

**CITY OF HIALEAH**  
**PLANNING AND ZONING BOARD MEETING**  
**May 25<sup>th</sup>, 2022**  
*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 6:10 P.M.**

Invocation and pledge of allegiance.

**REPORT: Planning and Zoning Board Member, John Ulloa 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. Casanova, Mr. Iglesias & Mrs. Henriquez**

**Absent: Mr. Gamon**

2. Approval of Planning and Zoning Board Summary Agenda of May 11<sup>th</sup>, 2022 as submitted.

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

**Motion Passed: 6-0-1 with board member Mr. Gamon being 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, JUNE 28<sup>TH</sup>, 2022.**

3. **Final decision** to allow rear setback of 6.38 feet, where 7.5 feet are required, and allow interior north side setback of 5 feet, where 6 feet are required for an existing accessory building to be legalized. Property located at **675 East 8<sup>th</sup> Court**, Hialeah, zoned R-1 (One-Family District).

**Applicant: Ercilio Del Rio Jr.**

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

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

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

**FINAL DECISION NO. 2022-09**

*Item approved with the condition that the accessory building is used exclusively for storage and its legalization gets completed within 180 days.*

4. **Final decision** to allow rear setback of 0 feet, where 20 feet are required for the construction of a new two-story single-family home. Property located at **4247 West 7<sup>th</sup> Lane**, Hialeah, zoned R-1 (One-Family District).

**Applicant: Jesus D. Rivero and Mayra Alvarez Diaz**

**Planner's recommendation: Denial**

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

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

*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, JUNE 14<sup>TH</sup>, 2022.**

5. **Rezoning** property from R-1 (One-Family District) to R-3-3 (Multiple-Family District). Variance permit to allow residential use on the ground floor, where residential uses are allowed above ground floor level; allow street side setback of 13.6 feet, where 15 feet are required; allow 40 parking spaces, where 45 parking spaces are required and allow 8 feet high prefabricated concrete wall, where 6 feet is the maximum height allowed along rear lot lines. Properties located at **840 and 860 SE 8<sup>th</sup> Avenue**, Hialeah, zoned R-1 (One-Family District) located within Area 3 of the NBD (Neighborhood Business District).

**Applicant: Manny Reus**

**Planner's recommendation: Approval**

**\*REPORT: Robert Gewanter, 794 SE 8<sup>th</sup> Street, Hialeah, addressed the Planning and Zoning Board in favor of the approval of this item.**

**\*REPORT: Carmen Nella Hersch, 830 SE 8<sup>th</sup> Court, Hialeah, addressed the Planning and Zoning Board with questions about this item.**

**\*REPORT: Yoleisy Martinez Reinoso, 775 SE 9<sup>th</sup> Place, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

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

**Motion Passed: 5-1-1 with board member Mr. Ulloa voting NO and board member Mr. Gamon being absent.**

*Item approved*

6. **Variance** permit to allow 17 parking spaces, where 25 parking spaces are required, and allow a 1.64-foot landscape buffer for a distance of 90 feet facing West 19<sup>th</sup> Court, where 7 feet landscape buffer is required. Property to be developed as a fast food restaurant on an outparcel. Property located at **1950 West 49<sup>th</sup> Street**, Hialeah, zoned C-3 (Extended Liberal Commercial District).

**Applicant: Hugo P. Arza, Esq. on behalf of 1950 Hialeah Holdings, LLC.**

**Planner's recommendation: Approve with the condition that a safety barrier is provided between the parking lot and the sidewalk.**

**\*REPORT: Carmen Nella Hersch, 830 SE 8<sup>th</sup> Court, Hialeah, addressed the Planning and Zoning Board with questions about this item.**

**Motion to Approve with Condition: Mr. Jimenez; Second: Mr. Iglesias**

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

**Item approved with the condition that a safety barrier is provided between the parking lot and the sidewalk on West 19<sup>th</sup> Court.**

7. **Variance** permit to allow interior east side setback of 2.83 feet and interior west side setback of 5.2 feet, where 10 feet are required; allow front side setback of 3.66 feet at 35 feet in height and higher, where 12 feet are required along East 3<sup>rd</sup> Street, and allow pervious area of 10.40%, where 20% pervious area is the minimum required. Property located at **158 East 3<sup>rd</sup> Street and adjacent properties with folio numbers 04-3118-001-0510 and 04-3118-001-0490**, Hialeah, zoned CBD (Central Business District).

**Applicant: Jorge Acevedo**

**Planner's recommendation: Approval**

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

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

*Item approved*

8. ~~**Special Use Permit (SUP)** to allow the expansion of the Neighborhood Business District Overlay for the retrofit of an existing commercial building with a proposed addition of eight residential units on the second floor. Variance permit to allow 30.39 front side setback, where 10 feet built to line are required and allow surface parking facing East 41<sup>st</sup> Street, where surface parking may not be located at the front of the building. Property located at **819 East 41<sup>st</sup> Street**, Hialeah, zoned C-2 (Liberal Retail Commercial District).~~

~~**Applicant: RMJL Investments, LLC.**~~

~~**Planner's recommendation: Withdrawn to be re-advertised.**~~

**WITHDRAWN**

**MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:**

9. Old Business. **None.**

10. New Business.

**Reschedule June 2022 Planning and Zoning Board Meetings from June 8<sup>th</sup>, 2022, and June 22<sup>nd</sup>, 2022 to June 15<sup>th</sup>, 2022, and June 29<sup>th</sup>, 2022.**

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

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

*Motion approved*

**Reschedule September 2022 Planning and Zoning Board Meetings from September 14<sup>th</sup>, 2022, and September 28<sup>th</sup>, 2022 to September 7<sup>th</sup>, 2022, and September 21<sup>st</sup>, 2022.**

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

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

*Motion approved*

**HIALEAH PLANNING AND ZONING BOARD MEETING- MAY 25<sup>TH</sup>, 2022**

**REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 7:58 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 15<sup>TH</sup>, 2022 AT 6:00 P.M.**