 feet; thence N89°45'18"E for a distance of 318.47 feet; thence S00°14'42"E for a distance of 654.47 feet; thence S89°45'18"W for a distance of 584.55 feet to a point of intersection with a non-tangent curve, a radial line to said point bears S05°19'35"W; thence 43.52 feet along the arc of a curve to the right, said curve having a radius of 59.50 feet and a central angle of 41°54'19" to a point of intersection with a non-tangent line, a radial line to said bears S47°13'54"W; thence N01°46'58"W along the West line of Lot 4 of Block 3 of said Beacon Lakes Phase 3 for a distance of 590.53 feet; thence N89°45'18"E along the North line of Lot 4 of Block 3 of said Beacon Lakes Phase 3 for a distance of 295.43 feet to the point of beginning containing 9.14 acres, more or less.

**OTHER MATTERS:**

Other items at the discretion of the Environmental Quality Control Board. For additional information, please call Mirna Leal at (305) 372-6764.