



**TOWN OF MIAMI LAKES, FLORIDA**  
**AGENDA**  
**Virtual Committee Meeting**

**October 27, 2020**

**6:30 PM**

**Government Center**

**6601 Main Street Miami Lakes, FL33014**

Video stream of meetings can be viewed here:

<https://pub-miamilakes.escribemeetings.com>

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1. **CALL TO ORDER**
2. **MOMENT OF SILENCE**
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENTS**

**QUASI-JUDICIAL PUBLIC HEARINGS -**

Please be advised that given the novel COVID-19 VIRUS, Miami Lakes Town Hall is closed for the public and public meetings will be taking place virtually. **However, Town Hall Council Chambers will be opened for those who wish to testify as part of the hearing but do not have the ability to remotely participate in the hearing by video conference.**

Please be advised that the following items on the Board's agenda are quasi-judicial in nature. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Board to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization.

For all quasi-judicial hearings except appeals, a list of all proposed exhibits and a copy of the proposed exhibits shall be provided to the **Town Clerk five (5) days prior to the hearing**, in a format that is easily viewable on the Zoom platform. All exhibits shall be clearly labeled so as

to allow for efficient retrieval and display on the Zoom platform during the hearing. All exhibits will be posted online as is customary.

A list of all individuals who will be called as witnesses during the hearings, shall be provided to the Town Clerk, five (5) days prior to the hearing. At the beginning of the hearing the Town Clerk shall call each witness by name, one-by-one, in order to swear each person in. Any witness who wishes to testify during the hearing and is not included in the previously-provided witness list, shall be sworn in after all witnesses on the list are sworn in and prior to the beginning of the hearing. All witnesses providing testimony must appear by video conference. **A computer with Zoom capabilities will be available for those that wish to testify as part of the hearing but do not have the ability to remotely participate in the hearing by video conference. The location of said computer will be in Council Chambers, 6601 Main Street in Miami Hall, 33014.**

The Town Clerk or court reporter shall administer the oath to any individual who is appearing by video conference and shall establish the identity of the witness on the record as well as the witness' consent for the hearing to be recorded. In addition, comments to be considered during the hearing may be provided prior to the beginning of the meeting, by providing e-comments by email or pre-recorded comments, via email to [clerk@miamilakes-fl.gov](mailto:clerk@miamilakes-fl.gov).

The Chair will allow for public comment using Zoom after the parties have concluded the presentation of their cases and before a vote is taken. In addition, the Chair will request that the Clerk read any comments or emails sent about the matter that is not the subject of the hearing into the record. However, those comments standing alone are not sworn and do not qualify as competent substantial evidence on which the quasi-judicial board may rely, except that they may be considered if they support sworn testimony that is considered competent substantial evidence.

The Chair may exercise their authority to limit the length of time provided to an individual for public comment. In addition, the Chair may preserve decorum and order.

A phone number and email address will be provided for individuals who may have questions on how to access the meeting or participate in the meeting, prior to the date of the meeting. A Town employee will be present during the meeting at the Council Chambers to assist the public with the computer. Please call (305) 364-6100 during business hours.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD CALL TOWN HALL AT (305) 364-6100, NO LATER THAN (2) DAYS PRIOR TO THE MEETING FOR ASSISTANCE.

**The public may participate in the virtual public meetings by utilizing any of the following 3 methods:**

(1) A person wishing to submit a Live Remote Public Comment, will join the meeting via: <https://www.miamilakes-fl.gov/remotecomments>. You must have a working microphone and working web camera in order to submit a live remote public comment; this will allow you to

join the scheduled Zoom meeting.

(2) A person can call in live during the meeting to listen to the meeting via phone and/or call in live during the meeting to submit a public comment, to any of the following numbers:

+1 786-635-1003

+1 312-626-6799

+1 929-205-6099

+1 253-215-8782

+1 301-715-8592

+1 346-248-7799

+1 699-900-6833

PLEASE ENTER THE MEETING ID# WHEN PROMPTED: 666 475 152#

**\*Please note that If you call to make public comment in live via phone or zoom (web), please do so 20 minutes before the meeting starts so you can register your name and address beforehand.**

(3) A person can submit a Pre-recorded Video for Public Comments, by visiting <https://www.miamilakes-fl.gov/remotecomments>. Videos submitted cannot exceed 3 minutes and should be submitted one day before the meeting.

All comments or questions from the virtually attending public shall be directed to the Committee Chair, in a courteous tone.

No clapping, applauding, heckling, verbal outburst in support of, or in opposition to a speaker or his/her remarks shall be permitted. Should a member of the virtually attending audience become unruly, or behave in any manner that disrupts the orderly and efficient conduct of the meeting, such person will be asked to leave the Zoom meeting. As a courtesy to others, all electronic devices must be set to silent mode to avoid disruption of the proceedings.

