

**City of Coral Gables
Board of Adjustment Meeting
Monday, February 5, 2018
Coral Gables City Commission Chambers
405 Biltmore Way, Coral Gables, Florida**

MEMBERS	J	F	M	A	M	J	J	A	S	O	N	D	APPOINTMENT
	'18	'18	'18	'18	'18	'18	'18	'18	'18	'18	'18	'18	
Maria D. Garcia	P	P											Commissioner Frank Quesada
Oscar Hidalgo Chair	P	P											Board-As-A-Whole
Eugenio Lage	P	P											Commissioner Michael Mena
Jorge Otero	-	P											Commissioner Patricia Keon
Gema Pinon Vice Chair	P	P											Mayor Raul Valdes Fauli
Michael Sotelo	E	P											Commissioner Vince Lago
Jack Thomson	P	P											City Manager Cathy Swanson- Rivenbark

P = Present
E = Excused
C = Meeting Cancelled
R = No Meeting Summer Recess

City Staff and Consultants:

Ramon Trias, Planning & Zoning Director
 Jennifer Garcia, Principal Planner
 Arceli Redila, Principal Planner
 Paula Roldos, Principal Planner
 Cristina Suarez, Asst. City Attorney

Court Reporter:
 Nieves Sanchez

Attachment: 02 05 18 Board of Adjustment Verbatim Minutes

CITY OF CORAL GABLES
 BOARD OF ADJUSTMENT
 VERBATIM TRANSCRIPT
 CORAL GABLES CITY HALL
 405 BILTMORE WAY, COMMISSION CHAMBERS
 CORAL GABLES, FLORIDA
 MONDAY, FEBRUARY 5, 2017, COMMENCING AT 8:05 A.M.

Board Members Present:

- Oscar Hidalgo, Chairman
- Maria D. Garcia
- Eugenio Lage
- Gema Pinon
- John M. Thomson
- Jorge Otero
- Michael Sotelo

City Staff and Consultants:

- Ramon Trias, Planning Director
- Cristina Suarez, Assistant City Attorney
- Arceli Redila, Principal Planner
- Jennifer Garcia, City Planner

ALSO PARTICIPATING:

Mario Garcia-Serra, on behalf of 6401 LLC

BA-17-09-1073
 (944 Lugo Avenue)
 Coral Bay Section B, Lot 18, Blk 3
 Mario Garcia-Serra - Applicant
 6401 LLC - Owner

Is there a motion?
 MS. GARCIA: Move to approve.
 CHAIRMAN HIDALGO: Is there is a second?
 MR. LAGE: Second.
 CHAIRMAN HIDALGO: It's been moved and second. Could we take a roll?
 MR. TRIAS: Maria Garcia?
 MS. GARCIA: Aye.
 MR. TRIAS: Oscar Hidalgo?
 CHAIRMAN HIDALGO: Aye.
 MR. TRIAS: Eugenio Lage?
 MR. LAGE: Yes.
 MR. TRIAS: Jorge Otero?
 MR. OTERO: I'll pass. I wasn't here.
 MR. TRIAS: Okay. Gema Pinon?
 MS. PINON: Yes.
 MR. TRIAS: Michael Sotelo?
 MR. SOTELO: Sure.
 MR. TRIAS: Okay. Motion passes.
 CHAIRMAN HIDALGO: Let's give Mr. Thomson a chance to come up to the podium.
 MR. TRIAS: Mr. Thomson is present.
 CHAIRMAN HIDALGO: Yes.
 I believe we only have one case today, it seems.

THEREUPON:

(The following proceedings were held.)

CHAIRMAN HIDALGO: The meeting is called to order, the City of Coral Gables Board of Adjustments meeting.

If we can, please, take the roll.

MR. TRIAS: I'll take the roll.

Maria Garcia?

MS. GARCIA: Present.

MR. TRIAS: Oscar Hidalgo?

CHAIRMAN HIDALGO: Here.

MR. TRIAS: Eugenio Lage?

MR. LAGE: Present.

MR. TRIAS: Jorge Otero?

MR. OTERO: Present.

