

**MINUTES**  
**Planning and Zoning Minutes**  
**April 6, 2021**  
**6:30 P.M.**  
**Government Center**  
**6601 Main Street, Miami Lakes, FL 33014**

**1. Call to Order:**

Chairperson Robert Julia called the meeting to order at 6:30 p.m.

**2. Roll Call:**

The Deputy Town Clerk, Ashley Shepple, called the roll with the following Board Members being present: Juan Carlos Fernandez, Avelino Leoncio, Lynn Matos, Fred Senra, Raul De La Sierra, Vice Chairperson Mariam Yanes, and Chairperson Robert Julia were all present.

**3. Pledge of Allegiance/Moment of Silence:**

Chairperson Julia led the Pledge of Allegiance and the Invocation.

**4. Elections of Chair and Vice Chair:**

Board Member Matos made a motion to re-elect Chairperson Julia as chairperson of the Board. Member De La Sierra seconded the motion. All were in favor and the motioned passed 7-0.

Board Member Del La Sierra made a motion to nominate Board Member Matos as Vice Chairperson. Board Member Leoncio seconded the motion. All were in favor and the motioned passed 7-0.

**5. Approval of Minutes:**

- October 27, 2020 Planning and Zoning Meeting minutes

Board Member De La Sierra motioned to approve the minutes and Board Member Senra seconded the motion. All were in favor.

## **6. Public Comments:**

Ms. Hope Reynolds came to speak about her neighborhood's perimeter wall which is located in the neighborhood near Menteith Terrace. She stated that it needs repair and may be in need of asking for a variance. She would like to observe tonight's meeting to gain knowledge on how to apply for a variance and the quasi-judicial proceedings.

Ms. Michelle Cordova spoke about the variance request. She is a resident of Loch Lomond and does not approve of the applicant that is requesting the fence placement

Ms. Jody Graham spoke about the variance request. She is a resident of Loch Lomond and does not approve of the applicant that is requesting the fence placement

Ms. Marlene Garcia spoke about the variance request. She is a resident of Loch Lomond and does not approve of the applicant that is requesting the fence placement

Ms. Norma Pina spoke about the variance request. She is a resident of Loch Lomond and was in favor for the fence placement.

## **7. Business Requiring Board Action:**

### **A. VARH20201-0150; Juan Fernandez; Folio: 32-2014-004-1510**

None of the Board Members had ex-parte communication with the applicant.

The Deputy Attorney, Lorenzo Cobiella, read the rules of quasi-judicial hearing proceedings and variance order into the record.

The Deputy Clerk Ashley Shepple notified the Board that there had been a list of 19 residents from the neighborhood that signed a log. The log listed the resident names and contact information. Furthermore, the log stated at the top, "I support the new boundary wall/iron fence on the private property located at 16100 East Troon Circle."

The Deputy Clerk swore in the following individuals providing testimony; Principal Town Planner Susanna Alonso, the applicant Juan Fernandez and his representative Anthony Bustamante, and Jody Graham, Marlene Garcia, Michelle Cordova, neighbors of the applicant, who appeared before Zoom to speak on this matter.

The Principal Town Planner, Susana Alonso, explained and answered questions posed by the Board about the variance application. The applicant would like to build 6-foot concrete and iron fence/wall that would go up to the property line and needs two variances. Town staff recommends denying the variance request due this request not meeting the requirements.

The applicant's representative Anthony Bustamante spoke about how this request would be like the other home fences in the neighborhood and about how residents around the home signed the log for approve. He also stated this fence is for security and privacy reasons.

The Board asked Mr. Bustamante if the applicant would be willing to compromise on the placement of the fence. The applicant, Juan Fernandez, explained the reason why he would like the variance for the fence/wall. He stated that it is for security reasons, as well as for safety reasons for his child and dog to be protected from oncoming traffic. He stated there are other homes in the area that have fence/wall. He stated to the Board that he is not willing to build and enclose the property with the fence and gate without both variances.

Board Member Fernandez motioned to deny the variance and Board Member De La Sierra seconded it for discussion. All were in favor.

De La Sierra motioned to re-open public comments, to ask the applicant if he will be willing to make a change where the fence would be on both sides of the home. Chairperson Julia explained to the applicant that if the variances are denied by the Board, then the applicant would have to reapply. However, if the Board motions to table the issue and the applicant is willing to come back to the next Planning and Zoning meeting with options that have been taken into consideration, the Board comments and consent from adjacent neighbors.

Board Member Fernandez amended his motion to deny. He motioned to approve the side variance and table the front variance until the applicant comes back with the design that takes into consideration the Board comments and the adjacent neighbors approval. Board Member Leoncio seconded for discussion. All were in favor. Board Member Leoncio objected to the motion because he stated it will look unfinished.

Board Member Fernandez withdrew his original and amended motion to allow the applicant to come back. Board Member Del La Sierra motioned to table both variances to allow the applicant to come back the following month to present more letters of approval and new design. Chairperson Julia seconded the motion. All were in favor and the motioned passed 7-0.

## **B. Ordinance Amending Section 13-799.7, "Cannabis Dispensaries, medical Marijuana Treatment Facilities, and Independent Testing Labs"**

Chairperson Julia read the ordinance order into the record.

The Principal Town Planner, Susana Alonso, explained and answered questions posed by the Board about the ordinance.

Board Member Del La Sierra made a motion to approve the ordinance with Town staff's recommendations and Board Member Leonico seconded the motion. All were in favor and the motion passed 7-0.

**B. Amending Chapter 13, "Land Development Code", Landscape, Alternative Energy Systems and Environmental Regulations"**

Chairperson Julia read the ordinance order into the record.

The Principal Town Planner, Susana Alonso, and Deputy Attorney, Lorenzo Cobiella, explained and answered questions posed by the Board about the ordinance.

Chairperson Julia made a motion to table this item next meeting and Board Member De La Sierra seconded the motion. All were in favor and the motion passed 7-0.

**8. Director's Report:**

The Principal Town Planner, Susana Alonso, stated that the next meeting will be on May 4, 2021.

**7. Adjournment:**

There being no further business to come before the Board, the meeting adjourned at 9:08 P.M.



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Robert Julia  
Chairman

Attest:



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Ashley Shepple  
Deputy Town Clerk