

**CITY OF HIALEAH**  
**PLANNING AND ZONING BOARD MEETING**  
**January 13<sup>th</sup>, 2021**  
*Summary Agenda-Minutes*

HIALEAH CITY HALL  
501 PALM AVENUE-3RD FLOOR

6:00 P.M.  
HIALEAH

Call to order.

Invocation and pledge of allegiance

**MEETING GUIDELINES**

The following guidelines apply to today's Planning and Zoning Board Meeting:

- Pursuant to emergency management powers as set forth in F.S. §§252.31-252.90, Governor Ron DeSantis issued Executive Order 20-69 (March 20, 2020), suspending the "Florida's Government in the Sunshine Laws" requirement that a quorum of the legislative body holding a public meeting be met in-person and that the meeting be held at a physical location accessible to the public for the duration of the State's Declaration of Emergency issued on March 9, 2020 (Executive Order 20-52) as a result of the COVID-19 pandemic affecting the State of Florida. The nation and the State of Florida remain in a state of emergency. The Governor has extended the declaration every 60 days, as required by law, since the execution of Executive Order 20-52. The latest extension made through the execution of Executive Order 20-276 (November 3, 2020).
- Notwithstanding the continuing statewide threat of COVID-19 to the health, safety and welfare of our citizens, Executive Order 20-69, issued specifically to allow local governments to use communications media technology to hold public meetings during the public health emergency, has expired as of 12:01 a.m. November 1, 2020 (Executive Order 20-246). As such, all public meetings in this City of any deliberative body must comply with the in-person quorum requirement of the Sunshine Law. This means, all Planning and Zoning board members must be present in-person.
- A limited number of members of the public will be allowed to be present at the location of the meeting considering the physical spacing limitations of the location to observe social distancing. As such, only 15 members of the public will be allowed to attend in person any scheduled meeting of the Planning and Zoning Board held in the Chambers on a first-come-first serve basis. Based upon anticipated in-person attendance of any meeting, the City will provide additional space at City Hall to accommodate the public and provide both viewing and participation capabilities. In addition, all public meetings continue to be broadcast live for members of the public to view on the City's Facebook page. As an additional alternative, members of the public may hear the meeting live through telephonic conferencing.
- Any person of the public wishing to participate via the web platform, telephonic conferencing or physical presence at City Hall, who is interested in making comments or posing questions on any item on the agenda may do so during the meeting. The person

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interested in joining the meeting to participate for this purpose may register with the Planning and Zoning Division by completing a registration form, providing the information required and submitting the completed form to the Planning and Zoning Division no later than 3:00 p.m. Tuesday, January 12<sup>th</sup>, 2021. All registered participants will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

- Members of the public must submit the Public Speaker Registration Card with comments or questions by email to [yirodriguez@hialeahfl.gov](mailto:yirodriguez@hialeahfl.gov) prior to the meeting taking place. Public Speaker Registration Cards with comments and questions received by the deadline will be read into the record.
- Participants are reminded to maintain decorum in their comments and appearance throughout their participation as the whole meeting will be recorded and published on the City's Facebook page and retained pursuant to the Florida Public Records Law.
- If during the course of the meeting, technical problems develop with the communications network that prevent interested persons from attending, the meeting shall be adjourned until the problems have been corrected.

**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.

**Present: Mr. D. Perez, Mr. Rodriguez, Mr. Horgan, Mr. Casanova & Mr. Iglesias**

**Absent: Mr. O. Perez**

2. Approval of Planning and Zoning Board Summary Agenda of December 9<sup>th</sup>, 2020 as submitted.

**Motion to Approve: Mr. Casanova; Second: Mr. Iglesias**

**Motion Approved: 5-0-1 with board member Mr. O. Perez absent.**

*Item approved*

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

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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, JANUARY 26<sup>TH</sup>, 2021.**

- 3. Rezoning** properties from R-1 (One-Family District) and RO (Residential Office) to P (Parking). Properties located at **4935 and 4950 East 1<sup>st</sup> Court**, Hialeah, zoned R-1 (One-Family District) and RO (Residential Office).

