



# City of Miami Springs **BOARD OF ADJUSTMENT**

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**Monday, February 2, 2026**

Miami Springs Adult Community Center  
101 Apache Street, Miami Springs, FL 33166  
6:00 pm



**CITY OF MIAMI SPRINGS, FLORIDA**

**Chair Bill Tallman**

**Vice Chair Rogelio Madan  
Board Member Juan Molina**

**Board Member Daniel Gomez  
Board Member Joe Valencia**

**BOARD OF ADJUSTMENT REGULAR MEETING AGENDA**

**Monday, February 2, 2026 – 6:00 PM**

**Miami Springs Adult Community Center, 101 Apache Street, Miami Springs, Florida**

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes**
  - A) November 17, 2025 – Regular Meeting
- 3. Public Comments:** Each person will have a maximum of three (3) minutes to speak.
- 4. New Business**
  - A) **Case #: 01-V-26**  
**Applicant: Relvy Moronta**  
**Address: 374 Hunting Lodge Drive**  
**Zoning: R-1A Single Family**  
**Residential Lot Size: 45,000 SQ. FT**
- 5. Previous/Unfinished Business**
- 6. Updates from the Committee Members & Preparation of Agenda for the Next Meeting**
- 7. Adjourn**



**City of Miami Springs, Florida**  
Board of Adjustment Meeting  
Regular Meeting Minutes  
Monday, November 17, 2025 at 6:00 P.M.  
Adult Community Center  
101 Apache Street, Miami Springs, FL

**1. Call to Order and Roll Call:**

The meeting was called to order at 06:05 P.M.

Present: Chair Bill Tallman  
Vice Chair Rogelio Madan  
Board Member Juan Molina

Absent: Board Member Joe Valencia  
Alt. Board Member Howard Montesdeoca

Also Present: City Attorney Roger Pou  
Zoning and Planning Consultant Joshua Nogereda  
Zoning and Planning Consultant Silvia Vargas  
Board Secretary Sandra Duarte

**2. Approval of the Minutes:**

a. February 10, 2025 – Regular meeting

**Due to lack of quorum of members who attended the February 10, 2025 meeting, no formal action was taken. The remaining board members reviewed the draft minutes for accuracy, and the City Clerk administratively approved the minutes.**

b. May 12, 2025 - Regular meeting

**Due to lack of quorum of members who attended the May 12, 2025 meeting, no formal action was taken. The remaining board members reviewed the draft minutes for accuracy, and the Deputy City Clerk administratively approved the minutes.**

**3. Swearing in of All Witnesses:**

Secretary Duarte swore in everyone giving testimony during the proceedings. Attorney Pou gave a short speech about the quasi-judicial process.

**4. Public Comments** *(Each person will have a maximum of two (2) minutes to speak):*

Moving forward, Attorney Pou recommended this agenda item be removed as the Chair will open the floor for public comment after city staff and the applicant have presented their case, but before the board deliberates or votes.

**5. New Business:**

- a. Case #: 03-V-25  
Applicant: Judith Montejo  
Address: 1101 Quail Avenue and 1121 Quail Avenue  
Zoning: R-1B Single Family Residential  
Lot Size: 20,206 SQ. FT.

The applicant is requesting approval for two dimensional variances in connection with the proposed unification of 1101 Quail Avenue (folio 05-3013-037-0070) and 1121 Quail Avenue (folio 05-3013-037-0080) through a Unity of Title to allow development of a single principal structure across both lots.

Chair Tallman informed the applicants that they could request a deferral because only three members were present, and a unanimous vote would be required to pass the recommendation. Chair Tallman asked the Board Secretary if any correspondence was received in regard to this case and Secretary Duarte replied there was no correspondence received.

Zoning and Planning Consultant Nogereda presented the staff report to all in attendance. He noted the staff recommended denying this variance request, and how although 4 of the 5 criteria were met there was no property-based hardship demonstrated by the applicant.

The following spoke on behalf of the case: Architect Judith Montejo, 6147 Hellman Avenue, Fort Myers FL 33905. Attorney Michell Corey, 7050 SW 86 Avenue, Miami FL 33143. Trust Agent Lowell Dunn, 8083 N 103 ST, Hialeah Gardens FL 33016.

Architect Montejo presented the proposed plans for the case and explained why the current setbacks with the frontage being on Hammond were not viable for the project, which is why she designed the project to face Quail. Mr. Dunn addressed the Board and explained the sentimental value of an east facing wall on the 1101 Quail property that the Dunn family would like to keep.

Chair Tallman opened the floor for public comments, and the following members of the public addressed the Board: Jorge LaGuardia, 9063 NW 171 Lane, Miami FL 33018. Carmen & Jens Spangenberg, 1131 Quail Avenue. Francisco Fernandez, 1260 Quail Avenue. Deborah Travis, 1041 Quail Avenue. Susanne Travis, 1169 Meadowlark Avenue. Melissa Booher, 1110 Quail Avenue. Amy Shelman & Roger Wells, 1020 Quail Avenue. Arthur Vizcaino, 1238 Meadowlark. No further comments received.

**Board Member Molina recommended approving the variance with the conditions set forth in the staff report. Vice Chair Madan seconded the motion which carried on a 3-0 rollcall vote. Vice Chair Madan, Board Member Molina and Chair Tallman voted YES.**

- b. Case #: 04-V-25
- Applicant: Marisol and Renier Martinez
- Address: 1240 Falcon Avenue
- Zoning: R-1C Single Family Residential
- Lot Size: 9,525 SQ. FT.

The applicant is requesting approval of a dimensional variance for the property. The request is for a reduction of the required rear setback from 25 feet to 15 feet, in order to construct a one-story addition of approximately 1,471 sq. ft. with a 400 sq. ft. covered patio.

Chair Tallman informed the applicants that they could request a deferral because only three members were present, and a unanimous vote would be required to pass the recommendation. Chair Tallman asked the Board Secretary if any correspondence was received in regard to this case and Secretary Duarte replied there was no correspondence received.

Zoning and Planning Consultant Nogereda presented the staff report to all in attendance. He noted the staff recommended denying this variance request, and how although 4 of the 5 criteria were met there was no property-based hardship demonstrated by the applicant and there is ample depth for meeting the required setbacks.

The following spoke on behalf of the case: Architect Daniel Gomez, 540 Oriole Avenue. Applicant Marisol Martinez, 1240 Falcon Avenue.

Architect Gomez explained the proposed plans and explained that the existing setbacks were not adequate for the family's needs. He clarified that the request for additional space was driven by personal circumstances rather than property-related issues. He also noted that the family was present to provide further details.

Mrs. Martinez then addressed the Board, explaining that their family was experiencing a personal hardship due to a sick family member. She stated that the additional space was needed for storage of medical equipment and supplies, as well as to add a garage/workspace for Mr. Martinez to continue working on classic cars.

Chair Tallman opened the floor for public comments, and no comments were received.

