

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to the Board of County Commissioners**

**PH: Z10-016 (13-12-CZ10-1)**

**May 22, 2014**

Item No. A

<b>Recommendation Summary</b>	
<b>Commission District</b>	10
<b>Applicant</b>	Tadpole Investments, Inc.
<b>Summary of Requests</b>	The applicant is seeking a Use Variance to allow a pawnbroker use for secondhand jewelry only in a more restrictive zoning district.
<b>Location</b>	2275 SW 87 Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	18.95 acres
<b>Existing Zoning</b>	BU-2; Special Business District
<b>Existing Land Use</b>	Shopping Center
<b>2015-2025 CDMP Land Use Designation</b>	Business and Office (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(a), <b>Use Variance</b> from other than Airport Regulations
<b>Recommendation</b>	<b>Denial without prejudice.</b>

**This item was deferred from the April 24, 2014 meeting of the Board of County Commissioners (BCC) as requested by the applicant.**

On December 11, 2013, the Community Zoning Appeals Board (CZAB) #10, approved the application for a use variance to permit a pawn shop use in the BU-2 zone as would be permitted in the BU-3 zone with conditions, contrary to staff's recommendation.

On December 16, 2013, the appellant, the Department of Regulatory and Economic Resources appealed the CZAB-10 decision to the Board of County Commissioners (BCC).

For the reasons outlined below in the CDMP and Zoning analysis of the requests, staff opines that the BCC should reverse the CZAB 10 decision, thus denying the use variance as recommended by the Department.

**REQUEST:**

USE VARIANCE to permit a pawn broker use in the BU-2 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, "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 07/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers - Westchester Shopping Center, as prepared by F. Galarza, dated stamped received 02/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The site has been the subject of several zoning actions from 1961 to 1999, for a special permit for shopping center promotional installation, special exception to permit the expansion of an

existing shopping center, modifications to prior site plans, and variances from the zoning regulations. The applicant seeks a pawn broker use for the pawning of jewelry only in the BU-2 zone, as would be permitted in the BU-3 zone only after public hearing. The site plan submitted by the applicant depicts an existing 1,249.24 sq. ft. jewelry store within a 229,178 sq. ft. shopping center.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	BU-2; shopping center	Business and Office
<b>North</b>	RU-1; single-family residences	Low Density Residential
<b>South</b>	BU-2; shopping center, office building	Business and Office
<b>East</b>	BU-2; medical center RU-1; single-family residences	Business and Office Low Density Residential
<b>West</b>	BU-2; service station and shopping center RU-1; single-family residence	Business and Office Low Density Residential

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is located within a shopping center located at 2275 SW 87 Avenue. The area surrounding the subject property is characterized by residential and 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 abutting residential properties. 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 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 continue to 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, dry cleaners, supermarket, bank, restaurants, and a gasoline station, among other uses. Staff notes that the jewelry store is a compatible retail use within a retail shopping center.

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:**

The applicant seeks approval of a use variance, under Section 33-311(A)(4)(a) to permit a pawnbroker use in the BU-2, Special Business District. The pawnbroker use is not permitted in the BU-2 district and is permitted in the BU-3, Liberal Business District only upon approval after public hearing. The letter of intent indicates that the applicant intends to limit the pawnbroker 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-2 zoning district, surrounded by commercially and residentially zoned properties and provides the residential properties with access to neighborhood services. However, the proposed pawnbroker use is only permitted in the BU-3 zoning district 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-2 zoning district. Although the BU-3 district provides for a host of uses that are significantly more intense than those allowed in the BU-2 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 the subject request, to permit a pawnbroker use in the BU-2 zone, as would be permitted in the BU-3 zone only upon approval after public hearing, is analyzed under Section 33-311(A)(4)(a), Use Variance Standards, 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 33-253 of the Code lists ten (10) permitted uses in addition to the 84 uses permitted in BU-1 (Neighborhood Business) district and BU-1A (Limited Business) district as permitted uses in the BU-2 zoning district, which allow for the reasonable use and benefit of the subject property. Staff is of the

Tadpole Investments, Inc.

Z10-016

Page | 4

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 the request for the proposed pawnbroker use under the Use Variance Section 33-311(A)(4)(a).**

**CIRCULATION AND PARKING:**

The subject property has ingress and egress points along SW 24 Street (Coral Way) and SW 87 Avenue.

**ENVIRONMENTAL REVIEW:** Not applicable.

**OTHER:** Not applicable.

**RECOMMENDATION:** Denial without prejudice.

**CONDITIONS FOR APPROVAL:** None.

ES:MW:NN:AN:EJ



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

NDW

PLANNING AND ZONING  
AGENDA OFFICE

2014 MAY 13 P 2:29

# ZONING RECOMMENDATION ADDENDUM

Tadpole Investments, Inc.  
Z10-016

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Regulatory and Economic Resources (Environmental Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No comments
Schools	No objection
*Subject to conditions in their memorandum.	

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

<b>Business and Office</b> (Pg. I-41)	<i>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.</i>
<b>Land Use Objective 4</b> (Pg. I-11)	<i>Miami-Dade County shall, shall continue to 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.</i>
<b>Policy LU-4A</b> (Page I-11)	<i>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.</i>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.</b>	<i>The Board shall hear and grant applications for <b>use variances</b> 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 <b>unnecessary hardship</b>, 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.</i>
<b>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</b>	<i><b>Special exceptions</b> (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i>

PLANNING AND ZONING  
AGENDA OFFICE

2014 MAY 13 P 2:29

PETITION OF APPEAL FROM DECISION OF  
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD  
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY \_\_\_\_\_ AMOUNT OF FEE \_\_\_\_\_

RECEIPT # \_\_\_\_\_

DATE HEARD: 12/11/13

BY CZAB # 10

**RECEIVED**  
210-016  
DEC 16 2013

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

DATE RECEIVED STAMP

\*\*\*\*\*

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z2010000016 (13-12-CZ10-1)

Filed in the name of (APPLICANT)

Name of Appellant, if other than applicant: Director of the Department of Regulatory and Economic Resources

Address/Location of APPELLANT: 111 NW 1 Street, 11<sup>th</sup> Floor, Miami, FL 33128

Application, or part of Application being Appealed (Explanation):

ENTIRE APPLICATION

Appellant (name): Director of the Department of Regulatory and Economic Resources

hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:

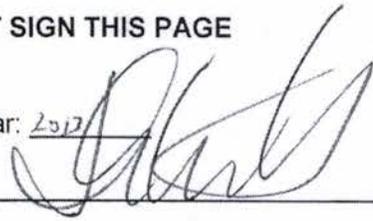
(State in brief and concise language)

1. The applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions could constitute a practical difficulty or would result in unnecessary hardship.
2. 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.

APPELLANT MUST SIGN THIS PAGE

Date: 16 day of December, year: 2013

Signed



Jack Osterholt

Print Name

111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor, Miami, FL 33128

Mailing Address

(305) 375-2842

Phone

(305) 372-6096

Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Representing

Signature

Print Name

Address

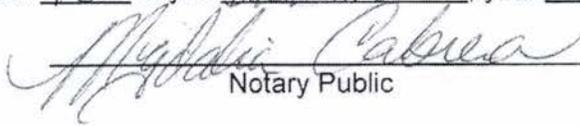
City

State

Zip

Telephone Number

Subscribed and Sworn to before me on the 16 day of December, year 2013



Notary Public

(stamp/seal)

Commission expires:



ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts  
Clerk of the Board of County Commissioners

(305) 375-5126

(305) 375-2484 FAX

[www.miami-dadeclerk.com](http://www.miami-dadeclerk.com)



**DATE:** APRIL 24, 2014

**#Z-**

**ITEM: 2.**

**APPLICANT: TADPOLE INVESTMENTS, INC. (13-12 -CZ10-1 (10-016))**

**MOTION:** To defer the appeal to May 22, 2014.

<b>ROLL CALL</b>	<b>M/S</b>	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>
Barreiro				X
Bovo	S	X		
Diaz		X		
Edmonson				X
Heyman				X
Jordan				X
Monestime		X		
Moss	M	X		
Souto		X		
Suarez		X		
Zapata		X		
<b>Vice Chair Bell</b>				X
<b>Chairwoman Sosa</b>		X		
<b>TOTAL</b>		8	0	5

**A. TADPOLE INVESTMENTS, INC**  
**(Applicant)**

13-12-CZ10-1(10-016)  
BCC/District 10  
Hearing Date: 05/22/14

Property Owner (if different from applicant) **Columbia BBB Westchester Shopping**

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:**

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1960	Westchester Inc.	- Special Exception for special permit for promotional installation.	BCC	Approved with Condition(s)
1979	Lionel Leisure Inc.	- Special Exception to permit expansion of existing shopping center.	ZAB	Approved with Condition(s)
1983	Arthur Fastenberg ET AL	- Modification condition of resolution. - Special Exception to permit expansion of existing shopping center. - Non-Use Variances of zoning regulation as applied to signs and of landscaping requirements.	ZAB	Approved with Condition(s)
1983	Arthur Fastenberg ET AL	- Modification of condition of resolution.	BCC	Approved with Condition(s)
1989	Salsa Westchester Inc.	- Special Exception to permit expansion of existing shopping center. - Non-Use Variance of landscaping requirements.	ZAB	Approved with Condition(s)
1990	Columbia – BBB Westchester Shopping Cent.	- Modification of condition of resolution.	ZAB	Approved with Condition(s)
1991	Columbia Westchester Shopping Center Associates	- Non-Use Variances of zoning regulation as applied to signs.	ZAB	Approved with Condition(s)
1999	Sprint Pcs.	- Non-Use Variance of setback requirement of landscaping.	C10	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.

**Date:** November 2, 2012  
**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
**From:** Jose Gonzalez, P.E.  
Department of Regulatory and Economic Resources



**Subject:** C-10 #Z2010000016-1<sup>st</sup> Revision  
Tadpole Investments, Inc.  
2275 S.W. 87<sup>th</sup> Avenue  
Special Exception to Permit a Pawn Shop  
(BU-2) (18.95 Acres)  
10-54-40

---

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.

Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by the Department for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

According to the information found on this project, the proposed change will not affect the existing stormwater management system.

Wetlands

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

According to the site plan submitted with this zoning application, the proposal to permit a pawn shop will not impact tree resources. Be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

The subject property has two (2) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

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

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: TADPOLE INVESTMENTS, INC

This Department has no objections to this application.

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



Raul A Pino, P.L.S.

12-APR-10

# Memorandum



Date: September 21, 2013

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

From: *GN*  
*9/20* - Jack Kardys *[Signature]*  
Director, Parks, Recreation and Open Spaces Department

Subject: Blanket Concurrency Approval for Recreation and Open Space

---

This memorandum updates the blanket concurrency approval memo of September 26, 2012. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2014. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

JK: jb

c: Helen Brown, Metropolitan Planning, RER  
Maria I. Nardi, Chief, Planning and Research Division, MDPROS



Miami-Dade County  
Park and Recreation Department  
LOS-2013

Report # 4 Table 34  
Local Recreation Open Space Level of Service

PBD	Estimated 2013 UMISA Population	Standard @ 2.75 Acres Per 1000 People (Acres)	Public Local Park Acres	Concurrency* Acres	Total Local Park acres	School Acres	Private Open Space Acres	Total Recreation Open Space Acreage	Surplus (Deficient) Acres	Percentage of Standard %
1	377,389	1,037.62	347.46	291.00	638.46	289.82	267	1205.28	167.46	1.16
2	596,796	1,641.19	721.61	595.00	1316.61	356.3	473	2145.91	504.72	1.31
3	156,544	430.50	231.06	232.93	463.99	96.62	89	649.61	219.11	1.51
<b>Total</b>	<b>1,130,729</b>	<b>3,109.50</b>	<b>1300.13</b>	<b>1118.93</b>	<b>2419.06</b>	<b>752.74</b>	<b>826</b>	<b>4000.80</b>	<b>891.30</b>	<b>1.29</b>

Note:  
Public Local Park Acres is Miami-Dade Parks Only  
Private Recreation Open Space Updated 1/9/09  
\*Concurrency Acres are District park Acres utilized for local Recreation

# Memorandum



Date: September 25, 2013

To: Mark R. Woener, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources

From: Paul Mauriello, Assistant Director, Waste Operations  
Public Works and Waste Management Department

Subject: Solid Waste Disposal Concurrency Determination

A handwritten signature in cursive script, appearing to read "Paul Mauriello".

The Public Works and Waste Management Department determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for construction are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of nineteen (19) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste to the System through interlocal agreements or long-term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2031-32 or fourteen (14) years beyond the minimum five (5) year standard. This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2014), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

#### Attachment

- c: Aneisha Daniel, Assistant Director, Administration
- Asok Ganguli, Assistant Director, Technical Services
- Michael Moore, Assistant Director, Disposal Operations
- Deborah Silver, Division Director, Fiscal Management & Planning

Public Works and Waste Management Department (PWWM)  
 Solid Waste Management Disposal Facility Available Capacity  
 From Fiscal Year 2013-14 Through Fiscal Year 2031-32

FISCAL YEAR PERIOD	WASTE PROJECTION NET TONS DISPOSED	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****	CONTRACT DISPOSAL	TOTAL TO BE LANDFILLED	TO BE INCINERATED AND RECYCLED
		Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity				
OCT. 1, 2013 TO SEPT. 30, 2014	1,543,000	2,873,330	127,900	2,745,430	6,122,095	301,000	5,821,095	1,735,051	111,400	1,623,651	250,000	790,300	752,700	
OCT. 1, 2014 TO SEPT. 30, 2015	1,543,000	2,745,430	127,900	2,617,530	5,821,095	301,000	5,520,095	1,623,651	111,400	1,512,251	250,000	790,300	752,700	
OCT. 1, 2015 TO SEPT. 30, 2016	1,543,000	2,617,530	127,900	2,489,630	5,520,095	301,000	5,219,095	1,512,251	111,400	1,400,851	250,000	790,300	752,700	
OCT. 1, 2016 TO SEPT. 30, 2017	1,543,000	2,489,630	127,900	2,361,730	5,219,095	301,000	4,918,095	1,400,851	111,400	1,289,451	250,000	790,300	752,700	
OCT. 1, 2017 TO SEPT. 30, 2018	1,543,000	2,361,730	127,900	2,233,830	4,918,095	301,000	4,617,095	1,289,451	111,400	1,178,051	250,000	790,300	752,700	
OCT. 1, 2018 TO SEPT. 30, 2019	1,543,000	2,233,830	127,900	2,105,930	4,617,095	301,000	4,316,095	1,178,051	111,400	1,066,651	250,000	790,300	752,700	
OCT. 1, 2019 TO SEPT. 30, 2020	1,543,000	2,105,930	127,900	1,978,030	4,316,095	301,000	4,015,095	1,066,651	111,400	955,251	250,000	790,300	752,700	
OCT. 1, 2020 TO SEPT. 30, 2021	1,543,000	1,978,030	127,900	1,850,130	4,015,095	301,000	3,714,095	955,251	111,400	843,851	250,000	790,300	752,700	
OCT. 1, 2021 TO SEPT. 30, 2022	1,543,000	1,850,130	127,900	1,722,230	3,714,095	301,000	3,413,095	843,851	111,400	732,451	250,000	790,300	752,700	
OCT. 1, 2022 TO SEPT. 30, 2023	1,543,000	1,722,230	127,900	1,594,330	3,413,095	301,000	3,112,095	732,451	111,400	621,051	250,000	790,300	752,700	
OCT. 1, 2023 TO SEPT. 30, 2024	1,543,000	1,594,330	127,900	1,466,430	3,112,095	301,000	2,811,095	621,051	111,400	509,651	250,000	790,300	752,700	
OCT. 1, 2024 TO SEPT. 30, 2025	1,543,000	1,466,430	127,900	1,338,530	2,811,095	301,000	2,510,095	509,651	111,400	398,251	250,000	790,300	752,700	
OCT. 1, 2025 TO SEPT. 30, 2026	1,543,000	1,338,530	127,900	1,210,630	2,510,095	301,000	2,209,095	398,251	111,400	286,851	250,000	790,300	752,700	
OCT. 1, 2026 TO SEPT. 30, 2027	1,543,000	1,210,630	127,900	1,082,730	2,209,095	301,000	1,908,095	286,851	111,400	175,451	250,000	790,300	752,700	
OCT. 1, 2027 TO SEPT. 30, 2028	1,543,000	1,082,730	127,900	954,830	1,908,095	301,000	1,607,095	175,451	111,400	64,051	250,000	790,300	752,700	
OCT. 1, 2028 TO SEPT. 30, 2029	1,543,000	954,830	127,900	826,930	1,607,095	348,348	1,258,746	64,051	64,051	0	250,000	790,300	752,700	
OCT. 1, 2029 TO SEPT. 30, 2030	1,543,000	826,930	127,900	699,030	1,258,746	412,400	846,346	0	0	0	250,000	790,300	752,700	
OCT. 1, 2030 TO SEPT. 30, 2031	1,543,000	699,030	127,900	571,130	846,346	412,400	433,946	0	0	0	250,000	790,300	752,700	
OCT. 1, 2031 TO SEPT. 30, 2032	1,543,000	571,130	127,900	443,230	433,946	412,400	21,546	0	0	0	250,000	790,300	752,700	
REMAINING YEARS				19			19			15			19	

ANNUAL DISPOSAL RATE (in tons)	
RESOURCES RECOVERY ASHFILL	127,900
SOUTH DADE LANDFILL	301,000
NORTH DADE LANDFILL	111,400
WMI CONTRACT	250,000
TOTAL TO BE LANDFILLED	<u>790,300</u>

\* Ashfill capacity is for Cell 20.

\*\* South Dade includes Cells 4 and 5. Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.

\*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted, trash goes to South Dade Landfill and WMI.

\*\*\*\* Maximum Contractual Tonnage per year to WMI is 500,000 tons, 250,000 tons to the Medley Landfill and 250,000 tons to the Pompano Landfill in Broward County. The initial term of the WMI disposal contract ends September 30, 2015 and the contract contains two 5-year renewal terms. The Department anticipates contract renewal in 2015.

\*\*\*\*\* All beginning capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by the Malcolm Pirnie based on the actual July, 2013, survey with actual tons from July 2013, through August 2013, and projected tons for September 2013.

# Memorandum



Date: October 1, 2013

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

From: Ysela Llori, Director  
Miami-Dade Transit

Subject: FY14 Blanket Concurrency Approval for Transit

2013 SEP -6 P 4: 41

PLANNING  
METROBUS & METRO RAIL SECT

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the June 2013 Metrobus/Metrorail service area we find that MDT meets or exceeds the Level-of-Service Standards (LOS) for mass transit established in Policy MT-1A of the County's Comprehensive Development Master Plan for Miami-Dade County.

With this memo we re-authorize your Department to review and approve concurrency applications in all areas of unincorporated Miami-Dade County.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2013 to September 30, 2014, or until canceled by written notice from my office.

Should your staff need further assistance with mass transit concurrency information, they may contact Nilia Cartaya, Principal Planner, in our Department. Thank you for your continued cooperation on these important matters.

- c: Albert A. Hernandez, P.E., MDT
- Monica D. Cejas, P.E., MDT
- Gerald E. Bryan, MDT
- Eric Zahn, MDT
- Nilia Cartaya, MDT
- Douglas K. Robinson, MDT
- Mark R. Woerner, RER
- Helen A. Brown, RER

# Memorandum



Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning  
Department of Planning and Zoning

From: Manuel C. Mena, Chief  
MDFR Fire Prevention Division

Subject: Concurrency Approval

---

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2, Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File

Received by  
Zoning Agenda Coordinator

JUL 27 2010

# Memorandum

MIAMI DADE  
COUNTY

Date: September 5, 2012

To: Jack Kardys, Director  
Park and Recreation Department

From: *Mark R. Woerner*  
Mark R. Woerner, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources

Subject: Blanket Concurrency Approval for Recreation and Open Space

---

The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on September 30, 2012. This authorization must be re-issued prior to September 30, 2012, so that the Department of Regulatory and Economic Resources (DRER) may continue reviewing concurrency applications for recreation and open space concurrency requirements on your behalf. If such authorization is not received, DRER will have to refer all zoning and permit applications to your department for concurrency review.

Park and Recreation's re-authorization for blanket concurrency authorization should be effective for a one-year period beginning on October 1, 2012 and should be based on sufficient surplus capacity to sustain projected development for one year. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you or any member of your staff needs further information on this request, please contact Helen A. Brown, Concurrency Administrator at (305) 375-2835. Thank you for your attentions to this matter.

