

**MINUTES**  
**Planning and Zoning Minutes**  
**April 2, 2024**  
**6:30 P.M.**  
**Government Center**  
**6601 Main Street, Miami Lakes, FL 33014**

**1. Call to Order:**

Deputy Town Attorney, Lorenzo Cobiella, called the meeting to order at 6:32 p.m.

The following Board Members were present: Raul De La Sierra, Avelino Leoncio, Vice Chairperson Fred Senra, and Chairperson Juan Carlos Fernandez. Board Member Robert Julia arrived at 6:52pm.

**2. Pledge of Allegiance/Moment of Silence:**

Chairperson Fernandez led the Pledge of Allegiance and Moment of Silence.

**3. Approval of Minutes:**

- March 5, 2024, Planning and Zoning Board Meeting Minutes

Board Member De La Sierra motioned to approve the minutes and Vice Chairperson Senra seconded. The motion passed 4-0; Board Member Julia was absent.

After the approval of minutes, Chairperson Fernandez made a motion to move the order of the variances. Vice Chairperson Senra seconded. The motion passed 4-0; Board Member Julia was absent.

**4. Public Comments:**

None.

**5. Business Requiring Board Action**

The Deputy Town Clerk, Victoria Martinez, swore in all the individuals that would be providing testimony for any of the quasi-judicial items being presented.

**a. VARH2024-0084**

**HEARING NUMBER:** VARH2024-0084  
**APPLICANT:** A&L Rodriguez Diaz VI, LLC  
**FOLIO:** 32-2023-005-0270  
**LOCATION:** 14010 Cypress Ct  
MIAMI LAKES, FLORIDA 33014  
**ZONING DISTRICT:** RU-1

Board Member Leoncio recused himself from this item and filled out a disclosure form.

Deputy Town Attorney Lorenzo Cobiella read the hearing number into the record and the quasi-judicial rules.

Transportation Coordinator, Oliva Shock, presented the staff report on behalf of the Town and explained that the applicant is seeking two variances; one is to allow a swimming pool to encroach 14'-1" waterward of the top of slope or tie line and the other is to allow a swimming pool to encroach the top of slope or tie line. She stated that staff is currently recommending denial for this proposal as they do not comply with any of the variance criteria except for item D.

Board Member De La Sierra asked if additions are also being done at this property or are rooms being added and Transportation Coordinator Shock stated that they are currently undergoing an addition on the home.

The applicant, Mr. Andres Rodriguez Diaz, submitted letters of support into the record.

Chairperson Fernandez then asked if he would be compliant with two criteria and Transportation Coordinator Shock stated that is correct, he would now be compliant with A as well.

The applicant, Mr. Andres Rodriguez Diaz, presented and stated that they are doing an addition to the house to bring it up to date and he would like to have the pool to have some distance from the house.

After discussion, Board Member Julia then asked if the paving around the pool does not need a variance and Town Planner Alonso stated it is not an additional variance because it is less than 225 sq ft and less than 18 inches above grade.

There being no further questions for the applicant, the Board Members and staff discussed amongst themselves.

Chairperson Fernandez stated he would be open for discussion, to see if they can come up with a variance to allow him to go into a few feet but pull it back a little bit.

Board Member Julia made a motion to accept the variance with 9ft encroachment to allow flexibility. Board Member De La Sierra seconded for discussion.

Chairperson Fernandez stated that sounds reasonable so the applicant can choose whether or not they want to continue that same layout or turn it. Board Member De La Sierra added that

he would be more in favor of 12ft because 9ft would be short. Board Member Julia stated he would accept a friendly amendment.

After discussion, Board Member De La Sierra made a friendly amendment that instead of 9ft, to make it 12ft.

After discussion, Board Member De La Sierra then restated and made a friendly amendment that instead of 9ft, to allow the applicant a 12ft encroachment past the tie line. Board Member Julia accepted the friendly amendment and seconded the motion. The Deputy Town Clerk called the roll on the amendment, and the motion passed 4-0; Board Member Leoncio was recused.

On the main motion, the Deputy Town Clerk called the roll and the motion passed 4-0; Board Member Leoncio was recused.

The Board Members then clarified to the applicant the approved variance.

**b. VARH2024-0106**

**HEARING NUMBER: VARH2024-0106**  
**APPLICANT: Juan C Gonzalez**  
**FOLIO: 32-2015-011-0380**  
**LOCATION: 16453 NW 83rd PL**  
**MIAMI LAKES, FLORIDA 33016**  
**ZONING DISTRICT: RU-1**

Deputy Town Attorney Lorenzo Cobiella read the hearing number into the record and the quasi-judicial rules.

Transportation Coordinator, Oliva Shock, presented the staff report on behalf of the Town and explained that the applicant is seeking to allow a canopy to project 18 feet into the rear yard where a maximum of 7 feet is allowed. She stated that staff recommends approval with conditions, the conditions being that the approval is substantially consistent with the mentioned plans and that no other accessory structure be permitted on the lot after the fact. She added that the applicant complies with items A, B, C, and D and they do not comply with items E, F, and G on the staff report.

After discussion regarding the application, the applicant, Mr. JC Gonzalez stated that he believes staff is recommending the variance and the setback is to the column.

After further discussion, Board Member De La Sierra made a motion to approve it as per the staff's recommendation. Chairperson Fernandez seconded. The Deputy Town Clerk called the roll and the motion passed 4-0; Board Member Julia was absent.

Principal Town Planner, Susana Alonso, suggested that at the next hearing they should discuss recommending to the Town Council to amend the language in this section of the code. Town Attorney, Raul Gastesi stated that the ordinance needs work, and it is vague, and could be interpreted in different ways. He added that he will bring something next month for them to review.

Chairperson Fernandez then asked to have a five minute recess to allow Board Member Julia time to arrive for the hearing of the next item. After five minutes, Chairperson Fernandez called the meeting back to order.


## 6. Director's Report

Principal Town Planner, Susana Alonso advised the Board that there will be no Planning & Zoning Board Meeting for the month of May. She added that the next meeting will be in June.

## 7. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 7:20 p.m.

Approved this 4<sup>th</sup> day of June 2024.



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Juan Carlos Fernandez  
Chairperson

Attest:



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Victoria Martinez  
Deputy Town Clerk