**Board Member Molina recommended approving the variance with the conditions set forth in the staff report. Vice Chair Madan seconded the motion which carried on a 3-0 rollcall vote. Vice Chair Madan, Board Member Molina and Chair Tallman voted YES.**

**6. Adjournment:**

There being no further business, the meeting was adjourned at 07:23 P.M.

Respectfully submitted:

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Sandra Duarte, Board Secretary

Adopted by the Board on

this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

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Bill Tallman, Chair

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Words ~~stricken through~~ have been deleted. Underscored words represent changes. All other words remain unchanged.

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**BOARD OF ADJUSTMENT CASE  
NO. 01-V-26**

**374 HUNTING LODGE DRIVE  
FOLIO NUMBER: 05-3024-006-0810**

**BOARD OF ADJUSTMENT  
MEETING: 02-02-2026**



# City of Miami Springs

201 Westward Drive Miami Springs, FL 33166  
Phone: (305) 805-5034 Fax: (305) 805-5036 Website: www.miamisprings-fl.gov

## CITY OF MIAMI SPRINGS PLANNING DEPARTMENT

### STAFF REPORT

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**TO** Board of Adjustment / City Council

**FROM** Josh Nogareda, Senior Planner  
Calvin, Giordano & Associates, Inc.  
Planning Consultant

**CC:** Silvia Vargas, FAICP, Principal Planner  
City Manager, City Attorney

**DATE OF HEARING(S)** February 2, 2026.

**SUBJECT** Variance Application for Side Yard Setback Reduction

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<b>Case Number(s)</b>	01-V-26
<b>Applicant(s)</b>	Relvy Moronta ("Applicant")
<b>Address</b>	374 Hunting Lodge ("Property")
<b>Folio Number(s)</b>	05-3024-006-0810
<b>Zoning</b>	R-1A Single-Family Residential
<b>Lot Size</b>	45,000 Sq.Ft

### Summary of Request

The Applicant seeks approval of a variance to reduce the required interior side yard setback along the east property line from 15 feet to 5 feet 4 inches to allow construction of an attached, covered canopy measuring approximately 11 feet in depth by 15 feet in width (totaling approximately 165 sq. ft.). The canopy is proposed to be attached to an existing detached accessory structure that is currently compliant with the required interior side yard setback, at approximately 15.55 feet from the east property line per survey. Nearly the entirety of the proposed canopy—its roof, supporting columns, and slab—would lie within the required 15-foot interior side setback, resulting in an encroachment of approximately ten (10) feet.

## Property Description and Variance Context

The subject property fronts 150 feet on Hunting Lodge Drive and has a depth of 300 feet, for a total area of 45,000 sq. ft. The Property is developed with a one-story single-family residence of approximately 5,189 sq. ft. and a detached accessory structure located on the east interior side yard. Per survey (Prisma Land Surveyor LLC, Miguel J. Garay, PSM, signed July 24, 2025), the detached accessory structure maintains an interior east side setback of approximately 15.55 feet.

For accessory structures in the R-1A district, Sec. 150-041 (A)(2)(b) requires an interior side yard equal to ten percent (10%) of the lot width. With a lot width of 150 feet, the required interior side yard is 15 feet. The existing detached accessory structure complies. The Applicant proposes to attach an 11'x15' canopy to the east face of that detached structure, reducing the interior side yard to approximately 5'-4" at the nearest point and thereby encroaching approximately 10 feet into the required side setback.

The Applicant's letter of intent cite (i) the east wall of the existing accessory structure being non-parallel to the east property line as a "geometric constraint," and (ii) privacy and lighting concerns related to a newly constructed residence to the east as 'hardships' for the variance. No photographs, sightline sketches, or technical materials have been provided to substantiate the privacy issue assertions or to demonstrate how the proposed canopy at  $\pm 5'-4"$  from the east line would resolve it. Claims that only two columns encroach are not consistent with the plans; the canopy, as proposed, places most of the covered area within the required 15-foot side setback. If the concern relates to alleged light spillover from the adjacent property, that issue must be addressed under Section 150-024 (Outdoor and Decorative Lighting) of the City Code through the Code Enforcement process. Such conditions do not constitute a hardship for purposes of a variance request.



Source: Miami Dade County Property Appraiser  
Note: Boundaries shown are approximate and do not reflect surveyed property lines.



**Request**

<b>Variance 1</b>	
Request	To reduce the required interior side yard along the east property line from 15 ft to 5 ft 4 in to allow construction of an attached canopy measuring approximately 11 ft by 15 ft (approximately 165 sq ft).
Existing Condition	Existing accessory structure is set back approximately 15.55 ft from the east property line (compliant).
Required Condition	Sec. 150-041(A)(2)(b) – Minimum interior side yard for accessory structures = 10% of lot width (15 ft for 150-ft lot).
Proposed Condition	Canopy at ~5 ft 4 in from east line (~10 ft encroachment into required setback).

**Applicant’s Rationale (as stated in the Letter of Intent):**

The Applicant states that the east wall of the existing accessory structure is not parallel to the east property line, creating a geometric constraint causing the canopy to extend into the side yard, and further cites privacy and lighting impacts from a newly constructed residence to the east. The Applicant contends the canopy would restore comfort and privacy in the outdoor area.

**Staff Analysis**

The detached accessory structure is compliant at ~15.55 ft; the encroachment is introduced solely by the new canopy's location and depth. The non-parallel condition cited by the Applicant does not establish a property-based hardship because, even if the wall were parallel, an 11-foot-deep canopy attached along this east face would still project into the 15-foot required setback. The Property's dimensions and configuration (per survey) afford multiple siting options for a shade structure elsewhere on site outside the required setbacks without needing variance relief. Privacy and lighting assertions are unsubstantiated in the record and, where lighting overspill is alleged, the Code provides a separate enforcement mechanism under Sec. 150-024. On the present record, literal enforcement of the 15-foot interior side setback does not result in an unnecessary hardship; reasonable use of the Property, including accessory use opportunities, remains available without setback relief.

The following analysis summarizes conditions of compliance for the existing and proposed development.

Relevant Zoning Standard	Required / Permitted	Existing (approx. as calculated by Staff)	Proposed (approx. as calculated by Staff)
<b>Lot Coverage (Max)</b>	40%	approximately 14.6%	15 %
<b>Rear Yard Coverage (Max)</b>	15% of 45,000 sq. ft. = 3,375 sq. ft allowed (current condition)	Estimated 100 sq. ft (existing sheds)  approximately 0.44%	approximately 0.44%
<b>Landscaped Pervious Area (Min)</b>	30%	approximately 85.4%	approximately 85.4%
<b>Front Setback (Min)</b>	30 ft	75 ft (North)	75 ft (North)
<b>Side Setback (Min)</b>	10% of lot width (15 ft for 150-ft lot).  For principal and accessory structures	Interior: 22'-10" ft (East principal)  Interior: 19'-2" ft (West principal)  Interior: 15'-6" ft (East accessory)	Interior: <b>5'-4" ft</b> (East accessory / canopy attachment)
<b>Rear Setback (Min)</b>	25 ft (principal) 5 ft (accessory)	+/- 135 ft (South)	+/- 135 ft (South)

**Variance Criteria**

The City of Miami Springs' Zoning Code provides property owners with the ability to request a variance from certain types of dimensional requirements when practical difficulties may create unnecessary hardships in the process of implementing the strict letter of Chapter 150 of the Code. Pursuant to Section 150-111, the following criteria shall be considered in the evaluation of a variance request. In its determination of what shall constitute such hardship, the Board shall not be bound by financial considerations affecting the applicant.

