

Virginia Howard
Chair President



Members
Mary Cabeza
Lisa M. Fratarcangeli
Emilio Guerra
Maira Miranda

Planning & Zoning Meeting
Minutes
March 9, 2023
6:30 p.m.

1. Call to Order

Chair President Virginia Howard called the meeting to order at 6:30 p.m.

2. Invocation

3. Pledge of Allegiance

Chair President Virginia Howard led the Pledge of Allegiance.

4. Roll Call

Chair President Howard, Member Guerra, Member Cabeza, Member Fratarcangeli, Member Miranda, Village Architect Perez-Vichot, and Attorney Cuadra were in attendance.

5. Meeting Notices

- Any person who decides to appeal any decision of the Village Council with respect to any matter considered at this meeting will need a record of the proceedings and, for such purpose, 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.
- Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the Village at least 2 days before the proceeding by contacting the Village Clerk's office at **305-871-6104**.

6. Approval of Minutes

(A) Planning & Zoning Meeting Minutes have been submitted

A motion to approve the minutes of the Planning & Zoning Members meeting of November 11, 2022 made by Member Cabezas was seconded by Member Miranda. The motion passed. 5-0.

7. Announcement of Amendments/Corrections to the Agenda

8. Old Business

9. New Business

A) Variance Request

ADDRESS OF PROPERTY:

5911 NW 36th STREET, VIRGINIA GARDENS, FL 33166

OWNER – WATERSTONE UNIT 2 EXPRESS, LLC

THE FOLLOWING VARIANCES HAVE BEEN REQUESTED BY APPLICANT WITH RESPECT TO CHAPTER 16, SECTION 6.2.4(A) OF THE VILLAGE OF VIRGINIA GARDENS CODE SO AS TO ALLOW FOR AN INCREASED BUILDING HEIGH.

1-Section 6.2.4(A) - Variance to allow for an increased building height.

Mr. Espino is respectfully requesting a modification of the previously-approved Variance from Section 6.2.4 to provide for a modest change in the project height from sixty feet (60') to the sixty-five and half feet (65'5") to the top of the roof and from seventy-one feet (71') to seventy-five and a third feet (75'3") to the top of parapet fascia. We also need to adjust the 98 square feet increase to the building area.

Chair President Howard asked if a security guard would be onsite once the hotel is built and stated her concern about future events and the lack of parking spaces becoming an issue with residents.

Mr. Espino responded that he would mention concern to the owner about having a security guard once the building is built. Regarding parking space, they will have valet onsite, and mechanical spaces will also be implemented.

A motion to approve the variance Section 6.2.4 (A) WATERSTONE UNIT 2 EXPRESS, LLC, made by Member Miranda, was seconded by Member Cabeza. The motion passed 5-0.

(B) Variance Request

ADDRESS OF PROPERTY: 6595, 6555 & 6501 NW 36 STREET,
VIRGINIA GARDENS, FL 33166

OWNER – ALEJANDRO ARAUJO

THE FOLLOWING VARIANCES HAVE BEEN REQUESTED BY A3M INVESTMENT LLC WITH RESPECT TO CHAPTER 16 SECTIONS 3.3.2 (D); 6.2.1; 6.4.2; 6.6. (b)(4) OF THE VILLAGE OF VIRGINIA GARDENS CODE.

Mr. Joseph Geller from Greenspoon Marder LLP respectfully requests a Site Plan Approval and a few Variances that need full compliance for their current project, Applicant 36th Storage LLC.

Mr. Geller states that the site was used as three office buildings near 66th and 36th Street. The longtime owner Mr. Araujo and partners have created an excellent project for the Village called MIX USE PROJECT!

The front façade of the furthest West of both buildings on 36th Street will be the same three buildings currently there. Two will be combined into one building (Bldg. A). See the map for Reference; Bldg. A will be a mix use project of 6550 square feet retail.

Building (Bldg. B). See the map for Reference; it will remain a single structure stand-alone. A restaurant of 2200 square feet will also be located in Bldg. B.

Two new buildings will be on an East parking lot facing the Village Athletic Field.

One new building will be constructed in the back area (Bldg. C). See the map for Reference. Closest to the field and be used for self-storage.

