

**THE CITY OF CORAL GABLES BOARD OF ADJUSTMENT**  
**NOVEMBER 3, 2008**  
**CORAL GABLES CITY HALL, 405 BILTMORE WAY, COMMISSION CHAMBER**  
**CORAL GABLES, FLORIDA**

The meeting was scheduled to be held in Coral Gables City Hall Commission Chamber, Coral Gables, Florida, commencing at 8:00 a.m.

## MEMBERS

N D J F M A M J J A S O APPOINTED BY:

Miles McGrane, III	E	E	P	C	C	L	P	P	C	P	E	E	Mayor Donald Slesnick II
Tony Bello	P	P	P	C	C	P	P	P	C	E	P	P	Vice Mayor William H. Kerdyk, Jr.
Sharon Langer, Esq.	P	P	P	C	C	P	P	E	C	E	P	P	Comm. Maria Anderson
Jaime Pozo, Esq.	E	P	P	C	C	P	E	P	C	P	E	P	Comm. Rafael "Ralph" Cabrera, Jr.
John C. Lukacs, Esq., Chairperson	P	P	P	C	C	P	P	P	C	P	P	P	Comm. Wayne "Chip" Withers
Sergio Artigues, Architect	P	P	P	C	C	P	P	P	C	E	P	P	Board of Adjustment
Dr. Joseph W. Briggle, Vice Chair	P	P	P	C	C	P	P	P	C	P	P	P	City Manager David L. Brown

**STAFF:**

Elizabeth L. Gonzalez, Acting Secretary  
Joan Bailey, Court Reporter  
Edward M. Weller, Interim Building & Zoning Director  
Martha Salazar-Blanco, Zoning Official

A = Absent  
C = Meeting Cancelled  
E = Excused Absence  
L = Late  
P = Present  
R = Resigned  
X = Not on Board

THESE MINUTES DO NOT REQUIRE ANY ACTION BY THE CITY COMMISSION.

The meeting was called to order at 8:00 a.m. by the Chairperson who announced that five board members were present at that time. Four votes are necessary for any action thereof.

The Chairperson announced the following rules of procedure for the hearing:

1. Staff recommendation.
2. The applicant will present his/her case.
3. If there are speakers in favor of the application, they will be given the opportunity to be heard.
4. If there are speakers against the application, they will be given the opportunity to be heard.
5. The applicant will be given the opportunity of a rebuttal.
6. Public hearing closed.
7. Board members discussion.
8. Motion, second and a vote on the application.

**1. Roll Call**

Roll call was taken. Mr. McGrane and Mr. Pozo had given prior notice of their inability to attend the Board of Adjustment meeting.

Ms. Langer made a motion to excuse the absence of Mr. McGrane and Mr. Pozo, seconded by Mr. Bello and a resolution passed by voice vote.

**RESOLUTION NO. 4919-ZB**

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**2. Approval of the October 6, 2008 Recap**

A motion was made by Dr. Briggle, seconded by Ms. Langer to approve the October 6, 2008 Recap. A resolution was passed by voice vote.

**RESOLUTION NO. 4920-ZB**

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**3. 8686-Z**

Lot(s): 23 and 24, Block: 123  
Coral Gables Riviera Section 10, PB/PG: 31/1  
6009 San Vincente Street

Jesse L. and Robin Wells – Applicant  
Jesse L. and Robin Wells – Owner  
Juan J. Zubillaga – Architect/Engineer

A hearing was held on case no. 8686-Z.

Present: Robin Wells – Applicant and Owner

**APPLICANT'S PROPOSAL:** In connection with proposed swimming pool for the single-family residence at the subject property, the Applicant requests the following variance pursuant to the provisions of Ordinance No. 1525 as amended and known as the "Zoning Code."

1. Grant a variance to allow the proposed swimming pool to have a rear setback of seven feet, six inches (7'-6") vs. the proposed swimming pool to have a rear setback of ten (10'-0") feet as required by Section 4-101(D)(4)(c) and Section 5-108(D)(1) of the Coral Gables "Zoning Code."

