



**MINUTES
HYBRID ZONING HEARING
MONDAY, JULY 18, 2022 – 7:00 PM
VILLAGE HALL COUNCIL CHAMBERS
9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157**

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- 1. CALL TO ORDER, ROLL CALL, INVOCATION, PLEDGE OF ALLEGIANCE, AND DECORUM STATEMENT, IN THAT ORDER:** Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.

The Zoning Hearing was called to order at 7:02 PM.

The following members of the Village Council were present during roll call:
Mayor Karyn Cunningham
Vice Mayor Leanne Tellam
Councilmember Steve Cody
Councilmember Marsha Matson

The following Charter Officials were in attendance:
Village Attorney John C. Dellagloria
Village Manager Nick Marano
Village Clerk Missy Arocha

In lieu of invocation a moment of silence was held for the passing of Councilmember Patrick Fiore’s mother.

The pledge of allegiance was led by the Village Council.

The decorum statement was disposed by Mayor Karyn Cunningham.

2. REQUESTS, PETITIONS, AND PUBLIC COMMENTS

Village Clerk Missy Arocha read the one public comment submitted by form attached as “Exhibit A”.

The following in-person public comments were made:

- Vitality Falcovitch (9280 SW 167th Terrace) – spoke in support of the Village’s policing unit and thanked the Village Council for their service to the community.
- Jorge Pulido (16025 SW 89th Avenue Road) – thanked the Council for their stance on the RTZ matter with the county and spoke in support of the Village becoming a sister city, and, urged the Council to enhance tree canopy on Village trails.

3. APPROVAL OF MINUTES:

- A. Local Planning Agency Meeting (June 21, 2022)
- B. Zoning Hearing (June 21, 2022)

Councilmember Steve Cody **motioned** to approve the minutes. The motion was **seconded** by Vice Mayor Leanne Tellam. **All voted in favor (4-0). The motion passed unanimously.**

4. PUBLIC HEARING ITEMS:

Item 1: The following Resolution is being considered pursuant to the Village’s Land Development Code:

Applicant: Ramraj Sewnari
Location: 9720 E. Hibiscus Street, Palmetto Bay, FL 33157
Property Folio: 33-5032-004-3080 | 14,500 sqft (0.33 acres)
Application: VPB-22-003
Request: Amar Jyoti Mandir of Florida, Inc. | Religious Facility Establishing a 1,394 sqft Non-Profit 501(c)(3) Religious Facility

Resolution: A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO ZONING; PURSUANT TO DIVISION 30-110 STYLED “ RELIGIOUS FACILITIES, PRIVATE SCHOOLS, CHILD CARE FACILITIES, AND OTHER NON-GOVERNMENTAL PUBLIC ASSEMBLY USES “AND SECTION 30-50.23.3-02.1 STYLED “MAIN STREET SECTOR”; AUTHORIZING THE ESTABLISHMENT OF A ONE THOUSAND THREE HUNDRED NINETY-FOUR (1,394) SQ. FT. NON-PROFIT 501(C)(3) RELIGIOUS FACILITY THE AMAR JYOTI MANDIR OF FLORIDA, INC. WITHIN THE VILLAGE LOCATED AT 9720 E. HIBISCUS STREET, CONTAINING FOURTEEN THOUSAND FIVE HUNDRED (14,500); AND PROVIDING AN EFFECTIVE DATE.

Item no. 1 was moved by Vice Mayor Leanne Tellam. Seconded by Councilmember Steve Cody.

No one wished to speak in support or opposed to the item during the public hearing.

1 STAFF REPORT: The staff report was presented and illustrated by Village Planner,
2 Craig Southern. The PowerPoint Presentation illustrated the change of use to change
3 the existing use from an administrative office to a non-profit 501(c)(3) religious facility,
4 Amar Jyoti Mandir of Florida, Inc., with an occupancy of twenty (20) patrons, located
5 at 9720 E. Hibiscus Street, located within the Main Street Sector of the Downtown
6 Palmetto Bay Zoning District. The proposed religious facility request is consistent with
7 Division 30-110 "Religious Facilities, Private Schools, Child Care Facilities, and other
8 Non-Governmental Public Assembly Uses" and Section 3-50. He explained that staff
9 recommends approval of application.

10
11 COUNCIL DISCUSSION/QUESTIONS: Following staff's presentation, the members of
12 the Council asked questions regarding the applicant's existing use of the facility.

13
14 Vice Mayor Leanne Tellam questioned the usage of the space and how the facility will
15 be compliant with the religious use.

16
17 Mr. Southern responded by explaining the change of use process and reported that
18 the fire department would do an inspection during the permitting process to ensure that
19 the facility is compliant with code.

20
21 Vice Mayor Leanne Tellam questioned the total number of persons that would be
22 appropriate to the building.

23
24 Mr. Southern responded 20 as the expected maximum.

25
26 The Village Council provided their ex-parte communications.

27
28 Village Clerk Arocha swore in the witnesses that wished to testify and speak in support
29 of the public hearing item.

30
31 Ramraj Sewnari, President of Amar Jyoti Mandir of Floirea spoke in support of the
32 application and provided a synopsis of the history of the religious facility.

33
34 All the members of the Village Council spoke in support of the application.

35
36 No one spoke opposed to the public hearing item.

37
38 The question was called in favor of the Resolution. **All voted in favor (4-0) via a roll
39 call vote.**

40
41 Mayor Karyn Cunningham - YES

42 Vice Mayor Leanne Tellam - YES

43 Councilmember Steve Cody - YES

44 Councilmember Marsha Matson - YES

45
46 **The Resolution passed unanimously.**

1 **5. NEW BUSINESS**

2
3 **A. Discussion of Old Cutler Neighborhood Zoning District (*Sponsored by***
4 ***Administration*)**

5
6 Community and Economic Development Director Heidi Siegel recognized
7 Village Planner Craig Souther for his initiative and involvement in the
8 proposed project/idea known as the Old Cutler Neighborhood Commercial
9 District. She illustrated a PowerPoint on the matter that presented an
10 overview of the project depicting the eleven (11) properties-10 Zoned B2 and
11 1 Zoned R5 office. During the presentation, she explained the permitted
12 uses for the area, a proposed map, and the proposed Ordinance for the
13 commercial neighborhood.
14

15 Following the presentation, Director Siegel announced that a workshop
16 would be held at the Deering Estate Visitor Center to hear from the
17 surrounding neighbors on the proposal.
18

19 All the members of the Council spoke in support of the initiative and agreed to
20 consider the Ordinance at an upcoming meeting.
21

22 **B. NEXT MEETING AND ADJOURNMENT :** At approximately 7:44 PM,
23 Councilmember Steve Cody **motioned** to adjourn the meeting. Vice Mayor
24 Leanne Tellam **seconded. All voted in favor (4-0). The motion passed**
25 **unanimously.**
26

27
28 The meeting minutes were passed this 19th day of September, 2022.
29

30 Attest:

31
32 DocuSigned by:
33 *Karyn Cunningham*
34 **Mayor Karyn Cunningham**
35

DocuSigned by:
Missy Arocha
Village Clerk Missy Arocha