Regular Council Meeting
Tuesday, February 25, 2020
Agenda
7:00 PM

Statement of Decorum
Any person making a racial or slanderous remark or who becomes boisterous while addressing the Village Council, Staff, etc. shall be barred from the audience by the presiding officer. No profanity, shouting, heckling, verbal outbursts or disruptive behavior in support of or opposition to a speaker or his/her remarks is permitted. No signs or placards shall be allowed in the Village Hall. Person exiting the Village Hall shall do so quietly.

"Pursuant to Florida Statutes, Chapter 286.0105: If a person decided to appeal any decision made by the Board, Agency or Committee with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she 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."

A. CALL TO ORDER..............................Mayor Claudia V. Cubillos, Presiding

B. SILENT MEDITATION & PLEDGE.............Salute American Flag in Unison

C. ROLL CALL.................................Yenise Jacobi, Village Clerk

D. APPROVAL OF AGENDA

E. APPROVAL OF MINUTES FOR THE FOLLOWING MEETING (S):
   E1. Approval of the Minutes for January 28, 2020 Regular Council Meeting

F. ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:

G. GOOD AND WELFARE
   (Note: This section of the agenda is reserved in the spirit of a representative democracy "of, by, and for the people" and is specifically provided as a mechanism for the input and solutions on matters of concern of Villagers. We request that comments be limited to 3 MINUTES PER PERSON, and that speakers and the audience maintain proper decorum at-large. The speaker should keep to only issues on the agenda.)
H. AGENDA ITEM:

I. RESOLUTIONS/ORDINANCES:

11. RESOLUTION 2020-04 Garage Conversion 149 NE 89th Street

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL, FLORIDA AUTHORIZING THE APPROVAL OF THE VARIANCE FOR A GARAGE CONVERSION AS REQUESTED BY TOM SPAVEN AND JANEL DOWNING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

12. RESOLUTION 2020-05 Garage Conversion 9001 NE 1st Avenue

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL, FLORIDA AUTHORIZING THE APPROVAL OF THE VARIANCE FOR A GARAGE CONVERSION AS REQUESTED BY MARDY ABURTO; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

13. RESOLUTION 2020-06 Garage Conversion 12 NW 91st Street

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL, FLORIDA AUTHORIZING THE APPROVAL OF THE VARIANCE FOR A GARAGE CONVERSION AS REQUESTED BY PATRICIA ESTREMADUROYO; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

14. RESOLUTION 2020-07 Garage Conversion 155 NW 86th Street

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL, FLORIDA AUTHORIZING THE APPROVAL OF THE VARIANCE FOR A GARAGE CONVERSION AS REQUESTED BY INES GOMEZ-ACEBO; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
I5. RESOLUTION 2020-08

TREE ADVISORY BOARD APPOINTMENTS

A RESOLUTION OF THE EL PORTAL, FLORIDA VILLAGE COUNCIL, APPROVING APPOINTMENTS TO THE TREE ADVISORY BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.

J. MAYOR, MANAGER, COMMITTEE & ATTORNEY REPORTS:
J1. Village Mayor Report - Mayor Claudia V. Cubillos

J2. Village Manager Report – Christia Alou

J3. Village Attorney Reports – Interim Attorney Norman Powell

K. UNFINISHED BUSINESS AND GENERAL ORDERS:

L. NEW BUSINESS:

M. GOOD AND WELFARE
(Note: This section of the agenda is reserved in the spirit of a representative democracy “of, by, and for the people” and is specifically provided as a mechanism for the input and solutions on matters of concern of Villagers. We request that comments be limited to 3 MINUTES PER PERSON, and that speakers and the audience maintain proper decorum at-large. The speaker should keep to only issues on the agenda.)

N. ADJOURNMENT:
Mayor & Councilpersons
In accordance with the American With Disabilities Act of 1990, all persons with disabilities and who need special accommodations to participate in this meeting due to that disability should contact the Village Clerk’s Office at (305) 795-7880 no later than two (2) business days prior to such proceeding.
**APPLICATION:**
THE APPLICANT IS REQUESTING TO CONVERT AN EXISTING ONE-CAR GARAGE FOR USE AS LIVING SPACE, WHICH PURSUANT TO SECTION SECTION 5-66 – GARAGE ENCLOSURE OF THE CODE OF ORDINANCES REQUIRES VILLAGE COUNCIL APPROVAL BY PROCESS OF VARIANCE.

