



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report

#Item 13.a

REGULAR MEETING

TO: Honorable Mayor & Members of the
Biscayne Park Village Commission

FROM: Sharon P. Ragoonan

DATE: February 8, 2017

TITLE: Variance Request – Willard Shepard (10710 Griffing Blvd.)

Background

Property owner Willard Shepard at 10710 Griffing Blvd. has submitted a request for a variance of the zoning code of the Village of Biscayne Park. The section of the code to be appealed is as follows:

11.6.1 Location

(c) No walls or fences may be located in the front yard except as provided in subsection (d).

*Section (d) references corner lots.

The variance being requested is to allow a 5' fence (4' existing wall and addition of a 1' metal fence on top) and a 5' gate.

Summary of events:

- On April 18, 2005, the property owner applied for and was granted a variance to allow a 4' high drive gate and 4' fence (aluminum steel) on both sides from front to house.
- On November 7, 2016, the property owner went before the Planning & Zoning Board and presented a permit application for replacement of the 5' gate. The Board approved the permit, with a condition that staff verifies that the variance granted in 2005 allowed for the 5' height. If it did not, then the permit would be denied.
- Staff researched the variance from 2005 and it was confirmed that it was for a 4' fence and gate, therefore the permit was denied.
- On December 2nd, 2016, the property owner submitted a new permit application and variance application to allow a 5' fence (4' existing wall and addition of a 1' metal fence on top) and a 5' gate.

- Notice of the January 3, 2017 meeting of the Planning & Zoning Board mailed to 11 properties in the immediate area on December 22, 2016.
- On January 3, 2017, the permit and variance application went before the Planning & Zoning Board. A motion was made to deny the request. Motion passed 3 to 1.
- Notice of the February 8, 2017 Commission meeting was mailed to 30 properties within a 500' radius on January 23, 2017.
- Two public notices were advertised in the newspaper during the month of January.

Request:

Commission review and consideration of the variance request.

Attachments:

- Agenda Item from April 18, 2005 for the original variance
- Minutes (pages 4-5) of the April 18, 2005 meeting
- Permit application dated 10/13/2016 that was denied by the Planning & Zoning Board at their November 7th meeting
- Minutes of the Planning & Zoning Board meeting on November 7, 2017
- New permit application dated December 2, 2016
- Variance application dated December 2, 2016
- Letter of intent
- Applicant's supporting documents/exhibits
- Copy of the meeting notice for the January 3, 2017 Planning & Zoning Board meeting
- Minutes of the January 3, 2017 Planning & Zoning Board meeting
- Copy of the meeting notice for the February 8, 2017 Commission meeting
- Copy of the two newspaper advertisements in the DBR

Prepared by: Maria C. Camara, Village Clerk



COMMISSION MEMORANDUM

TO: MAYOR AND COMMISSIONERS
FROM: CARMEN M. SPELORZI, VILLAGE CLERK
CC: JOHN HEARN, VILLAGE ATTORNEY
SUBJECT: AGENDA ITEM – NON-USE VARIANCE FOR 10710 GRIFFING BLVD – WILLARD SHEPARD
DATE: APRIL 18, 2005

RECOMMENDATION: It is recommended that the Commission review the Non-Use Variance request of the **Shepard residence**, property owners of **10710 Griffing Boulevard** for a Non-Use Variance to allow for a variance from the provisions of section code 11.6.2(a) Height and 11.6.4(a) chain link, wooden fences and walls prohibited in certain areas of the Land Development Code; to allow a 4'-0" high drive gates and 4'-0" fence (Aluminum steel) on both sides from front to house.

BACKGROUND: the Planning and Zoning Board met on March 21, 2005 to review the recommendations and voted as follows: 2 **Yes** – 0 **No**. The Planning and Zoning Board note the following;

- A. Existing 4" front wall – built many years ago
- B. Resident has had security problems
- C. Will install decorative 4'-0" fence on sides and gates
- D. Gates will be electric operated – Griffing Boulevard frontage needs extra measures for protection.
- E. Meets parks requirements.

ADDITIONAL INFORMATION: the Village Commission will hear the request and hereby find the following findings to be true:

1. The non-use variance requested is **IN** harmony with the general appearance and character of the community;
2. The non-use variance requested will **NOT** be injurious to the area involved or otherwise detrimental to the public welfare;
3. The improvement requested **IS** in design and arranged on the site in a manner that minimizes aerial and visual impact upon the adjacent residents.

*****PLEASE SEE ATTACHED "PACKET ENVELOPES" WITH RESIDENTS INFORMATION*****

Commissioner Anderson moved to accept the ordinance on second reading. Commissioner Hornbuckle seconded the motion.

Commissioner Anderson stressed the importance of not tying the departments' hands on minimal miscellaneous spending. Daniel Keys agreed that there should be a reasonable amount, but noted that \$2,500.00 is too high. He suggested \$250.00 or \$500.00.

Commissioner Coyle expressed that it would be more reasonable to require the department commissioner's authorization to spend over \$1,500.00.

Commissioner Coyle made a motion to lower the allowed spending amount to \$1,500.00. Vice Mayor Goehl seconded the motion.

Commissioner Hornbuckle requested clarification as to how to proceed with the ordinance in light of the proposed amendment by Commissioner Coyle. Mr. John Hearn mentioned that the amendment would only entail changing the purchasing limit.

Mr. Joe Fisher noted that the Public Works Department's monthly gas bill is greater than the proposed amount limit. He inquired if approval for the payment of the gas bill would be required each month and expressed concern about the consequences of not finding the commissioner to approve the expenditure. Discussion ensued.

Commissioner Coyle withdrew his motion to amend the motion and Vice Mayor Goehl withdrew his second.

Mr. Hearn noted that commissioners could set a spending limit for their department.

Following discussion, the motion to approve the ordinance on second reading carried unanimously on roll call.

RESOLUTIONS

- C. A RESOLUTION OF THE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, MAKING FINDINGS OF FACT AND GRANTING A NON-USE VARIANCE TO THE PROPERTY OWNER OF 10710 GRIFFING BOULEVARD WHOM HAS REQUESTED A VARIANCE FROM THE PROVISIONS OF SECTION CODE 11.6.2(A) HEIGHT AND 11.6.4(A) CHAIN LINK, WOODEN FENCES AND WALLS PROHIBITED IN CERTAIN AREAS OF THE LAND DEVELOPMENT CODE; TO ALLOW A 4'-0" HIGH DRIVE GATES AND 4'-0" FENCE (ALUMINUM STEEL) ON BOTH SIDES FROM FRONT TO HOUSE; PURSUANT TO THE RECOMMENDATION OF THE PLANNING AND ZONING BOARD TO GRANT AND SETTING AN EFFECTIVE DATE – Mayor Ted Walker

Village Attorney John Hearn explained that the process is quasi judicial and mentioned that process to the commission. He later gave a brief description of the application.

Mr. Hearn swore in anyone testifying on the application.

The applicant, Mr. Sheppard, explained the reason for his request. He cited safety concerns as a need for the variance. The commissioners asked the applicant questions for clarification and discussion ensued. Mr. Art Pyle from Planning and Zoning mentioned that his department agreed to allow a decorative fence on the North property side yard rather than a chain link, which had been requested. Mr. Pyle further opined that the variance meets the new code criteria for the most part. He added that the resident is seeking the variance for security reasons and also to make the fence look good. He also

mentioned that the fence is a necessity for security reasons. Mr. Pyle mentioned certain discrepancies in the code with regards to the allowed fence height on the side yard on a property.

Mayor Walker mentioned that the fence goes against the character of the area. He cited that the reason for the resident's safety concerns is related to a unique occurrence. The mayor further noted that he is not inclined to vote in favor of granting the variance. Commissioner Coyle mentioned that there are other violations occurring in the village and added that the commission's agenda of keeping the village pretty should not infringe upon the residents' security. Commissioner Anderson expressed concern about the requested height of the fence projected to the street. He agreed with the Mayor in that the property should not be walled in. Vice Mayor Goehl spoke in favor of granting the variance. He recommended granting the minimum variance necessary and suggested that the resident level out the mound on the front of the house. He further opined that the variance meets the new criteria. Vice Mayor Goehl noted that the criterion of special circumstances is met because of the location of the property. He also mentioned that the variance is needed for the preservation and enjoyment of the resident's property right and it would not be detrimental to the public welfare. Vice Mayor Goehl also mentioned that the minimum variance would be under the code if the resident levels out the mound behind the wall. The applicant elaborated on the circumstances relating to the burglary that took place on his property. In response to Vice Mayor Goehl's suggestion on leveling the mound, the applicant mentioned that he spoke to a landscape architect and was told that the rooting structure for the large tree on the front of his property probably runs under the wall. Commissioner Hornbuckle agreed that removing the soil around the large tree might expose the roots and might even kill the tree.

Resident Daniel Keys was sworn in and addressed the commission in regards to the variance. Mr. Keys spoke against granting the variance and cited that it does not meet the requirements of the ordinance. He noted that safety is not an issue. He asked the commission to uphold the ordinance or address it. He added that most of the variances deal with the fences issue. Mr. Keys further mentioned that the Planning Board has a purpose and mentioned that Planning Board Chair should not advocate for his position on the issue.

Resident Robert Brumm was sworn in and addressed the commission. He asked the applicant is he considered planting ficus. He added that all residents must be treated equally.

Vice Mayor Goehl made a motion to approve the variance as requested. Commissioner Coyle seconded the motion. The motion carried 4 to 1 on roll call with Mayor Walker dissenting.

Vice Mayor Goehl added that this is a unique situation and cited that there already exists a 4' fence in the front of the house.

The Mayor asked Commissioner Coyle about the status of the recreation playground equipment. Commissioner Coyle responded that he has spoken to four people who are willing to pick it up, but noted that these people have expressed concern about the size of the equipment. He added that he would speak to them again.