MRW:NS:hab

cc: James Byers, Zoning Division Chief, West Dade Office, DRER  
Ronald Connally, Supervisor, Zoning Hearings/Administrative Review Section, DRER  
Nick Nitti, Supervisor, Zoning Evaluation Section, DRER  
Helen A. Brown, Concurrency Administrator, DRER

RESOLUTION NO. CZAB10-31-13

WHEREAS, TADPOLE INVESTMENTS, INC. applied for the following:

USE VARIANCE to permit a pawn broker use in the BU-2 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 "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers-Westchester Shopping Center" as prepared by F. Galarza, dated stamped received 2/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the SW ¼ of Section 10, Township 54 South, Range 40 East, being more particularly described as follows: Commence at the southwest corner of said Section 10 and run N88°03'56"E, along the south line of the SW ¼ of said Section 10 for 98.12'; thence N01°56'04"W at right angles to the last described course for 50' to the Point of beginning of the following described parcel of land (said point being on a curve and bearing S01°56'04"E from the radius point of the next described curve) thence SW/ly, W/ly and NW/ly along a circular curve to the right, having a radius of 50' and a central angle of 89°10'10" for an arc distance of 77.82' to a Point of reverse curvature); thence NW/ly along a circular curve to the left, having a radius of 1,950.86' and a central angle of N01°58'04" for an arc distance of 67.02' to a Point of tangency; thence, N04°44'00"W for 150' to a Point of curvature; thence NW/ly along a circular curve to the right, having a radius of 1,868.86' and a central angle of 03°00'01" for an arc distance of 97.86' to a Point of tangency; thence N01°43'59"W, along a line parallel with and 35' east of as measured at right angles to the west line of the SW ¼ of said Section 10 for 1,215'; thence S01°43'56"E along a line parallel with the west line of the SW ¼ of said Section 10 for 735'; thence S88°03'56"W along a line parallel with and 50' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 408.25'; thence N01°43'59"W, along a line parallel with and 841.75' east of, as measured at right angles to the west line of the SW ¼ of said Section 10, for 200'; thence S88°03'56"W, along a line parallel with and 250' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 160'; thence S01°43'59"E along a line parallel with and 681.75' east of as measured at right angles to the west line of the SW ¼ of said Section 10, for 200'; thence S88°03'56"W, along a line parallel with and 50' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 583.78' to the Point of beginning. LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS THEREOF: PARCEL "A": The east 160' of the west 841.75' of the north 130' of the south 250' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "B": The east 55' of the west 896.75' of the north 130' of the south 250' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "C": The east 80' of the west 761.75' of the north 15' of the south 265' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "D": The east 160' of the west 841.75' of the north 70' of the south 120' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "E": The east 100' of the west 681.75' of the north 130' of the south 250.00 feet of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "F": The east 208' of the west 969.75' of the north 174' of the south 294' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "G": The east 128' of the west 969.75' of the north 70' of the south 120' of the SW ¼ of Section 10, Township 54 South, Range 40 East.

AND: PARCEL II: PARCEL "X": The east 67.63' of the west 969.75' of the north 244' of the south 294' of the SW ¼ of Section 10, Township 54 south, Range 40 East.

LOCATION: 2275 S.W. 87 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested use variance to permit a pawn broker use in the BU-2 zone as would be permitted in the BU-3 zone, only upon approval after public hearing would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Miriam Planas, and upon a poll of the members present, the vote was as follows:

Julio R. Caceres	aye	Gerardo Rodriguez	absent
Miriam Planas	aye	Toufic Zakharia	aye
Robert Suarez	aye	Manuel Valdes	absent
Richard M. Gomez	aye		

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested use variance to permit a pawn broker use in the BU-2 zone as would be permitted in the BU-3 zone, only upon approval after public hearing be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers – Westchester Shopping Center", as prepared by F. Galarza, dated stamped received 02/17/10, consisting of 1 sheet for a total of 3 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That a Declaration of Restrictions be submitted to and meet the approval of the Director within 30 days of the final approval restricting the use to the effect that the pawn shop use shall be limited to jewelry only.
5. That no stringer lights, pennants, mobile stationary visual devices, except as permitted under point of sale sign regulations, shall be used or displayed. In addition, the terms pawn, pawning or pawnshop shall not be used on any outdoor signs in any language.
6. That the applicant obtains a Certificate of Use from and promptly renew the same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
7. That the pawnshop use shall be operated solely as an accessory use in connection with the jewelry store, and if the jewelry store use is terminated the pawnshop use will automatically expire and shall be discontinued.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of December, 2013.

Hearing No. 13-12-CZ10-1  
ej

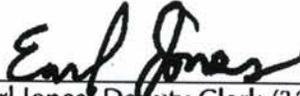
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 19<sup>TH</sup> DAY OF DECEMBER, 2013.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-31-13 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of December, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 19<sup>th</sup> day of December, 2013.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade Department of Department of Regulatory  
and Economic Resources

SEAL



# Memorandum



**Date:** October 19, 2012

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

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

**Subject:** Z2010000016: TADPOLE INVESTMENTS, INC  
Includes Revised Plans Dated stamped received 9/28/12

---

**Application Name:** TADPOLE INVESTMENTS, INC

**Project Location:** The site is located at 2275 SW 87 AVENUE, Miami-Dade County.

**Proposed Development:** The applicant is requesting a use variance and special exception to permit a pawn broker. Includes Revised Plans Dated stamped received 9/28/12.

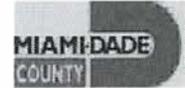
**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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:** 20-NOV-12  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** William W. Bryson, Fire Chief.  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2010000016

**Fire Prevention Unit:**

No objection via Case # Z2010000016.

**Service Impact/Demand**

Development for the above Z2010000016  
 located at 2275 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1440 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.  
 The estimated average travel time is: 5:46 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
 Station 47 - Westchester - 9361 Coral Way  
 Rescue, ALS Engine

**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.

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

TADPOLE INVESTMENTS, INC

2275 SW 87 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

---

Z2010000016

---

HEARING NUMBER

**HISTORY:**

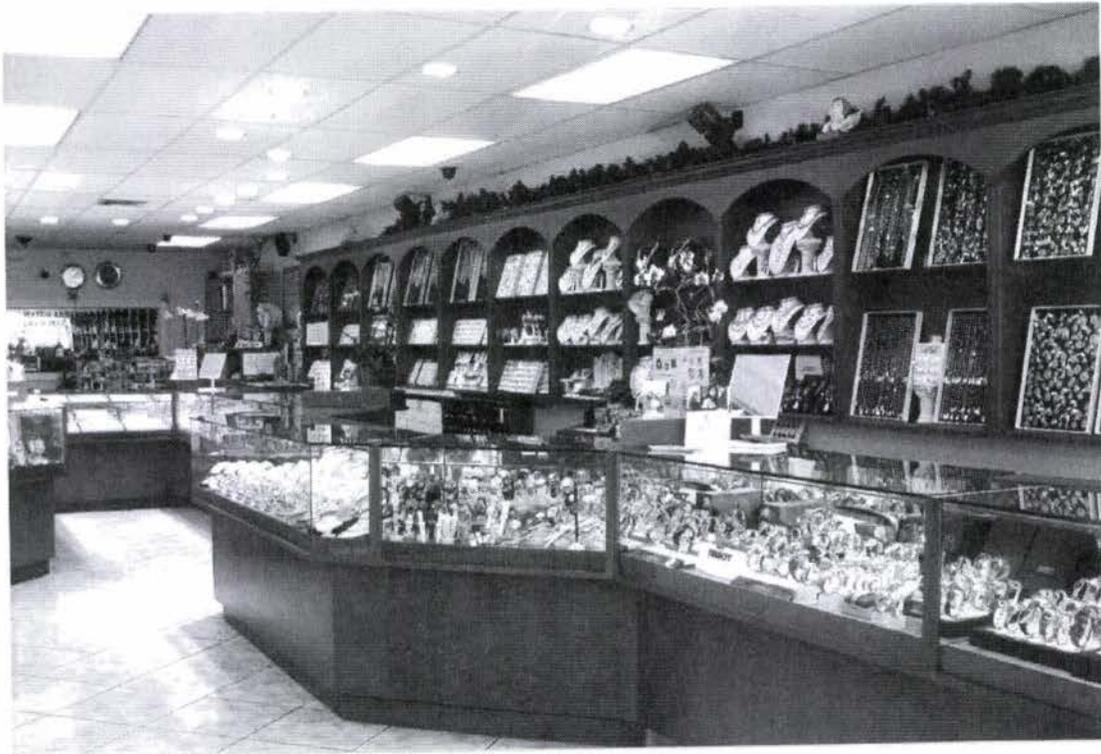
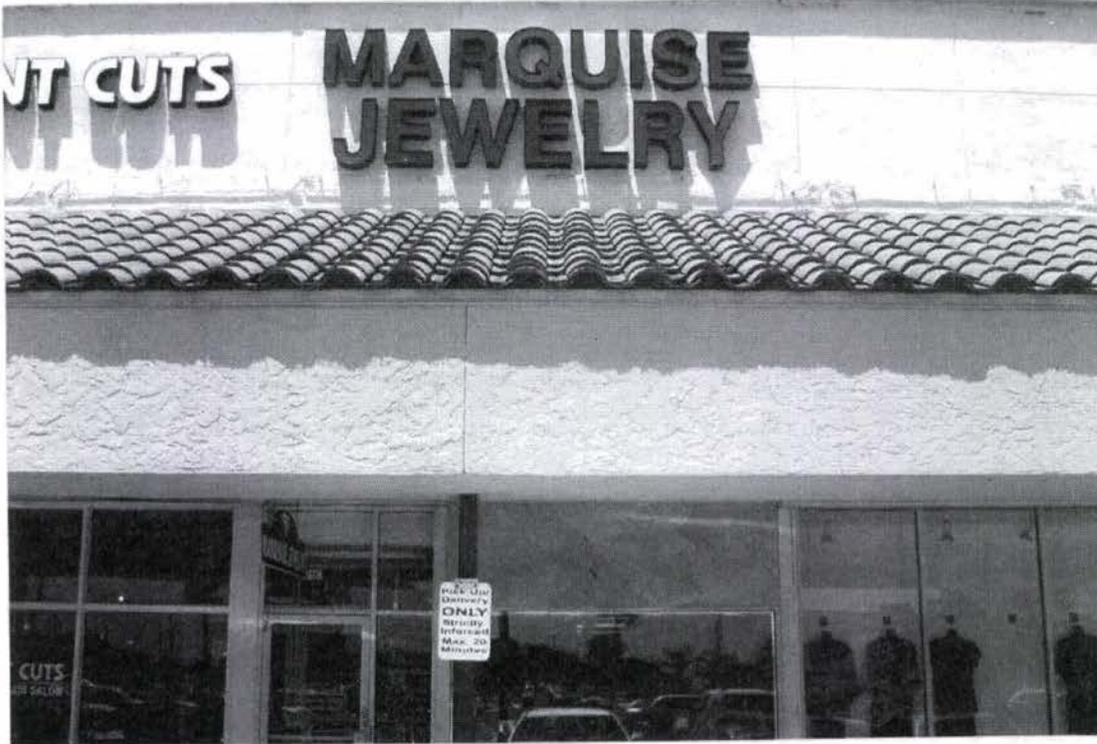
ENFORCEMENT HISTORY: NC: No open cases. Prior case 201303006069 was opened on July 9, 2013 for Failure to obtain permit. No violation observed on November 11, 2013 and case closed. BNC: fOLIO 3040100000020: BSS case A2009001270-X 8571 SW 24 Street opened on December 12, 2008. Notice of Violation issued for expired permit 2008034805. Civil Violation notice B086304 issued on September 21, 2009 for non-compliance. Final Notice of Intent to lien/demand for payment issued on October 19, 2010. Lien was recorded on August 29, 2011, ticket paid on October 5, 2011. Case remains open. BSS case A2010001484-X 2275 SW 87 Avenue opened on February 12, 2010. Notice of Violation issued for expired permit 2009030976. Civil Violation Notice P004558 issued on July 29, 2011 for non-compliance. Final Notice of Intent to lien/demand for payment issued on April 10, 2012. Lien was recorded on July 9, 2012. Ticket was paid on July 23, 2012, case remains open. BSS case A2012003331-X 8679 SW 24 Street was opened on July 11, 2012. Civil Violation Notice #650322 issued to contractor for expired permit 2011057586. Ticket was paid on November 25, 2013. Case remains open. All other folios do not have any open/closed cases.

Tadpole Investments, Inc

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

**REPORTER NAME:**

Tadpole Investments, Inc.'s Variance Application  
*Pictures of Property*



**DISCLOSURE OF INTEREST\***

If a CORPORATION 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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest.]

PARTNERSHIP NAME: <u>Tadpole Investments, Inc.</u>	
NAME AND ADDRESS	Percentage of Stock
Lino Alvarado, 8561 Coral Way, Miami, FL 33155	50%
Maria Alvarado, 8561 Coral Way, Miami, FL 33155	50%

**NOTICE:** For 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: *Lino Alvarado*  
 Print Name: LINO ALVARADO  
 Title: Sec.

**Tadpole Investments, Inc.**

Sworn to and subscribed before me this 17 day of February, 2010, Lino Alvarado is personally known to me or has produced FC/7-0416-530-60.041-0 as identification.

*[Signature]*  
 (Notary Public)



My commission expires 11/21/2010

\* 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 percent (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.

**RECEIVED**  
210-010  
 FEB 17 2010  
 ZONING HEARINGS DIVISION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY *[Signature]*

**DISCLOSURE 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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest.]

PARTNERSHIP NAME: <u>Columbia – BBB Westchester Shopping Center Associates</u>	
NAME AND ADDRESS	Percentage of Stock
Columbia – BBB Westchester Shopping Center Associates	100%

**NOTICE:** For 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: *Gary A. Brown*  
 By: B.B.B. West, Inc., Its partner  
 Print Name: Gary A. Brown  
 Title: President

**Columbia – BBB Westchester Shopping Center Associates, a Florida General Partnership**

Sworn to and subscribed before me this 14<sup>th</sup> day of August, 2009. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

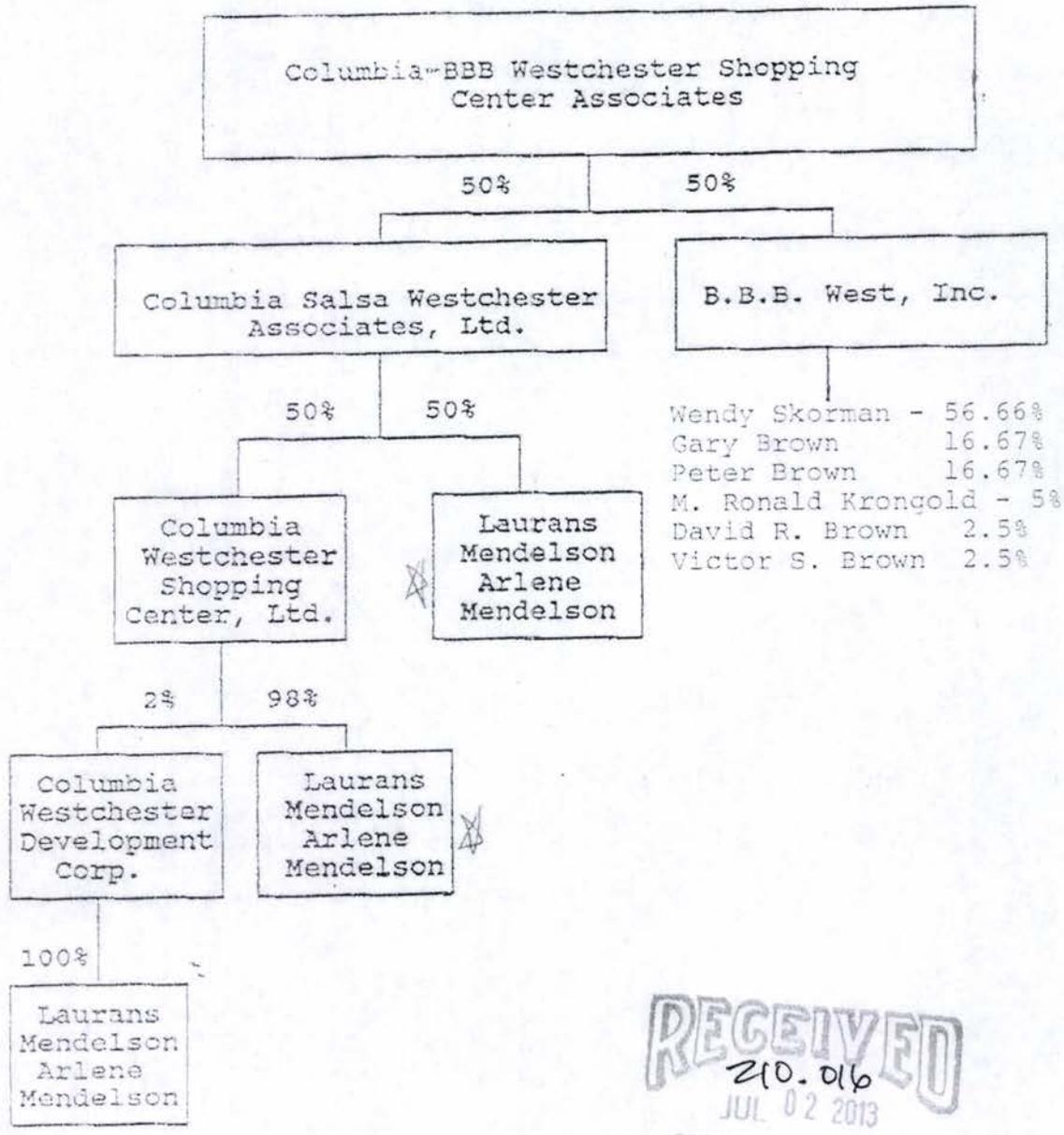
*Patricia J. Wynn*  
 (Notary Public)



My commission expires \_\_\_\_\_

\* 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 percent (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.

**RECEIVED**  
210-016  
**FEB 17 2010**  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY: *J*



**RECEIVED**  
 210.016  
 JUL 02 2013  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY: *[Signature]*

\* Laurans Mendelson & Arlene Mendelson each have a 50% share of the listed interest

# MASTER SITE PLAN WESTCHESTER SHOPPING CENTER

### SITE DATA:

ZONING: BU-2  
LAND USE: SPECIAL BUSINESS

PARKING SPACES:	
Total Building Area	229,778 square feet
Total Retail Building Existing (old code)	194,220 square feet
Total Retail Building Area (current code)	12,200 square feet
Total Restaurant/Patron Areas (15,354 sq. ft.)	7,877 square feet
Gym / Health Club	4,200 square feet
Day Care	3,204 square feet

#### Parking Spaces Required

Retail Area (Constructed under old code):  
1 space per 300 Sq. Ft. of Building Area  
194,220 / 300 = 647.4

Retail Area (Constructed under current code):  
1 space per 200 Sq. Ft. of Building Area  
12,200 / 200 = 61.0

Patron Areas:  
1 space per 50 Sq. Ft. of Patron Area  
7,877 / 50 = 157.5 spaces

Gym / Health Club (Existing):  
1 space per 750 Sq. Ft. of Building Area  
4,200 / 750 = 5.6 spaces

Day Care:  
1 space per staff (Total staff = 8)  
8 spaces

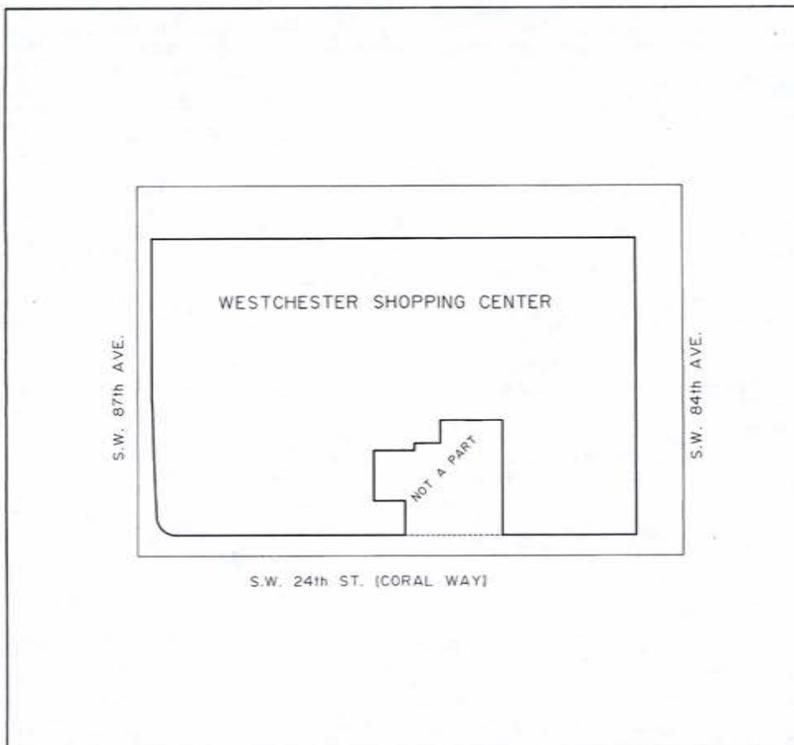
Total Required Spaces = 878 Spaces

#### Parking Spaces Provided

Standard	557
Compact	309
Handicap	25
Street	3
<b>Total</b>	<b>944</b>

### NOTES:

- BACKGROUND INFORMATION OBTAINED FROM SKETCH OF SURVEY SURVEY PREPARED BY SCHWENKE - SHSKIN & ASSOCIATES DATED 4-16-97
- BEARING SHOWN HEREON ARE BASED ON AN ASSUMED BEARING IN88°03'56"E ALONG S.W. 24th STREET.
- THE LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED BY THIS FIRM AND/OR SURVEYOR REGARDING MATTERS OF INTEREST BY OTHER PARTIES, SUCH AS EASEMENTS, RIGHT-OF-WAYS, RESERVATIONS, ETC.
- THE LEGAL DESCRIPTION THAT THE PROPERTY WAS SURVEYED FROM WAS PROVIDED BY THE CLIENT.
- THE PROPERTY LEGALLY DESCRIBED ON THIS SKETCH AND THE PROPERTY DESCRIBED AS PARCEL "X" ARE CONTIGUOUS WITHOUT GAPS, GORES OR MATUSES.



