

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

**PH: Z13-003 (13-11-CZ12-1)**

**January 7, 2014**

Item No. A

<b>Recommendation Summary</b>	
<b>Commission District</b>	10
<b>Applicant</b>	MG Jewelers of Miami, 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, to modify a previously approved resolution and to permit fewer street trees than required.
<b>Location</b>	11760 SW 88 Street, Miami-Dade County, Florida.
<b>Property Size</b>	2.5 acres
<b>Existing Zoning</b>	BU-1A
<b>Existing Land Use</b>	Retail
<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> standards, Section 33-311(A)(7) <b>Generalized Modification Standards</b> and Section 33-311(A)(4)(b) <b>Non-Use Variances From Other Than Airport Regulations</b> (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Denial without prejudice.</b>

This item was deferred from the December 17, 2013 meeting of Community Zoning Appeals Board (CZAB) #12, to allow for the advertisement of two new requests.

**REQUESTS:**

- (1) USE-VARIANCE to permit a pawn broker use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing.
- (2) MODIFICATION of Condition #2 of Resolution CZAB12-4-11, passed and adopted by the Community Zoning Appeals Board, reading as follows:

FROM: "2. That the applicant provide the required amount of street trees along SW 88 Street (North Kendall Drive) and SW 89 Street rights-of-way at the time of permitting."

TO: "2. That the applicant provide 15 palm street trees along SW 88 street (North Kendall Drive) right-of-way at the time of permitting, and to allow (0) street trees along SW 89 Street."

The purpose of the above request is to allow the applicant to reduce the number of street trees required along SW 88 Street (North Kendall Drive) and to provide (0) street trees along SW 89 street.

- (3) NON-USE VARIANCE to permit 15 palm street trees (21 palm street trees required) along the SW 88 Street (North Kendall Drive) right-of-way, and to permit (0) street trees (15 street trees required) along SW 89 Street right-of-way.

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

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

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

The current application seeks a pawn broker use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing, for the pawning of jewelry only. Additionally, the applicant seeks to modify a condition of a prior resolution in order to provide fewer street trees than required along the rights-of-way. The site plan submitted by the applicant depicts an existing 1,428 sq. ft. jewelry store within a 32,413 sq. ft. shopping center.

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

**NEIGHBORHOOD COMPATIBILITY:**

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

**SUMMARY OF THE IMPACTS:**

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

this area. In addition, the approval of the site without the required amount of street trees can have a negative visual impact on the area.

### **COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

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

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

### **ZONING ANALYSIS:**

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

The current application seeks approval of a use variance, under Section 33-311(A)(4)(a) to permit a pawnbroker use in the BU-1A zoning district as would be permitted in the BU-3 district (request #1) only upon approval after public hearing. The letter of intent submitted by the applicant indicates that the applicant intends to limit the pawn use solely for jewelry and will not permit the pawning of other merchandise. Additionally, the applicant is requesting to modify a condition of a previously approved resolution in order to reduce the number of street trees required (request #2) and is seeking to permit fewer street trees along SW 89 Street than are required (request #3).

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

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

Based on the information provided by the applicant, staff opines that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in an unnecessary hardship. As previously discussed, the subject property is currently in use and operating as a jewelry store; as such, the current use provides the applicant with economic use and benefit. Furthermore, Section 33-247 provides over forty-five (45) uses permitted in the BU-1A zoning district, which allow for the reasonable use and benefit of the subject property. Staff is of the opinion that the approval of the use variance request will not be in harmony with the general purpose and intent of the regulation, and that the applicant has not demonstrated a loss of all reasonable use of the property under the existing zoning. **As such, staff recommends denial without prejudice of request #1 for the proposed pawnbroker use under the Use Variance Section 33-311(A)(4)(a).**

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

When request #2, which is a modification of condition #2 of Resolution CZAB12-4-11, requiring the applicant to provide the required street trees, is analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that the approval of said request would be **incompatible** with the surrounding area and would be inconsistent with the general purpose and intent of the zoning regulations for the reasons stated below. On the other hand, based on the memoranda from the Platting and Traffic Review Section of the Department of Regulatory and

Economic Resources (RER), the Division of Environmental Resource Management (RER) and the Miami-Dade Fire Rescue Department, staff also opines that the proposed modification will not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, provoke excessive overcrowding of people, tend to provoke a nuisance and would not be contrary to the public interest.

However, the BU-1A zoning district regulations requires the applicant to among other things provide *buffering elements in the form of architectural design and landscape design that provide a logical transition to adjoining existing or permitted uses*. As previously noted, the applicant indicated an intent to provide the required street trees by withdrawing the request in the previous public hearing (Resolution #CZAB12-4-11). The applicant has not satisfied this requirement and, combined with the request for an intensification of the uses (request #1), staff opines that approval of this request would be incompatible with the area concerned when considering the necessity and reasonableness of the requested modification.

The applicant has indicated in the submitted revised letter of intent that there are existing utility easements that prevent the planting of street trees along SW 89 Street. Staff has asked the applicant to provide documentation from the utility company indicating that no trees could be planted within those areas. As of the time of this writing, staff has not received any documentation from the utility company addressing same. Staff opines that without proper documentation to the contrary, the applicant has sufficient room to provide the required trees along SW 89 Street. Additionally, staff opines that apart from acting as a visual buffer for the less intensive office uses to the south, the additional landscaping would provide the logical transition referred to in the zoning district regulations. **Therefore, staff recommends denial without prejudice of request #2 under Section 33-311(A)(7) Generalized Modification Standards.**

When request #3 is analyzed under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations, staff opines that approval of this request would not maintain the basic intent and purpose of zoning regulations as it pertains to the stability and appearance of the community. Approval of request #3 would allow the applicant to have fewer street trees than required by the zoning regulations, which in staff's opinion would be **incompatible** with the surrounding area. For the reasons stated above, staff opines that approval of this request will be too intense and out of character with the area. Additionally, this request is germane to request #2 and, in staff's opinion, should be denied without prejudice. **Therefore, staff recommends that the request #3 should be denied without prejudice under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

**CIRCULATION AND PARKING:**

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

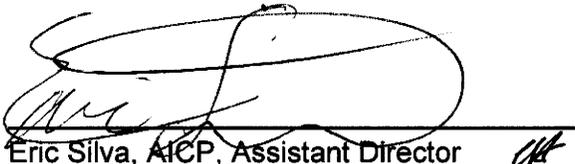
**ENVIRONMENTAL REVIEW:** Not applicable.

**OTHER:** Not applicable.

**RECOMMENDATION:** Denial without prejudice.

**CONDITIONS FOR APPROVAL: None.**

ES:MW:NN:CH:JC:JV

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

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

# ZONING RECOMMENDATION ADDENDUM

MG Jewelers of Miami, Inc.  
Z13-003

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

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

<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)(7) Generalized Modification Standards</b>	<i>The Board shall hear applications to <b>modify</b> or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.</i>

# ZONING RECOMMENDATION ADDENDUM

*MG Jewelers of Miami, Inc.*

*Z13-003*

<b>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>
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**A. MG JEWELERS OF MIAMI, INC**  
**(Applicant)**

**13-11-CZ12-1 (13-003)**  
**Area 12/District 10**  
**Hearing Date: 1/7/13**

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

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

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

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

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

A

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

REPRESENTATIVE: Michael Friere

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER	
13-11-CZ12-1 (13-003)	December 17, 2013	CZAB12	13

**REC: Denial without prejudice.**

WITHDRAW:  APPLICATION       ITEM(S): \_\_\_\_\_  
 DEFER:       INDEFINITELY       TO: January 7, 2013       W/LEAVE TO AMEND  
 DENY:       WITH PREJUDICE       WITHOUT PREJUDICE  
 ACCEPT PROFFERED COVENANT       ACCEPT REVISED PLANS  
 APPROVE:       PER REQUEST       PER DEPARTMENT       PER D.I.C.  
                                   WITH CONDITIONS  
 **OTHER:** Please note that the Department had contacted all of the Board members to tell them that their presence at the hearing was not required because the application could not be heard due to the fact that the application needed to be re-advertised. These absences are excused absences and should not count towards being a normal absence.

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

VOTE: 

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EXHIBITS:  YES       NO

COUNTY ATTORNEY: NONE

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

#1

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

REPRESENTATIVE: **Tracy Slavens**

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

**REC: Denial without prejudice.**

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>December 17, 2013</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER: <b>Deferred by the Board to allow the applicant to work with staff regarding landscape issue.</b>		

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

EXHIBITS:  YES  NO

COUNTY ATTORNEY: **JAMES KIRTLEY  
DENNIS KERBEL**

**Date:** February 5, 2013

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

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

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

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

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

Concurrency Review Summary

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

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

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

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

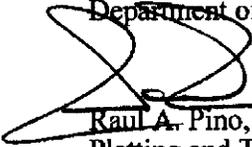
cc: Eric Silva, Department of Regulatory and Economic Resources

# Memorandum



**Date:** March 12, 2013

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

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

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

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

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

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

# Memorandum



**Date:** February 15, 2013

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

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

**Subject:** # 13-003  
MG Jewelers, Inc

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

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

#13-003

**MG Jewelers, Inc**

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

**Size:** The subject property is approximately 2.19 acres.

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

**Analysis:**

1. Solid Waste Disposal

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

2. Garbage and Trash Collection Services

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

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

3. Recycling: Commercial Establishments

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

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

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

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

#### 4. Waste Storage/Setout Considerations

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

#### 5. Site Circulation Considerations

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

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

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

# Memorandum



**Date:** January 29, 2013

**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:** Z2013000003: MG JEWELERS OF MIAMI, INC

---

**Application Name:** MG JEWELERS OF MIAMI, INC

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

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

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

# Memorandum



**Date:** 24-JAN-13  
**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department  
**Subject:** Z2013000003

**Fire Prevention Unit:**

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

**Service Impact/Demand**

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

<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: 5:21 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
Station 9 - Kendall - 7777 SW 117 Avenue  
Rescue, ALS 60â€â€ Aerial

**Planned Service Expansions:**

The following stations/units are planned in the vicinity of this development:  
None.

**Fire Planning Additional Comments**

Not applicable to service impact analysis.

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

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

MG JEWELERS OF MIAMI, INC

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

APPLICANT	ADDRESS
Z2013000003	
HEARING NUMBER	

**HISTORY:**

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

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

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

MG JEWELERS OF MIAMI, INC

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



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

NAME OF PURCHASER: \_\_\_\_\_

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

Date of contract: \_\_\_\_\_

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

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

Signature: X [Signature]  
(Applicant)

Sworn to and subscribed before me this 18<sup>th</sup> day of December 20 12. Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

[Signature]  
(Notary Public)



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

Seal  
ZONING REGULATIONS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY [Signature]

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

# MG Jewelers of Miami Proposed Pawn Shop

11760 SW 88th Street  
Miami, Florida

**ZONING DATA**

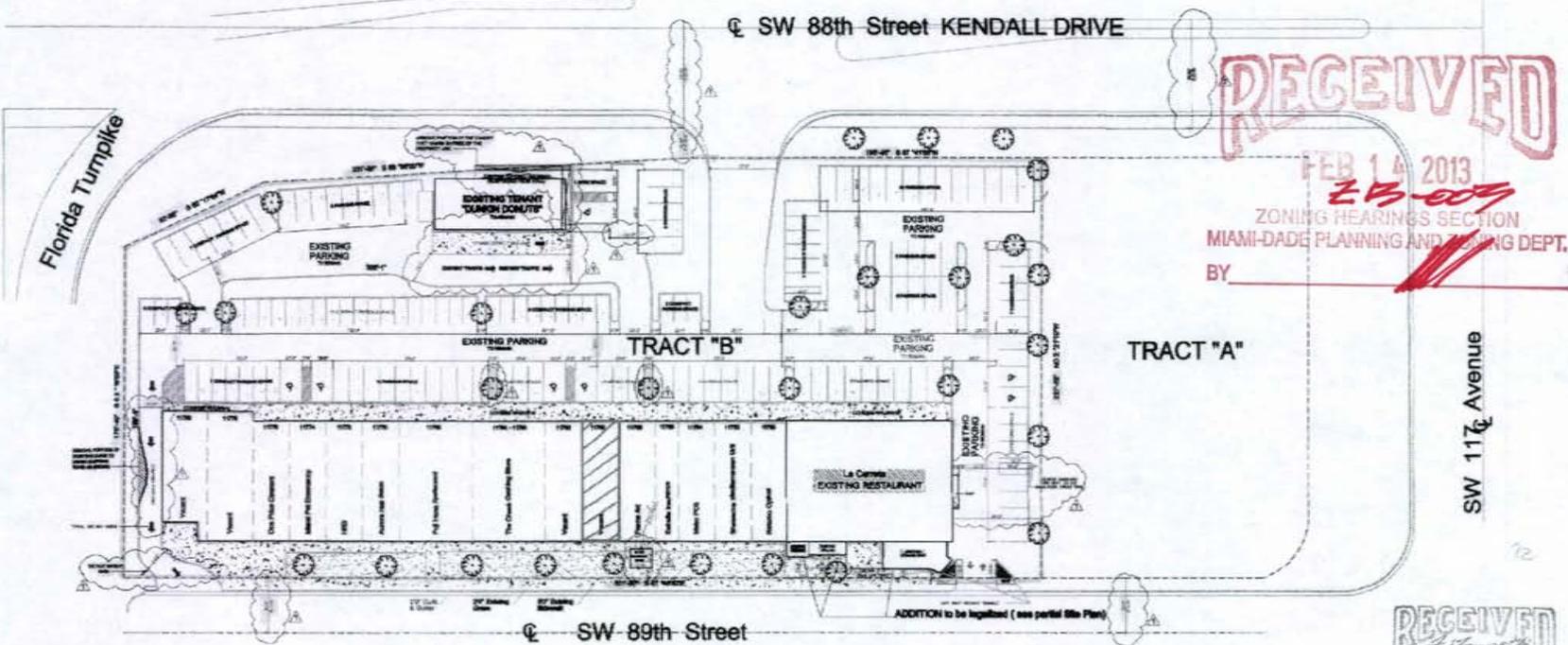
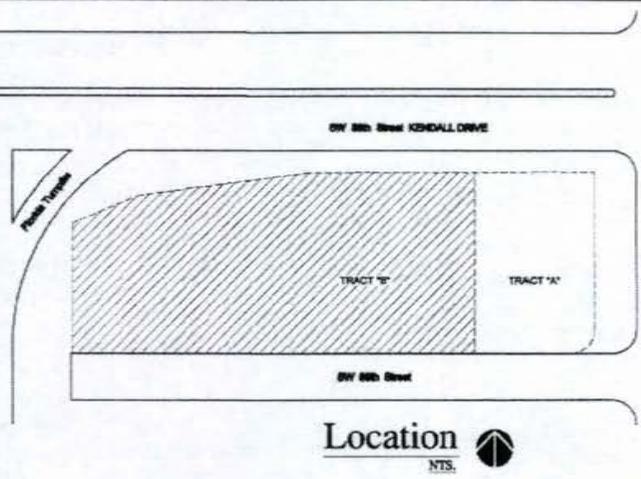
**PROPERTY ADDRESS**  
11760 - 11780 Southwest 88th Street (Kendall Drive), Miami, Florida 33186

**LEGAL DESCRIPTION**  
A PORTION OF BLOCK 1, 1 PARCELS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 AT PAGE 186 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH PORTIONS OF SACKETT STREET, ALLEN AND OTHER PORTIONS OF THE ACROSSWAY 14 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 28 SOUTH, RANGE 28 WEST.

**ZONING DISTRICT: M1 1A**  
NET LAND AREA: TRACT "B" 13.88 AC +/-

	REQUIRED / ALLOWED	PROVIDED
FLOOR AREA RATIO (FAR)	1 STORY: 1.00 - 1.50; 2-3 ST: 1.00	1.00 - 1.50 - 1.50
MAXIMUM HEIGHT	4 STORIES (14 FT) 5	1 STORY (10 FT) 5
PARKING	MINIMUM: 1 SPACE PER 100 S.F. (1.00) 5 MAXIMUM: 1 SPACE PER 100 S.F. (1.00) 5 MINIMUM: 1 SPACE PER 100 S.F. (1.00) 5 MAXIMUM: 1 SPACE PER 100 S.F. (1.00) 5	MINIMUM: 1 SPACE PER 100 S.F. (1.00) 5 MAXIMUM: 1 SPACE PER 100 S.F. (1.00) 5 MINIMUM: 1 SPACE PER 100 S.F. (1.00) 5 MAXIMUM: 1 SPACE PER 100 S.F. (1.00) 5
TOTAL SPACES	100 5	100 5
LANDSCAPING	REQUIRED	PROVIDED
TRACT "B" - SIGNAGE	MIN. OF 12.000 S.F. - 12.000 S.F. 5	MIN. OF 12.000 S.F. - 12.000 S.F. 5
SETBACKS	REQUIRED	PROVIDED
FRONT PROPERTY LINE	20'-0"	10'-0"
REAR PROPERTY LINE	20'-0"	20'-0"
SIDE PROPERTY LINE	20'-0"	10'-0"

