

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
August 14th, 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. Rodriguez, Mr. Suarez, Mr. Casanova

Late: Mr. O. Perez, Mr. Iglesias, Mr. Banegas

2. Approval of Planning and Zoning Board Summary Agenda of June 26th, 2019 as submitted.

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

Motion Approved: 4-0-3

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, SEPTEMBER 10TH, 2019.

3. **Final decision** to allow north side interior setback of 3.3 feet, where 5 feet 1 inch is the minimum required. Property located at 2177 West 6th Court, Hialeah, zoned R-1 (One-Family District).

Applicant: Gilberto Aguila

Planner's recommendation: Approve with conditions

Motion to Approve with Conditions: Mr. Suarez; Second: Mr. Rodriguez

Motion Approved: 4-0-3

Item approved with the condition that the north sidewall of the house remains without openings.

4. **Final decision** to allow interior north side setback of 3.5 feet, where 7.5 feet is the minimum required for an existing addition to be legalized; allow 13 feet rear setback, where 20 feet is the minimum required for an existing aluminum terrace to be legalized that includes an outdoor kitchen; allow interior south side setback of 4.10 feet and rear setback of 4.20 feet, where 7.5 feet is the minimum required respectively for an existing accessory building to be legalized and allow a distance separation of 9.80 feet between the terrace and accessory building, where 10 feet is the minimum required. Property located at 5431 West 9th Court, Hialeah, zoned R-1 (One-Family District).

Applicant: Yunaris Loriga and Alain Loriga

Planner's recommendation: Deny interior 3.5 feet north side setback request, and approve other requested setbacks, with conditions; and approve distance separation between the house and accessory building.

Motion to Approve as Recommended: Mr. Rodriguez; Second: Mr. Casanova

Motion Approved: 4-0-3

Item approved as recommended

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 27TH, 2019.

5. **Rezoning** property from R-1 (One-Family District) to CBD (Central Business District) and variance permit to allow on west side of the parcel, a commercial development with no residential uses, where residential uses are required; allow 41.72 feet, 57.3 feet and 147 feet front setbacks, where 0 feet front setback is required and allow 0% building frontage, where 100% is required. Property located on the west side of two adjacent parcels located on the south side of East 21st Street, between East 1st Avenue and East 2nd Avenue.

Applicant: Ceasar Mestre, Esq.

Planner's recommendation: Approval

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

Motion Approved: 4-0-3

Item approved

6. **Variance** permit to allow a duplex on each substandard lot (Lots 6 and 7) having a frontage of 40 feet, where 75 feet is the minimum required and lot area of 5,160 square feet, where 7,500 square feet is the minimum required respectively and to allow the following setbacks: on Lot 6 allow interior west side setback of 0 feet and interior east

side setback of 5 feet, where 7.5 feet is the minimum required; allow rear setback of 13 feet, where 25 feet is the minimum required; on Lot 7 allow interior east side setback of 0 feet and interior west side setback of 5 feet, where 7.5 feet is the minimum required and to allow rear setback of 13.58 feet, where 25 feet is the minimum required. Property located at 436 East 16th Street, Hialeah, zoned R-2 (One- and Two-Family Residential District).

Applicant: Ceasar Mestre, Esq. on behalf of Juan Barroso

Planner's recommendation: Approve with conditions

Motion to Approve with Conditions: Mr. Suarez; Second: Mr. Casanova

Motion Approved: 4-0-3

Item approved with the condition that a 6 feet CBS wall is provided on the east and west property lines.

- 7. Variance** permit to allow loading and surface parking areas on the exterior of the block, where loading areas shall be located in the interior of the blocks; allow blank walls fronting West 40th Avenue, West 108th Street, West 104th Street and NW 107th Avenue, where blank walls at street level and above the ground floors of buildings are not permitted; allow 0% building frontage, where 65% is the minimum required and parking variance to allow 459 parking spaces, where 615 are required. Property located between West 40th Avenue and NW 107th Avenue, and between West 104th Street and West 108th Street, Hialeah, zoned BDH (Business Development District).

Applicant: CCP Central LLC

Planner's recommendation: Approval

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

Motion Approved: 4-0-3

Item approved

- 8. Repeal and rescind** Ordinance 2018-25 and variance permit to allow no residential uses, where residential uses are required; allow parking in the front setback, where parking in the front setback is not allowed; allow 10 feet front setback for wall to screen front surface parking lot, where 5 feet are required, allow 10 feet parking setback, where 65 feet is the minimum required and allow 28% building frontage, where 50% is required along the front. Property located at 800 Palm Avenue, zoned CR (Commercial Residential District).

Applicant: Y & J Investment

Planner's recommendation: Approval

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

Motion Approved: 4-0-3

Item approved

- 9. Conditional Use Permit (CUP)** to allow the expansion of an existing daycare to include an elementary school with a proposed maximum enrollment of 224 students. Property located at 1306 West 49th Street, Hialeah, zoned C-2 (Liberal Retail Commercial District).

Applicant: Raquel E. Valverde Sarmiento

Planner's recommendation: Withdraw to be re-advertised

ITEM WITHDRAWN

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

10. Old Business. None

11. New Business. None

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.