

ZONING DIRECTOR'S RECOMMENDATION

ZONING APPEALS BOARD

HEARING DATE: OCTOBER 23, 1985

HEARING NO. 85-10-41

APPLICANT: 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.

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

SIZE OF PROPERTY: Approximately 5,655 sq. ft. store unit in a shopping center.

EXISTING ZONING AND LAND USE

SUBJECT PROPERTY: BU-1A; shopping center under construction

SURROUNDING PROPERTY:

NORTH: BU-1A; commercial

EAST: GU; lake

SOUTH: BU-1A & RU-4M; apartments

WEST: BU-3, BU-1A, IU-1 & GU; commercial and unimproved

RECOMMENDATION: Approval with conditions.

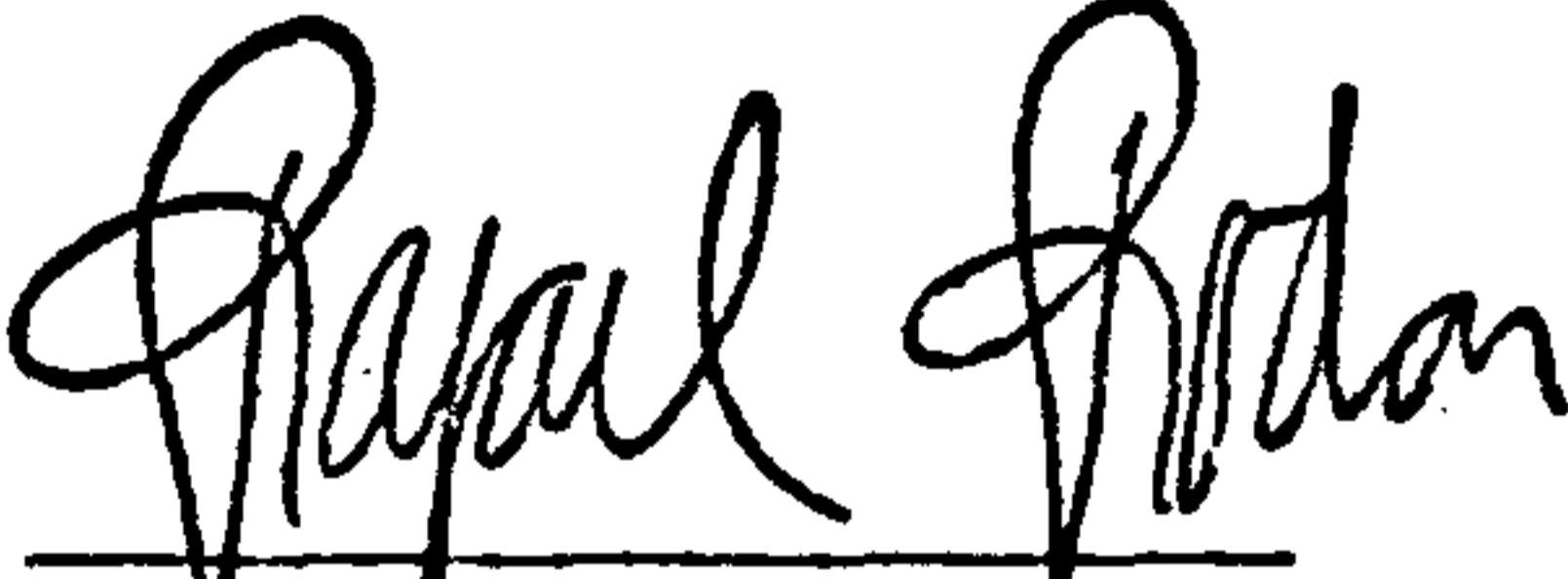
The applicants are seeking a use variance and special exception to permit a night club in a BU-1A zoned shopping center which is currently under construction. The shopping center, which will provide retail space for approximately 30 stores, is located in a predominately commercially zoned area which is typical to U.S. #1. A substantial percentage of the frontage in this area, however, remains unimproved. The proposed night club would occupy three store units with a combined area of 5,655 square feet. Operating as a full service restaurant with cocktail lounge facilities, it would seat 208 patrons for dining and 38 patrons at the bar. As the area is devoid of similar establishments, staff finds the proposed use acceptable. The absence of schools within a 2,500 foot radius of the proposed location further affirms the compatibility of the proposed establishment. There are, however, three churches which fall within a 2,500 foot radius which require a special exception of spacing requirements (request #2). Staff feels that said churches are sufficiently isolated from the proposed night club and will not be impacted; two are west of U.S. #1 are 1,300' and 2,140' away respectively, while the third is 1,920 feet north of the proposed location and across Canal C-103N. In summary, staff recommends approval of this application, 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.

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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.

DATE TYPED: 10/15/85  
RR:JBP:RMS:aa  
DATE REVISED:  
cc: Mr. Reginald Walters



Rafael Rodon, P.E.  
ACTING DIRECTOR  
BUILDING AND ZONING DEPT.

