

**CITY OF HIALEAH**  
**PLANNING AND ZONING BOARD MEETING**  
**March 15<sup>th</sup>, 2023**  
*Summary Agenda- Minutes*

HIALEAH CITY HALL  
501 PALM AVENUE-3RD FLOOR

6:00 P.M.  
HIALEAH

Call to order.

**REPORT: Planning and Zoning Board Chairman, Diego Perez called the meeting to order at 6:05 P.M.**

Invocation and pledge of allegiance.

**REPORT: Planning and Zoning Board Chairman, Diego Perez led the invocation and pledge of allegiance.**

**MEETING GUIDELINES**

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

- Any person, whether participating via the web platform, telephonic conferencing or physical presence at City Hall, interested in making comments or posing questions on any item on the agenda, may do so during the meeting.
- Members of the public may hear the meeting live through telephonic conferencing using any telephone or cellular phone service. A smart device or computer are not necessary to participate in the meeting if you join by phone.
- All persons participating via the web platform 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.

**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. Gamon, Mr. D. Perez, Mr. Ulloa, Mr. Iglesias, Mr. Casanova & Mrs. Henriquez**

**Absent: Mr. Jimenez**

2. Approval of Planning and Zoning Board Summary Agenda of February 22<sup>nd</sup>, 2023 as submitted.

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

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

***Item approved***

**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, APRIL 11<sup>TH</sup>, 2023.**

3. **Final decision** to allow rear setback of 13.6 feet, where 20 feet are required for a proposed aluminum terrace; allow interior south side setback of 4.1 feet, where 7.5 feet are required and distance separation of 8.1 feet, where 10 feet are required for an existing metal shed to be legalized. Property is located at **7821 West 15<sup>th</sup> Avenue**, Hialeah, zoned R-1 (One-Family District).

**Applicant: Jesus Tundidor**

**Planner's recommendation: Approval**

**REPORT: Planning and Zoning Board member Javier Casanova recused himself from hearing this item due to a conflict of interest at 6:13 P.M.**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**Motion to Approve: Mr. Gamon; Second: Mr. Ulloa & Mrs. Henriquez**

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

**FINAL DECISION NO. 2023-03**

***Item approved***

**REPORT: Planning and Zoning Board member Javier Casanova returned to the chambers at 6:16 P.M.**

4. **Final decision** to allow ~~interior east side setback of 3 feet and interior west side setback of 3.2 feet, where 5 feet 1 inch are required for an existing metal roof to be legalized, and allow 4.45 feet west side setback and 6 feet rear setback, where 7.5 feet are required for the legalization of a 144 square feet accessory building.~~ Property is located at **228 West 18<sup>th</sup> Street**, Hialeah, zoned R-1 (One-Family District).

**Applicant: Fidencia D. Carpio**

**Planner's recommendation: Approve with conditions**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**REPORT: Fidencia D. Carpio, 228 West 18<sup>th</sup> Street, Hialeah 33012 spoke on this item.**

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

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

**FINAL DECISION NO. 2023-04**

**Item approved with the condition that the required 30% pervious area is provided.**

5. **Final decision** to allow rear setback of 20.2 feet, where 25 feet are required for a proposed aluminum pergola. Property is located at **51 East 60<sup>th</sup> Street**, Hialeah, zoned R-1 (One-Family District).

**Applicant: Duniesky Dieguez and Alejandro Cruz Solis**

**Planner's recommendation: Approve with conditions**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**REPORT: Manuel Rivera (Contractor), 51 East 60<sup>th</sup> Street, Hialeah 33013 spoke on this item.**

**Motion to Table the Item: Mr. Casanova; Second: Mr. Gamon & Mr. Iglesias**

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

**Item tabled until March 29<sup>th</sup>, 2023**

**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, MARCH 28<sup>TH</sup>, 2023.**

6. **Special Use Permit (SUP)** to allow the expansion of the Neighborhood Business District Overlay; Variance permit to allow 40 residential units with an area ranging from 620 to 693 square feet, where 850 square feet is the minimum required and only 10% of the units may have an area less than 850 square feet and variance to waive the building mass and building frontage development standards. Property is located at **3875 West 16<sup>th</sup> Avenue**, Hialeah, zoned M-1 (Industrial District).

