



## RESOLUTION # 2024-46

**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 1500 SW 63 AVENUE, WEST MIAMI, FLORIDA BY R & H CRAFT GROUP, INC. REQUESTING A REDUCTION OF THE EXTERIOR SIDE AND REAR SETBACK FOR A PROPOSED DETACHED ACCESSORY BUILDING REQUIRING CERTAIN IMPROVEMENTS AND OTHER TERMS AND CONDITIONS, ATTACHED AS EXHIBIT A; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, R & H CRAFT GROUP, INC., hereinafter referred to as "Applicant", has submitted an application for a Variance on April 11, 2024 together with a site plan of the proposed amendments, showing certain improvements which, the Applicant(s) agree to make; and

**WHEREAS**, Applicant submitted materials for a Variance reducing the exterior side and rear setback for a proposed detached accessory building (aluminum terrace) requesting the exterior side setback to be reduced to three feet (3'), and the rear setback to 12.42 feet 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(s) have agreed to the terms and conditions set forth in this resolution in consideration for the granting of the Variance. (only added if variance is approved)

**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, Applicants are 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” reducing the exterior side and rear setback for a proposed detached accessory building (aluminum terrace), with certain conditions, is/is not 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.

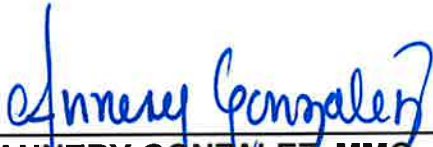
PASSED AND ADOPTED this 12<sup>th</sup> day of June, 2024.

APPROVED:



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ERIC DIAZ-PADRON, MAYOR

ATTEST:



\_\_\_\_\_  
ANNERY GONZALEZ, MMC  
CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:



\_\_\_\_\_  
DEXTER W. LEHTINEN, 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**  
**VICE-MAYOR NATALIE MILIAN ORBIS**  
**COMMISSIONER JUAN M. BLANES**  
**COMMISSIONER IVAN CHAVEZ, JR.**  
**COMMISSIONER LUCIANO L. SUAREZ**

**Y**  
**Y**  
**Y**  
**Y**  
**Absent**

**ADDENDUM TO RESOLUTION # 2024-46 APPEAL OF VARIANCE 1500 SW 63 AVE**

- FOLIO # 15-4012-021-3750

**LEGAL DESCRIPTION OF 1500 SW 63 AVE, WEST MIAMI, FL 33144**

ALAMEDA PB 44-45
LOT 1 BLK 24
LOT SIZE 75.000 X 136
OR 18356-2720 1198 1