

# TOWN OF MIAMI LAKES, FLORIDA

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## Town Council

Mayor Wayne Slaton  
Vice Mayor Nancy Simon  
Councilmember Roberto Alonso  
Councilmember Mary Collins  
Councilmember Robert Meador II  
Councilmember Michael Pizzi  
Councilmember Richard Pulido

**MINUTES**  
**ZONING COUNCIL MEETING**  
**January 22, 2008**  
**6:00 PM**  
**Miami Lakes Middle School**  
6425 Miami Lakeway North  
Miami Lakes, Florida 33014

- 1. CALL TO ORDER:** Vice Mayor Nancy Simon called the meeting to order at 6:22 p.m.
- 2. ROLL CALL:** Town Clerk, Debra Eastman called the roll with the following Councilmembers were in attendance: Robert Meador, Richard Pulido, Roberto Alonso, Mary Collins and Vice Mayor Nancy Simon. Councilmember Michael Pizzi arrived at 6:35 p.m. Mayor Wayne Slaton was absent.
- 3. INVOCATION/MOMENT OF SILENCE:** Vice Mayor Nancy Simon called for a moment of silence.
- 4. PLEDGE OF ALLEGIANCE:** Vice Mayor Nancy Simon led the Pledge of Allegiance.

Councilmember Mary Collins made a motion to take a five minute recess in order to allow Councilmember Michael Pizzi time to arrive. The motion received a second by Councilmember Roberto Alonso. Vice Mayor Nancy Simon called for the vote and all were in favor.

- 5. APPROVAL OF MINUTES:** None

Town Attorney, Nancy Stuparich, read a statement giving information regarding the quasi-judicial proceedings. Town Clerk, Debra Eastman, administered the oath.

- 6. RESOLUTIONS:**

**A. RESOLUTION OF THE TOWN COUNCIL [GRANTING, GRANTING WITH CONDITIONS/DENYING] A VARIANCE SUBMITTED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE TO WAIVE: 1) DIVISIONS 5.6.A.2 AND 4.2.E TO PERMIT AN ATTACHED CANOPY SETBACK 8 FEET FROM THE REAR (SOUTH) PROPERTY LINE WHERE 10 FEET IS REQUIRED; AND 2) DIVISIONS 5.6.A.2 AND 4.2.E TO PERMIT AN ATTACHED CANOPY CONSTRUCTED OF ALUMINUM WHERE CANOPIES MAY ONLY BE CONSTRUCTED OF CANVAS, FABRIC OR VINYL, AND PIPE OR CBS CONSTRUCTION TO MATCH THE RESIDENCE (COLLECTIVELY REFERRED TO AS THE “VARIANCE”) FOR PROPERTY LOCATED AT 8740 NW 142ND STREET. (Rey) Pursuant to Division 3.1.(f)1 of the Town of Miami Lakes Land Development Code, ZH 07-42 is a continuance from the December 18, 2007 Town Council Zoning Meeting. Staff is requesting that this item be continued to the February 19, 2008 Zoning Meeting.** Town Attorney, Nancy Stuparich read the title of the resolution into the record.

Director of Planning and Zoning, Maria Crowley, gave a staff recommendation for continuance to the February 19, 2008 Zoning Council Meeting.

A motion was made by Councilmember Mary Collins to accept the recommendation of the Director of Planning and Zoning, Maria Crowley. The motion received a second from Councilmember Richard Pulido. Town Clerk, Debra Eastman called the roll and all were in favor.

A motion was made by Councilmember Roberto Alonso to move item H to be heard next. The motion received a second by Councilmember Robert Meador. Vice Mayor Nancy Simon called for the vote and all were in favor.

**B. RESOLUTION OF THE TOWN COUNCIL [GRANTING, GRANTING WITH CONDITIONS/DENYING] A VARIANCE SUBMITTED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE TO WAIVE: 1) DIVISIONS 5.3.A.1 AND 4.2.E TO PERMIT AN EXISTING ACCESSORY STRUCTURE SETBACK 4 INCHES FROM THE INTERIOR (EAST) SIDE PROPERTY LINE WHERE 5 FEET IS REQUIRED; 2) DIVISIONS 5.3.A.1 AND 4.2.E TO PERMIT AN EXISTING ACCESSORY STRUCTURE SETBACK 1.5 FEET FROM THE (SOUTH) REAR PROPERTY LINE WHERE 5 FEET IS REQUIRED; AND 3) DIVISIONS 5.3.A.1, 5.2.A.4 AND 4.2.E TO PERMIT AN EXISTING ACCESSORY STRUCTURE, WHICH IS DETACHED 4 INCHES FROM THE RESIDENCE, WHERE AN**

**ACCESSORY STRUCTURE SHALL BE DETACHED A MINIMUM OF 10 FEET FROM THE RESIDENCE (COLLECTIVELY REFERRED TO AS THE “VARIANCE”) FOR PROPERTY LOCATED AT 7410 TWIN SABAL DRIVE. (Rey) Pursuant to Division 3.1.(f)1 of the Town of Miami Lakes Land Development Code, ZH 07-43 is a continuance from the December 18, 2007 Town Council Zoning Meeting.** Town Attorney, Nancy Stuparich, read the title of the resolution into the record.