- D. A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, URGING THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS TO OPPOSE ANY EXTENSION TO THE URBAN DEVELOPMENT BOUNDARY AT THE PRESENT TIME, AND TO ENCOURAGE INFILL DEVELOPMENT AND

Tel: 305 899 8000
 Fax: 305 891 7241

VILLAGE OF BISCAYNE PARK
PERMIT APPLICATION



Village of Biscayne Park
 640 NE 114th Street
 Biscayne Park, FL 33161
 building@biscayneparkfl.gov

Fees set October 7, 2014

DATE: 10/13/16

PERMIT #:

JOB ADDRESS: 10710 GRIFFINS BLVD.

PROPERTY OWNER INFORMATION	CONTRACTOR INFORMATION
Name: <u>WILLARD SHEPARD</u>	Company Name: <u>N/A - HOME OWNER</u>
Address: <u>10710 GRIFFINS BLVD.</u>	Address: _____
City: <u>BISCAYNE PARK ST FL</u> Zip: <u>33161</u>	City: _____ ST _____ Zip: _____
Telephone: <u>305 - 798 - 0039</u>	Telephone: _____ - _____ - _____
E-Mail: <u>WILLARD.SHEPARD.LAW@GMAIL.COM</u>	License No.: _____

PERMIT TYPE (Check ONLY one)	TYPE OF WORK (Check ONLY one)	ESTIMATED JOB COST
<input type="checkbox"/> BUILDING <input type="checkbox"/> ELECTRICAL <input type="checkbox"/> MECHANICAL <input type="checkbox"/> PLUMBING/GAS <input type="checkbox"/> PAVING/DRAINAGE <input type="checkbox"/> ROOFING	<input type="checkbox"/> CHANGE CONTRACTOR <input type="checkbox"/> EXTENSION <input type="checkbox"/> RENEWAL <input type="checkbox"/> SHOP DRAWING <input type="checkbox"/> PAINTING (exterior only) <input checked="" type="checkbox"/> FENCE	<input type="checkbox"/> NEW CONSTRUCTION <input type="checkbox"/> ADDITION DETACHED <input type="checkbox"/> ALTERATION EXTERIOR <input checked="" type="checkbox"/> REPAIR / REPLACE <input type="checkbox"/> ALTERATION INTERIOR <input type="checkbox"/> ADDITION ATTACHED
		<input type="checkbox"/> ARCHITECTURAL PLANS <input type="checkbox"/> ARCHITECTURAL PLANS AND PERMITS
		ESTIMATED JOB COST <u>4,500</u>
		SQUARE FOOTAGE <u>50 LF</u>

ARCHITECT / ENGINEER INFORMATION	PROPERTY INFORMATION
Name: <u>N/A</u>	FOLIO NO: <u>17-2231-003-0330</u>
Address: _____	<input checked="" type="checkbox"/> SINGLE FAMILY <input type="checkbox"/> DUPLEX
City: _____ ST _____ Zip: _____	<input type="checkbox"/> OTHER: _____
Telephone: _____	
License No.: _____	

DESCRIPTION OF WORK

REPLACE EXISTING GATES + FENCE - KEEPING EXISTING MOTOR ALUMINUM POWDER COAT - GREY FENCE 60' x 18'

WHITE 4' GATE 18' x 5'

APPLICATION IS HEREBY submitted to obtain a PERMIT to do work and installations as indicated. I certify that no work has commenced prior to the issuance of a permit and that all work will be performed in accordance with the standards of all laws regulating construction in the Village of Biscayne Park. If work has commenced without such permit, a double fee will be applied to the permit cost. I understand that separate permits must be secured for each permit type. **OWNER'S AFFIDAVIT:** I certify that all the foregoing information is accurate, and that all work will be done in compliance with all applicable laws regulating construction and zoning. Furthermore, I authorize the above named contractor to do the work stated. **AGENT'S AFFIDAVIT:** If an agent is representing the owner, a separate affidavit must be completed and attached herewith authorizing this substitution. A tenant can submit on behalf of the owner with a notarized letter of acknowledgement. **WARNING TO OWNER:** Your failure to record a Notice of Commencement may result in paying twice for improvements to your property. If you intend to obtain financing, you must consult with your lender or an attorney BEFORE recording your Notice of Commencement.

Signature of Owner or Agent <u>Willard Shepard</u>	Date <u>10/14/2016</u>	Signature of Qualifier <u>[Signature]</u>	Date <u>[Signature]</u>
Print Name (Owner or Agent)		Print Name (Qualifier)	
STATE OF FLORIDA, COUNTY OF <u>Miami Dade</u>		STATE OF FLORIDA, COUNTY OF _____	
Sworn to and subscribed before me this <u>4</u> day of <u>October</u> 20 <u>16</u> .		Sworn to and subscribed before me this _____ day of _____ 20 ____.	

NOTARY FOR OWNER OR AGENT <input checked="" type="checkbox"/> Personally Known OR Provided ID	NOTARY FOR QUALIFIER Personally Known OR Provided ID _____
JACQUELINE ARIAS-TOLEDO MY COMMISSION #FF119977	

PLANNING & ZONING BOARD REVIEW FEE \$25.00	TOTAL FEE	Discipline	AP	DAP
Date: <u>10/14/16</u>	\$ _____	Electrical		
<input checked="" type="checkbox"/> Approved		Mechanical		
<input type="checkbox"/> Not Approved		Plumbing		
By: <u>[Signature]</u>		Roofing		
		Bldg Official		

11-7-16



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161
Telephone: 305-899-8000 Facsimile: 305 891 7241

PLANNING & ZONING BOARD

Gage Hartung
Chairman

Andrew Olis
Vice Chairman

Elizabeth Hornbuckle
Dan Schneiger
Doug Tannehill

Alternates
Mario Rumiano

MINUTES PLANNING & ZONING BOARD MEETING LOG CABIN

**640 NE 114 ST – Biscayne Park, FL
Monday, November 7th, 2016 at 6:30 p.m.**

1. CALL TO ORDER

This meeting was called to order at 6:30 p.m.

2. ROLL CALL

Gage Hartung- Board Member- present

Andrew Olis- Board Member- present

Elizabeth Hornbuckle- Board Member- absent- Motion to excuse by A. Olis,
Seconded by D. Schneiger. Approved 3-0

Doug Tannehill- Board Member- absent- Motion to unexcused absence by
A. Olis, Seconded by D. Schneiger. Approved 3-0

Dan Schneiger- Board Member- present

Irwin Peterson- Staff- present

3. APPROVAL OF MINUTES

October 17th, 2016

Motion by A. Olis, seconded by D. Schneiger. Approved 3-0

4. OLD BUSINESS, DELETIONS OR DISCUSSIONS TO ORDER OF BUSINESS

a. Shepard- 10710 Griffing Blvd- Fence

Motion by D. Schneiger seconded by A. Olis. Approved 3-0

5. BUILDING PERMITS

a. Waite- 11930 NE 11 Ct- Windows/Doors

Motion by A. Olis, seconded by D. Schneiger. Approved 3-0

b. Diocares- AFTER THE FACT- 10740 Griffing Blvd- Fence

Motion by A. Olis, seconded by D. Schneiger. Approved 3-0

c. Pflug- 520 NE 119 St- Windows/Doors

Motion by A. Olis, seconded by D. Schneiger. Approved 3-0

d. Levy- 1116 NE 117 St- Roof

Motion by A. Olis, seconded by D. Schneiger. Approved 3-0

e. Alexio- 640 NE 115 St- Driveway

Motion by A. Olis, seconded by D. Schneiger. Approved 3-0

f. Keung- 1015 NE 115 St- Roof

Motion by A. Olis, seconded by D. Schneiger. Approved 3-0

g. Munoz- 11143 Griffing Blvd- Roof

Motion by A. Olis, seconded by D. Schneiger. Approved 3-0



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161
Telephone: 305-899-8000 Facsimile: 305 891 7241

- h. Alfie- 11060 Griffing Blvd- Fence
Motion by D. Schneider, seconded by A. Olis. Approved 3-0
- i. Wilkins- 1101 NE 117 St- Driveway Approach
Motion by A. Olis, seconded by D. Schneider. Approved 3-0
- j. Oughourlian- 10801 NE 9 Ave- Roof
Motion by D. Schneider, seconded by A. Olis. Approved 3-0
- k. Cohen- AFTER THE FACT- 11638 NE 7 Ave- Front Entryway
Motion by A. Olis, seconded by D. Schneider. Approved 3-0
- l. Allen/Alexander- 745 NE 117 St- Carport Enclosure
Motion by A. Olis, seconded by D. Schneider. Approved 3-0
- l1. Allen/Alexander- 745 NE 117 St- Windows/Doors
Motion by D. Schneider, seconded by A. Olis. Approved 3-0
- m. Scher- 955 NE 118 St- Driveway
Tabled for more information.
- m1. Scher- 955 NE 118 St- Wood Deck
Motion by A. Olis, seconded by D. Schneider. Approved 3-0
- m2. Scher- 955 NE 118 St- Carport
Tabled for more information.
- n. Gibson- 474 NE 121 St- Garage Door Alteration/Elevation
Motion by A. Olis, seconded by D. Schneider. Approved 3-0
- n1. Gibson- 474 NE 121 St- Fence
Motion by A. Olis, seconded by D. Schneider. Approved 3-0
- o. Jones- 647 NE 114 St- Roof
Motion by D. Schneider, seconded by G. Hartung. Approved 2-1
A. Olis voted against.

The next meetings of the Planning & Zoning Board are Monday, November 21st, 2016
and Monday, December 5th, 2016

ADJOURNMENT

This meeting was adjourned at 7:59 p.m.

Minutes approved on: _____

(Date)

By: _____

Gage Hartung, Chair Planning & Zoning Board



VARIANCE APPLICATION

Pursuant to Section 15.3 of the Code of Ordinances of the Village of Biscayne Park, Florida, a property owner may request a variance of the zoning code.