All as shown on plans which have received Preliminary approval from the Board of Architects. Such approval is for architectural design only and is not an endorsement of any variance being requested by the Applicant.

**STAFF OBSERVATION:** The Applicant is applying for a variance to permit the proposed swimming pool and spa to encroach into the required ten (10'-0") feet rear setback and maintain seven feet, six inches (7'-6") from the rear property line to the water's edge.

The proposed spa portion of the pool is to be constructed at seven feet, six inches (7'-6"), and the remaining portion of the pool is designed to be at eight feet, nine inches (8'-9") from the rear property line, thereby not complying with the ten (10'-0") feet rear setback as required by the Coral Gables "Zoning Code."

Neither the lot size nor the configuration of the lot is unusual. Currently, the construction of an addition and covered terrace is in progress on this property. By providing less area for the covered terrace and /or addition, the pool could have been adequately designed to accommodate the required ten (10'-0") feet rear setback.

After careful review of the plans submitted, staff finds the Applicant has failed to demonstrate a hardship for the requested variance and therefore recommends DENIAL of item no. 1 of the Applicant's request.

**STAFF RECOMMENDATION:** Pursuant to Section 3-806 STANDARDS FOR VARIANCES of the "Zoning Code," the Zoning Division staff finds and the Board of Adjustment shall find as follows in regard to the Applicant's proposal as presented in their application for a variance from the provisions of Ordinance No. 1525, as amended and known as the "Zoning Code," and makes the following recommendations:

1. That special conditions and circumstances do not exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. That the special conditions and circumstances would result from the actions of the Applicant.
3. That granting the variance requested will confer on the Applicant a special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.
4. That literal interpretation of the provisions of these regulations would not deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations, and would not work unnecessary and undue hardship on the Applicant (see also definition of "necessary hardship").
5. That the variance granted is not the minimum variance that will make possible the reasonable use of the land, building or structure.
6. That granting the variance will change the use to one that is not permitted in the zoning district or different from other land in the same district.
7. That the granting of the variance will not be in harmony with the general intent and purpose of these regulations and that such variance will be injurious to the area involved or otherwise detrimental to the public welfare.

Based on the findings in paragraphs 1 through 7 above, the Zoning Division staff recommends DENIAL of item 1 of the Applicant's proposal.

Testimony was heard from Robin Wells in which she stated the desire to have a pool started with her ill mother's need for aqua aerobics therapy. The Wells hired a contractor to build them a pool and trusted that the builder would design a pool that would comply with City code requirements. The pool was designed to accommodate handicap accessibility for Mrs. Well's handicap father now living with her.

A motion was made by Ms. Langer, seconded by Mr. Artigues to Approve item 1 of the Applicant's proposal with the condition that the pool and spa comply with the eight feet, three inches (8'-3") setback requirement to the bullnose coping vs. having a rear setback of seven feet, six inches (7'-6") as originally requested

**RESOLUTION NO. 4921-ZB**

A RESOLUTION APPROVING A REQUEST FOR A VARIANCE TO ORDINANCE NO. 1525 AS AMENDED AND KNOWN AS THE "ZONING CODE," THAT THE POOL AND SPA COMPLY WITH THE EIGHT FEET, THREE INCHES (8'-3") SETBACK REQUIREMENT TO THE BULLNOSE COPING VS. HAVING A REAR SETBACK OF SEVEN FEET, SIX INCHES (7'-6") AS ORIGINALLY REQUESTED, TO WIT:

1. Grant a variance to allow the proposed swimming pool to have a rear setback of seven feet, six inches (7'-6") vs. the proposed swimming pool to have a rear setback of ten (10'-0") feet as required by Section 4-101(D)(4)(c) and Section 5-108(D)(1) of the Coral Gables "Zoning Code."

A Resolution was passed and adopted due to the following roll call: "Yea" - Mr. Artigues, Mr. Bello, Dr. Briggle and Ms. Langer. "Nay" - Mr. Lukacs. "Excused" - Mr. McGrane and Mr. Pozo.