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



**RECEIVED**  
FEB 14 2013  
2:15-009  
ZONING HEARING'S SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY

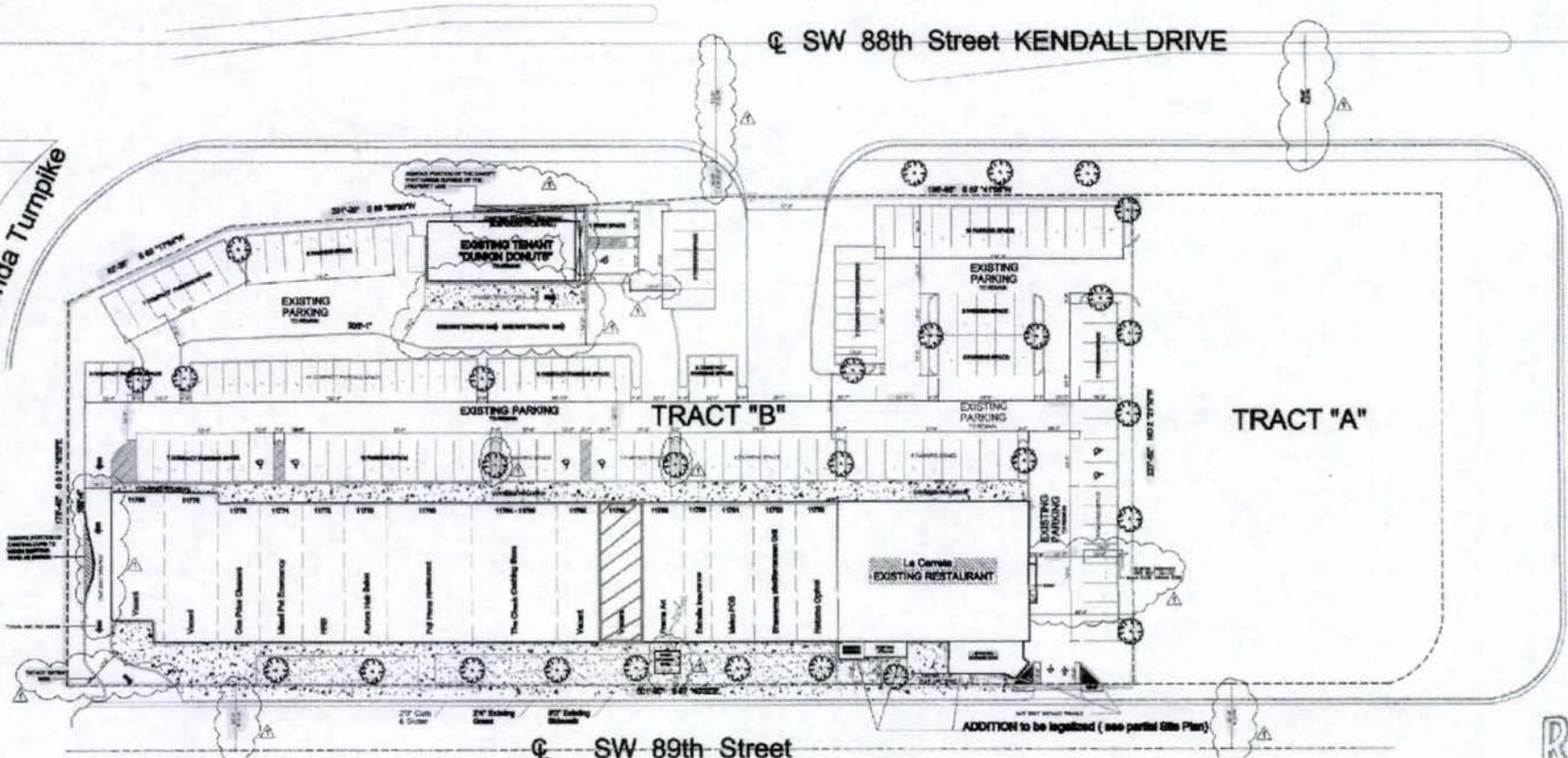
Site Plan  
1" = 30'

**RECEIVED**  
FEB 14 2013  
2:15-009  
ZONING HEARING'S SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY

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

Florida Turnpike

SW 88th Street KENDALL DRIVE



SW 117 Avenue

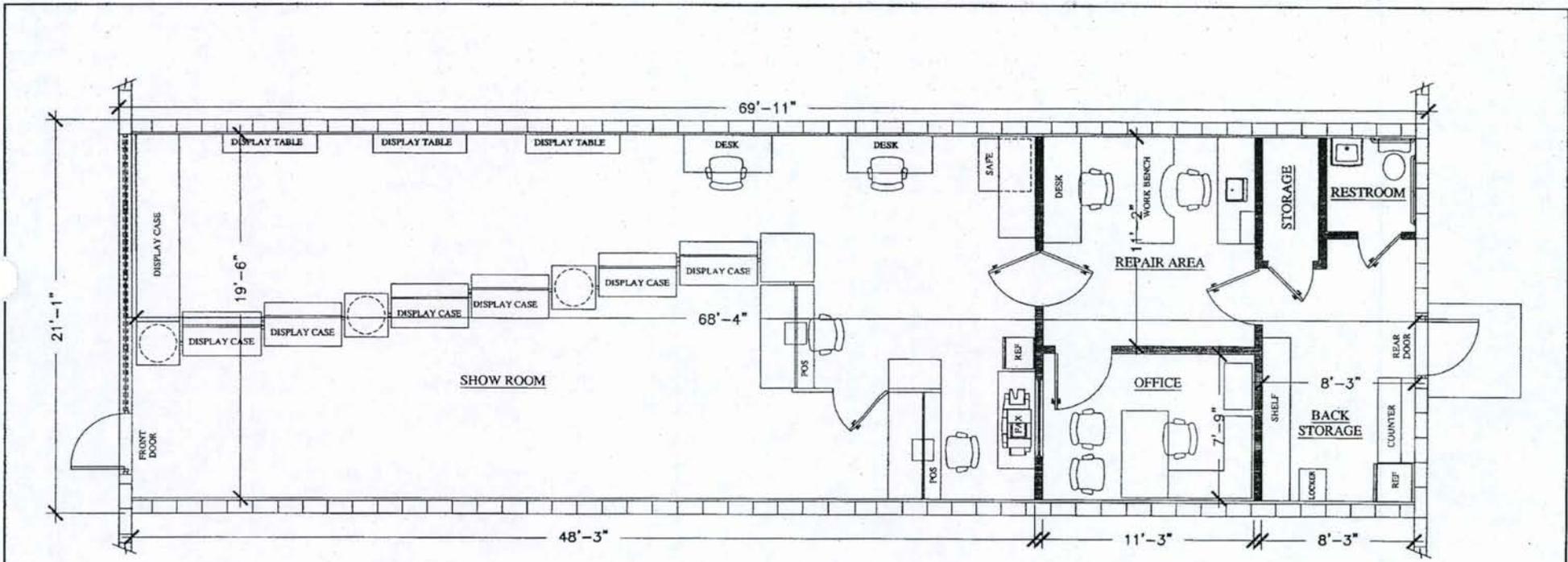
Site Plan

ENLARGED SITE PLAN

**RECEIVED**  
 2-13-083  
 FEB 14 2013

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY \_\_\_\_\_

**RECEIVED**  
 2-13-083  
 FEB 14 2013  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.



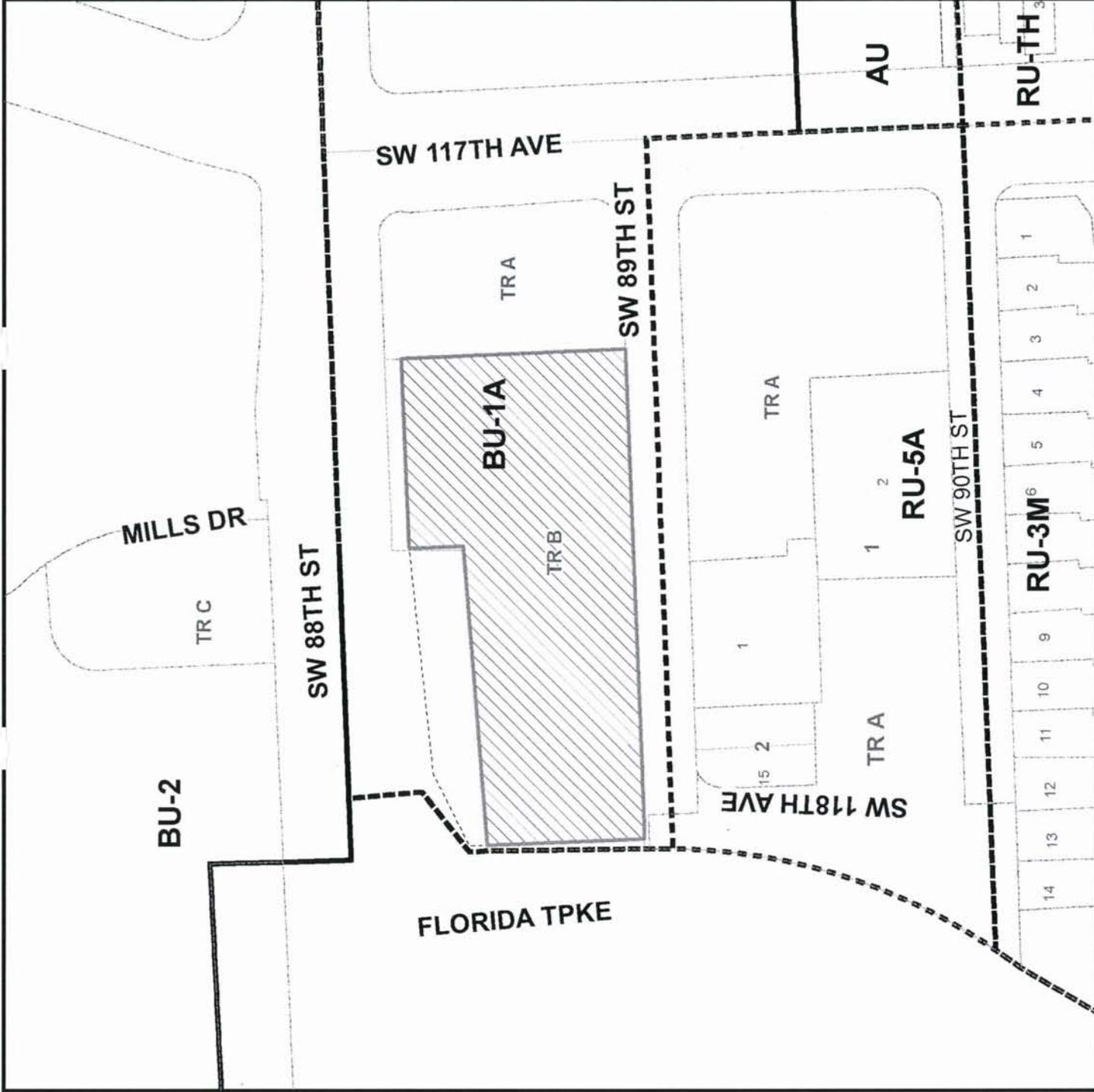
EXISTING SPACE PLAN  
 SCALE: 3/16"=1'-0"

**RECEIVED**  
 213-005  
 FEB 14 2013  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY \_\_\_\_\_

**RECEIVED**  
 213-005  
 FEB 14 2013  
 NOTE: ALL INFORMATION ON  
 DRAWING WAS FIELD  
 VERIFIED.  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY \_\_\_\_\_

**MG JEWELERS**  
 11760 SW 88ST , MIAMI FLORIDA

EXISTING JEWELRY SHOP  
 FLOOR PLAN  
 DATE: 02-11-13 PREPARED BY: ROGER PEREZ



**MIAMI-DADE COUNTY  
HEARING MAP**

Process Number  
**Z2013000003**



**Legend**

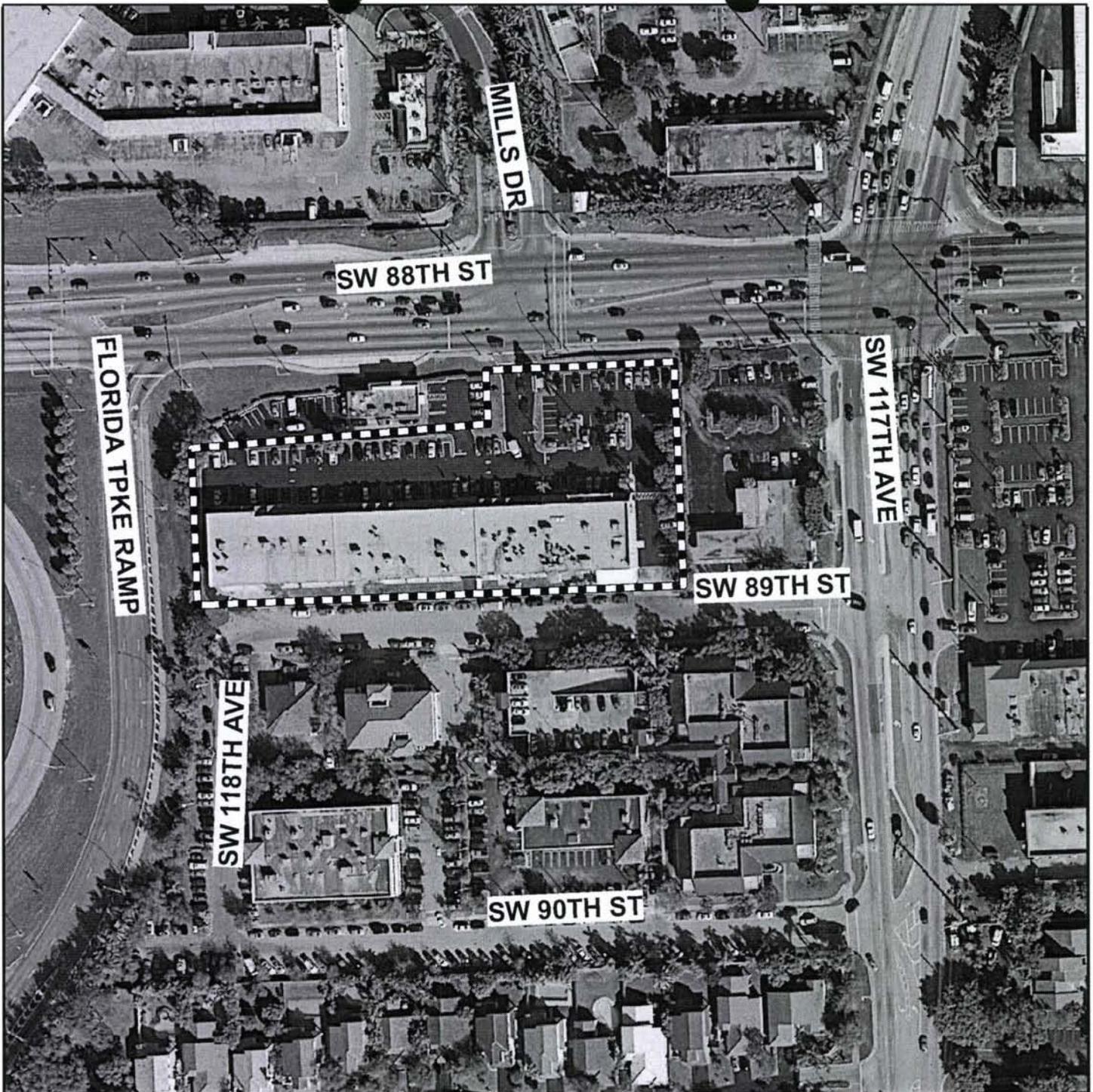
 Subject Property Case



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

SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY
		25



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2012**

Process Number

**Z2013000003**



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

**Legend**

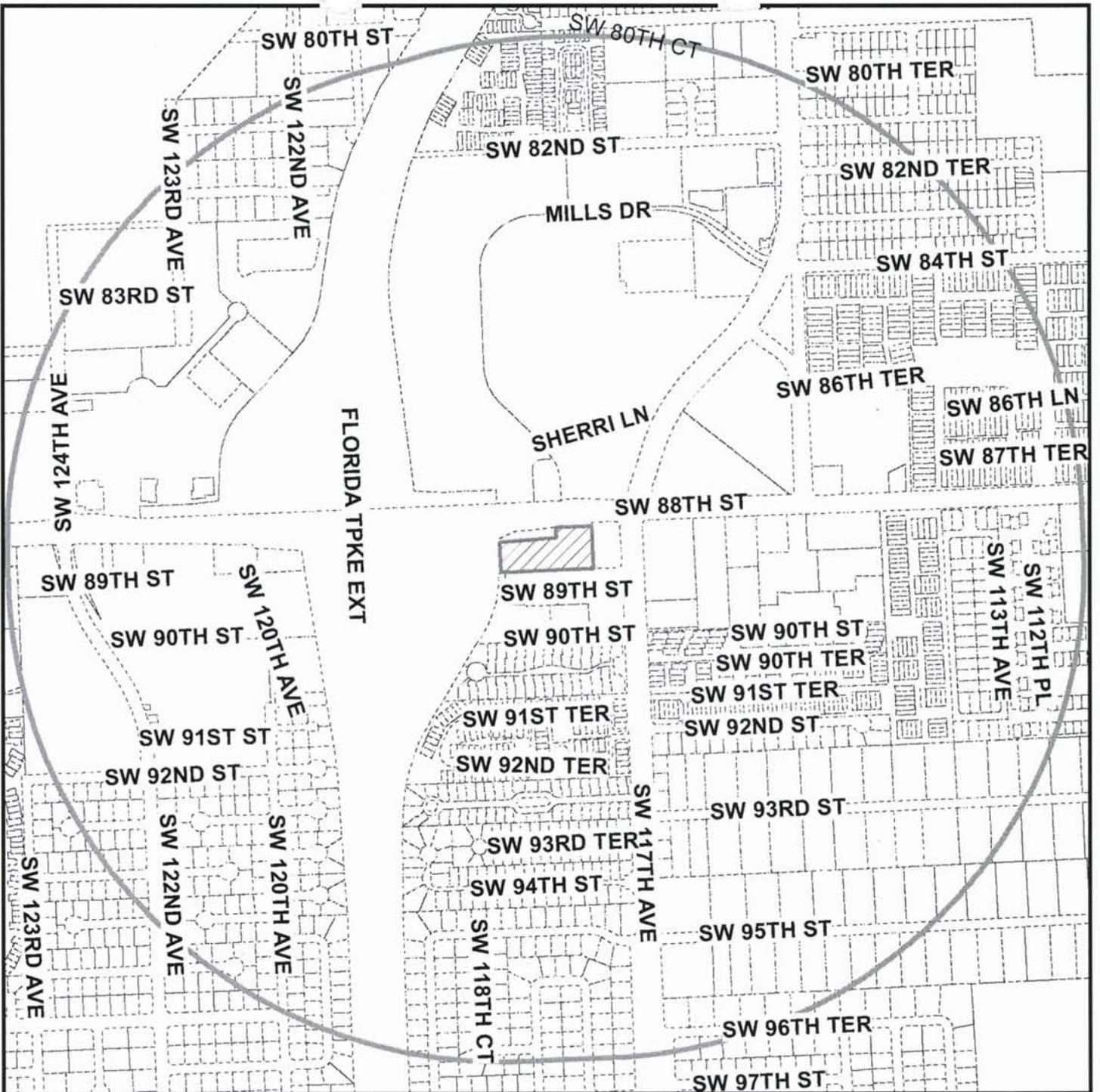


Subject Property



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY
		26



**MIAMI-DADE COUNTY  
RADIUS MAP**

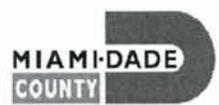
Process Number  
**Z2013000003**  
RADIUS: 2640



