

**VILLAGE OF VIRGINIA GARDENS
6498 N.W. 38th TERRACE
VIRGINIA GARDENS, FLORIDA 33166
TELEPHONE: (305) 871-6104**

**REGULAR MONTHLY MEETING OF THE
VILLAGE OF VIRGINIA GARDENS, FLORIDA
THURSDAY, MARCH 21, 2019
TOWN HALL 6:30 P.M.**

PRESENT: Council Members: Elizabeth Taylor Martinez
Debra Conover
Gabriel Fernandez
Jorge Arce
Richard Block
Mayor: Fred Spencer Deno, IV
Attorney: Jose Herrera, Esq.

CALL TO ORDER: The meeting was called to order by Council President Arce at 6:33 p.m.

INVOCATION (MOMENT OF SILENCE)

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Chaplain DaSilva.

1. APPROVAL OF MINUTES

A. Regular Council Meeting – January 17, 2019

A motion by Council Member Conover to approve the minutes of the Regular Council Meeting of January 17, 2019 was seconded by Council Member Taylor Martinez. The motion was approved 5-0.

B. Special Council Meeting – February 5, 2019

A motion by Council Member Taylor Martinez to approve the minutes of the Special Council Meeting of February 5, 2019 was seconded by Council Member Conover. The motion was approved 5-0.

C. Regular Council Meeting – February 21, 2019

A motion by Council Member Taylor Martinez to approve the minutes of the Regular Council Meeting of February 21, 2019 was seconded by Council Member. The motion was approved 5-0.

D. Special Council Meeting – March 13, 2019

A motion by Council Member Fernandez to approve the minutes of the Special Council Meeting of March 13, 2019 was seconded by Council Member. The motion Was approved 5-0.

Mayor Deno requested if the Planning & Zoning and the Attorney's report can be moved up next on the agenda. A motion by Council Member Conover to move up the Planning & Zoning and Attorney's report was seconded by Council Member Taylor Martinez. The motion was approved.

2. **PLANNING & ZONING**

A. Council President Arce reported that the minutes for March 14, 2019 have been submitted.

B. Variance Request:

ADDRESS OF PROPERTY:

6371 NW 40 STREET, VIRGINIA GARDENS, FL 33166

OWNER: ALEJANDRO & JALITZE HORTA

FOLIO: 26-3025-003-0240

THE FOLLOWING VARIANCE HAVE BEEN REQUESTED BY MR. ALEJANDRO HORTA AND MRS. JALITZE HORTA WITH RESPECT TO CHAPTER 16 SECTION 4.2.4. (E) OF THE VILLAGE OF VIRGINIA GARDENS CODE AS TO ALLOW FOR A POOL 5 FEET FROM THE EAST PROPERTY LINE WHERE TEN FEET IS REQUIRED.

E. Swimming pools, not to be enclosed by a structure other than fences or screening as required or permitted by the city, may be constructed within yard areas except the required front yard, required street side yard, or required street rear yard as prescribed by this chapter. However, no part of the pool structure may protrude more than 12 inches above finished ground level and the pool walls shall be at least 10 feet from the lot lines. In determining the percentage of coverage of a lot by buildings, swimming pools which are not enclosed shall not be counted in the computation, however all impervious coverage standards still apply. Above ground pools will be subject to the regulations of accessory structures.

Ms. Howard stated that there were no protest letters received and the Planning & Zoning Committee approved the Variance.

RESOLUTION NO. 948 – FIRST READING

A RESOLUTION OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA, GRANTING A VARIANCE TO ALEJANDRO HORTA AND JALITZE HORTA WITH RESPECT TO CHAPTER 16 ARTICLE IV SECTION 4.2.4(E) OF THE VILLAGE OF VIRGINIA GARDENS CODE SO AS TO ALLOW FOR A POOL 5 FEET FROM THE EAST PROPERTY LINE WHERE 10 FEET IS REQUIRED ON THE PROPERTY DESCRIBED AS 6371 NW 40 STREET

A motion by Council Member Block to approve the first reading of Resolution No. 948 was seconded by Council Member Taylor Martinez. The motion was approved 5-0.

C. Variance Request:

ADDRESS OF PROPERTY:

3830 NW 62 AVENUE, VIRGINIA GARDENS, FL 33166

OWNER: FABIAN MARRERO & MARLENE RODRIGUEZ

FOLIO: 26-3025-001-0220

THE FOLLOWING VARIANCES HAVE BEEN REQUESTED BY MR. FABIAN MARRERO AND MRS. MARLENE RODRIGUEZ WITH RESPECT TO CHAPTER 16 SECTION 6.2.1 CHAPTER 16 SECTION 6.6 OF THE VILLAGE OF VIRGINIA GARDENS CODE AS TO ALLOW FOR A GARAGE CONVERSION AND AN ADDITION TO THE FRONT OF THEIR RESIDENCE.

Section 6.2.1- Variance to allow a front set back of seventeen feet (17') for an entry where twenty-five feet (25') is required

Section 6.6 – Variance to allow parking dimension length of 18 feet and six inches (18.6') where Nineteen feet (19') is required.

