



TOWN OF MIAMI LAKES, FLORIDA

Minutes

PLANNING & ZONING BOARD MEETING

November 17, 2009

6:30 PM

Miami Lakes Middle School

6425 Miami Lakeway North

Miami Lakes, Florida 33014

1. **Call to Order:** Chairman Tom McGrath called the meeting to order at 6:30 p.m.
2. **Roll Call:** Town Clerk, Marjorie Tejeda called the roll with the following Board Members present: Raul De La Sierra, Ameli Padron-Fragetta, Pedro Carballo, Humberto Garcia, Armando Valdes, and Chairman Tom McGrath. Vice Chairman Sean Schwinghammer was absent.
3. **Pledge of Allegiance/Moment of Silence:** Chairman McGrath led the Pledge of Allegiance and called for a moment of silence.
4. **Approval of Minutes:** Board Member Padron-Fragetta made a motion to approve the minutes. The motion received a second from Board Member Carballo and all were in favor.

(1) Zoning Meeting, October 5, 2009

5. **Old Business:** No old business.
6. **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, Kathy Mehaffey read the quasi-judicial proceedings. Town Clerk, Marjorie Tejada swore in anyone wishing to speak.

- (1) **Hearing Number:** PZHA-09-09
Applicant: Osvaldo and Adria Ricardo-Reyes
Folio: 32-2024-022-0370
Location: 6350 Moultrie Place, Miami Lakes, FL 33014

Board Member De La Sierra made a motion to move this item to the end of the agenda. The motion received a second from Board Member Valdes and all were in favor.

Planning, Zoning, and Code Enforcement Director, David Ofstein presented staff's recommendation and answered questions posed by the Board.

Osvaldo Reyes, the applicant, explained the purpose of his request.

Chairman McGrath opened the public hearing.

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

Board Member Carballo made a motion to approve the variance with standard conditions. The motion received a second from Board Member De La Sierra. Board Member Garcia amended the motion to include that foliage be maintained. Board Member Valdes amended the motion that the column size be a maximum of 12 inches in width. Board Member Carballo accepted the amendments.

The Town Clerk called the roll and the motion passed 5-1 with Board Member Padron-Fragetta voting in opposition.

- (2) **Hearing Number:** PZHA-09-10
Applicant: Alberto N. Bello and Sylvia M. Bello
Folio: 32-2023-005-0600
Location: 14171 Leaning Pine Drive, Miami Lakes, FL 33014

Planning, Zoning, and Code Enforcement Director, David Ofstein presented staff's recommendation and answered questions posed by the Board.

Alberto Bello, the applicant, explained his requests.

Chairman McGrath opened the public hearing.

Enrique Bello spoke in favor of the variance.

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

Board Member Valdes made a motion to approve the variance with standard conditions, verify the location of the fence, and bring the hedges into compliance. The motion received a second from Board Member Padron-Fragetta. The Town Clerk called the roll and all were in favor.

- (3) **Hearing Number:** PZHA-09-11
Applicant: Winn Dixie Stores, Inc. #262
Folio: 32-2015-006-0010
Location: 15450 NW 77 Court, Miami Lakes, FL 33014

Planning, Zoning, and Code Enforcement Director, David Ofstein presented staff's recommendation and answered questions posed by the Board.

The applicant, Buddy Clelland, explained his request.

Chairman McGrath opened the public hearing.

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

Board Member Padron-Fragetta made a motion to approve the variance with standard conditions. The motion received a second from Board Member Carballo. The Town Clerk called the roll and all were in favor.

Item 6(1) was heard next.

- (4) **Hearing Number:** PZHA-09-13
Applicant: Juan and Madelen Valiente
Folio: 32-2015-009-0320
Location: 16242 NW 79 Avenue, Miami Lakes, FL 33014

Planning, Zoning, and Code Enforcement Director, David Ofstein presented staff's recommendation and answered questions posed by the Board.

Juan Valiente, the applicant, explained the purpose of the variance and answered questions posed by the Board.

Chairman McGrath opened the public hearing.

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

Board Member De La Sierra made a motion to approve requests 1 through 6 with standard conditions. The motion received a second from Board Member Carballo. The Town Clerk called the roll and the motion passed 5-1 with Board Member Padron-Fragetta voting in opposition.

7. **Director's Report:** No report.
8. **Future Meetings**
December 15, 2009 Planning & Zoning Board Meeting, 6425 Miami Lakeway N, 6:30 PM
January 19, 2010 Planning & Zoning Board Meeting, 6425 Miami Lakeway N, 6:30 PM
9. **Adjournment:** There being no further business to come before the meeting, it adjourned at 8:35 p.m.

Approved this 15 day of Dec, 2009.


Thomas McGrath, Chairman

Attest:


Marjorie Tejada, Town Clerk