

# FORMAL OPPOSITION BRIEF

IN THE MATTER OF

**ZONING APPLICATION NO. Z2023000505**

## **VALEMAR HOLDINGS LLC**

Jose M. Alvarez (34%), Jose A. Alvarez (33%), Maria N. Alvarez (33%)

*Represented by Holland & Knight LLP*

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701 Brickell Avenue, Suite 3300, Miami FL 33131

District Boundary Change: RU-5 to RU-4 | Three Non-Use Variances | Deletion of Restrictions

Folio No. 30-4915-091-0010 | Section 15-54-39

Tract "A", Plat of Millenium Subdivision (PB 169-055)

SE Corner of SW 147th Avenue & SW 28th Street, Unincorporated Miami-Dade County

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SUBMITTED ON BEHALF OF

**MILLENIUM TOWNHOMES HOMEOWNERS ASSOCIATION**

BEFORE THE MIAMI-DADE COUNTY

**COMMUNITY ZONING APPEALS BOARD 10 (CZAB-10)**

**PUBLIC HEARING: FEBRUARY 24, 2026, 6:30 PM**

Kendall Village Center Civic Pavilion, 8625 SW 124 Avenue, Miami, FL

Prepared: February 16, 2026

# I. EXECUTIVE SUMMARY

The Millenium Townhomes Homeowners Association (“HOA”) respectfully requests that CZAB-10 **DENY** the application filed by Valemar Holdings LLC (“Applicant”), represented by Holland & Knight LLP, under Case No. Z2023000505. This brief is based on the complete EnerGov record (90+ documents), the Applicant’s own plans, traffic study, sworn application, the County’s Plan Corrections Reports, DERM Environmental Review, DTPW Traffic Reviews, MDRF Fire Reviews, and the Applicant’s January 2026 Declaration of Restrictions.

## THE FIRE DEPARTMENT DISAPPROVED THIS PROJECT

On May 8, 2025, the Miami-Dade Fire Rescue Department (MDFR) DISAPPROVED the Applicant’s plans because the site cannot accommodate aerial apparatus set-up on the required two sides of the building (minimum 21’x47’, support 32 tons). All subsequent MDRF “no objection” reviews are conditioned on “Fire Marshal equivalency approval.” There is NO EVIDENCE in the record that this equivalency has been granted. This Board should not approve a 4-story, 40-unit building with an unresolved life-safety deficiency.

## THE APPLICANT MANIPULATED THE DENSITY AUTHORIZATION

The original CDMP Letter of Interpretation (CL23-36, September 22, 2023) authorized a maximum of 39 units. The County’s plan reviewer flagged the 40-unit overcount in March and September 2025. Rather than reduce to 39, Holland & Knight requested an updated Letter of Interpretation (CL25-42, October 28, 2025) that increased the authorization to 50 units. The updated LOI shows available residential square footage in the surrounding area dropped from 262,442 SF to 72,135 SF—a 72.5% reduction indicating rapid residential saturation. The Applicant’s strategy was not to comply but to change the rules.

## SPECULATIVE PURCHASE: ACQUIRED JULY 2023, FILED DECEMBER 2023

The Applicant acquired this property on July 11, 2023. This zoning application was filed December 13, 2023—just five months later. The Applicant purchased RU-5 land with recorded deed restrictions (CZAB Resolution 10-10-03 and 10-4-06) and immediately sought to rezone to RU-4 and delete the restrictions. Under Florida law, this is a textbook self-created hardship.

