

33-56-39.

Naranga Lake Shop.

TR-D

(57) KUMART. NARANJA LAKES SEC 1.
4 ZAB-23-85.

(45) KENNEDY. II.
4 ZAB-415-79.

(33) Kennedy + Rezzo
2 410-76.

~~(10)~~

~~(1)~~

Date: 7/14/86

TO: Maps & Plats Section, Supv.
Zoning Information, Supv.
Zoning Plans Processors, Supv.
Enforcement Section

Re: Hearing No. 85-10-41
Section 33-56-39
Applicant *Ucker Costrone, Inc*
4-ZAB-395-85

Agreement required by Resolution No. _____ has been received and is being recorded.

Very truly yours,
Chester C. Czebrinski
Chester C. Czebrinski
Assistant Director

CCC/vp

cc: Hearing File ✓

AGREEMENT

WHEREAS, NARANJA LAKE DEVELOPMENT CORPORATION a Florida Corporation the owner of property, located at 27355 South Dixie Highway, Dade County, Florida, more particularly described as follows:

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

WHEREAS, VICKIE COTRONE ENTERPRISES, INC. a Florida Coporation lessee of space#13 14 & 15 insaid property has applied to the Metropolitan Dade County Zoning Appeals Board 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.

WHEREAS, the Metropolitan Dade County Zoning Appeals Board approved the requested use subject to the conditions as evidenced by its Resolution No. 4-ZAB-395-85, passed and adopted on October 23, 1985:

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.

NOW THEREFORE IN CONSIDERATION of the premises, the issuance of necessary permit and Certificate of Use and Occupancy, and in compliance with the terms and conditions of Resolution 4-ZAB-395-85, adopted by the Metropolitan Dade County Zoning Appeals Board approving the use variance and special exception to permit a nightclub in the BU-1A district and 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, the undersigned do hereby agree to abide by the terms and conditions of said resolution and the conditions hereinbefore recited, and in the event that the Dade County Zoning Appeals Board determines to cancel said permit and Certificate of Use and Occupancy, to abide by the decision of the Metropolitan Dade County Zoning Appeals Board, and to surrender said permit and Certificate of Use and Occupancy.

It is further understood and agreed that this agreement shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their heirs, successors, and assigns until such time as the same may be released in writing by the Director of the Metropolitan Dade County Building and Zoning Department, or the executive officer of the successor of such department, or, in the absence of such director or executive officer, by his assistant in charge of the office in his absence.

As further part of this agreement, it is hereby understood and agreed that any official inspector of the Metropolitan Dade County Building and Zoning Department or its agents duly authorized, may have the privilege at any time during normal working hours of entering and investigating the use of the premises, to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

NARANJA LAKE DEVELOPMENT CORPORATION

By [Signature]
President/Vice President

ATTEST [Signature] (CORP)
Secretary (SEAL)

STATE OF FLORIDA)
: SS
COUNTY OF)

BEFORE ME, the undersigned authority, this day appeared Robert L. Miller, and Patricia R. Jams, both being to me well known and known to me to be the President and Secretary of Naranja Lake Development Corp. Inc., a Corporation under the laws of the State of Florida, and which said Corporation is known by me to be the persons described in and which executed the foregoing instrument, the said officers of the said Corporation being likewise known by me to be the officers thereof who, in their official capacities as such officers of said Corporation executed, signed and delivered the said instrument as the act and deed of said Corporation, and the said officers of said Corporation then and there severally acknowledged to and before me that they executed the said instrument, acting in their said official capacities, for and as the act and deed of the said Corporation and in its name, and impressed thereon its Corporate Seal, for the uses and purposes therein mentioned, and after being thereunto by the said Corporation duly authorized and directed.

WITNESS my hand and official Seal in the County and State named above this this, 2nd day of December, A.D., 19 85.

My Commission expires:
NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. OCT 24, 1989
BONDED THRU GENERAL INS. UND.

Cynthia C. George
Notary Public, in and for the State of
Florida at Large.

VICKIE COTRONE ENTERPRISES, INC.

By [Signature]
President/Vice President

ATTEST [Signature] (CORP)
Secretary (SEAL)

STATE OF FLORIDA)
: SS
COUNTY OF DADE)

BEFORE ME, the undersigned authority, this day appeared VICTORIA COTRONE, and DENISE COTRONE, both being to me well known and known to me to be the President and Secretary of VICKIE COTRONE ENTERPRISES, Inc., a Corporation under the laws of the State of Florida, and which said Corporation is known by me to be the persons described in and which executed the foregoing instrument, the said officers of the said Corporation being likewise known by me to be the officers thereof who, in their official capacities as such officers of said Corporation executed, signed and delivered the said instrument as the act and deed of said Corporation, and the said officers of said Corporation then and there severally acknowledged to and before me that they executed the said instrument, acting in their said official capacities, for and as the act and deed of the said Corporation and in its name, and impressed thereon its Corporate Seal, for the uses and purposes therein mentioned, and after being thereunto by the said Corporation duly authorized and directed.

WITNESS my hand and official Seal in the County and State named his this, 12 day of March, A.D., 19 86.