Vice Mayor Nancy Simon stated that those who were absent from the last meeting were provided with a recording in order to review the testimony given previously.

Director of Planning and Zoning, Maria Crowley, explained the request and gave her recommendation to the Council.

Councilmember Richard Pulido stated his concerns about the applicant having a fair opportunity to view the letters submitted to staff by his neighbors.

Mr. Ed Piederman, the applicant, spoke in favor of his application.

Vice Mayor Nancy Simon opened the public hearing:

- Jan McNabb spoke in opposition to the variance.
- Javier Vasquez spoke in support of the variance.
- Dorothy Cook spoke in opposition to the variance.
- Dennis Wilson spoke in opposition to the variance.
- Felicia Salazar spoke in opposition to the variance.
- Bob Echols spoke in opposition to the variance.
- Mirtha Mendez spoke in favor of the variance.
- Peter Montanez spoke in favor of the variance.
- Julio Areto spoke in support of the variance.
- Ladd Howell spoke in opposition to the variance.
- Pedro Carballo spoke in favor of the variance.

Director of Planning and Zoning, Maria Crowley, requested that she be given verification of a letter that she received from Ms. McNabb.

Councilmember Michael Pizzi asked Ms. McNabb how her letter got to Council. She stated that this was just a note to explain the pictures that she had given to Ms. Cook and was not meant for Council.

Mr. Piederman added to his defense that the batting cage creates minimal noise, is used for a limited time and for a limited portion of the year.

There being no one else wishing to speak, Vice Mayor Nancy Simon closed

the public hearing.

Councilmember Richard Pulido made a motion to support the application with the conditions that it has a five year sunset and the usage is from 12:00 noon to sunset. The motion received a second from Councilmember Michael Pizzi and he amended it to include that the cage be taken down when not in use, to include a five year sunset provision, and require the applicant to add additional foliage to cover net.

Councilmember Richard Pulido did not accept Councilmember Michael Pizzi's amendment.

Vice Mayor Nancy Simon suggested that there be a three year provision with the opportunity to request for an extension.

Councilmember Richard Pulido stated that he will accept a three year provision as an amendment to the motion.

Councilmember Michael Pizzi clarified the amended motion which includes a three year sunset provision, usage from noon to sunset, adding a landscaping screen to meet staff's approval, and for it to be taken down during a hurricane watch. Councilman Richard Pulido agreed to the amended motion.

Town Clerk, Debra Eastman called the roll and all were in favor.

- C. RESOLUTION OF THE TOWN COUNCIL [GRANTING, GRANTING WITH CONDITIONS/DENYING] A VARIANCE SUBMITTED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE TO WAIVE: 1) DIVISION 6.6.A TO PERMIT THE ACCESSORY STORAGE OF A BOAT OUTSIDE OF A RESIDENTIAL GARAGE WHERE STORAGE OF BOATS SHALL BE LIMITED TO RESIDENTIAL GARAGES IF THEY WILL FULLY FIT INSIDE THE GARAGE AND ARE STORED WITH THE GARAGE DOOR FULLY CLOSED; 2) DIVISIONS 5.3.A.1 AND 4.2.E TO PERMIT THE STORAGE OF A BOAT AS AN ACCESSORY STRUCTURE SETBACK 0 FEET FROM THE INTERIOR (WEST) PROPERTY LINE WHERE TWO FEET IS REQUIRED; AND 3) DIVISIONS 5.6.A.2 AND 4.2.E TO PERMIT AN ATTACHED CANOPY SETBACK 5 FEET FROM THE REAR (SOUTH) PROPERTY LINE WHERE 10 FEET IS REQUIRED (COLLECTIVELY REFERRED TO AS THE "VARIANCE") FOR PROPERTY LOCATED AT 8832 NW 143<sup>RD</sup> TERRACE. (Rey) Pursuant to Division 3.1.(f)1 of the Town of Miami Lakes Land Development Code, ZH 07-40 is a continuance from the December 18, 2007 Town Council Zoning Meeting.**

Town Attorney, Nancy Stuparich, read the title of the resolution into the record. Director of Planning and Zoning, Maria Crowley, explained the request and gave her recommendation to the Council.