Development Metric	Code Limit	Proposed	Status
Dwelling Units	50 (updated LOI)	40	Within updated limit
Floor Area Ratio	48,060 SF (1.00)	47,649 SF (99.14%)	327 SF from max
Open Space	40% min (19,224 SF)	29.67% (14,270 SF)	4,954 SF DEFICIENT (25.8%)
Front Setback	26’-6”	25’-0”	18 inches SHORT

Parking Setback	25' from ROW	< 25' (4 spaces)	VARIANCE NEEDED
Lot Coverage	40% max	29.83%	Compliant
Building Height (parapet)	80' max	38'-8"	Exceeds 35' trigger
Stair Tower Height	N/A	48'-4"	Setback implications?
Parking	64 spaces	73 spaces	9 surplus
Fire Apparatus Access	2 sides required	Cannot comply	DISAPPROVED → equivalency pending

**NEW DECLARATION LOCKS IN 40 UNITS IN A 30-YEAR COVENANT**

On January 13, 2026, the Applicant filed a new Declaration of Restrictions (Hugo P. Arza, Holland & Knight) capping density at 40 units—binding the property for 30 years with automatic 10-year renewals. The Applicant is asking this Board to approve a permanent covenant that cements this project with all its variances and deficiencies.

## II. APPLICATION OVERVIEW AND VERIFIED FACTS

### A. The Property

SE corner of SW 147th Avenue and theoretical SW 28th Street. Tract “A” of the Plat of Millenium Subdivision (PB 169, Page 55), Folio 30-4915-091-0010, Section 15-54-39. Gross: 61,261 SF (1.41 acres). **Net: 48,060 SF (1.10 acres)**. Vacant. Zoned RU-5. CDMP: Office/Residential. **Flood Zone AH, SFHA, BFE 9 feet**. Within West Wellfield Interim Protection Area. Within 660 feet of SW 147th Avenue (Major Corridor).

**Surrounding Context:** North: commercial shopping center (Publix). East: 20-unit multi-family apartments (developed on the eastern portion of the original Parent Tract). South: multi-family apartments. West: vacant land (Low-Density Residential). The subject property and the 20-unit building to the east are **part of the same original 2.71-acre Parent Tract** and are bound by the same Declaration of Restrictions.

### B. The Parties

Role	Name/Entity	Detail
Applicant/Owner	Jose M. Alvarez, CGC (34%)	Valemar Holdings LLC, 6600 NW 32nd Ave, Miami FL 33147
Co-Owners	Jose A. Alvarez (33%), Maria N. Alvarez (33%)	Same address
Legal Counsel	Holland & Knight LLP	Alberto J. Torres, Hugo P. Arza, Oliver D. Wechsler
Architect	J. Antonio Rodriguez Tellaheche, RA	License AR93998
Landscape Architect	Enrique D. Nunez, ASLA	License LA0000955
Engineer/Contact	Rafael E. Ramon	JVA Engineering, 6600 NW 32nd Ave (same address)
Traffic Consultant	Beacon Traffic Consulting, Inc.	Adriana Rodriguez, P.E., PTOE (Lic. 67394)

### C. Complete Timeline

Date	Event	Significance
April 14, 2003	Parent Tract rezoned RU-5; Declaration recorded (ORB 21417)	Max 24 townhouse units imposed (CZAB10-10-03)
January 10, 2006	Declaration amended (ORB 25570)	Uses broadened: apartments, townhouses, offices (CZAB10-4-06)
April 17, 2007	3-story office approved on subject property	CZAB10-34-07 — NEVER BUILT
July 11, 2023	Valemar Holdings acquires property	Purchase of restricted RU-5 land

Sept 22, 2023	CDMP LOI (CL23-36) issued	39 units max; 262,442 SF residential capacity
Dec 13, 2023	Zoning application filed	5 months after acquisition
Jan 19, 2024	Plan Corrections V.1	RU-4M “too intensive”; shifted to RU-4
Jan 10, 2025	Holland & Knight enters case	Original engineer was sole representative
March 3, 2025	Plan Corrections V.2	39 vs. 40 unit discrepancy flagged
May 8, 2025	MDFR DISAPPROVES plans	Fire apparatus access non-compliant
Sept 28, 2025	Plan Corrections V.3	39 vs. 40 STILL unresolved
Oct 28, 2025	Updated LOI (CL25-42)	50 units now authorized; but capacity dropped 72.5%
Nov 17, 2025	DTPW final approval	After 5 review rounds over 8 months
Jan 13, 2026	New Declaration filed	Locks in 40 units for 30 years
Jan 27, 2026	First CZAB-10 Hearing	Case continued to second hearing
Feb 24, 2026	Second CZAB-10 Hearing	SCHEDULED

