

**City of Coral Gables
Board of Adjustment Meeting
Monday, January 8, 2018
Coral Gables City Commission Chambers
405 Biltmore Way, Coral Gables, Florida**

MEMBERS	J8	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												Commissioner Frank Quesada
Oscar Hidalgo Chair	P												Board-As-A-Whole
Eugenio Lage	P												Commissioner Michael Mena
Jorge Otero	-												Commissioner Patricia Keon
Gema Pinon Vice Chair	P												Mayor Raul Valdes Fauli
Michael Sotelo	E												Commissioner Vince Lago
Jack Thomson	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
 Cristina Suarez, Asst. City Attorney
 Charles Wu, Asst. Director Development Services

Court Reporter:
 Nieves Sanchez

Attachment: 01 08 18 Board of Adjustment Verbatim Minutes

1 CITY OF CORAL GABLES
 2 BOARD OF ADJUSTMENT
 3 VERBATIM TRANSCRIPT
 4 CORAL GABLES CITY HALL
 5 405 BILTMORE WAY, COMMISSION CHAMBERS
 6 CORAL GABLES, FLORIDA
 7 MONDAY, JANUARY 8, 2017, COMMENCING AT 8 05 A.M.
 8
 9 Board Members Present
 10 Oscar Hidalgo, Chairman
 11 Maria D. Garcia
 12 Eugenio Lage
 13 Gema Pinon
 14 John M. Thomson
 15
 16 City Staff and Consultants:
 17 Ramon Trias, Planning Director
 18 Cristina Suarez, Assistant City Attorney
 19 Arceli Redila, Principal Planner
 20 Jennifer Garcia, City Planner
 21 Charles Wu, Assistant Director Development Services
 22
 23 ALSO PARTICIPATING
 24 Mario Garcia-Serra, on behalf of 6401 LLC
 25 Rolando Garcia
 Eduardo Calil
 Carolyn Howdy

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

1 MR. TRIAS: Eugenio Lage?
 2 MR. LAGE: Present.
 3 MR. TRIAS: Gema Pinon?
 4 MS. PINON: Present.
 5 MR. TRIAS: Michael Sotelo?
 6 And Jack Thomson?
 7 MR. THOMSON: Here.
 8 MR. TRIAS: Okay. So we have a quorum,
 9 sir.
 10 The first item is 944 Lugo. Could we have
 11 the Staff presentation?
 12 MS. REDILA: Good morning, Mr. Chair,
 13 Members of the Board. My name is Arceli
 14 Redila. I am your new Principal Planner. It's
 15 an honor to be working with you.
 16 The item before you today is a variance
 17 request. The Applicant, Mario Garcia-Serra, on
 18 behalf of the property owner, is requesting to
 19 reduce the setback for a swimming pool to allow
 20 ten feet where twenty feet is required.
 21 And the subject property is located in the
 22 Gables by the Sea community. It is Zoned
 23 Single-Family Residential. Here's an aerial
 24 view of the site. It abuts a canal.
 25 Currently, there is an existing

1 THEREUPON:
 2 (The following proceedings were held.)
 3 MR. TRIAS: Good morning. This morning we
 4 had two items on the agenda, but one of them
 5 has been postponed, so we only have one item.
 6 MR. THOMSON: Which one is that, Ramon?
 7 MR. TRIAS: The pool item, 944 Lugo Avenue.
 8 That's the only item that we have today.
 9 Okay. So we'll have a Staff presentation.
 10 Arceli.
 11 CHAIRMAN HIDALGO: Should we take a roll
 12 call, please? Is there someone that's going to
 13 be sitting here for the City? Will there be
 14 somebody sitting in here for the City?
 15 MR. TRIAS: Yes. I can do that for you, if
 16 you want. I thought you had already done that.
 17 CHAIRMAN HIDALGO: Can we just take the
 18 roll first and then we can start with the first
 19 case?
 20 MR. TRIAS: Okay. Very good.
 21 All right. Roll call.
 22 Maria Garcia?
 23 MS. GARCIA: Present.
 24 MR. TRIAS: Oscar Hildago?
 25 CHAIRMAN HIDALGO: Present.

1 single-family home on site, approximately 3800
 2 square feet, built in 1971.
 3 The property owner is currently doing
 4 renovations and improvements to the subject
 5 site, the existing single-family home. He's
 6 proposing to install a swimming pool.
 7 Now, this site is subject to specific
 8 Zoning regulations, where a swimming pool
 9 requires a twenty-foot setback from the rear.
 10 Now, as previously mentioned, the single-family
 11 house was built in 1971. There's a setback of
 12 twenty-five feet from the rear of the house to
 13 the property line to the rear.
 14 Now, in order to build a standard size
 15 swimming pool, there's really no room for it.
 16 So, as previously proposed by the Applicant, it
 17 was set back for a swimming pool and a deck,
 18 and we worked with Staff and the Applicant and
 19 the variance is now only for the swimming pool.
 20 And the deck, there is a permit for it.
 21 They're working on a permit meeting all of the
 22 requirements for the deck.
 23 So what is before you today is just for the
 24 swimming pool, and here is what they are
 25 proposing; a swimming pool, a standard size

1 swimming pool, 13 by 30, set back ten feet from
2 the rear.

3 With that, Staff is supporting the
4 application, and all other improvements to the
5 property shall be based on the elevations, and
6 the Applicant is here, Mr. Chair, if you have
7 any questions, or if you have any questions for
8 Staff.

9 CHAIRMAN HIDALGO: Is anyone in the
10 audience going to be speaking in front of the
11 Board today, this morning, so they can be sworn
12 in?

13 Is it just yourself, Counsel?

14 MR. GARCIA-SERRA: Sure. Myself, and we
15 have one of the neighbors, also, that will
16 speak.

17 CHAIRMAN HIDALGO: Could we swear her in,
18 and she can sign in? Is there a sign-in sheet?

19 MS. SUAREZ: Whoever is planning on
20 speaking today should stand up and be sworn in,
21 please.

22 MR. GARCIA-SERRA: Actually, there's two
23 neighbors that will be speaking.

24 CHAIRMAN HIDALGO: If they can just stand
25 up, please, and they'll be sworn in.

1 standards.

2 The one thing that is missing is a pool.
3 Like so many others in the neighborhood,
4 Mr. Garcia would like to have a pool as part of
5 his home. It's become fairly standard, I
6 think, now, in the Gables, but what's necessary
7 is this variance in order to accommodate it.

