



CITY OF MIAMI SPRINGS, FLORIDA

The **Board of Adjustment** met in Regular Session at 7:00 p.m., on Monday, March 5, 2012 in the Council Chambers at City Hall.

1) Call to Order/Roll Call

The meeting was called to order at 7:07 p.m.

The following were present:

Chairman Manuel Pérez-Vichot
Vice Chairman Francisco Fernández*
Ernie Aloma
Kevin Berounsky
Alternate Bill Tallman*

*Vice Chairman Fernández and Board member Tallman arrived at 7:09 p.m.

Absent: Ariana Fajardo

Also present: City Attorney Jan K. Seiden
City Planner James H. Holland
Board Secretary Elora R. Sakal

2) Approval of Minutes

Minutes of the February 6, 2012 meeting were approved as written.

Board member Aloma moved to approve the minutes. Board member Berounsky seconded the motion which was carried unanimously on voice vote.

3) **Old Business: None.**

4) **New Business:**

- A) **CASE # 02-V-12**
Reynier Mazola & Stephanie Suggs
357 Lafayette Drive
Zoning: R-1C; Single Family Residential
Lot Size: 80' x 127'

Applicants are seeking a variance from Code Section 150-017 Recreational vehicles (B) *Parking and storage*: To store a boat in the side yard of their property.

City Attorney Seiden explained to the applicants that the board normally has five members and at this point only three members are present, therefore, it is the applicant's decision if they would like to go forward with their request. The applicant's would have to get each member to vote in their favor and have an affirmative vote of three out of the five members.

The applicants agreed to the terms and moved forward with their request.

*Vice Chairman Fernández and Board member Tallman arrived at this time.

City Planner Holland stated that the request is to park a boat in the side yard versus the rear yard. The boat is 24 feet long, seven feet wide and a height of ten feet. He noted that the boat is visible from the street but not too visible from the neighbor's property which is shielded by vegetation.

City Planner Holland advised the board members that nine courtesy notices were sent out and he did not receive any in return for support or objection. He commented that there is a large mango tree that limits the location of the boat to the side yard. The rear yard has a large elevated deck and other obstructions.

City Planner Holland said that the tree is located approximately 24 feet from the rear edge of the house. As stated in the memo, there is sufficient space to move the boat farther to the north so that the variance would be minimized and the view from the street would also be minimized if not eliminated. He noted that the encroachment into the side yard by moving it back as far as possible would be six feet.

Chairman Pérez-Vichot asked how far the tree is from the east property line and City Planner Holland replied that the tree is 12 feet from the property line and there is another tree there as well on the property line.

Board member Aloma asked if someone could have asked the applicant to move the boat back and City Attorney Seiden responded that that is part of what the board is going to do.

City Attorney Seiden explained that they could not get all of the boat into the rear yard due to the trees and how the branches hang. They cannot park the boat up against the tree so the applicants are requesting a variance to move the boat back approximately six feet into the rear yard.

Stephanie Suggs of 357 Lafayette Drive responded to Chairman Pérez–Vichot stating that she cannot move the boat farther back almost in line with the AC unit because the branches of the tree extend farther from the AC unit almost aligned with the rear of the house.

Board member Aloma asked if the branches could be trimmed and Ms. Suggs replied that she could trim as many branches as possible but she cannot cut ten feet.

Vice Chairman Fernández moved to approve the variance conditioned on the applicant moving the boat as far back as possible and doing some tree trimming to get the boat closer to the actual trunk of the tree. Board member Aloma seconded the motion which was carried unanimously on voice vote.

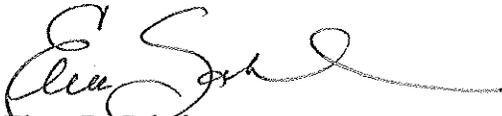
City Attorney Seiden advised the applicant that the Board of Adjustment only makes recommendations to the City Council who will review it at their meeting on Monday, March 12, 2012. He reminded the Applicant of the ten-day appeal period and advised him to see the City Planner after the appeal period and if the Council approves it and there was no appeal filed, then the applicant may trim their tree and move the boat as far back as possible.

5) **Other Business: None.**

6) **Adjournment**

There was no further business to be discussed and the meeting was adjourned at 7:17 p.m.

Respectfully Submitted,



Flora R. Sakal
Board Secretary

Approved as written during meeting of: September 5, 2012

Words ~~-stricken through-~~ have been deleted. Underscored words represent changes. All other words remain unchanged.

“The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council”.