My Commission expires:
~~Notary Public, State of Florida~~
My Commission Expires May 16, 1989
Bonded thru General Insurance, Inc.

[Signature]
Notary Public, in and for the State of
Florida at Large.

AGREEMENT

WHEREAS, Cronin, Janney and Lester, a partnership are the owners of property, located at 3915 N.W. 25 Street, Dade County, Florida, more particularly described as follows:

Lots 14, 15, 16, and 17, LEJEUNE TERMINAL, SECTION ADDITION, Plat book 48, Page 55.

WHEREAS, Greater Miami Civic Association, Inc., a Florida Corporation, lessee of said property has applied to the Metropolitan Dade County Zoning Appeals Board for the following:

- (1) UNUSUAL USE to permit a nightclub.
- (2) SPECIAL EXCEPTION to permit the proposed nightclub spaced less than the required 1,500' from other alcoholic beverage uses.

WHEREAS, the Metropolitan Dade Co

*Copies of Agreement
proposed to Applicant
sent to Applicant*

Resolution No.
4-ZAB-395-85

AGREEMENT

WHEREAS, NARANJA LAKES DEVELOPMENT CORPORATION a Florida Corporation the owner of property, located at 27355 South Dixie Highway, Dade County, Florida, more particularly described as follows:

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

WHEREAS, VICKIE COTRONE ENTERPRISES, INC. a Florida Corporation lessee of said property has applied to the Metropolitan Dade County Zoning Appeals Board 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.

WHEREAS, the Metropolitan Dade County Zoning Appeals Board approved the requested use subject to the conditions as evidenced by its Resolution No. 4-ZAB-395-85, passed and adopted on October 23, 1985:

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.

NOW THEREFORE IN CONSIDERATION of the premises, the issuance of necessary permit and Certificate of Use and Occupancy, and in compliance with the terms and conditions of Resolution 4-ZAB-395-85, adopted by the Metropolitan Dade County Zoning Appeals Board approving the use variance and special exception to permit a nightclub in the BU-1A district and 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, the undersigned do hereby agree to abide by the terms and conditions of said resolution and the conditions hereinbefore recited, and in the event that the Dade County Zoning Appeals Board determines to cancel said permit and Certificate of Use and Occupancy, to abide by the decision of the Metropolitan Dade County Zoning Appeals Board, and to surrender said permit and Certificate of Use and Occupancy.

It is further understood and agreed that this agreement shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their heirs, successors, and assigns until such time as the same may be released in writing by the Director of the Metropolitan Dade County Building and Zoning Department, or the executive officer of the successor of such department, or, in the absence of such director or executive officer, by his assistant in charge of the office in his absence.

As further part of this agreement, it is hereby understood and agreed that any official inspector of the Metropolitan Dade County Building and Zoning Department or its agents duly authorized, may have the privilege at any time during normal working hours of entering and investigating the use of the premises, to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

NARANJA LAKES DEVELOPMENT CORPORATION

By _____
President/Vice President

ATTEST _____ (CORP)
Secretary (SEAL)

STATE OF)
 : SS
COUNTY OF)

BEFORE ME, the undersigned authority, this day appeared _____, and _____,

both being to me well known and known to me to be the President and Secretary of _____ Inc., a Corporation under the laws of the State of Florida, and which said Corporation is known by me to be the persons described in and which executed the foregoing instrument, the said officers of the said Corporation being likewise known by me to be the officers thereof who, in their official capacities as such officers of said Corporation executed, signed and delivered the said instrument as the act and deed of said Corporation, and the said officers of said Corporation then and there severally acknowledged to and before me that they executed the said instrument, acting in their said official capacities, for and as the act and deed of the said Corporation and in its name, and impressed thereon its Corporate Seal, for the uses and purposes therein mentioned, and after being thereunto by the said Corporation duly authorized and directed.

WITNESS my hand and official Seal in the County and State named above this this, _____ day of _____, A.D., 19_____.

My Commission expires:

Notary Public, in and for the State of Florida at Large.

VICKIE COTRONE ENTERPRISES, INC.

By _____
President/Vice President

ATTEST _____ (CORP)
Secretary (SEAL)

STATE OF)
 : SS
COUNTY OF)

BEFORE ME, the undersigned authority, this day appeared _____, and _____,

both being to me well known and known to me to be the President and Secretary of _____ Inc., a Corporation under the laws of the State of Florida, and which said Corporation is known by me to be the persons described in and which executed the foregoing instrument, the said officers of the said Corporation being likewise known by me to be the officers thereof who, in their official capacities as such officers of said Corporation executed, signed and delivered the said instrument as the act and deed of said Corporation, and the said officers of said Corporation then and there severally acknowledged to and before me that they executed the said instrument, acting in their said official capacities, for and as the act and deed of the said Corporation and in its name, and impressed thereon its Corporate Seal, for the uses and purposes therein mentioned, and after being thereunto by the said Corporation duly authorized and directed.

WITNESS my hand and official Seal in the County and State named above this this, _____ day of _____, A.D., 19_____.

My Commission expires:

Notary Public, in and for the State of Florida at Large.