

**MINUTES**  
**Planning and Zoning Minutes**  
**January 3, 2023**  
**6:30 P.M.**  
**Government Center**  
**6601 Main Street, Miami Lakes, FL 33014**

**1. Call to Order:**

Vice Chairperson Lynn Matos called the meetings to order at 6:39 p.m.

**2. Roll Call:**

The following Board Members were present: Juan Carlos Fernandez, Robert Julia, Avelino Leoncio, and Vice Chairperson Lynn Matos.

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

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

**4. Approval of Minutes:**

- August 2, 2022, Planning and Zoning Board Meeting Minutes

Board Member Julia motioned to approve the minutes and Board Member Leoncio seconded the motion. All were in favor and the motion passed 4-0.

**5. Public Comments:**

None.

**6. Business Requiring Board Action**

**a. VARH2022-0557**

<b>HEARING NUMBER:</b>	<b>VARH2022-0557</b>
<b>APPLICANT:</b>	<b>Richard and Angelica Yanez</b>
<b>FOLIO:</b>	<b>32-2023-010-0210</b>
<b>LOCATION:</b>	<b>14431 Rosewood Rd</b> <b>Miami Lakes, Florida 33014</b>
<b>ZONING DISTRICT:</b>	<b>RU-1</b>

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, Transportation Coordinator Olivia Shock, and the applicant Richard and Angelica Yanez.

Board Member Leoncio disclosed his ex-parte communication in which he spoke to the applicant.

Transportation Coordinator, Oliva Shock presented on behalf of the Planning Department and stated that the applicants are requesting a variance to build a pool on their property with a 2ft encroachment beyond the tie line, leading waterfront towards Lake Martha. The applicants are proposing a 312 sq ft pool in the rear yard of their single-family home and seeing as the Land Development Code does not permit pools or decks beyond the tie line, they are requesting a variance to extend 2ft. Their proposal is the minimal encroachment necessary to build a pool on this property.

Transportation Coordinator, Ms. Shock added that after looking at the 7 variables considered when granting a variance, the applicants met 6 of the 7 variables. The only one not met at the time the Staff Report was written was having letters of support from adjacent property owners, however the applicants brought the letters of support with them to this meeting and therefore complied with all 7 variables. Ms. Shock then stated that Town Staff recommends in favor of the approval of the variance.

The applicant, Mr. Yanez stated that as for the 7<sup>th</sup> criteria, he took the contractor's sketch of the pool and provided it to various neighbors, including one across the lake. He wrote a general statement to approve or deny the pool and all neighbors signed the document approving the pool. He then introduced, as evidence, the letters of support to Deputy Town Attorney Cobiella who then circulated them to the Board Members.

Vice Chairperson Matos and Board Member Julia posed questions to the applicant regarding the letters of support and the property in which Mr. Yanez answered.

Board Member Fernandez then asked Principal Town Planner, Susana Alonso if there will be a negative effect on the view for neighbors and she stated most likely no. Ms. Alonso added that the change in height of the proposed deck and the adjacent grade is little and may look like a step. She also mentioned that the landscaping condition is contingent to inspection.

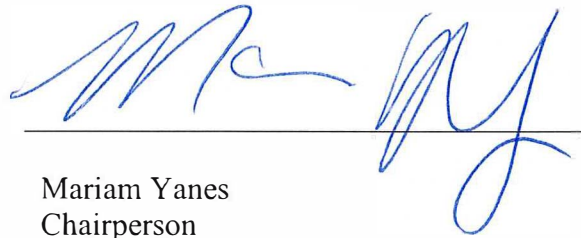
Board Member Julia then made a motion to proceed with Town Staff recommendations and approve the variance. Board Member Fernandez seconded. The Deputy Town Clerk called the roll and the motion passed 4-0.

**7. Director's Report**

Principal Town Planner Susana Alonso informed the Board Members that there will be no meetings for the months of February, June, July or December due to conflicts with Town Council Meetings.


**8. Adjournment**

There being no further business to come before the Board, the meeting adjourned at 7:00 p.m.



Mariam Yanes  
Chairperson

Attest:



Victoria Martinez  
Deputy Town Clerk