## **5. ITEMS FOR DISCUSSION OR ACTION**

### **a. Planning & Zoning Board Meeting at 6:30 PM**

#### **1. Approval of Minutes**

- October 6, 2020 Planning and Zoning Minutes

#### **2. VARH2020-0468 -Harold Robaina- 16390 NW 88 Path - Addition rear setback**

**AN ORDER OF THE PLANNING AND ZONING BOARD OF THE TOWN**

OF MIAMI LAKES, FLORIDA, DENYING A VARIANCE REQUEST FROM SECTION 13-426 TO ALLOW A REAR ADDITION WITH A REAR SETBACK OF 21 FEET WHERE 25 FEET ARE REQUIRED, AND DENYING A VARIANCE TO SECTION 13-1502 TO ALLOW AN EXISTING TIKI HUT TO BE RETAINED AT ITS EXISTING LOCATION, 2 FEET FROM THE RESULTING MAIN STRUCTURE, WHERE 10 FEET ARE REQUIRED, FOR PROPERTY LOCATED AT 16390 NW 88 PATH, MIAMI LAKES, FLORIDA IN THE RU-1 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR DENYING TWO REQUESTS; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

3. VARH2020-0470 - Angel L. Aloma - 7759 NW 162 TER.

AN ORDER OF THE PLANNING AND ZONING BOARD OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SECTION 13-305(f)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; DENYING A VARIANCE REQUEST FROM SECTION 13-1606 TO ALLOW STORAGE OF A BOAT ON THE SIDE YARD, FOR THE PROPERTY LOCATED AT 7759 NW 162 TER, MIAMI LAKES, FLORIDA, IN THE RU-1 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR DENYING THE REQUEST; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

b. Virtual Youth Activity Task Force Committee Meeting at 8:00 pm

6. ADJOURNMENT

A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at [miamilakes-fl.gov](http://miamilakes-fl.gov) and is available at Town Hall, 6601 Main Street, Miami Lakes 33014. In accordance with the Americans with Disabilities Act of 1990, all persons who who need special accommodations to participate in this meeting because of a disability should contact Town Hall at 305-364-6100 two days prior to the meeting. Also, if you are hearing or speech impaired, you may join the meeting using Florida Relay Service by dialing 711 on your telephone.

Any person wishing to present documents to any of these virtual committee meetings should send the Town Clerk the document via email to [inguanzog@miamilakes-fl.gov](mailto:inguanzog@miamilakes-fl.gov) **before 9:00 AM** October 27th, 2020.

**MINUTES**  
**Planning and Zoning Minutes**  
**October 6, 2020**  
**6:30 P.M.**  
**Government Center**  
**6601 Main Street, Miami Lakes, FL 33014**

**1. Call to Order:**

Chairman Robert Julia called the meeting to order at 6:45 p.m.

**2. Roll Call:**

The Deputy Town Clerk, Ashley Shepple, called the roll with the following Board Members being present: Juan Carlos Fernandez, Avelino Leoncio, Fred Senra, Raul De La Sierra, Mariam Yanes, Vice Chairperson Lynn Matos, and Chairperson Robert Julia were all present.

**3. Pledge of Allegiance/Moment of Silence:**

Chairperson Robert Julia led the Pledge of Allegiance and the Invocation.

**4. Approval of Minutes:**

- May 5, 2020 Planning and Zoning Meeting minutes

Board De La Sierra motioned to approve the minutes and Board Member Matos seconded the motion. All were in favor.

**5. Business Requiring Board Action:**

**A. Planning and Zoning Board Chairperson and Vice Chairperson Elections**

Board Member De la Sierra made a motion to nominate Chairperson Julia as chairperson. Board Member Fernandez seconded the motion. Chairperson Juila accepted the nomination. Deputy Clerk, Ashley Shepple, called the roll and the motion passed 6-0.

Board Member De la Sierra made a motion to nominate Board Member Yanes as Vice Chairperson. Vice Chairperson Matos seconded the motion. Board Member Yanes accepted the nomination. Deputy Clerk, Ashley Shepple, called the roll and the motion passed 7-0.

## **B. Aluminum and Synthetic Roofs on Canopies and Accessory Buildings**

The Deputy Attorney, Lorenzo Cobiella, read the ordinance into the record. The Principal Town Planner, Susana Alonso, explained and answered questions posed by the Board about the ordinance.

On August 20, 2020 Town Council of the Town of Miami Lakes directed the Town Manager to amend the Land Development Code to permit aluminum roofs for canopies and accessory buildings. The request arises out of discrepancies in the treatment of canopies attached to the main residence, which require either canvas and pipe or a construction method and roofing to “match” the main residence, and detached accessory structures, which require materials and construction methods to “match or compliment” the main residence. Of note, Townhouse districts currently permit only canvas and cloth as roofing materials for canopies, and metal or aluminum is only allowed for Bahama shutters, referred to as canopy shutters by the LDC; no changes are proposed for the Townhouse section at this time.

Board Member De La Sierra motioned to approve the ordinance with staff recommendations. Board Member Fernandez seconded the motion. Deputy Clerk, Ashley Shepple, called the roll and the motion passed 7-0.

## **6. Director’s Report:**

Susana Alonso, the Principal Town Planner, stated the November 3<sup>rd</sup> meeting must be moved to Tuesday, October 27<sup>th</sup>.

Board Member Fernandez made a motion to move the meeting to October 27th at 6:30 PM. Board Member De La Sierra seconded the motion. All were in favor.

## **7. Adjournment:**

There being no further business to come before the Board, the meeting adjourned at 8:30 P.M.

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Robert Julia  
Chairman

Attest:

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Ashley Shepple  
Deputy Town Clerk



## **Town of Miami Lakes Memorandum**

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**To:** Honorable Chair and Members of the Local Planning Agency

**From:** Susana Alonso, AICP, Principal Planner

**Subject:** VARH2020-0468 - Harold Robaina - 16390 NW 88 Path.

**Date:** October 27, 2020

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### **Requests**

In accordance with the Town of Miami Lakes Land Development Code (the "Town's LDC"), Harold Robaina (the "Applicant") is requesting the following variances:

A variance from Section 13-426 to allow a rear addition with a rear setback of 21 feet where 25 feet are required. And,

A variance from Section 13-1502 to allow an existing tiki hut to remain at its current location with a resulting separation from the new addition of rear addition with a rear setback of 2 feet where 10 feet are required.