8 In Coral Gables, as you know, we have Site
9 Specific regulations, regulations that are
10 critical to certain sections of the City.
11 Here, the Site Specific regulations require
12 twenty feet of setback between the rear
13 property line and the edge of the pool.

14 However, due to the existing condition,
15 where the house is placed right now there's
16 only about twenty-five feet of setback. I'll
17 show you that on the survey.

18 It might be hard to see. I can pass it
19 around, if necessary, but right here it's
20 indicated where the twenty-foot setback would
21 take -- the twenty-foot setback between the
22 property line and the existing home, which is
23 undergoing renovation, would leave only about
24 five feet of space for a pool.

25 Now, of course, you're not going to place a

1 (Thereupon, participants were sworn.)

2 CHAIRMAN HIDALGO: Thank you.

3 MR. GARCIA-SERRA: Good morning, Mr. Chair,
4 Members of the Board. My name is Mario
5 Garcia-Serra, with offices at 600 Brickell
6 Avenue. I'm here today representing 6401 LLC,
7 the owner of the single-family home at 944 Lugo
8 Avenue, which is indicated on the aerial
9 photograph that we have here.

10 I'm joined today by Mr. Rolando Garcia, the
11 principal of 6401 LLC, as well as my associate,
12 Lauren Kahn.

13 This is a fairly straight-forward request.
14 Mr. Garcia, like so many others, has decided to
15 build his dream home here in the Gables, at 944
16 Lugo, in the Gables by the Sea community, and
17 he has done several improvements already to the
18 home.

19 I have here a before and after sort of
20 picture of the south elevation of the home.
21 The left is how the home looked before, when he
22 had bought it, and the right is the work that's
23 currently undergoing, and, as you can see,
24 there's several improvements, sort of
25 modernizing the house for today's living

1 pool immediately right next to the rear wall of
2 the home. So, in reality, the only amount of
3 space that you would realistically have for any
4 width of the pool would be two to three feet,
5 not something that is really practical or
6 realistic as far as having a pool.

7 It's a condition really that is created by
8 the physical characteristics of the property,
9 mainly the existing home, where the rear
10 property line is right now, it's something that
11 is fairly unique to the property.

12 If you look around, you see most other
13 homes in the area easily -- we've got an aerial
14 photograph here -- indicating, just from our
15 review, and, let's say, in a less than a block
16 and a half area, there's about seventeen other
17 homes in this same section, Coral Bay, subject
18 to the same requirement of twenty feet of rear
19 setback, which have pools within that twenty
20 feet of rear setback.

21 So it's not usual, the requested variance.
22 It's, again, just to be able to be part of the
23 modernization of this home and to be able to
24 accomodate a fairly standard size pool in the
25 area.

1 We have the support, as you can see from
 2 what we submitted in Exhibit B, of the property
 3 owners on both sides of the home for the pool
 4 setback, and it's really just something
 5 consistent with the way that this house is
 6 being renovated and consistent, may I add,
 7 also, with the current Single-Family
 8 regulations for single-family homes generally
 9 in Coral Gables.

10 In other words, if we were not in this Site
 11 Specific arc, this Coral Bay Section B, we
 12 would only be required five feet of setback for
 13 the pool. In this case, we're actually
 14 providing ten feet. We're asking for ten,
 15 where twenty is normally required. So it's
 16 consistent with what normally is applicable to
 17 all other properties in Coral Gables, if we
 18 didn't have the Site Specific regulations. But
 19 as you can see, the Site Specific regulations,
 20 as far as they apply to pools, really haven't
 21 been applied in this neighborhood.

22 That's the conclusion of the presentation.
 23 Like I mentioned, we have two speakers to speak
 24 in support. I'm not sure if there's any other
 25 interested members of the public here, but

1 MS. PINON: Yes, for the neighbor.
 2 Do you have a swimming pool on your
 3 property?

4 MS. Howdy: Yes, I do.

5 MS. PINON: And is it on the setback
 6 requirement? Does it meet the twenty feet?

7 MS. Howdy: Yes.

8 MS. PINON: Okay. Thank you.

9 MS. Howdy: When we built our house, it was
 10 a raw piece of property. So, in fact, it
 11 didn't even have a seawall. It was quite raw.

12 MS. PINON: Right. But you meet your
 13 setback requirement?

14 MR. LAGE: She has the twenty feet?

15 MS. PINON: Yes. That's what I'm asking.
 16 That's what I'm asking, yes, because I looked
 17 at all of the adjacent properties to see, and
 18 one of my questions for Mario is whether there
 19 have been any variances given in that
 20 neighborhood? Because that five-foot comment
 21 that you gave was in the Coga subdivision,
 22 which is nowhere near that neighborhood,
 23 nowhere near that neighborhood.

24 It's in 824, Mario, the Coga Subdivision
 25 may not -- that's five-foot, and it has no

1 we're available, of course, for any questions
 2 that you might have.

3 I would ask that you follow your Staff's
 4 recommendation and hope you approve this
 5 variance.

6 CHAIRMAN HIDALGO: Thank you.

7 One of the neighbors will speak next.

8 MS. Howdy: Hello.

9 CHAIRMAN HIDALGO: Good morning. If you
 10 could please just state your name.

11 MS. Howdy: My name is Carolyn Howdy, and I
 12 live at 930 Lugo Avenue, just east of Roly's
 13 house.

14 My husband and I built our property in
 15 1989, 1090, and we've lived there ever since,
 16 and we -- I've been watching the progress on
 17 Roly's house. It's certainly an improvement
 18 over the house that was there before. He's
 19 done a wonderful job. And my husband and I
 20 have no objection to what his plans are.

21 We are proponents, I guess you could say.

22 CHAIRMAN HIDALGO: Great. Thank you.

23 Any other questions?

24 MS. PINON: I have questions.

25 CHAIRMAN HIDALGO: For the neighbor?

1 reference at all to canals or waterways, and I
 2 just want to make sure that if we grant this
 3 type of variance, that we're being consistent
 4 with the neighborhood and whether there's any
 5 adjoining properties that have --

6 MR. LAGE: I think that would be a good
 7 question for Staff, to find out if they have
 8 issued any other variances in this --

9 MS. PINON: Exactly. Exactly.

10 MR. LAGE: Can Staff answer that, please?

11 MS. Howdy: There is. The house on the
 12 other side of me has a pool that is very close
 13 to the seawall, and, in fact, I think it is
 14 probably --

15 MR. CALIL: Ten feet.

16 MS. Howdy: -- ten feet.

17 I was never issued an invitation regarding
 18 a variance for that. That was built in
 19 probably -- the house was renovated in probably
 20 2007, when a pool was put in. This is 910
 21 Lugo. And that house has a pool very close to
 22 the seawall. I wasn't aware of any variances.
 23 Personally, I didn't receive any paperwork, but
 24 I know that that is quite close to the seawall,
 25 just so you know.

