FINAL AGENDA

11-14-2013 Version # 1

COMMUNITY ZONING APPEALS BOARD 12
KENDALL VILLAGE CENTER - CIVIC PAVILLION
8625 SW 124 Avenue, Miami
Tuesday, December 17, 2013 at 6:30 p.m.

PREVIOUSLY DEFERRED

A.	13-11-CZ12-1	MG JEWELERS OF MIAMI, INC	13-3	01-55-39

Official Zoning Agenda

COMMUNITY ZONING APPEALS BOARD

COMMUNITY ZONING APPEALS BOARD - AREA 12

MEETING OF TUESDAY, DECEMBER 17, 2013

KENDALL VILLAGE CENTER – CIVIC PAVILLION

8625 SW 124 AVENUE, MIAMI, FLORIDA

NOTICE: THE FOLLOWING HEARINGS ARE SCHEDULED FOR 6:30 P.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMUNITY ZONING APPEALS BOARD SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMUNITY ZONING APPEALS BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD BE GRANTED BY THE MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE MEETING ROOM. PERSONS EXITING THE MEETING ROOM SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE MEETING ROOM IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE MEETING ROOM TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

A. MG JEWELLERS OF MIAMI, INC. (13-11-CZ12-1/ 13-003) **01-55-39**
Area 12/District 10

USE-VARIANCE to permit a pawn broker use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Existing Jewelry Shop Floor Plan" as prepared by Roger Perez consisting of 1 sheet, a plan entitled "MG Jewelers of Miami Proposed Pawn Shop" preparer unknown and consisting of 1 sheet, both dated stamped received 2/14/13. Plans may be modified at public hearing.

LOCATION: 11760 SW 88 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 2.19 Acres

Department of Regulatory and Economic Resources Recommendation: Denial without prejudice

Protests: 1 Waivers: 0

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

NOTICE

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THE FOLLOWING SUMMARY INFORMATION IS PROVIDED AS A COURTESY; IT SHOULD NOT BE TREATED AS LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON. LEGAL CONSULTATION MAY BE WARRANTED IF AN APPEAL OR OTHER LEGAL CHALLENGE IS BEING CONTEMPLATED.

Decisions of the Community Zoning Appeals Board (CZAB) may be subject to appeal or other challenge. For example, depending upon the nature of the requests and applications addressed by the CZAB, a CZAB decision may be directly appealable to the Board of County Commissioners (BCC) or may be subject to challenge in Circuit Court.

Challenges asserted in Circuit Court, where available, must ordinarily be filed within 30 days of the transmittal of the pertinent CZAB resolution to the Clerk of the BCC. Appeals to the BCC, where available, must be filed with the Zoning Hearing Section of the Department of Regulatory and Economic Resources (RER), or its successor Department, within 14 days after RER has posted a short, concise statement (such as that furnished above for the listed items) that sets forth the action that was taken by the CZAB. (RER's posting will be made on a bulletin board located in the office of RER.) All other applicable requirements imposed by rule, ordinance, or other law must also be observed when filing or otherwise pursuing any challenge to a CZAB decision.

Further information regarding options and methods for challenging a CZAB decision may be obtained from sources that include, but are not limited to, the following: Sections 33-312, 33-313, 33-314, 33-316, and 33-317 of the Code of Metropolitan Dade County, Florida; the Florida Rules of Appellate Procedure; and the Municode website (www.municode.com). Miami-Dade County does not provide legal advice regarding potential avenues and methods for appealing or otherwise challenging CZAB decisions; however, a licensed attorney may be able to provide assistance and legal advice regarding any potential challenge or appeal.

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Community Council No. 12

PH: Z13-003 (13-11-CZ12-1) **December 17, 2013**
Item No. A

Recommendation Summary	
Commission District	10
Applicant	MG Jewelers of Miami, Inc.
Summary of Requests	The applicant is seeking a Use Variance to allow a pawnbroker use for secondhand jewelry only in a more restrictive zoning district.
Location	11760 SW 88 Street, Miami-Dade County, Florida.
Property Size	2.5 acres
Existing Zoning	BU-1A
Existing Land Use	Retail
2015-2025 CDMP Land Use Designation	Business and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(a), **Use Variance** standards, Section 33-311(A)(7) **Generalized Modification Standards and** Section 33-311(A)(4)(b) **Non-Use Variances From Other Than Airport Regulations** (see attached Zoning Recommendation Addendum)
Recommendation	**Denial without prejudice.**

This item was deferred from the November 10, 2013 meeting of Community Zoning Appeals Board (CZAB) #12, to allow the applicant to work with staff on landscape issues.

REQUESTS:

(1) USE-VARIANCE to permit a pawn broker use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Existing Jewelry Shop Floor Plan" as prepared by Roger Perez consisting of 1 sheet, a plan entitled "MG Jewelers of Miami Proposed Pawn Shop" preparer unknown and consisting of 1 sheet, both dated stamped received 2/14/13. Plans may be modified at public hearing.

PROJECT DESCRIPTION AND PROJECT HISTORY:

The site has been the subject of several zoning actions from 1981 to 2011. In 2011, the applicant was granted approval to modify a condition of a previously approved Resolution in order to submit revised plans showing an existing storage room addition and cooler/freezer addition to an existing commercial building, as well as a detached storage shed which encroach into the rear (south) setback area. Moreover, the applicant sought to permit a reduced parking back out distance, fewer street trees, and a narrower greenbelt than that required by the Zoning Code. Subsequently, the applicant withdrew the request to permit less street trees and as condition of said resolution the applicant was required to provide the required street trees at the time of permitting.

The current application seeks a pawn broker use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing, for the pawning of jewelry only. The site plan submitted by the applicant depicts an existing 1,428 sq. ft. jewelry store within a 32,413 sq. ft. shopping center.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	**Land Use Designation**
Subject Property	BU-1A; shopping center	Business and Office
North	BU-2; shopping center	Business and Office
South	RU-5A; office buildings	Business and Office
East	BU-1A; bank	Business and Office
West	SR-821/HEFT; Homestead Extension of the Florida Turnpike	Transportation

NEIGHBORHOOD COMPATIBILITY:

The subject property is a corner lot, located at 11760 SW 88 Street. The area surrounding the subject property is primarily characterized by commercial uses.