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3. 8688-Z

Lot: 1, Block: 22  
Cocoplum Section 2, Plat E, PB/PG: 131/76  
10 Tahiti Beach Island Road

Kira and Neil Flanzraich, Trustees – Applicant  
Kira and Neil Flanzraich, Trustees – Owner  
James Smith, AIA – Architect/Engineer

A hearing was held on case no. 8688-Z.

Present: Tony Recio, Esq. representing Applicants

**APPLICANT'S PROPOSAL:** In connection with proposed raised generator enclosure for the single-family residence at the subject property, the Applicant requests the following variance pursuant to the provisions of Ordinance No. 1525 as amended and known as the "Zoning Code."

1. Grant a variance to allow the proposed raised generator enclosure to have a five (5'-0") feet side setback vs. the proposed raised generator enclosure to have a side setback of fifteen (15'-0") feet as required by Section A-23(D), Plat E (1) of the Coral Gables "Zoning Code."

All as shown on plans which have received Final approval from the Board of Architects. Such approval is for architectural design only and is not an endorsement of any variance being requested by the Applicant.

**STAFF OBSERVATION:** The Applicant is applying for a variance to permit a raised generator enclosure for the proposed generator to be placed at five (5'-0") feet from the side property line instead of the required fifteen (15'-0") feet as prescribed specifically for this property under Site Specifics regulations within the Coral Gables "Zoning Code."

The proposed generator is allowed to be placed at five (5'-0") feet from the side property line as indicated in Section 5-2801 of the Coral Gables "Zoning Code." This property is located within a flood hazard zone and therefore is required by Flood Plain Management Ordinance No. 3026 to elevate the generator above the flood elevation.

The Applicant has designed an elevated faux balcony enclosure to house the proposed generator. They have received approval for the structure from the City of Coral Gables Board of Architects and Cocoplum Architectural Review Board Homeowners Association. The faux balcony is in harmony with the existing

Based on the required criteria for generators to be elevated above the flood elevation and based on the proposed design of the faux balcony housing the generator, staff recommends APPROVAL of item no. 1 of the Applicant's request.

**STAFF RECOMMENDATION:** Pursuant to **Section 3-806 STANDARDS FOR VARIANCES** of the "Zoning Code," the Zoning Division staff finds and the Board of Adjustment shall find as follows in regard to the Applicant's proposal as presented in their application for a variance from the provisions of Ordinance No. 1525, as amended and known as the "Zoning Code," and makes the following recommendations:

1. That special conditions and circumstances do exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. That the special conditions and circumstances do not result from the actions of the Applicant.
3. That granting the variance requested will not confer on the Applicant a special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district.
4. That literal interpretation of the provisions of the "Zoning Code" would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the "Zoning Code," and would work unnecessary and undue hardship on the Applicant (see also definition of "necessary hardship").
5. That the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.
6. That granting the variance will not change the use to one that is different from other land in the same district.
7. That the granting of the variance will be in harmony with the general intent and purpose of the "Zoning Code," and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Based on the findings in paragraphs 1 through 7 above, the Zoning Division staff recommends APPROVAL of item 1 of the Applicant's proposal.

A motion was made by Dr. Briggle, seconded by Ms. Langer to Approve item 1 of the Applicant's proposal.

**RESOLUTION NO. 4922-ZB**

A RESOLUTION APPROVING A REQUEST FOR A VARIANCE TO ORDINANCE NO. 1525 AS AMENDED AND KNOWN AS THE "ZONING CODE," TO WIT:

1. Grant a variance to allow the proposed raised generator enclosure to have a five (5'-0") feet side setback vs. the proposed raised generator enclosure to have a side setback of fifteen (15'-0") feet as required by Section A-23(D), Plat E (1) of the Coral Gables "Zoning Code."

A Resolution was passed and adopted due to the following roll call: "Yea" - Mr. Artigues, Mr. Bello, Dr. Briggle, Ms. Langer and Mr. Lukacs. "Nay" - None. "Excused" - Mr. McGrane and Mr. Pozo.