1 MS. PINON: Thank you.
 2 MS. Howdy: I mean, I know what's around me.
 3 MS. REDILA: To answer your question
 4 regarding the five-foot setback --
 5 MS. PINON: Yes.
 6 MS. REDILA: -- Section 5-108 of the Code
 7 of Ordinances --
 8 MS. PINON: I have it right here. I looked
 9 it up. I read it. It's got Section A-24, and
 10 it does not reference anything about canals or
 11 seawalls or anything, and it's in this
 12 neighborhood, Maynada. It's nowhere near the
 13 Lugo properties.
 14 MS. REDILA: Yes, but for swimming pools
 15 that about the canal, for sites that are not
 16 subject to specific Zoning regulations, Section
 17 5108 of the Code of Ordinances applies, where
 18 it reads -- specifically, Section 5108-J,
 19 "Patios and decks surrounding pools, other than
 20 wood decks, may extend five feet closer to the
 21 rear property line," of course, that the pool
 22 still maintains the five-foot setback.
 23 MR. LAGE: So my question is, have we
 24 issued any other variances in Lugo?
 25 MS. REDILA: Staff has not looked at the

1 houses that were built much later.
 2 So what happens is that as these
 3 regulations have changed in Zoning, that's
 4 created some challenges. Now, the real issue
 5 before you is whether or not it makes sense to
 6 have this setback as a precedent, really. It
 7 really is what you're doing, and if it makes
 8 sense, because the regulations make it very
 9 difficult to build a pool, then it is within
 10 your prerogative to make that approval.
 11 CHAIRMAN HIDALGO: I mean, I would
 12 elaborate that, I guess, the Board's concern
 13 is, of the twenty other homes within that
 14 subdivision, are any of those homes either --
 15 that have the condition of the twenty-foot
 16 setbacks for the pool, are those new permits,
 17 are they renovations that have included the
 18 pool within that twenty-foot setback or are
 19 these pools that have the twenty-foot setback
 20 as a result of a prior Zoning regulation,
 21 whenever the home was built or the pool was
 22 built?
 23 MR. TRIAS: Yeah, we could look at that in
 24 detail, but generally what I would say is that
 25 the twenty-foot setbacks tend to be more recent

1 entire neighborhood. The Applicant has
 2 submitted and identified properties --
 3 MR. LAGE: No, I understand that, but has
 4 Staff, the City -- has the City issued any
 5 other variances with ten-foot setbacks for the
 6 pool?
 7 MS. REDILA: From before, I could not
 8 answer that. I am not aware --
 9 MR. LAGE: Because this could set a
 10 precedent on the whole entire neighborhood.
 11 MS. PINON: Exactly. Exactly.
 12 MR. TRIAS: Yeah. No, that's a very good
 13 question. The records of the variances that we
 14 have from the past are not very good, so I
 15 haven't been able to check whether or not
 16 there's a precedent. However, if one looks at
 17 the area, you will see that there are some
 18 pools that are closer than the required
 19 setback.
 20 Now, the way that I would look at this is
 21 that this is one of those areas, that's in the
 22 south of the City, that were platted perhaps in
 23 the '60s or so. There was some houses that
 24 were built early, and those may be closer, and
 25 this is one of those cases. There are other

1 permits. That's what I would say, generally,
 2 but we have not researched it in detail.
 3 CHAIRMAN HIDALGO: So there are or there
 4 have been recent permits with pools within the
 5 subdivision and this Zoning location, with the
 6 canal, that are at the twenty-foot mark?
 7 MR. TRIAS: I believe so, but, again, I
 8 haven't researched that in detail.
 9 MR. GARCIA-SERRA: Mr. Chair, if I may, to
 10 help on that point in particular, we do have --
 11 the other member of the public, who was going
 12 to speak, Mr. Eduardo Calil, is an architect,
 13 himself, who has done at least two homes in the
 14 neighborhood within this Gables by the Sea,
 15 that have had the variance for the ten-foot, as
 16 opposed to a twenty-foot setback for the pool.
 17 So if you would give him the opportunity to
 18 speak --
 19 CHAIRMAN HIDALGO: Absolutely. If you can
 20 approach, and state your name, for the record.
 21 MR. CALIL: Good morning. My name is
 22 Eduardo Calil, from Calil Architects. My
 23 office is at 1728 Coral Way, in Miami.
 24 Yes, I've done -- that's correct, Mario,
 25 I've done fourteen homes, actually, in Gables

1 by the Sea, and it just happens to be that two
2 houses down, what the lady was talking about,
3 I'm the architect at this time for that house,
4 and I did bring that house here with me. This
5 is 910 Lugo.

6 This is a large remodeling we did for this
7 house, which you can see in the photograph, it
8 has 10.3 feet of the pool. Now, the pool was
9 existing. It's a house built in the '60s or
10 '70s -- I wouldn't know at this time -- and we
11 did remodel the entire house. This is our Site
12 Plan, and you can see the 10.3 setback on the
13 photograph and also on our plans. I also
14 brought a survey, a certified survey, to show
15 that it is at 10.3 feet. And, again, it's two
16 houses down from Roly's house.

17 I am also the architect of 830 Lugo, which
18 is like six houses down or so, and it has a
19 very similar condition. This is the existing
20 pool, and you can see that this one is 10.5
21 feet from the property line, the rear property
22 line. It also has a canal. And I also brought
23 the survey, which is, you know, a certified
24 survey, by a surveyor, showing the 10.5 feet.

25 Now, I want to add a little bit. You know,

1 and, you know, he's remodeling the house, and
2 he's keeping it. You know, people usually
3 knock down the house and do, you know, a huge
4 39-foot high house. This house is about 14, 15
5 feet only, and it's very humble.

6 It doesn't make sense for him, if this is
7 not granted, for him not to have a pool, Number
8 One, and, Number Two, if he wants to have a
9 pool, he has to knock down the house. He has
10 no other way to go. I mean, this is a pretty
11 good hardship.

12 And, again, to answer some of your
13 questions, is this the first house that's going
14 to have a ten-foot setback in the rear? No,
15 it's not. At least I can show you, right next
16 to it, that I'm the architect of two of those
17 houses, and they have ten-foot setbacks.

