



# BOARD OF ADJUSTMENT

**MONDAY, FEBRUARY 2, 2015**

**6:15 P.M.**

**CITY HALL**

**COUNCIL CHAMBERS**



**BOARD OF ADJUSTMENT**  
**CITY OF MIAMI SPRINGS, FLORIDA**

Chairman Manuel Pérez-Vichot  
Board member Ernie Aloma

Board member Bill Tallman  
Board member Bob Calvert

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**AGENDA**  
Regular Meeting  
February 2, 2015  
6:15 p.m.  
Council Chambers  
City Hall

1. CALL TO ORDER AND ROLL CALL
2. APPROVAL OF MINUTES OF REGULAR MEETING
  - A) November 3, 2014
3. SWEARING IN OFF ALL WITNESSES AND ZONING AND PLANNING DIRECTOR
4. NEW BUSINESS
  - 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).

- B) Case # 03-V-15  
MARIO FABIAN  
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).

- 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.

- 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).

**5. OLD BUSINESS**

None.

**6. ADJOURNMENT**

\*\*\*\*\*  
The decisions of the Board of Adjustment may be appealed to the Board of Appeals pursuant to Code Section 150.113. Any person appealing any decision may need to ensure that a verbatim record is made of the proceedings, which record includes the testimony and evidence upon which the appeal is made. (F.S. 286.0105)  
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## *City of Miami Springs, Florida*

The Board of Adjustment met in Regular Session at 6:15 p.m., on Monday, November 3, 2014 in the Council Chambers at City Hall.

### 1) Call to Order/Roll Call

The meeting was called to order at 6:21 p.m.

The following were present:

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

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 April 7, 2014 meeting were approved as written.

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

Minutes of the May 5, 2014 meeting were approved as written.

Board member Aloma moved to approve the minutes. Board member Calvert 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.



A) Appointment of Vice Chair

Board member Tallman nominated Ernie Aloma to be Vice Chairman. Chair Pérez-Vichot seconded the motion which was carried unanimously on voice vote.

Chair Pérez-Vichot took the time to compliment former Board member Francisco Fernandez for his many years of service on the Board of Adjustment. He had great wisdom and compassion for everything that came in front of the Board.

B) Case No. 11-V-14  
AQ GROUP, LLC  
5001 NW 36<sup>TH</sup> STREET  
Zoning: NW 36 STREET DISTRICT  
Lot Size: 61,204 SQ. FT.

Applicant is seeking a variance from Code Section 150-016 and 150-164 (E)(1) to construct a 80,170 square foot, five story hotel with 122 rooms on an existing surface parking lot.

Chair Pérez-Vichot abstained from discussion and voting for this variance due to conflict of interest.

City Attorney Seiden advised the applicant that since Chair Pérez-Vichot has to sit out for this variance request and due to the lack of Board members, to be successful the applicants would have to get a unanimous vote. Any negative vote would require the applicants to appeal to the City Council if they wish to proceed.

The applicants decided to move forward with the variance.

Planning and Zoning Director Heid read his recommendation to the Board.

Domingo Ansereo explained that it is a family business and they have made many improvements to the property. The brand was recently changed to Ramada. They are looking to build a new property in the back to enhance the hotel and the area.

Zoning and Planning Director Heid commented that when the code was written, he does not believe that a lot of the hotels had active shuttle services so the need for parking was greater then. The other oddity in the code is that all elements of the hotel must be parked separately.

Zoning and Planning Director Heid mentioned that the City requested to provide a 6 foot CBS (concrete block stucco) wall along the rear property separating it from the residential area.

Board member Tallman said that it is interesting that it is within the code from the height standpoint but not within the story standpoint.

City Attorney Seiden explained that the code is written badly. The code states "4 stories or 55 feet" technically it is within the height so there should be no issue. Because they are choosing to use their 55 feet differently should not be an issue but because the code is written the way it is they were asked to bring it up as well at the variance hearing in an abundance of caution.

Board member Tallman reiterated that the code needs to be fixed.

Board member Tallman moved to approve the variance. Board member Calvert seconded the motion which was carried unanimously on voice vote.

City Attorney Seiden advised the applicants of the 10 day appeal period. He also suggested that the applicants begin to prepare their plans and that they will be coming back to the Zoning and Planning Board for the site plan review.

- C) Case # 12-V-14  
DORAL BOULEVARD HOTEL LLC  
5301 NW 36<sup>TH</sup> STREET  
Zoning: NW 36 STREET DISTRICT  
Lot Size: 121,500 SQ. FT.

Applicant is seeking variances from Section 150-030 (H), Signs, to exceed the maximum square footage for signage as follows:

1. To exceed by 78 square feet the maximum permitted sign size of 40 square feet. (A 108 square foot sign on the south elevation proposed).
2. To exceed by 107 square feet the maximum permitted sign size of 40 square feet. (A 147 square foot sign on the east elevation proposed).
3. To exceed by 107 square feet the maximum permitted sign size of 40 square feet. (A 147 square foot sign on the west elevation proposed).

Planning and Zoning Director Heid read his recommendation to the Board.

Chair Pérez-Vichot commented that in speaking with City Attorney Seiden and Zoning and Planning Director Heid, they will make an attempt to modify the sign code because it is unrealistic.

Board member Tallman would like the code to be corrected.

Discussion ensued regarding the need to modify the code.

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

City Attorney Seiden advised the applicants of the 10 day appeal period.

- D) Case # 13-V-14  
ROBERT WILLIAMS & JOANNE KOSKI  
192 PINECREST DRIVE  
Zoning: R-1B  
Lot Size: 89 SQ. FT X 132 SQ. FT.

Applicant is seeking a variance from Section 150-042 (E) to waive 5' 4" (five feet four inches) of the minimum required setback of 9' (nine feet) in order to install an outdoor kitchen 3'8" (three feet eight inches) from the east property line.



Planning and Zoning Director Heid read his recommendation to the Board. There was one letter of support from the property owner immediately adjacent to the property which would be the most affected.

Joanne Koski of 192 Pinecrest Drive commented that she and her husband have made many improvements to the property. They would like to put some pavers in the area and install a small barbeque area in the proposed area. The proposed design is the most esthetically pleasing.

Chair Pérez-Vichot asked if this area will ever be covered at any point and Ms. Koski replied that there will never be a roof.

Mr. Williams said that he and his wife are strong proponents of the code and they would never ask for a variance that would deter the quality of life in the City or that would hurt their neighbors. They are only asking for a three foot high counter that would not be visible since they have a 6 foot high fence.

Vice Chair Aloma asked if the appliances could be rearranged so that the barbeque is further away from the neighbor and Mr. Williams replied that it is a possibility.

Mr. Williams commented that in his letter that was provided to the Board he explained three hardships and Chair Pérez-Vichot explained that hardships are unique conditions in their yard that are different from anyone else's backyard.

Vice Chair Aloma asked if the Board can ask the applicants to reverse the request and make it as a condition of approving the variance and City Attorney Seiden replied affirmatively.

Zoning and Planning Director Heid said that if the Board opts to move favorably that they do so with two conditions:

1. To reverse the grill so that it is farthest from the neighbors
2. To make clear that there will be no other structure above 36 inches as proposed

City Attorney Seiden stated that this variance is nothing like the signage code. There is nothing wrong with this code and it has been in existence for almost as long as the City has been in existence. The issue that is created by granting variances is that it leaves it open for anyone to come and say that since it was approved for someone else it should be approved for them as well, even under these circumstances while they do not necessarily impact directly.

Chair Pérez-Vichot asked if the applicants would be willing to change the 3 feet 8 inches to 5 feet and Mr. Williams replied that they may be able to do that.

Vice Chair Aloma made a motion to approve the variance with the conditions that the applicants will reverse the order of the appliances so that the grill is the furthest away from their neighbor, the assembly be shifted so that it is at least 5 feet from the edge of the fence and that there never be no cover or structure over the area. Board member Tallman seconded the motion.

The applicants agreed to the conditions.

The motion was carried unanimously on voice vote.



City Attorney Seiden advised the applicants of the 10 day appeal period.

4) Adjournment

There was no further business to be discussed and the meeting was adjourned at 7:06 p.m.

Respectfully submitted:

\_\_\_\_\_  
Elora R. Sakal  
Board Secretary

Adopted by the Board on  
this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Manny Perez-Vichot, Chair

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".*  
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**VARIANCE CASE**

**NO. 1-V-15**

**BEATRIZ MARTA ANGELUCCI**

**372 PAYNE DRIVE**

**BOARD OF ADJUSTMENT**

**MEETING: 02-02-15**



# CITY OF MIAMI SPRINGS PLANNING DEPARTMENT

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201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5030  
Fax: (305) 805-5036

## MEMORANDUM

**TO:** Board of Adjustment  
**FROM:** Christopher Heid, City Planner  
**DATE:** February 2, 2015  
**SUBJECT:** Application for Variance  
**CASE #** 01-V-15

**APPLICANT:** Beatriz Marta Angelucci

**ADDRESS:** 372 Payne Drive

**ZONING DISTRICT:** R-1C, Single Family Residential

**REQUEST:** The applicant is seeking an after-the-fact variance from Section 150-043 (E)(1) in order to retain a pergola with outdoor kitchen located in the required side yard 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).

**THE PROPERTY:** The property is rectangular in shape, with 65 feet of frontage on Payne Drive and a depth of 185 feet, for a total lot area of 12,025 square feet. The property abuts a lake at the rear (south).

**THE PROJECT:** The applicant is requesting an after-the-fact variance in order to retain an existing pergola with outdoor kitchen that was constructed without permit in the side yard of an existing residence. The pergola is 9'7" in width, and 36'3" in length for a total size of 356 square feet. The outdoor kitchen is "L" shaped, measuring 7'9" x 11'8", and contains a BBQ, sink and refrigerator. Electrical and plumbing service has been provided.



**ANALYSIS:** The addition of the pergola and summer kitchen are undoubtedly a benefit to the subject property and its occupants. In addition, the variance to retain the structure has the support of several neighbors, including the property owner to the west, who is most affected by the lack of the required setback.

However, it seems unlikely that those involved in the construction of a structure of this size and that included the installation of electrical and plumbing lines did not know that a permit was required. As such, staff has very serious concerns on the granting of an after-the-fact variance, particularly of this degree, where a setback of only inches is provided. It is feared that approval of this variance may lead others to undertake construction without permit and in violation of code requirements, taking their chances that the construction be detected and cited, and confident in the assumption that if cited, the violation can be relieved by variance.

**RECOMMENDATION:** It is recommended that the request for variance be denied.



Official Use Only  
 Submittal Date: \_\_\_\_\_  
 Case No.: \_\_\_\_\_

Building & Planning Department  
 201 Westward Drive  
 Miami Springs, FL 33166  
 Phone: 305-805-5034 Fax: 305-805-5036  
[www.miamisprings-fl.gov](http://www.miamisprings-fl.gov)

**CITY OF MIAMI SPRINGS**

**VARIANCE APPLICATION**

| APPLICANT INFORMATION  |   |
|--|---|
| APPLICANT NAME<br><u>BEATRIZ MARTA ANGELUCCI</u>                         | PROPERTY ADDRESS<br><u>372 PAYNE DR.</u>          |
| APPLICANT PHONE NUMBER (BEST NUMBER TO REACH YOU)<br><u>786-246-4236</u> | E-MAIL ADDRESS<br><u>EUGENIO@STITRAVELINC.COM</u> |

Request that a determination be made by the Board of Adjustment of the City of Miami Springs, on the following appeal that was denied by the Building Official for the reason that it is a matter, in which the Building official could not exercise discretion and which, in his opinion, might properly come before the Board.

A variance is requested from Sec. 150-043 Sub-Sec. BE Para. 1 to the Schedule of District Regulations of the Zoning Ordinance of the City of Miami Springs, for the following reason:

\_\_\_\_\_ It is an appeal for an interpretation of the ordinance, Schedule of Districts.

\_\_\_\_\_ It is a request for a variance relating to the area, frontage, yard or open space, height, or \_\_\_\_\_ (state if the request is for a purpose other than those listed above).

| PROPERTY INFORMATION  |   |
|---|---|
| LEGAL DESCRIPTION<br><u>6</u> <u>1</u> <u>LOT 6, BLOCK 1 OF REVISED PLAT OF BLOCKS 1 AND 2 SECTION 3 - CARRY CLOVERDALE</u>                     | LOT SIZE AND ZONING DISTRICT<br><u>17,025 SQ. FT.</u>                     |
| LOT(S)                      BLOCK                      SUBDIVISION  | LOT SIZE                      ZONING DISTRICT                             |
| HAVE ANY PREVIOUS APPLICATIONS OR APPEALS BEEN FILED WITHIN THE LAST SIX (6) MONTHS IN CONNECTION WITH THESE PREMISES?<br>YES _____ NO <u>X</u> |   |
| IF YES, BRIEFLY STATE THE NATURE OF THE PREVIOUS APPLICATION:   |   |
| IF YOU ARE THE OWNER, HOW LONG HAVE YOU OWNED THE PROPERTY?   | WHAT IS THE APPROXIMATE COST INVOLVED IN THIS CHANGE?<br><u>\$ 20,000</u> |

(I)(We) believe that the Board of Adjustment should grant this petition for the following reasons:

(Please include a separate document indicating the grounds for the appeal and reasons with respect to the law and fact for granting the appeal or special exception or variance. SHOWING OF UNNECESSARY HARDSHIP MUST BE MADE BEFORE A VARIANCE CAN BE GRANTED; the grounds must be stated.)

(I) (We) understand this petition becomes part of the permanent records of the Board of Adjustment.

(I) (We) hereby certify that the above statements and the statements or showing made in any papers and/or plans submitted are true to the best of my/our knowledge and belief.

*[Handwritten Signature]*

Signature of Owner

Signature of Co-Owner

EUGENIO LAZARI

Printed name of Owner

Printed name of Co-Owner

The contents of this petition are Sworn to and subscribed before me this 2nd day of October, 2014.

The contents of this petition are Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

*[Handwritten Signature]*

SIGNATURE OF NOTARY PUBLIC - STATE OF FLORIDA

MARCO GALARZA

PRINT NAME OF NOTARY PUBLIC

SIGNATURE OF NOTARY PUBLIC - STATE OF FLORIDA

PRINT NAME OF NOTARY PUBLIC

STAMP SEAL



STAMP SEAL

COMMISSION EXPIRES: Jan 5/2018

PERSONALLY KNOWN: \_\_\_\_\_

PRODUCED IDENTIFICATION: FLDL

COMMISSION EXPIRES: \_\_\_\_\_

PERSONALLY KNOWN: \_\_\_\_\_

PRODUCED IDENTIFICATION: \_\_\_\_\_



September 17, 2014

Mr. Chris Heid  
City Planner  
City of Miami Springs

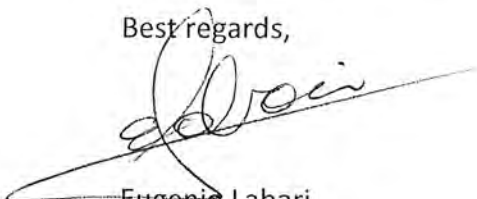
Dear Mr. Heid,

I respectfully request a variance to allow a pergola and a barbeque constructed within the setback area, next to our western neighbor at 376 Payne Dr.

Along with this request you will find site plans, property survey, pictures and signed letters of no objection and support from our surrounding property owners.