### **Recommendation:**

Staff recommends denial for the proposal as shown in the attached plans, consisting of nine pages, and stamped received on September 4, 2020, as it does not meet the variance criteria at section 13-305(f)(1).

### **Background:**

The Applicant is proposing to build a 352 square foot addition at the rear of an existing 1,523 square foot single-family home located on 16390 NW 88 Path. The residence is setback 32 feet 7 inches from the front property line and 37 feet from the rear property line. The new addition is proposed to contain a new kitchen. The resulting setback of the residence with the proposed addition is 21 feet where 25 feet are required by the LDC. The rear yard contains, in addition to a pool, a tiki hut measuring 14 feet by 20 feet and setback 5 feet from the rear property line that the Applicant would like to retain in its current location. Should the variance for the addition be granted by the Board, the tiki hut would require an additional variance to remain at its current location because the resulting separation of the accessory building to the main residence is 2 feet where 10 feet minimum are required.



**Attachments:**

Resolution

Plans , survey, and photos

Staff Report

**TOWN OF MIAMI LAKES  
PLANNING AND ZONING BOARD  
PZB NO: 2020-\_\_**

**AN ORDER OF THE PLANNING AND ZONING BOARD OF THE TOWN OF MIAMI LAKES, FLORIDA, DENYING A VARIANCE REQUEST FROM SECTION 13-426 TO ALLOW A REAR ADDITION WITH A REAR SETBACK OF 21 FEET WHERE 25 FEET ARE REQUIRED, AND DENYING A VARIANCE TO SECTION 13-1502 TO ALLOW AN EXISTING TIKI HUT TO BE RETAINED AT ITS EXISTING LOCATION, 2 FEET FROM THE RESULTING MAIN STRUCTURE, WHERE 10 FEET ARE REQUIRED, FOR PROPERTY LOCATED AT 16390 NW 88 PATH, MIAMI LAKES, FLORIDA IN THE RU-1 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR DENYING TWO REQUESTS; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Section 1: Applicant**

Hearing Number: Varh2020-0468  
Applicant: Harold Robaina  
Folio: 32-2016-002-1620  
Location: 16390 NW 88 Path  
Miami Lakes, Florida 33018  
Zoning District: RU-1

**Section 2. Request:**

The Applicant requested the following variances from the Land Development Code:

A variance from Section 13-426 to allow a rear addition with a rear setback of 21 feet where 25 feet are required. And,

A variance from Section 13-1502 to allow an existing tiki hut to remain at its current location with a resulting separation from the new addition of rear addition with a rear setback of 2 feet where 10 feet are required.

**Section 3. Findings:**

1. In accordance with Section 13-305(f)(1) of the Town's Land Development Code (LDC), the Planning and Zoning Board, having considered the testimony and evidence in the record presented by all parties, finds that the Applicant's request does not comply with the variance criteria at Section 13.305(f)(1)(a) through (g) of the Town LDC, which are as follows:
  - a. Whether the Town has received written support of the specifically identified variance requests from adjoining property owners;

- b. Whether approval of the Variance would be compatible with development patterns in the Town;
- c. Whether the essential character of the neighborhood will be preserved;
- d. Whether the Variance can be approved without causing substantial detriment to adjoining properties;
- e. Whether the Variance would do substantial justice to the property owner as well as to other property owners justifying a relaxation of this Land Development Code to provide substantial relief;
- f. Whether the plight of the applicant is due to unique circumstances of the property and/or applicant which would render conformity with the strict requirements of the Land Development Code unnecessarily burdensome; and
- g. Whether the special conditions and circumstances which exist are the result of actions beyond the control of the applicant.

#### **Section 4. Denial of Request**

Per the Town of Miami Lakes Land Development Code, Article 3, following notice and public hearing on Tuesday, October 27, 2020 at 6:30 P.M upon findings outlined herein, the Planning and Zoning Board hereby denies the request described in Section 2 above.

#### **Section 5. Appeal**

The Applicant, or any affected party, may appeal the decision of the Planning and Zoning Board according to the provisions of Section 13-203 or Section 13-310, of the Land Development Code, as applicable.

#### **Section 6: Order**

This is a Final Order.

#### **Section 7: Effective Date.**

This Order shall take effect 30 days following the date it is filed with the Town Clerk. If during that time frame, the decision of the Planning and Zoning Board is appealed as provided in the Town LDC and/or the Florida Rules of Appellate Procedure, the appeal shall stay the effectiveness of this Order until said appeal is resolved by a court of competent jurisdiction.

The foregoing Order was approved on initial vote by motion as provided herein by \_\_\_\_\_ and seconded by \_\_\_\_\_ by a vote of \_\_\_\_\_ with each Planning and Zoning Board Member voting as follows:

Chairman Robert Julia	_____
Vice Chairman Lynn Matos	_____
Board Member Fred Senra	_____
Board Member Juan-Carlos Fernandez	_____
Board Member Raul De La Sierra	_____
Board Member Avelino Leoncio	_____
Board Member Mariam Yanes	_____

PASSED AND ADOPTED this 27 of October 2020.