LOCATION MAP

### LEGAL DESCRIPTION:

A portion of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 10 and run North 89°03'56" East, along the South line of the Southwest 1/4 of said Section 10 for 583.70 feet; thence North 0°56'04" west of right angles to the last described course for 50.00 feet to the Point of Beginning of the following described parcel of land; said point being on a curve and bearing South 0°56'04" East from the radius point of the last described curve; thence Southwesterly, Westerly, and Northwesterly along a circular curve to the right, having a radius of 500.00 feet and a central angle of 89°10'10" for an arc distance of 77.82 feet to a Point of Reverse Curvature; thence Northwesterly along a circular curve to the left, having a radius of 1500.56 feet and a central angle of 0°58'00" for an arc distance of 87.02 feet to a Point of Tangency; thence North 04°44'00" West for 150.00 feet to a point of Curvature; thence Northwesterly along a circular curve to the right, having a radius of 1668.86 feet and a central angle of 13°00'00" for an arc distance of 97.88 feet to a point of Tangency; thence North 0°43'09" West, along a line parallel with and 35.00 feet east of as measured at right angles to the West line parallel with 785.00 feet North of, as measured at right angles to, the South line of the Southwest 1/4 of said Section 10, for 100.00 feet; thence South 0°43'59" west along a line parallel with the West line of the Southwest 1/4 of said Section 10 for 735.00 feet; thence South 89°03'56" West along a line parallel with and 50.00 feet North of, as measured at right angles to the South line of the Southwest 1/4 of said Section 10 for 408.25 feet; thence North 0°53'49" West, along a line parallel with and 84.75 feet East of, as measured at right angles to the West line of Southwest 1/4 of said Section 10, for 200.00 feet; 250.00 feet North of, as measured at right angles to the South line of the Southwest 1/4 of said Section 10, for 160.00 feet; thence South 0°43'59" East along a line parallel with the 58.75 feet East of, as measured at right angles to the West line of Southwest 1/4 of said Section 10, for 200.00 feet; thence South 89°03'56" West, along a line parallel with and 50.00 feet North of, as measured at the right angles to the South line of the Southwest 1/4 of said Section 10, for 583.70 feet to the Point of Beginning.

Less and except the following described parcels thereto:

Parcel "A":  
The East 160.00 feet of the West 84.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.

Parcel "B":  
The East 55.00 feet of the West 896.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.

Parcel "C":  
The East 80.00 feet of the West 76.75 feet of the North 15.00 feet of the South 285.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.

Parcel "D":  
The East 160.00 feet of the West 84.75 feet of the North 70.00 feet of the South 120.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.

Parcel "E":  
The East 100.00 feet of the West 68.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.

Parcel "F":  
The East 208.00 feet of the West 969.75 feet of the North 174.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.

Parcel "G":  
The East 188.00 feet of the West 969.75 feet of the North 70.00 feet of the South 120.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.

Parcel "H":  
The East 876.5 feet of the West 969.75 feet of the North 244.00 feet of the South 294.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.

Also

Parcel "I":  
The East 876.5 feet of the West 969.75 feet of the North 244.00 feet of the South 294.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.

REVISIONS:  
1. 7/22/13 Parking Data

**ZAMORA & ASSOCIATES, INC.**  
ENGINEERING LAND PLANNING  
1810 N. KENDALL DRIVE SUITE 302 MIAMI, FLORIDA 33176  
(305) 273-7801 FAX (305) 273-9914

**WESTCHESTER SHOPPING CENTER**  
CORAL WAY & FALLOWAY RD  
MIAMI, FLORIDA

**THE FLORIDA COMMERCIAL GROUP**  
590 S.W. 74th STREET, SUITE 407  
SOUTH MIAMI, FLORIDA, 33143

**MASTER SITE PLAN**

SEAL:

P.E. No. 44207  
E.B. 0006791  
STATE OF FLORIDA

SCALE: 1" = 40'  
DATE: 8/20/2012

DRAWN BY: G.J.  
CHECKED BY: C.J.  
PROJECT No. 2012-39  
SHEET No.

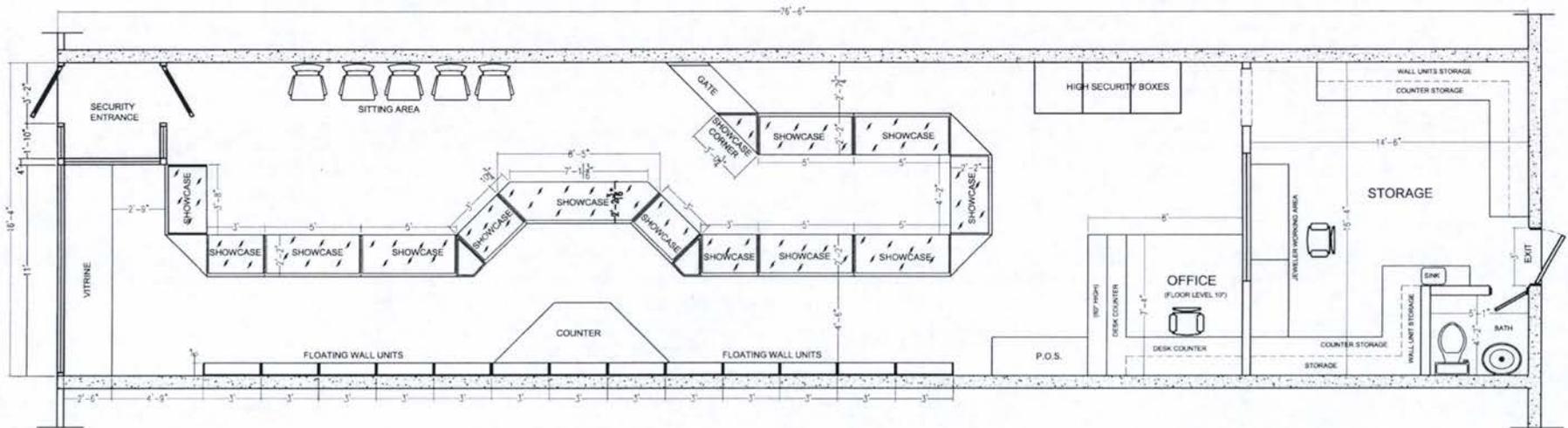
**RECEIVED**  
2013 JUL 25 2013  
COUNTY RECORDS SECTION  
RECORDS & PLANNING DIVISION

**C-1**

32

RECEIVED

MIAMI-DADE COUNTY  
PROCESS # Z10-016  
DATE: FEB 17 2010  
BY: SDE

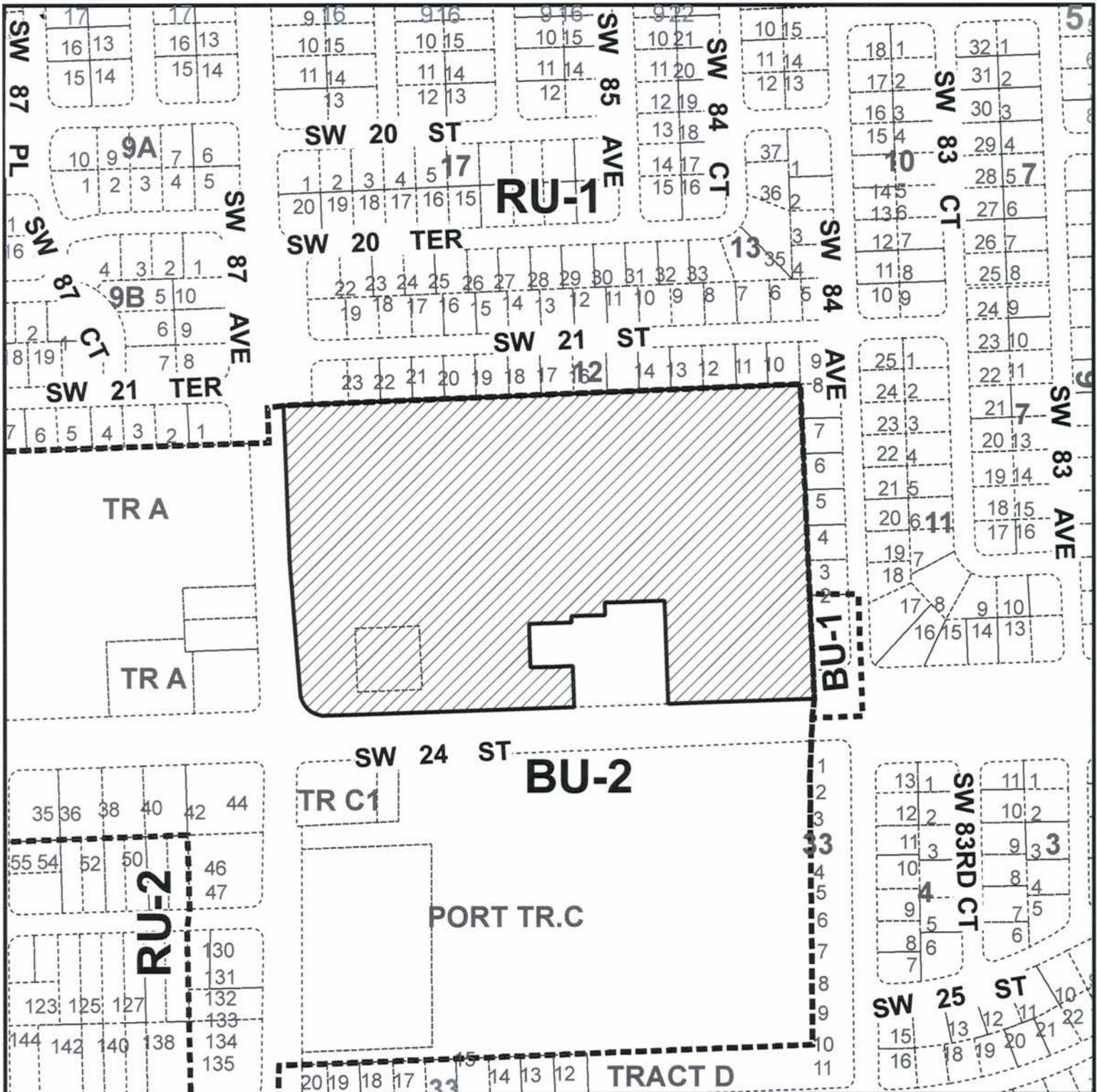


PLAN LAYOUT  
SCALE 3/16"=1'-0"

RECEIVED  
20-06  
FEB 17 2010

ZOHING HEATHINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: [Signature]

REF:	ADDRESS	SHEET TITLE	DRAWING 1/1
PROJECT NO: 09-27-09	8561 Coral Way (Westchester Shopping Center) Miami, Florida 33155	PLAN LAYOUT	
DATE: 9/27/2009		PROJECT	
CAD DWG FILE: MARQUISE JEWELERS- PLAN_LAYOUT.DWG		Marquise Jewelers - Westchester Shopping Center	
DRAWN BY: F. GALARZA			
CHK'D BY:			



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2010000016**



Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY
		34



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2009**

Process Number  
**Z2010000016**



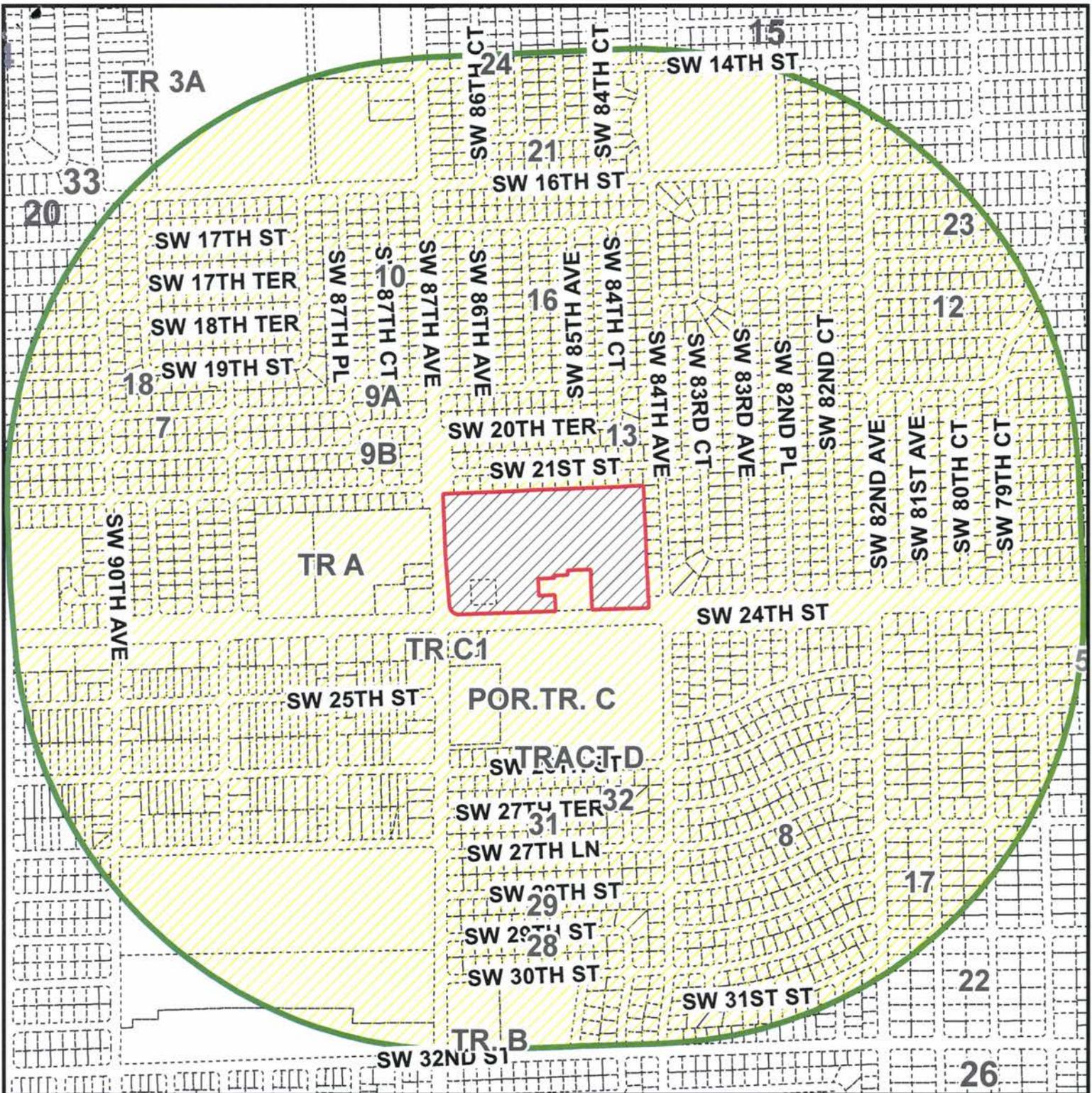
**Legend**  
 Subject Property

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY
		35



**MIAMI-DADE COUNTY  
RADIUS MAP**

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

Process Number  
**Z2010000016**  
 RADIUS: 2640

**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, March 11, 2010

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to the Board of County Commissioners**

**PH: Z10-016 (13-12-CZ10-1)**

**April 24, 2014**

Item No. 2

<b>Recommendation Summary</b>	
<b>Commission District</b>	10
<b>Applicant</b>	Tadpole Investments, Inc.
<b>Summary of Requests</b>	The applicant is seeking a Use Variance to allow a pawnbroker use for secondhand jewelry only in a more restrictive zoning district.
<b>Location</b>	2275 SW 87 Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	18.95 acres
<b>Existing Zoning</b>	BU-2; Special Business District
<b>Existing Land Use</b>	Shopping Center
<b>2015-2025 CDMP Land Use Designation</b>	Business and Office (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(a), <b>Use Variance</b> from other than Airport Regulations
<b>Recommendation</b>	<b>Denial without prejudice.</b>

**On December 11, 2013, the Community Zoning Appeals Board (CZAB) #10, approved the application for a use variance to permit a pawn shop use in the BU-2 zone as would be permitted in the BU-3 zone with conditions, contrary to staff's recommendation.**

On December 16, 2013, the appellant, the Department of Regulatory and Economic Resources appealed the CZAB-10 decision to the Board of County Commissioners (BCC).

For the reasons outlined below in the CDMP and Zoning analysis of the requests, staff opines that the BCC should reverse the CZAB 10 decision, thus denying the use variance as recommended by the Department.

**REQUEST:**

USE VARIANCE to permit a pawn broker use in the BU-2 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, "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 07/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers - Westchester Shopping Center, as prepared by F. Galarza, dated stamped received 02/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The site has been the subject of several zoning actions from 1961 to 1999, for a special permit for shopping center promotional installation, special exception to permit the expansion of an existing shopping center, modifications to prior site plans, and variances from the zoning regulations. The applicant seeks a pawn broker use for the pawning of jewelry only in the BU-2 zone, as would be permitted in the BU-3 zone only after public hearing. The site plan submitted by the applicant depicts an existing 1,249.24 sq. ft. jewelry store within a 229,178 sq. ft. shopping center.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	BU-2; shopping center	Business and Office
<b>North</b>	RU-1; single-family residences	Low Density Residential
<b>South</b>	BU-2; shopping center, office building	Business and Office
<b>East</b>	BU-2; medical center RU-1; single-family residences	Business and Office Low Density Residential
<b>West</b>	BU-2; service station and shopping center RU-1; single-family residence	Business and Office Low Density Residential

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is located within a shopping center located at 2275 SW 87 Avenue. The area surrounding the subject property is characterized by residential and 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 abutting residential properties. 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 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 continue to 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, dry cleaners, supermarket, bank, restaurants, and a gasoline station, among other uses. Staff notes that the jewelry store is a compatible retail use within a retail shopping center.

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:**

The applicant seeks approval of a use variance, under Section 33-311(A)(4)(a) to permit a pawnbroker use in the BU-2, Special Business District. The pawnbroker use is not permitted in the BU-2 district and is permitted in the BU-3, Liberal Business District only upon approval after public hearing. The letter of intent indicates that the applicant intends to limit the pawnbroker 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-2 zoning district, surrounded by commercially and residentially zoned properties and provides the residential properties with access to neighborhood services. However, the proposed pawnbroker use is only permitted in the BU-3 zoning district 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-2 zoning district. Although the BU-3 district provides for a host of uses that are significantly more intense than those allowed in the BU-2 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 the subject request, to permit a pawnbroker use in the BU-2 zone, as would be permitted in the BU-3 zone only upon approval after public hearing, is analyzed under Section 33-311(A)(4)(a), Use Variance Standards, 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 33-253 of the Code lists ten (10) permitted uses in addition to the 84 uses permitted in BU-1 (Neighborhood Business) district and BU-1A (Limited Business) district as permitted uses in the BU-2 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 the request for the proposed pawnbroker use under the Use Variance Section 33-311(A)(4)(a).**

**CIRCULATION AND PARKING:**

The subject property has ingress and egress points along SW 24 Street (Coral Way) and SW 87 Avenue.

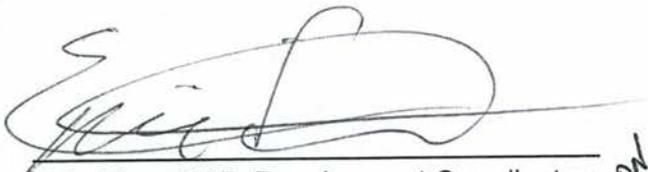
**ENVIRONMENTAL REVIEW:** Not applicable.

**OTHER:** Not applicable.

**RECOMMENDATION:** Denial without prejudice.

**CONDITIONS FOR APPROVAL:** None.

ES:MW:NN:AN:EJ



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

NDN

# ZONING RECOMMENDATION ADDENDUM

Tadpole Investments, Inc.  
Z10-016

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No comments
Schools	No objection

\*Subject to conditions in their memorandum.

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

<b>Business and Office</b> (Pg. I-41)	<i>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.</i>
<b>Land Use Objective 4</b> (Pg. I-11)	<i>Miami-Dade County shall, shall continue to 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.</i>
<b>Policy LU-4A</b> (Page I-11)	<i>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.</i>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.</b>	<i>The Board shall hear and grant applications for <b>use variances</b> 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 <b>unnecessary hardship</b>, 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.</i>
<b>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</b>	<i><b>Special exceptions</b> (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i>

PETITION OF APPEAL FROM DECISION OF  
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD  
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY \_\_\_\_\_ AMOUNT OF FEE \_\_\_\_\_

RECEIPT # \_\_\_\_\_

DATE HEARD: 12/11/13

BY CZAB # 10

RECEIVED  
210-016  
DEC 16 2013

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

DATE RECEIVED STAMP

\*\*\*\*\*

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z2010000016 (13-12-CZ10-1)

Filed in the name of (APPLICANT)

Name of Appellant, if other than applicant: Director of the Department of Regulatory and Economic Resources

Address/Location of APPELLANT: 111 NW 1 Street, 11<sup>th</sup> Floor, Miami, FL 33128

Application, or part of Application being Appealed (Explanation):

ENTIRE APPLICATION

Appellant (name): Director of the Department of Regulatory and Economic Resources

hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:

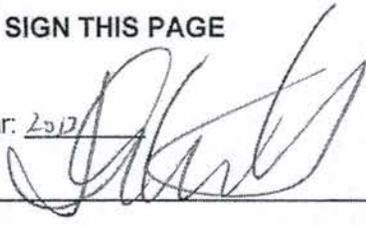
(State in brief and concise language)

1. The applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions could constitute a practical difficulty or would result in unnecessary hardship.
2. 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.

