



RESOLUTION # 2024-38

A RESOLUTION OF THE CITY OF WEST MIAMI, FLORIDA, FOR SITE PLAN REJECTING THE RECOMMENDATION OF THE PLANNING AND ZONING BOARD OF A VARIANCE FOR 6491 SW 13 STREET, WEST MIAMI, FLORIDA BY ARNALDO A. SIMON FOR A PROPOSED DETACHED ACCESSORY BUILDING MEASURING 415 SQUARE FEET WITH A REAR SETBACK OF FIVE FEET (5'), REQUIRING CERTAIN IMPROVEMENTS AND OTHER TERMS AND CONDITIONS, ATTACHED AS EXHIBIT A; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Arnaldo A. Simon, hereinafter referred to as "Applicant", has submitted an application for a Variance on March 27, 2024 together with a site plan of the proposed amendments, showing certain improvements which, the Applicant agrees to make; and

WHEREAS, Applicant submitted materials for a Variance for a proposed detached accessory building measuring 415 square feet with a rear setback of five feet (5') where fifteen feet (15') is required by ordinance; and

WHEREAS, the Variance was reviewed by the City Administration and the Zoning Department for the City of West Miami; and

WHEREAS, a properly noticed Public Hearing was held on April 24, 2024, before the Planning and Zoning Board where after hearing all the views, the Planning and Zoning Board made a motion to recommend/deny the Variance application (with certain conditions for a favorable recommendation to the City Commission), see attached Exhibit B; and

WHEREAS, Applicant has agreed to the terms and conditions set forth in this resolution in consideration for the granting of the Variance.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of West Miami as follows:

Section 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. In consideration of the foregoing, Applicant is hereby **GRANTED** the requested Variance of the above-described Parcel located and being in the City of West Miami, County of Miami-Dade, State of Florida, with the conditions presented by the Board.

Section 3. Due to the reviews by Planning and Zoning Department and the

“Public Hearing” on April 24, 2024 before the Planning and Zoning Board, the City Commission has determined that the proposed “Variance” for a proposed detached accessory building measuring 415 square feet with a rear setback of five feet (5') with certain conditions, is in compliance with the intent of Zoning Ordinance 282.

Section 4. All Resolutions and parts of Resolutions in conflict herewith are repealed.

Section 5. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this 5th day of June, 2024.

APPROVED:




ERIC DIAZ-PADRON, MAYOR

ATTEST:



ANNERY GONZALEZ, MMC
CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:



JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

This Resolution was offered by Commissioner Blanes who moved its adoption. The motion was seconded by Commissioner Chavez, Jr. The vote was as follows:

MAYOR ERIC DIAZ-PADRON	<u>Y</u>
VICE-MAYOR NATALIE MILIAN ORBIS	<u>Y</u>
COMMISSIONER JUAN M. BLANES	<u>Y</u>
COMMISSIONER IVAN CHAVEZ, JR.	<u>Y</u>
COMMISSIONER LUCIANO L. SUAREZ	<u>Absent</u>

ADDENDUM TO RESOLUTION # 2024-38 APPEAL OF VARIANCE 6491 SW 13ST

- FOLIO # 15-4012-021-2250

LEGAL DESCRIPTION OF 6491 SW 13 ST, WEST MIAMI, FL 33144

12 54 40
ALAMEDA PB 44-45
LOT 10 BLK 15
LOT SIZE 75.000 X 112
OR 16028-4529 0893 4
COC 24096-3711 10 2005 1