\_\_\_\_\_  
ROBERT JULIA

Chairman, Planning and Zoning Board

ATTEST:

\_\_\_\_\_  
GINA INGUANZO  
Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR USE ONLY BY THE TOWN OF MIAMI LAKES:

\_\_\_\_\_  
LORENZO COBIELLA  
TOWN ATTORNEY

This Order was filed in the Office of the Town Clerk on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
GINA INGUANZO  
Town Clerk



Planning Section  
6601 Main Street • Miami Lakes, Florida 33014  
Office: (305) 364-6100 • [www.miamilakes-fl.gov](http://www.miamilakes-fl.gov)

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## Staff Analysis and Recommendation

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**To:** Planning and Zoning Board  
**From:** Susana Alonso, AICP  
Principal Planner  
**Re:**  
**HEARING NUMBER:** VARH2020-0468  
**Applicant:** Harold Robaina  
**Folio:** 32-2016-002-1620  
**Location:** 16390 NW 88 Path  
Miami Lakes, Florida 33018  
**Zoning District:** RU-1  
**Date:** October 27, 2020

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### A. Request

In accordance with the Town of Miami Lakes Land Development Code (the “Town’s LDC”), Harold Robaina (the “Applicant”) is requesting the following variances:

A variance from Section 13-426 to allow a rear addition with a rear setback of 21 feet where 25 feet are required. And,

A variance from Section 13-1502 to allow an existing tiki hut to remain at its current location with a resulting separation from the new addition of rear addition with a rear setback of 2 feet where 10 feet are required.

### B. Background

The Applicant is proposing to build a 352 square foot addition at the rear of an existing 1,523 square foot single-family home located on 16390 NW 88 Path. The residence is setback 32 feet 7 inches from the front property line and 37 feet from the rear property line. The new addition is proposed to contain a new kitchen. The resulting setback of the residence with the proposed addition is 21 feet where 25 feet are required by the LDC. The rear yard contains, in addition to a pool, a tiki hut measuring 14 feet by 20 feet and setback 5 feet from the rear property line that the Applicant would like to retain in its current location. Should the variance for the addition be granted by the Board, the tiki hut would require an additional variance to remain at its current location because the resulting separation of the accessory building to the main residence is 2 feet where 10 feet minimum are required.

### C. Staff Recommendation

Staff recommends denial for the proposal as shown in the attached plans, consisting of nine pages, and stamped received on September 4, 2020, as it does not meet the variance criteria at section 13-305(f)(1).

### D. Property Information and Permit History

Zoning District of Property: RU-1 – Single-Family Residential District

Future Land Use Designation: Low Density Residential

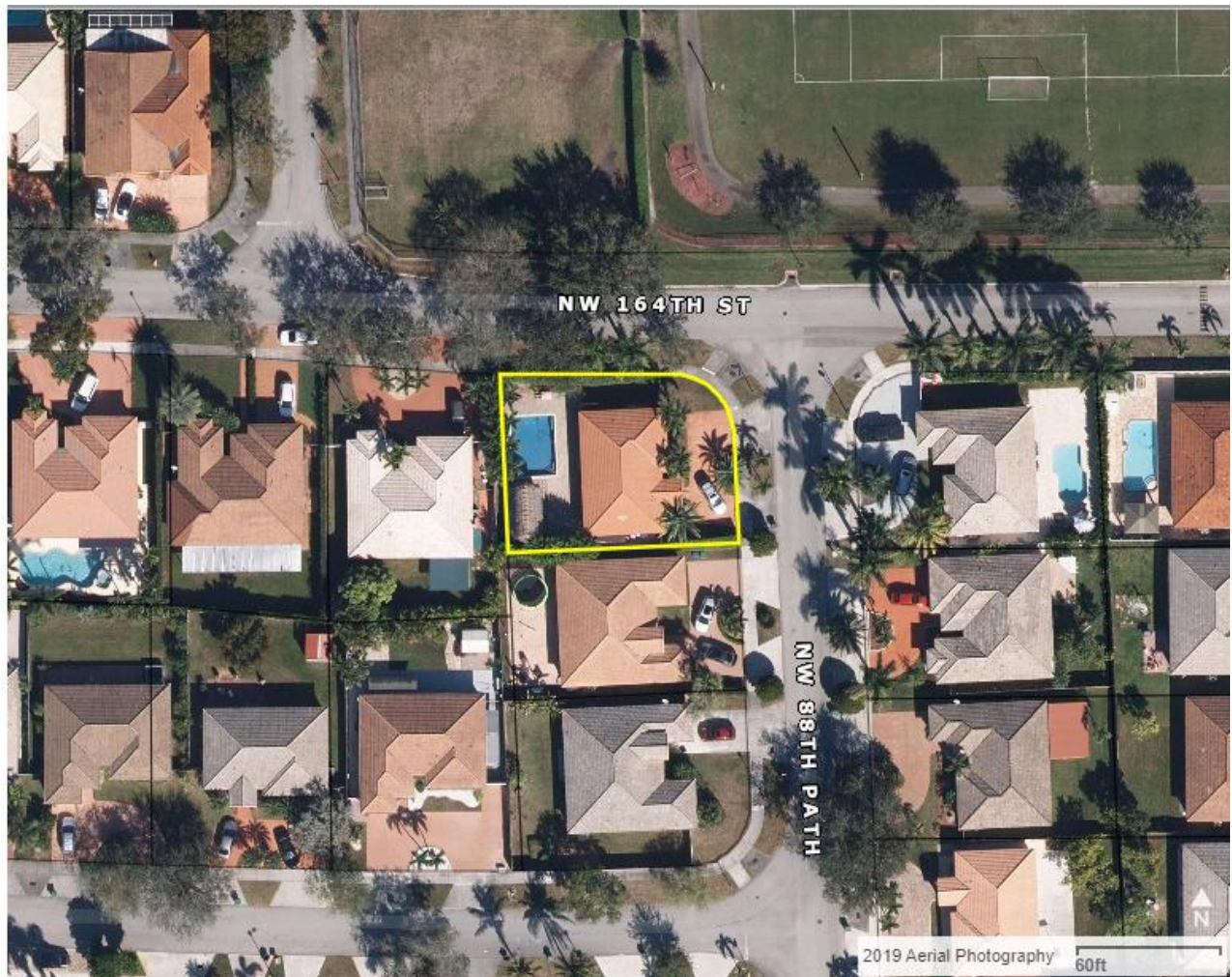
#### Subject Property:

The subject parcel is a 6,986-square foot lot corner of NW 164<sup>th</sup> Street and NW 88<sup>th</sup> Path, across the street from Royal Oaks Park. The site is improved with a single-family home constructed in 2001 according to Miami Dade County records, as well as a pool and a tiki hut. It is located at 16390 NW 88 Path within the Low Density Residential Future Land Use Designation and is zoned RU-1 (Single-Family Residential District).

#### Surrounding Property:

	<b>Future Land Use Category</b>	<b>Zoning District</b>
<b>North:</b>	Parks and Recreation	Single-Family Residential District, (RU-1)
<b>South:</b>	Low Density Residential	Single-Family Residential District, (RU-1)
<b>East:</b>	Low Density Residential	Single-Family Residential District, (RU-1)
<b>West:</b>	Low Density Residential	Single-Family Residential District, (RU-1)

## Subject Property Location Map



not to scale

### Open Building Permit(s) / Open Code Compliance Violation(s) / Zoning History:

There are currently no open permits or code violations on this property.

### **E. Analysis**

Subsection 13-305(f)1 of the Town LDC allows the Planning and Zoning Board to approve non-use variance request(s) on the basis of practical difficulty on part of the Applicant by a majority vote of the members of the Planning and Zoning Board present. In order to authorize any variance on the basis of practical difficulty, the Planning and Zoning Board members at the meeting shall balance the rights of property owners in the Town as a whole against the need of the individual property owner to deviate from the requirements of the Land Development Code based on an evaluation of the factors below. All the factors should be considered and given their due weight; however, no single factor is dispositive.

**a) The Town has received written support of the specifically identified variance requests from adjoining property owners.**

*Analysis:* The Town has received written support for this request from both adjacent neighbors and other neighbors on the same block. All the letters have been included as an attachment to this staff report.

*Finding:* Complies.

**b) The Variance would be compatible with development patterns in the Town.**

*Analysis:* See Section B, Background. The surrounding neighborhood was developed with consistent 25-foot rear setbacks for main structures and 10-foot separation to accessory buildings.

*Finding:* Does not comply.

**c) The essential character of the neighborhood would be preserved.**

*Analysis:* See Section B, Background, and criteria “b” above. This configuration would be a departure from the existing development pattern of the neighborhood.

*Finding:* Does not comply.

**d) The Variance can be approved without causing substantial detriment to adjoining properties.**

*Analysis:* See Section B, Background, and criteria “b” and “c”. Since the subject property is located in a corner, its rear neighbor, the property that shares its rear property line, is oriented perpendicular to the subject property, making the rear property line an interior side property line for the adjacent property. Typical interior side setbacks range between 7 and 5 feet. For this reason, the reduced setback does not negatively affect the adjacent property.

*Finding:* complies.

**e) The Variance will do substantial justice to the property owner as well as to other property owners justifying a relaxation of this Land Development Code to provide substantial relief.**

*Analysis:* See Section B, Background, and criteria “b”, “c” and “d”. The proposed addition projects 16 feet from the existing residence. A slightly smaller 12-foot-deep addition would comply with the LDC without the need for a variance. The applicant would still need a variance to retain the tiki-hut but for a 6-foot separation instead of 2 feet.

*Finding:* Does not comply.

**f) The plight of the applicant is due to unique circumstances of the property and/or applicant which would render conformity with the strict requirements of the Land Development Code unnecessarily burdensome.**

*Analysis:* See Section B, Background, and criteria “b”, “c” and “d”. The lot is of typical size and configuration for the neighborhood. Based on the submittals of the applicant, the configuration of the property, and the analysis provided in this report, no unique circumstances that exist with regard to the property and/or



the Applicant that would make conformance with Code provisions unnecessarily burdensome.

*Finding:* Does not comply.

**g) The special conditions and circumstances which exist are the result of actions beyond the control of the applicant.**

*Analysis:* See Section B, Background, and criteria “b”, “c”, “d”, and “f”. Based on the submittals of the Applicant, the analysis provided by this report, there are no special conditions or circumstances which exist that are the result of actions beyond the control of the Applicant.

*Finding:* Does not comply.



## Town of Miami Lakes Memorandum

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**To:** Honorable Chair and Members of the Local Planning Agency

**From:** Susana Alonso, AICP, Principal Planner

**Subject:** VARH2020-0470 - ANGEL L ALOMA - 7759 NW 162 TER.

**Date:** October 27, 2020

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### Request

In accordance with the Town of Miami Lakes Land Development Code (the “Town’s LDC”), Angel Aloma (the “Applicant”) is requesting the following variance:

A variance from Section 13-1606 to allow storage of a boat on the side yard.

### Recommendation:

Staff recommends denial for the proposal as shown in the attached plans, consisting of one page, and stamped received on September, 2020, as it does not meet the variance criteria at section 13-305(f)(1).

### Background:

The Applicant is proposing to store his personal 22.5-foot boat on the street facing side yard of his corner property. The property is surrounded by a six-foot fence at the property line, and the boat is proposed to be stored behind it. Property appraiser’s data indicates that Mr. Aloma purchased the property in 2018.

