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MINUTES
HYBRID ZONING HEARING
TUESDAY, JUNE 21, 2022 – 7:00 PM
(immediately followed by the Local Planning Agency Meeting)
VILLAGE HALL COUNCIL CHAMBERS
9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157

THE MEETING MINUTES WERE WRITTEN AND PREPARED BY MELISSA DODGE, ADMINISTRATIVE ASSISTANT TO THE VILLAGE CLERK.

Mayor Cunningham called the meeting to order at 7:50 PM.

The following council members were present during roll call:

Mayor Karyn Cunningham
Vice Mayor Leanne Tellam
Council Member Patrick Fiore
Council Member Steve Cody
Council Member Marsha Matson

The following charter officers were present:

Manager Nick Marano
Village Attorney John C. Dellagloria
Village Clerk Missy Arocha – was absent
Admin. Assistant Melissa Dodge

The Mayor led the pledge of allegiance.

Mayor Cunningham opened public comments and the following individuals spoke:

- Vitaly Falcovitch - 9280 SW 167 Terrace – Spoke regarding inappropriate comments made by Council.

Mayor Cunningham closed public comments.

Mayor Cunningham stated that the invocation took place at earlier meeting and she deposed the decorum statement.

Councilmember Cody moved to approve the minutes of the Zoning Hearing from April 18, 2022. Seconded by Vice Mayor Tellam. **VOTE: Passed 5-0**

Village Attorney spoke to withdraw Item 1 – he stated it was heard during the Local Planning Agency meeting and was passed during that meeting.

1. PUBLIC HEARING ITEMS:

Item 1: WITHDRAWN - The following Ordinance is being considered pursuant to the Village’s Land Development Code on First Reading:

Applicant: Village of Palmetto Bay
Application: 2022 Evaluation and Appraisal Report (EAR) of the Village of Palmetto Bay Comprehensive Plan

Ordinance: AN ORDINANCE OF LOCAL PLANNING AGENCY OF PALMETTO BAY, FLORIDA, OF THE MAYOR AND VILLAGE COUNCIL OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE OF PALMETTO BAY’S COMPREHENSIVE LAND USE PLAN FUTURE LAND USE MAP, BY ACCEPTING THE REQUIRED EVALUATION AND APPRAISAL REPORT ATTACHED AS EXHIBIT “A”, AND PROVIDING AN EFFECTIVE DATE.

PUBLIC HEARING ITEM NO. 1 WAS WITHDRAWN.

Item 2: The following Resolution is being considered pursuant to the Village’s Land Development Code:

Applicant: Pedro Hernandez
Location: 15925 SW 90th Avenue & 15840 SW 89th Avenue, Palmetto Bay, FL
Property Folio: 33-5028-000-0191 & 33-5028-000-0192
Application: VPB-21-004
Request: Century Home Builders Group, LLC / Final Plat

Resolution: A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO LAND DEVELOPMENT AND ZONING; AUTHORIZING, PURSUANT TO SECTION 30-80 STYLED “PLATTING AND SUBDIVISIONS”, THE FINAL PLAT OF “CENTURY AT PALMETTO BAY”, LOCATED AT 15925 SW 90TH AVENUE AND 15840 SW 89TH AVENUE, CONTAINING 138,521 SQ.FT. (3.18 ACRES) (FOLIO NUMBERS 33-5028-000-0191 AND 33-5028-000-0192), AS MORE SPECIFICALLY DESCRIBED IN ATTACHMENT “A”, BY CREATING ELEVEN (11) NEW LOTS AND DEDICATING LAND FOR USE AS PUBLIC RIGHT-OF-WAY TO COMPLETE SW 159TH TERRACE AND SW 89TH ROAD; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cody moved Item 2. Councilmember Fiore seconded.

Attorney Dellagloria asked question of Council if any communication took place with the applicant. All Council responded no to communication with the applicant.

Staff member Craig Southern provided staff report. Mr. Southern stated that the applicant was not present at the hearing.

1 Mr. Southern stated that this is the final plat approval for Century at Palmetto Bay; a
2 subdivision of eleven single family lots in the single-residential R-1 zoning district.

3
4 Staff member Southern continued with slides as part of his presentation which included
5 R-1 Zoning requirements. He stated all eleven lots meet all the dimensional
6 requirements.

7
8 Mr. Southern spoke that staff recommendation is to approve the final plat.

9
10 Mayor Cunningham opened up public comments for Item 2:

- 11
- 12 • Nensa Earmil – 8910 SW 159 Terrace – Spoke regarding the developer and
- 13 how will certain items be addressed; the replacement of trees, will the lot be
- 14 fenced and will a water truck be utilized to minimize the dust.
- 15 • Irene Alexander – 8930 SW 159 Terrace – Spoke that she did speak with Mr.
- 16 Hernandez regarding some issues. She stated that workers were present on a
- 17 Sunday and she thought it was against Dade County code to be there on a
- 18 Sunday. She spoke that the site is unkept and ugly trees on site. She spoke
- 19 about the cleaing of the site and the street being blocked.
- 20 • Gary Pastorella – 6940 SW 142 Terrace – Spoke in support of the development
- 21 of the property as long as it's protected; fences up and cognizant of neighbor's
- 22 property and that the property area is kept clean.

23
24 Mayor Cunningham closed public comment.

25
26 Staff member Southern stated he would speak to first two speakers after the meeting
27 to set up a meeting at another time with his department.

