

# CITY OF HIALEAH



## NOTICE OF VIRTUAL SPECIAL PUBLIC MEETING OF THE CITY COUNCIL

Notice is hereby given that the City Council of the City of Hialeah will hold a **VIRTUAL Special Public Meeting at 7:00 p.m. on Tuesday, August 25, 2020.** The Special Meeting of the City Council is called to approve the appropriation or expenditure of public funds and approve other measures deemed essential to continue the City's operations, functions and services during the pendency of the public health emergency.

In addition, this meeting is called for the consideration of the following zoning matters by the City Council.

- (1) Second reading and public hearing of proposed ordinance rezoning from R-1 (One-Family District) to R-3-5 (Multiple-Family District); granting a variance permit to allow 23 feet front setback for staircase, where 25 feet are required; interior east side setback of 5.16 feet for building corridor on the second floor and interior west side setback of 6 feet for staircase, where 10 feet interior side setback is required and allow 39.7% lot coverage, where 30% is the maximum allowed; all contra to Hialeah Code of Ordinances §§ 98-589, 98-590 and 98-2056(b)(2). Property located at **381 East 50 Street, Hialeah, Florida**, zoned R-1 (One-Family District). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.
- (2) Second reading and public hearing of proposed ordinance repealing and rescinding Hialeah, Fla. Ordinance No. 88-04 (January 12, 1988); and granting a variance permit to allow the conversion of a residential unit on the second floor of the rear portion of an existing building into 2 units with approximate area of 733 square feet each, where 750 square feet is the minimum required; allow the addition of a two-story building at the rear of the back portion of an existing building including one residential unit of 530 square feet on each floor, where 750 square feet is the minimum required; allow 71.67 feet front setback, where 10 feet are required; allow interior east side setback of 2.14 feet for the staircase of the proposed addition and 4.49 feet for the existing building, where 5 feet are required; allow 5.62 rear setback, where 10 feet are required; allow 14.4% pervious area, where 30% is the minimum required; and allow parking on the front setback, where no parking in front setbacks is allowed; all contra to Hialeah Code of Ordinances §§ 98-637(3)a., 98-641(a), 98-641(b), 98-641(d), 98-641(g) and the latest edition of the City of Hialeah Landscape Manual dated July 9, 2015, Paragraph (E), Table A. Property located at **225 East 6 Street, Hialeah, Florida**; property zoned R-3-D (Multifamily District). Providing penalties for violation hereof; providing for a

severability clause; repealing all ordinances or parts of ordinances in conflict herewith; and providing for an effective date.

- (3) Second reading and public hearing of proposed ordinance repealing and rescinding City of Hialeah, Fla., Ordinance 92-26 (March 24, 1992) and Declaration of Restrictions recorded in Book 15484, Pages 2652-2657 recorded in the Miami Dade Public Records; rezoning property located at 11 East 12 Street to R-3-3; and granting a special use permit (SUP) to allow the expansion of the NBD (Neighborhood Business District) overlay pursuant to Hialeah Code of Ordinances § 98-1630.8; and granting a variance permit to allow only residential uses, where residential and commercial uses are required; allow residential use on the ground floor, where residential uses are allowed above the ground level only; allow 27 units with area of 625 square feet, where area of 850 square feet is the minimum required for 90% of the units; allow 6 feet front setback for balconies above the ground floor encroaching into the Palm Avenue front setback, where 10 feet built-to-line are required; allow 6 feet for balconies above the ground floor encroaching into the East 12 Street front setback and allow 7.66 feet front setback for building wall facing East 12 Street, where 10 feet built-to-line are required; allow north side setback of 10 feet, where 15 feet are required; allow 30 parking spaces, where 68 parking spaces are required; all contra to Hialeah Code of Ordinances §§ 98-1630.1, 98-1630.2, 98-1630.3(e)(1), 98-1630.3(e)(2) and 98-2189(16)a.; and allow a waiver of the minimum landscape requirements provided that trees and shrubs are mitigated in accordance to § 98-2233. Properties located at **1201 Palm Avenue and 11 East 12 Street, Hialeah**, zoned CR (Commercial-Residential District) and R-3-2 (Multiple-Family District); Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.
- (4) Second reading and public hearing of proposed ordinance granting a variance permit to allow proposed lot coverage of 34.7%, where 30% lot coverage is the maximum allowed; allow a distance separation between proposed terrace and the front unit of 5 feet, where 25 feet is the minimum required; allow front setback of 24.3 feet and rear setback of 24.5 feet, where 25 feet are required; all contra to Hialeah Code of Ordinances §§ 98-547(a) and 98-2056(b)(2). Property located at **318-320 East 38 Street, Hialeah**, zoned R-2 (One- and Two-Family Residential District). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.
- (5) Second reading and public hearing of proposed ordinance granting a variance permit to allow 85% lot coverage, where 80% is the maximum allowed, provided that public open space greater than 1,300 square feet will be developed as required; allow 10 feet front setback to be developed as a widened sidewalk along the storefront area and landscape area along the parking garage frontage, where 0 feet built to line is required; allow height of 12 stories, where 8 stories is the maximum allowed, provided that art work will be incorporated into the building; allow 16 parking stalls to be provided off-site within the 36.66 feet wide portion of the railroad easement adjacent to the rear of the property and currently leased by the applicant; all contra to Hialeah Code of Ordinances §§ 98-1544(b)(1) and (b)(2)ii, 98-1544(b)(3)i, 98-1544(c)(2) and (d), and 98-1545(c). Property located at **2701 East 11 Avenue and 2765 East 11 Avenue, Hialeah**, zoned TOD (Transit Oriented Development District). Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