The Town’s LDC has prohibited boat storage in residential properties since January 2005. At that time, a registration program for all existing properties with boats was conducted in order to grant them existing nonconforming status; the deadline for registration was April 2005, and no additional properties could register after that. The properties that originally registered a boat, are allowed to register new boats to replace the original boat within 90 days of the purchase of the new vessel. The existing nonconforming status ceases when the property is sold or transferred to a new owner.

### Attachments:

Ordinance  
Plans , survey, and photos



**TOWN OF MIAMI LAKES  
PLANNING AND ZONING BOARD  
PZB NO: 2020-\_\_**

**AN ORDER OF THE PLANNING AND ZONING BOARD OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SECTION 13-305(f)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; DENYING A VARIANCE REQUEST FROM SECTION 13-1606 TO ALLOW STORAGE OF A BOAT ON THE SIDE YARD, FOR THE PROPERTY LOCATED AT 7759 NW 162 TER, MIAMI LAKES, FLORIDA, IN THE RU-1 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR DENYING THE REQUEST; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Section 1: Applicant**

Hearing Number: VARH2020-0470  
Applicant: Angel L Aloma  
Folio: 32-2015-035-0160  
Location: 7759 NW 162 Ter  
Miami Lakes, Florida 33016  
Zoning District: RU-1

**Section 2. Request:**

The Applicant requested the following variances from the Land Development Code:

A variance from Section 13-1606 to allow storage of a boat on the side yard.

**Section 3. Findings:**

1. In accordance with Section 13-305(f)(1) of the Town's Land Development Code (LDC), the Planning and Zoning Board, having considered the testimony and evidence in the record presented by all parties, finds that the Applicant's request does not comply with the variance criteria at Section 13.305(f)(1)(a) through (g) of the Town LDC, which are as follows:
  - a. Whether the Town has received written support of the specifically identified variance requests from adjoining property owners;
  - b. Whether approval of the Variance would be compatible with development patterns in the Town;
  - c. Whether the essential character of the neighborhood will be preserved;
  - d. Whether the Variance can be approved without causing substantial detriment to adjoining properties;

- e. Whether the Variance would do substantial justice to the property owner as well as to other property owners justifying a relaxation of this Land Development Code to provide substantial relief;
- f. Whether the plight of the applicant is due to unique circumstances of the property and/or applicant which would render conformity with the strict requirements of the Land Development Code unnecessarily burdensome; and
- g. Whether the special conditions and circumstances which exist are the result of actions beyond the control of the applicant.

#### **Section 4. Denial of Request**

Per the Town of Miami Lakes Land Development Code, Article 3, following notice and public hearing on Tuesday, October 27, 2020 at 6:30 P.M upon findings outlined herein, the Planning and Zoning Board hereby denies the request described in Section 2 above.

#### **Section 5. Appeal**

The Applicant, or any affected party, may appeal the decision of the Planning and Zoning Board according to the provisions of Section 13-203 or Section 13-310, of the Land Development Code, as applicable.

#### **Section 6: Order**

This is a Final Order.

#### **Section 7: Effective Date.**

This Order shall take effect 30 days following the date it is filed with the Town Clerk. If during that time frame, the decision of the Planning and Zoning Board is appealed as provided in the Town LDC and/or the Florida Rules of Appellate Procedure, the appeal shall stay the effectiveness of this Order until said appeal is resolved by a court of competent jurisdiction.

The foregoing Order was approved on initial vote by motion as provided herein by \_\_\_\_\_ and seconded by \_\_\_\_\_ by a vote of \_\_\_\_\_ with each Planning and Zoning Board Member voting as follows:

Chairman Robert Julia	_____
Vice Chairman Lynn Matos	_____
Board Member Fred Senra	_____
Board Member Juan-Carlos Fernandez	_____
Board Member Raul De La Sierra	_____
Board Member Avelino Leoncio	_____
Board Member Mariam Yanes	_____

PASSED AND ADOPTED this October 27, 2020 at 6:30 P.M.

\_\_\_\_\_  
ROBERT JULIA

Chairman, Planning and Zoning Board

ATTEST:

\_\_\_\_\_  
GINA INGUANZO  
Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR USE ONLY BY THE TOWN OF MIAMI LAKES:

\_\_\_\_\_  
LORENZO COBIELLA  
TOWN ATTORNEY

This Order was filed in the Office of the Town Clerk on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
GINA INGUANZO  
Town Clerk



Department of Planning, Zoning and Code Compliance  
6601 Main Street • Miami Lakes, Florida 33014  
(305) 364-6100 • [www.miamilakes-fl.gov](http://www.miamilakes-fl.gov)

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## Staff Analysis and Recommendation

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**To:** Planning and Zoning Board  
**From:** Susana Alonso, AICP  
Principal Planner  
**Re:**

<b>HEARING NUMBER:</b>	<b>VARH2020-0470</b>
<b>APPLICANT:</b>	<b>ANGEL L ALOMA</b>
<b>FOLIO:</b>	<b>32-2015-035-0160</b>
<b>LOCATION:</b>	<b>7759 NW 162 TER</b>
	<b>MIAMI LAKES, FLORIDA 33016</b>
<b>ZONING DISTRICT:</b>	<b>RU-1</b>

**Date:** October 27, 2020

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### A. Request

In accordance with the Town of Miami Lakes Land Development Code (the “Town’s LDC”), Angel Aloma (the “Applicant”) is requesting the following variance:

A variance from Section 13-1606 to allow storage of a boat on the side yard.

