



TOWN OF MIAMI LAKES, FLORIDA

MINUTES
PLANNING & ZONING BOARD MEETING
March 16, 2010
6:30 PM
Royal Oaks Park Community Center
16500 NW 87 Avenue
Miami Lakes, Florida 33018

1. **Call to Order:** Chairman Tom McGrath called the meeting to order at 6:42 p.m.
2. **Roll Call:** The Deputy Town Clerk, Sandra Novoa, called the roll with the following Board Members present: Pedro Carballo, Raul De La Sierra, Humberto Garcia, Vice Chairman Sean Schwinghammer, and Chairman Tom McGrath. Board Member Ameli Padron-Fragetta was absent.
3. **Pledge of Allegiance/Moment of Silence:** Chairman Tom McGrath led the Pledge of Allegiance and called for a moment a silence.
4. **Approval of Minutes:** Board Member Schwinghammer made a motion to approve the February 16, 2010 minutes. The motion received a second from Board Member De La Sierra and all voted 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 procedures. Deputy Town Clerk, Sandra Novoa, swore in anyone wishing to speak.

(A) Hearing Number: PZHA-09-12
Applicant: Alexis Alba
Folio: 32-2021-014-0150
Location: 9062 NW 146 Terrace, Miami Lakes 33018

Board Member Padron-Fragetta arrived at 6:50 p.m.

Request # 1: Applicant gave a presentation and provided the Board with a petition and pictures for the record.

Vice Chairman Schwinghammer made a motion to approve with the following conditions: Four (4) feet along the east property line has to be removed and leave one (1) foot on rear set back. The motion received a second from Board Member Padron-Fragetta and all voted in favor.

Request #2: Vice Chairman Schwinghammer made a motion to approve the variance. The motion received a second from Board Member De La Sierra. The motion failed 2-4 with the following Board Members voting in favor: Raul De La Sierra, Pedro Carballo, Vice Chairman Sean Schwinghammer and Chairman Tom McGrath. Board Members Ameli Padron-Fragetta and Humberto Garcia voted in opposition. Due to the Practical Difficulty Criteria, the variance must receive a super majority vote.

Request #3: Board Member Padron-Fragetta made a motion to deny the variance. Motion died due to lack of second.

Board Member De La Sierra made a motion to approve allowing whatever overage is necessary to comply with variance #1. The motion received a second from Vice Chairman Schwinghammer. The motion passed 5-1 with Board Member Padron-Fragetta voting in opposition.

Request #4: Vice Chairman Schwinghammer made a motion to approve one (1) foot on set back and allow whatever overage is necessary to comply with approved variances. The motion received a second from Board Member Carballo. The motion passed 5-1 with Board Member Padron-Fragetta voting in opposition.

Request #5: Board Member De La Sierra made a motion to deny the variance. The motion received a second from Board Member Carballo and all were in favor.

(B) Planning and Zoning Board Annual Report 2009

Board Member De La Sierra made a motion to approve the 2009 Planning and Zoning Board Annual Report. The motion received a second from Board Member Carballo and all were in favor.

7. Director's Report

8. Future Meetings

April 20, 2010 Planning & Zoning Board Meeting, Royal Oaks Park Community Center, 16500 NW 87th Avenue, 6:30 PM

May 18, 2010 Planning & Zoning Board Meeting, Royal Oaks Park Community Center, 16500 NW 87th Avenue, 6:30 PM

9. Adjournment: There being no further business to come before the Board, the meeting adjourned at 8:05 p.m.

Approved this 20 day of April, 2010



Tom McGrath
Chairman

Attest:



Marjorie Tejada
Town Clerk