A VARIANCE IS PROCESSED PURSUANT OF SECTION 17-58 – REQUIREMENTS AND PROCEDURES FOR VARIANCES AND ADMINISTRATIVE ADJUSTMENTS, WHICH REQUIRES COUNCIL APPROVAL WITHIN THE ZONE 3 (Z3) SUB-URBAN RESIDENCE.

**PROPERTY HISTORY:**
The current 1,603 square foot structure was built in 1940 as a single-family residential building – as permitted under 'Sec. 24-3. - RSF single-family residential district' now Zone 3 of the Code of Ordinances. The approximately 195 square foot garage was built as part of the main building. The property has a Principal Front Setback (the front yard) facing NE 89th Street. The garage is on the west side of the main façade and is visible from the public right-of-way on NE 89th Street.

(a) Transect Zone Description.
Zone 3 - Sub-Urban Zone
Zone 3 consists of low-density Residential areas. The majority of land in the Village of El Portal is designated as Zone 3 Transect Zone.

(b) Existing Garage Condition.
According to the Site and Architectural Plans, there is an existing single-car garage that is too small to fit a modern vehicle. The existing space is being utilized for mechanical equipment and a laundry area.
3. APPLICATION REQUEST:

(a) Applicant Request.

The Applicant wishes to convert the existing garage into an additional bedroom and bathroom as part of a larger interior renovation to modernize the residence.

The Applicant is requesting this conversion on the grounds that the existing garage is currently used for mechanical equipment and a laundry area rather than for parking and therefore does not function in the way that it was intended. The property allows for parking of two cars within the first layer and complies with the form-based code zoning requirements.

The Applicant requests to alter the front façade of the residence in a way that retains the existing character by replacing the garage door with a window with the same size and proportion of the existing windows on the front façade. The remaining garage door opening will be infilled with brick that matches what is existing.

The Applicant requests to modify the site by proposing a paved driveway within the Principal Front Setback that can accommodate two parking spaces for vehicles and does not exceed 33% of the front yard, including all other impervious surfaces, per the code requirements. The driveway approach is 12 feet wide as per the code requirements as well.

(b) Code of Ordinance Garage Enclosure Standards.

Sec. 5-66. Garage Enclosure. It shall be unlawful to enclose a garage for living space unless a variance is granted by the village council upon a showing of good cause.

4. STAFF RECOMMENDATION: APPROVAL.

Pursuant of Sec. 17-58 Requirements and Procedures for Variances (b)(5)e, the Applicant shows good cause for enclosure of the garage for use as a bedroom and bathroom. In addition, the existing garage is currently not being used to park a vehicle.

The grant of the Variance as presented is in harmony with the general intent and purpose of the Zoning Code because the garage door will be replaced with a window that matches the proportion and design of the existing windows on the main façade of the residence.

Therefore, Approval is recommended for this carport enclosure.
EL PORTAL RESIDENCE
149 NE 88TH ST, EL PORTAL, FL.
FOLIO NO. 18-3101-019-0350

APPLICATION FOR VARIANCE
VILLAGE OF EL PORTAL

ARCHITECT

ANDSTUDIO
ARCHITECTURE + DESIGN

COVER SHEET
VILLAGE OF EL PORTAL, FLORIDA

RESOLUTION NO. 2020-04

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL, FLORIDA AUTHORIZING THE APPROVAL OF THE VARIANCE FOR A GARAGE CONVERSION AS REQUESTED BY TOM SPAVEN AND JANEL DOWNING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application was submitted by Mr. Tom Spaven and Ms. Janel Downing to convert an existing garage space for use as a family room in their residence located at 149 NE 89th Street; and

WHEREAS, the proposed one-story residence project is located in Transect Zone 3 – Sub-Urban Residence of the Village of El Portal, which consists of low-density residential areas; and

WHEREAS, on January 21, 2020, the Planning and Zoning Committee conducted a Public Hearing to consider the application and input from interested parties; and

WHEREAS, the Planning and Zoning consultants provided a report and presentation related the variance and outlined considerations associated with the property; and

WHEREAS, the Planning and Zoning consultants recommended approval of the variance based on findings and the request being consistent with zoning requirements; and

WHEREAS, the Planning and Zoning Committee considered the recommendation of the Planning and Zoning consultants and upon conclusion of the Public Hearing voted to recommend the approval of the variance to the Village Council; and

WHEREAS, on February 25, 2020, a second Public Hearing was held before the Mayor and Village Council to consider the application and interested parties were allowed to comment; and

WHEREAS, the Village Council of the Village of El Portal desires to approve the requested Variance for the garage conversion.
NOW THEREFORE, BE IT DULY RESOLVED BY THE VILLAGE COUNCIL OF THE
VILLAGE OF EL PORTAL, FLORIDA THAT:

Section 1. The recitals to the preamble herein are incorporated by reference.

