

**RESOLUTION NO. CZAB10-2-14**

*WHEREAS*, **CAROL JEWELERS** applied for the following:

- (1) USE VARIANCE to permit a pawn shop use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing.
- (2) NON-USE VARIANCE to permit (0) street trees (5 street trees required).
- (3) NON-USE VARIANCE to permit a lot coverage of 44.3% (40% maximum permitted).
- (4) NON-USE VARIANCE to permit an open sided metal roof structure setback 3.25” (20’ required) from the rear (north) property line.
- (5) NON-USE VARIANCE to permit 25 parking spaces (28 spaces required).

Plans are on file and may be examined in the Department of Regulatory and Economic resources entitled “Site Plan” as prepared by Freedom of Land Corp., consisting of 1 sheet, dated stamped received 5/14/13 and a floor plan, preparer Unknown, consisting of 1 sheet, dated stamped received 1/22/13, for a total of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 17, 17A, 18, 18A, 19 and 19A less the South 15 feet in Block F of Section No. 2 CORAL TERRACE, PB 14-58.

LOCATION: 7295 Coral Way, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the requested non-use variance to permit (0) street trees (Item #2) and the requested non-use variance to permit an open sided metal roof structure setback 3.25” from the rear (north) property line (Item #4), and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, 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 to permit a pawnshop use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing (Item #1) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested non-use variance to permit a lot coverage of 41.66% on a modified basis, in lieu of the requested lot coverage of 44.3% (Item #3), and the requested non-use variance to permit 25 parking spaces (Item #5) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the withdrawal of the requested non-use variance to permit (0) street trees (Item #2) and the withdrawal of the requested non-use variance to permit an open sided metal roof structure setback 3.25” from the rear (north) property line (Item #4) should be granted, and

*WHEREAS*, a motion to approve Items #1 and #5, approve Item #3 on a modified basis, and withdraw Items #2 and #4 was offered by Julio R. Caceres, seconded by Gerardo Rodriguez, and upon a poll of the members present, the vote was as follows:

Julio R. Caceres	aye	Gerardo Rodriguez	aye
Miriam Planas	aye	Toufic Zakharia	absent
Robert Suarez	aye	Manuel Valdes	aye
	Richard M. Gomez	aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested use variance to permit a pawnshop use in the

BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing (Item #1), and the requested non-use variance to permit a lot coverage of 41.66% on a modified basis, in lieu of the requested lot coverage of 44.3% (Item #3), and the requested non-use variance to permit 25 parking spaces (Item #5) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, and other requirements.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled, "Site Plan" as prepared by Freedom of Land Corp., consisting of 1 sheet dated stamped received 5/14/13 and a floor plan prepared by unknown dated stamped received 1/22/13, for a total of 2 sheets, except as herein amended to show the removal of the open sided shed and to show the required street trees.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
5. That the applicant installs the required street trees.
6. That the property be restricted to a pawnbroker use in connection with the existing jewelry store only and that said pawnbroker use shall be limited to the pawning of jewelry only.
7. That the pawnshop use be operated solely as an accessory use in connection with the jewelry store, and if the jewelry store use is terminated, the pawnshop use will automatically expire and shall be discontinued.
8. That a Declaration of Restrictions in recordable form be submitted to and meet the approval of the Director within 30 days of the final approval restricting the use to the effect that the pawn shop use shall be limited to jewelry only.

9. That the applicant obtain a Certificate of Use and Occupancy from and promptly renew same annually with the Miami-Dade County Department of Regulatory and Economic Resources, upon compliance with all the terms and conditions, the same subject to cancellation upon violation of any of the conditions.
10. That the operating hours for the pawnshop use not extend beyond those for the jewelry store.
11. That no stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale sign regulations, shall be used or displayed. In addition, the terms pawn, pawning or pawnshop shall not be used in any outdoor signs in any language.
12. That no off-site parking be allowed along Coral Way.
13. That the applicant applies for permits for any unpermitted structures from the Department of Regulatory and Economic Resources within 90 days of the expiration of the final appeal period of this application, unless a time extension is granted by the Director of the Department for a good cause show.

*BE IT FURTHER RESOLVED* that the request to withdraw Items #2 and #4 be and the same are hereby granted and said Items are hereby withdrawn without prejudice.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 12<sup>th</sup> day of February, 2014.

Hearing No. 14-01-CZ10-1  
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**THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS ON THE 24<sup>th</sup> DAY OF FEBRUARY, 2014.**

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Rosa Davis, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-2-14 adopted by said Community Zoning Appeals Board at its meeting held on the 12<sup>h</sup> day of February, 2014.

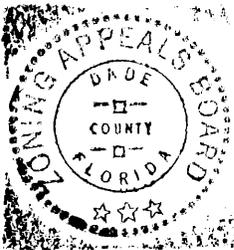
IN WITNESS WHEREOF, I have hereunto set my hand on this the 24<sup>th</sup> day of February, 2014.



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Rosa Davis, Deputy Clerk (218345)  
Miami-Dade Department of Department of Regulatory  
and Economic Resources

**SEAL**





Department of Regulatory and Economic Resources

Development Services Division  
111 NW 1st Street • Suite 1110  
Miami, Florida 33128-1902  
T 305-375-2640  
www.miamidade.gov/economy

February 24, 2014

Carol Jewelers  
c/o Nanette Levi  
2114 Granada Blvd  
Coral Gables, FL 33134

Re: Hearing No. 14-2-CZ10-1  
Location: 7295 Coral Way, Miami-Dade County, Florida.

Dear Applicant:

Enclosed herewith is Resolution No. CZAB10-2-14 adopted by the Community Zoning Appeals Board 10, which approved Items #1 and #5, approved Item #3 on a modified basis, and granted the withdrawal of Items #2 and #4 without prejudice of your application on the above described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

If stipulated in the resolution that building permits and/or use, occupancy or completion certificates will be required, please note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certificates(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department as appropriate. At time of permit application you must provide a copy of this resolution.

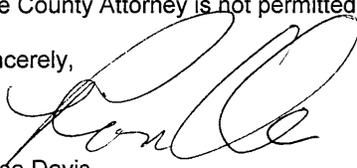
If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, in as much as building permits will not be issued prior to the approval of said plan.

The Board's decision may be appealed by an aggrieved party to Circuit Court within 30 days of the date of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is **February 24, 2014**. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

R. A. Cuevas, Jr.,  
County Attorney  
111 N.W. 1<sup>st</sup> Street, Suite 2811  
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

  
Rosa Davis  
Deputy Clerk

Enclosure