The applicant, Luciano Arias and Odalys Valencia spoke in favor of the resolution.

Vice Mayor Nancy Simon opened the public hearing.  
Ladd Howell stated that he had no objection.

There being no one else wishing to speak, Vice Mayor Nancy Simon closed the public hearing.

Councilmember Mary Collins made a motion to approve variance request number 3, with conditions, and deny variance requests numbers 1 and 2. The motion received a second from Councilmember Roberto Alonso.

Councilmember Michael Pizzi moved to amend the allowance of the boat and late registration. The motion received a second from Vice Mayor Nancy Simon.

Town Clerk, Debra Eastman, called the roll and the motion failed on a 3-3 vote and the request was denied.

- D. RESOLUTION OF THE TOWN COUNCIL [*GRANTING, GRANTING WITH CONDITIONS/DENYING*] A VARIANCE SUBMITTED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE TO WAIVE: 1) DIVISION 6.5.B.6.d.(2) TO PERMIT AN EXISTING 525 SQUARE FOOT PAVED DECK AREA LOCATED WATERWARD OF THE TOP OF THE SLOPE WHERE 225 SQUARE FEET OF DECK AREA IS PERMITTED; 2) DIVISION 5.9.B.1.b TO PERMIT AN EXISTING WALL EXTENDING 7.5 FEET BEYOND THE TOP OF THE SLOPE TOWARD THE LAKE OR WATERSIDE OF THE SURVEY TIE LINE WHERE FENCES OR WALLS ARE NOT PERMITTED BEYOND THE TOP OF THE SLOPE TOWARD THE LAKE OR WATERSIDE OF THE SURVEY TIE LINE; 3) DIVISION 5.7.A.2 TO PERMIT AN EXISTING 8.75 FEET WIDE PAVED WALKWAY WHERE 3 FEET IS PERMITTED WITHIN THE INTERIOR (WEST) SIDE YARD; 4) DIVISION 5.7.A.2 TO PERMIT AN EXISTING 10.25 FEET WIDE PAVED WALKWAY WHERE 3 FEET IS PERMITTED WITHIN THE INTERIOR (EAST) SIDE YARD; 5) DIVISION 5.7.A.3 TO PERMIT AN EXISTING PAVED REAR DECK SETBACK 2.5 FEET FROM THE INTERIOR SIDE PROPERTY LINE WHERE 5 FEET IS REQUIRED FROM THE INTERIOR (EAST) SIDE PROPERTY LINE; AND 6) DIVISION 5.7.A.3 TO PERMIT AN**

**EXISTING PAVED REAR DECK SETBACK 3 FEET FROM THE INTERIOR SIDE PROPERTY LINE WHERE 5 FEET IS REQUIRED FROM THE INTERIOR (WEST) SIDE PROPERTY LINE (COLLECTIVELY REFERRED TO AS THE “VARIANCE”) FOR PROPERTY LOCATED AT 7954 NW 163<sup>RD</sup> TERRACE. (Rey)**

Pursuant to Division 3.1.(f)1 of the Town of Miami Lakes Land Development Code, ZH 07-45 is a continuance from the December 18, 2007 Town Council Zoning Meeting.

Town Attorney, Nancy Stuparich, read the title of the resolution into the record.

Director of Planning and Zoning, Maria Crowley, explained the request and gave her recommendation to the Council.

Mr. Bravo, the applicant, presented pictures to the Council.

Councilmember Michael Pizzi suggested to the applicant to defer the item and return next month.

Councilmember Richard Pulido made a motion to defer this item to next month’s agenda. The motion received a second by Councilmember Mary Collins.

Mr. Bravo, the applicant, stated that he would like his item to be heard today. Councilmember Richard Pulido withdrew his motion.

Vice Mayor Nancy Simon opened the public hearing.  
Ladd Howell spoke in opposition.

There being no one else wishing to speak, Vice Mayor Nancy Simon closed the public hearing.

Councilmember Michael Pizzi made a motion to follow staff recommendation. The motion received a second from Councilmember Robert Meador.

Town Clerk, Debra Eastman, called the roll and all were in favor.

