

**MIAMI SHORES PLANNING AND ZONING BOARD**  
**Planning and Zoning Department Staff Report**

Hearing Date	June 27, 2013	Meeting Time	7:00 P.M.
File Number	PZ-6-13-201335	Folio Number	11-3206-013-4230
Owner	Cochran Miami Shores, 1800 Eller Drive #222, Ft Lauderdale FL 33316		
Applicant	Shaun Rogers, 121 NE 100 <sup>th</sup> Street, Miami Shores, FL 33138		
Agent	None		
Property Address	9705 NE 2nd Avenue		
Legal Description	1 53 41 6 53 42 MIAMI SHORES SEC 1 AMD PB 10-70 LOTS 13 & 14 BLK 31 LOT SIZE 100.000 X 130 OR 17224-2398 1295 5 COC 26354-0686 03 2008 5		
Property Sq. Ft.	13,000	Building Sq. Ft.	15,885 Unit: 450
Flood Zone	X		
Zoning	B1	Future Land Use Designation	General Commercial
Existing Use	Vacant Space, Mixed Use Building.	Comprehensive Plan Consistency	Yes
Existing Structure	1-story; N/A bed/N/A bath	Year Built	1926
Subject	Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 and Sec. 600, Schedule or Regulations. Change of use, office to business office and student tutoring site.		
Action Required	Approve, Approve with Conditions, or Deny the Application	Other Required Approvals	Village Building Permits
Staff Report	David A. Dacquisto, Director, Planning and Zoning	Report Date	June 4, 2013

**Background**

The applicant is proposing a change of use from office to create an office for their business and to conduct student tutoring. The applicant has not indicated how many students or employees will be on site at any one time.

The building has its main frontage on NE 2<sup>nd</sup> Avenue. This office opens to NE 97<sup>th</sup> Street.

The building has a 29 stall parking lot at the rear.

There is diagonal on street parking in front of the business.

The space is approximately 450 square feet in area with an open space of 270 square feet for tutoring.

## **Analysis**

The proposed office and tutoring use do not require more parking than the existing office therefore no additional parking is required.

The office does not have a rear door and the applicant should check with the building official for exiting requirements.

The proposal is consistent with the technical provisions of the Zoning Code.

## **Recommendation**

In acting on a site plan, the Planning Board must make a finding that the proposed use, is harmonious with the community, as required in Articles IV, V and VI of Appendix A Zoning, Sec. 400, 500 and Sec. 600, Schedule or Regulations, and, in that regard, may add further conditions or delete or modify staff recommended conditions, deny the application, or continue the item for future consideration.

Planning and Zoning staff recommends **APPROVAL** of the site plan for a change of use from office to office and tutoring with a finding that it is consistent with the technical provisions of the Code.

Should the board find that the applicant merits approval, staff recommends that the following conditions apply:

- 1) Approval is granted for a change of use from office to office and tutoring.
- 2) Applicant to obtain all required permits from the Miami-Dade Department of Regulatory and Economic Resources, Environmental Plan Review Division and the Miami-Dade Department of Health (DOH/HRS).
- 3) Applicant to meet all applicable code provisions at the time of permitting.
- 4) Applicant to obtain all required building permits before beginning work.
- 5) This zoning permit will lapse and become invalid unless the work for which it was approved is started within one (1) year of the signing of the development order by the board chair, or if the work authorized by it is suspended or abandoned for a period of at least one (1) year.