**Variance Request:** To reduce the required interior side yard setback along the east property line from 15 ft to 5 ft 4 in to allow construction of an attached (to existing accessory structure) canopy measuring approximately 11 ft by 15 ft (totaling approximately 165 sq ft).

**Criterion No. 1.** The granting of the variance will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provision of the chapter will result in unnecessary hardship, and the spirit of the chapter shall be observed, and substantial justice done.

Applicant Justification:

Applicant provided general statements regarding privacy, lighting, and geometric limitations; “Correct” was listed without further detail.

Staff Analysis:

No “special condition” of the land has been demonstrated. The compliant detached structure at ~15.55 ft confirms that literal enforcement does not create an unnecessary hardship; the encroachment arises from the chosen canopy location and depth, not from a property-based constraint.

Determination regarding Criterion No 1: **Not met.**

**Criterion No. 2.** The variance shall not constitute any change in the districts shown on the zoning map.

Applicant Justification:

“Correct”.

Staff Analysis:

Granting relief would not alter district boundaries or zoning designations.

Determination regarding Criterion No 2: **Met.**

**Criterion No. 3.** The variance shall not impair an adequate supply of light and air to adjacent property, or materially increase the danger of fire.

Applicant Justification:

“Correct”.

Staff Analysis:

The required 15-foot interior side setback is intended to preserve adequate separation between structures to ensure a reasonable supply of light and air along shared residential property lines. The proposed reduction to approximately 5'-4" would place a roofed accessory structure substantially closer to the adjacent property than contemplated by the Code. The Applicant has not provided any plans, studies, or other documentation demonstrating that the proposed

encroachment would not impair the adjacent property's access to light and air. While compliance with applicable Building and Fire Code requirements is required, such compliance does not replace the zoning code's independent separation standards. Accordingly, this criterion is not satisfied. Determination regarding Criterion No 3: **Not met.**

**Criterion No. 4.** The variance shall not materially diminish or impair established property values within the surrounding area.

Applicant Justification:

“Correct”

Staff Analysis:

The required 15-foot interior side setback establishes a consistent spatial buffer that contributes to neighborhood character and helps protect adjacent residential property values. Reducing this separation to approximately 5'-4" would introduce a covered accessory structure in close proximity to the shared property line, altering the established setback pattern and potentially affecting the perception of openness and privacy at the shared edge. The Applicant has not provided any evidence, studies, or comparable data demonstrating that the proposed encroachment would not materially diminish or impair established property values within the surrounding area. Accordingly, this criterion is not satisfied.

Determination regarding Criterion No 4: **Not met.**

**Criterion No. 5.** The variance shall not in any other respect impair the public health, safety, morals, and general welfare of the City.

Applicant Justification:

“Correct”

Staff Analysis:

The general welfare purpose of the Zoning Code is served through the consistent application of its dimensional standards. In this case, the Property has sufficient area and configuration to accommodate the proposed accessory use in compliance with the required 15-foot interior side yard without the need for variance relief. Granting a variance where compliance is practicably achievable would undermine uniform enforcement of the Code.

Determination regarding Criterion No 5: **Not Met**

**CONSISTENCY WITH COMPREHENSIVE PLAN**

Future Land Use Element – Policy 1.1.1



“All development orders and permits for future development and redevelopment activities shall be consistent with the goals, objectives, and policies of the Comprehensive Plan and the City’s Land Development Code.”

#### Housing Element – Policy 1.2.3

“Through land development code setback/bulk standards and through implementation of drainage improvements, the City shall help assure the continuation of stable residential neighborhoods.”

#### Staff Consistency Review

Policy 1.1.1 requires adherence to the Land Development Code. For accessory structures, Sec. 150-041(A)(2)(b) requires an interior side yard equal to 10% of lot width (here, 15 ft). The variance seeks to reduce that standard to ~5'-4" despite the availability of compliant siting alternatives elsewhere on site (per survey and existing configuration). Policy 1.2.3 relies on consistent setback/bulk enforcement to maintain neighborhood stability. Granting a ±10-ft reduction where compliance is feasible would be inconsistent with these policies.

Determination: The application is not consistent with the Comprehensive Plan.

#### **Recommendation**

The Zoning and Planning Department staff recommends **DENIAL** of the requested variance.

The variance request, as presented, does not comply with four (4) of the five (5) criteria of Section 150-111.

Based on the analysis above, staff finds that the requested variance does not meet the criteria of Sec. 150-111 of the City Code. The subject property is a conforming lot in terms of width (150 feet) and depth (approximately 300 feet) with sufficient area to accommodate a canopy while complying with the required 15-foot interior side setback. The Applicant’s stated hardship relates primarily to the geometry of the existing detached accessory structure and privacy/lighting concerns with the adjoining property; these do not constitute a land-based hardship under Sec. 150-111

If the Board of Adjustment finds in favor of recommending approval of the variance request to the City Council; Staff recommends incorporating the following conditions into the approval Resolution:

1. **Scope of Approval.** The reduced interior east side setback from 15 feet to 5 feet 4 inches shall be strictly limited to accommodate one attached canopy measuring approximately 11 feet by 15 feet (~165 sq. ft.) attached to the east face of the existing detached accessory structure as depicted on the plans submitted with this application. This approval is not transferable to any other covered structure or expansion within the required setback area.
2. **Substantial Conformance.** The Property shall be developed in substantial



conformance with the plans submitted for this application and the Boundary Survey (Prisma Land Surveyor LLC, Miguel J. Garay, PSM, signed July 24, 2025). Any material deviation shall require additional City review and approval.

3. **All Other Standards Apply.** Except for the approved interior east side setback reduction for the canopy, the project shall comply with all other applicable requirements of the R-1A district, including but not limited to height, lot coverage, pervious area, rear yard, and any applicable building, fire, and engineering standards.
4. **Expiration.** The variance approval shall expire one (1) year from the date of final City Council action if a building permit has not been obtained and construction commenced. Upon showing of unusual circumstances, the City Council may grant one six-month extension.
5. **Noncompliance.** Failure to comply with the conditions of approval shall constitute a violation of the City Code and may result in revocation of the variance approval in addition to any penalties authorized by law.
6. **Cost Recovery and Fees.** No new development application shall be accepted, and no building permit or certificate of occupancy shall be issued for the Property until all cost recovery obligations, publication and notice expenses, and any outstanding application or review fees due to the City of Miami Springs have been paid in full.