MR. TRIAS: Gema Pinon?

MS. PINON: Present.

MR. TRIAS: Michael Sotelo?

MR. SOTELO: Present.

MR. TRIAS: Jack Thomson?

Okay. A quorum is present, sir.

The next item is Approval of the Minutes.

CHAIRMAN HIDALGO: Yes. So if we can take a roll on the approval of the minutes for our last, January 8, 2018, Board Meeting.

MR. TRIAS: Yes, Mr. Chairman. There are no changes to the agenda. The only case is the one from the last time, that it was deferred, and it's a request for a variance from the setback for the pool.
 The Applicant submitted some additional materials that were delivered to you, and it's basically the information you requested, and, at this point, I would just let the Applicant make their presentation, and if you have any questions for Staff, we'll assist you.
 Thank you.
 CHAIRMAN HIDALGO: Okay. Is there anyone in the audience that's going to speak, besides counsel?
 MR. GARCIA-SERRA: In all likelihood, I think it's only going to be myself.
 CHAIRMAN HIDALGO: Okay.
 MR. GARCIA-SERRA: Good morning, Mr. Chair, Members of the Board. Mario Garcia-Serra, with offices at 600 Brickell Avenue, here today representing 6401, LLC, the owner of the single-family home located at 944 Lugo Avenue, indicated in the aerial photograph.
 I'm accompanied today by Mr. Roly Garcia,

1 the principal of 6401, LLC and the future
2 resident of 944 Lugo, as well as my associate,
3 Lauren Kahn.

4 To give you sort of a bit of a reminder for
5 those of you who were here the last hearing,
6 after we continued it, Mr. Garcia bought this
7 property about two years ago, is in the process
8 of renovating it, and we have some pictures
9 here of the renovation work in progress.

10 On the left is the house as it previously
11 was, when Mr. Garcia bought it. On the right
12 are the renovations which are currently going
13 on, that exist in the rear of the property,
14 which is what we're talking about today, the
15 back terrace, as it faces the canal.

16 The issue that is before us is that
17 Mr. Garcia wants to install a pool in his new
18 home, and there are Site Specific regulations
19 for Coral Bay Section B, that requires a
20 twenty-foot variance -- excuse me, a
21 twenty-foot setback.

22 A twenty-foot setback is required for pools
23 in Coral Bay Section B pursuant to an Ordinance
24 adopted in 1960, which we really just
25 discovered, between First and Second Reading,

1 application of the twenty-foot waterway setback
2 for properties of this size is unheard of. And
3 further research, both in a City wide level and
4 at the subdivision level, confirms this.

5 This map was provided as part of the
6 supplemental materials that were part of the
7 agenda item, and it indicates what's applicable
8 for pool setbacks on waterway properties in the
9 City of Coral Gables. As you can see from the
10 color coding there on the map, the vast
11 majority of properties in Coral Gables that
12 front the water, whether it be bay or canal,
13 require a five-foot setback from that canal for
14 the pools. Again, a five-foot setback is what
15 is currently required in the City of Coral
16 Gables for pools.

17 There's a small little commercial area
18 facing Dixie Highway that requires, along with
19 some other subdivisions in the further
20 subregions of the City, which are colored there
21 in orange, which require a
22 seven-and-a-half-foot setback, then there's the
23 Coral Bay Sections A and B, which are the ones
24 that are the subject of discussion today down
25 in Gables by the Sea, in the southern regions

1 they didn't give much of an explanation as to
2 why twenty feet is required here and in other
3 parts of the City, but the situation with this
4 property, in particular, since there's only
5 about twenty-five feet of space in between the
6 rear property line, where the canal waterway,
7 is and the building, and if twenty feet are
8 going to be required, it's not practically
9 feasible to install a pool within the five feet
10 that there is of width in between the setback
11 line and the building.

12 Our position has been that this condition
13 and circumstance has created a hardship in the
14 context of this proposed renovation and that a
15 variance is appropriate.

16 The last hearing was continued from the
17 January meeting to determine what is considered
18 appropriate in the rest of the City, in the
19 Zoning District, and how the situation has been
20 handled in the past, in this subdivision, in
21 particular.

