

**MINUTES**  
**Planning and Zoning Minutes**  
**June 7, 2022**  
**6:30 P.M.**  
**Government Center**  
**6601 Main Street, Miami Lakes, FL 33014**

**1. Call to Order:**

Vice Chairwoman Lynn Matos called the meetings to order at 6:30 p.m.

**2. Roll Call:**

The following Board Members were present: Avelino Leoncio, Raul De La Sierra, Juan Carlos Fernandez, and Vice Chairperson Lynn Matos. Board Member Mariam Yanes was present via Zoom. Board Member Fred Senra and Chairperson Robert Julia were absent.

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

Vice Chairperson Lynn Matos led the Pledge of Allegiance and Moment of Silence.

**4. Approval of Minutes:**

- March 1, 2022, Planning and Zoning Board Meeting Minutes
- May 3, 2022, Local Planning Agency Workshop on Signage Minutes

Board Member De La Sierra motioned to approve the March 1, 2022, Planning and Zoning Board Meeting Minutes and Board Member Leoncio seconded the motion. All were in favor and the motion passed 5-0 with Board Member Senra and Chairman Julia absent.

Board Member De La Sierra motioned to approve the May 3, 2022, Local Planning Agency Workshop in Signage Minutes and Board Member Leoncio seconded the motion. All were in favor and the motion passed 5-0 with Board Member Senra and Chairman Julia absent.

**5. Public Comments:**

There were no public comments via zoom or in-person in Council Chambers.

## 6. Business Requiring Board Action

### a. VARH2021-0032

**HEARING NUMBER:** VARH2021-0032  
**APPLICANT:** 8818 NW 169 LLC  
**FOLIO:** 32-2016-001-1770  
**LOCATION:** 8818 NW 169 TER  
MIAMI LAKES, FLORIDA 33018  
**ZONING DISTRICT:** RU-1

Deputy Town Attorney, Lorenzo Cobiella, read the quasi-judicial rules and variance into the record.

Deputy Town Clerk, Victoria Martinez, swore in the individuals that would be providing testimony which include Principal Town Planner, Susana Alonso and the applicant, Mr. David Kesserman.

Principal Town Planner, Susana Alonso explained when this was first presented there was no sufficient ownership. The applicant is now requesting a variance to allow for an existing accessory building that was built without a permit which has a 2.3ft side setback on the rear yard where 5ft is needed. The applicant is also requesting an after the fact approval of a 5-sqft accessory building that contains a bathroom located within the required rear yard of a single-family home. Staff is recommending denial as it does not meet conditions for practical difficulty required by the code.

The applicant, Mr. Kesserman then explained he was unaware of any existing violations on the property when entering into contract and was only made aware after coming into township. However, he agreed to go forward and try to obtain approval.

The Planning and Zoning Board Members then posed questions to the applicant and Town Staff regarding the property's accessory structure built without a permit as well as the evidence submitted in the previous owner's hearing. Mr. Kesserman added he has no evidence or letters in support of the accessory building however, he stated the previous owner claims to have letters.

The Deputy Town Clerk, Victoria Martinez, swore in Mr. Ulises Ruiz, the former owner, to provide testimony.

Mr. Ruiz explained that while he was the owner of the property, he received a few violations in which he worked with the Building Department to take care of them. As for the accessory bathroom, he had to apply for a variance to handle the violation which transferred to the new owner Mr. Kesserman. Mr. Ruiz also stated that he provided all letters of support to Mr. Kesserman as well as Town Staff at the January hearing.

Board Member De La Sierra made a motion to reopen the hearing and Board Member Fernandez seconded. All were in favor and the motion passed 5-0 with Board Member Senra and Chairman Julia absent.

Board Members then posed follow up questions to the applicant, Mr. Kesserman for clarification purposes.

Board Member De La Sierra motioned to follow Town Staff's recommendation to deny the variance and Board Member Leoncio seconded. The Deputy Town Clerk, Victoria Martinez, called the roll and the motion passed 5-0 with Board Member Senra and Chairman Julia absent.

The Planning and Zoning Board took a break at 7:16PM and reconvened at 7:18PM.

**b. Sign Ordinance (Dieguez)**

Deputy Town Attorney, Lorenzo Cobiella, read the title of the Ordinance into the record.

Principal Town Planner, Susana Alonso, mentioned to the Board Members that the section regarding violations from Article IX titled 'Signs' will be removed as the existing code regarding violations will be used. She also clarified to the Board Members how Section 13-1903.1.3 (d) and (i) as well as Section 13-1903.1.5 will be written in the final version.

Board Members asked for clarification regarding time limitation of permits, responsibility for signs, flags, and temporary political campaign signs in which Ms. Alonso provided answers. Board Members also discussed the section in reference to temporary signs and spoke about whether or not it should be two or more permits for the same premise within a calendar year.

Board Member Yanes made a motion to increase the number of permits from two to three and Board Member De La Sierra seconded. The Deputy Town Clerk, Victoria Martinez, called the roll and the motion passed 5-0 with Board Member Senra and Chairman Julia absent.

After speaking about temporary signs for construction, Board Member De La Sierra made a motion to add the wording "these signs may be subject to building department's review" to Section 13-1903 and Board Member Fernandez seconded. The Deputy Town Clerk, Victoria Martinez, called the roll and the motion passed 5-0 with Board Member Senra and Chairman Julia absent.

Board Member De La Sierra made a motion not to exceed 40 square feet and strike out the one square foot per three linear feet within Section 13-1903.1.3 and Board Member Yanes seconded. The Deputy Town Clerk, Victoria Martinez, called the roll and the motion passed 5-0 with Board Member Senra and Chairman Julia absent.

With respect to banners, Board Member Fernandez made a motion for discussion purposes to change Section 13-1903.1.5 (b) to the number of permits from one to two per calendar year at 14 days. The Board then discussed the number of temporary banners and the sizing.

Board Member Fernandez then amended his motion to allow for two permits per calendar year at 14 days each with a maximum area size of 80 square feet. Vice Chairperson Matos made a friendly amendment to include the phrase “not to exceed 14 days” to Board Member Fernandez’s motion and Board Member De La Sierra seconded.

After further discussion, Board Member Yanes made an amendment to the motion on the table, to allow for two temporary banners per six months, per property, not to exceed 14 days with a maximum area size not to exceed 80 square feet. Board Member Fernandez seconded the motion. The Deputy Town Clerk, Victoria Martinez, called the roll and the motion passed 5-0 with Board Member Senra and Chairman Julia absent.

Vice Chairperson Matos called for a five-minute recess at 8:16PM as quorum was broken and once quorum was met, the Board reconvened at 8:18PM.

Board Members then discussed the section pertaining to vacant storefront covers and signs and Board Member De La Sierra added he would like to see it state, “storefronts that are visible by the public,” and Ms. Alonso took note of the change.

**7. Director’s Report**

None.

**8. Adjournment**

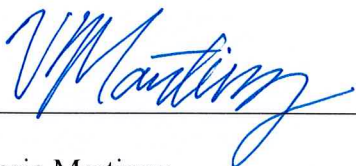
Board Member De La Sierra made a motion to adjourn the meeting and Vice Chairperson Matos seconded the motion. All were in favor and the motion passed 5-0 with Board Member Senra and Chairman Julia absent.

There being no further business to come before the Board, the meeting adjourned at 8:25 p.m.



Robert Julia  
Chairperson

Attest:



Victoria Martinez  
Deputy Town Clerk