Date: 2 DEC 2016

PROPERTY ADDRESS: 10710 GRIFFING BLVD BISCAYNE PARK, FL 33161

PROPERTY OWNER

Name: WILLARD SHEPARD R.
FIRST LAST MI

Mailing Address: 10710 GRIFFING City: BISCAYNE PK ST: FL Zip: 33161

Telephone: (305) 798-0039 Home Cell Work

E-Mail Address: WILLARD.SHEPARD.LAW@GMAIL.COM

Application is made for (type of variance requested): FENCE (ORDINANCE 2011-2)
PERMIT FOR CODE 16.7 11.6.1

OWNER AFFIDAVIT

I, WILLARD SHEPARD, being first duly sworn, depose and say that I am the legal owner of record of the property described and which is the subject of the proposed variance, and that all statements and representations made are true and correct.

RECEIVED
DEC 08 2016 JR
RECEIVED
DEC 08 2016

I acknowledge that I am subject to penalties of law, including the laws on perjury, and to possible revocation of this variance for any false or misleading statements in this application.

State of FLORIDA
County of MIAMI DADE

Willard Shepard
Signature of Property Owner

On this 2nd day of December, 2016 before me, the undersigned notary public, personally appeared WILLARD R SHEPARD, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

Personally Known -OR-
 Produced ID - Type of ID: _____

Dilay Escalante
Notary Public
Notary Public - State of Florida
Commission # FF 978773
My Comm. Expires Apr 5, 2020
Bonded through National Notary Assn.

Date:

PLANNING & ZONING BOARD REVIEW

Section(s) of the Code to be appealed for the variance request:

11.6.1 (c) No walls or fences may be located in the front yard
except as provided in subsection (d).

Date of Meeting: 1, 3, 2017

APPROVAL: ①

DENIED: ② VAM DPS

REASON FOR DECISION: DID NOT MEET 4 POINT REQUIREMENT

RECEIVED
DEC 03 2016
8:44

December 1, 2016

Mayor & Commissioners
Planning & Zoning Board
Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park, FL 33161

Dear Village Officials:

We are reaching out to you concerning our permit application under Code 16.7 to obtain a variance from Ordinance 2011-2 that was approved on February 7, 2012.

Since the purchase of the property at 10710 Griffing Blvd. in 2004, my family has invested significant sums to the structure. In fact, the initial renovation of the property took approximately 10 months and the infrastructure improvements prevented the actual habitation of the location. During the time of occupation over more than a decade, each of the steps we have taken to further modernize and improve has also added to the property value of not just our home, but those surrounding it, and to the curb appeal in this section of Biscayne Park. We are delighted to see that other projects on this end of Griffing Blvd. have also taken place and it makes our community a more attractive and desirable location to live and invest.

The Planning and Zoning Board and Mayor and Commissioners have a duty to represent the citizens collectively and individually and we strongly believe that our request for the non-use variance is in accordance with those duties and legal standards set for Florida municipalities 5 decades ago. "...boards may grant relief in connection with such problems as setback lines, area and height restrictions, side lot lines and the like when not contrary to the public interest." Josephson v Autrey, 96 So. 2d 784 (1957).

Our request for the permit application for a 5 foot gate and fence in the front yard should be approved for the following unique conditions and legal reasons. Without it we will suffer undue hardship due to the inability to

RECEIVED
DEC 23 2016
OK [signature]

secure the property from intruders--something we have unfortunately experienced on multiple occasions to this date.

- 1) The height requested is only a one foot increase from the already approved height under the variance obtained on 18 April 2005 and recent permit # PB16-0539 issued 11 November 2016. The gate/fence proposed are all in accordance with the other provisions of Code 11.6 in terms of construction, color, structural, anti-climbing, and property line limits. The wall constructed in 1958, and in compliance under 11.6.7, where there would be placed a one foot fence on top, today due to landscaping over the years even prior to our purchase, has an actual effective height of 40 inches, not 48 inches. The same is also true at various locations along the fence line.
- 2) The proposal does not negatively alter the character or demeanor, of the area and, in fact, the update further enhances the neighborhood and property values.
- 3) The proposal does not infringe on any neighbors property rights and in fact the neighbors on this block are in favor of this variance and construction of the project and have voiced their support in writing. (See attachments A-F) Their opinions remove any legal roadblock of the impact on those nearby. "A variance should not be granted where the use to be authorized thereby will... interfere with rights of owners of other property." *Elwin v City of Miami* 113 So. 2d 849 (Fla. 3rd DCA 1959)
- 4) This property has a special set of circumstances along its fence and perimeter lines and a portion of this was discussed in the granting of the initial variance in 2005. The notes of the discussion indicate that root structures of the decades old trees in the front yard create, at its height, a two foot hill adjacent to the wall. This special circumstance along with the actual height of the wall listed in (1) above means the actual effective height of the wall in some places is less than two feet--something any teen or adult can easily step over and enter the yard. The property also has limitations to hedge landscaping due to the wall that prohibits the installation of hedges that would be high enough in the allowed area to may substitute as a barrier.

- 5) Since moving into the property, the minutes from the variance meeting in 2005, and attached police reports, show four burglaries to the home or vehicles on the property. (See attachments H-K) Biscayne Park Police report # 15000163 completed on 22 January of 2015 states "the victim feels he was targeted." Those statements to the responding officers were long before any permit applications for updated gating or fencing at this property. They reflect a situation stemming from employment as an investigative reporter for NBC television and reflect consistent and on-going encounters with felons, others in the criminal justice system, those the subject of other legal actions who have been exposed to the public. This employment also requires frequent travel and unusual hours that leave the home unattended or with my wife and/or minor son home alone. The home's address and ownership are public record in the state of Florida resulting anyone with ill intentions being able to easily locate the property. Statistics from the Florida Department of Law Enforcement show from 2014 to 2015 and 80.6 percent increase in crime in the Village and 42 reported crimes in Biscayne Park in the FDLE semi-annual report for 2016. The vast majority are burglaries and thefts. (Attachment L)
- 6) This section of the Village where the property is located is also unique as it receives a high level of pedestrian, bicycle, and vehicle traffic from transients simply due to Griffing Blvd. being one of the few thoroughfares from Biscayne Blvd. on the east to I-95 on the west. This brings with it a large number of eyeballs on the property from non-residents--something not the case on most other streets in the Village.
- 7) There are other properties on this section of Griffing Blvd. where there are exceptions to the location, height, and construction specifications listed in Codes 11.6.3 (h) and 11.6.4 and the structures are currently in place. (Attachments L & O / 11500 Griffing Blvd. and 10910 Griffing Blvd.). Therefore, there appears to be flexibility from the Village when it comes to the provisions of the controlling ordinance.

Protection and enjoyment of one's property is one of our most closely held rights. We certainly believe that we have shown through the special unique circumstances that exist with this property, the positive impact this construction will have on the community who supports it, and the undue hardship that would be created in terms of safety to our family, this permit and variance should be granted. We respectfully believe this permit application is directly in line with all the necessary standards for variance approval and completely understand the Village's responsibility to balance individual property rights versus those of all residents however there is some limit when exercising authority.

"...unnecessary hardship may also be shown if the applicant for a variance proves that the denial of the variance goes beyond reasonable constitutional limits of the police power to protect the public. Dade County v. Pepper, 168 So.2d 198 (Fla.3d DCA 1964).

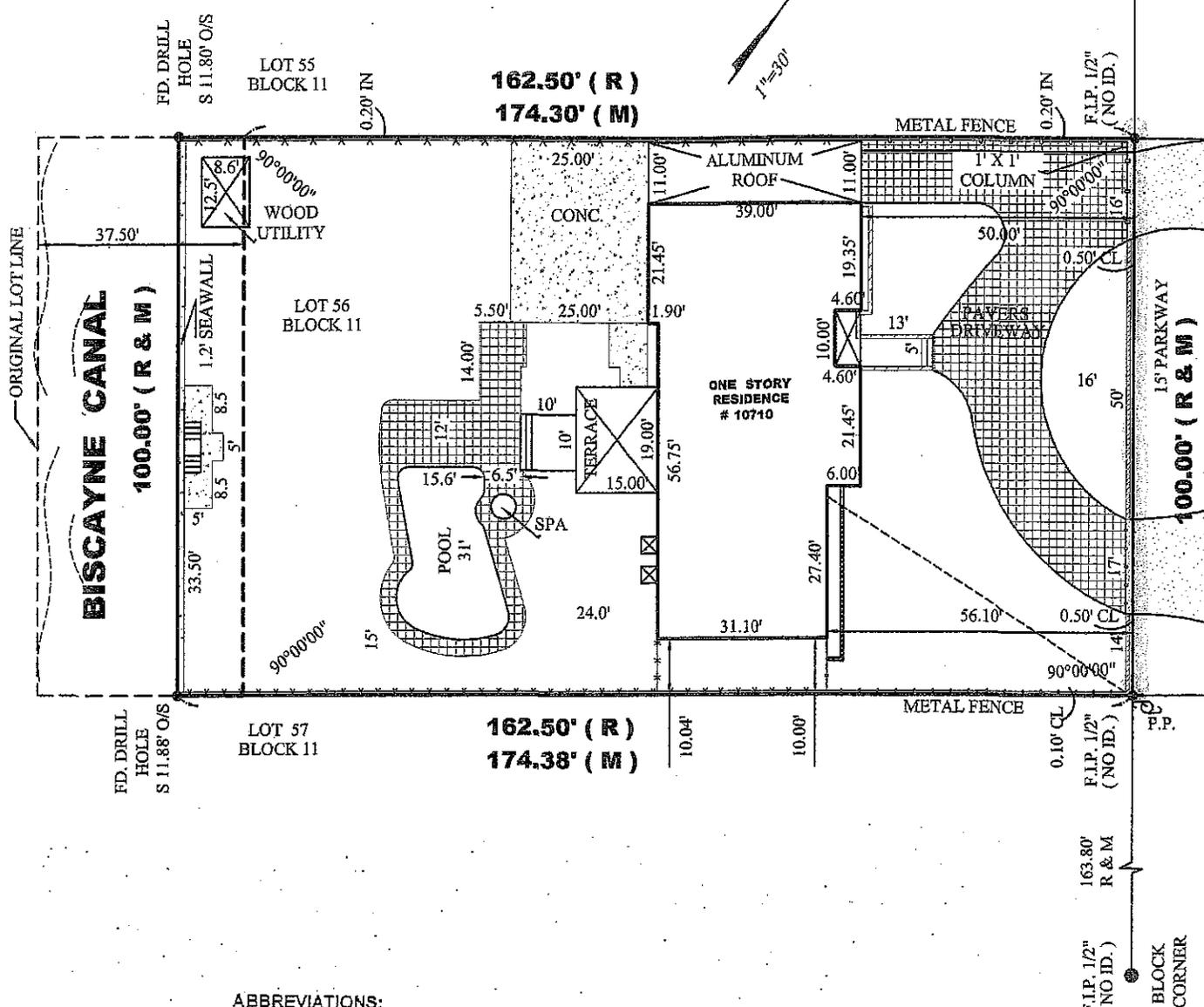
We love the Village and trust a fair and honest evaluation of our application will result in the two fold benefit of increased safety and security and an enhanced appearance to the property resulting in an improved block and increased property values.

