

CITY OF HIALEAH
SPECIAL PUBLIC MEETING
OF THE PLANNING AND ZONING BOARD
October 14th, 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

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item a Public Speaker Registration Card must be submitted. The deadline to register for public participation in the meeting is 3:00 p.m., Tuesday, October 13th, 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, October 13th, 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. Rodriguez, Mr. Iglesias, Mr. O. Perez, Mr. Horgan & Mr. Casanova

2. Approval of Planning and Zoning Board Summary Agenda of September 23rd, 2020 as submitted.

Motion to Approve: Mr. Casanova; Second: Mr. Iglesias
Motion Approved: 6-0

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 VIRTUAL MEETING OF TUESDAY, OCTOBER 27TH, 2020.

- 3. Rezoning** property from R-1 (One-Family District) to R-2 (One- and Two-Family Residential District); variance permit to allow a duplex on a substandard lot having a frontage of 67.48 feet and total lot area of 6,789 square feet, where 75 feet and 7,500 square feet are required; allow total lot coverage of 31%, where 30% is the maximum allowed; allow street side setbacks of 13.1 feet, where 15 feet is the minimum required; allow interior east side setback of 6.5 feet, where 7.5 feet is the minimum required and allow rear setback of 19.1 feet, where 25 feet is the minimum required. Property located at **383 West 35th Street**, Hialeah zoned R-1 (One-Family District).

Applicant: Manny Reus

Planner's Recommendation: Approval

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

Motion Approved: 5-1 with board member Mr. Rodriguez voting NO.

Item approved

- 4. Rezoning** property from K (Kennel District) to R-3-3 (Multiple-Family District). Property located at **7218 West 4th Avenue**, Hialeah zoned K (Kennel District).
Applicant: Melissa Tapanes Llahues, Esq. on behalf of Florida Kennels, Inc.
Planner's Recommendation: Approval

***REPORT: Juan Santana, Registered Lobbyist, 5601 West 10th Avenue, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

***REPORT: Maida Puig, 620 West 73rd Place, Hialeah, addressed the Planning and Zoning Board in favor to the approval of this item.**

***REPORT: Isis Antelo, 650 West 77th Street, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

***REPORT: Julio Beltran, 7063 West 5th Court, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

***REPORT: Frances Martinez, 625 West 71st Place, Hialeah, addressed the Planning and Zoning Board in favor to the approval of this item.**

***REPORT: Adam Martinez 670 West 77th Street, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

***REPORT: Aurelio Martinez 525 West 69th Street APT# 304, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

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

Motion Approved: 5-1 with board member Mr. Horgan voting NO.

Item approved

5. ~~Variance permit to allow an oversized accessory building with area of 633 square feet, where 500 square feet is the maximum allowed; and allow the following setbacks for the accessory building: west side setback of 5.33 feet, where 7 feet is the minimum required and rear setback of 5.53 feet, where 7.5 feet is the minimum required. Property located at 713 East 50th Street, Hialeah zoned R-1 (One-Family District).~~

~~Applicant: Pedro D. Diaz and Oriallys Roman~~

~~Planner's Recommendation: Withdraw as per applicant's request.~~

ITEM WITHDRAWN

6. Variance permit to allow the expansion of a non-conforming use by allowing the conversion of a guesthouse without kitchen and adjacent storage, built in 1958, into an additional living unit. Variance to allow a duplex in a substandard lot with frontage of 50 feet and lot area of 6,750 square feet, where 75 feet and 7,500 square feet are required; allow east side setback of 3 feet and west side setback of 3 feet for main house, where 7.5 feet is the minimum required; allow 5.50 feet east side setback and 6.10 feet west side setback for rear unit, where 7.5 feet is the minimum required; allow 7.60 feet rear setback for rear unit, where 25 feet are required; allow area of 438 square feet for rear unit, where 1,000 square feet is the minimum required; allow front unit with living area 80% greater than rear unit's living area, where 60% is the maximum allowed and allow 38% lot coverage, where 30% is the maximum allowed. Property located at 359-361 East 13th Street, Hialeah zoned R-2 (One- and Two-Family Residential District).

Applicant: Maria C. Valdes

Planner's recommendation: Denial

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

Motion Approved: 6-0

Item tabled until Wednesday, November 18th, 2020.

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

Planner's recommendation: Approve Conditional Use Permit to allow a pet grooming school in conjunction with a storage area for online sales of pet food with a total maximum of 5 staff members and 10 students per shift, parking variance to

allow 18 parking spaces, where 36 are required, 7.8% pervious area and 3 feet landscape buffer.

Motion to Remove Item from Tabled: Mr. Rodriguez; Second: Mr. Iglesias

Motion Approved: 6-0

Motion approved

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

Motion Approved: 6-0

Item approved with the conditions proffered in a Declaration of Restrictive Covenants.

8. **Special Use Permit (SUP) and Conditional Use Permit (CUP)** to allow a child daycare; variance permit to allow interior west side setback of 5 feet, where 7.5 feet is the minimum required and allow rear setback of 5 feet, where 20 feet is the minimum required for a proposed child daycare building. Property located at **871 East 9th Street**, Hialeah zoned R-1 (One-Family District).

Applicant: Juditt Milian

Planner's recommendation: Approval

Motion to Approve with Conditions: Mr. Rodriguez; Second: Mr. Iglesias & Mr. Horgan

Motion Approved: 6-0

Item approved with the conditions proffered in a Declaration of Restrictive Covenants.

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

9. **TENTATIVE PLAT OF VERDOT**

Planner's recommendation: Approval

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

Motion Approved: 6-0

Item approved

10. Old Business. **None.**

11. New Business. **Planning and Zoning Director, Debora Storch announced that only Land Use Map Amendment applications will be heard by the board on Wednesday, October 28th, 2020.**

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.

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**NEXT PLANNING AND ZONING BOARD MEETING:
WEDNESDAY, OCTOBER 28TH, 2020 AT 6:00 P.M.**