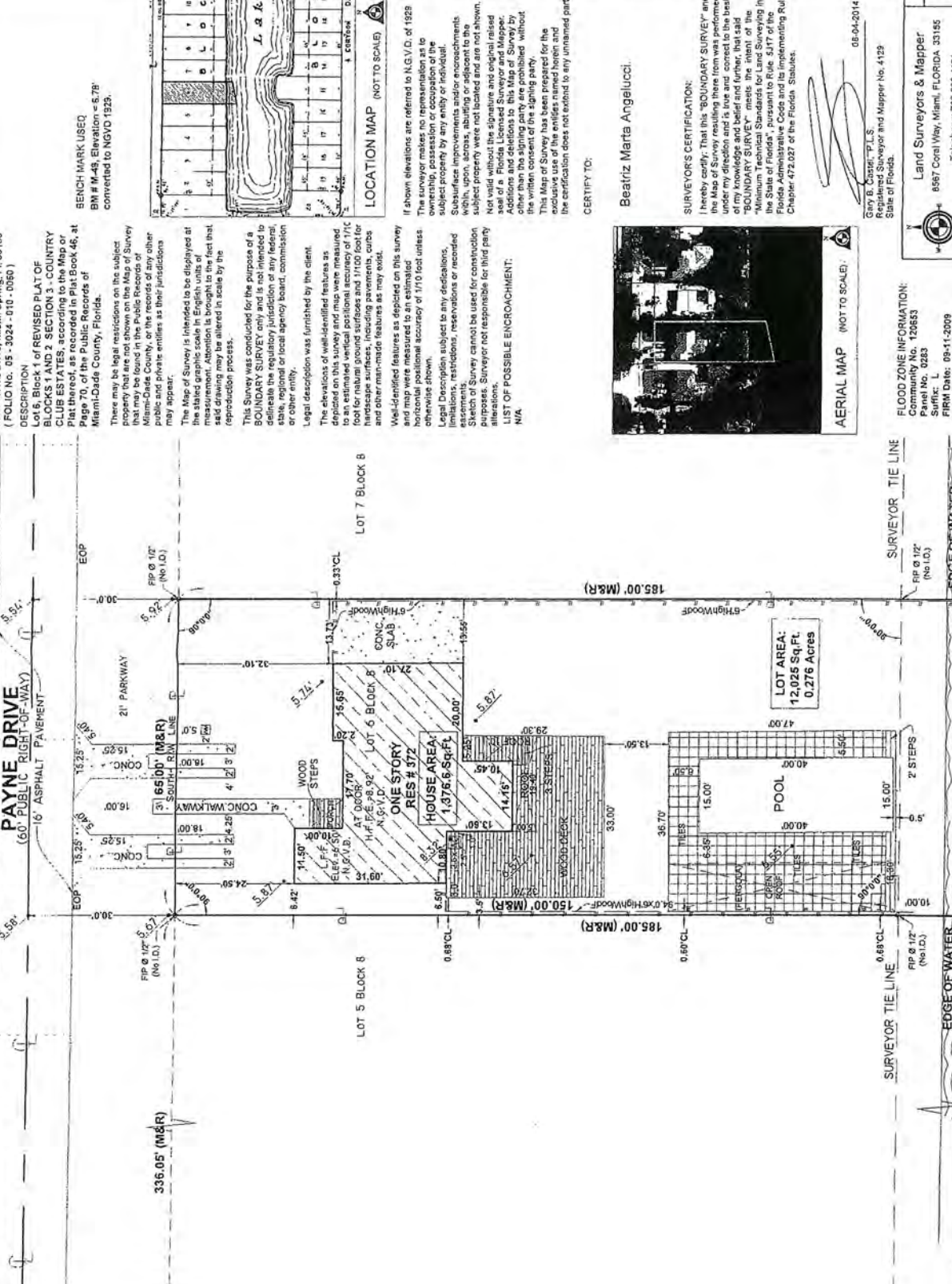
Thanks for your consideration.

Best regards,



Eugenio Labari

**S K E T C H O F S U R V E Y**



There may be legal restrictions on the subject property that are not shown on the Map of Survey that may be found in the records of any other public and private entities as their jurisdictions may appear.

The Map of Survey is intended to be displayed at the stated graphic scale in English units of measurement. Attention is brought to the fact that said drawing may be altered in scale by the reproduction process.

This Survey was conducted for the purpose of a BOUNDARY SURVEY only and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency board, commission or other entity.

Legal description was furnished by the client.

The elevations of well-identified features as depicted on this survey and map were measured to an estimated vertical positional accuracy of 1/10 foot for natural ground surfaces and 1/100 foot for other man-made features as they exist.

Well-identified features as depicted on this survey were measured to an estimated horizontal positional accuracy of 1/10 foot unless otherwise shown.

Legal Description subject to any dedications, limitations, restrictions, reservations or recorded easements.

Sketch of Survey cannot be used for construction purposes. Surveyor not responsible for third party actions.

**LIST OF POSSIBLE ENCROACHMENT:**  
N/A

**LEGEND OF SURVEY ABBREVIATIONS**

If shown elevations are referred to N.G.V.D. of 1929. The surveyor makes no representation as to the accuracy of the elevations of any other subject property by any entity or individual.

Subsurface improvements and/or easements within, upon, across, abutting or adjacent to the subject property were not located and are not shown. Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions and deletions to this Map of Survey by any other person are prohibited without the written consent of the signing party.

This Map of Survey has been prepared for the exclusive use of the entities named herein and the certification does not extend to any unnamed party.

**CERTIFY TO:**  
Beatriz Marta Angelucci.

**SURVEYOR'S CERTIFICATION:**  
I hereby certify that this "BOUNDARY SURVEY" and the Map of Survey resulting therefrom was performed in accordance with the standards of the State of Florida. "BOUNDARY SURVEY" meets the intent of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 5A17 of the Florida Administrative Code and its implementing Rule, Chapter 472.027 of the Florida Statutes.

**PROFESSIONAL LIABILITY:**  
Insurance:  
POLICY NO. 08-04-2014  
SHEET No. 1/1

**DATE:** 08-04-2014

**PROJ. A.V.L.:**  
SHEET No. 1/1

**JOB No.:**  
08-394-14

**Land Surveyors & Mapper**  
8587 Coral Way, Miami, FLORIDA 33155  
Telephone: 786-290-4184

**FLOOD ZONE INFORMATION:**  
Community No. 120653  
Panel No. 0283  
Surficial: L  
FIRM Date: 09-11-2009  
Flood Zone: AH + 7.00'

















# ELEVATION CERTIFICATE

Important: Read the instructions on pages 1-9.

OMB No. 1660-0008  
 Expiration Date: July 31, 2015

## SECTION A - PROPERTY INFORMATION

|   |                           |
|---|---------------------------|
| A1. Building Owner's Name BEATRIZ M.ANGELUCCI Job 08-394-14 (AVI)   | FOR INSURANCE COMPANY USE |
| A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.<br>372 PAYNE Drive. | Policy Number:            |
| City MIAMI SPRING State FL ZIP Code 33166   | Company NAIC Number:      |

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)  
 Lot 6, Block 1 of REV.PLATOF BLKS 1 & 2 SEC 3-CNTRY CLB EST PB 46, Pg 70 (Folio No.05-3024-01-0060)

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) RESIDENTIAL

A5. Latitude/Longitude: Lat. 25° 49' 06.99"N Long. 80° 18' 01.03"W Horizontal Datum:  NAD 1927  NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number 8

A8. For a building with a crawlspace or enclosure(s):

|  |   |
|--|---|
| a) Square footage of crawlspace or enclosure(s)  | <u>1,445</u> sq ft  |
| b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade | <u>11</u>   |
| c) Total net area of flood openings in A8.b  | <u>1,818</u> sq in  |
| d) Engineered flood openings?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

A9. For a building with an attached garage:

|   |   |
|---|---|
| a) Square footage of attached garage  | <u>N/A</u> sq ft  |
| b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade | <u>N/A</u>  |
| c) Total net area of flood openings in A9.b   | <u>N/A</u> sq in  |
| d) Engineered flood openings?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

## SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

|   |                               |                                   |   |                         |  |
|---|-------------------------------|-----------------------------------|---|-------------------------|--|
| B1. NFIP Community Name & Community Number<br>CITY OF MIAMI SPRING 120653 | B2. County Name<br>MIAMI-DADE | B3. State<br>FLORIDA              |   |                         |  |
| B4. Map/Panel Number<br>12086C0128  | B5. Suffix<br>L               | B6. FIRM Index Date<br>09/11/2009 | B7. FIRM Panel Effective/Revised Date<br>09/11/2009 | B8. Flood Zone(s)<br>AE | B9. Base Flood Elevation(s) (Zone AO, use base flood depth)<br>7.00' |

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9.  
 FIS Profile  FIRM  Community Determined  Other/Source: \_\_\_\_\_

B11. Indicate elevation datum used for BFE in Item B9:  NGVD 1929  NAVD 1988  Other/Source: \_\_\_\_\_

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)?  Yes  No  
 Designation Date: N/A  CBRS  OPA

## SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
 \*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete items C2.a-h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.  
 Benchmark Utilized: M-49 Elev = 6.78' Vertical Datum: NGVD 1929  
 Indicate elevation datum used for the elevations in items a) through h) below.  NGVD 1929  NAVD 1988  Other/Source: \_\_\_\_\_  
 Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.


|  |             |  |
|--|-------------|--|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor)  | <u>6.50</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| b) Top of the next higher floor  | <u>8.92</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only)  | <u>N/A</u>  | <input type="checkbox"/> feet <input type="checkbox"/> meters            |
| d) Attached garage (top of slab)   | <u>N/A</u>  | <input type="checkbox"/> feet <input type="checkbox"/> meters            |
| e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) | <u>8.32</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG)   | <u>5.74</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG)  | <u>5.87</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support                               | <u>N/A</u>  | <input type="checkbox"/> feet <input type="checkbox"/> meters            |

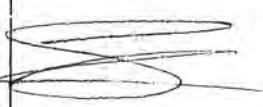
## SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No

Check here if attachments.

|   |  |
|---|--|
| Certifier's Name GARY B. CASTEL, P.L.S.   | License Number 4129                    |
| Title PROF. SURV. & MAPPER  | Company Name C.B.S.Services.           |
| Address 8567 CORAL WAY  | City MIAMI State FL ZIP Code 33155     |
| Signature  | Date 08-04-2014 Telephone 786-290-4184 |

  
08-04-14

**ELEVATION CERTIFICATE, page 2**

|   |                                  |
|---|----------------------------------|
| <b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>   | <b>FOR INSURANCE COMPANY USE</b> |
| Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.<br>372 PAYNE Drive. Job # 08-394-14 (AVI) | Policy Number:                   |
| City MIAMI SPRING State FL ZIP Code 33166   | Company NAIC Number:             |

**SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)**

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments C.O.R. Elevation = 5.58'  
C2 e) A/C UNITS CONC. PAD LOCATED BESIDES HOUSE LEFT SIDE FAÇADE WALL  
A5 OBTAINED BY GOOGLE CONVERSION FROM ADDRESS TO LONGITUDE/LATITUDE  
POOL DECK Elev.=6.53'

Signature

Date 08-04-2014

**SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
  - a) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the HAG.
  - b) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8–9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E3. Attached garage (top of slab) is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?  Yes  No  Unknown. The local official must certify this information in Section G.

**SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION**

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name

Address City State ZIP Code

Signature Date Telephone

Comments

Check here if attachments.

**SECTION G – COMMUNITY INFORMATION (OPTIONAL)**

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1.  The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.  A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3.  The following information (Items G4–G10) is provided for community floodplain management purposes.

|                   |                        |   |
|-------------------|------------------------|---|
| G4. Permit Number | G5. Date Permit Issued | G6. Date Certificate Of Compliance/Occupancy Issued |
|-------------------|------------------------|---|

- G7. This permit has been issued for:  New Construction  Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: \_\_\_\_\_  feet  meters Datum \_\_\_\_\_
- G9. BFE or (in Zone AO) depth of flooding at the building site: \_\_\_\_\_  feet  meters Datum \_\_\_\_\_
- G10. Community's design flood elevation: \_\_\_\_\_  feet  meters Datum \_\_\_\_\_

Local Official's Name Title

Community Name Telephone

Signature Date

Comments

Check here if attachments.



# Building Photographs

See Instructions for Item A6.

**IMPORTANT: In these spaces, copy the corresponding information from Section A.**

FOR INSURANCE COMPANY USE

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.  
 372 PAYNE Drive. Job # 08-394-14 (AVI)

Policy Number:

City MIAMI SPRING

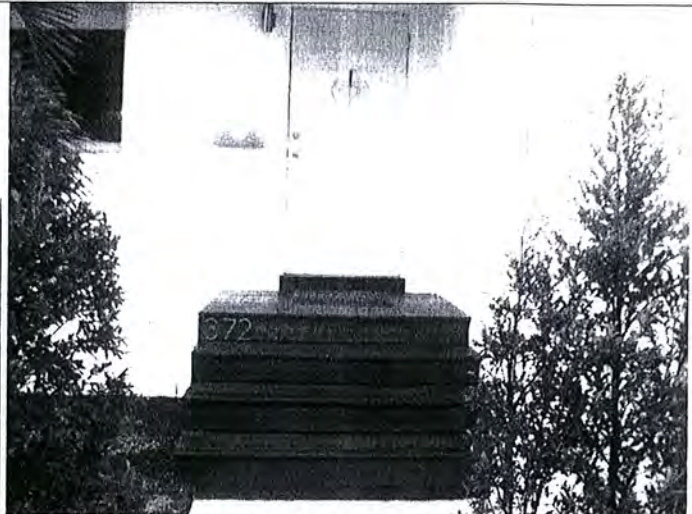
State FL ZIP Code 33166

Company NAIC Number:

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



08-04-2014 HOUSE FRONT VIEW



08-04-2014 HOUSE ENTRANCE VIEW



08-04-2014 HOUSE LEFT SIDE VIEW



08-04-2014 HOUSE RIGHT SIDE VIEW

08-04-2014 HOUSE No. VIEW



# Building Photographs

Continuation Page

**IMPORTANT: In these spaces, copy the corresponding information from Section A.**

FOR INSURANCE COMPANY USE

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.  
372 PAYNE Drive. Job # 08-394-14 (AVI)

Policy Number:

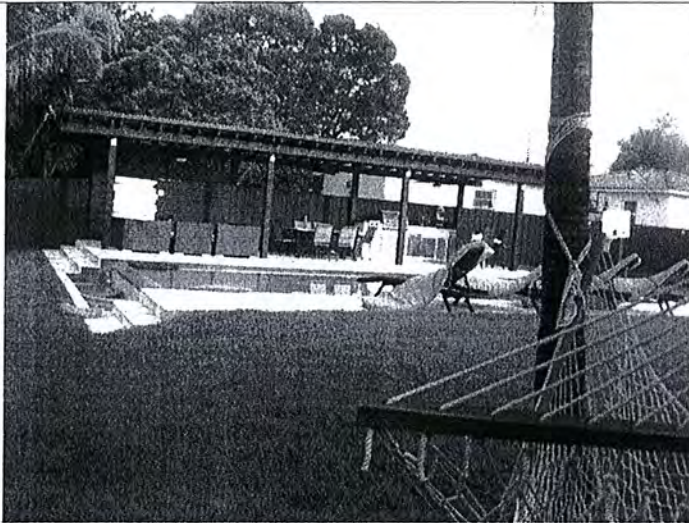
City MIAMI SPRING

State FL

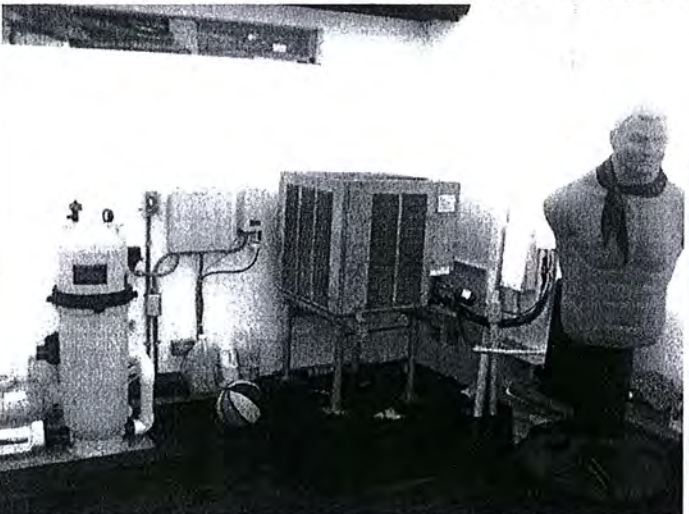
ZIP Code 33166

Company NAIC Number:

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.