#### Attachments

1. Development Application (Available upon request at the City Clerk's Office)
2. Letter of intent
3. Survey
4. Plans
5. Resolution Draft



To:

City of Miami Springs  
Planning & Zoning Department  
201 Westward Drive  
Miami Springs, FL 33166

Date: 10/1/25.

Re: Variance Request – Side Setback Reduction

Property Address: 374 Hunting Lodge Drive, Miami Springs, FL 33166

I am writing to respectfully request a variance from the side yard setback requirement for the above-referenced property. The zoning code requires a 15-foot side setback; we are requesting approval to reduce this to 5 feet 4 inches to accommodate a proposed canopy structure.

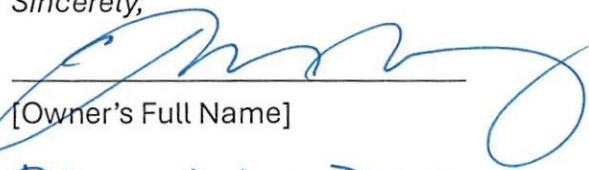
The hardship arises from the existing accessory structure located along the east side of the property. Because the east wall of this structure is not parallel to the property line, a geometric constraint is created. As a result, the proposed canopy columns extend into the required side yard setback, even though the design has been carefully developed to integrate harmoniously with the existing site conditions. In addition, the construction of a new adjacent house on the east side has compromised the house's privacy, making the canopy an important measure to restore comfort and enjoyment of the outdoor living area.

**Benefits & Impact:**

- **Owner's Benefit:** The canopy will provide shade and privacy for the outdoor living area, improving usability and comfort.
- **Neighborhood Impact:** The proposed structure will not negatively affect adjacent neighbors. The canopy has been designed in scale with the existing property and neighborhood character, ensuring visual harmony with surrounding residences.

We respectfully ask for your consideration and approval of this variance request. Thank you for your time and for reviewing this application.

Sincerely,

  
[Owner's Full Name]

Ruben Andres DIAZ

786 412 4493 .  
[Owner's Contact Information]

October 22<sup>nd</sup>, 2025

LOI – variance hardship criteria (verbatim): Provide separate, specific responses to each criterion in Section 150-111 (include the text verbatim in your LOI):

- Criterion No. 1: The granting of the variance will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provision of the chapter will result in unnecessary hardship, and the spirit of the chapter shall be observed, and substantial justice done.  
**RESPONSE: Correct**
- Criterion No. 2: The variance shall not constitute any change in the districts shown on the zoning map.  
**RESPONSE: Correct**
- Criterion No. 3: The variance shall not impair an adequate supply of light and air to adjacent property, or materially increase the danger of fire.  
**RESPONSE: Correct**
- Criterion No. 4: The variance shall not materially diminish or impair established property values within the surrounding area.  
**RESPONSE: Correct**
- Criterion No. 5: The variance shall not in any other respect impair the public health, safety, morals, and general welfare of the City.  
**RESPONSE: Correct**

Respectfully,



Ruben Diaz

**Ruben Diaz**

374 Hunting Lodge Drive  
Miami Springs, FL 33166  
rdiaz@capitolsteelstructures.com  
(786)-412-4493

October 8<sup>th</sup>, 2025

**City of Miami Springs**

Planning and Zoning Department  
201 Westward Drive  
Miami Springs, FL 33166

**Subject: Complaint Regarding Adjacent Construction Impacting Privacy**

To Whom It May Concern,

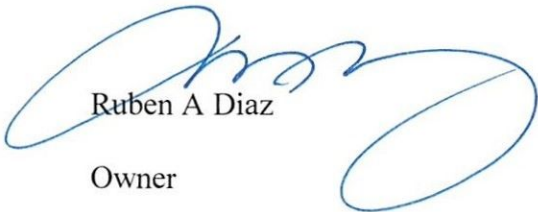
I am writing to formally raise a concern regarding the construction of a new residence on the east side of my property located at 374 Hunting Lodge Drive. While I respect the rights of neighboring property owners to develop their land, the current construction is having a significant impact on the privacy and enjoyment of my home.

The design and placement of the new structure appear to compromise the privacy of my residence and backyard by elevated windows overseeing my entire back yard, back yard lighting that illuminates my entire back yard limiting my privacy. This situation not only disrupts the quiet enjoyment of my property but also raises questions about compliance with local zoning.

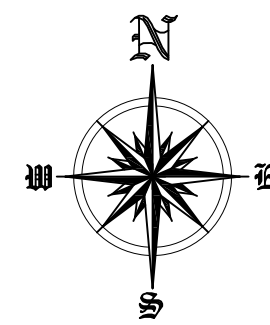
I respectfully request that the City review my proposed design, and can give me a variance for (2) small trellis column supports that may fall slightly into the setback.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,

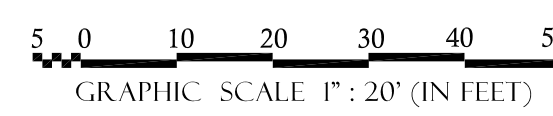
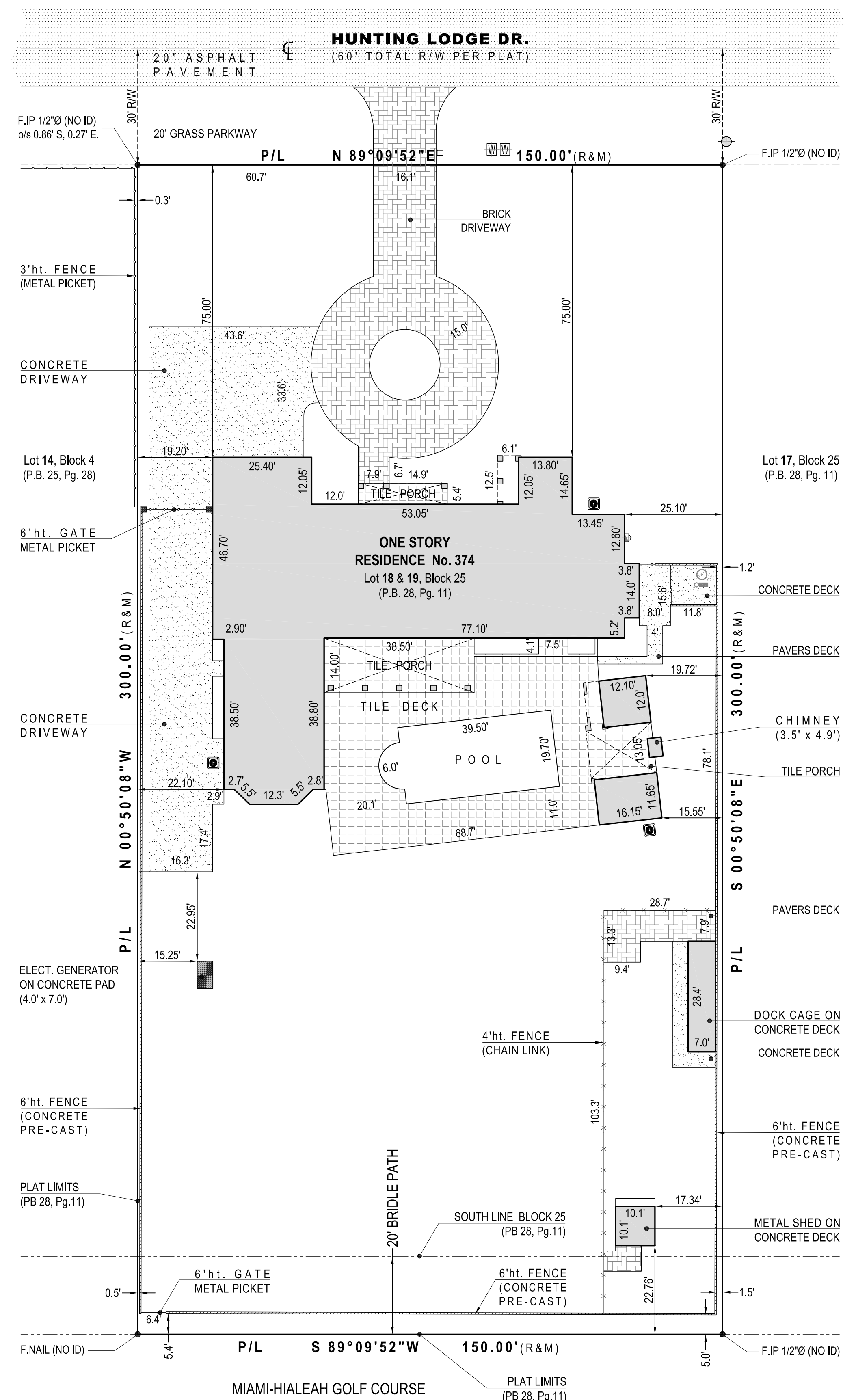