18 MS. PINON: I have several questions for
19 you.

20 MR. CALIL: Of course. Go ahead.

21 MS. PINON: The 910 and the 830 --

22 MR. CALIL: Yes.

23 MS. PINON: -- those setbacks, were they
24 before the regulations? Did they request a
25 variance or not?

1 being an architect, and I've worked in the
2 Gables forever, and, of course, the Zoning
3 Director knows me, et cetera, the major reason
4 that I see that you want a setback, you know,
5 from pool to pool, from having two houses, is,
6 you know, privacy, et cetera, et cetera.

7 In this Code, while not being a Site
8 Specific, you actually can have up to ten feet
9 between two pools, you know, five feet and five
10 feet. In this case, we have a canal in the
11 middle, which measures about 85 feet. I mean,
12 I know, because I've done the research way
13 before this one. You have 85 feet, then you
14 have ten feet on each side, which, actually, by
15 the way, compared to the other street, it is
16 also 20 feet, so you're going to have over a
17 hundred feet between pool and pool.

18 So, you know, in a regular house, you're
19 going to have a ten-foot setback. In this
20 case, you're going to have over a hundred feet,
21 if this variance is granted. So I think it
22 justifies why it should, you know, just be 10
23 feet and not, you know, 20 feet or more.
24 That's Number One.

25 Number Two, Roly has an existing house,

1 MR. CALIL: I wouldn't know. I mean, the
2 City of Coral Gables --

3 MS. PINON: My concern is about setting a
4 precedent that that neighborhood is going to
5 have -- unless the City wants to amend Section
6 825 of Coral Bay and have an adjustment to the
7 setback requirements. Once we grant a variance
8 for that, we set a precedent that anyone would
9 be entitled to that, and while your arguments
10 have been very compelling, I don't know whether
11 those have been granted within the character of
12 the regulations or before or whether they've
13 complied with the Code. I just don't know.

14 CHAIRMAN HIDALGO: There's also eight
15 questions that need to be answered, which the
16 City has responded to the eight comments
17 that --

18 MR. THOMSON: Do we want to go through them
19 or do we want to just finish this conversation
20 with Maria?

21 MS. PINON: Gema. Gema. I'm Gema.

22 MR. THOMSON: Gema.

23 MS. PINON: Thank you, Mr. Thomson.

24 MR. THOMSON: Because my concern is similar
25 to yours. There's no setback at the house.

1 There's no walkway on one side of the pool.
2 And my understanding was, years ago, we stopped
3 that from happening in Coral Gables, because
4 it's a danger to the people in the pool.

5 MS. PINON: Of the alligators. There's
6 alligators. There's animals that can come up.
7 I mean, I'm telling you, I grew up on the Coral
8 Gables waterway, you know. Animals come up,
9 and ten feet is not a lot.

10 MR. CALIL: Let me go back to it. So,
11 again, maybe the City of Coral Gables doesn't
12 have any records. I've been an architect in
13 the Gables -- I mean, I've been an architect
14 since 1982. Since then, I've been working in
15 the Gables, especially in this area. Again, I
16 have like fourteen homes that I've done.

17 I don't recall the Zoning Code changing the
18 pool setback, ever. I don't recall that. I
19 don't know if Mr. Trias, who has been here at
20 the present time, also, but to my recollection,
21 I think it's always been twenty feet.

22 So I'm assuming that, yes, there were
23 variances done for these two homes, in
24 particular, that one that I'm working on. I
25 definitely assume that. The City might not

1 have the best record-keeping system in the
2 world, but from what I recall, and from my
3 knowledge, since '82 or so, and that's quite a
4 long time, the Zoning Code hasn't changed.

5 As a matter of fact, I haven't seen a lot
6 of changes in the Zoning Code until Mr. Trias
7 came. Let me be honest, right now I think
8 there's something going on with Zoning changes,
9 and that's now. That's the first time, I
10 think, I see Coral Gables changing the Zoning
11 Code since whenever.

12 So I really doubt, on my professional
13 experience, that there has been a Zoning
14 change. So I'm assuming that these two houses
15 were granted a variance, to answer your
16 question. I don't have any other --

17 MS. PINON: Can the City please confirm
18 whether those houses that have potentially a
19 variance on the setback, whether those were
20 granted a variance or are they within the Code,
21 the 910 and the 830 Lugo properties?

22 MR. TRIAS: Ms. Pinon, I'm asked that
23 question often, and, unfortunately, I'm really
24 not able to speak for things that were done in
25 the past, because of the difficulty with some

1 of the record-keeping. I've seen some
2 situations where it looks like there should
3 have been a variance, but, for example, my
4 Staff was not able to find permits for some of
5 those issues.

6 Now, I don't know why that is. I really
7 can't speak for that. The real question before
8 you is based on the fact that there are many
9 pools that are closer than twenty feet, that
10 that is a fact.

11 CHAIRMAN HIDALGO: To the waterway.

12 MR. TRIAS: To the waterway.

13 MS. PINON: To the waterway.

14 MR. TRIAS: Existing pools.

15 Now, how exactly they got there? That's
16 something we can research further, but at this
17 point, we haven't been able to find all of the
18 details, for whatever reason.

19 MR. THOMSON: But you see, this is going to
20 be ten.

21 MR. TRIAS: The request was ten feet.

22 MR. THOMSON: Is there any out there that
23 are ten?

24 MR. TRIAS: Yes. Yes. There's some.

25 MR. CALIL: These two are 10.3 feet and --

1 MR. THOMSON: On the canal side, where do
2 you walk? Where is the walkway, the walkway
3 around the pool, if that is all of ten feet?

4 MR. CALIL: Well, you're allowed five more
5 feet. So you can be at five feet.

6 Now, again, my explanation actually is that
7 it's not only the ten feet, which myself, being
8 an architect, et cetera, and knowing the area
9 very, very well, it's that actually -- you can
10 see here -- again, the Code is made for the
11 best, in terms of the neighbors, et cetera.
12 So, you know, actually, from pool to pool, you
13 have over a hundred feet.

14 MR. LAGE: I'm sorry, are you the neighbor
15 or are you the architect for this --

16 MR. CALIL: I'm the architect. As a matter
17 of fact, I used to live in --

18 MR. LAGE: You're the architect for this
19 project?

20 MR. CALIL: I'm not the architect for this
21 project. I'm a friend of the owner. We do
22 buildings that already had permits.

