

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
October 2nd, 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. Iglesias, Mr. O. Perez, Mr. Suarez, Mr. Banegas, & Mr. Casanova

2. Approval of Planning and Zoning Board Summary Agenda of September 25th, 2019 as submitted.

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

Motion Approved: 7-0

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, NOVEMBER 12TH, 2019.

3. **Final decision** to allow interior north side setback of 3.0 feet, where 7.5 feet is the minimum required and allow 8.5 feet rear setback 10 feet rear setback, where 20 feet is the minimum required for the legalization of an aluminum terrace. Property located at 6481 West 12th Avenue, Hialeah, zoned R-1 (One-Family District).

Applicant: Carlos Fernandez and Mariela Alcolea

Tabled item from September 25th, 2019 meeting

Planner's recommendation: Approve with conditions

Motion to Remove Item from Tabled: Mr. Casanova; Second: Mr. Suarez

Motion Approved: 7-0

Motion approved

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

Motion Approved: 7-0

Item approved with the condition that the terrace remains open on three sides and the legalization process gets completed within 180 days.

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, OCTOBER 22ND, 2019.

4. **Rezoning** from M-1 (Industrial District) to M-3 (Industrial District); Special Use Permit (SUP) to allow the operation of a metal recycling facility; variance permit to a 264 square feet building, where 1,000 square feet is the minimum building area required; allow 6.9% pervious area, where 10% is the minimum required and allow a waiver of minimum landscaping requirements with landscape mitigation for 5 trees and 50 shrubs. Properties located at 4938 E 11th Avenue and 4951 E 10th Lane, Hialeah, zoned M-1 (Industrial District).

Applicant: CMR Metal Processors LLC

Tabled item from September 25th, 2019 meeting

Planner's recommendation: Remain tabled

NO ACTION

5. **Rezoning** properties from R-1 (One-Family District) to TOD (Transit Oriented Development District). Properties located at 962, 972 and 980 East 26th Street, Hialeah, zoned R-1 (One-Family District).

Applicant: Jorge L. Navarro, Esq.

Planner's recommendation: Approval

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

Motion Approved: 7-0

Item approved

6. **Rezoning** property from C-1 (Restricted Retail Commercial District) to C-2 (Liberal Retail Commercial District). Property located at 4000 Palm Avenue, Hialeah, zoned C-1 (Restricted Retail Commercial District).

Applicant: Chaled XVI, LLC

Planner's recommendation: Approve with conditions

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

Iglesias

Motion Approved: 7-0

Item approved with the condition that uses are restricted in a Declaration of Restrictive Covenants.

7. **Special Use Permit (SUP)** to allow the expansion of the NBD overlay regulations and variance permit to allow 100% of the units with area of 650 square feet, where units shall have a minimum of 850 square feet and only 10% may have a minimum of 600 square feet; allow 25% building frontage, where 100% is required; allow 70.66 feet front setback, where 10 feet built-to-line is required; allow 5.16 feet rear setback, where 15 feet are required; allow surface parking on the front setback, where no surface parking is allowed; allow 14% pervious area, where 20% is required and allow 92 parking spaces, where 153 parking spaces are required. Property located at 7755 East 4th Avenue, Hialeah, zoned M-1 (Industrial District).

Applicant: Alejandro Vilarello, P.A. on behalf of Amelia Mixed Use, LLC.

Planner's recommendation: Approval subject to inclusion of pavers on the entire front driveway, submittal of a parking management plan and submittal of a development schedule.

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

Motion Approved: 7-0

Item approved subject to inclusion of pavers on the entire front driveway, submittal of a parking management plan and submittal of a development schedule.

8. **Special Use Permit (SUP)** to allow the expansion of the NBD overlay district regulations and variance permit allow a single-use building, where mixed use is required; allow 100% of the units with area of 670 square feet, where units shall have a minimum of 850 square feet and only 10% may have a minimum of 600 square feet; allow 36% building frontage, where 100% is required; allow 12.16 front setback, where 10 feet built-to-line is required; allow 10 feet west side setback, where 15 feet are required; allow 10 feet rear setback, where 15 feet are required; allow surface parking on the front and east side setbacks, where no surface parking is allowed on either a front or a side setback; allow 19% pervious area, where 30% is required and allow 31 parking spaces, where 54 parking spaces are required. Property located at 440 East 27th Street, Hialeah, zoned R-3 (Multiple-Family District).

Applicant: Alejandro Vilarello, P.A. on behalf of 440 East, LLC.

Planner's recommendation: Approval subject to submittal of a parking management plan and submittal of a development schedule.

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

Motion Approved: 7-0

Item approved subject to submittal of a parking management plan and submittal of a development schedule.

9. **Special Use Permit (SUP)** to allow the expansion of the NBD overlay district regulations and variance permit to allow a single use building, where mixed use is required; allow 100% of the units with area of 625 square feet, where units shall have a minimum of 850 square feet and only 10% may have a minimum of 600 square feet; allow 47% building frontage on East 1st Avenue, where 100% is required; allow 5 feet and 14.4 feet front setback, where 10 feet built-to line is required; allow 3 feet, 5 feet and 6.25 street side setbacks, where 10 feet built-to line is required; allow 5.83 interior side setback, where 15 feet is the minimum required ; allow surface parking on the street side front setback, where no surface parking is allowed and allow 34 parking spaces, where 63 are required. Property located at 100 East 9th Street, Hialeah, zoned ~~R-1 (One-Family District)~~ CR (Commercial Residential District).

Applicant: Alejandro Vilarello, P.A. on behalf of 100 East 9th, LLC.

Planner's recommendation: Approval subject to submittal of a parking management plan and submittal of a development schedule.

***REPORT: Orestes De La Paz 661 West 80th Street, Hialeah in opposition
Motion to Approve with Conditions: Mr. O. Perez; Second: Mr. Casanova
Motion Approved: 7-0**

Item approved subject to submittal of a parking management plan and submittal of a development schedule.

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.