

MIAMIBEACH

PLANNING DEPARTMENT

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139

Tel: (305) 673-7550, Fax: (305) 673-7559

June 12, 2018

Doron Doar, Owner
Beach Blitz LLC dba Ocean 9 Liquor
865 Collins Avenue
Miami Beach, Florida 33139

**Subject: Request for Determination of Legally Established Non-Conforming Use
865 Collins Avenue
Miami Beach, FL 33139**

Dear Mr. Doar:

This letter is in response to your May 18, 2018 request (attached) for a zoning determination letter as to whether a package store at 865 Collins Avenue is a legally established non-conforming use. The subject property is currently zoned **MXE, Mixed Use Entertainment**. One of the prohibited uses in the MXE zoning district is package stores.

City Ordinance No. 2016-4047, which prohibits package stores in the MXE, Mixed Use Entertainment zoning district, was enacted by the City Commission on October 19, 2016. Based upon City records, the previous Business Tax Receipt (BTR) for the subject package store (RL-10005692) expired on September 30, 2016 and a new BTR application was submitted on December 27, 2017.

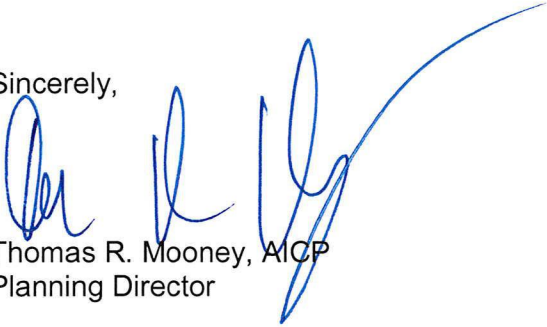
After careful review of the records and evidence presented, it has been determined that the package store at 865 Collins Avenue was not legally established at the time of the effective date of Ordinance No. 2016-4047. As such, the package store at 865 Collins Avenue does not meet the necessary criteria for a legal non-conforming use under Chapter 118, Article IX of the Land Development Regulations of the City Code.

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865 Collins Avenue – Request for Administrative Determination

You may appeal this determination to the Board of Adjustment within 30 days of posting, in accordance with the applicable regulations set forth in Chapter 118 of the Land Development Regulations of the City Code.

If we may be of any further assistance, please do not hesitate to contact this department again.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Mooney', with a long, sweeping flourish extending to the right.

Thomas R. Mooney, AICP
Planning Director