

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

PROPERTY: 1349 Dade Boulevard

FILE NO. ZBA18-0079

IN RE: Appeal of a decision of the Planning Director, dated August 30, 2018, in which it was determined that towing services at 1349 Dade Boulevard is a legally established, legal non-conforming use, pursuant to Chapter 118, Article IX of the Land Development Regulations of the City Code.

LEGAL

DESCRIPTION: Lots 11 and 12, Block 16A of Islands View Subdivision, according to the Plat thereof, as recorded in Plat Book 115 of the Public Records of Miami –Dade County.

FOLIO NUMBER: 02-3233-012-0680

MEETING DATE: March 1, 2019

ORDER

On August 30, 2018, the Planning Director issued an administrative determination concluding that the towing services operation located at 1349 Dade Boulevard is a legal, nonconforming use (the "Administrative Determination"). Pursuant to City Code Section 118-9(b)(1), the Administrative Determination was published on the City's website on August 31, 2018. On September 26, 2018, Sunset Land Associates LLC and SH Owner LLC ("Appellants") filed a petition for this administrative appeal, pursuant to City Code Section 118-9(b)(2).

The Appellants are the owners of property located at 1724, 1730, 1738, and 1752 Bay Road. Pursuant to City Code Section 118-9(b)(2)(iii), the Appellants are affected parties, owning property within 375 feet of 1349 Dade Boulevard.

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.

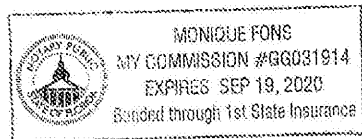
THE BOARD OF ADJUSTMENT FINDS that the property in question is a towing service located within the CD-2 Zoning District. The Board further finds, based on information and documentation presented to the Board, and based on the argument of counsel and testimony of the parties, that with regard to the request to reverse the decision of the Planning Director set forth in the Administrative Determination, the Appellants' appeal is hereby **DENIED**, and the decision of the Planning Director is hereby **AFFIRMED**.

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 **DENIED**, and the Administrative Determination is **AFFIRMED**.

Dated this 1st day of March, 2019.

Meeting Date: March 1, 2019

BOARD OF ADJUSTMENT
CITY OF MIAMI BEACH, FLORIDABY: Rogelio Madan, AICP
Chief of Community Planning & Sustainability
For the ChairSTATE OF FLORIDA)
COUNTY OF MIAMI-DADE)The foregoing instrument was acknowledged before me this 25th day of MARCH, 2019, 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]



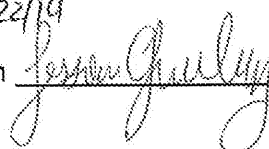
Notary:

Print Name:

Notary Public, State of Florida

My Commission Expires:

Commission Number:

Approved As To Form:  3/22/19
City Attorney's OfficeFiled with the Clerk of the Board of Adjustment on  (3/26/19)