Section 2. Grant.

The Village Council hereby approves the variance request of Mr. Tom Spaven and Ms.
Janel Downing, owners of the property located at 149 NE 89th Street, El Portal, and grants the
variance for converting the existing garage space for use as a family room.

Section 3. Appeal.

The Applicant or any aggrieved property owner may appeal the decision of the
Village Council by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida,
in accordance with the Florida Rules of Appellate Procedure.

Section 4. Effective Date.

This resolution shall take effect immediately upon adoption.

__________________________
Claudia Cubillos, Mayor

ATTEST: ________________________________
Yenise Jacobi, Village Clerk

Approved as to form and legal sufficiency:
Interim Village Attorney

By: ________________________________
Norman C. Powell, Esq.

Vote:

Councilperson Urbom: ___(Yes) ___(No)
Councilperson Roman: ___(Yes) ___(No)
Vice Mayor Nickerson: ___(Yes) ___(No)
Mayor Cubillos: ___(Yes) ___(No)

I, Yenise Jacobi, Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Resolution No.: 2020___ adopted on April ___, 2018, as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this _____ day of __________, 2020.

__________________________
Yenise Jacobi
Village Clerk
VILLAGE OF EL PORTAL
PLANNING AND ZONING

500 NE 87th Street
El Portal, FL 33138
PHONE 305-795-7880    FAX 305-795-7884

APPLICANT: Mardy E. Aburto
SUBJECT ADDRESS: 9001 NE 1st Avenue – Zone 3

PUBLIC HEARING(s):
1. Planning and Zoning Committee Meeting – January 21, 2020
2. Regular Council Meeting

DATE AND TIME: February 25, 2020; 7:00pm

2019-PZ-008
Zoning Variance –
Garage Conversion –
9001 NE 1 AVE

1. APPLICATION:
THE APPLICANT IS REQUESTING TO ENCLOSE AN EXISTING ONE-CAR CARPORT
AND ADJOINING ENCLOSED GARAGE FOR USE AS LIVING SPACE, WHICH
PURSUANT TO SECTION 5-66 – GARAGE ENCLOSURE OF THE CODE OF ORDINANCES
REQUIRES VILLAGE COUNCIL APPROVAL BY PROCESS OF VARIANCE.

A VARIANCE IS PROCESSED PURSUANT OF SECTION 17-58 – REQUIREMENTS AND
PROCEDURES FOR VARIANCES AND ADMINISTRATIVE ADJUSTMENTS, WHICH REQUIRES
COUNCIL APPROVAL WITHIN THE ZONE 3 (Z3) SUB-URBAN RESIDENCE.

2. PROPERTY HISTORY:
The current 2,128 square foot structure was built in 1958 as a single-family
residential building – as permitted under 'Sec. 24-3. - RSF single-family residential
district' now Zone 3 of the Code of Ordinances. The carport and garage were built
as part of the main building. The property has a Principal Front Setback (the front
yard) facing NE 1st Avenue and a Secondary Front Setback facing NE 90th Street.
The garage and carport are on the west side of the main façade and are visible
from the public right-of-way on NE 1st Avenue.

(a) Transect Zone Description.
Zone 3 - Sub-Urban Zone
Zone 3 consists of low-density Residential areas. The majority of land in
the Village of El Portal is designated as Zone 3 Transect Zone.

(b) Existing Garage Condition.
According to the Applicant, there is an existing single-car garage currently
being used for storage and a carport currently used as an open space to
park one vehicle and also as a laundry area.
3. APPLICATION REQUEST:

(a) Applicant Request.

The Applicant wishes to convert the existing garage into two separate rooms, one as a library and office space and another as a room for architectural drafting, and to enclose the carport area and create a utility room for laundry and a small visitor's bathroom. The proposed conversion plans for the carport therefore include bathroom and plumbing facilities.

The Applicant is requesting this conversion on the grounds that the existing garage is currently used for storage rather than for parking a vehicle and therefore does not function in the way that it was intended. The property allows for parking of two cars within the first layer and complies with the form-based code zoning requirements. The Applicant is requesting enclosing the carport on the grounds of securing their home from the constant theft and vandalism that takes place in this open space when they are not present. In addition, this open space has also become an area where animals gather at all times.