- E. RESOLUTION OF THE TOWN COUNCIL [*GRANTING, GRANTING WITH CONDITIONS/DENYING*] VARIANCES SUBMITTED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE TO WAIVE: 1) DIVISIONS 5.2.A.3 AND 4.2.E TO PERMIT AN EXISTING ACCESSORY BUILDING ROOF OVERHANG (THE “TIKI GRILL AREA”) SETBACK 6 INCHES FROM THE INTERIOR (SOUTH) SIDE PROPERTY LINE WHERE 5 FEET IS**

**REQUIRED; 2) DIVISION 5.7.A.3 TO PERMIT AN EXISTING PAVED REAR YARD DECK SETBACK 3 FEET FROM THE INTERIOR (SOUTH) SIDE PROPERTY LINE WHERE 5 FEET IS REQUIRED; 3) DIVISION 5.2.A.4 TO PERMIT AN EXISTING ACCESSORY BUILDING (THE “TIKI SEATING AREA”) DETACHED 8 FEET FROM THE RESIDENCE WHERE ACCESSORY BUILDINGS DETACHED A MINIMUM OF 10 FEET FROM THE RESIDENCE ARE PERMITTED; 4) DIVISION 5.2.A.4 TO PERMIT AN EXISTING ACCESSORY BUILDING (THE “TIKI SEATING AREA”) DETACHED FROM THE RESIDENCE 5 FEET FROM ROOF OVERHANGS WHERE ACCESSORY BUILDINGS DETACHED FROM THE RESIDENCE A MINIMUM OF 6 FEET FROM ROOF OVERHANGS ARE PERMITTED; 5) DIVISION 5.2.A.4 TO PERMIT AN EXISTING ACCESSORY BUILDING (THE “TIKI SEATING AREA”) SPACED APART FROM ANOTHER ACCESSORY BUILDING (THE “TIKI GRILL AREA”) WITH 6 INCHES FROM ROOF OVERHANGS WHERE ACCESSORY BUILDINGS ARE REQUIRED TO BE SPACED APART FROM ANOTHER ACCESSORY BUILDING A MINIMUM OF 6 FEET FROM ROOF OVERHANGS; 6) DIVISION 5.2.A.4 TO PERMIT AN EXISTING ACCESSORY BUILDING (THE “TIKI SEATING AREA”) SPACED APART 7 FEET FROM ANOTHER ACCESSORY BUILDING (THE “TIKI GRILL AREA”) WHERE ACCESSORY BUILDINGS ARE REQUIRED TO BE SPACED APART A MINIMUM OF 10 FEET FROM ANOTHER ACCESSORY BUILDING; AND 7) DIVISIONS 5.2.A.1 AND 4.2.E TO PERMIT AN EXISTING ACCESSORY BUILDING (THE “TIKI GRILL AREA”) WITH 171 SQUARE FEET OF ROOF AREA WHERE AN ACCESSORY BUILDING EXCEEDING 150 SQUARE FEET OF ROOFED AREA, INCLUDING ROOF OVERHANGS, IS NOT PERMITTED (COLLECTIVELY REFERRED TO AS THE “VARIANCE”), FOR PROPERTY LOCATED AT 16159 NW 79<sup>th</sup> AVENUE. (Rey) Pursuant to Division 3.1.(f)1 of the Town of Miami Lakes Land Development Code, ZH 07-34 is a continuance from the December 18, 2007 Town Council Zoning Meeting.**

Town Attorney, Nancy Stuparich, read the title of the resolution into the record.

Director of Planning and Zoning, Maria Crowley, explained the request and gave her recommendation to the Council.

The Applicant, Odalys Frontela and Haydee Rodriguez spoke in Spanish and a person from the audience translated that the applicant is in favor of the application and has the support of the neighbors.

Vice Mayor Nancy Simon opened the public hearing.

Ladd Howe stated that he is in favor of staff recommendation.

There being no one else wishing to speak, Vice Mayor Nancy Simon closed the public hearing.

Councilmember Michael Pizzi made a motion to approve staff recommendations. The motion received a second from Councilmember Mary Collins.

Town Clerk, Debra Eastman, called the roll and all were in favor.

- F. RESOLUTION OF THE TOWN COUNCIL [GRANTING, GRANTING WITH CONDITIONS,/DENYING] A VARIANCE SUBMITTED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE TO WAIVE: 1) DIVISIONS 5.2.A.1 AND 4.2.E TO PERMIT AN EXISTING ACCESSORY BUILDING WITH 299 SQUARE FEET OF ROOFED AREA WHERE AN ACCESSORY BUILDING EXCEEDING 150 SQUARE FEET OF ROOFED AREA (INCLUDING ROOF OVERHANGS) IS NOT PERMITTED; 2) DIVISIONS 5.7.A, 5.3.A.1 AND 5.2.A.1 TO PERMIT AN EXISTING ACCESSORY BUILDING DECK WITH 176 SQUARE FEET OF AREA WHERE AN ACCESSORY BUILDING DECK EXCEEDING 150 SQUARE FEET OF AREA IS NOT PERMITTED; AND 3) DIVISIONS 5.2.A.5 AND 4.2.E TO PERMIT AN EXISTING ACCESSORY BUILDING 18 FEET IN HEIGHT WHERE ACCESSORY BUILDINGS WITH A MAXIMUM HEIGHT OF 15 FEET ARE PERMITTED (COLLECTIVELY REFERRED TO AS THE “VARIANCE”) FOR PROPERTY LOCATED AT 16390 NW 88TH PATH. (Rey) Pursuant to Division 3.1.(f)1 of the Town of Miami Lakes Land Development Code, ZH 07-46 is a continuance from the December 18, 2007 Town Council Zoning Meeting.**