08-04-2014 HOUSE POOL AT REAR VIEW 08-04-2014 HOUSE REAR VIEW



08-04-14 A/C & POOL EQ. AT REAR VIEW 08-04-2014 STAIR TO HOUSE VIEW



08-04-2014 POOL AND HOUSE REAR VIEW

September 18, 2014

Mr. Chris Heid  
City Planner  
City of Miami Springs

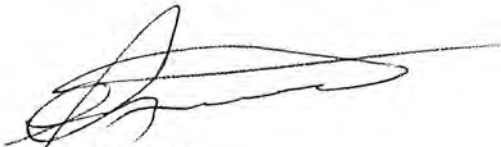
Dear Mr. Heid,

I, Mario Aguilar, owner of the property located at 376 Payne Dr. and adjacent to the structure under review, have no objection and support my neighbor's construction built within the setback area. Furthermore, my family and I use the mentioned premises on a daily basis; it's a great improvement for our neighborhood and increases the value of our property.

Please consider that I been living in this property for the last 16 years and have no plans of leaving.

If you have any question or concerns, please do not hesitate to contact me.

Thanks and regards,

A handwritten signature in black ink, appearing to read 'Mario Aguilar', with a long horizontal flourish extending to the right.

Mario Aguilar

305-343-5362

October 13, 2014

City of Miami Springs

To whom it may concern,

This letter is to express our support and no objection to the Pergola constructed within our neighbor's premises, located at 372 Payne Dr. We are fully aware that it was built within the setback area. This construction does not bother or affect us.

If you have any question or concerns, please do not hesitate to contact me.

Thanks and regards,



EDWARD FERNANDEZ  
372 PAYNE DRIVE  
MIAMI SPRINGS 33166



October 9, 2014

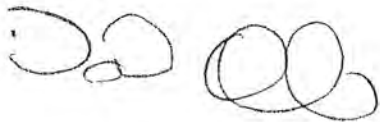
City of Miami Springs

To whom it may concern,

Please accept this letter to support and express no objection to the structure built within my neighbor's property, located at 372 Payne Drive, right in front of my house. I'm fully aware it was constructed within the setback of their property and I have no objection about it. I appreciate the way they keep their house, nice and clean; it's an asset for our community.

If you have any question, please do not hesitate to contact me.

Best regards,

A handwritten signature in black ink, appearing to read "David Olivo". The signature is stylized with loops and a dot above the first letter.

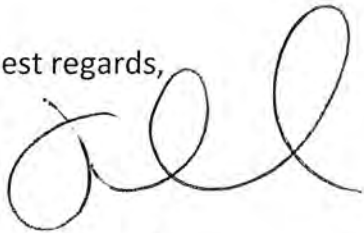
DAVID OLIVO  
101 POCAATELLA ST  
MIAMI-SPRINGS, FL 33166  
786-217-2580

October 10, 2014

To the City of Miami Springs,

My name is Jason Usallan and I live at 388 Payne Drive. I write this letter in support of their application to have their Pergola approved. I have known the Labari's for many years and they have always enjoyed their property peacefully with their family. Their new construction does not bother me at all as I know they will continue to enjoy it respectfully for family purposes.

Best regards,

A handwritten signature in black ink, appearing to read 'Jason Usallan', written in a cursive style.

JASON USALLAN

786 473 2089



October 10, 2014

City of Miami Springs

To whom it may concern,

I write this letter to express support and no objection to the construction of my neighbors, the Labari Family, located at 372 Payne Drive. Even though this construction is on the setback of their property, it does not affect us in a negative way. In contrast, we believe it improves the quality and value of our neighborhood.

Please do not hesitate to contact me.

Best regards,

A handwritten signature in black ink, consisting of several overlapping loops and curves, positioned below the text "Best regards,".

380 PAYNE DR.  
MIAMI SPRINGS FL 33166

**VARIANCE CASE**

**NO. 2-V-15**

**LUIS IZQUIERDO**

**871 FALCON AVENUE**

**BOARD OF ADJUSTMENT**

**MEETING: 02-02-15**



# CITY OF MIAMI SPRINGS PLANNING DEPARTMENT

---



201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5030  
Fax: (305) 805-5036

## MEMORANDUM

**TO:** Board of Adjustment  
**FROM:** Christopher Heid, City Planner  
**DATE:** February 2, 2015  
**SUBJECT:** Application for Variance  
**CASE #** 02-V-15

**APPLICANT:** Luis Izquierdo

**ADDRESS:** 871 Falcon Avenue

**ZONING DISTRICT:** R-1C, Single Family Residential

**REQUEST:** The applicant is seeking a variance from Section 150-015 (A)(1)(d) to park a vehicle that exceeds the height limitation for the parking of a motor vehicle in a single family residential district. The maximum permitted height is 8 feet (96"), while the subject vehicle is 103.6".

**THE PROPERTY:** The property is rectangular in shape, and located at the northeast corner of Falcon Avenue and Lenape Drive, with 75 feet of frontage on Falcon Avenue and a depth of 124 feet, for a total lot area of 9,525 square feet. A 16 foot wide City owned right-of-way (alley) is at the rear of the property.

**THE PROJECT:** The applicant is requesting a variance to allow the parking of a motor vehicle that exceeds, the weight, height and length limitations in a the front yard single family zoning district. The maximum allowable parameters are a weight 10,000 gross pounds, a length of 22 feet and a height of 8 feet.

**ANALYSIS:** The subject vehicle is a 2006 Dodge Sprinter 2500, with a weight of 8,550 gross pounds, a length of 21.9 feet, and a height of 103.6". (Maximum permitted gross weight is 10,000 pounds and the maximum permitted length is 22 feet.



The vehicle has only a front driver and passenger seat, with the remainder of the seating having plywood walls, and windows only in the front cab. While the vehicle clearly has the appearance of a commercial vehicle, the applicant has stated that the vehicle is for personal use only, for recreational purposes as well as normal daily activities.

**RECOMMENDATION:** It is recommended that the request for variance be approved subject to the following condition:

1. Vehicle shall be parked as close to the house as possible, as shown on the submitted site plan, and not in the semi-circular portion of the driveway, nor on the swale.

**BOARD OF ADJUSTMENT  
CITY OF MIAMI SPRINGS, FLORIDA**

**APPLICATION FOR A VARIANCE HEARING**

\*\*\*\*\*

**OFFICIAL USE ONLY**

Case No. : \_\_\_\_\_ -V- \_\_\_\_\_ Date: \_\_\_\_\_ Fees Paid/ Receipt No. : \_\_\_\_\_

Date hearing is advertised: \_\_\_\_\_ Date set for Public Hearing: \_\_\_\_\_

The owner and/or his/her agent has \_\_\_\_\_ has not \_\_\_\_\_ submitted a application regarding the subject within the last six months.

\*\*\*\*\*

(I) (We) Luis IZQUIERDO of 871 FALCON AVE

Owners Name

Address Variance Requested For

Request that a determination be made by the Board of Adjustment of the City of Miami Springs, on the following appeal that was denied by the Building Official on \_\_\_\_\_ for the reason that it is a matter, in which the Building official could not exercise discretion and which, in his opinion, might properly come before the Board.

A variance is requested from Sec. 150, Sub-Sec. OISA Para. \_\_\_\_\_ to the Schedule of District Regulations of the Zoning Ordinance of the City of Miami Springs, for the following reason:

\_\_\_\_\_ It is an appeal for an interpretation of the ordinance, Schedule of Districts.

It is a request for a variance relating to the area, frontage, yard or open space, height, or \_\_\_\_\_ (state if the request is for a purpose other than those listed above).

The legal description is 15 8 Springview  
Lot(s) Block Subdivision

Also known as (if applicable) \_\_\_\_\_

Lot Size: 75 X 124 Present Zoning District: R1-

Present Use: Single Family Present Structure on the Land: yes

Effect of petition if granted: \_\_\_\_\_

Have any previous applications or appeals been filed within the last six (6) months in connection with these premises? Yes \_\_\_\_\_ No

If yes, briefly state the nature of the previous application. \_\_\_\_\_

Interest of applicant to the premises affected: OWNER

If you are the owner, how long have you owned this property? <sup>(Owner / Lessee / Agent)</sup> 21 YEARS

What is the approximate cost involved in this change? \$ 0

(I) (We) believe that the Board of Adjustment should grant this petition for the following reasons:

(Please include the grounds for the appeal and reasons with respect to the law and fact for granting the appeal or special exception or variance. **SHOWING OF UNNECESSARY HARDSHIP MUST BE MADE BEFORE A VARIANCE CAN BE GRANTED**; the grounds must be stated.)

Attached are nineteen ~~(9)~~ <sup>19</sup> copies of a recent survey of the property in question, showing the boundary lines, together with the boundaries of the proposed changes and/or additions, for which a variance is requested as previously described herein.

Attached are nineteen ~~(19)~~ <sup>19</sup> copies of the site plan for the proposed building or addition for which a variance is requested as previously described herein.



(I) (We) understand this petition becomes part of the permanent records of the Board of Adjustment.

(I) (We) hereby certify that the above statements and the statements or showing made in any papers and/or plans submitted are true to the best of my/our knowledge and belief.

[Handwritten Signature]  
Signature of Owner

\_\_\_\_\_  
Signature of Co-Owner

Luis M. IZQUIERDO  
Printed Name of Owner

\_\_\_\_\_  
Printed Name of Co-Owner

305-588-3111  
Daytime Phone Number

\_\_\_\_\_  
Daytime Phone Number

The contents of this Petition are Sworn to and subscribed before me this 01 day of December, 2014.

The contents of this Petition are Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

[Handwritten Signature]  
Signature of Notary Public Barbara Ramon Florida  
State of Florida  
My Commission Expires 04/22/2018  
Commission No. FF 115561  
Bonded through CNA Surety  
Print, Type, or Stamp Name of Notary Public

\_\_\_\_\_  
Signature of Notary Public- State of Florida  
\_\_\_\_\_  
Print, Type, or Stamp Name of Notary Public

Commission Expiration Date: 01/1  
Commission Expiration Date: \_\_\_\_\_

Personally Known to me \_\_\_\_\_  
Produced Identification DLFL 1265533580210

Personally Known to me \_\_\_\_\_  
Produced Identification \_\_\_\_\_

**Luis Izquierdo**  
871 Falcon Ave  
Miami Springs, FL 33166

**December 1, 2014**

I am requesting a variance, to be allowed to continue to park my van in front of my Property.

This vehicle is for my personal use only, it is used for recreational purposes, as well as normal daily activities, and it is my daily driver.

