

**CITY OF HIALEAH**  
**PLANNING AND ZONING BOARD MEETING**  
**May 15<sup>th</sup>, 2019**  
*Agenda*

HIALEAH CITY HALL  
501 PALM AVENUE-3RD FLOOR

7:00 P.M.  
HIALEAH

Call to order.

Invocation and pledge of allegiance

**ALL LOBBYISTS MUST REGISTER WITH THE PLANNING AND ZONING BOARD PRIOR TO ITEM BEING HEARD**

**A MAXIMUM OF 4 SPEAKERS IN FAVOR AND 4 SPEAKERS IN OPPOSITION WILL BE ALLOWED TO ADDRESS THE PLANNING AND ZONING BOARD ON ANY ITEM. EACH SPEAKER'S COMMENTS WILL BE LIMITED TO 3 MINUTES.**

1. Roll Call.
2. Approval of Planning and Zoning Board Summary Agenda of April 24<sup>th</sup>, 2019 as submitted.

**ADMINISTRATION OF OATH TO ALL APPLICANTS AND ANYONE WHO WILL BE SPEAKING BEFORE THE BOARD ON ANY ITEM.**

A WRITTEN DECISION AND RESOLUTION WILL BE PREPARED AND PRESENTED FOR REVIEW TO THE CITY COUNCIL. THE CITY COUNCIL IS AUTHORIZED TO AFFIRM, AFFIRM WITH CONDITIONS, OR OVERRIDE THE DECISIONS BY RESOLUTION. AFTER THE RESOLUTION IS ADOPTED, CONTACT A MEMBER OF THE CITY CLERK'S OFFICE TO OBTAIN A COPY OF THE FINAL DECISION AND RESOLUTION. UPON YOUR RECEIPT OF THE FINAL DECISION AND RESOLUTION, CONTACT THE BUILDING DEPARTMENT TO OBTAIN YOUR REQUIRED BUILDING PERMIT. SUMMARY MINUTES, OR A COPY OF THE AUDIO FILE OF THE PROCEEDINGS BEFORE THE PLANNING AND ZONING BOARD, SHALL BE PREPARED AND SUBMITTED TO THE CITY COUNCIL BEFORE ITS HEARING.

**THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, JUNE 11<sup>TH</sup>, 2019.**

3. **Final decision** to allow rear setback of 14.5 feet, where 20 feet is the minimum required for an existing addition to be legalized. Property located at 8260 West 18<sup>th</sup> Lane, Hialeah, zoned R-1 (One-Family District).  
**Applicant: Janet Pis**
4. **Final decision** to allow west side setback of 4.6 feet, where 5.1 feet is the minimum required; allow rear setback of 5.4 feet, where 7.5 feet is the minimum required and allow

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distance separation of 17 feet, where 20 feet is the minimum required between an existing accessory building and existing metal covered terrace. Property located at 324 West 15<sup>th</sup> Street, Hialeah, zoned R-1 (One-Family District).

**Applicant: Lionel Diego and Daimy Mesa**

- 5. Final decision** to allow distance separation of 13.55 feet, where 20 feet is the minimum required for an existing accessory building. Property located at 7460 West 14<sup>th</sup> Avenue, Hialeah, zoned R-1 (One-Family District).

**Applicant: Juan Mendoza and Yanelkis Sarmiento**

- 6. Final decision** to allow rear setback of 16 feet, where 20 feet is the minimum required for an existing terrace. Property located at 5835 West 12<sup>th</sup> Lane, Hialeah, zoned R-1 (One-Family District).

**Applicant: MB & CB Investments, LLC, Modesto Fernandez**

**THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, MAY 28<sup>TH</sup>, 2019.**

- 7. Closing, vacating and abandoning** for public use the right-of-way located on East 28<sup>th</sup> Street, east of East 11<sup>th</sup> Avenue and west of the railroad tracks.

**Applicant: MBM Developments Group Corp**

- 8. Rezoning** properties from C-1 (Restricted Retail Commercial District) and C-2 (Liberal Retail Commercial District) to C-3 (Extended Liberal Commercial District) and variance permit to allow 11 parking spaces, where 13 parking spaces are required; allow 5 feet rear setback, where 15 feet is the minimum required and allow 13.46% pervious area, where 18% is the minimum required. Properties located at 975 & 995 Hialeah Drive, Hialeah, zoned C-1 (Restricted Retail Commercial District) and C-2 (Liberal Retail Commercial District).

**Applicant: Urbietta Westar Holdings, Inc.**

- 9. Conditional Use Permit (CUP)** to allow a private school. Property located at 930 East 9<sup>th</sup> Street, Hialeah, zoned C-1 (Restricted Retail Commercial District).

**Applicant: JM and MZ Properties LLC, Juditt Milian**

**Tabled item from March 27<sup>th</sup>, 2019 meeting.**

- 10. Conditional Use Permit (CUP)** to allow an elementary school for a maximum of 40 students and 4 teachers, as an expansion to an existing day care with 52 and 23 students respectively; variance permit to allow 13 parking spaces, where 23 parking spaces are required; allow 1.4% pervious area, where 18% is required and allow waiver of minimum landscape requirements to permit 2 feet landscape buffer, where a 7 foot landscape buffer is required and allow no trees and no shrubs, where 8 trees and 80 shrubs are required. Property located at 375 East 49<sup>th</sup> Street, Hialeah, zoned C-1 (Restricted Retail Commercial District).

**Applicant: Kid's Love Day Care and Preschool, Gloria Delgado**

**Tabled item from February 27<sup>th</sup>, 2019 meeting.**

**11. ORDINANCE CHAPTER 98 ZONING; ARTICLE V ZONING DISTRICT REGULATIONS; DIVISION 3. R-1 ONE FAMILY DISTRICT; SECTION 98-502 REAR YARD REQUIRED; REDUCING THE DISTANCE SEPARATION BETWEEN A SINGLE FAMILY HOME AND AN ACCESSORY BUILDING FROM 20 FEET TO TEN FEET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:**

**12. Old Business.**

**13. New Business.**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING, A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 OR (305) 883-8076 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.

**If you decide to appeal any decision made by the board, with respect to any matter considered at the meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.**