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

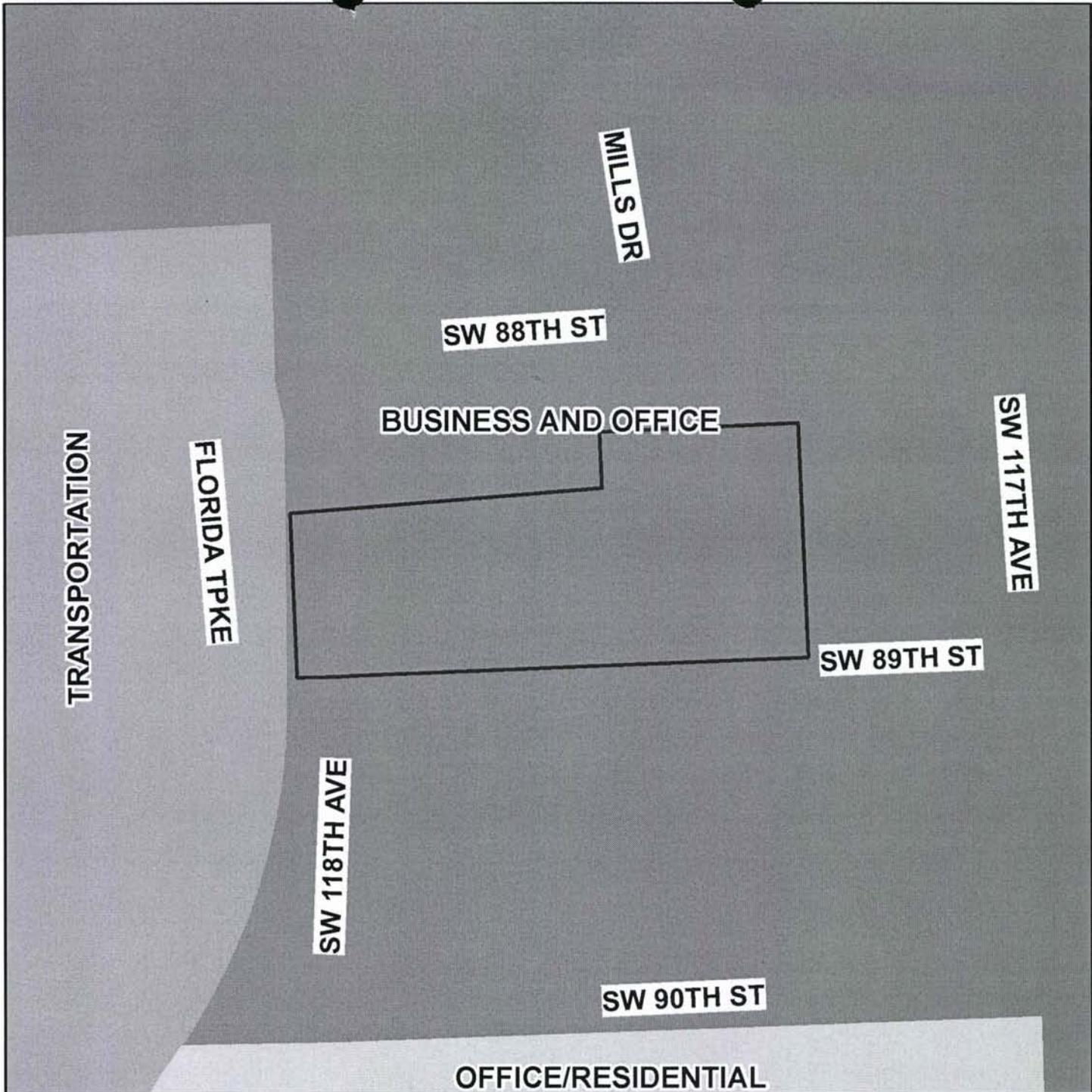
**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY
		27



**MIAMI-DADE COUNTY**  
 CDMP MAP

Process Number  
**Z2013000003**



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

**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY

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

**PH: Z13-003 (13-11-CZ12-1)**

**December 17, 2013**

Item No. A

<b>Recommendation Summary</b>	
<b>Commission District</b>	10
<b>Applicant</b>	MG Jewelers of Miami, 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>	11760 SW 88 Street, Miami-Dade County, Florida.
<b>Property Size</b>	2.5 acres
<b>Existing Zoning</b>	BU-1A
<b>Existing Land Use</b>	Retail
<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> standards, Section 33-311(A)(7) <b>Generalized Modification Standards</b> and Section 33-311(A)(4)(b) <b>Non-Use Variances From Other Than Airport Regulations</b> (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Denial without prejudice.</b>

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

**REQUESTS:**

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

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

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

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

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

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

**NEIGHBORHOOD COMPATIBILITY:**

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

**SUMMARY OF THE IMPACTS:**

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

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

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

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

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

### **ZONING ANALYSIS:**

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

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

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

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

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

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

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

**CIRCULATION AND PARKING:**

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

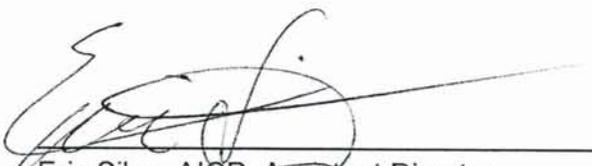
**ENVIRONMENTAL REVIEW:** Not applicable.

**OTHER:** Not applicable.

**RECOMMENDATION:** Denial without prejudice.

**CONDITIONS FOR APPROVAL:** None.

ES:MW:NN:CH:JC

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

NDN

# ZONING RECOMMENDATION ADDENDUM

*MG Jewelers of Miami, Inc.*  
Z13-003

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

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

<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>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>

**A. MG JEWELERS OF MIAMI, INC**  
**(Applicant)**

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

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

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

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

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

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

#1

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

REPRESENTATIVE: Tracy Slavens

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

**REC: Denial without prejudice.**

WITHDRAW:  APPLICATION  ITEM(S): \_\_\_\_\_  
 DEFER:  INDEFINITELY  TO: December 17, 2013  W/LEAVE TO AMEND  
 DENY:  WITH PREJUDICE  WITHOUT PREJUDICE  
 ACCEPT PROFFERED COVENANT  ACCEPT REVISED PLANS  
 APPROVE:  PER REQUEST  PER DEPARTMENT  PER D.I.C.  
 WITH CONDITIONS  
 OTHER: **Deferred by the Board to allow the applicant to work with staff regarding landscape issue.**

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

VOTE: 5 0

EXHIBITS:  YES  NO

COUNTY ATTORNEY: JAMES KIRTLEY  
DENNIS KERBEL

Memorandum 

**Date:** February 5, 2013

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

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

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

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

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

Concurrency Review Summary

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

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

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

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

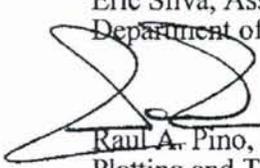
cc: Eric Silva, Department of Regulatory and Economic Resources

# Memorandum



**Date:** March 12, 2013

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

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

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

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

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

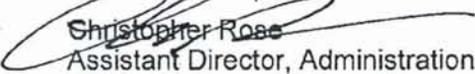
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

# Memorandum



**Date:** February 15, 2013

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

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

**Subject:** # 13-003  
MG Jewelers, Inc

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

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

#13-003

**MG Jewelers, Inc**

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

**Size:** The subject property is approximately 2.19 acres.

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

**Analysis:**

1. Solid Waste Disposal

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

2. Garbage and Trash Collection Services

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

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

3. Recycling: Commercial Establishments

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

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

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

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

#### 4. Waste Storage/Setout Considerations

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

#### 5. Site Circulation Considerations

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

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

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

# Memorandum



**Date:** January 29, 2013

**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:** Z2013000003: MG JEWELERS OF MIAMI, INC

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**Application Name:** MG JEWELERS OF MIAMI, INC

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

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

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

# Memorandum



**Date:** 24-JAN-13  
**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department  
**Subject:** Z2013000003

**Fire Prevention Unit:**

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

**Service Impact/Demand**

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

<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: 5:21 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
Station 9 - Kendall - 7777 SW 117 Avenue  
Rescue, ALS 60 Aerial

**Planned Service Expansions:**

The following stations/units are planned in the vicinity of this development:  
None.

**Fire Planning Additional Comments**

Not applicable to service impact analysis.

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

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

MG JEWELERS OF MIAMI, INC

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

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
ADDRESS

Z2013000003

\_\_\_\_\_  
HEARING NUMBER

**HISTORY:**

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

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

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

MG JEWELERS OF MIAMI, INC

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



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

NAME OF PURCHASER: \_\_\_\_\_

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

Date of contract: \_\_\_\_\_

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

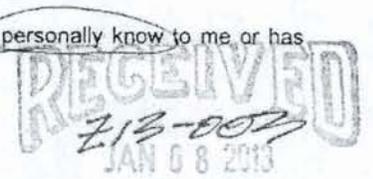
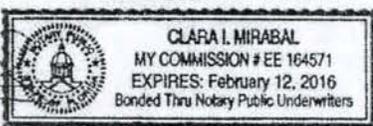
**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: X [Signature]  
(Applicant)

Sworn to and subscribed before me this 18th day of December 2012. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
(Notary Public)

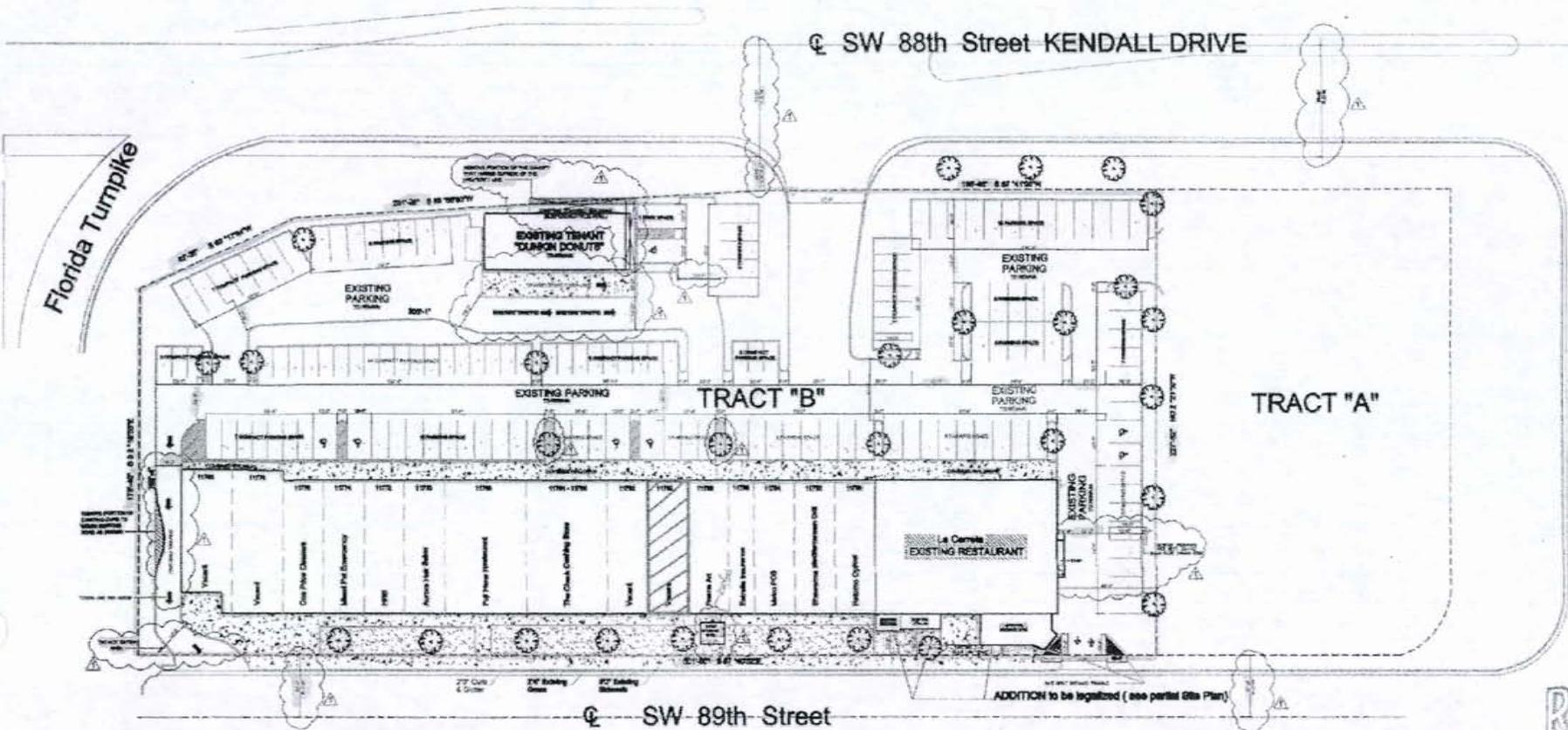


My commission expires: \_\_\_\_\_

Seal  
ZONING REGULATIONS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: [Signature]

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





Florida Turnpike

SW 88th Street KENDALL DRIVE

SW 117th Avenue

SW 89th Street

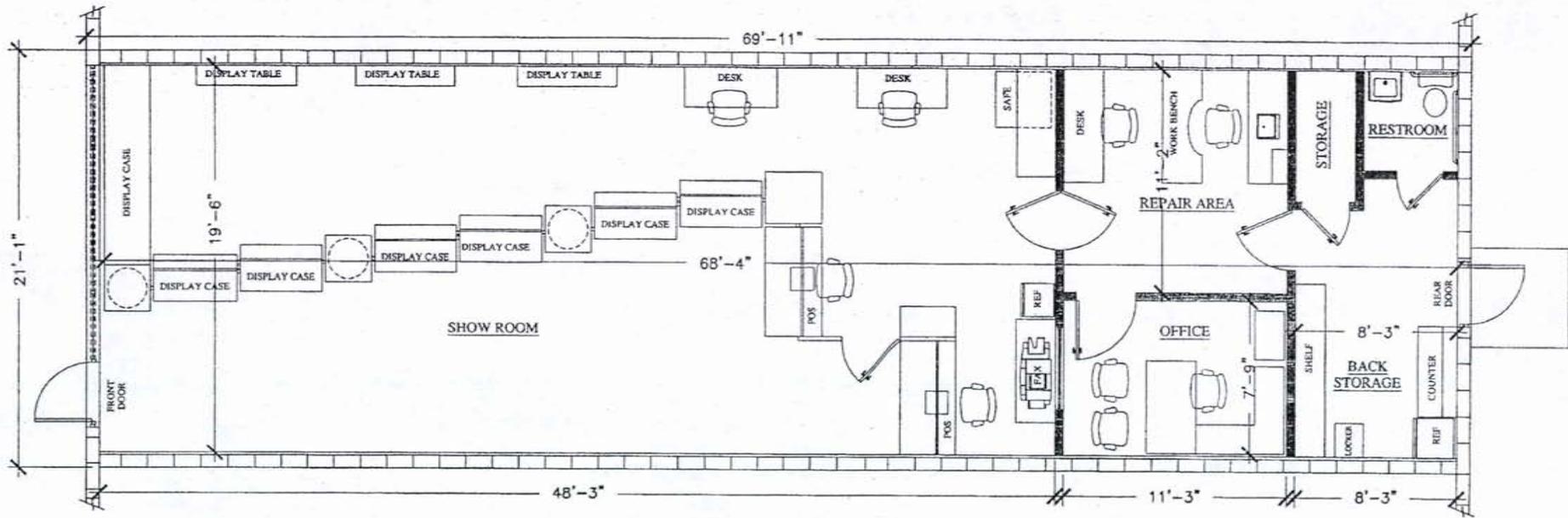
Site Plan 

ENLARGED SITE PLAN

**RECEIVED**  
*EA-003*  
 FEB 14 2013

**RECEIVED**  
*EA-003*  
 FEB 14 2013  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.

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



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

RECEIVED  
EIB-007  
FEB 14 2013

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY \_\_\_\_\_

RECEIVED  
EIB-007  
FEB 14 2013

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY \_\_\_\_\_

NOTE: ALL INFORMATION ON  
DRAWING WAS FIELD  
VERIFIED.