SUMMARY OF THE IMPACTS:

The approval of this application will provide an additional service for the surrounding community. However, approval of the request to allow a pawnbroker use which is typically located in a zoning district that allows more intensive commercial uses only upon approval after public hearing, could have a negative impact on the surrounding area. Furthermore, approval of the same could result in an increase in the intensity and types of uses that would be allowed in this area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for ***Business and Office*** use. *This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.* As such, the existing jewelry store use and requested pawnbroker use are **consistent** with the uses described in the CDMP Land Use Element interpretative text for the Business and Office designation.

The CDMP Land Use Element **Objective LU-4** states that *Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.* The **Land Use Element Policy LU-4A** of said interpretive text provides that *when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.* Staff notes that the existing jewelry store is located within a shopping center that consists of various commercial uses such as a cash advance store, optical store, pet emergency care, hair salon, bank, and restaurants, among other uses. In staff's opinion, the requested pawnbroker

use for jewelry only is an accessory use to the existing jewelry store and therefore, would be **consistent** with the Business and Office designation on the CDMP Land Use Plan map and **consistent** with **Objective LU-4** based on the criteria outlined in **Land Use Element Policy LU-4A.**

ZONING ANALYSIS:

In February 2011, pursuant to resolution #CZAB12-4-11, the subject property was granted approval to modify a condition of a previously approved Resolution in order to submit revised plans showing an existing storage room addition and cooler/freezer addition to an existing commercial building, as well as a detached storage shed which encroach into the rear (south) setback area. Moreover, the applicant sought to permit a reduced parking back out distance, fewer street trees, and a narrower greenbelt than that required by the Zoning Code. Subsequently, the applicant withdrew the request to permit less street trees and as condition of said resolution the applicant was required to provide the required street trees at the time of permitting.

The current application seeks approval of a use variance, under Section 33-311(A)(4)(a) to permit a pawnbroker use in the BU-1A zoning district as would be permitted in the BU-3 district (request #1) only upon approval after public hearing. The letter of intent submitted by the applicant indicates that the applicant intends to limit the pawn use solely for jewelry and will not permit the pawning of other merchandise.

The existing jewelry store is located within a shopping center that is within the BU-1A zoning district, surrounded by commercially zoned properties and provides the surrounding area with access to neighborhood services for the nearby residents. However, the proposed pawnbroker use is only permitted in the BU-3 zoning district only upon approval after public hearing. Staff notes that the applicant is requesting this use variance in order to establish a pawnbroker, which is not permitted in the existing BU-1A zoning district. Although the BU-3 district provides for a host of uses that are significantly more intense than those allowed in the BU-1A district, such as gun shops; secondhand stores for the disposal of furniture, fixtures and tools; locksmith shops, sharpening and grinding shops; garage and mechanical services; commercial chicken hatcheries; and pawnbrokers; the applicant has indicated that the pawn broker use would be limited to the pawning of secondhand jewelry only in conjunction with the existing jewelry store.

When request #1, Use Variance to permit a pawnbroker use in the BU-1A zone, as would be permitted in the BU-3 zone only upon approval after public hearing, is analyzed under the Use Variance Section 33-311(A)(4)(a), staff opines that the request is not consistent with the general purpose and intent of the zoning regulations. Section 33-311(A)(4)(a) provides that a **use variance** permits a use of land other than that which is prescribed by the zoning regulations. The standard stipulates that *the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest where, owing to special conditions,* ***a literal enforcement of the provisions thereof will result in unnecessary hardship****, and so the spirit of the regulations shall be observed and substantial justice done; and further provided that the use variance will be in harmony with the general purpose and intent of the regulations.* To prove an unnecessary hardship the applicant must demonstrate that without the requested use variance, the applicant, under the existing zoning, has lost all reasonable use of the property.

Based on the information provided by the applicant, staff opines that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in an unnecessary hardship. As previously

discussed, the subject property is currently in use and operating as a jewelry store; as such, provides the applicant with economic use and benefit. Furthermore, Section 33-247 provides over forty-five (45) uses permitted in the BU-1A zoning district, which allow for the reasonable use and benefit of the subject property. Staff is of the opinion that the approval of the use variance request will not be in harmony with the general purpose and intent of the regulation, and that the applicant has not demonstrated a loss of all reasonable use of the property under the existing zoning. **As such, staff recommends denial without prejudice of request #1 for the proposed pawnbroker use under the Use Variance Section 33-311(A)(4)(a).**

Staff notes that in 2011, the applicant withdrew the request (request #6 of Resolution No. CZAB12-4-11) to permit fewer trees than required for the subject property and said application was approved with a condition (condition #2 of Resolution No. CZAB12-4-11), requiring the applicant to provide the required trees. Staff also notes that the applicant is currently under enforcement action due to failure to comply with said condition and is currently attempting to plant said trees.

CIRCULATION AND PARKING:

The subject property has ingress and egress points along SW 88 Street.

ENVIRONMENTAL REVIEW: Not applicable.

OTHER: Not applicable.

RECOMMENDATION: **Denial without prejudice.**

CONDITIONS FOR APPROVAL: **None.**

ES:MW:NN:CH:JC

Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

NDN

ZONING RECOMMENDATION ADDENDUM

MG Jewelers of Miami, Inc.
Z13-003

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Division)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Business and Office (Pg. I-41)	*This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.*
Land Use Objective 4 (Pg. I-11)	*Miami-Dade County shall, by the year 2015, reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.*
Policy LU-4A (Page I-11)	*When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.*

PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.	*The Board shall hear and grant applications for **use variances** from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in **unnecessary hardship**, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.*
33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	*Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*

A. MG JEWELERS OF MIAMI, INC
(Applicant)

13-11-CZ12-1 (13-003)
Area 12/District 10
Hearing Date: 12/17/13

Property Owner (if different from applicant) **FGHP 117 LTD, Partnership.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☑

Disclosure of interest form attached? Yes ☑ No ☐

Previous Zoning Hearings on the Property:

Year	Applicant	Request	Board	Decision
1981	Sumner Gerard, Trustee	- Zone change from GU to BU-2.	BCC	Approved with Condition(s)
1983	Kendall 117	- Non-Use Variance of zoning regulation to waive required masonry wall along the rear property line.	ZAB	Approved with Condition(s)
1985	Kendall 117	- Zone change from GU to BU-1A.	BCC	Approved with Condition(s)
2011	LA Carreta Restaurant V, Inc.	- Modification of Condition of Resolution. - Multiple Non-Use Variance's.	C12	Approved with Condition(s)

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 12
MOTION SLIP

#1

APPLICANT'S NAME: **MG JEWELERS OF MIAMI, INC.**

REPRESENTATIVE: Tracy Slavens

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
13-11-CZ12-1 (13-003)	November 12, 2013	CZAB12		13

REC: Denial without prejudice.

