

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
2023 LAND USE MAP AMENDMENTS TO THE COMPREHENSIVE PLAN
June 14th, 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 6:09 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.

Roll Call.

Present: Mr. Jimenez, Mr. D. Perez, Mr. Ulloa, Mr. Iglesias & Mrs. Henriquez
Absent: Mr. Casanova & Mr. Gamon

ADMINISTRATION OF OATH TO ALL APPLICANTS AND ANYONE WHO WILL BE SPEAKING BEFORE THE BOARD ON ANY ITEM.

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.

LU-1. Small Scale Map Amendment from Low-Density Residential to Medium-Density Residential. Property is located at **630 SE 8th Place**, Hialeah, zoned R-1 (One-Family District).

Applicant: UFH LLC / Joaquin Urquiola

Planner's recommendation: Denial

REPORT: UFH LLC/ Joaquin Urquiola (Applicant), 8601 SW 129th Terrace, Miami, FL 33156 was not present.

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

REPORT: Margarita Lozano on behalf of Diego A. Garcia, 860 SE 6th Avenue, Hialeah 33010 addressed the Planning and Zoning Board in opposition to the approval of this item.

REPORT: Jean Romero, 658 SE 8th Place, Hialeah 33010 addressed the Planning and Zoning Board in opposition to the approval of this item.

REPORT: Eddie Buchillon, 617 SE 8th Place, Hialeah 33010 addressed the Planning and Zoning Board in opposition to the approval of this item.

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

Motion Passed: 4-1-2 with board members Mr. Ulloa voting NO and Mr. Casanova and Mr. Gamon absent.

Item tabled

REPORT: Alexander Magrisso, Assistant City Attorney spoke on this item.

Motion to Remove Item from Tabled: Mr. Ulloa; Second: No board member second the motion.

Motion failed

REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 6:32 P.M.

**CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING**

REPORT: Planning and Zoning Board Chairman, Diego Perez called the meeting to order at 6:32 P.M.

1. Approval of Planning and Zoning Board Summary Agenda of May 24th, 2023 as submitted.

Motion to Approve: Mrs. Henriquez; Second: Mr. Iglesias

Motion Passed: 5-0-2 with board members Mr. Casanova and Mr. Gamon absent.

Item approved

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.

2. **Rezoning** from R-1 (One-Family District) to R-3-3 (Multiple-Family District) to allow the construction of a new 20-unit multifamily building in accordance to Neighborhood Business District (NBD) regulations and variance permit to allow only residential use, where mixed use is required; allow all units with an area of less than 600 square feet, where 850 square feet is the minimum area required, and only 10% of the units can have an area of 600 square feet; allow 5 feet front setback for the building and 2 feet setback for balconies above the ground floor, where 10 feet built-to-line setback is required; allow 5 feet interior east side setback, where 15 feet are required on property lines abutting low-density residential districts; allow 20 parking spaces, where 45 parking spaces are required and allow 10 feet front setback for dumpster enclosure, where 10 feet are required. Property is located at **630 SE 8th Place**, Hialeah, zoned R-1 (One-Family District).

Applicant: UFH LLC

Planner's recommendation: Table the item

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

REPORT: Alexander Magrisso, Assistant City Attorney spoke on this item.

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

Motion Passed: 3-2-2 with board members Mr. Iglesias and Mr. Jimenez voting NO and Mr. Casanova and Mr. Gamon absent.

Item denied

3. **Rezoning** property from RO (Residential Office District) to B-1 (Highly Restricted Retail District) and ~~variancee permit to allow front setback of 16 feet, where 20 feet are required.~~ Property is located at **291 West 49th Street**, Hialeah, zoned RO (Residential Office District).

Applicant: Dr. Pablo Guala

Planner's recommendation: Approval

REPORT: Dr. Pablo Guala (Applicant), 4811 West 8th Avenue, Hialeah, FL 33012 was not present.

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

REPORT: Josue Mendez, 258 West 49th Street, Hialeah, Florida 33012 addressed the Planning and Zoning Board with questions and concerns about the proposed project.

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

Motion Passed: 5-0-2 with board members Mr. Casanova and Mr. Gamon absent.

Item approved

4. **Conditional Use Permit (CUP)** to allow a Supervisory Residential Care and Treatment Facility with 6 or less beds and allow distance separation of 6.9 feet, where 10 feet are required, for a shed to be legalized. Property is located at **340 West 40th Place**, Hialeah, zoned R-1 (One-Family District).

Applicant: Angel Miguel Fernandez

Planner's recommendation: Denial

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

REPORT: Yiselis Gato, Zoning Hearing Specialist read a letter in opposition for the record. Letter sent by Olga Mompeller, 292 West 39th Place, Hialeah, Florida 33012.

REPORT: Yiselis Gato, Zoning Hearing Specialist read an email in opposition for the record. Email sent by Maria Vila on behalf of Juana Fernandez, 298 West 39th Place, Hialeah, Florida 33012.

REPORT: Angel Miguel Fernandez (Applicant), 340 West 40th Place, Hialeah, FL 33012 spoke on this item.

REPORT: Magaly Darcy (Applicant's Wife), 340 West 40th Place, Hialeah, FL 33012 spoke on this item.

REPORT: Barbara Fernandez, 260 West 39th Place, Hialeah 33012 addressed the Planning and Zoning Board in opposition to the approval of this item.

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

Motion Passed: 5-0-2 with board members Mr. Casanova and Mr. Gamon absent.

Item denied

5. **Special Use Permit (SUP)** to allow the expansion of the Neighborhood Business District (NBD) Overlay. Variance permit to allow 17% of the units with an area of 692 square feet, where 850 square feet is the minimum area required, and only 10% of the units can have an area of 600 square feet and variance to waive the building mass and building frontage development standards. Property is located at **1116 Palm Avenue**, Hialeah, zoned C-2 (Liberal Retail Commercial District).
Applicant: 1116 Property Holding OZ LLC
Planner's recommendation: Approval

REPORT: 1116 Property Holding OZ LLC/ Ivan Herrera (Applicant), 528 NE 7th Avenue, Miami, FL 33136 was not present.

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

Motion to Table Item: Mrs. Henriquez; Second: Mr. Iglesias & Mr. Ulloa

Motion Passed: 5-0-2 with board members Mr. Casanova and Mr. Gamon absent.

Item tabled

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

6. Old Business. **None.**

7. New Business.

REPORT: Michael Leyva, 310 West 39th Place, Hialeah 33012 addressed the Planning and Zoning Board in opposition to the approval of item number 4 on the agenda.

REPORT: Planning and Zoning Board Member, Mr. Ulloa addressed the board with comments and concerns.

REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 7:26 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.

HIALEAH PLANNING AND ZONING BOARD MEETING- JUNE 14TH, 2023

**NEXT PLANNING AND ZONING BOARD MEETING:
WEDNESDAY, JUNE 28TH, 2023 AT 6:00 P.M.**