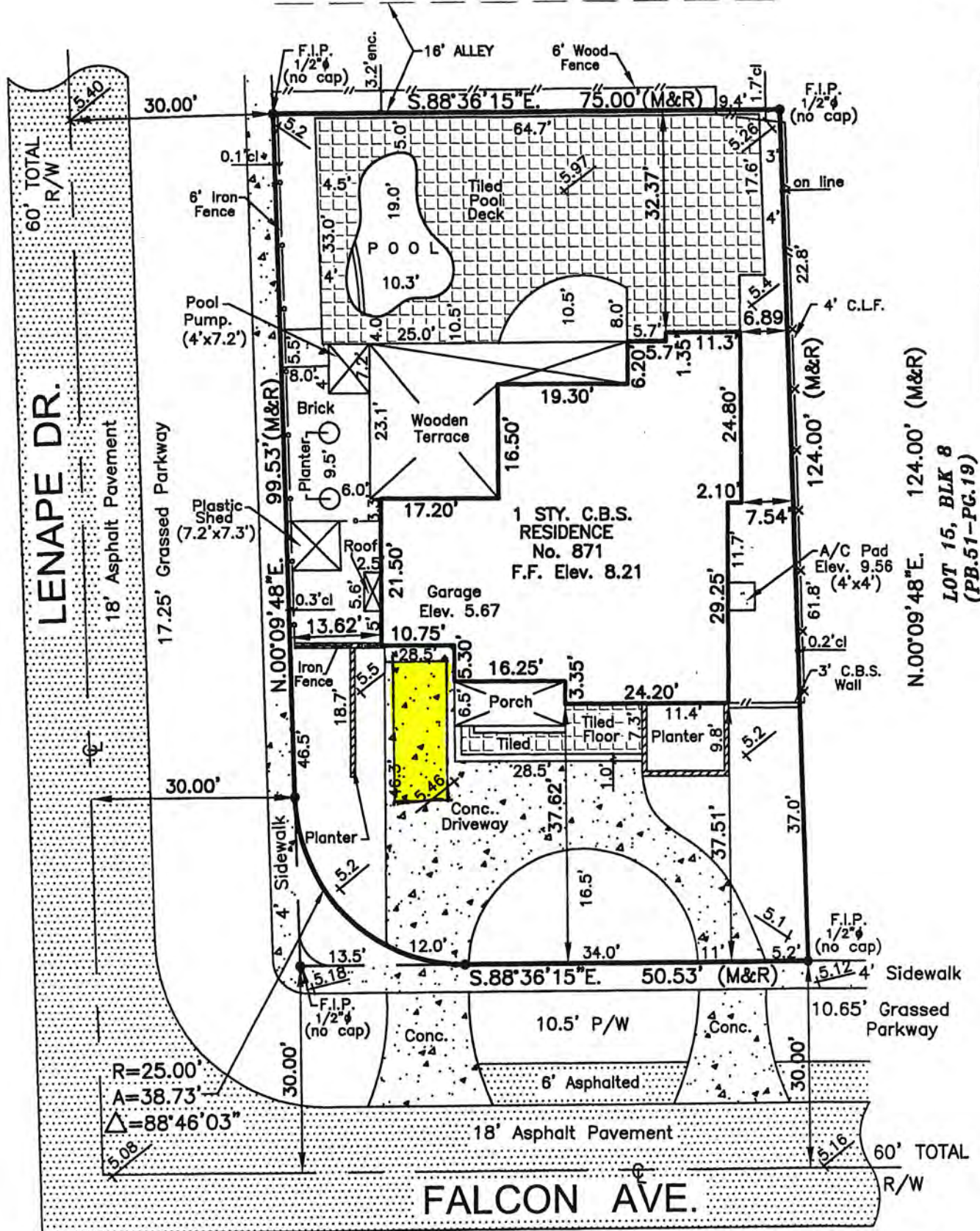
Thank You



Luis Izquierdo  
871 Falcon Ave  
Miami Springs, FL 33166  
305-588-3111







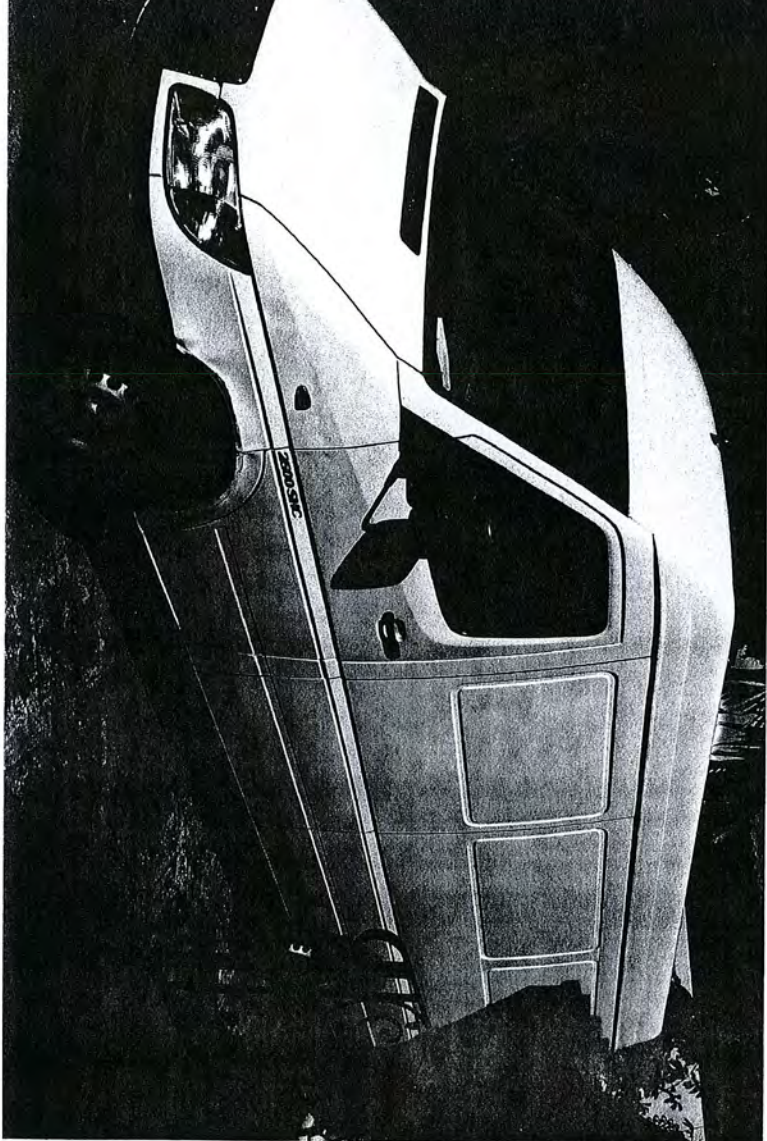
CERTIFIED TO:  
LUIS M. IZQUIERDO

SITE ADDRESS: 871 FALCON AVE., MIAMI SPRINGS, FL. 33166  
 JOB NUMBER: 14-1166  
 DATE OF SURVEY: NOVEMBER 24, 2014  
 FOLIO NUMBER: 05-3024-015-1360

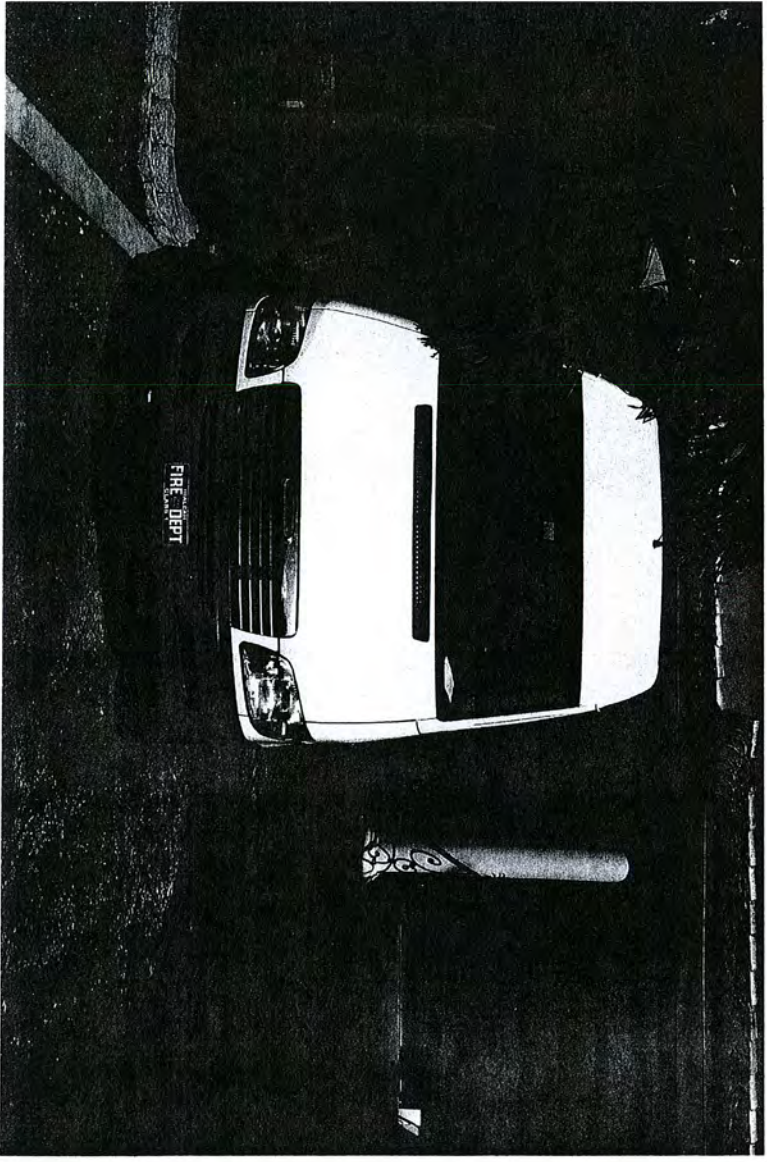


60' TOTAL R/W  
 18' Asphalt Pavement  
 17.25' Grassed Parkway  
 124.00' (M&R)  
 124.00' (M&R)  
 124.00' (M&R)  
 N.00°09'48"E.  
 LOT 15, BLK 8  
 (PB.51-PG.19)

$R=25.00'$   
 $A=38.73'$   
 $\Delta=88^{\circ}46'03''$

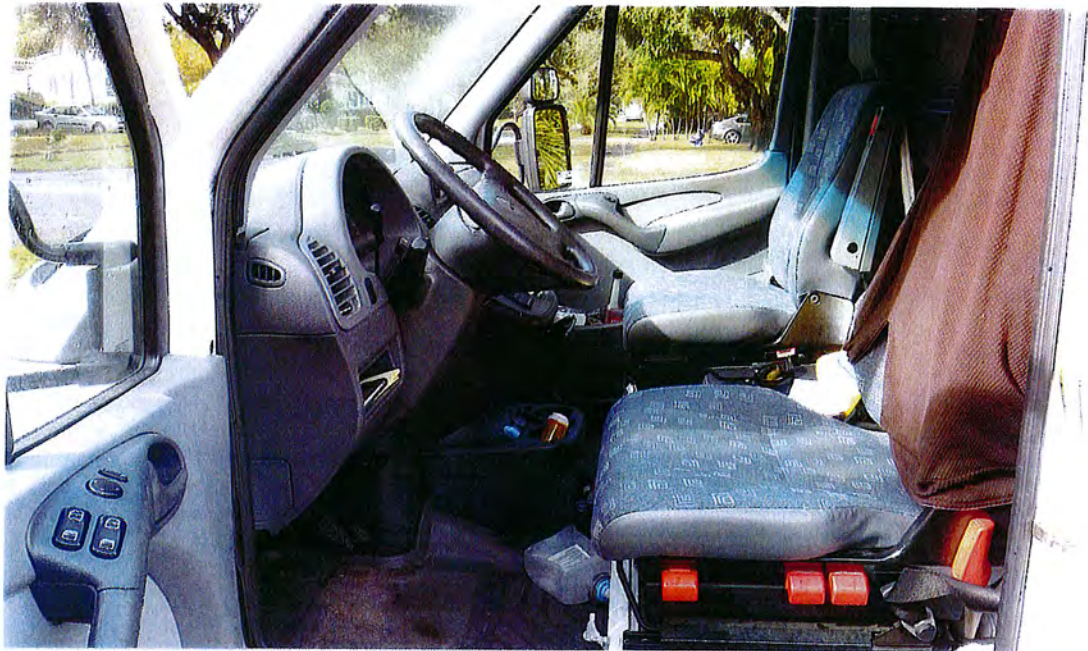














**VARIANCE CASE**

**NO. 3-V-15**

**MARIO FABIAN**

**220 S. MELROSE DRIVE**

**BOARD OF ADJUSTMENT**

**MEETING: 02-02-15**



# CITY OF MIAMI SPRINGS PLANNING DEPARTMENT

---



201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5030  
Fax: (305) 805-5036

## MEMORANDUM

**TO:** Board of Adjustment

**FROM:** Christopher Heid, City Planner

**DATE:** February 2, 2015

**SUBJECT:** Application for Variance

**CASE #** 03-V-15

**APPLICANT:** D Miami Investments, Inc./Mario Fabian

**ADDRESS:** 220 S. Melrose Drive

**ZONING DISTRICT:** R-1C, Single Family Residential

**REQUEST:** 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).

**THE PROPERTY:** The property is rectangular in shape, with 60 feet of frontage on S. Melrose Drive and a depth of 130 feet, for a total lot area of 7,800 square feet. The property abuts a 16 foot wide dirt alley at the rear.

**THE PROJECT:** The applicant is requesting a variance in order to allow construction of a new single family house on a lot which does not meet the minimum lot width requirement. (With a lot size of 7,800 square feet, the minimum lot size of 6,000 square feet is exceeded). This property contained a single family house until its demolition due to structural deterioration in December 2013.

**ANALYSIS:** As noted, this lot is well above the minimum square footage, but lacks the minimum width. This block, and much of this area around the canal are

not subdivided into typical lots and blocks, but rather are carved out of large tracts by meets and bounds descriptions. This lot is among the larger of the neighboring parcels, and, as noted, adequately contained a home previously. Prior to the demolition of the house, neither of the properties on either side of the subject property was owned by either the current property owner or the current applicant.

**RECOMMENDATION:** It is recommended that the request for variance be approved.





**Official Use Only**  
 Submittal Date: \_\_\_\_\_  
 Case No.: 3-V-15

Building & Planning Department  
 201 Westward Drive  
 Miami Springs, FL 33166  
 Phone: 305-805-5034 Fax: 305-805-5036  
[www.miamisprings-fl.gov](http://www.miamisprings-fl.gov)

**CITY OF MIAMI SPRINGS**

**VARIANCE APPLICATION**

| APPLICANT INFORMATION  |  |
|--|--|
| APPLICANT NAME <b>D Miami Investments, Inc</b><br><b>Mario Fabian</b>    | PROPERTY ADDRESS<br><b>220 S Melrose Dr, M.Springs, FL 33166</b> |
| APPLICANT PHONE NUMBER (BEST NUMBER TO REACH YOU)<br><b>305-804-5155</b> | E-MAIL ADDRESS<br><b>mariofabian@live.com</b>                    |

Request that a determination be made by the Board of Adjustment of the City of Miami Springs, on the following appeal that was denied by the Building Official for the reason that it is a matter, in which the Building official could not exercise discretion and which, in his opinion, might properly come before the Board.

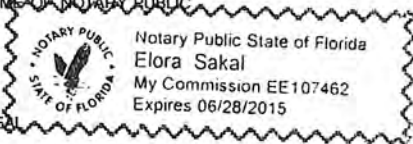
| PROPERTY INFORMATION  |  |
|---|--|
| LEGAL DESCRIPTION<br><u>3</u> <u>1</u> <u>Sec 5 Country club Estates</u>  | LOT SIZE AND ZONING DISTRICT<br><u>60x130</u> <u>Single Family</u>     |
| LOT(S)                      BLOCK                      SUBDIVISION  | LOT SIZE                      ZONING DISTRICT                          |
| HAVE ANY PREVIOUS APPLICATIONS OR APPEALS BEEN FILED WITHIN THE LAST SIX (6) MONTHS IN CONNECTION WITH THESE PREMISES?<br>YES _____ NO <u>X</u> |  |
| IF YES, BRIEFLY STATE THE NATURE OF THE PREVIOUS APPLICATION:   |  |
| IF YOU ARE THE OWNER, HOW LONG HAVE YOU OWNED THE PROPERTY?<br><u>N/A</u>   | WHAT IS THE APPROXIMATE COST INVOLVED IN THIS CHANGE?<br>\$ <u>N/A</u> |

- (I)(We) believe that the Board of Adjustment should grant this petition for the following reasons:
- (Please include a separate document indicating the grounds for the appeal and reasons with respect to the law and fact for granting the appeal or special exception or variance. SHOWING OF UNNECESSARY HARDSHIP MUST BE MADE BEFORE A VARIANCE CAN BE GRANTED; the grounds must be stated.)
- (I) (We) understand this petition becomes part of the permanent records of the Board of Adjustment.
- (I) (We) hereby certify that the above statements and the statements or showing made in any papers and/or plans submitted are true to the best of my/our knowledge and belief.

[Signature]  
Signature of Owner  
Mario Fabian  
Printed name of Owner

The contents of this petition are Sworn to and subscribed before me this 10 day of January, 2015.

[Signature]  
SIGNATURE OF NOTARY PUBLIC - STATE OF FLORIDA  
Elora Sakal

PRINT NAME OF NOTARY PUBLIC  
  
STAMP SEAL

COMMISSION EXPIRES: 06-28-2015  
PERSONALLY KNOWN: \_\_\_\_\_  
PRODUCED IDENTIFICATION: FLDL

\_\_\_\_\_  
Signature of Co-Owner  
\_\_\_\_\_  
Printed name of Co-Owner

The contents of this petition are Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC - STATE OF FLORIDA  
\_\_\_\_\_  
PRINT NAME OF NOTARY PUBLIC

STAMP SEAL  
COMMISSION EXPIRES: \_\_\_\_\_  
PERSONALLY KNOWN: \_\_\_\_\_  
PRODUCED IDENTIFICATION: \_\_\_\_\_

01/06/2015

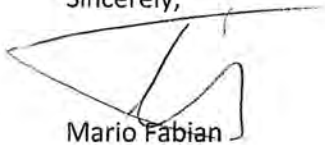
To the City of Miami Springs,

My reason for requesting this hearing is to ask for a variance to be able to build my dream home in the city where I grow up and did most of my schooling graduating from MSSH in 1985. I lived on Falcon Ave some years ago and have many family and friends that live in Miami Springs. It's always been a city that has been very close to my heart and has many good childhood memories.

I'm asking for this variance to be granted on the grounds that there was an existing home on the lot *before and I will be building within the cities setbacks and zoning regulations.*

The existing lot consists of 60x130 (7,800 sq ft) which is one of the bigger lots on the block as show on county record and pictures that I've provided.