**Applicant: Javier L. Vazquez, Esq.**

**Planner's recommendation: Approval**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**REPORT: Javier L. Vazquez, Esq., 1450 Brickell Avenue, Suite 1900, Miami, 33131 spoke on this item.**

**REPORT: Carlos Luis Diaz, 17601 NW 82<sup>nd</sup> Court, Hialeah 33015 addressed the Planning and Zoning Board in opposition to the approval of this item.**

**REPORT: Maria Victoria Soriano, 3887 West 16<sup>th</sup> Avenue, Hialeah 33012 addressed the Planning and Zoning Board in opposition to the approval of this item.**

**REPORT: Pedro Arechavaleta, 1592 West 39<sup>th</sup> Place, Hialeah 33012 addressed the Planning and Zoning Board in opposition to the approval of this item.**

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

**Motion Passed: 4-2-1 with board members Mr. Gamon and Mrs. Henriquez voting NO and Mr. Jimenez absent.**

***Item approved***

7. **Variance** permit to allow rear setback of 5.27 feet, where 15 feet are required for an addition including a family room and bathroom, to be legalized. Property is located at **6861 West 27<sup>th</sup> Avenue**, Hialeah, zoned RZ (Residential Zero Lot Line District).

**Applicant: Ramiro Ponton**

**Planner's recommendation: Denial**

**WITHDRAWN BY THE APPLICANT'S REQUEST**

8. **Variance** permit to allow 13 parking spaces, where 26 parking spaces are required to open a new tapas and wine restaurant on the second floor of an existing commercial building operating a liquor store. Property is located at **400 East 41<sup>st</sup> Street**, Hialeah, zoned C-2 (Liberal Retail Commercial District).

**Applicant: Agustin Mosquera**

**Planner's recommendation: Approval**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**REPORT: Raul Rodriguez (Owner of property), 400 East 41<sup>st</sup> Street, Hialeah, 33013 spoke on this item.**

**REPORT: Agustin Mosquera (Applicant), 400 East 41<sup>st</sup> Street, Hialeah, 33013 spoke on this item.**

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

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

***Item approved***

9. **Conditional Use Permit (CUP)** to allow a K-5th grade school within a shopping plaza with a maximum capacity of 57 students in conjunction with an existing daycare with a

capacity of 60 children. Property is located at **6500 West 4<sup>th</sup> Avenue, Units 15 through 23**, Hialeah, zoned C-2 (Liberal Retail Commercial District).

**Applicant: Mohatra Inc.**

**Planner's recommendation: Approve with conditions**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**REPORT: Octavio Santurio (Architect), 6262 SW 40<sup>th</sup> Street, Suite 3E, Miami, 33155 spoke on this item.**

**REPORT: Madelen Diaz (Applicant), 6500 West 4<sup>th</sup> Avenue, Hialeah, 33012 spoke on this item.**

**Motion to Approve with Conditions: Mr. Gamon; Second: Mr. Iglesias**

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

***Item approved with the following conditions:***

- ***Immediate legalization of the 2,820 square feet of school space and adjacent fenced area including the removal of an illegal shed.***
- ***Repair of asphalt along West 4th Place, parallel parking spaces striping, and posting of signs.***
- ***Implementation of two drop-off/pick-up shifts.***
- ***Adopt and enforce parking and drop-off/pick-up regulations for parents and staff.***

**~~10. Conditional Use Permit (CUP) to allow a K-5th grade elementary school on a free standing, campus setting property with a maximum capacity of 70 students in conjunction with a daycare with a capacity of 100 children. Property is located at 6491 West 2<sup>nd</sup> Avenue, Hialeah, zoned R-1 (One-Family District).~~**

