

**TOWN OF MIAMI LAKES
PLANNING AND ZONING BOARD
PZB NO: 2024-___**

AN ORDER OF THE PLANNING AND ZONING BOARD OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSANT TO SECTION 13-305(f)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; GRANTING A VARIANCE FROM SECTION 13-1506 (2) TO ALLOW A CANOPY TO PROJECT EIGHTEEN (18) FEET INTO THE REAR YARD WHERE A MAXIMUM OF SEVEN (7) FEET ARE ALLOWED., FOR THE PROPERTY LOCATED AT 16453 NW 83rd PL, MIAMI LAKES, FLORIDA, IN THE RU-1 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR GRANTING THE REQUEST WITH CONDITIONS; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Section 1: Applicant

HEARING NUMBER:	VARH2024-0106
APPLICANT:	Juan C Gonzalez
FOLIO:	32-2015-011-0380
LOCATION:	16453 NW 83rd PL MIAMI LAKES, FLORIDA 33016
ZONING DISTRICT:	RU-1
Date:	April 2nd, 2024

Section 2. Request:

In accordance with the Town of Miami Lakes Land Development Code (the “Town LDC”), Juan C Gonzalez (the “Applicant”) is requesting the following Variance(s) from the Town LDC:

A variance from Section 13-1506 (2) to allow a canopy to project 18 feet into the rear yard where a maximum of 7 feet are allowed.

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 conditionally complies 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. Grant of Approval with Conditions

Per the Town of Miami Lakes Land Development Code, Article 3, following notice and public hearing on Tuesday, April 2nd, 2024 at 6:30 P.M. upon findings outlined herein, the Planning and Zoning Board hereby conditionally grants the request described in Section 2 above, with following conditions

- 1. Approval shall be substantially consistent with the above-mentioned plans.
- 2. No other accessory structures be permitted on this lot

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, and seconded by _____, with each Planning and Zoning Board Member voting as follows:

Chair Juan- Carlos Fernandez _____

Vice Chair Fred Senra _____

Board Member Raul De La Sierra _____

Board Member Robert Julia _____

Board Member Avelino Leoncio _____

PASSED AND ADOPTED this ____ day of _____ 2024.

Chair, 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
DEPUTY TOWN ATTORNEY

This Order was filed in the Office of the Town Clerk on this ____ day of _____, 2024.

GINA INGUANZO
Town Clerk