

## MINUTES

### PLANNING AND ZONING BOARD MEETING

March 19, 2013

6:30 p.m.

Royal Oaks Park Community Center

16500 NW 87th Avenue Miami Lakes, FL 33018

1. CALL TO ORDER:

Chairman George Lopez called the meeting to order at 6:38 p.m.

2. ROLL CALL:

Deputy Town Clerk, Gina Inguanzo, called the roll and the following Board Members were present: Ameli Padron-Fragetta, Raul de la Sierra, Fred Senra, Lorenzo Cobiella, Pedro Carballo and Chairman George Lopez. Avelino Leoncio was absent.

3. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:

Chairman Lopez 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.

A. HEARING NUMBER: VARH2012-0001  
APPLICANT: Alexis Cazañas  
FOLIO: 32-2015-018-0570LEGAL  
DESCRIPTION: LOT 15, BLOCK 6 OF ROYAL LAKES  
FIRST ADDITION, PLAT BOOK 137, PAGE 52ZONING  
DISTRICT: RU-1

The Town Attorney, Joseph Gellar, read the quasi-judicial procedures into the record.

Deputy Town Clerk swore in anyone wishing to speak.

Chairman Lopez provided to the Deputy Town Clerk an Ex-Parte Communication Disclosure Form, dully signed by him, documenting the phone conference he held with Ms. Amber Riviere on the afternoon of March 19, 2013, regarding an email from Mr. Sergio Campos, concerning VARH 2012-0011 and VARH2013-0002. A copy of said e-mail was also provided to the Deputy Town Clerk and the Town Attorney read it into the record.

Brandon Schaad, Senior Planner of the Town of Miami Lakes, presented the item and answered questions posed by the Board.

Amber Riviere, Interim Planning and Zoning Director, answered questions posed by the Board.

Chairman Lopez opened the public hearing.

Lourdes Corvo Jelinic spoke in opposition of this item.

Jerry J. Jelinic spoke in opposition of this item.

Cesar A. Lopez spoke in opposition of this item.

Sergio Campos spoke in opposition of this item.

Applicant spoke in favor of this item.

There being no one wishing to speak, the public hearing was closed.

Chairman Lopez made a motion to approve the variance according to staff's recommendations and conditions. The motion was seconded by Board Member De La Sierra. The Deputy Town Clerk called the roll and the motion passed 4-2. Board Member Padron-Fragetta and Vice Chairman Carballo voted in opposition of the motion. Board Member Avelino Leoncio was absent.

B. HEARING NUMBER: VARH2013-0002  
APPLICANT: Anthony Ditizio  
FOLIO: 32-2015-012-0710  
LEGAL DESCRIPTION: Lot 5, Block 25, 6th addition to Royal Oaks  
according to the Declaration of Restrictive Covenants as recorded in

official record book 133 page 31 of the Public Records of Miami Dade  
County, Florida  
LOCATION: 8200 NW 163 Street, Miami Lakes, FL 33016ZONING  
DISTRICT: RU-1

Brandon Shaad presented the item and answered questions posed by the Board.

Chairman Lopez opened the public hearing.

Sergio Campos spoke in opposition of this item.

Humberto Garcia spoke in support of the Town's Code, about the meaning of the grandfather's clause and congratulated the new Planning & Zoning Board Members.

Chairman Lopez made a motion to defer this item for the next meeting. The motion received a second from Board Member De La Sierra. The Deputy Town Clerk called the roll and all were in favor. Board Member Leoncio was absent.

- C. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING SECTION 13-1509. - FENCES, WALLS AND GATES, AND SECTION 13-1701. - LANDSCAPE REQUIREMENTS, OF THE CODE OF THE TOWN OF MIAMI LAKES; AMENDING THE RESTRICTIONS AS TO PERIMETER WALLS AND FENCES AND PERIMETER HEDGES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Mestre / Rodriguez)

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

Chairman Lopez opened the public hearing.

There being no one else wishing to speak, the Chairman closed the public hearing.

Chairman Lopez made a motion for Council to re-visit and re-look the 1.5 requirement with hedge, so that it does not create a zig-zag effect. The motion received a second by Board member De La Sierra. Deputy Town Clerk called the roll and all were in favor.

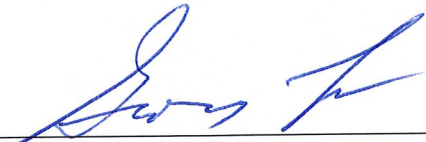
5. DIRECTOR'S REPORT:

No Director's Report.

6. ADJOURNMENT:

There being no further business to come before the Board, the meeting adjourned at 8:20 p.m.

Approved this 16th day of April, 2013.

  
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George Lopez, Chairman

Attest:

  
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Marjorie Tejada-Castillo, Town Clerk