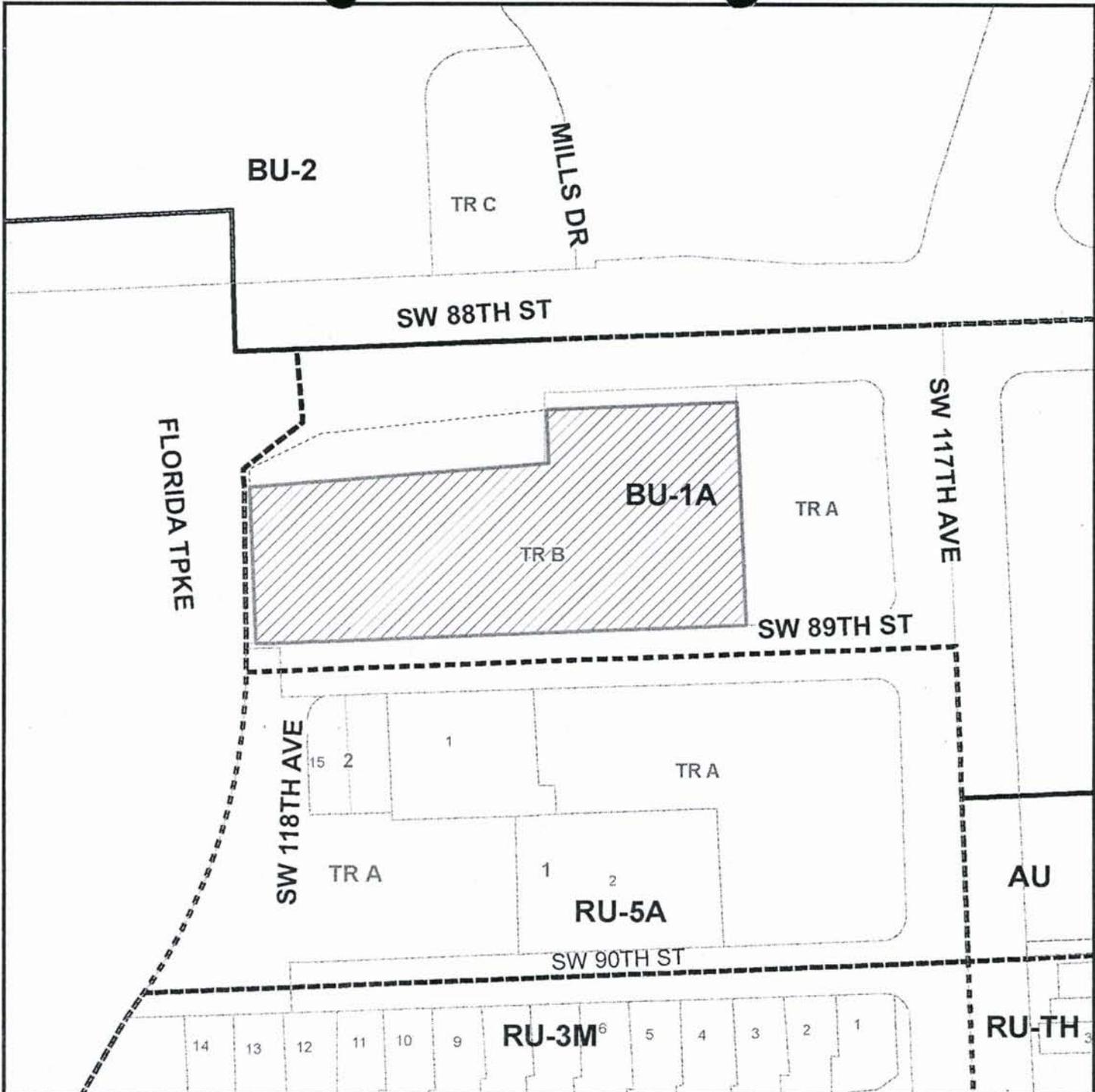
MG JEWELERS

11760 SW 88ST , MIAMI FLORIDA

EXISTING JEWELRY SHOP

FLOOR PLAN

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



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

Process Number  
**Z2013000003**



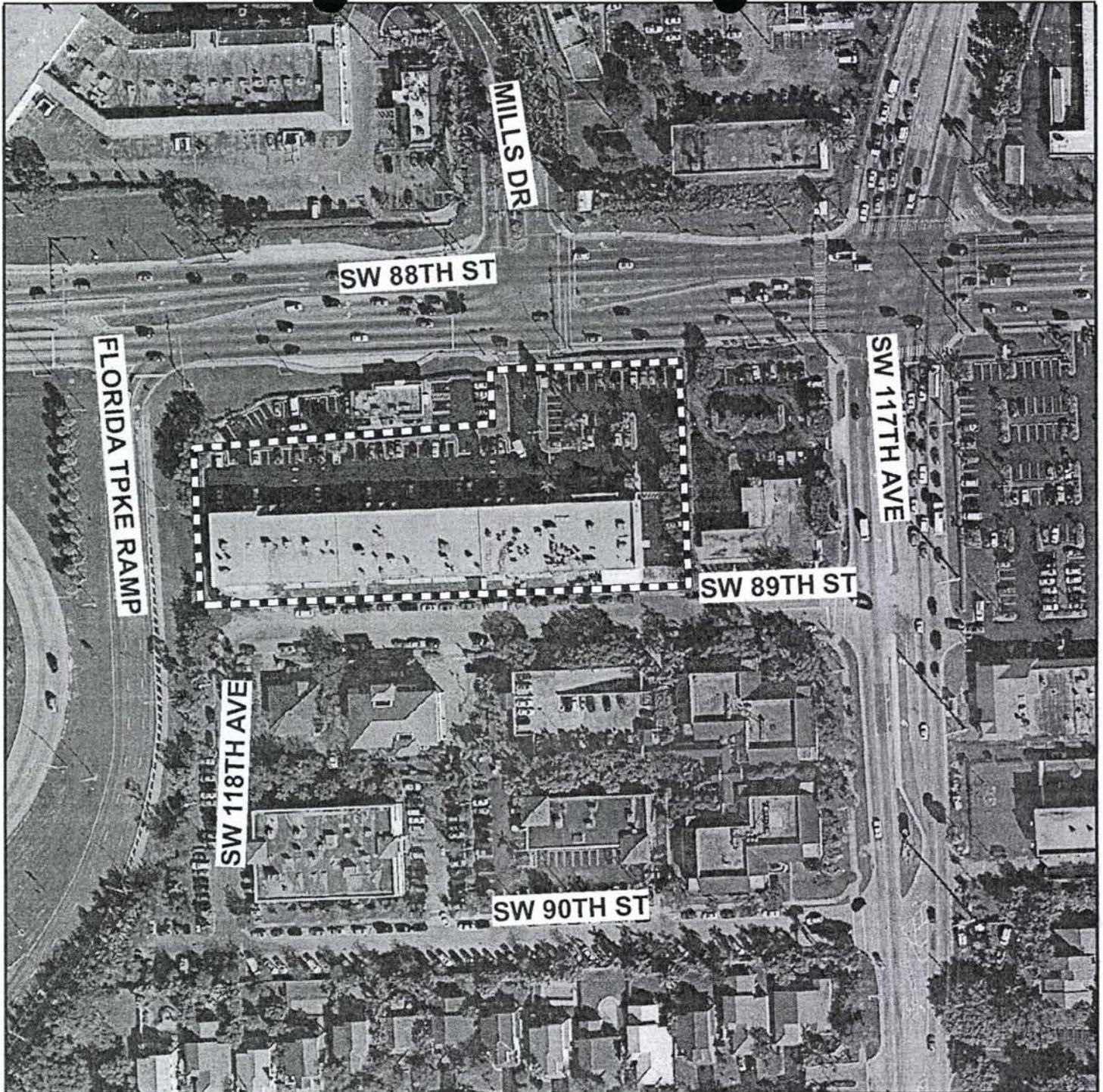
Section: 01 Township: 55 Range: 39  
 Applicant: MG JEWELERS OF MIAMI, INC  
 Zoning Board: C12  
 Commission District: 7  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**  
 Subject Property Case



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY
		21



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2012**

Process Number  
**Z2013000003**



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

**Legend**

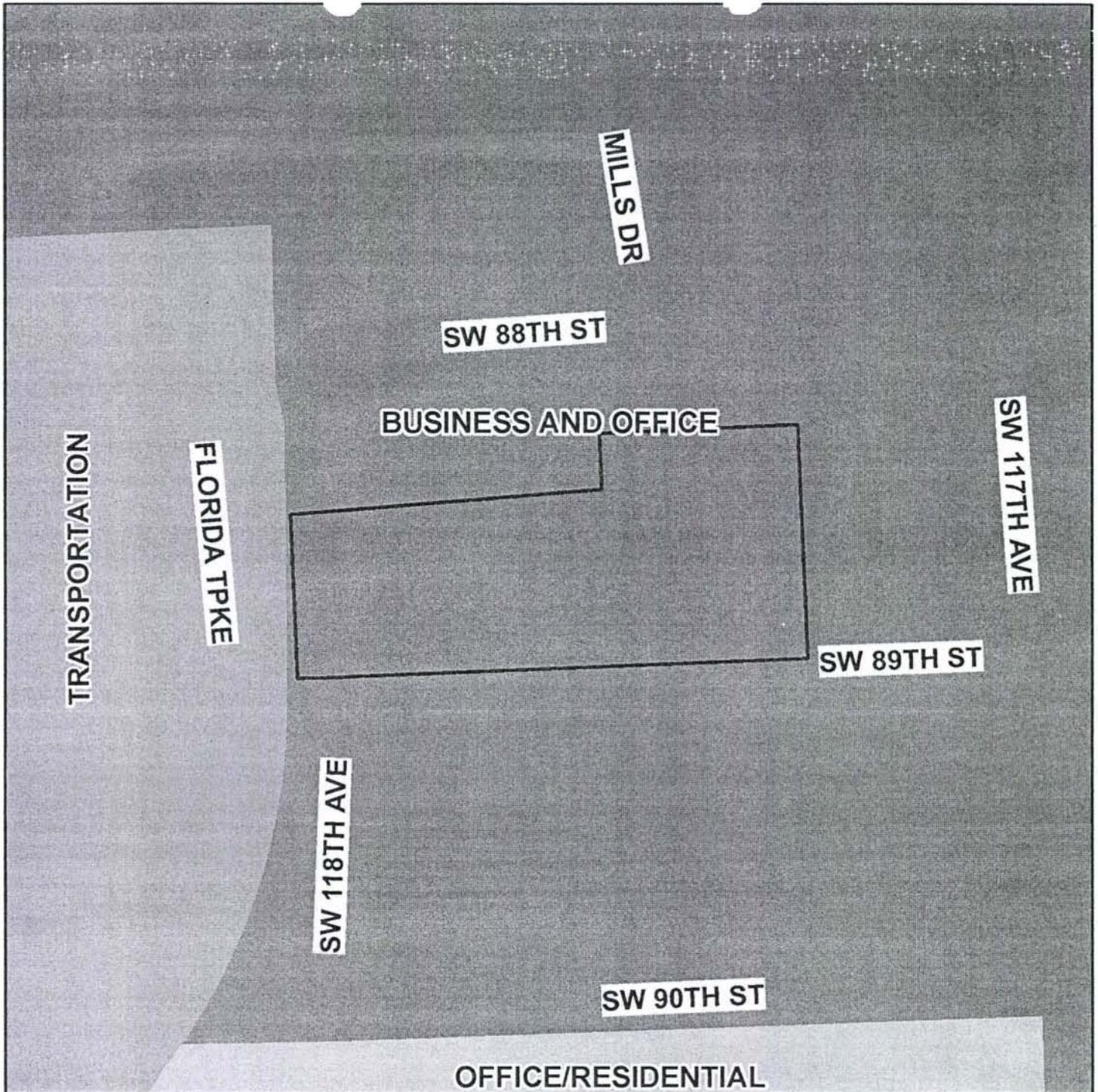
 Subject Property



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY
		22





**MIAMI-DADE COUNTY**  
 CDMP MAP

Process Number  
**Z2013000003**



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

**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY

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

**PH: Z13-003 (13-11-CZ12-1)**

**November 12, 2013**

Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	10
<b>Applicant</b>	MG Jewelers of Miami, 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>	11760 SW 88 Street, Miami-Dade County, Florida.
<b>Property Size</b>	2.5 acres
<b>Existing Zoning</b>	BU-1A
<b>Existing Land Use</b>	Retail
<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> standards, Section 33-311(A)(7) <b>Generalized Modification Standards</b> and Section 33-311(A)(4)(b) <b>Non-Use Variances From Other Than Airport Regulations</b> (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Denial without prejudice.</b>

**REQUESTS:**

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

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

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

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

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

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

**NEIGHBORHOOD COMPATIBILITY:**

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

**SUMMARY OF THE IMPACTS:**

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

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

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

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

**ZONING ANALYSIS:**

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

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

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

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

Based on the information provided by the applicant, staff opines that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in an unnecessary hardship. As previously discussed, the subject property is currently in use and operating as a jewelry store; as such, provides the applicant with economic use and benefit. Furthermore, Section 33-247 provides over forty-five (45) uses permitted in the BU-1A zoning district, which allow for the reasonable use and benefit of the subject property. Staff is of the opinion that the approval of the use

variance request will not be in harmony with the general purpose and intent of the regulation, and that the applicant has not demonstrated a loss of all reasonable use of the property under the existing zoning. **As such, staff recommends denial without prejudice of request #1 for the proposed pawnbroker use under the Use Variance Section 33-311(A)(4)(a).**

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

**CIRCULATION AND PARKING:**

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

**ENVIRONMENTAL REVIEW:** Not applicable.

**OTHER:** Not applicable.

**RECOMMENDATION:** Denial without prejudice.

**CONDITIONS FOR APPROVAL:** None.

ES:MW:NN:CH:JC



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

NDN

## ZONING RECOMMENDATION ADDENDUM

MG Jewelers of Miami, Inc.  
Z13-003

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

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

<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>33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations</b>	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>

**1. MG JEWELERS OF MIAMI, INC**  
**(Applicant)**

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

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

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

Disclosure of interest form attached? Yes  No

**Previous Zoning Hearings on the Property:**

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

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

# Memorandum

**Date:** February 5, 2013

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

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

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

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

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

#### Concurrency Review Summary

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

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

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

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

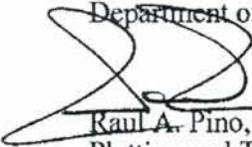
cc: Eric Silva, Department of Regulatory and Economic Resources

# Memorandum



**Date:** March 12, 2013

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

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

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

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

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

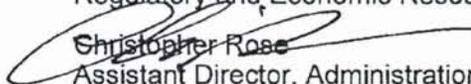
This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

# Memorandum



**Date:** February 15, 2013

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

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

**Subject:** # 13-003  
MG Jewelers, Inc

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

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

#13-003  
MG Jewelers, Inc

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

**Size:** The subject property is approximately 2.19 acres.

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

**Analysis:**

1. Solid Waste Disposal

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

2. Garbage and Trash Collection Services

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

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

3. Recycling: Commercial Establishments

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

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

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

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

#### 4. Waste Storage/Setout Considerations

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

#### 5. Site Circulation Considerations

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

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

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

# Memorandum



**Date:** January 29, 2013

**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:** Z2013000003: MG JEWELERS OF MIAMI, INC

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**Application Name:** MG JEWELERS OF MIAMI, INC

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

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

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

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

# Memorandum



**Date:** 24-JAN-13  
**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
**From:** William W. Bryson, Fire Chief.  
Miami-Dade Fire Rescue Department  
**Subject:** Z2013000003

## Fire Prevention Unit:

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

## Service Impact/Demand

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

<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: 5:21 minutes

## Existing services

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

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

## Planned Service Expansions:

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

None.

## Fire Planning Additional Comments

Not applicable to service impact analysis.

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

DATE: 22-OCT-13

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

MG JEWELERS OF MIAMI, INC

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

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APPLICANT

---

ADDRESS

Z2013000003

---

HEARING NUMBER

**HISTORY:**

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

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

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

MG JEWELERS OF MIAMI, INC

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



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

NAME OF PURCHASER: \_\_\_\_\_

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
---	-------------------------------

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: \_\_\_\_\_

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

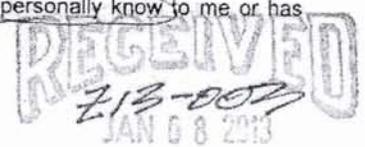
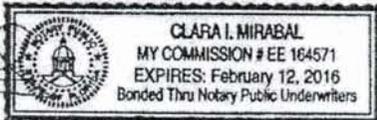
**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: X [Signature]  
(Applicant)

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

[Signature]  
(Notary Public)



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

Seal BY \_\_\_\_\_  
ZONING PLANNING SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

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

# MG Jewelers of Miami Proposed Pawn Shop

11760 SW 88th Street  
Miami, Florida

**ZONING DATA**

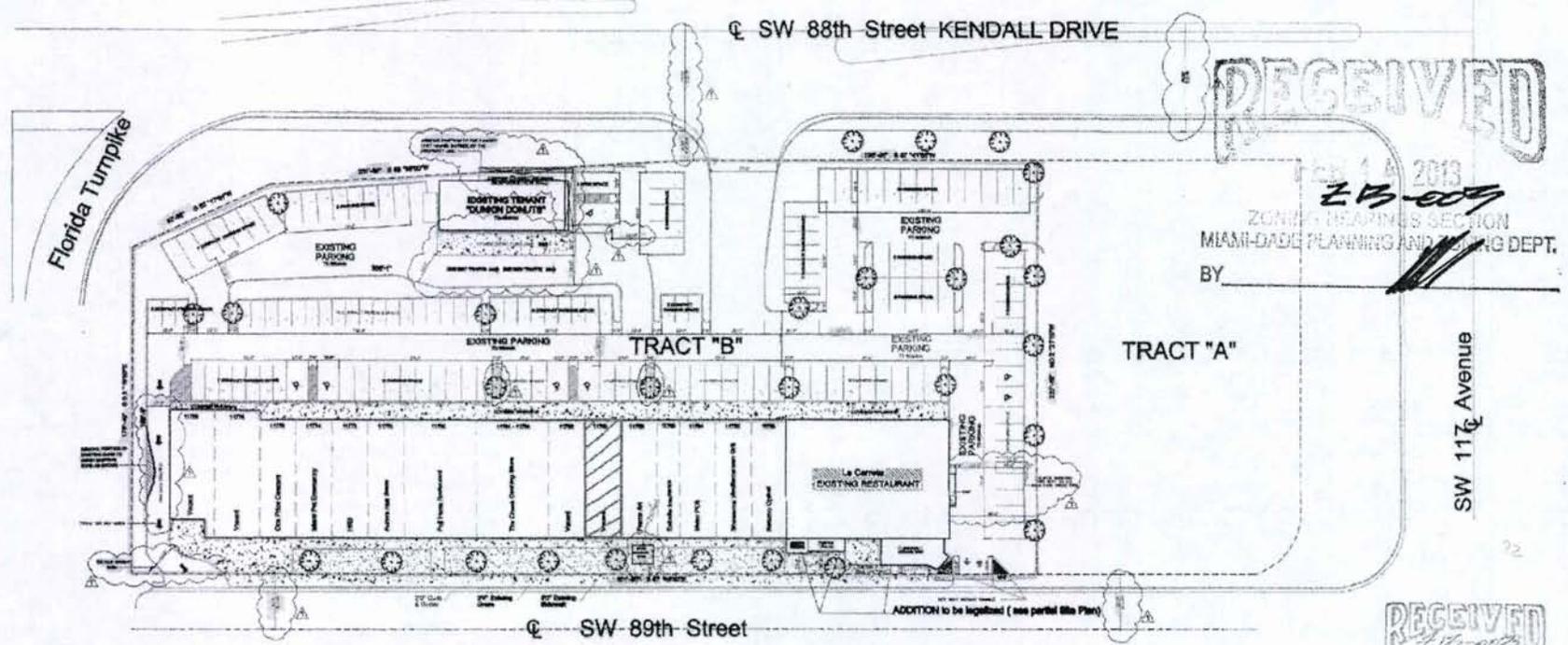
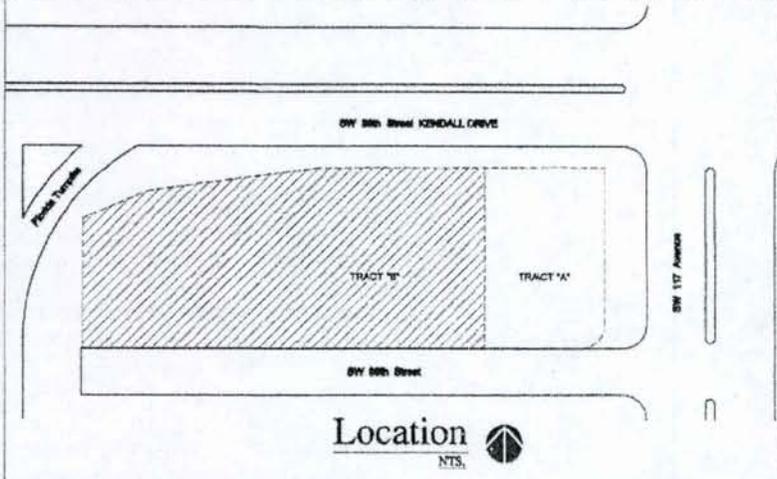
**PROPERTY ADDRESS:**  
11760 - 11782 Southwest 88th Street (Kendall Drive), Miami, Florida 33186

**LEGAL DESCRIPTION:**  
A PORTION OF BLOCK 1, FARMWAY ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, AT PAGE 106 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH PORTIONS OF VACATED STREETS, ALLEYS AND OTHER PORTIONS OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 18 SOUTH, RANGE 18 EAST.