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S):_____

■ DEFER: ☐ INDEFINITELY ■ TO: **December 17, 2013** ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.

☐ WITH CONDITIONS

■ OTHER: **Deferred by the Board to allow the applicant to work with staff regarding landscape issue.**

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCIL WOMAN		Peggy BRODEUR			X
COUNCILMAN		Matthew LARSH	X		
VICE CHAIRMAN	S	Alberto SANTANA	X		
COUNCILMAN	M	Jose I. VALDES	X		
COUNCIL WOMAN		Angela VAZQUEZ	X		
CHAIRMAN		Elliot N. ZACK	X		
		VOTE:	5	0	

EXHIBITS: ☐ YES ■ NO COUNTY ATTORNEY: **JAMES KIRTLEY**
DENNIS KERBEL

Memorandum

MIAMI-DADE COUNTY

Date: February 5, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

Subject: C-12 #Z2013000003
FGHP 117 Ltd. Partnership
11760 SW 88th Street, Miami, Florida 33186
Use Variance and Special Except to Permit a Pawn Shop Use in the BU-1A Zone, as would be permitted in the BU-3 Zone.
(BU-1A) (2.19 Acres)
01-55-39

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

DERM has no pertinent comments regarding this application since the request does no entail any environmental concern.

Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE COUNTY

Date: March 12, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

From: Raul A. Pino, PLS, Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2013000003
Name: MG Jewelers of Miami, Inc.
Location: 11760 SW 88 Street
Section 01 Township 55 South Range 39 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections.

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Tract B of Plat Book 120, Page 22.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Memorandum

MIAMI-DADE COUNTY

Date: Februrary 15, 2013

To: Jack Osterholt, Director
Regulatory and Economic Resources Department

From: Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: # 13-003
MG Jewelers, Inc

Attached please find a copy of this Department's review of the above-referenced item. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

#13-003
MG Jewelers, Inc

Application: ***MG Jewelers, Inc.*** is requesting a use variance and special exception to permit the pawning of secondhand jewelry only in connection with an existing jewelry store. The area is currently zoned Business District, limited (BU-1A).

Size: The subject property is approximately 2.19 acres.

Location: The subject property is generally located at 11760 SW 88th Street in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 28, 2012, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The jewelry store on the property will likely be considered development for a "commercial establishment". Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

1) High grade office paper
2) Mixed paper
6) Steel (cans, scrap)
7) other metals/scrap production materials

3) Corrugated cardboard
4) Glass (flint, emerald, amber)
5) Aluminum (cans, scrap)
8) Plastics (PETE, HDPE-natural, HDPE-colored)
9) Textiles
10) Wood

Section 15-2.3 states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
b. "T" shaped turnaround 60 feet long by 10 feet wide
c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

Memorandum

MIAMI-DADE COUNTY

Date: January 29, 2013

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief M.N.
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2013000003: MG JEWELERS OF MIAMI, INC

Application Name: MG JEWELERS OF MIAMI, INC

Project Location: The site is located at 11760 SW 88 ST, Miami-Dade County.

Proposed Development: The applicant is requesting a use variance and special exception for a pawn shop.

Impact and demand: This application does not generate any residential population applicable to CDMP Open Space Spatial Standards. We have no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. The Department has no objection to this application.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum

Date: 24-JAN-13

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: William W. Bryson, Fire Chief.
Miami-Dade Fire Rescue Department

Subject: Z2013000003

Fire Prevention Unit:

No objection to Letter of Intent date stamped received January 8, 2013.

Service Impact/Demand

Development for the above Z2013000003
located at 11760 SW 88 ST, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 4824 is proposed as the following:

N/A residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	N/A institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:21 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:

Station 9 - Kendall - 7777 SW 117 Avenue
Rescue, ALS 60â¿¿ Aerial

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 22-OCT-13

BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

MG JEWELERS OF MIAMI, INC

APPLICANT

11760 SW 88 ST, MIAMI-DADE COUNTY, FLORIDA.

ADDRESS

Z2013000003

HEARING NUMBER

HISTORY:

NC OPEN: CASE #201302002256, WAS OPENED ON MARCH 4, 2013, FOR ILLEGALLY MAINTAINING VARIOUS SIGNS ADVERTISING BUSINESSâ¿¿S LOCATED IN THE SHOPPING PLAZA OF 11740 SW 88 ST [EG â¿¿WE BUY GOLD, â¿¿FRAME ARTâ¿¿, â¿¿MEN AND BOYS HAIRCUTâ¿¿, â¿¿H&R BLOCKâ¿¿, & â¿¿HUMAN SIGNSâ¿¿, ETC; WHICH INCLUDES BUSINESSâ¿¿S LOCATED AT 11758 AND 11760 SW 88 ST. A WARNING LETTER WAS ISSUED THE SAME DAY. CITATION #T035923, WAS ISSUED ON MARCH 15, 2013, FOR THE NON-COMPLIANCE TO THE VIOLATION. THE CASE HAS BEEN FORWARDED TO THE LIEN DEPARTMENT FOR NON-COMPLIANCE AND NON-PAYMENT.

NC CLOSED: THERE ARE NO CURRENT OPEN OR CLOSED NEIGHBORHOOD COMPLIANCE CASES.

BLDG SUPPORT: THERE ARE NO CURRENT OPEN OR CLOSED BUILDING SUPPORT CASES.

MG JEWELERS OF MIAMI, INC

OUTSTANDING FINES, PENALTIES, COST OR LIENS INCURRED PURSUANT TO CHAPTER 8CC:

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: MG JEWELERS OF MIAMI, INC.