23 MR. THOMSON: All right. On the pool side,
24 is it all leveled? From the pool to the edge
25 of the canal, the ten feet, is it concrete or

1 what are you going to have there?
 2 MR. CALIL: There's a concrete seawall, and
 3 then he's going to have a small deck, you know,
 4 a five-foot deck around the pool, like
 5 everybody else.
 6 MS. GARCIA: I have a question.
 7 MR. CALIL: Yes.
 8 MS. GARCIA: From what you were saying,
 9 Mr. Calil, if the variance is not granted for
 10 this property owner, the only way he could
 11 build a pool, which there's many in the area
 12 from what we've seen so far today, would be if
 13 he just knocked down his house?
 14 MR. CALIL: Exactly.
 15 MS. GARCIA: That's the only way he, as a
 16 property owner, would be able to build the
 17 pool?
 18 MR. CALIL: Exactly. His house is
 19 twenty-five feet from the rear property line.
 20 So if you have a twenty-foot setback, you know,
 21 you have five feet wide, you know.
 22 MS. GARCIA: Are there any neighbors, that
 23 you know of, and this goes to Mr. Garcia-Serra,
 24 as well, that object to the pool? Are there
 25 any objectors?

1 MR. GARCIA-SERRA: No. On the contrary,
 2 the neighbors that we have spoken to, they have
 3 been in support. They have signed letters in
 4 support, and one of them was here speaking in
 5 support of the variance.
 6 MR. LAGE: When did they buy the house?
 7 6401 LLC, when did they buy the house?
 8 MR. GARCIA: It's like two years ago.
 9 MR. GARCIA-SERRA: About two years ago.
 10 MR. LAGE: Did they live in the house for
 11 those two years?
 12 MR. GARCIA-SERRA: No. Since then, they've
 13 been in the process of either getting plans
 14 approved or renovating the house.
 15 MR. LAGE: When they bought the house, they
 16 were aware that they were going to have this
 17 difficulty with the pool?
 18 MR. GARCIA-SERRA: Whether -- no. They had
 19 not done the research specifically -- the Site
 20 Specific regulations is not something that is
 21 really looked at too often when --
 22 MR. LAGE: Normally, when you buy a house,
 23 you know --
 24 MR. GARCIA-SERRA: Sure. You do your due
 25 diligence.

1 MR. LAGE: If they're into this business,
 2 they realize, "We're going to have issues with
 3 a pool." The house -- it's a nice lot, but the
 4 house was built back.
 5 MR. GARCIA-SERRA: Correct.
 6 MR. LAGE: The original builder, he should
 7 have brought the house further to the front, so
 8 we had enough, because the pool was going to be
 9 always an issue. If they never lived in the
 10 house, then they don't live in the house, you
 11 know.
 12 MR. GARCIA-SERRA: It's a question of, if
 13 they were going to demolish the house and
 14 rebuild it new, then it would be a different
 15 situation. Here, what they're facing is
 16 renovating an existing home, and trying to
 17 accommodate a pool in the rear.
 18 There are about, if you'll notice on there,
 19 on the photograph we put up earlier, seventeen
 20 other properties with a pool in the twenty-foot
 21 setback, based on our examination. The Site
 22 Specific regulations have been in place for a
 23 very long time, so you would think that the
 24 vast majority of those were by variance.
 25 Mr. Calil is the architect of record on two

1 of those projects. He talked about the fact
 2 that those pools are set back ten feet. We
 3 have a canal in the rear. The setback are
 4 supposed to protect for the abutting property
 5 owners, which there is a considerable amount of
 6 distance between this pool, even if we reduce
 7 the setback to ten feet, and the pools on the
 8 other side. Each of the neighbors on the other
 9 side are in support.
 10 We feel, you know, it's justified to have a
 11 variance in this situation.
 12 MS. PINON: I have a question for you,
 13 Mr. Trias. Why does the City recommend the
 14 approval of this? It's going to set a
 15 precedent, and you're basically amending the
 16 Zoning Code. And if you want to amend the
 17 Zoning Code, we should do that by election and
 18 not on a one by one case.
 19 MR. TRIAS: That's a very good point, and
 20 what we are doing right now is that we are in
 21 the process of hiring a consultant to go over
 22 the Zoning Code and make some of those
 23 amendments in the normal process, with
 24 professional advice, et cetera.
 25 What I have observed is that there are some

1 Site Specifics that are fairly arbitrary and do
2 create some issues, and this may be one of
3 those.

4 Certainly, you're correct, you know, the
5 proper way to do is to say, okay, ten feet is
6 the right setback, so let's amend that setback
7 requirement or not. And I think that, in many
8 ways, you're absolutely correct, the request is
9 setting a precedent, and the question is going
10 to be whether ten feet is right or wrong.

11 Now, in other places, the setback is five
12 feet --

13 MS. PINON: But it's not five -- permiso,
14 Mario -- the five feet that's referred to here
15 is in the Coga subdivision.

16 MR. GARCIA-SERRA: But let me clarify that.
17 It's very important that we clarify that.

18 The five-foot requirement that I referred
19 to is in the SFR regulations. Those are
20 Single-Family regulations applicable today in
21 every home in Coral Gables, unless you have
22 Site Specifics.

23 MS. PINON: But it's not on the waterway.
24 It does not specify waterway or canal.

25 MR. GARCIA-SERRA: From the canal, it says

1 MR. CALIL: Also, I'm the architect for
2 this house right here, same Gables by the Sea,
3 as well, and that has a ten-foot setback. I
4 didn't bring the plans. It's 1309 Marrow
5 Street, and both of those setbacks only require
6 ten feet, without a variance.

7 So, really, they never made any sense why
8 it's twenty-foot on this part of Gables by the
9 Sea, and on this portion, you can have ten
10 feet. As a matter of fact, you can see with a
11 loop or something, you can actually see the
12 pool there.

13 MS. PINON: Can you please refer to that
14 section of the Zoning regulation to me, because
15 everything I see is twenty feet?

16 MR. CALIL: I don't have it with me, but I
17 know that it's ten feet.

18 MR. TRIAS: Mr. Chairman, if I could
19 request, can we just have the Applicant and
20 Staff speaking, because I don't think Mr. Calil
21 is the Applicant or has anything to do with it?
22 That probably would be better.

23 I believe he was presenting expert
24 testimony or something to that effect, by
25 saying that there are some pools that are ten

1 five feet.

2 MS. PINON: It does not.

3 MR. TRIAS: I doesn't. And I think
4 Ms. Pinon is correct. That is the fundamental
5 question, whether ten feet is the right setback
6 or not, in general, because once you approve
7 it, I think it's only fair that somebody else
8 might request it. That's really the question
9 before you.

10 The perspective on this is that ten feet is
11 sufficient -- that's the reason why we
12 recommended for it -- in the sense that these
13 are not extremely large lots, they're fairly
14 tight. There's a canal that is perfectly
15 clear. That was our view.

