

MINUTES
PLANNING & ZONING BOARD MEETING
April 19, 2016
6:00 p.m.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1. Call to Order

Chairman Robert Julia called the meeting to order at 6:20 p.m.

2. Roll Call

The Town Clerk, Gina Inguanzo, called the roll and the following Board Members were present: Homero Cruz, Avelino Leoncio, Ameli Padron-Fragetta, Jeoffrey Rodriguez, Raul de la Sierra and Chairman Robert Julia. Vice Chairman Fred Senra was absent.

3. Pledge of Allegiance/Moment of Silence

Chairman Julia led the Pledge of Allegiance and called for a moment of silence.

4. Election of Chair And Vice Chair

Board Member De la Sierra made a motion to nominate Board Member Rodriguez as the new Chairman. The motion was seconded by Board Member Padron-Fragetta and all were in favor. Board Member Senra was absent.

Board Member Leoncio made a motion to nominate Board Member De la Sierra as Vice Chairman. The motion was seconded by Chairman Rodriguez and all were in favor. Board Member Senra was absent.

5. Approval of Minutes

A. Minutes for February 16, 2016 Planning and Zoning Board Meeting

Board Member Cruz made a motion to approve the minutes. The motion received a second from Board Member Leoncio. The motion passed 6-0. Board member Senra was absent.

6. Business Requiring Board Action

Assistant Town Attorney, Haydee Sera read the Quasi-Judicial Procedures.
The Town Clerk swore in anyone wishing to speak.

QUASI-JUDICIAL PUBLIC HEARINGS – Please be advised that the following items on the Board's agenda are quasi-judicial in nature. An opportunity for persons to speak on each item will be made available

after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Board to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Any person presenting documents to the Board should provide the Town Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk.

A. HEARING NUMBER: VARH2016-0005

APPLICANT: Isabel Acevedo

FOLIO: 32-2021-020-360

LEGAL DESCRIPTION: Lot 6, Block 8, Tresor Replat, PB 147, PG 1.

LOCATION: 9112 NW 145 St., Miami Lakes 33018

Chairman Rodriguez recused himself of the meeting.

Vice Chairman De la Sierra opened the public hearing.

Stacy Allen, Planning Technician, and Brandon Schaad, Director of Planning & Zoning, presented the item and answered questions posed by the Board.

Isabel Acevedo, the applicant, spoke in favor of the variance.

Nestor Acevedo, the applicant, also spoke in favor of the variance.

There being no one else willing to speak, Vice Chairman De La Sierra closed the public hearing.

Board Member Leoncio made a motion to approve the variance requests #1 #2 and #3, as per staff recommendation. The motion received a second from Vice Chairman De la Sierra. The Clerk called the roll and the motion passed 6-0. Board Member Senra was absent.

Board Member de la Sierra made a motion to approve the variance as per staff recommendations and to allow the 21 inches for the letters J and S. The motion was seconded by Vice Chairman Senra. The Town Clerk called the roll and the motion passed 6-0. Board Member Padron-Fragetta was absent.

B. HEARING NUMBER: VARH2016-0006

APPLICANT: Paula Lazala

FOLIO: 32-2021-023-350

LEGAL DESCRIPTION: Lot 35, Block 1, Serenity Point, PB 149, PG 8.

LOCATION: 14452 NW 88th PL., Miami Lakes, Florida 33014

Stacy Allen, Planning Technician and Brandon Schaad, Planning Director for the Town of Miami Lakes presented the item and answered questions posed by the Board.

Chairman Rodriguez opened the public hearing.

Juan Carlos Lizano, the Applicant, spoke in favor of the variance requests.

There being no one else willing to speak, Chairman Julia closed the public hearing.

Ricardo Berovides, spoke in opposition to the variance requests.

Andres Vidal, spoke in support of the variance requests.

Board Member Julia made a motion to approve the variance requests as per staff recommendations. The motion was seconded by Vice Chairman De la Sierra. The Town Clerk called the roll and the motion passed 6-0. Board Member Senra was absent.

C. HEARING NUMBER: VARH2016-0007

APPLICANT: Jose Gomez

FOLIO: 32-2015-018-0460

LEGAL DESCRIPTION: Lot 4, Block 6, Royal Lakes 1st Addition, according to the Plat thereof, recorded in the Plat Book 137, Page 52, of the Public Records of Miami-Dade county, Florida.

LOCATION: 8530 NW 164th Street, Miami Lakes, Florida 33016

Stay Allen, Planning Technician and Brandon Schaad, Planning Director for the Town of Miami Lakes presented the item and answered questions posed by the Board.

Chairman Rodriguez opened the public hearing.