Sincerely,



Willard R. Shepard
10710 Griffing Blvd.
Biscayne Park, FL
33161

"



ABBREVIATIONS:
 SWK=SIDEWALK, CBS=CONCRETE BLOCK STRUCTURE, CLF=CHAIN LINK FENCE, PL=PROPERTY LINE, DUE=DRAINAGE UTILITY EASEMENT, IP=IRON PIPE
 F=FOUND, A/C=AIR CONDITIONER PAD, P/C=PROPERTY CORNER, D/H=DRILLED HOLE, W/F=WOODEN FENCE, RES=RESIDENCE, CL=CLEAR, RB=REBAR
 UE=UTILITY EASEMENT, CONC=CONCRETE SLAB, RW=RIGHT OF WAY, DE=DRAINAGE EASEMENT, C/L=CENTER LINE, O=DIAMETER, TYP=TYPICAL
 M=MEASURED, R=RECORDED, ENCR=ENCROACHMENT, COMP=COMPUTER, ASH=ASPHALT, N/D=NAIL & DISC, S=SET, FEE=FINISH FLOOR ELEVATION
 O/S=OFFSET, P/P=POWER POLE, OHP=OVERHEAD POWERLINE, WM=WATERMETER
 WOOD FENCE= [Symbol]
 MASONRY WALL= [Symbol]
 CONCRETE= [Symbol]
 MAINTENANCE & DRAINAGE EASEMENT= M & D.E.

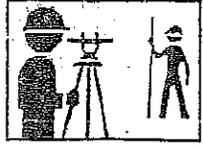
ELEVATION BASED ON LOC. #
 CBM# ELV. TYPE OF SURVEY: BOUNDARY.

SURVEYOR'S NOTES: 1) OWNERSHIP SUBJECT TO OPINION OF TITLE. 2) NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. 3) THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE. 4) LEGAL DESCRIPTION PROVIDED BY CLIENT. 5) UNDERGROUND ENCROACHMENTS NOT LOCATED. 6) ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929. 7) OWNERSHIP OF FENCES ARE UNKNOWN. 8) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. 9) CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK FOR BUILDING AND ZONING INFORMATION. 10) EXAMINATION OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THIS PROPERTY.

Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

BEARINGS WHEN SHOWN ARE REFERRED TO AN ASSUMED VALUE OF SAID P.B. PAGE

NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL



REVISED:

December 1, 2016

Mayor & Commissioners
Planning & Zoning Board
Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park, FL 33161

Dear Village Officials:

I am contacting you concerning my neighbor Mr. Willard R. Shepard who resides at 10710 Griffing Blvd. For over a decade Mr. Shepard and his family have been an asset to our section of Biscayne Park. He has done significant renovations to the property and the maintenance and upkeep of the property have been exactly what any neighbor would want.

Mr. Shepard informed me that he is requesting a variance from the Village Code to place a 5 foot gate and 1 foot fence on top of the wall at the property. These are to replace the gate and fence at the home that have been there for approximately 11 years.

We support Mr. Shepard's request for this variance. The previous structures had no negative impact and in fact aided in the deterrence of crime. The overall impact of the work Mr. Shepard has completed has improved the block and increased property values. His request for the variance is to continue to modernize and secure the home in that fashion.

Sincerely,



Wilfred Joseph
10700 Griffing Blvd.
Biscayne Park, FL 33161

December 1, 2016

Mayor & Commissioners
Planning & Zoning Board
Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park, FL 33161

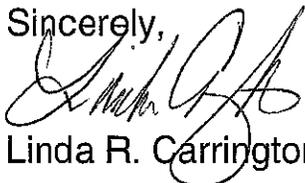
Dear Village Officials:

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Mr. Shepard informed me that he is requesting a variance from the Village Code to place a 5 foot gate and 1 foot fence on top of the wall at the property. These are to replace the gate and fence at the home that have been there for approximately 11 years.

We support Mr. Shepard's request for this variance. The previous structures had no negative impact and in fact aided in the deterrence of crime. The overall impact of the work Mr. Shepard has completed has improved the block and increased property values. His request for the variance is to continue to modernize and secure the home in that fashion.

Sincerely,



Linda R. Carrington
10715 Griffing Blvd.
Biscayne Park, FL 33161

December 1, 2016

Mayor & Commissioners
Planning & Zoning Board
Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park, FL 33161

Dear Village Officials:

I am contacting you concerning my neighbor Mr. Willard R. Shepard who resides at 10710 Griffing Blvd. For over a decade Mr. Shepard and his family have been an asset to our section of Biscayne Park. He has done significant renovations to the property and the maintenance and upkeep of the property have been exactly what any neighbor would want.

Mr. Shepard informed me that he is requesting a variance from the Village Code to place a 5 foot gate and 1 foot fence on top of the wall at the property. These are to replace the gate and fence at the home that have been there for approximately 11 years.

We support Mr. Shepard's request for this variance. The previous structures had no negative impact and in fact aided in the deterrence of crime. The overall impact of the work Mr. Shepard has completed has improved the block and increased property values. His request for the variance is to continue to modernize and secure the home in that fashion.

Sincerely,



Jeremy Smith
10745 Griffing Blvd.
Biscayne Park, FL 33161

— D —

December 1, 2016

Mayor & Commissioners
Planning & Zoning Board
Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park, FL 33161

Dear Village Officials:

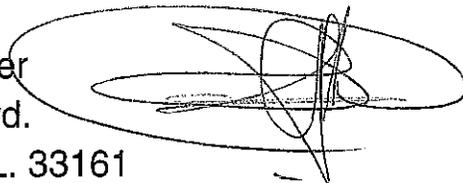
I am contacting you concerning my neighbor Mr. Willard R. Shepard who resides at 10710 Griffing Blvd. For over a decade Mr. Shepard and his family have been an asset to our section of Biscayne Park. He has done significant renovations to the property and the maintenance and upkeep of the property have been exactly what any neighbor would want.

Mr. Shepard informed me that he is requesting a variance from the Village Code to place a 5 foot gate and 1 foot fence on top of the wall at the property. These are to replace the gate and fence at the home that have been there for approximately 11 years.

We support Mr. Shepard's request for this variance. The previous structures had no negative impact and in fact aided in the deterrence of crime. The overall impact of the work Mr. Shepard has completed has improved the block and increased property values. His request for the variance is to continue to modernize and secure the home in that fashion.

Sincerely,

Emmanuel Pelletier
10735 Griffing Blvd.
Biscayne Park, FL. 33161

A handwritten signature in black ink, appearing to be 'E. Pelletier', enclosed within a large, hand-drawn oval. The signature is somewhat stylized and overlaps the oval's boundary.

December 1, 2016

Mayor & Commissioners
Planning & Zoning Board
Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park, FL 33161

Dear Village Officials:

I am contacting you concerning my neighbor Mr. Willard R. Shepard who resides at 10710 Griffing Blvd. For over a decade Mr. Shepard and his family have been an asset to our section of Biscayne Park. He has done significant renovations to the property and the maintenance and upkeep of the property have been exactly what any neighbor would want.

Mr. Shepard informed me that he is requesting a variance from the Village Code to place a 5 foot gate and 1 foot fence on top of the wall at the property. These are to replace the gate and fence at the home that have been there for approximately 11 years.

We support Mr. Shepard's request for this variance. The previous structures had no negative impact and in fact aided in the deterrence of crime. The overall impact of the work Mr. Shepard has completed has improved the block and increased property values. His request for the variance is to continue to modernize and secure the home in that fashion.

Sincerely,



Avellino Diocares
10740 Griffing Blvd.
Biscayne Park, FL 33161

December 1, 2016

Mayor & Commissioners
Planning & Zoning Board
Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park, FL 33161

Dear Village Officials:

I am contacting you concerning my neighbor Mr. Willard R. Shepard who resides at 10710 Griffing Blvd. For over a decade Mr. Shepard and his family have been an asset to our section of Biscayne Park. He has done significant renovations to the property and the maintenance and upkeep of the property have been exactly what any neighbor would want.

Mr. Shepard informed me that he is requesting a variance from the Village Code to place a 5 foot gate and 1 foot fence on top of the wall at the property. These are to replace the gate and fence at the home that have been there for approximately 11 years.

We support Mr. Shepard's request for this variance. The previous structures had no negative impact and in fact aided in the deterrence of crime. The overall impact of the work Mr. Shepard has completed has improved the block and increased property values. His request for the variance is to continue to modernize and secure the home in that fashion.

