

TOWN OF MIAMI LAKES, FLORIDA

MINUTES

PLANNING AND ZONING BOARD MEETING

February 19, 2013

6:30 p.m.

Royal Oaks Park Community Center

16500 NW 87th Avenue Miami Lakes, FL 33018

1. CALL TO ORDER:

Vice Chairman Pedro Carballo called the meeting to order at 6:40 p.m.

2. ROLL CALL:

The Town Attorney sworn-in the new Board Members, Fred Senra and Avelino Leoncio.

Amber Riviere, Interim Planning and Zoning Director, called the roll with the following Board Members present: George Lopez, Ameli Padron-Fragetta, Lorenzo Cobiella, Pedro Carballo, Avelino Leoncio and Fred Senra. Raul de la Sierra was absent.

The Town Attorney stated for the record that the prior Chairman is no longer a member of the Board and explained that the Board members had to conduct an election for a new Chairman. Board Member Senra nominated George Lopez. No other nominations took place. Board Member Padron-Fragetta moved to close the nomination and it received a second by Board Member Cobiella. The motion passed 6-0. Board Member De La Sierra was absent.

3. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:

Vice Chairman Carballo led the Pledge of Allegiance and called for a moment of silence.

4. 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, Joe Gellar, read the Quasi-Judicial Procedures into the record.

Chairman Lopez made a motion to defer the selection of a new Vice Chairman to the next Planning & Zoning Board Meeting. It received a second from Board Member Padron-Fragetta and the motion passed 6-0. Board Member De La Sierra was absent.

Board Member Cobiella made a motion to reconsider item VARH2012-0011 and to bring it back to the next Planning & Zoning Board Meeting. Chairman Lopez seconded the motion. The motion passed 4-2. Board Member Padron-Fragetta and Board Member Carballo voted in opposition. Board Member De La Sierra was absent.

A. HEARING NUMBER: VARH2013-0001
APPLICANT: McDonalds USA, LLC FOLIO: 32-2023-016-0020
LEGAL DESCRIPTION: A portion of Tract "A", of Miami Lakes Cypress Shopping Plaza, according to the Plat thereof, as recorded in Plat Book 92 at Page 54
LOCATION: 7435 Miami Lakes Drive, Miami Lakes, FL 33014
ZONING DISTRICT: BU-2

The Town Attorney sworn in anyone wishing to speak.

Brandon Schaad, Senior Planner, presented the item and answered questions posed by the Board.

Chairman Lopez opened the public hearing.
Applicant, Craig McDonalds spoke in support of the item.
A letter in opposition of the item was handed to the Board Members.
There being no one else wishing to speak, the Chairman closed the public hearing.

Board Member Padron-Fragetta made a motion to approve the variance according to staff's recommendations and conditions. The motion received a

second from Vice Chairman Carballo. The motion passed 6-0. Board Member Raul de la Sierra was absent.

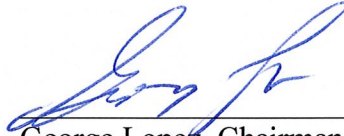
5. DIRECTOR'S REPORT:

No Director's Report.

6. ADJOURNMENT:

There being no further business to come before the Board, Board Member Padron-Fragetta made a motion to adjourn and it was seconded by Chairman George Lopez.

Approved this 19 day of March, 2013.


George Lopez, Chairman

Attest:


Marjorie Tejada-Castillo, Town Clerk