

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

Hearing Date	February 25, 2016	Meeting Time	7:00 P.M.
File Number	PZ-02-16-201611	Folio Number	11-3206-013-3920
Owner	DVS LLC		
Applicant	Anderson Martinez		
Agent	Victor Bruce		
Master Property Address	211 NE 95th Street		
Store front Address	17 NE 105 th Street		
Legal Description	MIAMI SHORES SEC 1 AMD PB 10-70 LOTS 12 TO 17 INC BLK 29 LOT SIZE 40200 SQUARE FEET COC 22525-4024 07 2004 6	Assessor's Building Value	N/A
Property Sq. Ft.	40,200	Building Sq. Ft. Store front Sq. Ft.	25,476 1,100
Flood Zone	X		
Zoning	B1	Future Land Use Designation	General Commercial
Existing Use	Office: Mixed Use Building.	Comprehensive Plan Consistency	Yes
Existing Structure	1 story; N/A bed/ N/A bath	Year Built	1949
Subject	Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review and approval required. Change of use, office to retail and customer ceramic decorating experience.		
Action Required	Approve, Approve with Conditions, or Deny the Application	Other Required Approvals	Village Building Permits MDDRER/EPRD
Staff Report	David A. Dacquisto, Director, Planning and Zoning	Report Date	February 2, 2016

Background

The applicant is proposing to open a retail store “that provides an entertainment, enrichment, and bonding experience for families.”

Customers choose a white ceramic object out of inventory that the customer then decorates before the object is fired in a kiln. Generally firings are done with a group of objects and not necessarily at the time the customer finishes their piece. The customer returns later to pick up the finished ceramic piece.

The applicant is proposing up to 4 staff members. The applicant is proposing 25 to 30 customers at any one time including for group events.

Clients are expected to stay 1 to 1.5 hours.

The applicant is proposing to offer ceramic decorating classes and events on the premises.

Analysis

The space is zoned for retail. The sale of ceramic objects may be considered the main business with the decorating of objects as accessory to the sale of the object. Classes and events are proposed but it is not a school.

The occupancy load for the space is calculated as mercantile at 60 sf of gross floor area / person. The space is 1,100 sf in area resulting in an occupancy limit of 18 persons. The applicant's architect may work with the building official to determine if ways may be found to increase the occupancy limit.

Recommendation

In acting on a site plan, the Planning Board must make a finding that the proposed use complies with the regulations and is harmonious with the community, as required in Articles IV, V and VI of Appendix A Zoning, Sec. 400 and Sec. 600, of the Code of Ordinances, 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 1,100 sf retail and ceramic decorating, based on the foregoing analysis with a finding that it is consistent with the technical provisions of the Code subject to the following conditions.

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

- 1) Approval is granted as shown on the plans submitted and made a part of this approval for a change of use from office to 1,100 sf retail and ceramic decorating.
- 2) The occupancy limit is 18 persons at any one time, or as established by the building official.
- 3) Applicant to obtain all required building permits before beginning work.
- 4) Applicant to obtain FDOH/MDEHS, MDDRER/EPRD and Fire approval as required.
- 5) Applicant to meet all applicable code provisions at the time of permitting.
- 6) 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.