Jose Gomez, the Applicant, spoke in favor of the variance.

There being no one else willing to speak, Chairman Rodriguez closed the public hearing.

Board Member Cruz made a motion to re-open the public hearing. The motion was seconded by Vice Chairman De la Sierra and all were in favor. After some discussion, the public hearing was re-closed.

Vice Chairman De la Sierra made a motion to approve the variance as per staff's recommendations, thus including the aerial encroachment. Board Member Leoncio seconded the motion. The Town Clerk called the roll and the motion passed 6-0. Board Member Senra was absent.

Chairman Rodriguez called for a 10 minutes recess.

HEARING NUMBER: VARH2016-008

APPLICANT: Alexis James Roof

FOLIO: 32-2024-005-0700

LEGAL DESCRIPTION: Lot 41, Block 2-A of Miami Lakes Section 2, according to the plat thereof, as recorded in Plat Book 76 at Page 70 of the Public Records of Miami-Dade County, Florida.

LOCATION: 6330 Lake Geneva Road, Miami Lakes 33014

Stacy Allen, Planning Technician and Brandon Schaad, Planning Director for the Town of Miami Lakes presented the item and answered questions posed by the Board.

Chairman Rodriguez opened the public hearing.

Alexis James Roof, the applicant, spoke in favor of the variance.
Marcelino Sotolongo spoke in favor of the variance.

There being no one else willing to speak, Chairman Rodriguez closed the public hearing.

Board Member Leoncio made a motion to approve going against staff recommendations and permit only that 12 feet and not allow any other encroachments, pursuant to the site plan that was provided. Vice Chairman De la Sierra seconded the motion with the friendly amendment that the applicant does not encroach past the tide line with any additional square footage of deck or anything else. Board Member Leoncio accepted the friendly amendment. The Town Clerk called the roll and the amendment to the motion passed 5-1. Board Member Padron Fragetta voted in opposition and Board Member Senra was absent.

The Town Clerk called roll on the motion as amended, and the motion passed 5-1, with Board Member Padron-Fragetta voting in opposition and Board Member Senra was absent.

E. HEARING NUMBER: VARH2016-0010

APPLICANT: Ibrahim Remedios

FOLIO: 32-2015-009-0210

LEGAL DESCRIPTION: Lot 6, Block 17 of Fourth Addition to Royal Oaks, Plat Book 131,

LOCATION: 8024 NW 163rd Terrace, Miami Lakes, Florida 33018.

Stacy Allen, Planning and Brandon Schaad Planning Director of the Town of Miami Lakes presented the item and answered questions posed by the Board.

Chairman Rodriguez opened the public hearing.

Ibrahim Remedios, the applicant, spoke in favor of the variance and he withdrew request variance #3.

Juan Carlos Valiente, the contractor, spoke in favor of the variance.

Manuel Fernandez, the Architect of the pool, spoke in favor of the variance.

As no one else wished to speak, the Chairman Rodriguez closed the public hearing.

Board Member Cruz made a motion to continue Mr. Remedios' Pool hearing at the April 27th Special Planning & Zoning Hearing and for all proposed revisions to the re-designing of the swimming pool to be included then. The motion died due to a lack of second.

Vice Chairman De la Sierra made a motion to reopen the hearing. The motion was seconded by Board Member Cruz and all were in favor.

The applicant spoke and answered questions posed by the Board.

As no one else wished to speak, Chairman Rodriguez closed the public hearing.

Vice Chairman De la Sierra made a motion to continue the hearing on April 27th and it was seconded by Board Member Cruz. The Town Clerk called the roll and the motion passed 6-0. Board Member Senra was absent.

F. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE BY AMENDING ARTICLE IX, SECTIONS 13-1901 THROUGH 13-1905, ADDING SECTIONS 13-1906 AND 13-1907; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Brandon Schaad, Director of Planning and Zoning, presented to the Board Members, the proposed sign amendments to the Town of Miami Lakes Sign Code (Article IX of the Land Development Code). Mr. Schaad answered questions posed by the Board Members in regards to the decision of the U.S. Supreme Court in the case of *Reed v. Town of Gilbert*, decision that was issued in June 2015.

Board Member Padron-Fragetta made a motion to continue discussing the proposed Sign Code amendments on April 27th. The motion received a second from Board Member Cruz. The Town Clerk called the roll and all were in favor.

6. Director's Report

No Director's Report.

7. Adjournment

There being no further business to come before the Board, the meeting adjourned at 8:16 p.m.

Approved this 21st day of June, 2016.

Attest:

Jeoffrey Rodriguez, Chairman

Gina M. Inguanzo, Town Clerk