**ZONING DISTRICT:** MU-1A  
**NET LAND AREA - TRACT "B":** 10,688 S.F.

	REQUIRED / ALLOWED	PROVIDED
FLOOR AREA RATIO (FAR)	6 STORY, 1.00 - 1.50 S.F.	1 STORY, 0.75 - 0.80 S.F.
BUILDING HEIGHT	4 STORIES / 40 FEET	1 STORY / 10 FEET
<b>PARKING:</b>		
NET AREA - MULTI S.F.	80 S.F. / PARKING SPACE - 17 SPACES	80 S.F. / PARKING SPACE - 17 SPACES
TOTAL NET AREA - 100 S.F.	80 S.F. / PARKING SPACE - 17 SPACES	80 S.F. / PARKING SPACE - 17 SPACES
ADDITIONAL NET AREA - 20 S.F.	80 S.F. / PARKING SPACE - 17 SPACES	80 S.F. / PARKING SPACE - 17 SPACES
TOTAL NET AREA - 120 S.F.	80 S.F. / PARKING SPACE - 17 SPACES	80 S.F. / PARKING SPACE - 17 SPACES
<b>TOTAL SPACES:</b>	17 SPACES	17 SPACES
<b>LANDSCAPING:</b>	REQUIRED	PROVIDED
TRACT "B" - 10,688 S.F.	10% OF 10,688 S.F. = 1,119 S.F.	10% OF 10,688 S.F. = 1,119 S.F.
<b>SETBACKS:</b>	REQUIRED	PROVIDED
FRONT PROPERTY LINE	10'-0"	10'-0"
REAR PROPERTY LINE	10'-0"	10'-0"
SIDE PROPERTY LINE	10'-0"	10'-0"

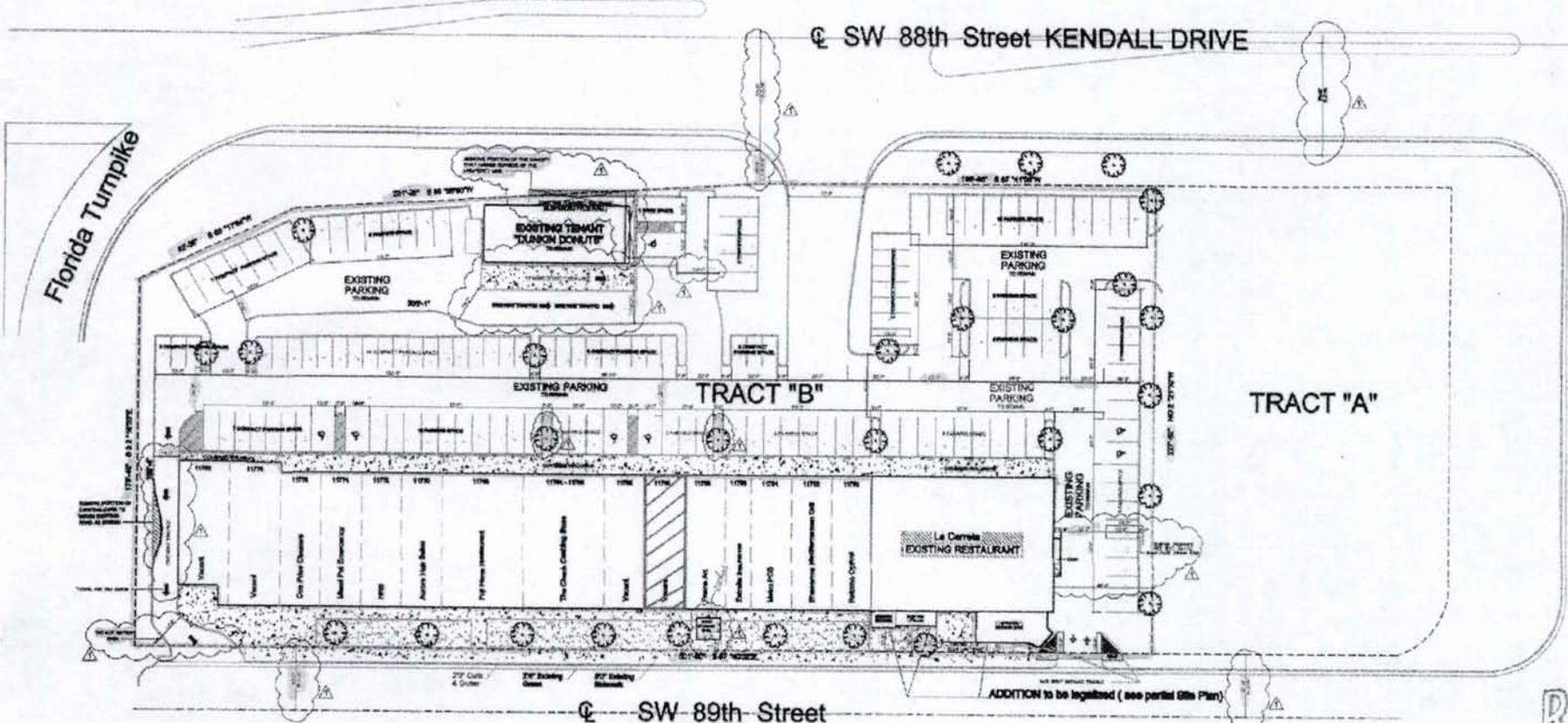
Note: Parking requirements have changed since this project was originally approved. The parking requirements for retail stores at the time of the original approval was 1 space per 300 S.F. The analysis of this site is based on those numbers originally approved.



**Site Plan**  
1" = 30'

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





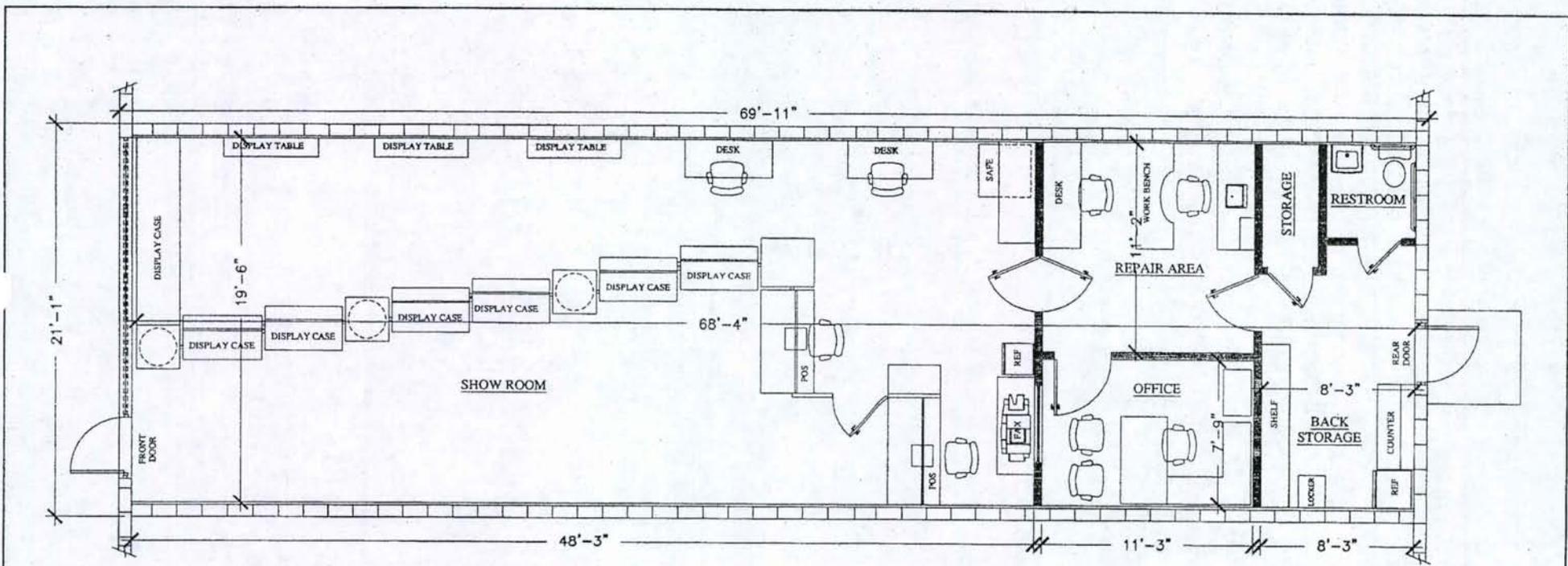
Site Plan 

ENLARGED SITE PLAN

**RECEIVED**  
*EB-003*  
 FEB 14 2013

**RECEIVED**  
*EB-003*  
 FEB 14 2013  
 ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.

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



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

**RECEIVED**  
213-007  
FEB 14 2013

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY \_\_\_\_\_

**RECEIVED**  
213-007  
FEB 14 2013

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY \_\_\_\_\_

NOTE: ALL INFORMATION ON  
DRAWING WAS FIELD  
VERIFIED.

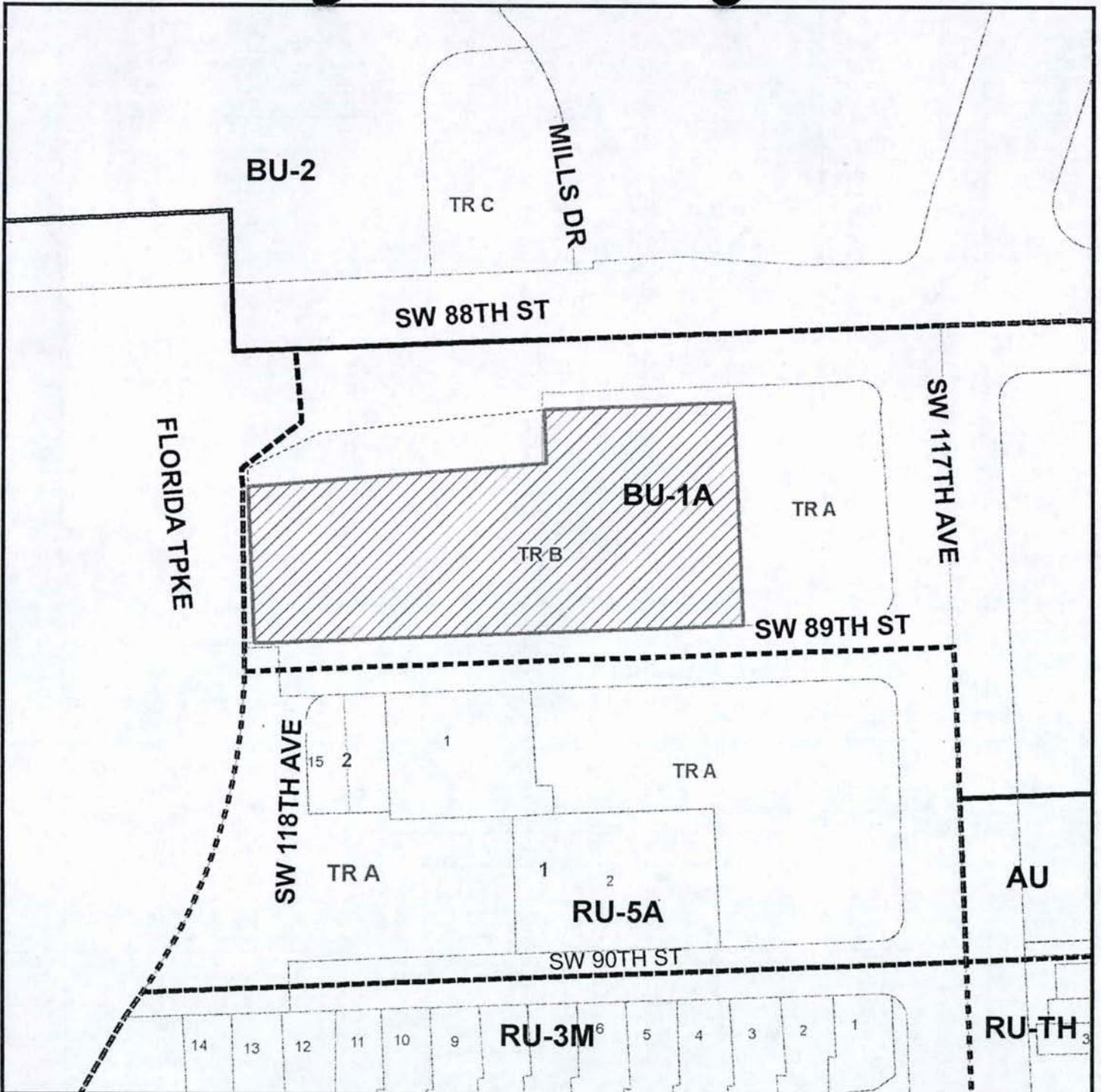
**MG JEWELERS**

11760 SW 88ST , MIAMI FLORIDA

EXISTING JEWELRY SHOP

FLOOR PLAN

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



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

Process Number  
**Z2013000003**



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

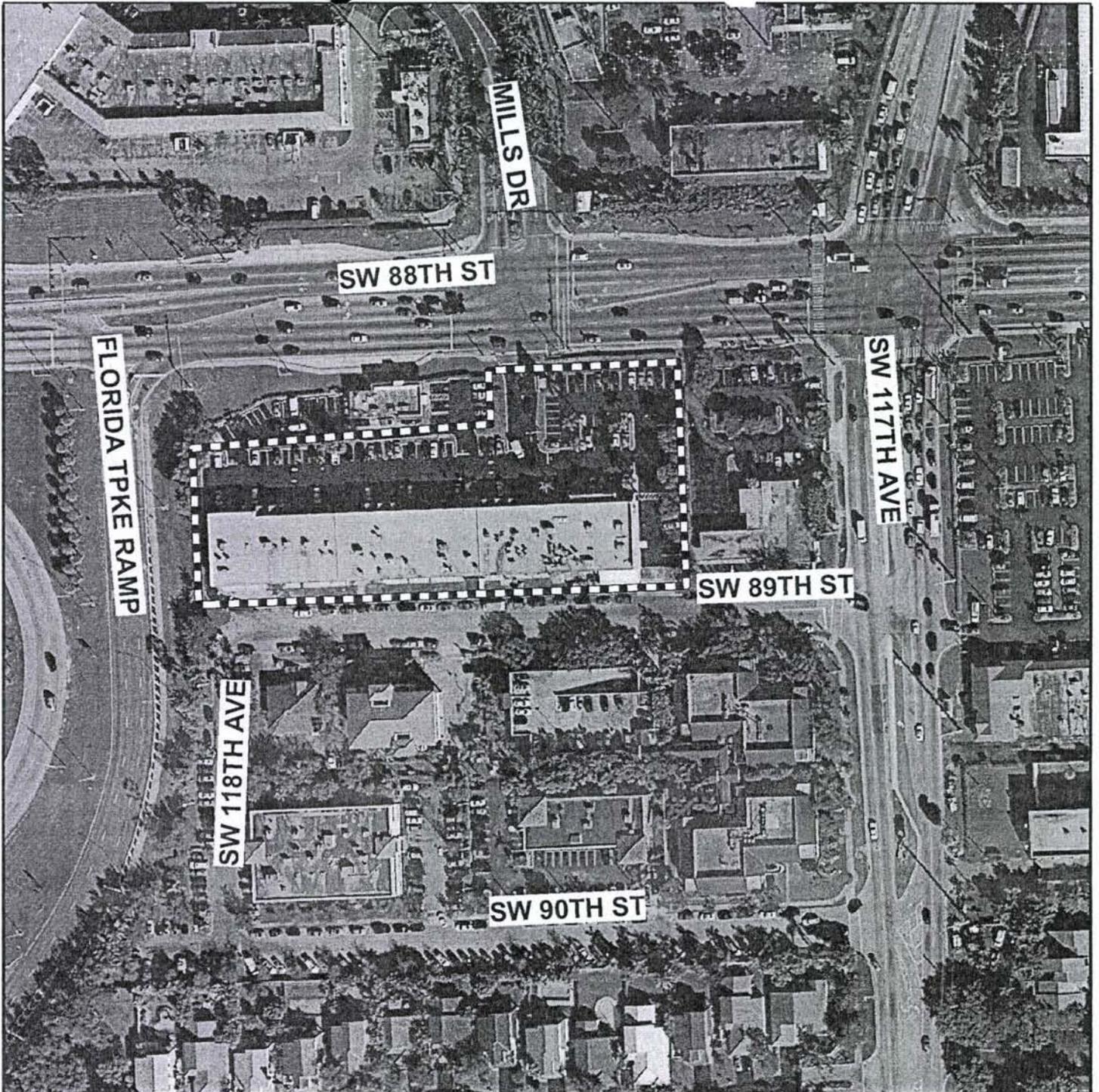
**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY
		20