- (6) Recommendation of denial by the Planning and Zoning Board to repeal and rescind City of Hialeah, FL Ordinance 98-100 and rezoning 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 40 feet and total lot area of 5,644 square feet, where 75 feet frontage and 7,500 square feet are required. Property located at **586 East 28<sup>th</sup> Street (Lot 13), Hialeah**, zoned R-1 (One-Family District).
- (7) Recommendation of denial by the Planning and Zoning Board to repeal and rescind City of Hialeah, FL Ordinance 98-100 and rezoning 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 40 feet and total lot area of 5,638 square feet, where 75 feet frontage and 7,500 square feet are required. Property located at **586 East 28<sup>th</sup> Street (Lot 14), Hialeah**, zoned R-1 (One Family District).
- (8) Recommendation of denial by the Planning and Zoning Board to repeal and rescind City of Hialeah, FL Ordinance 98-100 and rezoning 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 40 feet and total lot area of 5,634 square feet, where 75 feet frontage and 7,500 square feet are required; allow street side setback of 9.5 feet, where 15 feet is the minimum required and allow interior side setback of 5.5 feet, where 7.5 feet is the minimum required. Property located at **586 East 28<sup>th</sup> Street (Lot 15), Hialeah**, zoned R-1 (One Family District).
- (9) Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2020-08 that granted an adjustment on the property located at **440 East 27 Street, Hialeah, Florida**; and providing for an effective date.
- (10) Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2020-09 that granted an adjustment on the property located at **4561 East 8 Court, Hialeah, Florida**; and providing for an effective date.
- (11) Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2020-10 that granted an adjustment on the property located at **841 East 15 Place, Hialeah, Florida**; and providing for an effective date.

All persons wishing to speak on the planning and zoning items must complete and submit to the Office of the City Clerk the Public Speaker Registration Card attached hereto by 3:00 p.m. on Monday, August 24, 2020.

The agenda for this Special Meeting will be available to the public on the City's website and can be accessed at <https://www.hialeahfl.gov/agendacenter> on Thursday, August 6, 2020. The Office of the City Clerk can also email a copy of the agenda to anyone who requests a copy by telephone at (305) 883-5820 or by email at [cityclerk@hialeahfl.gov](mailto:cityclerk@hialeahfl.gov).

As a result of the public health emergency caused by Coronavirus (COVID-19), the restrictions on person-to-person contact, social distancing guidelines, and stay-at-home orders to stop the spread of COVID-19 promulgated by national, state, local authorities and as authorized by Governor Ronald DeSantis's Executive Order 20-69 (March 20, 2020), this Special Public Meeting will be held utilizing communications media technology, including video and telephonic conferencing.

This virtual public meeting will be broadcast live for members of the public to view on the City's Facebook page (@CityofHialeah). A link to the City's Facebook page can be found on the City's website at [www.hialeahfl.gov](http://www.hialeahfl.gov). 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.

One tap mobile:

**Meeting ID: 922 9060 1327**

US: +6465189805,,92290601327,, or +16513728299,,92290601327

Dial by your location:

+1 646 518 9805 US

+1 651 372 8299 US

+1 786 635 1003 US

+1 267 831 0333 US

Meeting ID: 922 9060 1327

Find your local number: <https://hialeahfl.zoom.us/j/92290601327>

Participation through Zoom:

<https://hialeahfl.zoom.us/j/92290601327>

Closed captioning for this meeting can be found at:

[bit.ly/COHCouncil](http://bit.ly/COHCouncil)

Those members of the public wishing to participate in the virtual public meeting by making comments or asking questions may do so by electing to join the meeting live on the Zoom platform. Members of the public wishing to participate in the virtual public meeting will be able to participate by registering with the Office of the City Clerk. The deadline to register for public participation in the meeting is 3:00 p.m., Monday, August 24, 2020.

Members of the public may also participate by submitting written comments and questions by email to [virtualmeeting@hialeahfl.gov](mailto:virtualmeeting@hialeahfl.gov) prior to the meeting taking place. Comments and questions in advance of the meeting by e-mail message must be received no later than 3:00 p.m. on Monday, August 24, 2020. E-mail comments and questions received by the deadline will be read into the record.

Please refer to the meeting guidelines and procedures for this virtual special public meeting for detailed instructions and other information on how to provide public comments or participate in the meeting using any of the options described in this Notice available on the City's website at [www.hialeahfl.gov](http://www.hialeahfl.gov). The Office of the City Clerk can also email a copy of the meeting guidelines and procedures to anyone who requests a copy by telephone at (305) 883-5820 or by email at [cityclerk@hialeahfl.gov](mailto:cityclerk@hialeahfl.gov).

Any person who would like to participate in the virtual public meeting and needs assistance may contact the Office of the City Clerk.

Any person wishing to appeal any decision made by the City Council with respect to any matter considered at this meeting, will need a record of the proceedings and, for such purposes, 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.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than two (2) days prior to the proceeding; if hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).