The Applicant requests to alter the front façade of the residence in a way that retains the existing character by replacing the garage door with a window with the same size and proportion of the existing windows on the east side of the front facade. The carport opening will be infilled with material and color that matches what is existing.

(b) Code of Ordinance Garage Enclosure Standards.

Sec. 5-66. Garage Enclosure. It shall be unlawful to enclose a garage for living space unless a variance is granted by the village council upon a showing of good cause.

4. STAFF RECOMMENDATION: APPROVAL.

Pursuant of Sec. 17-58 Requirements and Procedures for Variances (b)(5)e, the Applicant shows good cause for enclosure of the existing garage and carport for use as living spaces. In addition, the existing garage and carport are not currently being used for parking a vehicle.

The grant of the Variance as presented is in harmony with the general intent and purpose of the Zoning Code because the garage door will be replaced with a window that matches the proportion and design of the existing windows on the main façade of the residence.

Therefore, Approval is recommended for this garage conversion and carport enclosure.
August 21, 2019

Mardy E. Aburto
9001 N.E 1st Ave.
El Portal Florida 33138

Dear Distinguished Members of the Planning and Zoning Committee
and the Village Clerk

I am excited to present to you this application for Variance for the property
located at 9001 NE 1st Avenue in the Village of El Portal, as property owner
under my name Mardy E. Aburto.

This Variance is to allow enclosure of an existing Carport
and Garage, the Garage is with standard dimension and is used for books and
computers storage, and the carport is an open space for one car an laundry area.

The purpose of the garage area is to create two spaces rooms, one for computer and
Accessories for architectural drafting drawing and the other room for Library and office.
the purpose for the carport area is create an utility room for laundry and one bathroom
for visitor.

This will allow to grow into the home with confort, security, protection and
peace of mind.

I am living in El Portal Village for more than 20 years, the house was originally
built in the 1950’s and the variance requested for this purpose fit the standard
and comply with the space required for two car parking driveway, also the
façade keep the existing character of the home by replacing the garage door
with a window that maintains the proportion of the other windows,

Other aspects of this proposed enclosed carport and garage is the bandalism
and theft that some people does constantly during our absence time, because the
carport is an open door that attract people doing human necessities including cats, dogs
and raccoons into my property, also the use of my dryer and washing machines are part
of the necessity to enclosure the carport and garage.

Thank you for your consideration of my application.

Mardy Aburto
LEGAL DESCRIPTION:
Lot 22 AND 23, Block 7, El PORTAL, Section 2,
according to the Plat thereof as recorded in Plat
Book B, at Page 110 of the Public Records of Miami
Dade County, Florida.

SUBURBAN DIVISION:
1. Wooded area is subject to timber at issue.
2. SITTLERS OF THE NEIGHBORHOOD OF THE LINE WERE
BE SERVED IN LATE '70s AT ISSUE. SEE EXHIBIT 1.
3. The orthoimage was obtained from the City of
Miami. 1/25,000 scale. 1958. 1/15,000 scale.
4. The building materials are subject to change.
5. There may be additional restrictions that shown
in the plat, but these are detailed in the plat.
6. The building materials are subject to change.
7. On the plat the boundaries are shown as
measured on the ground. The scale is 1" = 20' and
the verification is 1" = 20'.
8. Certification is made by the Surveyor.
9. Survey is subject to change.

CERTIFY TO:
Mandy B. Arutu

LEGEND:

PROPERTY ADDRESS:
0201 NE 1st Avenue
Miami, Florida 33138

THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.
VILLAGE OF EL PORTAL, FLORIDA

RESOLUTION NO. 2020-05

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL, FLORIDA AUTHORIZING THE APPROVAL OF THE VARIANCE FOR A GARAGE CONVERSION AS REQUESTED BY MARDY ABURTO; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application was submitted by Ms. Mardy Aburto to convert an existing garage space for use as a family room in their residence located at 9001 NE 1st Avenue; and

WHEREAS, the proposed one-story residence project is located in Transect Zone 3 – Sub-Urban Residence of the Village of El Portal, which consists of low-density residential areas; and

WHEREAS, on January 21, 2020, the Planning and Zoning Committee conducted a Public Hearing to consider the application and input from interested parties; and

WHEREAS, the Planning and Zoning consultants provided a report and presentation related the variance and outlined considerations associated with the property; and

WHEREAS, the Planning and Zoning consultants recommended approval of the variance based on findings and the request being consistent with zoning requirements; and

WHEREAS, the Planning and Zoning Committee considered the recommendation of the Planning and Zoning consultants and upon conclusion of the Public Hearing voted to recommend the approval of the variance to the Village Council; and

WHEREAS, on February 25, 2020, a second Public Hearing was held before the Mayor and Village Council to consider the application and interested parties were allowed to comment; and

WHEREAS, the Village Council of the Village of El Portal desires to approve the requested Variance for the garage conversion.
NOW THEREFORE, BE IT DULY RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA THAT:

Section 1. The recitals to the preamble herein are incorporated by reference.