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2012**

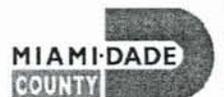
Process Number  
**Z2013000003**



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

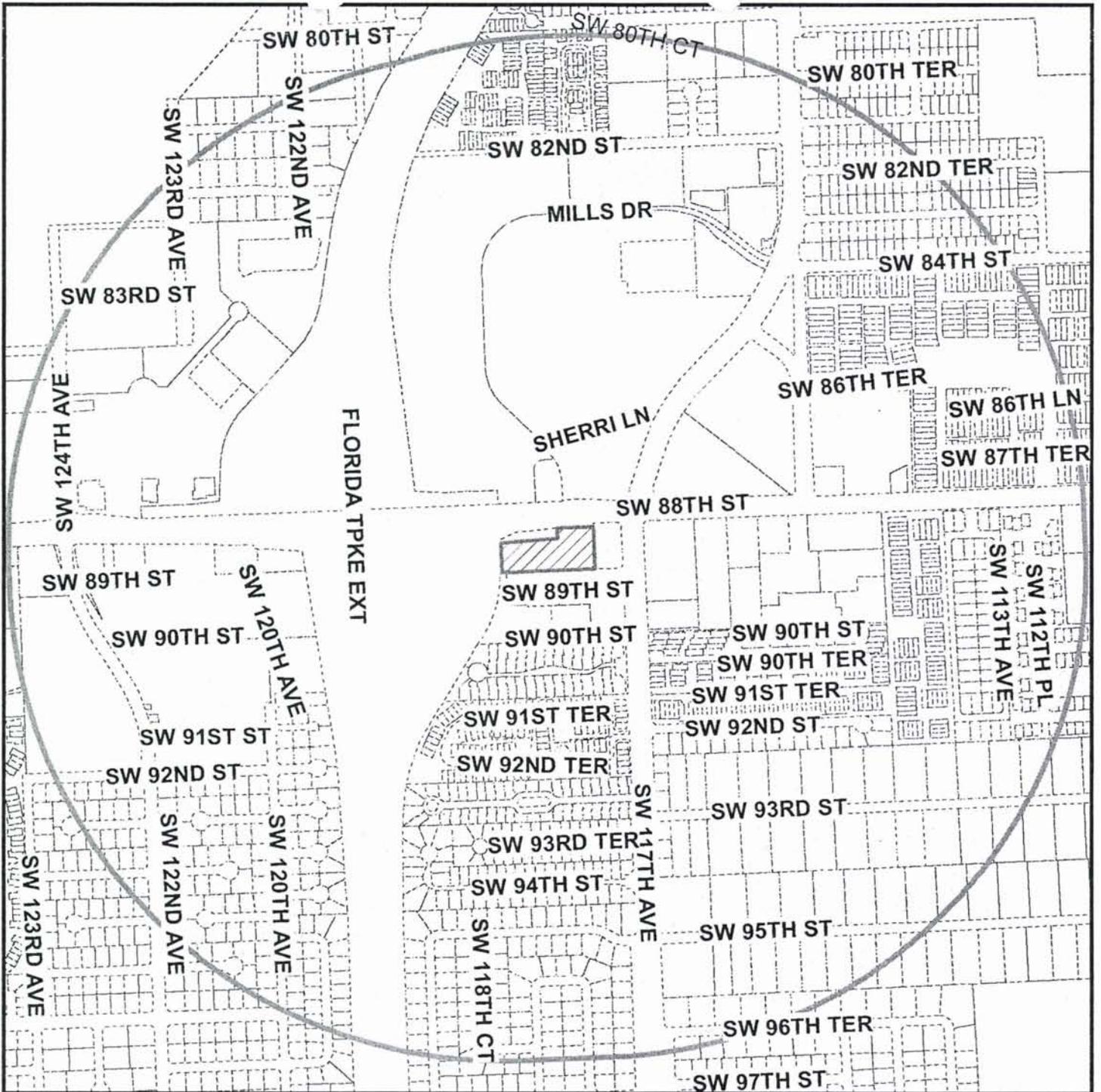
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 Subject Property



SKETCH CREATED ON: Thursday, January 31, 2013

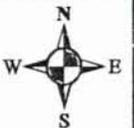
REVISION	DATE	BY
		21



**MIAMI-DADE COUNTY  
RADIUS MAP**

Process Number  
**Z2013000003**  
RADIUS: 2640

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



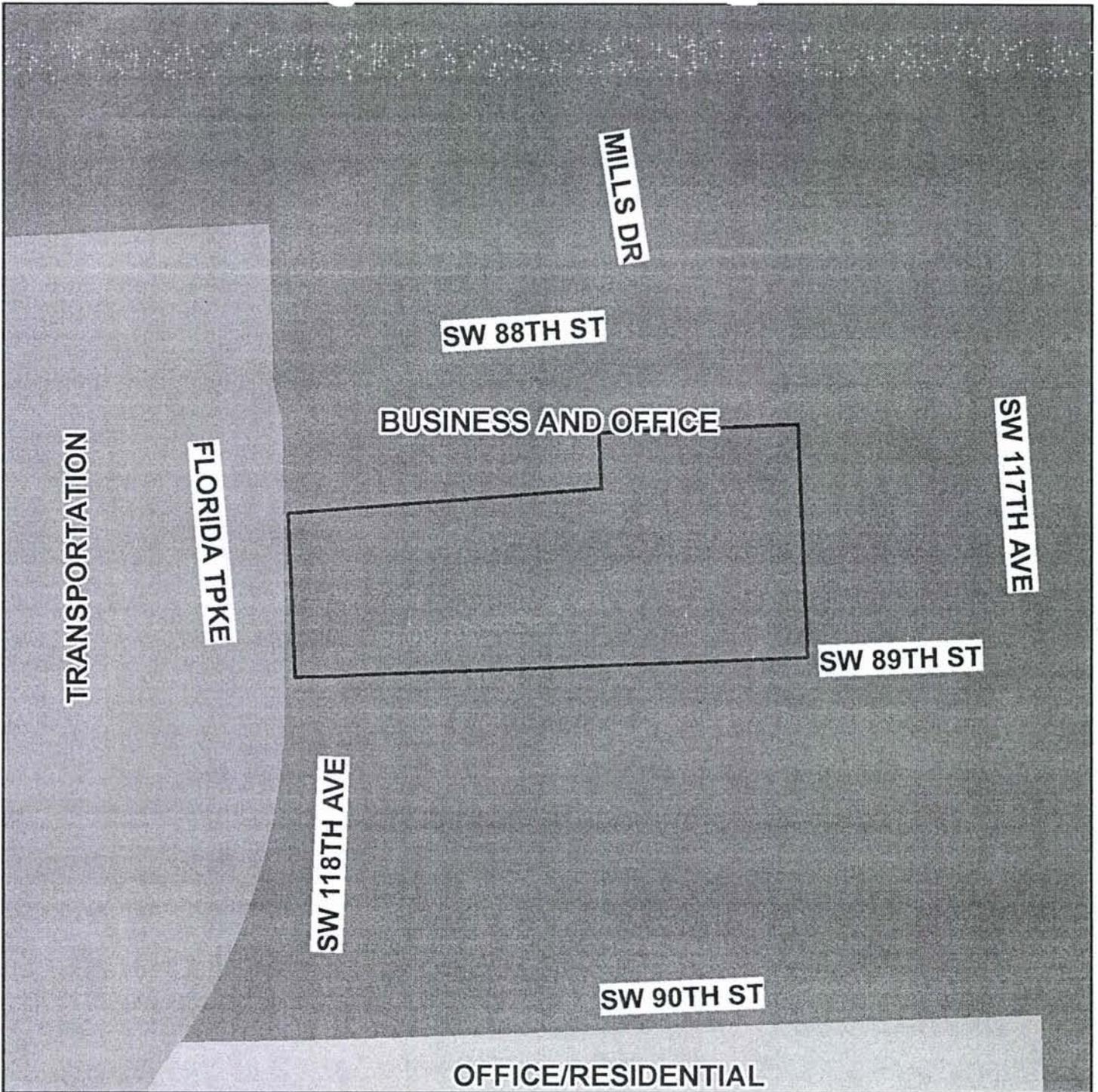
**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY
		ZZ



**MIAMI-DADE COUNTY**  
 CDMP MAP

Process Number  
**Z2013000003**



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

**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY



Miami-Dade County  
Department of Regulatory and Economic Resources

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



**HEARING NUMBER:** Z2013000003

**BOARD:** C12

**LOCATION OF SIGN:** 11760 SW 88 ST, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 16-DEC-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: Cleveland Thompson

PRINT NAME: CLEVELAND THOMPSON

THIS ITEM WAS DEFERRED ON 12/17/13 WITH LEAVE TO AMEND TO 1/7/14

HEARING NO. 13-11-CZ12-1 (13-03)

01-55-39  
Council Area 12  
Comm. Dist. 10

APPLICANT: MG JEWELERS OF MIAMI, INC

- (1) USE-VARIANCE to permit a pawn broker use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing.
- (2) MODIFICATION of Condition #2 of Resolution CZAB12-4-11, passed and adopted by the Community Zoning Appeals Board #12, reading as follows:

FROM: "2. That the applicant provide the required amount of street trees along SW 88 Street (North Kendall Drive) and SW 89 Street rights-of-way at the time of permitting."

TO: "2. That the applicant provide 15 palm street trees along SW 88 street (North Kendall Drive) right-of-way at the time of permitting, and to allow (0) street trees along SW 89 Street."

The purpose of request #2 is to allow the applicant to amend the number of street trees required along SW 88 Street (North Kendall Drive) and to provide (0) street trees along SW 89 street.

- (3) NON-USE VARIANCE to permit 15 palm street trees (21 palm street trees required) along SW 88 Street (North Kendall Drive) right-of-way, and to permit (0) street trees (15 street trees required) along SW 89 Street right-of-way.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Existing Jewelry Shop Floor Plan" as prepared by Roger Perez consisting of 1 sheet, a plan entitled "MG Jewelers of Miami Proposed Pawn Shop" preparer unknown and consisting of 1 sheet, both dated stamped received 2/14/13. Landscape Plan prepared by M.L.A. Group, Inc., dated stamped received 11/21/13 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract "B" of BERKELY PLAZA, Plat Book 120, Page 22; LESS: That parcel of land lying in the NE ¼ of Section 1, Township 55 South, Range 39 East, being the north 16.8' of Tract "B"; of BERKELY PLAZA, Plat Book 120, Page 22; and being more particularly described as follows: Begin at the northeast corner of said Tract "B"; thence run S85°40'16"W for a distance of 195.96' along the north boundary of said Tract "B" to a point on the W/ly boundary of said Tract "B" which is coincident with the most E/ly Limited Access Right of Way line of S. R. # 821, as shown on the Florida Department of Transportation Right of Way Map for Section # 87005-2307; thence S04°21'21"E for a distance of 16.8' along said Limited Access Right of Way line; thence N85°40'16"E for a distance of 195.96' along a line being 16.8' south of and parallel with the north boundary of said Tract "B", thence N04°22'08"W for a distance of 16.8' along the east boundary of said Tract "B" to the Point of Beginning.

CONTINUED ON PAGE TWO

HEARING NO. 13-11-CZ12-1 (13-03)

01-55-39  
Council Area 12  
Comm. Dist. 10  
PAGE TWO

APPLICANT: MG JEWELERS OF MIAMI, INC

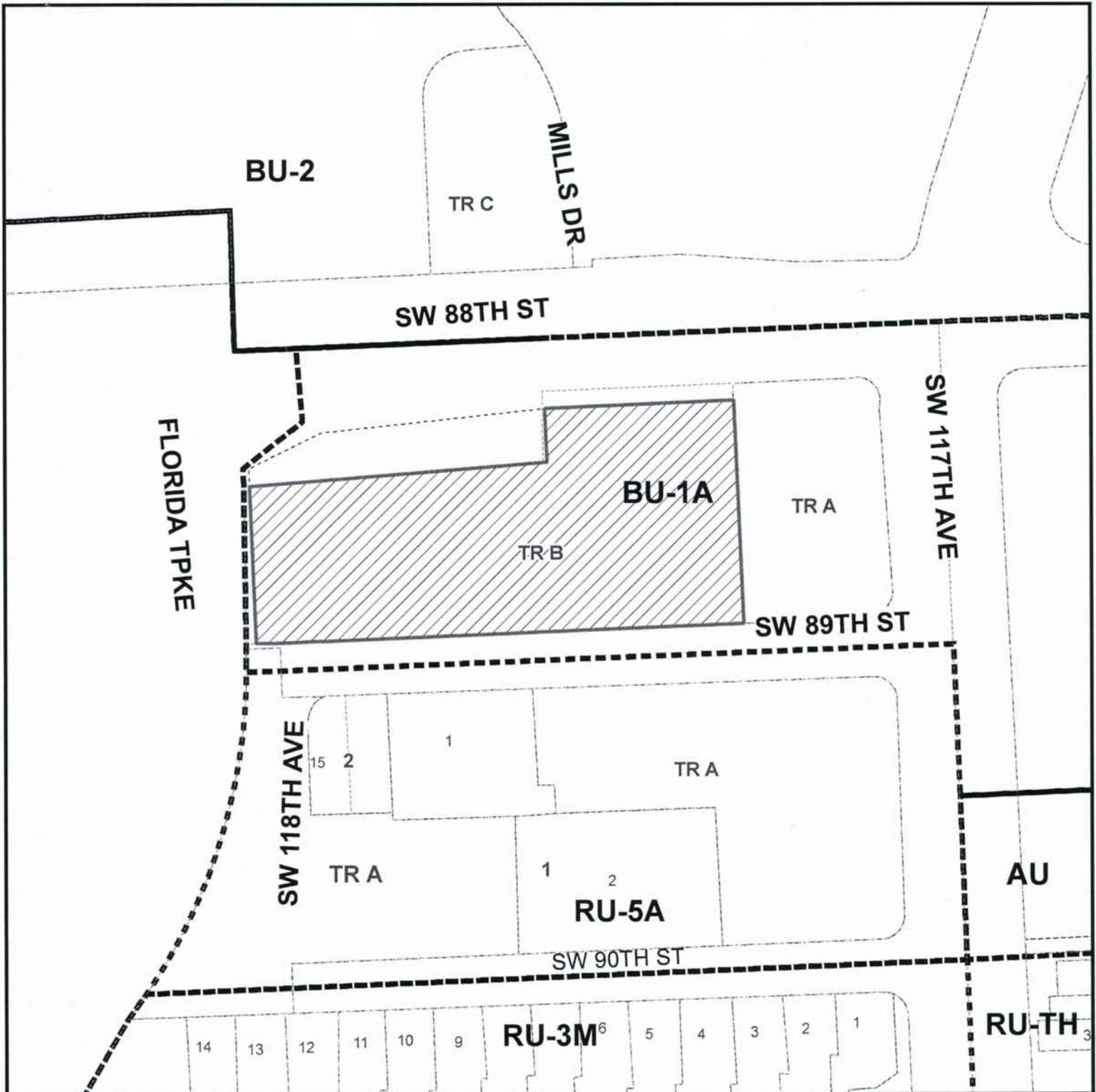
TOGETHER WITH THE FOLLOWING: A part of the Limited Access Right of Way of the Homestead Extension to the Florida Turnpike (S.R. 821), in the SE ¼ quadrant of the intersection with North Kendall Drive (S.R. 94), said parcel lying and being in the NE ¼ of Section 1, Township 55 South, Range 39 East, as shown on the Florida Department of Transportation Right of Way Map for Job No. 0705-2307 and being more particularly described as follows: Commence at the northeast corner of said Section 1, thence run N87°41'05"W 408.45' along the north boundary of Section 1 (also the centerline of North Kendall Drive) to a point; thence S02°18'55"E 55' to a point; thence S02°20'32"E 16.8' along the Limited Access Right of Way line of S.R.#821 to the Point of Beginning of the parcel hereinafter described; thence continue S02°20'32"E 55' along said Limited Access Right of Way line to a point; thence S85°12'14"W 306.1' along the existing Limited Access Right of Way line to a point; thence N02°18'55"W 19.05' to a point; thence N63°17'54"E 82.35' to a point; thence N83°55'00"E 231.29' to the Point of Beginning. Less all the rights of access, egress, ingress, light, air and view from the above described parcel, over and across the following described line: Commence at the northeast corner of the aforementioned Section 1; thence S87°41'05"W 408.45' along the north boundary of Section 1 (also the centerline of North Kendall Drive) to a point; thence S02°18'55"E 55' to the Point of beginning of the hereinafter described line; thence S02°20'32"E 16.8' to a point; thence S83°55'00"W 231.29' to a point; thence S63°17'54"W 82.35' to a point; thence S02°18'55"E 19.05' to a point on the existing Limited Access Right of Way line of the aforementioned S.R. #821 and the end of the line to be described.

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

SIZE OF PROPERTY: 2.19 Acres

PRESENT ZONING: BU-1A (Business-Limited)

~



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

Process Number  
**Z2013000003**



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

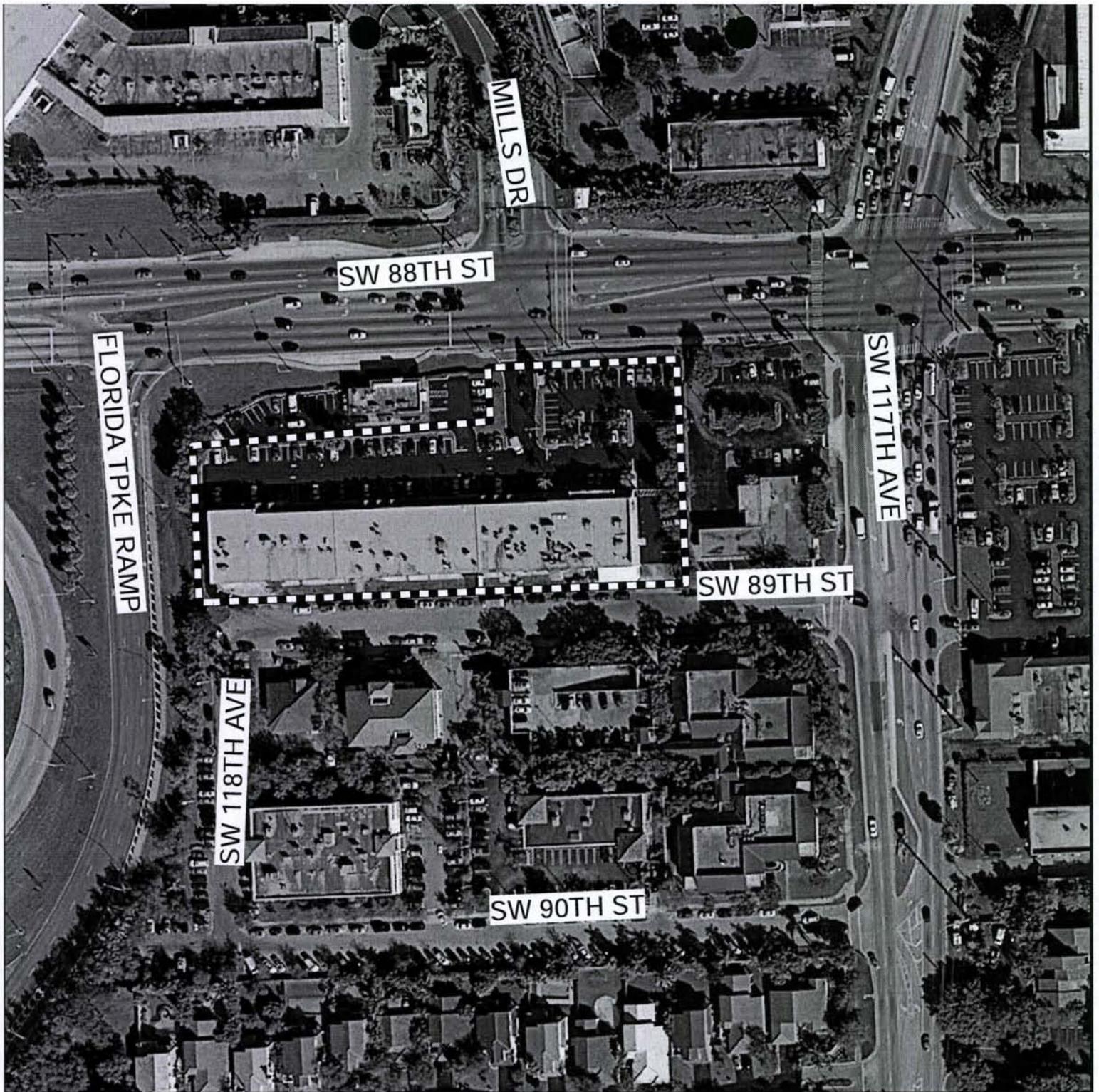
**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY



MIAMI-DADE COUNTY  
AERIAL YEAR 2012

Process Number  
**Z2013000003**



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

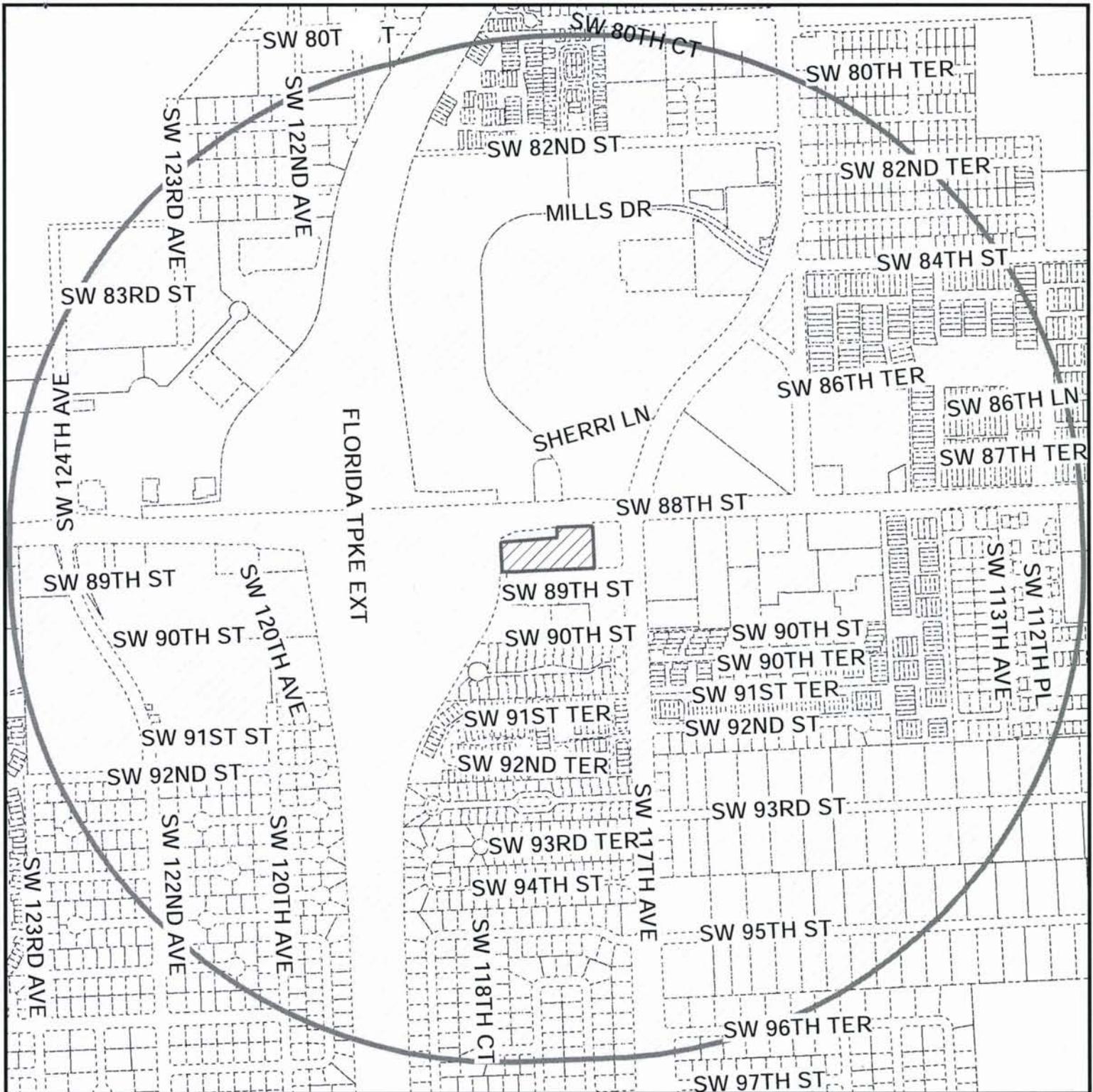
Legend

 Subject Property



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
RADIUS MAP

Process Number  
**Z2013000003**  
RADIUS: 2640



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

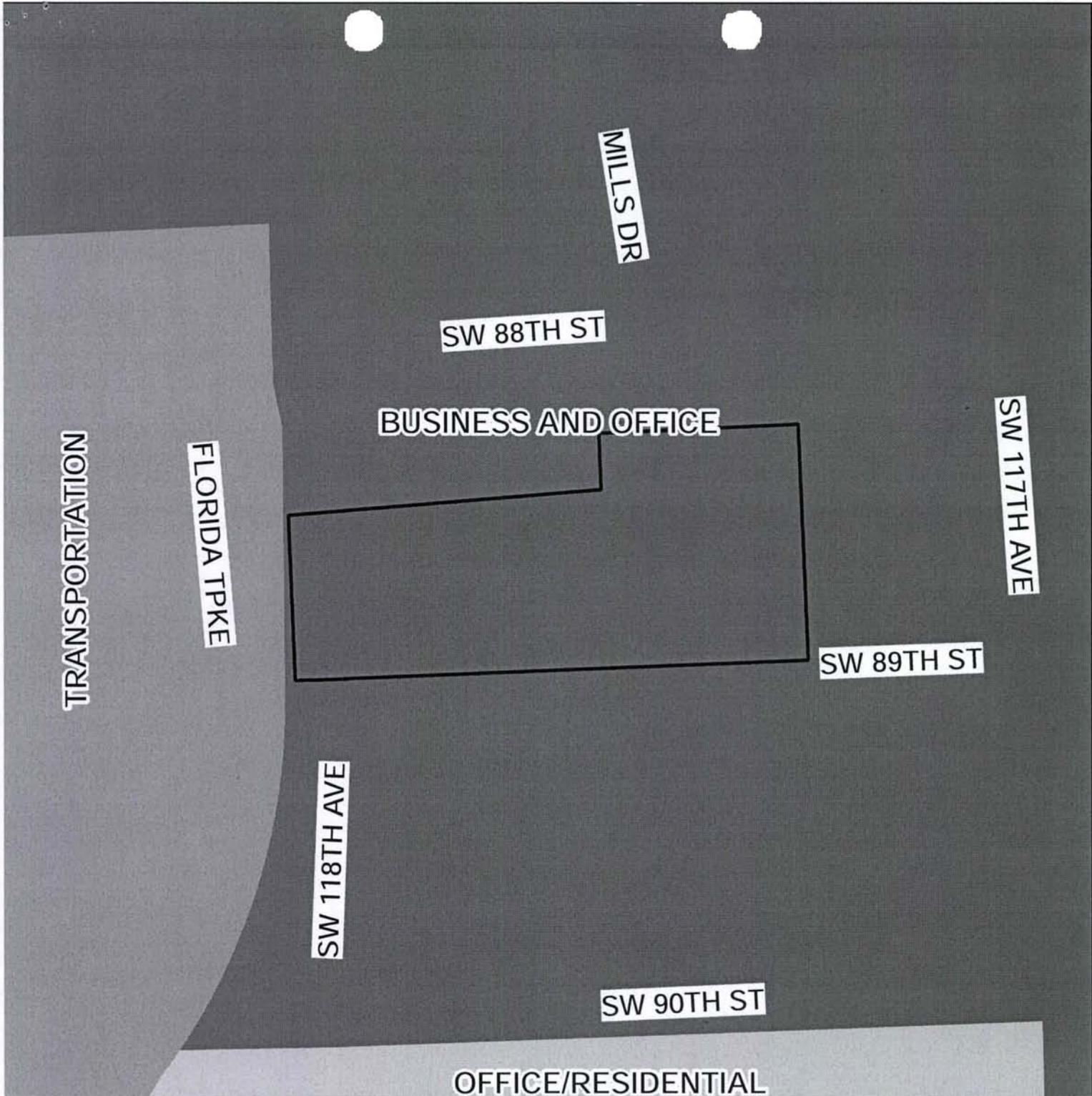
**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY



MIAMI-DADE COUNTY  
CDMP MAP

Process Number  
**Z2013000003**



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

**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, January 31, 2013

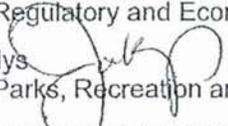
REVISION	DATE	BY

# Memorandum



Date: September 21, 2013

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

From: <sup>ON</sup> Jack Kardys   
<sub>9/25</sub> 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
Total	1,130,729	3,109.50	1300.13	1118.93	2419.06	752.74	829	4000.80	891.30	1.29

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\PROF\MGR\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 ****	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	348,349	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 Lloft, Director  
Miami-Dade Transit

Subject: FY14 Blanket Concurrency Approval for Transit

2013 SEP -6 P 11:41

PLANNING & COMMUNITY DEVELOPMENT  
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

cc: Control File

Received by  
Zoning Agenda Coordinator

JUL 27 2010

# Memorandum



**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

# Memorandum



**Date:** September 21, 2013

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

**From:** *GN*  
*9/23* 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\CONCURR2013-2014

# 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 ****	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	348,349	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 Llorca, Director  
Miami-Dade Transit

Subject: FY14 Blanket Concurrency Approval for Transit

2013 SEP -6 P 11:41

PLANNING AND  
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

c: Control File

Received by  
Zoning Agenda Coordinator

JUL 27 2010

# Memorandum



**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.

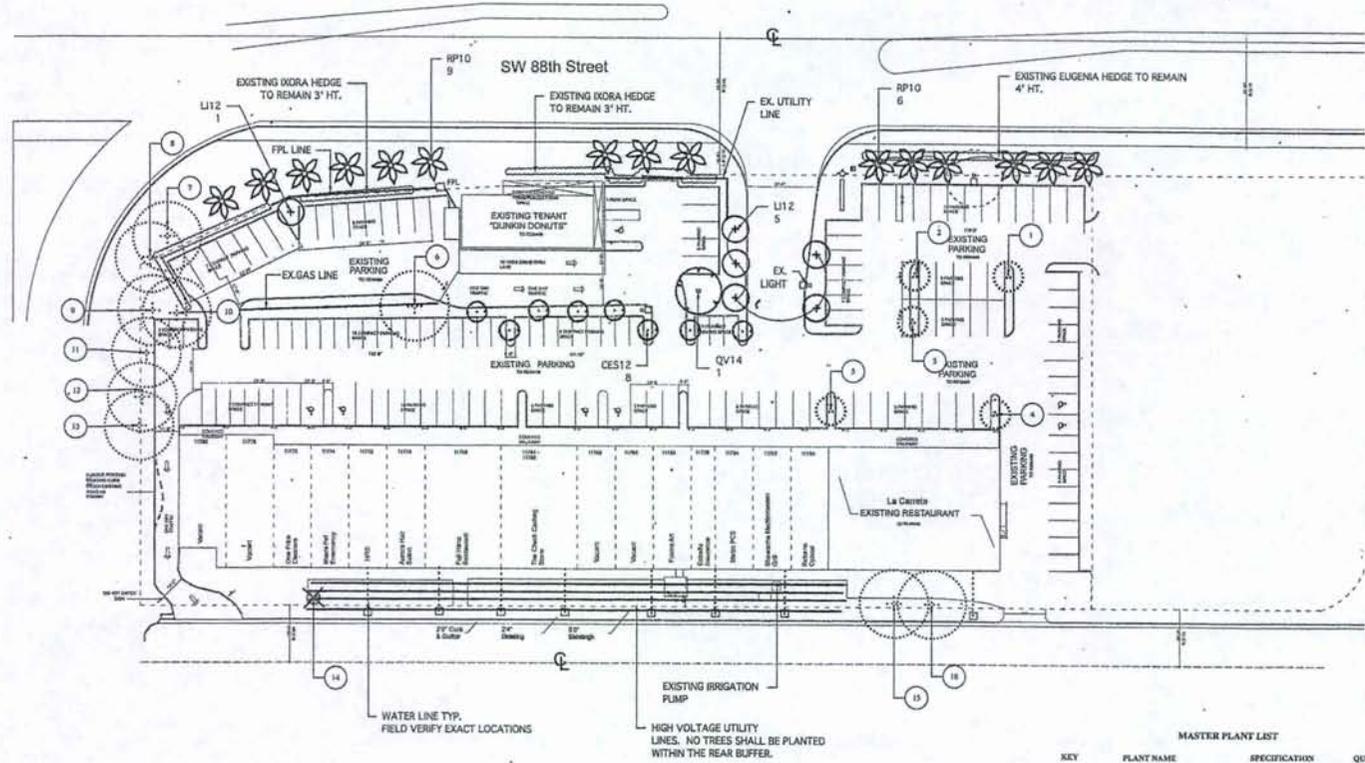
If you or any member of your staff needs further information on this request, please contact Helen A. Brown, Concurrency Administrator at (305) 375-2835. Thank you for your attentions to this matter.

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



**M. L. O. A. P. Inc.**  
 Landscape Architectural Services  
 Reg. LA-666603  
 1010 N. 45th Street, Coral Gables, FL 33134  
 P: 954-763-4071  
 F: 954-337-0817  
 E: mlap@mlapinc.com



SW 117TH AVE

REVISIONS:  
 REV: LA REVIEW 7/3/13

SHEET TITLE:  
**LANDSCAPE  
 PLANTING  
 PLAN**

**LA CARRETA PLAZA**  
 SW 88TH STREET AND SW 117TH AVE  
 MIAMI, FL.

**EXISTING TREE INVENTORY**

NO.	COMMON NAME	SIZE HT. X SPL.	CONDITION	DETERMINATION
1.	ROYAL PALM	16" DBH, 20'X12"	GOOD	REMAIN
2.	ROYAL PALM	16" DBH, 30'X12"	GOOD	REMAIN
3.	ROYAL PALM	16" DBH, 20'X12"	GOOD	REMAIN
4.	ROYAL PALM	18" DBH, 30'X12"	GOOD	REMAIN
5.	ROYAL PALM	18" DBH, 20'X12"	GOOD	REMAIN
6.	UNKNOWN	18" DBH, 30'X20"	GOOD	REMAIN
7.	BOTTLE BRUSH	12" + 16" DBH, 25'X20"	FAIR	REMAIN
8.	BOTTLE BRUSH	13" DBH, 25'X20"	FAIR	REMAIN
9.	BOTTLE BRUSH	12" DBH, 25'X20"	FAIR	REMAIN
10.	ACACIA	16" DBH, 30'X18"	FAIR	REMAIN
11.	ACACIA	16" DBH, 30'X18"	FAIR	REMAIN
12.	ACACIA	16" DBH, 30'X18"	FAIR	REMAIN
13.	SLASH PINE	18" DBH, 40'X 15'	FAIR	REMAIN
14.	GUMBO LIMBO	12" DBH, 20'X18"	POOR	REMOVE/MITIGATE
15.	BOTTLE BRUSH	12" DBH, 12'X 15' LEANING	FAIR	REMAIN
16.	BOTTLE BRUSH	12" + 10" DBH, 15'X20"	FAIR	REMAIN

NO TREES SHALL BE REMOVED OR RELOCATED WITHOUT THE APPROVAL OF A TREE REMOVAL PERMIT ISSUED BY DADE COUNTY

**MASTER PLANT LIST**

KEY	PLANT NAME	SPECIFICATION	QUANTITY
CE12	CONCARPUS ERECTA SINGLE TRUNK NATIVE	12" P SPL, 42" CT, 12" DBH SINGLE TRUNK	8
L112	LAGERSTRÖMIA INDICA CREPE MYRTLE 'TURKAZEE'	12" P SPL, 42" CT, 12" DBH, 8'6" SINGLE TRUNK	8
QV14	QUERUS FUGIANS SOUTHERN OAK	12" L.C. SPL, 36" DBH, 12' 1" DBH, 4" CT, NATIVE	1
RP18	ROSEODORA ELATA ROYAL PALM	20" DBH, 64" MATCHING DBL. 12" DBH, NATIVE	15
000	ST. AUGUSTINE FLORISTAN	CONTRACTOR TO VERIFY QUANTITY BRASSIUM	

NOTE:  
 CONTRACTOR SHALL REPLACE OR REPAIR ALL EXISTING LANDSCAPE MATERIALS AND IRRIGATION DAMAGED BY PROPOSED LANDSCAPE IMPROVEMENTS.  
 CONTRACTOR SHALL FIELD VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO STARTING WORK.  
 PROPOSED LANDSCAPE TREES/PALMS SHALL REMAIN A MIN. OF 5' FROM ANY UNDERGROUND UTILITY.  
 REFER TO SHEET L-2 FOR PLANTING DETAILS AND SPECIFICATIONS

Miami Dade County Department of Respiratory and Economic Resources - 1002 COPY  
 0000344262 - 8/2/2013 3:03:12 PM  
 L-1-07152013.PDF  
 Examiner: Charmaine Shihnooster Date Time Stamp: 8/8/2013 10:14:52 AM Disp. Trade Stamp Name: A PLAN Approved

PROJECT:  
 SEAL:  
 SCALE: 1"=20'  
 DATE DRAWN: 4-17-11  
 SHEET NO.  
**L-1**



Miami-Dade County  
Department of Regulatory and Economic Resources

PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING



HEARING NUMBER: Z201300003

BOARD: C12

LOCATION OF SIGN: 11760 SW 88 ST, MIAMI-DADE COUNTY, FLORIDA.