### B. Background

The Applicant is proposing to store his personal 22.5-foot boat on the street facing side yard of his corner property. The property is surrounded by a six-foot fence at the property line, and the boat is proposed to be stored behind it. Property appraiser’s data indicates that Mr. Aloma purchased the property in 2018.

The Town’s LDC has prohibited boat storage in residential properties since January 2005. At that time, a registration program for all existing properties with boats was conducted in order to grant them existing nonconforming status; the deadline for registration was April 2005, and no additional properties could register after that. The properties that originally registered a boat, are allowed to register new boats to replace the original boat within 90 days of the purchase of the new vessel. The existing nonconforming status ceases when the property is sold or transferred to a new owner.

### C. Staff Recommendation

Staff recommends denial for the proposal as shown in the attached plans, consisting of one page, and stamped received on September, 2020, as it does not meet the variance criteria at section 13-305(f)(1).

### D. Property Information and Permit History

Zoning District of Property: RU-1 – Single-Family Residential District

Future Land Use Designation: Low Density Residential

Subject Property:

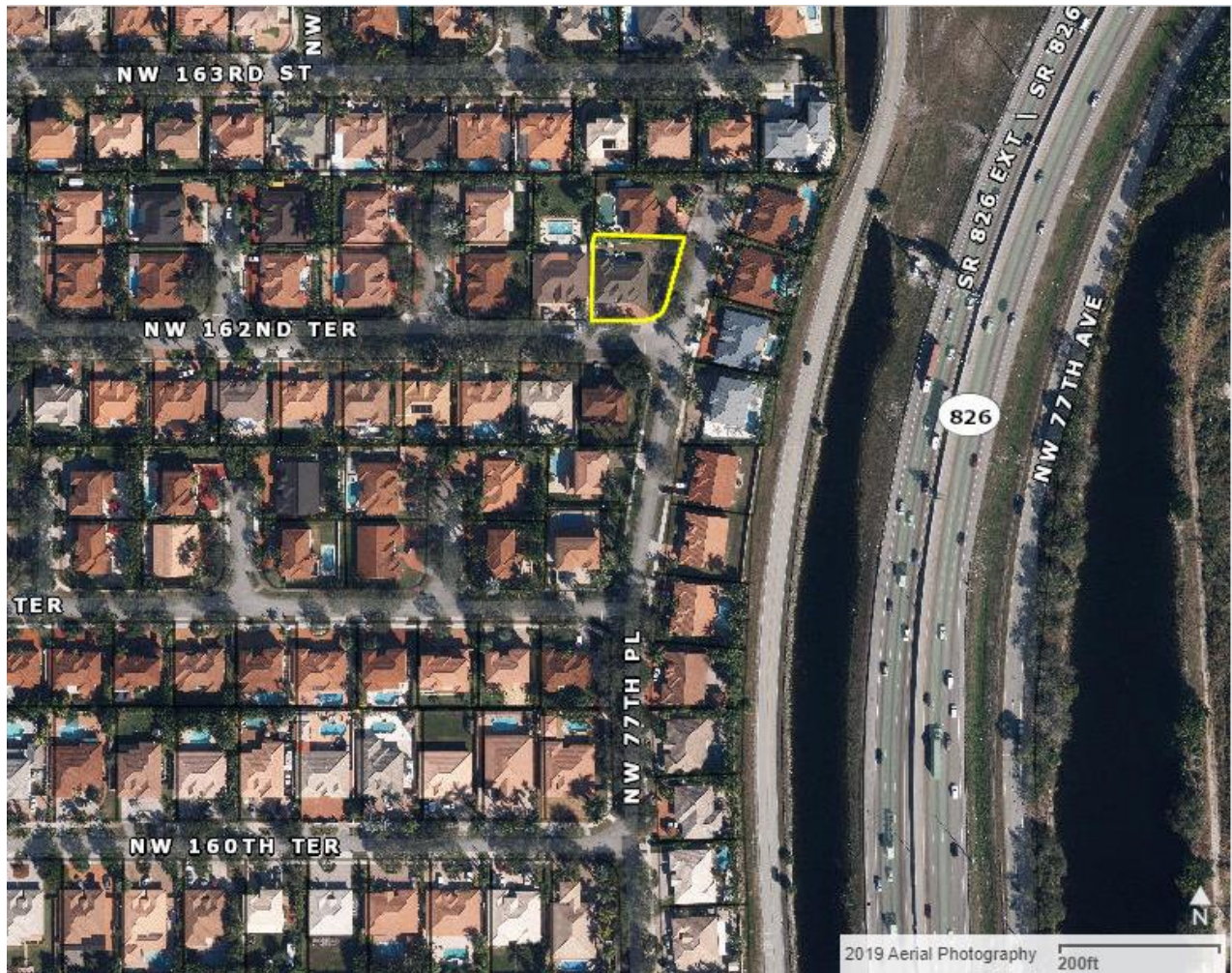
The subject parcel is a 10,045-square foot lot corner of NW 162<sup>nd</sup> Ter and NW 77<sup>th</sup> Place. The site is improved with a 2,642-square foot single-family home constructed in 2001 according to Miami Dade County records. It is located at 7759 NW 162 Ter within the Low Density Residential Future Land Use Designation and is zoned RU-1 (Single-Family Residential District).

Surrounding Property:

	<b>Future Land Use Category</b>	<b>Zoning District</b>
<b>North:</b>	Low Density Residential	Single-Family Residential District, (RU-1)
<b>South:</b>	Low Density Residential	Single-Family Residential District, (RU-1)
<b>East:</b>	Low Density Residential	Single-Family Residential District, (RU-1)
<b>West:</b>	Low Density Residential	Single-Family Residential District, (RU-1)



## Subject Property Location Map



not to scale

### Open Building Permit(s) / Open Code Compliance Violation(s) / Zoning History:

There are currently no open permits or code violations on this property.