Sincerely,



Lawrence Silverman
10725 Griffing Blvd.
Biscayne Park, FL 33161

OFFENSE-INCIDENT RI

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R

AGENCY INFORMATION										
AGENCY NAME BISWAYNE PARK POLICE DEPARTMENT					AGENCY ADDRESS 640 NORTHEAST 114TH STREET					AGENCY CITY BISWAYNE PARK
AGENCY COUNTY MIAMI-DADE		AGENCY STATE FL		AGENCY ZIP CODE 33161		AGENCY PHONE (305) 899-8000		OTHER AGENCY DETAILS		
INCIDENT INFORMATION										
AGENCY REPORT NUMBER 15001777			PRIMARY OFFENSE DESCRIPTION BURGLARY/GRAND THEFT				REPORT TYPE Original			
ORIGINAL DATE REPORT 9/14/2015		TIME 7:31 PM		TIME DISPATCHED 7:05 PM		TIME ARRIVED 7:05 PM		TIME CLEARED 7:15 PM		
DATE OF SUPPLEMENT		FROM DATE 9/1/2014		TIME 12:00 PM		TO DATE 5/1/2015		TIME 12:00 PM		
# OFF/INC 2	# VICTIMS 1	# OFFENDERS 0	# PREM. ENT. 1	# VEH. STOLEN 0	JUVENILE? NO	WARN/DISMISS?	GANG RELATED? NO			
LOCATION INFORMATION										
COUNTY MIAMI-DADE		STATE FL		CITY BISWAYNE PARK		STREET # 640		INCIDENT STREET NAME 114 ST		
AT FEET		OR MILES		DIRECTION		INCIDENT CROSS STREET		BUSINESS NAME/AREA IDENTIFIER POLICE STATION		
LOCATION TYPE GOVT/PUBLIC BLDG.			OCCUPANCY N/A		FORCED ENTRY? NO		DISTRICT 17	GRID 595	AREA N/A	ZONE N/A
OFFENSE/INCIDENT # 1										
INCIDENT TYPE FELONY		STATUS COMMITTED		STATUTE / VIOLATION 810.02(4a)		DESCRIPTION UNOCCUPIED STRUCTURE UNARMED			NCIC/UCR CODE	
OFFENSE/INCIDENT # 2										
INCIDENT TYPE FELONY		STATUS COMMITTED		STATUTE / VIOLATION 812.014(2c1)		DESCRIPTION GRAND THEFT 300 LESS THAN 5K DOLS			NCIC/UCR CODE	
ADMINISTRATIVE										
OFFICER'S FIRST NAME OMAR		MIDDLE NAME		LAST NAME MARTINEZ		SUFFIX	BADGE NO 0140			
ROUTED TO			REFERRED TO LT PINEDA			ASSIGNED TO		ASSIGNED BY		
CASE STATUS		CLEARANCE TYPE		ADULT / JUV		JAIL NUMBER		OBTS NUMBER	DATE CLEARED	
PERSON INFORMATION										
Person # 1		Offense # 01,02		Person Type VICTIM		Victim Type ADULT		Juvenile? NO	Public Record? NO	
FIRST NAME WILLARD		MIDDLE R		LAST NAME SHEPARD		SUFFIX	Business Name			
STREET ADDRESS 10710 GRIFFING BLVD.				CITY BISWAYNE PARK		STATE	ZIP CODE 33161	HOME PHONE # (305) 798-0039		
DRIVER LICENSE NUMBER		STATE	DATE OF BIRTH 6/19/1958		SEX M	RACE BLACK		SOC. SEC. #	BUSINESS PHONE#	
RESIDENCE TYPE CITY		RESIDENCE STATUS FULL YEAR		Dom. Viol? NO	RELATIONSHIP N/A		INJ SEVERITY NONE		INJURY TYPE N/A	Charge? YES
HEIGHT	WEIGHT	EYE COLOR	HAIR COLOR	LENGTH	STYLE	COMPLEXION	BUILD	FACIAL HAIR	TEETH	
SPEECH/VOICE			NICKNAME / STREETNAME			STATE OF BIRTH		SPECIAL IDENTIFIERS		
CLOTHING (Describe)					SCARS/MARKS/TATOOS (Location/Describe)					
SCIC/NCIC NUMBER			OBTS NUMBER			IMMIGRATION NATURALIZATION #		OTHER I.D NUMBER		
OCCUPATION		EMPLOYER/SCHOOL				EMPLOYER/SCHOOL ADDRESS				
OTHER CONTACT INFO (Time Available, Interpreter, etc.) ANYTIME					SYNOPSIS OF INVOLVEMENT VICTIM					

AGENCY REPORT NUMBER 15001777	OFFICER FIRST NAME OMAR	MIDDLE NAME	LAST NAME MARTINEZ	BADGE NO 0140
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ON THE ABOVE DATE AND TIME, MR SHEPARD WALKED INTO OUR POLICE STATION REFERENCE BURGLARY THAT OCCURRED AT HIS RESIDENCE. MR SHEPARD (VICTIM), STATES THAT HE WENT TO RETRIEVE HIS GENERATOR FROM HIS SHED LOCATED IN THE REAR OF HIS PROPERTY WHEN HE NOTICED IT WAS MISSING, ALONG WITH HIS MOUNTAIN BIKE(UNKNOWN MAKE/MODEL OF ITEMS). MR SHEPARD STATES THERE WAS NO SIGN OF FORCED ENTRY. THE VICTIM ADVISED ME THAT BETWEEN 9/1/2014-5/1/2015, HE HAS HAD MULTIPLE CONSTRUCTION CREWS IN AND OUT OF HIS PROPERTY. THE VICTIM BELIEVES THE CONSTRUCTION WORKERS MAY BE INVOLVED IN THE MISSING ITEMS. THE VICTIM DOES NOT HAVE PICTURES OR PAPERWORK ON THE LISTED ITEMS AT THIS TIME. THE VICTIM WAS GIVEN A LOSS PROPERTY FORM IN THE EVENT THAT HE IS ABLE TO LOCATE SUCH PAPERWORK/PICTURES. A CASE CARD WAS ISSUED AND REPORT FORWARDED TO DT/LT PINEDA. NOTHING FURTHER

NOTE: VICTIM STATES APPROXIMATE VALUE OF GENERATOR TO BE AT \$1500.00, MOUNTAIN BIKE APPROXIMATE VALUE \$350.00

OFFENSE-INCIDENT REPORT

AGENCY INFORMATION

AGENCY NAME BISCAYNE PARK POLICE DEPARTMENT		AGENCY ADDRESS 640 NORTHEAST 114TH STREET		AGENCY CITY BISCAYNE PARK
AGENCY COUNTY MIAMI-DADE	AGENCY STATE FL	AGENCY ZIP CODE 33161	AGENCY PHONE (305) 899-8000	OTHER AGENCY DETAILS

INCIDENT INFORMATION

AGENCY REPORT NUMBER 13002521		PRIMARY OFFENSE DESCRIPTION INFORMATION			REPORT TYPE Original		
ORIGINAL DATE REPORT 12/8/2013	TIME 5:40 PM	TIME DISPATCHED 5:40 PM	TIME ARRIVED 5:40 PM	TIME CLEARED 5:50 PM			
DATE OF SUPPLEMENT	FROM DATE 12/7/2013	TIME 9:00 AM	TO DATE 12/7/2013	TIME 12:30 PM			
# OFF/INC 1	# VICTIMS 0	# OFFENDERS 0	# PREM. ENT. 0	# VEH. STOLEN 0	JUVENILE? NO	WARN/DISMISS? NO	GANG RELATED? NO

LOCATION INFORMATION

COUNTY MIAMI-DADE	STATE FL	CITY BISCAYNE PARK	STREET # 10710	INCIDENT STREET NAME GRIFFING BLVD			
AT FEET	OR MILES	DIRECTION	INCIDENT CROSS STREET		BUSINESS NAME/AREA IDENTIFIER		
LOCATION TYPE RESIDENCE SINGLE		OCCUPANCY N/A	FORCED ENTRY? NO	DISTRICT	GRID	AREA	ZONE

OFFENSE/INCIDENT # 1

INCIDENT TYPE OTHER	STATUS COMMITTED	STATUTE / VIOLATION 1.01(15)	DESCRIPTION DEFINITION ONLY-NO CRIMINAL OFFENSE		NCIC/UCR CODE 7399
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ADMINISTRATIVE

OFFICER'S FIRST NAME THOMAS	MIDDLE NAME RICHARD	LAST NAME HARRISON	SUFFIX	BADGE NO 0133	
ROUTED TO		REFERRED TO	ASSIGNED TO		ASSIGNED BY
CASE STATUS 1-CLOSED	CLEARANCE TYPE UNFOUNDED	ADULT / JUV	JAIL NUMBER	OBTS NUMBER	DATE CLEARED 12/8/2013

PERSON INFORMATION

Person # 1	Offense # 01	Person Type REPORTING PERSON	Victim Type	Juvenile? NO	Public Record? NO				
FIRST NAME WILLARD	MIDDLE R	LAST NAME SHEPARD	SUFFIX	Business Name					
STREET ADDRESS 10710 GRIFFING BLVD		CITY BISCAYNE PARK	STATE	ZIP CODE 33161	HOME PHONE # (305) 798-0039				
DRIVER LICENSE NUMBER S163-896-58-219-0	STATE FL	DATE OF BIRTH 6/19/1958	SEX M	RACE BLACK	SOC. SEC. # BUSINESS PHONE#				
RESIDENCE TYPE	RESIDENCE STATUS	Dom. Viol.?	RELATIONSHIP	INJ SEVERITY	INJURY TYPE Charge?				
HEIGHT	WEIGHT	EYE COLOR	HAIR COLOR	LENGTH	STYLE	COMPLEXION	BUILD	FACIAL HAIR	TEETH
SPEECH/VOICE		NICKNAME / STREETNAME		STATE OF BIRTH	SPECIAL IDENTIFIERS				
CLOTHING (Describe)				SCARS/MARKS/TATOOS (Location/Describe)					
SCIC/NCIC NUMBER		OBTS NUMBER		IMMIGRATION NATURALIZATION #		OTHER I.D NUMBER			
OCCUPATION		EMPLOYER/SCHOOL			EMPLOYER/SCHOOL ADDRESS				
OTHER CONTACT INFO (Time Available, Interpreter, etc.)				SYNOPSIS OF INVOLVEMENT REPORTING PERSON					

INCIDENT NARRATIVE

ON THE ABOVE DATE AND TIME I RESPONDED TO C1 SHEPARD'S RESIDENCE IN REGARDS TO A VEHICLE BURGLARY. UPON ARRIVAL I MADE CONTACT WITH C1 SHEPARD WHO ADVISED ME THAT ON SATURDAY 12-07-13 BETWEEN THE HOURS OF 0900 AND 1230 UNKNOWN PERSON TAMPERED WITH HIS DRIVERS DOOR LOCK/HANDLE AND ENTERED HIS VEHICLE REMOVING A 9MM KELTECH PF-9 FIREARM WITH PARTIAL SERIAL NUMBER #51557. I ADVISED C1 SHEPARD TO RESPOND TO THE CITY OF MIAMI POLICE STATION TO MAKE THE REPORT SINCE IT OCCURRED IN THEIR JURISDICTION. C1 SHEPARD REQUESTED I DOCUMENT SOMETHING ADVISING THAT HE REPORTED THE GUN STOLEN JUST IN CASE SOMETHING HAPPENS WITH THE GUN IN THE INTERIM. NO FURTHER AT THIS TIME.