Miami Dade County, Florida

Date of Posting: 21-OCT-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: CLEVELAND THOMPSON



**Miami-Dade County  
Department of Regulatory and Economic Resources**

**PHOTOGRAPH OF SIGN POSTED FOR ZONING HEARING**



**HEARING NUMBER: Z201300003**

**BOARD: C12**

**LOCATION OF SIGN: 11760 SW 88 ST, MIAMI-DADE COUNTY, FLORIDA.**

**Miami Dade County, Florida**

**Date of Posting: 21-OCT-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:** *Cleveland Thompson*

**PRINT NAME:** CLEVELAND THOMPSON

HEARING NO. 13-11-CZ12-1 (13-03)

01-55-39  
Council Area 12  
Comm. Dist. 10

APPLICANT: MG JEWELERS OF MIAMI, INC

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

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

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

SIZE OF PROPERTY: 2.19 Acres

PRESENT ZONING: BU-1A (Business-Limited)

APPLICANT: MG JEWELERS OF MIAMI, INC

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

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

SUBJECT PROPERTY: Tract "B" of BERKELY PLAZA, Plat Book 120, Page 22; LESS: That parcel of land lying in the NE ¼ of Section 1, Township 55 South, Range 39 East, being the north 16.8' of Tract "B"; of BERKELY PLAZA, Plat Book 120, Page 22; and being more particularly described as follows: Begin at the northeast corner of said Tract "B"; thence run S85°40'16"W for a distance of 195.96' along the north boundary of said Tract "B" to a point on the W/ly boundary of said Tract "B" which is coincident with the most E/ly Limited Access Right of Way line of S. R. # 821, as shown on the Florida Department of Transportation Right of Way Map for Section # 87005-2307; thence S04°21'21"E for a distance of 16.8' along said Limited Access Right of Way line; thence N85°40'16"E for a distance of 195.96' along a line being 16.8' south of and parallel with the north boundary of said Tract "B", thence N04°22'08"W for a distance of 16.8' along the east boundary of said Tract "B" to the Point of Beginning. TOGETHER WITH THE FOLLOWING: A part of the Limited Access Right of Way of the Homestead Extension to the Florida Turnpike (S.R. 821), in the SE ¼ quadrant of the intersection with North Kendall Drive (S.R. 94), said parcel lying and being in the NE ¼ of Section 1, Township 55 South, Range 39 East, as shown on the Florida Department of Transportation Right of Way Map for Job No. 0705-2307 and being more particularly described as follows: Commence at the northeast corner of said Section 1, thence run N87°41'05"W 408.45' along the north boundary of Section 1 (also the centerline of North Kendall Drive) to a point; thence S02°18'55"E 55' to a point; thence S02°20'32"E 16.8' along the Limited Access Right of Way line of S.R.#821 to the Point of Beginning of the parcel hereinafter described; thence continue S02°20'32"E 55' along said Limited Access Right of Way line to a point; thence S85°12'14"W 306.1' along the existing Limited Access Right of Way line to a point; thence N02°18'55"W 19.05' to a point; thence N63°17'54"E 82.35' to a point; thence N83°55'00"E 231.29' to the Point of Beginning. Less all the rights of access, egress, ingress, light, air and view from the above described parcel, over and across the following described line: Commence at the northeast corner of the aforementioned Section 1; thence S87°41'05"W 408.45' along the north boundary of Section 1 (also the centerline of North Kendall Drive) to a point; thence S02°18'55"E 55' to the Point of beginning of the hereinafter described line;

CONTINUED ON PAGE TWO

h

HEARING NO. 13-10-CZ12-1 (13-03)

01-55-39  
Council Area 12  
Comm. Dist. 10  
PAGE TWO

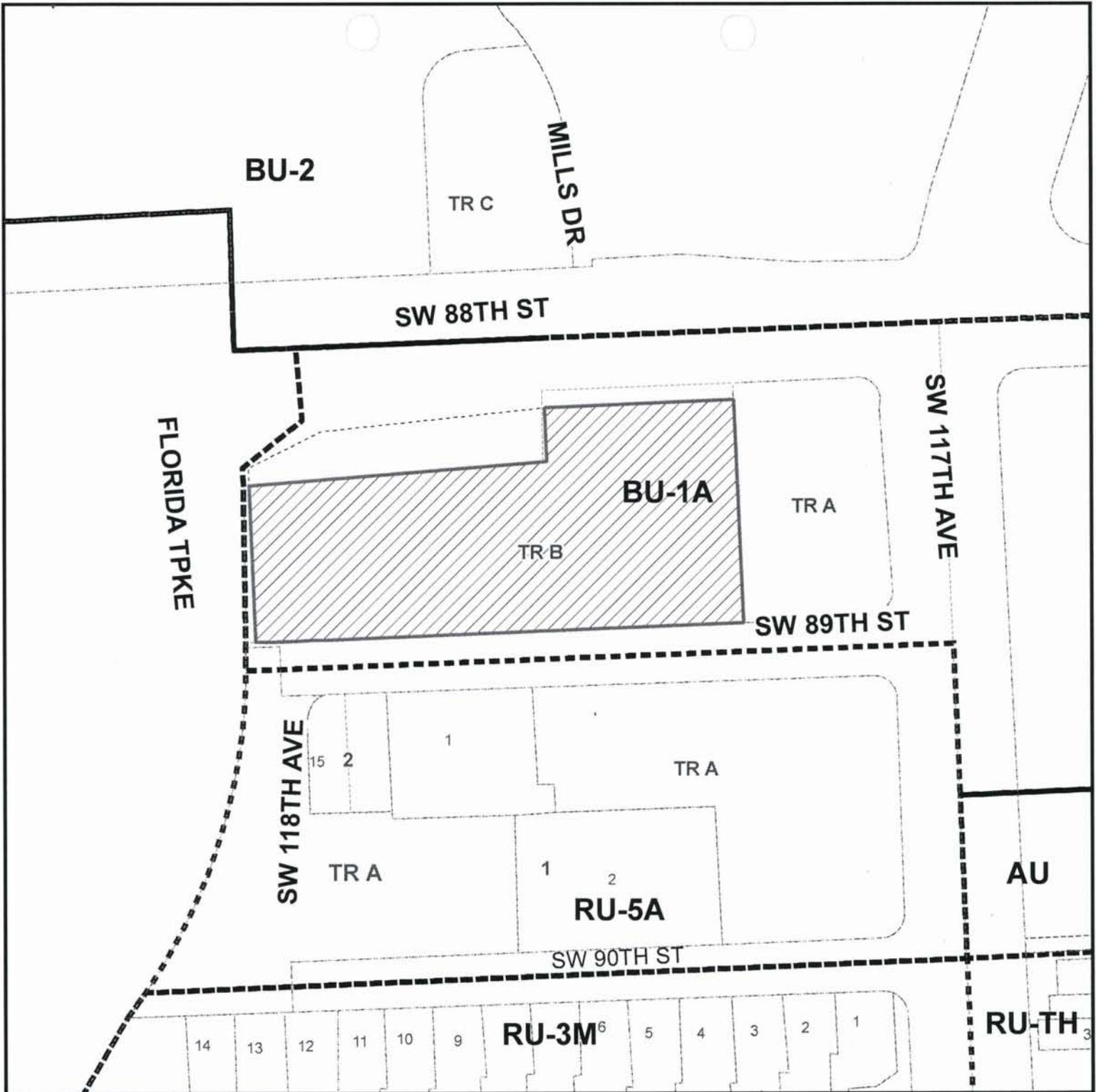
APPLICANT: MG JEWELERS OF MIAMI, INC

thence S02°20'32"E 16.8' to a point; thence S83°55'00"W 231.29' to a point; thence S63°17'54"W 82.35' to a point; thence S02°18'55"E 19.05' to a point on the existing Limited Access Right of Way line of the aforementioned S.R. #821 and the end of the line to be described.

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

SIZE OF PROPERTY: 2.19 Acres

PRESENT ZONING: BU-1A (Business-Limited)



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

Process Number  
**Z2013000003**



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

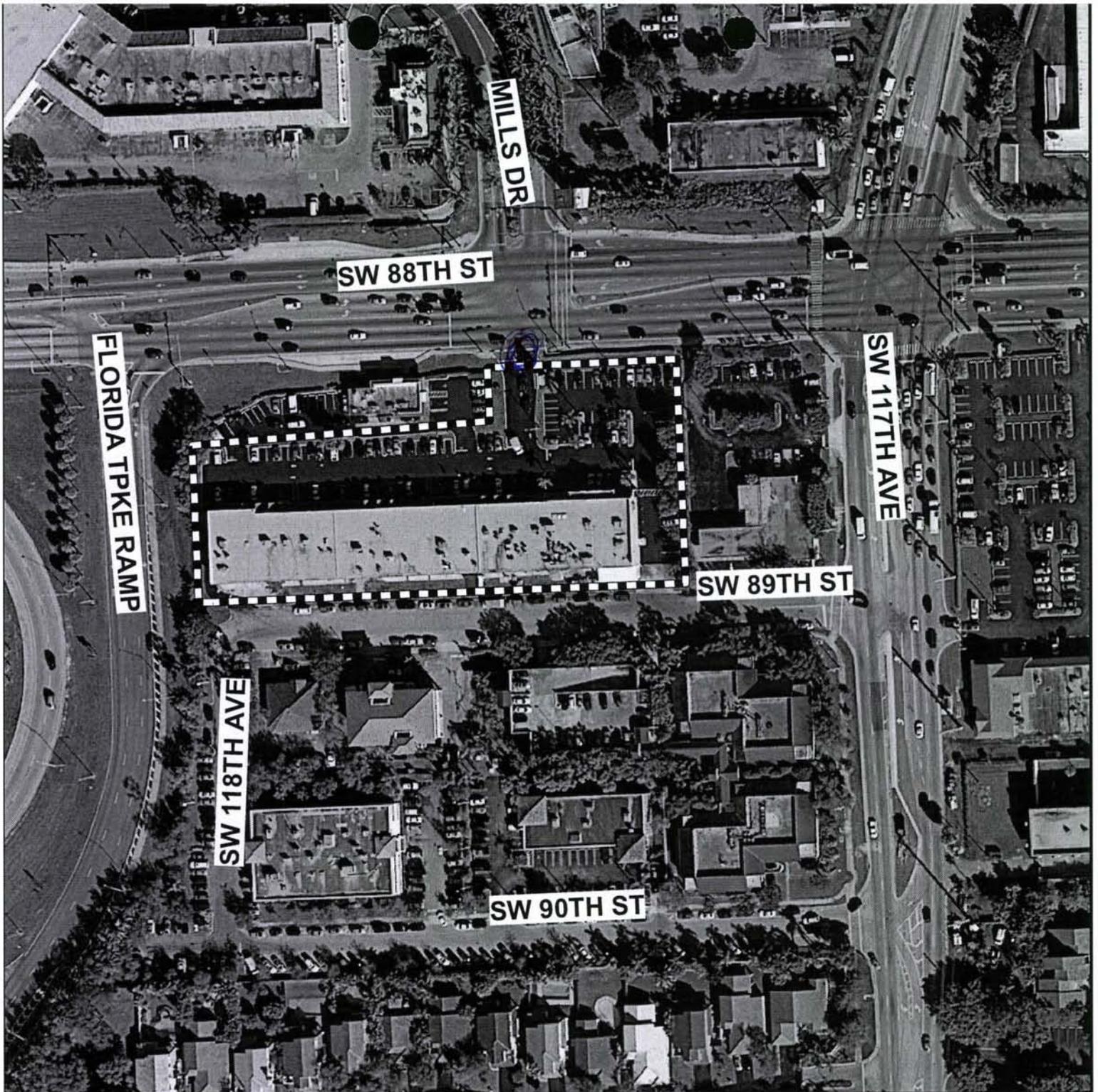
**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2012**

Process Number  
**Z2013000003**



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

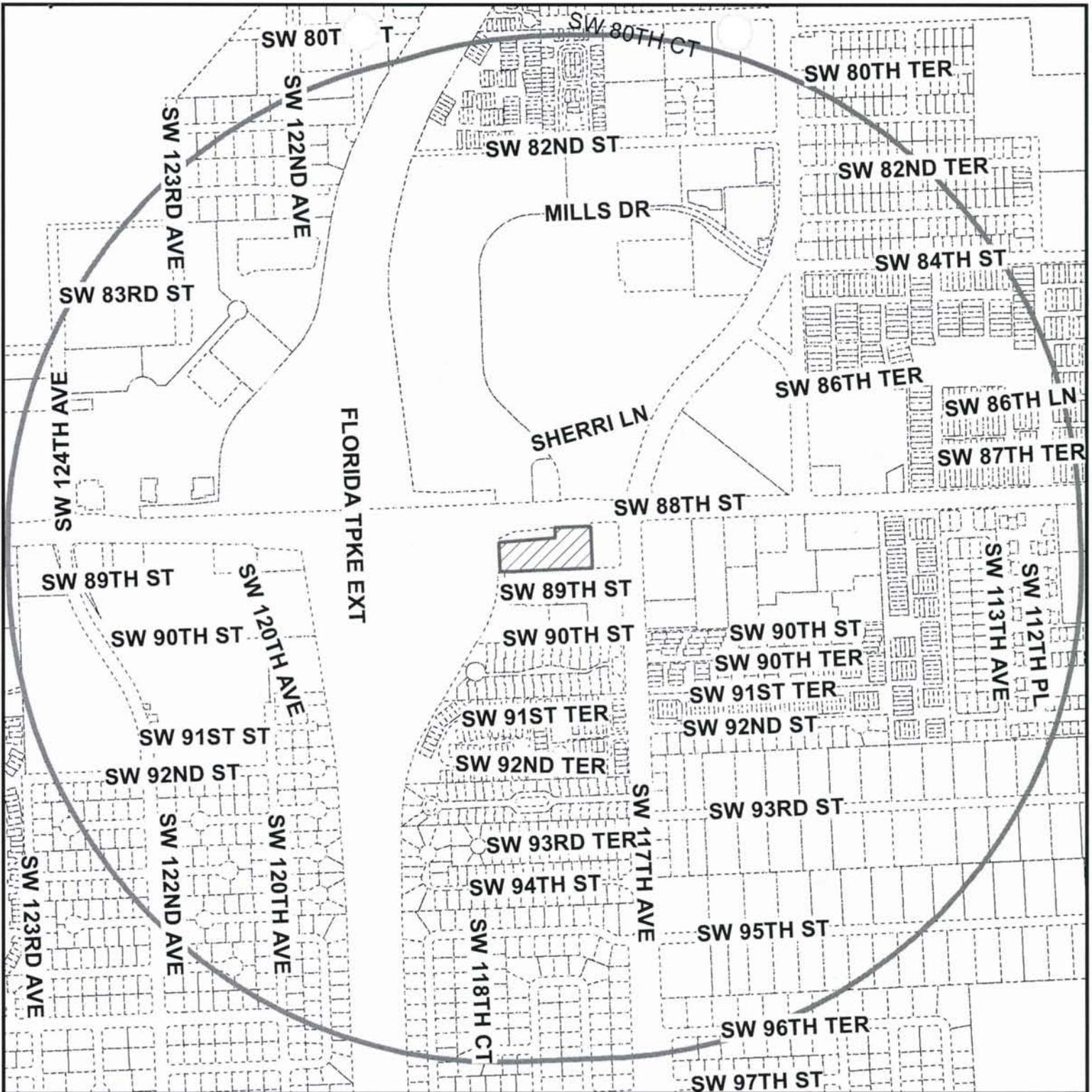
**Legend**

 Subject Property



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY



**MIAMI-DADE COUNTY  
RADIUS MAP**

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

Process Number  
**Z2013000003**  
 RADIUS: 2640

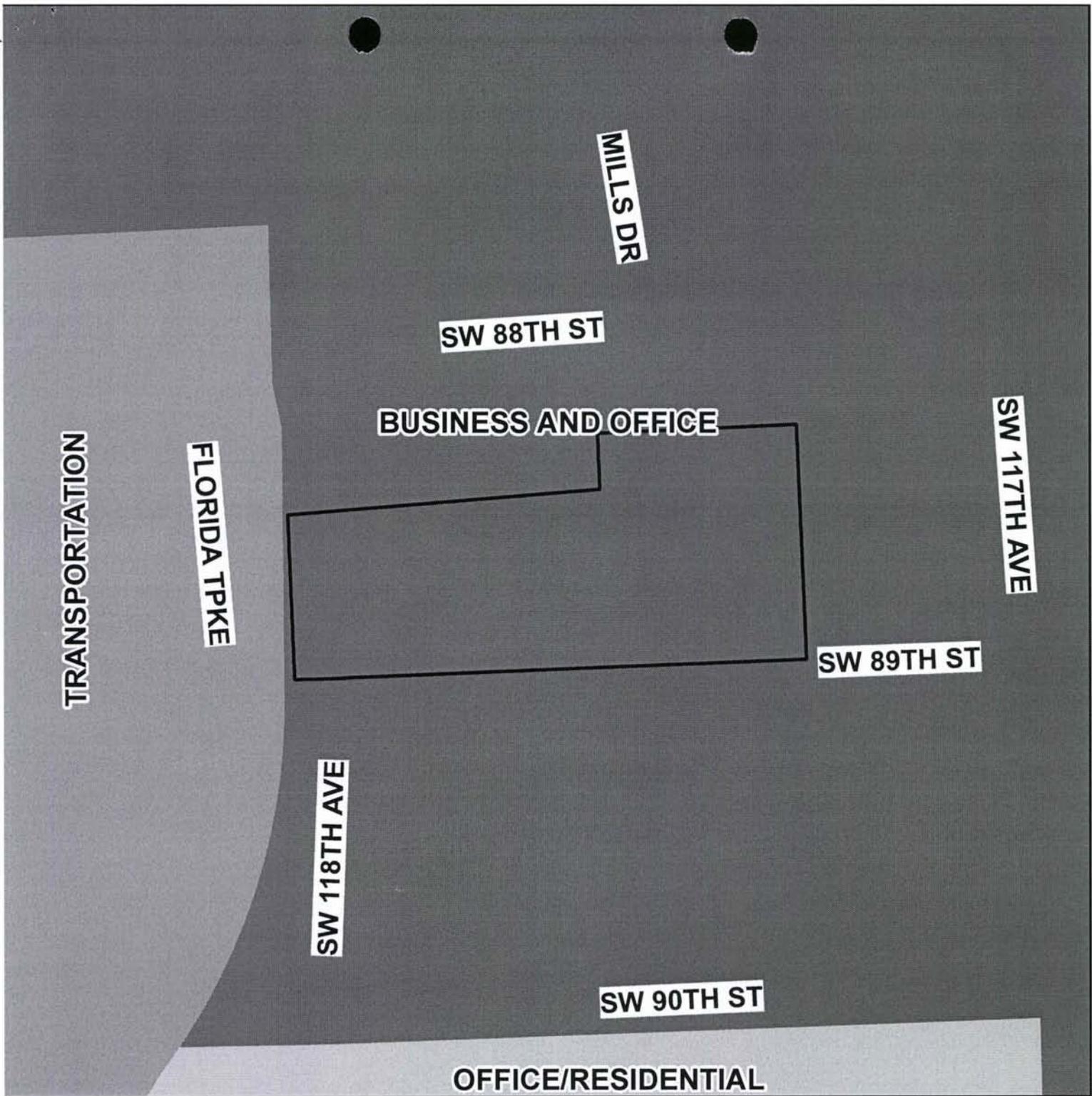


**Legend**

-  Subject Property
-  Buffer



REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2013000003**



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

**Legend**

 Subject Property Case



SKETCH CREATED ON: Thursday, January 31, 2013

REVISION	DATE	BY

# Memorandum



**Date:** September 21, 2013

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

**From:** *EN*  
*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	1,037.82	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", written in black ink over the typed name in the "From:" field.

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	348,349	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 790,300

\* 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 11:41

PLANNING AND  
METROPLANNING / TRANSPORTATION 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



**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

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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