Section 2. Grant.

The Village Council hereby approves the variance request of Ms. Mardy Aburto, owner of the property located at 9001 NE 1st Avenue, El Portal, and grants the variance for converting the existing garage space for use as a family room.

Section 3. Appeal.

The Applicant or any aggrieved property owner may appeal the decision of the Village Council by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

Section 4. Effective Date.

This resolution shall take effect immediately upon adoption.

Claudia Cubillos, Mayor

ATTEST: __________________________________________
Yenise Jacobi, Village Clerk

Approved as to form and legal sufficiency:
Interim Village Attorney

By: __________________________________________
Norman C. Powell, Esq.

Vote:

Councilperson Urbom: ______(Yes) ______(No)
Councilperson Roman: ______(Yes) ______(No)
Vice Mayor Nickerson: ______(Yes) ______(No)
Mayor Cubillos: ______(Yes) ______(No)

I, Yenise Jacobi, Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Resolution No.: 2020-____ adopted on April ____ , 2018, as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this ______ day of __________, 2020.

Yenise Jacobi
Village Clerk
VILLAGE OF EL PORTAL
PLANNING AND ZONING

500 NE 87th Street
El Portal, FL 33138
PHONE 305-795-7880   FAX 305-795-7884

<table>
<thead>
<tr>
<th>APPLICANT:</th>
<th>Patricia Estremaduroyro</th>
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<tr>
<td>SUBJECT ADDRESS:</td>
<td>12 NW 91st Street – Zone 3</td>
</tr>
<tr>
<td>PUBLIC HEARING(s):</td>
<td>1. Planning and Zoning Committee Meeting</td>
</tr>
<tr>
<td>DATE AND TIME:</td>
<td>February 25, 2020; 7:00pm</td>
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<tr>
<th>2019-PZ-009 Zoning Variance – Garage Conversion – 12 NW 91 ST</th>
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<tbody>
<tr>
<td>1. APPLICATION:</td>
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2. PROPERTY HISTORY:

The current 1,567 square foot structure was built in 1947 as a single-family residential building – as permitted under ‘Sec. 24-3. - RSF single-family residential district’ now Zone 3 of the Code of Ordinances. The approximately 244 square foot garage was built attached to the main building. The property has a Principal Front Setback (the front yard) facing NW 91st Street. The garage is on the west side of the main façade and is visible from the public right-of-way on NW 91st Street.

(a) Transect Zone Description.
Zone 3 - Sub-Urban Zone
Zone 3 consists of low-density Residential areas. The majority of land in the Village of El Portal is designated as Zone 3 Transect Zone.

(b) Existing Garage Condition.
According to the Site and Architectural Plans, there is an existing single-car garage that is 10'-0” wide by 24'-4” deep attached to the main building and is accessed from the exterior only. The existing space is being utilized as a laundry area.
3. APPLICATION REQUEST:

(a) Applicant Request.

The Applicant wishes to convert the existing garage into an additional room as living space to be used partly as a den and as a laundry area that can be accessed from the main building and not exclusively from the exterior. The proposed conversion plans do not include new bathroom fixtures or kitchen facilities.

The Applicant is requesting this conversion on the grounds that the existing garage is currently in need of repairs, its only access is from the exterior, and it is not currently used to park a vehicle. The conversion includes new access from the existing main building into the garage, which will allow the Applicant to use the space for storage of items that are needed on a daily basis. In addition, the current garage conditions and openings are inviting to small animals to easily enter the space. The Applicant has a severe phobia of such animals and would like to completely enclose the space to avoid this from happening and to be able to use it adequately as a space for living.

The Applicant requests to alter the front façade of the residence by replacing the top of the garage door with a new window and to maintain the remaining portion of the garage door. In addition, the existing windows on west facade will be replaced in the same location, and the existing rear door will be removed and replaced with a new, larger door, and a new opening will be created in the existing wall to allow access from the main building.

The Applicant wishes to retain the existing driveway within the Principal Front Setback of the property that can accommodate two parking spaces for vehicles and does not exceed 33% of the front yard, therefore complying with the Village’s zoning requirements.

(b) Code of Ordinance Garage Enclosure Standards.

