

RESOLUTION NO. 01-50 -AV

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; APPROVING NON-USE VARIANCE FILED IN ACCORDANCE WITH SECTION 33-36.1 OF THE TOWN CODE FOR PROPERTY ZONED RU-1 LOCATED AT 7204 JACARANDA LANE MIAMI LAKES, FLORIDA; TO PERMIT A 11' REAR (EAST) SETBACK WHERE 20' IS REQUIRED; PROVIDING FINDINGS; PROVIDING CONDITIONS OF APPROVAL; PROVIDING FOR RECORDATION; PROVIDING FOR PUBLICATION; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, pursuant to Section 33-36.1 of the Town Code <sup>1</sup>, **Joseph F. Janusz** (the “Applicant”) has applied to the Town for approval of non-use variances, Application V01-175; and

WHEREAS, Section 33-36.1 of the Town Code provides for an administrative process to review an application for a non-use variance; and

WHEREAS, the Director of Planning and Zoning (the “Director”) has reviewed the application and recommends approval of the variance with conditions. A copy of the Director’s Memorandum dated June 4, 2001, (the “Memorandum”) is attached as Exhibit “A” and incorporated into this resolution by this reference.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.**

The above recitals are true and correct and incorporated into this resolution by this reference.

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<sup>1</sup> Pursuant to Section 8.3 of the Town Charter and Ordinance 2001-01, the applicable provisions of Chapter 33 of the Miami-Dade County Code of Ordinances serve as the Town’s Zoning Code.

**Section 2. Findings.**

In accordance with Section 33-36.1(d) of the Town Code, The Town Council makes the following findings as recommended by the Director:

- (1) That the variance will be in harmony with the general appearance and character of the community.
- (2) That the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
- (3) That the proposed roofed screen enclosure addition is designed and arranged on the site in a manner that minimizes aural and visual impact on the adjacent residences while affording the applicants reasonable use of this land.

**Section 3. Approval.**

The Town Council grants non-use variances to the Applicant from Section 33-50 (setbacks) of the Town Code for property located at **7204 Jacaranda Lane**, Miami Lakes, Florida to allow the following:

- (1) A roofed screen enclosure addition to an existing townhouse to setback 11' from the rear (east) property line where 20' is required.

**Section 4. Conditions of Approval.**

Approval of the non-use variances is granted subject to the Applicant's compliance with the following conditions:

- (1) that the roofed screen enclosure addition remain open-sided and not be enclosed in any manner except for approved insect screen materials.

**Section 5. Recordation.**

The decision of the Town Council to approve the non-use variances shall be recorded on the official zoning maps of the Town.

**Section 6. Publication.**

A copy of the decision of the Town Council shall be published in a newspaper of general circulation. The Town Clerk is directed to forward a fully executed copy of this resolution to the director for publication.

**Section 7. Effective Date.**

The approvals provided in this Resolution shall become effective fifteen (15) days after the decision of the Town Council is published as provided in Section 6 above.

**Section 8. Appeal.**

In accordance with Section 33-36.1(h) and 33-311(A)(2) of the Town Code, the Applicant, or any aggrieved property owner in the area, may appeal the decision of the Town Council within fifteen (15) days after the decision is published. If an appeal is made by an aggrieved property owner in the area, the Director may stop or suspend any construction authorized by the variances until a decision has been made on the appeal.

PASSED AND ADOPTED this 13<sup>th</sup> day of Nov., 2001.

Wayne Slaton  
WAYNE SLATON, MAYOR

ATTEST:

Roberto M. Alonso  
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

MTB  
ACTING TOWN ATTORNEY

M-Thomson / s-Collins

Council voted <u>7-0</u> as follows:	
Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>
Councilmember Peter Thomson	<u>yes</u>



# MEMORANDUM

TO: Diane O'Quinn Williams, Director  
Miami-Dade County  
Department of Planning and Zoning

DATE: October 18, 2001

FROM: *Alberto J. Torres*  
Alberto J. Torres  
Acting Assistant Director for Zoning  
Department of Planning and Zoning

SUBJECT: Joseph F. Janusz  
(V2001000175)  
Administrative  
Variance  
**Miami Lakes**

## REQUEST:

Non-use variance of setback requirements to permit a roofed screen enclosure addition to an existing townhouse to setback 11' from the rear (east) property line where 20' is required.

LOCATION: 7204 Jacaranda Lane, Miami Lakes, Florida.

EXISTING ZONING: RU-TH, Townhouse District.

SIZE OF PROPERTY: 40' x 104'

## IMPACT ON ADJACENT PROPERTIES:

The property is an interior lot in this single-family area, and all the surrounding properties are developed. A lake is to the east. Owners of the surrounding properties have signed the required waiver form.