4. 8691-Z                    Lot(s): 1 through 10 inclusive less east .10 feet of Lot 10  
                                  and Lots 39 through 48 inclusive less east 7.38 feet of Lot 39  
                                  and portion of 20 feet alley lying west of west Lot east 7.38 feet of Lot 39 extending north

Lot(s): 25 through 38 less west 12.62 feet of Lot 38  
and less beginning 12.62 feet east of northwest corner of Lot 38 through east 15 feet  
southwesterly east Lot of west 12.62 feet of Lot 38 north 15 feet to POB, Block: 27

Coral Gables Section K, PB/PG: 8/33  
396 Alhambra Circle and 301 Giralda Avenue

W. Tucker Gibbs, Esq. – Applicant  
Eduardo Avila, 396 Alhambra LLC – Owner  
Julio S. Diaz – Architect/Engineer

A hearing was held on case no. 8691-Z.

Present: W. Tucker Gibbs, Esq. – Applicant; John Fullerton, Architect/Engineer

**APPLICANT'S PROPOSAL:** In connection with proposed parking lifts, tandem parking, and temporary use of off-site parking for the commercial building at the subject property, the Applicant requests the following variances and waiver pursuant to the provisions of Ordinance No. 1525 as amended and known as the "Zoning Code."

1. Grant a variance to allow for the use of approximately ninety-eight (98) parking lifts and twenty-one (21) tandem parking spaces in the new parking garage vs. the parking space(s) being provided as required by Section 13-2(b)(c) of the Coral Gables "Zoning Code."
2. Grant a variance to allow for the temporary use of off-site parking for the portion of the building that is occupied during the renovations of the existing building, and the demolition and reconstruction of the existing parking garage vs. providing parking on-site or off-site within five hundred (500'-0") feet of the subject property as required by Sections 13-1(a) and 13-3(c) of the Coral Gables "Zoning Code."
3. Consider a waiver of Section 24-9 of the Coral Gables "Zoning Code," limiting the effective time period for a variance(s) from six (6) months to one (1) year.

All as shown on plans which have received Preliminary approval from the Board of Architects. Such approval is for architectural design only and is not an endorsement of any variance being requested by the Applicant.

**STAFF OBSERVATION:**

**Item No. 1**

The Applicant is requesting a variance to permit the use of ninety-eight (98) parking lifts and twenty-one (21) tandem parking spaces in the proposed parking garage in lieu of providing all parking spaces shall be directly accessible from a street, an alley, or from an aisle or driveway leading to a street or alley, and each space shall be accessible without driving over or through any other parking space as indicated in the Coral Gables "Zoning Code."

This project was originally presented to the Board of Architects on July 20, 2006 and has had numerous design changes. The Applicant is proposing to meet a portion of the required parking by providing a combination of parking lifts and tandem parking spaces. The proposed building plans were required to be reviewed by the standards as set forth under the previous "Zoning Code" which did not allow for the use of either parking lifts or tandem parking spaces.

After review of the plans submitted, staff recommends **DENIAL** of item no. 1 of the Applicant's request.

**Item No. 2**

The Applicant is requesting a variance to allow for the temporary use of off-site parking for the portion of the building that will be occupied during renovations and the demolition and reconstruction of the existing parking garage in lieu of providing parking on-site or off-site within five hundred (500'-0") feet of the subject property as required by the Coral Gables "Zoning Code."

The Applicant has submitted a list of parking facilities which would be used instead of on-site parking. The facilities are as follows:

Rent 79 spaces in the City of Coral Gables Garage No. 4 at 385 Andalusia Avenue.

Rent 14 spaces in the City of Coral Gables Garage No. 1 at 245 Andalusia Avenue.

Rent 50 spaces in the Gables Grand Plaza 353 Aragon Avenue

The use of 7 existing spaces along the driveway at 396 Alhambra building, abutting Giralda Avenue.

The Applicant did not provide the necessary supporting documentation proving these facilities are available. Staff requested that the Applicant obtain a letter from the City's Parking Director confirming the spaces being allocated within the City's parking garages. The Applicant also failed to provide a commitment agreement from the Gables Grand Plaza indicating that the fifty (50) spaces being rented are available and in excess of the Gables Grand Plaza's required parking, and have no affect on the existing, required parking for its current operating uses within the building.

