

RESOLUTION NO. 4-ZAB-395-85

The following resolution was offered by Mr. Murray Sisselman seconded by Mr. Jose A. Losa and upon poll of members present, the vote was as follows:

Thomas A. Conger	aye	Margaret Nelson	aye
Peter Goldring	absent	Mary Jean Risi	aye
Levi A. Johnson	absent	Murray Sisselman	aye
Jose A. Losa	aye	R. Jollivette Frazier	nay
Joyce Masso	absent		

WHEREAS, VICKIE COTRONE ENTERPRISES, INC. has applied for the following:

- (1) USE VARIANCE AND SPECIAL EXCEPTION to permit a night club in the BU-1A zone as would be permitted in the BU-2 zone.
- (2) SPECIAL EXCEPTION of spacing requirements as applied to alcoholic beverage uses to permit a night club spaced less than the required 2,500' from existing churches.

Plans of the proposed night club are on file and may be examined in the Zoning Department entitled "Giggies Restaurant at Naranja Lakes Shopping Center", as prepared by Robert Ellis Nelson, Architect, dated 7-10-85.

SUBJECT PROPERTY: Tract "D", NARANJA LAKES SHOPPING PLAZA, Plat book 120, Page 59.

LOCATION: 27355 South Dixie Highway, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested use variance and special exceptions would be in harmony with the general purpose and intent of the regulations, would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board, that the requested Use Variance and Special Exception to permit a night club in the BU-1A zone as would be permitted in the BU-2 zone and Special Exception of spacing requirements be and the same are hereby approved subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Giggies Restaurant at Naranja Lakes Shopping Center", as prepared by Robert Ellis Nelson, Architect, dated 7-10-85.

3. That the use be established and maintained in accordance with the approved plan.
4. That the Certificate of Use and Occupancy be obtained and automatically renewed annually by the Dade County Building and Zoning Department upon compliance with all terms and conditions, and be subject to cancellation by the Zoning Director upon violation of any of the conditions, or when in the opinion of the Metropolitan Dade County Zoning Appeals Board, after public hearing, it is determined that the use is detrimental and/or incompatible to the surrounding neighborhood; that the decision reached pursuant to said hearing shall be final and that the applicant will sign an agreement suitable for recording to surrender the Certificate of Use and Occupancy and abide by the decision concerning the cancellation of the permit.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 23rd day of OCTOBER, 1985.

Heard 10/23/85
Hearing No. 85-10-41
11/14/85 aa

November 14, 1985

Vickie Cotrone Enterprises, Inc.
27150 S.W. 157 Avenue
Homestead, Florida 33030

Re: Hearing No. 85-10-41; Section 33-56-39
Location: 27355 S. Dixie Highway

Dear Ms. Cotrone:

Enclosed herewith is a copy of Resolution No. 4-ZAB-395-85, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application.

Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. If there are any anticipated changes from the plan submitted for the hearing a plot use plan should be submitted to this office in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

We are also enclosing an instruction sheet, a proposed agreement form, Opinion of Title and Joinder by Mortgagee forms. Please return to this office, as soon as possible, to the attention of Virginia Powell, of this office, two fully executed copies of the agreement form, mortgagee joinders (if any) and Opinion of Title, together with necessary data as provided in the instruction sheet. The instrument must contain thereon the name and address of the person preparing same, as required under Florida Statutes, Chapter 67-53. We will also require a recording fee of \$5.00 for the first page and \$4.00 for each additional page, which will be for the agreement and any mortgagee joinders. The Opinion of Title will not be recorded.

It is necessary that you apply for a Certificate of Use and Occupancy at the Zoning Information Counter of the Building and Zoning Department in order to meet the requirements of the approved Resolution. It is then automatically renewable annually by this Department.

Very truly yours,

Chester C. Czebrinski
Assistant Director

CCC:aa