Staff has no objections to the proposed variance, subject to a condition. The proposed roofed screen enclosure will provide shade and shelter for the residents. It will also add to the outdoor enjoyment of this property since the proposed structure will provide a view of the abutting lake while providing protection from the elements. This proposed addition will be well spaced from existing residential parcels to the east, on the opposite side of the lake.

## STAFF'S ANALYSIS:

Based upon the review of the plans for the proposed roofed screen enclosure addition, staff finds the following exists:

1. That the variance will be in harmony with the general appearance and character of the community.

ROI-50

2. That the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
3. That the proposed roofed screen enclosure addition is designed and arranged on the site in a manner that minimizes aural and visual impact on the adjacent residences while affording the applicant reasonable use of this land.

Additionally, staff feels that consideration for **approval** should be given of this request for an Administrative Variance, subject to the following condition:

That the roofed screen enclosure addition remain open-sided and not be enclosed in any manner except for approved insect screen materials

DIRECTOR'S RECOMMENDATION

- Approved as requested.
- Approved subject to the condition stated above.
- Denied.



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Diane O'Quinn Williams, Director  
Miami-Dade County Department of  
Planning and Zoning

DO'QW:AJT:MTF:DBM

RO1-50



Joseph F. Janusz  
7204 Jacaranda Lane  
Miami Lakes, Fl. 33014

Letter of Intent

The proposed addition is designed and arranged on the site in a manner that minimizes aural and visual impact on the adjacent residences while affording a reasonable use of the land.

The variance will be in harmony with the general appearance and character of the community.

The proposed addition has been approved by the Miami Lakes Lake Martha Homeowners Association and Miami Lakes Architectural Control.

The addition will be 11' Joseph Janusz  
(20) feet required  
from rear property line.

RECEIVED  
No 1475  
SEP 13 2001

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY JD

R01-50

# Miami Lks AV

## Administrative Variance Advertisement

AV No. V01-175

STR: 23-52-40

**Applicant:** Joseph F. Janusz

1. NON USE VARIANCE OF SETBACK REQUIREMENTS to permit a proposed screen enclosure setback 11' (20' required) from the rear ~~(west)~~ <sup>EAST</sup> property line.

**Subject Property:** (legal description)

Lot 60, Block 40, Miami Lakes Lake Martha Section, according to the plat thereof as recorded in Plat Book 86, Page 76, of the Public Records of Dade County, Florida.

**Location:** 7204 Jacaranda Lane

**Size of property:** 40' X 104'

**Present Zoning:**

~~RU-TH~~  
<sup>(not RU-1)</sup>  
RU-TH

**Contact Person:**

Joseph F. Janusz  
7204 Jacaranda Lane  
Miami Lakes, FL 33014

*Jesus Davila* on September 18, 2001

RD1-50

32  
~~20~~ 20230102170  
TAX FOLIO NUMBER

APPLICATION FOR ADMINISTRATIVE VARIANCE

MIAMI-DADE COUNTY

DEPARTMENT OF PLANNING AND ZONING

ZONING HEARINGS SECTION

RECEIVED  
101-175  
SEP 13 2001

Sec. 23 Twp. 52 Rge. 40

Fee \_\_\_\_\_

ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.

BY: [Signature]

Date Received Stamp

This application, with all required supplemental data and information must be completed in accordance with the attached "INSTRUCTIONS FOR FILING APPLICATION FOR ADMINISTRATIVE ZONING VARIANCE" and returned to the MIAMI-DADE COUNTY DEPARTMENT OF PLANNING, AND ZONING with the required fee.

TYPE OR PRINT LEGIBLY IN INK ALL INFORMATION ON THE APPLICATION.

**NOTE: This application may only be applied for by the current fee owner of the property who either currently resides on the premises that is the subject of this application or owns and intends to reside there after construction is completed.**

- 1. Owner of Property Joseph F. Janosz Phone: 305-557-1003  
Cell 305-505-2257
- 2. Mailing Address 7204 Jacaranda Ln.

City Miami Lakes State FL Zip 33014

3. LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THE APPLICATION:

LOT 60 BLK 40 PRS 86-1-76

SIZE OF PROPERTY: 104' x 30'

- 4. Address or location of subject property 7204 Jacaranda Ln.
- 5. Present Zoning Classification(s) RUTH Present minimum sq. ftg. for building 45'x30'

Is this hearing being requested as a result of a violation notice or summons? N/A

Nature of the violation: N/A.