APPELLANT MUST SIGN THIS PAGE

Date: 16 day of December, year: 2013

Signed \_\_\_\_\_



\_\_\_\_\_  
Jack Osterholt  
Print Name

\_\_\_\_\_  
111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor, Miami, FL 33128  
Mailing Address

\_\_\_\_\_  
(305) 375-2842  
Phone

\_\_\_\_\_  
(305) 372-6096  
Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Representing

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Telephone Number

Subscribed and Sworn to before me on the 16 day of December, year 2013

\_\_\_\_\_  
*Migdalia Cabrera*  
Notary Public

(stamp/seal)

Commission expires:



**2. TADPOLE INVESTMENTS, INC**  
**(Applicant)**

**13-12-CZ10-1(10-016)**  
**Area 10/District 10**  
**Hearing Date: 04/24/14**

Property Owner (if different from applicant) **Columbia BBB Westchester Shopping**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1960	Westchester Inc.	- Special Exception for special permit for promotional installation.	BCC	Approved with Condition(s)
1979	Lionel Leisure Inc.	- Special Exception to permit expansion of existing shopping center.	ZAB	Approved with Condition(s)
1983	Arthur Fastenberg ET AL	- Modification condition of resolution. - Special Exception to permit expansion of existing shopping center. - Non-Use Variances of zoning regulation as applied to signs and of landscaping requirements.	ZAB	Approved with Condition(s)
1983	Arthur Fastenberg ET AL	- Modification of condition of resolution.	BCC	Approved with Condition(s)
1989	Salsa Westchester Inc.	- Special Exception to permit expansion of existing shopping center. - Non-Use Variance of landscaping requirements.	ZAB	Approved with Condition(s)
1990	Columbia – BBB Westchester Shopping Cent.	- Modification of condition of resolution.	ZAB	Approved with Condition(s)
1991	Columbia Westchester Shopping Center Associates	- Non-Use Variances of zoning regulation as applied to signs.	ZAB	Approved with Condition(s)
1999	Sprint Pcs.	- Non-Use Variance of setback requirement of landscaping.	C10	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.

# Memorandum



**Date:** November 2, 2012

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

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

**Subject:** C-10 #Z2010000016-1<sup>st</sup> Revision  
Tadpole Investments, Inc.  
2275 S.W. 87<sup>th</sup> Avenue  
Special Exception to Permit a Pawn Shop  
(BU-2) (18.95 Acres)  
10-54-40

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name in the "From:" field.

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.

#### Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by the Department for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

According to the information found on this project, the proposed change will not affect the existing stormwater management system.

#### Wetlands

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Tree Preservation

According to the site plan submitted with this zoning application, the proposal to permit a pawn shop will not impact tree resources. Be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

#### Enforcement History

The subject property has two (2) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

#### 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

PH# Z2010000016  
CZAB - C10

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: TADPOLE INVESTMENTS, INC

This Department has no objections to this application.

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



Raul A Pino, P.L.S.

12-APR-10

RESOLUTION NO. CZAB10-31-13

WHEREAS, TADPOLE INVESTMENTS, INC. applied for the following:

USE VARIANCE to permit a pawn broker use in the BU-2 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 "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers-Westchester Shopping Center" as prepared by F. Galarza, dated stamped received 2/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the SW ¼ of Section 10, Township 54 South, Range 40 East, being more particularly described as follows: Commence at the southwest corner of said Section 10 and run N88°03'56"E, along the south line of the SW ¼ of said Section 10 for 98.12'; thence N01°56'04"W at right angles to the last described course for 50' to the Point of beginning of the following described parcel of land (said point being on a curve and bearing S01°56'04"E from the radius point of the next described curve) thence SW/ly, W/ly and NW/ly along a circular curve to the right, having a radius of 50' and a central angle of 89°10'10" for an arc distance of 77.82' to a Point of reverse curvature); thence NW/ly along a circular curve to the left, having a radius of 1,950.86' and a central angle of N01°58'04" for an arc distance of 67.02' to a Point of tangency; thence, N04°44'00"W for 150' to a Point of curvature; thence NW/ly along a circular curve to the right, having a radius of 1,868.86' and a central angle of 03°00'01" for an arc distance of 97.86' to a Point of tangency; thence N01°43'59"W, along a line parallel with and 35' east of as measured at right angles to the west line of the SW ¼ of said Section 10 for 1,215'; thence S01°43'56"E along a line parallel with the west line of the SW ¼ of said Section 10 for 735'; thence S88°03'56"W along a line parallel with and 50' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 408.25'; thence N01°43'59"W, along a line parallel with and 841.75' east of, as measured at right angles to the west line of the SW ¼ of said Section 10, for 200'; thence S88°03'56"W, along a line parallel with and 250' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 160'; thence S01°43'59"E along a line parallel with and 681.75' east of as measured at right angles to the west line of the SW ¼ of said Section 10, for 200'; thence S88°03'56"W, along a line parallel with and 50' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 583.78' to the Point of beginning. LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS THEREOF: PARCEL "A": The east 160' of the west 841.75' of the north 130' of the south 250' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "B": The east 55' of the west 896.75' of the north 130' of the south 250' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "C": The east 80' of the west 761.75' of the north 15' of the south 265' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "D": The east 160' of the west 841.75' of the north 70' of the south 120' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "E": The east 100' of the west 681.75' of the north 130' of the south 250.00 feet of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "F": The east 208' of the west 969.75' of the north 174' of the south 294' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "G": The east 128' of the west 969.75' of the north 70' of the south 120' of the SW ¼ of Section 10, Township 54 South, Range 40 East.

AND: PARCEL II: PARCEL "X": The east 67.63' of the west 969.75' of the north 244' of the south 294' of the SW ¼ of Section 10, Township 54 south, Range 40 East.

LOCATION: 2275 S.W. 87 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested use variance to permit a pawn broker use in the BU-2 zone as would be permitted in the BU-3 zone, only upon approval after public hearing would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Miriam Planas, and upon a poll of the members present, the vote was as follows:

Julio R. Caceres	aye	Gerardo Rodriguez	absent
Miriam Planas	aye	Toufic Zakharia	aye
Robert Suarez	aye	Manuel Valdes	absent
	Richard M. Gomez	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested use variance to permit a pawn broker use in the BU-2 zone as would be permitted in the BU-3 zone, only upon approval after public hearing be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers - Westchester Shopping Center", as prepared by F. Galarza, dated stamped received 02/17/10, consisting of 1 sheet for a total of 3 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That a Declaration of Restrictions be submitted to and meet the approval of the Director within 30 days of the final approval restricting the use to the effect that the pawn shop use shall be limited to jewelry only.
5. That no stringer lights, pennants, mobile stationary visual devices, except as permitted under point of sale sign regulations, shall be used or displayed. In addition, the terms pawn, pawning or pawnshop shall not be used on any outdoor signs in any language.
6. That the applicant obtains a Certificate of Use from and promptly renew the same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
7. That the pawnshop use shall be operated solely as an accessory use in connection with the jewelry store, and if the jewelry store use is terminated the pawnshop use will automatically expire and shall be discontinued.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of December, 2013.

Hearing No. 13-12-CZ10-1  
ej

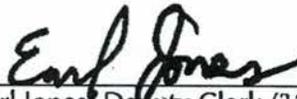
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 19<sup>TH</sup> DAY OF DECEMBER, 2013.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-31-13 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of December, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 19<sup>th</sup> day of December, 2013.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade Department of Department of Regulatory  
and Economic Resources

SEAL



# Memorandum



**Date:** October 19, 2012

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

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

**Subject:** Z2010000016: TADPOLE INVESTMENTS, INC  
Includes Revised Plans Dated stamped received 9/28/12

---

**Application Name:** TADPOLE INVESTMENTS, INC

**Project Location:** The site is located at 2275 SW 87 AVENUE, Miami-Dade County.

**Proposed Development:** The applicant is requesting a use variance and special exception to permit a pawn broker. Includes Revised Plans Dated stamped received 9/28/12.

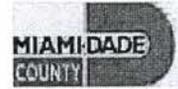
**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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:** 20-NOV-12  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** William W. Bryson, Fire Chief.  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2010000016

**Fire Prevention Unit:**

No objection via Case # Z2010000016.

**Service Impact/Demand**

Development for the above Z2010000016  
 located at 2275 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1440 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.  
 The estimated average travel time is: 5:46 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
 Station 47 - Westchester - 9361 Coral Way  
 Rescue, ALS Engine

**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.

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

TADPOLE INVESTMENTS, INC

2275 SW 87 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

Z2010000016

---

HEARING NUMBER

**HISTORY:**

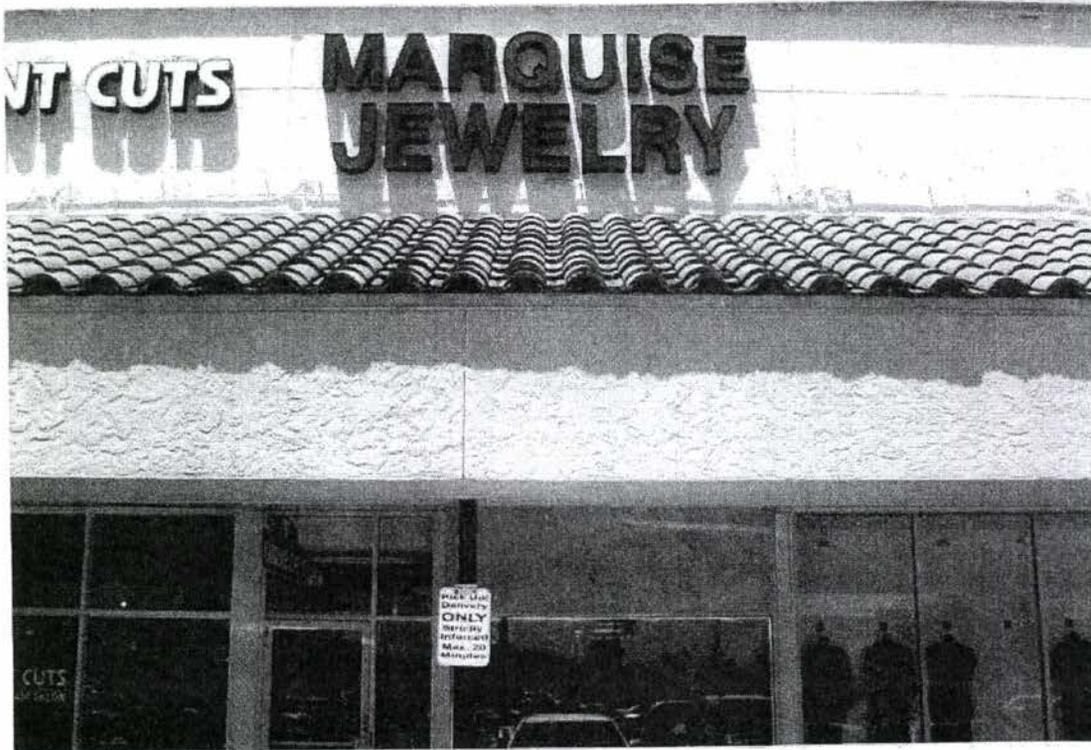
ENFORCEMENT HISTORY: NC: No open cases. Prior case 201303006069 was opened on July 9, 2013 for Failure to obtain permit. No violation observed on November 11, 2013 and case closed. BNC: fOLIO 3040100000020: BSS case A2009001270-X 8571 SW 24 Street opened on December 12, 2008. Notice of Violation issued for expired permit 2008034805. Civil Violation notice B086304 issued on September 21, 2009 for non-compliance. Final Notice of Intent to lien/demand for payment issued on October 19, 2010. Lien was recorded on August 29, 2011, ticket paid on October 5, 2011. Case remains open. BSS case A2010001484-X 2275 SW 87 Avenue opened on February 12, 2010. Notice of Violation issued for expired permit 2009030976. Civil Violation Notice P004558 issued on July 29, 2011 for non-compliance. Final Notice of Intent to lien/demand for payment issued on April 10, 2012. Lien was recorded on July 9, 2012. Ticket was paid on July 23, 2012, case remains open. BSS case A2012003331-X 8679 SW 24 Street was opened on July 11, 2012. Civil Violation Notice #650322 issued to contractor for expired permit 2011057586. Ticket was paid on November 25, 2013. Case remains open. All other folios do not have any open/closed cases.

Tadpole Investments, Inc

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

**REPORTER NAME:**

Tadpole Investments, Inc.'s Variance Application  
*Pictures of Property*



**DISCLOSURE OF INTEREST\***

If a CORPORATION 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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest.]

PARTNERSHIP NAME: Tadpole Investments, Inc.	
NAME AND ADDRESS	Percentage of Stock
Lino Alvarado, 8561 Coral Way, Miami, FL 33155	50%
Maria Alvarado, 8561 Coral Way, Miami, FL 33155	50%

**NOTICE:** For 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: *Lino Alvarado*  
 Print Name: Lino Alvarado  
 Title: Sec.

**Tadpole Investments, Inc.**

Sworn to and subscribed before me this 17 day of February, 2010. Attn is personally known to me or has produced F47-A46-530-60.041-0 as identification.

*[Signature]*  
 (Notary Public)



My commission expires 11/21/2010

\* 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 percent (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.

210-010  
 FEB 17 2010

*[Signature]*

**DISCLOSURE 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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest.]

PARTNERSHIP NAME: <u>Columbia – BBB Westchester Shopping Center Associates</u>	
NAME AND ADDRESS	Percentage of Stock
Columbia – BBB Westchester Shopping Center Associates	100%

**NOTICE:** For 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: *Gary A. Brown*  
 By: B.B.B. West, Inc., Its partner  
 Print Name: Gary A. Brown  
 Title: President

**Columbia – BBB Westchester Shopping Center Associates, a Florida General Partnership**

Sworn to and subscribed before me this 14<sup>th</sup> day of August, 2009. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

*Patricia J. Wynn*  
 (Notary Public)

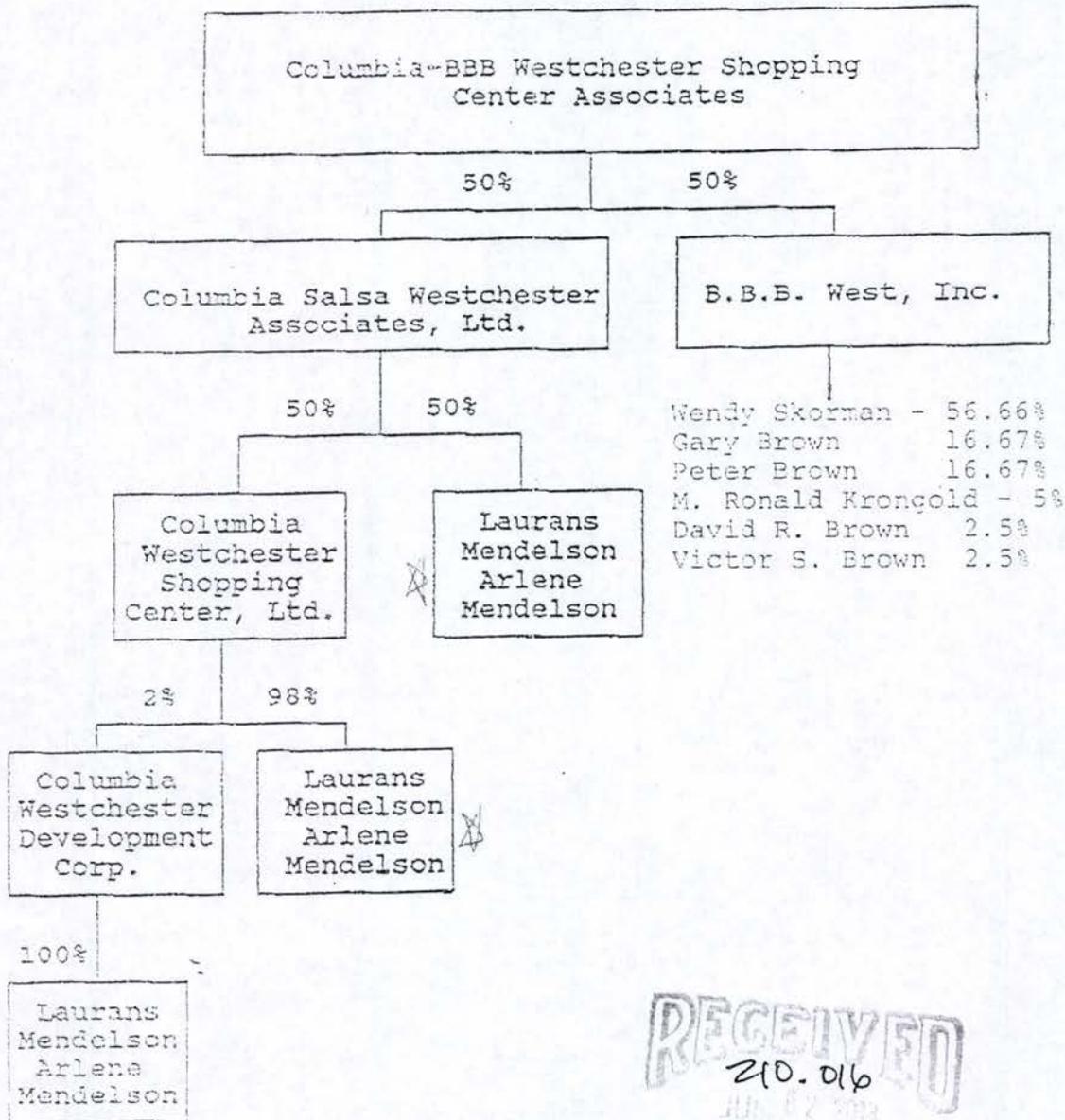


My commission expires \_\_\_\_\_

\* 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 percent (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.

210-016  
 FEB 17 2010

BY: *J*



**RECEIVED**  
 210.016  
 JUN 12 2003  
 FORM 11-1000-1000  
 MIAMI-DADE COUNTY DEPARTMENT OF TREASURY  
 BY *AT*

\* Laurans Mendelson & Arlene Mendelson each have a 50% share of the listed interest

24

# MASTER SITE PLAN WESTCHESTER SHOPPING CENTER

**SITE DATA:**

ZONING: BU-2  
LAND USE: SPECIAL BUSINESS

**PARKING SPACES:**

Total Building Area	229,178 square feet
Total Retail Building Existing (old code)	194,220 square feet
Total Retail Building Area (current code)	12,200 square feet
Total Restaurant Patron Areas (65,354 sq. ft.)	7,677 square feet
Gym / Health Club	4,200 square feet
Day Care	3,204 square feet

**Parking Spaces Required**

Retail Area (Constructed under old code)	1 space per 300 Sq. Ft. of Building Area	194,220 / 300 = 647.4
Retail Area (Constructed under current code)	1 space per 250 Sq. Ft. of Building Area	12,200 / 250 = 48.8
Patron Areas:	1 space per 50 Sq. Ft. of Patron Area	7,677 / 50 = 153.5
Gym / Health Club (Existing):	1 space per 250 Sq. Ft. of Building Area	4,200 / 250 = 16.8
Day Care:	1 space per slot (Total staff = 8)	8 spaces

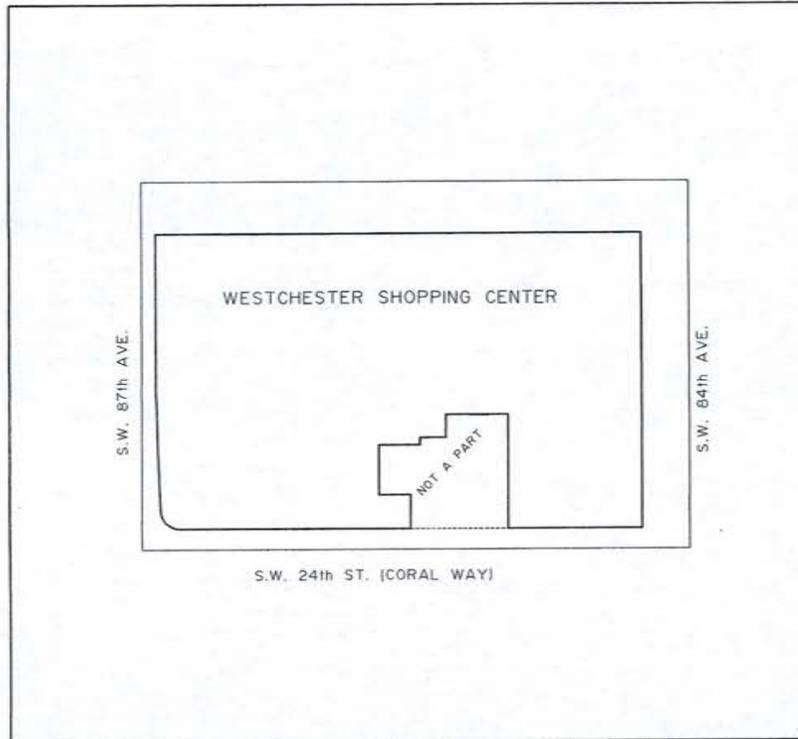
Total Required Spaces = **870** Spaces

**Parking Spaces Provided**

Standard	557
Compact	359
Handicap	25
Straller	3
Total	944

**NOTES:**

- BACKGROUND INFORMATION OBTAINED FROM SKETCH OF SURVEY SURVEY PREPARED BY SCHWEBKE - SHKIN & ASSOCIATES DATED 4-16-97
- BEARING SHOWN HEREON ARE BASED ON AN ASSUMED BEARING (N88°03'56"E) ALONG S.W. 24th STREET.
- THE LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED BY THIS FIRM AND/OR SURVEYOR REGARDING MATTERS OF INTEREST BY OTHER PARTIES, SUCH AS EASEMENTS, RIGHT-OF-WAYS, RESERVATIONS, ETC.
- THE LEGAL DESCRIPTION THAT THE PROPERTY WAS SURVEYED FROM, WAS PROVIDED BY THE CLIENT.
- THE PROPERTY LEGALLY DESCRIBED ON THIS SKETCH AND THE PROPERTY DESCRIBED AS PARCEL "X" ARE CONTIGUOUS WITHOUT GAPS, GORES OR MATUSES.