NAME AND ADDRESS	Percentage of Stock
JORGE L. CARVAJAL	100%
13804 SW 152nd Street	
Miami, FL 33177	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME _____

NAME AND ADDRESS	Percentage of Interest

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Ownership

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: X _____
(Applicant)

Sworn to and subscribed before me this 18th day of December 20 12. Affiant is personally know to me or has produced _____ as identification.

_____
(Notary Public)

CLARA I. MIRABAL
MY COMMISSION # EE 164571
EXPIRES: February 12, 2016
Bonded Thru Notary Public Underwriters

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

My commission expires: _____ Seal

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

MG Jewelers of Miami Proposed Pawn Shop

11760 SW 88th Street
Miami, Florida

ZONING DATA

PROPERTY ADDRESS:

11740 - 11762 Southwest 88th Street (Kendall Drive), Miami, Florida 33186

LEGAL DESCRIPTION:

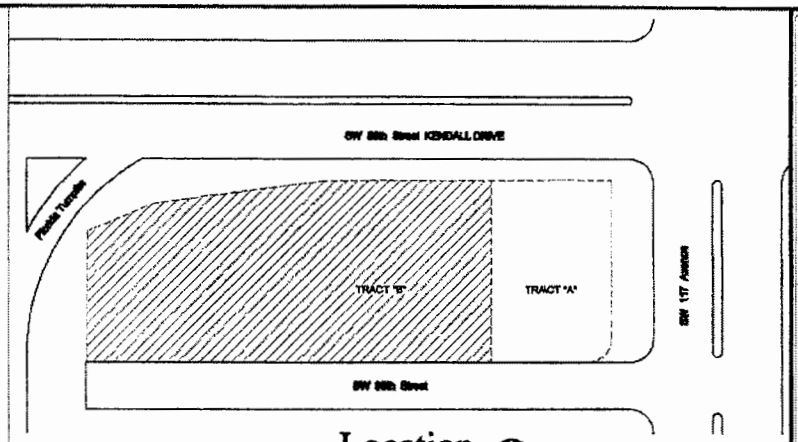
A PORTION OF BLOCK 1, "FAIRWAYS" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 AT PAGE 108 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH PORTIONS OF VACATED STREETS, ALLEYS AND OTHER PORTIONS OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 55 SOUTH, RANGE 39 EAST.

ZONING DISTRICT: BU-1A

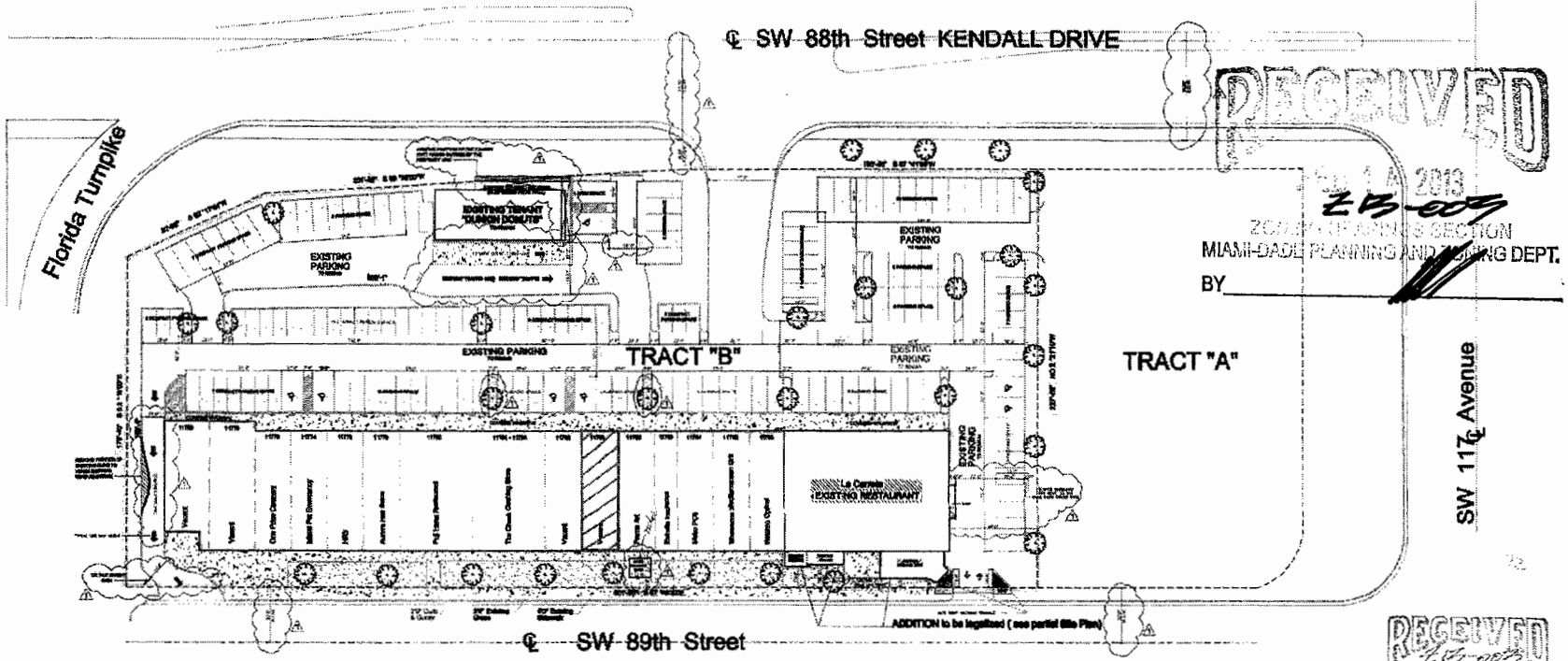
NET LAND AREA - TRACT "B" 115,886 S.F. +/-