Ruben A Diaz  
Owner



# MAP OF SURVEY:

SCALE 1" = 20'



## LOCATION SKETCH:

SCALE: N.T.S.



## SURVEYOR'S REPORT :

1. MAP OF BOUNDARY SURVEY FOR PROPERTY:  
374 HUNTING LODGE DRIVE, MIAMI SPRINGS, FLORIDA 33166

### 2. LEGAL DESCRIPTION :

Lot 18 and 19, Block 25, OF AMENDED PLAT OF SECTION ONE, COUNTRY CLUB ESTATES; according to the Plat Thereof as Recorded in Plat Book 28 at Page 11, of the Public Record of MIAMI-DADE County, Florida; Lot 19 being also known as TRACT "E", Block 25, of the revised Plat of PORTION OF AMENDED PLAT OF SECTION ONE OF COUNTRY CLUB ESTATES, according to the Plat thereof, as recorded in Plat Book 34, Page 39, of the Public Record of Dade County, Florida, and Bridle Path lying South of and adjacent to said Lot 18 and Lot 19.

### 3. SOURCES OF DATA (HORIZONTAL CONTROL):

The North Arrow and Bearings as shown hereon are based on bearings value S89°09'52"W along the South line of N 1/2 of Section 24-53-40

### 4. SOURCES OF DATA (VERTICAL CONTROL):

Flood information Based on the Flood Insurance Rate Map of the Federal Emergent Management Agency. (NGVD 1929)						
F.I.R.M. date	Flood Zone:	Base elevation:	Community:	Panel No.	Suffix:	BM used: N / A Elevation: N / A
09-11-2009	X	N/A	120653	0283	L	

### 5. ACCURACY :

The accuracy obtained by measurement and calculation of closed geometric figures was found to exceed this requirement.

### 6. LIMITATIONS :

- Since no other information other than what is cited in the Sources of Data were furnished, the Client is hereby advised that there may be legal restrictions on the Subject Property that are not shown on the Survey Map or contained within this Report that may be found in the Public Records of Miami-Dade County, or the records of any other public and private entities as their jurisdictions may appear.
  - Land shown hereon were not abstracted for easements and/or right-of-way of record except as shown on the Record Plat if any.
  - The Surveyor makes no representation as to ownership or possession of the Subject Property by any entity or individual who may appear of public record.
  - No excavation or determination was made as to how the Subject Property is served by utilities.
  - No improvements were located, other than those shown.
  - No underground foundations, improvements and/or utilities were located or shown hereon.
  - This survey is exclusively for the use of the parties to whom it was certified.
  - The elevations (if any) of well identified features as depicted on this survey and map were measured to an estimated vertical positional accuracy of 1/100 foot for natural ground surfaces and 1/100 foot for hardscape surfaces, including pavement, curbs, sidewalks and other manmade structures.
  - This notice is required by the "Standards of Practice for Land Surveying in the State of Florida", pursuant to Section 5J-17.050 through 5J-17.052 of the Florida Administrative Code and it's implementing law, Chapter 472.027 of the Florida Statutes.
- Notice** is hereby given that Sunshine State One Call of Florida, Inc. must be contacted at 1-800-432-4770 at least 48 hours in advance of any construction, excavation or demolition activity within, upon, abutting or adjacent to the Subject Property. This notice is given in compliance with the "Underground Facility Damage Prevention and Safety Act", pursuant to Chapter 556.101-111 of the Florida Statutes.

## ABBREVIATIONS AND LEGEND:

A = arc	* = degrees	O.H. = overhang	R / W = right-of-way	LP: = LIGHT POLE
B.B.Q. = barbecue	E = east	O.U.L. = overhead utility line	SWK = sidewalk	(M) UNKNOWN MANHOLE
B.O.B. = basis of bearings	ENC. = encroachment	O.R.B. = official record book	SEC. = section	CATCH BASIN
B.M. = bench mark	FIP = found iron pipe	P = plat	T = tangent	CHAIN LINK FENCE
B.C. = block corner	FIR = found iron rebar	P.B. = plat book	TWP. = township	WOOD FENCE
BLDG. = building	F.F.E. = finish floor elevation	P.C. = point of curvature	U.E. = utility easement	METAL BAR FENCE
C.M.E. = canal maintenance easement	F.N.&D. = found nail and disc	P.G. = page	UTIL. = utility	CENTER LINE
C. = calculated	HT. = high (height)	P.C.P. = permanent control point	W = west	SPOT ELEVATION
CH. = chord distance	L.F.E. = lowest floor elevation	PKWY = parkway	P / L = property line	POOL EQUIPMENT
CH. B. = chord bearing	L.M.E. = lake maintenance easement	P.L. = planter	P.O.B. = point of beginning	AIR CONDITIONER
C.B.S. = concrete block structure	L.S. = land surveyor	P.O.C. = point of commencement	P.O.C. = point of commencement	FIRE HYDRANT
CL = clear	M / L = monument line	P.R.C. = point of reverse curvature	P.R.C. = point of reverse curvature	CABLE TV BOX
CONC. = concrete	N / A = not applicable	P.R.M. = point of reference monument	P.R.M. = point of reference monument	WATER METER
D = diameter	N & D = nail & disc	P.T. = point of tagency	R = radius	ELECTRIC METER
D = central angle	N.G.V. = national geodetic vertical datum	RNG = range	RNG = range	WIRE PULL BOX
DH. = drill hole	N = north	R/R = railroad	R/R = railroad	FPL BOX
D.M.E. = drainage maintenance easement	N.T.S. = not to scale			CONCRETE POWER POLE
	No. = number			WOOD POWER POLE

## CERTIFY TO :

**RUBEN DIAZ;**  
**STEPHEN L. VINSON, JR.' P.A.;**  
**OLD REPUBLIC NATIONAL TITLE INSURANCE, CO.;**  
**BANCO POPULAR NORTH AMERICA, a New York State Chartered Commercial bank, ISAOA /ATIMA**

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps and Reports by other than the signing party are prohibited without the written consent of the signing party.