LOCATION MAP

**LEGAL DESCRIPTION:**

A portion of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 10 and run North 88°03'56" East, along the South line of the Southwest 1/4 of said Section 10 for 98.12 feet, thence North 0°58'04" West at right angles to the last described course for 50.00 feet to the Point of Beginning of the following described parcel of land 1 said point being on a curve and bearing South 0°58'04" East from the radius point of the next described curve 1; thence Southwesterly, Westerly and Northwesterly along a circular curve to the right, having a radius of 50.00 feet and a central angle of 89°07'00" for an arc distance of 77.82 feet to a Point of Reverse Curvature 1; thence Northwesterly along a circular curve to the left, having a radius of 190.86 feet and a central angle of 0°58'06" for an arc distance of 67.02 feet to a point of Tangency; thence North 04°44'00" West for 150.00 feet to a point of Curvature; thence Northwesterly along a circular curve to the right, having a radius of 186.86 feet and a central angle of 03°00'00" for an arc distance of 97.86 feet to a point of Tangency; thence North 0°43'09" West, along a line parallel with said 35.00 feet west of us measured at right angles to the West line parallel with 785.00 feet North of us, as measured at right angles to, the South line of the Southwest 1/4 of said Section 10 for 120.00 feet; thence South 0°43'59" East along a line parallel with the West line of the Southwest 1/4 of said Section 10 for 730.00 feet, thence South 88°03'56" West along a line parallel with and 50.00 feet North of us, as measured at right angles to the South line of the Southwest 1/4 of said Section 10 for 408.25 feet, thence North 0°13'49" West, along a line parallel with and 84.75 feet East of us, as measured at right angles to the West line of Southwest 1/4 of said Section 10, for 200.00 feet; thence South 0°43'59" East along a line parallel with the South line of the East along a line parallel with the 68.75 feet East of us measured at right angles to the West line of Southwest 1/4 of said Section 10, for 200.00 feet, thence South 88°03'56" West, along a line parallel with and 50.00 feet North of us, as measured at right angles to the South line of the Southwest 1/4 of said Section 10, for 563.75 feet to the Point of Beginning.

Less and accept the following described parcels thereto:

- Parcel "A":**  
The East 80.00 feet of the West 84.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida
- Parcel "B":**  
The East 50.00 feet of the West 896.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida
- Parcel "C":**  
The East 80.00 feet of the West 761.75 feet of the North 15.00 feet of the South 285.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida
- Parcel "D":**  
The East 160.00 feet of the West 84.75 feet of the North 70.00 feet of the South 120.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida
- Parcel "E":**  
The East 80.00 feet of the West 68.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida
- Parcel "F":**  
The East 128.00 feet of the West 968.75 feet of the North 17.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida
- Parcel "G":**  
The East 128.00 feet of the West 968.75 feet of the North 70.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida

Also  
Parcel H  
The East 67.43 feet of the West 968.75 feet of the North 244.00 feet of the South 224.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida

REVISIONS:  
1. 7/22/13 PARKING DATA

**ZAMORA & ASSOCIATES, INC.**  
ENGINEERING  
1302 MIAMI, FLORIDA 33176  
1440 N. KENDALL DRIVE SUITE 303 MIAMI, FLORIDA 33137  
FAX (305) 273-7801

**WESTCHESTER SHOPPING CENTER  
CORAL WAY & GALLOWAY RD  
MIAMI, FLORIDA**  
THE FLORIDA COMMERCIAL GROUP  
5901 S.W. 74th STREET, SUITE 407  
SOUTH MIAMI, FLORIDA, 33143  
**MASTER SITE PLAN**

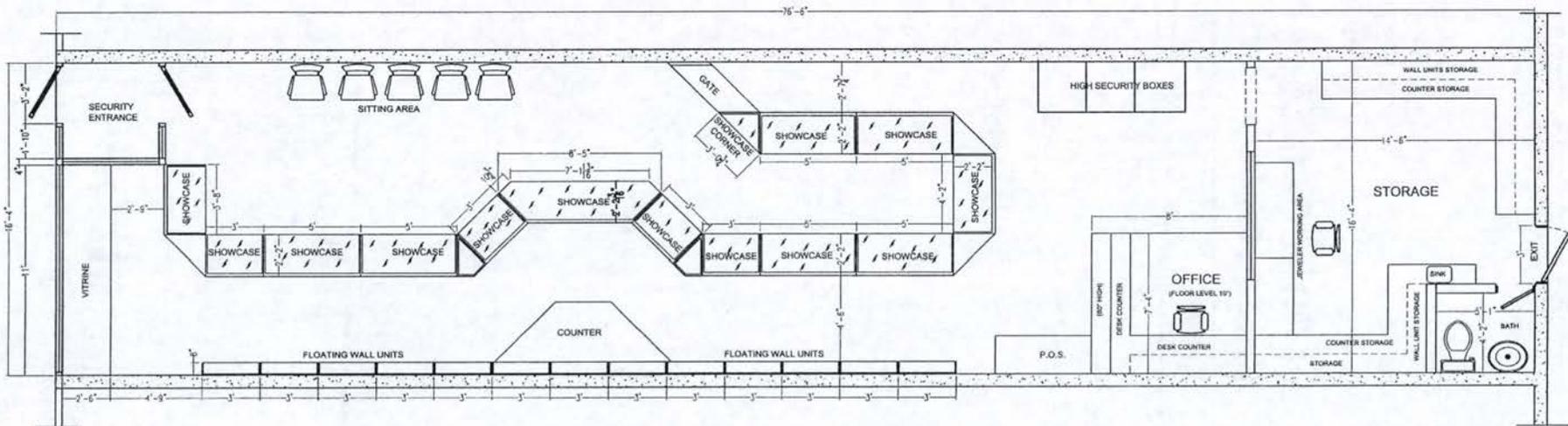
SEAL:  
*[Signature]*  
7.23.13  
P.E. No. 44307  
S.B. 0006790  
STATE OF FLORIDA  
SCALE: 1" = 40'  
DATE: 8/20/2012  
DRAWN BY: G.Z.  
CHECKED BY: G.Z.  
PROJECT No. 2012-39  
SHEET No.



**C-1**

RECEIVED

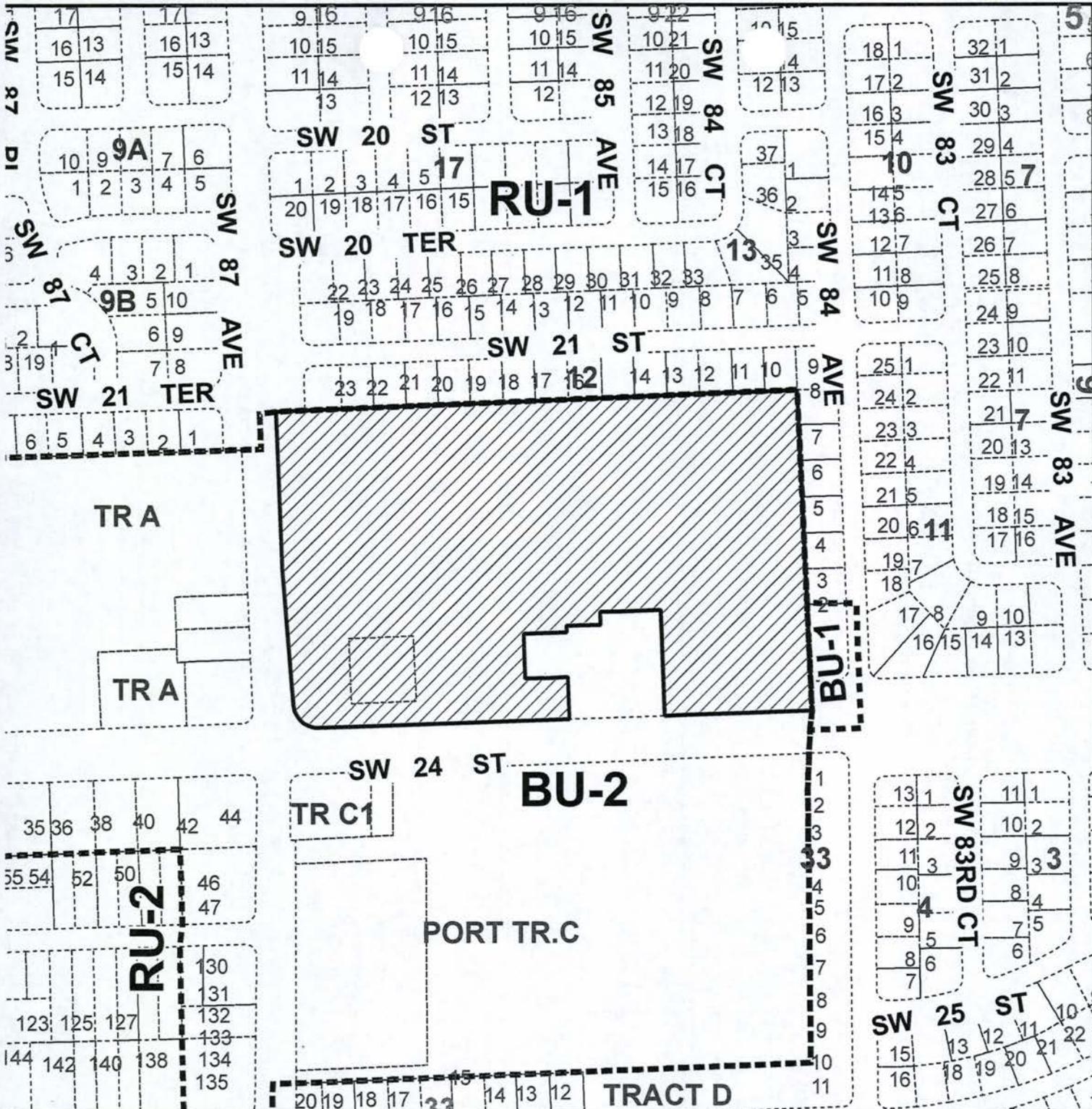
MIAMI-DADE COUNTY  
 PROCESS #: Z10-016  
 DATE: FEB 17 2010  
 BY: SDE



PLAN LAYOUT  
 SCALE 3/16"=1'-0"

Z10-016  
 FEB 17 2010  
 DRAWING PER...  
 MARQUESE JEWELERS

REF:	ADDRESS	SHEET TITLE	PROJECT	DRAWING
PROJECT NO: 09-27-09	8561 Coral Way	PLAN LAYOUT		
DATE: 9/27/2009	(Westchester Shopping Center)	Marquise Jewelers - Westchester Shopping Center		
CAD DWG FILE: MARQUESE JEWELERS	Miami, Florida 33155			
DRAWN BY: F. GALARZA				
CHK'D BY:				1/1



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2010000016**



Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**  
 Subject Property Case



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY
		26



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2009**

Process Number

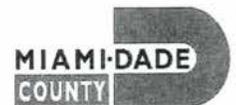
**Z2010000016**



Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

Legend

 Subject Property



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY
		27





PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



**HEARING NUMBER:** Z2010000016

**BOARD:** BCC

**LOCATION OF SIGN:** 2275 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 31-MAR-14

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE: 

PRINT NAME: FELIX ACOSTA



PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z201000016

BOARD: BCC

LOCATION OF SIGN: 2275 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 31-MAR-14

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE: 

PRINT NAME: FELIX ACOSTA

FJA,

HEARING NO. 13-12-CZ10-1 (10-16)

10-54-40  
BCC  
Comm. Dist. 10

APPLICANT: TADPOLE INVESTMENTS, INC.

THE DIRECTOR OF THE DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES is appealing the decision of Community Zoning Appeals Board #10 on TADPOLE INVESTMENTS INC., which approved the following:

USE VARIANCE to permit a pawnbroker use in the BU-2 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 "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers-Westchester Shopping Center" as prepared by F. Galarza, dated stamped received 2/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

LOCATION: 2275 S.W. 87 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 18.95 Acres

PRESENT ZONING: BU-2 (Business – Special)

HEARING NO. 13-12-CZ10-1 (10-16)

10-54-40  
BCC  
Comm. Dist. 10

APPLICANT: TADPOLE INVESTMENTS, INC.

THE DIRECTOR OF THE DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES is appealing the decision of Community Zoning Appeals Board #10 on TADPOLE INVESTMENTS INC., which approved the following:

USE VARIANCE to permit a pawnbroker use in the BU-2 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 "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers-Westchester Shopping Center" as prepared by F. Galarza, dated stamped received 2/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the Southwest,  $\frac{1}{4}$  of Section 10, Township 54 South, Range 40 East, being more particularly described as follows: Commence at the Southwest corner of said Section 10 and run N88°03'56"E, along the South line of the Southwest  $\frac{1}{4}$  of said Section 10 for 98.12 feet; thence N01°56'04"W at right angles to the last described course for 50.00 feet to the Point of Beginning of the following described parcel of land (said point being on a curve and bearing S01°56'04"E from the radius point of the next described curve); thence Southwesterly, Westerly and Northwesterly along a circular curve to the right, having a radius of 50.00 feet and a central angle of 89°10'10" for an arc distance of 77.82 feet to a point of reverse curvature); thence Northwesterly along a circular curve to the left, having a radius of 1950.86 feet and a central angle of N01°58'04" for an arc distance of 67.02 feet to a point of tangency; thence, N04°44'00"W for 150.00 feet to a point of curvature; thence Northwesterly along a circular curve to the right, having a radius of 1868.86 feet and a central angle of 03°00'01" seconds for an arc distance of 97.86 feet to a point of tangency; thence N01°43'59"W, along a line parallel with and 35.00 feet East of as measured at right angles to the West line of the Southwest  $\frac{1}{4}$  of said Section 10 for 1215.00 feet; thence S01°43'56"E along a line parallel with the West line of the SW  $\frac{1}{4}$  of said Section 10 for 735.00 feet; thence S88°03'56"W along a line parallel with and 50.00 feet North of as measured at right angles to the South line of the SW  $\frac{1}{4}$  of said Section 10, for 408.25 feet; thence N01°43'59"W, along a line parallel with and 841.75 feet East of, as measured at right angles to the West line of the Southwest  $\frac{1}{4}$  of said Section 10, for 200.00 feet; thence S88°03'56"W, along a line parallel with and 250.00 feet North of as measured at right angles to the South line of the Southwest  $\frac{1}{4}$  of said Section 10, for 160.00 feet; thence S01°43'59"W along a line parallel with and 681.75 feet East of as measured at right angles to the West line of the Southwest  $\frac{1}{4}$  of said Section 10, for 200.00 feet; thence S88°03'56"W, along a line parallel with and 50.00 feet North of, as measured at right angles to the South line of the Southwest  $\frac{1}{4}$  of said Section 10, for 583.78 feet to the Point of Beginning.

CONTINUED ON PAGE TWO

HEARING NO. 13-12-CZ10-1 (10-16)

10-54-40  
BCC  
Comm. Dist. 10

APPLICANT: TADPOLE INVESTMENTS, INC.

THE DIRECTOR OF THE DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES is appealing the decision of Community Zoning Appeals Board #10 on TADPOLE INVESTMENTS INC., which approved the following:

USE VARIANCE to permit a pawnbroker use in the BU-2 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 "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers-Westchester Shopping Center" as prepared by F. Galarza, dated stamped received 2/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the Southwest,  $\frac{1}{4}$  of Section 10, Township 54 South, Range 40 East, being more particularly described as follows: Commence at the Southwest corner of said Section 10 and run N88°03'56"E, along the South line of the Southwest  $\frac{1}{4}$  of said Section 10 for 98.12 feet; thence N01°56'04"W at right angles to the last described course for 50.00 feet to the Point of Beginning of the following described parcel of land (said point being on a curve and bearing S01°56'04"E from the radius point of the next described curve); thence Southwesterly, Westerly and Northwesterly along a circular curve to the right, having a radius of 50.00 feet and a central angle of 89°10'10" for an arc distance of 77.82 feet to a point of reverse curvature); thence Northwesterly along a circular curve to the left, having a radius of 1950.86 feet and a central angle of N01°58'04" for an arc distance of 67.02 feet to a point of tangency; thence, N04°44'00"W for 150.00 feet to a point of curvature; thence Northwesterly along a circular curve to the right, having a radius of 1868.86 feet and a central angle of 03°00'01" seconds for an arc distance of 97.86 feet to a point of tangency; thence N01°43'59"W, along a line parallel with and 35.00 feet East of as measured at right angles to the West line of the Southwest  $\frac{1}{4}$  of said Section 10 for 1215.00 feet; thence S01°43'56"E along a line parallel with the West line of the SW  $\frac{1}{4}$  of said Section 10 for 735.00 feet; thence S88°03'56"W along a line parallel with and 50.00 feet North of as measured at right angles to the South line of the SW  $\frac{1}{4}$  of said Section 10, for 408.25 feet; thence N01°43'59"W, along a line parallel with and 841.75 feet East of, as measured at right angles to the West line of the Southwest  $\frac{1}{4}$  of said Section 10, for 200.00 feet; thence S88°03'56"W, along a line parallel with and 250.00 feet North of as measured at right angles to the South line of the Southwest  $\frac{1}{4}$  of said Section 10, for 160.00 feet; thence S01°43'59"W along a line parallel with and 681.75 feet East of as measured at right angles to the West line of the Southwest  $\frac{1}{4}$  of said Section 10, for 200.00 feet; thence S88°03'56"W, along a line parallel with and 50.00 feet North of, as measured at right angles to the South line of the Southwest  $\frac{1}{4}$  of said Section 10, for 583.78 feet to the Point of Beginning.

CONTINUED ON PAGE TWO

HEARING NO. 13-12-CZ10-1 (10-16)

10-54-40  
BCC  
Comm. Dist. 10  
PAGE TWO

APPLICANT: TADPOLE INVESTMENTS, INC.

Less and except the following described parcels thereof: PARCEL "A": The East 160.00 feet of the West 841.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "B": The East 55.00 feet of the West 896.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "C": The East 80.00 feet of the West 761.75 feet of the North 15.00 feet of the South 265.00 feet of the Southwest ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "D": The East 160.00 feet of the West 841.75 feet of the North 70.00 feet of the South 120.00 feet of the Southwest ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "E": The East 100.00 feet of the West 681.75 feet of the North 130 feet of the South 250.00 feet of the Southwest ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "F": The East 208.00 feet of the West 969.75 feet of the North 174.00 feet of the South 294.00 feet of the Southwest ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "G": The East 128.00 feet of the West 969.75 feet of the North 70.00 feet of the South 120.00 feet of the Southwest ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "H": PARCEL "X": The East 67.63 feet of the West 969.75 feet of the North 244.00 feet of the South 294.00 feet of the Southwest ¼ of Section 10, Township 54 South, Range 40 East.

