

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
March 27th, 2019
Summary Agenda- Minutes

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.

Present: Mr. D. Perez, Mr. Rodriguez, Mr. Iglesias, Mr. Suarez

Absent: Mr. Casanova, O. Perez, Mr. Sanchez

2. Approval of Planning and Zoning Board Summary Agenda of March 13th, 2019 as submitted.

Motion to Approve: Mr. Suarez; Second: Mr. Rodriguez

Motion Approved: 4-0-3

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 23RD, 2019.

3. **Final decision** to allow 4.2 rear setback for gazebo and 5 feet rear setback for accessory building, where 7.5 feet is the minimum required and allow 10 feet distance separation

between a proposed terrace and existing gazebo and accessory building. Property located at 5354 West 10th Court, Hialeah, zoned R-1 (One-Family District).

Applicant: Angel Casanueva

Planner's recommendation: Approve setback adjustment for accessory building and distance separation as requested.

Motion to Table Item: Mr. Suarez; Second: Mr. Iglesias

Motion Approved: 4-0-3

Item Tabled

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 9TH, 2019.

4. **Rezoning** property from RO (Residential Office) to C-2 (Liberal Retail Commercial District). Property located at 710 East 49th Street, Hialeah, zoned RO (Residential Office).

Applicant: Harlequin Property Management, LLC

Planner's recommendation: Approve rezoning from RO to B-1. With the condition that a DOR is proffered.

Motion to Approve with Conditions: Mr. Rodriguez; Second: Mr. Iglesias

Motion Approved: 4-0-3

Item approved with the condition that the property is rezoned to B-1 as recommended and a Declaration of Restrictions is proffered.

5. **Conditional Use Permit (CUP)** to allow a private school and variance permit to allow 15 parking spaces, where 21 parking spaces are required. Property located at 930 East 9th Street, Hialeah, zoned C-1 (Restricted Retail Commercial District).

Applicant: JM and MZ Properties LLC, Juditt Milian

Planner's recommendation: Deny petition as requested and table the item for applicant's reconsideration.

Motion to Table Item: Mr. Suarez; Second: Mr. Rodriguez

Motion Approved: 4-0-3

Item Tabled

6. **ORDINANCE APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND AMONG FDG COUNTYLINE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FDG BN EXPANSION, LLC, A DELAWARE LIMITED LIABILITY COMPANY, (THE "DEVELOPER") AND THE CITY OF HIALEAH, FLORIDA, DATED MARCH 31, 2014 APPROVED BY HIALEAH, FLA. ORDINANCE 2014-18 (MARCH 25, 2014), AS AMENDED ON JUNE 19, 2018 APPROVED BY HIALEAH, FLA. ORDINANCE NO. 2018-041 (MAY 24, 2018); A COPY OF THE SECOND AMENDMENT IN SUBSTANTIAL FORM IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1", PROVIDING FOR WAREHOUSE, RETAIL, HOTEL AND OFFICE USES, CHANGES TO THE CONFIGURATION OF CERTAIN ROADS TO BE BUILT AND DEDICATED BY DEVELOPER; AND APPROVING THE FORM OF DEED, MANNER OF CONVEYANCE AND RESTRICTIONS UPON THE LAND. PROPERTY COMPRISING APPROXIMATELY 504 ACRES WITHIN AN AREA BOUNDED ON**

HIALEAH PLANNING AND ZONING BOARD MEETING- MARCH 27TH, 2019

THE WEST BY NW 107 AVENUE, ON THE NORTH BY NW 170 STREET, ON THE EAST BY NW 97 AVENUE AND ON THE SOUTH BY NW 154 STREET; ALL LOCATED IN HIALEAH, FLORIDA. PROPERTY HAVING A LAND USE CLASSIFICATION OF INDUSTRIAL AND LOCATED WITHIN THE BDH BUSINESS DEVELOPMENT ZONING DISTRICT. 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.

Motion to Approve: Mr. Suarez; Second: Mr. Iglesias

Motion Approved: 4-0-3

Item Approved

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

7. TENTATIVE PLAT OF BEACON LOGISTICS

Motion to Approve: Mr. Suarez; Second: Mr. Iglesias

Motion Approved: 4-0-3

Item Approved

8. Old Business. None

9. New Business. **The Planning and Zoning Official, Debora Storch suggested to change the hearing dates for the month of May from May 8th, 2019 and May 22nd, 2019 to May 15th, 2019 and May 29th, 2019 to be consistent with the Council Meeting dates.**

Motion to Approve: Mr. Suarez; Second: Mr. Rodriguez

Motion Approved: 4-0-3

Motion Approved

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.