16 Now, you may disagree with that view.
17 Certainly you may disagree.

18 MS. GARCIA: Now, the new houses, when
19 they're built, if they knock down that one and
20 just build from scratch, those do go with the
21 twenty-foot setback? We haven't had variances
22 for the new homes, that you know of?

23 MR. TRIAS: I'm not aware of any recent
24 variance, no. Mr. Calil has explained some of
25 his experiences.

1 feet or something, but that's the extent,
2 right?

3 MR. GARCIA-SERRA: Well, Mr. Calil is here
4 as a member of the public. We do know him. He
5 is an architect of considerable accomplishment
6 and experience here in Coral Gables, especially
7 in the area. So his testimony does, I think,
8 have relevancy even to the issue at hand here.

9 CHAIRMAN HIDALGO: But he's not
10 specifically the architect of this project?
11 He's just an architect that has done work
12 within the current subdivision?

13 MR. GARCIA-SERRA: Right.

14 MR. TRIAS: Yeah, he's not the Applicant
15 nor representing the Applicants.

16 So basically the facts are this, twenty
17 feet, there's a Site Specific requirement,
18 which means this is unique to this area, but
19 it's valid, and that's the requirement that we
20 have.

21 MR. GARCIA-SERRA: One thing I would add,
22 Ms. Pinon, the concern of what precedent that
23 you establish, I would say the precedent is
24 already established by the facts on the record.
25 You've got seventeen properties that have their

1 pool in the twenty-foot setback in this
 2 subdivision. That is much more relevant, I
 3 think, of the reality of what's actually going
 4 on and what exists in the neighborhood, you
 5 know, the input of the neighbors and so forth,
 6 as opposed to this twenty-foot setback, which I
 7 don't see the justification for why it was
 8 established at twenty feet, when in other parts
 9 of the City it's five.

10 MR. LAGE: I have no problem with you
 11 asking for it. My issue is with the City, the
 12 Ordinance that we have, that we have to follow.
 13 You know, it's 55 miles an hour, and we have to
 14 go 55. So I have no issue. If I was him, I
 15 would ask for the ten feet setback. It's
 16 great.

17 We're here to serve the people of the City.
 18 We're trying to, you know, facilitate
 19 everybody, but if I support this application, I
 20 don't want another applicant to come back to me
 21 for another ten feet.

22 I mean, the City can set some rules, you
 23 know, administratively, something that you can
 24 approve this -- just like the last meeting, we
 25 had the side setback with a twenty-five in the

1 talked about it, and we had the setbacks.
 2 My own house, in Coral Gables, I couldn't
 3 put a pool in, because I've got the same
 4 setback. I wasn't allowed to put a pool in my
 5 backyard, because it would have backed up onto
 6 the house, where that walkway was right there,
 7 to meet the back setback.

8 So all of a sudden, I have a pool here
 9 that's abutting the house, and there's no
 10 walkway, and we're going to have a ten-foot
 11 wide setback from the canal, and I'm worried
 12 about the safety of the people using the pool,
 13 to be honest with you.

14 CHAIRMAN HIDALGO: My only comment to
 15 Mr. Thomson's concern about the setback is
 16 that, I guess that if ten feet would have been
 17 an issue with the City, I think that the Zoning
 18 Code would have been written to limit the
 19 setbacks to maybe twenty or fifteen, but if my
 20 understanding is correct, there's multiple
 21 cases in the Zoning Code where you're allowed
 22 the ten-foot setback on a pool. Is that
 23 correct?

24 MR. TRIAS: In other places, yes.

25 CHAIRMAN HIDALGO: So it's not, I guess,

1 front setback, you know.

2 It makes sense. You know, ten feet, I
 3 could support that, in principle, I support
 4 that, but we have to follow the strict rules of
 5 the City. That's what I have an issue with.
 6 And the City, you're very supportive of this
 7 application, right?

8 MR. TRIAS: Yeah.

9 MR. LAGE: If you get one tomorrow, you
 10 would approve it, too?

11 MR. TRIAS: I would recommend changing the
 12 Site Specific to ten feet, but I think that the
 13 twenty feet is very arbitrary. Now, other
 14 people may disagree. I haven't seen any
 15 compelling explanation about why twenty feet is
 16 so significant in this area.

17 MR. THOMSON: It's safety, safety of the
 18 people using the pool and the children running
 19 around the pool, and that's what we thought
 20 about.

21 I've been around the Commission for forty
 22 years, and these pools setbacks have always
 23 been an issue. We settled that some time in
 24 the middle to late 1980s. We had a very
 25 difficult study, and everybody came in and

1 consistent with the setback being -- from a
 2 safety perspective, being fifteen or twenty
 3 feet, because the Zoning Code does allow for it
 4 to be ten feet?

5 MS. PINON: Yes, but I disagree --

6 MR. THOMSON: Wait a minute. Where is ten
 7 feet allowed? Is it from the property line --

8 MS. PINON: It's not on the canals or the
 9 waterway. It's not that same as that.

10 MR. TRIAS: No, Mr. Thomson is bringing up
 11 a very good point. He believes that if there's
 12 a canal, there's a need to have a twenty-foot
 13 setback for safety. Very good point.

14 CHAIRMAN HIDALGO: Okay. So, I guess,
 15 going back to Mr. Thomson's remark, your remark
 16 is specifically on a canal condition?

17 MR. THOMSON: That's right, because there
 18 might be other areas where you can put a
 19 ten-foot setback, in a regular neighborhood,
 20 not on the water.

21 MS. GARCIA: So I assume that the setback
 22 requirement for a pool on an inland property is
 23 basically for privacy between you and the
 24 neighbor behind you? In this case, we have the
 25 waterway, where the neighbor is eighty-five or

1 a hundred feet away. So here it's more of a
 2 safety concern, if I understand Mr. Thomson
 3 correctly, for the water, because of the canal
 4 issue, correct?
 5 MR. THOMSON: Yeah. Only because I live in
 6 a condominium with a pool, and we have rules
 7 that the kids can't run and all of that stuff.
 8 The kids are going to run around the pool, and
 9 ten feet is not that much.
 10 MS. PINON: And there are animals that come
 11 out of those canals. So, for safety purposes,
 12 Mr. Thompson -- I'm not saying that your
 13 request isn't valid. I'm just asking for
 14 consistency, because if we make this
 15 recommendation, then anyone can request it and
 16 we should grant it, right?
 17 I mean, if we don't like twenty-foot
 18 setbacks, then the City should amend the
 19 regulations.
 20 MR. LAGE: Following his comment, to the
 21 City Attorney, is there any liability if
 22 something happens with regard to the ten feet,
 23 if there's an accident? Is there any liability
 24 there?
 25 MS. SUAREZ: The City would not be liable.