OFFENSE-INCIDENT REPORT

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AGENCY INFORMATION				
AGENCY NAME BISCAYNE PARK POLICE DEPARTMENT		AGENCY ADDRESS 640 NORTHEAST 114TH STREET BISCAYNE PARK		
AGENCY COUNTY MIAMI-DADE	AGENCY STATE FL	AGENCY ZIP CODE 33161	AGENCY PHONE (305) 899-8000	OTHER AGENCY DETAILS

INCIDENT INFORMATION				
AGENCY REPORT NUMBER 15000163		PRIMARY OFFENSE DESCRIPTION BURGLARY/BURGLARY TO MOTOR VEHICLE		REPORT TYPE Original
ORIGINAL DATE REPORT 1/22/2015	TIME 12:47 PM	TIME DISPATCHED 12:16 PM	TIME ARRIVED 12:18 PM	TIME CLEARED 12:45 PM
DATE OF SUPPLEMENT	FROM DATE 1/20/2015	TIME 12:00 PM	TO DATE 1/22/2015	TIME 12:16 PM
# OFF/INC 3	# VICTIMS 1	# OFFENDERS 0	# PREM. ENT. 1	# VEH. STOLEN 0
JUVENILE? NO		WARN/DISMISS?		GANG RELATED? NO

LOCATION INFORMATION							
COUNTY MIAMI-DADE	STATE FL	CITY BISCAYNE PARK	STREET # 10710	INCIDENT STREET NAME GRIFFIN BLVD			
AT FEET	OR MILES	DIRECTION	INCIDENT CROSS STREET		BUSINESS NAME/AREA IDENTIFIER		
LOCATION TYPE RESIDENCE SINGLE		OCCUPANCY OCCUPIED	FORCED ENTRY? YES	DISTRICT 17	GRID 595	AREA N/A	ZONE N/A

OFFENSE/INCIDENT # 1				
INCIDENT TYPE FELONY	STATUS COMMITTED	STATUTE / VIOLATION 810.02(3a)	DESCRIPTION OCCUPIED DWELLING UNARMED	NCIC/UCR CODE 7399

OFFENSE/INCIDENT # 2				
INCIDENT TYPE FELONY	STATUS COMMITTED	STATUTE / VIOLATION 810.02(4b)	DESCRIPTION UNOCCUPIED CONVEYANCE UNARMED	NCIC/UCR CODE

OFFENSE/INCIDENT # 3				
INCIDENT TYPE FELONY	STATUS COMMITTED	STATUTE / VIOLATION 806.13(1b2)	DESCRIPTION OVER 200 DOLS UNDER 1000 DOLS	NCIC/UCR CODE

ADMINISTRATIVE					
OFFICER'S FIRST NAME OMAR	MIDDLE NAME	LAST NAME MARTINEZ	SUFFIX	BADGE NO 0140	
ROUTED TO		REFERRED TO DB	ASSIGNED TO		ASSIGNED BY
CASE STATUS	CLEARANCE TYPE	ADULT / JUV	JAIL NUMBER	OBTS NUMBER	DATE CLEARED

AGENCY REPORT NUMBER 15000163	OFFICER FIRST NAME OMAR	MIDDLE NAME	LAST NAME MARTINEZ	BADGE NO 0140
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DB
1/22/15

PERSON INFORMATION										
Person # 1		Offense # 01	Person Type VICTIM		Victim Type ADULT		Juvenile? NO	Public Record?		
FIRST NAME WILLARD		MIDDLE	LAST NAME SHEPARD			SUFFIX	Business Name			
STREET ADDRESS 10710 GRIFFIN BLVD				CITY BISCAYNE PARK		STATE	ZIP CODE 33161	HOME PHONE # (305) 798-0039		
DRIVER LICENSE NUMBER		STATE	DATE OF BIRTH 11/9/1958	SEX M	RACE BLACK		SOC. SEC. #	BUSINESS PHONE# (305) 798-0039		
RESIDENCE TYPE CITY	RESIDENCE STATUS FULL YEAR	Dom. Viol? NO	RELATIONSHIP N/A		INJ SEVERITY NONE		INJURY TYPE N/A		Charge? YES	
HEIGHT	WEIGHT	EYE COLOR	HAIR COLOR	LENGTH	STYLE	COMPLEXION	BUILD	FACIAL HAIR	TEETH	
SPEECH/VOICE		NICKNAME /STREETNAME		STATE OF BIRTH		SPECIAL IDENTIFIERS				
CLOTHING (Describe)					SCARS/MARKS/TATOOS (Location/Describe)					
SCIC/NCIC NUMBER		OBTS NUMBER			IMMIGRATION NATURALIZATION #		OTHER I.D NUMBER			
OCCUPATION		EMPLOYER/SCHOOL			EMPLOYER/SCHOOL ADDRESS					
OTHER CONTACT INFO (Time Available, Interpreter, etc.) ANYTIME					SYNOPSIS OF INVOLVEMENT VICTIM					

VEHICLE INFORMATION										
VEH. # 1		PERSON NUMBER 1	STATUS OTHER		DAMAGE DUKING OTHER OFFENSE		VEHICLE TYPE AUTO			
YEAR	MAKE CHEVROLETE		MODEL TAHOE		STYLE SPORTS UTILITY		TAG REG./DOC. # AIE5Y			
Reg. State FL	Reg. Exp.	DECAL	VIN/HULL/FAA				ESTIMATED VALUE			
VEHICLE CONDITION LOCKED			INSURANCE COMPANY				LIEN HOLDER			
COLOR OF VEHICLE BLUE, DARK - DBL			VEHICLE DESCRIPTION							
VESSEL NAME		LENGTH	HULL MATERIAL		PROPULSION		BOAT TYPE			
RECOVERY ADDRESS				RECOVERY LOCATION			RECOVERY CODE			
DATE RECOVERED		VALUE RECOVERED	ORIGINAL REPORTING AGENCY				REPORT NUMBER			
HOLD?	REASON/AUTHORITY				METHOD OF THEFT					
COMPONENTS STRIPPED										
TOWED BY			LOCATION OF ORIGINAL THEFT							
STORAGE LOCATION							SCIC/NCIC			

INCIDENT NARRATIVE

ON 1/22/2015 OFFICERS WERE ADVISED OF A VEHICLE BURGLARY AT 10710 GRIFFIN BLVD. UPON ARRIVAL CONTACT WAS MADE WITH VICTIM, WILLARD SHEPARD. THE VICTIM ADVISED ME THAT AN UNKNOWN PERSON(S) ENTERED HIS GATED PROPERTY IN ORDER TO GAIN ACCESS TO HIS VEHICLE. DAMAGE WAS CAUSED TO THE VICTIMS GATE AS A RESULT OF ENTERING THE PROPERTY. THE VICTIM STATES THE PANEL ON THE TRUNK DOOR OF THE VEHICLE WAS THEN RIPPED OFF IN ORDER TO GAIN ENTRANCE INTO THE VEHICLE. THE DRIVER SIDE KEY HOLE OF THE VEHICLE WAS ALSO SEVERELY DAMAGED. THE VICTIM ADVISED HIS VEHICLE WAS ONLY RANSACKED, NOTHING WAS TAKEN. **THE VICTIM FEELS HE WAS TARGETED** AS HIS VEHICLE WAS THE ONLY ONE BURGLARIZED AND NOT HIS WIFES. AN UNKNOWN PERSON(S) ENTERED THE VICTIMS PROPERTY TO BURGLARIZE HIS VEHICLE, THEN FLED IN AN UNKNOWN DIRECTION BY UNKNOWN MEANS. A HOUSE WATCH HAS BEEN ISSUED ON THIS RESIDENCE. LT/DT PINEDA WAS NOTIFIED OF INCIDENT. CASE CARD WAS ISSUED. POINT OF ENTRY: EAST SIDE GATE POINT OF EXIT: UNKNOWN METHOD OF OPERATION: ENTRANCE THROUGH BACK TRUNK PANEL ON VEHICLE.

