

MINUTES
Planning and Zoning Minutes
October 1, 2024
6:30 P.M.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1. Call to Order:

Chairman Avelino Leoncio called the meeting to order at 6:37 pm.

The following Planning & Board Members were present: Board Member Alejandro Sanchez, Board Member Robert Julia, Board Member Raul de la Sierra and Chairman Avelino Leoncio; Board Member Fred Senra was absent.

The following Town Staff members were present: Town Clerk Gina M. Inguanzo and Principal Town Planner Susana Alonso. Deputy Town Attorney Lorenzo Cobiella participated via zoom.

2. Pledge of Allegiance/Moment of Silence:

None.

3. Approval of Minutes:

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

4. Public Comments:

(Phonetic spelling of each speaker's name will be used throughout the minutes unless correct spelling is known.)

The Town Clerk welcomed the members of the public that attended the physical meeting and welcomed the public that attended the meeting virtually.

There being no public comments, the public comments section of the agenda was closed.

5. Business Requiring Board Action

The Town Clerk read the Quasi-Judicial Public Hearings Instructions into the record for case 5A and 5B and she also read the hearing numbers of all items coming before the Board and asked the Board Members to disclose their Ex-Parte Communications.

A. Zone 2024-0162 Amending the Official Zoning Map to rezone a property into two tracts: From GU to RU-1

HEARING NUMBER: ZONE2024-0162
APPLICANT: PETER PHILIPPOU PANAYI & SOUFIANE NAJI
FOLIO: 32-2023-001-0473 & 32-2023-001-0474
LOCATION: NW 74th AVE and NW 144th St
ZONING DISTRICT: RU-1

The Town Clerk read the hearing number and the title of the ordinance into the record. The Town Clerk swore in all the individuals that would be providing testimony for the quasi-judicial items being presented. Mrs. Inganzo stated for the record that all the Board Members have provided their Ex-Parte Communications Disclosure Forms and that none had communications with the applicants.

The Planning & Zoning Principal Planner, Susana Alonso, presented the item and explained that this item came about as the result of new ownership of a parcel of land located at district south of Wellness Way. She explained that the area has never been platted, most of it has remained under the existing GU Zoning and some single-family homes that were erected there back in the 1960's and in the 1980's. She explained that the area has never been properly developed and as a result there is no roads, no streetlights, no sidewalks, some streets have never been taken over by the Town, most have never been paved and as a result, we have a patchwork of properties with no actual urban fabric that can be relied upon, in order to be able to develop properties. She explained that in 2023, one of these properties changed hands and the new owners, Mr. Panayi and Mr. Naji, found themselves in the situation where they cannot develop their property, because it had never been zoned properly and conditions were never met.

Ms. Alonso explained that after going back and forth with the applicants, to find a solution, so they can move forward and develop their property, she stated that the applicants and previous owner of the property next door, all have agreed to provide a bond to be able to rezone from the existing GU to the desired RU-1, with conditions that have to be met first. The conditions are all included in the Memorandum of the Agenda and Ms. Alonso mentioned some of these conditions during her presentation. She ended her presentation by stating that this item is the rezoning of the applicant's property and the property right next door, which is the property that is adjacent to the only exiting road in the area, which is 74th Avenue. She explained that the result of this rezoning and conditions put forth is for the redeveloping of these two properties.

Deputy Town Attorney Cobiella stated that that Planning & Zoning Board Members are not approving anything tonight, that they are only acting in their LPA Capacity. Ms. Alonso also explained that one of the functions of the P&Z Board is that they provide advise to the Board in matters that pertain to the Land Development Code. She explained that the Land Development Code includes the Zoning Map, which is what this is an amendment to. She stated that all the Board's suggestions will be passed to the Town Council in a form of a second hearing.

Ms. Alonso answered questions posed by the Planning & Zoning Board.

Mr. Javier Laffont came before the Board to participate in public comments. He stated that he is cooperating with the TOML so that the applicants can build their house. He also stated that for the most part, they are happy with keeping the septic tanks, that there is no reason for them to have

sewer tanks. He is aware that bringing a sewer system is going to cost a lot of money and he stated that he would prefer for a procedure to be implemented for them to stay with their septic tanks- that they like it the way it is. He mentioned that he knows an assessment is going to be coming his way, that he has been in that area for 20 years and other neighbors have been in the area for over 40 years. He stated that he wants to assist and to comply with the TOML and to meet all the requirements.