### **E. Analysis**

Subsection 13-305(f)1 of the Town LDC allows the Planning and Zoning Board to approve non-use variance request(s) on the basis of practical difficulty on part of the Applicant by a majority vote of the members of the Planning and Zoning Board present. In order to authorize any variance on the basis of practical difficulty, the Planning and Zoning Board members at the meeting shall balance the rights of property owners in the Town as a whole against the need of the individual property owner to deviate from the requirements of the Land Development Code based on an evaluation of the factors below. All of the factors should be considered and given their due weight; however, no single factor is dispositive.

**a) The Town has received written support of the specifically identified variance requests from adjoining property owners.**

*Analysis:* The Town has received written support for this request from both adjacent neighbors and other neighbors on the same block. All the letters have been included as an attachment to this staff report.

*Finding:* Complies.

**b) The Variance would be compatible with development patterns in the Town.**

*Analysis:* See Section B, Background. The prohibition for boat storage has been uniformly enforced since 2005.

*Finding:* Does not comply.

**c) The essential character of the neighborhood would be preserved.**

*Analysis:* See Section B, Background, and criteria “b” above. This configuration would be a departure from the existing development pattern of the neighborhood.

*Finding:* Does not comply.

**d) The Variance can be approved without causing substantial detriment to adjoining properties.**

*Analysis:* See Section B, Background, and criteria “b” and “c”. The location that the applicant proposes for the boat is on the side facing the street, where there is sufficient room for the boat, as well as an opaque fence. The boat would be barely visible from the street and there is sufficient room in the area to be unobtrusive to neighbors.

*Finding:* Complies.

**e) The Variance will do substantial justice to the property owner as well as to other property owners justifying a relaxation of this Land Development Code to provide substantial relief.**

*Analysis:* See Section B, Background, and criteria “b”, “c” and “d”.

*Finding:* Does not comply.

**f) The plight of the applicant is due to unique circumstances of the property and/or applicant which would render conformity with the strict requirements of the Land Development Code unnecessarily burdensome.**

*Analysis:* See Section B, Background, and criteria “b”, “c” and “d”.

*Finding:* Does not comply.

**g) The special conditions and circumstances which exist are the result of actions beyond the control of the applicant.**

*Analysis:* See Section B, Background, and criteria “b”, “c”, “d”, and “f”. Based on the submittals of the Applicant, the analysis provided by this report, there are no

special conditions or circumstances which exist that are the result of actions beyond the control of the Applicant.

*Finding:* Does not comply.



## **Town of Miami Lakes Memorandum**

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**To:** Committee Members

**From:** Youth Activities Task Force

**Subject:** Virtual Meeting

**Date:** October 27, 2020

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### **Recommendation:**

Please see attached Agenda.

# Youth Activities Task Force

## Meeting Agenda

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**Date:** October 27, 2020

**Time:** 8:00 pm

**Location:** Zoom

**Meeting Type:** Special Call

**Chair:** Brian Rodriguez

**Vice Chair:** Nancy Matos

**Secretary:** Micheal Turino

**Liaison:** Manny Martinez/ Kristina  
Labossiere

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1. Call to Order.
2. Roll Call.

	Brian Rodriguez, Chair
	Nancy Matos, Vice Chair
	Micheal Turino, Secretary
	Kristina Christoph
	Daylin Figueroa-Garcia
	Emily Garcia
	Eric Gras
	Flavia Nunez
	Ellica Quintero
	Jose Quintero
	Ariana Rejas
	Juan Rodriguez
	Eddy Sedeño
	Erich Valerdi

3. Public Comments.
4. Order of Business (deferrals, additions, deletions)

### **UNFINISHED BUSINESS**

5. Halloween Update
6. Movies in Parking

### **NEW BUSINESS**

7. Announcements
8. Adjournment

**Town of Miami Lakes  
Youth Activities Task Force (YATF) Committee  
Meeting Minutes  
Monday, October 19, 2020**

**Call to Order:** The meeting was called to order by Chairperson Brian Rodriguez at 7:53 PM EST. Secretary Michael Turino recorded the minutes.

**Roll Call:** Brian Rodriguez, Michael Turino, Kristina Christoph, Daylin Figueroa-Garcia, Emily Garcia, Flavia Nunez, Eddy Sedeno, Erich Valerdi

**Public Comments:**

**A motion was made by Kristina Christoph to accept the September committee meeting minutes with the given amendments. The motion was seconded by Daylin Garcia. The motion passes.**

**Order of Business:** No alterations were made to the agenda.

**Old Business:**

- A. **Movies in the Parking-lot Recap** – Last movie on Friday frozen two. The event didn't sell as many tickets as anticipated (lowest attendance at 39 people checked in). The weather also affected attendance as it rained during the event. The cost of organizing the movie was \$3,624. Given next fiscal years budget, 2 movies would be viable without any sponsors or three with sponsors.

**New Business:**

- A. **Halloween** – Drive through Halloween event will take place on Halloween day from 5pm to 9pm at Ana G Mendez University. There will be various decorated tents handing out candy and materials. Twenty-five high school volunteers have registered for the event and the candy and crafts have been purchased. Sponsors have also been secured for the event.
- B. **Budget Request** – The committee received the budget that it asked for, with funds of \$36,150.

**Announcements:** No announcements were made

**Adjourned:** 8:29 PM EST