



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

September 27th, 2023

7:30 P.M.

COMMISSION CHAMBER

Meeting Agenda

MEMBERS:	GUSTAVO CEBALLOS	_____	EDWARD SILVA	
	EUGENIO GONZALEZ	_____	CITY MANAGER	_____
	ALVARO LOURIDO	_____	JOSE A. VILLALOBOS	_____
	NATALIE MILIAN	_____	CITY ATTORNEY	
	DIANA B. RIO	_____	GILBERTO GONZALEZ (ALT)	_____

Old Business:

Approval of Minutes: August 29th, 2023

New Business:

Public Hearing Agenda Item number 1
Special Use Permit

Property address: 6468-6470 S.W. 8th Street
West Miami, FL 33144

Franks Fresh Fruit Mini Market / Carlos Abreu /Abreu Inc. 6480 SW 8 Street, West Miami, Florida 33144.
Applicant requests a Special Use Permit for the property at 6468-6470 SW 8 Street, West Miami, Florida 33144. The property is zoned for “C” Commercial and the applicant is requesting to allow for a grocery store with heating food service and take-out, and alcoholic beverages to be offered only with food.

Special Use Permit Index Number 2023-002

Zoning Ordinance 282 Sec.2A.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.



**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.



CITY OF WEST MIAMI

NOTICE OF PUBLIC HEARING

The Planning and Zoning Board of the City of West Miami will hold a Public Hearing on Wednesday, September 27th, 2023, at 7:30 P.M. at the City of West Miami Commission Chambers, 2nd Floor, located at 901 S.W. 62nd Avenue, West Miami, Florida. All recommendations will be heard by the City Commission of the City of West Miami at a Public Hearing on Wednesday, October 4th, 2023, at 6:00 P.M. at the City of West Miami Commission Chambers, 2nd Floor, located at 901 S.W. 62nd Avenue, West Miami, Florida, to hear views of interested persons on the agenda listed below. Following the hearing the City Commission will then render a decision on the application.

Public Hearing Agenda Item number 1
Special Use Permit

Property address: 6468-6470 S.W. 8th Street
West Miami, FL 33144

Franks Fresh Fruit Mini Market / Carlos Abreu / Abreu Inc. 6480 SW 8 Street, West Miami, Florida 33144.
Applicant requests a Special Use Permit for the property at 6468-6470 SW 8 Street, West Miami, Florida 33144. The property is zoned for "C" Commercial and the applicant is requesting to allow for a grocery store with heating food service and take-out, and alcoholic beverages to be offered only with food.
Special Use Permit Index Number 2023-002
Zoning Ordinance 282 Sec.2A.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.



Special Use Permit Application
Index Number 2023-002
Date of Application 8/24/2023

**CITY OF WEST MIAMI
APPLICATION FOR SPECIAL USE PERMIT**

Within the City generally, and within certain zoning districts, certain structures, uses, and/or occupancies specified in this Ordinance are of a nature requiring special and intense review to determine whether or not they should be permitted in specific locations, and if so, the special limitations, conditions, and safeguards which should be applied as reasonably necessary to promote the general purpose of this zoning ordinance, and, in particular to protect the joining properties and neighborhood from avoidable potentially adverse effects. It is further intended that the expertise and judgment of the City Commission be exercised in making such determinations, in accordance with the rules, considerations, and limitations relating to Special Use Permits.

Formal public notice and hearing are mandatory for Special Use Permits.

The City Commission shall be solely responsible for determinations on Application for Special Use Permits. All applications for Special Use Permit shall be referred to the Planning and Zoning Board for recommendations and the City Commission may make further referrals pursuant to Section 2A of this Ordinance.

I/We **Carlos A. Abreu**

hereby apply to the City of West Miami City Commission for approval of a Special Use Permit for property located at: 6468 - 6470 SW 8th St., West Miami, Florida.

