

12.10.08 Verbatim Excerpts of PZB Meeting Minutes

Exhibit C

17

1 MS. HERNANDEZ: Right.
2 CHAIRMAN KORGE: So why would there
3 be anything in here dealing with your
4 final -- you as final authority?
5 MS. HERNANDEZ: Because only on
6 specific -- there are certain specific
7 legal issues that are raised by the
8 Code, and then what happens is, if they
9 stick just to the legal issue, then they
10 can go into court and appeal it, you
11 know, just like at the County, just like
12 at the City of Miami, and the other
13 cities. But what's happening is, we're
14 seeing that because we didn't put in
15 what the remedy was once the City
16 Attorney's Office ruled on the legal,
17 what they were doing was getting
18 piecemeal information from our office,
19 then going back to Staff, then coming
20 back to Legal, and we just want that to
21 stop.
22 CHAIRMAN KORGE: Okay.
23 MS. HERNANDEZ: Thank you.
24 CHAIRMAN KORGE: Any more
25 discussion? Is there a motion?

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1 MR. FLANAGAN: I'll move it.
2 CHAIRMAN KORGE: Second?
3 MR. AIZENSTAT: Yes.
4 CHAIRMAN KORGE: It's been seconded
5 by Eibi.
6 Any discussion? None?
7 Let's call the roll.
8 MS. MENENDEZ: Eibi Aizenstat?
9 MR. AIZENSTAT: Yes.
10 MS. MENENDEZ: Robert Behar?
11 MR. BEHAR: Yes.
12 MS. MENENDEZ: Jeff Flanagan?
13 MR. FLANAGAN: Yes.
14 MS. MENENDEZ: Tom Korge?
15 CHAIRMAN KORGE: Yes.
16 Number 9, Item Number 9, Zoning
17 Code Text Amendment, Article 8,
18 "Definitions," relating to the
19 definition of "Family" to reflect the
20 appropriate constitutional requirements.
21 MS. ALFONSIN: It is by adding into
22 the definition of Article 8, "Family,"
23 adding that three or less persons that
24 are unrelated may also live in
25 single-family residences.

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1 CHAIRMAN KORGE: What does it
2 provide now?
3 MS. ALFONSIN: Now it provides that
4 one or more persons occupying a single
5 residential unit when all members are
6 related by blood, adoption, marriage or
7 foster care. It did not have any
8 section talking about unrelated people.
9 In our old Code, before January of
10 2007, we did, in fact, have a section
11 that said three or more -- more than
12 three unrelated people are not allowed
13 to live in single-family residential
14 areas.
15 CHAIRMAN KORGE: Okay. Any
16 discussion on this, any questions?
17 Is there a motion to approve?
18 MR. FLANAGAN: Moved.
19 CHAIRMAN KORGE: A second?
20 MR. BEHAR: Second.
21 CHAIRMAN KORGE: Seconded. Any
22 more discussion? None?
23 Let's call the roll on this one,
24 please.
25 MS. MENENDEZ: Robert Behar?

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1 MR. BEHAR: Yes.
2 MS. MENENDEZ: Jeff Flanagan?
3 MR. FLANAGAN: Yes.
4 MS. MENENDEZ: Eibi Aizenstat?
5 MR. AIZENSTAT: Yes.
6 MS. MENENDEZ: Tom Korge?
7 CHAIRMAN KORGE: Yes.
8 Item Number 10, Zoning Code Text
9 Amendment, Article 5, Division 19,
10 "Signs."
11 MS. ALFONSIN: This, again, goes to
12 the constitutionality of signs on --
13 political signs on residential
14 properties, and we have been following
15 the Miami-Dade County ordinance and we
16 wanted to have something in place in the
17 City's ordinance.
18 It also goes beyond that by giving
19 a duration period for the maintaining of
20 signs, both in campaign headquarters and
21 in residential properties.
22 CHAIRMAN KORGE: Does this
23 generally conform to the County
24 ordinance?
25 MS. ALFONSIN: Yes, it does.