LOCATION: 2275 S.W. 87 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 18.95 Acres

PRESENT ZONING: BU-2 (Business – Special)





**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2009**

Process Number

**Z2010000016**

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

Legend

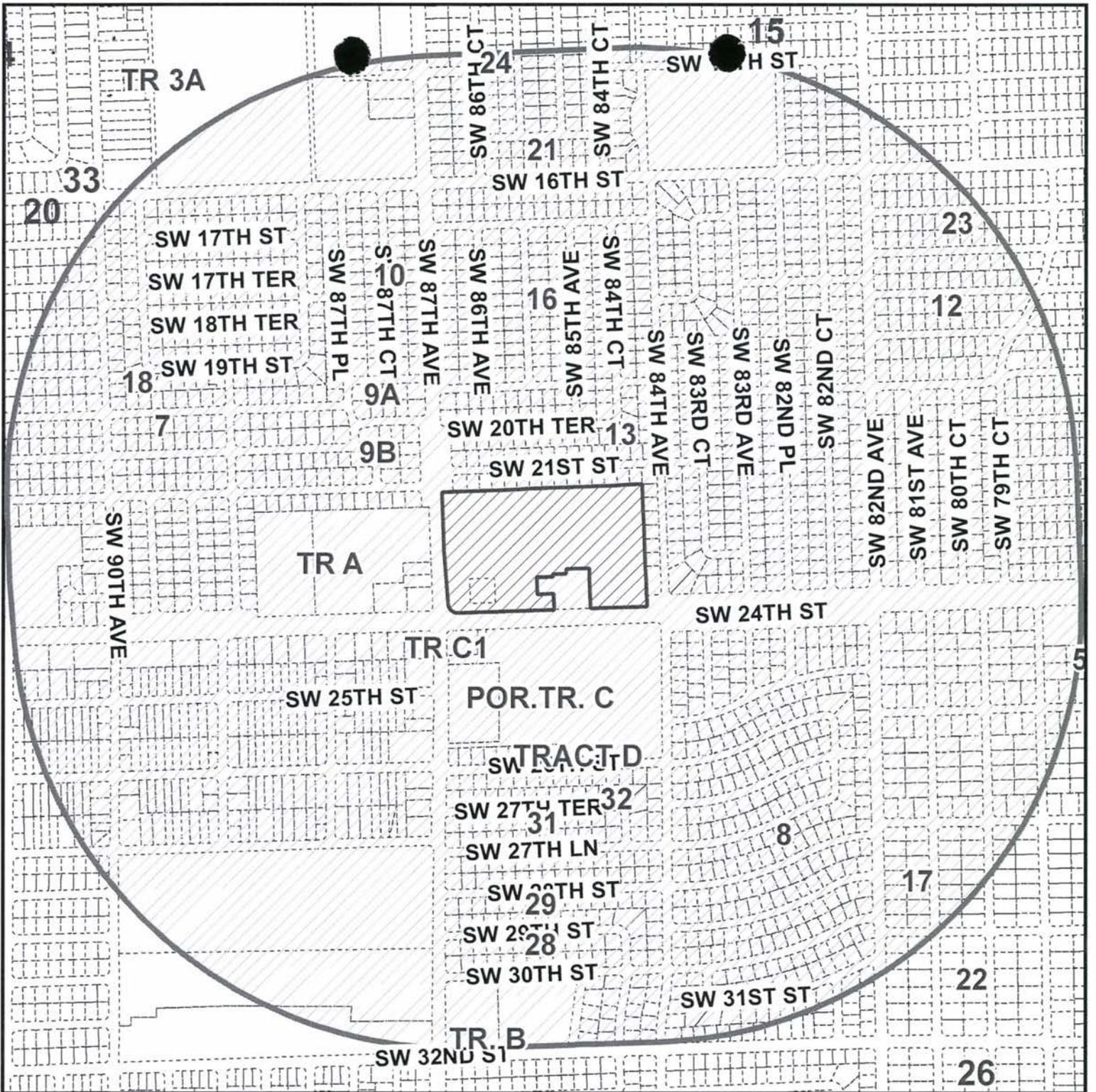


Subject Property



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY



**MIAMI-DADE COUNTY  
RADIUS MAP**

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

Process Number  
**Z2010000016**  
 RADIUS: 2640

**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, March 11, 2010

REVISION	DATE	BY

# Memorandum



Date: September 21, 2013

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

From: *GN*  
*9/20* - Jack Kardys *[Signature]*  
Director, Parks, Recreation and Open Spaces Department

Subject: Blanket Concurrency Approval for Recreation and Open Space

---

This memorandum updates the blanket concurrency approval memo of September 26, 2012. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2014. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

JK: jb

c: Helen Brown, Metropolitan Planning, RER  
Maria I. Nardi, Chief, Planning and Research Division, MDPROS



Miami-Dade County  
Park and Recreation Department  
LOS-2013

Report # 4 Table 34  
Local Recreation Open Space Level of Service

PBD	Estimated 2013 UMSA Population	Standard @ 2.75 Acres Per 1000 People (Acres)	Public Local Park Acres	Concurrency* Acres	Total Local Park acres	School Acres	Private Open Space Acres	Total Recreation Open Space Acreage	Surplus (Deficient) Acres	Percentage of Standard %
1	377,389	1,037.82	347.46	291.00	638.46	299.82	267	1205.28	167.46	1.16
2	596,796	1,641.19	721.61	595.00	1316.61	356.3	473	2145.91	504.72	1.31
3	156,544	430.50	231.06	232.93	463.99	96.62	89	649.61	219.11	1.51
<b>Total</b>	<b>1,130,729</b>	<b>3,109.50</b>	<b>1300.13</b>	<b>1118.93</b>	<b>2419.06</b>	<b>752.74</b>	<b>829</b>	<b>4000.80</b>	<b>891.30</b>	<b>1.29</b>

Note:  
Public Local Park Acres is Miami-Dade Parks Only  
Private Recreation Open Space Updated 1/9/09  
\*Concurrency Acres are District park Acres utilized for local Recreation

G:\ADMINISTRATION\PLAN\_DIV\PROPMGR\CONCURR\2013-2014

# Memorandum



Date: September 25, 2013

To: Mark R. Woener, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources

From: Paul Mauriello, Assistant Director, Waste Operations  
Public Works and Waste Management Department

Subject: Solid Waste Disposal Concurrency Determination

A handwritten signature in cursive script, appearing to read "Paul Mauriello".

The Public Works and Waste Management Department determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for construction are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of nineteen (19) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste to the System through interlocal agreements or long-term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2031-32 or fourteen (14) years beyond the minimum five (5) year standard. This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2014), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

#### Attachment

c: Aneisha Daniel, Assistant Director, Administration  
Asok Ganguli, Assistant Director, Technical Services  
Michael Moore, Assistant Director, Disposal Operations  
Deborah Silver, Division Director, Fiscal Management & Planning

Public Works and Waste Management Department (PWWM)  
Solid Waste Management Disposal Facility Available Capacity  
From Fiscal Year 2013-14 Through Fiscal Year 2031-32

FISCAL YEAR PERIOD	WASTE PROJECTION NET TONS DISPOSED	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****	TOTAL TO BE LANDFILLED	TO BE INCINERATED AND RECYCLED
		Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity			
OCT. 1, 2013 TO SEPT. 30, 2014	1,543,000	2,873,330	127,900	2,745,430	6,122,095	301,000	5,821,095	1,735,051	111,400	1,623,651	250,000	790,300	752,700
OCT. 1, 2014 TO SEPT. 30, 2015	1,543,000	2,745,430	127,900	2,617,530	5,821,095	301,000	5,520,095	1,623,651	111,400	1,512,251	250,000	790,300	752,700
OCT. 1, 2015 TO SEPT. 30, 2016	1,543,000	2,617,530	127,900	2,489,630	5,520,095	301,000	5,219,095	1,512,251	111,400	1,400,851	250,000	790,300	752,700
OCT. 1, 2016 TO SEPT. 30, 2017	1,543,000	2,489,630	127,900	2,361,730	5,219,095	301,000	4,918,095	1,400,851	111,400	1,289,451	250,000	790,300	752,700
OCT. 1, 2017 TO SEPT. 30, 2018	1,543,000	2,361,730	127,900	2,233,830	4,918,095	301,000	4,617,095	1,289,451	111,400	1,178,051	250,000	790,300	752,700
OCT. 1, 2018 TO SEPT. 30, 2019	1,543,000	2,233,830	127,900	2,105,930	4,617,095	301,000	4,316,095	1,178,051	111,400	1,066,651	250,000	790,300	752,700
OCT. 1, 2019 TO SEPT. 30, 2020	1,543,000	2,105,930	127,900	1,978,030	4,316,095	301,000	4,015,095	1,066,651	111,400	955,251	250,000	790,300	752,700
OCT. 1, 2020 TO SEPT. 30, 2021	1,543,000	1,978,030	127,900	1,850,130	4,015,095	301,000	3,714,095	955,251	111,400	843,851	250,000	790,300	752,700
OCT. 1, 2021 TO SEPT. 30, 2022	1,543,000	1,850,130	127,900	1,722,230	3,714,095	301,000	3,413,095	843,851	111,400	732,451	250,000	790,300	752,700
OCT. 1, 2022 TO SEPT. 30, 2023	1,543,000	1,722,230	127,900	1,594,330	3,413,095	301,000	3,112,095	732,451	111,400	621,051	250,000	790,300	752,700
OCT. 1, 2023 TO SEPT. 30, 2024	1,543,000	1,594,330	127,900	1,466,430	3,112,095	301,000	2,811,095	621,051	111,400	509,651	250,000	790,300	752,700
OCT. 1, 2024 TO SEPT. 30, 2025	1,543,000	1,466,430	127,900	1,338,530	2,811,095	301,000	2,510,095	509,651	111,400	398,251	250,000	790,300	752,700
OCT. 1, 2025 TO SEPT. 30, 2026	1,543,000	1,338,530	127,900	1,210,630	2,510,095	301,000	2,209,095	398,251	111,400	286,851	250,000	790,300	752,700
OCT. 1, 2026 TO SEPT. 30, 2027	1,543,000	1,210,630	127,900	1,082,730	2,209,095	301,000	1,908,095	286,851	111,400	175,451	250,000	790,300	752,700
OCT. 1, 2027 TO SEPT. 30, 2028	1,543,000	1,082,730	127,900	954,830	1,908,095	301,000	1,607,095	175,451	111,400	64,051	250,000	790,300	752,700
OCT. 1, 2028 TO SEPT. 30, 2029	1,543,000	954,830	127,900	826,930	1,607,095	348,349	1,258,746	64,051	64,051	0	250,000	790,300	752,700
OCT. 1, 2029 TO SEPT. 30, 2030	1,543,000	826,930	127,900	699,030	1,258,746	412,400	846,346	0	0	0	250,000	790,300	752,700
OCT. 1, 2030 TO SEPT. 30, 2031	1,543,000	699,030	127,900	571,130	846,346	412,400	433,946	0	0	0	250,000	790,300	752,700
OCT. 1, 2031 TO SEPT. 30, 2032	1,543,000	571,130	127,900	443,230	433,946	412,400	21,546	0	0	0	250,000	790,300	752,700
REMAINING YEARS				19			19			15		19	

ANNUAL DISPOSAL RATE (in tons)	
RESOURCES RECOVERY ASHFILL	127,900
SOUTH DADE LANDFILL	301,000
NORTH DADE LANDFILL	111,400
WMI CONTRACT	250,000
TOTAL TO BE LANDFILLED	<u>790,300</u>

\* Ashfill capacity is for Cell 20.

\*\* South Dade includes Cells 4 and 5. Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.

\*\*\* North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted, trash goes to South Dade Landfill and WMI.

\*\*\*\* Maximum Contractual Tonnage per year to WMI is 500,000 tons, 250,000 tons to the Medley Landfill and 250,000 tons to the Pompano Landfill in Broward County. The initial term of the WMI disposal contract ends September 30, 2015 and the contract contains two 5-year renewal terms. The Department anticipates contract renewal in 2015.

\*\*\*\*\* All beginning capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by the Malcolm Pirnie based on the actual July, 2013, survey with actual tons from July 2013, through August 2013, and projected tons for September 2013.

# Memorandum



Date: October 1, 2013

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

From: Ysela Llort, Director  
Miami-Dade Transit

Subject: FY14 Blanket Concurrency Approval for Transit

2013 SEP -6 P 4: 41

PLANNING & ZONING  
METROPOLITAN PLANNING SECT

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the June 2013 Metrobus/Metrorail service area we find that MDT meets or exceeds the Level-of-Service Standards (LOS) for mass transit established in Policy MT-1A of the County's Comprehensive Development Master Plan for Miami-Dade County.

With this memo we re-authorize your Department to review and approve concurrency applications in all areas of unincorporated Miami-Dade County.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2013 to September 30, 2014, or until canceled by written notice from my office.

Should your staff need further assistance with mass transit concurrency information, they may contact Nilia Cartaya, Principal Planner, in our Department. Thank you for your continued cooperation on these important matters.

- c: Albert A. Hernandez, P.E., MDT
- Monica D. Cejas, P.E., MDT
- Gerald E. Bryan, MDT
- Eric Zahn, MDT
- Nilia Cartaya, MDT
- Douglas K. Robinson, MDT
- Mark R. Woerner, RER
- Helen A. Brown, RER

# Memorandum



Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning  
Department of Planning and Zoning

From: Manuel C. Mena, Chief  
MDFR Fire Prevention Division

Subject: Concurrency Approval

---

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2, Florida Statute, will be necessary during the building permit process.

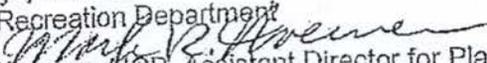
When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied.

MCM:skr

Received by  
Zoning Agenda Coordinator

JUL 27 2010

c. Control File

Date: September 5, 2012  
To: Jack Kardys, Director  
Park and Recreation Department  
From:   
Mark R. Woerner, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources  
Subject: Blanket Concurrency Approval for Recreation and Open Space

---

The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on September 30, 2012. This authorization must be re-issued prior to September 30, 2012, so that the Department of Regulatory and Economic Resources (DRER) may continue reviewing concurrency applications for recreation and open space concurrency requirements on your behalf. If such authorization is not received, DRER will have to refer all zoning and permit applications to your department for concurrency review.

Park and Recreation's re-authorization for blanket concurrency authorization should be effective for a one-year period beginning on October 1, 2012 and should be based on sufficient surplus capacity to sustain projected development for one year. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you or any member of your staff needs further information on this request, please contact Helen A. Brown, Concurrency Administrator at (305) 375-2835. Thank you for your attentions to this matter.

MRW:NS:hab

cc: James Byers, Zoning Division Chief, West Dade Office, DRER  
Ronald Connally, Supervisor, Zoning Hearings/Administrative Review Section, DRER  
Nick Nitti, Supervisor, Zoning Evaluation Section, DRER  
Helen A. Brown, Concurrency Administrator, DRER

**Miami-Dade County Department of Regulatory and Economic Resources  
Staff Report to Community Council No. 10**

**PH: Z10-016 (13-12-CZ10-1)**

**December 11, 2013**

Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	10
<b>Applicant</b>	Tadpole Investments, Inc.
<b>Summary of Requests</b>	The applicant is seeking a Use Variance to allow a pawnbroker use for secondhand jewelry only in a more restrictive zoning district.
<b>Location</b>	2275 SW 87 Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	18.95 acres
<b>Existing Zoning</b>	BU-2; Special Business District
<b>Existing Land Use</b>	Shopping Center
<b>2015-2025 CDMP Land Use Designation</b>	Business and Office (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(a), <b>Use Variance</b> from other than Airport Regulations
<b>Recommendation</b>	<b>Denial without prejudice.</b>

**REQUEST:**

USE VARIANCE to permit a pawn broker use in the BU-2 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, "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 07/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers - Westchester Shopping Center, as prepared by F. Galarza, dated stamped received 02/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The site has been the subject of several zoning actions from 1961 to 1999, for a special permit for shopping center promotional installation, special exception to permit the expansion of an existing shopping center, modifications to prior site plans, and variances from the zoning regulations. The applicant seeks a pawn broker use for the pawning of jewelry only in the BU-2 zone, as would be permitted in the BU-3 zone only after public hearing. The site plan submitted by the applicant depicts an existing 1,249.24 sq. ft. jewelry store within a 229,178 sq. ft. shopping center.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	BU-2; shopping center	Business and Office
<b>North</b>	RU-1; single-family residences	Low Density Residential
<b>South</b>	BU-2; shopping center, office building	Business and Office
<b>East</b>	BU-2; medical center RU-1; single-family residences	Business and Office Low Density Residential
<b>West</b>	BU-2; service station and shopping center RU-1; single-family residence	Business and Office Low Density Residential

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is located within a shopping center located at 2275 SW 87 Avenue. The area surrounding the subject property is characterized by residential and 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 abutting residential properties. 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 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, dry cleaners, supermarket, bank, restaurants, and a gasoline station, among other uses. Staff notes that the jewelry store is a compatible retail use within a retail shopping center.

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:**

The applicant seeks approval of a use variance, under Section 33-311(A)(4)(a) to permit a pawnbroker use in the BU-2 (Special Business) zoning district as would be permitted in the BU-3 (Liberal; Business) district only upon approval after public hearing. The letter of intent indicates that the applicant intends to limit the pawnbroker 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-2 zoning district, surrounded by commercially and residentially zoned properties and provides the residential properties with access to neighborhood services. However, the proposed pawnbroker use is only permitted in the BU-3 zoning district 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-2 zoning district. Although the BU-3 district provides for a host of uses that are significantly more intense than those allowed in the BU-2 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 the subject request, to permit a pawnbroker use in the BU-2 zone, as would be permitted in the BU-3 zone only upon approval after public hearing, is analyzed under Section 33-311(A)(4)(a), Use Variance Standards, 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 33-253 of the Code lists ten (10) permitted uses in addition to all of the uses permitted in BU-1 (Neighborhood Business) district and BU-1A (Limited Business) district as permitted uses in the BU-2 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 the request for the proposed pawnbroker use under the Use Variance Section 33-311(A)(4)(a).**

**CIRCULATION AND PARKING:**

The subject property has ingress and egress points along SW 24 Street (Coral Way) and SW 87 Avenue.

**ENVIRONMENTAL REVIEW:** Not applicable.

**OTHER:** Not applicable.

**RECOMMENDATION:** Denial without prejudice.

**CONDITIONS FOR APPROVAL:** None.

ES:MW:NN:AN:EJ

A handwritten signature in black ink, appearing to read "Eric Silva", is written over a horizontal line. To the right of the signature, the initials "NDN" are handwritten.

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

# ZONING RECOMMENDATION ADDENDUM

*Tadpole Investments, Inc.  
Z10-016*

## COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES,

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Regulatory and Economic Resources (Environmental Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No comments
Schools	No objection
*Subject to conditions in their memorandum.	

### POLICIES AND INTERPRETATIVE TEXT

<b>Business and Office</b> (Pg. I-41)	<i>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.</i>
<b>Land Use Objective 4</b> (Pg. I-11)	<i>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.</i>
<b>Policy LU-4A</b> (Page I-11)	<i>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.</i>

### PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.</b>	<i>The Board shall hear and grant applications for <b>use variances</b> 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 <b>unnecessary hardship</b>, 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.</i>
<b>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</b>	<i><b>Special exceptions</b> (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i>

**1. TADPOLE INVESTMENTS, INC**  
**(Applicant)**

**13-12-CZ10-1(10-016)**  
**Area 10/District 10**  
**Hearing Date: 12/11/13**

Property Owner (if different from applicant) **Columbia BBB Westchester Shopping**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1960	Westchester Inc.	- Special Exception for special permit for promotional installation.	BCC	Approved with Condition(s)
1979	Lionel Leisure Inc.	- Special Exception to permit expansion of existing shopping center.	ZAB	Approved with Condition(s)
1983	Arthur Fastenberg ET AL	- Modification condition of resolution. - Special Exception to permit expansion of existing shopping center. - Non-Use Variances of zoning regulation as applied to signs and of landscaping requirements.	ZAB	Approved with Condition(s)
1983	Arthur Fastenberg ET AL	- Modification of condition of resolution.	BCC	Approved with Condition(s)
1989	Salsa Westchester Inc.	- Special Exception to permit expansion of existing shopping center. - Non-Use Variance of landscaping requirements.	ZAB	Approved with Condition(s)
1990	Columbia – BBB Westchester Shopping Cent.	- Modification of condition of resolution.	ZAB	Approved with Condition(s)
1991	Columbia Westchester Shopping Center Associates	- Non-Use Variances of zoning regulation as applied to signs.	ZAB	Approved with Condition(s)

1999 Sprint Pcs.

- Non-Use Variance of setback  
requirement of landscaping.

C10

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.

# Memorandum



**Date:** November 2, 2012

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

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

A handwritten signature in black ink, appearing to read "Jose Gonzalez". The signature is written in a cursive, flowing style.

**Subject:** C-10 #Z2010000016-1<sup>st</sup> Revision  
Tadpole Investments, Inc.  
2275 S.W. 87<sup>th</sup> Avenue  
Special Exception to Permit a Pawn Shop  
(BU-2) (18.95 Acres)  
10-54-40

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.

#### Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by the Department for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

#### Stormwater Management

According to the information found on this project, the proposed change will not affect the existing stormwater management system.

#### Wetlands

The subject property does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

According to the site plan submitted with this zoning application, the proposal to permit a pawn shop will not impact tree resources. Be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

Enforcement History

The subject property has two (2) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

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

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: TADPOLE INVESTMENTS, INC

This Department has no objections to this application.

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



Raul A Pino, P.L.S.

12-APR-10

# Memorandum



**Date:** October 19, 2012

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

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

**Subject:** Z2010000016: TADPOLE INVESTMENTS, INC  
Includes Revised Plans Dated stamped received 9/28/12

---

**Application Name:** TADPOLE INVESTMENTS, INC

**Project Location:** The site is located at 2275 SW 87 AVENUE, Miami-Dade County.

**Proposed Development:** The applicant is requesting a use variance and special exception to permit a pawn broker. Includes Revised Plans Dated stamped received 9/28/12.

**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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:** 20-NOV-12  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** William W. Bryson, Fire Chief.  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2010000016

**Fire Prevention Unit:**

No objection via Case # Z2010000016.

**Service Impact/Demand**

Development for the above Z2010000016  
 located at 2275 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1440 is proposed as the following:

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

Based on this development information, estimated service impact is: N/A alarms-annually.  
 The estimated average travel time is: 5:46 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
 Station 47 - Westchester - 9361 Coral Way  
 Rescue, ALS Engine

**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.

ENFORCEMENT EISTORY  
TADPOLE INVESTMENTS, INC  
10-016

**FOLIO: 30-4010-000-0020**

**NC OPEN:** CASE #201303006069, WAS OPENED ON JULY 9, 2013, FOR FAILURE TO OBTAIN A CERTIFICATE OF USE FOR THE BUSINESS. AS OF NOVEMBER 21, 2013, NO CERTIFICATE IS ON FILE. FURTHER ENFORCEMENT IS PENDING RESEARCH WITH THE ZONING DEPARTMENT.

**NC CLOSED:** THERE ARE NO CURRENT NEIGHBORHOOD COMPLIANCE REGULATIONS CASES.

**BLDG OPEN:**

BSS case A2009001270-X-8571 SW 24 ST, opened on 12/12/08. Notice of Violation issued for expired permit 2008034805. Ticket B086304 issued on 9/21/09 for non-compliance. Final Notice of Intent to lien/Demand for payment issued on 10/19/10, Lien was recorded on 8/29/11. Ticket was paid on 10/5/11, violation remains open.

BSS case A2010001484-X-2275 SW 87 AVE opened on 2/12/10. Notice of Violation issued for expired permit 2009030976. Ticket P004558 issued on 7/29/11 for non-compliance. Final Notice of Intent to lien/Demand for payment issued on 4/10/12, permit renewed however ticket was not paid. Lien was recorded on 7/9/12 and ticket paid on 7/23/12, case remains open.

BSS case A2012003331-X-8679 SW 24 ST opened on 7/11/12. Ticket 650322 issued to contractor on file for expired permit 2011057586. Case remains open.