Sec. 5-66. Garage Enclosure. It shall be unlawful to enclose a garage for living space unless a variance is granted by the village council upon a showing of good cause.
4. STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS.

Pursuant of Sec. 17-58 Requirements and Procedures for Variances (b)(5)e, the Applicant shows good cause for enclosure of the garage for use as living space as the existing residence is limited in square footage, and the proposed conversion will not include any plumbing, bathroom, or kitchen facilities.

The grant of the Variance as presented is in harmony with the general intent and purpose of the Zoning Code because the garage door will be replaced with a window that matches the proportion and design of the existing windows on the main façade of the residence.

Therefore, Approval is recommended for this garage conversion.
Dear Sirs:

I am writing to you to request a variance permission for my garage.

At the present moment the house I own has an attached garage that is in need of repairs. The main problem though is that access to it is only from the exterior.

This rainy season has limited my access to my own garage since the door is through my backyard. Furthermore, the large door by the entrance is broken and not easy to use. The frame is coming apart and allows small animals to enter through it.

This leads to the main reason why I am requesting to enclose my garage completely. For the past 35 years I have suffered from an extreme phobia of lizards. Unfortunately, mental health treatment has not improved my condition.

These animals have gotten through the many cracks in the garage (broken doors, ceiling, windows) and as a result it is disruptive to my daily life. My washing machine and dryer both located in the garage and I can only access it when my kids are home. My children spend half their time with their father, so this limits me tremendously. I cannot adequately store items there since some of those items I need for work. I also would like to use some of that space for my kids to do homework because at this time they are utilizing the dining room area.

I am glad to have joined the El Portal community; primarily for its beautiful vegetation. However, I underestimated the migration of some animals into my garage. Mainly the ones that cause me to have a panic attack.

I hope you understand the severity of my phobia and that you consider my request. I need to be able to use my garage but it is inaccessible to me.

If you have any questions please feel free to contact me via e-mail: patty.estremadouro@gmail.com

Best Regards,

Patty Estremadouro

[Signature]

9/11/19
VILLAGE OF EL PORTAL, FLORIDA

RESOLUTION NO. 2020-06

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL, FLORIDA AUTHORIZING THE APPROVAL OF THE VARIANCE FOR A GARAGE CONVERSION AS REQUESTED BY PATRICIA ESTREMADOYRO: PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application was submitted by Ms. Patricia Estremadoyro to convert an existing garage space for use as a family room in their residence located at 12 NW 91st Street; and

WHEREAS, the proposed one-story residence project is located in Transect Zone 3 – Sub-Urban Residence of the Village of El Portal, which consists of low-density residential areas; and

WHEREAS, on January 21, 2020, the Planning and Zoning Committee conducted a Public Hearing to consider the application and input from interested parties; and

WHEREAS, the Planning and Zoning consultants provided a report and presentation related the variance and outlined considerations associated with the property; and

WHEREAS, the Planning and Zoning consultants recommended approval of the variance based on findings and the request being consistent with zoning requirements; and

WHEREAS, the Planning and Zoning Committee considered the recommendation of the Planning and Zoning consultants and upon conclusion of the Public Hearing voted to recommend the approval of the variance to the Village Council; and

WHEREAS, on February 25, 2020, a second Public Hearing was held before the Mayor and Village Council to consider the application and interested parties were allowed to comment; and

WHEREAS, the Village Council of the Village of El Portal desires to approve the requested Variance for the garage conversion.
NOW THEREFORE, BE IT DULY RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA THAT:

Section 1. The recitals to the preamble herein are incorporated by reference.

Section 2. Grant.

The Village Council hereby approves the variance request of Ms. Patricia Estremaduro, owner of the property located at 12 NW 91st Street, El Portal, and grants the variance for converting the existing garage space for use as a family room.

Section 3. Appeal.

The Applicant or any aggrieved property owner may appeal the decision of the Village Council by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

Section 4. Effective Date.

This resolution shall take effect immediately upon adoption.

________________________
Claudia Cubillos, Mayor

ATTEST:
________________________
Yenise Jacobi, Village Clerk

Approved as to form and legal sufficiency:
Interim Village Attorney

By: ______________________
Norman C. Powell, Esq.

Vote:

Councilperson Urbom: ___ (Yes) ___ (No)
Councilperson Roman: ___ (Yes) ___ (No)
Vice Mayor Nickerson: ___ (Yes) ___ (No)
Mayor Cubillos: ___ (Yes) ___ (No)

I, Yenise Jacobi, Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Resolution No.: 2020- ___ adopted on April ___, 2018, as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this ______ day of __________, 2020.