22 We have the testimony of Mr. Eduardo Calil
23 from the last hearing, an architect with over
24 thirty years of experience designing
25 single-family homes in Coral Gables, that the

1 of the City, which require the twenty feet, and
2 only one place in Coral Gables, Hammocks Lake
3 Number 2, which is color coded there in red,
4 which requires a greater setback of twenty
5 feet.

6 Hammocks Lake Number 2, the properties
7 there average a depth of 200 to 400 feet, so a
8 much different situation than what we're facing
9 here in Coral Bay Section A and B, where the
10 usual depth of the properties are somewhere
11 around 100, 115 feet.

12 Then we looked at the question as to
13 whether twenty feet of waterway setback has
14 really been required in Coral Bay Section B
15 over the years. Based on our limited review of
16 the aerial photography along Lugo Avenue, on
17 the other side of the subject canal, the north
18 side of San Pedro, we identified sixteen
19 properties with their pools within twenty feet
20 of the rear setback.

21 This aerial photograph, which was shown at
22 the last hearing, is indicating those sixteen
23 properties, as well as the subject property.
24 To make sure that this was the case, that
25 indeed these properties had pools within that

1 twenty-foot required setback, we went into the
 2 microfilm records of the Building Department
 3 for the each of these properties, and we were
 4 able to find approved plans for fourteen of the
 5 sixteen properties, and all of them confirmed
 6 our observation, that indeed their pools were
 7 within the twenty-foot setback, and with ten of
 8 them being set back at ten feet or less of the
 9 canal.

10 Now, what does all of this mean for the
 11 discussions which you need to -- for the
 12 discussions and then the decision which you
 13 need to make today? While your decision needs
 14 to be governed by the eight criteria in the
 15 Code for variances, so the first four of these
 16 criteria basically require that there be
 17 special conditions and circumstances that are
 18 unique to the property and not applicable to
 19 other properties in the same Zoning District,
 20 that these conditions and circumstances are not
 21 self created and that they deprive the
 22 Applicant -- and that the regulations deprive
 23 the Applicant of rights commonly enjoyed by
 24 others is creating a hardship.

25 The exhibits, which I just presented to

1 pools and these pools have less than ten feet
 2 of setback from the waterway.

3 The proposed pool will not be disruptive to
 4 anyone in the existing situation and the
 5 existing neighborhood or in the rest of the
 6 City. On the contrary, it will fit in
 7 perfectly well with all of the other pools
 8 which have ten feet of setback or less.

9 Lastly, from a public policy perspective,
 10 please rest assured that approving this
 11 variance is the right thing to do. What quite
 12 often is disruptive of neighborhoods is when
 13 existing homes are demolished and large
 14 oversized homes are built in their place. Here
 15 my client is trying to do the right thing and
 16 to renovate this house in a tasteful manner, in
 17 an appropriate state, so as to have modern day
 18 Coral Gables living standards. Having a pool
 19 is not unreasonable from that perspective.

20 Secondly, and even more important, granting
 21 this variance will not create a safety hazard.
 22 The Building Code requirements for barriers
 23 around the pools is what ensures a safe
 24 situation, not the rear setback requirement in
 25 the Zoning Code. On this point, both of those

1 you, and the exhaustive research which has been
 2 submitted to you, address these criteria head
 3 on. In the vast majority of properties
 4 fronting waterway in Coral Gables, only five or
 5 seven-and-a-half feet of setback are required
 6 for a pool. Even within Coral Bay Section B,
 7 fronting the same canal, we can find sixteen
 8 homes which were not subject to this
 9 requirement.

10 This is a very unique situation, and it was
 11 not created in any way by my client. He's just
 12 looking to have a pool in his backyard, just
 13 like the vast majority of his neighbors and
 14 other waterfront property owners in the City of
 15 Coral Gables.

16 The second half of the criteria which needs
 17 to be considered is, will granting the variance
 18 still lead to a situation where the end product
 19 will be appropriate and compatible with the
 20 rest of the neighborhood and the rest of the
 21 City.

