

MINUTES
PLANNING & ZONING BOARD MEETING
October 20, 2015
6:00 p.m.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1.Call to Order

Chairman Robert Julia called the meeting to order at 6:16 p.m.

2.Roll Call

The Town Clerk, Gina Inguanzo, called the roll and the following Board Members were present: Avelino Leoncio, Ameli Padron-Fragetta, Homero Cruz, Vice Chairman Fred Senra and Chairman Robert Julia.

Board Member Raul de la Sierra and Board Member Jeffrey Rodriguez were absent.

3.Pledge of Allegiance/Moment of Silence

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

4.Approval of Minutes

A.Minutes for September 22, 2015 Planning and Zoning Board Meeting

Board Member Homero Cruz made a motion to approve the minutes. The motion received a second from Board Member Ameli Padron-Fragetta. The motion passed 5-0.

5.Business Requiring Board Action

Assistant Town Attorney, Haydee Sera read the Quasi-Judicial Procedures.
The Town Clerk swore in anyone wishing to speak.

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. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING ARTICLE IV, DIVISION 3, SECTION 13-444, DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Brandon Schaad, Planning Director for the Town of Miami Lakes presented the item and answered questions posed by the Board.

Chairman Julia opened the public hearing.

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

Board Member Leoncio made a motion to deny the Amended Ordinance as it is, and to modify it as to what the Board had approved last year, which is, if you have to replace either the roof or the air condition unit, the screen enclosure would have to be replaced with a code approved enclosure, unless the screen enclosure is ok.

The Town Clerk called the roll and the motion passed 5-0. Board Member De La Sierra and Board Member Rodriguez were absent.

B. HEARING NUMBER: VARH2015-0013

APPLICANT: Sara Bustamente

FOLIO: 32-2024-008-0520

LEGAL DESCRIPTION: Lot 44, Block 13, Miami Lakes Section 3, PB 78, PG 47

LOCATION: 14565 English Rd., Miami Lakes, Florida 33014

Stacy Allen, Planning Technician of the Town of Miami Lakes and Brandon Schaad, Planning Director for the Town of Miami Lakes presented the item and answered questions posed by the Board. Mrs. Allen stated that she received a letter of opposition regarding the variance.

Chairman Julia opened the public hearing.

Sara Bustamente, the applicant, spoke in favor of the variance.

Carlos Garcia spoke in favor of Applicant's variance permit request.

Charles Tumelty, spoke in favor of three requested variances and in opposition of allowing a fence to extend down the slope from the end of the patio, which would be in clear violation of the zoning code.

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

A recess was taken at 7:31 pm and the Board reconvened at 7: 41 pm. The Town Clerk called the roll and the following Board Members were present: Avelino Leoncio, Ameli Padron-Fragetta, Homero Cruz, Vice Chairman Fred Senra and Chairman Robert Julia.

Board Member Raul de la Sierra and Board Member Jeffrey Rodriguez were absent.

Board Member Leoncio made a motion to approve variance requests 1, 2, 3 as recommended by staff and to deny variance request 4. The motion was seconded by Board Member Padron-Fragetta. The Town Clerk called the roll and the motion passed 5-0.

C.HEARING NUMBER: VARH2015-014

APPLICANT: Jennifer Garcia-Barbon

FOLIO: 32-2023-004-014

LEGAL DESCRIPTION: Lot 1, Block 26 of Miami Lakes Section 5, according to the plat thereof, as recorded in Plat Book 79 at Page 81 og ther Public Records of Miami-Dade County, Florida.

LOCATION: 6901 Silver Oaks Drive, Miami Lakes, Florida 33014

Stacy Allen, Planning Technician of the Town of Miami Lakes and Brandon Schaad, Planning Director for the Town of Miami Lakes presented the item and answered questions posed by the Board. Mrs. Allen stated that she received a letter of opposition regarding the variance.

Chairman Julia opened the public hearing.

Jennifer Garcia-Barbon, the Applicant, spoke in favor of the Variance requests.

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

Board Member Leoncio made a motion to accept staff's recommendation but conditioned to the Applicant providing a landscaping plan regarding the street side of the fence as approved by the Town, and that the landscaping plan must be approved by the Administrative Official, prior to the final zoning inspection. The motion was seconded by Board Member Padron-Fragetta. The Town Clerk called the roll and the motion passed 5-0.

6. Director's Report

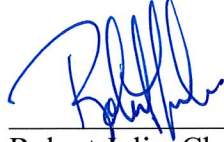
On the September 22nd Planning & Zoning Meeting, there was a variance application for VARH2015-0012 at 8893 NW 163rd Terrace, in which the Board passed most of the requests and elected to defer the question of the fence. The survey showed that the fence was drawn directly on the property line. The variance request was brought to the Board under that application that it was drawn on the property line and the presentations of the owner that it was in fact his fence. After the meeting, we were able to clarify with the surveyors that it was in the neighboring property. So there is no

additional variance on that property for the Board to consider.

7. Adjournment

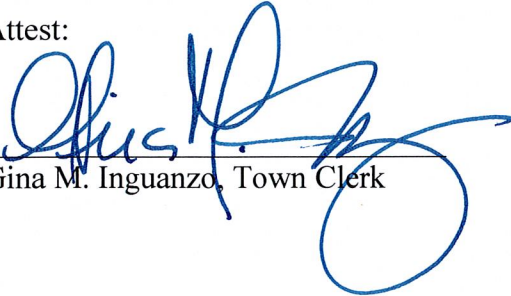
There being no further business to come before the Board, the meeting adjourned at 8:15 p.m.

Approved this 20th day of October, 2015.



Robert Julia, Chairman

Attest:



Gina M. Inguanzo, Town Clerk