Sincerely,

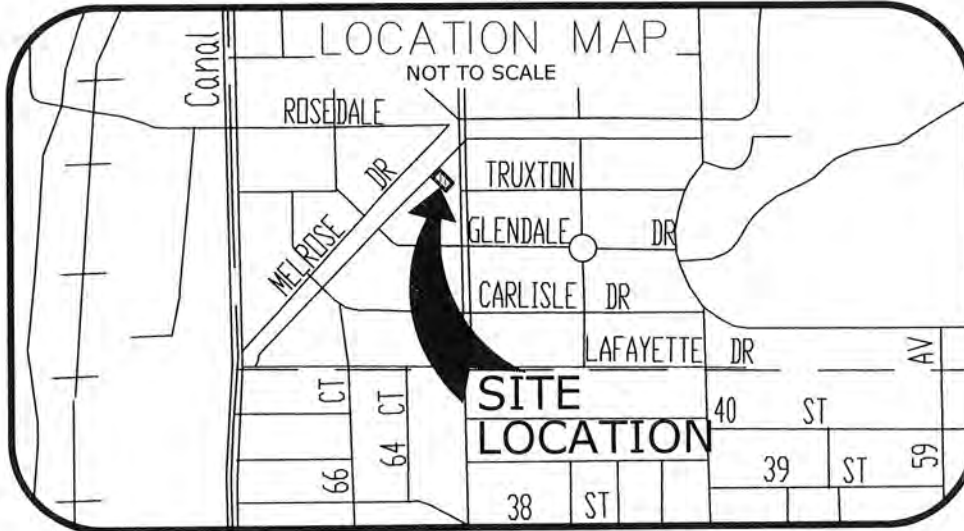
A handwritten signature in black ink, appearing to read 'Mario Fabian', written over a horizontal line. The signature is stylized with a large initial 'M' and a long horizontal stroke extending to the right.

Mario Fabian



# SKETCH OF SURVEY

PREPARED BY:  
 **GUNTER GROUP, INC.**  
 LAND SURVEYING - LAND PLANNING  
 FLORIDA CERTIFICATE OF AUTHORIZATION # LB 4507  
 9350 S.W. 22nd TERRACE  
 MIAMI, FLORIDA 33165  
 (305) 220-0073



**PROPERTY ADDRESS:**

220 S. Melrose Drive Miami Springs, Florida 33166.

**LEGAL DESCRIPTION:**

The Northeasterly 60 feet of the Southwesterly 220 feet of Tract 1A, REVISED PLAT OF THE REVISED PLAT OF SECTION FIVE OF COUNTRY CLUB ESTATES, according to the Plat thereof as recorded in Plat Book 33 at Page 41 of the Public Records of Miami-Dade County, Florida.

**BEING IDENTICAL WITH AND ALSO KNOWN AS:**

Lot 3, less Southwesterly 10 feet and Southwesterly 20 feet of Lot 2, in Block 1, of SECTION FIVE OF COUNTRY CLUB ESTATES, according to the Plat thereof as recorded in Plat Book 29 at Page 48 of the Public Records of Miami-Dade County, Florida.


**FOR:**

D MIAMI INVESTMENTS, INC.

**SURVEYOR'S NOTES:**

- 1) This survey was conducted for the purpose of a "Boundary Survey" only and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other entity.
- 2) The accuracy obtained by measurements and calculations on this survey, meets and exceeds the Minimum Technical Standards requirements for a Suburban area (1 foot in 7,500 feet) as specified in Chapter 5J-17, Florida Administrative Code.
- 3) The North arrow direction shown herein is based on an assumed Meridian.
- 4) In some cases graphic representation have been exaggerated to more clearly illustrate a particular area where dimensions shall have preference over graphic location.
- 5) Legal description was provided by the client and is subject to any dedications, limitations, restrictions reservations or easements of record.
- 6) Examination of the Abstract of Title will have to be made to determine recorded instruments, if any, affecting the property; search of Public Records not performed by this office.
- 7) No effort was made by this office to locate any underground utilities and/or structures within or abutting the subject property.
- 8) This survey has been prepared for the exclusive use of the entities named hereon only and the certifications hereon do not extend to any unnamed parties.
- 9) This survey was performed for a mortgage transaction only, not intended for architectural, engineering or construction purposes.
- 10) According to the National Flood Insurance Program, the subject property falls in Community No. 120653, Panel No. 0283, Suffix "L", Date of FIRM 09-11-2009, Flood Zone "X".
- 11) Contact the appropriate authorities prior to any design work on the hereon-described parcel for Building and Zoning information.
- 12) Professional Land Surveyor and Mapper in responsible charge: Rolando Ortiz LS 4312, State of Florida.
- 13) This survey is not valid without the signature and the raised seal of a Florida Licensed Land Surveyor and Mapper.

I hereby certify to 1) D Miami Investments, Inc.; 2) Federated Title & Trust, LLC.; 3) WFG National Title Insurance Company; that the Sketch of Boundary Survey of the described property is true and correct to the best of my knowledge and belief, as recently surveyed and platted under my direction; also that meets the Minimum Technical Standards set in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

  
 By: Rolando Ortiz LS 4312  
 Professional Land Surveyor  
 & Mapper, State of Florida.

**NOT VALID WITHOUT SHEET 2 OF 2**  
 (SHEET 2 OF 2 CONTAINS SKETCH OF SURVEY)

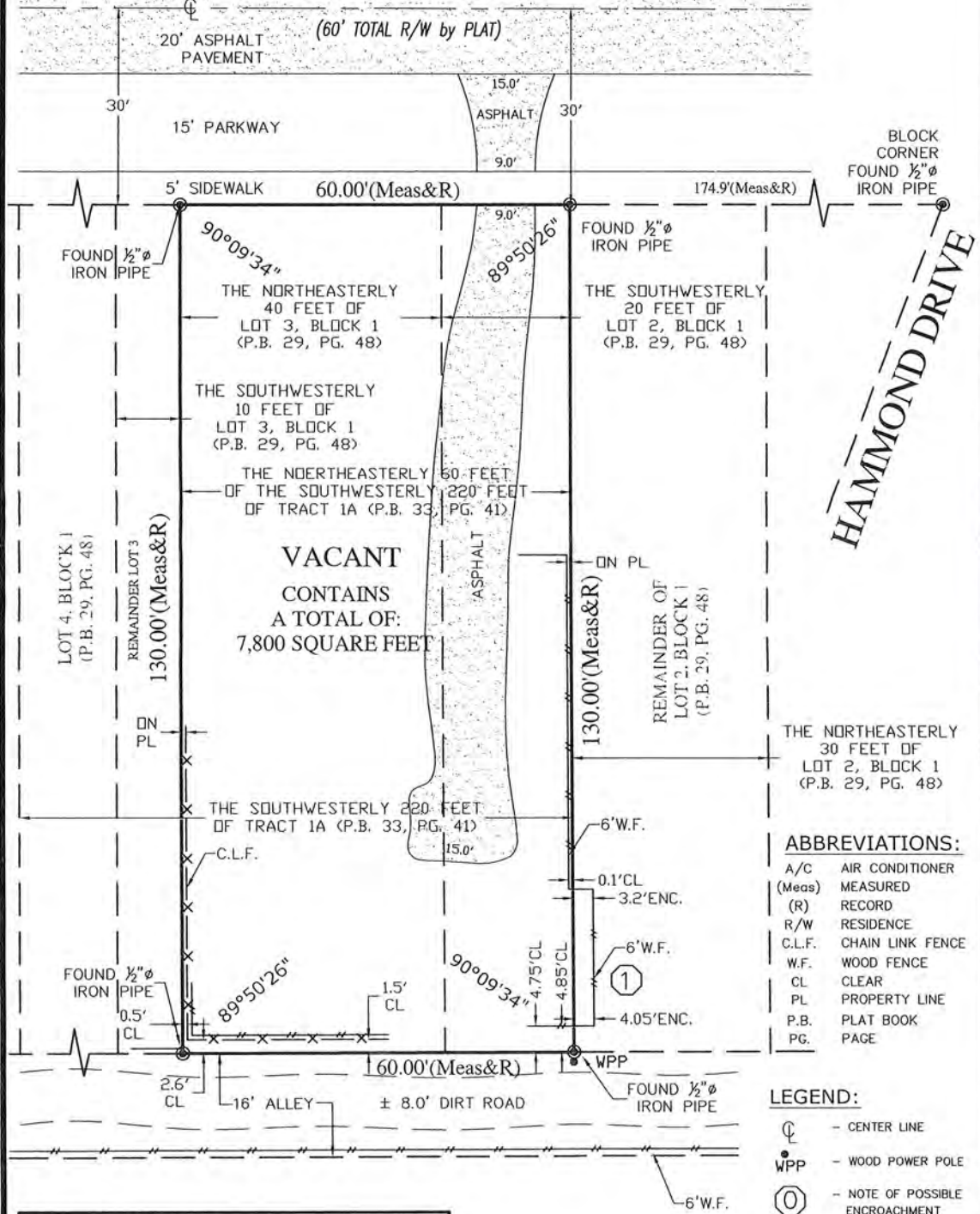
|   |          |             |            |        |        |
|---|----------|-------------|------------|--------|--------|
| <b>D MIAMI INVESTMENTS, INC.</b><br>220 S. Melrose Drive<br>Miami Springs, Florida 33166. | JOB No.: | SKETCH No.: | DATE:      | SCALE: | SHEET: |
|   | 14-30020 | 27378       | 12-11-2014 | 1"=20' | 1 OF 2 |



# SKETCH OF SURVEY

PREPARED BY:  
**GUNTER GROUP, INC.**  
 LAND SURVEYING - LAND PLANNING  
 FLORIDA CERTIFICATE OF AUTHORIZATION # LB 4507  
 9350 S.W. 22nd TERRACE  
 MIAMI, FLORIDA 33165  
 (305) 220-0073

## S. MELROSE DRIVE



- ABBREVIATIONS:**
- A/C AIR CONDITIONER
  - (Meas) MEASURED
  - (R) RECORD
  - R/W RESIDENCE
  - C.L.F. CHAIN LINK FENCE
  - W.F. WOOD FENCE
  - CL CLEAR
  - PL PROPERTY LINE
  - P.B. PLAT BOOK
  - PG. PAGE

- LEGEND:**
- ⊙ - CENTER LINE
  - WPP - WOOD POWER POLE
  - ⊙ - NOTE OF POSSIBLE ENCROACHMENT

**COURTESY INFORMATION GUIDE:**  
 Fences ownership by visual means only. Legal ownership not determined.

1) A wood fence from the subject property encroaches up to 4.05 feet into the Northeastly adjacent property.

**NOT VALID WITHOUT SHEET 1 OF 2**  
 (SHEET 1 OF 2 CONTAINS LOCATION MAP AND SURVEYOR'S NOTES)

|   |                      |                      |                     |                  |                  |
|---|----------------------|----------------------|---------------------|------------------|------------------|
| <b>D MIAMI INVESTMENTS, INC.</b><br>220 S. Melrose Drive<br>Miami Springs, Florida 33166. | JOB No.:<br>14-30020 | SKETCH No.:<br>27378 | DATE:<br>12-11-2014 | SCALE:<br>1"=20' | SHEET:<br>2 OF 2 |
|---|----------------------|----------------------|---------------------|------------------|------------------|





# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

*Subject*

Generated On : 1/5/2015

| Property Information |  |
|----------------------|--|
| Folio:               | 05-3024-014-0050                         |
| Property Address:    | 220 S MELROSE DR                         |
| Owner                | DIANE BENSMILLER                         |
| Mailing Address      | 288 CLARK ST<br>BLAINE , WA 98230        |
| Primary Zone         | 0400 SGL FAMILY - 901-1200 SQF           |
| Primary Land Use     | 0081 VACANT RESIDENTIAL :<br>VACANT LAND |
| Beds / Baths / Half  | 0 / 0 / 0                                |
| Floors               | 0  |
| Living Units         | 0  |
| Actual Area          | 0 Sq.Ft                                  |
| Living Area          | 0 Sq.Ft                                  |
| Adjusted Area        | 0 Sq.Ft                                  |
| Lot Size             | 7,800 Sq.Ft                              |
| Year Built           | 0  |



| Assessment Information |          |           |           |
|------------------------|----------|-----------|-----------|
| Year                   | 2014     | 2013      | 2012      |
| Land Value             | \$94,723 | \$78,936  | \$60,720  |
| Building Value         | \$0      | \$49,042  | \$80,359  |
| XF Value               | \$0      | \$1,903   | \$0       |
| Market Value           | \$94,723 | \$129,881 | \$141,079 |
| Assessed Value         | \$94,723 | \$93,282  | \$104,338 |

| Taxable Value Information |          |          |          |
|---------------------------|----------|----------|----------|
|                           | 2014     | 2013     | 2012     |
| <b>County</b>             |          |          |          |
| Exemption Value           | \$0      | \$50,000 | \$50,000 |
| Taxable Value             | \$94,723 | \$43,282 | \$54,338 |
| <b>School Board</b>       |          |          |          |
| Exemption Value           | \$0      | \$25,000 | \$25,000 |
| Taxable Value             | \$94,723 | \$68,282 | \$79,338 |
| <b>City</b>               |          |          |          |
| Exemption Value           | \$0      | \$50,000 | \$50,000 |
| Taxable Value             | \$94,723 | \$43,282 | \$54,338 |
| <b>Regional</b>           |          |          |          |
| Exemption Value           | \$0      | \$50,000 | \$50,000 |
| Taxable Value             | \$94,723 | \$43,282 | \$54,338 |

| Benefits Information |                      |      |          |          |
|----------------------|----------------------|------|----------|----------|
| Benefit              | Type                 | 2014 | 2013     | 2012     |
| Save Our Homes Cap   | Assessment Reduction |      | \$36,599 | \$36,741 |
| Homestead            | Exemption            |      | \$25,000 | \$25,000 |
| Second Homestead     | Exemption            |      | \$25,000 | \$25,000 |

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

| Sales Information |          |              |   |
|-------------------|----------|--------------|---|
| Previous Sale     | Price    | OR Book-Page | Qualification Description                       |
| 04/01/1993        | \$96,900 | 16155-2003   | 2008 and prior year sales; Qual by exam of deed |
| 03/01/1992        | \$75,000 | 15453-2743   | 2008 and prior year sales; Qual by exam of deed |

| Short Legal Description           |
|-----------------------------------|
| REV PL OF COUNTRY CLUB ESTS SEC 5 |
| PB 33-41                          |
| NE60FT OF SW220FT OF TR 1-A AKA   |
| LOT 3 LESS SW10FT & SW20FT LOT 2  |
| PB 29-48                          |

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Version:





Existing mailbox from previous home.