	REQUIRED / ALLOWED	PROVIDED
FLOOR AREA RATIO (FAR):	1 - STORY - 1.42% = 44,011 S.F.	1 - STORY - 12% = 35,000 S.F.
BUILDING HEIGHT:	4 STORIES / 40 FEET	1 STORIES / 18 FEET
PARKING: RETAIL STORES - 35,011 S.F. FULL RESTAURANT - 900 S.F. SHOWROOM, FREE - 200 S.F. DIRECT, FCBT - 10,247 S.F. DINING, FCBT - 1,000 S.F.	400 S.F. / PARKING SPACE - 87 SPACES 50 S.F. / PARKING SPACE - 18 SPACES 25 S.F. / PARKING SPACE - 8 SPACES 50 S.F. / PARKING SPACE - 21 SPACES 50 S.F. / PARKING SPACE - 20 SPACES	400 S.F. / PARKING SPACE - 87 SPACES 50 S.F. / PARKING SPACE - 18 SPACES 25 S.F. / PARKING SPACE - 8 SPACES 50 S.F. / PARKING SPACE - 21 SPACES 50 S.F. / PARKING SPACE - 20 SPACES
TOTAL SPACES:	154 SPACES	154 SPACES
LANDSCAPING	REQUIRED	PROVIDED
TRACT "B" - 4.4466 ACRES	15% OF 115,886 S.F. = 17,384 S.F.	15.07% OF 115,886 S.F. = 17,465 S.F.
SETBACKS	REQUIRED	PROVIDED
FRONT PROPERTY LINE	100-0"	100-0"
INTERIOR SIDE PROPERTY LINE	20-0"	20-0"
REAR PROPERTY LINE	50-0"	47 SPACES FROM T.P.

Note: Parking requirements have changed since this project was originally approved. The parking requirements for retail stores at the time of the original approval was 1 space per 300 S.F. The analysis of this site is based on those numbers originally approved.



Location
NTS.



Site Plan
1" : 30'

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MG Jewelers of Miami
Proposed Pawn Shop
11760 SW 88th Street Miami, Florida

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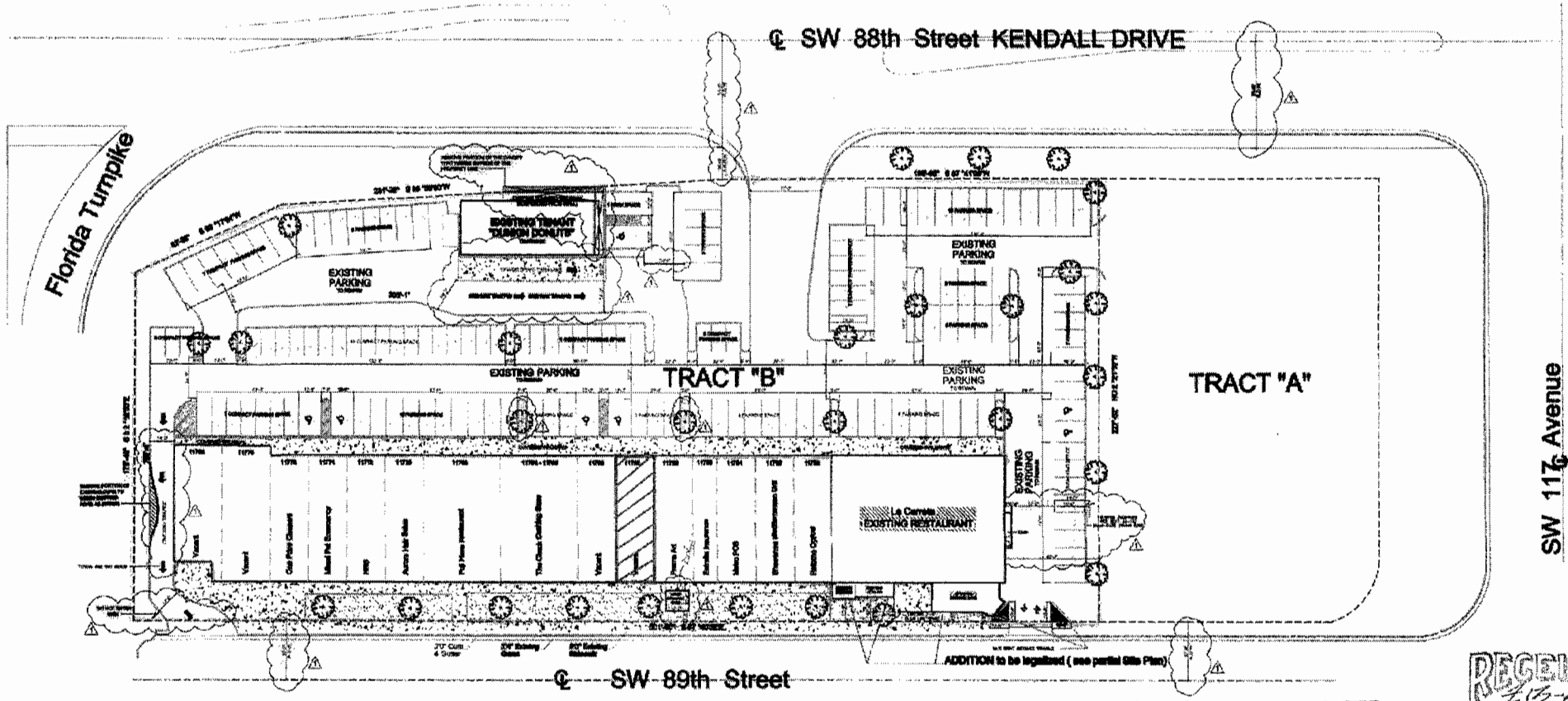

