

CITY OF HIALEAH
SPECIAL PLANNING AND ZONING BOARD VIRTUAL MEETING
September 23rd, 2020
Summary Agenda- Minutes

HIALEAH CITY HALL
501 PALM AVENUE-3RD FLOOR

6:00 P.M.
HIALEAH

Call to order.

Invocation and pledge of allegiance

MEETING GUIDELINES

The following guidelines, which apply to today's Planning and Zoning Board Meeting, have been set by Mayor Carlos Hernandez through the execution of an Order on Emergency Public Meeting Guidelines and Procedures Using Communications Media Technology In Response To COVID-19:

- Pursuant to emergency management powers as set forth in F.S. §§252.31-252.90, Governor Ron DeSantis issued Executive Order 20-69 on March 20, 2020, as amended, suspending the "Florida's Government in Sunshine Laws" requirement that a quorum of the legislative body holding a public meeting be met in-person and the meeting be held at a physical location accessible to the public for the duration of the State's Declaration of Emergency issued on March 9, 2020 as a result of the COVID-19 pandemic affecting the State of Florida. Executive Order 20-69 allows local governments to use communications media technology to hold public meetings during the public health emergency as a result of COVID-19, in order to protect the health, welfare and safety of the public, including public officials, from being exposed to COVID-19 and meet the requirements of the Sunshine Law.
- The following Procedures for Virtual Public Meetings of the Planning and Zoning Board using Communications Media Technology in Response to COVID-19 have been adopted as minimum procedures for all emergency public meetings of the Planning and Zoning board of the City of Hialeah effective the execution of **Order on Emergency Public Meeting Guidelines and Procedures using Communications Media Technology in Response to COVID19**, signed by Mayor Carlos Hernandez on April 8, 2020.
- The virtual public meeting shall be broadcast live for members of the public to view on the City's Facebook page. A Facebook account is not required in order to view this virtual public meeting. In addition, members of the public may hear the meeting live through telephonic conferencing. You can join the meeting via 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.
- Members of the public wishing to participate in the virtual public meeting will be able to participate by registering with the Planning and Zoning Division. To speak on an item a Public Speaker Registration Card must be submitted. The deadline to register

HIALEAH PLANNING AND ZONING BOARD VIRTUAL MEETING- SEPTEMBER 23RD, 2020

for public participation in the meeting is 3:00 p.m., Tuesday, September 22nd, 2020.

- Members of the public may participate by submitting the Public Speaker Registration Card with comments or questions by email to yirodriguez@hialeahfl.gov prior to the meeting taking place. The Public Speaker Registration Card must be e-mailed in advance and must be received no later than 3:00 p.m. on Tuesday, September 22nd, 2020. Public Speaker Registration Cards with comments and questions received by the deadline will be read into the record.
- Participants are reminded to maintain decorum in their comments and appearance throughout their participation as the whole meeting will be recorded and published on the City's Facebook page and retained pursuant to the Florida Public Records Law.
- If during the course of the meeting, technical problems develop with the communications network that prevent interested persons from attending, the meeting shall be adjourned until the problems have been corrected.

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. Iglesias, Mr. O. Perez & Mr. Horgan

Absent: Mr. Casanova & Mr. Rodriguez

2. Approval of Planning and Zoning Board Summary Agenda of September 9th, 2020 as submitted.

Motion to Approve: Mr. Iglesias; Second: Mr. O. Perez

Motion Approved: 4-0-2 with board members Mr. Casanova and Mr. Rodriguez 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 VIRTUAL MEETING OF TUESDAY, OCTOBER 27TH, 2020.

3. **Final decision** to allow rear setback of 18.5 feet, where 20 feet is the minimum required for an existing rear addition to be legalized. Property located at **321 East 52nd Street**, Hialeah zoned R-1 (One-Family District).

Applicant: Yosvel Fernandez Castillo

Planner's recommendation: Approve with conditions.

Motion to Approve with Conditions: Mr. O. Perez; Second: Mr. Iglesias

Motion Approved: 4-0-2 with board members Mr. Casanova and Mr. Rodriguez absent.

FINAL DECISION NO. 2020-16

Item approved with the condition that the 2 exterior doors will be blocked and the kitchen will be removed if the addition is no longer used as an EFLQ.