METROPOLITAN DADE COUNTY PLANNING DEPARTMENT  
RECOMMENDATION TO THE ZONING APPEALS BOARD

APPLICANT Vickie Cotrone Enterprises, Inc.  
SECTION 33-56-39

DATE October 23, 1985  
ZAB HEARING ITEM NO. 85-10-41

GENERAL INFORMATION

REQUEST 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 the spacing requirements

PURPOSE To permit a night club in the BU-1A zone as would be permitted in the BU-2 zone

LOCATION 27355 South Dixie Highway      SIZE Approximate 5,655 sq. ft. store unit within a shopping center

EXISTING ZONING AND LAND USE

SUBJECT PROPERTY BU-1A, shopping center (under construction)

SURROUNDING PROPERTY

NORTH BU-1A, undeveloped

SOUTH BU-1A and RU-4M, bank and apartments

EAST GU, lake

WEST BU-3, BU-1A and BU-3, service station, auto alarm shop and insurance office

COMPREHENSIVE DEVELOPMENT MASTER PLAN and/or SPECIAL STUDIES

N/A

RECOMMENDATION

APPROVAL WITH CONDITION

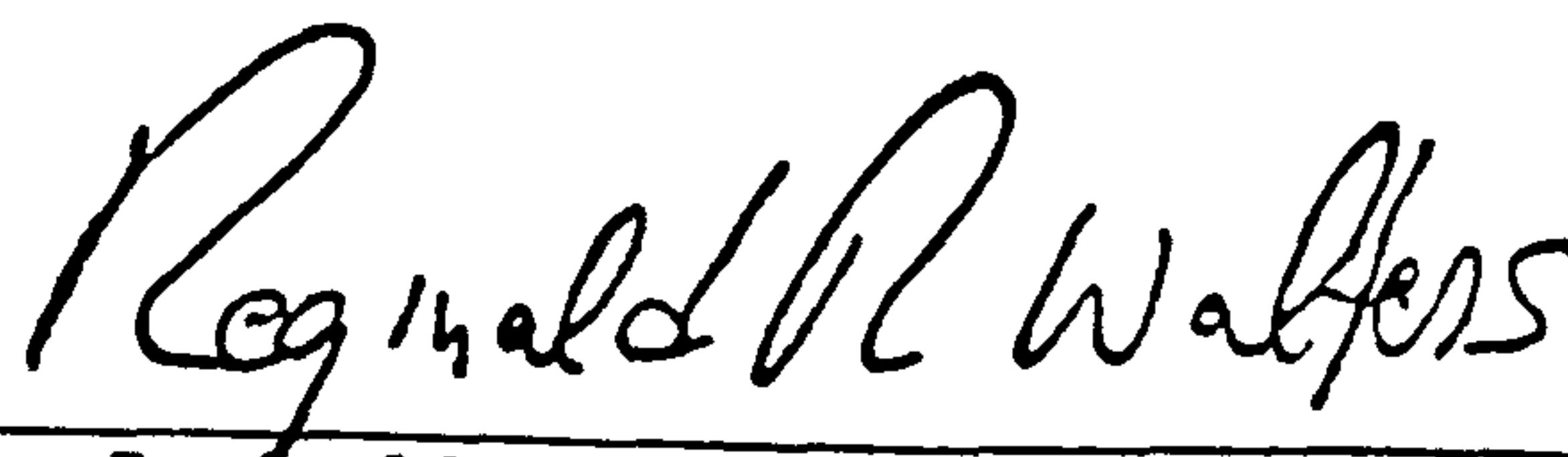
CONDITIONS

All usual conditions applicable in this case as required by the Director of the Building and Zoning Department.

