



City of Coral Gables  
**CITY COMMISSION MEETING**  
October 14, 2008

**ITEM TITLE: Certificate of Use No. CU-0000015094**

Certificate of Use No. CU-0000015094

Mr. Robert Espinosa, Applicant has filed an appeal to the Coral Gables City Commission due to a negative Concurrency determination from the Concurrency Administrator on September 24, 2008, in connection with the operation of a tattoo parlor located at 5258 SW 8<sup>th</sup> Street, Coral Gables, FL 33134.

**SUMMARY OF APPEAL:**

The Concurrency Administrator denied an application for a certificate of use for the business operation of a tattoo parlor located at 5258 SW 8<sup>th</sup> Street, Coral Gables, FL 33134, property legally described as Coral Gables Granada Sec PB 8-113, Lot 3, Block 50, Lot Size 50.000 X 109. The applicant is appealing the denial and is requesting an interpretation of the Zoning Code definition of "problematic uses" and a determination identifying in which Zoning use district this type of use may be permitted.

**BACKGROUND:**

**Concurrency Administrator Observations:**

On August 4, 2008, Mr. Robert Espinosa filed an application for a certificate of use to the Concurrency Division for the operation of a Body Arts Studio. Upon review of the application and subsequent meetings with the Applicant, it was determined that a Body Arts Studio is in fact a Tattoo Parlor. Tattoo Parlors are not listed under the Zoning District Uses Category Article 4, as well as under Section 4-301.B – Permitted Uses.

The Applicant was informed of the process to appeal the negative Concurrency determination.

**LEGISLATIVE ACTION:**

Date	Resolution/Ordinance No.	Comments
n/a	n/a	n/a

**ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):**

Date	Board/Committee	Comments (if any)


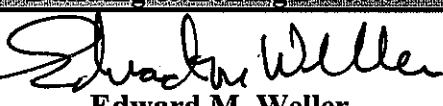
**FINANCIAL INFORMATION: (If Applicable)**

No.	Amount	Account No.	Source of Funds
1.	n/a	n/a	n/a
Total:	n/a	APPROVED BY:	

**PUBLIC NOTIFICATION(S):**

Date	Form of Notification
Oct. 2, 2008	Posting & Mailings

**APPROVED BY:**

City Clerk	Interim Building & Zoning Director	City Manager
 Walter J. Foeman	 Edward M. Weller	 David L. Brown

**ATTACHMENT(S):**

1. Notice of Public Hearings
2. Article 3, Division 6, Section 3-606; Article 8 Definitions "Problematic Uses"; Article 4, Section 4-301.B
3. Package

**CITY OF CORAL GABLES, FLORIDA  
NOTICE OF APPEAL FROM A NEGATIVE  
CONCURRENCY DETERMINATION**

In accordance with Article 3, Division 6, Section 3-603 of the Coral Gables "Zoning Code", Robert Espinosa, Applicant, has filed an Appeal to the Coral Gables City Commission, from a negative Concurrency determination which was made by the Concurrency Administrator on September 11, 2008, wherein there was a denial of a request (pursuant to Ordinance No. 1525 of the Coral Gables "Zoning Code"), as a permitted use, as outlined under the Applicant's Proposal:

APPLICANT'S PROPOSAL: Request for the opening of a body arts (i.e. tattoo parlor) studio, because it is believed that this type of shop falls under the new Zoning Code's definition for "problematic use" for the subject property legally described as Coral Gables Granada Section, Lot: 3, Block 50, P/B: 8-113 (5258 S.W. 8<sup>th</sup> Street).

This appeal will be heard at the regular City Commission meeting in the Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida on Tuesday, October 14, 2008, beginning 9:00 a.m.

Pursuant to Section 286.0105, Florida Statutes (2008), anyone wishing to appeal any decision made by the City Commission shall be required to ensure that a verbatim record of the proceedings are made, including all testimony and evidence upon which an appeal may be based.



WALTER J. FOEMAN  
CITY CLERK

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT (A.D.A.), ANY PERSON REQUIRING SPECIAL ACCOMODATIONS FOR PARTICIPATION IN THE MEETING DUE TO A DISABILITY, SHOULD CONTACT MARIA ALBERRO JIMENEZ, ASSISTANT CITY MANAGER, (305) 460-5202, WITH ANY REQUESTS FOR AUXILIARY AIDS OR SERVICE, NO LESS THAN FIVE WORKING DAYS PRIOR TO THE MEETING.