1 and with a similar situation? I don't want to
 2 set a precedent, and then the whole
 3 neighborhood comes in with pool applications
 4 all of a sudden.
 5 MR. GARCIA: Can I say something?
 6 MS. GARCIA: Yes. Were you sworn in?
 7 MR. GARCIA: No.
 8 CHAIRMAN HIDALGO: She'll swear you in. If
 9 you would stand up and raise your right hand,
 10 please.
 11 (Thereupon, another participant was sworn.)
 12 MS. SUAREZ: Just to clarify, another
 13 applicant, who would be seeking a variance,
 14 would have to satisfy the criteria. So it
 15 wouldn't just be any applicant. They would
 16 have to satisfy the criteria.
 17 So presumably, you know, an existing
 18 property or home that's demolished and somebody
 19 else has a variance, it may not satisfy the
 20 criteria.
 21 MR. TRIAS: Every application is looked at
 22 in its own merits. I mean, it does not set
 23 legal precedent. However, it is used often to
 24 justify future applications. So those are the
 25 issues.

1 It's private property. There is no issue with
 2 that.
 3 MR. GARCIA-SERRA: Mr. Chair, if I just may
 4 add a few points. Safety concerns are really
 5 usually something addressed by the Building
 6 Code. As we know, pools are highly regulated
 7 as far as barriers that have to go around the
 8 pool in order to protect the safety of the
 9 children, in particular. There are several
 10 other examples within this area itself of pools
 11 that have less than the twenty-foot setbacks,
 12 other pools in the area have less than the
 13 twenty-foot setback on the canal, namely ten
 14 feet, which is where we are right now.
 15 We would submit that a ten-foot is more
 16 than sufficient to provide a safe situation for
 17 anybody going in and around the pool area, and
 18 that there is sufficient other examples already
 19 on the ground of other properties in the area
 20 with a ten-foot setback providing a safe
 21 situation.
 22 CHAIRMAN HIDALGO: Thank you.
 23 MR. THOMSON: I would like to know, in that
 24 area of the Gables, have we allowed these
 25 variances in other properties similarly located

1 Technically, it's not a precedent, but the
 2 argument would be, yeah, well, somebody else
 3 got it, so I should get it.
 4 MS. GARCIA: But everything is case
 5 specific. It does not set legal precedent.
 6 MR. TRIAS: Absolutely.
 7 CHAIRMAN HIDALGO: They would have to meet
 8 the criteria of the eight points in order to
 9 qualify for the approval.
 10 MR. GARCIA: Good morning. I want to
 11 approach the bench --
 12 THE COURT REPORTER: I need his name.
 13 CHAIRMAN HIDALGO: Just state your name,
 14 for the record, please.
 15 MR. GARCIA: Oh, Roly B. Garcia, Sr. I'm
 16 with Junior.
 17 When we bought that property, your point is
 18 very valid, we do due diligence before we
 19 bought it, and we did. We researched the area
 20 and we found there were seventeen homes that
 21 had the setback much -- you know, within what
 22 we needed to build a pool, and we said, "This
 23 makes sense." I mean, we would have absolutely
 24 no problem, because there's already been
 25 seventeen cases of pools being built with

1 ten-foot or less setback. This is not a big
 2 deal. So that is why we invested in the
 3 property.
 4 Should we have known that there would be
 5 any problem, we're not going to invest a
 6 million plus dollars on a piece of property or
 7 we would knock it down and then start over
 8 again.
 9 So I just wanted to answer that question,
 10 from the investor's point of view, from the
 11 owner's point of view.
 12 CHAIRMAN HIDALGO: Thank you.
 13 Does the Board have any questions?
 14 MS. GARCIA: No. I move to vote.
 15 CHAIRMAN HIDALGO: Okay. So we're going to
 16 close the public forum now. If the Board has
 17 any additional comments they would like to make
 18 before we vote, please?
 19 MR. THOMSON: Okay. Before we get started,
 20 on the Staff Recommendation, that first
 21 paragraph, it says, "Pursuant to Section 3806,
 22 standards for Variances of the Zoning Code, the
 23 Zoning Division Staff finds that the Board of
 24 Adjustments shall find as follows," I don't
 25 mind the Staff finding something, but I don't

1 want to be told that I have to find the same
 2 thing.
 3 MR. TRIAS: You don't have to.
 4 MR. THOMSON: Can you take that out of the
 5 application?
 6 MR. TRIAS: I'll take that out. Absolutely.
 7 CHAIRMAN HIDALGO: Any other comments from
 8 the Board?
 9 MR. THOMSON: No, but let's go down a few
 10 of the --
 11 CHAIRMAN HIDALGO: Do we want to go through
 12 all of the eight points?
 13 On the first criteria, Number One, that
 14 special conditions and circumstances exist
 15 which are peculiar to the land, structure,
 16 building involved and which are not applicable
 17 to other lands, structures or buildings in the
 18 same Zoning District.
 19 MR. THOMSON: That's the first question we
 20 asked.
 21 MS. PINON: Exactly. Exactly.
 22 MR. THOMSON: Yeah, and we don't have an
 23 answer to it.
 24 CHAIRMAN HIDALGO: Well, the comment from
 25 the City on the criteria right here is that the

1 existing single-family residence was built in
 2 1971 with a 25.45 foot building setback to the
 3 rear, which limits the available area to build
 4 a swimming pool.
 5 MR. THOMSON: Okay. That's not peculiar to
 6 the area.
 7 MS. PINON: And I think that's pretty much
 8 irrelevant. If they are fixing the property,
 9 they can move the house back to satisfy these
 10 requirements. I mean, I think that that
 11 question --
 12 CHAIRMAN HIDALGO: Well, not move the
 13 house.
 14 MS. PINON: The deck.
 15 CHAIRMAN HIDALGO: They would have to
 16 demolish the house, because the house, right
 17 now, according to the plans, would have to be
 18 demolished or removed.
 19 MS. PINON: No. No, the deck.
 20 MR. THOMSON: This is a threshold question,
 21 and are we able to say to the Staff, come back
 22 and tell us, in this area, that there's more
 23 than one other house that's got -- just give me
 24 one house.
 25 CHAIRMAN HIDALGO: We can definitely have a