RESOLUTION NO. 949- FIRST READING

A RESOLUTION OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA, GRANTING A VARIANCE TO FABIAN MARRERO AND MARLENE RODRIGUEZ WITH RESPECT TO CHAPTER 16 SECTION 16 ARTICLE VI SECTION 6.2.1, SECTION 6.6 OF THE VILLAGE OF VIRGINIA GARDENS CODE SO AS TO ALLOW FOR A GARAGE CONVERSION AND AN ADDITION TO THE FRONT OF THE RESIDENCE ON THE PROPERTY DESCRIBED AS 3830 NW 62 AVENUE

Ms. Howard reported that the shed will be removed as well as some concrete. Ms. Howard reported that the pool deck will be reduced by 2 feet in order to observe the drain field and the septic tank. Ms. Howard stated that Village Architect Perez stated that the impervious ratio issue has been satisfied. A motion by Council Member Taylor Martinez to approve the first reading of Resolution No. 949 was seconded by Council Member Fernandez. The motion was approved 5-0.

3. **BEAUTIFICATION**

A. Council President Arce reported that the minutes for March 7, 2019 were submitted.

Mr. Martinez advised that Mr. Harris of Earth Advisors is in the process with meeting with the County regarding our tree Ordinance. Council Member Fernandez inquired as to why it has taken almost a year regarding this matter and Mayor Deno reported that when dealing with the County it can take this long.

Mr. Martinez reported that he met with Mr. Michael Duleba of 3820 NW 60 Ave regarding the removal of three trees. Mr. Martinez reported that the Java Plum tree is extremely huge and has destroyed the cement driveway and would cause a concern during Hurricane season.

Mr. Martinez also stated that one Oak tree is pulling the telephone and cable lines and the other Oak tree is shedding leaves on the neighbor's boat and back porch. Mr. Martinez advised Mr. Duleba that he would have to pull permits with Miami Dade County DERM for the tree removals and Mr. Martinez stated that Mr. Duleba's neighbor works for the County and is willing to pull permits for the tree removals.

4. **MAYOR'S REPORT**

A. Report on the family bingo night that was held on February 23, 2019

Mayor Deno reported that it was a great turnout and several council members and their families were in attendance.

B. Report on the MSVG Soccer Awards Ceremony held on February 24, 2019

Mayor Deno reported that it was a very nice turnout and weather was great.

C. Annual Easter Egg Hunt will be held on Friday, April 19, 2019

Mayor Deno reported that the annual Easter Egg Hunt will be held on Friday, April 19, 2019 at 6:00 p.m.

Mayor Deno reported that he went to Tallahassee for opening session and met with our State Senator and Representative. Mayor Deno reported that we still have two projects still in the works. Mayor Deno reported that the expansion for Council Chambers are also in the works.

Mayor Deno reported that he met with the Greater Miami Chambers regarding the bed tax for hotels. Mayor Deno reported that the County already charges for a bed tax; therefore, we cannot charge. Out state rep Avila has a bill for exemption regarding the bed tax so that we can receive the bed taxes.

5. **CITIZEN COMMENTS**

Council President Arce reported that Mr. Ron Howard of 3830 NW 62 Court was in attendance. Mr. Howard reported on the monuments near the flag pole when the council chambers is remodeled. He does not want the monuments disturbed.

Mr. Rudy Graft of 3830 NW 62 Court was in attendance. Mr. Graft reported that he has issues regarding his neighbor. His neighbor works out in his backyard during the day and drops weights. Mr. Graft reported that his house shakes and has concerns regarding the foundation. Mr. Graft reported that the dropping of the weights is causing vibrations. Police Chief reported that he has visited the neighbors house and Mr. Yagues does have rubber floor mats and works on the side of his house during his lunch breaks. Mr. Graft reported that this happens 3 or 4 times a week. Attorney Herrera reported he does not see anything that would resonate as there is no concrete and does not see a violation. Attorney Herrera suggested putting a decibel meter; however, this is a private matter.

6. **OLD BUSINESS**

Council President Arce reported that there is no old business.

7. **NEW BUSINESS**

Council President Arce reported that he has new business. Council President Arce reported that he spoke with our IT company and would like the Council meeting to be added to the website. Mayor Deno reported that we are working on adding the meetings to our website.

8. **PUBLIC SAFETY**

A. Council President Arce reported that the statistics for the month of January, 2019 and February, 2019 have been submitted.

Mayor Deno reported that Chief Hernandez and Public Works Directors were out throughout the Village and installations of the reflectors on the stop signs have begun.

Council President Arce reported he has seen more police patrols especially on the police bikes. Mayor Deno has received complements on the bike patrols during the Village.

Chief Hernandez reported that automatic locks were installed in the recreation building bathrooms. The doors will automatically lock at 10:30 p.m. and reopen at 6:30 a.m.

9. **RECREATION**

Mayor Deno reported that we had a girl's baseball game last night.

10. **PUBLIC WORKS**

Public Work Director Martin reported that the Chief assisted the Public Works director with the reflector signs. Mr. Martin reported that an additional 100 reflectors were bought and will be installed when the stop signs are. Mr. Martin reported that new parking bumpers were installed.

Mr. Martin reported that the ADA sidewalk project is moving along with 40% of the projected completed. It should be completed by the next council meeting.

11. **GOOD & WELFARE**

Council Member Taylor Martinez is asking for prayers for Melanie Martinez. Mayor Deno reported that Council Member Taylor Martinez's daughter will be having an appendix's operation and wished her a speedy recovery.

12. **MOTION TO ADJOURN**

A motion by Council Member Taylor Martinez to adjourn the meeting at 7:45 p.m. was seconded by Council Member Block. The motion was approved 5-0.