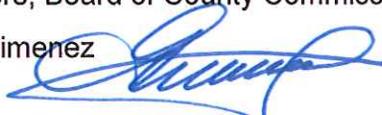


Memorandum



Date: September 5, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Response to Board Directive requesting a report on the status of the King Metal Recycling Facility.

At the Board of County Commissioners Zoning hearing on July 17, 2012, Commissioner Monestime asked the Department of Regulatory and Economic Resources (RER) to provide a report to the County Commission on the status of compliance by the King Metal Recycling Facility with the conditions required in connection with the issuance of a Temporary Certificate of Use.

The King Metal Recycling Facility is located at 8600 NW 36th Avenue in District 2. In 2010, the King Metal Recycling Facility received administrative approval for a metal recycling facility based on historical zoning approvals for the property. Consistent with that approval, a Temporary Certificate of Use was issued for the property with the condition that the property owner make certain site improvements to bring the property into compliance with the previously approved plan for the site. The property owner failed to comply with the conditions of this approval and, on July 23, 2012, the Temporary Certificate of Use expired. Code Enforcement staff visited the site on July 24, 2012 and observed that all operations had ceased. In addition to complying with the 2010 administrative approval, the property owner is also required to comply with a 2012 administrative approval. The attached compliance letter describes these requirements.

Similarly, staff from the Environmental Resources Management Division of RER inspected the facility in early August and also found it not operating. However, a follow-up inspection on Friday, August 31, 2012, indicated that the entrance gate was closed but materials were being processed without a valid Resource, Recovery and Management permit. This operating permit expired at the same time that the Temporary Certificate of Use expired. Subsequently, on Tuesday, September 4, 2012, a solid waste field notice of violation and order to cease and desist was issued to King Metal. This notice requires the removal of the recycled metal within 15 days. Environmental Resources Management staff will follow up to ensure compliance at that time.

Should you have any questions, please contact RER Director Jack Osterholt, at 305-375-5695, or me directly.

Attachment

c: Jack Osterholt, Director, RER
Lee Hefty, Assistant Director, Environmental Resources Management, RER
Eric Silva, AICP, Assistant Director, Development Services Division, RER



Regulatory and Economic Resources Department
Development Services Division
111 NW 1st Street • Suite 1210
Miami, Florida 33128-1902
T 305-375-2842
www.miamidade.gov/economy

May 30, 2012

Mr. Pedro Amador
King Metal Recycling and Processing
8600 NW 36 Avenue
Miami, FL 33147

RE: Temporary Certificate of Use Process Number 2012005366
8600 NW 36 Avenue, Miami, Florida

Dear Mr. Amador:

This letter is in reference to your Temporary Certificate of Use (TCU) which expires on July 23, 2012. The TCU was granted on the condition that you comply with the site plan approved on May 5, 2010. The approved site plan includes paving of the entire site, providing parking on the private property so that the off street parking violation is eliminated, and installing the required landscape.

As of this date, you have failed to pave the facility, eliminate the off street parking and install the required landscaping. As a result, you have failed to meet the conditions of the TCU. In order to extend the TCU on this site, you must complete the paving, parking and landscape improvements before the expiration of the TCU on July 23, 2012. Failure to meet this deadline will result in enforcement action up to and including the filing of a civil action by the Department.

In addition to the above, and in order to continue to maintain your TCU, you must expeditiously complete the enclosure of the building, the construction of the masonry walls on the north, south and south west diagonal, and all other site plan improvements within 180 days of date of this letter. Failure to make these required improvements will result in enforcement action up to and including the filing of a civil action by the Department. If you have any questions, please contact me at 305-375-2842.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Silva". The signature is written in a cursive style and is positioned above the typed name.

Eric Silva, AICP
Assistant Director
Regulation and Economic Resources Department

cc: James Byers
Grisel Rodriguez
Ricardo Roig
Charles Danger
Tom Robertson
Agusto Maxwell