Site Plan

ENLARGED SITE PLAN

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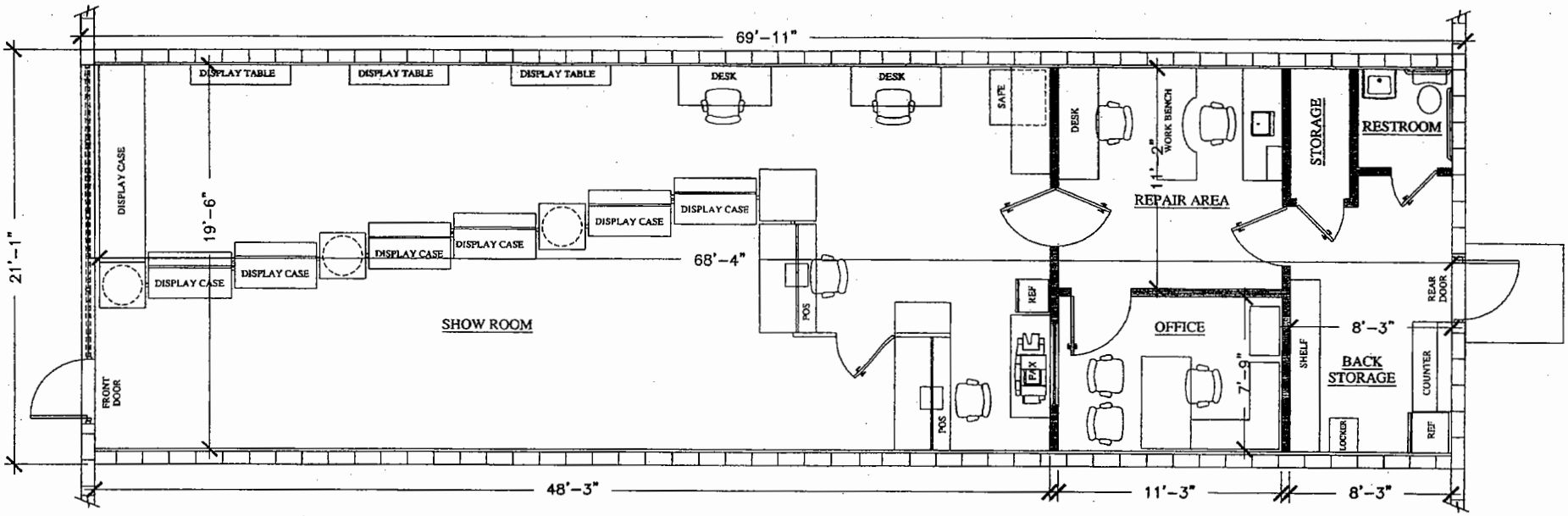
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.



EXISTING SPACE PLAN
SCALE: 3/16"=1'-0"

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NOTE: ALL INFORMATION ON DRAWING WAS FIELD VERIFIED.

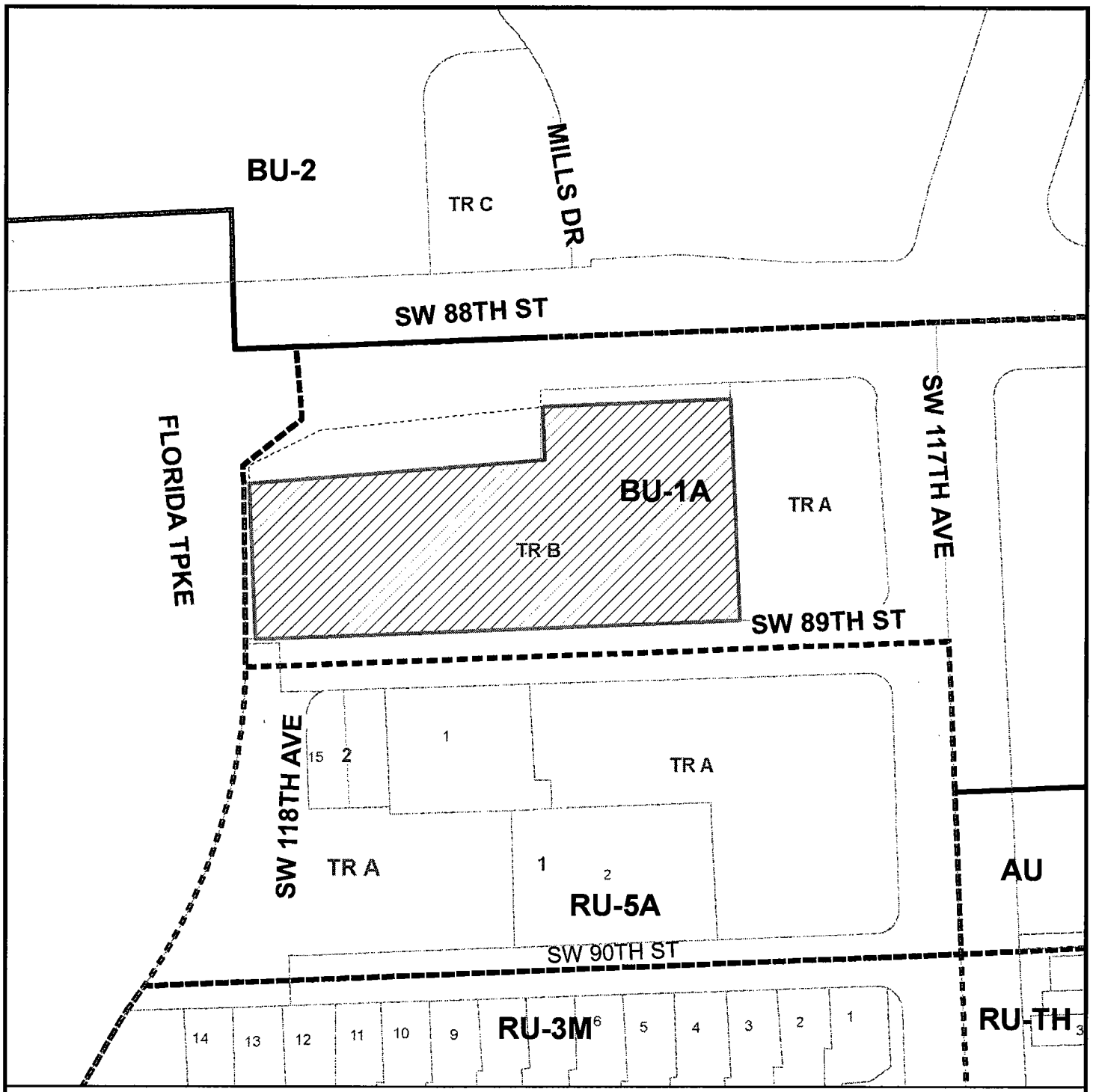
MG JEWELERS

11760 SW 88ST , MIAMI FLORIDA

EXISTING JEWELRY SHOP

FLOOR PLAN

DATE: 02-11-13 PREPARED BY: ROGER PEREZ



MIAMI-DADE COUNTY

HEARING MAP

Process Number

Z2013000003

N
W E
S

Section: 01 Township: 55 Range: 39
Applicant: MG JEWELERS OF MIAMI, INC
Zoning Board: C12
Commission District: 7
Drafter ID: JEFFER GURDIAN
Scale: NTS

