

RESOLUTION NO. CZAB12-27-15

WHEREAS, WRC PROPERTIES, LLC, applied for the following:

- 1) SPECIAL EXCEPTION to permit the expansion of an existing alcohol beverage establishment to be spaced less than the required 1500' from another legally established alcohol use.
- 2) MODIFICATION of Condition #2 to Resolution No. CZAB12-4-12, passed and adopted by Community Zoning Appeals Board #12, reading as follows:

FROM: "2. That the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "The Palms at Town & Country Center" as prepared by Robin Bosco Architects and Planners, Inc., consisting of 3 sheets, all sheet dated stamped received 5/16/12 and a specific purpose survey prepared by Schwebke-Shiskin and Associates, Inc., consisting of 1 sheet, dated stamped received 11/17/11 for a total of 5 sheets."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Substantial Compliance Submittal Site Plan" as prepared by Robin Bosco Architects and Planners, Inc., consisting of 1 sheet, dated stamped received 05/18/15 and a floor plan entitled "World of Beer" dated stamped received 06/22/15, Specific Purpose Survey prepared by Schwebke-Shiskin and Associates, Inc., consisting of 1 sheet, dated stamped received 05/18/15 for a total of 3 sheets."

The purpose of the Request #2 is to allow the applicant to submit plans showing the expansion of the existing bar into an adjoining bay in an existing shopping plaza.

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tracts "A" through "F" of KENDALL KATHRYN MILLS SECTION ONE, PB 125-45.

LOCATION: 8525 MILLS DRIVE, MIAMI-DADE COUNTY, FLORIDA, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to waive the time for refiling in the event the applicant needs to come before the Board again on this application, and

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

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested SPECIAL EXCEPTION to permit the expansion of an existing alcohol beverage establishment to be spaced less than the required 1500' from another legally established alcohol use (Item #1) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested SPECIAL EXCEPTION (Item #1) would not have an adverse impact upon the public interest and should be approved, and

WHEREAS, the requested MODIFICATION of Condition #2 to Resolution No. CZAB12-4-12, passed and adopted by Community Zoning Appeals Board #12 (Item #2) would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the request to waive the filing period should be accepted, and

WHEREAS, a motion to approve the application (Items #1 and #2) was offered by Alberto Santana, seconded by Elliot N. Zack, and upon a poll of the members present, the vote was as follows:

Peggy Brodeur	absent	Angela Vazquez	absent
Javier Gonzalez-Abreu	aye	Elliot N. Zack	aye
Alberto Santana	aye		
	Jose I. Valdes	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12 that the requested SPECIAL EXCEPTION to permit the expansion

of an existing alcohol beverage establishment to be spaced less than the required 1500' from another legally established alcohol use (Item #1), and the MODIFICATION of Condition #2 to Resolution No. CZAB12-4-12, passed and adopted by Community Zoning Appeals Board #12 (Item #2) be and the same are hereby approved, subject to the following conditions:

1. That all the conditions of Resolution #CZAB12-4-12 remain in full force and effect, except as herein modified.
2. That the applicant obtain a Certificate of Use for the proposed bar expansion from and promptly renew same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

BE IT FURTHER RESOLVED that the requested MODIFICATION of Condition #2 to Resolution No. CZAB12-4-12, passed and adopted by Community Zoning Appeals Board #12, shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Substantial Compliance Submittal Site Plan" as prepared by Robin Bosco Architects and Planners, Inc., consisting of 1 sheet, dated stamped received 05/18/15 and a floor plan entitled "World of Beer" dated stamped received 06/22/15, Specific Purpose Survey prepared by Schwebke-Shiskin and Associates, Inc., consisting of 1 sheet, dated stamped received 05/18/15 for a total of 3 sheets."

BE IT FURTHER RESOLVED, that the request to waive the filing period is hereby granted and that the filing period is hereby waived.

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

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

PASSED AND ADOPTED this 3rd day of November, 2015.

Hearing No. 15-11-CZ12-1
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THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY
COMMISSIONERS ON THE 17th DAY OF NOVEMBER, 2015.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

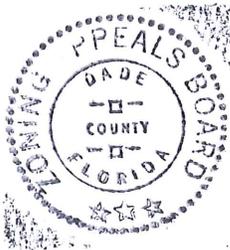
I, Rosa Davis, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-27-15 adopted by said Community Zoning Appeals Board at its meeting held on the 3rd day of November, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 17th day of November, 2015.



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

SEAL





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

November 17, 2015

WRC PROPERTIES, LLC
c/o Alan S. Krischer
701 Brickell, Suite 3300
Miami, FL 33131

Re: Hearing No. 15-11-CZ12-1 (15-045)
Location: 8525 MILLS DRIVE, MIAMI-DADE COUNTY, FLORIDA.

Dear Applicant:

Enclosed herewith is **Resolution No. CZAB12-27-15**, adopted by the by the Community Zoning Appeals Board 12, **which approved your application (Items #1 and #2) on the above described property**. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

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

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

The Board's decision may be appealed by an aggrieved party to Circuit Court within 30 days of the date of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is **November 17, 2015**. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Rosa Davis", written over a blue circular stamp or seal.

Rosa Davis
Deputy Clerk

Enclosure