By: **Miguel J. Garay**  
Professional Surveyor and Mapper  
No. 6594 State of Florida

SURVEYOR'S CERTIFICATE: I hereby certify, That this "Boundary and Topographic Survey" and Report resulting therefrom was performed under my direction and is true and correct to the best of my knowledge and belief and further, that said "Boundary and Topographic Survey" meets the intent of the applicable provisions of the "Standards of Practice for Land Surveying in the State of Florida", pursuant to Section 5J-17.050 through 5J-17.052 of the Florida Administrative Code and it's implementing law, chapter 472.027 of the Florida Statutes.



**A** CONTEXT PICTURE- EXISTING FRONT YARD  
1:1.64



**B** CONTEXT PICTURE- EXISTING POOL TERRACE  
1:1.63



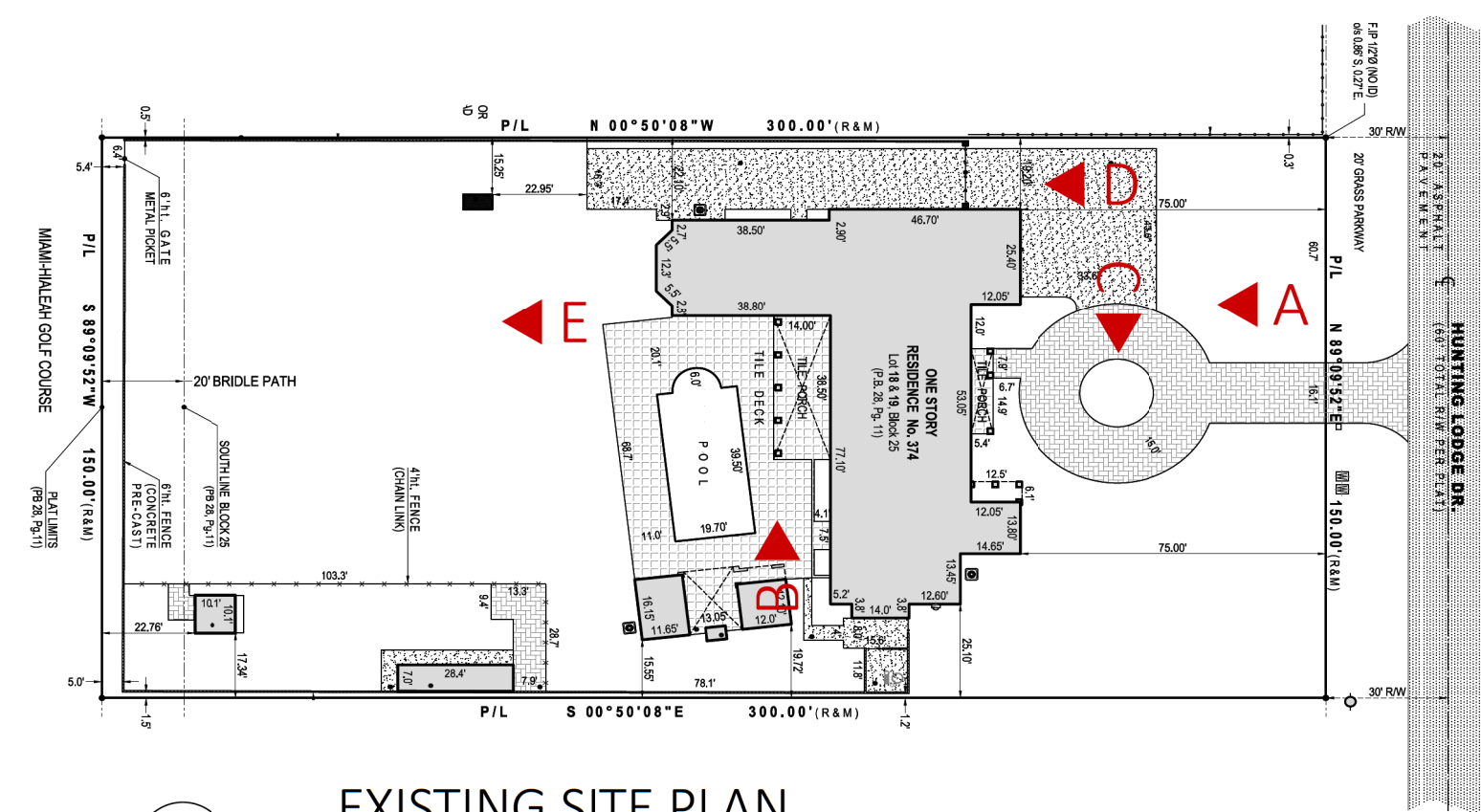
**C** CONTEXT PICTURE- DRIVEWAY  
1:1.64



**D** CONTEXT PICTURE- SIDE ENTRY GATE  
1:5.34




**E** CONTEXT PICTURE- EXISTING BACK YARD  
1:1.63



**1** EXISTING SITE PLAN  
1/64" = 1'-0"

### ZONING TABLE

MIAMI SPRINGS ZONING DATASHEET-ZONE 0800 SINGLE FAMILY		
1. SUBDIVISION: COUNTRY CLUB ESTS AMD PL SEC1 2. PRIMARY ZONE: 0800 SINGLE FAMILY-1701- 1900 SQ 3. ZONE: R-1A- SINGLE FAMILY RESIDENTIAL 4. MUNICIPALITY: MIAMI SPRINGS 5. COUNTY: MIAMI DADE COUNTY.		
	PERMITTED	EXISTING/ PROPOSED
<b>BUILDING DISPOSITION LOT OCCUPATION</b>		
A. LOT AREA	10,000 sf. MIN.	45,000 sf. (EXISTING)
B. LOT WIDTH	75 ft. MIN.	150'-0"(EXISTING)
C. LOT COVERAGE 1. PROPERTY 2. NEW CANOPY.	40% MAX. (18, 000 SF.) 15% MAX OF REAR YARD.	TOTAL 18.2% (8,117 sf.) 117 s.f. (0.99% OF REAR YARD AREA)
D. HEIGHT	2-STORIES	1-STORY (EXISTING)
<b>BUILDING SETBACK</b>		
A. PRINCIPAL FRONT	30'-0" MIN. (FROM BBL)	75'-0" (EXISTING)
B. REAR	25'-0" MIN. (FROM BBL)	135'-0" (EXISTING)
C. SIDE (EAST)	15'-0" minimum (10% of a 150' lot width)	20'-5" (EXISTING)
D. SIDE (WEST)		19'-2" (EXISTING)
<b>ACCESSORY BUILDING SETBACK</b>		
A. REAR YARD	5'-0" MIN. (FROM BBL)	130'-8" (EXISTING)
B. SIDE YARD	15'-0" minimum (10% of a 150' lot width)	5'-4" (PROPOSED)
C. DISTANCE FROM MAIN HOUSE	10'-0" MIN.	10'-0" (EXISTING)