Front looking Back





Front looking back





Back looking towards front





# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 1/5/2015

| Property Information |   |
|----------------------|---|
| Folio:               | 05-3024-014-0040                          |
| Property Address:    | 210 S MELROSE DR                          |
| Owner                | LISA F EDWARDS                            |
| Mailing Address      | 7221 SW 129 ST<br>PINECREST, FL 33156     |
| Primary Zone         | 0400 SGL FAMILY - 901-1200 SQF            |
| Primary Land Use     | 0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT |
| Beds / Baths / Half  | 3 / 1 / 0                                 |
| Floors               | 1   |
| Living Units         | 1   |
| Actual Area          | 918 Sq.Ft                                 |
| Living Area          | 918 Sq.Ft                                 |
| Adjusted Area        | 918 Sq.Ft                                 |
| Lot Size             | 5,671 Sq.Ft                               |
| Year Built           | 1944                                      |



| Assessment Information |           |           |           |
|------------------------|-----------|-----------|-----------|
| Year                   | 2014      | 2013      | 2012      |
| Land Value             | \$93,004  | \$77,409  | \$59,546  |
| Building Value         | \$59,844  | \$57,485  | \$62,424  |
| XF Value               | \$1,365   | \$1,382   | \$1,612   |
| Market Value           | \$154,213 | \$136,276 | \$123,582 |
| Assessed Value         | \$149,534 | \$135,940 | \$123,582 |

| Benefits Information |                      |         |       |      |
|----------------------|----------------------|---------|-------|------|
| Benefit              | Type                 | 2014    | 2013  | 2012 |
| Non-Homestead Cap    | Assessment Reduction | \$4,679 | \$336 |      |

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

| Short Legal Description          |
|----------------------------------|
| REV PL OF COUNTRY CLUB ESTS      |
| SEC 5 PB 33-41                   |
| SWLY55FT OF NELY174.9FT OF TR-1A |
| FKA LOT 2 BLK 1 LESS SWLY20FT    |
| PB 29-48                         |

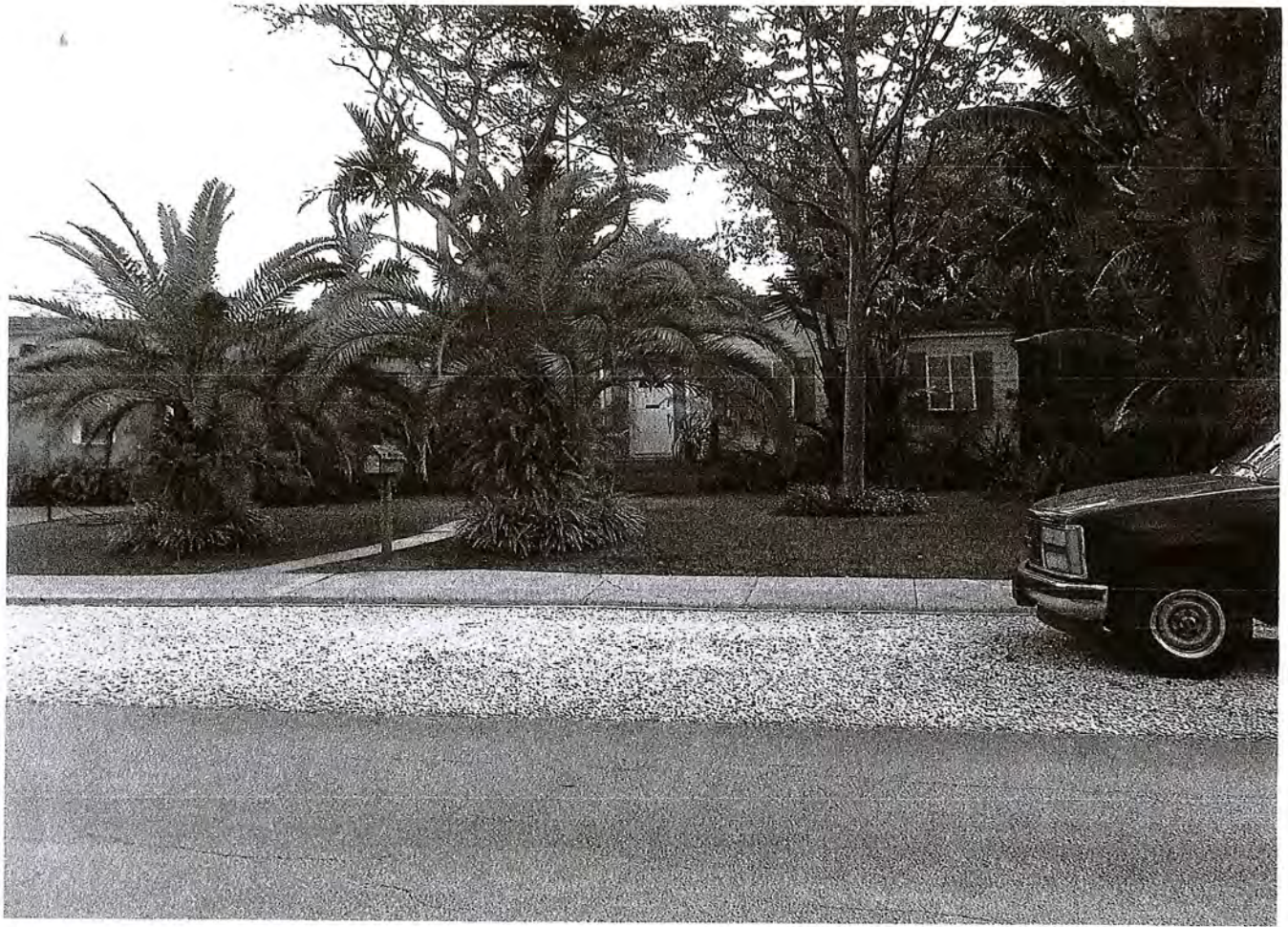
| Taxable Value Information |           |           |           |
|---------------------------|-----------|-----------|-----------|
|                           | 2014      | 2013      | 2012      |
| <b>County</b>             |           |           |           |
| Exemption Value           | \$0       | \$0       | \$0       |
| Taxable Value             | \$149,534 | \$135,940 | \$123,582 |
| <b>School Board</b>       |           |           |           |
| Exemption Value           | \$0       | \$0       | \$0       |
| Taxable Value             | \$154,213 | \$136,276 | \$123,582 |
| <b>City</b>               |           |           |           |
| Exemption Value           | \$0       | \$0       | \$0       |
| Taxable Value             | \$149,534 | \$135,940 | \$123,582 |
| <b>Regional</b>           |           |           |           |
| Exemption Value           | \$0       | \$0       | \$0       |
| Taxable Value             | \$149,534 | \$135,940 | \$123,582 |

| Sales Information |           |              |   |
|-------------------|-----------|--------------|---|
| Previous Sale     | Price     | OR Book-Page | Qualification Description                       |
| 10/01/2002        | \$155,000 | 20729-2952   | 2008 and prior year sales; Qual by exam of deed |
| 08/01/2002        | \$0       | 20655-3810   | Qual by exam of deed                            |
| 10/01/2000        | \$125,000 | 19312-3183   | 2008 and prior year sales; Qual by exam of deed |
| 04/01/1998        | \$117,000 | 18071-4547   | 2008 and prior year sales; Qual by exam of deed |

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Version:









# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 1/5/2015

| Property Information |  |
|----------------------|--|
| Folio:               | 05-3024-014-0060                                 |
| Property Address:    | 230 S MELROSE DR                                 |
| Owner                | JO ELLIOTT & TROYCE L SWANN                      |
| Mailing Address      | 230 S MELROSE DR<br>MIAMI SPRINGS, FL 33166-5032 |
| Primary Zone         | 0400 SGL FAMILY - 901-1200 SQF                   |
| Primary Land Use     | 0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT        |
| Beds / Baths / Half  | 2 / 1 / 0  |
| Floors               | 1  |
| Living Units         | 1  |
| Actual Area          | 1,896 Sq.Ft                                      |
| Living Area          | 1,464 Sq.Ft                                      |
| Adjusted Area        | 1,572 Sq.Ft                                      |
| Lot Size             | 7,800 Sq.Ft                                      |
| Year Built           | 1937   |



| Assessment Information |           |           |           |
|------------------------|-----------|-----------|-----------|
| Year                   | 2014      | 2013      | 2012      |
| Land Value             | \$94,723  | \$78,936  | \$60,720  |
| Building Value         | \$103,008 | \$98,420  | \$104,241 |
| XF Value               | \$6,376   | \$6,435   | \$7,430   |
| Market Value           | \$204,107 | \$183,791 | \$172,391 |
| Assessed Value         | \$124,059 | \$122,226 | \$120,183 |

| Benefits Information |                      |          |          |          |
|----------------------|----------------------|----------|----------|----------|
| Benefit              | Type                 | 2014     | 2013     | 2012     |
| Save Our Homes Cap   | Assessment Reduction | \$80,048 | \$61,565 | \$52,208 |
| Homestead            | Exemption            | \$25,000 | \$25,000 | \$25,000 |
| Second Homestead     | Exemption            | \$25,000 | \$25,000 | \$25,000 |

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

| Short Legal Description           |
|-----------------------------------|
| 24 53 40 .18 AC PB 33-41          |
| REV PL PT COUNTRY CLUB ESTS SEC 5 |
| NE60FT OF SW160FT OF TR 1-A AKA   |
| LOT 4 & SW10FT LOT 3 PB 29-48     |
| LOT SIZE 60.000 X 130             |

| Taxable Value Information |          |          |          |
|---------------------------|----------|----------|----------|
|                           | 2014     | 2013     | 2012     |
| <b>County</b>             |          |          |          |
| Exemption Value           | \$50,000 | \$50,000 | \$50,000 |
| Taxable Value             | \$74,059 | \$72,226 | \$70,183 |
| <b>School Board</b>       |          |          |          |
| Exemption Value           | \$25,000 | \$25,000 | \$25,000 |
| Taxable Value             | \$99,059 | \$97,226 | \$95,183 |
| <b>City</b>               |          |          |          |
| Exemption Value           | \$50,000 | \$50,000 | \$50,000 |
| Taxable Value             | \$74,059 | \$72,226 | \$70,183 |
| <b>Regional</b>           |          |          |          |
| Exemption Value           | \$50,000 | \$50,000 | \$50,000 |
| Taxable Value             | \$74,059 | \$72,226 | \$70,183 |

| Sales Information |          |              |  |
|-------------------|----------|--------------|--|
| Previous Sale     | Price    | OR Book-Page | Qualification Description                                      |
| 01/01/1981        | \$45,000 | 10999-0793   | Qual on DOS, but significant phy change since time of transfer |

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Version:









# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 1/5/2015

| Property Information |  |
|----------------------|--|
| Folio:               | 05-3024-014-0030   |
| Property Address:    | 240 S MELROSE DR   |
| Owner                | KATHLEEN HAYES LASATER TRS<br>KATHLEEN HAYES LASATER<br>REVOCABLE LIVING TRUST |
| Mailing Address      | 240 S MELROSE DR<br>MIAMI SPRINGS , FL 33166                                   |
| Primary Zone         | 0400 SGL FAMILY - 901-1200 SQF   |
| Primary Land Use     | 0101 RESIDENTIAL - SINGLE<br>FAMILY : 1 UNIT                                   |
| Beds / Baths / Half  | 2 / 1 / 0  |
| Floors               | 1  |
| Living Units         | 1  |
| Actual Area          | 1,142 Sq.Ft  |
| Living Area          | 988 Sq.Ft  |
| Adjusted Area        | 1,091 Sq.Ft  |
| Lot Size             | 6,500 Sq.Ft  |
| Year Built           | 1952   |



| Assessment Information |           |           |           |
|------------------------|-----------|-----------|-----------|
| Year                   | 2014      | 2013      | 2012      |
| Land Value             | \$94,116  | \$78,430  | \$60,214  |
| Building Value         | \$69,770  | \$66,531  | \$70,164  |
| XF Value               | \$2,530   | \$2,565   | \$3,058   |
| Market Value           | \$166,416 | \$147,526 | \$133,436 |
| Assessed Value         | \$103,057 | \$101,534 | \$99,837  |

| Benefits Information |                      |          |          |          |
|----------------------|----------------------|----------|----------|----------|
| Benefit              | Type                 | 2014     | 2013     | 2012     |
| Save Our Homes Cap   | Assessment Reduction | \$63,359 | \$45,992 | \$33,599 |
| Homestead            | Exemption            | \$25,000 | \$25,000 | \$25,000 |
| Second Homestead     | Exemption            | \$25,000 | \$25,000 | \$25,000 |
| Widow                | Exemption            | \$500    | \$500    | \$500    |

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

| Short Legal Description           |
|-----------------------------------|
| 24 53 40 .14 AC PB 33-41          |
| REV PL OF COUNTRY CLUB ESTS SEC 5 |
| BEG 294.9FTSW OF N COR TR 1-A RUN |
| SE130FT SW50FT NW130FT NE50FT TO  |
| POB                               |

| Taxable Value Information |          |          |          |
|---------------------------|----------|----------|----------|
|                           | 2014     | 2013     | 2012     |
| <b>County</b>             |          |          |          |
| Exemption Value           | \$50,500 | \$50,500 | \$50,500 |
| Taxable Value             | \$52,557 | \$51,034 | \$49,337 |
| <b>School Board</b>       |          |          |          |
| Exemption Value           | \$25,500 | \$25,500 | \$25,500 |
| Taxable Value             | \$77,557 | \$76,034 | \$74,337 |
| <b>City</b>               |          |          |          |
| Exemption Value           | \$50,500 | \$50,500 | \$50,500 |
| Taxable Value             | \$52,557 | \$51,034 | \$49,337 |
| <b>Regional</b>           |          |          |          |
| Exemption Value           | \$50,500 | \$50,500 | \$50,500 |
| Taxable Value             | \$52,557 | \$51,034 | \$49,337 |

| Sales Information |          |              |   |
|-------------------|----------|--------------|---|
| Previous Sale     | Price    | OR Book-Page | Qualification Description                       |
| 11/24/2014        | \$100    | 29404-4278   | Corrective, tax or QCD; min consideration       |
| 04/01/1981        | \$68,000 | 11073-0472   | 2008 and prior year sales; Qual by exam of deed |
| 03/01/1974        | \$28,000 | 00000-00000  | 2008 and prior year sales; Qual by exam of deed |









# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 1/5/2015

| Property Information |  |
|----------------------|--|
| Folio:               | 05-3024-014-0020                                 |
| Property Address:    | 250 S MELROSE DR                                 |
| Owner                | ENA J ROSELLO                                    |
| Mailing Address      | 250 SOUTH MELROSE DR<br>MIAMI SPRINGS , FL 33166 |
| Primary Zone         | 0400 SGL FAMILY - 901-1200 SQF                   |
| Primary Land Use     | 0101 RESIDENTIAL - SINGLE<br>FAMILY : 1 UNIT     |
| Beds / Baths / Half  | 3 / 1 / 0  |
| Floors               | 1  |
| Living Units         | 1  |
| Actual Area          | 1,305 Sq.Ft                                      |
| Living Area          | 1,305 Sq.Ft                                      |
| Adjusted Area        | 1,217 Sq.Ft                                      |
| Lot Size             | 6,500 Sq.Ft                                      |
| Year Built           | 1936   |



| Assessment Information |           |           |           |
|------------------------|-----------|-----------|-----------|
| Year                   | 2014      | 2013      | 2012      |
| Land Value             | \$94,116  | \$78,430  | \$60,214  |
| Building Value         | \$82,295  | \$79,340  | \$85,123  |
| XF Value               | \$1,226   | \$1,240   | \$1,278   |
| Market Value           | \$177,637 | \$159,010 | \$146,615 |
| Assessed Value         | \$151,343 | \$149,107 | \$146,615 |

| Benefits Information |                      |          |          |          |
|----------------------|----------------------|----------|----------|----------|
| Benefit              | Type                 | 2014     | 2013     | 2012     |
| Save Our Homes Cap   | Assessment Reduction | \$26,294 | \$9,903  |          |
| Homestead            | Exemption            | \$25,000 | \$25,000 | \$25,000 |
| Second Homestead     | Exemption            | \$25,000 | \$25,000 | \$25,000 |

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

| Short Legal Description           |
|-----------------------------------|
| 24 53 40 .14 AC PB 33-41          |
| REV PL OF COUNTRY CLUB ESTS SEC 5 |
| SWLY50FT OF TR 1 A-SAME AS LOT    |
| 6 BLK 1 PB 29-48                  |
| LOT SIZE 50.000 X 130             |

| Taxable Value Information |           |           |           |
|---------------------------|-----------|-----------|-----------|
|                           | 2014      | 2013      | 2012      |
| <b>County</b>             |           |           |           |
| Exemption Value           | \$50,000  | \$50,000  | \$50,000  |
| Taxable Value             | \$101,343 | \$99,107  | \$96,615  |
| <b>School Board</b>       |           |           |           |
| Exemption Value           | \$25,000  | \$25,000  | \$25,000  |
| Taxable Value             | \$126,343 | \$124,107 | \$121,615 |
| <b>City</b>               |           |           |           |
| Exemption Value           | \$50,000  | \$50,000  | \$50,000  |
| Taxable Value             | \$101,343 | \$99,107  | \$96,615  |
| <b>Regional</b>           |           |           |           |
| Exemption Value           | \$50,000  | \$50,000  | \$50,000  |
| Taxable Value             | \$101,343 | \$99,107  | \$96,615  |

| Sales Information |           |              |   |
|-------------------|-----------|--------------|---|
| Previous Sale     | Price     | OR Book-Page | Qualification Description                       |
| 09/02/2008        | \$150,000 | 26570-2226   | 2008 and prior year sales; Qual by exam of deed |

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Version:







**VARIANCE CASE**

**NO. 4-V-15**

**DEAN WHITMAN**

**610 PLOVER AVENUE**

**BOARD OF ADJUSTMENT**

**MEETING: 02-02-15**



# CITY OF MIAMI SPRINGS PLANNING DEPARTMENT

---



201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5030  
Fax: (305) 805-5036

## MEMORANDUM

**TO:** Board of Adjustment  
**FROM:** Christopher Heid, City Planner  
**DATE:** February 2, 2015  
**SUBJECT:** Application for Variance  
**CASE #** 04-V-15

**APPLICANT:** Dean Whitman

**ADDRESS:** 610 Plover Avenue

**ZONING DISTRICT:** R-1B, Single Family Residential

**REQUEST:** The applicant is seeking a variance from Section 150-013 to waive the prohibition of wood fences in the front yard.