1 motion and it can be a conditional motion. In
 2 other words, we can defer.
 3 MR. TRIAS: You may defer, if you need more
 4 information, and that's one option you have.
 5 MR. LAGE: I think I'm very confused,
 6 because we have two pools, with ten feet
 7 setbacks, that Staff cannot tell us if it's
 8 legally or not legally. They can't find
 9 information. I'm sure, if you go to the
 10 microfilm, you can find something.
 11 I mean, besides that, we have someone that
 12 brought in pictures of two houses with the ten
 13 feet setbacks, and the City, you know, would
 14 have to tell us --
 15 CHAIRMAN HIDALGO: Mr. Lage, you can make a
 16 conditional --
 17 MR. TRIAS: Mr. Chairman --
 18 CHAIRMAN HIDALGO: -- that you defer or
 19 contingent that the City provide, if possible,
 20 because we don't know how much information is
 21 available to the City, if some of these
 22 variances, whether they exist --
 23 MR. TRIAS: Mr. Chairman, if you require
 24 more information, we certainly would try to
 25 find it. I find it very frustrating myself

1 that we are not able to find it often.
 2 MS. PINON: I mean, I think that we are not
 3 here to frustrate the property owners of the
 4 City of Coral Gables. I think we're here to
 5 facilitate. But we just need to be consistent.

6 MR. LAGE: That's the issue I have. I
 7 mean, if we have the Applicant and the City,
 8 but then I need -- you know, I'd like to see
 9 some type of proof that we've done this before.

10 There's two pools that are built already,
 11 same issues, and you can't tell us, was it a
 12 legal, was it an illegal pool, do they have a
 13 permit, you know.

14 I mean, I'm debating, in the middle,
 15 between --

16 MR. TRIAS: In that case, then perhaps the
 17 best approach is to defer and provide more
 18 information to the Board.

19 MS. PINON: Yes.

20 CHAIRMAN HIDALGO: So if there is a motion,
 21 we can entertain that motion.

22 MS. PINON: A motion to defer the decision
 23 on the Applicant's request for the variance.

24 MR. THOMSON: Second.

25 CHAIRMAN HIDALGO: So there's a motion to

1 defer --

2 MS. PINON: -- the Applicant's request,
 3 because we would like the City to provide us
 4 more specific information on whether there are
 5 any variances --

6 MR. LAGE: Especially in those two
 7 properties.

8 MS. PINON: -- right, similar to the
 9 setback requirements.

10 MS. GARCIA: For the next meeting.

11 MR. TRIAS: We could schedule a meeting
 12 next month. Usually we have had quarterly
 13 meetings, but if we have an item, we can have
 14 an additional meeting.

15 MR. LAGE: How does the Applicant feel
 16 about that?

17 MR. GARCIA-SERRA: Well, of course, the
 18 question becomes, lately you've had a meeting
 19 on a quarterly basis, which means we would have
 20 to wait until April. If it's next month,
 21 that's another thing. You would have to call,
 22 I think, a special meeting.

23 CHAIRMAN HIDALGO: Just to clarify, the
 24 Board meets every month, unless there's not a
 25 case brought before us. So we would meet the

1 first Monday of February.

2 MR. GARCIA-SERRA: Okay. If it's a
 3 question of a month, then I think it's
 4 acceptable.

5 One important thing to note, legally, on
 6 behalf of the City, when permits have been
 7 issued, of course, for a property, at least in
 8 Mr. Calil's case permits have been issued for
 9 that construction, the presumption is that it
 10 is legal. They have complied with obtaining
 11 variances and --

12 MR. LAGE: Can you repeat that? If a
 13 permit has been issued --

14 MR. GARCIA-SERRA: If permits are issued
 15 for construction, the presumption, of course,
 16 is that they complied with the rule of law
 17 including Zoning.

18 CHAIRMAN HIDALGO: Because they have a
 19 building permit currently active, and the
 20 application is restricted for the pool.

21 MR. LAGE: Yeah. Yeah. This is just the
 22 pool.

23 MR. GARCIA-SERRA: Right. I'm talking
 24 about the other pools in the neighborhood that
 25 have been constructed within those twenty feet.

1 MS. SUAREZ: Mr. Chair, I apologize, but
 2 one of the Board Members, Ms. Garcia, needs to
 3 leave. So I just wanted everybody to be aware
 4 of that, that she needs to leave.

5 CHAIRMAN HIDALGO: In the interest of time
 6 here, there has been a motion and a second by
 7 Mr. Thomson.

8 If you could take the roll, please.

9 MR. TRIAS: Ms. Garcia?

10 MS. GARCIA: Yes.

11 MR. TRIAS: Mr. Hidalgo?

12 CHAIRMAN HIDALGO: Yes.

13 MR. TRIAS: Mr. Lage?

14 MR. LAGE: Yes.

15 MR. TRIAS: Ms. Pinon?

16 MS. PINON: Yes.

17 MR. TRIAS: Mr. Sotelo? Not here.

18 And Mr. Thomson?

19 MR. THOMSON: Yes.

20 MR. TRIAS: Okay. The motion to defer
 21 passes.

22 MR. GARCIA-SERRA: We will see you next
 23 month.

24 MS. PINON: Thank you.

25 CHAIRMAN HIDALGO: Can we have two minutes

1 before you leave?
 2 MR. TRIAS: Mr. Chairman, we may need to
 3 approve the minutes from the last meeting.
 4 MS. PINON: Move to approve.
 5 CHAIRMAN HIDALGO: Is there a motion to
 6 approve?
 7 MS. PINON: I move to approve.
 8 MR. LAGE: Second.
 9 CHAIRMAN HIDALGO: Moved and second.
 10 MS. GARCIA: Second.
 11 CHAIRMAN HIDALGO: There is a second.
 12 And aye for everybody?
 13 MS. PINON: Aye.
 14 CHAIRMAN HIDALGO: Aye.
 15 MR. LAGE: Aye.
 16 MR. THOMSON: Aye.
 17 CHAIRMAN HIDALGO: Everybody voted, aye.
 18 MR. TRIAS: Thank you.
 19 CHAIRMAN HIDALGO: Is there anything else
 20 from the City's end?
 21 MR. TRIAS: No, sir.
 22 MS. SUAREZ: Thank you.
 23 CHAIRMAN HIDALGO: The meeting is
 24 adjourned.
 25 (The meeting was adjourned at 9:00 a.m.)

1 CERTIFICATE
 2
 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
 6
 7
 8
 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.
 15
 16 DATED this 15th day of January, 2018.
 17
 18
 19 SIGNATURE ON FILE
 20

 NIEVES SANCHEZ
 21
 22
 23
 24
 25