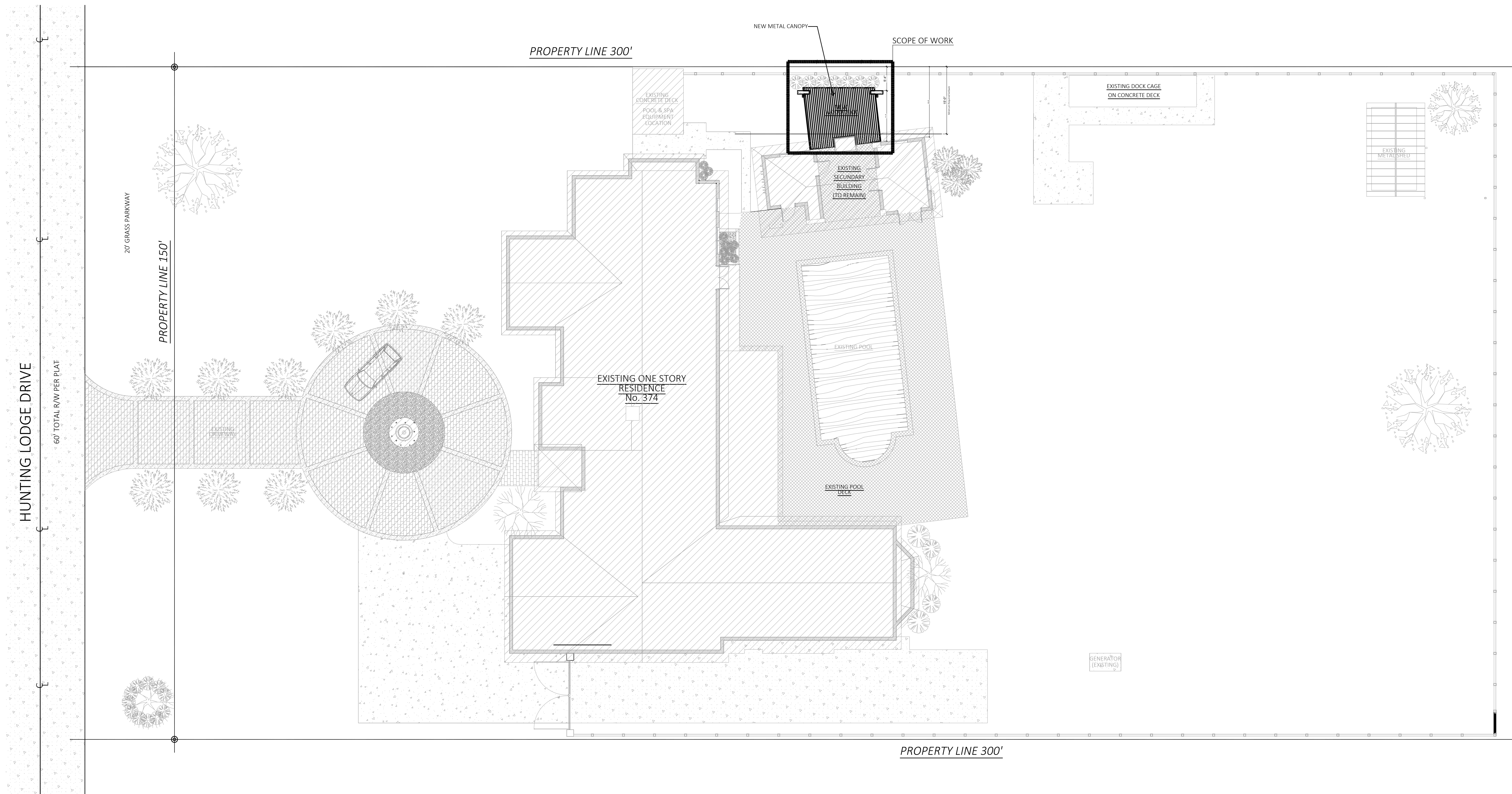
ARCHITECTURAL DESIGNER:  
  
 P#: 786.768.4661  
 EMAIL: relvy.mh@outlook.com  
 ARCHITECT:

LANDSCAPE:  
 MEP ENGINEER:  
 STRUCTURAL ENGINEER:  
 PROJECT:

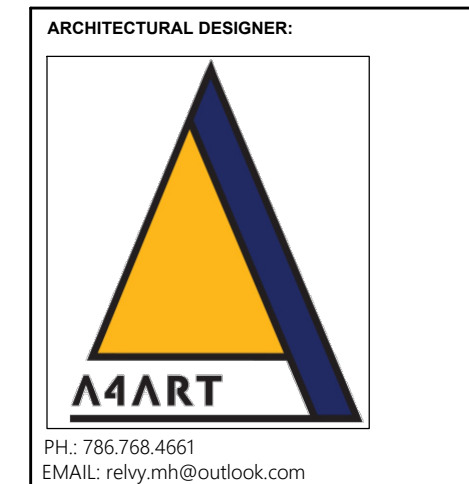
**DIAZ RESIDENCE  
 OUTDOOR  
 RENOVATION**

FOILIO: 05-3024-006-010  
 374 HUNTING LODGE DRIVE, MIAMI SPRING  
 REVISIONS:

PROJECT NO. 25-614  
 DATE: 08/14/2025  
 SCALE: AS SHOWN  
 TITLE: ZONING TABLE & DIAGRAMS  
 DRAWING NO.: A-001



**A** SITE PLAN  
 3/32" = 1'-0"



ARCHITECT:

LANDSCAPE:

MEP ENGINEER:

STRUCTURAL ENGINEER:

PROJECT:

**DIAZ RESIDENCE**

**METAL CANOPY**  
 SETBACK VARIANCE

FOLIO: 05-3024-006-010  
 374 HUNTING LODGE DRIVE, MIAMI SPRING

REVISIONS:



