

**CITY OF HIALEAH**  
**PLANNING AND ZONING BOARD MEETING**  
**April 12<sup>th</sup>, 2023**  
*Summary Agenda- Minutes*

HIALEAH CITY HALL  
501 PALM AVENUE-3RD FLOOR

6:00 P.M.  
HIALEAH

Call to order.

**REPORT: Planning and Zoning Board Chairman, Diego Perez called the meeting to order at 6:02 P.M.**

Invocation and pledge of allegiance.

**REPORT: Planning and Zoning Board Chairman, Diego Perez led the invocation and pledge of allegiance.**

**MEETING GUIDELINES**

The following guidelines apply to today's Planning and Zoning Board Meeting:

- Any person, whether participating via the web platform, telephonic conferencing or physical presence at City Hall, interested in making comments or posing questions on any item on the agenda, may do so during the meeting.
- Members of the public may hear the meeting live through 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.
- All persons participating via the web platform will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

**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. Gamon, Mr. D. Perez, Mr. Ulloa, Mr. Iglesias, Mr. Casanova, Mrs. Henriquez and Mr. Jimenez**

2. Approval of Planning and Zoning Board Summary Agenda of March 29<sup>th</sup>, 2023 as submitted.

**Motion to Approve: Mr. Casanova; Second: Mr. Iglesias**  
**Motion Passed: 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, APRIL 25<sup>TH</sup>, 2023.**

3. **Rezoning** property from R-1 (One-Family District) to R-2 (One-and Two-Family Residential District) for the construction of a new duplex; Variance permit to allow front setback of 17.67 feet, where 25 feet are required; allow rear setback of 20 feet, where 25 feet are required and allow lot coverage of 31.3%, where 30% is the maximum allowed. Property is located at **501 East 59<sup>th</sup> Street**, Hialeah, zoned R-1 (One-Family District).

**Applicant: Suniel Arzola**

**Planner's recommendation: Approve a variance to allow the expansion of a non-conforming use by allowing a 125% building footprint increase of an existing duplex approved in 1948, approve front setback of 17.67 feet and rear setback of 20 feet and 31.3% lot coverage subject to the condition that the property will be platted before the issuance of a certificate of occupancy and that the applicant will be responsible for the infrastructure upgrade that might be required for the proposed building expansion.**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**REPORT: Frank De La Paz, 11000 SW 104<sup>th</sup> Street, Suite 2804, Miami 33116 spoke on this item.**

**Motion to Approve with Conditions and Amend the Petition: Mr. Iglesias; Second: Mr. Gamon**  
**Motion Passed: 7-0**

Item approved with the condition that the property is platted before the issuance of a certificate of occupancy and that the applicant will be responsible for the infrastructure upgrade that might be required for the proposed building expansion.

Petition was amended as follows: Variance to allow the expansion of a non-conforming use by allowing a 125% building footprint increase of an existing duplex approved in 1948; allow front setback of 17.67 feet, where 25 feet is required; allow rear setback of 20 feet, where 25 feet is required and allow 31.3% lot coverage, where 30% is the maximum allowed.

4. **Variance** permit to allow 36.9% lot coverage, where 30% is the maximum allowed; allow 18 feet rear setback, where 20 feet is the minimum required and allow 3.25 feet south side setback, where 5 feet 1-inch are required for legalization of additions built without the benefit of a building permit; contra to City of Hialeah, Fla, Ordinance 84-170 that allows single-family type units on property zoned R-3-5 (Multiple-family District) and contra to Sec. 98-2056 (b)(2) that provides for 30% maximum lot coverage. Property is located at 6277 West 22<sup>nd</sup> Lane, Hialeah, zoned R-3-5 (Multiple-Family District).

**Applicant: Argelia Leon**

**Planner's recommendation: Approve lot coverage and setback variances with the condition that the addition remains a terrace open on three sides and that 30% pervious area is provided.**

**REPORT: Debora Storch, Planning and Zoning Director spoke on this item.**

**Motion to Approve with Conditions: Mr. Iglesias; Second: Mr. Casanova & Mr. Gamon**

**Motion Passed: 7-0**

**Item approved with the condition that the addition remains a terrace open on three sides and that 30% pervious area is provided.**

**MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:**

5. Old Business. **None.**
6. New Business. **Planning and Zoning Chairman and Vice-Chairman Election.**

**Motion to Nominate Mr. D. Perez for Chairman of the Planning and Zoning Board: Mr. Gamon; Second: Mr. Iglesias**

**Motion Passed: 6-1 with board member Mr. Ulloa voting NO.**

**Motion to Nominate Mrs. Henriquez for Vice-Chairman of the Planning and Zoning Board: Mr. Ulloa; Second: Mr. Jimenez**

**Motion Passed: 7-0**

**REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 6:33 P.M.**

## **HIALEAH PLANNING AND ZONING BOARD MEETING- APRIL 12<sup>TH</sup>, 2023**

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 MEETING:  
WEDNESDAY, APRIL 26<sup>TH</sup>, 2023 AT 6:00 P.M.**