**THE PROPERTY:** The property is rectangular in shape, with 75 feet of frontage on Plover Avenue, and a depth of 135 feet, for a total lot area of 10,125 square feet. An 8 foot utility easement is at the rear (south) of the property. There is no alley.

**THE PROJECT:** The applicant is proposing the construction of a 42" tall wooden picket fence in the front yard. The applicant applied for a permit for this fence on November 18, 2014, and the permit was issued on December 1, 2014. This permit was granted zoning approved in error by the City planner. At this point, only the wooden posts have been installed, at which point construction was halted by the City. However, the balance of the materials have been ordered, and paid for.

**ANALYSIS:** As noted, the applicant applied for and received a permit issued in error. The height and location of the fence meet City requirements. It is only the material, wood, that is not permitted. The fence is attractive in design, and would

be an improvement to the property. It is generally believed that wood is prohibited as it may prove to be a maintenance problem. Yet, wood fences are allowed in the side and yards, and any material, if poorly maintained, could present the same maintenance issues. Finally, the applicant is a victim of a City employee error, and, as such, is particularly worthy of relief from the City.

**RECOMMENDATION:** It is recommended that the request for variance be approved.





Official Use Only  
 Submittal Date: \_\_\_\_\_  
 Case No.: 4-V-15

Building & Planning Department  
 201 Westward Drive  
 Miami Springs, FL 33166  
 Phone: 305-805-5034 Fax: 305-805-5036  
[www.miamisprings-fl.gov](http://www.miamisprings-fl.gov)

**CITY OF MIAMI SPRINGS**

**VARIANCE APPLICATION**

| APPLICANT INFORMATION  |  |
|--|--|
| APPLICANT NAME<br><b>Dean Whitman</b>                                      | PROPERTY ADDRESS<br><b>610 Plover Ave</b>          |
| APPLICANT PHONE NUMBER (BEST NUMBER TO REACH YOU)<br><b>(786) 493-3709</b> | E-MAIL ADDRESS<br><b>deanwhitman@bellsouth.net</b> |

Request that a determination be made by the Board of Adjustment of the City of Miami Springs, on the following appeal that was denied by the Building Official for the reason that it is a matter, in which the Building official could not exercise discretion and which, in his opinion, might properly come before the Board.

| PROPERTY INFORMATION   |  |
|--|--|
| LEGAL DESCRIPTION<br><b>Lot 7, Block 4, Kent Estates</b>   | LOT SIZE AND ZONING DISTRICT<br><b>75' x 135'                      R1C</b> |
| LOT(S)                      BLOCK                      SUBDIVISION   | LOT SIZE                      ZONING DISTRICT                              |
| HAVE ANY PREVIOUS APPLICATIONS OR APPEALS BEEN FILED WITHIN THE LAST SIX (6) MONTHS IN CONNECTION WITH THESE PREMISES?<br>YES _____ NO <input checked="" type="checkbox"/> |  |
| IF YES, BRIEFLY STATE THE NATURE OF THE PREVIOUS APPLICATION:<br>_____   |  |
| IF YOU ARE THE OWNER, HOW LONG HAVE YOU OWNED THE PROPERTY?<br><u>3 months</u>   | WHAT IS THE APPROXIMATE COST INVOLVED IN THIS CHANGE?<br>\$ <u>5000</u>    |

(I)(We) believe that the Board of Adjustment should grant this petition for the following reasons:

(Please include a separate document indicating the grounds for the appeal and reasons with respect to the law and fact for granting the appeal or special exception or variance. SHOWING OF UNNECESSARY HARDSHIP MUST BE MADE BEFORE A VARIANCE CAN BE GRANTED; the grounds must be stated.)

(I) (We) understand this petition becomes part of the permanent records of the Board of Adjustment.

(I) (We) hereby certify that the above statements and the statements or showing made in any papers and/or plans submitted are true to the best of my/our knowledge and belief.

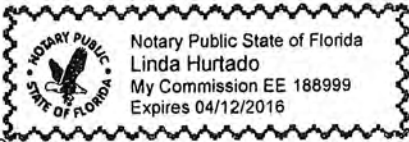
[Signature]  
Signature of Owner

Dean Whitman  
Printed name of Owner

The contents of this petition are  
Sworn to and subscribed before  
me this 30 day of December  
2014

[Signature]  
SIGNATURE OF NOTARY PUBLIC - STATE OF FLORIDA

Linda Hurtado  
PRINT NAME OF NOTARY PUBLIC



STAMP SEAL

COMMISSION EXPIRES: \_\_\_\_\_

PERSONALLY KNOWN: \_\_\_\_\_

PRODUCED IDENTIFICATION: W355-1160-602-109-0

\_\_\_\_\_  
Signature of Co-Owner

\_\_\_\_\_  
Printed name of Co-Owner

The contents of this petition are  
Sworn to and subscribed before  
me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC - STATE OF FLORIDA

\_\_\_\_\_  
PRINT NAME OF NOTARY PUBLIC

STAMP SEAL

COMMISSION EXPIRES: \_\_\_\_\_

PERSONALLY KNOWN: \_\_\_\_\_

PRODUCED IDENTIFICATION: \_\_\_\_\_



610 Plover Ave  
Miami Springs, FL 33166  
(786) 493-3709  
deanwhitman@bellsouth.net  
December 29, 2014

Chris Heid  
Planning and Zoning Director, City of Miami Springs

Dear Chris Heid:

I am requesting a variance from Sec. 150-013 (C) of the City of Miami Springs Code of Ordinances to allow construction of a 3 ½ foot wood picket fence in the front yard of my residence at 610 Plover Ave in the City of Miami Springs. The basis of this request is that plans were approved by the City, a valid building permit was issued and construction commenced on this project before we were informed that picket fences were not allowed in the City. Wooden posts are already cemented in place and demolition of the existing construction and cessation of this project will constitute an undue hardship on me and my contractor.

On November 18, 2014, my licensed contractor, LC Master Fence, applied for a building permit to construct a 6 foot high wood fence in the back yard and a 3 ½ foot high wooden picket fence in the front of our property. After an extensive review of the application, the City issued a building permit on Dec 1, 2014. This review passed through three separate departments of the City. The review resulted in a city requested modification to the plans for the picket fence to include a third rail to the fence. After approval of the building plans, construction commenced including drilling of post holes, inspection of the holes by the City, and placement of the wood posts in the holes. It was only after this point that we were informed by the City that the code does not allow wood picket fences in the front of yards.

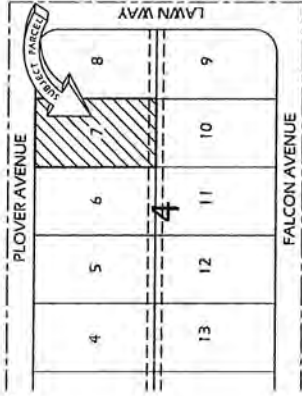
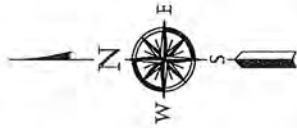
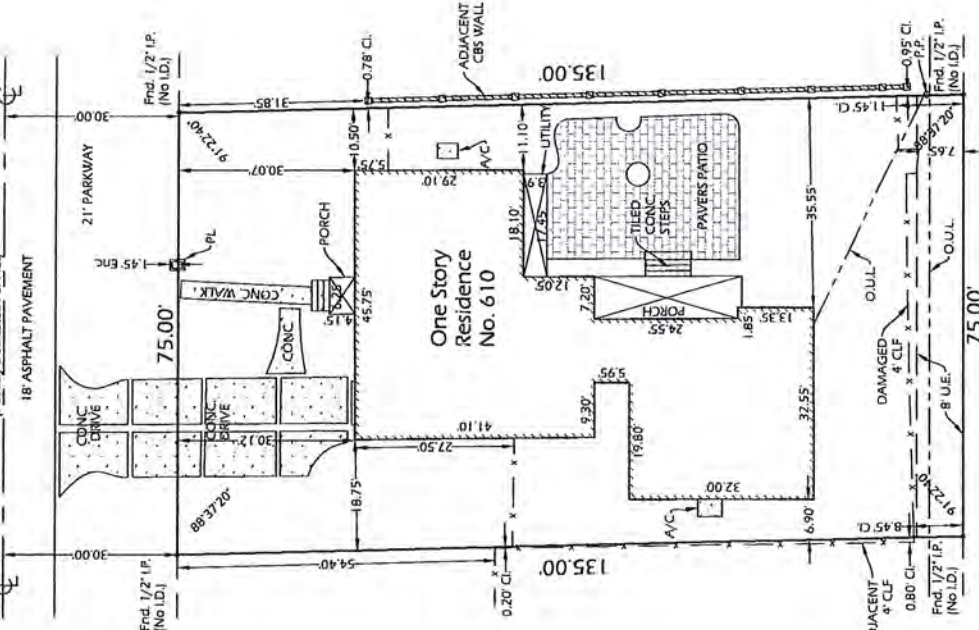
Considerable expense in both labor and materials has already been expended on this project. We acted in good faith and followed all City procedures in this matter. We have a reasonable expectation that plans approved by the City will meet all applicable codes. We hope that the board will rule in favor of this variance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dean Whitman', followed by a long horizontal line extending to the right.

Dean Whitman, Ph.D

**PLOVER AVENUE**  
(Publicly Dedicated Per Plat)



**Location Sketch**  
NTS

**LEGEND**

- A Central Angle
- AC Air Conditioner
- ASHH Asphalt
- BBQ Barbecue
- C Calculated
- CB Catch Basin
- CBS Concrete Block Structure
- CH Hard Concrete
- CH Area Chain Link Fence
- CLF Chain Link Fence
- CL Clear
- Conc. Concrete
- D Drill Hole
- DH Drainage & Maintenance Exmt
- DME Drainage & Maintenance Exmt
- E Encroachment
- Enc. Encroachment
- FIR Found 1/2" Iron Pipe
- FIR Found 1/2" Iron Pipe
- FPL Florida Power & Light
- ID Identification
- LB Lateral Business
- LME Lake Maintenance Easement
- LP Light Pole
- M Measured
- MAINT. Maintenance
- ME Maintenance Easement
- Mon. Monument
- N/A Not Applicable
- N/D Not Applicable
- N' Nail & Disk
- N' Number
- N'S Not to Scale
- O.U.L. Overhead Utility Lines
- P Plat
- PB Plat Book
- PC Point of Curvature
- PCP Permanent Control Point
- PI Point of Intersection
- PKWY Parkway
- PL Planter
- PL Professional Land Surveyor
- P.O.B. Beginning
- P.O.C. Point of Commencement
- P.P. Power Pole
- PRC Point of Reverse Curvature
- PRM Point of Reference Monument
- P' Point of Tangency
- R Radius
- Rec. Record
- R.L.S. Registered Land Surveyor
- RNG Range
- R/R Railroad
- R/W Registered Surveyor & Mapper
- SdWk Sidewalk
- Sec. Section
- T Tangent
- TWP Township
- U Utility Easement
- UTIL Utility
- W.F. Wood Fence
- W.M. Water Meter
- W.M.E. Wall Maintenance Easement

**LEGAL DESCRIPTION:**  
Lot 7, Block 4, KENT ESTATES, according to the Plat thereof, as recorded in Plat Book 46, Page 28, of the Public Records of MIAMI-DADE County, Florida.

**CERTIFIED TO:** Dean Whitman; Century Title & Escrow Company; Fidelity National Title Insurance Company; Caliber Home Loans, Inc., its successors and/or assigns, as their interests may appear.

**PREPARED FOR:** Dean Whitman,  
610 Plover Avenue, Miami Springs, FL 33166

**Encroachments:**

1. Overhead utility lines.
2. Portion of the concrete drive and portion of the planter are encroaching over the North boundary line into the street Right-of-Way (Plover Avenue).
3. Portion of the 4-foot high chain link fence is lying within an 8 foot wide utility easement along the South 8 feet.

**SURVEYOR'S SEAL**  
Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper, this map/report is for informational purposes only and is not valid.

**BOUNDARY SURVEY**  
*Nelson Mojarena*  
**NELSON MOJARENA**  
Registered Surveyor & Mapper No. 5504  
State of Florida

**MOJARENA & ASSOCIATES, INC.**  
Land Surveyors & Mappers  
Certificate of Authorization No. 6698  
P.O. Box 56-0126  
Miami, FL 33256-0126 (305) 278-2494

**REVISED:**

**FLOOD ZONE:** AH  
**DATE:** 10-03-14  
**SCALE:** 1" = 20'

**BASE:** 7  
**DWN. BY:** N.M.  
**JOB NO.:** 14-0225

- Surveyor's Notes:**
- All clearances and/or encroachments shown hereon are of apparent nature. Fence ownership by visual means. Legal ownership of fences not determined.
  - Encroachments noted: 3
  - Underground structures, if any, not located.
  - Bearings, if shown, are based on assumed meridian or Plat of record.
  - Lands shown hereon were not abstracted for easements and/or right-of-ways of records.
  - Legal description provided by client.
  - This map/report is not a certification of title, zoning, easements, or freedom from encumbrances. ABSTRACT NOT REVIEWED.
  - There may be additional restrictions not shown on this map/report. The Certificate of Record shall extend to all recorded party.
  - This BOUNDARY SURVEY has been prepared for the exclusive use of the entities named herein. The Certificate of Record shall extend to all recorded party.
  - This survey was based on the monuments found on the field. No construction in any manner should be made without the prior written consent of the Surveyor.