Town Attorney, Nancy Stuparich, read the title of the resolution into the record.

Director of Planning and Zoning, Maria Crowley, explained the request and gave her recommendation to the Council.

Vice Mayor Nancy Simon opened the public hearing:

There being no one wishing to speak, Vice Mayor Nancy Simon closed the public hearing.

Councilmember Michael Pizzi made a motion to approve the resolution. The motion received a second from Councilmember Richard Pulido.

Town Clerk, Debra Eastman, called the roll and all were in favor.

**G. RESOLUTION OF THE TOWN COUNCIL [*GRANTING, GRANTING WITH CONDITIONS/DENYING*] A VARIANCE SUBMITTED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE TO WAIVE DIVISIONS 5.6.A.2 AND 4.2.E TO PERMIT AN ATTACHED CANOPY SETBACK 13 FEET FROM THE REAR (NORTH) PROPERTY LINE WHERE 25 FEET IS REQUIRED (THE “VARIANCE”) FOR PROPERTY LOCATED AT 8861 NW 166TH TERRACE. (Rey)**

Town Attorney, Nancy Stuparich, read the title of the resolution into the record.

Director of Planning and Zoning, Maria Crowley, explained the request and gave her recommendation to the Council.

The applicants, Jose and Graciela Brieto stated that they agree with staff recommendation.

Vice Mayor Nancy Simon opened the public hearing.

There being no one wishing to speak, Vice Mayor Nancy Simon closed the public hearing.

Councilmember Richard Pulido made a motion to approve the resolution. The motion received a second from Councilmember Mary Collins.

Town Clerk, Debra Eastman, called the roll and all were in favor.

**H. RESOLUTION OF THE TOWN COUNCIL [*GRANTING, GRANTING WITH CONDITIONS/DENYING*] A VARIANCE SUBMITTED IN ACCORDANCE WITH DIVISION 3.5 OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE TO WAIVE: 1) DIVISIONS 5.9.B.1.b. TO PERMIT A FENCE, 37.5 FEET BEYOND THE TOP OF THE SLOPE TOWARD THE LAKE, OR WATERSIDE OF THE SURVEY TIE LINE WHERE FENCES OR WALLS ARE NOT PERMITTED BEYOND THE TOP OF THE SLOPE TOWARD THE LAKE, OR WATERSIDE OF THE SURVEY TIE LINE; AND 2) DIVISION 6.5.B.6.b.(2) TO PERMIT A BULKHEAD WATERWARD OF THE TOP OF THE SLOPE TO THE RESIDENCE TO EXTEND 3.25 FEET ABOVE THE EXISTING GRADE WHERE A WATERSIDE BULKHEAD IS NOT PERMITTED TO EXTEND MORE THAN 1 FOOT ABOVE THE EXISTING GRADE (COLLECTIVELY REFERRED TO AS THE “VARIANCE”) FOR PROPERTY LOCATED AT 6360 LAKE JUNE ROAD. (Rey)**

Town Attorney, Nancy Stuparich, read title of the resolution into the record.

Director of Planning and Zoning, Maria Crowley, requested a continuance to the February 19, 2008 Zoning Council Meeting.

Councilmember Mary Collins made a motion to adopt the resolution. The motion received a second from Councilmember Roberto Alonso.

Town Clerk, Debra Eastman, called the roll and all were in favor.

**7. FUTURE MEETINGS:**

February 12, 2008 REGULAR MEETING, 6425 MIAMI LAKEWAY N, MIAMI LAKES 6:30 PM  
February 19, 2008 ZONING MEETING, 6425 MIAMI LAKEWAY N, MIAMI LAKES 6 PM

**8. ADJOURNMENT:** There being no further business to come before the meeting, it adjourned at 10:35 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Wayne Slaton, Mayor

Attest:

\_\_\_\_\_  
Debra Eastman, MMC  
Town Clerk