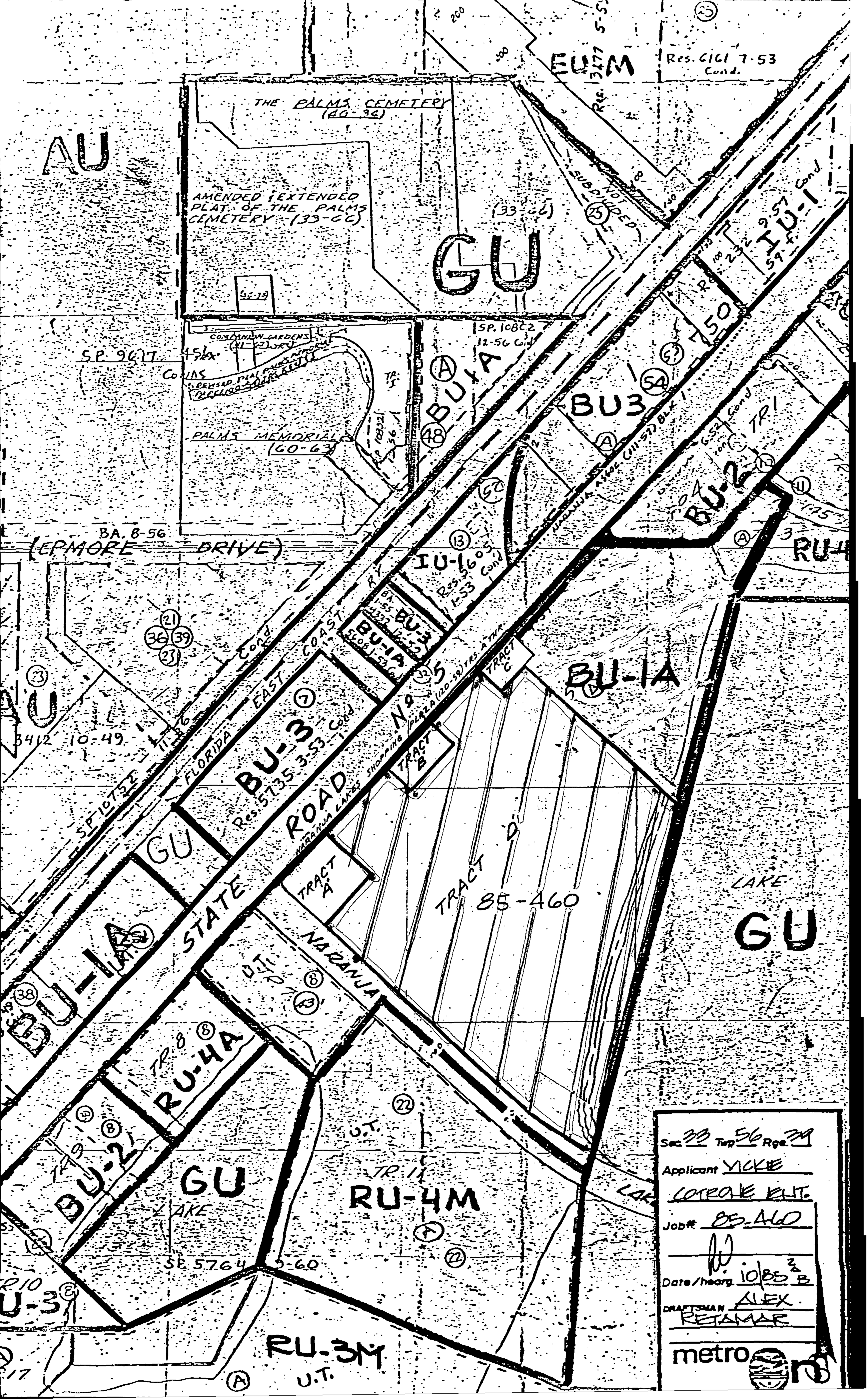
ANALYSIS

The applicant is requesting a use variance along with a special exception to permit the establishment of a night club within the Naranja Lakes Shopping Center. This is a relatively new center, located on the north-easterly corner of Naranja Lakes Boulevard and South Dixie Highway. The center is zoned BU-1A, but a night club requires BU-2 zoning. The operation of the proposed night club will be in conjunction with a full service restaurant. The special exception to the spacing distance requirements involves three churches, the closest of which is located 1,300' from the proposed restaurant/night club, whereas a distance of 2,500 is required. Two of the churches are to the west of South Dixie Highway, while the third is on the east side of South Dixie Highway, but separated by a canal. There are no schools or any other liquor uses established within the required spacing distance. The night club will be approximately 5,655 sq. ft., and will be located in the extreme northeast corner of this center. This store unit abuts a large lake which separates this center from the residential development to the east. The establishment of this night club within this center will have little, if any, impact on any residential properties, and accordingly should be approved.

RRW:WFG:EES:leg  
Date Typed: 8-27-85  
Date Revised:



Reginald R. Walters, Director  
Planning Department



Res. C161 7-53  
Cond.

THE PALMS CEMETERY  
(80-36)  
AMENDED EXTENDED  
PLAT OF THE PALMS  
CEMETERY (33-66)

COMPANY GARDENS  
(41-62) TRV  
S.P. 9617  
COINS  
PALMS MEMORIAL  
(60-63)

BA. 8-56  
(LEPMORE DRIVE)

SP 10752  
3412 10-49

FLORIDA EAST COAST  
COND  
BU-3  
Res. 5735 3-53  
STATE ROAD

SHOPPING PLAZA  
NARANJA LAKES  
No. 9  
TRACT B

TRACT A  
NARANJA

TRACT D  
85-460

LAKE  
GU

LAKE  
GU  
RU-4M

SP 5764 9-60

RU-3M  
U.T.

Sec	33	Twp	56	Rge	39
Applicant	YICKE				
	COTRAKE ENT.				
Job#	85-460				
Date/Hours	10/85 2 B				
DRAFTSMAN	ALEX RETAMAR				
metro 