

MINUTES
Planning and Zoning Minutes
January 4, 2022
6:30 P.M.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1. Call to Order:

Chairperson Julia called the meeting to order at 6:31 p.m.

2. Roll Call:

The Deputy Town Clerk, Ashley Shepple, called the roll with the following Board Members being present: Juan Carlos Fernandez, Raul De La Sierra, Mariam Yanes, Vice Chairperson Lynn Matos, and Chairperson Robert Julia. Board Member Avelino Leoncio and Board Member Fred Senra were absent.

3. Pledge of Allegiance/Moment of Silence:

Vice Chairperson Matos led the Pledge of Allegiance and the Invocation.

4. Approval of Minutes:

- November 2, 2021, Planning and Zoning Meeting minutes

Board Member De La Sierra motioned to approve the minutes and Board Member Fernandez seconded the motion. All were in favor.

5. Public Comments:

There were no public comments via zoom or in-person in council chambers.

6. Business Requiring Board Action:

- a. APPLICANT: ANNA MALTCEVA**
FOLIO: 32-2016-001-1770
LOCATION: 8818 NW 169 Terrace
Miami Lakes, Florida 33018
ZONING DISTRICT: RU-1

Deputy Town Attorney, Lorenzo Cobiella, read the quasi-judicial rules and variance into the record.

Town Clerk, Gina Inguanzo, swore in individuals that would be providing testimony, Principal Town Planner Susana Alonso, and the applicants Anna Maltceva Ruiz and Ulisses Ruiz.

The Town Deputy Attorney Mr. Cobiella asked the applicants if they were the property owners. The applicant stated they were the property owners. The Town Deputy Attorney Mr. Cobiella stated he had received a state of Florida warranty deed stating the property had new owners. The applicants then stated they were the previous owners. A post-closing agreement was provided by the applicant on the dais. However, Chairperson Julia stated it was not executed by the escrow agent. The Deputy Town Attorney Mr. Cobiella said a Power of Attorney document needs to be delivered to speak on behalf of this property since the applicants are no longer the owners.

The Town Deputy Attorney Mr. Cobiella asked the Principal Planner Mrs. Alonso if she had seen the escrow agreement provided on the dais. She stated she has not, and she has not spoken with the property's present owner. She has only talked to Mr. Ruiz, the former owner. Town Deputy Attorney Mr. Cobiella explained that the new owners needed to contact Principal Planner Mrs. Alonso.

Principal Town Planner Mrs. Alonso explained to Mr. and Mrs. Ruiz that they could no longer be the applicants. Instead, the applicant will have to be the new property owner if they wish to proceed with the variance application.

Board Member De La Sierra motioned to postpone Mr. and Mrs. Ruiz's hearing to next month since documentation needs to be provided for them to be able to speak on behalf of the new property owners. Board Member Yanes seconded this. The Town Clerk Mrs. Inguanzo called the roll, and all were in favor, 5-0. The motion passed.

b. APPLICANT: ALEXIS FRIAS
FOLIO: 32-2023-008-1420
LOCATION: 7335 POINCIANA CT
MIAMI LAKES, FLORIDA 33014
ZONING DISTRICT: RU-1

Deputy Town Attorney, Lorenzo Cobiella, read the quasi-judicial rules and variance into the record. Town Clerk, Gina Inguanzo, swore in individuals that would be providing testimony, Principal Town Planner Susana Alonso and the applicant Alexis Frias.

The Principal Town Planner, Mrs. Alonso, explained the applicant is requesting a variance to allow a swimming pool to encroach by 10 feet six inches (10'-6") waterward of the top of the slope or tie line.

Also, the applicant is requesting a variance to allow a swimming pool waterward at the top of the slope or tie line. However, the Town staff recommends denial because it does not meet the criteria outlined in Section 13-14305F (1). This application had three conditions that it did not comply with and four that did comply. The Principal Town Planner, Mrs. Alonso, explained the survey's tie line.

Applicant Mr. Frias explained he is trying to do a swimming lap pool. Mr. Frias provided the following reasons his application should be approved: he has letters of support of adjoining neighbors, most of the pools of the homes on the lake are beyond the tie line, the character of the neighborhood will be preserved, and while the size of the lap pool is large it is due to the fact this pool will be primarily used for his child that has special needs, and views are not obstructed, and the pool will not affect the lake.

Board Member Yanes motioned to discuss approval of the applicant's request of the variance to allow a swimming pool to encroach by 10 feet 8 inches on one side and 12 feet on another side. Board Member Fernandez seconded the motion.

Board Member Fernandez made a motion to amend the original motion to include landscaping requirements as a conditional appearance. Board Member Yanes was okay with amending her motion.

Board Member De La Sierra brought up the removal of an oak tree within the property and complying with the tree removal ordinance. He then motioned to open the hearing for the applicant Mr. Frias to speak again, and Chairperson Julia seconded the motion. All were in favor, 5-0. Board Member De La Sierra asked Mr. Frias if there were any trees in the backyard. Mr. Frias said when they bought the property they removed the mango trees in the backyard.

After discussion and the Board questioning the applicant and the Principal Town Planner, Mrs. Alonso, Chairperson Julia motioned to amend the main motion limit to the 10 feet 8 inches beyond the survey tie line. Board Member Yanes seconded the motion. The Town Clerk Mrs. Inguanzo called the roll, and all were in favor, 5-0. The motion passed.

Board Member Julia motioned to approve the amended motion but included the conditional appearance to add landscaping requirements and comply with the tree removal ordinance. Board Member De La Sierra seconded the motion. The Town Clerk Mrs. Inguanzo called the roll, and all were in favor, 5-0. The motion passed.

7. Director's Report:

The Town Principal, Planner Susana Alonso, discussed the year's calendar. Chairperson Julia voted to have meetings on the second Tuesday of the month, subject to not holding a meeting in July or November. Board Member De La Sierra seconded the motion. All were in favor.

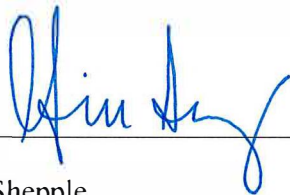
7. Adjournment:

There being no further business to come before the Board, the meeting adjourned at 8:03 p.m.



Robert Julia
Chairperson

Attest:



on behalf
of:

Ashley Shepple
Town Clerk