

**CITY OF HIALEAH**  
**PLANNING AND ZONING BOARD MEETING**  
**April 24<sup>th</sup>, 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. Iglesias, Mr. O. Perez, Mr. Casanova, Mr. Suarez**

**Absent: Mr. Rodriguez, Mr. Sanchez**

2. Approval of Planning and Zoning Board Summary Agenda of April 10<sup>th</sup>, 2019 as submitted.

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

**Motion Approved: 5-0-2**

*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, MAY 14<sup>TH</sup>, 2019.**

3. **Rezoning** property from R-1 (One-Family District) to R-2 (One-and Two-Family Residential District) and variance permit to allow a duplex on an irregular substandard

lot having a front width of 52.98 feet and rear width of 48.47 feet, where 75 feet is the minimum required and having a length of 92.18 feet, where 100 feet is the minimum required; allow lot area of approximately 4,676 square feet, where 7,500 square feet is the minimum required; allow an interior south side setback of 6 feet, where 7.5 feet is the minimum required; allow front and rear setbacks of 20 feet, where 25 feet is the minimum required respectively, and allow a lot coverage of 38%, where 30% is the maximum allowed. Property located at 2629 East 7<sup>th</sup> Avenue, Hialeah, zoned R-1 (One-Family District).

**Applicant: Miguel Guerrero**

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

**Motion to Approve with Conditions: Mr. Suarez; Second: Mr. O. Perez**

**Motion Approved: 5-0-2**

*Item approved with the condition that the property is developed in substantial consistency with the submitted plans and the construction is completed within 24 months.*

4. **Rezoning** property from R-1 (One-Family District) to R-2 (One- and Two-Family Residential District) and variance permit to allow a duplex on substandard lot having a frontage of 55.10 feet, where 75 feet is the minimum required and having a length of 92.11 feet, where 100 feet is the minimum required; allow lot area of approximately 5,075 square feet, where 7,500 square feet is the minimum required; allow interior south side setback of 5.5 feet, where 7.5 feet is the minimum required; allow front and rear setbacks of 20 feet, where 25 feet is the minimum required respectively, and allow lot coverage of 35%, where 30% is the maximum allowed. Property located at 2689 East 7<sup>th</sup> Avenue, Hialeah, zoned R-1 (One-Family District).

**Applicant: Miguel Guerrero**

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

**Motion to Approve with Conditions: Mr. Suarez; Second: Mr. O. Perez**

**Motion Approved: 5-0-2**

*Item approved with the condition that the property is developed in substantial consistency with the submitted plans and the construction is completed within 24 months.*

5. Substitution of the latest approved site plan with a new site plan signed and sealed by Alan D. Lerner, Registered Architect dated March 14, 2019; variance permit to allow 38 feet rear setback, where 45 feet is the minimum required; allow 15.43% pervious area, where 20% is the minimum required; allow parking at the front and side of the property, where all parking shall be located at the rear of the property and allow seven occupational licenses, where no more than two occupational licenses shall be issued for each address. Property located at 135 West 49<sup>th</sup> Street, Hialeah, zoned RO (Residential Office).

**Applicant: Brian S. Adler, Esq.**

**Planner's recommendation: Approve rear setback, pervious area and parking location variances and allow a maximum of four occupational licenses.**

**Motion to Approve with Conditions: Mr. O. Perez; Second: Mr. Suarez**

**Motion Approved: 5-0-2**

*Item approved with the following conditions:*

1. *The maximum number of business tax receipts for the facility is limited to seven. Notwithstanding the seven issued business tax receipts, no more than three of the seven doctors shall be located at the facility at any given time.*
2. *Should property be converted to a use other than an endoscopy/gastrointestinal center, the maximum number of business tax receipts shall revert to a maximum of two unless otherwise approved by the City of Hialeah City Commission or otherwise permitted under the City of Hialeah Code.*
3. *The facility shall provide a valet parking or a parking attendant at a minimum during workdays between the hours of 7:00 a.m. to 12:00 p.m.*
4. *The facility shall encourage employees to utilize public transportation, drop-off or carpooling.*
5. *The facility shall maintain and/or provide patients with the name of transportation and or pickup services utilized at the property to encourage patients to use the transportation facilities rather than driving separately to the facility.*
6. **Special Use Permit (SUP)** to allow a new gas station, convenience store and a mechanical carwash on property zoned CR (Commercial Residential District) where those uses are not allowed. Variance permit to allow 125 feet and 34 feet front setbacks, where 5 feet are required; allow parking on the front setback where no parking is allowed on front setbacks, allow 0% building frontage where 50% is required; allow a pylon sign, where pylon signs are not allowed in the Commercial Residential District and allow 6 feet 10 inches and 9 feet 11 inches setbacks for the right-of-way line, where 10 feet is the minimum required. Property located at 898 Palm Avenue, Hialeah, zoned CR (Commercial Residential District).

**Applicant: Orion Palm Ave, LLC**

**Planner's recommendation: Approval.**

**Motion to Approve: Mr. O. Perez; Second: Mr. Casanova**

**Motion Approved: 5-0-2**

*Item approved*

7. ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98 ENTITLED "ZONING", ARTICLE V. ZONING DISTRICT REGULATIONS, DIVISION 15 ENTITLED "C-1 RESTRICTED RETAIL COMMERCIAL DISTRICT" OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, AND IN PARTICULAR REVISING SECTION 98-1066 ENTITLED "PERMITTED USES" TO REMOVE MANUAL CARWASHES AS A PERMITTED USE, 98-1067 ENTITLED "PROHIBITED USES" TO INCLUDE MANUAL CARWASHES AS A PROHIBITED USE; AND FURTHER AMENDING ARTICLE VI. SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 5. ENTITLED "USES", SUBDIVISION VI ENTITLED "CARWASHES", AND IN PARTICULAR, REVISING SECTION 98-1897 ENTITLED "MANUAL CARWASHES", TO PROHIBIT MANUAL CARWASHES TO OPERATE WITHIN THE CITY, AND ALLOW MANUAL CARWASHES LAWFULLY ESTABLISHED PRIOR TO ADOPTION OF THIS ORDINANCE TO OPERATE IN C-1 AND C-2

ZONING DISTRICTS AS A NON-CONFORMING USE, PROVIDED THAT SAID MANUAL CARWASHES CONTINUE TO COMPLY WITH THE CITY REQUIREMENTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

**Motion Approved: 5-0-2**

*Item approved*

**MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:**

8. Old Business. **None**
  
9. New Business. **Planning and Zoning Official, Debora Storch announced that the Planning and Zoning Board meeting on Wednesday, May 29<sup>th</sup>, 2019 will be a Land Use Amendment meeting.**

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.**