

**BOARD OF ADJUSTMENT
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 865 Collins Avenue, Unit D

FILE NO. ZBA18-0077

IN RE: Appeal of a decision of the Planning Director, dated June 12, 2018.

**LEGAL
DESCRIPTION:** The Skylark Condo, Unit D,
UNDIV 3.167%
INT COMMON ELEMENTS
OFF REC 20580-1711

FOLIO NUMBER: 02-4203-258-0040

MEETING DATE: December 17, 2018

ORDER

The applicant, Doron Doar, Beach Blitz Co. d/b/a Ocean 9 Liquor a/k/a "Ocean 9" ("Appellant") is appealing an administrative determination of the Planning Director issued on June 12, 2018 (the "Determination") (attached hereto as Exhibit "A"). Specifically, the Appellant has appealed the determination that the package liquor store located at 865 Collins Ave does not meet the necessary criteria for a legal non-conforming use pursuant to Chapter 118, Article IX of the Land Development Regulations of the City Code.

Notice of the appeal was given as required by law and mailed to owners of property within a distance of 375 feet of the exterior limits of the property on which this application was made.

THE BOARD OF ADJUSTMENT FINDS that the property in question is a package liquor store located within the MXE Zoning District. The Board further finds, based on the information and documentation presented to the Board, and based on the argument of counsel and testimony of the parties, that with regard to the request to reverse the decision of the Planning Director regarding the legal non-conforming status of the package liquor store, the Appellant's appeal is hereby **GRANTED**, and the decision of the Planning Director is hereby **REVERSED**.

All exhibits submitted by the parties prior to and on the date of the hearing were admitted into the record.

IT IS HEREBY ORDERED by the Board that the appeal is **GRANTED**, and the Determination is **REVERSED**.

Dated this 17th day of December, 2018.

Meeting Date: December 17, 2018

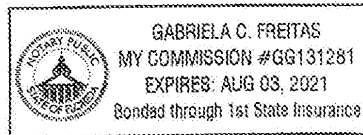
BOARD OF ADJUSTMENT
CITY OF MIAMI BEACH, FLORIDA

BY: 


Rogelio Madan, AICP
Chief of Community Planning & Sustainability
For the Chair

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 20th day of December, 2018, by Rogelio Madan, Chief of Community Planning and Sustainability of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



[NOTARIAL SEAL]


Notary:

Print Name: Gabriela Freitas

Notary Public, State of Florida

My Commission Expires: 8-3-21

Commission Number: 99131281

Approved As To Form: Nick Kallegis 12/20/2018
City Attorney's Office

Filed with the Clerk of the Board of Adjustment on Josiah Gualinga 12/20/18