



Legislation Details (With Text)

File #: 21-126 **Version:** 2 **Name:**

Type: General Business **Status:** Agenda Ready

File created: 3/18/2021 **In control:** Board of Adjustment

On agenda: 4/12/2021 **Final action:**

Title: Appeal by Precious Metal Converter, LLC

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution A21-02, 2. Pawn Interpretation, 3. PMC Business License Application, 4. Smith Application for Appeal to BOA, 5. Combined Background Documents

Date	Ver.	Action By	Action	Result
4/12/2021	2	Board of Adjustment		
3/31/2021	2	Board of Adjustment		

SUBJECT:

Appeal by Precious Metal Converter, LLC

DEPARTMENT: Planning & Development

PRESENTERS: Deborah Bachelder AICP, Planning Manager/Deputy Director of Planning & Development; and, Katherine Vera, Town Attorney with Hoffmann, Parker, Wilson & Carberry, P.C.

STAFF RECOMMENDATION:

The Town Attorney has provided a resolution based on the findings of the Board of Adjustment.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Precious Metal Converter, LLC ("PMC") is appealing the Community Development Director's interpretation that pawning is not a permitted use in Erie. On January 19, 2021 the Director issued an interpretation letter that found pawn shops are not an acceptable use within any zone district in Erie because they do not fall under a general retail use or any other permitted use. PMC appealed that decision on February 4, 2021. This issue is now before the Board of Adjustment to decide whether the Community Development Director erred in the interpretation that pawn shops are not a permitted use in the Town.

The Board of Adjustment held a public hearing on March 31, 2021. Based on the public hearing and determination of the Board of Adjustment, the Town has drafted a resolution that affirms the Community Development Director's interpretation that pawn shops are not an acceptable use in any zone district in the Town.

ATTACHMENTS:

1. Resolution A21-02
2. Pawn Interpretation
3. PMC Business License Application
4. Smith Application for Appeal to BOA
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