4. **Final decision** to allow interior west side setback of 5.03 feet, where 7.5 feet is the minimum required for an existing addition to be legalized; 7.01 east side setback for the existing house, where 7.5 feet is the minimum required and allow rear setback of 1.6 feet, where 7.5 feet is required for an existing 545 square feet open gazebo to be legalized. Property located at **742 West 44th Place**, Hialeah zoned R-1 (One-Family District).

Applicant: Gustavo Justo

Planner's recommendation: Approve only east and west side setbacks request.

Motion to Table: Mr. Iglesias; Second: Mr. O. Perez

Motion Approved: 4-0-2 with board members Mr. Casanova and Mr. Rodriguez absent.

Item tabled

Motion to Remove from Tabled: Mr. O. Perez; Second: Mr. Iglesias

Motion Approved: 4-0-2 with board members Mr. Casanova and Mr. Rodriguez absent.

Item removed from tabled

Motion to Approve as Recommended: Mr. Iglesias; Second: Mr. O. Perez

Motion Approved: 4-0-2 with board members Mr. Casanova and Mr. Rodriguez absent.

FINAL DECISION NO. 2020-17

Only east and west side setbacks request were approved.

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY

COUNCIL, AT ITS SCHEDULED VIRTUAL MEETING OF TUESDAY, OCTOBER 13TH, 2020.

5. **Request to close an abandon** an un-improved alley that runs east of East 11th Avenue and west of the railroad tracks, north of East 17th Street and south East 18th Street; between the properties with **folio numbers 04-3108-002-6310 and 04-3108-002-6331** with address 1799 East 11th Avenue, Hialeah.

Applicant: Ernesto Morales

Planner's recommendation: Approval

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

Motion Approved: 4-0-2 with board members Mr. Casanova and Mr. Rodriguez absent.

Item approved

6. **Variance** permit to allow the construction of a duplex on a substandard lot, having a frontage of 50 feet and total net lot area of 6,550 square feet, where frontage of 75 feet and area of 7,500 square feet are required. Property located at **2474 West 4th Court**, Hialeah zoned R-2 (One- and Two-Family Residential District).

Applicant: Fernando Rodriguez

Planner's recommendation: Approval

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

Motion Approved: 4-0-2 with board members Mr. Casanova and Mr. Rodriguez absent.

Item approved

7. **Repeal and rescind** City of Hialeah, FL Ordinance 87-39; consider a Conditional Use Permit (CUP) to allow a pet grooming school; variance permit to allow 18 parking spaces, where 36 parking spaces are required; allow 7.8% pervious area, where 18% pervious area is the minimum required and allow a 3 feet landscape buffer in the front for a distance of 30 feet, where 7 feet is the minimum required. Property located at **1415 West 49th Street**, Hialeah zoned C-2 (Liberal Retail Commercial District).

Applicant: PGSA, LLC (Eduardo Hernando)

TABLED ITEM FROM AUGUST 26TH, 2020 MEETING

NO ACTION

8. **Special Use Permit (SUP)** to allow the use of a prefabricated building on a property zoned M-1 (Industrial District) for an extended period of time not exceeding 12 months from the effective day of the ordinance, for a temporary sorting facility for the loading and unloading, sorting and distribution of mail packages (extending the 12 month period previously granted by the City of Hialeah, FL Ordinance 2019-094). Property located at **6001 East 8th Avenue**, Hialeah, zoned M-1 (Industrial District).

Applicant: United Parcel Services, Inc.

Planner's recommendation: Approval

Motion to Approve: Mr. Iglesias; Second: Mr. O. Perez

Motion Approved: 4-0-2 with board members Mr. Casanova and Mr. Rodriguez absent.

Item approved

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

9. Old Business. None.
10. New Business. Planning and Zoning Director, Debora Storch proposed a vote to have an alternate Planning and Zoning Board meeting in November due to Holidays (Veterans Day, November 11th, 2020 and day before Thanksgiving, November 25th, 2020).

Motion to schedule the Planning and Zoning Board meeting on November 18th, 2020: Mr. O. Perez; Second: Mr. Iglesias.

Motion passed: 4-0-2 with board members Mr. Casanova and Mr. Rodriguez absent.

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 VIRTUAL MEETING:
WEDNESDAY, OCTOBER 14TH, 2020 AT 6:00 P.M.**