Town of Miami Lakes
Memorandum

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

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

Subject: **VARH2020-0102, Randy Cano Fence Variance**

Date: **May 5, 2020**

Request

In accordance with the Town of Miami Lakes Land Development Code (the "Town's LDC"), Randy Cano (the "Applicant") is requesting the following variance:

A variance from Section 13-1509 to allow a fence at the property line in a side yard facing a street where a 15-foot setback is required.

Background

The Applicant is proposing to build a six (6) horizontal Durafence fence around the side yard facing Tabebuia Lane of an existing single-family home located on 14410 Tabebuia Lane. The main house is setback 13.82 feet from the street-side property line. The provision requiring the minimum fifteen (15) foot setback was adopted in 2004 (Ordinance No. 04-63). Replacing the prior County Code which permitted fences to be built to the property line, the new provision adopted by the Town reflected the prevailing development pattern of single family homes, principally east side of the Palmetto Expressway, as was required by underlying private deed restrictions . This prevailing development pattern is evident when viewed in context of the fencing of the Applicant's neighbor to the South. That property has a fence setback fifteen (15) feet from the street side yard. It is worth noting, however, that the neighbor with the compliant fence has signed a letter in support of the applicant's request.
The property had an existing chain link fence at the property line for which no permit can be found, but which is seen to be present in aerials as far back as 1999.

Recommendation:

Staff recommends approval of the ordinance adding Sec. 13-1617. - School Facilities Safety Considerations to the Land Development Code, providing for regulations of development and uses in properties directly abutting and within 250 feet of the facility.

Attachments:
Resolution
Plans
Staff Report
Letters of support