Ms. Alonso added that back in 2007, the prior action of the rezoning of these properties was first attempted, Mr. Laffont had agreed to do a lot of these things at the time and because they were not done, this is where we are today. Ms. Alonso stated that these are things that have been sort of backtracked all the way since then, that they should have been done back then. She explained that requirements should have been met since the 1983 action and since the 2007 actions. Ms. Alonso emphasized that the TOML is trying to get things right and move forward into the future. She mentioned that by adding another single-family home to this area would make a nonconforming area worse, even more nonconforming that it already is. She also spoke about the Bond and options to fix this.

Mr. Naji, the Applicant, clarified that the current septic tank systems have been advanced significantly and that it is compatible with the water levels of the area. Regarding Chapter 4, Section 4142 of the Miami Lakes City Code, he stated that his property meets the standards, as far as the size goes and that it is beyond the standards of a new subdivision, according to the 2022 Code, which allows the old subdivision to be able to build a subject tank.

Chairman Leoncio close the public hearing.

Board Member Sanchez motioned to approve item 5A. with the exception of the drainage for the bond, so that they are allowed to do their septic tanks. Ms. Alonso then explained that for clarity's sake, the drainage that was being discussed in this item, is not the drainage of the sewer system of the home, but it is the drainage system of the road. She explained that we need stormwater system drainage so that when it rains, things do not get flooded. She clarified that whether they go for a septic tank is a different conversation or another day. She emphasized that the only thing to be concerned with now is the sewer system for the road, not the homes.

After Ms. Alonso's clarification, Board Member Sanchez amended his motion and restated his motion to approve item 5A, with all the conditions stated in the agenda, as per Town Staff's recommendation. The motion was seconded by Board Member Julia. Board Member Julia stated that what they are doing is approving a recommendation for the Town Council to approve the item and the ordinance, thereby allowing you to build the home. Board Member De La Sierra stated that perhaps a good recommendation to the Town Council is for the rezoning of the entire area and look at the sewage problem. The Town Clerk called the roll, and the motion passed 4-0; Board Member Senra was absent.

b. HEARING NUMBERS: VARH2024-0311 thru VARH2024-0326

APPLICANT: GT Homes

FOLIOS: 32-2015-046-0020 — 0150
LOCATION: 8402 — 8632 NW 162 ST
MIAMI LAKES, FLORIDA 33016
ZONING DISTRICT: RU-1
Date: October 1, 2024

Deputy Town Attorney Lorenzo read the quasi-judicial rules for the item presentations. Town Clerk Gina Inguanzo confirmed board members did disclose their Ex-Parte communications and have been sworn in.

Principal Town Planner Susana Alonso went on record to allow applicant GT Homes' Attorney Melissa Tapanes Llahues to present the application who is joined by Autumn Saro with ownership, her colleague Benjamin Sherry, landscape architects Devon Sejas and Sefora Chavarria, and Civil Engineer Oscar Robina.

Attorney Melissa Tapanes request approval of variance to construct a continuous bulkhead across lots 2-16 at the new Palma del Lago project. Board Member Alejandro Sanchez asked a question about the type of bulk that is going to be used. Mrs. Tapanes provided feedback touching on the issues with condition #3. Board Member De La Sierra asked how are you going to maintain the riprap. Civil Engineer Oscar Robina provided feedback pertaining to sheet piling. Board member Alejandro Sanchez asked an additional question pertaining to the effects of blasting in the area been taken into consideration. Mrs. Tapanes stated that that would be part of the structural engineering calculations.

Board Member Robert Julia stated a question relating to the retaining wall and certain level of slope. Principal Town Planner Susana Alonso added the reiteration of the purpose of a new method to retain the slope. After further discussion the issue of safety beyond the waters edge was of concern and requirement of a fence be built was clarified. Principal Town Planner Alonso added that the top of slope is being rebuilt to coincide with the tie line.

Board Member De La Sierra requested the actual location of the rip rap. Board Member Julia asked is there anticipated decking west waterward of this slope? Attorney Melissa Tapanes said no, and after further discussion she stated we will need to work together as to the location of the planting material per manufacturing instructions. Landscape architect Devon Sejas provided additional clarification about the rip rap and vegetive elements. Board Member Julia approved motion and wanted to clarify the bulkhead situation to be approved by whatever department is appropriate by the town. Board Member De La Sierra second it for discussion and make sure that they do the tie back.

Town Clerk Inguanzo took roll, and the motion was approved 4-0. Board Member Senra was absent.

B. Director's Report

N/A

C. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 8:00pm.

Approved January 14, 2025.

A handwritten signature in black ink, appearing to read 'A. Leoncio', written over a horizontal line.

Avelino Leoncio
Chairperson

Attest:

A handwritten signature in blue ink, appearing to read 'Gina M. Inguanzo', written over a horizontal line.

Gina M. Inguanzo
Town Clerk