________________________
Yenise Jacobi
Village Clerk
VILLAGE OF EL PORTAL
PLANNING AND ZONING

500 NE 87th Street
El Portal, FL 33138
PHONE 305-795-7880 FAX 305-795-7884

| APPLICANT: | Ines Gomez-Acebo |
| SUBJECT ADDRESS: | 155 NW 86th Street – Zone 3 |

PUBLIC HEARING(s):  
1. Planning and Zoning Committee Meeting – January 21, 2020  
2. Regular Council Meeting

DATE AND TIME:  
February 25, 2020; 7:00pm

| 2019-PZ-011 Zoning Variance – Garage Conversion – 155 NW 86 ST |

1. APPLICATION:  
THE APPLICANT IS REQUESTING TO CONVERT AN EXISTING ONE-CAR GARAGE FOR USE AS LIVING SPACE, WHICH PURSUANT TO SECTION SECTION 5-66 - GARAGE ENCLOSURE OF THE CODE OF ORDINANCES REQUIRES VILLAGE COUNCIL APPROVAL BY PROCESS OF VARIANCE.

A VARIANCE IS PROCESSED PURSUANT TO SECTION 17-58 - REQUIREMENTS AND PROCEDURES FOR VARIANCES AND ADMINISTRATIVE ADJUSTMENTS, WHICH REQUIRES COUNCIL APPROVAL WITHIN THE ZONE 3 (Z3) SUB-URBAN RESIDENCE.

2. PROPERTY HISTORY:
The current 10,728 square foot structure was built in 1947 as a single-family residential building – as permitted under 'Sec. 24-3. - RSF single-family residential district' now Zone 3 of the Code of Ordinances. The approximately 220 square foot garage was built attached to the main building. The property has a Principal Front Setback (the front yard) facing NW 88th Street. The garage is on the west side of the main façade and is visible from the public right-of-way on NW 88th Street.

(a) Transect Zone Description.  
Zone 3 - Sub-Urban Zone  
Zone 3 consists of low-density Residential areas. The majority of land in the Village of El Portal is designated as Zone 3 Transect Zone.

(b) Existing Garage Condition.  
According to the Site and Architectural Plans, there is an existing single-car garage that is 9'-11 5/8" wide by 22'-0" deep attached to the main building and is accessed from the exterior only. The existing space is being utilized as space for storage.
3. APPLICATION REQUEST:

(a) Applicant Request.

The Applicant wishes to convert the existing garage into a bedroom that will be accessed from within the main building only. The Applicant requests to alter the front façade of the residence in a way that retains the existing character by replacing the garage door with windows of the same style as the existing windows on the front facade. The remaining garage door opening will be infilled with material that matches what is existing. In addition, the existing side door will be removed, but the existing side window will remain.

The Applicant is requesting this conversion on the grounds that the existing garage is currently is not used to park a vehicle as its size was meant for vehicles of the time, which were smaller than those today, and would like to use the space as a bedroom.

The Applicant wishes to alter the driveway within the Principal Front Setback of the property, allowing parking for two vehicles. The proposed driveway approach is 12 feet wide and does not exceed 33% of the front yard, therefore complying with the Village’s zoning requirements.

(b) Code of Ordinance Garage Enclosure Standards.

Sec. 5-66. Garage Enclosure. It shall be unlawful to enclose a garage for living space unless a variance is granted by the village council upon a showing of good cause.

4. STAFF RECOMMENDATION: APPROVAL.

Pursuant of Sec. 17-58 Requirements and Procedures for Variances (b)(5)e. the Applicant shows good cause for enclosure of the garage for use as living space as the existing residence is limited in square footage and the proposed conversion will not include any plumbing, bathroom, or kitchen facilities.

The grant of the Variance as presented is in harmony with the general intent and purpose of the Zoning Code because the garage door will be replaced with a window that matches the proportion and design of the existing windows on the main façade of the residence.

