

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
June 15th, 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 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. Gamon, Mr. D. Perez, Mr. Ulloa, Mr. Casanova & Mrs. Henriquez
Absent: Mr. Iglesias & Mr. Jimenez

2. Approval of Planning and Zoning Board Summary Agenda of May 25th, 2022 as submitted.

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

Motion Passed: 5-0-2 with board members Mr. Iglesias and Mr. Jimenez 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, AUGUST 9TH, 2022.

3. **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 7th Lane**, Hialeah, zoned R-1 (One-Family District).

Applicant: Jesus D. Rivero and Mayra Alvarez Diaz

Planner's recommendation: Approval

TABLED ITEM FROM MAY 25TH, 2022 MEETING

Motion to Remove Item from Tabled: Mr. Ulloa; Second: Mrs. Henriquez

Motion Passed: 5-0-2 with board members Mr. Iglesias and Mr. Jimenez being absent.

Item removed from tabled

Motion to Approve: Mr. Ulloa; Second: Mr. Casanova

Motion Passed: 5-0-2 with board members Mr. Iglesias and Mr. Jimenez being absent.

FINAL DECISION NO. 2022-10

Item approved

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 28TH, 2022.

4. **Petition to close, vacate and abandon for public use** the western portion of the 12-foot alley running east and west between East 9th Avenue and East 10th Avenue, extending eastward for approximately 507 feet, more or less from East 9th Avenue, contingent to relocation agreements with the City of Hialeah Public Works, FPL, AT&T, and Comcast.
Applicant: Jorge L. Navarro, Esq.
Planner's recommendation: Approval

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

Motion Passed: 5-0-2 with board members Mr. Iglesias and Mr. Jimenez being absent.

Item approved

5. **Rezoning** property from M-1 (Industrial District) to TOD (Transit Oriented Development District) and variance permit to allow 1-foot setback on SE 9th Terrace, for a building's corner staircase and allow front setbacks ranging from 12.5 feet to 13.5 feet along SE 10th Street, SE 9th Terrace and SE 11th Terrace, where 10 feet built-to-line are required. Property located at **1001 SE 11th Street**, Hialeah, zoned M-1 (Industrial District).
Applicant: Alejandro J. Arias, Esq. on behalf of Marchelli Enterprise, Inc.
Planner's recommendation: Approval of rezoning to TOD and variances with the condition that the proposal needs to be reviewed and approved by the Design Review Committee prior to submittal for concurrency and site plan review.

Motion to Approve with Conditions: Mr. Casanova; Second: Mrs. Henriquez

Motion Passed: 5-0-2 with board members Mr. Iglesias and Mr. Jimenez being absent.

Item approved with the condition that the proposal is reviewed and approved by the Design Review Committee prior to submittal for the site plan and concurrency process.

6. **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 is required; allow surface parking facing East 41st Street, where surface parking may not be located at the front of the building, and allow 41 parking spaces (39-on-site and 2 off-site), where 50 parking spaces are required. Property located at **819 East 41st Street**, Hialeah, zoned C-2 (Liberal Retail Commercial District).
Applicant: RMJL Investments, LLC.
Planner's recommendation: Approval

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

Motion Passed: 5-0-2 with board members Mr. Iglesias and Mr. Jimenez being absent.

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 16. C-2 LIBERAL RETAIL COMMERCIAL DISTRICT, OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Motion Passed: 5-0-2 with board members Mr. Iglesias and Mr. Jimenez being absent.

Item approved

8. 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 22. “M-1 INDUSTRIAL DISTRICT”, SECTION 98-1371 ENTITLED “PERMITTED USES” OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to Approve: Mr. Ulloa; Second: Mr. Gamon

Motion Passed: 5-0-2 with board members Mr. Iglesias and Mr. Jimenez being absent.

Item approved

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

9. TENTATIVE PLAT OF TANGIBLE INVESTMENTS 4 LLC.

Planner’s recommendation: Approval subject to comments

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

Motion Passed: 5-0-2 with board members Mr. Iglesias and Mr. Jimenez being absent.

Tentative Plats are approved subject to compliance with reviewing departments’ comments.

10. TENTATIVE PLAT OF 7-ELEVEN HIALEAH OKEECHOBEE AND EIGHTEENTH

Planner’s recommendation: Approval subject to comments

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

Motion Passed: 5-0-2 with board members Mr. Iglesias and Mr. Jimenez being absent.

Tentative Plats are approved subject to compliance with reviewing departments' comments.

11. Old Business. None.

12. New Business. None.

REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 7:02 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 29TH, 2022 AT 6:00 P.M.**