

**TOWN OF MIAMI LAKES  
PLANNING AND ZONING BOARD  
PZB NO: 2018-\_\_\_**

**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 13-1608 TO PERMIT A STANDING SEAM METAL ROOF, WHERE BARREL OR FLAT TILE IS REQUIRED, FOR THE PROPERTY LOCATED AT 7025 TROON CIRCLE, 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**

Applicant: Ebenezer Almenares  
Folio: 32-2014-004-1380  
Legal description: Lot 37 & RIP TRS Block 4 of Miami Lakes Loch Lomond Section, according to the plat thereof, as recorded in Plat Book 76 at page 91, of the public records of Miami Dade County Florida.  
LOCATION: 7025 Troon Circle  
Miami Lakes, Florida, 33014  
Hearing No.: VARH2018-0333

**Section 2. Request:**

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

A variance from Section 13-1608 of the Town's Zoning Code to allow a standing seam metal roof where barrel or tile is 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, June 20, 2018 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 Board Member Fred Senra	_____
Vice Chairman Raul De La Sierra	_____
Board Member Homero Cruz	_____
Board Member Robert Julia	_____
Board Member Avelino Leoncio	_____
Board Member Ameli Padron-Fragetta	_____
Board Member Jeffrey Rodriguez	_____

PASSED AND ADOPTED this 20<sup>th</sup> day of June, 2018.

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FRED SENRA  
Chairman, Planning and Zoning Board

ATTEST:

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GINA INGUANZO  
Town Clerk

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

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LORENZO COBIELLA  
TOWN ATTORNEY

This Order was filed in the Office of the Town Clerk on this \_\_\_\_ day of \_\_\_\_\_, 2018.

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GINA INGUANZO  
Town Clerk