

**MINUTES**  
**Planning and Zoning Minutes**  
**June 1, 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 Town Clerk, Gina M. Inguanzo, called the roll with the following Board Members being present: Avelino Leoncio, Fred Senra, Vice Chairperson Lynn Matos, and Chairperson Robert Julia were all present. Board Members Juan Carlos Fernandez, Raul De La Sierra, and Mariam Yanes were absent.

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

Chairperson Julia led the Pledge of Allegiance and the Invocation.

**4. Approval of Minutes:**

- April 6, 2021 Planning and Zoning Meeting minutes

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

**5. Order of Business:**

Chairperson Julia made a motion to change the order of business to hearing first the Flood Prevention Amendment to the Code ordinance, second the Variance Applicant Ernesto Nip, and lastly, Micro-mobility ordinance. Board Member Senra seconded the motion. All were in favor.

**6. Public Comments:**

Brian Palez, neighbor of Ernesto Nip, came before the Board Members, to speak in support of applicant Ernesto Nip's request of the variance.

**7. Business Requiring Board Action:**

**A. Hearing Number:** VARH2021-0256  
**Applicant:** Jay Hazelcorn  
**Folio:** 32-2024-008-0410  
**Location:** 6555 Miami Lakeway South  
Miami Lakes, Florida 33014

This applicant asked for a continuance. The Board Members acknowledge the applicant's request.

**B. Hearing Number:** VARH2021-0295  
**Applicant:** Ernesto Nip  
**Folio:** 32-2021-026-0380  
**Location:** 8800 NW 146 Ln  
Miami Lakes, Florida 33018  
**Zoning District:** RU-1Z

None of the board members had ex-parte communication with the applicant.

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

The Town Clerk, Gina M. Inguanzo, swore in the individuals that were to testimony.

The Principal Town Planner, Susana Alonso, explained the applicant is asking for a variance from Section Sec. 13-1512 to allow a swimming pool with a 5-foot setback, where 7.5 feet are required. Town Staff stated this applicant does not meet the requirements. There is only one letter of support of the applicant, and it was submitted to Town Clerk Gina M. Inguanzo.

The applicant, Ernesto Nip, and his son, explained their reasoning on why they need the setback. The Board Members asked the applicant questions about reducing the size of the

terrace to accommodate for the pool. Mr. Nip stated that he would have to remove the terrace and rebuild.

Chairperson Julia read the letter of support into the record from Mr. Jose Cais, a neighbor of Ernesto Nip.

Vice Chairperson Matos motioned to re-open the public hearing to clarify the dimensions of the backyard and Board Member Leoncio seconded the motion. All were in favor.

Chairperson Julia stated there is a discrepancy in the pool ordinance. Deputy Town Attorney suggested to the Board that they could make a motion to grant the variance based on discrepancy in the pool ordinance and ask the Town Council to re-examine the code.

Chairperson Julia motioned to approve the variance as requested. Board Member Leoncio seconded the motion. All were in favor 4-0.

Chairperson Julia motioned to revisiting pool setbacks in RU-1Z (zero lot line) district to clarify the language in the code. Vice Chairperson Matos seconded the motion. All were in favor 4-0.

## **8. Ordinance**

### **A. Flood Prevention Amendment to the Code**

The Deputy Town Attorney, Lorenzo Cobiella, read the ordinance into the record.

The Principal Town Planner, Susana Alonso, explained she was going to let the Miami Lakes Middle School students present and defend their position regarding the ordinance. She also stated that there minor changes were made by Town staff to their presentation.

Miami Lakes Middle School Center of Civil Leadership students, Jocelyn Hernandez, Mauritius Acosta, Lucia Bring, and Gabriela De la Vega, gave a PowerPoint presentation on ways to improve the Town's stormwater flooding issues. They suggested adopting an amendment to the Land Development Code, which entails lowering the permitted maximum amount of impermeable space. As of right now, the Code states that residents can have a 60/40 percent ratio. The 60% of impermeable space is the maximum allowed, such as pavers or concrete. The 40% is permeable space, such as grass. The students proposed to lower the maximum amount of impermeable space to 50%. Residents could have a maximum to 70%

if they use permeable pavers. Residents will have to landscape the borders of the permeable material with plants that have extensive root system to prevent erosion.

The students and Principal Town Planner, Susana Alonso, answered questions posed by the Board about cost analysis of permeable pavers, defining permeable pavers, the possibility of mixing permeable and impermeable pavers, concerns of eliminating green areas to allow for 70 % of permeable pavers, flood insurance reductions, paver purchasing locations, installation processes, and setbacks.

Board Member Senra made a motion to approve this item and to present it to the Town Council for first reading. However, Board Member Senra mentioned that he would like Town staff to express to the Town Council, the Board's concerns. The concerns are the following: reducing of percentages yard landscaping, adding definitions of permeability rates, adding language regarding installation, permitting particulars, and anything on the actual product. If the Town Council approves the ordinance in first reading, this ordinance will need to be presented again to the Planning and Zoning Board. If approved by the Planning and Zoning Board, the ordinance may move on to second reading with the Town Council and presented to them on the July 13<sup>th</sup> Regular Council Meeting. Vice Chairperson Matos seconded the motion. All were in favor 4-0.

## **B. Micro-mobility**

Chairperson Julia read the ordinance into the record.

The Principal Town Planner, Susana Alonso, introduced Transportation Planning Manager, Mr. Mike Zayas. She stated he is presenting this ordinance for first reading at the next Town Council meeting. It was explained that this item amends the comprehensive plan.

Mr. Zayas explained and answered questions posed by the Board about the ordinance. This ordinance would be for all micro-mobility devices.

Board Member Leoncio made a motion to approve with speed reduction to 10 miles per hour. Vice Chairperson Matos seconded for discussion. The Board Members discussed their concern of using these devices on the sidewalk and that liability should be factor in. The motion passed 3-1; Board Member Senra voted in opposition.

## **9. Director's Report:**

No report.

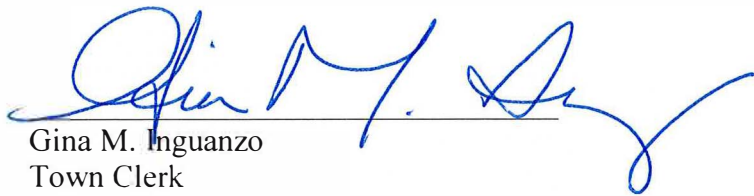
**7. Adjournment:**

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



Robert Julia  
Chairman

Attest:



Gina M. Inguanzo  
Town Clerk