**BLDG CLOSED:** THERE ARE NO CURRENT BUILDING SUPPORT CLOSED CASES

**FOLIO: 30-4010-000-0033**

**NC OPEN:** THERE ARE NO CURRENT OPEN NEIGHBORHOOD COMPLIANCE CASES

**NC CLOSED:**

**CASE #201203001499,** WAS OPENED ON FEBRUARY 27, 2012, FOR FAILURE TO MAINTAIN THE REQUIRED PARKING LOT STRIPING OR PAVEMENT MARKINGS [THE ENTIRE PARKING LOT FROM THE CVS STORE/DISABLED PARKING SPACES ARE FADED]. A WARNING LETTER WAS ISSUED THE SAME DAY. CIVIL VIOLATION NOTICE #T027878, WAS ISSUED ON MAY 23, 2012. THE VIOLATION WAS CORECTED AND THE CASE HAS BEEN CLOSED.

**CASE #201302010670,** WAS OPENED ON DECEMBER 17, 2012, FOR THE UNAUTHORIZED USE OF MAINTAINING TWO CARGO CONTAINERS IN THE PARKING LOT FOR STOARGE PURPOSES. A WARNING LETTER WAS ISSUED THE SAME DAY. THE VIOLATION WAS CORRECTED AND THE CASE HAS BEEN CLOSED.

**BLDG SUPPORT:**

3040100000033- no open/closed cases.

**DISCLOSURE OF INTEREST\***

If a CORPORATION 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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest.]

PARTNERSHIP NAME: <u>Tadpole Investments, Inc.</u>	
NAME AND ADDRESS	Percentage of Stock
Lino Alvarado, 8561 Coral Way, Miami, FL 33155	50%
María Alvarado, 8561 Coral Way, Miami, FL 33155	50%

**NOTICE:** For 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: *Lino Alvarado*  
 Print Name: Lino Alvarado  
 Title: Sec.

**Tadpole Investments, Inc.**

Sworn to and subscribed before me this 17 day of February, 2010, that is personally known to me or has produced K-7-A416-530-60.091-0 as identification.

*[Signature]*  
 (Notary Public)



My commission expires 11/21/2010

\* 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 percent (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.

210-010  
J

**DISCLOSURE 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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest.]

PARTNERSHIP NAME: <u>Columbia – BBB Westchester Shopping Center Associates</u>	
NAME AND ADDRESS	Percentage of Stock
<u>Columbia – BBB Westchester Shopping Center Associates</u>	<u>100%</u>

**NOTICE:** For 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: *Gary A. Brown*  
 By: B.B.B. West, Inc., Its partner  
 Print Name: Gary A. Brown  
 Title: President

**Columbia – BBB Westchester Shopping Center Associates, a Florida General Partnership**

Sworn to and subscribed before me this 14<sup>th</sup> day of August, 2009. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

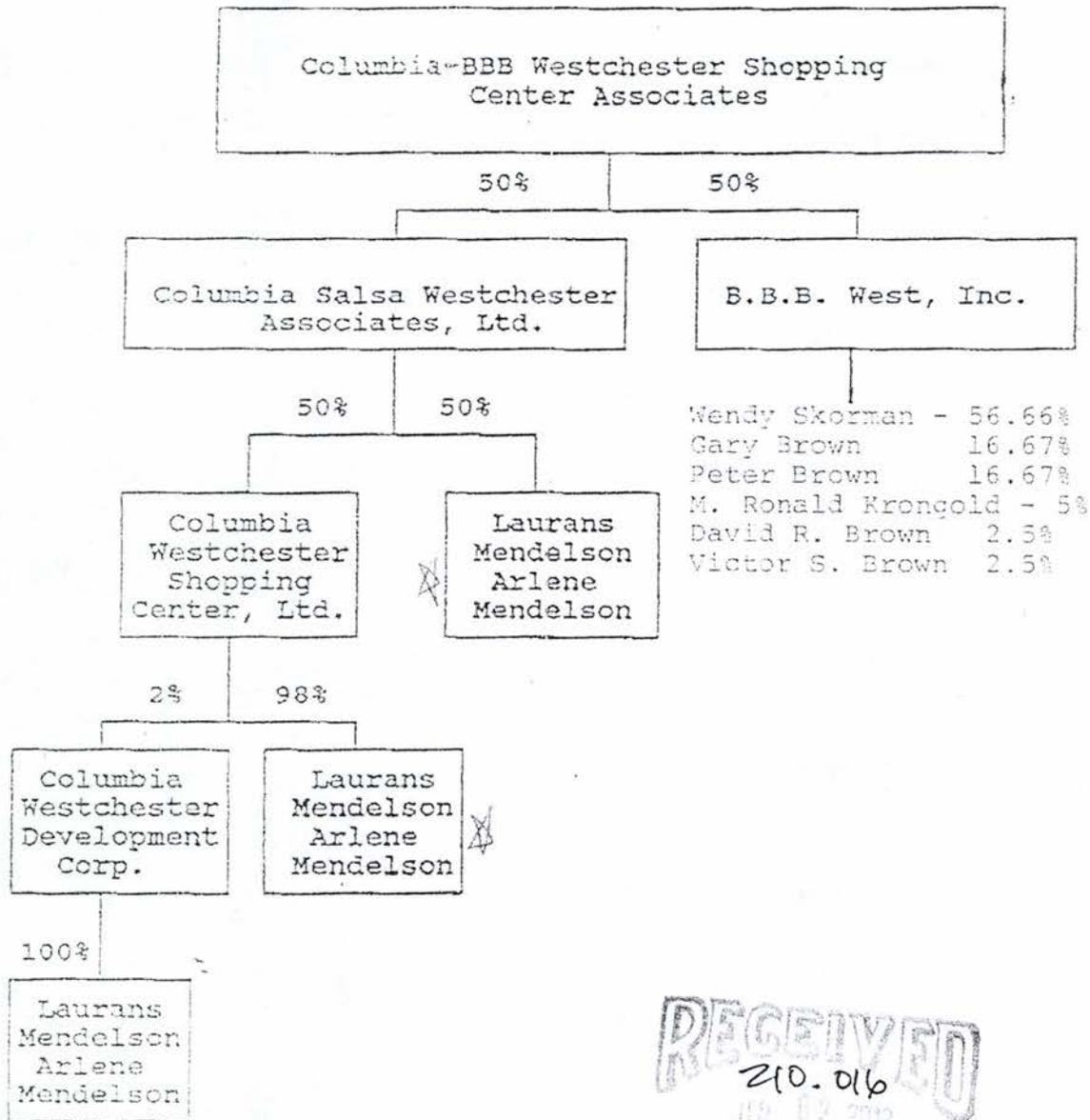
*Patricia J. Wynn*  
 (Notary Public)



My commission expires \_\_\_\_\_

\* 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 percent (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.

210-016  
 FEB 17 2010  
 ZONING DEPARTMENT  
 HAWAII COUNTY PLANNING  
 BY *J*

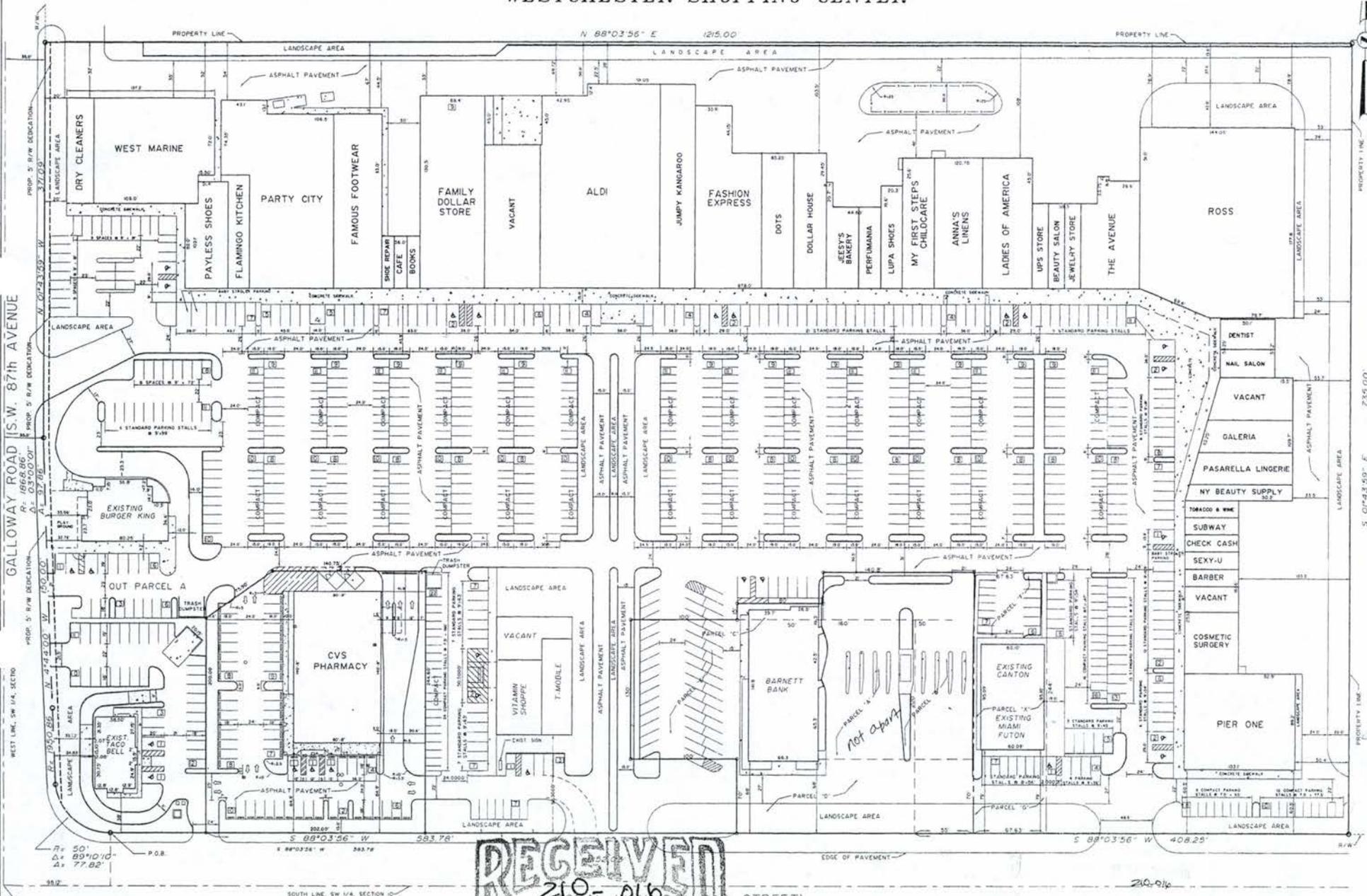


RECEIVED  
210.016  
10/02/2013

PROPERTY RECORDS SECTION  
MIAMI COUNTY TRADING AND ZONING DEPT.  
BY: *[Signature]*

\* Laurans Mendelson & Arlene Mendelson each have a 50% share of the listed interest





GALLOWAY ROAD [S.W. 87th AVENUE]

WEST LINE, SW 1/4, SECTION 18-66-86  
 R= 1866.86  
 A= 0.37000°  
 PROP. 5 R/W DEDICATION  
 N 01°23'33" W  
 371.09'

R= 50'  
 Δ= 89°10'10"  
 Δ= 77.82'

S 88°03'56" W 583.78'

SOUTH LINE, SW 1/4, SECTION 18-66-86

N 88°03'56" E 1215.00'

PROPERTY LINE

S 01°43'59" E 735.00'

PROPERTY LINE

**RECEIVED**  
 210-016  
 JUL 26 2013

(STREET)

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY *AT*

ENLARGED SITE PLAN

**ZAMORA & ASSOCIATES, INC.**

WESCHESTER SHOPPING CENTER  
 CORAL WAY & GALLOWAY RD  
 MIAMI, FLORIDA  
 THE FLORIDA COMMERCIAL GROUP

P.E. No. 442  
 F.B. 0008781  
 STATE OF FL  
 SCALE:  
 DATE:  
 DRAWN BY:  
 CHECKED BY:  
 PROJECT No.  
 SHEET No.

C.

# MASTER SITE PLAN WESTCHESTER SHOPPING CENTER

19

**SITE DATA:**

ZONING: BU-2  
LAND USE: SPECIAL BUSINESS

**PARKING SPACES:**  
 Total Building Area 229,78 square feet  
 Total Retail Building Existing (old code) 194,220 square feet  
 Total Retail Building Area (current code) 12,200 square feet  
 Total Restaurant Patron Areas (15,354 sq. ft.) 7,577 square feet  
 Gym / Health Club 4,200 square feet  
 Day Care 3,204 square feet

**Parking Spaces Required**

Retail Area (Constructed under old code)  
 1 space per 300 Sq. Ft. of Building Area  
 194,220 / 300 = 647.4  
 Retail Area (Constructed under current code)  
 1 space per 250 Sq. Ft. of Building Area  
 12,200 / 250 = 48.8 spaces  
 Patron Areas:  
 1 space per 50 Sq. Ft. of Patron Area  
 7,577 / 50 = 153.5 spaces  
 Gym / Health Club (Existing)  
 1 space per 200 Sq. Ft. of Building Area  
 4,200 / 200 = 21 spaces  
 Day Care:  
 1 space per staff (Total staff = 8)  
 8 spaces

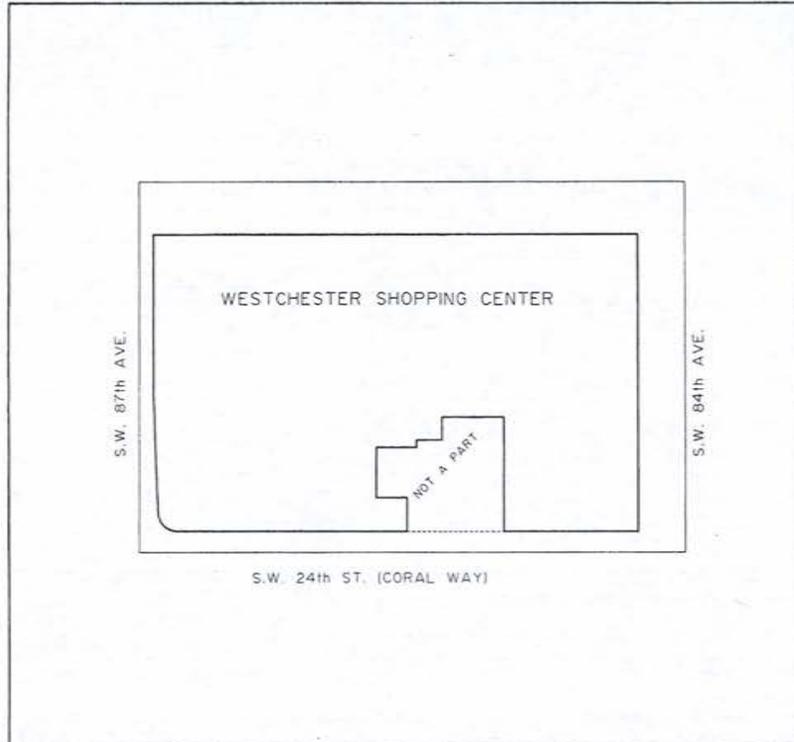
Total Required Spaces = 878 Spaces

**Parking Spaces Provided**

Standard	557
Compact	350
Handicap	25
Stroller	3
<b>Total</b>	<b>944</b>

**NOTES:**

- BACKGROUND INFORMATION OBTAINED FROM SKETCH OF SURVEY SURVEY PREPARED BY SCHWABE - SHIRK & ASSOCIATES DATED 4-18-97
- BEARING SHOWN HEREON ARE BASED ON AN ASSUMED BEARING (N88°03'56"E) ALONG S.W. 24th STREET.
- THE LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED BY THIS FIRM AND/OR SURVEYOR REGARDING MATTERS OF INTEREST BY OTHER PARTIES, SUCH AS EASEMENTS, RIGHT-OF-WAYS, RESERVATIONS, ETC.
- THE LEGAL DESCRIPTION THAT THE PROPERTY WAS SURVEYED FROM WAS PROVIDED BY THE CLIENT.
- THE PROPERTY LEGALLY DESCRIBED ON THIS SKETCH AND THE PROPERTY DESCRIBED AS PARCEL "X" ARE CONTIGUOUS WITHOUT GAPS, GORES OR MATUSES.



LOCATION MAP

**LEGAL DESCRIPTION:**

A portion of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 10 and run North 88°03'56" East, along the South line of the Southwest 1/4 of said Section 10, for 88.12 feet, thence North 0°56'04" west at right angles to the last described course for 50.00 feet to the Point of Beginning of the following described parcel of land (said parcel being on a curve and bearing South 0°56'04" East from the radius point of the last described course); thence Southwesterly, Westerly and Northwesterly along a circular curve to the right, having a radius of 50.00 feet and a central angle of 89°00'00" but an arc distance of 77.82 feet to a Point of Reverse Curvature; thence Northwesterly along a circular curve to the left, having a radius of 190.86 feet and a central angle of 0°36'05" for an arc distance of 67.02 feet to a point of Tangency, thence North 0°44'00" West for 100.00 feet to a point of Curvature, thence Northwesterly along a circular curve to the right, having a radius of 186.86 feet and a central angle of 0°36'05" for an arc distance of 97.86 feet to a point of Tangency, thence North 0°43'09" West, along a line parallel with and 35.00 feet east of as measured at right angles to the West line parallel with 78.00 feet North of, as measured at right angles to, the South line of the Southwest 1/4 of said Section 10 for 100.00 feet; thence South 0°43'09" east along a line parallel with the West line of the Southwest 1/4 of said Section 10 for 735.00 feet, thence South 88°03'56" West along a line parallel with and 50.00 feet North of, as measured at right angles to the South line of the Southwest 1/4 of said Section 10, for 408.25 feet, thence North 0°33'49" West, along a line parallel with and 84.75 feet East of, as measured at right angles to the West line of Southwest 1/4 of said Section 10, for 200.00 feet; 250.00 feet North of, as measured at right angles to the South line of the Southwest 1/4 of said Section 10, for 160.00 feet thence South 0°43'09" East along a line parallel with the 84.75 feet East of as measured at right angles to the West line of Southwest 1/4 of said Section 10, for 300.00 feet, thence South 88°03'56" West, along a line parallel with and 50.00 feet North of, as measured at right angles to the South line of the Southwest 1/4 of said Section 10, for 583.75 feet to the Point of Beginning.

Less and except the following described parcels (herein):

- Parcel "A":  
 The East 180.00 feet of the West 84.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.
- Parcel "B":  
 The East 55.00 feet of the West 84.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.
- Parcel "C":  
 The East 180.00 feet of the West 84.75 feet of the North 70.00 feet of the South 120.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.
- Parcel "D":  
 The East 100.00 feet of the West 84.75 feet of the North 130.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.
- Parcel "E":  
 The East 208.00 feet of the West 84.75 feet of the North 174.00 feet of the South 250.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.
- Parcel "F":  
 The East 128.00 feet of the West 84.75 feet of the North 10.00 feet of the South 120.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.
- Parcel "G":  
 The East 87.63 feet of the West 84.75 feet of the North 244.00 feet of the South 294.00 feet of the Southwest 1/4 of Section 10, Township 54 South, Range 40 East, Dade County, Florida.

RECEIVED

210-01p  
JUL 26 2013

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY    AH   

REVISIONS:  
1. 7/22/13 PARKING DATA

**ZAMORA & ASSOCIATES, INC.**  
ENGINEERING AND LAND PLANNING  
1840 N. KENDALL DRIVE SUITE 302 MIAMI, FLORIDA 33176  
(305) 273-7800 FAX (305) 273-9544

PROJECT: WESTCHESTER SHOPPING CENTER  
CORAL WAY & GALLOWAY RD  
MIAMI, FLORIDA

OWNER: THE FLORIDA COMMERCIAL GROUP  
5901 S.W. 11th Street, Suite 407  
SOUTH MIAMI, FLORIDA, 33143

**MASTER SITE PLAN**

SEAL:

P.E. No. 44207  
E.J. SCHWAN  
STATE OF FLORIDA  
SCALE: 1" = 40'  
DATE: 8/20/2012  
DRAWN BY: G.J.  
CHECKED BY: G.J.  
PROJECT No. 2012-39  
SHEET No.