28
29 Mr. Southern spoke that the applicant did get a DERM permit to move trees and they
30 have to replace 128,824 sq. ft. of tree canopy. In addition, the permit is valid for two
31 years. Mr. Southern spoke that construction of the street will take place before any
32 building permits are issued and that they meet all requirements regarding the Plat. Mr.
33 Southern mentioned that surveying had been taking place on the weekends.

34
35 Manager Marano stated he would provide street by street initiative and will provide his
36 cell phone number.

37
38 Mayor Cunningham called for vote on Item 2:

39
40 **ROLL CALL VOTE:** Mayor Karyn Cunningham-No, Vice Mayor Leanne Tellam-Yes,
41 Councilmember Patrick Fiore-Yes, Councilmember Steve Cody-Yes and
42 Councilmember Marsha Matson-No. **VOTE: Passed (3-2)**

43
44 **Item 3:** The following Resolution is being considered pursuant to the Village's
45 Land Development Code:

46
47 **Applicant:** Lilliam Norda-Gomez
48 **Location:** 17925 SW 97th Avenue, Palmetto Bay, FL 33157

1 **Property Folio:** 33-5033-000-0890
2 **Application:** VPB-22-001
3 **Request:** Bright Adventures Academy, LLC / expansion of existing daycare
4 facility / expansion of existing 1,821 sqft daycare facility with 37
5 children to add an additional 1,193 sqft and 29 children
6

7 **Resolution:** A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF
8 THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO LAND
9 DEVELOPMENT AND ZONING; AUTHORIZING, PURSUANT TO SECTION 30-110
10 ~~STYLED "RELIGIOUS FACILITIES, PRIVATE SCHOOLS, CHILD CARE FACILITIES,~~
11 ~~AND OTHER NON-GOVERNMENTAL PUBLIC ASSEMBLY USES " AND SECTION~~
12 30-50.23.3-02.1 STYLED "MAIN STREET SECTOR" AUTHORIZING THE
13 EXPANSION OF AN EXISTING DAYCARE FACILITY ESTABLISHED BY
14 RESOLUTION NO. 2019-155 WITHIN THE VILLAGE LOCATED AT 17925 SW 97
15 AVENUE, CONTAINING 28,657 SQFT (0.65 ACRES) WITH FOLIO NUMBER (33-
16 5033-000-0890) BY EXPANDING BRIGHT ADVENTURES ACADEMY, LLC, THE
17 EXISTING 1,821 SQFT DAYCARE FACILITY WITH 37 CHILDREN TO ADD AN
18 ADDITIONAL 1,193 SQFT AND 29 CHILDREN, AND PROVIDING AN EFFECTIVE
19 DATE.
20

21 Item 3 moved by Vice Mayor Tellam. Seconded by Councilmember Fiore.
22

23 Village Attorney Dellagloria asked for disclosures from Council; all responded no
24 disclosures.
25

26 Staff member Craig Southern provided staff report on Item 3.
27

28 Mr. Southern presented slides for request of applicant, Lilliam Gomez – Bright
29 Adventures Academy for existing daycare expansion from current 38 children to 66
30 children. The powerpont presentation illustrated the following information on the
31 application:
32

- 33 • Request
- 34 • Background
- 35 • Neighborhood Characteristics
- 36 • Analysis
- 37 • Recommendation
38

39 Mr. Southern stated staff recommends approval of Item 3.
40

41 Applicant, Lilliam Gomez addressed Village Council from Bright Adventures Academy.
42

43 Ms. Gomez stated all parents are very happy with care received.
44

45 Vice Mayor Tellam questioned Ms. Gomez regarding DCF licensing requirements.
46

1 Ms. Gomez stated this is step one of the expansion. Ms. Gomez stated that if approved
2 tonight, the process will begin for state and DCF approval.

3
4 Mayor Cunningham opened public comment for Item 3:

5
6 Vitaly Falcovitch – 9280 SW 167 Terrace – Spoke regarding strain on emergency
7 services on the Village regarding Item 3.

8
9 Mayor Cunningham closed public comment.

10
11 Staff member Southern stated that if the item is approved the next step would be
12 Business Licensing and Certificate of Use, DCF, Fire inspection which all require
13 inspections for safety and ADA accessibility.

14
15 Councilmember Fiore spoke that fire station no. 50 is in the Village.

16
17 Vice Mayor Tellam spoke about the growing population in the area that requires the
18 need for preschool; regardless if in private home or school; the burden would be the
19 same for local services.

20
21 Mayor Cunningham called the question for vote:

22
23 **ROLL CALL VOTE:** Mayor Cunningham-Yes, Vice Mayor Leanne Tellam-Yes,
24 Councilmember Patrick Fiore-Yes, Councilmember Steve Cody-Yes and
25 Councilmember Marsha Matson-Yes **VOTE: Passed (5-0)**

26
27 Councilmember Fiore made motion to adjourn the meeting. Seconded by
28 Councilmember Cody. All voted in favor (5-0).

29
30 Meeting Adjourned at 8:30 pm.

31
32 THE MEETING MINUTES WERE WRITTEN AND PREPARED BY MELISSA DODGE,
33 ADMINISTRATIVE ASSISTANT TO THE VILLAGE CLERK.

34
35
36 The meeting minutes were approved this 18th day of July, 2022.

37
38 Attest:

39
40 DocuSigned by:
41 *Missy Arocha*
42 _____
Village Clerk Missy Arocha

DocuSigned by:
Karyn Cunningham

Mayor Karyn Cunningham