



**BEFORE THE MIAMI-DADE COUNTY
ENVIRONMENTAL QUALITY CONTROL BOARD**

IN RE : **Board Order No. 09-40**
:
Bernardo Campuzano and Maria Campuzano :

THIS MATTER came before the Board as a request by Petitioners, Bernardo Campuzano and Maria Campuzano, as a request for variances from the requirements from Section 24-43.1(4) and Section 24-43.1(6) of the Code of Miami-Dade County, Florida. The request is to allow the establishment of a private soccer club on a property that is served by an on-site drinking water supply well and a septic tank and drainfield. The subject property is located at 26820 S.W. 187th Avenue, Miami-Dade County, Florida and is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

Section 24-43.1(4) of the Code prohibits the approval of any building permit, certificate of use and occupancy, municipal occupational license, platting action or zoning action for any nonresidential land use served or to be served by a septic tank as a means for the disposal of domestic liquid waste, if the proposed land use generates liquid waste other than domestic sewage or if the property is within feasible distance for connection to the public sanitary sewer system.

Section 24-43.1(6) of the Code prohibits the approval of any building permit, certificate of use and occupancy, municipal occupational license, platting action or zoning action for any nonresidential land use served or to be served by any liquid waste storage, disposal or treatment method other than public sanitary sewers or any source of potable water supply other than a public water main. The same Code Section also provides that nonresidential land uses served by a septic tank and public water may only be approved, if among other requirements, the proposed land use does not generate liquid waste other than domestic sewage and complies with all the requirements of Section 24-43.1(4) of the Code.

A

The Board finds that the closest point of connection to the public water supply system is a 16-inch main located along S.W. 177th Avenue, approximately 6,500 south and east of the subject property.

Public sanitary sewers in the form of an 8-inch force main is located at the intersection of S.W. 164th Avenue and S.W. 284th Street, approximately 11,500 feet south and east of the site. The Board also finds that since neither public water nor public sanitary sewers are available in this area, the proposed land use would have to be served by an on-site drinking water supply well and a septic tank

The Board finds that the Petitioners' property has a gross area of approximately 9.62 acres and is improved with a single-family residence, a two story building that contains another single family residence on the second floor and horse stables. The Board finds that the Petitioners are proposing a private recreational club; specifically, a soccer club that will include soccer fields with 240 bleachers, and a small gym with bathrooms.

The Board also finds that Section 24-43.1(4) of the Code also provides that for nonresidential property served by an on-site drinking water supply well and a septic tank, the maximum sewage loading rate shall be 750 gallons per day per acre. The Board further finds that the proposed facility would generate a wastewater flow of approximately 1,873 gallons per day, which based upon the gross area of the property translates into a sewage loading rate of approximately 194.65 gallons per day per acre, which is approximately 26% of the maximum that would be permitted.

The Board finds that the Petitioners submitted analytical sample results from the on-site drinking water supply well, which indicate that the water produced by the well meets the primary and secondary drinking water standards.

The Board finds that DERM has always taken a conservative approach when dealing with land uses that may pose a risk of contamination to the groundwater via a septic tank; however, the Board finds that this type of land use does not store, generate, discharge, or dispose liquid waste other than domestic sewage.


Finally, the Board finds that, based upon the evidence and testimony presented and the foregoing findings, granting the requested variances from the above noted Code requirements will not be detrimental to the public health, welfare and safety, will not create a nuisance, and will not materially increase the level of pollution in this County.

ACCORDINGLY, IT IS

ORDERED AND ADJUDGED that, based upon the evidence and testimony presented and the foregoing findings, the Petitioners' request for variances from the requirements of Section 24-43.1(4) and 24-43.1(6) of the Code be and the same is hereby granted, subject to the following conditions:

1. As part of any building permit process, plans for a public, non-community water supply system shall be submitted to DERM for review and approval in accordance with the provisions of Section 24-43.2 of the Code of Miami-Dade County and Section 62-500, Florida Administrative Code (FAC).
2. Petitioners shall provide bottled drinking water for its employees and visitors, until the property is connected to the nearest available public water main.
3. The Petitioners shall, prior to the issuance of a certificate of use and occupancy for the proposed recreational facility, obtain all the necessary permits from DERM.

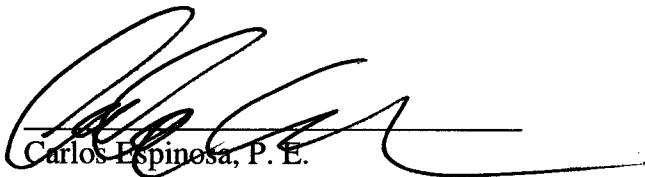
Done and Ordered this 19 day of August, 2009 in Miami-Dade County, Florida.



Claire Bradshaw-Sidran, Ph.D.
Chairperson

FILING AND ACKNOWLEDGEMENT

Filed on this 19 day of August, 2009 with the Secretary of the Board as Clerk of the Environmental Quality Control Board, receipt of which is hereby acknowledged and the seal of the Board affixed below.



Carlos Espinosa, P. E.
Secretary and Clerk

SEAL

Approved as to form and legal sufficiency:

R. A. CUEVAS, JR.
Miami-Dade County Attorney
Attorney for the Board



By: Peter S. Tell
Assistant County Attorney

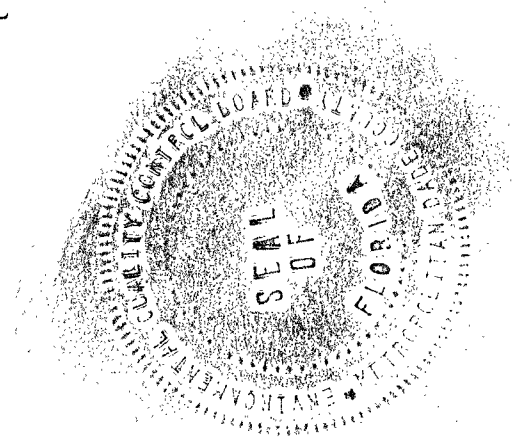


Exhibit "A"

The north ½ of the north ½ of the southeast ¼ of the northeast ¼ of Section 35, Township 56 South, Range 38 east, less the western part for C-103-I canal, lying within Miami-Dade County, Florida.