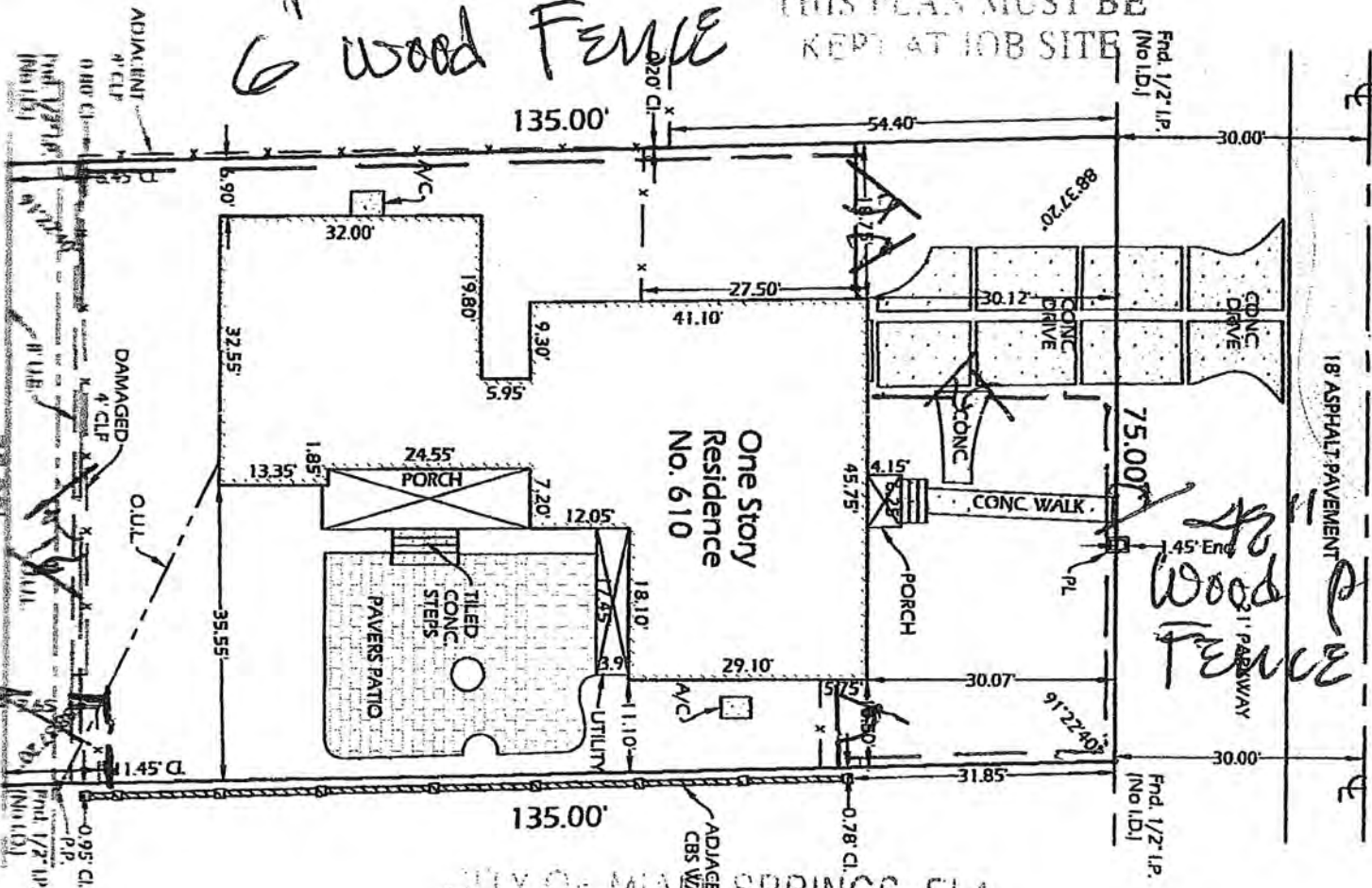






**JOB COPY**  
 CITY OF MIAMI SPRINGS  
 THIS PLAN MUST BE  
 KEPT AT JOB SITE

*6" wood Fence*



*Wood Fence*

CITY OF MIAMI SPRINGS, FLA.

**APPROVED**  
**FOR PERMIT ONLY**

NOV 18 2014

BUILDING INSPECTOR \_\_\_\_\_  
 PLUMBING INSPECTOR \_\_\_\_\_  
 ELECTRICAL INSPECTOR \_\_\_\_\_  
 MECHANICAL INSPECTOR \_\_\_\_\_  
 ZONING OH 11/24/14  
 STRUCTURAL \_\_\_\_\_

|  |                      |
|--|----------------------|
| City of Miami Springs<br>Building Department<br>PLANS PROCESSING |                      |
| Application Number   |                      |
| ADDRESS<br>LOCATION  |                      |
| APPROVAL   | DATE                 |
| PUBLIC<br>SERVICES   | <u>T.C. 11/20/14</u> |

**LEGAL DESCRIPTION:**  
 Lot 7, Block 4, KENT ESTATES, accor  
 Plat Book 46, Page 28, of the Public

**CERTIFIED TO:** Dean Whitman, Ce  
 National Title Insurance Company, ( and/or assigns, as their interests ma

**PREPARED FOR:** Dean Whitman,  
 610 Plover Aven

- Encroachments:**
1. Overhead utility lines.
  2. Portion of the concrete drive ar encroaching over the North bc (Plover Avenue).
  3. Portion of the 4 foot high chair utility easement along the South

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL SIGNED SEAL OF A FLORIDA LICENSED ARCHITECT AND MECHANICAL ENGINEER, THIS PLAN IS VOID.

SURVEYOR'S SEAL

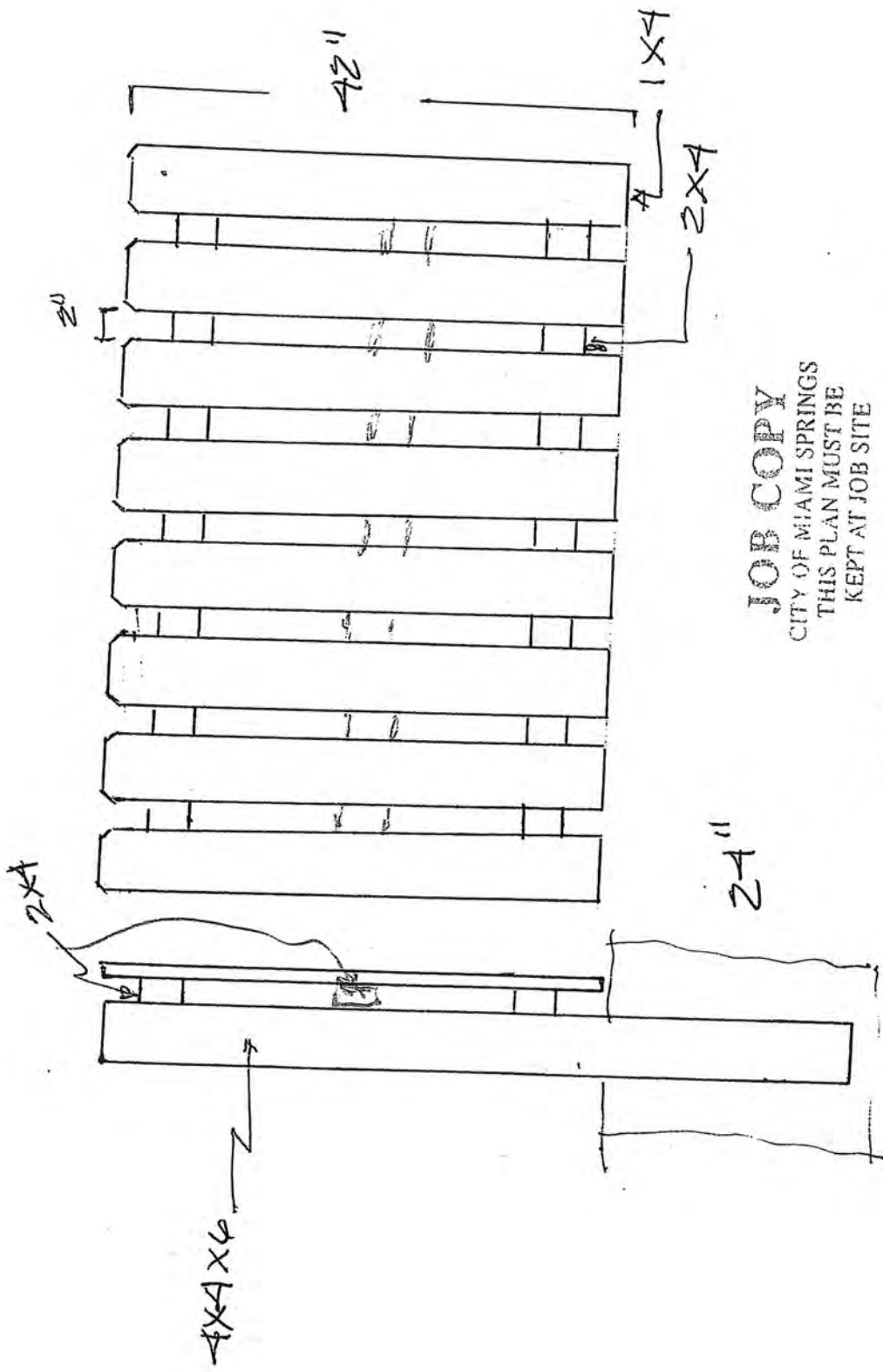
BOUND.

WARNING: All encroachments shown hereon have been verified by aerial imagery. Legal description of features not delineated hereon shall be obtained from the appropriate authority.



NOV 18 2014

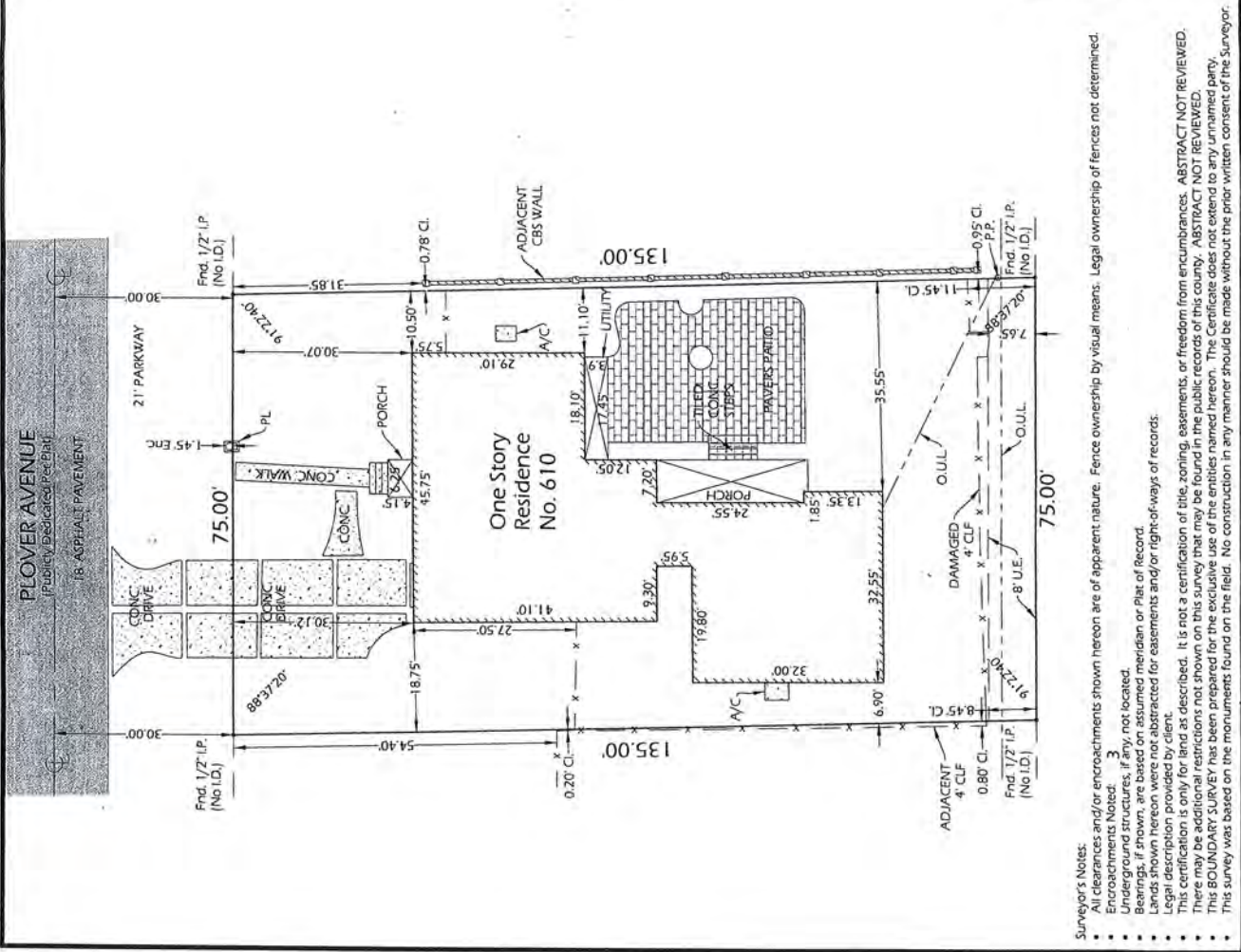
# 42" / high Picket Fence



JOB COPY  
 CITY OF MIAMI SPRINGS  
 THIS PLAN MUST BE  
 KEPT AT JOB SITE

PN: 15-114

(City of Plover Av)



**LEGEND**

- A Central Angle
- A/C Air Conditioner
- ASPH Asphalt
- BBO Barbecue
- C Calculated
- CBS Chain Link Fence
- CH Charcoal
- CHT Chain Link Fence
- CLF Clear
- CLC Concrete
- CLD Deed
- D Diameter
- DME Driveway
- DME Driveway & Maintenance Easmt
- E Encroachment
- ENC Encroachment
- F.H. Fire Hydrant
- FIP Found 1/2" Iron Pipe
- FIR Found 1/2" Iron Rebar
- FLL Florida Power & Light
- ID Identification
- IR Iron Pipe
- IRB Iron Pipe Bushes
- LAB Lake
- LME Lake Maintenance Easmt
- LP Light Pole
- M Measured
- MAINT Maintenance
- ME Maintenance Easmt
- MML Monument Line
- MN Monument
- N/A Not Applicable
- N/D Not Delineated
- N' Number
- NTS Not to Scale
- O/S Offset
- O.U.L. Overhead Utility Lines
- P Plat
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- PRM Point of Reference Monument
- PT Point of Tangency
- R Residence
- R.L.S. Registered Land Surveyor
- RNG Range
- R/R Railroad
- RSM Registered Surveyor & Mapper
- R/W Right-of-Way
- S Sawdust
- SEC Section
- T Township
- TWP Township
- U.E. Utility Easement
- UTL Utility
- W.F. Wood Fence
- W/M Water Meter
- WME Wall Maintenance Easement

**MOJARENA & ASSOCIATES, INC.**  
 Land Surveyors & Mappers  
 Certificate of Authorization No. 6698  
 P.O. Box 56-0126  
 Miami, FL 33256-0126 (305) 278-2494

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**DATE:** 10-03-14  
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**BASE:** 7  
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**Location Sketch**  
NTS

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**REVISER:**  
  
 NELSON MOJARENA  
 Registered Surveyor & Mapper No. 5504  
 State of Florida

Surveyor's Notes:

- All clearances and/or encroachments shown hereon are of apparent nature. Fence ownership by visual means. Legal ownership of fences not determined.
- Encroachments Noted: 3
- Underground structures, if any, not located.
- Bearings, if shown, are based on assumed meridian or Plat of Record.
- Lands shown hereon were not abstracted for easements and/or right-of-ways of records.
- Legal description is only for land as described. It is not a certification of title, zoning, easements, or freedom from encumbrances. ABSTRACT NOT REVIEWED.
- There may be additional restrictions not shown on this survey that may be found in the public records of this county. ABSTRACT NOT REVIEWED.
- This BOUNDARY SURVEY has been prepared for the exclusive use of the entities named hereon. The Certificate does not extend to any unnamed party.
- This survey was based on the monuments found on the field. No construction in any manner should be made without the prior written consent of the Surveyor.





1. IN DIVIDED





Near Plover Ave & Shadow way





Near Plover Ave + Shadow Way



NEAR PLOVER AVE & ALBATROSS STREET