The second new building (Bldg. D) furthest East will be for car storage (fancy cars) and low-impact use; this business will operate within certain business hours, and access will be limited. (See Architectural Site Plan P-206 for Reference)

Mr. Geller also proposes adding a fence or an innovative geometrical screen over the building facing the Village Athletic field to make it visually attractive. (See Architectural Site Plan P-503 and P506 for Reference)

Member Miranda asked if the residents could use the parking lot for a soccer field.

Mr. Geller confirmed that parking access would be allowed and would be added to the written agreement as a top priority.

Mr. Geller introduced the team Engineer Sarah and architect Rebeca Brown and explained additional variances to the board members.

1. Section 3.3.2.D: Use Variance for Self-Storage use in Restricted Commercial District

A motion to approve the variance Section 3.3.2.D: for Self-Storage use in Restricted Commercial District. Made by Member Cabezas was seconded by Member Miranda the motion passed 5 -0.

2. Section 6.2.1: Variance from maximum 75% impervious area for Restricted Commercial.

i. 77% impervious area proposed.

Engineer Sara explains that this variance is based on keeping the existing parking space on the West side and will accommodate and keep up to code to facilitate the park.

Architect Perez asked if they could increase more green area on the west side.

Engineer Sara responded that she will reevaluate with her team.

A motion to approve the variance Section 6.2.1: Variance from maximum 75% with stipulations impervious area for Restricted Commercial. Made by Member Miranda was seconded by Member Lisa F.

The motion passed 5 -0.

3. Section 6.4.2: Variance from maximum 40% impervious coverage at front yard.

i. West frontage: 97% impervious area proposed (needed for site vehicular circulation and emergency access, based on existing parking spaces and location of building to remain).

A motion to approve the variance Section 6.4.2: Variance from maximum 40% impervious coverage at front yard. Made by Member Lisa F. was seconded by Member Miranda. The motion passed 5 -0.

ii. South frontage: 62% impervious area proposed (needed for site vehicular circulation and emergency access, based on existing parking spaces and location of buildings to remain).

A motion to approve the variance South frontage: 62% impervious area proposed Made by Member Cabezas was seconded by Member Miranda The motion passed 5 -0.

4. Section 6.6.B.4: Variance from maximum of 50% of the required yards may be utilized for off-street parking and other vehicular storage or circulation.

A motion to approve Section 6.6.B.4: Variance from maximum of 50% of the required yards Made by Member Miranda was seconded by Member Lisa F. The motion passed 5 -0.

i. West frontage: 77% area (driveways) proposed (needed for site vehicular circulation and emergency access, based on existing parking spaces and location of building to remain).

A motion to approve West frontage: 77% area (driveways) Made by Member Guerra was seconded by Member Miranda.
The motion passed 5 -0.

(C) Variance Request

ADDRESS OF PROPERTY:

6380 NW 38 TERRACE, VIRGINIA GARDENS, FL 33166

OWNER – LOURDES SANTA MARIA

THE FOLLOWING VARIANCES HAVE BEEN REQUESTED BY LOURDES SANTA MARIA WITH RESPECT TO CHAPTER 16 SECTION 6.2.4 (A) OF THE VILLAGE OF VIRGINIA GARDENS CODE SO AS TO ALLOW FOR SIDE SETBACK (WEST SIDE OF PROPERTY):

Section 6.2: Side setback requirement: 10% of the width of lot or not less than 5 ft.

Request: Allow for side (west) setback 1'6" less than required

Fabio Londono, the project architect, is requesting to legalize an outdoor bathroom built before Mrs. Lourdes purchased her home in 2013. The existing bathroom encroaches on the side setback. Instead of having 5 Ft, it has only 4 feet 4 inches. Variance is to legalize Non-conforming conditions.

Chairperson Howard and all board members are concerned with other possible illegalities on the property.

A motion to forward this item to the Village Council without recommendation but with the requirement for an inspection and to have all their relevant permitting information related to legalizing no-conforming matters. Made by Member Guerra was seconded by Member Miranda.
The motion passed 5-0

10. Good & Welfare

11. Adjournment

A motion to adjourn the meeting made by Member Fratarcangeli was seconded by Member Miranda. Chair President Howard adjourned the meeting at 8:20 p.m.