**~~Applicant: Vivian Gracia and Jessica Alonso~~**

**~~WITHDRAWN~~**

**11. Conditional Use Permit (CUP) to allow a K-2nd grade elementary school on a freestanding commercial building with a maximum capacity of 20 students in conjunction with a daycare with a capacity of 41 children. Property is located at **430 West 29<sup>th</sup> Street**, Hialeah, zoned C-2 (Liberal Retail Commercial District).**

**Applicant: Albenis Gill and Liset Gill**

**Planner's recommendation: Approve with conditions**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**REPORT: Octavio Santurio (Architect), 6262 SW 40<sup>th</sup> Street, Suite 3E, Miami, 33155 spoke on this item.**

**REPORT: Liset Gil (Applicant), 430 West 29<sup>th</sup> Street, Hialeah, 33012 spoke on this item.**

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

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

*Item approved with the condition that the building stays as a school/daycare stand-alone facility with a maximum capacity of 20 students for the school, in conjunction with a 41-children daycare, and that staff is assigned to expedite the school's drop-off/pick-up process.*

- 12. Special Use Permit (SUP)** to allow the expansion of the Neighborhood Business District Overlay; Variance permit to allow 12 residential units with an area ranging from 735 to 737 square feet, where 850 square feet is the minimum required and only 10% of the units may have an area less than 850 square feet; allow 4.5 feet front setback, where 10 feet built-to-line setback is required; allow 22 parking spaces, where 41 parking spaces are required and variance to waive the building mass and building frontage development standards. Properties are located at **250 East 9<sup>th</sup> Street and Folio No. 04-3118-006-0790**, Hialeah, zoned CR (Commercial-Residential District).

**Applicant: Manny Reus**

**Planner's recommendation: Approval**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**REPORT: Manny Reus (Architect), 18501 Pines Boulevard, Suite 342, Pembroke Pines, 33029 spoke on this item.**

**Motion to Approve: Mr. Gamon; Second: Mr. Casanova & Mrs. Henriquez**

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

*Item approved*

- 13. Rezoning** property from R-1 (One-Family District) to P (Parking) for the construction of a new parking lot to serve the existing restaurant located at 4290 East 4<sup>th</sup> Avenue and proposed expansion and variance permit to allow 27 parking spaces, where 38 parking spaces are required. Properties are located at **390 East 43<sup>rd</sup> Street and 4290 East 4<sup>th</sup> Avenue**, Hialeah, zoned R-1 (One-Family District) and C-1 (Restricted Retail Commercial District).

**Applicant: Ricardo Largo**

**Planner's recommendation: Approval**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**REPORT: John Lukacs, Esq., 2655 South LeJeune Road, Suite 1011, Coral Gables 33134 spoke on this item.**

**REPORT: Teresa Mejides-Perez, 322 East 43<sup>rd</sup> Street, Hialeah 33013 addressed the Planning and Zoning Board in opposition to the approval of this item.**

**REPORT: Maria Mejides, 625 West 60<sup>th</sup> Street, Hialeah 33012 addressed the Planning and Zoning Board in opposition to the approval of this item.**

**REPORT: Ana Gil, 341 East 43<sup>rd</sup> Street, Hialeah 33013 addressed the Planning and Zoning Board in opposition to the approval of this item.**

**REPORT: David Perez, 322 East 43<sup>rd</sup> Street, Hialeah 33013 addressed the Planning and Zoning Board in opposition to the approval of this item.**

**Motion to Table the Item: Mr. Ulloa; Second: Mr. Gamon**

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

*Item tabled until April 26<sup>th</sup>, 2023*

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

14. FINAL PLAT OF COMMERCE CENTER AT COUNTYLINE

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

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

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

*Item approved*

15. FINAL PLAT OF WEST AVENUE SUBDIVISION

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**Motion to Approve: Mr. Ulloa; Second: Mrs. Henriquez**

**Motion Passed: 6-0-1 with board member Mr. Jimenez absent.**

*Item approved*

16. Old Business. **None.**

17. New Business. **None.**

**REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 10:17 P.M.**

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, MARCH 29<sup>TH</sup>, 2023 AT 6:00 P.M.**