## D. Five Requested Approvals

1. **District Boundary Change:** From RU-5 to RU-4 (High-Density Apartment House, 50 units/net acre).
2. **Deletion of Recorded Restrictions:** ORB 21417 (2003 Declaration, CZAB10-10-03) and ORB 25570 (2006 Modification, CZAB10-4-06). Applies solely to the subject property.
3. **Open Space Variance:** From 40% minimum (19,224 SF) to 29.67% (14,270 SF)—a **4,954 SF deficit (25.8% reduction)**.
4. **Front Setback Variance:** From 26'-6" required to 25'-0" proposed (18-inch shortfall).
5. **Parking Setback Variance:** 4 parking spaces at the SW corner closer than 25' from ROW along SW 147th Avenue.

## E. The Proposed Development

A **4-story, 40-unit apartment building** (24 one-bedroom, 16 two-bedroom). Parapet height 38'-8"; **stair tower height 48'-4"**. FAR: 47,649 SF (99.14% of 48,060 SF max). 73 parking spaces via a **single 24'-wide driveway** on SW 147th Avenue (reduced from two driveways during review). Building footprint: 14,336 SF. Building length: 186 feet east-west.

The building's open space is **29.67%—down from 32.42% in earlier plan versions**. The Applicant made the deficiency *worse*, not better, over the course of review. Parks (PROS) specifically recommended a rooftop amenity space to compensate, but no evidence this was provided.

### III. LEGAL FRAMEWORK: STANDARDS FOR DENIAL UNDER § 33-311

#### A. Non-Use Variance Standard (§ 33-311(A)(4))

The CZAB may grant a non-use variance only if it: (1) maintains the basic intent and purpose of the zoning code; (2) protects community stability and appearance; and (3) is **compatible with surrounding uses and not detrimental to the community**.

#### B. Alternative: Unnecessary Hardship (§ 33-311(A)(4)(b))

The Applicant must show: special conditions cause unnecessary hardship; the spirit of regulations is observed; and **the variance is the minimum for reasonable use**. A 40-unit building at 99.14% FAR is not the minimum—it is the absolute maximum.

#### C. Controlling Florida Case Law

**Maturo v. City of Coral Gables**, 619 So. 2d 455 (Fla. 3d DCA 1993): Lots capable of development at lesser density do not qualify for hardship variances.

**Nance v. Town of Indialantic**, 419 So. 2d 1041 (Fla. 1982): Variance requires unique hardship not shared by others. Maximum density is not unique.

**Herrera v. City of Miami**, 600 So. 2d 561 (Fla. 3d DCA 1992): Unjustified unless no reasonable use can be made. This lot plainly supports reasonable development.

**Miami-Dade County v. Brennan**, 802 So. 2d 1154 (Fla. 3d DCA 2001): Variances are not entitlements.

## IV. ARGUMENT 1: UNRESOLVED FIRE SAFETY DEFICIENCY

### **MDFR DISAPPROVED THIS PROJECT ON MAY 8, 2025**

The Miami-Dade Fire Rescue Department DISAPPROVED the Applicant's plans because the site cannot provide aerial apparatus set-up sites on at least two sides of the building. Buildings over three stories require aerial access with minimum 21'x47' pads capable of supporting 32 tons, positioned 10–30 feet from the building. The site's configuration prevents compliance. ALL subsequent MDFR reviews (August–October 2025) condition approval on "Fire Marshal equivalency approval" that must be obtained PRIOR to site access permit approval. There is no evidence in the record that this equivalency has been granted.

This Board should not approve a 4-story, 40-unit residential building where the Fire Department has found the site **physically incapable of providing required fire apparatus access**. If a fire occurs on the upper floors and aerial apparatus cannot be properly positioned, lives are at risk.