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1 CHAIRMAN KORGE: Any -- What are
 2 the differences?
 3 MS. ALFONSIN: Campaign
 4 headquarters is about the only
 5 difference. The County doesn't have a
 6 section specific to campaign
 7 headquarters. The City has had that
 8 section in place for a number of years.
 9 CHAIRMAN KORGE: Okay.
 10 MR. AIZENSTAT: Does it state the
 11 amount of time that signage can be
 12 placed and must be taken --
 13 MS. ALFONSIN: Yes. The duration
 14 of the signs, both campaign or political
 15 signs, is permitted no earlier than six
 16 months prior to the date of election and
 17 shall be removed within seven days after
 18 the election which is the subject matter
 19 of the sign.
 20 MR. AIZENSTAT: And how would you
 21 enforce it after that, if it's not
 22 removed?
 23 MS. ALFONSIN: They're removed by
 24 the City.
 25 MR. AIZENSTAT: And do you go after

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1 the people that have placed the signs if
 2 they don't remove it, or does the City
 3 just --
 4 MS. ALFONSIN: No, the City just
 5 removes them. Code Enforcement officers
 6 remove the signs.
 7 CHAIRMAN KORGE: And then it
 8 prohibits any signs, basically, on
 9 public property.
 10 MS. ALFONSIN: Correct. That
 11 section was just reworded. That was
 12 contained in our Code previously.
 13 CHAIRMAN KORGE: Right.
 14 MR. BEHAR: And under the political
 15 signs, you're saying that the maximum
 16 height for a sign cannot be more than 12
 17 feet above the ground. Is that in a
 18 residential neighborhood?
 19 MS. ALFONSIN: No, that is for
 20 campaign headquarter signs.
 21 MR. BEHAR: Oh, okay.
 22 MS. ALFONSIN: That's Al(d).
 23 For the political signs in
 24 single-family residential, it's
 25 Subsection 2.

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1 MR. BEHAR: Okay.
 2 MS. ALFONSIN: And they are limited
 3 to 22 by 28 inches in size, based on the
 4 Miami-Dade County Code, which we had
 5 been following for a number of years.
 6 CHAIRMAN KORGE: Perfect, because
 7 we don't want to end up with different
 8 standards.
 9 MS. ALFONSIN: No.
 10 MR. BEHAR: Motion to approve,
 11 Mr. Chairman.
 12 CHAIRMAN KORGE: There's a motion
 13 on the floor. Is there a second?
 14 MR. AIZENSTAT: (Nods head).
 15 CHAIRMAN KORGE: There's a second.
 16 Any discussion? No discussion?
 17 Let's call the roll on this,
 18 please.
 19 MS. MENENDEZ: Jeff Flanagan?
 20 MR. PLANAGAN: Yes.
 21 MS. MENENDEZ: Bibi Aizenstat?
 22 MR. AIZENSTAT: Yes.
 23 MS. MENENDEZ: Robert Behar?
 24 MR. BEHAR: Yes.
 25 MS. MENENDEZ: Tom Korge?

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1 CHAIRMAN KORGE: Yes. Item Number
 2 11, Zoning Code Text Amendment, Article
 3 2, Division 5, "Historic Preservation
 4 Board."
 5 MR. BOLYARD: Good evening,
 6 Mr. Chairman, Members of the Board. For
 7 the record, Scot Bolyard, with the
 8 Planning Department.
 9 This text amendment is, the
 10 Historical Resources Department has
 11 requested a text amendment to increase
 12 the required amount of architects or
 13 preservation architects for the Historic
 14 Preservation Board. The majority of
 15 Board members don't have architectural
 16 background, so they rely on the review
 17 of the sole architect for their
 18 expertise.
 19 This amendment will provide for a
 20 secondary architect on the Board and
 21 that way it will relieve the burden from
 22 some of the other Board members.
 23 MR. AIZENSTAT: But you're not
 24 increasing the amount of appointments,
 25 you're just making --