22 Again, looking at the existing situation on
 23 the ground, both in the neighborhood and other
 24 waterfront neighborhoods throughout the City,
 25 the vast majority of these properties have

1 are the existing condition.

2 As you can clearly see in the before and
 3 after pictures, there is a step down from the
 4 rear terrace that we're talking about to the
 5 rest of the property where the dock is located.
 6 The area of the pool will be located in this
 7 raised terrace. The likelihood of a predatory
 8 animal, such as an alligator or crocodile being
 9 able to somehow overcome the seawall, and then
 10 climb up the stairs so as to create a hazard to
 11 this pool, as was mentioned in the last
 12 hearing, is highly, highly unlikely and
 13 practically non-existent.

14 We have the support of the neighbors on
 15 both sides of this property. This proposed
 16 renovation, including the pool, was well
 17 received and approved by the Board of
 18 Architects and your professional staff is
 19 recommending approval. We would ask that you
 20 follow the recommendation and approve the
 21 required variance.

22 Thank you very much.

23 CHAIRMAN HIDALGO: Thank you.

24 Is there anybody else from the audience
 25 speaking on the case itself or just you,

1 Mr. Serra?
 2 MR. GARCIA-SERRA: No. The client is here,
 3 if you have any questions of him, but --
 4 CHAIRMAN HIDALGO: Okay. Any Board Members
 5 have any questions for Mr. Serra?
 6 MR. OTERO: Yes, Mr. Chairman.
 7 CHAIRMAN HIDALGO: Mr. Otero.
 8 MR. OTERO: Of the residences that you said
 9 had pools that had a five to ten-foot setback,
 10 how many of those obtained variances?
 11 MR. GARCIA-SERRA: That we do not have an
 12 answer for. We tried looking through the Board
 13 of Adjustments records and we cannot find any
 14 Board of Adjustments records that would provide
 15 us with the necessary resolutions.
 16 We do have, as provided in the package, the
 17 approved plans, stamped approved plans, the
 18 building permit plans showing those pools
 19 within that, you know, five to ten-foot setback
 20 range, but both, Staff and my offices, have
 21 tried to find these records and these
 22 Resolutions and we have not come across them.
 23 The one Resolution we did come across, we
 24 did come across one Resolution for 820 Lugo,
 25 was actually because it was appealed to the

13

1 City Commission and upheld there at the City
 2 Commission.
 3 MR. OTERO: Appealed from, what?
 4 MR. GARCIA-SERRA: Appealed from the Board
 5 of Adjustments to the City Commission.
 6 MR. OTERO: So the Board of Adjustments had
 7 denied the application?
 8 MR. GARCIA-SERRA: No. They approved it,
 9 and it was upheld by the City Commission.
 10 MR. OTERO: Who was appealing it?
 11 MR. GARCIA-SERRA: One of the neighbors to
 12 the property appealed, yes.
 13 MR. OTERO: I have a technical question.
 14 On the first item of the eight that are
 15 required, it says, "Special provisions and
 16 circumstances exist." From what I'm hearing,
 17 the only special condition and circumstance
 18 that exists is the Ordinance.
 19 MR. GARCIA-SERRA: Also, the physical
 20 condition of the property as it is right now.
 21 The existing home is located in such a location
 22 right now that you would only have five feet of
 23 space in order to install a pool.
 24 MR. OTERO: That violates the special
 25 condition, which is the Ordinance. All of the

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1 houses are the same? All of the houses have
 2 the same size lots, right, the same depth from
 3 Lugo to the canal?
 4 MR. GARCIA-SERRA: And then --
 5 MR. OTERO: That's not a cul-de-sac or
 6 something odd?
 7 MR. GARCIA-SERRA: No.
 8 MR. OTERO: Okay.
 9 MR. THOMSON: I was personally shocked that
 10 there are seventeen homes that have pools in
 11 the twenty-foot setback and we haven't had any
 12 change in the Ordinance to take effect on that,
 13 because we always try to keep the Ordinance in
 14 conformity with what the neighborhood desires
 15 and wants. Obviously, in this case, I think
 16 this neighborhood wants the pool.
 17 MR. GARCIA-SERRA: Correct.
 18 You made a good point, Mr. Thomson, in
 19 that, you know, this regulation has been in
 20 place probably for a while. The enforcement of
 21 it apparently hasn't been uniform. The rest of
 22 the City is at another standard, and a Code
 23 amendment might be justified.
 24 In the case of my client, it's difficult to
 25 do that, because he can only apply for a Code

15

1 amendment as to his property, and so then you
 2 would have a weird situation, where one
 3 property has different regulations than the
 4 rest. You know, it wouldn't be unheard of to
 5 see City Staff come forward perhaps at a later
 6 date with something for the entire area.
 7 MR. THOMSON: I think so. As you know, the
 8 only concern I had at our last hearing was the
 9 safety of the ten feet, which is next to
 10 nothing, from the pool to the canal, and I
 11 think that will take care of itself. I mean,
 12 the owner is going to look at that and he's
 13 going to take measures to put a protective
 14 barrier up.
 15 MR. GARCIA-SERRA: And the difference in
 16 elevation helps, also, too, the fact that the
 17 pool is going to be higher than the canal.
 18 MR. THOMSON: Little things like that will
 19 also help make it safe, yeah.
 20 MR. SOTELO: Is the safety issue just for
 21 potential wildlife entering the yard or also
 22 for people going down, because you mentioned
 23 alligators --
 24 MR. GARCIA-SERRA: There was a mention of
 25 that at the last hearing. That's why I was

16

1 pointing out the change in elevation.
2 There are also, of course, a concern of
3 somebody, let's say, a small child, wondering
4 from the pool to the canal, but the Building
5 Code itself requires a barrier of four feet in
6 height around a pool so as to prevent both, a
7 child going into the pool or a child coming out
8 of the pool, let's say, and into the waterway.

9 MR. OTERO: I think the Building Code
10 requires four feet from the opposite side of
11 the barrier, not from the pool side of the
12 barrier, which would prevent those coming in.

13 What is the height from the pool side of
14 the barrier?

15 MR. GARCIA-SERRA: The height from the --

16 MR. OTERO: I think you had it the package.
17 In other words, the Code requires four feet
18 from the adjoining side.

19 MR. GARCIA-SERRA: Uh-huh.

20 MR. OTERO: It does not require four feet
21 from your side, because the idea is to prevent
22 others from coming in. I believe that's the
23 case.

24 CHAIRMAN HIDALGO: Just to clarify, Mr.
25 Otero --

1 also you would have to have a fence between the
2 pool and the waterway, which is not a Code --

3 MR. TRIAS: Yeah, the Building Code
4 regulates the safety.

5 Yeah, what happens is that you're correct
6 on that, and the idea is basically to keep, for
7 example, a child from walking into the pool
8 from the outside. I mean, that's the thing,
9 the main aspect. I mean, it's not designed for
10 alligators, let's say.

11 CHAIRMAN HIDALGO: In addition, there's
12 another regulation where the pool would have to
13 have either a fence enclosing the pool or a net
14 or some type of other safety device in place to
15 prevent a child from falling into the pool,
16 which is another requirement of the Code,
17 unrelated to the variance.

18 MR. TRIAS: Right, and they have to comply
19 with those requirements, clearly.

20 CHAIRMAN HIDALGO: Correct.

21 MR. TRIAS: So the basic issue is that
22 there is only one place where the setback is
23 required. Every other location doesn't have
24 this requirement.

25 The City Commission selected a consultant

1 MR. OTERO: There's four feet on both sides
2 in this case?

3 MR. GARCIA-SERRA: I believe that's the
4 requirement, yes.

5 CHAIRMAN HIDALGO: But your concern is with
6 the fence that divides the two properties?

7 MR. OTERO: No. My concern is, as stated
8 earlier, if any concern, was the pool occupant
9 going over the fence into the canal. Now,
10 whether ten feet or twenty feet matters, I
11 don't think so. I think an alligator would go
12 twenty feet the same way an alligator to will
13 go ten feet. I'm just curious about complying
14 with the safety, as counsel mentioned. I just
15 want to make sure, from every angle, we're not
16 shorting up the safety issue, and it does not
17 appear that we are.

18 CHAIRMAN HIDALGO: But my understanding is,
19 and this is a City question, that there's no
20 regulation for any kind of fencing between the
21 waterway and the pool, other than a setback,
22 but there's no physical barrier requirement.

23 Because if that would be the case, then
24 every pool would have to have a fence
25 separating the two adjoining properties, but

1 to help us with the Code issues, and I
2 anticipate that we may look at some of the Site
3 Specifics, like this one, that seem to be
4 fairly arbitrary and don't seem to have a very
5 logical sense.

6 So my opinion is that this requirement
7 doesn't really have too much theory behind
8 this. This was fairly arbitrary.

9 MR. LAGE: So I have a question to Staff.
10 Do all of the houses have a walkway, everybody
11 has access to all of the houses, from that
12 picture that you have there?

13 MR. GARCIA-SERRA: No.

14 MR. LAGE: It's like an easement or
15 something like that? Do all of the houses have
16 access --

17 MR. GARCIA-SERRA: No. I believe that just
18 happens to be the paving pattern that the next
19 door neighbor has at that part of the property.

20 MR. TRIAS: There's no public access to the
21 back.

22 MR. LAGE: Also to Staff, 910 Lugo, does it
23 has a variance for that setback, seven feet
24 setback?

25 MR. TRIAS: 910 Lugo -- there's only one

1 variance that I know of.
 2 MR. LAGE: Which is Number 4 on the -- I
 3 have a question on 910 and 1050 Lugo.
 4 MR. GARCIA-SERRA: Those were, after we did
 5 the research of the microfilms and we looked at
 6 those properties, and indicated, you know, the
 7 distances, the rear setback that each of those
 8 properties have, that we can see, all ten of
 9 them are ten feet or less.
 10 The ones that you asked about, 910 Lugo,
 11 seven feet, and 1015 Lugo, sixty-three inches,
 12 that was -- as we mentioned earlier, we've
 13 exhaustively tried to find Board of Adjustments
 14 records. We simply cannot find them.
 15 MR. LAGE: Do they have a permit?
 16 MR. GARCIA-SERRA: They do. Part of the
 17 supplemental package which was submitted are
 18 plans for each of those properties, Number 14
 19 and 16, stamped with the approval for a
 20 building permit. The building permit was
 21 issued for all of those properties.
 22 MR. TRIAS: Generally, everybody has
 23 permits. Generally, there are no variances or
 24 at least no records of any variances.
 25 CHAIRMAN HIDALGO: So the assumption would

21

1 be that they got approved via the normal
 2 permitting process (A) or (B) that they went
 3 through the Board and there's just no record of
 4 a Board approval?
 5 MR. TRIAS: Those are the two options. I
 6 think both are likely to have happened in
 7 different cases.
 8 MR. LAGE: This area was originally in the
 9 Gables or was it an annexed area?
 10 MR. TRIAS: No, this is originally from the
 11 Gables, but it's very unique, in the sense that
 12 it's not part of Merrick's original design.
 13 It's sandwiched between the preservation areas,
 14 and it's one of those Mid Century subdivisions
 15 that were done thinking about the environmental
 16 issues. So this is just unique and it belongs
 17 to that time.
 18 MS. PINON: I have a question for the City.
 19 My concern is that looking at this chart, we're
 20 all over the place. You know, there's no
 21 consistent setback.
 22 MR. TRIAS: Right.
 23 MS. PINON: We have an Ordinance that has a
 24 requirement that hasn't been met and here we
 25 have an owner coming before the Board for a