Some of the facilities are not within the five hundred (500'-0") feet as required by the Coral Gables "Zoning Code," and although the Applicant has agreed to provide a shuttle service to and from the parking area to the building, no documentation outlining the specific details was provided.

Due to the lack of necessary information, staff recommends DENIAL of item no. 2 of the Applicant's request.

**STAFF RECOMMENDATION:** Pursuant to **Section 3-806 STANDARDS FOR VARIANCES** of the "Zoning Code," the Zoning Division staff finds and the Board of Adjustment shall find as follows in regard to the Applicant's proposal as presented in their application for a variance from the provisions of Ordinance No. 1525, as amended and known as the "Zoning Code," and makes the following recommendations:

1. That special conditions and circumstances do not exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. That the special conditions and circumstances would result from the actions of the Applicant.
3. That granting the variance requested will confer on the Applicant a special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.
4. That literal interpretation of the provisions of these regulations would not deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations, and would not work unnecessary and undue hardship on the Applicant (see also definition of "necessary hardship").
5. That the variance granted is not the minimum variance that will make possible the reasonable use of the land, building or structure.
6. That granting the variance will change the use to one that is not permitted in the zoning district or different from other land in the same district.
7. That the granting of the variance will not be in harmony with the general intent and purpose of these regulations and that such variance will be injurious to the area involved or otherwise detrimental to the public welfare.

Based on the findings in paragraphs 1 through 7 above, the Zoning Division staff recommends DENIAL of items 1 and 2 of the Applicant's proposal.

**Item No. 3**

The Applicant is requesting a waiver of Coral Gables “Zoning Code” Section 24-9, limiting the effective time period for a variance from six (6) months to one (1) year. This project was reviewed under the previous “Zoning Code” which limited any variance obtained to expire within (6) six months and an opportunity to request an additional six (6) months extension from the City Manager.

This provision was changed, and the current “Zoning Code” Section 3-807 allows for any variance approved to expire within twelve (12) months and the ability to request one (1) additional extension of twelve (12) months from the Development Review Official, who may grant such extension for good cause shown.

Based on the Section 3-807 of the Coral Gables “Zoning Code,” staff recommends **APPROVAL** of item no. 3 of the Applicant’s request, provided all criteria under this section is adhered to for any and all variance(s) granted.

**STAFF RECOMMENDATION:** Pursuant to **Section 3-806 STANDARDS FOR VARIANCES** of the “Zoning Code,” the Zoning Division staff finds and the Board of Adjustment shall find as follows in regard to the Applicant’s proposal as presented in their application for a variance from the provisions of Ordinance No. 1525, as amended and known as the “Zoning Code,” and makes the following recommendations:

1. That special conditions and circumstances do exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. That the special conditions and circumstances do not result from the actions of the Applicant.
3. That granting the variance requested will not confer on the Applicant a special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district.
4. That literal interpretation of the provisions of the “Zoning Code” would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the “Zoning Code,” and would work unnecessary and undue hardship on the Applicant (see also definition of “necessary hardship”).
5. That the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.
6. That granting the variance will not change the use to one that is different from other land in the same district.
7. That the granting of the variance will be in harmony with the general intent and purpose of the “Zoning Code,” and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Based on the findings in paragraphs 1 through 7 above, the Zoning Division staff recommends **APPROVAL** of item 3 of the Applicant’s proposal.

Testimony was heard from Tucker Gibbs, Esq. and John Fullerton who stated that the Board of Architects expressed a desire to preserve the existing building on the subject property because it is architecturally significant; however, in order to comply with this request, limitations were put on the development of the site. Because the existing building is being redeveloped, the entire building must be brought up to code. A parking garage large enough to house the parking component needed will not fit on the site as it is limited to eight stories; therefore, to help achieve the parking requirement, the Applicant proposes the use of mechanical lifts and tandem parking. The Applicant stated that the lifts will only be used for tenants of the building and the valet service, and will only be operated by a parking attendant.

