



TOWN OF MIAMI LAKES, FLORIDA

MINUTES
PLANNING & ZONING BOARD MEETING
September 15, 2009
6:30 PM
Miami Lakes Middle School
6425 Miami Lakeway North
Miami Lakes, Florida 33014

1. **Call to Order:** Chairman Tom McGrath called the meeting to order at 6:33 p.m.
2. **Roll Call:** Town Clerk, Marjorie Tejeda, called the roll with the following Board Members present: Ameli Padron-Fragetta, Pedro Carballo, Armando Valdez, Humberto Garcia, Raul De La Sierra, Sean Schwinghammer, and Tom McGrath.
3. **Pledge of Allegiance/Moment of Silence:** Chairman McGrath led the Pledge of Allegiance and called for a moment of silence.

4. **Approval of Minutes**

(1) Zoning Meeting, August 4, 2009

Town Clerk, Marjorie Tejeda, revised the wording of item 6(1) of the August 4, 2009 minutes.

Board Member Padron-Fragetta made a motion to approve the minutes as revised. The motion received a second from Board Member Schwinghammer and all were in favor.

5. **Old Business:** No old business.
6. **Business Requiring Board Action**

QUASI-JUDICIAL PUBLIC HEARINGS – Please be advised that the following items on the Board’s agenda are quasi-judicial in nature. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All

testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Board to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Any person presenting documents to the Board should provide the Town Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk.

Town Attorney, Kathy Mehaffey, read the quasi-judicial reading into the record. The Town Clerk swore in anyone wishing to speak.

(1) Hearing Number: PZHA-09-08

Applicant: Armando Godinez and Eugenia M. Godinez

Folio: 32-2015-017-0870

Location: 16705 NW 86 Court, Miami Lakes, FL 33014

Mr. Ofstein presented staff's recommendation and answered questions posed by the Board.

Jason Godinez, the applicant's son, spoke in favor of the variance and answered questions posed by the Board.

Chairman McGrath opened the public hearing.

Juan Carlos Valiente spoke in favor of the variance.

Chairman McGrath closed the public hearing.

Board Member Schwinghammer made a motion to approve variance requests 1 and 2, and deny the remaining requests. The motion received a second from Board Member Padron-Fragetta.

Board Member Schwinghammer withdrew his motion.

Board Member Schwinghammer made a motion to approve requests 1 and 2. The motion received a second from Board Member Padron-Fragetta. The Town Clerk called the roll and all were in favor.

Board Member Schwinghammer made a motion to deny requests 3, 4, and 5. The motion received a second from Board Member Padron-Fragetta. The Town Clerk called the roll and the motion failed 2-5 with Board Members Padron-Fragetta and Schwinghammer voting in favor of the motion to deny.

Board Member De La Sierra made a motion to approve requests 3, 4, and 5. The motion received a second from Board Member Carballo.

Board Member De La Sierra withdrew his motion.

Board Member De La Sierra made a motion to table requests 3, 4, and 5 to the October 20, 2009 Planning and Zoning Board Meeting. The motion received a second from Board Member Carballo. Board Member Valdez stated that he will not be present on October 20, 2009. Board Member De La Sierra withdrew his motion.

Chairman McGrath called for a 5 minute recess.
The Chairman called the meeting to order.

Board Member De La Sierra made a motion to table requests 3, 4, and 5 to October 5, 2009 at 6:30 p.m. at Town Hall. The motion received a second from Board Member Schwinghammer. The Town Clerk called the roll and the motion passed 5-2 with Board Members Padron-Fragetta and Carballo voting in opposition.

7. Director's Report: No report.

8. Future Meetings

October 20, 2009 Planning & Zoning Board Meeting, 6425 Miami Lakeway N, 6:30 PM
November 17, 2009 Planning & Zoning Board Meeting, 6425 Miami Lakeway N, 6:30 PM

9. Adjournment: There being no further business to come before the Board, the meeting adjourned at 9:25 p.m.

Approved this _____ day of _____, 2009.

Thomas McGrath, Chairman

Attest:

Marjorie Tejeda, Town Clerk