

May 8, 2019

VIA EMAIL ONLYTown of Miami Lakes
6601 Main Street
Miami Lakes, FL 33014
Attn: Ms. Susana Alonso

Re: Revised Letter of Intent

Dear Ms. Alonso,

The undersigned is legal counsel to Andy's Range and Training Center, located at 14000 NW 82 Avenue in the Town of Miami Lakes. The existing shooting range use was established pursuant to a Conditional Use (Resolution #15-1319), passed and adopted on July 21, 2015. Said Conditional Use was approved subject to specific conditions, some of which have resulted in unreasonable limitations on my client's ability to conduct a viable business operation. This shall constitute our Letter of Intent in support of our request for a modification of the aforementioned resolution, specifically as follows:

- A) An amendment to condition number one (1) of the Conditional Use approved by Resolution 15-1319 to approve the as-built layout of the project, as shown specifically in sheets A-3 and A-4, prepared by Diez, Inc., and all dated 10/29/2018.
- B) Condition #3 of the current resolution limits unreasonably restricts noise to zero detectable noise beyond my client's warehouse unit. This is unreasonable given the nature of any permissible use within an industrial area or building. A Noise Survey (see attached), prepared by Acoustic Sonic Inc., dated April 17, 2019, indicates that the detectable noise was inaudible or barely audible outside the building. As far as the adjacent warehouse unit 14004, the maximum level was 65 dbA and for very short periods of time. Said maximum is well below the OSHA established standards, which are 85 dbA for all workers for an 8 hour period. Therefore, we respectfully request that condition #3 be modified to allow detectable noise as per OSHA standards. My client is willing to accept, as part of this modification, that the use of shotguns be prohibited in the range in order to assure compliance with the aforementioned condition, as modified.
- C) Condition #4 currently limits the use of the range only as a training facility for police academy cadets. Once again, this limitation makes it impossible to have an economically sustainable shooting range business. My client has invested more than \$1.2M in

improvements including but not limited to ventilation and sound barrier systems. We respectfully request that condition #8 be modified to allow the use of the shooting range by the general public, subject to the implementation of the attached policies and procedures for the safety and protection of the customers of the range and its employees (see attached).

- D) Condition #9 currently limits the hours of operation. This limitation does not work for a shooting range operation as many law enforcement agencies will prefer training at odd hours. Given the industrial area, the controlled and limited noise factors and the lack of residential areas in the vicinity, it is reasonable to have around the clock availability of the shooting range. Therefore, we respectfully request any limitations as to hours of operation.

Based on the forgoing, we respectfully request your favorable consideration and recommendation of this application.

Sincerely,

Berger Singerman LLP

Javier L. Vazquez

Javier L. Vazquez

cc: Andy Perez Jr.
Calixto Vallejo