AGENCY REPORT NUMBER	OFC. FIRST NAME	MIDDLE NAME	LAST NAME	BADGE NO.
15000163	OMAR		MARTINEZ	0140

January - December 2015
Annual Report

L 1-2

Year	Population	Total Crime Index	% Change	Murder	Rape	Robbery	Aggrav Assault	Burglary	Larceny	Theft	Total
2014	2,613,892	122,943	-5.4	212	801	5,706	10,183	17,115	90,448	8,438	100,000
2015	2,653,934	116,311		217	756	5,366	10,238	14,534	76,400	8,800	4,708.8
2013	1,169,487	49,096	-5.0	86	339	1,661	4,053	5,380	28,314	3,223	4,382.6
2014	3,778	95	-12.0	0	0	1	0	16	77	1	3,713.7
2015	49,397	1,348	-15.3	1	11	22	41	219	1,371	83	3,419.7
2014	12,577	1,513	5.4	2	9	117	259	140	930	56	3,538.7
2015	233,853	6,341	-13.4	7	30	265	465	680	4,174	720	12,029.9
2014	68,533	3,567	-6.7	7	39	312	535	600	1,911	163	2,730.8
2015	439,509	23,601	-5.1	75	309	1,681	2,637	3,109	13,321	2,298	5,129.9
2014	91,714	10,000	-3.1	2	54	418	524	600	7,680	634	5,368.9
2015	10,806	622	3.8	0	5	30	18	118	420	31	10,900.5
2014	14,089	545	-5.1	0	2	9	18	85	391	40	5,756.1
2015	43,533	1,950	-2.1	5	16	112	156	323	1,191	147	3,888.3
2014	55,650	2,126	-0.7	0	7	10	65	151	1,782	111	4,479.4
2015	17,528	1,416	-0.6	5	5	105	279	268	649	104	3,819.5
2014	3,703	137	-13.3	0	0	3	6	8	112	8	8,078.3
2015	3,137	65	80.6	0	0	3	0	8	43	8	2,402.2
2014	2,334	94	-13.0	0	0	1	0	19	43	1	3,003.5
2015	23,004	814	-8.6	0	0	13	25	29	58	4	4,017.4
2014	8,178	160	-8.6	2	2	4	14	80	625	65	3,538.5
2015	62,380	3,107	-6.2	0	24	169	277	12	108	30	1,956.5
2014	13,636	776	7.0	4	4	21	55	477	1,887	287	4,980.8
2015	3,416	27	-6.9	0	0	0	0	122	344	30	3,682.3
2014	6,018	106	-27.9	0	0	3	7	3	21	3	1,117.5
2015	5,552	66	10.0	0	0	2	1	17	75	4	1,761.4
2014	958	12	9.1	0	0	0	0	10	44	9	1,188.8
2015	96	1		0	0	0	0	3	4	5	1,291.1
2014	856	224	-10.4	0	0	1	10	17	1	0	1,162.8
2015	20,793	898	30.1	0	10	10	10	100	100	34	4,318.8
2014				0	0	0	0	0	0	0	0
2015				0	0	0	0	0	0	0	0
2014	397		-0.5	0	0	0	0	0	0	0	48
2015	1,212		-18.4	5	4	43	7	0	346	0	0
2014	96		23.1	10	43	1	91	21	687	14	14
2015	230		8.5	1	1	1	7	371	687	10	10
2014				0	0	0	0	0	0	0	9
2015				0	0	0	0	0	0	0	9



Florida International University
Miami Dade Public Schools
Mickluskee Public Safety Department
Key Biscayne PD



RECEIVED
DEC 03 2016



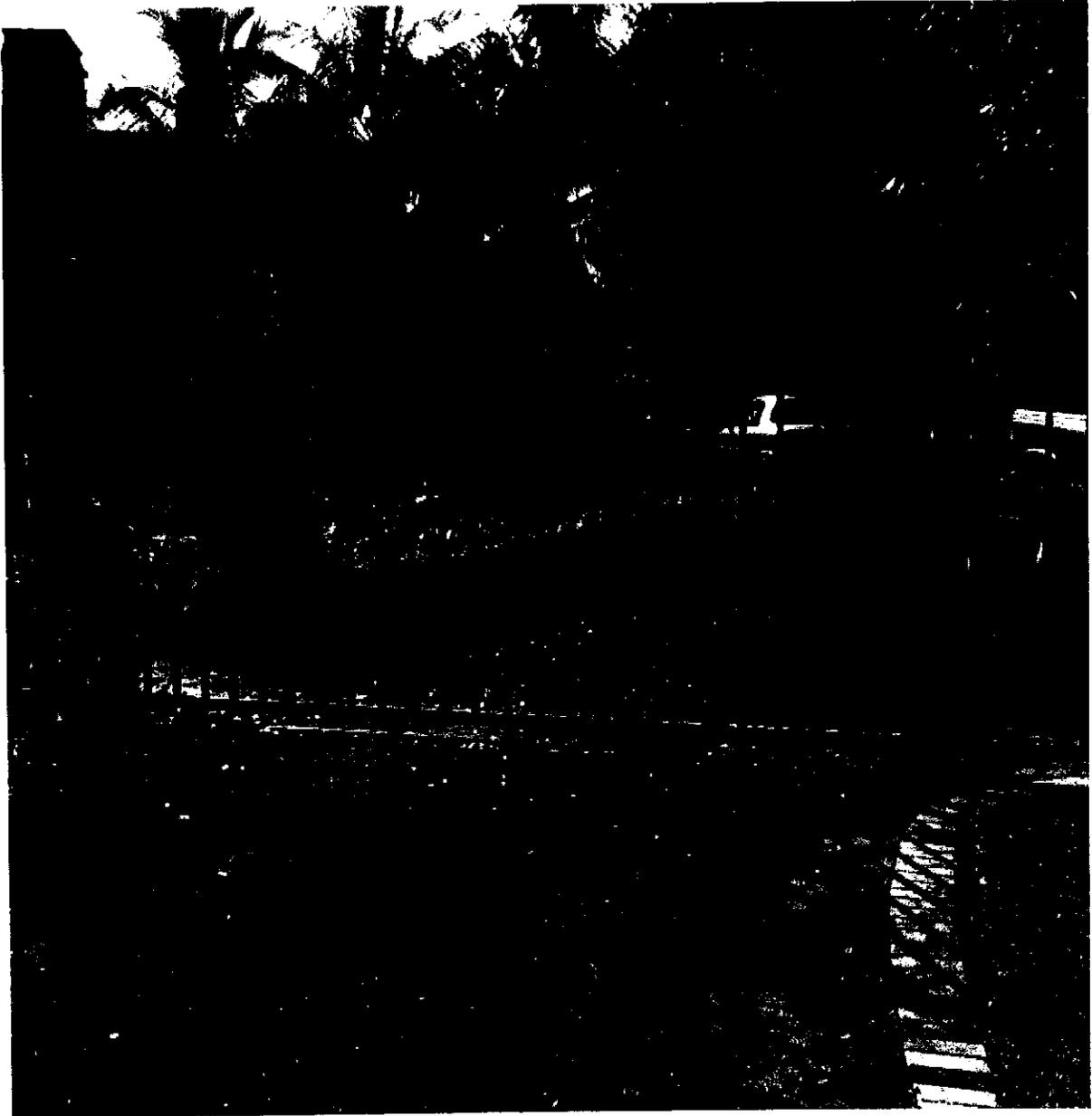
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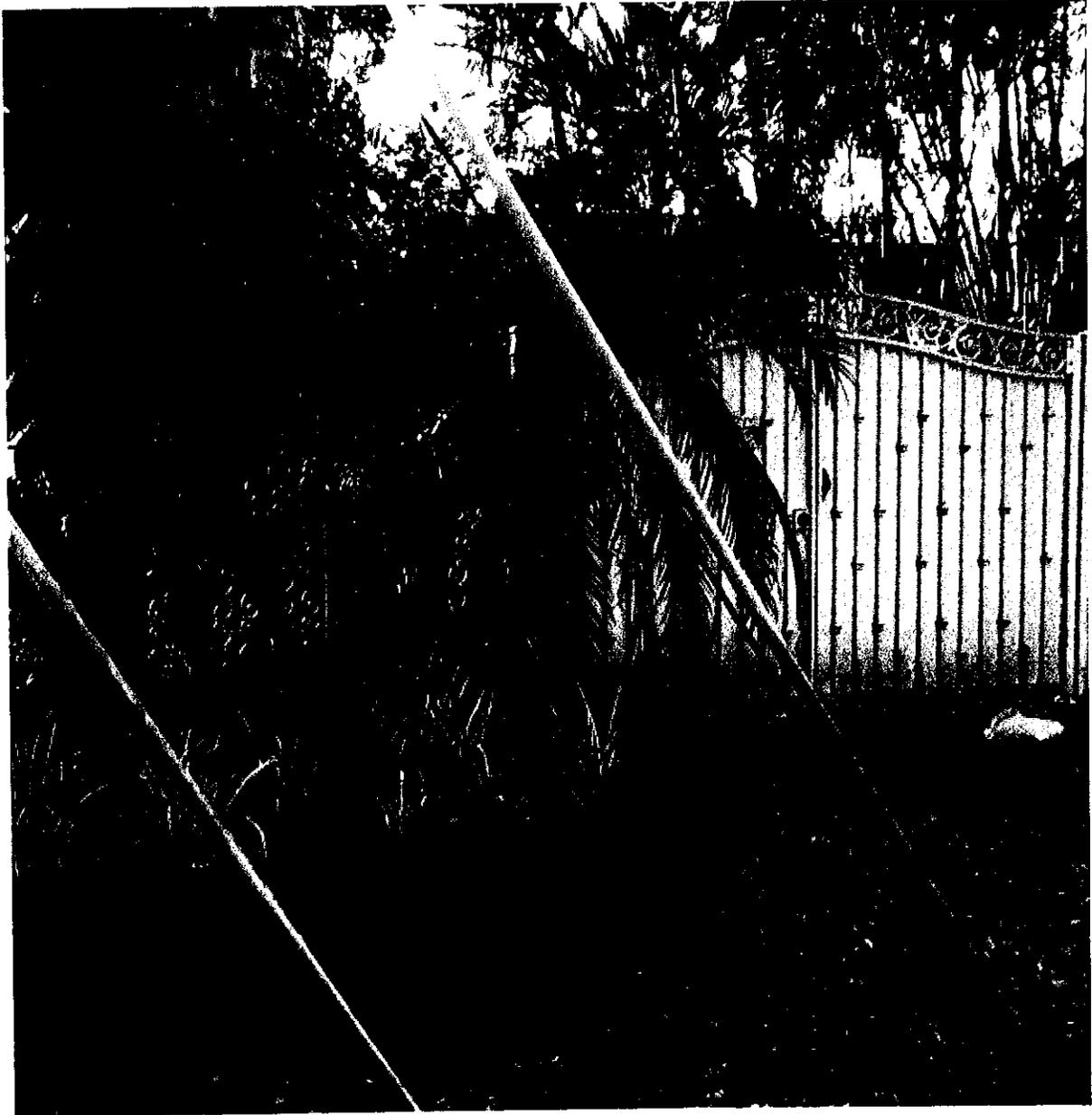


- L-3 11500
GRFFWG -



- O 1 E 2
10910 GRIFFING -







The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161
Telephone: 305-899-8000 Facsimile: 305 891 7241

December 22, 2016

Wilfred Joseph & W Elizabeth
10700 Griffing Blvd
Biscayne Park, FL 33161

NOTICE OF PUBLIC HEARING NON-USE VARIANCE REQUEST

Notice is hereby given that the Planning & Zoning Board of the Village of Biscayne Park, Florida, will hear the following non-use variance request at the Planning & Zoning Board Meeting to be held on **Tuesday, January 3, 2017, at 6:30** at the Log Cabin, 640 NE 114th Street, Biscayne Park, FL 33161.