**Applicant: Charles Millar**

**TABLED ITEM FROM NOVEMBER 18<sup>TH</sup>, 2020 MEETING**

**Planner's recommendation: Withdraw the proposal for applicant's reconsideration of the petition.**

**NO ACTION**

- 4. Rezoning** from R-1 (One-Family District) to R-2 (One- and Two-Family Residential District) and variance permit to allow a duplex on a substandard lot with frontage of 50 feet and area of 6,700 square feet, where 75 feet and 7,500 square feet are required; allow interior east side setback of 4.33 feet, where 7.5 feet are required; allow rear setback of 20 feet, where 25 feet are required and allow 35.7% lot coverage, where 30% is the maximum allowed. Property located at **301 East 51<sup>st</sup> Street**, Hialeah, zoned R-1 (One-Family District).

**Applicant: Ceasar Mestre, Esq.**

**TABLED ITEM FROM DECEMBER 9<sup>TH</sup>, 2020 MEETING**

**Planner's recommendation: Approval**

**Motion to Remove Item from Tabled: Mr. Rodriguez; Second: Mr. Casanova & Mr. Iglesias**

**Motion Approved: 5-0-1 with board member Mr. O. Perez absent.**

*Item removed from tabled*

**Motion to Approve: Mr. Casanova; Second: Mr. Rodriguez & Mr. Iglesias**

**Motion Approved: 5-0-1 with board member Mr. O. Perez absent.**

*Item approved*

- 5. Variance** permit to allow a duplex on a substandard lot having a frontage of 50 feet and total lot area of 6,000 square feet, where 75 feet and 7,500 square feet is the minimum

required; allow north and south side setbacks of 5 feet, where 7.5 feet is the minimum required; allow rear setback of 20 feet, where 25 feet is the minimum required and allow 41% lot coverage, where 30% is the maximum lot coverage allowed. Property located at **2455 West 5<sup>th</sup> Court**, Hialeah, zoned R-2 (One- and Two-Family Residential District).

**Applicant: Austin Homes, LLC**

**Planner's recommendation: Approval**

**Motion to Approve: Mr. Rodriguez; Second: Mr. Casanova**

**Motion Approved: 5-0-1 with board member Mr. O. Perez absent.**

*Item approved*

6. **Use variance** to allow a janitorial services office on property zoned RO (Residential Office), where only professional services and professional offices are allowed and amendment of City of Hialeah, Fla Ordinance 13-25 and related Declaration of Restrictions. Property located at **4980 Palm Avenue**, Hialeah, zoned RO (Residential Office).

**Applicant: Ceasar Mestre, Esq.**

**Planner's recommendation: Amend City of Hialeah Ordinance 13-25 to allow 5 occupational licenses instead of six, limit the use of the second practice to a single occupational license, and amend the 2013 DOR accordingly.**

**Motion to Approve as Recommended: Mr. Casanova; Second: Mr. Iglesias**

**Motion Approved: 5-0-1 with board member Mr. O. Perez absent.**

*Item approved as recommended*

7. **Special Use Permit (SUP)** to allow a Prescribed Pediatric Extended Care (PPEC) facility on property zoned M-1 (Industrial District), where PPECs are only allowed on properties zoned C-1 (Restricted Retail Commercial District), C-2 (Liberal Retail Commercial District), CBD (Central Business District) and CR (Commercial-Residential District); **Conditional Use Permit (CUP)** and **variance** permit to allow 30 parking spaces, where 98 parking spaces are required. Property located at **700 West 29<sup>th</sup> Street**, Hialeah, zoned M-1 (Industrial District).

**Applicant: Magic World of Crystal PPEC, Corp.**

**Planner's recommendation: Amend land use and table CUP and variance to be re-considered at time of rezoning.**

**Motion to Table Item: Mr. Casanova; Second: Mr. Rodriguez**

**Motion Approved: 5-0-1 with board member Mr. O. Perez absent.**

*Item tabled*

**MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:**

8. **TENTATIVE PLAT OF SNAKE SON**

**Planner's recommendation: Approval**

**Motion to Approve: Mr. Casanova; Second: Mr. Iglesias**

**Motion Approved: 5-0-1 with board member Mr. O. Perez absent.**

*Item approved*

**9. FINAL PLAT OF BEACON LOGISTICS**

**Planner's recommendation: Approval**

**Motion to Approve: Mr. Casanova; Second: Mr. Rodriguez & Mr. Iglesias**

**Motion Approved: 5-0-1 with board member Mr. O. Perez absent.**

*Item approved*

10. Old Business. **None.**

11. New Business. **Planning and Zoning Director, Debora Storch wished everyone a Happy New Year.**

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.**

**NEXT PLANNING AND ZONING BOARD MEETING:  
WEDNESDAY, JANUARY 27<sup>TH</sup>, 2021 AT 6:00 P.M.**