Therefore, Approval is recommended for this carport enclosure.
SCOPE OF WORK

- Rise floor 18"
- Install tile floor
- Replace garage door by window
- Install 5 DFI
- New door to interior of house
- Cancel exterior side door
- Move Water Heat
- Create new hallway to enter new room and existing one.
- Install A/C equipment to give service to new room, existing room and bathroom.
- Cancel door to existing room and open new door to new hallway
- Create new wardrobe for existing room.
VILLAGE OF EL PORTAL, FLORIDA

RESOLUTION NO. 2020-07

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL, FLORIDA AUTHORIZING THE APPROVAL OF THE VARIANCE FOR A GARAGE CONVERSION AS REQUESTED BY INES GOMEZ-ACEBO; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application was submitted by Ms. Ines Gomez-Acebo to convert an existing garage space for use as a family room in their residence located at 155 NW 86th Street; and

WHEREAS, the proposed one-story residence project is located in Transect Zone 3 – Sub-Urban Residence of the Village of El Portal, which consists of low-density residential areas; and

WHEREAS, on January 21, 2020, the Planning and Zoning Committee conducted a Public Hearing to consider the application and input from interested parties; and

WHEREAS, the Planning and Zoning consultants provided a report and presentation related the variance and outlined considerations associated with the property; and

WHEREAS, the Planning and Zoning consultants recommended approval of the variance based on findings and the request being consistent with zoning requirements; and

WHEREAS, the Planning and Zoning Committee considered the recommendation of the Planning and Zoning consultants and upon conclusion of the Public Hearing voted to recommend the approval of the variance to the Village Council; and

WHEREAS, on February 25, 2020, a second Public Hearing was held before the Mayor and Village Council to consider the application and interested parties were allowed to comment; and

WHEREAS, the Village Council of the Village of El Portal desires to approve the requested Variance for the garage conversion.
NOW THEREFORE, BE IT DULY RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA THAT:

Section 1. The recitals to the preamble herein are incorporated by reference.

Section 2. Grant.

The Village Council hereby approves the variance request of Ms. Ines Gomez-Acebo, owner of the property located at 155 NW 86th Street, El Portal, and grants the variance for converting the existing garage space for use as a family room.

Section 3. Appeal.

The Applicant or any aggrieved property owner may appeal the decision of the Village Council by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

Section 4. Effective Date.

This resolution shall take effect immediately upon adoption.

__________________________
Claudia Cubillos, Mayor

ATTEST: __________________
Yenise Jacobi, Village Clerk

Approved as to form and legal sufficiency:
Interim Village Attorney

By: ________________________
Norman C. Powell, Esq.

Vote:

Councilperson Urbom: (Yes) (No)
Councilperson Roman: (Yes) (No)
Vice Mayor Nickerson: (Yes) (No)
Mayor Cubillos: (Yes) (No)

I, Yenise Jacobi, Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Resolution No.: 2020-___ adopted on April____, 2018, as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this ______ day of ____________, 2020.

__________________________
Yenise Jacobi
Village Clerk
VILLAGE OF EL PORTAL
EL PORTAL, FLORIDA

RESOLUTION NO.: 2020-08

A RESOLUTION OF THE EL PORTAL, FLORIDA
VILLAGE COUNCIL, APPROVING APPOINTMENTS TO
THE TREE ADVISORY BOARD; AND PROVIDING FOR
AN EFFECTIVE DATE

WHEREAS, pursuant to Village ordinances and resolutions, the El Portal Village
Council has created various advisory boards, including the Tree Advisory Board ("Board"); and

WHEREAS, the Village Council desires to make appointments to the Board in order to
fill vacancies, or to provide for replacements, so that the Board can carry out its advisory
functions for which it was created.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE
VILLAGE OF EL PORTAL, FLORIDA AS FOLLOWS:

Section 1. Recitals: The foregoing "WHEREAS" clauses are ratified and confirmed as
being true and correct and are made a specific part of this Resolution.

Section 2. Approving Board Appointments: That the appointments to the Tree
Advisory Board are made as follows:

____________________________________

____________________________________

____________________________________

____________________________________

Section 4. Authority: That the appropriate Village officials are authorized to do all things
necessary or expedient in order to carry out the purpose of Resolution.
Section 3. **Effective Date.** This Resolution shall become effective immediately upon passage and publication as required by law.

**PASSED AND ADOPTED** by the Village Council of the Village of El Portal Florida, this ___ day of February 2020.

Claudia Cubillos, Mayor

ATTEST:
Yenise Jacobi, Village Clerk

Approved as to form and legal sufficiency:
Interim Village Attorney

By: __________________________
Norman C. Powell

Vote:
Councilperson Urbom: ___ (Yes) ___ (No)
Councilperson Roman: ___ (Yes) ___ (No)
Vice Mayor Nickerson: ___ (Yes) ___ (No)
Mayor Cubillos: ___ (Yes) ___ (No)

I, Yenise Jacobi, Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Resolution No.: 2020-__ adopted on February __, 2020, as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this ______ day of February 2020.

Yenise Jacobi
Village Clerk