

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
May 24th, 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 6:08 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. Jimenez, Mr. D. Perez, Mr. Ulloa, Mr. Iglesias, Mrs. Henriquez, Mr. Casanova & Mr. Gamon

2. Approval of Planning and Zoning Board Summary Agenda of May 10th, 2023 as submitted.

Motion to Approve: Mr. Casanova; Second: Mr. Iglesias & Mr. Ulloa
Motion Passed: 7-0

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, JUNE 27TH, 2023.

3. **Final decision** to allow rear setback of 17 feet, where 20 feet are required for the legalization of an existing addition. Property is located at **4726 East 9th Lane**, Hialeah, zoned R-1 (One-Family District).

Applicant: Segundo Roberto Martinez and Yaumara Galloso

Planner's recommendation: Approve with conditions

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

REPORT: Segundo Roberto Martinez (Owner), 4726 East 9th Lane, Hialeah, Florida 33013 spoke on this item.

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

Motion Passed: 7-0

FINAL DECISION NO. 2023-08

Item approved with the condition that no direct access from the outside is provided to/from the addition to be legalized, that the two metal sheds are removed, that 30% pervious area is provided, and that the legalization process gets completed within 180 days.

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 13TH, 2023.

4. **Petition to close, vacate, and abandon** for the public use of the right-of-way located on SE 10th Court between SE 10th Avenue and SE 12th Street.

Applicant: Alejandro J. Arias, Esq. on behalf of Hialeah Market Station, LLC

Planner's recommendation: Approval

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

REPORT: Alessandria San Roman, Esq. (Lobbyist), 701 Brickell Avenue, Suite 3300, Miami, Florida 33131 spoke on this item.

Motion to Approve: Mr. Casanova & Mr. Jimenez; Second: Mr. Gamon

Motion Passed: 7-0

Item approved

5. **Rezoning** property from M-1 (Industrial District) to TOD (Transit Oriented Development District). Variance permit to allow 8.5 feet setback along SE 12th Street for stairways to access the building, where 20 feet is required, and allow a 1-foot setback along SE 10th Avenue, where 20 feet built-to-line is required. Properties are located at **1171 SE 10th Court and 1055 SE 12th Street**, Hialeah, zoned M-1 (Industrial District).

Applicant: Alejandro J. Arias, Esq. on behalf of Hialeah Market Station, LLC

Planner's recommendation: Approval

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

REPORT: Alessandria San Roman, Esq. (Lobbyist), 701 Brickell Avenue, Suite 3300, Miami, Florida 33131 spoke on this item.

Motion to Approve: Mr. Iglesias; Second: Mr. Casanova & Mr. Jimenez

Motion Passed: 7-0

Item approved

6. **Rezoning** property from R-1 (One-Family District) to R-3-2 (Multiple-Family District). Variance permit to allow 0 feet setback, where 25 feet are required for the encroachment of a 200 square feet pergola into the front setback, and 20 feet setback, where 25 feet are required for the encroachment of a patio wall on the ground floor and balconies above into the front setback. Property is located at **1797 West 1st Avenue**, Hialeah, zoned R-1 (One-Family District).

Applicant: Ceasar Mestre, Esq.

Planner's recommendation: Approval with maximum density capped at 14 units/acre.

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

REPORT: Ceasar Mestre, Esq. (Lobbyist), 8105 NW 155th Street, Miami Lakes, Florida 33016 spoke on this item.

REPORT: Daniel Alonso (Architect), 1235 Coral Way, Coral Gables, Florida 33134 spoke on this item.

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

Motion Passed: 7-0

Item approved with the condition that the maximum density is capped at 14 units/acre.

7. **Rezoning** property from R-1 (One-Family District) to RO (Residential Office). Variance permit to allow lot width of 65 feet and a total lot area of 6,890 square feet, where lot width of 75 feet and 7,500 square feet is the minimum required; allow rear setback of 24 feet, where 45 feet is required; allow 3 parking spaces at the front setback facing East 3rd Place, where all parking shall be located at the rear of the building, and allow 5 parking spaces, where 6 parking spaces are required. Property is located at **320 NE 8th Avenue**, Hialeah, zoned R-1 (One-Family District).

Applicant: Juan Carlos Carballo

Planner's recommendation: Denial

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

REPORT: Yiselis Gato, Zoning Hearing Specialist read an email in opposition for the record. Email sent by Doralice Mendez, 221 NE 7th Avenue, Hialeah, Florida 33010.

REPORT: Frank De La Paz (Lobbyist), 9361 Bird Road, Miami, Florida 33165 spoke on this item.

Motion to Deny: Mr. Ulloa; Second: Mrs. Henriquez

Motion Passed: 6-1 with board member Mr. Casanova voting NO.

Item denied

8. **Conditional Use Permit (CUP)** to allow a 23-student Kindergarten class in conjunction with an existing 126-children daycare. Property is located at **6900 West 32nd Avenue, Units 18 through 25**, Hialeah, zoned C-2 (Liberal Retail Commercial District).

Applicant: Yoanny Llambias

Planner's recommendation: Approval

REPORT: Planning and Zoning Board member Lazaro Gamon recused himself from hearing this item due to a conflict of interest at 7:26 P.M.

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

REPORT: Octavio Santurio (Architect), 6262 SW 40th Street, Miami, Florida 33155 spoke on this item.

Motion to Approve: Mr. Jimenez; Second: Mr. Casanova & Mr. Iglesias

Motion Passed: 7-0

Item approved

REPORT: Planning and Zoning Board member Lazaro Gamon returned to the chambers at 7:30 P.M.

9. **Special Use Permit (SUP)** to allow a pharmaceutical research center conducting clinical trials to test new drugs, already approved drugs, devices and other forms of treatments to operate in conjunction with an existing medical office. Property is located at **900 East 9th Street**, Hialeah, zoned C-1 (Restricted Retail Commercial District).
Applicant: Vida Research Center LLC
Planner's recommendation: Approval with conditions.

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

REPORT: Alejandro Daniels (Director of Operations for Vida Research Center), 900 East 9th Street, Hialeah, Florida 33010 spoke on this item.

Motion to Approve with Conditions: Mr. Iglesias; Second: Mr. Casanova
Motion Passed: 7-0

Item approved subject to the limitations stated by the applicant on the number of employees, hours of operation, no overnight stays, and visits by appointment. These statements shall be formalized in a DOR to be proffered by the applicant.

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

10. **FINAL PLAT OF NW HIALEAH**
Planner's recommendation: Approval

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

Motion to Approve: Mr. Gamon; Second: Mr. Iglesias
Motion Passed: 7-0

Item approved

11. **FINAL PLAT OF SOUTH FLORIDA AUTISM CHARTER SCHOOL**
Planner's recommendation: Approval

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

Motion to Approve: Mr. Gamon; Second: Mr. Iglesias
Motion Passed: 7-0

Item approved

12. **TENTATIVE PLAT OF EMERALD BAY II**
Planner's recommendation: Approval subject to comments.

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

Motion to Approve Subject to Comments: Mr. Gamon; Second: Mr. Casanova
Motion Passed: 7-0

Item approved subject to comments.

13. FINAL PLAT OF RIRC SUBDIVISION
Planner's recommendation: Approval

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

Motion to Approve: Mr. Gamon; Second: Mr. Iglesias
Motion Passed: 7-0

Item approved

14. Old Business. None.

15. New Business. None.

REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 7:56 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, JUNE 14TH, 2023 AT 6:00 P.M.**