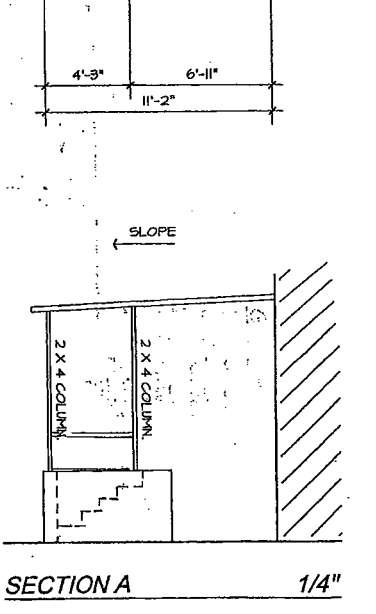
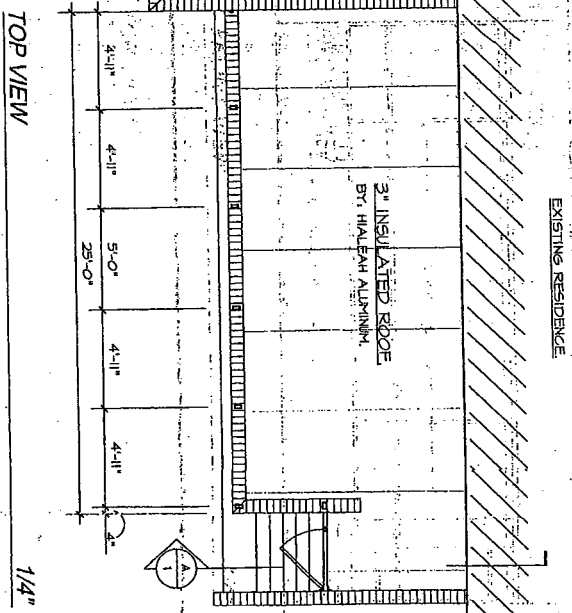
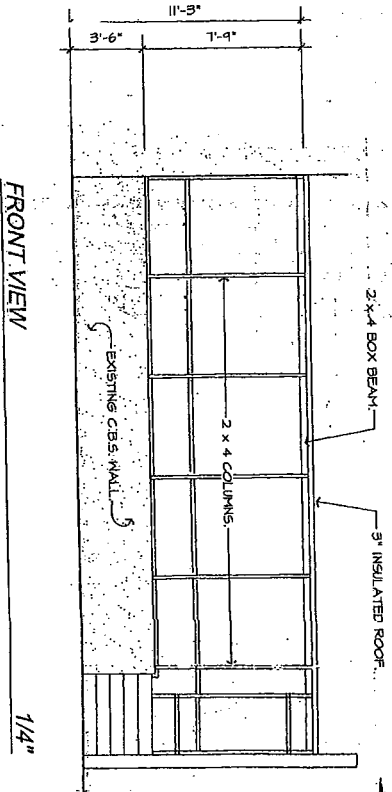
OWNER AFFIDAVIT/INTENT TO RESIDE

I have made every attempt to relocate/redesign the structure so as to avoid the variance(s) that are herein requested. I acknowledge that the Director of the Department of Planning and Zoning has the authority to approve, modify, or deny my application and that in granting approval of my application the Director may prescribe any appropriate conditions and safeguards necessary to protect and further the interest of the area and abutting properties.

I, X JOSEPH JANOSZ being first duly sworn, depose and say that I am the legal owner of record of the property described and which is the subject of the proposed variance

RD1-50





7201 Towards  
 7150  
 7152 Towards  
 M.F. 7202 Towards  
 7208 Towards  
 MR 7206 Towards  
 WK 7200 Towards

- GENERAL NOTES:**
1. CONTRACTOR TO VERIFY ALL DIMENSIONS.
  2. SEE ATTACHED SPECIFICATION SHEETS FOR ADDITIONAL DETAILS.
  3. STRUCTURE SHALL BE BUILT ACCORDING TO ATTACHED SPECIFICATION SHEETS AND DETAILS DRAWN BY RAMMS ENGINEERING, INC.
  4. DOORS ARE OPTIONAL. CONTRACTOR TO VERIFY LOCATION.

MIAMI-DADE COUNTY  
 BUILDING DEPARTMENT  
 STRUCTURAL SECTION  
 APPROVED BY: [Signature]  
 DATE: 4/18/14

[Handwritten signature]

DATE	02-11-14
DRAWN BY	AS
CHECKED BY	AS
SCALE	AS SHOWN
SHEET	1

1204 JACARANDA LANE  
 MIAMI LAKES, FL 33014

**RAMMS ENGINEERING, INC.**  
*Structural Designer*  
 LIC# 11955    2100 W. 76th STREET, SUITE 311    ROBERT S. MONSOUR  
 MIAMI, FL 33155    PH: (305) 899-3141

R01-50