	Page 77		Page 78
1	hear us, can you put your thumbs up or thumbs	1	vacation of the alley.
2	down?	2	CHAIRMAN AIZENSTAT: Correct.
3	Thumbs up for Rene.	3	MR. MURAI: Correct?
4	Okay.	4	CHAIRMAN AIZENSTAT: Yes.
5	THE SECRETARY: Venny Torre?	5	MR. MURAI: Okay. And I thought Maria
6	MR. TORRE: Oh, no, for denial. Yes.	6	seconded that motion.
7	THE SECRETARY: Maria Velez?	7	CHAIRMAN AIZENSTAT: Yes.
8	MS. VELEZ: Denial.	8	MR. MURAI: Did I hear her say, "Denial"?
9	THE SECRETARY: Chip Withers?	9	MS. VELEZ: Yes.
10	MR. WITHERS: Yes.	10	CHAIRMAN AIZENSTAT: Yes.
11	THE SECRETARY: Rhonda Anderson?	11	MR. MURAI: Denial meaning, yes, to the
12	MS. ANDERSON: Yes.	12	motion?
13	THE SECRETARY: Robert Behar?	13	MS. VELEZ: Yes, to the motion.
14	MR. BEHAR: Yes.	14	CHAIRMAN AIZENSTAT: Yes, to Rhonda's
15	THE SECRETARY: Eibi Aizenstat?	15	motion to deny.
16	CHAIRMAN AIZENSTAT: Yes.	16	MR. MURAI: I just wanted to clarify that.
17	MS. RUSSO: Thank you all very much.	17	CHAIRMAN AIZENSTAT: Okay.
18	MR. BEHAR: Hey, Rene wants to speak. Rene	18	MR. MURAI: I'd tell you, I would it's
19		19	too late, but my preference would have been to
20	wants to speak.	20	table this whole discussion, as everybody said,
	CHAIRMAN AIZENSTAT: Rene, can you there	21	until such time as we have a Site Plan, et
21	you go.	22	cetera.
22	MR. MURAI: Can you hear me?	23	CHAIRMAN AIZENSTAT: Just as an aside, and
23	CHAIRMAN AIZENSTAT: Yes, we can hear you.	24	then we'll move on to the next one, we did
24	MR. MURAI: The motion was to deny the	25	actually ask Laura if her client could go ahead
25	to recommend to the City the denial of the		,
	Page 79		Page 80
1	and provide a Site Plan and bring it to the	1	CHAIRMAN AIZENSTAT: Thank you. Let's go
2	next meeting, and she was unable to do that.	2	ahead and
3	MR. MURAI: No, I understand that, but	3	MR. COLLER: Should I read E-2?
4	I'm	4	CHAIRMAN AIZENSTAT: Yes, please. Let's
5	MS. RUSSO: Only because my client is not	5	move on to the next agenda item.
6	the developer.	6	Craig, if you would please read E-2 into
7	CHAIRMAN AIZENSTAT: Understood. Okay. So	7	the record.
8	let's go ahead.	8	MR. COLLER: Item E-2, an Ordinance of the
9	MS. RUSSO: If not, I would love to bring	9	City Commission of Coral Gables, Florida
10	you a Site Plan.	10	providing for text amendments to the City of
11	CHAIRMAN AIZENSTAT: Okay.	11	Coral Gables Official Zoning Code, Appendix A,
12	MR. MURAI: Okay. Just one quick one. I	12	"Site Specific Zoning Regulations," by amending
13	mean, I think the message to both parties to	13	"Section A-58 - Hammock Oaks Harbor Section
14	the transaction is not that this Board is	14	2(F)," amending provisions governing the use of
15	against the vacation of the alley, but that	15	the private yacht basin facility, increasing
16	it's just not the right time to bring it up,	16	the number of dock slips from eight to nine, on
17	until such time as we get a Site Plan, blah,	17	property legally described as A portion of
18	blah, blah.	18	Tract E, Block 4 of Hammock Oaks Harbor Section
19	CHAIRMAN AIZENSTAT: That is correct.	19	Two (11093 Marin Street), Coral Gables,
20	MR. MURAI: That should be clear.	20	Florida; providing for severability, repealer,
21	CHAIRMAN AIZENSTAT: Yes. Thank you.	21	codification, and an effective date.
22	MR. BEHAR: I will agree with that, Rene.	22	Item E-2, public hearing.
23	That's a good way to put it, excellent way to	23	CHAIRMAN AIZENSTAT: Okay. Ramon, before
24	put it.	24	you proceed, I'd like to remind everybody
25	MS. ANDERSON: I concur.	25	that's on, if they would like to speak when

1 2 3 4 5 6 7	Page 81 it's open for public comment, you must go ahead and send a private chat message with your name, that you'd like to speak on this item, and send	1 2	Page 82 Specific regulations in the Zoning Code that
2 3 4 5 6	and send a private chat message with your name,		
3 4 5 6		2	1 . 11 1 3 7
4 5 6 7	that you'd like to speak on this item, and send	1	were very detailed. Next.
5 6 7		3	Including the request for certain
6 · 7	it to Jill Menendez. If you're on the phone,	4	management and design characteristics of the
7	it's *9 and that will get it over to Jill.	5	site. Next.
	Otherwise, we will not be opening it back up,	6	So the request today is for a Zoning Code
8	if there's nobody there when I ask if there's	7	Text Amendment for the Site Specific
Ų	any speakers. Thank you.	8	regulations, and the request is to allow nine
9	Go ahead, please, Ramon.	9	slips. Right now eight slips are allowed. So
10	MR. TRIAS: Thank you, Mr. Chairman.	10	the request is for one additional slip. Next.
11	May I have the PowerPoint, please?	11	As you can see, the strike-through and
12	You may recall that in October of 2018	12	underline is simply, eight becomes nine. That
13	there was a request to create a series of docks	13	is the amendment. However, it's a significant
14	in a very, very unique parcel of the City.	14	amendment, because it is in the Zoning Code as
15	Next.	15	a Site Specific Regulation. Next.
16	That parcel is a very thin piece of land,	16	There was public notifications, two letters
17	and the dock has been built, and it has been	17	to the property owners, also one property
18	according to the approval. Next.	18	posting, the website posting and a newspaper
19	And as you can see, it's Zoned	19	advertisement. Next.
20	Single-Family and it's surrounded by	20	Staff recommends approval.
21	Single-Family houses. So there was a lot of	21	That is the end of my representation.
22	discussion back in 2018 with the neighbors and	22	CHAIRMAN AIZENSTAT: Okay. Thank you. The
23	a lot of different conditions were proposed and	23	Applicant, please. One second, please. Let's
24	so on. And eventually the approval was	24	see if we can do Erik's phone. There you go.
25	codified in such a way that it has some Site	25	MR. FRESEN: Am I unmuted? Can everybody
	Page 83		Page 84
1	hear me okay?	1	submitted a formal application to the City of
2	CHAIRMAN AIZENSTAT: Yes. Continue,	2	Coral Gables, as a matter of fact, represented
3	please.	3	ably and competently by my friend, Laura Russo,
4	MR. FRESEN: Thank you very much, and thank	4	who was on the application just before us.
5	you Board for your time today, Board Chair and	5	And that process involved a full breath and
6	Board Members, former Commissioners, and City	6	comprehensive structure review, analysis,
7	Staff for all of your assistance here.	7	negotiations, ultimate hearings that an
8	My name is Erik Fresen, with offices at	8	application of this nature would include. At
9	8050 Southwest 72nd Avenue, Miami, Florida	9	the time, it was obviously it was a Text
10	33143. I'm here really as a local advocate on	10	Amendment to the Zoning Code, as well as a
11	behalf of my dear family friend, David	11	Conditional Use, recognizing that, as Mr. Trias
12	Cabarrocas, who is the property owner and	12	mentioned, the subject property is on what is a
13	official applicant to this application.	13	Residential use area, and as such, this was a
14	And, well, Mr. Trias provided you a brief	14	Conditional Use subject to that Zoning
15	background on the site. If you'll indulge me	15	category.
16	for a couple of quick minutes, as I just	16	When the application went through, and your
17	provide a brief summary or a brief historical	17	Staff report should mention this, it went
18	summary of this application, for those Board	18	through, again, all of the reviews, Staff
19	Members that were not around in 2018, when the	19	review, ultimate presentation before the
20	crux of this application came before the City	20	Architectural Board, before the Development
21	for final approval, I'd just like to provide a	21	Review Committee, before your Board, your
22	quick bit of context.	22	Planning & Zoning Board, and ultimately before
23	So the applicant, Mr. Cabarrocas, bought	23	the Commission twice for final passage.
24	this property in or around 2016, and in late -	24	That process included, as Mr. Trias
25	in middle 2017, around the summertime,	25	referenced, a lot of negotiation.

Page 85 Page 86 1 CHAIRMAN AIZENSTAT: Erik, can I ask you to 1 MS. FRESEN: Hi, Craig. A pleasure to see you. 2 pause one second. I need to ask Craig a 2 MR. COLLER: Yes, hi. It's good to see 3 3 question. you, Erik. It's been a while. 4 Craig, since he's not the applicant and -4 MR. FRESEN: Since the County days. 5 5 do we have the paperwork, just to make sure CHAIRMAN AIZENSTAT: Please, continue, 6 6 it's legal and so forth, that he's able to Erik. Sorry for that. 7 MR. FRESEN: No, that's quite okay. 7 present this before us? 8 8 And I won't be, you know, overly long, but MR. COLLER: That's an interesting 9 9 I just want to make sure that there's, you question. I know that he's counsel. Are you 10 know, context for this. 10 representing the applicant? Is the applicant 11 So, in that process, at that time, as I 11 present? 12 mentioned, there were various negotiations 12 MR. FRESEN: The applicant is right next to 13 between the applicant/owner and the neighbors 13 me and even the letter of intent for this Text 14 of the Hammock Oaks community that ultimately 14 Amendment was originally prepared by myself and 15 led to the compromise that allowed for the 15 I've been in contact with City Staff as an 16 development of this basically small purely 16 applicant rep. 17 residential marina, for lack of a better term, 17 MR. COLLER: So you are the applicant --18 for the expressed use of only Hammock Oaks 18 MR. FRESEN: The applicant is here with me. 19 property owners. 19 MR. COLLER: Well, you're an attorney. You 20 At the time, a lot of things, as Mr. Trias 20 have the authority to represent the applicant. 21 said, were negotiated and finally compromised 21 So there's no problem in going forward with it. 22 to. There is a declaration of restricted 22 CHAIRMAN AIZENSTAT: Correct. I just 23 covenance that runs directly with this 23 didn't know, Erik, that you were an attorney 24 application. And to set it from the onset, not 24 and I didn't want you to lose any of your legal 25 a word, not a period, not a comma, is being 25 rights. Page 87 Page 88 1 1 changed from anything that precedes and that Army Corps of Engineers may or may not require 2 2 created this application to be previously as far as setbacks and allowances on the south 3 3 approved. side of that marine, the Applicant chose not to 4 4 The only request on this application is to go for nine, and then ultimately not allow for 5 5 go from eight slips to nine. And just to nine to be permitted, based on some Army Corps 6 provide a little bit of quick context on that, 6 of Engineer denial or recommendation to push 7 7 so when this dock and marina was being back further onto the south side of that 8 8 conceptualized and finally run through Site marina. 9 Plan review and with City Staff and as the -9 Ultimately, this application was approved. 10 10 the estimations of what would be scaleable on Ultimately the elements of this application 11 11 were met with. The Applicant submitted the that site were being determined by the 12 applicant and by City Staff and others, one of 12 Site Plans and all of the drawings to the City 13 the elements - if you look at your Site Plan, 13 Staff. The City Staff reviewed it, permits 14 14 provided by the City as the current as built were issued, and the dock was built. Along 15 15 plan, all eight of the current slips that were that plan, through all of the reviews of 16 approved by the City Ordinances that Mr. Trias 16 various Staff departments for the permitting, 17 referenced, are on the north side of that 17 including the Department of Environmental 18 marina. 18 Resource Management of the County and then 19 19 The reason being, is that although the ultimately the Army Corps of Engineers, those 20 20 applicant knew or hoped at the time that this permits and approvals demonstrated or 21 application was going through that the 21 reflected, particularly the Army Corp, that 22 22 potential possibility of a ninth slip would be what could have potentially been a restriction 23 23 allowed on the south side of the marina, on the south side of the dock for that east --24 because of the fact that the permitting process 24 for that southeast portion of the dock, was not 25 25 occurs after approval and not knowing what the as restrictive as we may have thought, and as

Page 89 Page 90 1 such, that's essentially what leads to this 1 reflect support to the project. 2 application before you today. 2 So the Hammock Oaks Association, and the 3 3 The applicant — the marina is already neighbors, for the most part, have been very 4 built. All eight slips have already actually 4 content with what we would call the assets that 5 5 been sold to Hammock Oaks property owners and was added to their community. As mentioned, 6 residents. All elements of the declaration of 6 several of the current resident slips that are 7 Restrictive Covenants have been met, including 7 owned were actually bought by new owners, post 8 the formation of a condo association for the 8 the application being approved, which, you 9 marina itself. That condo association has a 9 know, most of the agents that are selling in 10 president, vice-president and treasurer already 10 that area will tell you that this was a but for 11 selected, as the City Ordinance dictates, and 11 factor, that but for the marina being there and 12 12 we've had, as Mr. Trias mentioned - we called a slip being available, likely those houses 13 for a couple of neighborhood meetings. 13 would not have sold at the rates that they 14 The last one of which was actually, you 14 sold. 15 know, relatively speaking, very well attended, 15 So it's been, in our opinion, certainly a 16 north of thirty percent of the neighbors within 16 tremendous benefit to the Hammock Oaks 17 17 the thousand feet joined the meeting. There community. Again, the residents have not shown 18 were general questions just about, you know, 18 anything but support for the project, and, 19 how the ninth boat would enter and that sort of 19 again, nothing else in the current approval of 20 20 thing, but no disposition of opposition to the this dock is being changed, other than eight to 21 application. The homeowners association is 21 nine. There is not an inch being added to the 22 well aware of the application, and we certainly 22 dock as built. All of the infrastructure for 23 23 haven't received any feedback, other than the ninth slip is already in place on the dock. 24 24 favorable feedback, and just requesting if they There isn't an additional piling that needs to 25 need us - if we need them to come and speak to 25 be done. In reality, there isn't even a permit Page 91 Page 92 1 that needs to be pulled. Realistically, all 1 before the Board for its recommendation. So 2 2 that needs to be done, were the ninth slip to they're choosing to do this kind of in a 3 3 be approved, is the addition of three cleats, two-step process, but both items have to be 4 so that the ninth boat could tie up. There is 4 ultimately approved -- recommended by you, one 5 no expansion to the dock. There is no material 5 way or the other, and has to be approved by the 6 change to anything that was already approved by 6 City Commission. 7 7 the City Commission, other than the number CHAIRMAN AIZENSTAT: Craig? 8 8 eight to the number nine. MR. FRESEN: May I? 9 And that's just a quick summary, and I'll 9 CHAIRMAN AIZENSTAT: One second, Erik. 10 allow it -- we'll end it there. 10 Craig, are they required to come in at the 11 CHAIRMAN AIZENSTAT: Thank you, Erik. 11 same time? 12 Before I open it --12 MR. COLLER: No. I mean, the way we've set 13 MR. COLLER: Mr. Chairman, there's one 13 this up, we've made it clear that there is a 14 14 minor legal matter that's reflected in this. condition that this other has to be approved 15 There are actually two items. There was a 15 and they have chosen to go with this one first. 16 Maybe they - Erik, maybe you can explain why Conditional Use Ordinance to allow for the 16 17 17 private yacht basin, that in its title the decision was made to go for one and then 18 reflected eight, and there's this amendment to 18 wait. Maybe you wanted to get positive input 19 the Site Specifics. 19 on this before you do the other one. 20 CHAIRMAN AIZENSTAT: Correct. 20 MR. FRESEN: No. I mean, I'm glad to have

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MR. COLLER: The Applicant, for whatever

reason, has only gone forward with one of the

items. In order to accomplish this, both of

the items will ultimately have to be done, so

there will be another item that will be coming

gotten positive input on this one, at least up

for two reasons. One of them was more of a

hopeful optimism reason and the other one was

to the Staff point, but, no. So, really, it's

more of a practical one.

Page 93 Page 94 1 1 As the City Attorney just mentioned, earlier, which was, as I explained, incredibly 2 2 ultimately the driving legal determination as comprehensive, required hours of Staff review 3 3 to the Conditional Use portion having to also and negotiations back and forth and everything 4 be formally heard before the formalized 4 else, had both, a Text Amendment and a 5 5 process, as opposed to, since it is tied to an Conditional Use. The way that the City fee 6 6 item that's moving forward as a Zoning Text schedules work is that they're both treated 7 7 Amendment through the formal process, that separately and they're billed with a flat fee. 8 8 otherwise could have possibly been approved So there is no scalability on a fee relative to 9 9 subsequent to, through a Staff analysis, is either the size, impact, scope or breath or an 10 because of what the City Attorney mentioned, 10 application. Essentially, if it is a that unfortunately for the Applicant, the 11 11 Conditional Use, regardless of whether it's a 12 12 Conditional Use application for a 50,000 square Number 8 was also in the title portion of the 13 Conditional Use. 13 foot office building or a Conditional Use 14 Had that number not been so specifically 14 application to change the number from eight to 15 stated, and it would have just - as most 15 nine, without any other changes being made on 16 16 applications, that don't speak to that much an existing approved Site Plan, unfortunately, 17 17 specificity in the tile, would have just the City fees don't have a scale. They're 18 18 referenced, slips, we were hopeful that maybe basically flat. 19 it could just have been done at the Staff 19 So the practical reason for knowing - once 20 20 level. And, then, quite frankly, the second we knew the legal determination that, in fact, 21 21 reason, which is more practical, is that -- and we were going to have to come -- that there was 22 22 this is a conversation I had with Mr. Trias and no way around, let's say, you know, formally 23 23 a few others, was a more practical financial through Staff or otherwise, to not have to 24 24 one. formally go through the Conditional Use, 25 25 because of the fact that it was embedded in the The original application that I summarized Page 95 Page 96 1 title amendment, this one -- Text Amendment 1 you, I may not even have an opening, other 2 2 portion was already significantly brought than, this one is just like the last one that 3 3 forward, so for that reason, I didn't want to you guys saw. So I'll be much shorter in my 4 slow this one down, while readily acknowledging 4 presentation in that one, which is to your 5 5 here in public and understanding that benefit. 6 ultimately one cannot exist - one will not 6 CHAIRMAN AIZENSTAT: Thank you, Erik. 7 7 exist and will not be before final approval by Before I open it up for public comment, 8 8 City Commission without the other, but it also Erik, I just want to ask a question. I recall 9 afforded the Applicant, who is not a wealthy 9 something of this when I was on the Board 10 10 man, a few weeks to be able to essentially previously that this came before us. I think 11 11 cobble together the nearly \$12,000 application it was when Laura was handling it. 12 fee that's going to accompany what essentially 12 MR. FRESEN: Yes. 13 is a minor scrivener amendment on a Conditional 13 CHAIRMAN AIZENSTAT: And I recall at that 14 Use order that's from eight to nine. 14 time -- was it for the same -- was it for the 15 So, for those two reasons, it's why we did 15 ninth space or was it for the condo use at that 16 so. So it wasn't either a flippant disregard 16 time? 17 17 or otherwise, but we do recognize the fact MR. FRESEN: It was for the condo use at 18 that -- you know, and we'll be doing it very 18 that time. I'm sorry, through the Chair --19 shortly, that both applications will ultimately 19 well, you are the Chair. 20 meet at the Commission level, and, again, both 20 CHAIRMAN AIZENSTAT: Yes. 21 of them are mirror applications. There is 21 MR. FRESEN: Yes, it was for the condo use 22 22 nothing substantive in what will be the at the time, and, again, some other varying 23 23 Conditional Use that is not being discussed and elements regarding security elements and a few 24 detailed in today's conversation. 24 others regarding the roundabout, to make sure 25 25 So, essentially, when that one comes before beforehand that there would be enough actual

	Page 97		Page 98
1	radius, you know, for safety vehicles and that	1	MS. VELEZ: I remember, when we first heard
2	sort of thing.	2	this in the Summer of 2018, there was some
3	CHAIRMAN AIZENSTAT: Okay. Jill, do we	3	
4	have any speakers? Let me see if I can	4	issues and that there was a pending lawsuit. Has that been resolved?
5	Jill	5	
6 .		1	MR. FRESEN: Yes.
7	THE SECRETARY: No speakers.	6	I'm sorry, through the Chair, yes.
	CHAIRMAN AIZENSTAT: No speakers at all?	7	MS. VELEZ: Okay. Have any of the
8	Okay. At this time, I'm going to close it to	8	neighbors indicated any objection to increasing
9	the floor.	9	the docks from eight to nine?
10	Rene, will you go first, please?	10	MR. FRESEN: Through the Chair?
11	MR. MURAI: Can you hear me now?	11	CHAIRMAN AIZENSTAT: Yes, please. You
12	CHAIRMAN AIZENSTAT: I can hear you now.	12	don't have to say through the Chair.
13	MR. MURAI: Okay. Did I understand at the	13	Mr. FRESEN: Oh, I'm sorry.
14	beginning that this marina abuts City property?	14	CHAIRMAN AIZENSTAT: It's okay.
15	No?	15	MR. FRESEN: I'm conditioned to a
16	MR. TRIAS: No.	16	legislative process, sorry.
17	MR. MURAI: The property is the owned by	17	So, yes, Maria no. So, again, I was
18	the developer?	18	actually rather relieved when I saw the amount
19	MR. TRIAS: Yes.	19	of participation that occurred in our Zoom
20	MR. MURAI: Okay. And the City's	20	neighbor meeting. Because of COVID reasons, we
21	recommendation is?	21	didn't want to hold this one in person. And,
22	MR. TRIAS: Approval.	22	again, north of thirty percent of those within
23	MR. MURAI: Okay. No further questions.	23	the thousand foot radius attended and mostly
24	CHAIRMAN AIZENSTAT: Thank you, Rene.	24	just either just to commend the existing
25	Maria. Yes.	25	project, and, really, the only real questions I
1	D 00		
	Page 99		Page 100
1	remember being asked were they were curious	1	Page 100 indistinguishable from what's there right now,
1 2		1 2	
l	remember being asked were they were curious		indistinguishable from what's there right now,
2	remember being asked were they were curious as to how the ninth boat would come in, which	2	indistinguishable from what's there right now, other than a ninth boat being parked on the
2	remember being asked were they were curious as to how the ninth boat would come in, which Mr. Cabarrocas explained, and then there was	2	indistinguishable from what's there right now, other than a ninth boat being parked on the south side of the dock.
2 3 4	remember being asked were they were curious as to how the ninth boat would come in, which Mr. Cabarrocas explained, and then there was another question from the residents, that	2 3 4	indistinguishable from what's there right now, other than a ninth boat being parked on the south side of the dock. MS. VELEZ: Thank you. That's all I have.
2 3 4 5	remember being asked were — they were curious as to how the ninth boat would come in, which Mr. Cabarrocas explained, and then there was another question from the residents, that because of the security elements that were	2 3 4 5	indistinguishable from what's there right now, other than a ninth boat being parked on the south side of the dock. MS. VELEZ: Thank you. That's all I have. CHAIRMAN AIZENSTAT: Chip.
2 3 4 5 6	remember being asked were — they were curious as to how the ninth boat would come in, which Mr. Cabarrocas explained, and then there was another question from the residents, that because of the security elements that were required through the negotiations with the	2 3 4 5 6	indistinguishable from what's there right now, other than a ninth boat being parked on the south side of the dock. MS. VELEZ: Thank you. That's all I have. CHAIRMAN AIZENSTAT: Chip. MR. WITHERS: So, hey, Erik, how are you?
2 3 4 5 6 7	remember being asked were — they were curious as to how the ninth boat would come in, which Mr. Cabarrocas explained, and then there was another question from the residents, that because of the security elements that were required through the negotiations with the association back then and with City Staff to	2 3 4 5 6 7	indistinguishable from what's there right now, other than a ninth boat being parked on the south side of the dock. MS. VELEZ: Thank you. That's all I have. CHAIRMAN AIZENSTAT: Chip. MR. WITHERS: So, hey, Erik, how are you? MR. FRESEN: Hey, Commissioner, how are you?
2 3 4 5 6 7 8	remember being asked were — they were curious as to how the ninth boat would come in, which Mr. Cabarrocas explained, and then there was another question from the residents, that because of the security elements that were required through the negotiations with the association back then and with City Staff to have, you know, a security element, which is essentially a gate to allow only access to the	2 3 4 5 6 7 8	indistinguishable from what's there right now, other than a ninth boat being parked on the south side of the dock. MS. VELEZ: Thank you. That's all I have. CHAIRMAN AIZENSTAT: Chip. MR. WITHERS: So, hey, Erik, how are you? MR. FRESEN: Hey, Commissioner, how are you? MR. WITHERS: I'm fine.
2 3 4 5 6 7 8	remember being asked were — they were curious as to how the ninth boat would come in, which Mr. Cabarrocas explained, and then there was another question from the residents, that because of the security elements that were required through the negotiations with the association back then and with City Staff to have, you know, a security element, which is essentially a gate to allow only access to the slips for those that are owners of said slips,	2 3 4 5 6 7 8	indistinguishable from what's there right now, other than a ninth boat being parked on the south side of the dock. MS. VELEZ: Thank you. That's all I have. CHAIRMAN AIZENSTAT: Chip. MR. WITHERS: So, hey, Erik, how are you? MR. FRESEN: Hey, Commissioner, how are you? MR. WITHERS: I'm fine. I'm not really familiar with this, so I
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	Page 105		Page 106
1	there's actually dimensionally ten parking	1	MR. FRESEN: No, he is not.
2	spaces on the existing site.	2	CHAIRMAN AIZENSTAT: So if he's not an
3	MR. MURAI: Okay.	3	owner of Hammock Oaks and the restriction is,
4	CHAIRMAN AIZENSTAT: Erik, I actually, same	4	you have to be an owner of Hammock Oaks, how
5	as Rhonda, recall very vividly when this came	5	does that work?
6	before us, when it was being proposed, and,	6	MR. FRESEN: It works, because even though
7	Rhonda, if I recall correctly, at that time, we	7	•
8	had denied it for some reason or am I wrong?	8	he was the owner of the property where the marina was built, he does not have a boat slip
9	•	9	•
10	I'm not saying, the one space, I'm saying	10	and he can't have a boat slip.
11	something was going on with the condominium,	1	CHAIRMAN AIZENSTAT: Craig, do you remember
	which I'm not sure of, from the developer. I	11	now?
12	remember when Laura was there.	12	MR. COLLER: I do. I do. I think you
13	MS. VELEZ: I believe we approved it.	13	Ramon, you recall it, too?
14	MS. ANDERSON: I believe we approved it.	14	MR. TRIAS: I do recall that discussion.
15	MR. VELEZ: Yes, we approved it. We had	15	Yes, sir. I do recall it.
16	a long conversation about the access and there	16	MR. FRESEN: I can't speak as to whether or
17	were neighbors against it and neighbors for it,	17	not Mr. Cabarrocas originally wanted to have a
18	and ultimately we did approve it, with the	18	boat slip there, but he does not have one there
19	conditions. Yeah.	19	and he cannot have one there, unless he buys a
20	MS. ANDERSON: I recall detailed	20	property at Hammock Oaks.
21	discussion. I mean, I know I brought up the	21	CHAIRMAN AIZENSTAT: So what's he going to
22	width of the dock, having the ADA accessible,	22	do? So his intention is to build it and sell
23	and	23	it?
24	CHAIRMAN AIZENSTAT: Right. And the fuel.	24	MR. TRIAS: It's built already.
25	Is the applicant an owner at Hammock Oaks?	25	MR. FRESEN: Yeah, there's no building.
	Page 107		Page 108
1	It's just to sell it.	1	than them, but they still had to live in the
2	CHAIRMAN AIZENSTAT: So it's to sell it,	2	development.
3	but if he let me see if I understand this.	3	CHAIRMAN AIZENSTAT: I think you had to be
4	If he's not an owner and there is a covenant to	4	an owner. So how does an Applicant come in for
5	run with the land with restrictions, Craig, how	5	the ninth how does the Applicant come in for
6	does that work?	6	a ninth space, that's not an owner or part of
7	MR. COLLER: Well, it requires coming back	7	the association?
8	to a public hearing. That's why we're here,	8	MR. BEHAR: Mr. Chairman, it's simple.
_	because he can't go	9	He's a developer. He owned that property, and,
9	3 -	1	
10	MR. TRIAS: Mr. Chairman, this is not a	10	
	,	10 11	you know, he's selling that slip after he's done.
10	dock. This is a private yacht basin. So it's	1	you know, he's selling that slip after he's done.
10 11	dock. This is a private yacht basin. So it's a slightly different condition. It was	11	you know, he's selling that slip after he's done. CHAIRMAN AIZENSTAT: So he would have to
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1	So as the slip	1	MR. FRESEN: Right. And what I'm saying,
2	MR. MURAI: I'm sorry to interrupt you,	2	that transition period is substantially
3	but, Eibi, I know what you're struggling with.	3	identical to the original approval, when, in
4	Theoretically the moment this was approved, he	4	essence, he owned eight, but in reality, since
5	became an owner of these condos, even though he	5	there's no usability for said eight, he either
6	didn't own any property in Hammock Oaks, but	6	owns a lot of wood that's sitting on top of
7	implied in the approval was the fact that he	7	water without any use or he owns the ability to
8	would, obviously, initially own the slips. Now	8	sell proportionate elements of said wood in
9	what he can't do is sell it to me, because I	9	units of eight, and now this would be the ninth
10	don't live there, but implied in the approval	10	unit, and the way that it reads right now,
11	is obviously he has the right to own it until	11	because the condo association was already
12	- I mean, I don't think theoretically he	12	formed for the existing eight, the ninth slip
13	should have the right to use it.	13	would automatically transfer into the condo
14	MR. FRESEN: He doesn't.	14	association for all elements of ownership other
15	MR. COLLER: He actually doesn't have the	15	than the fee simple control of ownership that
16	right to use it, because of the condition.	16	the ninth buyer would have.
17	MR. FRESEN: Right. He does not.	17	MR. MURAI: So the owner, which is David at
18	MR. COLLER: That it was only the people	18	this point, is a member of the condo
19	that lived in the development.	19	association by virtue of the fact that he owns
20	MR. MURAI: Right. I know what Eibi is	20	a slip, and every slip is you know, there's
21	saying, the moment we approve this, he becomes	21	common elements.
22	the owner of a ninth slip, but he doesn't own	22	But, listen, implied in all of the
23	property.	23	approvals is that he initially has to own it,
24	CHAIRMAN AIZENSTAT: Yeah, that's where I'm	24	because it cannot be owned -
25	having a hard time.	25	MR. BEHAR: You can't build it, unless you
		<u> </u>	
	Page 111		Page 112
1	own it.	1	final approval, and, again, because of the way
2	MR. MURAI: Right.	2	that that's worded, where thank God that
3	CHAIRMAN AIZENSTAT: Craig, wasn't there	3	Restrictive Covenants that spoke to many
4	conditions with a covenant to run with the land	4	elements, restrictions being what the Code
5	when this was approved by the City?	5	would have even asked for on a Code Amendment
		1 -	1m
6	MR. COLLER: There were.	6	and Text Amendment of this kind, because of the
7	CHAIRMAN AIZENSTAT: And now we're going to	7	fact that it spoke to the slips, ownership of,
7 8	CHAIRMAN AIZENSTAT: And now we're going to go ahead and change that covenant?	7 8	fact that it spoke to the slips, ownership of, who would, you know, control and cleanliness,
7 8 9	CHAIRMAN AIZENSTAT: And now we're going to go ahead and change that covenant? MR. FRESEN: No.	7 8 9	fact that it spoke to the slips, ownership of, who would, you know, control and cleanliness, security, everything else, but fortunately, in
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owners from Hammock Oales? Okay, Thank you. So we've gene through everybody. Anybody want to make a motion? MR BEHAR: III second it. His BEHAR: III make a motion for approval. MR MURAI: His make a motion for for approval. MR MURAI: What do you mean fin on the bike? CHAIRMAN AIZENSTAT: Robert makes a motion for for approval. Rene, on the bike? CHAIRMAN AIZENSTAT: You've moving back and forb, Rene. MR MURAI: What do you mean fin on the bike? CHAIRMAN AIZENSTAT: You've moving back and forb, Rene. MR FRESEN: I didn't want to say anything. Lit it looked like you were getting your going to get another item that's going to have the same thing. MR ME, FRESEN: And I promise that my introduction will just be, fin here for any qualitations. I'm not going to provide you or 24 bore you with any details. CHAIRMAN AIZENSTAT: Okay. We have a motion for diopped out of your — MR, ANDERSON: 1c an hear him. MR COLLER: Okay. MR BEHAR: Usecond dat and forb first, second Any other comment? No? Having heard none, call the roll, please, fill. THE SECRETARY: Rebert Behar? MR SUPLEZ: Yes. MR BEHAR: His second that one. CHAIRMAN AIZENSTAT: You're moving back and forb. MR MURAI: What do you were getting your In MR MURAI: Mr Water Suplement of the second and and and son forb. MR MIR MURAI: Without of the second and and and son forb. MR MIR MURAI: What do you were getting your MR MURAI: Mr Mat do you were and make and the second and and son forb. MR MIR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr Mat do you were and and so forb. MR MR MURAI: Mr		Page 113		Page 114
2 Okay. Thank you. 3 So we've gone through everybody. Anybody 4 want to make a motion? 5 MR, BEHAR: I'll make a motion for approval. 6 ARRAMAN AIZENSTAT: Okay. We have a 6 First, second. Any other comment? No? 8 MR. MURAI: What do you mean I'm on the bide? 10 MR, MURAI: What do you mean I'm on the bide? 11 bide. 12 CHAIRMAN AIZENSTAT: You're moving back and 13 forth, Rone. 14 MR, FRESEN: I didn't want to say anything. 15 but it looked like you were getting your 16 exercise in thare. 17 MR, COLLER: I just ask everybody to 18 remember what happened tonight, because you're 19 going to get another tiren that's going to have 19 the same thing. 21 MR, FRESEN: And I gromase that rmy 22 introduction will just be, I'm here for any 23 questions. Thin of going bo provide you or 24 bore you with any details. 25 CHAIRMAN AIZENSTAT: Okay. We have a Page 115 The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: Thank you very much, 26 guys. Have a nice might. 27 The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: Thank you very much, 28 guys. Have a nice might. 26 MR, BEHAR: Nothing else? I'll make a motion to adjourn. MK, COLLER: Were you able to hear him? MR, DEHAR: More with the condition that Brik cannot speak at the next one. MR, BEHAR: Miscond it at one. CHAIRMAN AIZENSTAT: Thank you very much, 29 guys. Have a nice might. The reproper, the meeting was concluded at 8 ADEPSON: I can hear him. MR, COLLER: Care and a Notary Public for the State of Planida at Large, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings and data the transcript is a true and complete record of my stenographically report the foregoing proceedings and data the transcript is a true and complete record of my stenographically report the foregoing proceedings and data the transcript is a true and complete record of my stenographically report the foregoing proceedings and data the transcript is a true and complete record of my stenographically report the foregoing proceedings an	1	owners from Hammock Oaks?	1	motion. We have a second.
So we've gone through everybody. Anybody want to make a motion? MR. BEHJAR: I'll second it. CHAIRMAN AIZENSTAT: Robert makes a motion for approval. MR. MURAl: I'll second it. CHAIRMAN AIZENSTAT: Robert makes a motion for approval. Rene, on the bike- MR. MURAl: I'll second it. CHAIRMAN AIZENSTAT: Pobert makes a motion for approval. What do you mean I'm on the bike? CHAIRMAN AIZENSTAT: Volve moving back and forth, Rone. MR. REISEN: I didn't want to say anything, but it looked like you were getting your MR. COLLER: I just ask everybody to going to get another item that's going to have the same thing. MR. REISEN: And I promise that my introduction will just be, I'm here for any quastions. I'm not going to provide you or you with any details. CHAIRMAN AIZENSTAT: Okey. We have a Page 115 The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: No, I'm not muted. MR. BEHAR: Scram. Page 115 The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: I said, yes. MR. BEHAR: Scram. MR. COLLER: Were you able to hear him. MR. COLLER: Were you able to hear him. MR. COLLER: Okay. CHAIRMAN AIZENSTAT: I said, yes. MR. BEHAR: Scram. Page 115 The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: I said, yes. MR. BEHAR: Scram. MR. BEHAR: Scram. Page 115 The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: I said, yes. MR. BEHAR: Scram. MR. COLLER: Were you able to hear him? Page 116 CERTIFICATE Page 116 CERTIFICATE Page 116 CERTIFICATE CERTIFICATE Page 116 CERTIFICATE CERTIFICATE THE SECRETARY: Eibi Aizenstat? CHAIRMAN AIZENSTAT: Said, yes. MR. BEHAR: Nothing deso? I'll make a motion to adjourn. MR. WITHES: Yes. THE SECRETARY: Eibi Aizenstat? CHAIRMAN AIZENSTAT: So, i'm not muted. S.S. COUNTY OF MIAMI-DADE: The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: Thank you very much, guys. Have a nice night. CHAIRMAN AIZENSTAT: Thank you very much, guys. Have a nice night. CHAIRMAN AIZENSTAT: Thank you very much, guys. Have a nice night. MR. BEHAR: N	2	Okay. Thank you.	2	
want to make a motion? MR. BEHAR: I'll make a motion for approval. MR. MERAI: I'll make a motion for approval. MR. MURAI: I'll second it. CHARMAN AIZENSTAT: Okay, We have a first, second. Any other comment? No? Having heard none, call the roll, please, fill. THE SECRETARY: Maria Velez? MR. MURAI: What do you mean I'm on the bik? MR. RESEN: I didn't want to say anything, but it looked like you were getting your excess in there. MR. RESEN: I didn't want to say anything, but it looked like you were getting your excess in there. MR. COLLER: I just ask everybody to remember what happened touight, because you're the same thing. MR. FRESEN: And I promise that my introduction will just be, I'm here for any questions. I'm not going to provide you or bore you with any details. CHAIRMAN AIZENSTAT: Okay, We have a solve that Chair gold us that this can be done with a covenant and so first. MR. REHAR: Secretary: Chairman and say, yes, on the more you hear me? MR. REHAR: Secretary: Chairman and say, yes, on the median and say yes, on the median and say. Yes, on the say on the median and say yes, on the say on the same thing. Page 115 The volume sort of dropped out of your — CHAIRMAN AIZENSTAT: No, I'm not muted. MR. REHAR: Secretary is a five that this can be done with a coverant and so forth. MR. COLLER: Were you able to hear him? Page 115 MR. REHAR: Noting else; I'll make a motion to adjourn. MR. VELEZ: I'll second. CHAIRMAN AIZENSTAT: Thank you very much, gays. Have a nice night. MR. MERHAR: Secretary. MR. MERHAR: Scaram. MR. REHAR: Noting else; I'll make a motion to adjourn. MR. COLLER: Were you able to hear him? The volume sort of dropped out of your — CHAIRMAN AIZENSTAT: Thank you very much, gays. Have a nice night. MR. MERHAR: Noting else; I'll make a motion to adjourn. MR. COLLER: Were you of the freegoing proceedings and that the transcript is a true and complete record of my stemographic notes. MR. PETERSE	3		3	
5 MR BEHAR: I'll make a motion for approval. 6 approval. 7 MR AURA: I'll second it. 8 CHAIRMAN AIZENSTAT: Cheet makes a motion for approval. Rene, on the bike — 10 MR AURA: What do you mean I'm on the bike? 11 bike? 12 CHAIRMAN AIZENSTAT: You're moving back and forth, Rene. 13 forth, Rene. 14 MR. PRESEN: I didn't want to say anything, but into flood like you were getting your exercise in there. 15 but it fooked like you were getting your exercise in there. 16 exercise in there. 17 MR. COLLER: I just ask everybody to remove the same thing. 18 remember what happened tonight, because you're going to get another item that's going to have the same thing. 19 MR. PRESEN: And I promise that my introduction will just be, I'm here for any quisitions. Thin of going to provide you or bore you with any details. 19 MR. RESEN: And I promise that my introduction will just be, I'm here for any quisitions. Thin of going to provide you or bore you with any details. 25 CHAIRMAN AIZENSTAT: Okay. We have a Page 115 The volume sort of dropped out of your — 26 CHAIRMAN AIZENSTAT: No, I'm not muted. 27 CHAIRMAN AIZENSTAT: No, I'm not muted. 28 MR. BEHAR: Scream. 29 MR. RELER: Okay. 20 MR. RELER: Okay. 21 MR. RELER: Okay. 22 I'm going to go alead and say, yes, on the advision. Thin of going to provide you or with any details. 23 CALLER: Were you able to hear him? 24 MR. BEHAR: Scream. 25 MR. ADDERSON: 1 can hear him. 26 MR. COLLER: Were you able to hear him? 27 MR. MAIZENSTAT: Thank you very much, guys. Have a nice night. 28 MR. BEHAR: Scream. 39 motion to adjourn. 30 MR. SCHEZ: Plis scond. 31 (Therupon, the meeting was concluded at 8.20 p.m.) 31 I, NIEVES SANCHEZ. Court Reporter, and a Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did selectify the state of professing proceedings and that the transcript is a true and complete record of my sterographic notes. 32 MR. BEHAR: Notes and the meeting was concluded at 4th the transcript is a true and complete record of my sterographic notes.	4		4	
6 first, second. Any other comment? No? 7 MR. MURAI: I'll second it. 8 CHAIRMAN AIZENSTAT: Robert makes a motion for approval. Rone, on the bike— 9 MR. MURAI: What do you mean I'm on the 10 bike? 10 MR. MURAI: What do you mean I'm on the 10 THE SECRETARY: Rinorda Anderson? 11 MR. O'CHAIRMAN AIZENSTAT: You're moving back and forth, Rene. 12 CHAIRMAN AIZENSTAT: You're moving back and forth, Rene. 13 MR. FRESEN: I didn't want to say anything, but it looked like you were getting your exercise in there. 14 MR. COLLER: I just ask everybody to remember what happened tonight, because you're large going to get another item that's going to have the same thing. 19 MR. RFRESEN: And I promise that my questions. I'm not going to provide you or bore you with any details. 10 The volume sort of dropped out of your — 20 CHAIRMAN AIZENSTAT: Okay. We have a 21 The volume sort of dropped out of your — 22 CHAIRMAN AIZENSTAT: I said, yes. 23 MR. BEHAR: Soream. 24 MR. BEHAR: Soream. 25 MS. ANDERSON: I can hear him. 26 MR. COLLER: Okay. 27 MR. COLLER: Were you able to hear him? 28 MR. COLLER: Okay. 29 MR. REHAR: Soream. 30 MS. ANDERSON: I can hear him. 40 MR. COLLER: Okay. 41 MR. BEHAR: Soream. 51 MS. ANDERSON: I can hear him. 52 MR. AIRMAN AIZENSTAT: Thank you very much, guy. Have a nice night. 31 (Thereupon, the meeting was concluded at 8.20 p.m.) 32 MS. ANDERSON: I can hear him. 33 MS. ANDERSON: I can hear him. 44 MR. BEHAR: Soream. 55 MS. ANDERSON: I can hear him. 56 MR. COLLER: Okay. 57 MR. COLLER: Were you able to hear him? 58 MR. BEHAR: Soream. 59 MS. ANDERSON: I can hear him. 60 MR. COLLER: Okay. 61 MR. COLLER: Okay. 62 MR. COLLER: Okay. 63 MR. COLLER: Okay. 64 MR. BEHAR: Soream. 65 MS. ANDERSON: I can hear him. 66 MR. COLLER: Okay. 67 MR. COLLER: Okay. 68 MR. BEHAR: Soream. 69 MR. COLLER: Okay. 69 MR. COLLER: Okay. 60 MR. COLLER: Okay. 61 MR. COLLER: Okay. 62 MR. COLLER: Okay. 63 MR. COLLER: Okay. 64 MR. COLLER: Okay. 65 MR. COLLER: Okay. 65 MR	5	MR. BEHAR: I'll make a motion for	5	
MR. MURA!: I'll second it. CHAIRMAN AIZENSTAT: Robert makes a motion for paperoval. Rene, on the bike. MR. MURA!: What do you mean I'm on the bike. CHAIRMAN AIZENSTAT: You're moving back and forth, Rene. MR. FESSEN: I didn't want to say anything, but it looked like you were getting your exercise in there. MR. COLLER: I just ask everybody to remember what happened tonight, because you're going to get another item that's going to have the same thing. MR. FRESEN: And I promise that my introduction will just be, I'm here for any a questions. I'm not going to provide you or borry you with any details. CHAIRMAN AIZENSTAT: Okay. We have a Page 115 The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: I said, yes. MR. BEHAR: Scream. MS. ANDERSON: Yes. MR. MURA!: He's muted. MR. MURA!: He's muted. MR. MURA!: He's muted. MR. MURA!: He's muted. CHAIRMAN AIZENSTAT: Okay. We have a Page 115 The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: No, I'm not muted. Can you hear me? MR. BEHAR: Scream. MS. ANDERSON: I can hear him. MR. COLLER: Were you able to hear him? Page 115 CHAIRMAN AIZENSTAT: No, I'm not muted. Can you hear me? MR. BEHAR: Scream. MS. ANDERSON: I can hear him. MR. COLLER: Were you able to hear him? MR. COLLER: Okay. CHAIRMAN AIZENSTAT: Thank you very much, guys. Have a nice night. (Thereupon, the meeting was concluded at 8:20 p.m.) MR. SELEZ: I'll second. The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: Thank you very much, guys. Have a nice night. The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: Thank you very much, guys. Have a nice night. The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: Thank you very much, guys. Have a nice night. The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: Thank you very much, guys. Have a nice night. The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: Thank you very much, guys. Have a nice night. The volume sort of dropped out of your - CHAIRMAN AIZENSTAT: Thank you very m	6			
8 CHAIRMAN AIZENSTAT: Robert makes a motion for approval. Rene, on the bike — 10 MR. MURA!: What do you mean I'm on the bike? 11 MR. WITHERS: Yes. 11 MR. WITHERS: Yes. 112 CHAIRMAN AIZENSTAT: You're moving back and forth, Rene. 12 MR. FRESEN: I didn't want to say anything, but it looked like you were getting your 16 exercise in there. 16 exercise in there. 17 MR. COLLER: I just ask everybody to 18 going to got another item that's going to have the same thing. 18 mr. FRESEN: And I promise that my 19 going to got another item that's going to got another item that's going to got another item that's going to got with any details. 19 mot going to grow with any details. 19 mot going to grow with any details. 19 mot going to grow with any details. 19 mot going to got got got got got got got got got		••		-
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	Page 9		Page 10
1	Miami eventually, and our offices are at 2950	1	THE SECRETARY: Maria Velez?
2	Southwest 27th Avenue in Coconut Grove, and	2	MS. VELEZ: Yes.
3	that's pretty much it.	3	THE SECRETARY: Chip Withers?
4	CHAIRMAN AIZENSTAT: Thank you very much,	4	MR. WITHERS: Yes.
5	and we welcome all of your valuable input.	5	THE SECRETARY: Robert Behar?
6	MR. BEHAR: Welcome to the Board.	6	MR. BEHAR: Yes.
7	MR. REVUELTA: Thank you.	7	THE SECRETARY: Rene Murai?
8	CHAIRMAN AIZENSTAT: Welcome to the Board.	8	MR. MURAI: Yes.
9	Tonight I'm going to go ahead and change	9	THE SECRETARY: Eibi Aizenstat?
10	the agenda items. We will first hear E-2,	10	CHAIRMAN AIZENSTAT: Yes.
11	which will be heard first, because Mr. Behar	11	Let me go ahead and identify the procedure
12	has to recuse himself for Item E-1, and as	12	that we'll be using tonight. First, the
13	such, like I stated, he must recuse himself.	13	identification will be made of the item by Mr.
14	First let's go ahead and do the approval of	14	Coller. Mr. Coller is attending the meeting by
15	the minutes of October 14th, 2020.	15	Zoom. Then we'll have the presentation by
16	MR. BEHAR: Motion to approve.	16	Staff, the presentation by applicant. At which
17	CHAIRMAN AIZENSTAT: We have a motion. Is	17	time, I'll open the comment for public
18	there a second?	18	comment, first to the Zoom platform, then the
19	MS. VELEZ: Second.	19	phone line platform. Also, remember that the
20	CHAIRMAN AIZENSTAT: We have a second. Any	20	e-comments or e-mails will be read into the
21	comments? No?	21	record. Then I will close the public comment.
22	Jill, will you go ahead and call the roll,	22	The Board will have a discussion and then let's
23	please?	23	see if we have a motion and a second and a
24	THE SECRETARY: Luis Revuelta?	24	vote, if any.
25	MR. REVUELTA: Yes.	25	Okay. Let's get started. If we can please
	Mana Vessini. Ta.		
		1	
	Page 11		Page 12
1	Page 11 read E-2 into the record, please, by Mr.	1	Page 12 Marin Street, Coral Gables, Florida, by
1 2		1 2	_
	read E-2 into the record, please, by Mr.		Marin Street, Coral Gables, Florida, by
2	read E-2 into the record, please, by Mr. Coller.	2	Marin Street, Coral Gables, Florida, by increasing the number of dock slips from eight
2	read E-2 into the record, please, by Mr. Coller. MR. MURAI: I'm having problems hearing	2	Marin Street, Coral Gables, Florida, by increasing the number of dock slips from eight to nine, all other conditions of approval
2 3 4	read E-2 into the record, please, by Mr. Coller. MR. MURAI: I'm having problems hearing you, Eibi.	2 3 4	Marin Street, Coral Gables, Florida, by increasing the number of dock slips from eight to nine, all other conditions of approval contained in Ordinance Number 2018-43 shall
2 3 4 5	read E-2 into the record, please, by Mr. Coller. MR. MURAI: I'm having problems hearing you, Eibi. MR. COLLER: Mr. Chairman, Craig Coller,	2 3 4 5	Marin Street, Coral Gables, Florida, by increasing the number of dock slips from eight to nine, all other conditions of approval contained in Ordinance Number 2018-43 shall remain in effect; providing for a repealer
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	Page 13		Page 14
1	Coller is speaking.	1	sent that dealt with some Code Enforcement
2	MR. COLLER: Yeah. Ramon, could you begin	2	issues related to the cul-de-sac, but the
3	from the beginning, because I think we can all	3	request is very clear, from eight to nine.
4	hear you now.	4	Eight was approved prior. You dealt with half
5	THE SECRETARY: Can you repeat that, Craig?	5	of their request already, and this is the
6	MR. COLLER: Yes. I can hear and I was	6	second half. The request has not changed.
7	hearing Ramon	7	There's an extra slip right there highlighted
8	MR. TRIAS: Okay.	8	in red.
9	MR. COLLER: about ten seconds into his	9	And the public was notified with letters
10	speech.	10	twice. The property was posted. The website
11	CHAIRMAN AIZENSTAT: Craig, this is Eibi.	11	was also posted. There was the newspaper
12	Can you hear me?	12	advertisement for this meeting tonight.
13	MR. COLLER: I can hear you fine.	13	Staff recommends approval.
14	CHAIRMAN AIZENSTAT: Okay. Thank you. Go	14	CHAIRMAN AIZENSTAT: Thank you, Mr. Trias.
15	ahead, please, Ramon.	15	Is the applicant online with Zoom?
16	MR. TRIAS: All right. If we could have	16	MR. FRESEN: Yes.
17		17	
18	the PowerPoint, just for the record, just so		CHAIRMAN AIZENSTAT: Welcome. Can you
19	people can see what we're talking about, in	18 19	please introduce yourself and proceed?
20	terms of the map and the location.	l	MR. FRESEN: Good evening, Mr. Chair, the
	It doesn't seem to be working for me.	20	attorney. Good evening, Craig. Erik Fresen,
21	Okay. So, as you know, it's a sliver of	21	with offices at 8050 Southwest 72nd Avenue, on
22	land, right there, in that photograph, and the	22	behalf of the applicant, David Cabarrocas.
23	existing Land Use and the Zoning is	23	As promised in the last meeting, this is
24	single-family around it. It's at the end of	24	essentially the twin item to the first one that
25	the cul-de-sac. There was one e-mail that was	25	was heard in last month's meeting. I believe
	Page 15		Page 16
1	all of you, with maybe the exception of new	1	resident of 11098 Marin Street, directly
2	Board Member Revuelta, heard the details of it,	2	adjacent to the boat slip area. My name is
3	and I had promised not to go so lengthy. It's	3	Andreas Siegel. Unfortunately, I will not be
4	essentially the identical item, but for the	4	able to participate in the meeting, but I would
5	fact that because the number eight was also on		able to participate in the meeting, but I would
	fact that because the number eight was also on	5	like to submit a few issues for consideration
6	the Conditional Use portion of the original	5 6	like to submit a few issues for consideration
6 7	_		like to submit a few issues for consideration of tonight's meeting:
	the Conditional Use portion of the original	6	like to submit a few issues for consideration
7	the Conditional Use portion of the original approval for this yacht harbor basin in the	6 7	like to submit a few issues for consideration of tonight's meeting: 1) My understanding was that access to the
7 8	the Conditional Use portion of the original approval for this yacht harbor basin in the title portion of the Ordinance, we had to	6 7 8	like to submit a few issues for consideration of tonight's meeting: 1) My understanding was that access to the parking lot of the boat slips was to be granted
7 8 9	the Conditional Use portion of the original approval for this yacht harbor basin in the title portion of the Ordinance, we had to actually — you know, we're doing a Conditional	6 7 8 9	like to submit a few issues for consideration of tonight's meeting: 1) My understanding was that access to the parking lot of the boat slips was to be granted for one (service) car maximum. It had been
7 8 9 10	the Conditional Use portion of the original approval for this yacht harbor basin in the title portion of the Ordinance, we had to actually you know, we're doing a Conditional Use amendment. Again, just like the last one,	6 7 8 9 10	like to submit a few issues for consideration of tonight's meeting: 1) My understanding was that access to the parking lot of the boat slips was to be granted for one (service) car maximum. It had been announced that the normal means of
7 8 9 10 11	the Conditional Use portion of the original approval for this yacht harbor basin in the title portion of the Ordinance, we had to actually — you know, we're doing a Conditional Use amendment. Again, just like the last one, there is nothing being changed other than the	6 7 8 9 10 11	like to submit a few issues for consideration of tonight's meeting: 1) My understanding was that access to the parking lot of the boat slips was to be granted for one (service) car maximum. It had been announced that the normal means of transportation to get to the boat slips was by
7 8 9 10 11 12	the Conditional Use portion of the original approval for this yacht harbor basin in the title portion of the Ordinance, we had to actually — you know, we're doing a Conditional Use amendment. Again, just like the last one, there is nothing being changed other than the number eight to the number nine.	6 7 8 9 10 11 12	like to submit a few issues for consideration of tonight's meeting: 1) My understanding was that access to the parking lot of the boat slips was to be granted for one (service) car maximum. It had been announced that the normal means of transportation to get to the boat slips was by electrical/golf cart. I would appreciate if
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ers either by Zoom or by phone; is that	23 24	CHAIRMAN AIZENSTAT: Luis, do you have any
et?	24	
		comments.
ay. So let's go ahead and close the	23	MR. REVUELTA: I only had one question, and
Page 19		Page 20
ot familiar with it. I see that there is	1	CHAIRMAN AIZENSTAT: Rene, can you hear me?
y of water to the south of these slips,	2	MR. MURAI: Huh?
vas the only flow of water from the body of	3	CHAIRMAN AIZENSTAT: Do you have any
into the canal through that last slip or	4	comments on this item?
s last slip going to block the flow of	5	MR. MURAI: Well, first, I didn't hear
?	6	anything that Maria said, nor did I hear if
IAIRMAN AIZENSTAT: Ramon.	7	any response that Ramon gave to Luis' comments.
audible.)	8	So I don't know if Ramon commended on it or
R. MURAI: I cannot hear Ramon.	9	not. Did you, Ramon?
IAIRMAN AIZENSTAT: Go ahead, please.	10	MR. TRIAS: I did not, but the applicant is
IE SECRETARY: Excuse me, Ramon, Rene just	11	going to comment, I believe.
ated he cannot hear you.	12	MR. MURAI: Okay. And what was Maria's
R. REVUELTA: I don't have a problem with	13	comment, because I couldn't hear it?
quest and the approval, but it just	14	MR. TRIAS: That she would prefer well,
ed on me, if there was any consequence,	15	go ahead.
it's my first day.	16	(Inaudible).
IAIRMAN AIZENSTAT: Understood. Was the	17	MR. MURAI: Can't hear.
cant going to answer the question, Ramon?	18	MR. VELEZ: Why did they not present this
R. TRIAS: I hope so. Is the applicant	19	at the last meeting, and, Number Two, I'm
	20	hoping that we don't have if there is
able?	21	another one coming in the future, that we would
able? IE SECRETARY: He's still on.	22	prefer to see things come at the same time, as
	23	opposed to piecemeal. Can you hear me? It's
IE SECRETARY: He's still on.	24	
IE SECRETARY: He's still on. se second.	27	on.
	quest and the approval, but it just ed on me, if there was any consequence, it's my first day. IAIRMAN AIZENSTAT: Understood. Was the cant going to answer the question, Ramon? R. TRIAS: I hope so. Is the applicant able? IE SECRETARY: He's still on. e second. IAIRMAN AIZENSTAT: While we wait for the	quest and the approval, but it just ed on me, if there was any consequence, it's my first day. IAIRMAN AIZENSTAT: Understood. Was the cant going to answer the question, Ramon? R. TRIAS: I hope so. Is the applicant able? IE SECRETARY: He's still on. e second. IAIRMAN AIZENSTAT: While we wait for the

		1	
	Page 21		Page 22
1	MS. VELEZ: The light is on.	1	just saying that my preference would be to see
2	Can you hear me now?	2	everything at the same time, as opposed to
3	MR. MURAI: Well, with a lot of echo.	3	getting items piecemeal, the way this has come
4	That's the problem.	4	in.
5	MR. BEHAR: Can she get the mike? Can she	5	MR. MURAI: But what is different about
6	get that mike? Is that possible?	6	this item from last time?
7	MS. VELEZ: Can you hear me now? Can you	7	MR. TRIAS: There's no difference. It's
8	hear me now?	8	the same aspects of the request. The first one
9	MR. MURAI: No.	9	was Site Specifics. This one is an amendment
10	CHAIRMAN AIZENSTAT: Maybe, Ramon, you can	10	to the Conditions of Approval.
11	state what Maria has said.	11	MR. COLLER: Can I just make a comment on
12	MR. TRIAS: Yes. Maria expressed an	12	this, because I explained it at the last
13	opinion that both items should have been	13	meeting, if everybody is able to hear me?
14	brought together, and that, in the future,	14	CHAIRMAN AIZENSTAT: Yes. Please go ahead.
15	that's the way it should be, which I concur and	15	MR. COLLER: Okay. So this item came
16	I agree.	16	before you at the last meeting, and if you'll
17	CHAIRMAN AIZENSTAT: Thank you.	17	recall, I told you, please remember what the
18	Rene, any other comments? I hope that	18	testimony was, because a lot is going to be the
19	answered your questions.	19	same. For this private yacht basin, they
20	MR. MURAI: Well, what does she mean by	20	needed two different approvals. One approval
21	both items? What do you mean, Maria?	21	is, this is mentioned in the Site Specific
22	MS. VELEZ: We had something on this item	22	Zoning for this area, and so the Site Specifics
23	at the last meeting	23	needed to be amended.
24	MR. MURAI: Yes.	24	The second area that needed to be amended
25	MS. VELEZ: an additional step, and I'm	25	is, because this is a Conditional Use in the
	D 22		D 04
_	Page 23		Page 24
1	Zoning Code for a private yacht basin, they	1	completely agree, it would have been much
2	needed to have an amendment, which had	2	better if both items came at the same time,
3	previously approved eight, and now is approving	3	and, hopefully, that will not likely happen
4	nine. It's the same additional slip in both	4	again.
5	circumstances.	5	MR. MURAI: Okay. So my comments are the
6	At the last meeting, counsel for the	6	following: I would vote to approve this item,
7	applicant said, well, the applicant really	7	subject to the City posting a No Parking sign
8	didn't was hoping they wouldn't have to	8	there, and, hopefully, enforcing it, but
9	spend the money having to do both, an amendment	9	enforcing it cannot be a part of my motion. It
10	to the Site Specifics and an amendment to the	10	simply would be, the City post a No Parking
11	Conditional Use Ordinance that had been	11	sign and No Trash/Garbage sign, so that, you
12	approved, and so that's why they went for the	12	know, the neighbor next to the basin will not
13	first one. When they got the opinion from the	13	have to deal with these issues.
14	City Attorney, yes, you needed to have both	14	So I would like to, when the motion is
15	amendments done, the applicant decided, well,	15	made, that those two items be included.
16	I've got this on the agenda, I might as well go	16	MR. REVUELTA: And I was looking at my
17	for it now, knowing that this was going to have	17	phone, the aerial, and it's not blocking
18	to come back again, which I told you all at the	18	anything, so there's no need to waste time
19	last meeting.	19	answering my question.
20	So, really, the considerations and the	20	MR. TRIAS: I agree with that. I just
	facts compared eight to nine were the same.	21	didn't want to make it (unintelligible) I
21			
22	The only difference is, tonight we have heard	22	think you're correct. I think you're correct.
22 23	The only difference is, tonight we have heard some concerns from a neighbor about certain	22 23	MR. REVUELTA: Okay. Thank you.
22	The only difference is, tonight we have heard		· · · · · · · · · · · · · · · · · · ·

	Page 25		Page 26
1	MR. MURAI: Yes. I move that the item be	1	It's just we don't see you when we're here.
2	approved, subject to the City installing a No	2	It's the first time that we're doing this
3	Parking sign adjacent to the boat slip and a No	3	hybrid. Would you please make your comment?
4	Garbage/Trash sign.	4	MR. FRESEN: And I'm sorry, I was trying to
5	CHAIRMAN AIZENSTAT: Okay. Is there a	5	raise my hand to be respectful to the process.
6	second?	6	I mean, and, again, I just want to put a couple
7	MR. BEHAR: I'll second it.	7	of comments on the record for things respective
8	(Unintelligible.)	8	to the e-mail that was sent.
9	CHAIRMAN AIZENSTAT: Mr. Behar seconded it.	9	So to the portion of the parking, and we
10	Any discussion?	10	have the parking that they're referring to
11	MR. MURAI: The attorney, Erik, had his	11	is outside of the basin, what is the
12	hand up.	12	roundabout. Obviously, that could be anything
13	CHAIRMAN AIZENSTAT: Say that again,	13	from a neighbor having a party and parking,
14	please.	14	which we can't control, but the truth should
15	MR. MURAI: Erik, right, you had your	15	be, we need a place I just wouldn't want the
16	hand	16	approval held up because it takes four months
17	THE SECRETARY: The applicant wishes to speak.	17	for a City official to come out and put a sign
18	MR. TRIAS: Craig. They attorney is Craig.	18	up. I would rather put up the sign ourselves,
19	MR. COLLER: No, I believe that Erik,	19	if we can get that somehow approved by the
20	counsel for the applicant	20	City, and I'm saying that from a timing
21	MR. TRIAS: Oh, okay.	21	perspective.
22	MR. COLLER: had his hand up. I think	22	Mr. Behar, also, a no loading or trash, but
23	he wants to say something about the Conditions	23	just be clear, what is happening there is,
24	for Approval.	24	there is a pit outside of the entrance to the
25	CHAIRMAN AIZENSTAT: Erik, I apologize.	25	boat harbor and what people are doing,
	Page 27		Page 28
1	landscapers more than likely, are that they're	1	CHAIRMAN AIZENSTAT: Okay. We have a
2	dumping landscaping debris, and the City once a	2	motion. We have a second. Any other comment?
3	week drives by and picks it up. So I would	3	No?
4	also have no problem with the concept of	4	Jill, please call the roll.
5	putting a No Trash Dumping or a sign there, as	5	THE SECRETARY: Maria Velez?
6	well. I just wanted it to be clear that	6	MS. VELEZ: Yes.
7	neither of those adverse conditions that have	7	THE SECRETARY: Chip Withers?
8	been properly made by the neighbor are a	8	MR. WITHERS: Yes.
9	function of the marina. They are just things	9	THE SECRETARY: Robert Behar?
10	that have been happening in the roundabout,	10	MR. BEHAR: Yes.
11	outside of the gates of the marina. So I just	11	THE SECRETARY: Rene Murai?
12	wanted that to be clear on the record.	12	MR. MURAI: Yes.
13	CHAIRMAN AIZENSTAT: Okay. That's why I	13	THE SECRETARY: Luis Revuelta?
14	see this e-mail mainly as a Code Enforcement	14	MR. REVUELTA: Yes.
15	issue.	15	THE SECRETARY: Eibi Aizenstat?
16	MR. FRESEN: Yeah.	16	CHAIRMAN AIZENSTAT: Yes.
17	MR. MURAI: Yeah, but I would like my	17	At this time, before we proceed with the
18	motion to stand as it is.	18	next item, Robert, I guess you're going to go
19	(Simultaneous speaking.)	19	ahead and excuse yourself.
20	MR. TRIAS: That's an appropriate	20	(Inaudible.)
21	condition, if you vote for it, certainly.	21	MR. REVUELTA: Thank you, sir.
22	CHAIRMAN AIZENSTAT: Yeah. That's the way	22	MR. WITHERS: Good night, Robert. Have a
23	it is made, and, Ramon, you'll make sure and	23	good evening.
24	see to it that that would be expedited?	24	CHAIRMAN AIZENSTAT: Let me state something
25	MR. TRIAS: Absolutely.	25	before Robert leaves. Our December meeting is
		1	

Menendez, Jill

From: Andreas Siegel <ats_eveil@yahoo.fr>
Sent: Sunday, November 15, 2020 11:26 AM

To: Planning

Subject: Public Hearing, on 12 November, on the extension of 8 to 9 boat slips, Hammock Oaks

Harbor section two

Attachments: 20201115_111135.jpg; 20201115_111100.jpg

CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

PS: In order to illustrate points 1 and 3 below, please find some photos of today, Sunday 15 November 2020.

Le jeudi 12 novembre 2020 à 15:13:33 UTC-5, Andreas Siegel <ats_eveil@yahoo.fr> a écrit :

Madam, Sir,

I am a resident at 11098 Marin street, directly adjacent to the boat slip area. My name is Andreas Siegel. Unfortunately, I will not be able to participate in the meeting, but I would like to submit a few issues for consideration of tonight's meeting:

- 1) My understanding was, that access to the parking lot of the boat slips was to be granted for one (service) car maximum. It had been announced that the normal means of transport to get to the boat slips was by electrical/golf cart. I would appreciate if this rule were to be applied consistently. (So far, no golf cart has been seen near the boat slips)
- 2) My understanding is also that parking in the area of the adjacent roundabout is forbidden. This rule is not respected either. I would plead for an effective enforcement or at least a visual reminder ("No Parking" sign).
- 3) It has been repeatedly observed that garbage and trash has been put outside the gated boat slip premises and left on adjacent premises. A reminder of existing conditions and rules would be appreciated.
- 4) Water management: since August 2019 (when the water pipe system in the adjacent area was adapted for the boat slips) the degree of flooding in the roundabout area has considerably increased. A review of the pipe system and overflow protection by MDWAS would be appreciated.

Thank you for taking note of and addressing these concerns.

Best regards Andreas Siegel

11098 Marin Street, Coral Gables FL 33156