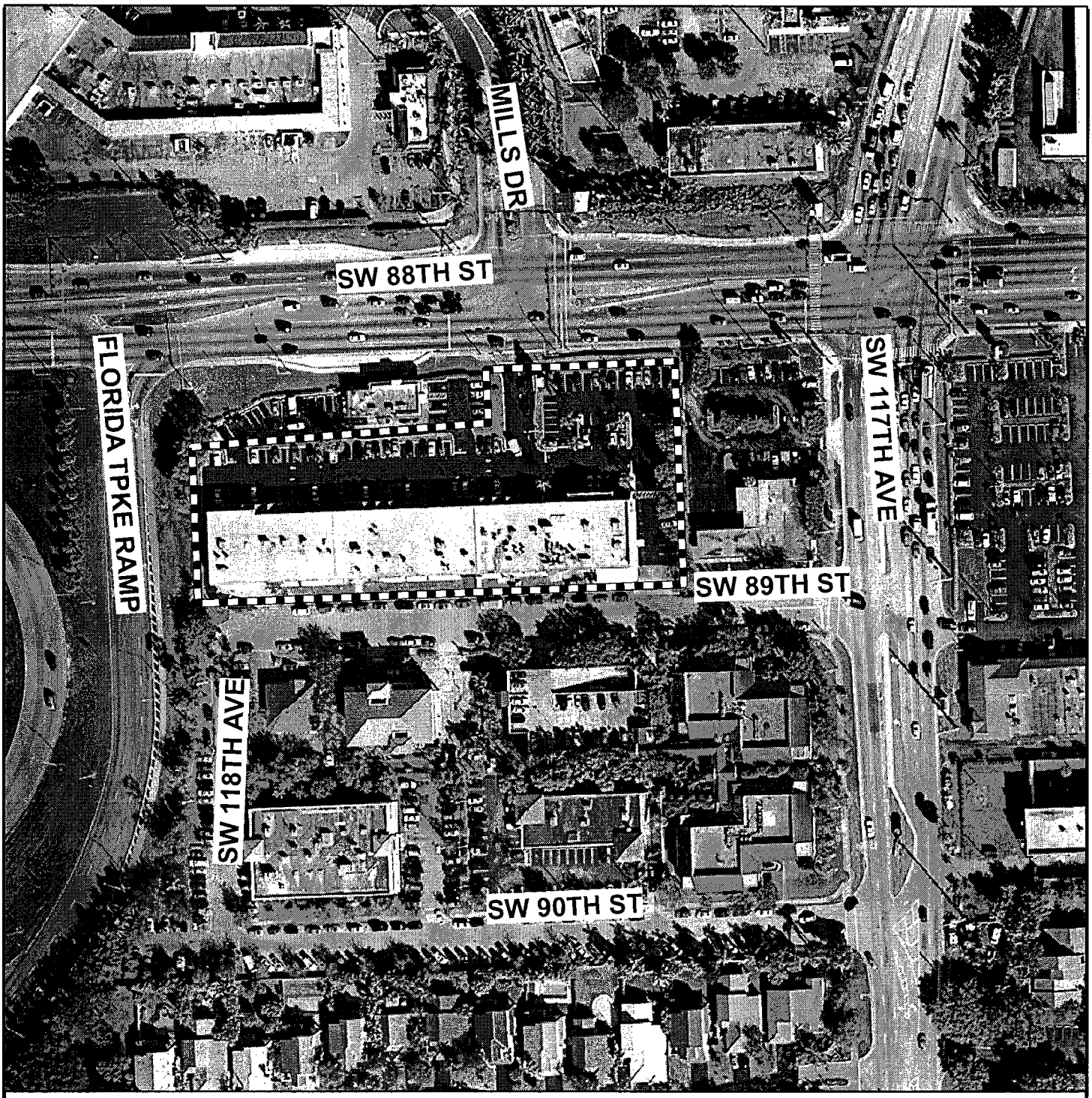
Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY
		21.



MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2013000003

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Section: 01 Township: 55 Range: 39
Applicant: MG JEWELERS OF MIAMI, INC
Zoning Board: C12
Commission District: 7
Drafter ID: JEFFER GURDIAN
Scale: NTS