Willard Shepard – 10710 Griffing Blvd
Variance Request: Fence location and height

All documentation pertaining to this notice may be inspected by the public at the Office of the Village Clerk in Village Hall, 640 NE 114th Street. Interested parties may appear at the meeting and be heard with respect to the proposed Ordinances.

In accordance with the provision of F.S. Section 286.0105, should any person seek to appeal any decision made by the Board with respect to any matter considered at this meeting, such person will 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.

In accordance with the Americans with Disabilities Act of 1990, persons who require special accommodation to participate in the proceedings should call the Village Clerk's office at (305) 899-8000 no later than (4) days prior to the proceeding for assistance. On day of meeting, if called in by 11:00am, we will do our best to accommodate your request.



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161
Telephone: 305-899-8000 Facsimile: 305 891 7241

PLANNING & ZONING BOARD

Gage Hartung
Elizabeth Hornbuckle
Andrew Olis
Dan Schneider
Doug Tannehill

Alternates
Mario Rumiano

MINUTES PLANNING & ZONING BOARD MEETING LOG CABIN

**640 NE 114 ST – Biscayne Park, FL
Tuesday, January 3rd, 2017 at 6:30 p.m.**

1. CALL TO ORDER

This meeting was called to order at 6:30 p.m.

2. ROLL CALL

Gage Hartung- Board Member- present
Andrew Olis- Board Member- present
Elizabeth Hornbuckle- absent- Motion to mark as unexcused by A. Olis,
seconded by D. Tannehill. Approved 4-0
Doug Tannehill- Board Member- present
D. Schneider- Board Member- present
Maria Camera- Staff- present
Sal Annese- Staff- present
Attorney Andrew Dunkiel

3. ADDITIONS, DELETIONS OR CHANGES TO AGENDA

a. Suarez- Contractor questioning roof materials. Board advised have to be tile to tile.

4. APPROVAL OF MINUTES

December 19th, 2016
Motion by D. Tannehill, seconded by D. Schneider. Approved 4-0

5. OLD BUSINESS

a. Suarez- 11805 NE 11 Ave- Windows
Motion by A. Olis, seconded by D. Tannehill. Approved 4-0

b. Silva- 920 NE 119 St- Solar Panel
Motion by A. Olis, seconded by D. Schneider. Approved 4-0

6. PAINT PERMITS

a. Tranoris- 11380 NE 8 Ave
Motion by A. Olis, seconded by D. Tannehill. Approved 4-0

7. BUILDING PERMITS

a. Aerts- 741 NE 118 St- Roof
Tabled for more information

b. Mariano- 511 NE 119 St- Roof
Motion by A. Olis, seconded by D. Schneider. Approved 4-0

c. Susi- 1020 NE 120 St- Roof/Garage
Motion by A. Olis, seconded by D. Schneider. Approved 4-0

d. Blanco- 10910 Griffing Blvd- Addition
Tabled for more information



The Village of Biscayne Park

640 NE 114th St., Biscayne Park, FL 33161
Telephone: 305-899-8000 Facsimile: 305 891 7241

8. VARIANCE REQUEST

- a. Shepard- 10710 Griffing Blvd- Fence/Gate
Motion to forward Variance Request to Board of Commissioners by
D. Schneiger, seconded by G. Hartung.
Approved 3-1. A. Olis voted against.

Motion to not recommend approval to Board of Commissioners by A. Olis,
Seconded by D. Schneiger. Denied 3-1.

The next meetings of the Planning & Zoning Board are Tuesday, January 17th, 2017
and Monday, February 6th, 2017.

9. ADJOURNMENT

This meeting was adjourned at 7:49 p.m.

Minutes approved on: _____
(Date)

By: _____
Gage Hartung, Chair Planning & Zoning Board



January 23, 2017

Property Owner
10710 Griffing Blvd.
Biscayne Park, FL 33161

**NOTICE OF PUBLIC HEARING
NON-USE VARIANCE REQUEST**

Notice is hereby given that the Village Commission of the Village of Biscayne Park, Florida, will hear the following non-use variance request at the regular Commission Meeting to be held on **Wednesday, February 8, 2017 at 7:00pm** at the Log Cabin, 640 NE 114th Street, Biscayne Park, FL 33161.

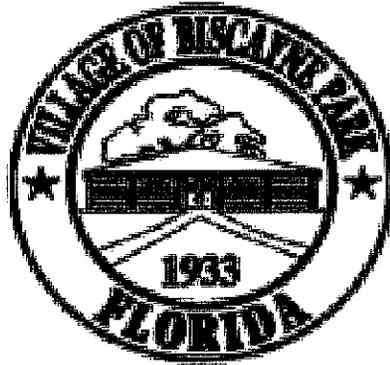
**Willard Shepard – 10710 Griffing Blvd
Variance Request: Fence located in the front yard**

All documentation pertaining to this notice may be inspected by the public at the Office of the Village Clerk in Village Hall, 640 NE 114th Street. Interested parties may appear at the meeting and be heard with respect to the proposed Ordinances.

In accordance with the provision of F.S. Section 286.0105, should any person seek to appeal any decision made by the Board with respect to any matter considered at this meeting, such person will 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.

In accordance with the Americans with Disabilities Act of 1990, persons who require special accommodation to participate in the proceedings should call the Village Clerk's office at (305) 899-8000 no later than (4) days prior to the proceeding for assistance. On day of meeting, if called in by 11:00am, we will do our best to accommodate your request.

1/24/2017



**NOTICE OF PUBLIC HEARING
VILLAGE OF BISCAYNE PARK**

Title:

Category: Hearings FL

Adnumber: 0000191458-01

NOTICE IS HEREBY GIVEN that the Village Commission of the Village of Biscayne Park, Florida will hear the following non-use variance request at the Regular Commission Meeting to be held on **Wednesday, February 8, 2017, at 7:00PM**, at the **Log Cabin located at 640 NE 114th Street, Biscayne Park, FL 33161**.

Pursuant to Section 15.3 of the Code of Ordinances of the Code of Biscayne Park, Florida, the property owners hereby seek the following variance from the Village Code for their property located at:

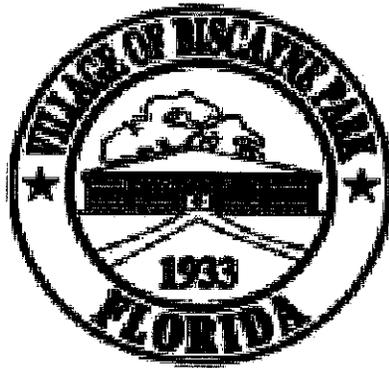
**Willard Shepard -10710 Griffing Blvd.
Variance Request: Fence located in the front yard.**

All documentation pertaining to this notice may be inspected by the public at the Office of the Village Clerk in Village Hall, 640 NE 114th Street. Interested parties may appear at the meeting and be heard with respect to the proposed Ordinance.

In accordance with the provision of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person will 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.

In accordance with the Americans with Disabilities Act of 1990, persons who require special accommodation to participate in the proceedings should call the Village Clerk's office at (305) 899-8000 no later than 48 hours prior to the proceeding for assistance. On day of meeting, if called in by 11:00am, we will do our best to accommodate your request. Maria Camara, Village Clerk
1/24-30 17-103/0000191458M

1/30/2017



**NOTICE OF PUBLIC HEARING
VILLAGE OF BISCAYNE PARK**

Title:

Category: Hearings FL

Adnumber: 0000191458-01

NOTICE IS HEREBY GIVEN that the Village Commission of the Village of Biscayne Park, Florida will hear the following non-use variance request at the Regular Commission Meeting to be held on **Wednesday, February 8, 2017, at 7:00PM**, at the **Log Cabin located at 640 NE 114th Street, Biscayne Park, FL 33161**.

Pursuant to Section 15.3 of the Code of Ordinances of the Code of Biscayne Park, Florida, the property owners hereby seek the following variance from the Village Code for their property located at:

Willard Shepard -10710 Griffing Blvd.

Variance Request: Fence located in the front yard.

All documentation pertaining to this notice may be inspected by the public at the Office of the Village Clerk in Village Hall, 640 NE 114th Street. Interested parties may appear at the meeting and be heard with respect to the proposed Ordinance.

In accordance with the provision of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person will 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.

In accordance with the Americans with Disabilities Act of 1990, persons who require special accommodation to participate in the proceedings should call the Village Clerk's office at (305) 899-8000 no later than 48 hours prior to the proceeding for assistance. On day of meeting, if called in by 11:00am, we will do our best to accommodate your request. Maria Camara, Village Clerk

1/24-30 17-103/0000191458M