The Board should demand: *"Has the Fire Marshal granted equivalency approval? If not, what is the status? And what alternative fire suppression measures are proposed?"* Without a definitive answer, approval is premature.

## V. ARGUMENT 2: SPECULATIVE PURCHASE AND SELF-CREATED HARDSHIP

Valemar Holdings acquired this property on **July 11, 2023**, and filed this application **December 13, 2023**—five months later. The entity purchased RU-5 land burdened by recorded deed restrictions (ORB 21417 and 25570, imposed under CZAB Resolutions 10-10-03 and 10-4-06) and immediately sought maximum-intensity rezoning.

The self-created hardship is compounded by the building design:

### **99.14% FAR: THE MATH OF MAXIMUM EXTRACTION**

FAR Used: 47,649 SF out of 48,060 SF max = 99.14%. Only 411 SF remains unused. The building is so large it cannot meet open space (4,954 SF short), front setback (18 inches short), or parking setback (4 spaces too close). Reducing by ~5 units achieves full compliance. Under Maturo, a property capable of lesser development does not qualify for a hardship variance.

There is nothing unique about this lot that prevents code-compliant development. A **34–35 unit building** complies with open space, setbacks, parking, and the original 39-unit authorization—all without variances. The project remains profitable. The Applicant refuses because every unit is revenue.

The strategy is visible in the timeline: Holland & Knight entered the case in January 2025 and immediately secured an updated LOI (CL25-42) increasing the density authorization from 39 to 50 units. But the building was already designed at 40 units with 99.14% FAR. The new LOI doesn't fix the variances—it just removes the density cap as an argument against the project.

## VI. ARGUMENT 3: SEVERE OPEN SPACE DEFICIENCY

Open Space	Value
Net Lot Area	48,060 SF
Required (40%)	19,224 SF
Proposed	14,270 SF (29.67%)
Deficit	4,954 SF
Reduction from required	25.8%
Trend	WORSENING (was 32.42% in earlier plans)

The open space deficiency **got worse during review, not better**. Earlier plans showed 32.42%; the current plans show 29.67%. This is **over one-quarter of the required open space eliminated**. The missing 4,954 SF is where landscape buffer, trees, and breathing room should exist between this 4-story building and the Millenium Townhomes.

The Parks Department (PROS) recommended a rooftop amenity space to partially compensate for the reduced open space. **There is no evidence this was incorporated into the final plans**. The Board should ask whether rooftop amenity space is included and, if so, whether it counts toward open space calculations.

Reducing the building by ~5 units eliminates the open space variance entirely. This is not the “minimum necessary for reasonable use.”

## VII. ARGUMENT 4: FRONT SETBACK AND PARKING SETBACK VARIANCES

### A. Front Setback

Setback Calculation	Value
Base setback (up to 35')	25'-0"
Building height (parapet)	38'-8"
Height above 35'	3'-8" (3.67 ft)
Additional ( $3.67 \times 0.40$ )	1'-6"
Required setback	26'-6"
Proposed	25'-0"
Deficiency	18 inches

**Additional concern:** The stair tower reaches **48'-4"**—nearly 10 feet above the 38'-8" parapet. The Board should confirm whether stair tower height factors into the setback calculation under the zoning code. If so, the required setback would increase further, making the 25'-0" setback even more deficient.

### B. Parking Setback

Four parking spaces at the SW corner are proposed closer than 25 feet from the right-of-way along SW 147th Avenue. This places vehicles directly adjacent to the public sidewalk and street, reducing the visual and physical buffer between the development and the neighborhood.

## VIII. ARGUMENT 5: INCOMPATIBILITY WITH SURROUNDING USES

Factor	Millenium Townhomes	Proposed Development	Assessment
Zoning	RU-TH (est.)	RU-4 (proposed)	Dramatic density escalation
Stories	2	4	2× height mismatch
Height	~20 ft	38'-8" (stair: 48'-4")	+18–28 ft wall over homes
Units	~20	40	2× population increase
Building Length	N/A	186 feet	Massive east-west wall
Open Space	Compliant	29.67% (deficient)	Reduced buffer
FAR	N/A	99.14%	Maximum build-out
Traffic Access	Distributed	Single driveway	All trips concentrated

The building is **186 feet long**—over half a football field—creating a continuous 4-story wall with stair towers reaching nearly 50 feet. CDMP Policy LU-4A requires sensitive transitions between different densities. A 186-foot apartment block adjacent to 2-story townhomes provides none.

## IX. ARGUMENT 6: DELETION OF RESTRICTIONS AND THE REPLACEMENT DECLARATION

### A. The Restrictions This Board Imposed

The Applicant seeks deletion of restrictions imposed under **CZAB Resolution 10-10-03** (2003 Declaration, ORB 21417: max 24 townhouse units) and **CZAB Resolution 10-4-06** (2006 Modification, ORB 25570: broadened to apartments, townhouses, offices). These were conditions **this Board imposed** to protect the neighborhood. A new owner's profit motive is not a material change justifying deletion.

### B. The Partial Release Problem

The 2003 Declaration covered the entire **2.71-acre Parent Tract**—both the subject property (west, 1.10 net acres) and the 20-unit apartment building (east). Paragraph D of the Declaration permits modification “as to the land herein described, or any portion thereof” by the “owner(s) of the Property covered under said modification.” The Board should examine whether the Applicant can release restrictions on only **its portion** without the consent of the eastern parcel owner who is still bound by the same Declaration.

### C. The January 2026 Replacement Declaration

#### **REPLACEMENT COVENANT LOCKS IN 40 UNITS FOR 30 YEARS**

On January 13, 2026, Holland & Knight filed a new Declaration limiting the property to 40 units and binding it to 9 specific plan sheets. The covenant runs 30 years with automatic 10-year renewals. Modification requires CZAB or BCC approval. This Declaration was filed AFTER the plan corrections flagged the 40-unit overcount and AFTER Holland & Knight obtained the updated LOI increasing the cap to 50. The strategy: delete the old restrictions, install new Applicant-drafted restrictions that lock in the current non-compliant design, and make them nearly permanent.

If this Board approves the application with this Declaration, the 29.67% open space, the 25'-0" setback, and the parking setback deficiency become **embedded for 30+ years**. The Board should either deny the application or, at minimum, require any replacement declaration to specify development standards that **comply with the code**, not codify the variances.

## **X. ARGUMENT 7: SPOT ZONING**

If no other RU-4 parcels exist in the immediate vicinity, rezoning this single parcel to RU-4 (50 units/net acre) creates an isolated island of intensive development. The property is part of the **same platted Millenium Subdivision** as the adjacent townhomes. The Board should examine the zoning map for all parcels within 500 feet.

## XI. ARGUMENT 8: INFRASTRUCTURE AND ENVIRONMENTAL CONCERNS

### A. Sewer Capacity Under Federal Consent Decree

Every DERM and WASD review states approval does **NOT** constitute allocation of sewer capacity. The EPA Consent Decree (Case 1:12-cv-24400-FAM) restricts building permits in basins lacking adequate capacity. This is not theoretical—it is an active federal enforcement action against Miami-Dade County.

### B. Stormwater Retention Standard Progressively Weakened

DERM's stormwater standard was **weakened across four reviews**:

1. Reviews 1–2: “5-year/1-day storm event” (specific engineering standard)
2. Review 3: “5-year storm event” (duration dropped)
3. Review 4: “full on-site retention of stormwater runoff” (no storm event reference)

Reducing open space from 40% to 29.67% means replacing **4,954 SF of pervious surface** with impervious material—in **Flood Zone AH**. The Board should require a specific stormwater standard, not accept progressively weaker language.

### C. West Wellfield Protection Area

The property is within the West Wellfield Interim Protection Area. Increasing density from RU-5 to RU-4 significantly increases impervious coverage and potential contamination risk in a drinking water source area.

## XII. ARGUMENT 9: TRAFFIC AND ACCESS CONCERNS

The Traffic Impact Study (Level 1, Beacon Traffic Consulting, April 25, 2025) reports only 6 AM and 16 PM peak trips. DTPW took **over 8 months and 5 review rounds** to resolve 13 comments—some flagged “not addressed” 3–4 consecutive times.

1. **Single Driveway:** The original two-driveway design was reduced to one 24'-wide driveway for safety. All 40 units' traffic—73 vehicles—now enters and exits through a single point on SW 147th Avenue.
2. **Trees in Sight Triangles:** As of October 2025, trees were still shown within sight visibility triangles. DTPW's final approval conditions compliance but does not confirm the trees were moved.
3. **Level 1 Only:** No intersection analysis, no queuing study, no sight-distance assessment. No off-site improvements required.
4. **Weekend Impacts Ignored:** ITE Saturday data shows ~151 trips. Not analyzed.

## XIII. ARGUMENT 10: PROCEDURAL AND CREDIBILITY CONCERNS

1. **Notice Sequencing Anomaly:** For the January 27, 2026 hearing, notices were printed December 16—one day BEFORE the property owner list was affirmed as complete on December 17. This raises a due process question.
2. **Notification Recipient Jump:** Mailing quantity increased from 1,678 (first hearing) to 2,058 (second hearing)—a 22.6% increase suggesting the first list was incomplete.
3. **Three Title Opinions in Two Weeks:** Submitted January 13, 22, and 27, 2026. Rapid revisions suggest unresolved title defects. Substantive opinion text is not available in the record.
4. **Open Space Got Worse:** From 32.42% in earlier plans to 29.67% in final plans. The Applicant moved further from compliance, not closer.
5. **Stormwater Standard Weakened:** DERM's standard degraded from "5-year/1-day storm" to just "full on-site retention."
6. **Engineer as Notary:** Rafael Ramon serves as both project engineer and notary on sworn affidavits. He and the Applicant share the same address: 6600 NW 32nd Ave.
7. **2+ Year Processing:** Filed December 2023; hearing February 2026. During this time: 4 LOI versions, counsel changed from engineer to Holland & Knight, zoning target changed from RU-4M to RU-4.
8. **Stair Tower Height:** Stair parapets reach 48'-4" while the building is represented as 38'-8". Whether this affects setback calculations has not been addressed.



## APPENDIX A: APPLICABLE CODE SECTIONS

Section	Subject	Application
§ 33-311	CZAB Authority	Variance approval/denial standards
§ 33-311(A)(4)	Non-Use Variance	Compatibility and community-detriment test
§ 33-311(A)(4)(b)	Alternative Standard	Unnecessary hardship; minimum variance
§ 33-212	RU-4 Dev. Standards	40% min open space; 40% max lot coverage
§ 33-211	RU-4 Setbacks	25' base + 40% of height above 35'
§ 33-213	RU-4 FAR	Floor area ratio limits by height
CDMP LU-4A	Compatibility	Height, bulk, scale, shadow, traffic
Chapter 18A	Landscaping	Tree and landscape requirements
EPA Consent Decree	Sewer Capacity	Case 1:12-cv-24400-FAM

## APPENDIX B: CITED CASE LAW

Case	Citation	Holding
Maturo v. Coral Gables	619 So.2d 455 (3d DCA 1993)	Lesser development possible → no hardship
Nance v. Indialantic	419 So.2d 1041 (Fla. 1982)	Requires unique hardship not shared by others
Herrera v. City of Miami	600 So.2d 561 (3d DCA 1992)	Unjustified unless no reasonable use
Miami-Dade v. Brennan	802 So.2d 1154 (3d DCA 2001)	Variances not entitlements

## APPENDIX C: DOCUMENT SOURCES

Document	Author/Source	Date
Zoning Application & Affidavits	Jose M. Alvarez / Valemar Holdings LLC	December 13, 2023
CDMP LOI CL23-36 (Original)	Jerry Bell, AICP, Planning Division	September 22, 2023
CDMP LOI CL25-42 (Updated)	Jerry Bell, AICP, Planning Division	October 28, 2025
Letter of Intent (V4, 3rd Amended)	Alberto J. Torres, Holland & Knight	August 8, 2025
Site Plans V5 / Floor Plans V4	J. Antonio Rodriguez Tellaheche, RA	October 7, 2025
Traffic Impact Study Level 1	Beacon Traffic Consulting / A. Rodriguez, P.E.	April 25, 2025
Plan Corrections V.1	Elizabeth Alvarez, AICP	January 19, 2024
Plan Corrections V.2	Elizabeth Alvarez, AICP	March 3, 2025
Plan Corrections V.3	Elizabeth Alvarez, AICP	September 28, 2025
DERM Reviews (1st–4th)	Lisa M. Spadafina, RER Asst. Director	Jan 2024 – Sept 2025
MDFR Reviews (1–6)	Alejandro G. Cuello, Principal Planner	Jan 2024 – Oct 2025

DTPW Traffic Reviews (5 rounds)	Miguel Soria, P.E. / Leandro J. Ona, P.E.	March – Nov 2025
WASD Reviews (4 versions)	Maria A. Valdes, Chief, Planning & Water	Jan 2024 – Oct 2025
PROS Reviews (V1–V2)	Parks Department	Feb – Sept 2025
ORB 21417 (2003 Declaration)	CZAB10-10-03	April 14, 2003
ORB 25570 (2006 Modification)	CZAB10-4-06	January 10, 2006
Declaration of Restrictions (NEW)	Hugo P. Arza, Holland & Knight	January 13, 2026
School Concurrency	Master No. MA3024041700424	March 11, 2025

## GLOSSARY OF TERMS / GLOSARIO DE TÉRMINOS

*This section explains the technical and legal terms used in this brief. / Esta sección explica los términos técnicos y legales utilizados en este escrito.*

Term / Término	English	Español
FAR (Floor Area Ratio)	Total building size divided by lot size. Our lot is 48,060 SF. The proposed building uses 47,649 SF (99.14%). Almost no room left.	Proporción de Área de Piso: el tamaño total del edificio dividido por el tamaño del lote. Nuestro lote es 48,060 SF. El edificio propuesto usa 47,649 SF (99.14%).
ROW (Right of Way)	The strip of land along a road belonging to the public (road, sidewalk, utilities). Buildings and parking must stay back from the ROW.	Derecho de Vía: la franja de terreno a lo largo de una calle que pertenece al público. Los edificios y estacionamientos deben mantenerse alejados.
Setback / Retiro	Minimum distance a building must be from a property line or ROW. A mandatory buffer zone. Required: 26'-6"; proposed: 25'-0".	La distancia mínima que un edificio debe tener desde el límite de la propiedad o el ROW. Retiro requerido: 26'-6"; propuesto: 25'-0".
Open Space / Espacio Abierto	Percentage of the lot that must remain unbuilt: no building, no parking, no pavement. Code requires 40%. They propose 29.67%.	El porcentaje del terreno que debe permanecer sin construir. El código requiere 40%. Ellos proponen 29.67%.
Variance / Varianza	Special permission to not meet a zoning rule. Applicant must prove hardship—not just that they want more profit.	Un permiso especial para no cumplir con una regla de zonificación. Debe demostrar dificultad—no solo que quiere más ganancias.
RU-4	High-Density Apartment zone: allows up to 50 units per net acre. What the developer wants.	Zona de Apartamentos de Alta Densidad: permite hasta 50 unidades por acre neto. Lo que quiere el desarrollador.
RU-5	Residential-Semi-Professional Office zone: current zoning. Lower density.	Zona Residencial-Semi-Profesional de Oficina: la zonificación actual. Menor densidad.
CZAB	Community Zoning Appeals Board: appointed volunteers who decide variances and zoning changes. CZAB-10 covers our district.	Junta de Apelaciones de Zonificación Comunitaria: voluntarios que deciden varianzas y cambios de zonificación. CZAB-10 cubre nuestro distrito.
MDFR	Miami-Dade Fire Rescue: they DISAPPROVED this project because fire trucks cannot access the building.	Departamento de Bomberos de Miami-Dade: DESAPROBARON este proyecto porque los camiones de bomberos no pueden acceder al edificio.
DERM	Dept. of Environmental Resources Management: reviews flooding, stormwater, and environmental protection.	Departamento de Gestión de Recursos Ambientales: revisa inundaciones, aguas pluviales y protección ambiental.
CDMP / LOI	Comprehensive Development Master Plan. The LOI (Letter of Interpretation) says how many units the plan allows. Original: 39. Updated: 50.	Plan Maestro Integral de Desarrollo. La Carta de Interpretación (LOI) dice cuántas unidades permite. Original: 39. Actualizada: 50.