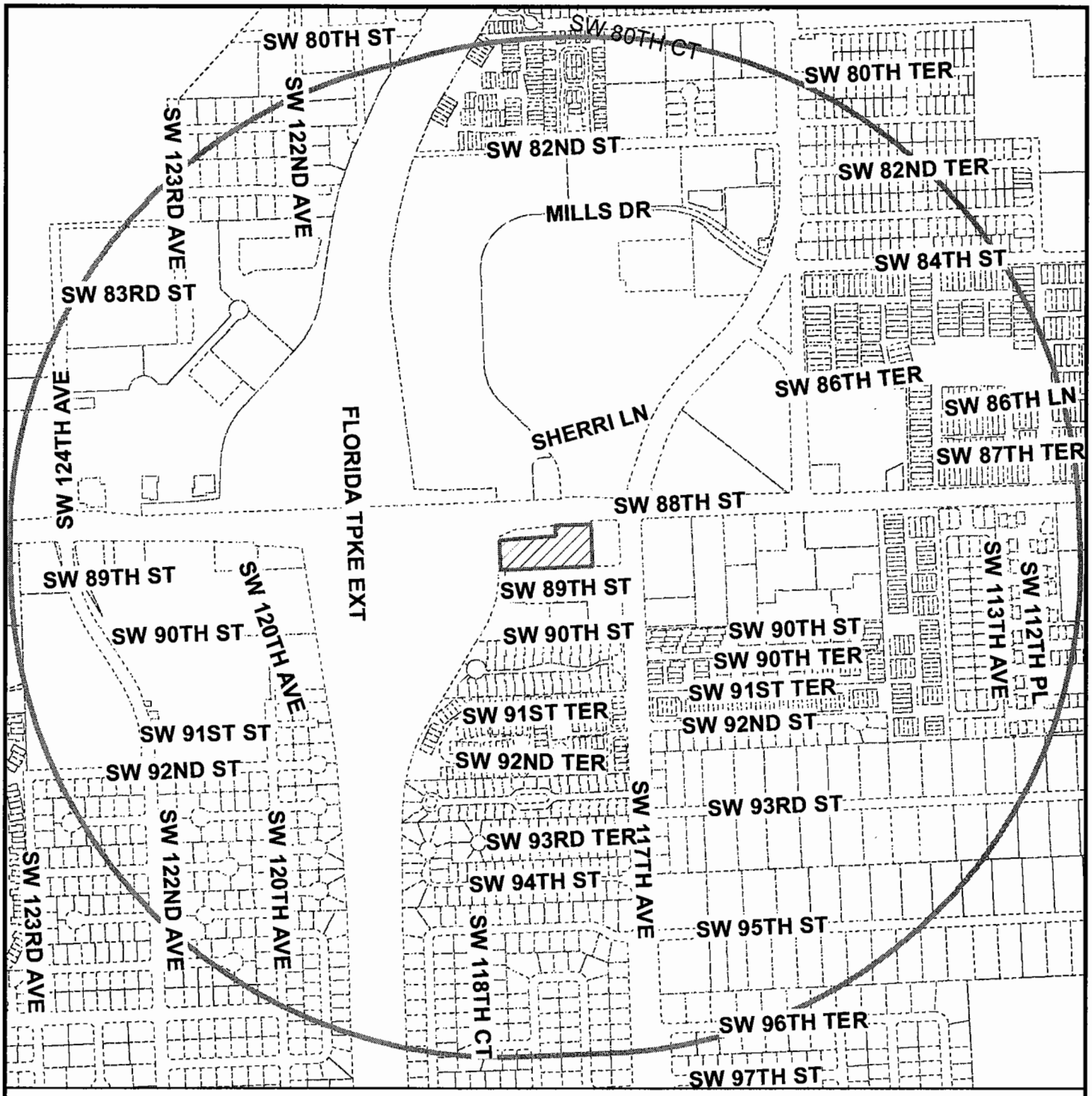
Legend

Subject Property

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY



MIAMI-DADE COUNTY

RADIUS MAP

Process Number

Z2013000003

RADIUS: 2640

Section: 01 Township: 55 Range: 39
Applicant: MG JEWELERS OF MIAMI, INC
Zoning Board: C12
Commission District: 7
Drafter ID: JEFFER GURDIAN
Scale: NTS

N W E S

Legend

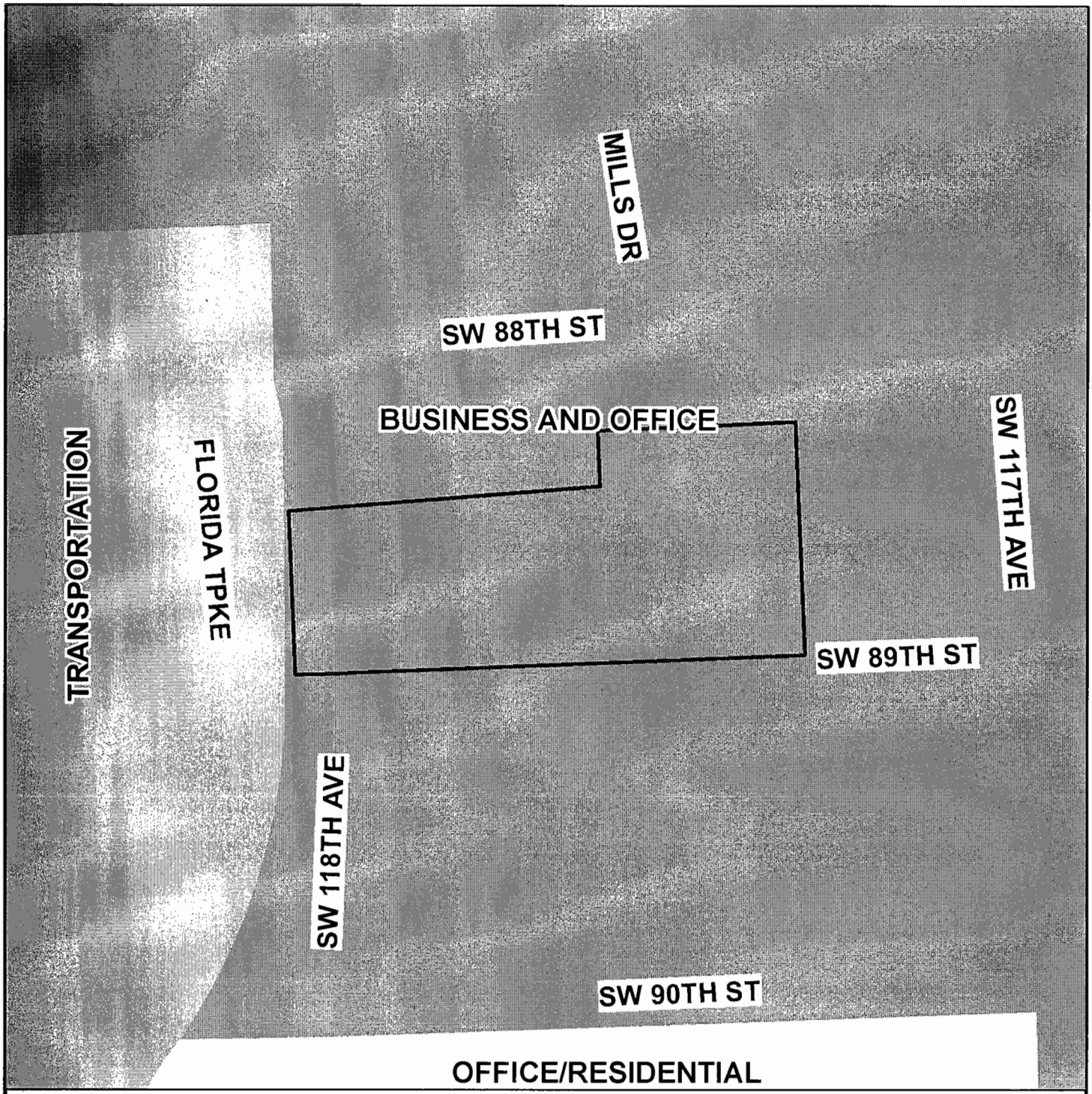
Subject Property

Buffer

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY
		23



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000003

N
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Section: 01 Township: 55 Range: 39
Applicant: MG JEWELERS OF MIAMI, INC
Zoning Board: C12
Commission District: 7
Drafter ID: JEFFER GURDIAN
Scale: NTS

Legend

Subject Property Case

MIAMI-DADE COUNTY

SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY