



**CITY OF WEST MIAMI
Planning and Zoning Board**

August 29th, 2023

7:30 P.M.

COMMISSION CHAMBER

Meeting Minutes

MEMBERS:	GUSTAVO CEBALLOS	<u>P</u>	FRANCISCO ALONSO	<u>P</u>
	EUGENIO GONZALEZ	<u>P</u>	BUILDING OFFICIAL	
	ALVARO LOURIDO	<u>A</u>	JOSE A. VILLALOBOS	<u>A</u>
	NATALIE MILIAN	<u>P</u>	CITY ATTORNEY	
	DIANA B. RIO	<u>E</u>	GILBERTO GONZALEZ (ALT)	<u>E</u>

Old Business:

Approval of Minutes: July 27th, 2023, Motion by E. Gonzalez and Second by N. Millian 3-0 passed.

Notes for the record, an edit on the Minutes was corrected changing date from August 29th 2023 to July 27th, 2023 and notes pertaining to the discussion of hedges was corrected as it was the fence height that was discussed.

New Business:

Variance Hearing Agenda Item1

Property Address: 6500 SW 21 Street
West Miami, FL 33155

GUSTAVO A RODRIGUEZ & W NOLVIA P
6500 SW 21 STREET
MIAMI, FL 33155

Applicant requests a variance to legalize an aluminum terrace addition to the rear of the house. The proposed terrace if allowed would have a rear setback of ten feet (10') to the property line from the terrace. The property is a corner lot and the existing house has a front setback of 33' feet where 25' feet is required by ordinance. The rear setback to the proposed terrace as shown is ten (10') feet from the property line and the required setback is fifteen feet (15') to the rear property line from the existing terrace. The property has 7,280 square feet and the applicant is requesting the variance for the terrace.
(Section 4.17, 4A.4 Zoning Ordinance 282)

Mr. Rodriguez along with his attorney presented his request for the variance. It was noted by board member Ceballos that the notice of public hearing stated a 10'ft setback requirement, a 4ft setback is what is shown on the survey of the existing structure. While a variance was applied for this existing structure, Board Member Ceballos stated that this structure would be a legal nonconformity and should be determined by the administration in conjunction with the city attorney. The attorney representing the owner stated that the purpose of applying for the variance was to clear the fine/violation as he discussed at the Code Enforcement hearing with the City Attorney in relation to the existing structure. It was discussed to possibly defer the item, Board Member Millian motions to approve the variance pending the correct measurement of the setback of the

existing structure and suggestion to staff in helping with the code violation due to staff changes. Board Member E. Gonzalez seconds the motion. Item passes 2-1.

NOTE: Information relative to this application is available for review by the public at the City of West Miami Planning and Zoning Department, 901 S.W. 62nd Avenue, West Miami, Florida 33144 from 8:30 A.M. to 4:00 P.M., Monday thru Friday, or telephone (305)-266-4214

NOTE: All interested persons are advised that if a person decides to appeal any decision made by the City Commission or Planning and Zoning Board with respect to any matter considered at these hearings, such person will need a record of the proceedings, and that for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.