

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
September 28, 2016
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. Suarez, Mr. Cabrera, Mr. O. Perez, Mr. Casanova, Mr. Sanchez

Absent: Mr. Casanova

Late: Mr. Tundidor (7:10pm)

2. Approval of Planning and Zoning Board Summary Agenda of September 14th, 2016 as submitted.

Motion to Approve: Mr. Cabrera; Second: Mr. Suarez; Approved: 5-0 with Mr. Tundidor absent for the vote

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, A MEMBER OF THE PLANNING DIVISION WILL CONTACT THE APPLICANT WHEN A COPY OF THE FINAL DECISION AND RESOLUTION CAN BE PICKED UP. 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, OCTOBER 11, 2016:

3. **Variance** permit to allow replatting of property into two substandard lots and allow the construction of a single family residence on each lot. Lot 1, having a frontage of 51.3', more or less, and total area of 5,130 square feet. Lot 2, having a frontage of 47', more or less, (75' required for each) and total area of 4,700 square feet (7,500 square feet required for each). Property located at 1421 East 6 Court, Hialeah, zoned R-1 (One Family District)

Applicant: Lumination Homes, LLC

Planner's Recommendation: Approval with conditions

***REPORT:** Florencio de Armas, 680 E 14 Pl in OPPOSITION

***REPORT:** Joel Valladares, 1402 E 6 Ct in OPPOSITION

***REPORT:** Octavio Giralt, 1481E 6 Ct in OPPOSITION

***REPORT:** John Rodriguez, 651 E 14 St in OPPOSITION

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Motion to Deny: Mr. Cabrera; Second: Mr. Tundidor; Approved: 4-2 with Mr. O. Perez and Mr. D. Perez voting NO

Item Denied

4. **Variance** permit to allow a pervious area of 24.2% (minimum of 30% required); parking setback of 51'2" (minimum of 55' required for residential developments). For building A, front setback of 5.2' (minimum of 10' required) and west side of 2" (5' required). Property located at 226 East 7 Street, Hialeah, zoned R-3-D (Multi Family District).

Applicant: Fabulous Four, Inc

Planner's Recommendation: Approval

Motion to Approve: Mr. O. Perez; Second: Mr. Suarez; Approved: 6-0

Item Approved

5. **Variance** to allow the expansion of a non-conforming use to permit the addition of 2 monument signs attached on both sides to an existing pylon sign, having a distance of less than 300' radius from residential-zoned properties (minimum distance of 300' radius required); allow the maximum area of 160 square feet each (maximum of 48 square feet allowed for each), having a total height from the street grade to the top of the sign of 16.4' (maximum of 6' allowed) and allow a front setback of 5', more or less, (minimum of 10' required). Property located at 4160 West 16 Avenue, Suite # 210-211, zoned C-2 (Commercial District).

Applicant: National Medical Institute c/o Yanepsy Santos

Planner's Recommendation: Denial

Motion to Table: Mr. Cabrera; Second: Mr. Suarez; Approved: 6-0

ITEM TABLED

6. **ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98 ENTITLED "ZONING", ARTICLE V. ZONING DISTRICT REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, AND IN PARTICULAR, ADDING A NEW DIVISION 26 ENTITLED "TRANSIT ORIENTED DEVELOPMENT DISTRICT", PROVIDING FOR A PURPOSE; PROVIDING FOR GOALS AND OBJECTIVES; CREATING THE HIALEAH TRANSFER STATION SUB-DISTRICT; PROVIDING FOR IMPLEMENTATION CONCEPTS; PROVIDING FOR PERMITTED USES; ESTABLISHING DEVELOPMENT STANDARDS; ESTABLISHING BUILDING USES, DESIGN CONCEPT REQUIREMENTS, HEIGHT AND DENSITY INCENTIVES AND BONUSES; CREATING A PARKING IMPROVEMENT TRUST FUND; AND FURTHER PROVIDING FOR AN ORDER OF PRECEDENCE AND REFERENCE TO THE MASTER PLAN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

***REPORT:** Item 6 and 7 have been merged into one single ordinance (text below).

Motion to Remove from Table: Mr. Tundidor; Second: Mr. Suarez; Approved: 6-0

ITEM REMOVED FROM TABLED

7. **PROPOSED ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98 ENTITLED "ZONING", ARTICLE V. ZONING DISTRICT REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, AND IN PARTICULAR, AMENDING DIVISION 26 ENTITLED "TRANSIT ORIENTED DEVELOPMENT DISTRICT", PROVIDING FOR A PURPOSE; PROVIDING FOR GOALS AND OBJECTIVES; CREATING THE HIALEAH MARKET STATION SUB-DISTRICT; PROVIDING FOR IMPLEMENTATION CONCEPTS; PROVIDING FOR PERMITTED USES;**

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ESTABLISHING DEVELOPMENT STANDARDS; ESTABLISHING BUILDING USES, DESIGN CONCEPT REQUIREMENTS, HEIGHT AND DENSITY INCENTIVES AND BONUSES; CREATING A PARKING IMPROVEMENT TRUST FUND; AND FURTHER PROVIDING FOR AN ORDER OF PRECEDENCE AND REFERENCE TO THE MASTER PLAN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

***REPORT:** Item 6 and 7 have been merged into one single ordinance below:

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98 ENTITLED “ZONING”, ARTICLE V. ZONING DISTRICT REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, AND IN PARTICULAR, ADDING A NEW DIVISION 26 ENTITLED “TRANSIT ORIENTED DEVELOPMENT DISTRICT”, PROVIDING FOR A PURPOSE; PROVIDING FOR GOALS AND OBJECTIVES; CREATING THE HIALEAH TRANSFER STATION SUB-DISTRICT AND THE HIALEAH MARKET STATION SUB-DISTRICT; PROVIDING FOR IMPLEMENTATION CONCEPTS; PROVIDING FOR PERMITTED USES; ESTABLISHING DEVELOPMENT STANDARDS; ESTABLISHING BUILDING USES, DESIGN CONCEPT REQUIREMENTS, HEIGHT AND DENSITY INCENTIVES AND BONUSES; CREATING A PARKING IMPROVEMENT TRUST FUND; AND FURTHER PROVIDING FOR AN ORDER OF PRECEDENCE AND REFERENCE TO THE MASTER PLAN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Motion to Approve as merged: Mr. Suarez; Second: Mr. O. Perez; Approved: 6-0

Item Approved as merged

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

8. Old Business.
9. New Business. **DEBORA STORCH ADRESSED THE BOARD REGARDING THE PLANNING AND ZONING MEETING REGULARLY SCHEDULED FOR THE 4TH WEDNESDAY IN NOVEMBER. BECAUSE THIS DAY WILL FALL ON THE WEDNESDAY BEFORE THANKSGIVING, THE BOARD WILL DECIDE WHETHER TO HOLD IT THAT DAY OR RESCHEDULE AT A LATER MEETING.**

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.