In order to comply with parking requirements while the existing building undergoes renovations and the new parking garage is being built, the Applicant has consulted with the City's parking director for alternative parking locations. The Applicant submitted a letter signed by Parking Director Kevin Kenny into the record confirming the aforementioned parking agreement.

Testimony was also heard from the City's Zoning Official Martha Salazar-Blanco who spoke to the matter of the City's parking lift policy. Ms. Salazar-Blanco stated that when parking lifts were first introduced to the City a few years ago, little was known about the type of impact they would have. Since then, the City has found that allowing buildings to use parking lifts to meet their parking requirements has resulted in higher and more massive buildings. Because of this undesirable outcome, an ordinance was passed limiting the use of parking lifts by placing a maximum percentage of parking lifts allowed based on the total number of required parking spaces. Ms. Salazar-Blanco noted that the development of this site was underway prior to the parking ordinance taking effect. Ms. Salazar-Blanco also stated that although the desire to comply with Board of Architects request creates challenges for the Applicant, there are still ways in which the Applicant can meet the parking requirement, i.e. reducing the F.A.R. and the total footprint of the project.

A motion was made by Ms. Langer, seconded by Mr. Bello to Approve item 1 of the Applicant's proposal.

**RESOLUTION NO. 4923-ZB**

A RESOLUTION APPROVING A REQUEST FOR A VARIANCE TO ORDINANCE NO. 1525 AS AMENDED AND KNOWN AS THE "ZONING CODE," TO WIT:

1. Grant a variance to allow for the use of approximately ninety-eight (98) parking lifts and twenty-one (21) tandem parking spaces in the new parking garage vs. the parking space(s) being provided as required by Section 13-2(b)(c) of the Coral Gables "Zoning Code."

A Resolution was passed and adopted due to the following roll call: "Yea" - Mr. Bello, Dr. Briggle, Ms. Langer and Mr. Artigues. "Nay" - Mr. Lukacs. "Excused" - Mr. McGrane and Mr. Pozo.

A motion was made by Dr. Briggle, seconded by Ms. Langer to Approve item 2 of the Applicant's proposal.

**RESOLUTION NO. 4924-ZB**

A RESOLUTION APPROVING A REQUEST FOR A VARIANCE TO ORDINANCE NO. 1525 AS AMENDED AND KNOWN AS THE "ZONING CODE," TO WIT:

2. Grant a variance to allow for the temporary use of off-site parking for the portion of the building that is occupied during the renovations of the existing building, and the demolition and reconstruction of the existing parking garage vs. providing parking on-site or off-site within five hundred (500'-0") feet of the subject property as required by Sections 13-1(a) and 13-3(c) of the Coral Gables "Zoning Code."

A Resolution was passed and adopted due to the following roll call: "Yea" - Dr. Briggle, Ms. Langer, Mr. Artigues, Mr. Bello and Mr. Lukacs. "Nay" - None. "Excused" - Mr. McGrane and Mr. Pozo.

A motion was made by Dr. Briggle, seconded by Ms. Langer to Approve item 3 of the Applicant's proposal.

**RESOLUTION NO. 4925-ZB**

A RESOLUTION APPROVING A REQUEST FOR A WAIVER TO ORDINANCE NO. 1525 AS AMENDED AND KNOWN AS THE "ZONING CODE," TO WIT:

3. Consider a waiver of Section 24-9 of the Coral Gables "Zoning Code," limiting the effective time period for a variance(s) from six (6) months to one (1) year.

A Resolution was passed and adopted due to the following roll call: "Yea" - Ms. Langer, Mr. Artigues, Mr. Bello, Dr. Briggle and Mr. Lukacs. "Nay" - None. "Excused" - Mr. McGrane and Mr. Pozo.

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**5. Approval of Board of Adjustment hearing schedule for 2009**

After reviewing the 2009 hearing schedule prepared by staff, some board members noted that the January meeting may conflict with their schedules.

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Meeting adjourned at 9:17 a.m.

THE CITY OF CORAL GABLES  
BOARD OF ADJUSTMENT

Elizabeth L. Gonzalez  
Acting Secretary