22

1 variance and we have no tangible explanation of
 2 these setbacks. You know, maybe it's time for
 3 the City to revisit this Ordinance and these
 4 Ordinances and try to get some uniformity.
 5 MR. TRIAS: I plan to recommend changing
 6 the requirement.
 7 MS. PINON: Thank you.
 8 MR. OTERO: One last question, just to
 9 close the loop on this. In the title report,
 10 in the deed or any of the documents, were there
 11 any restrictions addressing this setback?
 12 MR. GARCIA-SERRA: No. Certainly not in
 13 the tile.
 14 MR. OTERO: The only limitation we have is
 15 this 1960 --
 16 MR. GARCIA-SERRA: Site Specific regulation.
 17 MR. OTERO: 1960, is it?
 18 MR. GARCIA-SERRA: 1960, yes.
 19 MR. OTERO: Thank you.
 20 CHAIRMAN HIDALGO: Do you have any other
 21 questions for counsel, Board Members?
 22 MR. SOTELO: Just a comment for the City.
 23 Above and beyond changing the Ordinance, I
 24 think we have also issues in terms of the
 25 approval process with people that are going to

23

1 do inspections, that they're pulling the
 2 trigger. That's another thing for
 3 consideration, other than us approving. I feel
 4 it personally at times, but something for us to
 5 consider looking at.
 6 MR. TRIAS: I think only one permit was
 7 within the last ten years. They tend to be
 8 much older. So, certainly, we are going to
 9 improve, but I think things are better.
 10 CHAIRMAN HIDALGO: Thank you.
 11 Is there anybody in the audience that
 12 opposes the variance?
 13 The City properly noticed, obviously, all
 14 of the neighbors?
 15 MR. TRIAS: Yes, and there was a person the
 16 last time, the last meeting, yes.
 17 MR. THOMSON: I'd like to move for approval
 18 of the application, subject to the conditions
 19 set by the Board.
 20 MS. GARCIA: I second it.
 21 CHAIRMAN HIDALGO: We need to follow the
 22 protocol of the motion.
 23 MR. THOMSON: Yeah. Where is that?
 24 MR. TRIAS: It's in the back of the agenda,
 25 the back page.

24

1 MR. THOMSON: I'll read it.
 2 So I move that we approve the application
 3 to reduce the setback for a swimming pool to
 4 allow a minimum of ten feet where twenty feet
 5 is required from canal, waterway, lake or bay,
 6 pursuant to Site Specific Zoning regulations,
 7 Section A-26(E) of the Zoning Code.
 8 MS. GARCIA: Second.
 9 CHAIRMAN HIDALGO: There is a motion and
 10 it's been second. Can we take a vote, please?
 11 MR. TRIAS: Yes.
 12 Maria Garcia?
 13 MS. GARCIA: Aye.
 14 MR. TRIAS: Oscar Hidalgo?
 15 CHAIRMAN HIDALGO: Aye.
 16 MR. TRIAS: Eugenio Lage?
 17 MR. LAGE: Aye.
 18 MR. TRIAS: Jorge Otero?
 19 MR. OTERO: Yes.
 20 MR. TRIAS: Gema Pinon?
 21 MS. PINON: Yes.
 22 MR. TRIAS: Michael Sotelo?
 23 MR. SOTELO: Yes.
 24 MR. TRIAS: Jack Thomson?
 25 MR. THOMSON: Yes.

25

1 MR. TRIAS: Okay. Motion passes.
 2 CHAIRMAN HIDALGO: The motion has passed.
 3 MR. GARCIA-SERRA: Thank you very much,
 4 Board Members. Have a good day.
 5 CHAIRMAN HIDALGO: Thank you.
 6 MR. TRIAS: Staff has no other issues.
 7 CHAIRMAN HIDALGO: Does the City have any
 8 other --
 9 MR. TRIAS: No, sir.
 10 CHAIRMAN HIDALGO: Thank you. Meeting
 11 adjourned. Thank you, everybody.
 12 (Thereupon, the meeting was concluded at
 13 8:25 a.m.)
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C E R T I F I C A T E

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 2
 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
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9 I, NIEVES SANCHEZ, Court Reporter, and a Notary
 10 Public for the State of Florida at Large, do hereby
 11 certify that I was authorized to and did
 12 stenographically report the foregoing proceedings and
 13 that the transcript is a true and complete record of my
 14 stenographic notes.

DATED this 7th day of February, 2018.

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 20  NIEVES SANCHEZ
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