RESOLUTION NO. 2026 - \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AFFIRMING A RECOMMENDATION OF THE CITY'S BOARD OF ADJUSTMENT TO [DENY/APPROVE/ APPROVE WITH CONDITIONS] AN APPLICATION BY RUBEN DIAZ FOR THE PROPERTY LOCATED AT 374 HUNTING LODGE DRIVE (PROPERTY FOLIO NO. 05-3024-006-0810) TO PERMIT A 5- FOOT AND 4-INCH INTERIOR SIDE SETBACK ALONG THE EAST PROPERTY LINE WHERE A 15-FOOT INTERIOR SIDE SETBACK WOULD OTHERWISE BE REQUIRED; PROVIDING FOR CONDITIONS; PROVIDING FOR FINAL ORDER; PROVIDING FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, consistent with the requirements set forth in Section 150-111 of the City of Miami Springs Code of Ordinances (the "Code"), Rely Moronta, the authorized representative, of Ruben Diaz, the owner, (collectively, the "Applicant") of 374 Hunting Lodge Drive, Miami Springs, Florida 33166 (Property Folio No. 05-3024-006-0810), as identified in the legal description attached hereto as Exhibit "A" (the "Property"), has submitted a variance application (the "Application") for the Property to permit a 5-foot and 4-inch interior side setback along the East property line (the "Variance") where a 15-foot interior side setback would otherwise be required; and

**WHEREAS**, Section 150-111(B)(4) of the City Code provides that the City's Board of Adjustment ("Board") has, among other duties and powers, the ability to "authorize...in specific cases the variance from the terms of [Chapter 150 of the City Code] as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provision of [Chapter 150 of the City Code] will result in unnecessary hardship, and so that the spirit of [Chapter 150 of the City Code] shall be observed and substantial justice done"; and

**WHEREAS**, City staff has reviewed the Application and recommends **denial**; and

**WHEREAS**, on February 2, 2026, after a duly noticed public hearing, the Board considered the presentations by the Applicant and the City, the Application, the Staff Report, and other evidence entered into the record, and based upon competent substantial evidence in the record, voted to **recommend approval/approval with conditions/denial** the Application; and

**WHEREAS**, Section 150-113 of the City Code provides that all case recommendations of the Board shall be reviewed at the next regular City Council meeting following the rendering of the Board's case recommendation, at which time the City Council shall either affirm the Board's recommendation or request a further meeting to be conducted on the recommendation with the City Council sitting as a Board of Appeals; and

**WHEREAS**, Section 150-113 of the City Code further provides that a motion to affirm the case recommendation of the Board shall constitute final City Council action on each case unless an Appellant, as defined therein, files a written "notice of appeal" with the City Clerk within 10 business days following the rendering of any case decision by the City Council; and

**WHEREAS**, the City Council has reviewed the Board's recommendation relating to the Application during a duly noticed public hearing on \_\_\_\_\_, 2026 in accordance with the law and desires to **affirm the case recommendation of the board / request a further meeting to be conducted on the recommendation with the City Council sitting as a board of appeals** in accordance with Section 150-113(B)(1)(b) of the City Code; and

**WHEREAS**, the City Council finds this Resolution is in the best interest and welfare of the citizens of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals are confirmed, adopted, and incorporated herein and made a part hereof.

**Section 2. Affirming Board Recommendation.** That the City Council hereby [affirms / requests a further meeting to be conducted with the city council sitting as a board of appeals on] the Board's recommendation to approve with conditions the following variance(s) for the Property:

- (i) The Variance requesting a 5-foot and 4-inch interior side setback along the East property line where a 15-foot interior side setback would otherwise be required

**Section 3. Conditions.** The Application approval shall be subject to the following conditions:

1. **Scope of Approval.** The reduced side setback from fifteen (15') feet to five feet four inches (5'4") shall be strictly limited to accommodate the attached one-story canopy structure measuring approximately eleven (11) feet in depth by fifteen (15) feet in width ( $\pm 165$  sq. ft.) as depicted on the variance plans submitted with the Application. This approval is not transferable to any other future construction or expansion within the required setback area.
2. **Substantial Conformance.** The Property shall be developed in substantial conformance with the plans submitted for this Application and the Boundary Survey prepared by Prisma Land Surveyor LLC, signed by Miguel J. Garay, PSM, dated July 24, 2025. Any material deviation shall require additional City review and approval.
3. **All Other Standards Apply.** Except for the approved side setback reduction, the project shall comply with all other applicable requirements of the R-1A Single-Family Residential District, including maximum lot coverage, height, and pervious area standards.
4. **Cost Recovery and Fees.** No new development application, and no building permit or certificate of occupancy shall be issued for the Property until all fees, dues, and cost recovery charges, including notice publication and mailings related to the Property have been paid in full.
5. **Expiration.** After the City Council has granted a variance, the variance so approved shall expire after one (1) year, measured from the date of final

Council action if the Applicant does not obtain a building permit and commence construction in accordance with the plans for which the variance was granted. If unusual circumstances exist, the variance may be extended by the City Council for an additional six-month period. No extensions beyond the time periods specified above are authorized.

6. **Noncompliance.** Noncompliance with the terms and conditions of this approval will be considered a violation, and penalties may include but are not limited to revocation of the approval granted by resolution.

**Section 4. Final Order.** The City Council's motion to affirm the case recommendation of the Board constitutes final City Council action on the Application unless a written notice of appeal is filed with the City Clerk within 10 business days following the rendering of any case decision by the City Council in accordance with Section 150-113(B)(1)(b) of the City Code. Further appeals from any final decisions of the City Council in regard to any case recommendation of the Board shall be maintained in accordance with the applicable appellate rules and procedures established by the laws of the State of Florida.

**Section 5. Violation of Conditions, Limitations of Approval.** Noncompliance with the terms and conditions of this approval will be considered a violation, and penalties may include but are not limited to revocation of the approval granted by this resolution. The issuance of this development permit does not in any way create a vested right(s) on the part of the Applicant to obtain a permit from a county, state, or federal agency, and does not create any liability on the part of the municipality for issuance of the permit if the Applicant fails to obtain requisite approvals or does not fulfill the obligations imposed by a county, state or federal agency or undertakes actions that result in a violation of county, state, or federal law.

**Section 6. Effective Date.** This Resolution shall be in force and take effect immediately upon its passage and adoption.

The foregoing Resolution was offered by \_\_\_\_\_ who moved its adoption. The motion was seconded by \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Mayor Walter Fajet \_\_\_\_\_  
Vice Mayor Jorge Santin \_\_\_\_\_  
Councilmember Fabian Perez-Crespo \_\_\_\_\_  
Councilmember Joseph Dion \_\_\_\_\_  
Councilmember Orlando Lamas \_\_\_\_\_

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR WALTER FAJET

ATTEST:

\_\_\_\_\_  
ERIKA GONZALEZ, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.  
CITY ATTORNEY

**EXHIBIT A**

**Legal Description**

Lot 18 and 19, Block 25, of Amended Plat of Section One, Country Club Estates; according to the Plat thereof as recorded in Plat Book 28 at Page 11, of the Public Record of Miami-Dade County, Florida; Lot 19 being also known as Tract "E," Block 25, of the revised Plat of Portion of Amended Plat of Section One of Country Club Estates, according to the Plat thereof , as recorded in Plat Book 34, Page 39, of the Public Record of Dade County, Florida, and Bridle Path lying South of and adjacent to said Lot 18 and Lot 19.

