

RESOLUTION NO. CZAB11-2-14

WHEREAS, MILLER SQUARE LLC applied for the following:

NON-USE VARIANCE to permit a shopping center with a 9th detached sign (2 permitted, 8 existing and previously approved) of 252 sq. ft. size.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Miller Square Shopping Center" as prepared by WHA Design, Inc., dated stamped received 2/14/14 and consisting of 2 sheets and plan entitled "L.A. Fitness" as prepared by Thomas Sign & Awning Company, Inc., consisting of 1 sheet dated stamped received 12/13/13 for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract "A" of WEST MILLER SQUARE, PB 113-12. AND Tract "B" of WEST MILLER SQUARE, PB 113-12, less the following: Commence at the Northeast corner of Tract "B" and run S2°19'10"E along the Westerly right-of-way line of SW 137th Avenue for a distance of 202.00 feet; thence run S87°40'50"W at right angles to the last described course for 135.00 feet to the Point of Beginning; thence continue S87°40'50"W for a distance of 202.00 feet; thence S2°19'10"East at right angles to the next and last described course for 226.00 feet; thence N87°40'50"E for 27.67 feet; thence N2°19'10"W at right angles to the next and last described course for 4.33 feet; thence N87°40'50"E for 9.83 feet; thence S2°19'10"E at right angles to the next and last described course for 14.67 feet; thence N87°40'50"E for 17.33 feet; thence N2°19'10"W at right angles to the next and last described course for 14.67 feet; thence N87°40' 50"E for 9.75 feet; thence S2°19'10"E at right angles to the next and last described course for 29.67 feet; thence N87°40'50"E for 91.33 feet; thence N2°19'10"W at right angles to the next and last described course for 25.33 feet; thence N87°40'50"E for 46.08 feet; thence N2°19'10"W at right angles to the last described course for 226.00 feet to the Point of Beginning.

LOCATION: 13714 SW 56 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 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 non-use variance to permit a shopping center with a 9th detached sign of 252 sq. ft. size 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 Jay Reichbaum seconded by Socrates De Jesus and upon a poll of the members present, the vote was as follows:

Carolina Blanco	nay	Miguel A. Diaz	absent
Socrates De Jesus	aye	Jay Reichbaum	aye
		Beatrice Suarez	absent
		Patricia G. Davis	aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 11 that the requested non-use variance to permit a shopping center with a 9th detached sign of 252 sq. ft. size 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 Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include, 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 "Miller Square Shopping Center" as prepared by WHA Design, Inc., consisting of 2 sheets, dated stamped received 02/14/14, and a plan entitled "LA Fitness", as prepared by Thomas Sign & Awning Co Inc., consisting of 1 sheet dated stamped received 12/13/13, for a total of 3 sheets.
3. That the use be established and maintained in accordance with the approved plan.

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 8th day of April, 2014.

Hearing No. 14-4-CZ11-1
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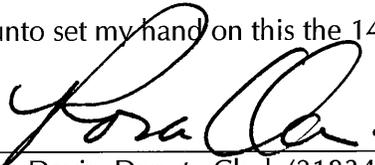
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 14TH DAY OF APRIL, 2014.

STATE OF FLORIDA

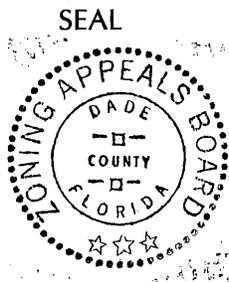
COUNTY OF MIAMI-DADE

I, Rosa Davis, 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 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-2-14 adopted by said Community Zoning Appeals Board at its meeting held on the 8th day of April, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 14th day of April, 2014.



Rosa Davis, Deputy Clerk (218345)
Miami-Dade Department of Department of Regulatory
and Economic Resources





Department of Regulatory and Economic Resources
Development Services Division
111 NW 1st Street • Suite 111C
Miami, Florida 33128-1902
T 305-375-264C
www.miamidade.gov/economy

April 14, 2014

Miller Square, Inc.
c/o Graham Penn
200 S. Biscayne Blvd, Suite 850
Miami, FL 33131

Re: Hearing No. 14-04-CZ11-1 (11-121)
Location: 13714 SW 56 St, Miami-Dade County, Florida.

Dear Applicant:

Enclosed herewith is **Resolution No. CZAB-2-14**, adopted by the by the Community Zoning Appeals Board 11 **which approved your application on the above described property**. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

If stipulated in the resolution that building permits and/or use, occupancy or completion certificates will be required, please note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificates(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department as appropriate. At time of permit application you must provide a copy of this resolution.

If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, in as much as building permits will not be issued prior to the approval of said plan.

The Board's decision may be appealed by an aggrieved party to Circuit Court within 30 days of the date of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is **April 14, 2014**. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

R. A. Cuevas, Jr.,
County Attorney
111 N.W. 1st Street, Suite 2811
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

A handwritten signature in cursive script that reads "Rosa Davis".

Rosa Davis
Deputy Clerk

Enclosure