



## *City of Miami Springs, Florida*

The Board of Adjustment met in Regular Session at 6:15 p.m., on Monday, February 2, 2015 in the Council Chambers at City Hall.

### 1) Call to Order/Roll Call

The meeting was called to order at 6:24 p.m.

The following were present:

Chairman Manuel Pérez-Vichot
Vice Chair Ernie Aloma
Bill Tallman
Bob Calvert

Absent: Juan Molina

Also present:

City Attorney Jan K. Seiden
Planning and Zoning Director Chris Heid
Board Secretary Elora R. Sakal

### 2) Approval of Minutes

Minutes of the November 3, 2014 meeting were approved as written.

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

### 3) New Business:

Board Secretary Sakal swore in all witnesses and the Planning and Zoning Director.

Board member Calvert arrived at this time.

- A) Case # 04-V-15  
DEAN WHITMAN  
610 PLOVER AVENUE  
Zoning: R1-B  
Lot Size: 10,125 SQ. FT.

Applicant is seeking a variance from Section 150-013 to permit a wood picket fence in the front yard, as follows:

1. Requests variance from Section 150-013 (C)(1) to waive the prohibition on the construction of a wood fence in the front yard. (Construction of a wood picket fence in the front yard proposed).

Planning and Zoning Director Chris Heid read the recommendation to the Board. He commented that he issued the permit without realizing that wood fences are not permitted. The only thing in the ground at this point is the posts and they have been cut down to 42 inches.

There was no correspondence for this variance.

City Attorney Seiden recommended that the Board make a suggestion to Council to amend the Ordinance to provide wood as an approved material.

Vice Chair Aloma moved to approve the motion and recommended that Council amend the Ordinance to approve wood fences. Board member Tallman seconded the motion which carried unanimously on voice vote.

- B) Case # 03-V-15  
MARIO FABIAN  
220 S. MELROSE DRIVE  
Zoning: R1-C  
Lot Size: 7,800 SQ. FT.

Applicant is seeking a variance from Section 150-043 to allow the construction of a new house on a lot that does not meet the minimum lot width requirement, as follows:

1. Requests variance from Section 150-043 (C) to waive 15 feet of the minimum required lot width of 75 feet. (Construction on a lot 60 feet in width proposed).

Planning and Zoning Director Chris Heid read the recommendation to the Board. He said that in December, 2013 this property contained a house but was badly deteriorated so it was demolished. There are existing properties on each side and there is no opportunity for the applicant to purchase anymore land to make his property wider. Although it does not meet the minimum lot width, it has more than the minimum lot size.

There was no correspondence for this variance.

City Attorney Seiden clarified that it was a lot that was built upon but it is not technically a buildable lot.

Vice Chair Aloma moved to approve the variance. Board member Tallman seconded the motion which carried unanimously on voice vote.

- C) Case # 02-V-15  
LUIS IZQUIERDO  
871 FALCON AVENUE  
Zoning: R1-C  
Lot Size: 12,025 SQ. FT.

Applicant is seeking a variance from Section 150-015, Parking of Commercial Vehicles, to park a vehicle in excess of weight, height and length as follows:

1. Requests variance from Section 150-015 (A)(1)(d) to park a vehicle that exceeds the weight, height and length limitations, but that is used exclusively for family transportation in a single family neighborhood.

Planning and Zoning Director Chris Heid read the recommendation to the Board. He said that the tonnage and the length requirements are met but the height requirement is not met. The vehicle appears to be a commercial vehicle but the applicant is under oath and has said that it is not for commercial use.

There was no correspondence for this variance.

City Attorney Seiden read the recently amended commercial vehicle ordinance provision that is applicable to this particular case.

Mr. Izquierdo stated that the vehicle is not used for commercial purposes. He uses it for projects around the house and when he purchases things for his home from Home Depot. He purchased the car used and it already had the plywood and shelving in it when he purchased it.

Vice Chair Aloma moved to approve the variance. Board member Tallman seconded the motion which carried 4-0 on roll call vote.

- D) Case # 01-V-15  
BEATRIZ MARTA ANGELUCCI  
372 PAYNE DRIVE  
Zoning: R1-C  
Lot Size: 12,025 SQ. FT.

Applicant is seeking an after-the-fact variance from Section 150-043 to retain a pergola with an outdoor kitchen located in the required side yard setback as follows:

1. Requests variance from Section 150-043 (E)(1) to waive 5'11" of the minimum required side yard setback of 6'6". (Side yard setback of 0' 7" proposed).

Board member Tallman made a motion to postpone the meeting as per the applicant's request. Vice Chair Aloma seconded the motion which carried unanimously on voice vote.

4) Adjournment

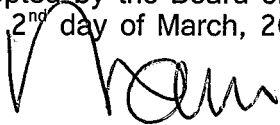
There was no further business to be discussed and the meeting was adjourned at 6:49p.m.

Respectfully submitted:



Elora R. Sakal  
Board Secretary

Adopted by the Board on  
this 2<sup>nd</sup> day of March, 2015.



Manny Perez-Vichot, Chair

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

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*"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".*  
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