C-1

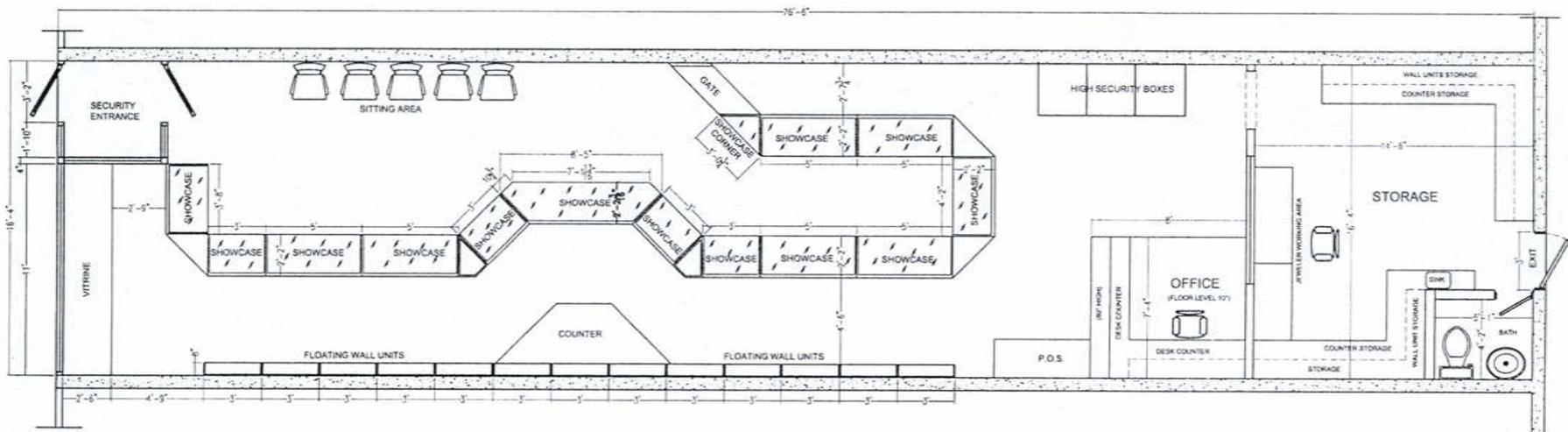
20

RECEIVED

MIAMI-DADE COUNTY  
PROCESS #: Z10-016  
DATE: FEB 17 2010  
BY: SDB

RECEIVED  
Z10-016  
FEB 17 2010

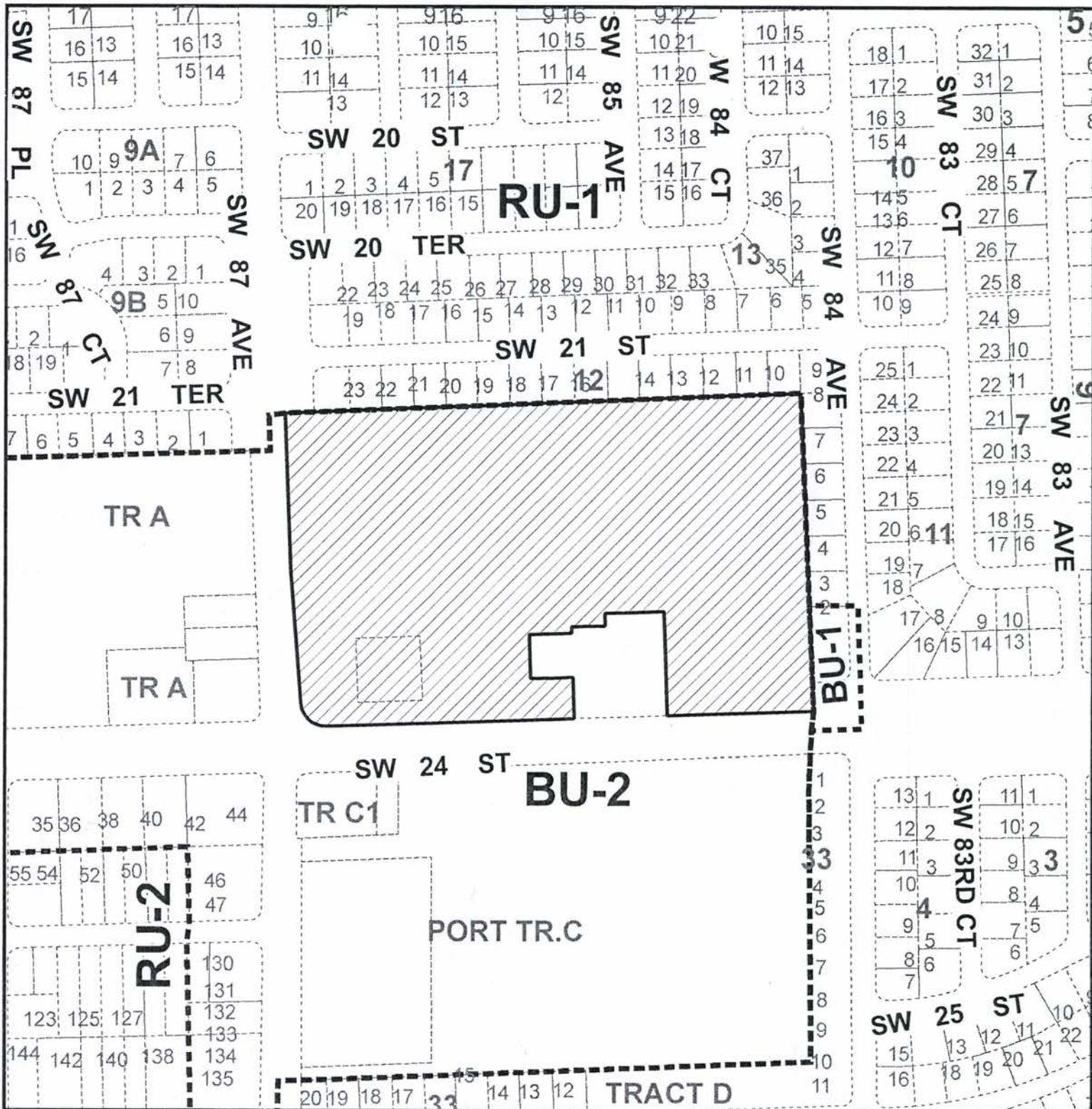
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: *AT*



PLAN LAYOUT  
SCALE 3/16"=1'-0"

Z10-016  
FEB 17 2010  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

REF:	ADDRESS	SHEET TITLE	PROJECT	DRAWING
PROJECT NO: 09-27-09	8561 Coral Way	PLAN LAYOUT		
DATE: 9/27/2009	(Westchester Shopping Center)			
CAD DWG FILE: MARQUISE JEWELERS PLAN_LAYOUT.DWG	Miami, Florida 33155	Marquise Jewelers - Westchester Shopping Center		
DRAWN BY: F. GALARZA				
CHK'D BY:				1/1



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2010000016**

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY
		2/1



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2009**

Process Number

**Z2010000016**



**Legend**

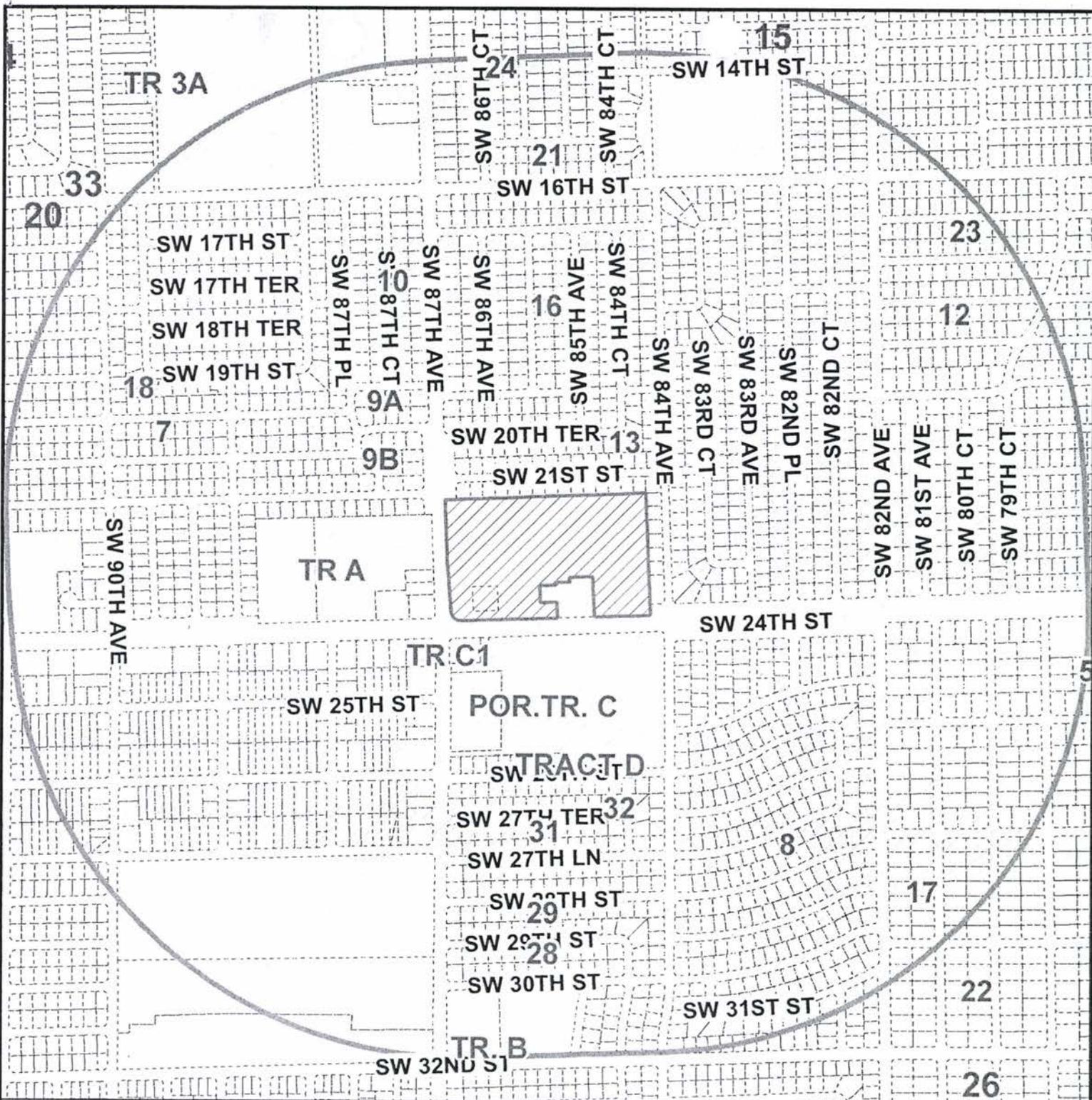
 Subject Property

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY
		<i>JG</i>



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

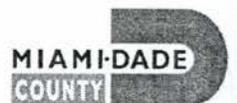
Process Number

**Z2010000016**

RADIUS: 2640

**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, March 11, 2010

REVISION	DATE	BY



Miami-Dade County  
Department of Regulatory and Economic Resources

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z201000016

BOARD: C10

LOCATION OF SIGN: 2275 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

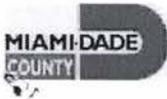
Miami Dade County, Florida

Date of Posting: 18-NOV-13

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE: 

PRINT NAME: FELIX ACOSTA



Miami-Dade County  
Department of Regulatory and Economic Resources

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z2010000016

BOARD: C10

LOCATION OF SIGN: 2275 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 18-NOV-13

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE: 

PRINT NAME: FELIX ACOSTA



Miami-Dade County  
Department of Regulatory and Economic Resources

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z2010000016

BOARD: C10

LOCATION OF SIGN: 2275 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 18-NOV-13

*This is to certify that the above photograph is true and correct and that the sign concerning a Zoning Hearing application was posted as indicated above.*

SIGNATURE: 

PRINT NAME: FELIX ACOSTA

HEARING NO. 13-12-CZ10-1 (10-16)

10-54-40  
Council Area 10  
Comm. Dist. 10

APPLICANT: TADPOLE INVESTMENTS, INC.

USE VARIANCE to permit a pawn broker use in the BU-2 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 "Westchester Shopping Center" as prepared by Zamora & Associates, inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers- Westchester Shopping Center" as prepared by F. Galarza, dated stamped received 2/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

LOCATION: 2275 S.W. 87 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 18.95 Acres

PRESENT ZONING: BU-2 (Business – Special)



APPLICANT: TADPOLE INVESTMENTS, INC.

USE VARIANCE to permit a pawn broker use in the BU-2 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 "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers-Westchester Shopping Center" as prepared by F. Galarza, dated stamped received 2/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the SW ¼ of Section 10, Township 54 South, Range 40 East, being more particularly described as follows: Commence at the southwest corner of said Section 10 and run N88°03'56"E, along the south line of the SW ¼ of said Section 10 for 98.12'; thence N01°56'04"W at right angles to the last described course for 50' to the Point of beginning of the following described parcel of land (said point being on a curve and bearing S01°56'04"E from the radius point of the next described curve) thence SW/ly, W/ly and NW/ly along a circular curve to the right, having a radius of 50' and a central angle of 89°10'10" for an arc distance of 77.82' to a Point of reverse curvature); thence NW/ly along a circular curve to the left, having a radius of 1,950.86' and a central angle of N01°58'04" for an arc distance of 67.02' to a Point of tangency; thence, N04°44'00"W for 150' to a Point of curvature; thence NW/ly along a circular curve to the right, having a radius of 1,868.86' and a central angle of 03°00'01" for an arc distance of 97.86' to a Point of tangency; thence N01°43'59"W, along a line parallel with and 35' east of as measured at right angles to the west line of the SW ¼ of said Section 10 for 1,215'; thence S01°43'56"E along a line parallel with the west line of the SW ¼ of said Section 10 for 735'; thence S88°03'56"W along a line parallel with and 50' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 408.25'; thence N01°43'59"W, along a line parallel with and 841.75' east of, as measured at right angles to the west line of the SW ¼ of said Section 10, for 200'; thence S88°03'56"W, along a line parallel with and 250' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 160'; thence S01°43'59"E along a line parallel with and 681.75' east of as measured at right angles to the west line of the SW ¼ of said Section 10, for 200'; thence S88°03'56"W, along a line parallel with and 50' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 583.78' to the Point of beginning. LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS THEREOF: PARCEL "A": The east 160' of the west 841.75' of the north 130' of the south 250' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "B": The east 55' of the west 896.75' of the north 130' of the south 250' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "C": The east 80' of the west 761.75' of the north 15' of the south 265' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "D": The east 160' of the west 841.75' of the north 70' of the south 120' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "E": The east 100' of the west 681.75' of the north 130' of the south 250.00 feet of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "F": The east 208' of the west 969.75' of the north 174' of the south 294' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "G": The east 128' of the west 969.75' of the north 70' of the south 120' of the SW ¼ of Section 10,

CONTINUED ON PAGE TWO

AT

HEARING NO. 13-12-CZ10-1 (10-16)

10-54-40  
Council Area 10  
Comm. Dist. 10  
PAGE TWO

APPLICANT: TADPOLE INVESTMENTS, INC.

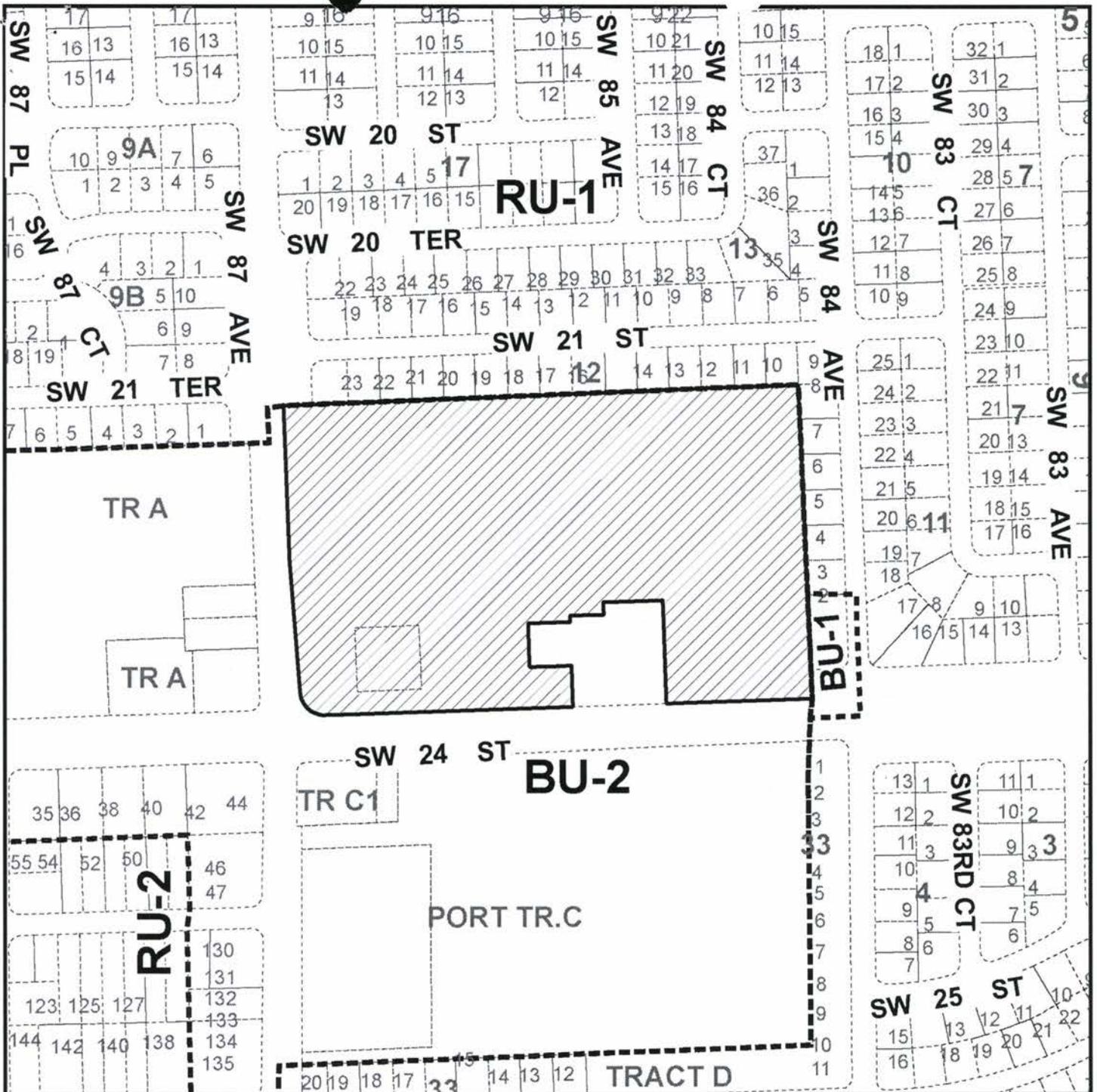
Township 54 South, Range 40 East. AND: PARCEL II: PARCEL "X": The east 67.63' of the west 969.75' of the north 244' of the south 294' of the SW ¼ of Section 10, Township 54 south, Range 40 East.

LOCATION: 2275 S.W. 87 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 18.95 Acres

PRESENT ZONING: BU-2 (Business – Special)

AA



**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2010000016**

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2009**

Process Number

**Z2010000016**



Legend

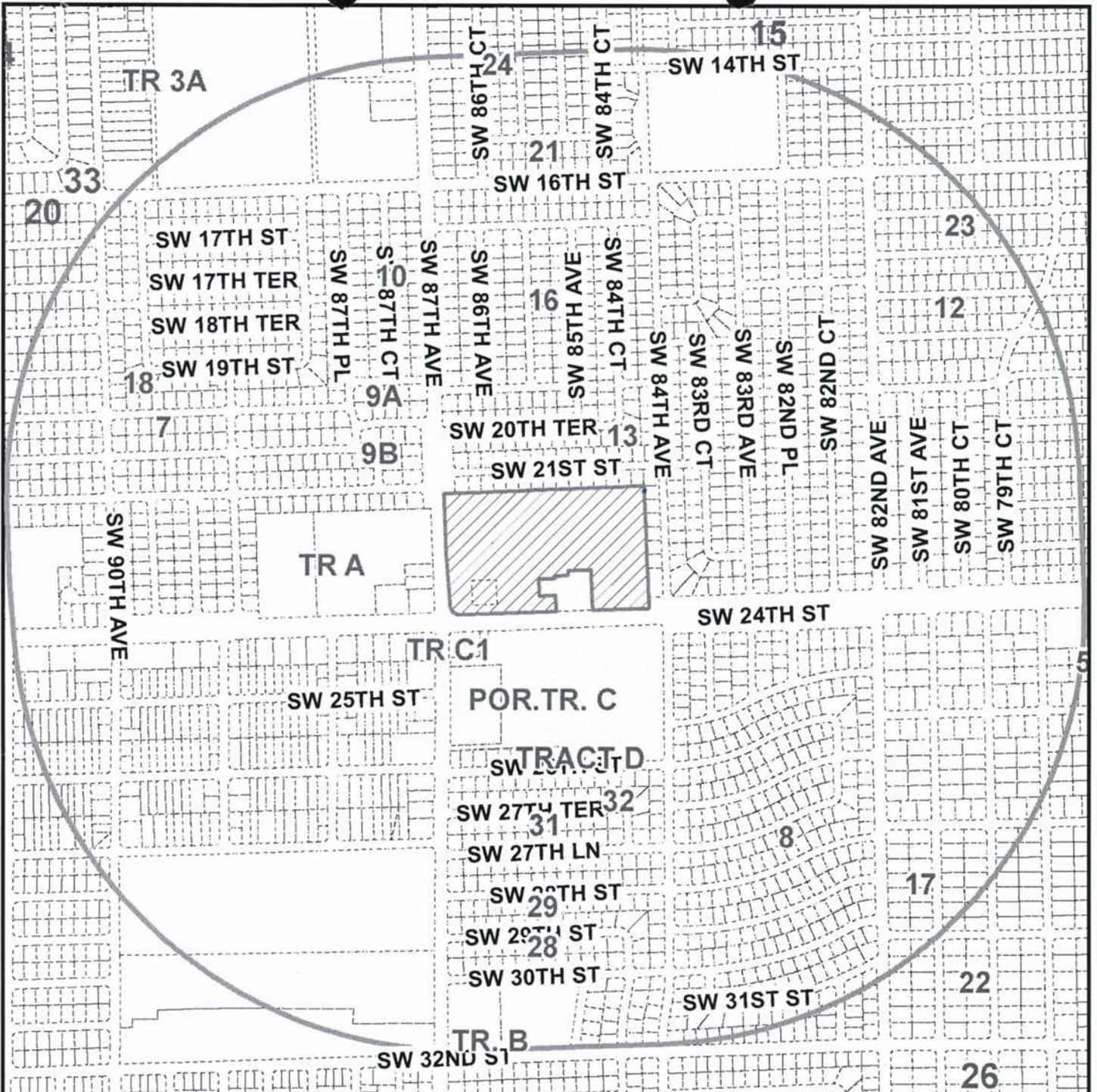
 Subject Property

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Process Number

**Z2010000016**

RADIUS: 2640

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, March 11, 2010

REVISION	DATE	BY