Declaration of Restrictions	Legal document recorded against the property limiting what can be built. Our 2003 and 2006 restrictions were imposed by the CZAB.	Declaración de Restricciones: documento legal que limita lo que se puede construir. Nuestras restricciones de 2003 y 2006 fueron impuestas por la CZAB.
Aerial Apparatus	Big fire truck with extendable ladder. Needs 21×47-foot pads supporting 32 tons, access to 2 sides. Site cannot accommodate it.	El camión de bomberos con escalera extensible. Necesita plataformas de 21×47 pies. El sitio no puede acomodarlo.
Equivalency / Equivalencia	Alternative to meeting fire code literally. The applicant has NEVER obtained this approval.	Alternativa para cumplir el código de bomberos. El solicitante NUNCA ha obtenido esta aprobación.
Flood Zone AH	FEMA determined 1% annual flood chance. Base Flood Elevation = 9 feet.	FEMA determinó 1% de probabilidad anual de inundación. Elevación Base = 9 pies.
Spot Zoning	When a single parcel is rezoned differently from everything around it—an island of more intense development.	Cuando una sola parcela se rezonifica diferente a todo lo que la rodea—una isla de desarrollo más intenso.
Self-Created Hardship	Under Florida law, if you buy property knowing its restrictions, you cannot claim those are a hardship.	Bajo la ley de Florida, si compras una propiedad sabiendo sus restricciones, no puedes reclamar que son una dificultad.
Consent Decree	Federal court order requiring Miami-Dade to fix its sewer system. Capacity is already constrained.	Orden de tribunal federal que requiere que Miami-Dade repare su alcantarillado. La capacidad ya está limitada.
Parapet / Parapeto	Low wall at the top edge of the roof. Height: 38'-8".	La pared baja en el borde superior del techo. Altura: 38'-8".
Stair Tower	Structure housing the stairwell on the roof. Reaches 48'-4"—nearly 10 feet taller than the parapet.	Torre de escaleras en el techo. Alcanza 48'-4"—10 pies más alto que el parapeto.
Plat / Plano	Official recorded map showing how land was divided into lots.	El mapa oficial registrado que muestra cómo se dividió un terreno en lotes.
Folio	Miami-Dade's unique ID for property—like a social security number for land.	Número de identificación único de Miami-Dade para una propiedad.
ORB	Official Records Book: when a document is recorded, it gets an ORB number.	Libro de Registros Oficiales: cuando se registra un documento, recibe un número ORB.
Net vs. Gross Acre	Gross includes ROW; net is what's left. Lot: 1.41 gross, 1.10 net. Density uses net.	Bruto incluye el ROW; neto es lo que queda. Lote: 1.41 bruto, 1.10 neto. La densidad usa el neto.
WASD	Water and Sewer Dept: confirms the system can handle the new development.	Departamento de Agua y Alcantarillado: confirma si el sistema puede manejar el nuevo desarrollo.
DTPW	Dept. of Transportation and Public Works: reviews traffic impacts.	Departamento de Transporte y Obras Públicas: revisa impactos de tráfico.
§ 33-311	Zoning Code section that tells the Board when it can grant or deny a variance. Our main legal foundation.	Sección del Código de Zonificación que establece cuándo la Junta puede aprobar o denegar una varianza.