(Legal Description of Property)

Lot (s) 7 & 8 and 5 & 6 Block (s) _____

Subdivision Fairlawn Sec B

Plat Book No. 13 Plat Book Page 55

Proposed use (be specific):

Grocery store with seating food service and take-out, alcoholic beverage will be offered only with food (2COP)

The following is required in support or explanation of this application:

___ (a) Statements of ownership and control of the proposed development or activity (attach affidavit disclosing ownership and control, see Page 4 for owner. Tenant to supply separate affidavit).

___ (b) Statement describing in detail the character and intended use of the development or activity (attach separate sheet). Two story addition

_____ (c) General location map, showing relation of the site or activity for which special use permit is sought to major streets, schools, existing utilities, shopping areas, important physical features in and adjoining the project or activity and the like.

_____ (d) A site plan containing the title of the project and names of the project planner and developer, date, and north arrow and, based on an exact survey of the property drawn to a scale of sufficient size to show _____ boundaries of the project, any existing streets, water courses, easements, and section lines; _____ exact location of all buildings and structures; _____ Access and traffic flow and how vehicular traffic will be separated from pedestrian and other types of traffic _____ off-street parking and off-street loading areas; _____ recreation facilities locations; _____ all screens and buffers; _____ refuse collection areas; and _____ access to utilities and points of utilities hookups.

_____ (e) Tabulations of total gross acreage in the project and the percentages thereof proposed to be devoted to (1) the various permitted uses; and (2) ground coverage by structures, landscaped areas and pavement.

_____ (f) Tabulation showing (1) the derivation of numbers of off-street parking and off-street loading spaces shown in (d) above; and (2) total project density in dwelling units per acre.

_____ (g) If common facilities (such as recreation areas or structures, private streets, common open space, etc.) are to be provided for the development, statements as to how such common facilities are to be provided and permanently maintained: Such statements may take the form of proposed deed restrictions, deeds of trust, home owners associations, surety arrangements, or other legal instruments providing adequate guarantees to the City that such common facilities will not become a future liability for the City.

_____ (h) Storm drainage and sanitary sewerage plans.

_____ (i) Architectural definitions for buildings in the development; exact number of commercial and/or dwelling units, sizes and types, together with typical floor plans of each type.

_____ (j) Plans for signs, if any.

_____ (k) Landscaping plan, including types, sizes and locations of vegetation and decorative shrubbery, and showing provisions of irrigation and future maintenance.

_____ (l) Plans for recreational facilities, if any, including location and general description of buildings for such use.

_____ (m) Such additional data, maps, plans, or statements as may be required for the particular use or activity involved. (attach sheet).

_____ (n) Such additional data as the applicant may believe pertinent to the proper consideration of the site and development plan.

Items (c), (d), (k) and (i) above shall be prepared by a registered surveyor, engineer, architect, landscape architect or certified planner as may be appropriate to the particular item.

NOTE: Special Use Permit and Special Use Permit for Planned Development applications must be submitted in set as follows:

- One (1) original set of all forms, documents and plans.
- Seven (7) copied sets of all forms, documents and plans.

Special Instructions:

Signature of Owner or Authorized Agent

Carlos A. Abreu

Name (Please Print)

13601 SW 75th St.

Address

Miami, FL 33183

City State Zip

(305) 970-5008

Telephone

ca@westmiamipb.com

Email

STATE OF FLORIDA)
 ss
COUNTY OF DADE)

Carlos A. Abreu, being duly sworn, deposes and says that he is the (**Owner**) (Authorized Agent) of the real property described above; that he has read the foregoing answers and that the same are true and correct, and (if acting as Agent for Owner) that he has authority to execute this Application Form on behalf of the Owner.

SWORN TO AND SUBSCRIBED
before me this 20th day
of August 2023.



Serguei Puertas Mata

Notary Public State of Florida

My commission expires: **May 22nd, 2025**



SERGUEI PUERTAS MATA
Commission # HH 132286
Expires May 22, 2025
Bonded Thru Budget Notary Services



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On: 09/19/2023

PROPERTY INFORMATION	
Folio	15-4012-045-0050
Property Address	6468 SW 8 ST WEST MIAMI, FL 33144-4814
Owner	ABREU INC
Mailing Address	6468 SW 8 ST MIAMI, FL 33144-4814
Primary Zone	6200 COMMERCIAL - ARTERIAL
Primary Land Use	2719 AUTOMOTIVE OR MARINE : AUTOMOTIVE OR MARINE
Beds / Baths /Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	2,800 Sq.Ft
Living Area	2,800 Sq.Ft
Adjusted Area	2,800 Sq.Ft
Lot Size	6,000 Sq.Ft
Year Built	1951



ASSESSMENT INFORMATION			
Year	2023	2022	2021
Land Value	\$540,000	\$372,000	\$360,000
Building Value	\$71,190	\$71,190	\$61,698
Extra Feature Value	\$17,593	\$17,720	\$17,848
Market Value	\$628,783	\$460,910	\$439,546
Assessed Value	\$507,001	\$460,910	\$439,546

BENEFITS INFORMATION				
Benefit	Type	2023	2022	2021
Non-Homestead Cap	Assessment Reduction	\$121,782		

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

SHORT LEGAL DESCRIPTION
FAIRLAWN SEC B PB 13-55
LOTS 7 & 8
LOT SIZE 50.000 X 120
OR 17433-1619 1096 6

TAXABLE VALUE INFORMATION			
Year	2023	2022	2021
COUNTY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$507,001	\$460,910	\$439,546
SCHOOL BOARD			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$628,783	\$460,910	\$439,546
CITY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$507,001	\$460,910	\$439,546
REGIONAL			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$507,001	\$460,910	\$439,546

SALES INFORMATION			
Previous Sale	Price	OR Book-Page	Qualification Description
10/01/1996	\$240,000	17433-1619	Other disqualified
05/01/1988	\$42,000	13679-1016	Deeds that include more than one parcel
04/01/1988	\$40,000	13659-3888	Sales which are qualified
10/01/1979	\$75,000	10557-0339	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidadegov/info/disclaimer.asp>



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On: 09/19/2023

PROPERTY INFORMATION

Folio	15-4012-045-0040
Property Address	6470 SW 8 ST WEST MIAMI, FL 33144-4814
Owner	CARLOS ABREU
Mailing Address	100 BAHAMA ROAD KEY LARGO, FL 33037
Primary Zone	6200 COMMERCIAL - ARTERIAL
Primary Land Use	2719 AUTOMOTIVE OR MARINE : AUTOMOTIVE OR MARINE
Beds / Baths /Half	0 / 0 / 0
Floors	1
Living Units	0
Actual Area	1,712 Sq.Ft
Living Area	1,712 Sq.Ft
Adjusted Area	1,712 Sq.Ft
Lot Size	6,000 Sq.Ft
Year Built	1949



ASSESSMENT INFORMATION

Year	2023	2022	2021
Land Value	\$540,000	\$372,000	\$360,000
Building Value	\$76,976	\$76,976	\$67,739
Extra Feature Value	\$17,203	\$17,361	\$17,519
Market Value	\$634,179	\$466,337	\$445,258
Assessed Value	\$512,970	\$466,337	\$445,258

BENEFITS INFORMATION

Benefit	Type	2023	2022	2021
Non-Homestead Cap	Assessment Reduction	\$121,209		

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

SHORT LEGAL DESCRIPTION

FAIRLAWN SEC B PB 13-55
LOTS 5 & 6
LOT SIZE 50.000 X 120
OR 18373-2561 1098 1

TAXABLE VALUE INFORMATION

Year	2023	2022	2021
COUNTY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$512,970	\$466,337	\$445,258
SCHOOL BOARD			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$634,179	\$466,337	\$445,258
CITY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$512,970	\$466,337	\$445,258
REGIONAL			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$512,970	\$466,337	\$445,258

SALES INFORMATION

Previous Sale	Price	OR Book-Page	Qualification Description
02/15/2018	\$100	30868-2690	Corrective, tax or QCD; min consideration
10/01/1998	\$200,000	18373-2561	Sales which are qualified
12/01/1987	\$150,000	13522-4671	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidadegov/info/disclaimer.asp>